

**COMMISSION MEETING MINUTE
TUESDAY, SEPTEMBER 8TH, 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
DIRECTOR OF PUBLIC WORKS CHUCK SHIVELY
DEPUTY DIRECTOR OF PUBLIC WORKS JIM BRADSHAW
SUPERINTENDENT OF ENGINEERING THOMAS OSBORN
DIRECTOR OF ELECTRIC UTILITY MIKE SHOOK
CHIEF OF POLICE KWIN BROMLEY

- A. **CALL TO ORDER** – Mayor Paul Bauer
- B. **ROLL CALL**
- C. **INVOCATION** – Pastor Rick Shaffer
- D. **PLEDGE OF ALLEGIANCE TO THE AMERICAN FLAG**
- E. **REVIEW OF AGENDA**
- F. **CONSENT AGENDA**
 - 1. City Commission Meeting Minutes – Tuesday, August 25th, 2020
 - 2. Second Reading of Ordinance S-20-05 authorizing the execution of a loan agreement through KDHE for the purpose of obtaining a loan from the Kansas Water Pollution Control Revolving Fund for the purpose of financing a public wastewater treatment project.
 - 3. 2020 Appropriation Ordinance No. AO-20-17 – \$839,572.66

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

ACTION: MOTION: VANNOSTER SECOND: BAUER
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.

REGULAR AGENDA ITEMS

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

I. OLD BUSINESS

J. NEW BUSINESS

1. Resolution R-20-61 a Resolution to Authorize the purchase of 5 X26P Tasers and associated equipment.

Chief of Police Kwin Bromley stated that in an effort to reduce injury to suspects and officers during arrest, the police department purchased 3 X26 Tasers in June of 2012. These Tasers have exceeded their life expectancy and are obsolete. In 2015 replacement Tasers were purchased which began to fail in 2018. It was recommended that all X26 Tasers be replaced and phased over the next few years. In 2019 the PD made an emergency purchase of X26P Tasers replacing the non- operational ones and implemented a 3 year replacement plan beginning with this year. They are requesting 5 X26P Tasers along with the associated equipment be purchased which has been budgeted for this year.

MOTION: Move to approve Resolution R-20-61 as presented.

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

2. Public Hearing concerning Vacation of certain streets and alleys located around CVR's potential expansion.

Superintendent of Engineering Thomas Osborn stated that CVR submitted a petition to vacate certain streets and alleys for the CVR expansion and listed those locations. He noted this was brought before the Planning and Zoning Meeting last Tuesday in which they moved to forward these items to the City Commission for final approval. Mr. Osborn introduced Sterling Vance from CVR to present their plan before they open the public hearing. Sterling Vance stated he is the Project Manager for CVR for this project. He gave his presentation which included what the new layout of the building would be, project objectives, property ownership map, site overview and plan, City improvements, Alleyway improvements, security requirements, street vacations/closures, traffic & truck route, and a modified proposed parking and pedestrian improvements. It was then opened up to Public Comment. Those whom spoke from the Public:

Eddie Cospers – 501 East 6th. He objects to this proposal as the property zoned is residential, it is that way for a reason, and it should stay that way. Mr. Cospers stated his concerns for a warehouse in his backyard, lowering of property values, the fences being put up and the truck route that would be surrounding Harmon Park.

Jason Homer – 514 East 5th. He is concerned about the truck routes and fencing. Mr. Homer has been worried about the air that they have been breathing for years and the backyards that are being affected by this. Mr. Homer later returned to the podium with a few further comments

William Kendall – 1521 Willow Street. He gave excerpts of various things Commissioners have stated over the years in regards to progress, housing needs, declining population, opportunities in Coffeyville, and the infrastructure that has fallen into disrepair. Mr. Kendall expressed his concerns for the lack of positive changes, population decline, and lack of jobs. He feels that if this passes it will hurt the residents of Coffeyville. Mr. Kendall mentioned the

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displacement of people at the apartments on East 2nd and 3rd streets and the lack of low income housing in Coffeyville. He questioned the Commission's integrity, morals, and values stating that if this is passed, he asks that they all resign including the City Manager. He asked that they not pass this rezoning and road closures to let CVR take over the East side of Coffeyville and displace residence with no place to go.

Toletha Dean – 2702 Midland Ave. She came to speak on behalf of the residents and children. Ms. Dean expressed many concerns about the refinery including: health issues, displacing families and communities, tax exemptions, fines and settlements they have been given due to not following EPA. She feels like the refinery is bullying and destroying Coffeyville and it is the people that are suffering.

Phillip Crawford - 613 West 5th. He feels that CVR is privatizing Coffeyville. Mr. Crawford feels like they are only taking and not giving. He does not feel like they will fix anything that they will destroy it. He is concerned about the amount of pollution and road damage that the trucks will cause and is strongly against this. Mr. Crawford later returned to the podium with a few further comments.

Mario Shobe – 704 West 3rd. He is against this for several reasons including: that it is directly related to the apartment complexes where families have been displaced, the zoning and fencing will take property values down, and the safety of Harmon Park with the proposed truck routes. Mr. Shobe asked that the Commission make the best decision against this. He asked that Commissioner Maxson abstain from the vote as he works at CVR. Mr. Maxson replied he would be abstaining.

Zanvelte Tate – 702 East 4th. He is strongly opposed to this rezoning issue as they are being pushed out. Mr. Tate is concerned about the lowering of the property value and feels that the people need to matter. He asked that the Commissioners making the decision step into their shoes and consider what they are going through.

William Jenkins – 304 East John. He represents Enterprise Lodge # 70 and Sardis First Baptist Church and they oppose this rezoning because they know that property values will go down. Mr. Jenkins stated this is nothing new and the way things are going the refinery will soon have all that property over there at a cheap price. He feels like those residents should have been talked to before this happened.

Pastor Gary Wilson – 604 East 4th. He is concerned because the fence will be in his backyard and it is already difficult as all he can see is the refinery. The property that his church owns will be devalued and CVR states they do not have the money to buy it. Pastor Wilson wishes they could come up with a better plan that would benefit people. He asks that Commissioners consider the little guy in this decision and understand the plight of them shoving them out.

Linda Follett – 2091 ½ South Walnut. Her concern is the displacement of the people in the apartments. This will displace 88 families in 6 to 12 months. Ms. Follett stated that if someone is under 62 years old, there will be very few units open to them in Coffeyville.

Pastor Armogen Walker – 404 East 2nd. His concern is that people are being displaced during a pandemic. He feels the proposition of this building has affected families and there are other things to be worried about at this time. Pastor Walker is also concerned about the truck traffic. He is against this proposition and then gave a prayer.

Carlos Walker – 1646 CR 5500. Mr. Walker stated all lives matter and is concerned about those that are displaced from the apartments. He is concerned about the safety measures of CVR. Mr. Walker asks the Commission to vote no. He said if CVR wants to expand, they should buy it all and give a fair price.

Evarette Green – 3612 W 4th. She said that she lived in those apartments and still has friends and family that live there and is speaking on their behalf. Ms. Green is worried that they will have no decent place in Coffeyville to go. She is concerned about taking away the streets and

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the safety with the trucks.

Griffin Walker – 603 East 5th. He is concerned about the safety and the elderly population of Coffeyville. The East side made him a stand-alone person. Mr. Walker stated that this would displace the elderly population. He feels that CVR has not given enough to the community. Mr. Walker feels that if growth in Coffeyville is taking place then negotiations with the people need to be had. He asks to vote no on this.

Chelsea Martin – 508 Westwood Drive. She is here as an advocate for her students and promised a group of young boys she was talking to that she would be here as they were worried about having to relocate. Mrs. Martin said they are scared because they don't know where they are going to go. She would like the community to come together for a conclusion that would work for everyone.

Marcus Kastler – 502 Overlook. He is speaking out against this. Mr. Kastler stated that the residents have invested a variety of things in this community and doesn't feel like CVR has invested much in the community. He suggested that they buy buildings that are already here. Mr. Kastler is against the fencing by Harmon Park. He feels we should take a stand against this and we don't need it in our town. We need to be Coffeyville strong.

Hortense Mason – 1012 W 5th. She is opposed to this. Ms. Mason has property over there and feels like CVR has enough money to put the facility somewhere else. She feels the residents deserve better. Ms. Mason was told she could not build on her property because it was a flood plain but now CVR is building on it. She is concerned about cutting off main streets in the neighborhood. Ms. Mason states that they are tearing up the neighborhood and our housing situation is sad.

Commissioner Vannoster stated that she has to look at the big picture, do what she believes is best for the residents of the community and there needs to be a balance. CVR expansion would seem to be good for adding to the tax base and hopefully providing more jobs. Mrs. Vannoster stated that they are one of areas largest employers and they want to remain supportive of that. She then said that we also have our fellow citizens to consider whom have lived in their homes for several generations. In regards to the apartments, Commissioner Vannoster noted that the City has no control over that sale but we do have concerns about where those residents will be able to go to continue their lives in our community. She stated that overall she is generally in favor of this application but there are many details that need to be worked out before it is approved. Issues that need to be addressed with infrastructure for the following departments: Municipal Light and Power, Public Works, Fire, Police and Storm Water. Most importantly, Commissioner Vannoster stated the concern of our citizens and their safety. Commissioner Vannoster respectfully moved to deny the application and encouraged CVR to meet with City Staff to address these items before bringing it back to the Commission.

Mayor Bauer seconded the motion.

Vice Mayor Doane then asked who in the room was with CVR and what their take away was. Dean Kendrick replied that all proposed building would be done on CVR owned property, the request to rezone is what is allowing them to build on it, and they are trying to enhance the separation between residential and industrial developments. He states they have met all zoning codes in regard to this. Mr. Kendrick noted that in regards to the flooding concerns there is an epa for water quality and all filtration sediment and that CVR has gone to great expense to install this to help with water quality. As far as the Stormwater run-off it is connected by a levy and containing that water is not going to make it worse.

Vice Mayor Doane then asked Sterling Vance that he had seen from the Planning and Zoning meeting that he stated that he was meeting with the stakeholders and did he consider the people in the room the stakeholders. Mr. Vance stated that the community, yes, but that they

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do not own the property. Vice Mayor Doane stated that the people this is affecting need to be spoken to and respected. He said there is criteria that needs to be addressed, there is disconnect on the timeline, and a there needs to be a solution that works for everybody. Discussion on various matters continued in the audience concerning CVR's budget, what they are doing for the community, housing and transportation issues, and the selling of the apartments. Mayor Bauer noted there is an agenda item tonight to develop a housing committee for Coffeyville and he encouraged the citizens to get involved and come to Commission Meetings. Commissioner York added that he does not want CVR to think they are not important, they are important to this community. He would like to see them expand but have it done the right way. Discussion continued over the selling of the apartments and section 8 vouchers. Vice Mayor Doane noted that another public form may be needed to address housing.

MOTION: Move to deny vacations of certain streets and alleys located around CVR's potential expansion.

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

3. Resolution R-20-62 a Resolution to Approve Supplemental request from KDOT for third party engineering services on the 11th and Willow Geometric Improvement Project. Superintendent of Engineering Thomas Osborn stated this is a three party agreement with KDOT and BG Consultants as part of the 11th and Willow project which took longer than originally planned. This is for the addition of 46 working days which was part of phase three in helping affected businesses to keep operating as efficiently as possible. Mayor Bauer asked if it was \$6,000 on the City portion of this. Mr. Osborn stated that he believed so, this is still an 80/20 project and it would come out of street funds. Commissioner Vannoster stated her concern that when heading South on Willow when you come to 11th and make a right turn it is hard to see as the bushes in front of the establishment have grown out. Mr. Osborn said that Code Enforcement would check those out. Vice Mayor Doane asked about the fines for going over on days for this project to which Mr. Osborn stated it was still all in KDOT's process. Commissioner Maxson asked about the amount approving and if a ceiling of 20% of what was given to them be set. Mr. Osborn replied with it being a three party agreement he does not know how that would work and contractually they are due this.

MOTION: Move to approve Resolution R-20-62 as presented.

ACTION: MOTION: YORK SECOND: VANNOSTER
ROLL CALL: DOANE – AYE, VANNOSTER – AYE, BAUER – AYE, YORK – AYE, MAXSON - NO

4. Resolution R-20-63 a Resolution to Approve Change Order #1 for the 2020 Intersection and Drainage Improvements project. Superintendent of Engineering Thomas Osborn stated this would be change order number #1 with Ric Shafer Construction for additional quantities and changes of boundaries for the Parkview and 1st & Ohio intersections. Issues come up due due to going through a winter cycle, drainage problems, and an overlay curb and gutter pop off.

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MOTION: Move to approve Resolution R-20-63 as presented.

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

5. Resolution R-20-64 a Resolution Establishing the Housing/Community Development Department and Housing/Community Development Director position for the City of Coffeyville.

City Manager Mark Hall stated the intention is to create a housing department that will address the housing needs of Coffeyville in all income levels and dimensions of housing. This will try to be a one stop shop and at some point discuss with developers to invest in Coffeyville. Mr. Hall stated that low income structures are attractive to investors with programs through HUD and tax credit programs. This is to start the process, get a director, start discussions with USDA for a mutual self-help program. Mr. Hall stated that Coffeyville does see the need as we haven't had any new housing units built since 2010. A budget will be brought before the Commission as well as any programs that are wanting to be utilized.

MOTION: Move to approve Resolution R-20-64 as presented.

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

6. Authorization to award CDBG-CV Economic Development Grants to qualifying local businesses.

Director of Finance Stephanie Richardson stated she is bringing the list of businesses that qualified for the CDBG-CV grant funding program. We applied for the grant funding in May of 2020 and found out in June we were awarded \$117,000. Mrs. Richardson stated we took applications through Montgomery County Action Council which were then sent to the Southeast Kansas Regional Planning Commission for their review to make sure that applicants were eligible. Businesses were required to submit low to moderate income certifications on each of the employees they were going to retain, provide a current duns number, documentation to substantiate eligible expenses, and verification there were no duplication of funds. Based on the City's original application, we based the award amount on the number of employees that they were able to retain. The total grant award was divided by the low to moderate income employee numbers of each of the eligible applications which equates to an award of \$2,907 per employee. Mrs. Richardson noted that they still need to turn in the supporting documentation which will then go to the State through two more reviews. The State will send the checks to the City and the City will disperse those to the businesses. Businesses that recommended for grant award approval:

ABC Coffeyville's Christian Preschool - \$20,349; Alderman Acres - \$11,628; Bandits and Bling \$2907; Blue Boots \$5,814; El Charro - \$14,535; Hong Kong Delight \$11,628; Lannings - \$17,442; Mario's Barber Shop - \$2,907; Simply Southern Boutique - \$5,814; Southeast Kansas Healthcare - \$2,907; Sunflower Soda Fountain - \$6,534; Hog Heaven - \$8,721; Donut Palace - \$5,814.

MOTION: Move to approve the grant awards as recommended.

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

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7. City Manager's Report

City Manager Mark Hall thanked the Commissioners for the meeting tonight and thanked staff for all their work. He noted that we are going in to the fall season and are going to be busy getting preventative maintenance done. Mr. Hall said there will be some reorganization in the next couple weeks. He said that we are moving forward and customer service is our primary goal.

8. Comments from Commissioners and Staff

Commissioner Vannoster stated that it was a very good meeting tonight and it was good to see the attendance. Commissioner York noted there are weed lots popping up again with all the rain. Mr. Hall stated that there were 200 weed lot notices today. Commissioner York noted it is a tremendous amount of money that we spend on mowing and is there any better solutions out there. Mr. Hall noted that is a constant battle. Commissioner York noted that a few years ago we raised the fees but apparently that is not enough of a deterrent yet. Vice Mayor Doane stated that he appreciated everyone being here tonight and it was a good meeting. He then asked Jim Bradshaw about the bulk item pick up as after his last one there was glass in front of his driveway and down the street. Mr. Doane was curious on how it got there and where the street sweeper goes. Mr. Bradshaw replied that this time of year with other responsibilities the street sweeper is out about 3 days a week. He noted we do have that problem periodically with the bulk item pick-up truck drops debris and if that happens call the City Clerk so they can notify the trash company to go clean it up as they are responsible for that.

K. EXECUTIVE SESSION(s)

L. GENERAL STAFF, COMMITTEE & BOARD REPORTS AND MINUTES

1. Building Permit Report – July 2020
2. Building Permit Report – August 2020
3. Sales Tax Report – August 2020
4. Coffeyville Police Department Crime Statistics – August 2020

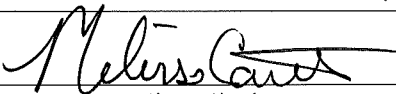
M. ADJOURN

MOTION: Move to Adjourn

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

Time the meeting was adjourned: 9:08 pm

Date the minutes were approved: 9/22/2020



Melissa Carter, City Clerk

