

**REGULAR COMMISSION MEETING MINUTES**  
**THURSDAY, DECEMBER 9, 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 ALEC HENDRYX  
COMMISSIONER PAM JONES  
COMMISSIONER RJ WARREN

Those absent were:

COMMISSIONER RICHARD GONZALES

City Staff in attendance were:

CITY MANAGER JEFF MORRIS  
CITY CLERK CINDY PRICE  
CITY ATTORNEY PAUL KRITZ  
FINANCE DIRECTOR STEPHANIE RICHARDSON  
ELECTRIC UTILITY DIRECTOR BERNIE CEVERA  
ENGINEERING SUPERINTENDENT SCOTT MASSMAN  
CODE ENFORCEMENT OFFICER LARRY TROTTER  
CODE ENFORCEMENT OFFICER JIM HAYES  
FIRE CHIEF GREG ALLEN  
IT MANAGER CHRIS FELIX

- A. CALL TO ORDER** – Mayor Horn
- B. INVOCATION** – Margie Miller, Crossroads Community of Christ
- C. PLEDGE OF ALLEGIANCE TO THE AMERICAN FLAG**
- D. CONSENT AGENDA ITEMS**
1. Regular City Commission Meeting Minutes – Tuesday, November 25, 2008
  2. 2008 Appropriation Ordinance No. AO-08-54 – \$ 676,545.29
  3. 2008 Appropriation Ordinance No. AO-08-55 – (flood) \$ 3,539.95
  4. Ordinance No. G-08-07 – Second Reading of Ordinance to amend Cereal Malt Beverage license fees.
- MOTION: Move to approve the consent agenda as presented.
- ACTION: THE MOTION WAS MADE BY COMMISSIONER HENDRYX AND SECONDED BY COMMISSIONER JONES. ROLL CALL VOTE – ALL AYE EXCEPT COMMISSIONER GONZALES WHO WAS ABSENT.
- E. REGULAR AGENDA ITEMS**
- APPROPRIATION ORDINANCE**
- F. PUBLIC HEARING(s), SPECIAL PRESENTATION(s), & PROCLAMATION(s).**
1. Presentation from Downtown Coffeyville, Inc.
    - Downtown Coffeyville, Inc., Director Shelley Paasch reviewed the past year's

accomplishment by Downtown Coffeyville, Inc., including receiving three Governor's Awards.

2. Resolution No. R-08-158 – A Resolution to commit financial participation in the Kansas Main Street Program.

- City Clerk Cindy Price addressed the Commission stating when Coffeyville became a Main Street community last year the program required a five-year commitment with an annual budget of at least \$50,000. At that time, the City committed \$25,000 with a dollar-for-dollar match requirement which ultimately ended up being matched two for one. Staff recommends \$25,000 for FY2009; the funds are budgeted in the Industrial Levy Fund.

**MOTION:** Move to approve Resolution No. R-08-156 for adoption.

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

**G. OTHER BUSINESS**

**H. OLD BUSINESS**

**I. NEW BUSINESS**

1. Discussion and action to appoint individuals to the Accessibility Advisory Board.  
Four open positions; two applicants: Tammy Dickson, Dion Long

**MOTION:** Move to appoint Tammy Dickson and Dion Long to fill two open positions on the Accessibility Advisory Board serving through July 1, 2011.

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

2. Discussion and action to appoint individuals to the CRMC Board of Trustees.

Three open positions; five applicants: Jean Crutchfield, Barbara Kidwell, Jack Lively, Patrick Ryan, Andy Smart

- Four of the five applicants were present and addressed the Commission; Jean Crutchfield was not present. Kidwell, Lively, Ryan and Smart were all nominated to fill one of the four positions. Commissioners voted as follows:

**ACTION:** HENDRYX – AYE FOR KIDWELL, LIVELY AND SMART; HORN – AYE FOR KIDWELL, LIVELY AND SMART; JONES – AYE FOR LIVELY, RYAN AND SMART; AND WARREN – AYE FOR KIDWELL, LIVELY AND SMART. KIDWELL, LIVELY AND SMART WERE APPOINTED TO SERVE THREE TERMS THROUGH JANUARY 1, 2013. COMMISSIONER GONZALES WAS ABSENT.

3. Discussion and action to appoint individuals to the City Planning Commission.  
Two open positions and one unexpired term; three applicants: Gary Eubanks, Larry Fischer, Michael Mongan  
  
MOTION: Move to appoint Larry Fischer and Gary Eubanks to serve three-year terms on the City Planning Commission to January 1, 2012.  
  
ACTION: THE MOTION WAS MADE BY MAYOR HORN AND SECONDED BY COMMISSIONER HENDRYX. ROLL CALL VOTE – ALL AYE EXCEPT COMMISSIONER GONZALES WHO WAS ABSENT.  
  
MOTION: Move to appoint Michael Mongan to serve an unexpired term on the City Planning Commission to January 1, 2010.  
  
ACTION: THE MOTION WAS MADE BY MAYOR HORN AND SECONDED BY COMMISSIONER HENDRYX. ROLL CALL VOTE – ALL AYE EXCEPT COMMISSIONER GONZALES WHO WAS ABSENT.
  
4. Report from Hillcrest Golf Course Task Force
  - Task Force Member Linda Moley addressed the Commission stating the Hillcrest Golf Course Task Force had met five times over the course of a month and reviewed the financial reports, annual memberships, daily green fees, cart sheds occupancy and availability and golf rounds played. Since 2005 the course has lost 76 annual members. The financials show they would come close to breaking even if there were no debt service to pay. The Task Force proposes a change in the fee structure with the elimination of the user fee, changing the daily green fees to include Friday on the weekend rate and increasing the annual membership fees \$200 across the board. The age for junior charge would be lowered to 17 and a new category of students 18-22 set up. The Task Force wishes to continue meeting on a quarterly basis over the next two years to continue looking at ways to improve the course.
  
5. Resolution No. R-08-159 – A Resolution to execute a Real Estate Purchase Agreement as part of the FEMA Hazard Mitigation Grant Program, for three homes in the 100-year floodplain.
  - Engineering Superintendent Scott Massman addressed the Commission stating in response to the 2007 flood, Coffeyville has been awarded a grant administered through FEMA which allows for the purchase of three properties located in the northern portion of our community all within the 100-year floodplain. One property is subject to an environmental review; the tests are being completed now. The total cost of the properties located at 624 North Walnut (Josef Smith), 610 North Maple (John Hufferd) and 307 North Central (Bob Hulet) is \$148,907. FEMA will pay 75%; KDEM will pay 10%; the City received CDBG funding; and the City is responsible for 5%. After the purchase of the properties, the City of Coffeyville will have the structures demolished and property cleaned up. According to the program guidelines, this will be completed in 90 days; there is a restrictive covenant included in the deed which prevents any future building on the subject property. Josef Smith is proposing the City lease the property back to him; he will be responsible for maintaining it.

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TUESDAY, DECEMBER 9, 2008**

4

**MOTION:** Move to approve Resolution No. R-08-159 for adoption.

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

6. Discussion and action to set a date for a Public Hearing to amend the FY2008 Budget.
- Finance Director Stephanie Richardson addressed the Commission stating there will be seven funds to be amended prior to the end of the year; this resolution sets the date for the public hearing.

**MOTION:** Move to set a Public Hearing for Tuesday, December 23, 2008, to amend the FY2008 Budget.

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

7. Resolution No. R-08-160 – A Resolution to identify preferred vendors for Water Treatment Plant chemicals for FY2009.

- Public Works Director Chuck Shively addressed the Commission stating bids have been received for chemicals for the Water Treatment Plant for 2009. Staff recommends designating the low bidder as the preferred vendor for each chemical except the lime. Arkansas Lime was the low bidder, however, experience has shown the lime from Mississippi Lime is a cleaner grade of lime and the cost difference of \$1,250 will be more than offset by reduced down time and associated costs. The designation as preferred vendor documents the City's intent to purchase the chemicals to be used at the Water Treatment Plant from the specified vendors unless the vendor loses its competitive advantage due to factors such as price, quality, availability, service, etc.

**MOTION:** Move to approve Resolution No. R-08-160 for adoption.

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

8. Resolution No. R-08-161 – A Resolution to set a Public Hearing for condemnation of 11 structures in the City of Coffeyville.

- Code Enforcement Inspector Larry Trotter addressed the Commission stating this resolution sets the date for a Public Hearing for Tuesday, January 27, 2009, to begin the process of condemnation for 11 structures in the City of Coffeyville.

**MOTION:** Move to approve Resolution No. R-08-161 for adoption.

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

9. Resolution No. R-08-162 – A Resolution to set a Public Hearing to vacate a portion of Center Street in Coffeyville.

- Engineering Superintendent Scott Massman addressed the Commission stating a request has been received to vacate a portion of Center Street in Coffeyville. The process requires a public hearing; this resolution sets the date for January 13, 2009.

**MOTION:** Move to approve Resolution No. R-08-162 for adoption.

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

10. Resolution No. R-08-163 – A Resolution to issue a revised purchase order to Dis-Tran Steel Pole for steel poles for the Highway 166/169 69kV Transmission Line Reroute.

- Electric Utility Director Bernie Cevera addressed the Commission stating the City is relocating the 69kV transmission line at the US 166/169 interchange and north to the Industrial Park under an agreement with the Kansas Department of Transportation; the City will be reimbursed for this project. Engineers are recommending a change from a running angle structure to a double deadend structure which results in a revised pole requirement.

**MOTION:** Move to approve Resolution No. R-08-163 for adoption.

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

11. Comments from Commissioners and Staff

- Members of the Coffeyville Police Department spoke in favor of allowing the City to expand its residential requirements. Chief Joe Humble stated it will improve recruitment of good applicants and help keep those already on staff; two or three officers have left the department due to residency requirements. He recommends employees live in Montgomery County within a 30 minute drive of the city.
- Chief Greg Allen stated that Fire Captain James Grimmet recently attended the National Fire Academy at no cost to the City other than meals.
- City Manager Jeff Morris reminded Commissioners City offices would be closed on December 25 and January 1 requested permission for City offices not required to be open 24 hours per day to be closed on December 26 and January 2 if the department employees agreed to take a vacation or personal day. This would be determined department by department; Commission agreed.
- Morris reported he, Chuck Shively, Commissioner Gonzales and others from the Chamber of Commerce met with Kansas Secretary of Transportation Deb Miller, Senator Umbarger and Senator Schmidt to discuss the Highway 169 System Enhancement Project. It was a positive meeting.
- Commissioner Hendryx asked about the progress on the Watco and Purkey building both of which have been condemned. There has been no progress on either condemned property; the next step for the City would be to tear it down.

12. Comments from the Public

- Jim Taylor, 704 Spruce, passed out and read a statement indicating communication and direction from elected officials to city staff seems to be nonexistent; he is requesting Commissioners and staff provide more information to media with the goal being to encourage true meaningful citizen participation.

**J. EXECUTIVE SESSION(s)**

1. Non-elected personnel
2. Attorney Client privilege

MOTION: Move to adjourn to Executive Session for discussion of non-elected personnel and items that would be considered privileged in attorney client relationship to reconvene on or before 8:45 p.m.

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

TIME THE MEETING WAS RECONVENED: 8:45 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. Finance Department – Sales Tax Report
2. Fire Department – November Reports
3. Correspondence from Cox Communication

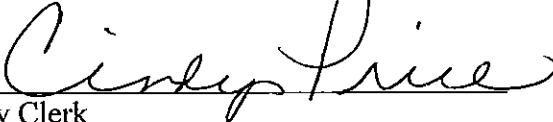
**L. ADJOURNMENT**

MOTION: Move to adjourn.

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

TIME THE MEETING WAS ADJOURNED: 8:45 p.m.

Date the minutes were approved 12/23/08

  
Cindy Price, City Clerk