

REGULAR COMMISSION MEETING MINUTES
TUESDAY, JULY 22, 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
PUBLIC SERVICE DEPUTY DIRECTOR JIM BRADSHAW
PLANNER/ARCHITECT DENNIS JACOBS
FIRE CHIEF GREG ALLEN
INSPECTOR JIM HAYES
INSPECTOR LARRY TROTTER
FIRE CAPTAIN JAMES GRIMMETT
POLICE LIEUTENANT HERMAN COLBERT
IT MANAGER CHRIS FELIX

- A. **CALL TO ORDER** – Mayor Horn
- B. **INVOCATION** – Rev. Horn
- C. **PLEDGE OF ALLEGIANCE TO THE AMERICAN FLAG**
- D. **CONSENT AGENDA ITEMS**

- 1. Regular City Commission Meeting Minutes – Tuesday, July 8, 2008
- 2. 2008 Appropriation Ordinance No. AO-08-35 – \$4,283,432.75
- 3. 2008 Appropriation Ordinance No. AO-08-36 – (flood) \$ 216,916.15

MOTION: Move to approve the consent agenda as presented.

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

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

- 1. 2008 Appropriation Ordinance No. AO-08-37 – (Hummel) \$ 2,835.84

MOTION: Move to approve Appropriation Ordinance No. AO-08-37.

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

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

G. OTHER BUSINESS

1. Comments from Public

- Jim Taylor, Sr., 704 Spruce, passed out prepared comments indicating he is speaking at the request of many residents in the city with nearly 500 requesting a different location be found for a 72-unit multi-family complex proposed for the property on West First Street and Overlook. They are supportive of the project in a more suitable location. The comments also noted there is a petition seeking a recall election against Mayor Horn and Commissioner Hummel as a result of a grant seeking infrastructure funding from the Kansas Housing Resources Corporation.

H. OLD BUSINESS

I. NEW BUSINESS

1. Ordinance No. S-08-13 – An Ordinance to rezone property located at 301-303 West Eldridge Street.

- Planner/Architect Dennis Jacobs addressed the Commission stating a request was received from Coffeyville Industries to rezone property located at 301-303 West Eldridge Street from Service Commercial and Single Family Residential to Light Industrial for the purpose of leasing for the remodeling and operating of an aircraft assembly and warehousing business. The Planning Commission unanimously approved a recommendation to the Commissioners to rezone the property.

MOTION: Move that Ordinance No. S-08-13 be approved for First Reading.

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

2. Resolution No. R-08-97 – A Resolution to authorize a contract with ACM Removal for removal of asbestos materials in three City owned properties.

- Deputy Public Works Director Jim Bradshaw addressed the Commission stating the City of Coffeyville requested bids for asbestos abatement of three city-owned properties scheduled for demolition – packing plant, McKinley School, warehouse at 7th and Spring. All three properties have been inspected for asbestos containing materials. Bids were received from three companies; staff recommends approving ACM Removal to remove the asbestos containing materials at the three properties at a not to exceed price of \$24,860.

MOTION: Move that Resolution No. R-08-97 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-08-98 – A Resolution to authorize the issuance of a refund check to the City of Chetopa as part of Coffeyville's mutual aid efforts in FEMA Disaster 1741.

- Finance Director Stephanie Richardson addressed the Commission stating on December 9, 2007, the City of Chetopa experienced severe damage related to an ice storm in their area. The City of Coffeyville responded to a mutual aid request to restore electrical power to residents with three employees and five pieces of equipment. Chetopa was included in the FEMA declaration for disaster; therefore, Coffeyville recently received payment of \$27,024.23. Chetopa is responsible for 15% of this payment or \$4,053.64. In normal mutual aid response situations, the city does not bill or expect reimbursement from the city requesting the aid, however, since this was a declared FEMA disaster, the city completed the billing process to recoup the available 85% from FEMA and the State of Kansas. Staff recommends making a 15% contribution equal to \$4,053.64 to the City of Chetopa to hold them harmless for Coffeyville's assistance in their disaster.

MOTION: Move that Resolution No. R-08-98 be approved for adoption.

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

4. Resolution No. R-08-99 – A Resolution to authorize the issuance of a refund check to the City of Greensburg as part of Coffeyville's mutual aid efforts in FEMA Disaster 1699.
 - Finance Director Stephanie Richardson addressed the Commission stating this is the same as previous item, however, the mutual aid was provided for the City of Greensburg following the May, 2007 tornado. The contribution back to Greensburg would be 15% of the total cost of Coffeyville's mutual aid assistance or \$2,481.96.

MOTION: Move that Resolution No. R-08-99 be approved for adoption.

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

5. Resolution No. R-08-100 – A Resolution to execute a lease purchase agreement to finance the purchase of the Kubota boom mower.
 - Finance Director Stephanie Richardson addressed the Commission stating in June the Commission approved purchase of a Kubota boom mower for the Public Service and Stormwater Utility Departments. At that time, staff recommended paying 1/3 of the cost from the current stormwater depreciation and replacement fund and financing the remaining 2/3, \$50,739.50, as a lease purchase agreement. This would allow payments to be spread out over a few years and not consume a large portion of the available Capital Equipments funds each year. There are more requests from departments for capital equipment purchases than financing available.

MOTION: Move that Resolution No. R-08-100 be approved for adoption.

ACTION: THE MOTION WAS MADE BY COMMISSIONER GONZALES AND SECONDED BY COMMISSIONER HENDRYX. ROLL CALL VOTE - ALL AYE EXCEPT COMMISSIONER HUMMEL WHO VOTED NO.

6. Resolution No. R-08-101 – A Resolution to execute a contract with American Mowing &

Maintenance for park mowing.

- Public Works Deputy Director Jim Bradshaw addressed the Commission stating staff has reviewed the performance to date for Four Seasons Mowing of City parks and determined they are unable to adequately perform the desired mowing in a timely manner as required by their contract. Staff recommends authorizing an agreement with American Mowing and Maintenance for mowing and trimming services at the five city parks as bid.

MOTION: Move that Resolution No. R-08-101 be approved for adoption.

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

7. Report on KDHE Annual Compliance Inspection of the Coffeyville Municipal Light and Power Plant
 - City Manager Jeff Morris addressed the Commission stating the Kansas Department of health and Environment has issued a report following the annual inspection on the Coffeyville Municipal Light and Power Plant to observe whether the facility was continuing to be operated in compliance with the Kansas Air Pollution Emission Control Regulations. The report showed the plant was in full compliance on all units.
8. Comments from Commissioners or Staff
 - City Manager Jeff Morris reported the following:
 1. Work is beginning to relocate utilities for the Cline road 8th to 11th Street extension project; bids will be let in November with construction to begin in the spring of 2009.
 2. Tree trimming crews are working in the west portion of the community to trim trees in easements.
 3. Wal-Mart has applied for the building permit to build a supercenter.
 4. Commissioner Hummel expressed concern about the appearance of the east side where the refinery has killed all the grass to keep from mowing it;
 5. Commissioner Gonzalez stated he is seeing more and more cars parked in the yard.
 6. Mayor Horn reported the NAACP will hold a conference in Coffeyville on October 24,

J. EXECUTIVE SESSION(s)

1. Acquisition of real estate

MOTION: Move to adjourn to Executive Session for discussion of real estate prior to acquisition to reconvene on or before 8:30 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: 8:30 p.m.

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

K. GENERAL STAFF, COMMITTEE & BOARD REPORTS AND MINUTES

1. Inspections Department Reports
2. Library Board Minutes
3. Correspondence from Cox Communication
4. Correspondence from Allied Waste
5. Correspondence from ADSAP
6. Downtown Coffeyville quarterly report

L. ADJOURNMENT

MOTION: Move to adjourn.

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

TIME THE MEETING WAS ADJOURNED: 8:55 p.m.

08/12/08
Date minutes were approved

Cindy Price
Cindy Price, City Clerk