

REGULAR COMMISSION MEETING MINUTES
TUESDAY, AUGUST 12, 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 LOUIE HUMMEL
COMMISSIONER PAM JONES

Those absent:

COMMISSIONER ALEC HENDRYX

City Staff in attendance were:

CITY MANAGER JEFF MORRIS
CITY CLERK CINDY PRICE
CITY ATTORNEY PAUL KRITZ
FINANCE DIRECTOR STEPHANIE RICHARDSON
PUBLIC SERVICE DIRECTOR CHUCK SHIVELY
PLANNER/ARCHITECT DENNIS JACOBS
FIRE CHIEF GREG ALLEN
INSPECTOR JIM HAYES
INSPECTOR LARRY TROTTER
ELECTRIC UTILITY DIRECTOR BERNIE CEVERA
ENGINEERING SUPERINTENDENT SCOTT MASSMAN
POLICE COMMANDER MIKE BROWN
IT MANAGER CHRIS FELIX

A. CALL TO ORDER – Mayor Horn

B. INVOCATION – Rev. Horn

C. PLEDGE OF ALLEGIANCE TO THE AMERICAN FLAG

D. CONSENT AGENDA ITEMS

1. Regular City Commission Meeting Minutes – Tuesday, July 22, 2008
2. Special City Commission Meeting Minutes – Wednesday, July 30, 2008
3. 2008 Appropriation Ordinance No. AO-08-38 – \$1,655,159.77
4. 2008 Appropriation Ordinance No. AO-08-39 – (flood) \$ 29,913.24

MOTION: Move to approve the consent agenda as presented.

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

REGULAR AGENDA ITEMS

E. APPROPRIATION ORDINANCE

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

G. OTHER BUSINESS

1. Comments from Public

- Jim Taylor, Sr., 704 Spruce, addressed the Commission asking questions related to the Dalmark multi-family tax credit project. Attorney Kritz informed Taylor this was a time of public comment and he was welcome to submit all questions to the City Clerk's office.

- Jean Crutchfield addressed the Commission stating she is concerned the public is only given three minutes to make comments.

H. OLD BUSINESS

1. Ordinance No. S-08-13 – Second Reading of an Ordinance to rezone property located at 301-303 West Eldridge Street.

- Planner/Architect Dennis Jacobs stated there have been no changes from First Reading.

MOTION: Move that Ordinance No. S-08-13 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 EXCEPT COMMISSIONER HENDRY WHO WAS ABSENT.

I. NEW BUSINESS

1. Resolution No. R-08-104 – A Resolution to authorize execution of Supplemental Agreement No. 1 with the Kansas Department of Transportation for Project No. 169-63 K-8241-03.

- Engineering Superintendent Scott Massman addressed the Commission stating the Kansas Department of Transportation received bids for Project 169 63 K-8241-03, the intersection of Hwy 166 and CR 5300 for the proposed Wal-Mart Supercenter. The low bid was from Heckert Construction; the City of Coffeyville has obligated \$1,014,000 toward completion of this project which will match up with the Highway 169 System Enhancement Project. An improvement district will be created and property taxes generated by the new construction will pay these costs back to the City with the pay back time estimated at 15 years.

MOTION: Move that Resolution No. R-08-104 be approved for adoption.

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

2. Resolution No. R-08-105 – A Resolution to execute a contract with TNT Contractors for repair and partial demolition of building located at 119 West Eighth Street.

TABLED IN ORDER TO GET ADDITIONAL INFORMATION

3. Resolution No. R-08-106 – A Resolution to execute an agreement with the Kansas Department of Commerce and Downtown Coffeyville, Inc., for an Incentives Without

Walls Grant for 119 West Eighth Street.
NO ACTION

4. Resolution No. R-08-107 – A Resolution to execute an Engineering Services agreement with Sega, Inc., for the 138-KV Transmission System upgrade.
- Electric Utility Director Bernie Cevera addressed the Commission stating the City’s transmission supply contract with Grand River Dam Authority changed to network transmission service and the City is obligated to perform certain upgrades and modification as required in the Southwest Power Pool Aggregate Facilities Studies. To accommodate future growth in the City and increased loading of the transmission system, the 138-KV transmission system must be upgraded. It is anticipated the initial payments for the upgrade will be made by the City while the ultimate cost will be reimbursed to the City by SPP. Requests for Qualifications were issued, reviewed and interviews conducted with engineering firms. Staff recommends Sega, Inc., be authorized, up to a maximum fee of \$110,000, to design the 138-KV transmission upgrade, assist the City in procuring the necessary equipment and materials and assist the City in hiring a construction contractor.

MOTION: Move that Resolution No. R-08-107 be approved for adoption.

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

5. Resolution No. R-08-108 – A Resolution to issue a purchase order to Crossmatch Technologies for purchase and installation of a Live Scan fingerprinting system.
- Police Commander Mike Brown addressed the Commission stating the Coffeyville Police Department submitted and received a grant from the Kansas Bureau of Investigation in the amount of \$16,200 for a 2008 Livescan fingerprint capture device. This will allow fingerprints, demographic data and a mugshot to be electronically submitted to the KBI. Currently fingerprint data must be submitted on all arrests made by the Police Department. These are taken manually and then mailed to KBI. The suitability of the prints is not determined until after they have been received by KBI, well after the subject is no longer in police custody. Staff recommends utilizing CrossMatch to purchase the equipment as they are the leading vendor in the State of Kansas for Livescan devices. The kiosk configuration is recommended as this allows the device to be relocated easily and puts all the equipment in a single cabinet. The total cost to the City will be \$15,650.66 for the equipment plus \$7,000 for an interface which will allow the equipment to work with the current records management system. The additional interface will allow information to be imported from one system to the other rather than having to put it in separately which would save time processing subjects.

MOTION: Move that Resolution No. R-08-108 be approved for adoption.

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

6. Resolution No. R-08-109 – A Resolution to execute an agreement with Vintage Building Supply for cleaning, palletizing and moving Coffeyville brick.
- Public Works Director Chuck Shively addressed the Commission stating the City of Coffeyville has a large quantity of bricks which were dumped on the hill northwest of the Public Service building. The location of the brick is not easily accessible and the piles of bricks are overgrown with weeds and vines. The majority of the bricks appear to be paver type bricks produced by the three former Coffeyville brick manufacturers. Vintage Building Supply contacted the City with a proposal to clean and palletize the brick in exchange for brick they will keep. Vintage estimates there are 20,000 to 30,000 bricks at the location; however, this is just an estimate. Vintage Building Supply needs a minimum of 14,000 bricks for a job they have. A proposal with Vintage was negotiated whereby the City receives the first 5,000 bricks all stamped by one of the former Coffeyville brick companies and Vintage receives the next 14,000 bricks. For any bricks recovered over 19,000, the City will receive one brick minimum for each brick Vintage receives. In addition to cleaning, palletizing and moving the brick for the City, Vintage will pay the City 20 cents per brick for all bricks they receive in excess of the number the City receives. Shively attempted to get similar proposals from other entities, however, none were interested.

MOTION: Move that Resolution No. R-08-109 be approved for adoption.

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

7. Resolution No. R-08-110 – A Resolution to execute a contract with Precision Surveying for survey work in the Sycamore Creek area.
- Engineering Superintendent Scott Massman addressed the Commission stating the City of Coffeyville has obtained three bids for surveying finished floor elevations for homes within the Sycamore Creek floodplain. The proposed work is needed to help FEMA analyze a cost-benefit ratio of the homes which flood within the Sycamore Creek floodplain. This project will result in the possible buyout of homes which are selected as a result of the cost-benefit ratio. Factors such as repetitive loss and finished floor elevation less than one foot above the base flood elevations will be looked at for determining which homes will be eligible for the potential buyout. There will be approximately 130 homes studied; homes that are currently in the 100-year floodplain south of Eighth Street will not be included as the Cline Road Box Culvert project has reduced the 100-year floodplain by approximately four feet. A revised floodplain map is being prepared to show the relief this proposed project will provide. Staff recommends Precision Surveying be awarded the contract at a cost of \$2,400.

MOTION: Move that Resolution No. R-08-110 be approved for adoption.

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

8. Discussion on extension of ordinance exempting flood victims from the 14-day limit for recreational vehicles used a transitional housing.
 - Commissioners determined there was no need to extend the 14-day limit exception for flood victims.
9. Discussion on traffic signals in the downtown area
 - Commissioners expressed support for traffic signals in the downtown area be set to 24-hour flash.
10. Comments from Commissioners and Staff
 - Commission Louis Hummel questioned the funding provided through the City to various entities including USD 445 and Coffeyville Community College as well as how much the City is subsidizing Veterans Memorial Stadium, the Aquatic Center and Hillcrest Golf Course. He stated we have not done a good job as Commissioners or staff in maintaining streets; there is a need to annex and a need to grow. The City has not moved forward and he refuses to be badgered; he feels he is no longer functional as a Commissioner, therefore, he was submitting his resignation letter effective immediately. All Commissioners expressed their appreciation for the work Commissioner Hummel did. Commissioner Gonzales stated it was Coffeyville's loss with Hummel resigning.

J. EXECUTIVE SESSION(s)

1. Attorney Client privilege

MOTION: Move to adjourn to Executive Session for discussion of items that would be considered privileged in attorney-client relationship to reconvene on or before 8:50 p.m.

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

Time the meeting was reconvened: 8:50 p.m.

Mayor Horn stated there was no action as a result of the Executive Session

K. GENERAL STAFF, COMMITTEE & BOARD REPORTS AND MINUTES

1. Finance Department – Sales Tax Reports
2. Fire Department Report
3. Inspection Department Reports
4. Correspondence from CRMC
5. Notice from KDOC of receipt of a 2007 Urgent Needs Community Development Block Grant in the amount of \$24,255 for flood buyout
6. Correspondence from Red Cross

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L. ADJOURNMENT

MOTION: Move to adjourn.

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

TIME THE MEETING WAS ADJOURNED: 9 p.m.

Date minutes were approved _____

Cindy Price, City Clerk