

**REGULAR COMMISSION MEETING MINUTES
TUESDAY, APRIL 8, 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 CHIEF GREG ALLEN
IT MANAGER CHRIS FELIX
INSPECTOR JIM HAYES
ELECTRIC UTILITY DIRECTOR BERNIE CEVERA
FACILITIES MANAGER CHRIS DRUM
ARCHITECT/PLANNER DENNIS JACOBS
TREASURER ANGIE NADEN
PUBLIC WORKS DIRECTOR CHUCK SHIVELY

- A. **CALL TO ORDER** – Mayor Horn
- B. **INVOCATION** – Dr. Wayne Norton, First Baptist Church
- C. **PLEDGE OF ALLEGIANCE TO THE AMERICAN FLAG**
- D. **CONSENT AGENDA ITEMS**

- 1. Regular City Commission Meeting Minutes – Tuesday, March 25, 2008
- 2. 2008 Appropriation Ordinance No. AO-08-15 – \$929,135.10
- 3. 2008 Appropriation Ordinance No. AO-08-16 – (flood) \$105,424.23

Finance Director Stephanie Richardson announced \$1,341,966.99 has been spent for flood recovery to date.

MOTION: Move to approve the consent agenda as presented.

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

- E. **REGULAR AGENDA ITEMS**
APPROPRIATION ORDINANCE

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

1. Proclamation – Child Abuse Prevention Month
 - Mayor Horn read the proclamation.
2. Proclamation – Fair Housing Month
 - Mayor Horn read the proclamation.

G. OTHER BUSINESS

1. Comments from Public
 - Colleen Bryant, owner of property at 707 West Second, was concerned about a weed lot mowing bill she just received for 2007 mowing. She wanted to know the process as she stated she had not been notified the property had been mowed and she stated she had mowed it herself. Jim Hayes will review the notes on this property.

H. OLD BUSINESS

1. Ordinance No. S-08-06 – Second Reading of an Ordinance to rezone 713 South Union and 717 South Walnut.
 - MOTION: Move that Ordinance No. S-08-06 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-08-07 – Second Reading of an Ordinance to rezone 204 West Tenth Street.
 - MOTION: Move that Ordinance No. S-08-07 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.

3. Ordinance No. S-08-08 – Second Reading of an Ordinance to rezone Lots 1-16, Block 17, Coffeyville Heights Addition, City of Coffeyville.
 - MOTION: Move that Ordinance No. S-08-08 be passed to Second Reading and approved for adoption.

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

4. Ordinance No. S-08-09 – Second Reading of an Ordinance to vacate a portion of East Fifth Street.
 - MOTION: Move that Ordinance No. S-08-09 be passed to Second Reading and approved for adoption.

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

ANNUAL REORGANIZATION OF COMMISSION

1. Action to select a mayor and vice-mayor to serve until April 14, 2009.

ACTION: MAYOR HORN AND VICE MAYOR GONZALES WERE
SELECTED TO SERVE ONE-YEAR TERMS.

I. NEW BUSINESS

1. Resolution No. R-08-53 – A Resolution to set a public hearing regarding condemnation of three properties.

■ Inspector Jim Hayes addressed the Commission stating three properties are being placed on the condemnation list with the first step being to set a time for a Public Hearing. Following state statutes, the property owners, lienholders and occupants will be notified of the hearing date.

MOTION: Move that Resolution No. R-08-53 be approved for adoption.

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

2. Resolution No. R-08-54 – A Resolution to reserve Network Transmission Capacity electronically through SPP.

■ Electric Utility Director Bernie Cevera addressed the Commission stating Coffeyville has successfully converted its grandfathered 114 MW firm AEP point-to-point transmission service to the SPP Network Transmission Integration Service as required under the terms of the City's long-term supply agreement with the Grand River Dam Authority. This conversion reserved 114 MW of network transmission capacity for the City through June 1, 2019. The GRDA supply agreement requires firm network transmission reservations throughout the term of the supply agreement. Coffeyville can now exercise its rollover rights through June 1, 2042, the term of the GRDA supply agreement.

MOTION: Move that Resolution No. R-08-54 be approved for adoption.

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

3. Resolution No. R-08-55 – A Resolution to execute a contract with Four Seasons Lawn Care for finish mowing at the Coffeyville Municipal Airport.

■ Engineering Superintendent Scott Massman addressed the Commission stating eight bids were received for the 2008 airport mowing. The low bid was Four Seasons Lawn Care at a cost of \$400 per mowing for the approximately 31 acres.

MOTION: Move that Resolution No. R-08-55 be approved for adoption.

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

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4. Discussion and action to appoint two people to serve new four-year terms on the Library Board of Directors through April 30, 2012.

Applicants: Waneta Davis, Jerry Hamm, Robin Heitz, Teri Robinson

ACTION: Jerry Hamm and Teri Robinson were appointed to new four-year terms on the Library Board.

5. Discussion and action to appoint one person to serve a new term on the Board of Zoning Appeals through October 1, 2011.

Applicant: Randell Warren

ACTION: Randell Warren was appointed to a new term on the Board of Zoning Appeals serving through October 1, 2011.

6. Resolution No. R-08-56 – A Resolution to execute a purchase order to MES for air packs for the Coffeyville Fire Department.

- Fire Chief Greg Allen addressed the Commission stating according to ISO regulations, an air pack is required in every riding position on every truck. The Fire Department is purchasing six from a grant and these four will make up the total number required. All Survivair packs the department had previously been using have been removed from service due to safety concerns.

MOTION: Move that Resolution No. R-08-56 be approved for adoption.

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

7. Resolution No. R-08-57 – A Resolution to determine the advisability of making electric and water improvements at Mansion Estates No. 2, a subdivision to the City of Coffeyville.

- City Attorney Paul Kritz addressed the Commission stating an Improvement District is proposed to be set up for Mansion Estates No. 2 Phase 1 electric and water utility extensions. The estimated cost is \$90,000. The City provided the land at no cost, the improvements will be assessed 100% against the district.

MOTION: Move that Resolution No. R-08-57 be approved for adoption.

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

8. Resolution No. R-08-58 – A Resolution to execute the Community Capacity Building Grant Award Agreement with the Kansas Department of Commerce.

- City Manager Jeff Morris addressed the Commission stating this agreement formally accepts the KDOC Community Capacity Building Grant Award in the amount of \$25,000 with \$35,000 being the responsibility of the City. The grant will fund a portion of a comprehensive plan to include the post flood recovery. The Montgomery County Action Council recently presented \$5,000 to the City to assist with payment for the comprehensive plan work.

MOTION: Move that Resolution No. R-08-58 be approved for adoption.

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

9. Resolution No. R-08-59 – A Resolution to set a Public Hearing for April 22, 2008, to consider a tax exemption application from 4State Maintenance Supply for economic development purposes.

■ City Treasurer Angie Naden addressed the Commission stating The City of Coffeyville has received an application from 4State Maintenance Supply for tax exemptions for economic development purposes as a result of a 10,000 square foot expansion they will be making to their warehouse facility with an anticipated cost of \$200,000. One of the main criteria for tax exemptions is the creation of new jobs. 4State anticipates 11 new jobs will be created over the ten-year tax exemption period with an average annual starting wage of \$25,000 of \$12 per hour. The Administrative Review Committee met and recommended the City proceed with this tax exemption. The next step will be holding a hearing; which approving this resolution sets for April 22.

MOTION: Move that Resolution No. R-08-59 be approved for adoption.

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

10. Aquatic Center report

■ Facilities Manager Chris Drum reviewed marketing plans for the 2008 Swim Season.

11. Comments from Commissioners or Staff

- City Manager Jeff Morris announced Household Hazardous Waste would be accepted on April 26, 9 a.m. to 1 p.m., in the parking lot south of the Shrine Barn.
- The local Kiwanis Club is organizing an electronic disposal location for e-waste to be collected
- The Terminal Building at the Coffeyville Airport has been demolished.
- Commissioner Gonzales asked about the status of the Baymont Inn; Morris indicated a meeting with them had been rescheduled
- Attorney Kritz sent a letter to Watco concerning the railroad track repair on South Walnut. Morris and Kritz will meet with Watco officials later this week.

J. EXECUTIVE SESSION(s)

1. Consultation with an attorney on matters that would be deemed privileged in an attorney client relationship.
2. Confidential data relating to financial affairs of second parties.

MOTION: Move to adjourn to Executive Session for consultation with an attorney on matters that would be deemed privileged in an attorney client relationship and confidential data relating to financial affairs of second parties to reconvene on or before 9:30 p.m.

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

Time the meeting was reconvened: 9:30 p.m.

MOTION: Move to adjourn to Executive Session for consultation with an attorney on matters that would be deemed privileged in an attorney client relationship to reconvene on or before 9:50

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

Time the meeting was reconvened: 9:50 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. Finance Department – Sales and Property Tax Report
2. Inspections Department – March Building Report
3. Correspondence from ADSAP

L. ADJOURNMENT

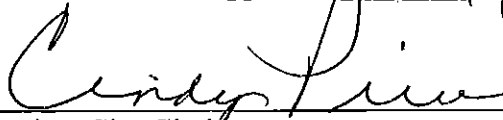
MOTION: Move to adjourn.

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

Time the meeting was adjourned: 10:20 p.m.

Date the minutes were approved

04/22/08



Cindy Price, City Clerk