

REGULAR COMMISSION MEETING MINUTES
TUESDAY, JULY 27, 2010
6:30 P.M.

The Board of Commissioners met in Regular Session at 6:30 p.m. with Mayor Alec Hendryx presiding.

Those in attendance were:

COMMISSIONER DAVID GEORGE
COMMISSIONER RICHARD GONZALES
COMMISSIONER PAM JONES
COMMISSIONER JIM C. TAYLOR, SR.

City Staff in attendance were:

CITY MANAGER JEFF MORRIS
CITY CLERK CINDY PRICE
CITY ATTORNEY PAUL KRITZ
FINANCE DIRECTOR STEPHANIE RICHARDSON
IT MANAGER CHRIS FELIX
PUBLIC WORKS DIRECTOR CHUCK SHIVELY
PUBLIC WORKS DEPUTY DIRECTOR JIM BRADSHAW
ENGINEERING SUPERINTENDENT SCOTT MASSMAN
HOUSING DIRECTOR GAIL THOMAS
ELECTRIC OPERATIONS SUPERINTENDENT MIKE SHOOK
POLICE CHIEF JOE HUMBLE
INTERIM FIRE CHIEF JAMES GRIMMETT

- A. **CALL TO ORDER** – Mayor Hendryx
- B. **INVOCATION** – City Attorney Paul Kritz
- C. **PLEDGE OF ALLEGIANCE TO THE AMERICAN FLAG**
- D. **REVIEW OF AGENDA**

E. CONSENT AGENDA ITEMS

- 1. Regular City Commission Meeting Minutes – Tuesday, July 13, 2010
- 2. 2010 Appropriation Ordinance No. AO-10-22– \$5,055,917.19
- 3. 2010 Appropriation Ordinance No. AO-10-23 (flood) - \$ 63,909.20

MOTION: Move to approve the consent agenda as presented.

ACTION: THE MOTION WAS MADE BY COMMISSIONER GEORGE AND
SECONDED BY COMMISSIONER GONZALES. ROLL CALL
VOTE – ALL AYE

REGULAR AGENDA ITEMS

F. PUBLIC HEARING(s), SPECIAL PRESENTATION(s), & PROCLAMATION(s).

- 1. Proclamation recognizing 20th anniversary of passage of Americans with Disabilities Act
- 2. Presentation from Garrison Development regarding demolition of Mill Supply Building
 - Garrison Development Company (“Garrison”) has proposed to demolish the structure at 713 South Union Street (Mill Supply Building) in Coffeyville and since the property is located within 500’ of the boundaries of two historic properties located within the

corporate limits of the City of Coffeyville; i.e., the “Terminal Building” and the “Perkins Building” (Condon National Bank), the State Historic Preservation Officer sent a letter to Garrison, informing the Company the demolition of the Mill Supply Building “will encroach upon, damage, or destroy the environs of the Terminal Building.”

As K.S.A. 75-2724 provides that the proposed demolition may not proceed until and unless the Governing Body “has made a determination, based on a consideration of all relevant factors, that there is no feasible and prudent alternative to the proposal and that the program includes all possible planning to minimize harm to such historic property resulting from such use;” a Public Hearing was conducted to consider the proposed demolition.

Speaking on behalf of Garrison was attorney Ronald Schneider, W. Cody Sexton, P.E., Anderson Engineering, Inc.; John Wyzgoski, Manager/Partner, Construction Dynamics, L.L.C., and Gary Hassenflu, President, Garrison Development Company; and written reports were received from Anderson Engineering, Inc., and Construction Dynamics, LLC.

Speaking on behalf of an opponent of the proposed demolition; i.e., Historic Terminal Building, Inc, was attorney Bart C. James, and Jim Taylor, Jr., President of Historic Terminal Building, Inc. There were also comments from the public regarding the proposed demolition.

At the conclusion of the presentations and comments, a motion was made by Mayor Hendryx and seconded by Commissioner Jones to adopt a resolution to find (a) there is not a feasible and prudent alternative to the proposal of Garrison Development Company to demolish the Mill Supply Building and (b) the proposed project includes all possible planning to minimize harm to the Terminal Building and Perkins Building. Their findings included the following comments:

1. The Governing Body finds that there is not a feasible and prudent alternative to the proposal of Garrison Development Company based on the following relevant factors:

Commissioner George (voting “aye”) – based on the information provided by Garrison’s representatives and available data, it would not be economically feasible and prudent to rehabilitate the Mill Supply Building

Commissioner Jones (voting “aye”) – based on available data, the Mill Supply Building needs to be demolished – Garrison will be saving the taxpayers of Coffeyville the money that would be needed to remove this dilapidated structure

Mayor Hendryx (voting “aye”) – based on available data, including the technical information provided by W. Cody Sexton, and the cost to rehabilitate the property, the rehabilitation of the Mill Supply Building is not economically feasible or prudent and not technically sensible or realistic – the City’s Comprehensive Plan recommends finding places for low and moderate income housing – the economics of building new construction versus rehabilitating existing structures supports new construction

Commissioner Gonzales (voting “aye”) – based on available data and information presented, it does not make economic sense to rehabilitate the Mill Supply Building

Commissioner Taylor (voting “nay”) – does not believe the Governing Body has been presented with suitable, alternative sites for construction of apartment buildings – has concerns about the City subsidizing this development, such as incurring the cost of repairing the public parking lot adjacent to the property

2. The Governing Body finds that the proposed project includes all possible planning to minimize harm to the Terminal Building and the Perkins Building resulting from the proposed use based on the following considerations:

Commissioner George (voting “aye”) – based on comments made by Garrison’s project manager, the historic buildings will suffer no physical harm

Commissioner Jones (voting “aye”) – the construction of new apartments will, in her view, enhance the environs of the historic buildings, not harm them

Mayor Hendryx (voting “aye”) – based on available data and information presented at the meeting, no harm will come to the historic buildings

Commissioner Gonzales (voting “aye”) – Garrison made a thorough presentation and no harm will come to the historic buildings

Commissioner Taylor (voting “nay”) – does not view the issue as one involving only physical harm to the Terminal Building

3. Resolution No. R-10-100 – A Resolution to set forth the findings of the City Commission relative to the proposed demolition of 713 South Union Street.

MOTION: Move to approve Resolution No. R-10-100 finding there is not a feasible and prudent alternative to the Garrison Development proposal.

ACTION: THE MOTION WAS MADE BY MAYOR HENDRYX AND SECONDED BY COMMISSIONER JONES. ROLL CALL VOTE – ALL AYE EXCEPT COMMISSIONER TAYLOR WHO VOTED NO.

G. COMMENTS FROM THE PUBLIC

- Jim Correll, representing Downtown Coffeyville, provided an update on current Main Street activities.

H. OLD BUSINESS

I. NEW BUSINESS

1. Resolution No. R-10-95 – A Resolution to execute a contract with 1st Choice Construction and award subcontracts for work at 1512 South Maple.

- Housing Director Gail Thomas addressed the Commission stating bids have been received for the second project house for the Coffeyville Housing Rehabilitation Grant. The budget for the house located at 1512 South maple is \$59,900 which represents a rehab cost of \$64.83 per square foot. There could be a problem with the appraisal not being high enough for what the price of the house will need to be; therefore, Thomas

will provide potential buyers with information about funding sources. The low bidder for the primary carpentry was 1st Choice Construction; other work will be done by Eck Heat & Air; Newton's True Value, DNA Construction and HiTech Construction.

MOTION: Move to approve Resolution No. R-10-95 for adoption.

ACTION: THE MOTION WAS MADE BY MAYOR HENDRYX AND SECONDED BY COMMISSIONER GONZALES. ROLL CALL VOTE – ALL AYE.

2. Resolution No. R-10-101 – A Resolution to issue a purchase order to S.T. Cotter Turbine Services for inspection services for the No. 7 turbine for the Electric Utility.

- Electric Utility Operations Superintendent Mike Shook addressed the Commission stating the Electric Department has solicited sealed bids to perform a major inspection on the No. 7 GE steam turbine and generator. Under normal operating conditions, a steam turbine and generator would undergo an inspection every three to five years. The last inspection on this unit was completed in 1995 and was only performed on the steam turbine; the generator was inspected in 1992. To verify the integrity of the operating equipment and to meet recommendations of the insurance carrier, this inspection is required. Seven bids were received with the low bid being S. T. Cotter Turbine Services at a cost of \$241,264.47.

MOTION: Move to approve Resolution No. R-10-101 for adoption.

ACTION: THE MOTION WAS MADE BY COMMISSIONER GONZALES AND SECONDED BY COMMISSIONER GEORGE. ROLL CALL VOTE – ALL AYE.

3. Resolution No. R-102 – A Resolution to execute a grant offer with the Kansas Department of Transportation Aviation Division for the installation of an automated weather observing system at the Municipal Airport.

- Engineering Superintendent Scott Massman addressed the Commission stating the Kansas Department of Transportation Division of Aviation has awarded a grant to purchase an automated airport weather station (AWOS) for the Coffeyville Airport. This will be a 50/50 grant. The AWOS will connect to the existing weather station with the data being sent to the National Weather Service.

MOTION: Move to approve Resolution No. R-10-102 for adoption.

ACTION: THE MOTION WAS MADE BY COMMISSIONER JONES AND SECONDED BY COMMISSIONER HENDRYX. ROLL CALL VOTE – ALL AYE.

4. Resolution No. R-10-103 – A Resolution to execute a construction contract with T. C. Underground for two water line bores.

- Public Works Director Chuck Shively addressed the Commission stating bids were opened for a construction contract to install two 8-inch HDPE water lines in 16-inch steel casing across South Walnut Street. The Kansas Department of Transportation required the water lines be installed in steel casing since they cross a highway. The low bidder was T. C. Underground out of Independence at a cost of \$33,596.00.

MOTION: Move to approve Resolution No. R-10-103 for adoption.

ACTION: THE MOTION WAS MADE BY COMMISSIONER GONZALES AND SECONDED BY COMMISSIONER JONES. ROLL CALL VOTE – ALL AYE.

5. Resolution No. R-10-104 – A Resolution to amend the wireless internet fees for Walter Johnson Park.

- IT Manager Chris Felix addressed the Commission stating this resolution amends the fee for pay-as-you-go wireless internet service at Walter Johnson park to \$2.50 per hour; \$5 per day; \$15 per week and \$40 per month.

MOTION: Move to approve Resolution No. R-10-104 for adoption.

ACTION: THE MOTION WAS MADE BY COMMISSIONER GONZALES AND SECONDED BY COMMISSIONER GEORGE. ROLL CALL VOTE – ALL AYE.

6. Resolution No. R-10-105 – A Resolution to revise the submission of the Kansas Department of Transportation 2012 KLINK Resurfacing Project.

- Engineering Superintendent Scott Massman addressed the Commission stating this resolution is to amend the submittal for the 2012 KLINK project on South Walnut to include additional rehabilitation work and divide the project in half with the second half being requested for the 2013 KLINK submittal.

MOTION: Move to approve Resolution No. R-10-105 for adoption.

ACTION: THE MOTION WAS MADE BY MAYOR HENDRYX AND SECONDED BY COMMISSIONER JONES. ROLL CALL VOTE – ALL AYE.

7. Discussion and action to set a public hearing for Tuesday, August 10, 6:30 p.m., for the FY 2011 budget.

MOTION: Move to set the FY 2011 Budget Hearing for Tuesday, August 10, 2010, 6:30 p.m.

ACTION: THE MOTION WAS MADE BY COMMISSIONER GEORGE AND SECONDED BY COMMISSIONER GONZALES. ROLL CALL VOTE – ALL AYE.

8. Comments from Commissioners and Staff

- Street project report was reviewed
- City Manager Jeff Morris provided an update on the Animal Shelter
- Commissioner Hendryx asked if the stop sign at First and Cline could be moved and about the mowing at the Senior Citizens Center

J. EXECUTIVE SESSION(s)

1. Non-elected personnel

MOTION: Move to adjourn to executive session for discussion of non-elected personnel to reconvene on or before (30 minutes).

ACTION: THE MOTION WAS MADE BY MAYOR HENDRYX AND SECONDED BY COMMISSIONER JONES. ROLL CALL VOTE – ALL AYE.

Time the meeting was reconvened: 11:10 p.m.

Mayor Hendryx stated no action would be taken as result of meeting.

K. GENERAL STAFF, COMMITTEE & BOARD REPORTS AND MINUTES

1. Sales Tax Report
2. Building Permit May & June Report
3. Library Minutes

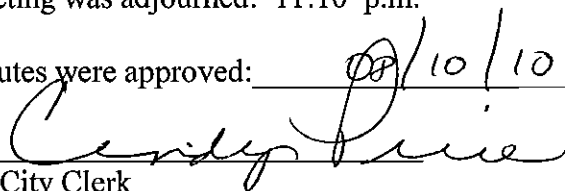
L. ADJOURNMENT

MOTION: Move to adjourn.

ACTION: THE MOTION WAS MADE BY MAYOR HENDRYX AND SECONDED BY COMMISSIONER GONZALES. ROLL CALL VOTE – ALL AYE.

Time the meeting was adjourned: 11:10 p.m.

Date the minutes were approved: 08/10/10


Cindy Price, City Clerk