

**REGULAR COMMISSION MEETING MINUTES**  
**TUESDAY, JANUARY 22, 2008**  
**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 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  
FIRE CHIEF GREG ALLEN  
ELECTRIC UTILITY DIRECTOR BERNIE CEVERA  
IT MANAGER CHRIS FELIX  
INSPECTOR LARRY TROTTER  
DISASTER RECOVERY COORDINATOR JIM BRADSHAW  
POLICE CHIEF JOE HUMBLE  
PLANNER/ARCHITECT DENNIS JACOBS  
ENGINEERING SUPERINTENDENT SCOTT MASSMAN

- A. CALL TO ORDER** – Mayor Horn
- B. INVOCATION** – Rev. Jim Crandall, First Assembly of God
- C. PLEDGE OF ALLEGIANCE TO THE AMERICAN FLAG**
- D. MINUTES**

1. Regular City Commission Meeting Minutes – Tuesday, January 8, 2008

ACTION: Approved as presented

**APPROPRIATION ORDINANCE(s).**

1. 2007 Appropriation Ordinance No. AO-07-52 – \$2,780,166.76  
MOTION: Move to approve Appropriation Ordinance No. AO-07-52 in the total amount of \$2,780,166.76 for adoption.

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

2. 2007 Appropriation Ordinance No. AO-07-53 (Four State) – \$ 2,085.39  
MOTION: Move to approve Appropriation Ordinance No. AO-07-53 in the total amount of \$2,085.39 for adoption.

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

ALL AYE EXCEPT COMMISSIONER HUMMEL WHO ABSTAINED.

3. 2007 Appropriation Ordinance No. AO-07-54 (Flood) – \$ 8,311.04  
MOTION: Move to approve Appropriation Ordinance No. AO-07-54 in the total amount of \$8,311.04 for adoption.  
  
ACTION: THE MOTION WAS MADE BY COMMISSIONER GONZALES AND SECONDED BY COMMISSIONER HUMMEL. ROLL CALL VOTE - ALL AYE.
4. 2008 Appropriation Ordinance No. AO-08-01 – \$1,083,790.42  
MOTION: Move to approve Appropriation Ordinance No. AO-08-01 in the total amount of \$1,083,790.42 for adoption.  
  
ACTION: THE MOTION WAS MADE BY COMMISSIONER HUMMEL AND SECONDED BY COMMISSIONER GONZALES. ROLL CALL VOTE - ALL AYE.
5. 2008 Appropriation Ordinance No. AO-08-02 (Four State) – \$ 502.60  
MOTION: Move to approve Appropriation Ordinance No. AO-08-02 in the total amount of \$502.60 for adoption.  
  
ACTION: THE MOTION WAS MADE BY COMMISSIONER HENDRYX AND SECONDED BY COMMISSIONER JONES. ROLL CALL VOTE - ALL AYE EXCEPT COMMISSIONER HUMMEL WHO ABSTAINED.
6. 2008 Appropriation Ordinance No. AO-08-03 (Flood) – \$ 1,931.62  
MOTION: Move to approve Appropriation Ordinance No. AO-08-03 in the total amount of \$1,931.62 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).**

1. Presentation by Cooper Smart representing a group of skateboarders
  - Skateboarders Cooper Smart and Dakota Rine addressed the Commission stating there is a large group of skateboarders interested in having a skateboard park located in Coffeyville. At the current time, skateboarders are very limited to locations they can skate and get run off from most places. The skateboarders have visited other locations and have acquired information on different types of parks. Following discussion with Commissioners, it was determined a Task Force will be formed to investigate options for a Skateboard Park as well as funding; Commissioner Hendryx will serve from the Commission.

**G. OTHER BUSINESS**

1. Comments from Public

- Klinell Hey, 106 North Highland, addressed the Commission stating she is concerned about the proposed apartment complex to be built on First Street. She indicated it will increase traffic, speeding is already a problem, and is concerned it will be a drain on current infrastructure.
- Carmen Winston, 304 Michele Lane, stated her concern over the project saying it will be too many people in one area and many of the neighbors chose to live there due to it being a quiet neighborhood.
- City Manager Jeff Morris pointed out the apartment complex is just one phase of a bigger project for the property which includes over 100 single family market rate homes.
- Charlie Gann, 803 West Sixth Street, addressed the Commission about a problem with the street at Sixth and Washita.

**H. OLD BUSINESS**

**I. NEW BUSINESS**

1. Ordinance No. S-08-01 – First Reading of an Ordinance to rezone 821 West 14<sup>th</sup> Street.

- Planner/Architect Dennis Jacobs addressed the Commission stating Virgil Scott has applied for rezoning of 821 West 14<sup>th</sup> Street from I-1, Light Industrial, to C-4, Service Commercial, for the purpose of renovation and operation of the existing bar there. The Planning Commission unanimously approved a recommendation to the City Commission for approval of the rezoning.

MOTION: Move that Ordinance No. S-08-01 be approved for First Reading.

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

2. Ordinance No. S-08-02 – First Reading of an Ordinance to rezone 1112 West 11<sup>th</sup> Street.

- Planner/Architect Dennis Jacobs addressed the Commission stating Karen Weimer has applied for a rezoning of 1112 West 11<sup>th</sup> Street from R-1, Single Family Residential, to C-4, Service Commercial, for the purpose of renovation and operation of a tax preparation/accounting office. The Planning Commission unanimously approved a recommendation to the City Commission for approval of the rezoning.

MOTION: Move that Ordinance No. S-08-02 be approved for First Reading.

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

3. Resolution No. R-08-04 – A Resolution to issue a purchase order to Watch Guard for six in-car video systems for the Coffeyville Police Department.

- Police Chief Joe Humble addressed the Commission stating for the past couple months, the Police Department has been trying out in-car video systems for police cars. He is

recommending the purchase of six Watch Guard Systems which provide the best picture quality and is the most officer friendly. The purchase would include cameras for the front and back seats and microphones. Having in-car video systems helps to provide video evidence in the Court Room, allows officers to review video for better report writing, helps to make sure officers are following department policies and procedures and protects the department and city from frivolous law suits due to false accusations.

**MOTION:** Move to approve Resolution No. R-08-04 for adoption.

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

4. Resolution No. R-08-05 – A Resolution to execute a construction contract with T.N.T. Builders for installation of steel doors and counter shutters at Walter Johnson Park.
- Disaster Recovery Coordinator Jim Bradshaw addressed the Commission stating bids have been received for the installation of 21 steel doors, two complete with frames; a total of five counter shutters and one overhead door to repair flood damage on City owned structures in Walter Johnson Park. T.N.T. Builders was the low bidder; this will be paid from the insurance proceeds and the Federal Emergency Management Agency.

**MOTION:** Move to approve Resolution No. R-08-05 for adoption.

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

5. Resolution No. R-08-06 – A Resolution to execute a construction contract with Midwest Fence for installation and repair of fences at Walter Johnson Park.
- Disaster Recovery Coordinator Jim Bradshaw addressed the Commission stating bids have been received for the repair of fences at Walter Johnson Park due to flood damage. Midwest Fence was the low bidder; this will be paid by the Federal Emergency Management Agency and the City of Coffeyville.

**MOTION:** Move to approve Resolution No. R-08-06 for adoption.

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

6. Resolution No. R-08-07 – A Resolution to submit the airport Capital Improvement Plan data sheets to the Federal Aviation Administration.
- Engineering Superintendent Scott Massman addressed the Commission stating the Central Region of the Federal Aviation Administration annually solicits projects from each city in the four-state region for airport improvements. This solicitation is for projects to be funded in FY2009-FY2011. The number one project request is for drainage and resurfacing improvements in the t-hangar area. When asked about possible repairing or rebuilding existing t-hangars, Massman replied the FAA does not participate in any project that is money making; there is a rental fee for the hangars. Currently the number one project submitted last year – installation of the Precision Approach Pathway

Indicators – is underway.

**MOTION:** Move to approve Resolution No. R-08-07 for adoption.

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

7. Resolution No. R-08-08 – A Resolution to execute a contract with American Appraisal for appraisal services for the City of Coffeyville.

■ Finance Director Stephanie Richardson addressed the Commission stating staff recently met with Arthur J. Gallagher regarding the City’s insurance renewal for policy year 2008-09. Our current insurance carrier, Scottsdale Insurance, has requested we conduct a full appraisal of all City structures listed on the policy. Staff agrees a full appraisal would benefit the City to ensure proper valuations are placed on all structures and that property is being insured adequately. Proposals were requested from two companies with American Appraisals being the lowest cost at \$15,375.

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

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

8. Resolution No. R-08-09 – A Resolution to issue a purchase order to Lynn Elliott Co. for medium voltage cable for the Power Plant Substation Upgrade.

■ Electric Utility Director Bernie Cevera addressed the Commission stating this contract is for 14 15kV circuits servicing feeder or generator ties for the Power Plant Substation Upgrade. The circuits consist of approximately 25,950 linear feet of cable to replace existing cable to the existing outdoor air switchgear to be replaced by the 15kV outdoor metal clad switchgear. Staff recommends accepting the lowest evaluated complete bid in the total amount of \$308,219.55 from Lynn Elliott Co.

**MOTION:** Move to approve Resolution No. R-08-09 for adoption.

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

9. Resolution No. R-08-10 – A Resolution to issue a purchase order to Timberline Construction, Inc., for construction labor and materials for the Power Plant Substation Upgrade.

■ Electric Utility Director Bernie Cevera addressed the Commission stating this contract is for the construction labor and miscellaneous materials to install the equipment and complete the improvements to the Power Plant Substation. Staff recommends accepting the lowest evaluated complete bid in the total amount of \$1,229,553.25 to Timberline Construction, Inc., from Rapid City, South Dakota. Cevera stated the City is planning to issue bonds for the Electric Utility upgrades and improvements; however, at this time there is cash on hand to fund these improvements.

**MOTION:** Move to approve Resolution No. R-08-10 for adoption.  
**ACTION:** THE MOTION WAS MADE BY COMMISSIONER HUMMEL AND  
SECONDED BY COMMISSIONER GONZALES. ROLL CALL  
VOTE – ALL AYE.

10. Resolution No. R-08-11 – A Resolution to execute an agreement with Cox Business to provide Internet service for the Coffeyville Wireless Internet Utility.

- IT Manager Chris Felix addressed the Commission stating our current Internet provider for the Coffeyville Wireless Internet Service is Terraworld. They have notified the City they are changing the way they will provide Internet to us, and this change will not provide substantial enough service for our customers. Staff sought quotes from other providers who will better serve our needs and recommends using Cox Communications. The price received from Cox will provide more megabits that we are currently receiving at the same price with the ability to increase the number of megabits as our service grows.

**MOTION:** Move to approve Resolution No. R-08-11 for adoption.

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

11. Information regarding CALEA compliance for the Coffeyville Wireless Internet Utility.

- IT Manager Chris Felix addressed the Commission stating that since Coffeyville is an Internet Service Provider, the City is required to be compliant with the Communication Assistance For Law Enforcement Act (CALEA); which provides the ability of law enforcement to monitor a customer's Internet traffic. Law enforcement would have to have the proper forms to request a customer's traffic be monitored; the City will need to have a device on the network that has the capability to monitor the traffic when needed. Texas Communications has been contacted to assist the City with becoming compliant; they can provide the service at the lowest cost. Staff is requesting an official quote and will bring that to the Commission for approval.

12. Comments from Commissioners or Staff

- City Manager Jeff Morris reported the following:
  - Fire Chief Greg Allen was recognized by Governor Sebelius during the State of the State address in Topeka.
  - Micky Davis will be working with the City regarding the flood buy-out program.
  - Prestige Cabinets is working on their building (former Dixon Industries) in preparation for their opening.
  - He was asked to testify before the State Legislative Ways & Means Committee on infrastructure grants for housing. He also will testify on January 25 regarding a bill for assistance to businesses damaged during the flood.

**J. EXECUTIVE SESSION(s)**

1. Non-elected personnel
2. Attorney-Client Privilege

**MOTION:** Move to adjourn to Executive Session for discussion of non-elected personnel and items that would be deemed privileged in attorney-client privilege to reconvene on or before 10:10 p.m.

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

Time the meeting was reconvened: 10:10 p.m.

3. Resolution No. R-08-12 – A Resolution to execute an Engineering Services Agreement with Professional Engineering Consultants, P.A. for flood recovery technical assistance.

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

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

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

1. Police Department – 2007 Report
2. Fire Department – December Fire Report
3. Inspections Department – December Building Permits
4. Correspondence from Richard Medley
5. Notice of Board opening
6. Coffeyville Public Library – December Minutes
7. Coffeyville Recreation Commission – Board Minutes

**L. ADJOURNMENT**

**MOTION:** Move to adjourn.

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

Time the meeting was adjourned: 10:40 p.m.

Date the minutes were approved \_\_\_\_\_

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Cindy Price, City Clerk