

City Commission of Arkansas City - Regular Meeting Minutes

The Arkansas City Board of City Commissioners met in regular session at **5:30 p.m. Tuesday, March 2, 2021**, in the Commission Room at City Hall, located at 118 W. Central Ave. in Ark City.

Mayor **Scott Rogers** called the meeting to order. Commissioners also present at roll call were Commissioner **Kanyon Gingher**, Commissioner **Duane L. Oestmann** (*who participated remotely via GoToMeeting*), Commissioner **Jay Warren** and Commissioner **Karen Welch**.

City employees present at the meeting were City Manager **Randy Frazer**, City Attorney **Larry Schwartz**, City Clerk **Lesley Shook**, Deputy City Clerk **Amanda Evinger**, Public Information Officer **Andrew Lawson**, Management Assistant **Mike Crandall**, Building Official **Mike Bellis** and Principal Planner **Josh White**. Arkansas City Police Department personnel in attendance were Police Chief **Dan Ward**; Capt. **Eric Burr**; Capt. **Jim Holloway**; Lt. **Jason Legleiter**; Lt. **Kevyn Ternes**; Sgt. **Nelson Douglas**; Sgt. **Travis Stroud**; Master Police Officers **Matt Mayo**, **Jeremy Samson** and **Cori Tuxhorn**; Police Officer **Lisa Delgado**; Public Service Officer **Eric Gross**; Administrative Assistant **Jeni McGee**; and Records Clerk **Marilynn Herrill**.

Representatives of Community Developmental Disability Organizations (CDDOs) in attendance were **Mike Jones** (*Capper Foundation*), **Nancy Maier** and **Ron Niday** (*Mosaic of South-Central Kansas*), **Lara McGrew** (*Twin Rivers Developmental Supports*), and **Crystal Irvin** and **Brianna Miller** (*ResCare Community Living*). Equal Opportunity and Accessibility Advisory Board members in attendance or observing were **Tammy Lanman-Henderson** and **Frances "Rags" Smith**.

Citizens in attendance or observing via GoToMeeting were **Gene Baughman**, **Gareth McGee**, **Monty Potter**, **Harrison Taylor**, **Dena Ward** and Cowley CourierTraveler reporter **John Shelman**.

Commissioner Warren offered the opening prayer. Mayor Rogers led the Pledge of Allegiance.

Agenda Approval

Commissioner Gingher made a motion to approve the agenda as presented. Commissioner Welch seconded the motion. A voice vote was **unanimous** in favor of the motion.

Mayor Rogers declared the agenda **approved** as presented.

Awards and Proclamations

Mayor Rogers issued a proclamation that **March 2021** is **Intellectual and Developmental Disabilities Awareness Month** in Arkansas City.

Crystal Irvin and **Brianna Miller**, **Lara McGrew**, and **Ron Niday** received copies of the proclamation on behalf of **ResCare**, **Twin Rivers**, and **Mosaic**, respectively.

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ACPD Capt. Eric Burr presented the Police Department's **Meritorious Service Award** to Police Chief **Dan Ward**, whose retirement was to be effective the following day. Burr credited Ward for his leadership and guidance, exemplified by the ongoing CALEA accreditation process, expansion of community engagement and hiring of six female sworn officers, which is a new record for ACPD.

Ward accepted the award and emotionally thanked all of the ACPD personnel and commissioners.

Commissioner Welch, Commissioner Warren, Mayor Rogers, and Commissioner Oestmann all praised Ward for his seven years of leadership and service, and wished him well in his retirement.

Comments from the Audience

Mayor Rogers recognized **Monty Potter**, representing **Spring Hill Golf Course**, who invited City Manager Frazer, Building Official Bellis and Public Services Superintendent Tony Tapia to come out the golf course to inspect an electrical pole in the parking lot that may need to be modified.

Consent Agenda

Commissioner Warren made a motion to approve the consent agenda, consisting of:

1. Approving the **February 16, 2021**, regular meeting minutes as amended.
2. Ratifying Mayor Rogers' appointment of **Joni Curl** to the **Planning Commission**.
3. Ratifying Mayor Rogers' appointment of **Shannon Martin** and reappointment of **Juliana Barragan** to the **Visit Ark City Board of Trustees**.

Commissioner Oestmann seconded the motion. A voice vote was **unanimous** in favor of the motion. Mayor Rogers declared the consent agenda **approved** as presented. Principal Planner White thanked the commissioners for appointing Curl and finally filling the Planning Commission.

New Business

Compass Point R-3 Rezoning Ordinance No. 2021-03-4528

City Clerk Shook presented for discussion the first reading of an ordinance authorizing the **rezoning** of **Compass Point Addition** from **R-2** (Medium-Density Residential District) to **R-3** (High-Density Residential District).

Principal Planner White said the new property owner, **Jellings Construction LLC**, requested the rezoning. The majority of the property is vacant land, with one single-family home built on it. The property consists of approximately **11 acres**. The project will be to develop duplexes and triplexes.

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White said the **Housing Opportunity Overlay District** will remain in place, as the project still will have to comply with the terms of the Moderate Income Housing grant received for the property.

He said the Planning Commission held a public hearing on **February 9** and voted unanimously to recommend that the City Commission approve this request.

Commissioner Welch made a motion to approve the ordinance as presented. Commissioner Gingher seconded the motion. A roll call vote was **unanimous** in favor of the motion. Mayor Rogers declared the ordinance **approved** and given **Ordinance No. 2021-03-4528**.

Compass Point Addition Replat **Ordinance No. 2021-03-4529**

City Clerk Shook presented for discussion the first reading of an ordinance approving the **replat** of **Compass Point Addition** and accepting land dedicated for the public purposes included therein.

Principal Planner White said **Jellings Construction** applied for and submitted a replat for a residential development, known as the Compass Point Addition Replat.

He said the replat will combine the lots into one large lot and revert control of the new streets back to the new property owner. Easements will be provided for existing utilities and the drainage areas.

White said the Planning Commission held a public hearing on **February 9** and voted unanimously to approve the preliminary plat. At that same meeting, the Planning Commission also voted to recommend approval of the final plat and accept the dedication of land proposed on it.

Commissioner Warren made a motion to approve the ordinance as presented. Mayor Rogers seconded the motion. A roll call vote was **unanimous** in favor of the motion. Mayor Rogers declared the ordinance **approved** and given **Ordinance No. 2021-03-4529**.

Dangerous Structures Hearing **Resolution No. 2021-03-3389**

City Clerk Shook presented for discussion a resolution scheduling a public hearing at **5:30 p.m. Tuesday, April 20, 2021**, in the commission room at City Hall, located at 118 W. Central Ave., to determine if structures located at **212 N. Third St., 312 N. Third St., 318 North D St., 615 South A St., 818 North D St., and 1313 W. Oklahoma Ave.** are unsafe and dangerous.

Building Official Bellis said all six structures are vacant and deteriorating. Most have unpaid taxes.

Mayor Rogers made a motion to approve the resolution as presented. Commissioner Welch seconded the motion. A voice vote was **unanimous** in favor of the motion. Mayor Rogers declared the resolution **approved** and given **Resolution No. 2021-03-3389**.

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Comprehensive Fee Schedule Resolution No. 2021-03-3390

City Clerk Shook presented for discussion a resolution adopting by reference the City's **2021 Comprehensive Fee Schedule** and repealing **Resolution No. 2020-12-3376**.

City Manager Frazer said the main change is reducing the sewer tap fee from **\$400** to **\$200**. There also were some changes to fines and punishments Municipal Court, as recommended by the judge.

Commissioner Oestmann made a motion to approve the resolution as presented. Commissioner Welch seconded the motion. A voice vote was **unanimous** in favor of the motion.

Mayor Rogers declared the resolution **approved** and given **Resolution No. 2021-03-3390**.

City Manager Updates

City Manager Frazer provided the commissioners with the following reminders and updates:

- The next RISE Cowley health coalition meeting will be at **10 a.m. March 9** via Zoom.
- The next monthly Cowley County Legislative Committee meeting is at **noon March 9** via Zoom. (**NOTE: This meeting was later canceled.**)
- The next City Commission study session will be at **noon March 12** at City Hall.
- The City Commission study session on **Friday, April 2, 2021**, falls on a City holiday – Good Friday (*floating holiday*). The commissioners said they wished to **cancel** this study session.
- Frazer thanked Police Chief Ward for welcoming him to the community and mentoring him.

Other Business

Public Information Officer Lawson presented the results of the City's first-ever **FlashVote survey**.

Management Assistant Crandall provided an update on the **downtown AT&T relocation project**.

Adjournment

Commissioner Warren made a motion to adjourn the meeting. Commissioner Gingher seconded the motion. A voice vote was **unanimous** in favor of the motion.

Mayor Rogers declared the meeting adjourned at **6:10 p.m.**

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THE CITY OF ARKANSAS CITY BOARD OF CITY COMMISSIONERS

Scott Rogers, Mayor

ATTEST:

Lesley Shook, City Clerk

Prepared by:

Andrew Lawson, Public Information Officer