

**COMMISSION MEETING MINUTES
TUESDAY, AUGUST 25, 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 COMMUNITY DEVELOPMENT AMBER DEAN
DIRECTOR OF PUBLIC WORKS JIM WRIGHT
DIRECTOR OF ELECTRIC CHRIS WEINER
SUPERINTENDENT OF ELECTRIC DISTRIBUTION KURT TAYLOR

- A. CALL TO ORDER – Mayor James R Falkner**
- B. ROLL CALL**
- C. INVOCATION – Pastor Mark Wilson, Church of God**
- D. PLEDGE OF ALLEGIANCE TO THE AMERICAN FLAG**
- E. REVIEW OF AGENDA**
- F. CONSENT AGENDA**
 - 1. City Commission Meeting Minutes – Tuesday, August 11, 2026
 - 2. Ordinance S-26-03 an Ordinance of the City of Coffeyville, Kansas, authorizing the levy of a one-half percent citywide retailers' sales tax and related matters.
 - 3. Action to approve the FY2025 Safe Streets and Roads for All grant agreement and authorize the mayor to sign the agreement on behalf of the City of Coffeyville.

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

ACTION: MOTION: FALKNER SECOND: MAPLES
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.

Melissa Phillips, 418 S Main Eufaula, OK, came to the podium and said she owns 609 Penn Street in Coffeyville. She has a couple of concerns on policies and rules she believes their authority creates. One is the power of the city code enforcers to go into homes with warrantless searches for inspections. She also believes that they are cherry picking homes to fine them for grass, then they can't pay their taxes due to the fees and lose their homes. She provided photographs to the Commission showing vegetation and grass on a nearby property that she believed was substantially overgrown and stated that she felt it was unfair for some property owners, including elderly or disabled residents, to receive mowing-related charges while other properties remain overgrown. Ms. Phillips also discussed a cleanup charge of approximately \$2,000 associated with her property at 609 Penn Street. She stated that a photograph provided as documentation of the cleanup did not depict her property and that she has been attempting to have the charge corrected. She further questioned whether statutory requirements concerning certification and billing of nuisance abatement costs had been followed. Ms. Phillips asked the City to enforce mowing and nuisance regulations consistently.

Tom Wilson, 5175 County Road 1425, addressed the Commission regarding proposed data center development. Mr. Wilson expressed concerns regarding electrical demand, water use, noise, environmental impacts and potential financial risks associated with data center companies. He encouraged the Commission to closely examine the financial condition and debt obligations of companies proposing developments and expressed concern regarding the potential impact on the community should a developer be unable to complete or continue a project. He urged the Commission to conduct extensive studies and do their due diligence before entering into any agreements.

Max Nelson, 1469 County Road 4500, addressed the Commission regarding data center proposals. Mr. Nelson emphasized the importance of community involvement in the decision-making process and stated that residents attending the meetings were asking the Commission to consider a moratorium rather than an outright prohibition of data centers. He stated that a moratorium would provide additional time to gather information and evaluate potential impacts before making a decision. Mr. Nelson encouraged the Commission to consider the concerns expressed by residents and to obtain the necessary facts before entering into an agreement.

Steve Keller, 1420 County Road 5150, addressed the Commission regarding data centers. Mr. Keller questioned the number of permanent jobs that would be created by a data center and whether the overall benefits would justify the potential impacts to the community. He asked the Commission to carefully review information regarding data centers and requested that additional time be taken before a final decision is made. He stated that the decision could have long-term impacts on current and future generations.

Joe Ferguson, 107 Adams, addressed the Commission regarding data centers and the condition of the City's dams. Mr. Ferguson discussed his previous concerns regarding erosion and deterioration around the City's dams and stated that he believed existing infrastructure needs should be addressed before the City pursues a data center project. He

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encouraged the City to research communities in Northern Virginia that have experienced significant data center development and obtain feedback from residents in those communities regarding the impacts. Mr. Ferguson asked the Commission to prioritize existing infrastructure and carefully consider the potential effects of data center development.

Marcus Kastler, 502 Overlook, reminded citizens that individuals who want a greater voice in City government have the opportunity to run for elected office in 2027. Mr. Kastler then addressed pedestrian safety on the bridge leading to Walmart following a recent incident. He stated that there is no safe pedestrian access to Walmart and encouraged the City to work with Walmart, the County and appropriate state agencies to explore improvements. He suggested options such as pedestrian or bicycle accommodations and signage alerting motorists to pedestrians and bicyclists. He acknowledged that the roadway may not be under City jurisdiction but encouraged the Commission to pursue available partnerships or funding opportunities to improve safety.

REGULAR AGENDA ITEMS

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

I. OLD BUSINESS

J. NEW BUSINESS

1. Resolution R-26-93 a Resolution authorizing the City of Coffeyville to apply for Technical Assistance Grant funding from the Kansas Water Office for the Coffeyville Flood Risk Management Study.

City Manager Ben Brubaker reminded the Commission that it had previously authorized up to approximately \$400,000 in economic development funds toward the U.S. Army Corps of Engineers feasibility study. The total study cost is anticipated to be a maximum of approximately \$1.5 million, with a 50/50 cost share with the federal government. Senator Jerry Moran previously assisted in securing the initial federal funding for the Corps' portion of the study. The Kansas Water Office grant provides an opportunity for the City to obtain additional funding toward its share of the project. Mr. Brubaker explained that the grant request under consideration was approximately \$500,000, which is \$100,000 more than the amount previously committed from economic development funds. He stated that he had also spoken with representatives of the refinery and CRNF regarding possible participation. Although there were no firm commitments, he indicated there had been discussions regarding potential financial support. He further explained that only approximately \$50,000 of the City's previously authorized amount had been incurred to date and that withdrawing City participation would effectively end the Corps feasibility study. Montgomery County and the Verdigris River Drainage District did not have sufficient funding available to cover the local share. Commissioners questioned why an additional study was necessary when several flood-related studies had already been completed. Mr. Brubaker explained that previous studies evaluated individual components, including water flow and bridge-related issues, while the Corps study is a formal feasibility study. The final product would include a recommended plan and approximately 35% design of the recommended improvements. Previous studies were largely grant funded and were used to demonstrate to the federal government that a Corps feasibility study was warranted. Discussion followed regarding the City's levee and floodplain designation. Mr. Brubaker explained that the existing levee does not currently provide the level of protection necessary to obtain certification and mitigate floodplain impacts. The feasibility study would determine

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what improvements would be necessary to provide adequate flood protection. He noted that the floodplain designation affects residential and commercial property on the east side of the community and can also affect eligibility for federal funding and future improvements by major industrial users. Mr. Brubaker stated that the process of working with the Corps and ultimately completing improvements is expected to be long-term and could take many years. He noted that the Corps was using more recent flood events, including 2019, in determining the need for the feasibility study rather than relying on the 2007 flood.

MOTION: Move to approve Resolution R-26-93 as presented.

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

2. Resolution R-26-94 a Resolution accepting a Transportation Alternatives Program Grant from the Kansas Department of Transportation for the Coffeyville Sidewalks and Crosswalks Project, committing the required local match, and authorizing the mayor to sign the required documents.

Director of Public Works Jim Wright stated that the City had been selected to receive \$856,000 through KDOT's Transportation Alternatives Program. The grant will cover 80% of participating project costs, with the City's estimated local share approximately \$213,859. The project will construct approximately 6,100 square yards, or just over two miles, of sidewalks along Norwood, Highland, Edgewood, Ohio and Northfield. The project also includes a pedestrian refuge island and rectangular rapid flashing beacons to improve pedestrian access near Sherwin Williams Park. Commissioners discussed the condition of sidewalks throughout the community and questioned why these particular locations were selected when other areas contain damaged, missing or deteriorated sidewalks. Mr. Wright and Mr. Brubaker explained that grant programs contain specific eligibility requirements and that this project is associated with the City's Safe Routes to School planning. It was noted that the City had previously sought grant funding for additional sidewalk improvements but had not received that award. The Commission discussed the need to continue considering sidewalks and streets throughout the entire community rather than concentrating improvements in one area. Mr. Brubaker explained that street and sidewalk priorities are reviewed with the Commission during work sessions based on available funding, usage, condition and potential community impact.

MOTION: Move to approve Resolution R-26-94 as presented.

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

3. Resolution R-26-95 a Resolution to approve a construction contract with Elements Construction Concepts, Inc. for Wastewater Treatment Plant blower piping repairs. Director of Public Works Jim Wright said that the blower piping used in the wastewater treatment process had begun to fail. Two bids were received following the August 12th bid opening, and staff recommended awarding the project to Elements Construction Concepts, Inc. Mr. Wright explained that the blower system supplies air to the treatment basins as part of the wastewater treatment process. The existing black piping was installed approximately 25 years ago and has deteriorated. The project will replace known deteriorated sections with stainless steel piping. Mr. Wright emphasized that the project is exploratory because

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additional deterioration may be discovered once work begins. As a result, the scope of the project could expand and change orders may be necessary. Staff looking to conduct a performance evaluation of the wastewater treatment plant to identify improvements needed to extend the facility's useful life for another 25 years or more.

MOTION: Move to approve Resolution R-26-95 as presented.

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

4. Resolution R-26-96 a Resolution to approve repairs by Foley Equipment to the Public Service track loader.

Director of Public Works Jim Wright explained that the City currently operates a 1991 Caterpillar 953 track loader that has been in service for many years. The tracks have deteriorated to the point that they will no longer remain properly in place. Although the engine and transmission remain in relatively good condition, substantial repairs are now needed to the undercarriage and track system. Repair estimates were approximately \$32,000 to \$40,000, with approximately \$18,000 to \$20,000 attributed to parts and the remainder to labor. Staff also evaluated purchasing another used machine of similar age, which would cost approximately \$38,000 to \$50,000 and would have an unknown maintenance history. Mr. Wright stated that repairing the City's existing machine provides the advantage of retaining equipment with a known engine and transmission history. The loader is used regularly at the City's tree dump, including moving tree debris and assisting with controlled burns. Wright estimated that the machine is typically used approximately twice each week and may be used daily for several days during burning operations. A comparable new machine was estimated to cost approximately \$300,000.

MOTION: Move to approve Resolution R-26-95 as presented.

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

5. Resolution R-26-97 a Resolution to approve the purchase of a new digger derrick truck from Altec for the City of Coffeyville Electric Utility.

Director of Electric Chris Weiner and Superintendent of Electric Distribution Kurt Taylor was came to the podium. Mr. Weiner explained that replacement of the Electric Utility's 2008 Sterling digger derrick had originally been scheduled in 2023 but had been deferred. The replacement was subsequently included in the 2027 capital improvement plan. Staff brought the purchase forward because another utility had backed out of an order, making a truck available to Coffeyville substantially sooner and at a lower price than ordering a new unit. The available truck was approximately \$392,000 before applicable additional costs. Mr. Weiner stated that ordering an equivalent truck at current pricing would cost approximately \$478,000 and would likely not be delivered until 2029.

Purchasing the available truck would therefore save approximately \$85,000 compared with ordering the same truck and would allow the City to receive the equipment much sooner. A lease-purchase option was also reviewed; however, the approximately 96-month lease would result in a total cost of approximately \$515,000, making direct purchase the less expensive option. Commissioner Golden had previously asked whether the existing chassis could be rebuilt or repurposed. Staff explained that the truck is used daily and would have to be taken

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out of service for an evaluation before the cost and feasibility of rebuilding could be determined. The City currently has three digger derrick trucks, but only two are operational, making an extended loss of another unit difficult for Electric crews. Mr. Taylor and Mr. Weiner explained that a digger derrick is used to drill holes, lift and set utility poles, pull wire and perform heavy lifting that cannot be accomplished by a bucket truck. The City's electric system contains approximately 25,000 poles. Using an estimated 70-year pole life, staff calculated that approximately 357 poles would need to be replaced annually simply to maintain the system on that replacement cycle. Commissioners also discussed the extended warranty included with the proposed purchase. Staff stated that the purchase includes additional warranty protection on the chassis, engine, transmission and other components. Commissioners discussed the truck's relatively low annual mileage compared with the significant number of engine hours accumulated while operating the digger, auger and other hydraulic equipment. It was further explained that digger derricks are essential during storm restoration because they can hold damaged poles in place, set replacement poles and assist crews in maintaining or restoring electric service. One of the City's trucks had recently been sent with a Coffeyville crew to the Kansas City area as part of a mutual aid response. Staff noted that participation in mutual aid agreements allows Coffeyville to assist other communities during emergencies while establishing relationships through which other utilities can provide assistance to Coffeyville when needed.

MOTION: Move to approve Resolution R-26-96 as presented.

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

6. City Manager's Report

City Manager Ben Brubaker thanked Kurt Taylor and the Electric Utility crew for their recent mutual aid response in the Kansas City area following storm damage. He explained that mutual aid expenses are reimbursable and that the City participates in mutual aid arrangements through its utilities and emergency services with communities in Kansas and Oklahoma. Mr. Brubaker reported that Montgomery County had announced its upcoming tax sale list, which currently includes approximately 230 Coffeyville properties. The sale was anticipated for late September or October, although a date had not yet been established. Staff will review the properties and provide additional information to the Commission, including properties that may present redevelopment opportunities or concerns. The Brown Furniture building is among the properties currently listed. Mr. Brubaker noted that property owners may still pay delinquent taxes prior to the sale, so the final list could decrease. Staff is also developing information for potential purchasers regarding City planning and zoning requirements, property maintenance regulations and contact information. The goal is to educate purchasers before they acquire multiple properties and help prevent properties from immediately returning to nuisance or delinquent conditions. Mr. Brubaker reminded the Commission of the upcoming Coffeyville Proud community service event and encouraged residents to submit ideas for potential service projects. Regarding the 2027 budget, Mr. Brubaker stated that Commissioners could meet individually with staff for additional review. Unless requested by the Commission, staff did not anticipate another budget work session before beginning the formal budget adoption process in September. Mr. Brubaker reported that lighting issues at the pickleball courts appeared to have been resolved and that staff was also investigating streetlight outages along several blocks of Ninth Street. He also noted that the Field Kindley High School tennis team had recently held a tennis meet at the Clarence

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Stricklan courts, which he said was good to see following improvements to the facility. Mr. Brubaker discussed additional expenses associated with the Substation B transformer project. He reminded the Commission that the approximately \$20 million project is being funded by the nitrogen fertilizer plant pursuant to its agreement with the City because the improvements serve that high-load customer. One transformer had arrived and been set at Substation B, with the second expected shortly. Staff continued working with the company regarding reimbursement of costs incurred to date and financing options for the remaining project costs

7. Comments from Commissioners and Staff

Commissioner Kendall asked whether lighting could be added to the flag football fields near Sherwin Williams Park. Mr. Brubaker stated that the property is generally under the Coffeyville Recreation Commission and that he would contact Recreation Commission staff regarding whether lighting improvements were planned. Commissioner Kendall asked if there were billing issues after hearing reports from customers whose bills had increased significantly. Mr. Brubaker stated that he was not aware of any billing issues. He explained that higher summer usage and the Power Cost Adjustment (PCA) were contributing to increased bills. The PCA reflects the actual cost of purchasing electricity as demand and energy costs fluctuate, particularly during periods of high summer usage. Mayor Falkner requested that staff inspect portions of Sycamore Creek between Eighth and Eleventh Streets and in Sycamore Park where grass appeared significantly overgrown. Mr. Brubaker stated that Public Works would review City-owned portions of the creek and reminded residents that private property extends to the center of the creek, making adjacent property owners responsible for maintenance of portions located on their property. Commissioner Golden asked about the noon tornado siren. Mr. Brubaker explained that the issue is not with the physical sirens but with outdated software used to activate the system. The software upgrade had been anticipated in the 2027 budget at approximately \$6,000; however, the problem has become more immediate. Staff is obtaining information and quotes to determine how quickly the issue could be resolved and planned to notify the public regarding the outage and the importance of having multiple methods of receiving severe weather alerts. Mr. Brubaker stated that the City was working to identify available funding to address the issue sooner rather than waiting until 2027. Commissioner Golden commended Animal Control staff for a recent response involving a loose dog, noting that staff responded promptly and handled the situation professionally. Mr. Brubaker stated that animal-related calls remain a significant issue. He explained that Code Enforcement and the Animal Shelter have separate responsibilities: Code Enforcement addresses animals creating nuisances or public safety concerns, while the shelter must operate within state requirements and available capacity. He noted that additional training and staffing resources have been provided and that a direct telephone number is available for Animal Control. Vice Mayor Maples went through highlights of the payment report for August 14 through August 21, 2026, totaling \$9,673,777.50. The Commission again briefly discussed funding for repairs to the outdoor warning siren software. Mr. Brubaker stated that staff is obtaining quotes and determining the appropriate funding source and emphasized that the matter was actively being addressed.

K. EXECUTIVE SESSION(s)

L. GENERAL STAFF, COMMITTEE & BOARD REPORTS AND MINUTES

1. City of Coffeyville Payment Report (08/14/2026 – 08/21/2026) \$9,673,777.50
2. Electric Substation Improvement Additional Expense Staff Report
3. Grant Tracker – August 2026

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4. Grant Tracker Awarded Projects – February 2024 to present
5. Coffeyville Recreation Commission Minutes – July 2026

M. ADJOURN

MOTION: Move to Adjourn

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

Time the meeting was adjourned: 7:53 pm

Date the minutes were approved:

9/8/26

Melissa Carter

Melissa Carter, City Clerk

