

REGULAR COMMISSION MEETING MINUTES
TUESDAY, JANUARY 23, 2007
6:30 P.M.

The Board of Commissioners met in Regular Session at 6:30 p.m. with Mayor Robert York presiding.

Those in attendance were:

COMMISSIONER RICHARD GONZALES
COMMISSIONER ALEC HENDRYX
COMMISSIONER VIRGIL O. HORN., JR.
COMMISSIONER LOUIE HUMMEL

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
PUBLIC WORKS DIRECTOR CHUCK SHIVELY
ELECTRIC UTILITY DIRECTOR BERNIE CEVERA
CITY INSPECTOR LARRY TROTTER

A. CALL TO ORDER – Mayor York

B. INVOCATION – Rev. Gerald Morris, Grace Fellowship Church

C. PLEDGE OF ALLEGIANCE TO THE AMERICAN FLAG

D. MINUTES

1. Regular City Commission Meeting Minutes – Tuesday, January 9, 2007
ACTION: Approved as presented

E. APPROPRIATION ORDINANCE(s).

1. 2006 Appropriation Ordinance No. AO-06-37 – \$3,070,988.21
MOTION: Move to approve Appropriation Ordinance No. AO-06-37 in the total amount of \$3,070,988.21 for adoption.

ACTION: THE MOTION WAS MADE BY COMMISSIONER HUMMEL AND SECONDED BY COMMISSIONER HORN. ROLL CALL VOTE - ALL AYE.
2. 2006 Appropriation Ordinance No. AO-06-38 (Hummel) - \$ 656.43
MOTION: Move to approve Appropriation Ordinance No. AO-06-38 in the total amount of \$656.43 for adoption.

ACTION: THE MOTION WAS MADE BY COMMISSIONER HORN AND SECONDED BY COMMISSIONER HENDRYX. ROLL CALL VOTE - ALL AYE EXCEPT COMMISSIONER HUMMEL WHO ABSTAINED.
3. 2007 Appropriation Ordinance No. AO-07-01 - \$ 1,051,606.39
MOTION: Move to approve Appropriation Ordinance No. AO-07-01 in the total amount of \$1,051,606.39 for adoption.

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

4. 2007 Appropriation Ordinance No. AO-07-02 (Hummel) - \$ 335.42
MOTION: Move to approve Appropriation Ordinance No. AO-07-02 in the total amount of \$335.42 for adoption.

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

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

1. Public Hearing – Neighborhood Revitalization Plan Amendment

■ City Manager Jeff Morris addressed the Commission stating for purposes of determining initial eligibility for participation in the Neighborhood Revitalization Plan, any taxpayer that is delinquent on a real estate tax payment or special assessment payment on any property located in Montgomery County shall not be eligible to participate in the plan for that tax year only. Any rebate lost due to a delinquent payment cannot be retroactively restored. If a taxpayer takes care of the delinquency, he will be eligible for tax rebates under the plan in future years provided he pay a reinstatement fee of \$100. This fee will be paid to the County. A taxpayer is only eligible for one reinstatement. This proposed amendment adds the reinstatement section to the plan.

■ Mayor York opened the Public Hearing.

■ There being no comments, Mayor York closed the Public Hearing.

2. Resolution R-07-11 – A Resolution to adopt Neighborhood Revitalization Downtown Plan and Plan #2 as amended.

MOTION: Move that Resolution No. R-07-11 be approved for adoption.

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

G. OTHER BUSINESS

1. Comments by the Public

- Dee Messer, 205 North Central, Business Manager for International Union of Operating Engineers, stated to Commissioners the Police Department was not happy with the language of the recently adopted contract; they went strictly on the dollars. Messer stated he did not feel the contract was fair to employees and asked to poll each Commissioner on whether they supported the contract. Commissioners individually stated they believed it was a fair contract; Mayor York stated it was fair to the employees and to the taxpayers. Messer indicated the two unions who did not sign were going to implement the contract without a vote, and they are not going to go to fact finding. Commissioner Hummel commented that you're going to implement what you won't ratify.
- Marcus Wilson, 614 East Third Street, Property Manager for Plaza Apartments, requested assistance from the City for installation of playground equipment, lighting and security. He stated they are taking strides to renovate their properties and have evicted tenants who were causing problems. City Manager Jeff Morris verified with Wilson this was one of the

properties Dominion Development is attempting to acquire. The Commission approved a resolution of support for this project at the last meeting.

- Deborah Sharp, 1402 South Willow, questioned Commissioners about snow removal in Coffeyville and stated there needs to be a plan to clear the areas used as school bus stop locations. She also stated there was significant snow from the plows left in front of her house making it difficult to get in and out. She requested the snow be pushed farther down the street in front of vacant lots.
- Chris Hendryx, 302 Highland, asked about combining resources with the state to clear the highways through town. He also asked about the street paving plan and where Highland was in that plan. Morris stated legally the state cannot assist Coffeyville with snow clearing.
- Commissioners received maps of the street clearing routes and agreed the routes need to be looked at for revision. Chuck Shively stated expenses totaled approximately \$45,000 for snow removal from January 12 through the 19.

H. OLD BUSINESS

1. Resolution No. R-07-01 – A Resolution to authorize the execution of a second addendum to lease agreement between the City of Coffeyville and the Coffeyville Recreation Commission.
 - City Attorney Paul Kritz stated the Recreation Commission requested a revision to reimburse them for any facilities or improvements they paid for in the event they were destroyed or damaged and the City did not rebuild or replace. Commissioners requested language be added to provide documentation on the expenses.

MOTION: Move that Resolution No. R-07-01 be approved for adoption.

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

I. NEW BUSINESS

1. Resolution No. R-07-12 – A Resolution to authorize a residential solid waste agreement with Allied Services, LLC.
 - City Attorney Paul Kritz addressed the Commission stating this resolution will approve a three-year solid waste agreement with Allied Services, LLC. Three bids were received for the solid waste agreement and Allied Services was the low bid at \$9.50 for residential and \$8.50 for senior citizen accounts. The price residents pay will remain the same. This agreement includes a clause that bulky items placed on the curb will be picked up such as furniture, carpeting, appliances, televisions, etc. This addition will eliminate the annual spring cleanup. All residents will receive a new 96-gallon polycart. The agreement will take effect April 1, 2007, and run through March 31, 2010.

MOTION: Move that Resolution No. R-07-12 be approved for adoption subject to minor revisions recommended by staff.

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

2. Ordinance No. S-07-01 – First Reading of an ordinance to establish prohibitions against the possession or carrying of certain firearms while upon designated property owned and/or operated by the City of Coffeyville.

- City Attorney Paul Kritz addressed the Commission stating the beginning January 1, 2007 licensed individuals were allowed to carry concealed firearms in Kansas. As part of the Personal and Family Protection Act, there are 22 locations where concealed carry is prohibited, however, cities may choose to restrict certain other areas on city-owned property. A sign must be posted in these areas.

MOTION: Move to approve Ordinance No. S-07-01 for First Reading.

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

3. Discussion and action to approve a curb cut for Community State Bank ATM, 901 Northeast St.

- Engineering Superintendent Scott Massman addressed the Commission stating Community State Bank is putting an ATM machine at 901 Northeast Street. The Kansas Department of Transportation has approved a curb cut for the location, however, they are concerned there are presently two existing curb cuts on the property. They are requested one of the curb cuts be closed. This can be accomplished by saw cutting the area at the gutter line and removing the existing concrete and replacing the area with a new concrete curb.

MOTION: Move to approve a curb cut for Community State Bank ATM at 901 Northeast Street.

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

4. Comments from Commissioners or Staff

- Jeff Morris stated there will be a public meeting on Monday, January 29, 2007, to discuss the city's 20 year electric service

J. EXECUTIVE SESSION(s)

1. Non-elected personnel

MOTION: Move to adjourn to Executive Session for discussion of non-elected personnel to reconvene on or before 8:45 p.m.

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

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

Mayor York stated there would be no action as a result of the Executive Session.

K. GENERAL STAFF, COMMITTEE & BOARD REPORTS AND MINUTES

1. Fire Department Report
2. Inspections Department Report
3. December Building Inspections Report

L. ADJOURNMENT

MOTION: Move to adjourn.

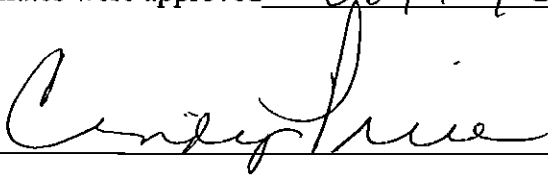
ACTION: THE MOTION WAS MADE BY COMMISSIONER HORN AND
SECONDED BY COMMISSIONER HUMMEL. ROLL CALL VOTE –
ALL AYE.

Time the meeting was adjourned: 10:05 p.m.

A special meeting will be held Monday, January 29, 2007 to receive the preliminary report on the electric service 20-year master plan. The Meeting will begin at 6 p.m. at Community Elementary School.

The next regular meeting will be Tuesday, February 13, 2007, at 6:30 p.m.

Date the minutes were approved 02/13/07



Cindy Price
City Clerk

