

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, November 19, 2019**, in the Commission Room at City Hall, located at 118 W. Central Ave.

Mayor **Jay Warren** called the meeting to order. Commissioners also present at roll call were Commissioners **Kanyon Gingher**, **Duane L. Oestmann** and **Karen Welch**. Commissioner **Jim Sybrant** was absent because he attended a Cowley County Commission meeting at the same time.

City employees present were City Manager **Nick Hernandez**, City Attorney **Larry Schwartz**, City Clerk **Lesley Shook**, Public Information Officer **Andrew Lawson**, Management Assistant **Mike Crandall**, Finance Director **Kathy Cornwell**, Fire Chief **Bobby Wolfe**, Police Chief **Dan Ward**, Environmental Services Superintendent **Rod Philo**, Building Official **Mike Bellis** and Principal Planner **Josh White**.

Citizens in attendance included **Brandon Every**, **Ken Harader**, **Mell Kuhn**, Commissioner-elect **Scott Rogers**, **Charles Tweedy** and Cowley CourierTraveler reporter **John Shelman**.

Mayor Warren offered the opening prayer and led the pledge of allegiance.

Agenda Approval

At City Manager Hernandez's request, Mayor Warren made a motion to amend the agenda by adding a 15-minute executive session to discuss personnel matters of nonelected personnel as Item 2 under Other Business.

Commissioner Oestmann seconded the motion. A voice vote was unanimous in favor of the motion. Mayor Warren declared the agenda approved as amended.

Comments from the Audience

Brandon Every, 19 Pin Oak Drive, asked for an update on the search for a permanent City Attorney.

City Manager Hernandez said the search was progressing and the old position previously held by Tamara Niles likely will be divided into two new positions, City Attorney and City Prosecutor.

Every asked if someone could fill both roles. Hernandez said anyone is free to apply for both, but he does not anticipate keeping the positions combined. A request for proposals will go out soon.

Consent Agenda

Commissioner Oestmann made a motion to approve the consent agenda, including the following:

City Commission of Arkansas City - Regular Meeting Minutes

1. Approving the **November 5, 2019**, regular meeting minutes as written.
2. Approving **Resolution No. 2019-11-3293**, rescheduling a public meeting of the Governing Body from noon Friday, November 29, 2019, to **noon Friday, November 22, 2019**, in the city manager's office at City Hall, 118 W. Central Ave.

Commissioner Gingher seconded the motion. A voice vote was unanimous in favor of the motion.

Mayor Warren declared the consent agenda approved.

New Business

North Pressure Zone Project **Resolution No. 2019-11-3294**

City Clerk Shook presented for discussion a resolution authorizing the City to enter into an agreement with Professional Engineering Consultants (PEC), of Wichita, for the North Pressure Zone high-service pump station project, for an amount not to exceed **\$62,500.00**.

Environmental Services Superintendent Philo said this project has become a higher priority due to Creekstone's pending expansion plans, which will lead to the meatpacking plant using more water.

Philo said the City mailed out a Request for Qualifications (RFQ) to 19 firms. Four RFQs were received. A selection committee composed of Philo, City Manager Hernandez, and Management Assistant Crandall reviewed all four RFQs and recommended that PEC be awarded the project bid.

PEC scored highest on previous experience with high-service pump station design and has the best approach for the project. PEC also scored highest on references, including those from Ark City.

Mayor Warren made a motion to approve the resolution. Commissioner Oestmann seconded the motion. A voice vote was unanimous in favor of the motion.

Mayor Warren declared the motion approved and given **Resolution No. 2019-11-3294**.

Rezoning of 505 S. Sixth St. **Ordinance No. 2019-11-4502**

City Clerk Shook presented for discussion a first reading of an ordinance authorizing the rezoning of **505 S. Sixth St.** from P (Public Use District) to R-2 (Medium-Density Residential District).

Principal Planner White said Habitat for Humanity of Arkansas City already has commenced building its next home at 505 S. Sixth St. The property previously was owned by the City, operated as Brock Park and zoned as Public Use District (P).

City Commission of Arkansas City - Regular Meeting Minutes

Last year, the City determined that a better use for this property was residential and it was transferred into the Land Bank. The property no longer will serve a public use or be publicly owned.

Habitat for Humanity recently was granted ownership of this property by the Land Bank Board of Trustees and already is commencing construction on its 19th home in Arkansas City.

Additionally, City staff expanded the rezoning request to include the remainder of the tract that was not transferred to Habitat for Humanity. White said the Planning Commission held a public hearing on **October 29, 2019**, and voted unanimously to recommend approving this request.

Commissioner Gingher made a motion to approve the ordinance. Commissioner Welch seconded the motion. A roll call vote was unanimous in favor of the motion.

Mayor Warren declared the ordinance approved and given **Ordinance No. 2018-11-4502**.

Half-Ton Dodge Ram Pickup **Resolution No. 2019-11-3295**

City Clerk Shook presented for discussion a resolution authorizing the City to purchase a half-ton Dodge Ram pickup truck from Zeller Motor Company, for an amount not to exceed **\$18,929.00**.

Environmental Services Superintendent Philo said the 2019 Wastewater Treatment budget contains **\$28,000.00** to purchase a new half-ton pickup truck. The pickup truck he requested will replace Wastewater Treatment's 1999 Ford F-150 with 107,000 miles, which will be sold outright.

Mayor Warren made a motion to approve the resolution. Commissioner Oestmann seconded the motion. A voice vote was unanimous in favor of the motion.

Mayor Warren declared the motion approved and given **Resolution No. 2019-11-3295**.

City Manager Updates

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

- The next City Commission study session – previously scheduled for **noon November 29**, when City Hall will be closed and employees are off work due to the Thanksgiving holiday – has been rescheduled for **noon November 22** in the city manager's office at City Hall.
- The City, the Ark City Chamber of Commerce and Visit Ark City will jointly host a "Mayoral Lighting of the Christmas Tree" at **6 p.m. November 26** at Ben Givens Center City Park.
- City Hall and other City offices will be closed **November 28-29** in observance of Thanksgiving. The City will reopen for business at **8 a.m. December 2**.

City Commission of Arkansas City - Regular Meeting Minutes

- Small Business Saturday is **November 30**, and Visit Ark City and the Ark City Chamber of Commerce have several special shopping promotions planned in downtown Arkansas City.
- The City Commission study session scheduled for **noon December 13** in the city manager's office at City Hall conflicts with a South Central Kansas Medical Center Board of Trustees work session, set to be pushed back a week due to Christmas. Hernandez asked if the study session should be canceled, but the commissioners indicated they would request that the SCKMC Board of Trustees work session be canceled instead, thus eliminating the conflict.
- Hernandez said discussion of Land and Water Conservation Fund (LWCF) funding to assist with paying for Phase 1 of the Wilson Park Master Plan will occur in a future study session.

Hernandez concluded by saying that he has accepted a job as the next city manager of Dodge City, effective **June 1, 2020**. He said he intends to continue in his current position through **May 2020**.

Mayor Warren said everyone appreciated Hernandez's service for the past 8 ½ years and said if Hernandez is happy, then the City Commission is happy. He praised Hernandez for helping to get the new Water Treatment Facility constructed and the hospital's bond refinanced successfully.

Commissioner Oestmann agreed with Mayor Warren and said Hernandez has done a wonderful job of stabilizing the City's finances since he arrived. He thanked Hernandez for his service, as well.

Other Business

Executive Session

Mayor Warren made a motion to recess into a **15-minute executive session** — to include City Manager Hernandez, Human Resources Manager McFarland and Commissioner-elect Rogers — to discuss personnel matters of nonelected personnel, pursuant to **K.S.A. 75-4319(b)(1)**, with the open meeting set to resume at **6:05 p.m.**

Commissioner Oestmann seconded the motion. A voice vote was unanimous in favor of the motion.

The executive session began at **5:50 p.m.** and ended at **6:05 p.m.** Afterward, the commissioners reconvened in the commission room. No action was taken following the executive session.

Adjournment

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

Mayor Warren declared the meeting adjourned at **6:03 p.m.**

City Commission of Arkansas City - Regular Meeting Minutes

THE CITY OF ARKANSAS CITY BOARD OF CITY COMMISSIONERS

Jay Warren, Mayor

ATTEST:

Lesley Shook, City Clerk

Prepared by:

Andrew Lawson, Public Information Officer