COMMISSION MEETING AGENDA
TUESDAY, AUGUST 11, 2026 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 Falkner.

Present:

COMMISSIONER JIM FALKNER
COMMISSIONER MIKE GOLDEN
COMMISSIONER ALEC HENDRYX
COMMISSIONER WILLIAM KENDALL
COMMISSIONER DEBORAH MAPLES

City Staff in attendance:

CITY ATTORNEY PAUL KRITZ
CITY MANAGER BEN BRUBAKER
CITY CLERK MELISSA CARTER
DIRECTOR OF FINANCE MARTIN CUMINGS
DIRECTOR OF COMMUNITY DEVELOPMENT AMBER DEAN
DEPUTY DIRECTOR OF PUBLIC WORKS THOMAS OSBORN
DIRECTOR OF ELECTRIC CHRIS WEINER
SUPERINTENDENT OF ELECTRIC GENERATION JOHNATHON CARSON

A. CALL TO ORDER – Mayor James R Falkner

B. ROLL CALL

C. INVOCATION – Pastor Shannon Dozier, Convergence Church

D. PLEDGE OF ALLEGIANCE TO THE AMERICAN FLAG

E. REVIEW OF AGENDA

MOTION: Move to amend the agenda to add New Business Item R-26-92, to approve Change Order #1 for a construction contract with J Graham Construction for the 2026 Street Improvement Project.

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

F. SPECIAL PRESENTATION

1. Presentation of Power Plant Operator Academy certificates by Kansas Municipal Utilities. John Littleton, Director of Energy Services for Kansas Municipal Utilities and Superintendent of Electric Generation Johnathon Carson presented the Power Plant Operator Academy certificates to Austin Coffey, Dustin Thurman and Kenneth Wahl. Recipient Gloria Phillips was not in attendance.

G. CONSENT AGENDA

1. City Commission Meeting Minutes – Tuesday, July 28, 2026
2. Resolution R-26-86 a Resolution to approve corrected Quitclaim Deeds for 402 and 404 Gibson Avenue to reflect the current legal descriptions following the previously approved replat of the Gibson Avenue properties.
3. Resolution R-26-87 a Resolution authorizing the City of Coffeyville to execute a Municipal Electric Systems of Oklahoma Mutual Aid Agreement for the Electric Utility.

MOTION: Move to approve items 1-3 of the consent agenda as presented.

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

H. 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

I. PUBLIC HEARING(s), & PROCLAMATION(s).

1. Public Hearing on the Second Amendment to the Neighborhood Revitalization Plan.
   Director of Community Development Amber Dean said this will be to adopt the second amendment to the Neighborhood Revitalization Plan. She noted this does have to go in front of the other taxing entities for them to sign the Interlocal Agreement before the amendment takes place.
   Mayor Falkner opened the Public Hearing. There were no comments. Mayor Falkner closed the Public Hearing.

2. Resolution R-26-88 a Resolution to adopt the Second Amendment to the Neighborhood Revitalization Plan and authorize the Mayor and City Clerk to execute any necessary Interlocal Agreements.

   MOTION: Move to approve Resolution R-26-88 as presented.

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

3. Public Hearing to consider an application submission to the Kansas Department of Commerce for Community Development Block Grant funds under the Housing Rehabilitation and Demolition category.
   Director of Community Development Amber Dean said they are proposing the submission of an application to CDBG for $300,000 and there is no match required. It will fund rehabilitations such as roofs, HVAC and minimum housing standards. These can be owner or landlord properties. Ms. Dean noted there will be a housing committee that will go through the applications for approval. A housing inspector will inspect the properties to make sure they can be rehabbed and the grant will be $25,000 per property. There is also a risk assessor who will do lead-based paint and asbestos inspections. CDBG has regulations they will adhere to as well as income guidelines. Low/moderate income is based on HUD qualifications. There is no dollar match but staff time and labor.
   Mayor Falkner opened the Public Hearing. There were no comments. Mayor Falkner closed the Public Hearing.

4. Resolution R-26-89 a Resolution certifying legal authority to apply for the Housing Rehabilitation and Demolition Kansas Community Development Block Grant Program from the Kansas Department of Commerce and authorizing the Mayor to sign and submit such an application.

MOTION: Move to approve Resolution R-26-89 as presented.

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

J. OLD BUSINESS

K. NEW BUSINESS

1. Discussion and action to approve or deny a nomination to the Coffeyville Regional Medical Center Board of Directors.
City Manager Ben Brubaker said as part of the 2025 revisions to the relationship between the City of Coffeyville and Coffeyville Regional Medical Center, the City Commission was granted the authority to accept or reject nominations for appointments to the CRMC Board of Directors. This process preserves the governance relationship between the City and CRMC while allowing CRMC to continue operating as an independent nonprofit organization. Brian Lawrence, CEO of CRMC, came to the podium and said there was one vacancy on the Board of Directors, James Grimmett was the member who resigned. Mike Moore is the nomination for the board vacancy. Mr. Moore has 34 years experience in health care and also has finance and planning experience. He was previously the president and COO of Jane Phillips in Bartlesville but retired in December 2023. Mr. Moore has been well recommended.

MOTION: Move to approve applicant Mike Moore as a nominee for the Coffeyville Regional Medical Center Board of Directors.

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

2. Resolution R-26-90 a Resolution making certain findings and determinations as to the need for housing within the City of Coffeyville, Kansas and setting forth the legal description of real property proposed to be designated as one or more Reinvestment Housing Incentive Districts within the city.
Director of Community Development Amber Dean said this is the first step and is for the 30 apartment units for 709 and 711 Walnut and 701 Union. RHID does not provide funding upfront. Eligible costs are reimbursed only after the development is completed and the increased property value generates new property tax revenue. These apartments will be moderate to medium income. Discussion ensued on the project and the particulars of the RHID Program.

MOTION: Move to approve Resolution R-26-90 as presented.

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

3. Ordinance S-26-02 an Ordinance authorizing and providing for the issuance of General Obligation Bonds, Series 2026-A, of the City of Coffeyville, Kansas; providing for the levy and collection of an annual tax for the purpose of paying the principal of and interest on said bonds as they become due; authorizing certain other documents and actions in connection therewith; and making certain covenants with respect thereto.
   Director of Finance Martin Cumings said this Ordinance provides the authority to issue the bonds and the Resolution on the next item is to finalize the actions to provide those bonds to the buyer. Mr. Cumings noted there was a good faith payment of about $185,000 today and the remainder of the bond proceeds will be received in the next month. Ben Hart with Baker Tilly came to the podium and said the bond sale was today and closed at 10:00 am. Part of the process was a credit rating analysis. Mr. Hart went over the process of the bond sale. There were 8 bids received and the winning bidder was Bank of Oklahoma Financial Securities who bid a premium to secure it. With that premium, the amount of debt is decreased so the bond amount dropped from $9 million to $8.805 million with an interest rate of 3.859%.

   MOTION: Move to approve Ordinance S-26-02 as presented.

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

4. Resolution R-26-91 a Resolution prescribing the form and details of and authorizing and directing the sale and delivery of General Obligation Bonds, Series 2026-A, of the City of Coffeyville, Kansas, previously authorized by Ordinance S-26-02 of the issuer; making certain covenants and agreements to provide for the payment and security thereof; and authorizing certain other documents and actions connected therewith.

   MOTION: Move to approve Resolution R-26-91 as presented.

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

5. Resolution R-26-92 a Resolution to approve Change Order #1 for a construction contract with J Graham Construction for the 2026 Street Improvement Project.
   Deputy Director of Public Works Thomas Osborn said in March the Commission approved the 2026 Street Improvement Project on Ohio and Parkview. On July 27th, the contractor mobilized for milling. Upon milling, they were able to see the curb and gutter more clearly and it was in significantly worse shape than they anticipated. Mr. Osborn said even though it is draining and functioning, it is kicked back. This condition of the curb would not allow for a smooth road at the end of the project. 60% is in dire need of replacement now and another 20% would need replaced in the next 20 years. Due to this, they decided to hold off the contractor and get new numbers. In this change order they have also included the change for the very north end of Ohio and Parkview to be concrete swell instead of asphalt to better address drainage issues in that area. The total of the change order is $382,685. Mr. Brubaker noted that these funds are available in the streets sales tax money as we were not awarded the KDOT truck route grant. Discussion ensued on the pros and cons of getting it all done now as opposed to piecemealing, if there was a way to have know the curb was in that shape before it went to bid and new completion date.

MOTION: Move to approve Resolution R-26-92 as presented.

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

6. Discussion on data center proposals for Southwest Power Pool Transmission Study.
City Manager Ben Brubaker said originally coming into this meeting they suggested there would be an opportunity for commissioners to pick a proposal and have the SPP study be specifically to that developer. In listening to the community, it was decided to keep working through those five proposals. The idea is to move forward with the SPP study which is the next step in due diligence and is not an agreement. The study is about available transmission. A study like this would be needed for any future high load users, not just data centers. These studies take up to about 120 days. Mr. Brubaker noted that the enterprise funds could pay for that study, or the cost can be split between the interested data center developers. It was noted that if the city wants to provide power over 10 megawatts to any customer, this study is required. The results are not specific to a data center. The cost of the study is $120,000. There is no obligation to the data center developers if they pay for the study. After the study is complete and the proposals have been gone through, then it will come back to the Commission for decision. If they decide to move forward with a proposal, then it will be several months of contract negotiations for electric, water, noise, etc.. If the study comes back and there are upgrades to the electric that need to be done, the developer would be responsible for those costs. Commissioner Golden asked if improvements were made that the developer paid for, if they pick up and leave, who do they belong to. Mr. Brubaker answered they would belong to the city. Discussion ensued on how long the study would be good for, it was later answered that the study is good for five years. It was reiterated that no NDA's had been signed and there was no intention of signing one.
Max Nelson, 1469 CR 4500, came to the podium and said the forward movement for an SPP study before third party environmental studies and electric rate payer impact studies can be completed is potentially dangerous. Mr. Nelson states, as a business professional who has worked in a variety of different fields, he can attest that the current five proposals that he has reviewed are rudimentary at best and considered extremely vague. He said as a community, they should demand better from multi-million-dollar corporations. Proposals from commercial or residential properties have more pages than what has been submitted. Mr. Nelson would expect a minimum proposal of fifty pages, more like a hundred, from a multi-million-dollar customer. He stated these companies know what they are doing and these proposals for most companies that are detailing this, all aspects of the project from inception to completion are all highly detailed. Mr. Nelson said full review and investigation should be completed by a corporate attorney as they need to protect themselves and they have teams of people. He said they need to make sure everything is crossed. He stated they have heard about revenue generation, but revenue is not the same as profit. Mr. Nelson said negotiation doesn't begin until after selecting a proposal, it begins as soon as the proposal hits the desk. He told the commission they are "smack dab in the middle" of a negotiation process whether they are aware of it or not. By electing to move forward with a study funded by any or all applicants before safety studies and guardrails are put in place creates a dangerous precedent and opens the city to legal liabilities. Mr. Nelson said once money changes hands, they are in business to a certain degree. He said he started a petition that hit 500 signatures and 61% are from the local area code. Although not legally binding, he started it to give people a voice. Mr. Nelson asked that they consider a one-year moratorium to get everything in line.
Rachel and Brad Yaple, 902 McBean Lane, Dearing KS, came to the podium to seek some

clarification on some things that happened at the public session. She said Mr. Brubaker spoke about a potential revenue source from the sale of power to the data centers and that they could make five to seven million or twenty million depending on the size of the data center. She asked if this is correct, why is the city willing to leverage itself and people against GRDA and their contractual agreements. It is her understanding that the city is to become the middleman between GRDA and the data center and in doing so the city will take on all the risk. She stated she drew her conclusion based on the contracts in place. The city buys their electric from GRDA and then hopes to sell the power to the data center for a profit. Mrs. Yaple said data centers have special language called industrialized discounts built into their contracts which provides them protection from double billing. She said double billing is when municipalities choose the revenue source, they can bill up front or for usage but not for both. Historically, municipalities have chosen to bill up front and surrender any revenue for usage. She said that means that any profit made on the sale would be lost on the delivery. She stated it is the citizens who pay for it as they will get stuck paying for the consumption of the data center because legally you can't bill them for it. Mrs. Yaple said she doesn't understand how the city has enough capital for the buying and selling of power to cover the rapid consumption of data centers. Another issue with leverage is that it puts a strain on existing agreements as GRDA dictates the run schedule. If they go online, they get paid, if they don't they get fined and that is based on a variable rate which depends on what the cost of power is on any given day. Her worry is that if the city is putting the data center before GRDA they won't be able to handle both when the time comes. She stated if they can't build a data center for the usage and they don't have the capital to cover rapid consumption the city will be risking its own financial future on something that may or may not be here in five years.
Marjorie Reynolds, 1020 W. Main, Independence, came to the podium and said she is the founder and director of Prairie Dog Alliance. She urged the Commission to use the tools she has used to research deep fission which is the SEC (Securities and Exchange Commission) website. If the companies making the proposals are public, people can go online and find out about the risks, how long they have been around, and their prospectus. The prospectus, which is a legal document they had to develop to submit to the SEC detailing what they plan on doing, what they have done and the future of their company.
Tom Wilson, 5175 County Road 1425, came to the podium and said they have a small farm just outside of Walmart. He stated he was an electrical safety officer in Afghanistan and worked on billion-dollar contracts. He said the proposals are superficial and do not give any guidelines or tell what they are going to do in the future. Mr. Wilson said this study is not just looking at electrical but cooling operations and all kinds of stuff. He asked if they knew the parameters and if they had read the proposals. Mr. Wilson thinks they are "shooting into the wind" and not understanding what the companies do. He asked if they understand what the companies do, their history, any problems they have had, and if they have they corrected their issues. He would like to see an advisory team of engineers and logistics people who understand what's happening with the data centers. He thinks once they get in here they will cluster and there will be more demand on infrastructure. Mr. Wilson said they could take a vote to get a little microcosm that is going on if they want these things. Mr. Wilson asked for a postponement so the commission can look into this. He said he is not against it, just against what they have done and hurt communities. He is concerned for the farmers that need electricity and water.
Marilyn Koehn, 3705 W. 4th, came to the podium and said she believes that they are voted in by the residents of Coffeyville to be the leaders of this town to make important decisions for the city and are the face of the community. They should address residents feedback and

complaints. Ms. Koehn said she is praying and pleading to give them favor for a twelve-month moratorium for the data center project. Extensive study about this project needs to be done for better decision making and sound judgement. She believes God has ordained the commissioners and given them the responsibility to manage this city. Ms. Koehn hopes that as a community they can work together as a team and take responsibility as their own family. She says the issue is business profit versus public safety which is why they need to do a study to better know what to choose whether it is business profit or safety of the public. Ms. Koehn stated once the ecosystem dies, human beings is dead. She said she is not against the data center but careful study and consideration need to be done, once it is started, there is no stopping. Once done, it can never be undone. She asked for a twelve-month moratorium. Rachel Yaple came back to the podium and said she sent an e-mail out and asked if the Commissioners received it. She then read the e-mail that was sent suggesting that the Commission look into findings from Erin Brockovich.
Commissioner Kendall asked what will stop the data centers from pushing us into their company if they have paid for the study. City Manager Ben Brubaker said they will all want but commissioners get to choose, nothing happens without their approval. It was reiterated that this study is not data center specific and will show what the transmission capability is out there at the industrial park. Mr. Brubaker said the proposals are looking at starting between 20 and 35 and then ramp up over a certain amount of time up to between 100-200 megawatts. He believes we have around 40 megawatts.

MOTION: Move to authorize staff to coordinate with Grand River Dam Authority to proceed with a Southwest Power Pool Transmission Study and negotiate payment terms with data center developers who have submitted proposals to the City of Coffeyville

ACTION: MOTION: FALKNER SECOND: MAPLES
ROLL CALL: MAPLES – AYE, KENDALL – NAY
GOLDEN – NAY, HENDRYX – AYE, FALKNER - AYE

7. City Manager's Report
City Manager Ben Brubaker read a letter from the Friends of the Charlesworth Pool thanking the city for the commitment to provide up to $600,000 in bridge funding for the Field Kindley Charlesworth Pool project if needed, however, due to the generosity of donors and fundraising efforts, the loan is not needed.

8. Comments from Commissioners and Staff
Commissioner Golden commended the Water Department staff for fixing the issue last night. Vice Mayor Maples went over highlights from the payment report. Commissioner Kendall noted that he has seen all the e-mails, there are just so many, he has not had a chance to answer them all.

L. EXECUTIVE SESSION(s)

M. GENERAL STAFF, COMMITTEE & BOARD REPORTS AND MINUTES

1. City of Coffeyville Payment Report (07/31/2026 – 08/07/2026) $1,117,846.08
2. Sales Tax Report – July 2026
3. Coffeyville Police Department Crime Statistics – July 2026
4. Hillcrest Golf Course Report – July 2026

N. ADJOURN

MOTION: Move to Adjourn

ACTION: MOTION: FALKNER SECOND: MAPLES
ROLL CALL: MAPLES – AYE, KENDALL – AYE,
GOLDEN – ABSTAIN, HENDRYX – AYE, FALKNER - AYE

*Vote was done by show of hands, Commissioner Golden did not raise his hand on call.

Time the meeting was adjourned: 7:59 pm
Date the minutes were approved:

8/25/26

[signature]

Melissa Carter, City Clerk

CITY OF COFFEYVILLE
SEAL
MONTGOMERY COUNTY, KANSAS