

**REGULAR COMMISSION MEETING MINUTES
TUESDAY, FEBRUARY 26, 2008
6:30 P.M.**

The Board of Commissioners met in Regular Session at 6:30 p.m. with Mayor Virgil O. Horn, Jr., presiding.

Those in attendance were:

COMMISSIONER RICHARD GONZALES
COMMISSIONER ALEC HENDRYX
COMMISSIONER LOUIE HUMMEL
COMMISSIONER PAM JONES

City Staff in attendance were:

CITY MANAGER JEFF MORRIS
CITY CLERK CINDY PRICE
CITY ATTORNEY PAUL KRITZ
FINANCE DIRECTOR STEPHANIE RICHARDSON
ENGINEERING SUPERINTENDENT SCOTT MASSMAN
FIRE CAPTAIN JAMES GRIMMETT
IT MANAGER CHRIS FELIX
INSPECTOR LARRY TROTTER
INSPECTOR JIM HAYES

- A. **CALL TO ORDER** – Mayor Horn
- B. **INVOCATION** – Elder Margie Miller, Community Crossroads of Christ
- C. **PLEDGE OF ALLEGIANCE TO THE AMERICAN FLAG**

CONSENT AGENDA ITEMS

D. MINUTES

- 1. Regular City Commission Meeting Minutes – Tuesday, February 12, 2008

E. APPROPRIATION ORDINANCE(s)

- 1. 2008 Appropriation Ordinance No. AO-08-06 – \$1,184,569.97
Includes flood bonus payroll of \$38,397.44
- 3. 2008 Appropriation Ordinance No. AO-08-08 – (flood) 94,750.23

MOTION: Move to approve the consent agenda as presented.

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

REGULAR AGENDA ITEMS

- 2. 2008 Appropriation Ordinance No. AO-08-07 – (Four State) \$ 5,450.11

MOTION: Move to approve Appropriation Ordinance No. AO-08-07 in the total
amount of \$5,450.11.

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

ALL AYE EXCEPT COMMISSIONER HUMMEL WHO
ABSTAINED.

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

1. Presentation by Micky Davis on the Hazard Mitigation Grant Program
 - Micky Davis addressed the Commission regarding homes in Flood Zone A in Coffeyville which are eligible for the Hazard Mitigation Grant Program. Currently the City is working on three residential and one commercial property plus two vacant lots. These structures located at 307 North Central, 610 North Maple and 624 North Walnut were over 50% structurally damaged as a result of the June 30/July 1 flood. This is a voluntary program where the owners sell the property to the City. The structures are demolished and the City will then keep the property as open space; no permanent structures can be placed on the property. The estimated cost of these properties is \$242,552. FEMA will fund 75% of the cost; the State will fund 10%; an additional 10% will come from a CDBG urgent need program and 5% (\$12,128) will be the responsibility of the City. If the property owner received FEMA funds to repair the structure, that amount will be deducted from the amount paid in the buy out program. The City will also work with Davis to determine if this is a good time to consider any of the homes along the Sycamore Creek for the buy out program.
2. Resolution No. R-08-31 – A Resolution to execute a Kansas Division of Emergency Management Hazard Mitigation Grant Application for the City of Coffeyville.

MOTION: Move to approve resolution No. R-08-31 for adoption.

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

G. OTHER BUSINESS

1. Comments from Public

H. OLD BUSINESS

1. Ordinance No. S-08-03 – Second Reading of an Ordinance to approve an annual renewal of the ten-year property tax exemption-incentive for Linde, Inc. (formerly BOC).

MOTION: Move that Ordinance No. S-08-03 be passed to Second Reading and approved for adoption.

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

2. Ordinance No. S-08-04 – Second Reading of an Ordinance to approve an annual renewal of the ten-year property tax exemption-incentive for Four State Maintenance.

MOTION: Move that Ordinance No. S-08-04 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 COMMISSIONER HUMMEL WHO ABSTAINED.

I. NEW BUSINESS

1. Ordinance No. G-08-01 – First Reading of an Ordinance to incorporate the 2007 Standard Traffic Ordinance.

- City Attorney Paul Kritz addressed the Commission stating the City regularly adopts the most recent version of the Standard Traffic Ordinance and Uniform Public Offense Code which are published by the League of Kansas Municipalities and incorporate changes to the laws as enacted by the Kansas Legislature.

MOTION: Move that Ordinance No. G-08-01 be approved for First Reading.

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

2. Ordinance No. G-08-02 – First Reading of an Ordinance to incorporate the 2007 Uniform Public Offense Code.

MOTION: Move that Ordinance No. G-08-02 be approved for First Reading.

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

3. Discussion and action to appoint one person to a new four-year term on the Coffeyville Recreation Commission.

Applicants: Lisa Kuehn and Doug Stanley

- Kuehn and Stanley both addressed the Commission stating they had an interest in the recreation program in Coffeyville.

MOTION: Move to appoint Doug Stanley to serve a new four-year term on the Coffeyville Recreation Commission through March 10, 2012.

ACTION: THE MOTION WAS MADE BY COMMISSIONER JONES AND SECONDED BY COMMISSIONER HUMMEL.

MOTION: Move to appoint Lisa Kuehn to the Recreation Commission .

ACTION: THE MOTION WAS MADE BY MAYOR HORN AND SECONDED BY COMMISSIONER GONZALES.

ROLL CALL VOTE – HENDRYX, JONES AND HUMMEL VOTED FOR STANLEY; HORN AND GONZALES VOTED FOR KUEHN. STANLEY WILL SERVE THE NEW FOUR-YEAR TERM.

4. Resolution No. R-08-25 – A Resolution to execute a contract with Muller Construction for the demolition and removal of the Airport Terminal Building.
- Engineering Superintendent Scott Massman addressed the Commission stating three bids were received for the demolition and removal of the Airport Terminal Building. Staff recommends Muller Construction be awarded the contract at a cost of \$2,300.

MOTION: Move to approve resolution No. R-08-25 for adoption.

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

5. Resolution No. R-08-26 – A Resolution to execute a contract with Bucher, Willis, Ratliff (BWR) for professional engineering services for the Coffeyville Municipal Airport.
- Engineering Superintendent Scott Massman addressed the Commission stating requests for qualifications for proposed projects at the airport for years 2008-2013 have been received. Following staff review, Bucher Willis Ratliff (BWR) was the unanimous selection to work on various projects at the airport associated with FAA grant awards plus updating the Airport Layout Plan. These projects require the plans and specifications be prepared by a Licensed Engineer and such plans and specifications must meet FAA regulations.

MOTION: Move to approve resolution No. R-08-26 for adoption.

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

6. Resolution No. R-08-27 – A Resolution to execute a contract with Muller Construction for the demolition and disposal of seven fire damaged structures.
- Inspector Larry Trotter addressed the Commission stating two bids were received for demolition and disposal of seven fire damaged structures located in the City of Coffeyville. All seven have been ordered to be removed as blight and unfit for human use according to a hearing conducted by the Public Officer. Muller Construction bid \$17,700 and Scott Construction from Ottawa bid \$17,520. Muller is within the 5% guidelines established for a local vendor. Trotter noted there are no insurance proceeds available from these structures, therefore, the City will bear the demolition expense. The expense can be billed back to the property owner; if they do not pay the fee, it will be assessed against their taxes.

MOTION: Move to approve resolution No. R-08-27 for adoption.

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

7. Resolution No. R-08-28 – A Resolution to set a public hearing on a petition to vacate a portion of a street in the City of Coffeyville.

- Engineering Superintendent Scott Massman addressed the Commission stating the City is initiating a request to vacate the 1200 block of East Fifth Street. A portion of this street was damaged during the flood. By vacating this 80-foot wide strip which enters into Walter Johnson Park, green space would be created. A letter from the Inter-State Fair and Rodeo was received indicating there had been security and traffic problems with this entrance previously; they support the vacation. The first step toward vacating a street is to set a public hearing.

MOTION: Move to approve resolution No. R-08-28 for adoption.

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

8. Resolution No. R-08-24 – A Resolution to support the Community Capacity Building Grant Program administered by the Kansas Department of Commerce.

- City Manager Jeff Morris addressed the Commission stating part of the City's post-flood recovery process includes putting together a comprehensive plan. A grant application is being submitted to the Kansas Department of Commerce which if received would pay for approximately one-half of the expected expense. Part of the grant requirement is a resolution of support from the governing body. The entire comprehensive plan process takes approximately 12-18 months to complete.

MOTION: Move to approve resolution No. R-08-24 for adoption.

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

9. Resolution No. R-08-29 – A Resolution to execute an acceptance of Homeland Security Grant Equipment Agreement with the Southeast Kansas Regional Homeland Security Council.

- Fire Captain James Grimmatt addressed the Commission stating the Fire Department has recently received approximately \$45,000 worth of equipment through the Southeast Kansas Regional Homeland Security Council which requires the execution of an Acceptance of Homeland Security Grant Equipment Agreement. Equipment received will be used for hazardous materials responses and includes a weather station, computer software which will assist first responders in identifying explosives and hazardous materials present.

MOTION: Move to approve resolution No. R-08-29 for adoption.

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

10. Resolution No. R-08-30 – A Resolution to approve a payment deferral for American Craftsman.

- City Manager Jeff Morris addressed the Commission stating American Craftsman, Inc., executed a loan agreement with the City in June of 2003 for \$65,069.02. American Craftsman has requested to make interest only payments for cash flow purposes for the months of January and February, 2008. This will extend the maturity date of the loan for two months until September 1, 2010.

MOTION: Move to approve resolution No. R-08-30 for adoption.

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

11. Comments from Commissioners or Staff

- Engineering Superintendent Scott Massman reported Watco is planning to repair the railroad tracks on South Walnut; they have indicated it will take approximately one week for repair which will require a detour around that portion of the highway.

J. EXECUTIVE SESSION(s)

1. Non-elected personnel
2. Attorney-Client Relationship

MOTION: Move to adjourn to Executive Session for discussion of items that would be deemed privileged in attorney-client relationship and for discussion of non-elected personnel to reconvene on or before 9:25 p.m.

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

Time the meeting was reconvened: 9:25 p.m.

MOTION: Move to adjourn to Executive Session for discussion of non-elected personnel to reconvene on or before 9:45 p.m.

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

Time the meeting was reconvened: 9:45 p.m.

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

K. GENERAL STAFF, COMMITTEE & BOARD REPORTS AND MINUTES

1. Planning Commission – Minutes of January 3, 2008, meeting
2. Correspondence from Cox Communication
3. CRMC Board Meeting Information
4. Notice of Board openings

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L. ADJOURNMENT

MOTION: Move to adjourn.

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

Time the meeting was adjourned: 9:45 p.m.

Date the minutes were approved _____

Cindy Price, City Clerk