

**REGULAR COMMISSION MEETING MINUTES  
TUESDAY, SEPTEMBER 28, 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  
FINANCE DIRECTOR STEPHANIE RICHARDSON  
CITY ATTORNEY PAUL KRITZ  
IT MANAGER CHRIS FELIX  
PUBLIC WORKS DIRECTOR CHUCK SHIVELY

**A. CALL TO ORDER – Mayor Hendryx**

**B. INVOCATION – Rev. Randy DePriest, First Assembly of God**

**C. PLEDGE OF ALLEGIANCE TO THE AMERICAN FLAG**

**D. REVIEW OF AGENDA**

**E. CONSENT AGENDA ITEMS**

1. Regular City Commission Meeting Minutes – Tuesday, September 12, 2010
  2. 2010 Appropriation Ordinance No. AO-10-28 – \$4,497,471.22
  3. 2010 Appropriation Ordinance No. AO-10-29 – flood \$ 1,452.40
- MOTION: Move to approve the consent agenda as presented.

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

**REGULAR AGENDA ITEMS**

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

**G. COMMENTS FROM THE PUBLIC**

- Larry Fischer, 505 Tyler, requested an update on the rental properties ordinance and questioned why the City Manager's contract was not included in the agenda packet.
- Mike Ewy, 2952 Northbrook, provided an update on Downtown Coffeyville, Inc's, recent activities and reported DCI will receive four awards for excellence at the annual Main Street Conference.

**H. OLD BUSINESS**

1. Ordinance No. G-10-03 – Second Reading of an ordinance to amend the Motor Vehicle & Traffic Ordinance related to loud sound amplification systems in vehicles.

**MOTION:** Move that Ordinance No. G-10-03 be passed to Second Reading and approved for adoption.

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

**I. NEW BUSINESS**

1. Discussion and action to appoint one person to the Coffeyville Housing Authority.

Applicant: Jeff Gossard

**MOTION:** Move to appoint Jeff Gossard to an unexpired term on the Coffeyville Housing Authority serving to January 1, 2012.

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

2. Resolution No. R-10-128 – A Resolution to execute a real estate purchase agreement with Mel Aguilar for 1606 Elmwood.

- City Clerk Cindy Price addressed the Commission stating three bids were received for 1606 Elmwood; the high bid was \$2,500 with his intended use being residential.

**MOTION:** Move to approve Resolution No. R-10-128 for adoption.

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

3. Resolution No. R-10-129 – A Resolution to execute a restrictive covenant prohibiting construction within Flood Zone A on Lots 12 & 13, Cline's Westwood Addition.

- Public Works Director Chuck Shively addressed the Commission stating one of the requirements of the 2008 Economic Development Initiative Special Project Grant is to perform an environmental review of the project and submit it to HUD for approval. HUD has a regulation which restricts construction within the 100-year flood plain in any area served by a HUD grant project. This project has four lots which are partially within the flood plain, therefore, before HUD will approve the Environmental Review a restrictive covenant must be executed and filed with the Register of Deeds which prohibits construction in the flood plain portion. If the flood plain changes in the future, and no longer includes the lots, they will be able to be built on.

**MOTION:** Move to approve Resolution No. R-10-129 for adoption.

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

4. Resolution No. R-10-130 – A Resolution to execute an employment agreement with Jeffrey D. Morris.

- City Attorney Paul Kritz addressed the Commission stating the current contract for Jeff

Morris expires December 31, 2010. As discussed in a previous Executive Session and agreed upon by a majority of the Commissioners, the current contract will run through December 31, 2012 and include a 2.5% pay increase. Other than those changes, it is identical to the existing contract. Commissioners do need to decide when to make the contract effective. Commissioner Taylor stated it was a disgraceful and sloppy way to present a contract, and he did not recall a discussion about a 2.5% increase. The other Commissioners were in agreement about the increase with Commissioner George stating he is the one who suggested the amount.

**MOTION:** Move to approve Resolution No. R-10-130 for adoption with the effective date being January 1, 2011 through December 31, 2012.

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

5. Resolution No. R-10-131 – A Resolution of support for Southeast Region projects to be included in the Kansas Department of Transportation T-Works program.

- City Manager Jeff Morris addressed the Commission stating as a result of the T-Works program, the Kansas Department of Transportation has narrowed a list of projects for the southeast region to 18 with a price tag of \$837 million to \$1.3 billion. The funding available for these same projects in the southeast region is only \$125 to \$225 million; therefore, the state is asking for regions to prioritize the projects. There is a strong coalition on Hwy 69 who will push for the majority of the dollars to be spent in their region. The Montgomery County cities along with representatives from County Government met Monday to begin a process of collaboration to present projects for this area. There will be additional meetings held with the final local consult meeting with KDOT to be held on October 8. A strong contingency from this area needs to attend and speak for the region; the Chamber of Commerce is working to get a group together to attend, also. The three projects to be supported are the expansion of US 169 north of Coffeyville to US 400 (passing lanes); the expansion of US 400 from Butler County to US 69 (passing lanes) and the expansion of US 75 from the Oklahoma state line to US 400.

**MOTION:** Move to approve Resolution No. R-10-131 for adoption.

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

6. Comments from Commissioners and Staff

- Jeff Morris reported the recent levee inspection went well, the Housing Authority project at 806 West First is nearly complete; the City is a Silver Winner for the Hwy 166 KLINK Resurfacing project from 8<sup>th</sup> & Northeast to 11<sup>th</sup> & Patterson; and work sessions need to be scheduled to work out details on projects for the street sales tax.
- Commissioner Gonzales requested a graph be prepared to show the trends at the golf course.
- Commissioner Taylor asked about the utility costs at the Mansion and Museum. Finance Director Stephanie Richardson reported the rounded off annual cost for the Dalton

Museum if \$4,500; the Brown Mansion is \$8,500 and the Midland Theater is \$3,800. Commissioner Taylor requested the Commission consider increasing the area where a Commission candidate could reside to that of the school district boundaries. Taylor read a freedom of information request for all information related to David George's properties at Third and Cheyenne.

- Mayor Hendryx asked about the condition of the north hangar, when the court costs would be placed back on the agenda, about the demolition list and requested the City approach the County as well as Coffeyville Resources to assist with repair costs for the portion of Fourth Street from Sunflower to the highway which is being damaged by the fuel vehicles coming to and from the refinery. Commissioners agreed to have the City Manager contact both entities.

**J. EXECUTIVE SESSION(s)**

**K. GENERAL STAFF, COMMITTEE & BOARD REPORTS AND MINUTES**

1. Hillcrest Golf Course Report

**L. ADJOURNMENT**

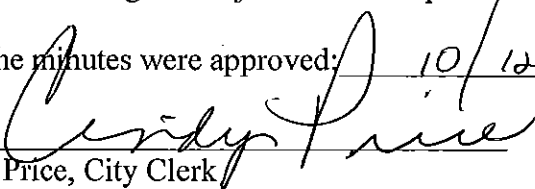
MOTION: Move to adjourn.

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

Time the meeting was adjourned: 8:04 p.m.

Date the minutes were approved: \_\_\_\_\_

10/12/10



Cindy Price, City Clerk