

COMMISSION MEETING MINUTES
TUESDAY, DECEMBER 26TH, 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

Absent:

COMMISSIONER ROBERT YORK

City Staff in attendance:

INTERIM CITY MANAGER TIM WILSON
INTERIM CITY CLERK/DIRECTOR OF HUMAN RESOURCES ALLISON PRYOR
CITY ATTORNEY PAUL KRITZ
DIRECTOR OF IT CHRIS FELIX
DIRECTOR OF PUBLIC WORKS THOMAS OSBORN
DIRECTOR OF WATER SERVICES STEVE SMITH
DIRECTOR OF WASTEWATER SERVICES SHANE GEORGE
SUPERINTENDENT OF ELECTRIC DISTRIBUTION STEVE PRATT

- A. CALL TO ORDER** – Mayor Ann Marie Vannoster
- B. ROLL CALL**
- C. INVOCATION** – Jason Swindell
- D. PLEDGE OF ALLEGIANCE TO THE AMERICAN FLAG**
- E. REVIEW OF AGENDA**

MOTION: Move to Amend the Agenda to add item 7 under New Business – KERIT 2024 Renewal and an Executive Session.

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

F. CONSENT AGENDA

- 1. City Commission Meeting Minutes – Tuesday, December 12th, 2023
- 2. City Commission Special Meeting Minutes – Tuesday, December 19, 2023
- 3. 2023 Appropriation Ordinance No. AO-23-24 \$6,569,542.24

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

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

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4. 2023 Appropriation Ordinance No. AO-23-24A

\$36.58

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

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

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.

Alec Hendryx, 406 N Edgewood, came to the podium to speak on the Caney Water Project. Mayor Vannoster informed him that he can speak on the item when it is brought to the floor. Ron Bryce, 2997 W. Northbrook, came to the podium and stated he serves as the Legislator in the Kansas House for the City of Coffeyville and surrounding area. He thanked the City staff that have worked hard this year. He thanked the Commissioners who have gone through a lot this year. Mr. Bryce thanked Tim Wilson for stepping up as interim city manager during this transitional time. Mr. Bryce will be going up for session in the Kansas House a week from Monday, if there is anything the City needs he encouraged them to reach out to him.

REGULAR AGENDA ITEMS

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

1. Public Hearing for the FY2023 Budget Amendments

Stephanie Richardson stated this is the time of the year we determine if there are needed budget amendments to stay in compliance with state laws. Mrs. Richardson went through the funds that needed amendments including many of the Sales Tax funds – the general fund, CRMC sales tax, CID sales tax and USD #445 sales tax funds. These were amended as we have had an increase in sales tax revenue. The Hillcrest Golf Course fund needed adjustments due to salary and capital project costs. The trash utility fund needs adjusted due to the contract pricing from the trash contractor annual increases and nuisance expenditures. The Electric Utility fund has seen increased costs and are needing an additional amount in their budget. Notice of the Public Hearing was published in the Coffeyville Journal on December 16th meeting the 10 day required period.

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

I. OLD BUSINESS

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J. NEW BUSINESS

1. Resolution R-23-94 to Authorize the certification of the 2023 budget amendment for the General, Hillcrest Golf Course, USD #445 Sales Tax, CRMC Sales Tax, CID Sales Tax, Refuse/Trash Utility, Electric Utility and Electric Utility Debt Service Funds of the City of Coffeyville for total expenditures of \$94,318,844.

MOTION: Move to approve Resolution R-23-94 as presented.

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

2. Resolution R-23-95 to Authorize the issuance of a Purchase Order to B&L Construction in the amount of \$224,750 for the relocation of a primary distribution line on South Buckeye and relocation of two poles near Verdigris River on Sunflower for the City of Coffeyville Electric Utility.

Superintendent of Electric Distribution Steve Pratt came to the podium and said this is a South Buckeye line relocation project. Two poles on North Sunflower will be moved at a cost of \$224,700.00. Montgomery County has received federal grant money to make shoulder/Right-of-Way improvements to South Buckeye in Coffeyville. This will require the City of Coffeyville to relocate the line one to three feet West of the current location. There are two poles near the Verdigris River bridge on Sunflower Street that need to be moved. The river has washed the bank away 30 to 40 feet on the south side. Heavy rains could adversely affect the poles. The weight of the poles exceeds the weight capacity of the City's machinery so it is not possible for the work to be done by the City Electric department. Initially, staff attempted to acquire private easements from adjacent landowners, however, received either limited or no response from property owners. This has put staff in a position to move the project forward within the existing ROW and engage a contractor to complete the project in the short time frame. Cross Discipline reviewed the project some time ago and estimated the cost for engineering alone would be over \$350,000. Staff met with B&L last October to get some ideas and support on moving the line so they are already familiar with the project. The City has used B&L primarily for all substation construction, maintenance support, and distribution support. Staff would recommend the City proceed in such a manner to assure the line is moved prior to the start of the County road work project. It is Staff's experience that due to the long-standing relationship between the City and B&L Construction working with the City and Utility, often responding in emergent situations, that the City not seek bids through an RFP process and move forward with B&L Construction. There is adequate budget in the 810 fund to support this effort. Staff has already acquired the necessary poles, hardware, and plans to secure the necessary conductor for the project. B&L would simply provide labor, equipment, and design expertise. Had the County provided some earlier information regarding this project, the City may have been able to perform this work internally, including budget properly in capital projects. While B&L is here for the South Buckeye project, staff feels it prudent to have them drill new holes and move the two poles near the river to stable ground. It was noted that the County wants this completed by May. Mr. Pratt stated his biggest concern for future projects is that the County give them enough time and communicate with the City. Discussion continued on the project specifics, notice that was given and cost. Interim City Manager Tim Wilson said he intends to meet with County Commissioners about this. A motion was made by Mayor Vannoster to approve the Resolution. It was not seconded therefore the Resolution dies.

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3. Resolution R-23-96 to Authorize the Mayor and City Clerk to enter into an Agreement with the City of Caney for the purpose of supplying the City of Caney with potable water.

Director of Water Services Steve Smith came to the podium and said the purpose of this is to enter into a Water Purchase Contract with the City of Caney with the purpose of supplying Caney's current and future water needs. Currently, Caney's estimated water need is a maximum of 250,000 gallons of water per day. The City of Caney has had an ongoing water situation in which they have had trouble meeting and staying in compliance with required potable water standards. Currently, the City of Caney has also been experiencing a severe water shortage in which they draw water from the Little Caney River which has been deemed by the Kansas Water Office as a non-reliable water source. City of Coffeyville Staff along with representatives have been negotiating an agreement between the City of Coffeyville and the City of Caney for the purpose of Coffeyville being Caney's main water source. Commissioner Jones asked if we get our water first. It was answered that we would have to supply Caney what was in the contract. If there was a water shortage, they would be cut by the same amount as everyone else. Mr. Smith explained the rates that are set by Ordinance. He noted that they are looking at doing a rate study. Interim City Manager Tim Wilson said that there was an analysis done showing that there was significant excess water capacity that what we committed to Caney still leaves us with water. Mr. Smith said our annual water rights sets at 1.5 billion year and our contract with Elk City Lake is 500 million for a total of 2 billion gallons. Caney's requested water amount per year equates to 91,325,000 gallons of water.

Alec Hendryx, 406 N Edgewood, came to the podium and said he looked at the contract in the Agenda Packet and stated that the first page had an estimated number of xxxx water users in Caney and the one he got tonight says 1,000 water users. The one in the Agenda Packet says it is a five year contract and the one here says 20 year. Mr. Smith explained that it was a 20 year and that was done for funding purposes for the grant. Mr. Hendryx said the Coffeyville water system is meant for residents as the first priority and now we're looking at supplying another city. He has a problem with is that we have commercial rates and supply others. Mr. Hendryx would prefer that we take on management of the whole system – the treatment plant, pipes and infrastructure to get to that point that it would be charged at a slightly higher rate than our rates. Also on the minimum buy, he understands that in normal times that the City of Caney doesn't need to buy anything. Kelley Zellner, City Manager of Caney, came to the podium and said that the State is shutting them down as they failed their TTHMS and the plant is old and not making it any longer. They are under a letter of conditions from KDHE and one of the things they will remand is the plant is shut down. The plant is not compatible with their water source and is not able to actually produce potable water. Discussion continued on the management of water. Jim Falkner, 1014 W 3rd came to the podium to voice his concerns with the contract where it talks about raising rates and asked that be taken out of the contract. Discussion continued. Mayor Vannoster made a motion to table Resolution R-23-96.

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4. Resolution R-23-97 to Authorize the purchase of a 2024 F150, 4x4 Supercrew XL Truck for \$47,925 for the Water Services Department from Quality Motors.

Director of Water Services Steve Smith said this is to purchase a 2024 F150, 4X4, V8, Super-Crew XL. He sent out 3 requests for price quotes for a ½ ton 4x4 pick up with only 2 returning the price quote. Romans said they cannot provide a price quote due to the constant price changes. They also stated it would be above \$65,000.00. This truck will replace a 2008 Chevrolet ½ ton 4x4 (1246) which will replace the Meter Service truck (1079) which will then go to the Public Service Dept.

MOTION: Move to approve Resolution R-23-97 as presented.

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

5. Resolution R-23-98 to approve Multiple project grant applications to the HB2302 Grant Programs through the Kansas Water Office.

Director of Public Works Thomas Osborn said that this year the Senate House Bill 2302 created new grant funding for the Kansas Water Office and created two different grants. One for technical assistance and one for select construction projects. Applications are due this Friday, December 28th and there are zero match cost required and there is not a limit on the number of grants we can apply for. They are applying for several grants for various projects including: Water Treatment Facilities Plant, Reservoir Main Line Replacement, Pump House Improvements, Brown Street Sewer, Wastewater Treatment Plant Lagoon Liner and the Water Side of the AMI project.

MOTION: Move to approve Resolution R-23-98 as presented.

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

6. Resolution R-23-99 to approve a Work Authorization Contract with Allgeier, Martin & Associates, Inc. for the Brown Street sewer line replacement.

Director of Public Works Thomas Osborn stated this is a much needed project as the Brown Street sewer line is in large disrepair. There has been stormwater intrusion and a couple of sink holes in the road. It needs replaced to be brought up to standard for the residents and our MS4 permit for Stormwater.

MOTION: Move to approve Resolution R-23-99 as presented.

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

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7. Resolution R-23-100 to authorize the issuance of a purchase order to Kansas Eastern Region Insurance Trust (KERIT) for workers compensation insurance coverage for the City of Coffeyville to be effective January 1, 2024 through December 31, 2024.

Director of Human Resources Allison Pryor stated that we joined KERIT over 10 years ago and they are our Worker's Compensation Provider. There are currently 17 members who each have a representative on the KERIT Board of Trustees. KERIT offers risk assessment training and services, including loss control and damage control. Premium discounts are also offered through KERIT PLUS which benchmarks improvements of each member organization. The KERIT PLUS program advocates timely reporting of claims, post offer physical assessments, wellness programs, physical assessments of public safety personnel, facility inspections, safety committees, accident investigations, and safety training/orientation programs. In 2022, KERIT PLUS instituted mandatory defensive driver training for all employees every other year. Those who completed training in 2022 online will take an in person half-day defensive driving course in 2024. Additionally, for 2023, KERIT PLUS has instituted a requirement for public safety personnel to have access to mental health care. The City addressed mental health for public safety personnel by adding an Employee Assistance Program to our benefit package, which includes free access to mental health care for all employees and their households. Since 2014, we have had the opportunity to receive dividends, this year our dividend was \$8,262.00. This year, our staff earned a 4.5% discount following our annual review. Staff recently received the renewal quote for workers compensation coverage from KERIT. The quoted premium of \$218,570 which is \$48,735 higher than 2023. Factors affecting the increase are as follows: the City's experience modification factor increased from a .99 in 2021 to 1.10 for 2022, and 1.14 for 2023, and a newly calculated 1.38 for 2024. The experience modification factor is calculated on frequency, severity and costs over the previous three years. Continued increases to overall City payroll. Medical inflation calculated at 6-10% annually, so even non-life threatening claims carry a higher dollar value. Large claims incurred by the pool equal across the board increases to continue to fund the insurance trust. Discussion ensued on the increase for 2024.

MOTION: Move to approve Resolution R-23-100 as presented.

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

8. City Manager's Report

Interim City Manager Tim Wilson said he met with staff today and it went well. Today is his first day and he has learned a lot.

9. Comments from Commissioners and Staff

Commissioner Swindell thanked Mr. Wilson for stepping on and said it was good to see Paul again. Commissioner Jones said this is her last meeting and it has been a pleasure to come back and serve.

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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 to reconvene in the Commission Room at 8:28 p.m.

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

L. GENERAL STAFF, COMMITTEE & BOARD REPORTS AND MINUTES

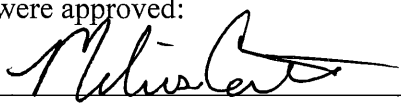
M. ADJOURN

MOTION: Move to Adjourn

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

Time the meeting was adjourned: 8:28 pm

Date the minutes were approved:



Allison Pryor, Interim City Clerk

