

**COMMISSION MEETING MINUTES  
TUESDAY, MAY 25<sup>TH</sup>, 2021 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 PAUL BAUER  
COMMISSIONER JUSTIN DOANE  
COMMISSIONER ANN MARIE VANNOSTER  
COMMISSIONER ROBERT YORK

Absent:

COMMISSIONER TRACY MAXSON

City Staff in attendance:

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

- A. **CALL TO ORDER** – Mayor Ann Marie Vannoster
- B. **ROLL CALL** – Commissioner Tracy Maxson Absent
- C. **INVOCATION** – Pastor Randy DePriest, First Assembly of God
- D. **PLEDGE OF ALLEGIANCE TO THE AMERICAN FLAG**
- E. **REVIEW OF AGENDA**
- F. **CONSENT AGENDA**
  - 1. City Commission Meeting Minutes – Tuesday, May 11<sup>th</sup>, 2021
  - 2. 2021 Appropriation Ordinance No. AO-21-10 – \$4,120,599.81

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

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

- 3. 2021 Appropriation Ordinance No. AO-21-10A (Isham Hardware) \$81.29

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

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

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

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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.

**REGULAR AGENDA ITEMS**

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

1. Proclamation to declare Friday, May 28, 2021 as Poppy Day in Coffeyville.

Mayor Ann Marie Vannoster read the Proclamation to declare Friday, May 28<sup>th</sup> as Poppy Day in Coffeyville.

**I. OLD BUSINESS**

**J. NEW BUSINESS**

1. Discussion and action to make an appointment to the Planning Commission.

Applicant Pam Jones came to the podium and stated why she would like to be on the Planning Commission.

MOTION: Move to appoint Pam Jones to the Planning Commission for a term expiring January 1, 2024.

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

2. Resolution R-21-26 a Resolution to adopt the Region H Kansas Multi-Hazard, Multi-Jurisdictional Hazard Mitigation Plan.

Director of Finance Stephanie Richardson stated that this is to renew the Region H Kansas Multi-Hazard, Multi-Jurisdictional Hazard Mitigation Plan. This plan assists in identifying applicable hazards, vulnerabilities, and hazard mitigation strategies. This plan will serve to direct available community and regional resources towards creating policies and actions that provide long-term benefits to the community. Rick Whitson with the Montgomery County Emergency Management office came to the podium and stated there is no down side to adopting this plan. However, if you don't the city is not eligible for any FEMA funds at any level. Mr. Whitson explained that this should have been adopted 2 years ago and the process all started in May 2019 but then the floods came which detracted them. With everything then going on with COVID they just realized that this plan had not been finalized. He stated that it would not have been disastrous as he had submitted our intention to adopt it.

MOTION: Move to approve Resolution R-21-26 as presented.

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

3. Resolution R-21-27 a Resolution to approve a lease amendment to accommodate additional park amenities at Sherwin Williams Park.

City Attorney Paul Kritz stated that the Sherwin Williams Park Lease was executed in 2004 and is a 30 year lease. The lease was amended to add the skate park area in 2011. This second amendment is intended to accommodate additional park amenities. CRC Director David Rains came to the podium and stated they are looking at three amenities to add. The

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first is the grant that has been secured through the Blue Cross Blue Shield of Kansas and the Kansas Recreation and Parks which is an outdoor fitness area where circuit training can be done. The second would be two turf based urban soccer fields. The third is a fully functional destination playground that will have climbing apparatus, cable rides, and amenities designed for those with developmental disabilities. Mr. Rains noted that Sherwin Williams has been awesome and they can't thank them enough. The timeline of different aspects of the project was discussed and they are hopeful it will be completed next fall.

MOTION: Move to approve Resolution R-21-27 as presented.

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

4. Resolution R-21-28 and Resolution R-21-29 Resolutions to approve the purchase of Fuel Farm and Hangars from Coffeyville Aircraft along with additional tools and equipment to keep the airport in operation.

Director of Engineering Services Thomas Osborn stated that we entered in negotiations with Coffeyville Aircraft and have agreed on \$60,000 for the fuel farm and the south hangar. Part of this contract also includes the trucks for fueling. In addition to that there are certain things that are needed to maintain operations and amenities at the airport. These include a tug, tow bars, and an alternate power source.

MOTION: Move to approve Resolution R-21-28 and Resolution R-21-29 as presented.

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

5. Ordinance G-21-03 an Ordinance adopting an Electric Rate Schedule for Electric Vehicle Charging Stations.

Director of Electric Utility Mike Shook stated the City of Coffeyville, working with Utility Financial Solutions, has previously updated our electric cost of service, changing rate designs to keep current with the ever-changing electric industry, including an effort to maintain a rate structure that is at cost of service, while providing the most economical and reliable electric utility possible to our customers and residents. Mr. Shook stated that in an effort to remain current with the industry and the advancement of technology and electric vehicle popularity, the City of Coffeyville foresees the time where retail installations for electric vehicle (EV) charging stations will be requested of the City, and the Electric Utility Mr. Shook noted that GRDA and the City have both previously made minor changes to rules, policies and ordinances to allow for retail EV charging. The next step in that process would be to create an electric rate for retail EV charging stations. Again, working with Utility Financial Solutions, a rate has been developed for EV charging, taking into account the contribution to the system peak, time of EV charging peak, EV charging load factor, and distribution cost to support EV charging stations on our system. Mr. Shook noted that the attached rate in the agenda packet, designed by UFS, accounts for these cost components plus margin, while providing an economical rate to allow for private retail installations for electric vehicle charging. Mr. Shook stated that Staff is recommending the Electric Vehicle rate as designed and submitted, allowing for EV Charging Station installations within our service territory, effective June 8, 2021, upon approval of 2<sup>nd</sup> reading

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MOTION: Move to approve Ordinance G-21-03 as presented.

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

6. Ordinance G-21-04 an Ordinance to amend Chapter 42 of the City of Coffeyville Code of Ordinances by adding a new article for the purpose of establishing wireless and wireline infrastructure and pole attachment standards.

City Attorney Paul Kritz stated that several months ago the city engaged Penny Speake with Healy Law offices to assist with the negotiations of a small cell agreement with U.S. Cellular. Healy Law specializes in utility regulatory matter and Ms. Speake thought we should have a right of way ordinance. Mr. Kritz noted some of the provisions in the memorandum provided by Ms. Speake. The proposed Rights of Way Ordinance is to enable and authorize the City to enter into agreements and contracts with various types of service providers, including telecommunication, cable, broadband, small cell wireless providers, as well as the infrastructure providers for these various service entities; and to enable the city's ability to regulate its rights of way and regulate the entities permitted to operate within the city's rights of way. In addition, there are specific state statutes which require the city to enact ordinances. With regard to the service providers listed above and use of the city's rights of way. Mr. Kritz noted that there are certain statutes that require the city to act pursuant to its ordinances and regulations. Without the requisite ordinances and regulations, the city is not empowered or enabled to perform the necessary regulatory functions. The proposed Rights of Way Ordinance is worded to enable the city to enter into agreements and contracts which will involve the permitted use and regulation of its rights of way, to empower the city to assess fair and reasonable rates for the utilization of the city's infrastructure and rights of way, as well as ultimately enforce those agreements and contracts in the event that should become necessary. The goal was to provide a rather generic authorization which will afford the city the necessary flexibility to negotiate separate, individual and distinct agreements. These agreements will no doubt vary in countless ways, but the goal of the ordinance is ultimately to allow the city sufficient and necessary flexibility to accommodate the individualized circumstances of each service entity fairly and in a nondiscriminatory fashion.

MOTION: Move to approve Ordinance G-21-04 as presented.

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

7. City Manager's Report

Director of Finance Stephanie Richardson asked Rick Whitson from the Montgomery County Emergency Management to give an update on COVID. Mr. Whitson came to the podium and stated that he has spoken to the EOC, KDEM, KDHE and Dr. Norman recently and the reality is the masks are entirely up to each entity. He stated that there has not been an active case in Montgomery County for about a week and only added one in Kansas the last day or two. Mr. Whitson noted that as a county we are at about a 27% vaccination rate and it has completely stalled. He stated that the state's disaster declaration was supposed to expire on May 30<sup>th</sup> but informally they have agreed to give an extension of 30 days with a possibility of more. The county's disaster declaration is in effect until rescinded but we will continue to follow the state's guidelines. Mr. Whitson said that you do not have to wear a

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mask if you have been vaccinated but it is ultimately up to each jurisdiction. He noted that there is nowhere in the state of Kansas requiring proof of vaccination. In his opinion, you either mask everyone or you don't. Mrs. Richardson then continued with the City Manager's report starting with Memorial Day. She noted that the city office will be closed Monday, May 31<sup>st</sup> and the trash schedule will adjust to push everyone back a day. The cemetery staff is in preparation for the holiday and crews are mowing as weather permits. With all the rain it is asked that when visiting the cemeteries please stay on the pathways to avoid damage to the grounds. Any flowers and decorations placed for Memorial Day will need to be picked up by Sunday, June 6<sup>th</sup> and any items left after that date will be picked up cemetery staff in order to continue cemetery maintenance. Mrs. Richardson announced that the Aquatic Center is scheduled to open on Saturday, May 29<sup>th</sup> at 1:00 pm. The hours will be 1:00-6:00 pm daily, \$3 per visitor ages 3 and up. It was mentioned that crews have installed the flagpole at 8<sup>th</sup> and Elm for the Union Pacific Pocket Park. On the Highland Road Project it was noted that crews are installing in under curb drainage pipe on the west side of Highland. 40 working days have been utilized or 15.5% of the project is complete. The 10<sup>th</sup> Street Sidewalk Project is approximately 90% complete and they have used 57% of their time. Mrs. Richardson then gave the reminder that the deadline for the Commissioner applications is June 1<sup>st</sup> at noon. Applications and \$70 must be submitted to the County Clerk's office in Independence. Applications are available at the County Clerk's office or on the city website.

8. Comments from Commissioners and Staff

Commissioner York wanted everyone to know that the flagpole at 8<sup>th</sup> and Elm was donated so it was private funding that bought the pole. He thanked First Baptist Church for the little park they put in on their parking area, it's a wonderful addition. He then announced the movie premiere of "Death Alley" based on the true story of the Dalton Raid that will show June 4<sup>th</sup>, 5<sup>th</sup> and 6<sup>th</sup> at the FKHS Theater. Tickets can be purchased on-line or at the Chamber office. Vice Mayor Doane reiterated the June 6<sup>th</sup> date of picking up items placed at the cemetery to be picked up. He stated that he has been bombarded by people asking him about mowing letters. Director of Engineering Services came to the podium and stated that as of yesterday they have cease sending out letters due to recent weather conditions. They then discussed the process of weed lot mowing including how/when pictures are taken and what the timeline is.

**K. EXECUTIVE SESSION(s)**

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

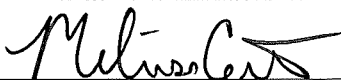
1. Sales Tax – April 2021
2. Coffeyville Police Department Crime Statistics – April 2021
3. Library Board of Trustees Minutes – April 2021

**M. ADJOURN**

MOTION: Move to Adjourn

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

Time the meeting was adjourned: 7:26  
Date the minutes were approved: 6/8/2021



Melissa Carter, City Clerk

