

REGULAR COMMISSION MEETING MINUTES
TUESDAY, AUGUST 28, 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 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
ELECTRIC UTILITY DIRECTOR BERNIE CEVERA
PUBLIC WORKS DIRECTOR CHUCH SHIVELY
WATER/WASTEWATER SUPERINTENDENT JIM BRADSHAW
PLANNER/ARCHITECT DENNIS JACOBS
INSPECTOR LARRY TROTTER

- A. CALL TO ORDER** – Mayor Horn
- B. INVOCATION** – Rev. Gerald Morris, Grace Fellowship Church
- C. PLEDGE OF ALLEGIANCE TO THE AMERICAN FLAG**
- D. MINUTES**
 - 1. Regular City Commission Meeting Minutes – Tuesday, August 14, 2007
ACTION: Approved as presented
 - 2. Special City Commission Meeting Minutes – Tuesday, August 21, 2007
ACTION: Approved as presented
- E. APPROPRIATION ORDINANCE(s).**
 - 1. 2007 Appropriation Ordinance No. AO-07-25 – \$1,261,909.69
MOTION: Move to approve Appropriation Ordinance No. AO-07-25 in the total amount of \$1,261,909.69 for adoption.

ACTION: THE MOTION WAS MADE BY COMMISSIONER GONZAES AND SECONDED BY MAYOR HORN. ROLL CALL VOTE - ALL AYE.
 - 2. 2007 Appropriation Ordinance No. AO-07-26 (Hummel) – \$ 1,887.45
MOTION: Move to approve Appropriation Ordinance No. AO-07-26 in the total amount of \$1,887.45 for adoption.

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

ABSTAINED.

3. 2007 Appropriation Ordinance No. AO-07-27 (Flood) – \$ 93,073.05
MOTION: Move to approve Appropriation Ordinance No. AO-07-27 in the total amount of \$93,073.05 for adoption.

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

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

1. Presentation by Steve Wood, President, Wood Development Group and New Coffeyville Development Group, on a housing tax credit project in Coffeyville.
 - Bernie Shaner representing the New Coffeyville Development Group addressed the Commission stating his company is looking at two properties for development. A 49-unit multi-family complex is proposed for property at 14th & Buckeye; and a 49-unit senior development is proposed at a second location which they are currently working to get under contract. His company is preparing a tax-credit application and requested a resolution of support.
 - Steve Wood, president of the company, requested the Commission endorse his project exclusively as they are committed to the City and once awarded the tax credits they would plan to break ground the end of the year.
 - City Manager Jeff Morris stated there have been several developers contact the City with plans to prepare tax credit applications. He has talked with Fred Bentley who is responsible for allocating the tax credits for the State. Following that conversation it will be the City's intent to endorse the projects as they come forward.
2. Presentation by Daniel Sailer, Townsend, Inc., on a housing tax credit project in Coffeyville
 - Daniel Sailer addressed the Commission stating his company has 4.6 acres under contract west of First Federal between 8th and 11th Street for a 48-unit multi family complex. Once approved, the complex would be ready in 93 days. He requested a resolution of support from the City.
3. Presentation by Laolu Davies-Yemitan, The CL Parsons 3D/I Five Woods, LLC
 - Laolu Davies-Yemitan, Mike Managan and Edgar Allen Harvey, Sr., addressed the Commission with a proposal for flood event restoration, housing and community redevelopment and construction management support for the City following the flood.

G. OTHER BUSINESS

1. Comments from Public
 - Mrs. Castorena, 1302 West 13th Street, asked if FEMA mobile homes could be placed on property she owns.

H. OLD BUSINESS

1. Ordinance No. S-07-16 – Second Reading of an Ordinance related to the occupancy of tents and recreational vehicles within the City of Coffeyville.
 - No changes from First Reading.

MOTION: Move that Ordinance No. S-07-16 be passed to Second Reading and approved for adoption.

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

I. NEW BUSINESS

1. Discussion and action to approve a permit to hold Dalton Defenders Days on October 5-6, 2007.

MOTION: Move to approve a permit to hold Dalton Defenders Days on October 5-6, 2007, pending receipt of insurance and other information as required by ordinance.

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

2. Resolution No. R-07-99 – A Resolution to issue a purchase order for property and boiler and machinery insurance for the Power Plant effective September 1, 2007.

- Finance Director Stephanie Richardson addressed the Commission stating the premium for the renewal quote for property insurance coverage and boiler and machinery insurance coverage on the City's power plant and distribution substations from Chubb insurance is \$181,329. The exposure limits of the policy resulted in an increased Statement of Values of \$63,262,222, a 5.19% increase with \$2 million of that increase resulting from the addition of the Black Start Generation building. The rate per \$1,000 has actually decreased.

MOTION: Move to approve Resolution No. R-07-99 for adoption.

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

3. Ordinance No. S-07-17 – First Reading of an Ordinance to rezone 406 Penn from R-1 Single Family Residential to R-2 Two-Family Residential.

NO ACTION TAKEN

4. Resolution No. R-07-100 – A Resolution to issue a purchase order for two pickups; one each for the Water/Wastewater and Electric Utility Departments.

- Public Works Director Chuck Shively addressed the Commission stating the Water & Wastewater and Electric Utilities both requested bids for a one-half ton meter service truck. Bids were received and opened on July 16, 2007, at 2 p.m., with Quality Motors submitting the low bid. Perl Chevrolet submitted a bid which was lower, however, their bid was received after the specified bid opening time.

MOTION: Move to approve Resolution No. R-07-100 to purchase two trucks from Quality Motors for a total of \$38,031.72 for adoption.

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

■ Mayor Horn stated he voted no because he favors keeping purchases local. Commissioner Hendryx voted no because he is concerned all warranty work would require a trip to Independence.

5. Ordinance No. G-07-13 – First Reading of an Ordinance to amend the Model Zoning Ordinance for the temporary placement of FEMA trailers.

■ Planner/Architect Dennis Jacobs addressed the Commission stating the Planning Commissioners recently discussed this amendment to the Model Zoning Ordinance. To speed up their process, the Planning Commission streamlined the procedure for zoning issues by amending their bylaws to reduce a 20 day written notice for a zoning change to one day. They also reduced to one day from five days the notice for a special meeting. Regarding the amendment, the Commissioners were concerned about the potential for loss of public input when streamlining the zoning changes and the concern about temporary housing becoming an impediment to permanent housing. The Planning Commission recommended a change in wording to allow FEMA mobile homes to be permitted by temporary use in areas designated by the City administration; individual lots would go through the public input expedited process. Group sites currently under consideration by FEMA are south of 14th Street between Pacific and Atlantic, south of the Mansion Estates and the Airport. Mayor Horn expressed concern that displaced citizens are waiting too long for housing, they are feeling dejected and the entire community of Coffeyville should be the site rather than determining specific locations. City Attorney Kritz stated the Ordinance prepared for Commissioner review would allow mobile homes to go in any zoning district, subject to some specific provisions, on a temporary basis expiring June 30, 2009. Since this is not the recommendation of the Planning Commission it would take a 2/3 vote by the Board of Commissioners to approve.

MOTION: Move to approve Ordinance G-07-13 be approved for adoption on an emergency basis.

ACTION: THE MOTION WAS MADE BY MAYOR HORN AND SECONDED BY COMMISSIONER HENDRYX. ROLL CALL VOTE – MAYOR HORN AND COMMISSIONER HENDRYX VOTED YES; COMMISSIONERS JONES, GONZALES AND HUMMEL VOTED NO. MOTION FAILED.

MOTION: Move to reconsider Ordinance G-07-13 and approve it for adoption on an emergency basis.

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

6. Ordinance No. R-07-101 – A Resolution to authorize financial participation for Coffeyville redevelopment assistance provided by Kansas Communities, LLC.

■ City Manager Jeff Morris addressed the Commission stating following the tornado in Greensburg, Governor Sebelius commissioned Terry Woodbury to assist Greensburg in their redevelopment efforts. Woodbury is the president and founder of Kansas Communities, LLC which was founded in 2004 to build and re-build community across Kansas by rebuilding the Public Square one community at a time. The Public Square is the intersection of four sectors: business, education, health/human services and government. After the Coffeyville flood, the Coffeyville Area Community Foundation contacted Woodbury regarding his availability to assist Coffeyville in its redevelopment. The Foundation will pay \$8,500 of his costs with \$7,000 to be picked up by the participating entities with the City's share being \$1,000. Others participating include Montgomery County Action Council, USD 445, Coffeyville Community College and the Chamber of Commerce. Woodbury requires participation both physically and financially from the participating entities.

MOTION: Move to approve Resolution No. R-07-101 for adoption.

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

7. Comments from Commissioners or Staff

■ City Manager Jeff Morris provided the following reports:

- Street lights which are being reactivated in the east side flood affected area
- Speed bumps will be installed on Beech Street near CCC as soon as signage arrives
- Suggested to Commissioners a Task Force be set up for the Animal Shelter. A location for the Shelter needs to be determined.

■ Public Works Director Chuck Shively reported to Commissioners there is a house currently under construction which is not in the City Limits. Prior to the Commission decision not to provide water or sewer utilities to residences located outside the City limits, the owner of the house determined he was going to install a septic system. That did not work out and the owner then contacted the City to get on the City's sewer system. The Commissioners were in agreement the owner would need to have his property annexed to provide the City services.

J. EXECUTIVE SESSION(s)

1. Consultation with an attorney on matters that would be deemed privileged in attorney-client relationship.

MOTION: Move to adjourn to Executive Session for consultation with an attorney on matters that would be deemed privileged in attorney-client relationship to reconvene on or before 9:55 p.m.

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

Mayor Horn stated no action would result from the Executive Session.

TIME THE MEETING WAS RECONVENED: 9:55 p.m.

K. GENERAL STAFF, COMMITTEE & BOARD REPORTS AND MINUTES

1. Coffeyville Public Library – Minutes of July 10 meeting
2. Coffeyville Recreation Commission – Minutes of June 13 and June 21 meetings
3. Planning Commission – Minutes of June 5 meeting
4. Communication from CRMC
5. Report from SWPA

L. ADJOURNMENT

MOTION: Move to adjourn.

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

TIME THE MEETING WAS ADJOURNED: 10:05 p.m.

Date the minutes were approved _____

Cindy Price, City Clerk