

COMMISSION MEETING MINUTES
TUESDAY, APRIL 11TH, 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 DEBORAH MAPLES
COMMISSIONER JASON SWINDELL
COMMISSIONER ANN MARIE VANNOSTER
COMMISSIONER ROBERT YORK

Absent:

COMMISSIONER JUSTIN DOANE

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 WASTEWATER SHANE GEORGE
BUILDING OFFICIAL MATT CONGER

- A. **CALL TO ORDER** – Mayor Ann Marie Vannoster
- B. **ROLL CALL**
- C. **INVOCATION** – Pastor Melvin Simpson, First Church of God in Christ
- D. **PLEDGE OF ALLEGIANCE TO THE AMERICAN FLAG**
- E. **REVIEW OF AGENDA**
- F. **CONSENT AGENDA**
 - 1. City Commission Meeting Minutes – Tuesday, March 28th, 2023
 - 2. 2023 Appropriation Ordinance No. AO-23-07 \$713,044.55

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

ACTION: MOTION: VANNOSTER SECOND: YORK
ROLL CALL: ALL PRESENT 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, came to the podium and on behalf of the Kiwanis thanked all the individuals and companies in town that contributed to the graduating Senior yard sign and plaque project. He stated this has been going on for decades and was started by Gary Murdock and then carried on by his son and they are grateful for that legacy. Mr. Falkner said regarding the current issue what the citizens of Coffeyville are waiting for and expecting from the Commissioners is to do or say something. Whether it is to side with the City Manager and his decisions or if it's to invite his resignation, the Commission can't say or do nothing, they are expecting to hear something. Mr. Falkner said that if the Commission does decide to retain him, he recommends that they compel the City Manager to hold weekly Department Head meetings with all of them and a member of the Commission as an observer. He said that sometimes leaders need to be led and again, you can't do nothing.
- Daria Jerauld, 2996 W. Northbrook, came to the podium and said that she does not have a dog in this fight and does not know either of the gentleman this mess is revolving around. She then said she does have a dog in this fight and that dog is the City of Coffeyville. She does not like turning on the news and seeing the City of Coffeyville presented with this subject, she would like to hear about the great stuff that goes on in this town. Ms. Jerauld said again that she doesn't know either of the gentleman but she is capable of using Google. She asked the Commissioners, respectfully to Google their names, do some basic due diligence and ask some basic questions. Questions such as under what circumstances did they leave their previous employer and then ask themselves fundamental questions such as did they burn bridges when they left. She stated that she believes if they do that basic research they will come to the right conclusion for the City.
- Pete Caresio, 2274 N Hwy 169, came to the podium and stated that he has been a firefighter for over 30 years. He said the key to any successful relationship is communication and trust and all of this could have been solved with communication and trust. In a conversation with a Commissioner he was asked why firefighters did not stand up and talk and he replied because of the fear of retaliation. Mr. Caresio was told that retaliation was addressed in the contract and it could not happen so he explained how it already has been done. The fact that they can't attend events in the City unless authorized by the City Manager with the explanation that either it's not good use of taxpayer's money or they are out of position because they are not at the fire station to respond. The fact is that they can respond anywhere in the City at any moment and they are paid to be at work 24 hours regardless of where they are which has nothing to do with taxpayer's money. Mr. Caresio said that a Captain was written up because of an event that happened while he was on vacation. The City Manager decided by himself which medical calls they could respond to which puts the citizens of this community at risk. He said that they have to radio dispatch every time they leave the station and they have to fill out paperwork if a firefighter has to work for another firefighter and this was done immediately after stopping them from

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going to events which seems to be a way of micromanaging due to its timing. All of this was done because someone took a picture of their truck at a youth soccer game. All of this ties together to make sure the City Manager could keep tabs on them. Mr. Caresio said that then, of course, is the issue that he refused to pay firefighters double time for responding to a Hazmat call that is reimbursed by the State 100% and letting the grievance proceed to what looks like arbitration which will cost the City and the Union money. Because of past practice, the City will more than likely lose. After all this started, security camera recordings are being looked at in order to see who comes and goes from the Fire Department. E-mails were sent to the Captains about the comings and goings of former employees at the fire department with a lengthy disclaimer at the bottom which was obviously cut and pasted from Police Department's emails warning them that everything in the email was privileged, confidential and protected from disclosure which he sees as another scare tactic. Mr. Caresio said the biggest show of retaliation and bully mentality is the fact that he fired the Chief for no reason except that he was tired of him. He questioned how most of this could be solved and the answer was communication, but how do you communicate with someone who only steps foot in the station two or three times in the last three years. Mr. Caresio said we will now see if retaliation takes place any more than it already has. Maybe it will come in the vague interpretations of the contract or finding a ten year old memo to limit their effectiveness to help citizens in need. Look around and you will see dozens of people who are tired of this lack of leadership. We've already heard from leaders in this community James Grimmett, Trisha Purdon, Griffin Walker, Travis Stalford and others who by themselves should have been enough to at least call an Executive Session to discuss his action. Mr. Caresio said that he knows 1,500 plus people who would like an explanation and are opposed to the leadership style of Mark Hall, yet one Commissioner has stated that there are more people for Mark Hall than against him. He said he can prove 1,500 plus people against Mark Hall but can that one Commissioner prove his supporters?

- Loran Osborne, 613 W. 6th, came to the podium and said they have been told they can't talk about personnel issues and he agrees with that, so he wants to talk about management. He said one quarter of 6th street is covered in gravel from water explosions and leaks that sat for over a year before they were repaired necessitating homeowner repairs to their own properties, destruction of curbs and streets and even sinkholes around manholes. Mr. Osborne mentioned alleyways that you can scrape the bottom of your car because they haven't been improved for over a decade. He brought up utility workers estimating meters inaccurately and forcing the City to pay back inaccuracies. He stated that he has bills with quadruple usage and then will get a bill with an eighth of normal usage which in effect nearly cancelled their utility service twice because of that erroneous billing practice. He knows of others who have been reimbursed for estimates, yet this practice is not only going on, it is acknowledged and known by the management staff. Mr. Osborne pointed out that there are City services that go for months without being addressed by a letter saying that they are working on it as fast as they can and he has letters to prove that. He said he also knows that there are employees of the City who would be standing there and have spoken to him and others but certain individuals in the room that hold enough sway that they fear the loss of their job or pay. Mr. Osborne said that he also knows a pastor who honors three of the Commissioners deeply, but is very disturbed after seeing the mess we are sitting in. He stated there was no decision made on the 14th or 28th so there is absolutely old business and we need to get to it.

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- John Chevere, 2210 Prairie Lane, came to the podium and stated that he knows they are probably sick of hearing from him but he doesn't care. He asked the Commissioners if any of them served in the United States Military. He then confronted Commissioner York directly asking him if he ever served or was a fireman, Commissioner York replied no. Mr. Chevere said when a man stands up there with 30 years...Commissioner York then began to respond to Mr. Chevere's last question to which Mr. Chevere told him that it was his time not Commissioner York's, he was not talking to him other than he was asking him a question and then Mr. Chevere stated that he did not ask him any questions. Mr. Chevere went on to say that he served his country, Commissioner York told him thank you. He said that they just had a man with 30 years' experience in the fire department and that they shook his head at him, didn't acknowledge him and that was very disrespectful. Mr. Chevere then proclaimed that Mr. York worked for him and everybody else in the room. He said he did not care how Commissioner York viewed him but at the end of the day he was the kind of guy that's not going to stand by and allow them not to make a decision and they are fed up. Mr. Chevere brought up again that he served his country and claimed the reason he brought it up is because when a man who has given his life and soul to a fire department they need to do everybody a favor and show some respect for that because they show up and give respect to the Commission and it needs to be reciprocated.
- Bella McCartney, 701 Lincoln Street, came to the podium and said last meeting her sister Wesliann McCartney spoke to the Commission regarding their treatment of the Fire Department. She said they chose to ignore a 17 year old's plea to fire the City Manager but maybe they will listen to a 15 year old, but that is doubtful. She asked why the Commission has ignored the citizens pleas and don't realize their actions have consequences. Ms. McCartney said if they continue to ignore their pleas they will continue to embarrass themselves and their families. She said that every single one of them know that the current City Manager should be removed but they have chosen to ignore that, him harassing a State employee and wrongfully terminating an amazing Fire Chief. Ms. McCartney said that they are making our City unsafe by with their disregard for Coffeyville citizens, are setting a bad example for the youth of Coffeyville and teaching them it's okay to stand by and let people bully others. Ms. McCartney stated they should be ashamed of themselves and asked that they please do what's best for Coffeyville, reinstate Chief Ward and remove the current City Manager.
- Kent Allison, 612 W. 5th, came to the podium and questioned what leadership is, what makes a good leader and what the signs of a good leader are. He said it is pretty easy to tell most of the time by who is following that individual and what support they have. Mr. Allison stated that leadership is not given on a diploma and it's not a class you can take. Leadership comes from the heart and veterans can give you examples of good and poor leaders. Many times in the military the most effective leaders are the non-commissioned officers because they don't have rank, position or privilege. They lead their men by encouraging them to become the very best they can be. They motivate, care, listen and know their people which is not something you can teach out of a textbook. Today we need people that we can follow, trust, believe in and respect which is sorely lacking and it doesn't have to be that way. Mr. Allison said that we have people here who have spent their lives and are invested in Coffeyville. He said that he did 8 years of active military duty, 5 in the reserves and 27 at the Fire Department and is proud of it. He is proud of the folks that stand in the

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back for standing up for what they believe in, Mr. Allison stated that he does not feel like the citizens of Coffeyville have been given a fair shake. He understands that the Commission is limited on what they can do and say in public but stated that they don't know that they care and they know that the City Manager doesn't. He said this situation is not going to go away, it needs to be dealt with and put to rest for the sake of the City and City employees.

- Jeff McCartney, 701 Lincoln Street, came to the podium and said he fears public speaking but there comes a time when you have to speak. He said when this started he brought his daughter so she could see government in action, but this has turned into anything but that. Mr. McCartney stated he raised his kids that action speaks louder than words and showed them how that fits for everything. What they have witnessed since this started is a lack of action. He said that he couldn't believe last week when the woman from the state spoke to how she was harassed by Mr. Hall, not one of the Commissioners blinked. Mr. McCartney said maybe if she was sexually harassed they would have paid more attention but she was harassed and they are the same thing at the level she spoke of. He asked why nothing is happening and questioned if Mr. Hall is paying them because it looks they are being paid to do nothing. He stated that every one of them know that Mr. Hall is crooked because his actions show it and nothing is being done. Mr. McCartney stated he doesn't mince words, he says what needs to be said. He stated the whole town has proven the faith they have in Chief Ward. He said Mr. Hall and several Commissioners have zero professionalism and last week Mr. York laughed at almost everybody. Commissioner York replied that it is disrespectful to say people are doing things that they are not doing. Mr. McCartney yelled that they all witnessed it last week.
- Drew Cantrell, 1607 W. 6th, came to the podium and said you could tell where his house is because the curb has a big spot knocked out where they worked on the water line. He appreciates what tomorrow's Journal will have with the pictures of the Fire Department at the Early Learning Center. He stated they need to be out amongst the people and this is nonsense to keep them up there. They are ready to go, they know what they are doing and is one of the craziest things he has ever heard. Mr. Cantrell said that we have had some great people over the years and if we lose any of those over this nonsense we are going to end up where we are not going to be able to get insurance. He said the Commission needs to stand up and do what the citizens want and not what the City Manager tells them. He stated we have had this issue before and you can't hire tourists to manage this town. Mr. Cantrell said we have firemen and policemen invested in this community as opposed to tourists who have nothing here. He asked the Commission to show they care.
- Kenny Ward, 1323 Hibbard Street, came to the podium and said that he wasn't going to speak tonight because he doesn't think it will do any good but feels like if he doesn't, he will have done himself and his wife an injustice. He stated that he received a call Friday from the Kansas unemployment office with his unemployment hearing. It was asked why he was terminated and he replied that all he was given was that the City Manager was tired of dealing with him and he had to go. The unemployment people told him that the City said he was terminated because he didn't follow instruction and Mr. Ward said that was news to him. He stated he is going to have difficulty getting a job because he has to put on applications that his last employment was terminated. Mr. Ward said that he has made two requests to Mr. Hall to respectfully change it from termination to resignation, which he said that opportunity was given to him the next day by the Human Resources Department, not

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Mr. Hall directly. At the time he was still a little raw with his feelings on why he was terminated. Mr. Ward said that he has not received an answer which is not uncommon for Mr. Hall. He then asked Mr. Hall to please respect him long enough to look at him and asked him to at least answer his e-mail and say he is not going to do it instead of not responding at all. He asked the Commission if they could understand from an individual who gets a phone call for an interview for unemployment that \$8,000 is all he is going to be able to get at \$500 a week as where if Mr. Hall gets fired he gets \$75,000 in one lump sum yet he is going to deny him \$8,000 spread over 3 months. Mr. Ward addressed Commissioner York saying that he knows his son works for the Police Department and hopes he never has to go through what he is right now. He told Mayor Vannoster he hopes she or her children never have to go through this. He asked Mr. Hall if he can understand how frustrating it is when they've now got to call him back and ask why he was terminated because he didn't follow instructions and he has to tell them what it is when he couldn't even give him that. He then told Mr. Hall he has zero respect.

- Josh Mecom, 204 N Parkview, came to the podium and said that he has been at the Fire Department for 23 years and his father worked there for 20 years. He stood in silence for 15 seconds and then said he wanted to give people time to think about what's been said the last three weeks and he has a hole in his driveway.

REGULAR AGENDA ITEMS

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

I. OLD BUSINESS

J. NEW BUSINESS

1. Discussion and action to make appointments to the Coffeyville Public Library Board of Trustees.

MOTION: Move to appoint Susan Brown and Sarah Owen to the Public Library Board of Trustees for a term expiring April 30th, 2027.

ACTION: MOTION: YORK SECOND: MAPLES
ROLL CALL: ALL PRESENT AYE

2. Resolution R-23-22 a Resolution to authorize a Demolition Contract with Muller Construction for the demolition of 14 structures.
Building Official Matt Conger stated over the last year Code Enforcement moved forward to finish the process needed to remove 14 structures that are a danger or nuisance to the neighborhoods they stand in. This includes 6 that sustained fire damage, 7 dilapidated structures and 1 city owned building. Muller Construction came in with the low bid of \$102,325.00. Three of the fire houses have insurance which will save \$18, 950.00 bringing the total cost down to \$83, 375.00.

MOTION: Move to approve Resolutions R-23-22 as presented.

ACTION: MOTION: VANNOSTER SECOND: SWINDELL
ROLL CALL: ALL PRESENT AYE

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3. Ordinance G-23-01 an Ordinance amending certain provisions of Chapter 42, Article V, of the Code of Ordinances of the City of Coffeyville, KS relating to the Wastewater Utility. Director of Wastewater Shane George stated an ordinance evaluation was performed by the EPA and KDHE on May 23, 2019 providing required verbiage to the City of changes that needed to be made. The ordinance gives the City the authority to implement and enforce its pre-treatment programs such as issuing permits requiring the submittal of permit renewal applications prior to the expiration dates and the right to inspect, sample, enforce and collect penalties. These changes are mandated and required by the EPA.

MOTION: Move to approve Ordinance G-23-01 as presented.

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

4. City Manager's Report

City Manager Mark Hall said that departments continue to move forward and we are preparing for the kick-off of Sycamore Park. Equipment has been ordered and we have received generous donations, one of approximately \$9,000.00 and one of \$24,000.00 to add additional equipment to Sycamore Park. Sycamore Park is the first of the Sales Tax. Programs from the other Sales Tax portions for Housing and Downtown will be available as collected. There are several programs that will be available for the Housing and Downtown portion. Each park will be improved one by one for the next ten years. Collections started in December so we will soon be able to start taking applications and move forward. Mr. Hall thanked the departments for preparing for spring and we got a lot of work done over the winter. As far as the street situation, Mr. Hall stated that goes back 60 years, what you see now didn't occur overnight. We have started to make plans to address the street situation. There are 108 miles of street in the City of Coffeyville and it is an estimated cost of one million dollars per mile to take it down to the base for a total of 108 million. If you put both Sales Tax together that's 16 million every ten years so it would take 60 years to accomplish that task. They would start breaking down after 60 years so it would be a 70 year process to fix all the city streets. That process should have been started 60 years ago. Mr. Hall said that he can't explain why we have curbs 1 inch high or no curbs. There are potholes but these things did not happen overnight. All departments are evaluating the system of Coffeyville to put together a plan to address these issues. The change of drainage over the years has added to the problems and the drainage is actually going in the opposite direction it was intended. That is the situation we face and we have to start planning for our future. Mr. Hall said that we are addressing the levee system with federal and state government agencies to seek assistance with over 50 million dollars. This has been going on for a year and a half and it is to protect the City should we have a situation like in 2019 where we were only inches away from it over topping into Coffeyville again. There is a lot of planning going on for Coffeyville's future and he appreciates all departments who are moving Coffeyville forward.

5. Comments from Commissioners and Staff

Commissioner York noted that the Sales Tax receipts continue to go up. Commissioner Swindell announced there is a community breakfast this Saturday from 7:00 am to 10:30 am at Vanguard Christian Academy, New Vision Church for a suggested \$5 donation that all goes back to the school. Commissioner Maples said she hoped everyone had a good Easter. Mayor Vannoster congratulated the Salvation Army Community Volunteers for a very successful salad luncheon they had today. The money raised goes back into the community

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for backpacks for kids and what they do at Christmas time which is very much appreciated.

K. EXECUTIVE SESSION(s)

L. GENERAL STAFF, COMMITTEE & BOARD REPORTS AND MINUTES

1. Sales Tax Report – March 2023
2. Property Tax Distribution #2 – March 2023
3. Building Permit Report – March 2023
4. Hillcrest Golf Course Report – March 2023

M. ADJOURN

MOTION: Move to Adjourn

ACTION: MOTION: YORK SECOND: MAPLES
ROLL CALL: ALL PRESENT AYE

Time the meeting was adjourned: 7:19 pm

Date the minutes were approved:

4/25/23

Melissa Carter

Melissa Carter, City Clerk

