

**REGULAR COMMISSION MEETING MINUTES**  
**TUESDAY, MAY 8, 2007**  
**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 PAM JONES

Those absent:

COMMISSIONER LOUIE HUMMEL

City Staff in attendance were:

CITY MANAGER JEFF MORRIS  
CITY CLERK CINDY PRICE  
CITY ATTORNEY PAUL KRITZ  
ENGINEERING SUPERINTENDENT SCOTT MASSMAN  
PUBLIC WORKS DIRECTOR CHUCK SHIVELY  
FIRE CHIEF GREG ALLEN  
TREASURER ANGIE NADEN  
AIRPORT SUPERINTENDENT BOB INGMIRE

- A. CALL TO ORDER** – Mayor Horn
- B. INVOCATION** – Rev. Gerald Morris, Grace Fellowship Church
- C. PLEDGE OF ALLEGIANCE TO THE AMERICAN**
- D. MINUTES**
1. Regular City Commission Meeting Minutes – Tuesday, April 24, 2007  
ACTION: Approved as presented
  2. Special City Commission Meeting Minutes – Monday, April 30, 2007  
ACTION: Approved as presented
- E. APPROPRIATION ORDINANCE(s).**
1. 2007 Appropriation Ordinance No. AO-07-12 – \$ 645,262.28  
MOTION: Move to approve Appropriation Ordinance No. AO-07-12 in the total amount of \$645,262.28 for adoption.  
  
ACTION: THE MOTION WAS MADE BY COMMISSIONER GONZALES AND SECONDED BY COMMISSIONER HENDRYX. ROLL CALL VOTE - ALL AYE EXCEPT COMMISSIONER HUMMEL WHO WAS ABSENT.
- F. PUBLIC HEARING(s), SPECIAL PRESENTATION(s), & PROCLAMATION(s).**
1. Proclamation to declare the week of May 13-19, 2007, as Nursing Home Week  
■ Mayor Horn read the Proclamation declaring week of May 13-19 as Nursing Home Week.

**G. OTHER BUSINESS**

1. Comments by the Public

- Deborah Sharp, 1402 South Willow, addressed the Commission stating she wanted to clarify her statement made at the April 24, 2007, meeting regarding the Animal Control Officer. The ACO contacted her and explained why the dog that bit her granddaughter was not quarantined. She stated the ACO does a good job.

**H. OLD BUSINESS**

1. Ordinance No. G-07-05 – Second Reading of an Ordinance to amend Chapter 26 (Utilities) of the Code of Ordinances of the City of Coffeyville.

MOTION: Move that Ordinance No. G-07-05 be passed to Second Reading and approved for adoption.

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

**I. NEW BUSINESS**

1. Resolution No. R-07-53 – A Resolution to declare the necessity to acquire by condemnation an interest in real property.

- City Attorney Paul Kritz addressed the Commission stating this item is in reference to the 8<sup>th</sup> to 11<sup>th</sup> Street Cline Road Extension. The City has been negotiating with owners to secure the property but if that doesn't work out, the City is taking steps to obtain easements and rights of way. The next step will be an ordinance to take the property by eminent domain. This would have to be pursued in District Court.

MOTION: Move that Resolution No. R-07-53 be approved for adoption.

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

2. Resolution No. R-07-54 – A Resolution to execute an agreement with Dave's Lawn Service for mowing services at Grace Park, Eldridge Park, Sycamore/1<sup>st</sup> Street Park and North Park for the 2007 growing season.

- Public Works Director Chuck Shively addressed the Commission stating staff is looking at a way to free-up Public Service Department employees to concentrate on other projects such as 11<sup>th</sup> Street joint repair. Bids were solicited for mowing and trimming five City parks, with a request to bid each park separately and combined. When bids were opened, Dave's Lawn Service was the lowest on four of the parks. The low bid for Pfister Park was from Corey's Mowing and was higher than expected.

**MOTION:** Move that Resolution No. R-07-54 be approved for adoption.

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

3. Resolution No. R-07-55 – A Resolution to execute an agreement with Meyer Roofing for roof repairs at the Fire Department and City Recreation building.

- Engineering Superintendent Scott Massman addressed the Commission stating the City recently contracted with Meyer Roofing to repair the existing roof on the Public Service building. Meyer has inspected the Fire Department and City Recreation building roofs and prepared proposals to repair these roofs. The quotes were \$17,800 plus warranty of \$392 for the City Rec roof and \$28,400 plus warranty of \$511 for the Fire Department.

**MOTION:** Move that Resolution No. R-07-55 be approved for adoption.

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

4. Resolution No. R-07-56 – A Resolution to authorize a curb cut variance for a proposed Wal-Mart Store to be located at US Hwy 166 and CR 5300.

- Engineering Superintendent Scott Massman addressed the Commission stating a request has been received for a curb cut variance from CEI Engineering who is representing Wal-Mart. The requested curb cut will provide a more efficient traffic flow for ingress and egress purposes and will provide a safer condition for vehicles accessing the property.

**MOTION:** Move that Resolution No. R-07-56 be approved for adoption.

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

5. Resolution No. R-07-57 – A Resolution to purchase a mid-sized truck from Perl Chevrolet for the Airport Coordinator.

- Engineering Superintendent Scott Massman addressed the Commission stating three bids were received for a mid size truck for the Airport Coordinator. Staff is recommending a 2008 Chevrolet Colorado be purchased from Perl Chevrolet for \$14,898.93.

**MOTION:** Move that Resolution No. R-07-57 be approved for adoption.

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

6. Discussion and action to appoint two people to serve new three (3) year terms on the Senior Citizens Activity Center Board through June 1, 2010.

*Applicants: Don Bilby & Hugh Kimmons*

MOTION: Move to appoint Don Bilby and Hugh Kimmons to new three-year terms on the Senior Citizens Activity Center Board serving through June 1, 2010.

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

7. Resolution No. R-07-58 – A Resolution to approve a Cereal Malt Beverage License for Terri Marshall and authorize her to sell cereal malt beverages in the arena at Walter Johnson Park on May 19, 2007, during the Coffeyville Historical Rodeo.

- City Clerk Cindy Price addressed the Commission stating a cereal malt beverage application has been received from Terri Marshall representing the Coffeyville Historical Rodeo. City ordinances prohibit the sale or consumption of CMB in City parks unless exempted by the governing body. This resolution will allow the sale of CMB inside the rodeo arena on Saturday, May 19, 2007.

MOTION: Move that Resolution No. R-07-58 be approved for adoption.

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

8. Resolution No. R-07-59 – A Resolution to execute the Notification of Grant Award for a FY2007 Kansas Emergency Shelter Grant for Crisis Resource Center.

- City Treasurer Angie Naden addressed the Commission stating the City was notified by the Kansas Housing Resources Corporation of a grant award in the amount of \$24,375 for the Crisis Resource Center (\$18,750) and the Salvation Army (\$5,000). The City retains \$625 to cover administration costs.

MOTION: Move that Resolution No. R-07-59 be approved for adoption.

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

9. Resolution No. R-07-60 – A Resolution to execute the Notification of Grant Award for a FY2007 Kansas Emergency Shelter Grant for the Salvation Army.

MOTION: Move that Resolution No. R-07-60 be approved for adoption.

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

10. Resolution No. R-07-61 – A Resolution to execute a contract with ACM Removal for asbestos removal in ten properties located in Coffeyville.

- City Treasurer Angie Naden addressed the Commission stating bids were received from four companies for asbestos abatement on ten properties to be demolished. ACM Removal was the low bidder; the City has used them previously and they provide good reports.

MOTION: Move that Resolution No. R-07-61 be approved for adoption.

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

11. Resolution No. R-07-62 – A Resolution to execute municipal leases with Copy Products, Digital Connections and Service Office & Supply for copiers for the Electric Utility Department, Administrative Offices and Mailroom.

- City Treasurer Angie Naden addressed the Commission stating bids were requested for the replacement of three copiers and/or network printers for the mailroom in City Hall, the Administrative Offices in City Hall and the Electric Department Administrative Office. Staff is recommending purchasing a Toshiba 165 from Copy Products for the Electric Department; a Gestetner DSc545 from Digital Connections and a Xerox 4150XF from Service Office for the Mailroom.

MOTION: Move that Resolution No. R-07-62 be approved for adoption.

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

12. Ordinance No. G-07-06 -- First Reading of an Ordinance to amend the Building Code of Ordinance and adopt the International Building Code, 2000 Edition.

- Fire Chief Greg Allen addressed the Commission stating the City is currently operating under the 1991 Building Code; this will update our code to the same as used by the State. The biggest change is the sprinkler requirement. Building code fees will also be adjusted; the last time this was done was in 1997.

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

ACTION: THE MOTION WAS MADE BY COMMISSIONER HENDRYX AND SECONDED BY COMMISSIONER GONZALES. ROLL CALL

VOTE – ALL AYE EXCEPT FOR COMMISSIONER HUMMEL WHO WAS ABSENT.

13. Ordinance No. G-07-07 – First Reading of an Ordinance to amend the Fire Prevention Code and adopt the International Fire Code, 2000 Edition.

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

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

14. Ordinance No. S-07-08 – First Reading of an Ordinance to grant a franchise ordinance to Southwestern Bell Telephone to provide local exchange service within the City of Coffeyville.

- City Attorney Paul Kritz addressed the Commission stating this ordinance will approve collecting a franchise fee for Southwestern Bell Telephone dba AT&T to provide local exchange phone service within the City of Coffeyville. The fee will be \$2 per line per year; for the past several years we have been receiving a flat fee. This ordinance mirrors what we can do by Kansas state law.

MOTION: Move that Ordinance No. S-07-08 be approved for First Reading.

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

15. Ordinance No. S-07-09 – First Reading of an Ordinance to grant a franchise ordinance to AT&T Communications to provide local exchange service within the City of Coffeyville.

- City Attorney Paul Kritz addressed the Commission stating this ordinance is identical to the previous ordinance; however, it is for AT&T Communications of the Southwest.

MOTION: Move that Ordinance No. S-07-09 be approved for First Reading.

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

16. Resolution No. R-07-63 – A Resolution to execute a service agreement with TEK Collect for account collection services.

- City Treasurer Angie Naden addressed the Commission stating the Finance Department has been pursuing the options available for account collection services for the City of Coffeyville. Tek Collect has access to over 6,000 collection professionals, extensive predictive dialing systems and a national pool of litigation services for different types of accounts including utilities, weed lots and demolitions. The only type of collection service the City is currently utilizing is through the Kansas Set-Off Program. Tek Collect offers a fixed fee service and gets them involved very early in the collections

process. Tek Collect requires that accounts be purchased in blocks. The City is looking at blocks of 1,000 accounts for a total of \$29,000. By paying the total amount up front, the City will avoid a 20% rate increase effective June 1 of this year. All accounts would be monitored through a secure website. Payments would be made at City Hall with Tek Collect notified when a payment is made. The City will have total control over which accounts are handled by Tek Collect. Ken Wilson from Tek Collect provided a short overview of the company and the services they offer.

**MOTION:** Move that Resolution No. R-07-63 be approved for adoption.

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

17. Action to set a Public Hearing for Tuesday, May 22, 2007, 6:30 p.m. regarding a taxi cab license for Betty Twilley.

**MOTION:** Move to set a Public Hearing for Tuesday, May 22, 2007, 6:30 p.m., on a taxi cab license application for Betty Twilley

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

**Note:** Ms. Twilley contacted City Hall of Wednesday, May 23, 2007, to withdraw her taxi cab application.

18. Comments from Commissioners or Staff

- A work session to discuss the Electric Utility 20 Year Master Plan is scheduled for Tuesday, May 15, 5:30 p.m. in City Hall.

**J. EXECUTIVE SESSION(s)**

**K. GENERAL STAFF, COMMITTEE & BOARD REPORTS AND MINUTES**

1. Finance Department – April Sales Tax Report
2. Correspondence from KDOC regarding CDBG recertification for Angie Naden
3. Coffeyville Recreation Commission - Minutes

**L. ADJOURNMENT**

**MOTION:** Move to adjourn.

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

**REGULAR CITY COMMISSION MEETING MINUTES  
TUESDAY, MAY 8, 2007**

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TIME THE MEETING WAS ADJOURNED: 8:00 P.M.

The next meeting will be Tuesday, May 22, 2007, 6:30 p.m.

Date minutes were approved May 22, 2007

Cindy Price  
Cindy Price, City Clerk