

COMMISSION MEETING MINUTES

TUESDAY, JUNE 9th, 2020

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 Bauer

Present:

COMMISSIONER PAUL BAUER
COMMISSIONER ANN MARIE VANNOSTER
COMMISSIONER ROBERT YORK
COMMISSIONER TRACY MAXSON
COMMISSIONER JUSTIN DOANE

City Staff in attendance:

CITY MANAGER MARK HALL
CITY CLERK MELISSA CARTER
CITY ATTORNEY PAUL KRITZ
IT DIRECTOR CHRIS FELIX
DIRECTOR OF FINANCE STEPHANIE RICHARDSON
SUPERINTENDANT OF ENGINEERING THOMAS OSBORN
ELECTRIC UTILITY DIRECTOR MIKE SHOOK

- A. **CALL TO ORDER** – Mayor Paul Bauer
- B. **ROLL CALL** - All Present
- C. **INVOCATION** – Pastor Melvin Simpson
- D. **PLEDGE OF ALLEGIANCE TO THE AMERICAN FLAG**
- E. **REVIEW OF AGENDA**
- F. **CONSENT AGENDA**
 - 1. City Commission Meeting Minutes – Tuesday, May 26th, 2020
 - 2. City Funding Request Policy
 - 3. 2020 Appropriation Ordinance No. AO-20-11 – \$5,168,153.74

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

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

G. COMMENTS

- 1. Comments from Public

The public is free to comment on items not listed on the agenda. Please address comments to the Commission as a body, and be mindful of others who may also wish to speak by limiting comments to 3 minutes.

Pastor Melvin Simpson spoke about the students that did the march last week, his granddaughter was one of them. They had come to him and he told them to go speak to Chief Kwin Bromley. He advised them on what to do and told them they would not interfere with them. Pastor Simpson said he is so thankful for the Chief of Police in Coffeyville for advising them on what to do. He thanked the Fire Department for giving them water. Pastor

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Simpson is on the Concerned Citizen Advisory Board and he salutes Chief Bromley for stepping up and doing a fine job. Pastor Simpson then thanked everyone for the prayers for him and his wife when they had the Coronavirus. He thanked the citizens of Coffeyville for bringing them food and giving them 2 parades by their house. He thanked God for our beautiful community and how they can pull together.

REGULAR AGENDA ITEMS

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

I. OLD BUSINESS

J. NEW BUSINESS

1. Resolution R-20-37 a Resolution to Authorize the Mayor and City Clerk be to execute an Addendum to Inducement Agreement by and between the City of Coffeyville, Montgomery County, and Prosperiti Builders, L.L.C

City Manager Mark Hall stated that this was an extension of the agreement already passed. The extension to August 1st is requested because of the delays and issues presented due to the COVID-19 Pandemic.

MOTION: Move to approve Resolution R-20-37 as presented.

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

2. City Managers Report

City Manager Mark Hall announced that we had some guests here to address the 11th Street project. Superintendent of Engineering Thomas Osborne introduced Darrin Petrowsky who is a KDOT Area Engineer and Jason Hoskinson who is a consultant with B & G Consultants. Mr. Hoskinson stated that four years ago they were hired by the City to design the project and retained to do the construction inspection. He stated that it is getting there, there has been a lot of weather but it is starting to look closer to a finished product. Mayor Bauer asked if they had 5 days of construction left after today. Mr. Hoskinson stated that was correct and that if it was not open to traffic after that the contractor would be penalized \$1200 a day. Darrin Petrowsky stated that there are 148 days charged out and it is 151 day project. 2 days are states delay leaving 5 days remaining. He has received e-mails from the contractor requesting 4 more working days - he has not started his review on those requests. Once he has reviewed, it will go to the district construction engineer to review and approve. Mr. Petrowsky stated that there are also clean-up days that are part of the contract. The contractor can work on any of the bid items remaining on clean-up days as long as traffic is unrestricted. If the project is not opened up to unrestricted traffic that is when KDOT will start charging liquidated damages. Commissioner York asked how those funds were distributed since this was a 90/10 project. Mr. Petrowsky answered that the liquidated damages are prorated for the extra inspection required and done on the same 90/10 percentages per the contract. The construction company has contested some of the working days charged. KDOT has its appeals process and they have been denied at the Area Level, then it goes to the District Level, and if not agreed upon it goes to Topeka Level for appeal. Mayor Bauer asked that when this was bid wasn't it originally 121 days and then extended

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by 30 days. Mr. Petrowsky stated that it was originally 105 days but then working days were added based off various changes. Mayor Bauer said it has been 376 days since that road has been roped off. Mr. Petrowsky replied that it is a working day job – KDOT’s specifications lay out what constitutes a working day. He did a thorough review a couple months ago on working days charged and he only found about a half dozen that he disagreed on and necessary changes were made on those. Commissioner York asked how many labor hours constitute a working day. Mr. Petrowsky replied that if they can’t work half of their normal day, a working day is not charged and it based on if they can work on the controlling item at that time. There is a work schedule that dictates what the controlling item is. Mayor Bauer asked what the likelihood of this project being completed in the remaining days is. Mr. Petrowsky stated that depends on what forces the contractor puts into it. He did speak with the contractor this evening and his goal is to have it open to unrestricted traffic by 4th of July week-end. Commissioner York asked how many of the jobs that Mr. Petrowsky is overseeing have been affected by the weather like this one has. He stated pretty much all of them have been affected somewhat by the weather. Mayor Bauer asked about the 160/169 junction stating that it started about the same time as ours did and it looks like they are close to wrapping that up. Mr. Petrowsky said that there was at least 2 more months left on that. Mayor Bauer purveyed his disappointment for the citizens and Commission on how long this project is taking and the businesses that have been affected. Vice Mayor Doane expressed his appreciation for Mr. Petrowsky and KDOT. Commissioner York asked when the project would be completed. Mr. Petrowsky stated that he would not answer for the contractor. Commissioner York then asked at what point we bid this out for someone else to complete. Mr. Petrowsky stated that is not allowed. If it would go into default then it would go against their binding company and it would be up to them to finish the project.

Mark Hall asked Stephanie Richardson to come speak about the CDBG-CV Grant in which she and Chuck Shively spent a great deal of time on. Director of Finance Stephanie Richardson officially announced that the City of Coffeyville was awarded total \$167,000 in grant funds. \$117,000 for economic development projects, \$35,000 for the meal program, and the remaining \$15,000 for the administrative contract to the Regional Planning Commission. There is a question and answer session on Thursday morning to go through the ins and outs of the program and its rules. They will be putting out press releases. Once they know the ins and outs of the program the City will be able to put their application process together and is working with MAC in getting all the paperwork put together. For those interested in the funds keep an eye on our Website, Channel 13, and Social Media. Mayor Bauer thanked Stephanie, Chuck, and the team for putting this all together. It was noted that Montgomery County got \$132,000 in these grant funds as well.

City Manager Mark Hall then gave an update on the paving of Lee Street. In trying to figure out why it was not originally paved as usually streets are developed and then houses they found that Lee Street was platted in 1923 and the first home was built in 1948. The City has an obligation to have the street. It would need to be a cul-de-sac and the estimation for paving would be \$250,000 to \$300,000. That is not currently in the budget but they are looking at alternatives. If a Special Assessment is done there would be a monthly bill for 15 years of \$160.80 a month per each lot. Mr. Hall does not think that is feasible. The other alternative is to try to do a milling street – it will be compacted. There would be a quantity needed and in the future when there is a milling overlay project, the millings would be retained. They are also looking at projects in other cities where milling can be purchased.

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Mr. Hall then thanked Staff for all that they are doing and City Hall is open. He stated that things like Summer Celebration are coming back.

3. Comments from Commissioners and Staff

Commissioner York commented on the different initiatives that have come out of Coffeyville due to the COVID-19 situation. CACF started Coffeyville Together which is a way for people to purchase gift cards from local businesses with CACF matching those funds to go back into the community. About \$36,000 has been raised through that. The Chamber started the Bounce Back Program in which every \$50 you spend locally you get a \$10 gift certificate. Visit Coffeyville has started a cash mob in which a business or restaurant is picked and shoppers are asked to go cash mob them. The community has been great in supporting these programs.

Vice Mayor Doane asked Thomas Osborne to check out 301 South Overlook as 302 South Overlook and the house to the North and South does not have a ditch on the West side of the street so when it rains water goes back up driveways of the area houses. Vice Mayor Doane then mentioned the young ladies that organized the peaceful protest and that he had invited them to come to the meeting tonight as it took a lot of courage and leadership in the way that they managed it. He is proud of what they did. They could not be at the meeting but read their names: Alairia Blue, Trinity Morris, Triana Morris, Jakiia Logan, Jalisea Seanior, Nene Colbert, Jurnee Johnson and Shonase Collins.

K. EXECUTIVE SESSION(s)

L. GENERAL STAFF, COMMITTEE & BOARD REPORTS AND MINUTES

1. May 2020 Sales Tax Report

M. ADJOURN

MOTION: Move to Adjourn

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

Time the meeting was adjourned: 7:20 pm

Date the minutes were approved:

6/23/2020

Melissa Carter

Melissa Carter, City Clerk

