

COMMISSION MEETING MINUTES
TUESDAY, SEPTEMBER 10TH, 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
DIRECTOR OF PUBLIC WORKS JIM WRIGHT
DEPUTY DIRECTOR OF PUBLIC WORKS THOMAS OSBORN
EXECUTIVE DIRECTOR OF ELECTRIC CHRIS WEINER
DEPUTY DIRECTOR OF ELECTRIC KEVIN MERSBERG
DIRECTOR OF FINANCE MARTIN CUMINGS
SUPERINTENDENT OF ELECTRIC GENERATION TONY LAWSON

- 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 remove the City Funding Requests from the Consent Agenda, add Revenue Neutral Rate verbiage to Consent Agenda Item #4 and add an Executive Session for the Attorney Consultation Exception.

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

F. CONSENT AGENDA

1. City Commission Meeting Minutes – Tuesday, August 27th, 2024.
2. Resolution R-24-67 a Resolution to approve the Urban Area Boundary Lines.
3. Resolution R-24-68 a Resolution to approve the Urban Functional Classification System.
4. Action to set Public Hearing for FY 2025 Budget Approval and Revenue Neutral Rate for September 24th, 2024 at 6:30 pm.
5. 2024 Appropriation Ordinance No. AO-24-17. \$1,370,443.38

MOTION: Move to approve items 1-5 of the consent agenda as presented.

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

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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.

REGULAR AGENDA ITEMS

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

I. OLD BUSINESS

J. NEW BUSINESS

1. Ordinance S-24-04 an Ordinance to allow alcohol to be served at the Perkins Building during the Visit Coffeyville Haunted History Tour Event.

City Clerk Melissa Carter said Visit Coffeyville has requested to serve alcohol to guests at its October 18th & 19th Haunted History Tour Event at the Perkins Building. The City Code prohibits the consumption of alcohol on public property, subject to some exceptions. One exception is allowed for city-owned property, which has been exempted from the Commission, by Ordinance. This Ordinance would exempt the Perkins Building from the restriction on consumption of alcohol only for the event on October 18th & October 19th, during the hours of 7:00 pm – 11:00 pm. Director of Tourism Wyatt Starnes came to the podium to answer any questions about the event.

MOTION: Move to approve the First Reading of Ordinance S-24-04 as presented.

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

2. Resolution R-24-69 a Resolution to authorize the issuance of a purchase order for commercial property insurance coverage for the City of Coffeyville's power generation plants to be effective September 1, 2024 through September 1, 2025.

Director of Finance Martin Cumings came to the podium and said that insurance for the power generation facilities is not covered through the City's general liability policy through MPR. Chubb has historically been the underwriter for these and has again been recommended by our current broker, Coffeyville Insurance, at a cost of \$641,704.00 which can be paid quarterly. This is a 12% increase over last year. It was noted that the City is opting out of the terrorism policy.

MOTION: Move to approve Resolution R-24-69 as presented.

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

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3. Resolution R-24-70 a Resolution to authorize the issuance of a purchase order to Wartsila North America for purchase of parts needed for the combined maintenance interval of 18k and 24k hours.

Superintendent of Electric Generation Tony Lawson and Executive Director of Electric Chris Weiner came to the podium. Mr. Lawson said this is to purchase recommended parts for upcoming 18k & 24k hour intervals. This will save downtime and loss of capacity payments by performing both outage intervals at the same time. The total for parts is \$1,762,000.00. There is a contingency for additional parts that may be needed. Wartsila recommends at the intervals of 18k hour and 24k hours to perform a major overhaul. Previous administration decided to wait and perform these two overhauls at the same time, somewhere in-between. Each outage individually would be 45 days per unit, but by combining the intervals it will bring it to a total of 48 days of outage. Mr. Lawson figured it will be around a \$500,000.00 savings to combine them. There is also loss of an energy payment every time they are down. They will not do all three at one time but start on one and then stair step them to where there will only be a short time that two will be down at a time. This is tentatively scheduled for March of 2025. Discussion continued on the process of the overhaul, loss of capacity payments, price of labor, planned outages and shipment of parts.

MOTION: Move to approve Resolution R-24-70 as presented.

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

4. Resolution R-24-71 a Resolution to authorize the execution of a construction contract with Koehn Construction Services for the CDBG Multi-Use Trail Project.

Deputy Director of Public Works Thomas Osborn said this is the CDBG project for the trail extension that will tie into LeClere Park. This grant goes up to \$500,000.00 with a 50/50 match of city funds out of the Transportation Sales Tax. Five bids were received for this project with Koehn Construction being the lowest bidder. The construction inspection services have already been approved for BG in a previous contract.

MOTION: Move to approve Resolution R-24-71 as presented.

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

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5. Ordinance G-24-06 an Ordinance amending Chapter 40, Article II, of the Code of Ordinances by adding Division 3, authorizing the conditional operation of all-terrain vehicles, utility-type vehicles, and mini trucks on the streets within the City of Coffeyville, Kansas; and providing for related matters, including penalties for violation thereof. City Manager Ben Brubaker said this was discussed at a Work Session in August and there were members of the public there who gave comments. Notes from that session were taken to the City Attorney and Chief of Police. Mr. Brubaker went over the proposed changes and verbiage. Discussion ensued on the verbiage in the Ordinance, the implementation process, the impact on the Police Department, opinions from the Police Department and adjusting the Ordinance as needed.

MOTION: Move to approve the First Reading of Ordinance G-24-06 as presented.

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

6. Discussion on trash bids for trash service.

City Manager Ben Brubaker said that Commissioners met in a Work Session and reviewed the trash bids together and discussed the different options. He said further discussion needs to be had on the weight of the trucks and the cost not only to the City but what we pass on to the residents. Mayor Hendryx said his concern was the weight of the trucks and would like to reduce damage done to the streets. He wanted to look at the small trucks even though it costs more because the idea is that it will save money on street repair. Mayor Hendryx said that he likes the smaller axle trucks and it does cost more but he is looking to not pass that on to the trash customers. The fee passed on to the customers does go to pay for nuisances and demolitions so we could take another path to find that money for those services. Vice Mayor Falkner noted the wheel configuration on the trucks and when they get heavier, more wheels come down and it gets worse. Commissioner Maples noted that they are putting concrete down now and the trucks won't tear that up as bad as the asphalt. Jennifer Fagan with Republic Services came to the podium and said she knows the damage to the streets has been a concern for Coffeyville, the weight on their trucks are balanced and they have not ran single axle trucks in 20 years. She said there is additional wear and tear on the streets due to the extra bulk days that residents call for which is about 300 calls a month. John Hafner with Green Environmental came to the podium and said the weight is the weight. He noted with the single axle trucks, they don't churn as much as the double axel. He said the drivers cause some of the issues on street damage because they stop in the same location every time. In his opinion, the single axle trucks do not tear up the road as bad because they don't churn like the large trucks. Mr. Hafner said the single axel trucks pic up about 6 tons and the double axle pick up about 12 tons. Deputy Director of Public Works Thomas Osborn came to the podium and said the weight of the truck is the weight of truck. More axles means you can spread the load over more tires but you still have a full load. He stressed the point that had already been talked about on the hammering from the front load trucks. Mr. Osborn said that when factoring on the passing of the cost on to customers, it wasn't mentioned that those funds also pay for grass mowing. He also said that in looking at the bids they should factor in the different year terms bid and the annual increases. Discussion continued on the weight of the trucks, damage and conditions of streets, bulk item pick-up, citywide clean-up, and the proposed trash service bids.

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7. City Manager's Report

City Manager Ben Brubaker said he has had several developers reach out to him about developing in town and we also have a new mortgage broker in town. We are moving forward to annex the 100 acres and meeting with an engineering firm for the initial planning stages. Vice Mayor Falkner asked about what happened with the senior housing project behind the bowling alley. Mr. Brubaker said he does not have the specifics, just an e-mail saying that it did not go through. He said there are other conversations about that property. Buckeye should be done by the end of Friday. They have a contact for striping the road as the City's equipment for this is not the best. Mr. Brubaker said the Fire Chief position has been vacant and their should be an announcement on Monday. On the topic of bypassing the railroad tracks, he did some quick review of grants and with the nature of this project, it will be around 80 to 150 million to create a bypass on Hwy 169. Commissioner Edwards said that it is easier for the city to lower our mill levy than it is for the other entities as we have other revenue streams. The other entities do not so if they lower their mill levy it will essentially translate into what services they are going to have to cut.

8. Comments from Commissioners and Staff

Commissioner Edwards brought up what he said at the last meeting when he addressed his feelings about taxes. He got a lot of feedback from his comments stating that it was about 90% positive and 10% wondering what he was doing. Commissioner Edwards addressed the 10% stating that he stands by what he said but regrets being a little too colorful with his language. With a new City Manager and many new executive staff that are in the process of reestablishing relationships in our community, he genuinely apologized for how he said it and should have said it in a more polite way. He thinks we should have a better relationship with the entities and excited for the City to have opportunities to work with them. Commissioner Edwards said the sales tax for June increased .87%. He stated we are still down about 4.49% on sales tax collections for the year but we are gaining on it. Mayor Hendryx asked about the funding that we gave for a public transportation group that was supposed to start in July. City Clerk Melissa Carter said that Linda Follett had come in and let them know that they actually had enough donations for five days instead of three. She will reach out to Linda to see if she can come to the next meeting and give an update. Vice Mayor Falkner said before the election he tried to attend as many subordinate boards and commissions throughout the city and asked them what they like about Coffeyville and what they want to see improve. He stated the common thread was communication.

K. EXECUTIVE SESSION(s)

1. Executive Session to discuss confidential data relating to financial affairs or trade secrets of corporations, partnerships, trusts, and individual proprietorships.
2. Executive Session for consultation with the City Attorney regarding matters that would be deemed privileged in the attorney-client relationship.

MOTION: Move to recess to Executive Session for two purposes. First, to discuss confidential data relating to financial affairs or trade secrets of corporations, partnerships, trusts and individual proprietorships, as permitted by K.S.A. 75- 4319(b)(4) of the Open Meetings Act, to include the City Attorney, City Manager and Director of Finance for a period of 15 minutes; and second, to consult with the City Attorney regarding matters that would be deemed privileged in the attorney-client relationship, as permitted by K.S.A. 75-4319(b)(2) of the

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Open Meetings Act, to include the same persons, for a period of 10 minutes, to reconvene in the Commission Room at 8:55 p.m. or before.

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

L. GENERAL STAFF, COMMITTEE & BOARD REPORTS AND MINUTES

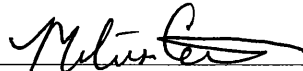
1. Sales Tax Report – August 2024
2. City Recreation Commission Minutes – July 2024
3. Hillcrest Golf Course Report – August 2024
4. Code Enforcement Nuisance Packet 24-05

M. ADJOURN

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

Time the meeting was adjourned: 8:55 pm
Date the minutes were approved:

9/24/24



Melissa Carter, City Clerk

