

**COMMISSION MEETING MINUTES
TUESDAY, JULY 23RD, 2024 6:30 P.M.**

The Board of Commissioners met in Regular Session at 6:30 p.m. in the Commission Room. The meeting was called to order by Mayor Hendryx.

Present:

COMMISSIONER DON EDWARDS
COMMISSIONER JIM FALKNER
COMMISSIONER ALEC HENDRYX
COMMISSIONER DEBORAH MAPLES
COMMISSIONER ANN MARIE VANNOSTER

City Staff in attendance:

CITY MANAGER BEN BRUBAKER
CITY CLERK MELISSA CARTER
CITY ATTORNEY PAUL KRITZ
IT TECH JARRAH MARNELL
DEPUTY DIRECTOR OF PUBLIC WORKS THOMAS OSBORN
DIRECTOR OF WASTEWATER SHANE GEORGE
DIRECTOR OF PUBLIC SERVICE BOOBY JOE PAASCH
DIRECTOR OF PARKS AND RECREATION JARROD POWERS
DIRECTOR OF HUMAN RESOURCES ALLISON PRYOR
DIRECTOR OF FINANCE MARTIN CUMINGS
DEPUTY DIRECTOR OF ELECTRIC KEVIN MERSBERG
SUPERINTENDENT OF ELECTRIC DISTRIBUTION STEVE PRATT

- A. **CALL TO ORDER** – Mayor Alec Hendryx
- B. **ROLL CALL**
- C. **INVOCATION** – Paul Kritz
- D. **PLEDGE OF ALLEGIANCE TO THE AMERICAN FLAG**
- E. **REVIEW OF AGENDA**

MOTION: Move to Amend the Agenda to add New Business Item #7.

ACTION: MOTION: EDWARDS SECOND: MAPLES
ROLL CALL: ALL AYE

F. CONSENT AGENDA

- 1. City Commission Meeting Minutes – Tuesday, July 9th, 2024.
- 2. 2024 Appropriation Ordinance No. AO-24-14 \$4,813,122.32

MOTION: Move to approve items 1 & 2 of the consent agenda as presented.

ACTION: MOTION: VANNOSTER SECOND: HENDRYX
ROLL CALL: ALL AYE

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3. 2024 Appropriation Ordinance No. AO-24-14A (Coffeyville Lifeguarding, Ishams, Lieberts)
\$1000.99

MOTION: Move to approve item 3 of the consent agenda as presented.

ACTION: MOTION: HENDRYX SECOND: EDWARDS
ROLL CALL: MAPLES – AYE, EDWARDS - AYE,
VANNOSTER – ABSTAIN, FALKNER– AYE, HENDRYX - AYE

G. COMMENTS

1. Comments from Public

Any citizen desiring to address the Commission shall be recognized, advance to the podium, state his/her name and address for the record. Comments shall be limited to 3 minutes unless extended by a vote of the majority of the Commission. The Commission does not hear matters involving litigation or City Personnel. The Commission does not take action on subjects not on the agenda unless unusual or hardship conditions exist. Citizens may address the Commission on agenda items as they are brought to the floor.

Gail Smith, 1451 CR 4500 and Mike Bradley came to the podium to talk about the 8th Annual Summer Celebration. They appreciate everything this town has to offer and the vent was a success. They had about 100 cars at the car show, 88 vendors, Taylor Crane and Four Point Services both had cranes with large flags, there was a DJ, the Municipal Band played, there were dance groups, a Michael Jackson impersonator, 30 kiddie cars, cornhole tournament, a raffle for a blackstone griddle, and a great fireworks show. Gail and Mike thanked the City of Coffeyville for everything they do for this event. They thanked all the volunteers, sponsors and donors that make this event possible every year. The Commission thanked them for all their work to make Summer Celebration great.

REGULAR AGENDA ITEMS

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

1. City of Coffeyville Audit Report for Fiscal Year 2023.

Neil Phillips with Jarred, Gilmore and Phillips PA came to the podium to give the City of Coffeyville Audit Report for FY 2023. He stated the City follows the Kansas regulatory basis of accounting and his firm gives an unmodified opinion. Mr. Phillips stated that they performed audit procedures on all the financial information for 2023. The City of Coffeyville was in compliance with cash basis laws. The General Fund started with a cash carryover of \$3.2 million, \$15.1 million was brought in and \$13.6 million was spent so carrying into this year was \$4,783,000. Mr. Phillips then reviewed the Special Purpose, Bond, Capital Improvement and Business funds. He stated the City of Coffeyville started out the year with \$58.9 million of unencumbered cash, \$112 million was brought in, \$108 million spent. The year ended with \$62.2 million dollars which was increase of \$3.3 million in unencumbered cash so overall it was a good year. Mr. Phillips went over the long term debt schedule. He stated we started out the year with \$63 million in long-term debt, paid some down and ended the year with \$60.9 million in long-term debt. The total budget was \$15.5 million, \$13.6 million was spent so the City of Coffeyville was under budget by \$1,897,000 and all funds were under budget. Mr. Phillips went over the Property Tax collection comparison. In 2022, \$2,009,821 was collected and in 2023, \$2,171,000 was collected. The amount levied for 2023 was \$2,365,000 meaning the \$193,000 difference is citizens who did not pay their property taxes. Mr. Phillips pointed out the Electric Utility fund as the cash carryover number did decrease by \$1,094,000 and almost \$2.5 million was transferred from that fund to the General fund. Commissioner Edwards asked how Mr. Phillips would

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describe the overall financial health of the City and he stated it was very good and in a positive position.

I. OLD BUSINESS

1. Second Reading of Ordinance G-24-04 an Ordinance to adopt the 2024 Uniform Public Offense Code (UPOC).

MOTION: Move to approve Second Reading of Ordinance G-24-04 as presented.

ACTION: MOTION: EDWARDS SECOND: FALKNER
ROLL CALL: ALL AYE

2. Second Reading of Ordinance G-24-05 an Ordinance to adopt the 2024 Standard Traffic Ordinance (STO).

MOTION: Move to approve Second Reading of Ordinance G-24-05 as presented.

ACTION: MOTION: VANNOSTER SECOND: MAPLES
ROLL CALL: ALL AYE

3. Second Reading of Ordinance S-24-03 an Ordinance establishing the Coffeyville Plaza Community Improvement District; authorizing the making of certain improvement projects relating thereto; approving the estimated costs of such project improvements; levying a 1.0% CID Sales Tax; providing for the method of financing the same; and authorizing the execution of a Development Agreement relating thereto.

Robert Preston, representative for the owners of the Coffeyville Plaza, was called into the meeting. Vice Mayor Falkner asked Mr. Preston if all of the retail tenants were notified about the 1% increase and said that Mr. Preston responded with the answer that the property owners had been notified. Vice Mayor Falkner pointed out that there is only one property owner who is the one who initiated the CID so he asked again if the tenants have been notified. Mr. Preston said, to his understanding, all tenants have been notified the CID application is pending. Mr. Preston said the additional revenue from the 1% sales tax will be used for improvements to the shopping center. Commissioner Edwards asked if the cost for the project was \$2 million, it was answered yes. Commissioner Edwards asked how much the property owner was kicking in for the project. Mr. Preston stated that the owner has at least \$300,000 of their own equity planned to go in it. Commissioner Edwards asked if that was just for the one tenant they have planned to come in. Mr. Preston answered that the one tenant is under a contract but there is a contingency of the improvements being made that this pending application would finance. Commissioner Edwards asked the question again. Mr. Preston stated that it doesn't work like that. The City isn't advancing any funds, the developer will advance the whole \$2 million and then the developer will be reimbursed from the sales tax revenue. Commissioner Edwards feels like the owner is not putting any skin in the game for the renovations and the \$300,000 is just going for renovations for one specific tenant. Mr. Preston responded that the developer is putting all the money in and will be reimbursed over the long life of the CID. It was discussed how they came up with the 1% sales tax figure to fund the improvements. Commissioner Edwards stated whether they like it or not, this type of funding mechanism has been passed by the state and is spreading. He said they can stand by their principals, but in the end they are going to continue to have a dying shopping center.

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MOTION: Move to approve Second Reading of Ordinance S-24-03 as presented.

ACTION: MOTION: EDWARDS SECOND: MAPLES
ROLL CALL: ALL AYE

J. NEW BUSINESS

1. Resolution R-24-55 a Resolution to award a construction contract to CDL Electric for the Street Light KCC Energy Efficiency and Conservation Block Grant Project.

Superintendent of Electric Distribution Steve Pratt said in May 2024, the City of Coffeyville was awarded the Kansas Corporation Commission Energy Efficiency and Conservation Block Grant amounting to \$608,596.07. On May 29th, the City issued a Request for Bids for the labor portion of the project. Three bids were received, with CDL Electric being the lowest bidder. This grant is providing 100% funding for the project. Mr. Pratt said that KCC let them know if the amount of the first project is less than the total amount they have, we can utilize it for other lights. Mayor Hendryx commended staff for getting this grant. These lights will be more efficient. Discussion ensued on what type of led lights are being installed, contractor vs. staff installing them, where they will go, extra stock, warranties, etc..

MOTION: Move to approve Resolution R-24-55 as presented.

ACTION: MOTION: VANNOSTER SECOND: EDWARDS
ROLL CALL: ALL AYE

2. Resolution R-24-56 a Resolution to approve additional funding for seal coat on Runway 4-22 at the Coffeyville Municipal Airport.

Director of Parks and Recreation Jarrod Powers said on October 11, 2022, Commission approved to apply for a KDOT grant to crack seal repaint runway 4-22 and repaint runway 17-35. The grant total cost was \$565,000 with a sponsor match of \$52,750 and on February 15, 2023 the City received notice that we were awarded the grant. Since that time, they have seen a rapid deterioration of the surface. Bids were received on July 11, 2024 with an add alternate to apply a seal coat, additional cost is \$38,250. This seal coat would add an extended life to this runway. Hi-Light Airfield Services was the low bidder and is highly recommended by our airport engineer Lochner. Mr. Powers said if seal coat is not done the condition of the surface would force them to close it in 3 to 5 years, in his and Lochner's opinion. It was noted that the only funding they can get for this runway is through KDOT, FAA will not fund it.

MOTION: Move to approve Resolution R-24-56 as presented.

ACTION: MOTION: EDWARDS SECOND: MAPLES
ROLL CALL: ALL AYE

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3. Resolution R-24-57 a Resolution to authorize the purchase of an Elgin Broom Badger Street Sweeper and Titan Leaf Pro from Key Equipment and Supply for the Public Service Department.

Director of Public Service Bobby Joe Paasch came to the podium and said he is looking for approval to purchase a new street sweeper and leaf vacuum. He said the issue with the current street sweeper is that it is outdated, difficult to find parts for and work on which is why it is out of service now. It was noted that the company that made our current street sweeper sold to a company in California and there is only one employee in that company familiar with our model. They have tried to get it fixed with a company in Wichita and they were unable to fix it. Mr. Paasch said the company they are wanting to purchase the new one from is in Wichita. The leaf vacuum will be a pull behind a closed truck and he is hoping to institute a process where residents can put their leaves on the curb and the leaf vacuum will pick them up. This was originally in the budget for next year and is budgeted out of the Stormwater budget because it keeps the debris out of the gutters and is part of the MS4 permit through KDHE. Director of Wastewater Services Shane George went over the MS4 permitting information.

MOTION: Move to approve Resolution R-24-57 as presented.

ACTION: MOTION: MAPLES SECOND: VANNOSTER
ROLL CALL: ALL AYE

4. Resolution R-24-58 a Resolution to authorize a donation to the Coffeyville Aviation Heritage Museum to assist in the sponsorship to bring the CAF Rise Above Exhibit to Coffeyville, Kansas.

City Clerk Melissa Carter said she is requesting a donation be made to the Coffeyville Aviation Museum to help sponsor bringing the CAF Rise Above exhibit to Coffeyville. CAF stands for Commemorative Air Force, they are a non-profit organization is volunteer-driven, educational outreach program that aims to inspire young people to overcome adversity. The program shares the history and legacy of the Tuskegee Airmen and the Women Air Force Service Pilots (WASP) through a variety of initiatives. Coffeyville has a personal connection with six Tuskegee Airmen from Montgomery County and Mildred "Mickey" Tuttle Axton, a pioneering WASP test pilot. This exhibit includes two features and will be at the Coffeyville Municipal Airport. A Mobile Theatre will be showing the "Rise Above" short film and a fully restored p-51C Mustang will be on display. Exhibits will run from October 3rd through October 6th. Mrs. Carter feels this exhibit will be an enriching experience for the Coffeyville community and surrounding areas, will inspire future generations and will draw people to visit Coffeyville. The donation that is being requested would give \$3,000 to sponsor bringing the exhibit and \$1,300 would go for fuel for the Mustang. Lisa Brookover with the Coffeyville Aviation Heritage Museum came to the podium and said they recently finished a NASA exhibit at the museum in which they had over 2,000 people attend. They found this exhibit in which Coffeyville has a personal connection with Tuskegee and WASP. Ms. Brookover noted they are reaching out to relatives of the Tuskegee and WASP connections about this exhibit. The exhibit will be at the Coffeyville Municipal Airport and they will have a program that Sunday. It will be from 9:00 am to 4:00 pm. They are receiving help through the Chamber Tourism and the Coffeyville Area Community Foundation along with the Museum Board putting up some money too. She noted the museum is free and they rely on donations. They have recently done some improvements at the building. Ms. Brookover said they are getting close to having enough sponsorship and are only about \$1,000 short.

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City Manager Ben Brubaker made the suggestion to the Commission that if they are unable to raise the remaining funds then we should be prepared to donate the \$1,000 as this is important. Ms. Brookover said that she has been out to the Coffeyville Municipal Airport and can't believe how much better it looks so she is excited to have people out there to see it. The program will be at 1:00 pm on Sunday and then the plane will fly out so people will see it.

MOTION: Move to approve Resolution R-24-58 with the stipulation to fund up to \$5,300.

ACTION: MOTION: VANNOSTER SECOND: EDWARDS
ROLL CALL: ALL AYE

5. Resolution R-24-59 a Resolution to execute a contract with Paylocity for Human Capital Management Software.

Director of Human Resources Allison Pryor said this item is for approval of a month-to-month contract for Human Resources Information System. Currently the processes in the HR Department are largely manual and exceedingly paper dependent. Paylocity is the software they have selected to automate their processes and provide end-to-end Human Resources management. By streamlining HR functions this would allow technology to handle what it can and leave staff free to do the work they were hired to do. City Manager Ben Brubaker stated that he has been overwhelmed by the amount of work that Allison has been doing for these processes when there is software like this available. It will take about thirteen weeks to build the system and then they will upload the information from Incode, which is our financial software.

MOTION: Move to approve Resolution R-24-59 as presented.

ACTION: MOTION: EDWARDS SECOND: MAPLES
ROLL CALL: ALL AYE

6. Resolution R-24-60 a Resolution to authorize and provide for the calling of a Special Question Election in the City of Coffeyville, Kansas for the purpose of submitting to the electors of the City the question of imposing a one-half percent citywide Retailers' Sales Tax for the purpose of financing the costs of general transportation improvements throughout the City; and providing for the giving of notice of said election.

City Clerk Melissa Carter said the approval of this Resolution would enable the City to put the Sales Tax question on the ballot for the November 5th election, the proceeds of which are used to finance the costs of general transportation improvements throughout the City including, but not limited to streets, curbing, and sidewalks. If passed by electors, the sales tax would begin April 1st, 2025 for a term of 10 years. The City currently imposes a one-half percent Citywide retailers' sales tax for these same purposes. This 2015 Transportation Sales Tax sunsets on March 31st, 2025. The net effect of passage of the ½-cent ballot proposition would be to continue the imposition of a one-half percent City-wide retailers' sales tax for an additional time period of ten years. If approved, the amount of City-wide retailers' sales taxes levied by the City would remain at the aggregate rate of 3%. If this Resolution is approved, they will begin work on advertising campaign to get the word out. Vice Mayor Falkner asked is the word imposing can be replaced with continuing. It was answered that we would confer with our bond council. City Manager Ben Brubaker said we will be putting information

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together to show what we have done with streets in the last ten years. Commissioner Vannoster said that we need to put some type of plan of what we are hoping to do with streets. Mr. Brubaker said we can do that and we will do a better job of advertising that. He announced that we have hired Jim Wright who has been the Public Works Director at the County in an Executive Director role. Mayor Hendryx suggested a page on the City Website with all of the street information.

MOTION: Move to approve Resolution R-24-60 as presented.

ACTION: MOTION: EDWARDS SECOND: FALKNER
ROLL CALL: ALL AYE

7. Resolution R-24-61 a Resolution to approve a contract with Mid-American Courtworks for the reconstruction of LeClere Park Tennis Courts.

City Manager Ben Brubaker said we brought this item before but the CDBG grant deadline has been pushed back for a second time. What this caused would be having to redo the Public Hearing, application submission, and advertising of bids due to the timing. There were some concerns that we would miss out on this grant opportunity but Mr. Brubaker said we already have another project that he feels better fits the requirements and the opportunity to get the grant. As far as the tennis courts, the bid that was received is from a reputable company and is very good. \$197,000 of ARPA funds has already been set aside for the tennis court project. That leaves a balance of about \$600,000. The Coffeyville Area Community Foundation has already reached out stating that they want to participate in funding. Mr. Brubaker said that we also have a soft commitment from Cherokee Nation of up to \$100,000. There are a couple of other grant opportunities that can be applied for as well. Mayor Hendryx said that he thought the City Rec Board had also said they would help with some of the funding. It was also asked if USD 445 would provide funding. Mr. Brubaker said he would check on that. The current low bidder for this project has committed to starting construction in October with completion being early to mid-Spring. Deputy Director of Public Works Thomas Osborn they would get the concrete work done in October. The temperature sensitive part of the project is the coating that goes on top of the concrete and that has to be ten days of sixty degree plus clear weather. Mr. Brubaker said that staff's recommendation would be to move forward with getting the tennis courts through community and other grant funding. It was noted that on the diagram for the courts that the two outside courts had markings for Pickle Ball. Mr. Osborn said they are going to go back and revisit that to make sure it is in regulation with the Kansas State High School Athletic Association to have those markings and still be able to hold sanctioned tournaments. Mayor Hendryx asked if staff is formulating a plan to have separate Pickle Ball courts, it was answered yes. Mr. Brubaker announced that Jarrod Powers will now be Director of Parks and Recreation and they are committed to having a deeper focus on parks and the relationship with the advisory board. Commissioner Edwards said he would like staff to put together a phase two of this project which would be Pickle Ball courts south of the tennis courts. It was noted that in the parks master plan it has spots for Pickle Ball in other locations. Commissioner Vannoster said we need to establish a maintenance fund to maintain the tennis courts. Frankie Hull with the Parks Advisory Board came to the podium and said in the 10 year plan, each phase has funds left over for maintenance for the parks in the future. Commissioner Vannoster asked if we are on schedule for our one park a year. Mr. Osborn said that the only thing left on Sycamore Park is the parking lot. For North Park, all the equipment is ordered and will be installed in the fall.

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MOTION: Move to approve Resolution R-24-61 as presented.

ACTION: MOTION: EDWARDS SECOND: MAPLES
ROLL CALL: ALL AYE

8. City Manager's Report

9. Comments from Commissioners and Staff

K. EXECUTIVE SESSION(s)

L. GENERAL STAFF, COMMITTEE & BOARD REPORTS AND MINUTES

1. Sales Tax Report - June 2024
2. Coffeyville Grant Tracker
3. Building Permit Report – June 2024

M. ADJOURN

ACTION: MOTION: MAPLES SECOND: VANNOSTER
ROLL CALL: ALL AYE

Time the meeting was adjourned: 8:45 pm

Date the minutes were approved:

8/13/24

Melissa Carter

Melissa Carter, City Clerk

