

COMMISSION MEETING MINUTES
TUESDAY, MARCH 14TH, 2023 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 Vannoster.

Present:

COMMISSIONER JUSTIN DOANE
COMMISSIONER DEBORAH MAPLES
COMMISSIONER JASON SWINDELL
COMMISSIONER ANN MARIE VANNOSTER
COMMISSIONER ROBERT YORK

City Staff in attendance (for procedure or agenda items):

CITY ATTORNEY PAUL KRITZ
CITY MANAGER MARK HALL
CITY CLERK MELISSA CARTER
DIRECTOR OF IT CHRIS FELIX
DIRECTOR OF FINANCE STEPHANIE RICHARDSON
DIRECTOR OF ELECTRIC UTILITY MIKE SHOOK
DIRECTOR OF PUBLIC WORKS JIM BRADSHAW

- A. CALL TO ORDER** – Mayor Ann Marie Vannoster
- B. ROLL CALL**
- C. INVOCATION** – Pastor Keith Dodd, Lewark Church of God
- D. PLEDGE OF ALLEGIANCE TO THE AMERICAN FLAG**
- E. REVIEW OF AGENDA**
- F. CONSENT AGENDA**
 - 1. City Commission Meeting Minutes – Tuesday, February 28th, 2023
 - 2. Action to set a Public Hearing on March 28th, 2023 at 6:30pm in the Coffeyville City Commission Room to consider submission of a CDBG Grant Application from the Kansas Department of Commerce.
 - 3. 2023 Appropriation Ordinance No. AO-23-05 \$1,848,468.81

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

ACTION: MOTION: VANNOSTER SECOND: YORK
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.

- Jim Falkner, 1014 W. 3rd, stated that he was a past Commissioner and Mayor of Coffeyville and during that time the Commission returned a vote of no confidence for the then sitting City Manager. He said there was a lot of discussion, due diligence and it was a difficult decision but they did what they thought was best for the City. Mr. Falkner said that if they discuss matters of non-elected personnel in tonight's Executive Session he hopes that they exercise due diligence and appropriate consideration in their deliberations.
- Kenny Ward came to the podium and thanked the Commission for allowing him to speak. He thanked God and the people who were in attendance to support the fire department in his recent termination and for what is right and just for their community. He thanked all the firefighters and their families for their support and dedication to the community they serve. Mr. Ward thanked his family for being there to support him. He said that he had always been taught in his career and recently in a Department Head Leadership class that a good leader is of honorable character and demonstrates selfless service to his or her city and organization. In our employee's eyes our leadership is everything that affects the organization's objectives and well-being. He stated that respected leaders concentrate on what they are, know and do. However, we are working under a dictatorship style of leadership, Mr. Hall has the centralization of all powers and makes all decisions without including or consulting directors or subordinates. He stated one who questions the integrity of current and former fire personnel is reprehensible. Mr. Ward said that he personally knows that there are other city employees who feel they are being led by a dictator that have spoken or contacted him and they can't speak of their disagreements or how Mr. Hall conducts his business for fear of retaliation. Mr. Ward stated that the Commission is the voice of the people and directly hire and fire the individual who is causing our fine city, its leaders inside and outside our organization. He stated the CEO of the hospital, superintendent of schools, president of the college, and administration of CVR have spoken to him told him how difficult it is to deal with our administration. Mr. Ward said he was unjustly terminated and respectfully requested that the Commission have him reinstated as Fire Chief. He implored the Commission to look at what has transpired and have the City Attorney set a time and date where employees can speak their mind anonymously without fear of retaliation. Mr. Ward thanked them for allowing him to speak and said it was his hopes and prayers that he will once again wear his uniform and represent this amazing fire department and the City of Coffeyville.
- John Chevere, 2210 Prairie Lane, said that he was raised here by his grandparents who came to Coffeyville in 1965 and was proud enough of Coffeyville to bring his family back here in 2015 to a community that took care of him when his family was going through a hard time. Mr. Chevere stated his son is 7 years old, attends CES, and he recently got a phone call from his teacher about an incident that happened at school. In visiting with the school about the incident, he found out that there was a larger boy pushing one of his son's good friends. Being raised not to tolerate bullies, his son asked

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the bully to leave his friend alone, the bully did not so his son took him to the ground. Mr. Chevere said the same situation is happening right now in front of our eyes with a bully and we all know the reason everyone is here tonight. He asked how he should explain to his son to let him know that even when he gets older, he will still have to face those bullies. Mr. Chevere stated that the five Commissioners were elected by Coffeyville residents, are the voice for them and if they fail to hear their voice they are failing at their position. He stated they are speaking to them to let them know the injustice that's happened and are begging them for an answer. Mr. Chevere said that he appreciates that the Commissioners are looking at the people speaking as the City Manager has not looked up once. He stated this is the right way to handle business and that is why he and everyone else is there. Mr. Chevere said he hopes that the Commissioners will do their due diligence tonight because Chief Ward is exceptional and outstanding which you can tell by the men that are here to support him. Leadership is influence and you can tell this man has influenced the community as well as his peers. He asked that the Commissioners seriously consider all options on the table but the biggest thing he asks is to bring Chief Ward back as Coffeyville Fire Chief.

- James Grimmett, 608 Willow, said that he is a retired firefighter from Coffeyville and wanted to set the record straight on why the HazMat team is paid the way they are. In 2006 every region had a HazMat team that would cover them except for Southeast Kansas. A commodities survey was done of every hazardous material that runs through all 12 counties and Montgomery County had the most by far so it was the goal to have that Regional Team based in Coffeyville. Firefighters took the training and then they had to decide how to formulate the team. It was recommended not to make it mandatory so the Fire Chief did not. Next it was how it was going to be paid. They were going to reimburse the firefighters that covered the station double time per the City's contract and the State would reimburse those funds. For the firefighters on duty going out on the HazMat calls, their initial contract said time and a half, to which they responded that was not an incentive for them to get people on the team. The incentive would be to get called in to man the station. They wanted the team in Coffeyville so they asked what they wanted to which they responded they wanted double time which is why double time has been paid for those that are on duty and respond to HazMat calls in a 12 county area since 2006. For billing, those that come in to man the station get double time, they bill double time and those that are on duty are getting straight time from the city and they bill for straight time which putting those together make two which is how the double time came about.
- Ken Allison, 612 W. 5th, said he is a retired firefighter that put in 26 ½ years. He stated that history often repeats itself and he is seeing flashbacks of the 1980's. Mr. Allison said that Coffeyville has been through some turbulent times and the 80's almost killed Coffeyville and so did some personnel issues. It affected the Fire Department, the Commission, the citizens and it was very divisive and no one benefited from that time. He said what he is seeing now is taking him back to that time. Mr. Allison stated the Commission is the governing body, it's their responsibility and they are accountable for what's going to happen. Mr. Allison said that our community does not need to go through this and the amount of people here are evidence and there are more people that couldn't be here. He implored the Commission to weigh this issue heavily when they go into Executive Session because our history fuels our future.
- Drew Cantrell, 1607 W, 6th, asked the Commission to do all they can in this situation. He said there is only one answer and he stands with every one of the firefighters here and he stands with our policeman. Mr. Cantrell said we have some of the best people

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anywhere and he considers a lot of them friends, practically family and this is ridiculous. He said we can't let another case of what happened before or our history will fuel our future and there won't be one. He asked the Commission to do what has to be done tonight.

- Jim Falkner came back to the podium and stated that James Grimmert introduced himself as a retired firefighter and he was their Fire Chief after the City Manager was terminated. He stated they were fortunate to have someone on staff to step up and be the interim City Manager and that was James Grimmert. Mr. Falkner said he did a wonderful job laying the groundwork for the new Emergency Services Building on 11th Street.
- Travis Stalford, 4134 CR 2400, came to the podium and said that he came to the Coffeyville community in 1998 as a teacher and coach at Field Kindley High School. He is now in his 10th year as principal there. Being in administration he knows that the community is not always privileged to all personnel issues so is he is here to offer his thoughts, perceptions and opinions. Mr. Stalford said that being in administration you have to have iron clad control of your emotions and he does not feel like that characteristic was shown during the conversation and wrongful termination of Chief Ward. During Chief Ward's short time here has become an active member of the community attending events bringing his positive energy and is actively engaged. He said this situation goes deeper than the termination of Chief Ward and the ill treatment of the Fire Department. Mr. Stalford stated that the Fire Department is not the only Coffeyville entity that has been mistreated. The reality is that the City Manager position is only temporary and we will have continue to live and work together for our community. There is nothing that has been done to support and unify any tax entity and these behaviors continue to divide us as a community. Mr. Stalford said as Commissioners the City of Coffeyville has elected them to bring unity among us as well as work to do the best for Coffeyville. Despite personal relationships, they need to ask themselves as representatives of the Coffeyville community if the leader they have chosen supports Coffeyville's vision to bring about positive stakeholders, relationships and move our community forward. Mr. Stalford stated that as a community member for the last 25 years he does not believe this current leadership is what's best for Coffeyville as a whole and he hopes the Commissioners consider the big picture alongside the future of our community.
- Jon Graham, 100 Herring Lane, said he is here to support Chief Ward in his wrongful termination. He stated he is a retired Coffeyville firefighter of 25 years and when he started there was a protest in front of City Hall in which his mother carried a sign that said fire the City Manager. Mr. Graham said because of that his probation with the City was extended so he too is a victim of a wrongful action of a City Manager. He had no recourse because of his probation so he toughed it out and put up with all the baloney that came along with it. He stated that he had a conversation with the Mayor and suggested a way that there could be some checks and balances with City employees relating to the City Manager and his duties. He suggested using a ballot box and have employees fill out an anonymous form on how things are being handled and then tally them. He thinks their minds would change greatly on how things are done. Mr. Graham recalls a time when at the Fire Department that Walmart donated Christmas Lights to decorate their building and were put up by firefighters off duty. They were told by the City Manager that they needed to take them down through their Fire Chief. The second way to resolve this issue is for Mr. Hall to start pinning his resignation letter to the City of Coffeyville.

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- Debbie Munson, 1313 W. 12th, came to the podium and came to support Chief Ward and the firefighters. She said that her husband has cancer and did not know that things had changed at the Fire Department as she called for help one night, as she had done before, when her husband slid out of his chair and she could not pick him up. She was told that they could not help, that she would have to call the ambulance. She called PD, they sent an ambulance who in turn called the Fire Department, which is ridiculous. Mrs. Munson asked when this changed and was told the City Manager changed it to where the firemen could no longer go on assists. She stated taxpayers pay you all's stuff and pay the taxes in this town and the Fire Department is under the City's taxes which is paid by everyone here. Mrs. Munson went to the Fire Department and met with Chief Ward and told him how angry she was they did this. She also found out that when EMS calls the Fire Department they have to pay them. She stated we are all paying taxes and Montgomery County is taxed to death. Mrs. Munson said they need to bring back help for people and she is not the only one out there who has somebody sick that needs help and now they will have to wait for the ambulance which costs them a lot of money. She stated we pay you guys, do your job and take care of it.
- Loran Osborne, 613 W. 6th, came to the podium and said he works with veterans in our county and others. He said he is not here tonight because he has intimate knowledge of the fire department or its inner workings but he does know HazMat and tactics and strategies for handling HazMat because he did that in the Army. He retired from the Army in that position under Emergency Operations and two things ring out in this situation. One is the image of the Fire Department and when his children were scared that things were going on outside the post, they gained courage through the tours that the Fire Department would take letting them know there was a presence there. His children didn't have to fear because the Fire Department was going to be there at every event because we want heroes for our heroes. The second is tactics and strategical thought and we have at this point in time a gap that 12 counties are looking to us to understand. Mr. Osborn said HazMat response is one of the most important duties that a Fire Department tasked in that manner has because it impacts everywhere. We have a leader with experience, time and understanding of tactical deployment and HazMat response and we have benched him in favor of a gap in leadership by a gap in leadership.
- Josh Cavaness, 1212 W. 5th, came to the podium and is here tonight for the Chief and he has been in fire services and EMS for a little over 20 years all over the State of Kansas and Northeast Oklahoma. One thing he has always been proud of is our Fire Department through their leadership has been exemplary. Mr. Cavaness said that concerning the Fire Department no longer responding to EMS calls that he doesn't think you will find a progressive Fire Department that does not do that, it's standard and is what happens everywhere across this country and is needed. If an ambulance gets dispatched to a scene, you are tasking the police dispatcher to determine if it is a fall or a cardiac arrest. In the case of a cardiac arrest, how many hands do you want there? Just two off the ambulance or an additional four from the Fire Department for a total of six. There is a lot that has to be done and help is needed. As far as the billing going back to the hospital, he doesn't think the City of Coffeyville has any expense in responding. He said the hospital has replaced any equipment used by the Fire Department. Mr. Cavaness said the HazMat team responding to 12 counties is something to be proud of. He doesn't know what else the Commission could possibly question in this and unfortunately it doesn't sound like this is becoming an out of the ordinary event with the City Manager directly attacking the Fire Department, shutting them down and

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stopping them from doing their jobs. Mr. Cavaness thinks the best thing the Commission can do tonight is have the Chief reinstated and terminate Mr. Hall.

- William Kendall, 1521 Willow, came to the podium and said reinstate the Fire Chief, terminate the City Manager Mark Hall and resign off the City Commission if they can't properly govern for the people in Coffeyville.
- Lunette Thompson, 3612 W 4th, came to the podium and said she was born and raised in Coffeyville, worked for CRMC, Dr. Christensen and alongside some of the firefighters here as well as medical personnel. In 2019 she had a premature child that she brought home from Tulsa, was home for two days and coded. Ms. Thompson had to perform CPR and call 911. The first people to get to the house was the Fire Department and six firefighters did CPR on her daughter along with her. Most of the situations she has been in, the Fire Department arrives first which has to do with great leadership. She said that she does not know where the leadership is failing but in the last five years it has not been through the men that have run the Fire Department.
- Griffin Walker came to the podium to speak on behalf of Boys and Girls Club and does everything he can for the kids of Coffeyville. He stated he has probably raised more money by himself than most of the people in the room. Mr. Walker wanted to do an event called "Wrestling for a Cause". He stated that people think Boys and Girls Club is a daycare but it brings in over \$700,000.00 a year to this town. Mr. Walker submitted his application, insurance and everything he needed to for the event but it was denied and on the signature page it had "Denied, Mark Hall" with no explanation and could not get any answers. He said this money is not going in his pocket it is for the kids and he is not begging anyone in Coffeyville for a lot of money. Mr. Walker said he is trying to make things better but he has people pushing him around and the same thing is happening to the Fire Chief. He said there is a term called proximity law and when the City is bringing in money from the State on HazMat, those are dollars that are not from Coffeyville and firefighters are using that money here. Mr. Walker said as a community we need to look at how this has happened and if we let someone go for this we are defeating what the State is doing for Coffeyville. He said let's not terminate someone for something that is benefiting Coffeyville.

Mayor Vannoster thanked everyone for their comments and reminded them that their rules prevent them from talking about City personnel. She feels they have made their points to them and thanked everyone again for coming.

A five minute recess was taken.

REGULAR AGENDA ITEMS

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

I. OLD BUSINESS

J. NEW BUSINESS

1. Resolution R-23-15 a Resolution to enter into an Engineering Master Services Agreement with Olsson Inc. for Electrical Engineering Analysis for the City of Coffeyville Electric Utility Station B-North.

Director of Electric Utility Mike Shook said this is an agreement with Olsson Engineers to look at substation improvements B-North Substation which serves Coffeyville Resources Nitrogen Fertilizer Facility. They have reached out to see if we would partner with an engineering firm to do a study for potential upgrades which would look at potential increased

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loads and currently that station is at capacity. Mr. Shook said they went through this in 2014 but there were no lead increases planned at that time. CRNF has agreed to split the costs as they did in 2014 to investigate the cost of expanding that substation. Olsson has presents a cost of \$74,200.00 for phase one and, if approved, CRNF will pay us back 50% of the cost.

MOTION: Move to approve Resolution R-23-15 agenda as presented.

ACTION: MOTION: YORK SECOND: SWINDELL
ROLL CALL: ALL AYE

2. Resolution R-23-16 a Resolution to authorize the execution of an agreement for specific Stop-Loss Insurance, Aggregate, Dental, Basic Life, Accidental Death and Dismemberment Insurance and third party administration services for the City's FY2024 Partially Self-Funded Health Insurance Coverage.

Director of Finance Stephanie Richardson stated this is the time of year we look at our health insurance renewal for the upcoming year that renews on April 1st. We are currently under a self-funded health insurance plan which means the City puts deposits into the plan and the employees pay their premium. The City pays the stop loss premiums and claims out of those dollars. We do that so if there are any savings if claims don't add up to what we have included in our funding them the City gets that savings piece that can be rolled forward to offset costs in future years. Mrs. Richardson stated that his year we used two different consulting companies to go out and bid our insurance policies – Benefit Health Advisors and Charlesworth Consulting. The lowest option came back with our current broker, Benefit Health Advisors and offers our stop loss coverage and the administration of our claims at the lowest cost. There is no changes to our current health plan, deductibles or co-insurance. We use the Delta Dental Plan and are proposing to add an EAP program as it is now a requirement with our KERIT work comp coverage. The City's contribution to the employees plan did increase from \$9,165.00 to \$10, 712.00. Putting these numbers together it does have an unfunded balance of \$77,220.00 and that is if we hit 100% of our expected claims. Typically we run 90% to 95%. Again this leaves employees contributions the same which is \$112 a month for single coverage and \$336 for family coverage.

MOTION: Move to approve Resolution R-23-16 agenda as presented.

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

3. Resolution R-23-17 a Resolution to authorize submission of the 2025 KDOT CCLIP Pavement Restoration Application.

Director of Public Works Jim Bradshaw stated the city was notified on January 23, 2023 by letter stating KDOT was requesting the call for projects to be submitted for future funding for their CCLIP program. The city currently has a project that is awaiting the bid process through KDOT; the estimated date to let the existing project is now set for July of 2023. That project will begin 563' South of 15th Street and is estimated end on the South side of Walden Street an estimated 1000' ft. of 4 lane highway. This project was submitted in February 2020 This proposed pavement restoration project is for replacement of approximately 1380' ft. of 4 lane highway, US 169 (South Walnut) beginning South of Walden and ending at the center line of Grace Blvd. This area has had several joint repairs, grinding, and overlays and has reached a point that the pavement is failing. By applying for the CCLIP program this will

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allow the city to continue to replace the pavement on South Walnut utilizing up to \$1.5M of KDOT funds. Deadline for application submittal is March 24th, 2023. Staff recommends approving the submittal of the application for funding year 2025 for the KDOT CCLIP program for Pavement Restoration on approximately 1,380' ft. of highway 169 (South Walnut).

MOTION: Move to approve Resolution R-23-17 agenda as presented.

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

4. City Manager's Report

5. Comments from Commissioners and Staff

K. EXECUTIVE SESSION(s)

1. Executive Session to discuss personnel matters of nonelected personnel.

MOTION: Move to recess to Executive Session for the purpose of discussing personnel matters of non-elected personnel as permitted by the non-elected personnel matter exception to the Open Meetings Act, as set forth in K.S.A. 75-4319(b)(1), to include the City Commission, City Attorney, City Manager and Director of Electric Utility to reconvene in the Commission Room at 8:15 p.m.

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

MOTION: Move to extend Executive Session for 30 more minutes to reconvene in the Commission Room at 8:45 pm

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

L. GENERAL STAFF, COMMITTEE & BOARD REPORTS AND MINUTES

1. Sales Tax Report – February 2023

2. Coffeyville Police Department Crime Stats – January & February 2023

3. Hillcrest Golf Course Report – February 2023

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M. ADJOURN

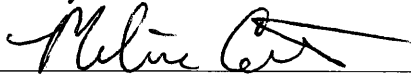
MOTION: Move to Adjourn

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

Time the meeting was adjourned: 8:46 pm

Date the minutes were approved:

3/28/2023



Melissa Carter, City Clerk

