

**REGULAR COMMISSION MEETING MINUTES
TUESDAY, JANUARY 24, 2012
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
VIRGIL O. HORN, JR.

City Staff in attendance were:

CITY MANAGER JEFF MORRIS
CITY CLERK CINDY PRICE
CITY ATTORNEY PAUL KRITZ
FINANCE DIRECTOR STEPHANIE RICHARDSON
IT DIRECTOR CHRIS FELIX
PUBLIC WORKS DIRECTOR CHUCK SHIVELY
TREASURER ANGIE NADEN
ENGINEERING SUPERINTENDENT SCOTT MASSMAN
PLANNER/ARCHITECT DENNIS JACOBS
HOUSING DIRECTOR ROBERT YORK
FIRE CHIEF JAMES GRIMMETT

- A. CALL TO ORDER** – Mayor Pam Jones
- B. INVOCATION** – Pastor Mark Wilson, First Church of God
- C. PLEDGE OF ALLEGIANCE TO THE AMERICAN FLAG**
- D. REVIEW OF AGENDA**
- E. CONSENT AGENDA ITEMS**
1. Regular City Commission Meeting Minutes – Tuesday, January 10, 2012
 2. 2011 Appropriation Ordinance No. AO-11-27 – \$ 358,341.43
 3. 2012 Appropriation Ordinance No. AO-12-01 – \$4,139,392.09
- 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).**
- G. COMMENTS FROM THE PUBLIC**
- Mary Wilson reminded Commissioners about the Kiwanis Pancake Day February 11.
 - Tom Moley, 406 Westwood; Lawrence Briggans, Jr., 107 East First Street; Monte White, Oklahoma; Chuck Hull, 105 East Third Street; and Marcus Kastler, Kansas Street; expressed concerns about the proposed rezoning for CVR to construct a rail storage yard.

H. OLD BUSINESS

1. Ordinance No. G-12-01 – Second Reading of an Ordinance amending Commission compensation.

MOTION: Move to approve Ordinance No. G-12-01 for adoption.

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

2. Ordinance No. S-12-01 - First Reading of an Ordinance to rezone property located in the City of Coffeyville (100 & 200 block of East Wilcox; 100 block of East Beatty Street; 100 block of East Sterling Street; 100 & 200 block of East North Street; 100 & 200 block of East Martin Street; and the 100 & 200 block of East New Street).

MOTION: Move to take Ordinance No. S-12-01 from the table.

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

- City Attorney Paul Kritz addressed the Commission stating the draft restrictive covenants to go along with the rezoning have been received back from the refinery with a number of suggested changes. Kritz stated the Commissioners have two options; the first being to consider the zoning change for first reading; the second to table the item until the covenants get worked out. The route to the City's Tree Dump appears to be one of the major pending items.

MOTION: Move to lay Ordinance No. S-12-01 on the table.

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

3. Ordinance No. S-12-02 – First Reading of an Ordinance to vacate certain streets and alleys.
No action

I. NEW BUSINESS

1. Resolution No. R-12-08 - A Resolution to establish a policy for issuing electronic tablets to Commissioners.

MOTION: Move to approve Resolution No. R-12-08 for adoption.

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

2. Resolution No. R-12-09 – A Resolution to amend the Neighborhood Stabilization Action Plan.

- City Treasurer Angie Naden addressed the Commission stating the proposed amendment for the Neighborhood Stabilization Action Plan is the financing mechanism component

of the grant which includes allowing for assistance to cover 100% of closing costs and additional up front assistance to potential buyers.

MOTION: Move to approve Resolution No. R-12-09 for adoption.

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

3. Resolution No. R-12-10 – A Resolution to execute a real estate sales contract for City owned property located at 110 N. Buckeye.

■ City Treasurer Angie Naden addressed the Commission stating an offer has been received for the Neighborhood Stabilization Property located at 110 N. Buckeye. The house has been renovated utilizing funding from the program; the City has no funds invested in this property. Staff recommended the sale of the property to Shon Price for \$30,000.

MOTION: Move to approve Resolution No. R-12-10 for adoption.

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

4. Resolution No. R-12-11 – A Resolution to execute a change order for City owned property located at 1109 West First Street.

■ Housing Authority Director Robert York addressed the Commission stating while in the process of completing the project at 1109 West First Street, code violations were discovered in the electrical wiring. Bids were received; staff recommended accepting the low bid to Newton's in an amount not to exceed \$3,750 to ensure the house meets electrical code compliance.

MOTION: Move to approve Resolution No. R-12-11 for adoption.

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

5. Resolution No. R-12-12 – A Resolution to execute a Memorandum of Understanding with the Kansas Department of Revenue for office space in City Hall.

■ City Manager Jeff Morris addressed the Commission stating last fall the City was contacted regarding the availability of office space for the Kansas Department of Revenue (KDOR) Compliance Enforcement Field Investigator for this area. The state is no longer allowing the agents to work from their homes. The best location for this office will be the first floor area Genesis is currently occupying. Genesis was notified the end of last year of the need to relocate and is currently in the process of finding an alternative location. There will be no rent or utilities paid by KDOR; they will be responsible for office furniture, phone, fax and copy machine.

■ Commissioner Edwards questioned there being no rent charged for the office.

MOTION: Move to approve Resolution No. R-12-12 for adoption.

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

6. Resolution No. R-12-13 – A Resolution to execute a license agreement with Clean Harbors for installation of two ground water monitoring wells.
- Engineering Superintendent Scott Massman addressed the Commission stating Clean Harbors has requested two ground water monitoring wells be placed on a portion of property owned by the City of Coffeyville to obtain information about potential ground water contamination. Clean Harbors is under a RCRA permit for their facility, which is administered by the USEPA who has asked them to do additional sampling and testing of the groundwater on and near their facility. The EPA believes any potential contamination could be from solvent used in cleaning planes many years ago.

MOTION: Move to approve Resolution No. R-12-13 for adoption.

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

7. Resolution No. R-12-14 – A Resolution to approve a commercial curb cut variance for U.S.D. 445.
- Engineering Superintendent Scott Massman addressed the Commission stating a request has been received from U.S.D. 445 for a curb cut variance to accommodate a new vehicle storage building they have constructed just north of Eighth & Ellis. The curb cut ordinance allows a maximum width of 60 feet, the school district is requesting 72 feet.

MOTION: Move to approve Resolution No. R-12-14 for adoption.

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

8. Comments from Commissioners and Staff
- City Manager Jeff Morris updated Commissioner on project.
 - Fire Chief James Grimmatt reviewed the business inspection program which will begin again for the Fire Department. The business inspections build a relationship with owners and helps educate them on fire safety. It also allows all firefighters to become familiar with the buildings.

J. EXECUTIVE SESSION(s)

1. Attorney-client relationship

MOTION: Move to adjourn to Executive Session for discussion of confidential data relating to financial affairs or trade secrets of second parties to include Kate Thorpe to reconvene on or before 8:30 p.m.

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

Time the meeting was reconvened: 8:30 p.m.

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K. GENERAL STAFF, COMMITTEE & BOARD REPORTS AND MINUTES

1. Police Department Report
2. Fire Department Report
3. Code Enforcement Report

L. ADJOURN

MOTION: Move to adjourn.

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

Time the meeting was adjourned: 8:45 p.m.

Date the minutes were approved: _____

02/14/12

Cindy Price

Cindy Price, City Clerk