

**COMMISSION MEETING MINUTES**

**TUESDAY, JUNE 23<sup>rd</sup>, 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 Commissioner Vannoster

Present:

COMMISSIONER ANN MARIE VANNOSTER  
COMMISSIONER ROBERT YORK  
COMMISSIONER TRACY MAXSON  
COMMISSIONER JUSTIN DOANE – attended by Conference Call

Absent:

COMMISSIONER PAUL BAUER

City Staff in attendance:

CITY MANAGER MARK HALL  
CITY ATTORNEY PAUL KRITZ  
CITY CLERK MELISSA CARTER  
DIRECTOR OF FINANCE STEPHANIE RICHARDSON  
DIRECTOR OF PUBLIC SERVICE CHUCK SHIVELY  
DEPUTY DIRECTOR OF PUBLIC SERVICE JIM BRADSHAW  
ELECTRIC UTILITY DIRECTOR MIKE SHOOK  
HUMAN RESOURCES DIRECTOR ALLISON PRYOR  
IT DIRECTOR CHRIS FELIX  
SUPERINTENDANT OF ENGINEERING THOMAS OSBORN

- A. **CALL TO ORDER** – Commissioner Vannoster
- B. **ROLL CALL** – Commissioner Vannoster
- C. **INVOCATION** – Kevin O’Connor, Pastor Agape Fellowship Church
- D. **PLEDGE OF ALLEGIANCE TO THE AMERICAN FLAG**
- E. **REVIEW OF AGENDA**
- F. **CONSENT AGENDA**
  - 1. City Commission Meeting Minutes – Tuesday, June 9<sup>th</sup>, 2020
  - 2. 2020 Appropriation Ordinance No. AO-20-12 - \$ 3,345,517.72

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

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

- 3. 2020 Appropriation Ordinance No. AO-20-12A - \$125.59

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

ACTION: MOTION: YORK SECOND: MAXSON  
ROLL CALL: MAXSON, YORK , DOANE – AYE; VANNOSTER - ABSTAIN

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**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.

Kim Maxson, 3507 W 7<sup>th</sup>, asked if there was a way to get the downtown on the schedule for the street sweeper. She stated that the downtown area is picking up again and the street sweeper never comes downtown. She knows that there are cars down there which makes it hard to get in the parking spots but if businesses owners knew when they were coming they would move vehicles. She stated that there is always trash on death alley and business owners try to pick it up but can't be done on a daily basis. Mrs. Maxson asked that the street sweeper come downtown once a week.

**REGULAR AGENDA ITEMS**

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

**I. OLD BUSINESS**

**J. NEW BUSINESS**

1. Ordinance S-20-03 an Ordinance to allow alcohol to be served on 9<sup>th</sup> Street during the Coffeyville Chamber of Commerce 'Hops Around Town – Beer Festival' event on October 10, 2020.

City Attorney Paul Kritz stated this is similar to what was done last year. The Chamber is requesting approval for alcohol to be served on 9<sup>th</sup> street for the Brew Festival from 12:00 pm to 9:00 pm on October 10, 2020. Commissioner York stated that it was very well attended last year and that there were no issues. This is the first reading of the ordinance.

MOTION: Move to approve Ordinance S-20-03 as presented.

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

2. Resolution R-20-38 a Resolution to Approve an agreement with the FAA for the CARES Act Grant.

Superintendent of Engineering Thomas Osborn stated the FAA is part of the CARES Act that was passed by the federal government in response to the COVID-19 situation. They gave the option to request a grant for up to \$30,000 to be put towards the airport. There is no City fund match requirement. This is the agreement to accept those moneys and they would have four years to use it.

MOTION: Move to approve Resolution R-20-38 as presented.

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

3. Resolution R-20-39 a Resolution to Award a construction contract for the 2020 Intersection & Drainage Improvements Project.

Superintendent of Engineering Thomas Osborn stated that every year they put together a

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packet of Intersections to try and improve the drainage throughout Coffeyville to get water flowing where it needs to be. Six Intersections have been selected this year – 1<sup>st</sup> and Ohio, 1<sup>st</sup> and Parkview, 1<sup>st</sup> and Roosevelt, 10<sup>th</sup> and Camden, 3<sup>rd</sup> and Grant, Kansas & Pacific. This Construction contract would be awarded to R.I.C. Construction for \$412,015.51.

Commissioner Vannoster asked about the time frame for this project. Mr. Osborn stated that, pending approval tonight, there is a preconstruction meeting scheduled for 10:00 am this Thursday and they would probably go ahead and start with 1<sup>st</sup> and Parkview and 1<sup>st</sup> and Ohio Thursday morning. They are hoping to get done before school starts. Commissioner York asked what fund this comes out of and it was answered the Sales Tax Transportation fund.

MOTION: Move to approve Resolution R-20-39 as presented.

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

4. Resolution R-20-40 a Resolution to Award construction engineering work authorization for the 2020 Intersection & Drainage Improvements Project.

Superintendent Thomas Osborn stated this is for the Intersection and Drainage Improvements for the same Intersections. Allgeier Martin and Associates is who did the design on this project. Typically we like to have the same engineer who did the design do the construction engineering to keep it running smooth.

MOTION: Move to approve Resolution R-20-40 as presented.

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

5. Resolution R-20-41 a Resolution to Approve the Cooperation agreement for rehabilitation of a non-federal flood control work.

Superintendent Thomas Osborn stated that last May there was a close call with the Levee, we had some sand boils and a clay cap floating in a ditch. In order to battle those sand boils and stop that cap from floating they had to damn a culvert that crosses the ditch and back flooded water 5 to 6 feet deep as far back as they could get. That stopped movement of material through the Levee and pushed the cap back down. Mr. Osborn stated this would build a flood structure so that could be done much easier and clean-up would be easier. This would also add 12 to 18 inches to help stem the flow if it would get close. This also pays to re-compact the top of the levee with the potential of more gravel to get the surface back to the way it was before. This is not a Levee raising project, it is just going back to the condition it was before. In this agreement 20% would come from the City which would be \$130,932. Vice Mayor Doane questioned if the gentleman they needed to speak to concerning the levee would cause any problems in the future for this. Mr. Osborn stated that it should not and said he thought he was talking about the Verdigris River Drainage District Board and that does not have anything to do with this.

MOTION: Move to approve Resolution R-20-41 as presented.

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

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6. Resolution R-20-42 a Resolution authorizing execution of the annual Request to Exchange Federal Funds under the Federal-Aid Fund Exchange Master Agreement.

Director of Public Works Chuck Shively stated that each year KDOT voluntarily distributes a portion of their federal fund allotment to eligible cities based on their population. Since the program uses federal funds, all projects have to meet all federal requirements, which adds significantly to the cost of the projects and the length of time to complete them. In addition the use of federal funds is restricted to projects that are eligible so only specific projects are eligible. Mr. Shively stated through this federal funds exchange program, KDOT will exchange those federal funds for state funds which don't have the federal restrictions at an exchange rate determined by KDOT which this year is ninety cents on the dollar. The City can then spend those state funds on almost any transportation project they choose. The amount of federal funds allotted to Coffeyville this year is \$215,134.39 to be used by a federally approved project to be completed by next September. If exchanged for the state funds the amount would be \$193,620.95 to be used to reimburse the city for whatever street project we choose. Commissioner Vannoster asked about accepting the federal funds and the time frame for a project for that in which Mr. Shively stated that it could not be done and completed by this September. She confirmed that we do the exchange for the \$193,620.95 to be put back into our Transportation Fund. Mr. Shively stated that he would use the 10<sup>th</sup> Street project to request the funds.

MOTION: Move to approve Resolution R-20-42 as presented.

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

7. Resolution R-20-43 a Resolution to authorize execution of Grant Agreement No. 20-CV-013 with the State of Kansas, Department of Commerce.

Finance Director Stephanie Richardson stated the purpose of this agenda item is to enter in to an agreement with the Kansas Department of Commerce for the CDBG-CV Grant funds that the city was awarded for helping with economic development for local businesses and the meals program during the pandemic. On May 22<sup>nd</sup> the Commission held a Public Hearing and approved the application documents. On June 4<sup>th</sup> we were notified that we were awarded \$167,000. We have received the grant agreement that needs to be signed within 30 days from the award date which was June 2<sup>nd</sup>. The contract period began on June 15<sup>th</sup>, 2020 and all funds must be expended within 1 year of the contract start date. Staff has been working with Montgomery County Action Council, the City of Independence, and Montgomery County on the grant application portal which can be found on [actioncouncil.com](http://actioncouncil.com) beginning tomorrow and application will be taken through July 19<sup>th</sup>. Once applications are received they will be reviewed by MCAC to make sure they are complete. They will be sent to the regional planning commission to make sure everything adheres to the grant requirements. They will then go to the Commission for the final approval and awards to those businesses. Mrs. Richardson stated at this time we are focused on getting the economic development piece of it done but will be bringing back a process for the meal program. Mrs. Richardson went over some details on qualifying for the grant including the requirements on duplication of funds so if a business has received some other loans or PPP funds they will need to specify what those were used for as these funds can't be used for the same purpose. An ad is being put in the newspapers and we will be putting it on Facebook and Channel 13 and through the Chamber. Disbursements of the funds will be at the direction of the Commission.

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MOTION: Move to approve Resolution R-20-43 as presented.

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

8. Resolution R-20-44 a Resolution Authorizing the Mayor to execute an amendment to the City's 2019-2020 Section 125 Flexible Benefit Plan to allow balances to be expended through September 30<sup>th</sup>, 2020.

Resolution R-20-45 a Resolution Authorizing the Mayor to execute an amendment to the City's Section 125 Flexible Benefit Plan increasing annual carryover from \$500 to \$550.

Resolution R-20-46 a Resolution Authorizing the Mayor to execute an amendment to the City's Meritain Health Insurance document to allow coverage to Telehealth visits.

Human Resource Director Allison Pryor stated that these 3 items affect the employee health benefits and flexible spending accounts. Due to the changes in the healthcare industry brought about by COVID-19 the federal government has opened options that employers can offer to employees. The first would allow employees who have \$50 or more remaining in their last year's flexible spending account to use those by September 30<sup>th</sup>, 2020. The second would increase carry over from the current year flexible spending account funds from \$500 to \$550. Finally a change to Meritain Health Insurance plan allowing coverage to Telehealth visits with a primary provider to be covered at the same rate as a regular office visit. This change is becoming an industry standard in light of COVID-19.

MOTION: Move to approve Resolution R-20-44, R-20-45, R-20-46 as presented.

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

9. City Manager's Report

City Manager Mark Hall apologized for being late. He stated that departments are moving forward and things have opened. So far things are going as planned with the pool. We are constantly checking with the Montgomery County Health Department and the State. We are keeping an eye on the uptick of cases but so far everything is going as planned. Things we did not think would be possible are now possible and we are excited about that. Summer Celebration is coming back on. Staff has been meeting with organizers. Mr. Hall appreciates what staff is doing through this odd year and we keep moving forward.

10. Comments from Commissioners and Staff

Vice Mayor Doane thanked the 3 Commissioners in attendance for stepping up in this odd setting for the meeting. He thanked the staff at the City as with today's climate and a lot going on and everybody is doing the best with what they got.

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**K. EXECUTIVE SESSION(s)**

1. Executive Session pursuant to KSA 75-4319 (b) (2) consultation with an attorney for the public body or agency which would be deemed privileged in the attorney-client relationship.

MOTION: Move to recess to executive session pursuant to KSA 75-4319 (b) (2) to discuss certain contract issues pursuant to the attorney-client relationship exception, to include the City Attorney, City Manager, Director of Electric Utilities, Deputy Director of Public Works, and Finance Director, and to reconvene in the commission room at 7:50 pm. It was extended to 8:10 pm

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

**L. GENERAL STAFF, COMMITTEE & BOARD REPORTS AND MINUTES**

1. Public Library Board Meeting Minutes May 2020
2. Coffeyville Recreation Commission Update June 2020
3. Water Capacity Survey 2020
4. County Tax Distribution Comparisons 2020

**M. ADJOURN**

MOTION: Move to Adjourn

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

Time the meeting was adjourned: 8:12 pm

Date the minutes were approved: \_\_\_\_\_

7/14/2020



Melissa Carter, City Clerk

