

**COMMISSION MEETING MINUTES
TUESDAY, MARCH 28TH, 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 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 HUMAN RESOURCES ALLISON PRYOR
SPECIAL PROJECTS COORDINATOR CHUCK SHIVELY

- A. **CALL TO ORDER** – Mayor Ann Marie Vannoster
- B. **ROLL CALL**
- C. **INVOCATION** – Father Schibi, Holy Name Catholic Church
- D. **PLEDGE OF ALLEGIANCE TO THE AMERICAN FLAG**
- E. **REVIEW OF AGENDA**
- F. **CONSENT AGENDA**

- 1. City Commission Meeting Minutes – Tuesday, March 14th, 2023
- 2. 2023 Appropriation Ordinance No. AO-23-06 \$5,524,357.28

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

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

- 3. 2023 Appropriation Ordinance No. AO-23-06A (Isham & Liebert) \$168.30

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

ACTION: MOTION: YORK SECOND: DOANE
ROLL CALL: MAPLES – AYE, YORK – AYE, SWINDELL – AYE,
VANNOSTER – ABSTAIN, DOANE – 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.

Mayor Vannoster stated that before they began with Public Comments, on behalf of the Commission she wanted to respectfully address the topic at hand. She said that any information concerning former Chief Ward falls under personnel and due to confidentiality those issues can't be discussed. Concerning the Hazmat pay issue, it is their understanding that a grievance has been filed by IAFF and is in process. Mayor Vannoster said that both sides are bound by the current labor agreement between IAFF Local #265 and the City of Coffeyville which clearly outlines the steps and process to resolve workplace disputes. She stated that both sides need to respect the process and not try this issue in a court of public opinion. Mayor Vannoster said that the Coffeyville City Commission does support the Coffeyville Fire Department as well as all City departments and staff. They have full faith that this issue will be resolved in the best interest of the City while legally following all contractual agreements

- Kenny Ward, 1323 Hibbard Street, came to the podium and said that he understood the words the Mayor just spoke however he has not been offered the opportunity of due process. He stated that he has reached out to all of the Commissioners on three separate occasions to visit with them about his termination by Mr. Hall. Since the Commission is Mr. Hall's boss and Mr. Hall is his boss then if there is due process he should have the ability to talk to them and he was not given that opportunity. Mr. Ward said that in the last 16 months the Fire Department has raised the following funds: \$116,000 for a new gooseneck Hazmat trailer; \$75,000 for a new Ford F-350; \$10,500 for pressure fans, vents, saws and hooks; \$9,400 for thermal imaging cameras; \$6,500 for SCBA compressor; \$4,000 for cabinets, nozzles and equipment; \$3,500 for eight sets of wildland firefighting gear; and \$1,600 for new rescue rope. This is a total of \$226,500 that fire personnel has raised that hasn't been taken out of the City's budget. Mr. Ward said that he and personnel have invited Mr. Hall to several structure training fires and he has never attended. He said that he has invited Mr. Hall to come by the station for acceptance of grants/gifts on separate occasions and he has never attended. Mr. Ward questioned if Mr. Hall really wants to change the working relationship or does he want him to change them without seeing change from him. He asked Mr. Hall who is responsible for initiating change – us or the subordinates – he challenged Mr. Hall to answer but said he knew he wouldn't. Mr. Ward said that he has heard phrases such as “you're doing good”, “great job”, “you're doing great things”, “thank you all for all you do” and “life is good” from Mr. Hall 21 times in 17 months. He questioned if this sounds like someone who should have been terminated for no cause. He questioned the using of terms such as they, them and us in reference to Union and City relationships and said it feels like it is picking sides. Mr. Ward stated we are all on the same side in providing service to the citizens of Coffeyville. He said that he expressed those feelings to Mr. Hall about how this comes across to his firefighters which he wanted him to change, however, he begged him to understand what he says influences his ability to make change. Mr.

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Ward said Mr. Hall's response was "I don't give a...". Mr. Ward then confronted Mr. Hall saying that he said it on three occasions, he has two witnesses that heard it and don't shake his head that it wasn't said because he would be lying. Mr. Ward wishes he could put Mr. Hall under a Bible and swear on the oath but he thinks he would still lie. Mr. Ward said again that he was offered no due process that the city employee handbook allows. He stated he went from no disciplinary action which is step zero to termination which is the fifth and final step. This bypassed the first four steps for "I'm tired of dealing with you, you've got to go." Mr. Ward then addressed the Commissioners saying that they were his voice in this termination and all he wanted to do was give them his side and some documents that they haven't seen from Mr. Hall that wouldn't show him in a great light. The Hazmat being one of them that states on duty and off duty will be paid double time from a 2005 or 2006 state Hazmat coordinator. He thanked Mr. Swindell for letting him speak to him. Mr. Ward asked who sounds like the person that should have been terminated. He then confronted each of the Commissioners about the Citizen Complaint against Mr. Hall that he submitted to them on March 14th demanding to know if they have acted on it. Mr. York said that it falls under Personnel issues and they can't talk about it. Mr. Ward insisted that he filed this complaint, he is a citizen of this community, pays his taxes and utilities and continued to ask if they had seen it. Mr. York replied that he has seen it but not done anything with it.

- Wesliann McCartney, 701 Lincoln St, came to the podium and said that she was here to discuss the Commissions actions against Coffeyville citizens and the Fire Department. She stated that last Commission Meeting citizens of Coffeyville came to them with concerns regarding the City Manager's wrongful termination of Chief Ward. They asked them to do what was right for the town and remove the City Manager and reinstate Chief Ward. Ms. McCartney said that they ignored the citizen's request and did nothing. She asked why they are serving as Coffeyville's Commission if they aren't going to listen to what citizens have to say and by not listening or considering citizen's feelings they are telling them that they don't care. Ms. McCartney said that the citizens put the Commission in the position they have and they are the ones that can take it all away. She said that she is 17 years old and will be 18 by the next election so she will vote against all of them. By protecting the current City Manager the Commission has disrespected the firefighters who put their lives on the line to keep our City safe and that emergency personnel are the backbone of our City and without them there is no City. Ms. McCartney stated that the Commission should be ashamed of themselves because a 17 year old is telling them that they screwed up and they are making the town unsafe by keeping the current City Manager. She suggested that they remove the current City Manager and reinstate Chief Ward if they did not want to embarrass themselves any further.
- Bryan Mecom, 1417 CR 4700, came to the podium and said it has been over 20 years since he has addressed the Commission so he brought his soapbox. He said at that time when he addressed the Commission he said that the squeakiest wheel gets the most grease and it would appear that Chief Ward is now that wheel. Mr. Mecom said that he was a firefighter for over 20 years and when he left they hired his son. He stated that he was Union President and now his son is for Local #265 which has been around a long time. He said that in the late 80s and early 90s Coffeyville had a rogue City Manager like we're experiencing right now who is deliberately initiating actions of grave concerns to the citizens and feels like he answers to no one including the Commission. Mr. Mecom stated that Mr. Hall's constant and deliberate

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denials to approve funding for protective gear and expired breathing bottles are just a few examples of the reasons Local #265 has been forced to file grievances. He said they would rather fly under the radar than through it. His indication to not pay overtime for Hazmat response appears to be the primary reason for firing Chief Ward which he did not support. Mr. Mecom said that he would like to ask the City Attorney if he's had the chance to review that but he is not here because he quit because of Mr. Hall. Given the current situation and the wishes of the vast majority of people in the room, perhaps an Executive Session would be in order and upon the Commission's return, without Mark Hall, they would hear a statement by unanimous decision that he has been terminated and Chief Ward reinstated.

- John Chevere, 2210 Prairie Lane, said that he wrote his speech seven times until he listened to the first comments spoken today. He stated that it was pretty sad that our youth has to see this mess. He told the Commission that they have heard everything they have to say and that they have given their blood to Chief Ward for the last three weeks. He stated there have probably been some things said out of context and he apologized for anything that he's said that was out of place. Mr. Chevere said the saddest thing is the silence out of the 5 Commissioners has spoken more volumes than they can imagine and their position is distinctly heard with their silence. He asked why they think the First Amendment is freedom of speech. He stated there are many people that have wanted to come and stand here and they are told they can't speak and are threatened with their jobs and families. Mr. Chevere said this is a community where you make \$30,000 on average and we silence them. We look at our leaders and ask for help but they stand in silence and hide behind regulations and rules to look ok. He stated he just wants to know what side they are on. Mr. Chevere wishes they could dig deep because he knows they have a moral compass that is better than this and they are better than this. He addressed Commissioner Swindell stating that he is a pastor and his community is looking at him right now and he would vote for him again. Mr. Chevere asked for forgiveness for his actions and asked why Mark Hall can't do that. He wants our community to heal from this mess as our kids are being affected by this.
- Keith Dodd, 102 S. Ohio, came to the podium and said he was the Pastor who gave the Invocation at the previous Commission Meeting and he did make a stance then as he was not in the room when the discussion happened. He stated in asking what Jesus would do, he asks himself what Keith should do. According to Micah 6 and 8 this is what happens because Jesus did two things in response to injustice and legal matters – he used scripture or silence. Pastor Dodd said that tonight he is choosing to use scripture. Micah 6 and 8 says he has told you o man what is good and what the Lord requires of you but to do justice, love kindness and walk humbly with your God. He believes justice is what is looked at tonight, there is a wound and there is something going on in our City that needs to heal. Pastor Dodd said that he has reflected on a scripture in the Book of Jonah. Jonah was supposed to do a job which he didn't do, got on a ship and tried to get away but a great storm came that was centered around him. Jonah was asked why this was happening and he said because he was running from God and the only way to stop is to throw him in the sea. Jonah made the decision of what needed to be done and was thrown in the sea. The storm calmed and everything was righted and everyone on the ship was safe. According to the New Testament a house, country or church divided cannot stand. Pastor Dodd said that should we choose to heal this City, it will not go away, it will continue to be Jonah in the boat and this community cannot stand to be divided and that's where we

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are. He asked the Commission respectfully to look at this situation and the residents and take care of what needs to be done even if Jonah needs to ask to be thrown in.

- Lunette Thompson, 3612 W. 4th, came to the podium and said she was going to address the Commission but not touch the topic of the Fire Department or Chief Ward. She stated the Commission is the voice for the community and for them to have to learn the same things that they are learning, they should be on the same page. She said she knows what she has studied about Hazmat and what it entails but she is sure some of them don't. Ms. Thompson said she asked some questions to people that are in these situations and one of those questions was in the last 18 months how many Hazmat calls have the Fire Department responded to and the answer was two. The next question was if they were paid by the City and she said the answer was no. She questioned how was that grounds for termination. Ms. Thompson said she had a couple questions she would like the Commission to put in their heads. She said Coffeyville is a small town and very close knit community, the entities work together and are intertwined. She asked what duty there was for the Commission to listen, understand and do the right thing. Ms. Thomson stated that she is not attacking the Commissioners but there has to be some accountability for the people that are going to experience everything after this.
- Kent Allison, 612 W. 5th came to the podium and stated that two weeks ago he talked about 40 years ago and it is like déjà vu all over again. He stated he didn't know if the Commission was sheltered from the input of the community and if they have any idea of how divisive this issue is. Mr. Allison said we have some of the best firefighters and this is a well-trained, well-funded department. During his 27 years in the department, he served under four different Fire Chiefs and it wasn't always the most comfortable relationship but he knows the relationship between Chief Ward and the firefighters was a good working relationship. There was trust and honesty and they knew he knew what was going on and he let them do their job. He asked how many family members these guys have in the community and this affects everyone. Mr. Allison said this has made him angry enough to come to two Commission Meetings and offer his input. He asked if we really want to destroy the bond with citizens over this kind of issue, he hopes not. He said it's really not that difficult. He stated he is proud to be a retired firefighter and there are several in here that he served with. He implored the Commission when they go into Executive Session this is really important and deserves serious attention.
- Trisha Purdon, 101 N. Ohio, came to the podium and stated she served this county and City for over 10 years for economic development. She feels like she was a good leader for our community, did volunteer work, participated in Leadership Coffeyville, and worked tirelessly to help our community thrive and grow. Mrs. Purdon said that she wanted to talk about leadership. As a community leader for the past 10 years, she strongly believes in collaboration and communication in order to help a community prosper. She said that you have to collaborate with other community leaders in order to advance your community, see projects and initiatives move forward and have the community come together to embrace the culture and history of the town to see it prosper. Mrs. Purdon stated over the past several years with Mark Hall as City Manager she has seen that collaboration dwindle and die with other community leaders that represent the major organizations across our community. For over 10 years and several directors in economic development they have met monthly to make sure entities are working collaboratively as a team so they are all on the same page and there are not issues that fall through the cracks.

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Unfortunately, when Mark joined their Breakfast Club, he only came to a few meetings, stopped all together and then refused to communicate with any of community leaders. Mrs. Purdon announced that she is not doing economic development for the county anymore, she has moved on and now covers the entire state of Kansas. She said key leaders do not threaten or retaliate if they have different opinions from their community leaders and that is what she saw on a regular basis. She stated she copied three of the Commissioners on e-mails that she received from Mark Hall that were disrespectful, demeaning, demoralizing and hurtful especially as a woman who has been in a position for the first time since that organization had been founded in 1983. Mrs. Purdon said that as a woman in a position of leadership she felt incredibly hurt by the behavior he demonstrated. Lastly, she said that in her experience in economic development, communities that love themselves and that are proud of themselves are the ones who are thriving, growing and prospering. Given all the information that has been heard for the last two weeks, emails, meetings and sessions she has been in regarding the terrible behavior Mr. Hall has given to other members of the community, she stated that our City Manager does not like Coffeyville and he is not the leader that is going to help our community thrive and prosper.

- Tammy Dixon, 3005 W. 8th, came to the podium and said she served the City of Coffeyville for eight years and knows the Commission has a hard job. She said that she had a hard job and felt support from all of the City departments which she loved. Ms. Dixon stated she is here to speak on her boys, she worked under Chief Grimmert and Chief Roesky for eight years as a Fire Department employee. She said that she doesn't think people totally grasp what our Emergence Services personnel do for us. She has seen them come back from very difficult situations. Ms. Dixon stated they love to go out and do community things and the community loves to see them as it brings camaraderie. She has called the firemen to assist in lifting her elderly father and they are no longer allowed to do that. She asked the Commissioners to think about the divide that is being caused and is here to speak on the integrity of the City employees and asked them to listen to them and the community. She said she knows they have a tough job but she is counting on them, believes in them and knows they are morally upstanding citizens and she appreciates them.

A five minute recess was taken after Public Comments.

REGULAR AGENDA ITEMS

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

1. Proclamation to declare April 2023 as Child Abuse Prevention Month in Coffeyville, KS.
Mayor Vannoster read and signed the Proclamation to declare April 2023 Child Prevention Month in Coffeyville, KS.
2. Public Hearing to consider a CDBG Grant Application from the Kansas Department of Commerce and related Resolutions and documents.
Special Projects Coordinator Chuck Shively stated this is for a Community Development Block Grant Application to be submitted to the Kansas Department of Commerce for a potential \$500,000 grant. The proposed grant if awarded will be used to fund 50% of the project to extend the walking, biking trail from its current North end to LeClere Park. The proposed budget is one million dollars which will include \$500,000 of City transportation

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funds and \$500,000 of CDBG grant funds. To move forward with the application a Public Hearing must be held and then approve the Resolutions and documents as required. The agreement with Southeast Kansas Regional Planning for administration of the grant if it is awarded.

Mayor Vannoster opened the Public Hearing, there were no public comments, Mayor Vannoster closed the Public Hearing.

3. Resolution R-23-18 a Resolution certifying legal authority to apply for the 2023 Kansas Small Cities Community Development Block Grant from the Kansas Department of Commerce and authorizing the Mayor to sign and submit such an application.
4. Resolution R-23-19 a Resolution assuring the Kansas Department of Commerce that funds will be continually provided for the operation and maintenance of improvements to the Trail System to be financed with Community Development Block Grant Funds.
5. Resolution R-23-20 a Resolution to authorize the execution of an agreement for administrative consulting services for a 2023 Kansas Small Cities Community Development Block Grant Project for Trail System improvements with the Southeast Kansas Regional Planning Commission.

MOTION: Move to approve Resolutions R-23-18, R-23-19 & R-23-20 as presented.

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

I. OLD BUSINESS

J. NEW BUSINESS

1. Resolution R-23-21 a Resolution to implement a Personnel Memorandum of Agreement with Fraternal Order of Police, Kansas Lodge No. 35, effective January 1st, 2023 through December 31st, 2023.
Director of Human Resources Allison Pryor said that this is the Personnel Agreement for the Fraternal Order of Police Kansas Lodge No. 35 which covers this year starting January 1st through December 31st, 202. Redline copies of the agreement were in the Agenda Packet. Negotiations for 2024 are scheduled to begin in July of this year.

MOTION: Move to approve Resolutions R-23-21 agenda as presented.

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

2. City Manager's Report

City Manager Mark Hall said they are working on Sycamore Park. He stated they had good news from USDA that the housing program will be kicking off which is ten homes per year. They have been talking with a representative from HUD as due to the CVR expansion 90 income based apartments were removed. Out of 162 that the City had there are only 72 left. We need to do something to address that, HUD is the answer and we do have people interested through the low income tax credit program. Mr. Hall said that there a lot of things coming about for housing in Coffeyville. He thanked staff for getting ready for spring.

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3. Comments from Commissioners and Staff

Mayor Vannoster said that she attended the Sardis Missionary Baptist Church groundbreaking for their new facility at 708 E 12th. They are very excited and have spent a lot of time working with CVR to accomplish where they want to be. Vice Mayor Doane thanked everyone for coming out and he knows this is a hot topic and a very sensitive matter. He said that he enjoys having everyone here even though they may not necessarily be here by choice. He said he hopes to see everyone at the rest of the meetings while he is in office.

K. EXECUTIVE SESSION(s)

L. GENERAL STAFF, COMMITTEE & BOARD REPORTS AND MINUTES

M. ADJOURN

MOTION: Move to Adjourn

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

Time the meeting was adjourned: 7:39 pm

Date the minutes were approved:

4/11/2023

Melissa Carter

Melissa Carter, City Clerk

