

**REGULAR COMMISSION MEETING MINUTES
TUESDAY, MARCH 27, 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
PLANNER/ARCHITECT DENNIS JACOBS
ENGINEERING SUPERINTENDENT SCOTT MASSMAN
POLICE OFFICER ED RUTHERFORD

A. CALL TO ORDER – Mayor York

B. INVOCATION – Elder Bob Miller, Community Crossroads of Christ

C. PLEDGE OF ALLEGIANCE TO THE AMERICAN FLAG

D. MINUTES

1. Regular City Commission Meeting Minutes – Tuesday, March 13, 2007
ACTION: Approved as presented

E. APPROPRIATION ORDINANCE(s).

1. 2007 Appropriation Ordinance No. AO-07-07 - \$ 3,252,697.61
MOTION: Move to approve Appropriation Ordinance No. AO-07-07 in the total amount of \$3,252,697.61 for adoption.

ACTION: THE MOTION WAS MADE BY COMMISSIONER HUMMEL AND SECONDED BY COMMISSIONER GONZALES. ROLL CALL VOTE - ALL AYE.
2. 2007 Appropriation Ordinance No. AO-07-08 (Hummel) - 3,676.27
MOTION: Move to approve Appropriation Ordinance No. AO-07-08 in the total amount of \$3,676.27 for adoption.

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

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

1. Proclamation to declare April as Child Abuse Prevention Month
 - Mayor York read the proclamation declaring April as Child Abuse Prevention Month

2. Public Hearing on petition to vacate a portion of Pacific Street located in Fairlawn Addition
 - Engineering Superintendent Scott Massman addressed the Commission stating a formal request by Mr. and Mrs. James Dale and Mr. and Mrs. Harold Stevens to vacate a portion of Pacific Street was received in the Engineering Department. The area is a dead end road leading to properties used for agricultural purposes. Mr. Don Cox is the adjoining landowner to the south; he is concerned because this will limit access to his property. According to state statute no private rights will be injured or endangered by a vacation or exclusion." The City has a sanitary sewer line located south of the area and needs to maintain access. Staff recommends denying the vacation request.

- Mayor York opened the public hearing.

- Mike Dale, 929 Southern, addressed the Commission stating he maintains the road and there are three other accesses to Mr. Cox's property.

- Don Cox addressed the Commission stating he is planning to fence a portion of the property and run cattle on the property.

- Commissioners suggested the parties work to reach an amicable agreement on access to the property.

- Mayor York closed the public hearing.

MOTION: Move to deny the petition to vacate a portion of Pacific Street.

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

G. OTHER BUSINESS

1. Comments by the Public

- Charles Gann, 803 West Sixth Street, stated the storm drain at Washita and Sixth Street needs to be looked at.

H. OLD BUSINESS - none

I. NEW BUSINESS

1. Resolution No. R-07-34 – A Resolution to provide for the allocation of FY 2007 Local Alcoholic Liquor Funds.

- City Manager Jeff Morris addressed the Commission stating State statute determines how the City can allocate the local alcoholic liquor tax funds. One third must go to the general fund, one third to parks and recreation and one third to alcohol and drug programs.

- Virginia King, Director of the local Four County Office, reviewed the Four County drug and alcohol programs and requested the funds be equitably divided.

- Ed Rutherford, representing the Coffeyville Police Department, is the local School Resource and Dare Officer. He explained the activities and benefits of the Dare program.

- Denis Gallagher, director of the Alcohol and Drug Safety Action Program, stated he evaluates DUI offenders and teaches DUI schools and this is the only outside funding his program receives.

- Commissioner Horn requested data from Four County and ADSP to see how effective their programs are.

MOTION: Move that Resolution No. R-07-34 be approved for adoption.

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

2. Ordinance No. S-07-06 – First Reading of an Ordinance to rezone property located at 402 South Parkview.

- Planner/Architect Dennis Jacobs addressed the Commission stating Sid Haffener is requesting property at 402 South Parkview Avenue be rezoned from single family residential to two-family residential with the intention to allow for the remodeling construction of a two-family residential unit. Following consideration of the request, the Planning Commission approved the application.

MOTION: Move that Ordinance No. S-07-06 be approved for First Reading.

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

3. Ordinance No. S-07-07 – First Reading of an Ordinance to rezone property located at 502 North Buckeye.

- Planner/Architect Dennis Jacobs addressed the Commission stating Sid Haffener has submitted an application requesting property at 502 North Buckeye Street be rezoned from light industrial to mobile home court for the purpose of constructing and operating an addition to the existing mobile home facility he owns. The Planning Commission approved the application on a 4-1 vote.

MOTION: Move that Ordinance No. S-07-07 be approved for First Reading.

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

4. Resolution No. R-07-35 – A Resolution to approve the final plat and execute a restrictive covenant applicable to Rolling Meadows Estates Subdivision.

- Planner/Architect Dennis Jacobs addressed the Commission stating this resolution will approve the final plat of Rolling Meadows Estates Subdivision as well as execute a restrictive covenant on the property. State and county statutes state if you subdivide property more than one time, you must file a plat. The request for final plat was made by the City of Coffeyville for property owned at Woodland and Cline for the purpose of selling for development of future commercial structures. The Planning Commission unanimously approved the request. A Restrictive Covenant is being added to the property to limit its use to commercial development.

MOTION: Move that Resolution No. R-07-35 for adoption.

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

5. Ordinance No. G-07-05 – Discussion on an ordinance to amend a section of the Model Zoning Ordinance of the City of Coffeyville.
 - Planner/Architect Dennis Jacobs addressed the Commission stating the Planning Commission has been reviewing the provisions of the C-4, Service Commercial District zoning use classification. This has been prompted by multiple issues that have come before the Commission. There have been several requests for rezoning to establish commercial mini-storage businesses in the community. Currently our ordinances only allow these businesses under the classification “storage or warehouse,” which is Light Industrial. Planning Commissioners have debated the appropriateness of rezoning to industrial classification those sites which are bordering on or in residential neighborhoods but located on arterial streets. A second issue is working with the inspections department to update the use limitations within the C-4 zoning classification with regard to outdoor display of retail goods. Currently this is not allowed which means many of our retailers are in violation. The final item is a request by the Planning Commission to have input on the zoning applicant and adjacent property owner’s agreement regarding screening between the C4 property and an adjacent residentially-zoned property. Commissioners will continue to review these proposed changes.

6. Resolution No. R-07-36 – A Resolution to execute an agreement for specific and aggregate stop-loss insurance, basic life and accidental death and dismemberment insurance and third party administrative services for the City’s partially self-funded health insurance coverage.
 - Finance Director Stephanie Richardson addressed the Commission stating the renewal proposal for Health and Life/Accidental Death & Dismemberment (AD&D) insurance was recently received. These policies cover City employees as well as employees of the Recreation Commission, Library and Chamber of Commerce. The Rec Commission, Library and Chamber pay 100% of the premiums. The City is proposing to enhance the policy this year with an increase in the dental benefit to a \$1,500 annual maximum which is a \$500 increase over previous years. The proposal includes an 8.1% increase in premiums for the upcoming year. As per the 2007 Personnel Manual Memorandum of Agreement, the City of Coffeyville will pick up the 8.1% increase for this year’s plan.

MOTION: Move that Resolution No. R-07-36 for adoption.

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

7. Resolution No. R-07-37 – A Resolution to issue a purchase order to purchase an Itron meter reading system.
 - Finance Director Stephanie Richardson addressed the Commission stating the original Itron Electronic Meter Reading System was installed in January, 1988. Itron recently notified the City the current system would not be supported after April 1, 2007. The handheld units are still functioning, but Itron will no longer assist in any issues with them or with the meter reading software itself. The handheld units are used daily to read the 7,600 electric meters and 6,700 water meters willed by the City. The Itron system

downloads the readings into a format that can be converted and transferred into Incode for billing. Two quotes were received from two meter-reading vendors.

MOTION: Move that Resolution No. R-07-37 for adoption.

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

8. Discussion and action to approve a Cereal Malt Beverage License Application for Chick's Coop located at 219 West Ninth Street.

- City Clerk Cindy Price addressed the Commission stating Chick's Coop is currently in the process of being sold to Michael and Terry Wright who are applying for the cereal malt beverage license.

MOTION: Move to approve a Cereal Malt Beverage License for Chick's Coop located at 219 West Ninth Street in Coffeyville.

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

9. Resolution No. R-07-38 – A Resolution to execute a permanent easement from and to the City of Coffeyville in relation to the intersection of 11th and Walnut Street.

- City Attorney Paul Kritz addressed the Commission stating this property was purchased in conjunction with a geometric improvement project completed several years ago. This permanent easement is needed in the event the City ever decides to sell the property.

MOTION: Move that Resolution No. R-07-38 for adoption.

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

10. Comments from Commissioners or Staff

J. EXECUTIVE SESSION(s)

MOTION: Move to adjourn to Executive Session for the purpose of discussion non-elected personnel to convene on or before 10 p.m.

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

TIME THE MEETING WAS RECONVENED: 10 P.M.

MOTION: Move to adjourn to Executive Session for the purpose of discussion non-elected personnel to convene on or before 10:20 p.m.

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

TIME THE MEETING WAS RECONVENED: 10:20 P.M.

K. GENERAL STAFF, COMMITTEE & BOARD REPORTS AND MINUTES

1. Planning Commission - Minutes of February 6 meeting
2. Library Board - Minutes of January meeting
3. CRMC - Monthly Report
4. Coffeyville Recreation Commission - Minutes

L. ADJOURNMENT

MOTION: Move to adjourn.

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

TIME THE MEETING WAS ADJOURNED: 10:20 P.M.

The next meeting will be Tuesday, April 10, 2007, 6:30 p.m.

Date minutes were approved April 10, 2007
Cindy Price
Cindy Price, City Clerk

