

COMMISSION MEETING MINUTES
TUESDAY, AUGUST 8TH, 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

City Staff in attendance:

CITY MANAGER MARK HALL
CITY CLERK MELISSA CARTER
DIRECTOR OF IT CHRIS FELIX
DIRECTOR OF PUBLIC WORKS JIM BRADSHAW
DIRECTOR OF WATER SERVICES STEVE SMITH
CFD CAPTAIN MIKE O'CONNOR
DIRECTOR OF ENGINEERING SERVICES THOMAS OSBORN
SUPERINTENDENT OF ELECTRIC DISTRIBUTION STEVE PRATT
SUPERINTENDENT OF ELECTRIC GENERATION TONY LAWSON

- A. **CALL TO ORDER** – Mayor Ann Marie Vannoster
- B. **ROLL CALL**
- C. **INVOCATION** – Pastor Mark Wilson, First Church of God
- D. **PLEDGE OF ALLEGIANCE TO THE AMERICAN FLAG**
- E. **REVIEW OF AGENDA**
- F. **CONSENT AGENDA**
 - 1. City Commission Meeting Minutes – Thursday, July 27th, 2023
 - 2. Authorization to enter an agreement and acceptance of the Southern Star Gas Pipeline Transportation Service Agreement under Rate Schedule FTS for a period commencing November 1st, 2023 through March 31st, 2024.
 - 3. Action to set Public Hearing to Exceed Revenue Neutral Rate for August 22nd, 2023 at 6:30 pm.
 - 4. Action to set Public Hearing for FY 2024 Budget Approval for August 22nd, 2023 at 6:30 pm.
 - 5. 2023 Appropriation Ordinance No. AO-23-15 \$1,190,733.80

MOTION: Move to approve items 1-5 of the consent agenda as presented.

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

**COMMISSION MEETING MINUTES
TUESDAY, AUGUST 8TH, 2023**

2

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.

Chris Freund, 127 W. 9th, came to the podium and requested the installation of 2 “Wrong Way” signs be installed at the intersection of 9th and Maple. He lives in the area and have witnessed several instances of people traveling the wrong way down 9th street. He thinks signs would help.

Loran Osborn, 613 W 6th, came to the podium on behalf of a group of concerned citizens about the awnings being removed because of a pest problem. He doesn’t think this is a long term solution to the pests. He said that studies have shown there are more prevalent manners to deter the gathering of birds. These include 6 inch grade spikes, structural barriers, chemical deterrents, sonic and visual deterrents. The group of concerned citizens would like to see of the city can hold off on removing the awnings until these methods have been tried. He stated it would retain the character of downtown and be less expensive than a structural removal. Mr. Osborn registered an objection to the vote on the item today.

Jim Falkner, 1014 W. 3rd, asked how citizens obtain a copy of the detailed budget. City Clerk Melissa Carter answered that he can submit an Open Records Request for that. He then suggested that the Friends of Animals website have the contacts for the Board Members. Mr. Falkner said he looked online to find the Agenda for the July 31st meeting and said it appeared too late for people to plan to go.

Crystal Uluer, 814 Trumbo, to discuss the entry points into Coffeyville. There are areas that are very overgrown. She asked whose responsibility it is from the area of the sidewalk to the street, it was answered that is owner’s property. She said that she doesn’t know why they are not maintaining it. Ms. Uluer said there is a pothole at the light in front of the old Walmart that needs fixed. She thanked the Commission for the parks and pathways and asked if bikes are allowed. It was answered that they are allowed.

David Johnson, 1319 W. 3rd, gave support for the trail project on the Agenda tonight. He thinks it will be a great addition.

Peggy Steele, 1119 W. 9th, came to the podium and gave her support for tearing down the awnings. She believes that it will help with the vermin problem but there is also the historical significance of the buildings and the awnings don’t fit architecturally. She stated that when college starts 9th street becomes a raceway and asked that the Commission consider a stop sign somewhere else on 9th Street between Hall and Patterson.

Loran Osborn, 613 W 6th, came back to the podium and suggested a “park crawl” like they have “pub crawls” to experience all of the new updates and characteristics of the different parks that Coffeyville and Independence have.

REGULAR AGENDA ITEMS

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

I. OLD BUSINESS

**COMMISSION MEETING MINUTES
TUESDAY, AUGUST 8TH, 2023**

3

J. NEW BUSINESS

1. Swear in Pam Jones to fill Commission vacancy for a term ending January 9th, 2024.
City Clerk Melissa Carter swore Pam Jones in as Commissioner to serve until January 9th, 2024.
2. Select Vice Mayor to serve until January 9th, 2024.

MOTION: Move to appoint Bob York to serve as Vice Mayor of the City of Coffeyville to January 9, 2024.

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

3. Resolution R-23-46 a Resolution establishing a Water Warning for the City of Coffeyville as provided by Section 4 of Ordinance G-98-05.
Director of Water Services Steve Smith stated on June 27, 2022, Governor Laura Kelly approved updated drought declarations for Kansas counties with Executive Order #22-06. Montgomery County KS is currently in a Severe to Exceptional Drought status. Effective September 27, 2022, the City of Coffeyville Commission by Resolution placed the City under a Water Watch due to ongoing drought conditions in the area. Since that time, the drought has continued with water supplies from Elk City Reservoir dwindling. On July 31, 2023 the Kansas Water Office issued a Stage 1 “Water Watch” for Elk City Lake citing the declaration of Water Watch is based on remaining Water Marketing storage in Elk City Lake. At the end of June, accounting of remaining storage in the Water Marketing pool was 77% but is estimated to have depleted below 75%. All indications are that Water Marketing storage is sufficient to provide the full contracted quantity of Water Purchase Contract No. 81-5. However, voluntary conservation measures are sensible during drought. A threshold of 75% Water Marketing storage serves as awareness that storage is somewhat depleted. Mr. Smith stated that the City has a Water Purchase Contract with Elk City to supply us with up to 300 million gallons of water per year in case of a drought. Staff is recommending that a Resolution Declaring a Water Warning be approved. Citizens will be asked to conserve more with the goal being to drop usage by approximately 20%. This is voluntary under the “Water Warning” City Manager Mark Hall stated that it has been decided to shorten the season of the Aquatic Center and close on August 20th. This will save over 500,00 gallons of water.

MOTION: Move to approve Resolutions R-23-46 as presented.

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

**COMMISSION MEETING MINUTES
TUESDAY, AUGUST 8TH, 2023**

4

4. Ordinance G-23-03 an Ordinance authorizing the declaration of a Water Watch, Warning or Emergency; establishing procedures and voluntary and mandatory conservation measures. Note – The Ordinance was mistakenly titled G-23-01 on the Agenda, it has been corrected to reflect the correct Ordinance number G-23-03.

Director of Water Services Steve Smith stated that Due to limited water resources available within the state, the Kansas Water Office (KWO) requires water suppliers within the state to update their Water Conservation Ordinance as needed. Coffeyville's current ordinance (G-98-05) was adopted on May 26, 1998. Staff has drafted changes to this ordinance and sought review and direction from the Kansas Water Office and the Kansas Department of Water Resources prior to bringing it before this commission. On May 26, 1998 the City of Coffeyville approved a Water Drought Emergency Ordinance (Ordinance No. G-98-05) in which recently the Kansas Water Office requested that the City update our Water Conservation Ordinance prior to beginning discussions on the City's Water Purchase Contract with the Kansas Water Office for releases from Elk City Lake during times of needs. The proposed Water Drought Emergency Ordinance outlines the different stages along with voluntary as well as mandatory conservation measures to be taken during a water shortage emergency. The proposed Water Drought Emergency Ordinance was sent to and reviewed by the State which gave their approval to proceed with seeking Commission approval of the ordinance.

MOTION: Move to approve Ordinance G-23-03 as presented.

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

5. Resolution R-23-47 a Resolution to adopt a Municipal Water Plan for the City of Coffeyville Water Utility.

Director of Water Services Steve Smith said the City of Coffeyville approved a revised Water Conservation Plan on August 22, 2006. Recently the Kansas Water Office requested that the City update our Water Conservation Plan prior to beginning discussions on the City's Water Purchase Contract with the Kansas Water Office for releases from Elk City Lake during times of needs. The proposed Water Conservation Plan is divided into two sections. The first section deals with long term water use efficiency. It delineates plans for public education (page 5) and plans for City management conservation practices (pages 5-6). The second section ties directly with the ordinance (pages 9-11). They delineate three stages of water shortage based on conditions of water supply and demand. Each stage is accompanied by a set of conditions which trigger the stage, goals to be achieved, and actions to be taken to achieve the goals. The three stages, listed from least stringent to most stringent, are Water Watch, Water Warning, and Water Emergency. The updates include changes to triggers and actions, updated status of actions taken by the City to date or to be implemented in the near future. The proposed Water Conservation Plan was sent to and reviewed by the State which after a few minor recommended changes gave their approval to proceed with adoption of the plan.

MOTION: Move to approve Resolutions R-23-47 as presented.

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

**COMMISSION MEETING MINUTES
TUESDAY, AUGUST 8TH, 2023**

5

6. Resolution R-23-48 a Resolution to authorize an agreement with Asplundh Tree Expert Company for line clearance tree trimming services for the City of Coffeyville Electric Utility.

Superintendent of Electric Distribution Steve Pratt said the Electric Distribution Department employs a contractor to perform tree trimming services on approximately 200 miles of distribution lines and 16 miles of transmission lines. A Request for Proposals was issued on June 2, 2023, for hourly rates for a three-man crew plus bucket truck, chipper and hand tools. Two responses were received. The RFP requested information concerning qualifications and experience, safety, training and a 3-year hourly rate as described above. The rates are as follows:

<u>Company</u>	<u>2023/2024</u>	<u>2024/2025</u>	<u>2025/2026</u>
Asplundh	\$166.74	\$171.95	\$178.48
Wright	\$174.27	\$178.68	\$183.22

Asplundh by far has the experience, equipment, manpower and additional resources available in southeast Kansas, less than 30 minutes away, should it be needed for storm restoration efforts or additional trimming.

MOTION: Move to approve Resolutions R-23-48 as presented.

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

7. Resolution R-23-49 a Resolution to approve purchase of a set of Genesis Rescue Tools from Genesis Rescue Systems for the Coffeyville Fire Department.

Coffeyville Fire Department Captain Mike O'Connor said the Coffeyville Fire Department provides Auto Extrication for the City of Coffeyville as well as the Southern Portion of Montgomery County. They average approximately 12 extrication incidents on average, per year. They currently have 2 sets that are both approaching 20 years in age, recently on an extrication the blade on the cutters was broken. They are currently using a loaned cutter and power unit for this particular set, which serves as their primary set of tools. Finding replacement parts are becoming near impossible due to the age of the tools. They are requesting to replace the current set of tools with a new battery-powered set. Battery tools have become the industry standard in the last 5 years. This is due to the weight, reliability and ease of movement with the tools. We are requesting approval to move forward with the set of Genesis tools. This is due to this particular set using the Milwaukee Battery, which is also the same battery that our PPV fans and new saws use. This would allow for interoperability of power sources. The latter was both purchased utilizing grant funding, we have tried to secure grant funds for new Extrication Tools for 4 years but have been unsuccessful. The Hurst and Holmatro tools use a proprietary battery, they are more expensive and harder to replace in the event we need a new battery.

MOTION: Move to approve Resolutions R-23-49 as presented.

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

**COMMISSION MEETING MINUTES
TUESDAY, AUGUST 8TH, 2023**

6

8. Resolution R-23-50 a Resolution to authorize the execution of an agreement with the Kansas Department of Commerce for a CDBG Trail Project.

Director of Engineering Services Thomas Osborn stated earlier this year we applied for a CDBG grant through Kansas Department of Commerce on a trail improvement system. On July 26th the Governor announced we were selected. The total grant is for one million dollars and it is a 50/50 grant with CDBG and the City. It will start north of 1st Street and continue to LeClere Park.

MOTION: Move to approve Resolutions R-23-50 as presented.

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

9. Resolution R-23-51 a Resolution to authorize the approval of the 2023 Kansas Department of Transportation CCLIP Pavement Restoration Project.

Director of Public Works Jim Bradshaw stated on February 25, 2020 the commission approved the submittal application and engineer estimate for the 2023 pavement restoration program through K.D.O.T. the city's project was accepted and design agreements were put in place, once design was submitted and approved K.D.O.T. set the bid opening date for July 19, 2023, K.D.O.T notified the city that 3 bids were received and reviewed, the city was notified of the low bidder for this project and we received our documents requiring the city to commit the funds required to move forward with this project. The pavement restoration project is for replacement of approximately 950' ft. of HWY. 169 beginning approximately 563 ft. South of the center line of 15th street where the concrete surface transitions to asphalt. US 169 (South Walnut) Dead line for acceptance of the agreement is August 11, 2023.

MOTION: Move to approve Resolutions R-23-51 as presented.

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

10. Resolution R-23-52 a Resolution to authorize the issuance of a Purchase Order for the Downtown Awning Removal Project.

City Manager Mark Hall said from research the awning on the South side was done in urban renewal. It has been a question of whose responsibility the awning is. Mr. Hall gave a presentation of the current awning conditions with missing tiles. He said we will always have a pigeon problem with a close food source but the North side of 9th street has less with no awnings. Safety and health concerns are factors in removing of the owners. Conversation ensued on the removal of the awnings, the impact on downtown businesses and the green spaces on 9th Street.

MOTION: Move to approve Resolutions R-23-52 as presented.

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

**COMMISSION MEETING MINUTES
TUESDAY, AUGUST 8TH, 2023**

7

11. Resolution R-23-53 a Resolution authorizing the calling of a Special Question Election in the City of Coffeyville for the purpose of submitting the question of imposing a one-half cent citywide Retailer's Sales Tax for the purpose of financing the costs of General Transportation Improvements throughout the City and providing for giving of notice of said election.

City Manager Mark Hall stated that the highway ½ cent sales tax expires December 31, 2023. The intention is to take this to the voters for them to decide. If renewed it will be for another 10 years. It is to address our highway and city streets. This is not a new tax.

MOTION: Move to approve Resolutions R-23-53 as presented.

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

12. Resolution R-23-54 a Resolution to authorize the establishment of a Sales Tax Information Budget to inform the citizens of Coffeyville of the expiring ½ cent Sales Tax on December 31st, 2023 and the intended repurposing of the expiring ½ cent Sales Tax.

City Manager Mark Hall stated that the funding from this would come from the Sales Tax and is for informational purposes only. It is not intended to recommend how the public votes.

MOTION: Move to approve Resolutions R-23-54 as presented.

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

13. City Manager's Report

City Manager Mark Hall expressed his appreciation for the crews that helped with the weather event over the weekend. He stated crews prepare in winter to maintain in spring and summer. Mr. Hall said Housing has been doing great things and there will be announcements coming. The City is offering help with limb pickup from the storm for Senior Citizens and disabled. The tree dump is also open extended hours this week.

14. Comments from Commissioners and Staff

Mayor Vannoster thanked Public Service and the Electric Department for their help with the storm on Saturday. She said it was great to see the Midland Theater sign on, it's been a long time coming. Vice Mayor York thanked the staff for all their work on the Budget Workshops. He said the 7th Annual Vaude in the Ville was a great event again this year with several local performers. Mayor Vannoster said Inter-State Fair and Rodeo and Carnival is next week. Vice Mayor York said CCC is starting soon.

K. EXECUTIVE SESSION(s)

L. GENERAL STAFF, COMMITTEE & BOARD REPORTS AND MINUTES

1. Sales Tax Report – July 2023
2. Hillcrest Golf Course Report – July 2023

COMMISSION MEETING MINUTES
TUESDAY, AUGUST 8TH, 2023

8

M. ADJOURN

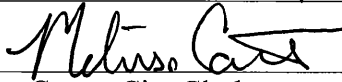
MOTION: Move to Adjourn

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

Time the meeting was adjourned: 8:37 pm

Date the minutes were approved:

8/22/2023



Melissa Carter, City Clerk

