

REGULAR COMMISSION MEETING MINUTES
TUESDAY, JUNE 12, 2007
6:30 P.M.

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

Those in attendance were:

COMMISSIONER RICHARD GONZALES
COMMISSIONER ALEC HENDRYX
COMMISSIONER LOUIE HUMMEL
COMMISSIONER PAM JONES

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
ELECTRIC UTILITY DIRECTOR BERNIE CEVERA
PLANNER/ARCHITECT DENNIS JACOBS

A. CALL TO ORDER – Mayor Horn

B. INVOCATION – Dr. Wayne Norton, First Baptist Church

C. PLEDGE OF ALLEGIANCE TO THE AMERICAN FLAG

D. MINUTES

1. Regular City Commission Meeting Minutes – Tuesday, May 22, 2007
ACTION: Approved as presented

E. APPROPRIATION ORDINANCE(s).

1. 2007 Appropriation Ordinance No. AO-07-15 – \$ 1,414,928.09
MOTION: Move to approve Appropriation Ordinance No. AO-07-15 in the total amount of \$1,414,928.09 for adoption.

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

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

G. OTHER BUSINESS

1. Comments by the Public
 - Charles Gann, 803 West Sixth, asked how often the City sweeps the streets and expressed concern about the storm water drainage at the intersection of Sixth and Washita.

H. OLD BUSINESS

1. Ordinance No. S-07-11 – Second Reading of an Ordinance to provide for the acquisition of an interest in certain real property situated in the City of Coffeyville.
MOTION: Move that Ordinance No. S-07-11 be passed to Second Reading and approved for adoption.

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

I. NEW BUSINESS

1. Ordinance No. G-07-08 – First Reading of an Ordinance to amend Section 29 – Zoning, of the Code of Ordinances of the City of Coffeyville.

■ 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. There have been several requests for rezoning for the establishment of commercial mini-storage businesses in the community. Currently ordinances only allow for these under the Light Industrial use. After much discussion, it was determined to review the entire ordinance and amend the allowed use classifications to better describe current residential, commercial and industrial classifications. Also the Planning Department has been 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 it would be considered a violation of zoning regulations to have outdoor sales and displays such as can be found at Wal-Mart or Coffeyville Feed & Farm. A change in the use limitations would allow retail establishments to utilize this as a marketing strategy. The final change allows the Planning Commission to have input on the zoning applicant and the adjacent property owner's agreement regarding screening between C-4 property and an adjacent residentially zoned property.

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

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

2. Resolution No. R-07-73 – A Resolution to authorize the submission of the Kansas Department of Transportation 2010 KLINK Resurfacing Project, the 2011 Geometric Improvement Project and the 2011 Economic Development Project.

■ Engineering Superintendent Scott Massman addressed the Commission stating the City is submitting three projects to the Kansas Department of Transportation for funding consideration. The 2010 KLINK project request is a resurfacing project on Highway 166/169 between Sycamore and Pine Streets. If selected, the City would consider combining with the 2008 and 2009 KLINK projects in the same area which should reduce cost significantly with hopes the project may ultimately extend from Sunflower Street to Walnut Street. The 2011 Economic Development Project submission is for grinding and white top replacement on Cline Road from 4th Street to Woodland. This has previously been submitted as a full depth replacement project but has been considered too expensive. The 2011 Geometric Improvement project is the intersection of 11th and Willow Street. If selected, this intersection would be designed much the same as 11th and Buckeye. Commissioner Hummel stated he has had several questions as to why the City applies for these projects which require significant local matching funds rather than putting all those funds into residential street repair. City Manager Jeff Morris stated the funding KDOT provides allows the City to receive a dollar for dollar match or in some cases up to \$3 for every dollar the City puts in.

MOTION: Move to approve Resolution No. R-07-73 for adoption.

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

3. Resolution No. R-07-74 – A Resolution to execute an Engineering Services Agreement with Allgeier, Martin & Associates for improvements to the Coffeyville Electric Utility System.

■ Electric Utility Director Bernie Cevera addressed the Commission stating the City requested proposals for the rebuilding of the Power Plant Substation. Five responses were received with staff evaluating the proposals and conducting interviews with the top three candidates. Allgeier Martin & Associates was ranked the highest; staff is recommending an agreement be signed at a not to exceed price of \$589,000 with Allgeier Martin for engineering services for the substation rebuild project.

MOTION: Move to approve Resolution No. R-07-74 for adoption.

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

4. Discussion and action to appoint one individual to fill a vacancy on the City Planning Commission serving to January 1, 2009.

Applicants: Carol Grace, Arnold Roland, Jr., Chris West

MOTION: Move to appoint Chris West to an unexpired term on the City Planning Commission serving to January 1, 2009.

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

5. Resolution No. R-07-75 – A Resolution to convey certain real property to Leon K. and Pamela L. Williamson located at 1004 West Third Street.

■ City Clerk Cindy Price addressed the Commission stating this City owned lot has been part of the Free Land program but has not had any interest. The Williamsons live next door and have been maintaining the property; staff recommends conveying the property to them.

MOTION: Move that Resolution No. R-07-75 be approved for adoption.

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

6. Resolution No. R-07-76 – A Resolution to convey certain real property to Margo Buscher located at 8 East First Street.

- City Clerk Cindy Price addressed the Commission stating this City owned lot has been part of the Free Land program but has not had any interest. Buscher owns property adjacent to the lot and has maintained it; staff recommends conveying the property to her.

MOTION: Move that Resolution No. R-07-76 be approved for adoption.

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

7. Discussion on Beech Street Traffic Study.

- City Manager Jeff Morris addressed the Commission stating Coffeyville Community College has expressed a desire to close Beech Street from 9th to 11th Street to help improve safety on the college campus. Allgeier Martin & Associates conducted a Traffic Study on Beech Street. The study proposed several solutions but did recommend closure of Beech Street at the intersection with 11th Street which would essentially transform the section of Beech Street between 9th and 11th Streets into a campus street. Feedback is requested from Commissioners as it is anticipated CCC will formally request closing the street. Commissioner Gonzales stated he does not believe the traffic warrants closing the street. Commissioner Hummel stated a one-day study does not provide enough information. Janie Houston, representing Condon National Bank, expressed concern about what the closing would have on the Condon's drive-in bank customers. Ron Levis, representing Condon National Bank, stated 80% of their deposits come through the drive-in and questioned whether the issue was about student safety or land control. Following discussion, Commissioners indicated unanimously they were not interested in considering closing Beech Street.

8. Comments from Commissioners or Staff

- City Manager Jeff Morris provide the following information:
 - Allgeier Martin & Associates have begun the study to consider closing railroad crossings.
 - There has been interest in the property at 126-128 West Ninth Street from two individuals. One is the adjacent property owner who wants to secure the building only; the other is from an individual who wants to put a sports bar in along with apartments on the second floor. Commissioners indicated their preference was to deed the property to the people interested in the sports bar and apartments.
 - There is interest in reactivating the downtown fountain. The current pump is oversized; recommendation is to replace with a smaller pump and install a bypass valve for times when it is windy to avoid water overspray. The cost of the pump is approximately \$5,000; there is a group raising the funds to purchase and city crews would install.
 - The City currently owns McKinley School. Officials from Coffeyville Community College recently toured it and determined it would be cheaper to tear the building down and build a new child care and early education center. The cost of demolition has been estimated at approximately \$100,000. A proposal was presented from a local businessman who is interested in converting to apartments. His proposal requested assistance from the City including a crew for demolition; this was a concern for Commissioners.

- Bernie Cevera addressed the Commission stating the GRDA Board of Directors meeting is on Wednesday and will include 13 items that impact Coffeyville with the most important being the power purchase and sale agreement. The current power supply contract expires 12/31/07. Bernie expects to come to the City in 45 days with a new power supply contract.

J. EXECUTIVE SESSION(s)

1. Non-elected personnel
2. Consultation with an attorney on matters would be deemed confidential in attorney-client relationship.
3. Matters relating to the acquisition of real estate.

MOTION: Move to adjourn to Executive Session for discussion of non-elected personnel, consultation with an attorney on matters that would be deemed privileged in attorney-client relationship and matters relating to the acquisition of real estate to convene on or before 9:15 p.m.

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

Time the meeting was reconvened: 9:15 p.m.

Mayor Horn stated no action would be taken as a result of the Executive Session.

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

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

Time the meeting was reconvened: 10:00 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 – May tax reports
2. Inspections Department – Monthly report
3. Inspections Department – May Building Permit Report
4. Planning Commission – Minutes of March 6, 2007, meeting
5. Coffeyville Recreation Commission – Minutes of April 11, 2007, meeting
6. CRMC – Monthly report

L. ADJOURNMENT

MOTION: Move to adjourn.

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

TIME THE MEETING WAS ADJOURNED: 10:30 P.M.

**REGULAR CITY COMMISSION MEETING MINUTES
TUESDAY, JUNE 12, 2007**

The next meeting will be Tuesday, June 26, 2007, 6:30 p.m.

Date minutes were approved 06/26/07

Cindy Price
Cindy Price, City Clerk

