

COMMISSION MEETING MINUTES
TUESDAY, AUGUST 22ND, 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 PAM JONES
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 WATER SERVICES STEVE SMITH
DIRECTOR OF ENGINEERING SERVICES THOMAS OSBORN
SUPERINTENDENT OF ELECTRIC GENERATION TONY LAWSON

- A. **CALL TO ORDER** – Mayor Ann Marie Vannoster
- B. **ROLL CALL**
- C. **INVOCATION** – Pastor Judy Mustain, Lifepoint Church
- D. **PLEDGE OF ALLEGIANCE TO THE AMERICAN FLAG**
- E. **REVIEW OF AGENDA**
- F. **CONSENT AGENDA**
 - 1. City Commission Meeting Minutes – Tuesday, August 8th, 2023
 - 2. Resolution R-23-55 a Resolution authorizing signatures on certain financial accounts of the City of Coffeyville, and facilitating management of the City's accounts with financial institutions.
 - 3. 2023 Appropriation Ordinance No. AO-23-16 \$1,934,797.97

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

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

- 4. 2023 Appropriation Ordinance No. AO-23-16A (Isham's, Liebert's) \$88.12

MOTION: Move to approve item 4 of the consent agenda as presented.

ACTION: MOTION: YORK SECOND: MAPLES
ROLL CALL: MAPLES – AYE, YORK –AYE, SWINDELL - AYE,
VANNOSTER – ABSTAIN, JONES - 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 stated that a week ago last Tuesday a train was blocking the tracks on South Walnut for 45 minutes. There was a police vehicle that turned around. He believes this is a recurring issue the City should resolve with the railroad. Rachel & Brad Yaple, 902 McBean Lane Dearing, KS, came to the podium and said that she is a city employee and rural electric customer. She said that she was here to speak about the overbilling of rural customers for her family and on behalf of her neighbors. Mrs. Yaple recited Ordinance 42-8 subsections A and H in regards to meters being read on the same day each month with a three day allowance being a minimum of 27 days, maximum of 33 days. They were billed for 41 days and neighbors were billed higher days as well. She asked why her billing cycle was moved from the middle of the month to the beginning of the month. She stated that last month her and her neighbors were all in the correct billing cycle, it wasn't until the meter swap on July 10th that they were overbilled. She asked if the City establishes the PCA charge or does GRDA. It was answered that GRDA does. She then asked why they determine the rates if we're not open to open market rates. It was answered because GRDA provides the power and also noted that the higher PCA is due to the ice storm as we owe GRDA 10 million dollars. Mrs. Yaple's next issue is with the meter accuracy and detailed the discrepancy of their readings against what was billed. She stated this was the third time she has brought up a billing issue with the City Manager and the first time she has brought it to the Commission. Mrs. Yaple then recapped her narrative. She said that calls to Customer Service go unanswered or if they are answered the customer is yelled at or hung up on. She is asking the Commission how they are going to fix it. The Commission said they would look into it.

Nick Davis, 4176 CR 2000, said he has been a citizen of Coffeyville since 2005. His concern is utilities and doesn't understand how new meters have given him an extra car payment. He wants someone to explain the math on his increased utility bill and went through the numbers. He feels like he has been drastically overcharged.

Ashley Ford came to the podium with an issue with her electric bill being \$733.83 and it's never been more than \$100 - \$150. She went over her previous readings and usage. She has left 3 messages with Customer Service and they have never returned her call.

Christine Rash, 610 Woodland Hills Drive, stated they swapped her meter and their bill has increased. She said this is the highest bill she has ever received. She and her husband are on a fixed income and can't budget for that high of a bill. She went over her previous bills and consumption history.

Kim Maxson, 3507 W. 7th, came to the podium to speak on behalf of her downtown business, The Yoke. She said the first place she heard about the awning removal was the Coffeyville Journal and second on Facebook. On the Facebook post it stated that the City would keep downtown business owners informed and she has yet to have one City employee contact her. Today the Water Department was in front of her business and told her they were marking water lines because they are tearing up all the spaces on Thursday and pouring concrete. No other business owners that she has talked to have received any communication from the City either. She said the awnings are an eye sore but doesn't think it will help with

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the pigeon problem as the side that doesn't have awnings still has the same issue. Mr. Hall said that he apologizes and will check into it.

Jo Falkner, 1014 W. 3rd, said that at the August 8th meeting Mr. Hall said the tile and awnings would not be removed until after October 31st and there is no fencing around it either. She asked what was happening with the removed tile. It was answered that they are being used to offset the cost of the awning removal. Mrs. Falkner continued her narrative on the downtown awnings and owners of buildings and the lack of communication. Her next question was regarding the 1.2 million dollars of unpaid property tax and what portion would be coming back to the City if collected. She asked if that money has already been spent. Commissioner York noted that they have a delinquent tax formula within the budget to accommodate for that. Mrs. Falkner then talked about the dilapidated houses in town and nothing being done about them.

Brad Yaple returned to the podium with a suggestion to fix the billing issue and stated that they need to know something before their bill is due this Friday.

Christine Rash returned to the podium to state that she also tried to call Customer Service and never got an answer.

REGULAR AGENDA ITEMS

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

1. Public Hearing to Exceed Revenue Neutral Rate.

City Manager Mark Hall explained what the Revenue Neutral Rate is. The Kansas Legislature passed SB 13 and the trailer bill, HB 2104, establishing a Revenue Neutral Rate for the purpose of increased transparency regarding the amount of property tax levied. If you look at the projected mill levy and the valuation and will be collecting more than the previous year then you are exceeding the Revenue Neutral Rate. So, even though we are exceeding the Revenue Neutral Rate, we are not raising the mill levy. Mr. Hall went through all the necessary steps the City went through to exceed the Revenue Neutral Rate. It was noted this is the fifth year we have held the mill levy.

Mayor Vannoster opened the Public Hearing.

Jim Falkner came to the podium and summarized what the City Manager said.

Andy Taylor, editor of the Montgomery County Chronicle, came to the podium and said there is only one entity in Montgomery County that has taken a Revenue Neutral stance since the law went into effect and that is Cherryvale. By doing this he states that they have dropped their tax levy 21 mills which is a 26% decrease. They took the approach of saying they care about their tax payers, still give raises, tear down houses etc. and still keep taxes down. His understanding from the County Appraiser is that this is the third or fourth year that there has been a 10% - 15% increase in valuations for various reasons.

Mayor Vannoster closed the Public Hearing.

2. Resolution R-23-56 a Resolution of the City of Coffeyville, Kansas, to levy a property tax rate exceeding the Revenue Neutral Rate.

MOTION: Move to approve Resolutions R-23-56 as presented.

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

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3. Public Hearing for the FY 2024 Budget Approval.

City Manager Mark Hall this is what the City intends to do with the budget for 2024. The total for the FY 2024 Budget is \$104,725,547 which includes electric utility. Utilizing property taxes of \$2,973,313. It will be 53.129 mills.

Mayor Vannoster opened the Public Hearing.

Jim Falkner brought up several items and asked several specific line item questions, they were all answered.

Mayor Vannoster closed the Public Hearing.

4. Resolution R-23-57 a Resolution to approve and to authorize the certification of the FY 2024 City of Coffeyville municipal budget with total expenditures of \$104,725,547 and authorizing \$2,973,313 to be the amount of ad valorem tax to be levied with an estimated mill levy of mills.

MOTION: Move to approve Resolutions R-23-57 as presented.

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

I. OLD BUSINESS

1. Second Reading of Ordinance G-23-03 an Ordinance authorizing the declaration of a Water Watch, Warning or Emergency; establishing procedures and voluntary and mandatory conservation measures.

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

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

J. NEW BUSINESS

1. Resolution R-23-58 a Resolution to establish the Director of Public Safety Services/Chief of Police Position.

City Manager Mark Hall stated this position was established many years ago. Currently as we are in pursuit of a Fire Chief, the Police Chief has been stepping in and providing help. Mr. Hall commended the Fire Department, between the three Captains they have over 62 years of experience. He stated the Fire Chief will come from outside of the community as, based on what has been done previously, financially it would not be wise for an internal applicant to take the position. This proposed position would provide oversight and guidance. Jim Falkner came to the podium and said that he was just at a meeting at the Fire Department and Chief Bromley came in. He did research on this matter and contacted the State Fire Marshall's office and the State Association of Fire Chiefs. Mr. Falkner went through what their recommendations were and what his discussion with Chief Bromley consisted of.

MOTION: Move to approve Resolutions R-23-58 as presented.

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

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2. Ordinance S-23-02 an Ordinance to allow alcohol to be served at the Perkins Building (A/K/A Old Condon Bank) during the Visit Coffeyville Haunted History Tour Event. City Clerk Melissa Carter stated Visit Coffeyville has requested to serve alcohol to eligible guests at its October 19th Haunted History Tour Event at the Perkins Building. The City Code prohibits the consumption of alcohol on public property, subject to some exceptions. One exception is allowed for city-owned property, which has been exempted by the Commission, by Ordinance. This Ordinance would exempt the Perkins Building from the restriction on consumption of alcohol only for the event on October 19th, 2023 during the specific hours shown in the Ordinance of 7:00 pm – 11:00 pm. Amy Dollar with Visit Coffeyville came to the podium and said she asked for the longer time, the haunted walk does not take that long but factored in time for set up and take down. She said 20 is the amount of participants they expect.

MOTION: Move to approve Ordinance S-23-02 as presented.

ACTION: MOTION: VANNOSTER SECOND: JONES
ROLL CALL: MAPLES – AYE, YORK – AYE, SWINDELL - NAY,
VANNOSTER – AYE, JONES - AYE

3. Resolution R-23-59 a Resolution to authorize a purchase order for Property and Equipment Insurance Coverage on the Electric Utility buildings and contents, substations, and for boiler and machinery insurance coverage on the Power Plant. Director of Electric Generation Tony Lawson stated the purpose of this is to Authorize issuance of a purchase order for property insurance coverage on the electric utility system, inclusive of buildings and contents, substations, equipment, and for boiler and machinery insurance coverage on the power plant. This is the 3rd year of that 3-year cycle, previously selecting Chubb Group of Insurance Companies and Coffeyville Insurance Associates as carrier and agent for this coverage. Staff is recommending continuing coverage supplied by Coffeyville Insurance Associates and Chubb Group of Insurance Companies as proposed. Chubb Insurance Group has worked well with the City on previous claims filed, including providing inspections and preventive maintenance services for the utility, which have proven to be beneficial. The Chubb premium quote is an increase of 12.6% from the previous year, while the market is seeing up to 20 % increases on average or higher.

MOTION: Move to approve Resolutions R-23-59 as presented.

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

4. Ordinance G-23-04 an Ordinance amending Chapter 2, Article III, Division I, Section 2-50 of the Code of Ordinances of the City of Coffeyville, Kansas and replacing any conflicting Ordinances or parts thereof. City Manager Mark Hall stated that this is residency requirement change. All entities are looking for staff and it is a tough decision to go outside the city limits. Response time was considered as our highest need is the Police Department. This would allow residency 45 miles outside the city limits in Kansas, this does not include Oklahoma. This will increase from roughly 33,000 in population to 78,000. Brad Yapple came to the podium to ask if Oklahoma was not included due to KPERS. Mr. Hall stated no, KPERS is based on where you work not live. Justin Martin, 2211 W. 3rd, came to the podium and said we are passing

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up a good metropolitan area in Bartlesville and South Coffeyville shares our name. At some point we have to consider that we're giving up half our search area. He was opposed to it when it came up before but we're short nine cops and we need people so it is time to consider people to the South.

MOTION: Move to approve Ordinance G-23-04 as presented.

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

5. Discussion and action to approve a Cereal Malt Beverage License for Patriot BBQ. City Clerk Melissa Carter said that Patriot BBQ at 304 E. 8th has requested a Cereal Malt Beverage license. They submitted their Application, Affidavit and the KBI background check and inspection from the Coffeyville Fire Department are complete.

MOTION: Move to approve a Cereal Malt Beverage License for Patriot BBQ.

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

6. Discussion and action to approve a Cereal Malt Beverage License for Pete's pending inspection from the Coffeyville Fire Department. City Clerk Melissa said that Pete's at 104 W. 11th has requested a Cereal Malt Beverage license. They submitted their Application, Affidavit and the KBI background check is complete. Inspection from the Coffeyville Fire Department is pending as they are a new business and will not be ready for inspection until the first part of September.

MOTION: Move to approve a Cereal Malt Beverage License for Pete's pending inspection from the Coffeyville Fire Department.

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

7. City Manager's Report

City Manager Mark Hall thanked Commissioner Swindell for encouraging him to explain the Revenue Neutral Rate. He thanked staff for their work on budget. Presentations from Housing will be coming soon as well as a project with CVR. He asked citizens to continue conserve water but stay hydrated in the heat.

8. Comments from Commissioners and Staff

Commissioner Swindell thanked Mr. Hall for explaining the Revenue Neutral Rate. He had read it thoroughly and explained it to many people since the Agenda came out. Mayor Vannoster spoke about the budget and how there is a tendency to look at just one line but what the dollars are going for needs to be looked at. Commissioner Jones said that she has been back here almost 25 years and this is her hometown. She said it is a wonderful place to live and people are very helpful, she is proud of this town and what we're doing. Commissioner York said there are a lot of trucks running on Sunflower and it is being requested that some potholes get filled. Mayor Vannoster said the Inter-State Fair and Rodeo had a good week last week. She reminded everyone school has started to watch the school

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K. EXECUTIVE SESSION(s)

L. GENERAL STAFF, COMMITTEE & BOARD REPORTS AND MINUTES

1. Building Permit Report – July 2023

M. ADJOURN

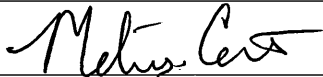
MOTION: Move to Adjourn

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

Time the meeting was adjourned: 8:56 pm

Date the minutes were approved:

9/12/23



Melissa Carter, City Clerk

