

**REGULAR COMMISSION MEETING MINUTES  
TUESDAY, JUNE 28, 2011  
6:30 P.M.**

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

Present:

MAYOR PAM JONES  
COMMISSIONER DON EDWARDS  
COMMISSIONER DAVID GEORGE  
COMMISSIONER RICHARD GONZALES  
COMMISSIONER VIRGIL O. HORN., JR.

City Staff in attendance were:

CITY MANAGER JEFF MORRIS  
CITY CLERK CINDY PRICE  
FINANCE DIRECTOR STEPHANIE RICHARDSON  
ATTORNEY DOUG OTT  
PUBLIC WORKS DIRECTOR CHUCK SHIVELY  
IT MANAGER CHRIS FELIX  
ARCHITECT/PLANNER DENNIS JACOBS  
ELECTRIC UTILITY DIRECTOR GENE RATZLAFF  
ENGINEERING SUPERINTENDENT SCOTT MASSMAN  
HR DIRECTOR MARILYNN EVENSON  
FIRE CHIEF JAMES GRIMMETT  
INTERCONNECTED OPERATIONS MANAGER STEVE MCGIE

**A. CALL TO ORDER** – Mayor Pam Jones

**B. INVOCATION** – Mary Wilson

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

**D. REVIEW OF AGENDA**

**E. CONSENT AGENDA ITEMS**

1. Regular City Commission Meeting Minutes – Tuesday, June 14, 2011
2. 2011 Appropriation Ordinance No. AO-11-12 – \$3,954,761.95
3. 2011 Appropriation Ordinance No. AO-11-13 (flood) – \$ 1,692.87

MOTION: Move to approve the consent agenda as presented.

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

**REGULAR AGENDA ITEMS**

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

- Fire Chief James Grimmitt presented a plaque to Driver Bobby Tracy for being named valedictorian of a recently completed operator/aerial class.

**G. COMMENTS FROM THE PUBLIC**

- Merrill Stevenson made comments about city government operations, employees, salaries and streets.
- Janie Houston reported on recent Downtown Coffeyville activities.

**H. OLD BUSINESS**

**I. NEW BUSINESS**

1. Ordinance No. S-11-07 – First Reading of an Ordinance to rezone various properties for construction storage and parking for a petroleum refinery.

- Architect/Planner Dennis Jacobs addressed the Commission stating a request was received from Coffeyville Resources to rezone properties located at 901 through 915 and 1001 through 1015 East Third Street; 901 through 915 and 902 through 916, plus 1001 through 1015 and 1002 through 1010 East Fourth Street; and 912 through 916 and 1002 through 1016 East Fifth Street from R-1 (single family residential) and R-2 (two-family residential) and C-4 (service commercial district) to I-2 (heavy industrial district for the purpose of construction storage, parking and office space for the refinery turnaround and future expansion. According to refinery spokespersons Ken Heins, Alan Rough and Keith Osborn (who spoke on both S-11-07 and S-11-08 rezoning items concurrently), rock and an asphalt oil base product will be put down to control the dust in the parking areas. The Planning Commission unanimously recommended approval of the rezoning. Commissioners expressed concern about the appearance of the property being so near the highway and asked if the streets in the area could be used for parking rather than make parking lots. The streets do not provide enough room for the parking needed.

MOTION: Move to approve Ordinance No. S-11-07 for First Reading.

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

2. Ordinance No. S-11-08 – First Reading of an ordinance to rezone various properties for construction storage and parking for a fertilizer manufacturer.

- Planner/Architect Dennis Jacobs addressed the Commission stating Coffeyville Resources Nitrogen Fertilizer has applied to rezone properties located at 701 through 711 East First Street and 601 through 619 East First Street from R-1 (single family residential) to I-2 (heavy industrial district) for the purpose of construction storage, parking and office for the upcoming turnaround and construction project.

MOTION: Move to approve Ordinance No. S-11-08 for First Reading.

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

3. Resolution No. R-11-64 – A Resolution to approve submission of the 2013 KLINK resurfacing project and the 2013 geometric improvement project do KDOT.

- Engineering Superintendent Scott Massman addressed the Commission stating the 2013 KLINK project selected for this years request is Highway 166 & 169 from Walnut to Eighth Street which will include a Nova Chip overlay. Since this area has been ground, exposed aggregate has created small holes that hold water. The concrete is still in good shape; this resurfacing will seal, preserve and provide a new wearing surface. Funding for KLINK projects is 50/50. The intersection of 4<sup>th</sup> Street and Highway 166-169 is in bad shape, and is being recommended as the project to submit for geometric improvement. The angle the intersection is now configured in a skewed manner instead of being perpendicular to the highway. There is heavy truck traffic in this area. Funding for geometric improvement projects is 80/20.

MOTION: Move to approve Resolution No. R-11-64 for adoption.

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

4. Ordinance No. S-11-09 – First Reading of an Ordinance to execute a franchise agreement with Atmos Energy.

- City Manager Jeff Morris addressed the Commission stating this agreement will increase the franchise fee from three to 5%. It also adds a volumetric rate that assesses a fee for those who purchase their gas from other sources but use Atmos for transportation. The agreement would be for five years with three five-year renewals.

MOTION: Move to approve Ordinance No. S-11-09 for First Reading.

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

5. Resolution No. R-11-65 – A Resolution to approve construction contracts for the rehabilitation of property located at 1109 West First Street.

- HR Director Marilynn Evenson addressed the Commission stating this resolution will approve a construction contract with DNA Contracting as well as contracts and for the lowest responsible bidder for various other work at 1109 West First, property purchased for the Coffeyville Housing Rehabilitation Grant. The budget for the two bed, 1 bath home is \$45,000.

MOTION: Move to approve Resolution No. R-11-65 for adoption.

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

6. Discussion and action to appoint Steve McGie to represent the City of Coffeyville on SPP's Membership and Markets & Operations Policy committee.

- Electric Utility Director Gene Ratzlaff reported to Commissioners the City of Coffeyville received notification the application for membership in the Southwest Power Pool had been accepted. As a result, the City has a seat on SPP's Membership

and Markets & Operations Policy committees. Staff recommended Steve McGie be appointed to represent the City of Coffeyville on these Committees.

MOTION: Move to appoint Steve McGie to represent the City of Coffeyville on SPP's Membership and Markets & Operations Policy committees.

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

7. Comments from Commissioners and Staff

- Jeff Morris reported there will be a special meeting on July 14, 10 a.m. to meet with Retail Attractions. The joint City/CRMC meeting will be held June 29 at 5:30 p.m. The redesigned Coffeyville website is up and running; the City has begun the annual water flushing project; crack sealing will begin the week of July 18; and there will be a meeting with residents of Woodland West on Thursday, July 7.
- Mayor Jones asked when the crosswalks would be painted.
- Commissioner George requested the City purchase Ipads for Commissioner use to cut down on the amount of copying that is done. Consensus agreed to this purchase.

**J. EXECUTIVE SESSION(s)**

1. Attorney-Client privilege
2. Trade secrets of second parties

MOTION: Move to adjourn to executive session for discussion of items that would be deemed privileged in attorney-client relationship and confidential data related to financial affair or trade secrets of second parties to include Chuck Shively and to reconvene on or before 9 p.m.

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

Time the meeting was reconvened: 9 p.m.

Mayor Jones stated there would be no action taken as a result of the Executive Session.

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

1. Fire Department report
2. Code Enforcement report

**L. ADJOURN**

MOTION: Move to adjourn.

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

Time the meeting was adjourned: 9 p.m.

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