

## City Commission of Arkansas City — Special Meeting Minutes

The Arkansas City Board of City Commissioners met in special session at **12 p.m. Wednesday, October 9, 2019**, in the Commission Room at City Hall, located at 118 W. Central Ave. in Ark City.

Mayor **Jay Warren** called the meeting to order. Commissioners also present at roll call were Commissioners **Kanyon Gingher, Duane L. Oestmann, Jim Sybrant** and **Karen Welch**.

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**, City Treasurer **Jennifer Waggoner**, Arkansas City Police Department Capt. **Jim Holloway**, Environmental Services Superintendent **Rod Philo**, Public Services Superintendent **Tony Tapia** and Human Resources Manager **Marla McFarland**.

Citizens in attendance were **Brandon Every, Christopher Gingher, Ken Harader, Gareth McGee, Travis Pearman, Scott Rogers, Keith Tolles** and Cowley CourierTraveler reporter **John Shelman**.

### Business

#### Summit Street Cost Share

Mayor Warren presented for discussion both the five-lane and three-lane options for a **Kansas Department of Transportation (KDOT) Cost Share** funding application for a reconstruction and resurfacing project on Summit Street from Kansas Avenue to Skyline Road.

City Manager Hernandez provided a more detailed history on why this reconstruction project was shelved in **2009-2010**. He said the **Traffic Safety Committee** had voted twice to recommend it.

Hernandez said expanding the roadway between Kansas and Radio Lane is very difficult because the road was offset into a narrower right-of-way. Expansion would require costly land acquisition.

The 2009 cost to expand Summit Street was around **\$3.6 million**, Hernandez said, with the City's cost projected at a maximum of **\$1.7 million**. The proposal to add an additional sidewalk on the other side of the street would have increased this by **\$400,000**, so the matter was tabled and died.

He said Summit last was milled and overlaid from Radio Lane to Skyline in 2000, and the portion from Kansas to Radio Lane probably last was resurfaced in the 1990s, possibly as long ago as 1990.

With the three-lane option, Hernandez said, much less right-of-way acquisition has to occur and the reduction in overall roadway width means that sidewalks could be installed on both sides. The five-lane option only allows for sidewalk on the west side of the street, according to TranSystems.

He showed a video produced by the Iowa Department of Transportation to explain a "road diet."

TranSystems' 5-lane estimate is **\$6,331,305.80**, with the City paying **\$1.2 million** for construction.

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The three-lane estimate is about \$1.1 million less, at **\$5,212,456.20**, with the City picking up about **\$1.4 million** in actual construction costs. This raises the City's share from **28%** to **35%**, he said.

In either scenario, TranSystems says, the City would be responsible for **\$375,000** to **\$400,000** for preliminary engineering and design, **\$350,000** to **\$750,000** for right-of-way acquisition, **\$25,000** to **\$250,000** for utility adjustments, and **\$450,000** to **\$525,000** for construction engineering and inspection, so the City's total overall Cost Share would still come out to exactly **50 percent**.

Hernandez said the only other realistic option is a simple mill and overlay of North Summit Street, with no curbs, gutters or sidewalks, which would still come out to around **\$1 million**, all City money.

Mayor Warren said the City missed out on doing this project right in 2009. He thinks there should be sidewalks on both sides, which makes five lanes out of the question. He said he likes three lanes.

Commissioner Gingher asked if funding will be available in March 2020. Hernandez said there may be another application period then, but there is no guarantee the money still will be available.

**Travis Pearman**, who is a candidate in the upcoming City election, provided some information he said he had researched regarding three-lane conversions and said he is against either proposal. He said again that he does not think there is a significant traffic problem on North Summit Street.

Hernandez asked Pearman if he could have copies of the studies he cited. Pearman agreed to this.

Dr. **Scott Rogers**, who also is a candidate in the upcoming election, said he is still developing his opinion on the matter, but spoke about the need to eventually do something with Summit Street, especially if pedestrian and bicycle traffic continue to increase through town, as he has observed.

Commissioner Sybrant said he could not make a decision today, but his personal feeling is the five-lane option is not realistic. He would prefer to see the speed limit reduced to 20 mph there first.

Commissioner Sybrant made a motion to ask City staff and the Traffic Safety Committee to study the cost of lowering the speed limit between Kansas Avenue and Radio Lane to 20 mph and striping it for three lanes, with a report scheduled to come back to the City Commission on **Nov. 5**.

Commissioner Gingher asked about placing "no left turn" signs in the problem corridor. Capt. Holloway said that has not been discussed. City Manager Hernandez asked Commissioner Gingher if she wanted to ban all left turns between Kansas Avenue and Radio Lane. She said turning left could be prohibited just during certain times of the day, as a trial option.

Commissioner Sybrant later added to his motion that he wants City staff to study having a school zone in effect on West Radio Lane between 15<sup>th</sup> Street and Summit Street at certain times of the day, as well as Commissioner Gingher's proposal for "no left turns" in certain areas of the Summit Street corridor between Kansas and Radio Lane. Commissioner Gingher seconded the motion.

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Commissioner Gingher asked if bicycles could ride on the sidewalks next to Summit Street. Capt. Holloway and Commissioner Welch said a decision to allow this would rest with the commission.

Mayor Warren said he thinks the City needs to restripe North Summit Street between Kansas and Radio Lane, at its own expense, to try the concept. (Commissioner Sybrant had this in his motion.)

Hernandez clarified that he presented the information to the City Commission as soon as he received it the day before the meeting and reminded the commissioners that North Summit Street has been the highest-scored street project by the CIP Committee in each of the past three years.

Commissioner Oestmann said the decision at hand is whether or not to apply for the grant from KDOT. He said lowering the speed limit is uncalled for and sidewalk improvements are needed.

Commissioner Welch said she agrees with Sybrant about the problem of drivers cutting across the Westlake Ace Hardware parking lot. She commended police for their enforcement efforts and said that in her law enforcement experience, signage does not work without active police enforcement.

She said sidewalks need to be expanded at least on the west side, but perhaps not on the east side.

Commissioner Welch added that she does not think the Traffic Safety Committee will make any different of a recommendation regarding the North Summit Street corridor than it has previously.

**Ken Harader**, 1313 N. First St., cited his experiences on North First Street regarding the inability to enforce the “no left turn” signs near his home and Family Dollar. He said a “stinger” will be needed.

A voice vote on the motion resulted in three yea votes and two nay votes, with Commissioner Oestmann and Commissioner Welch dissenting. Mayor Warren declared the motion approved.

Commissioner Oestmann made a motion to authorize staff to still make a Cost Share application to KDOT for the three-lane reconstruction option. Commissioner Welch seconded the motion.

Mayor Warren asked how soon work would begin if the grant is awarded. He and Commissioner Oestmann asked if there would be time to restripe it as a three-lane street before the construction project begins. Hernandez said he thinks that could be a hindrance to the application process.

Commissioner Gingher said she thinks more engagement of citizens is needed about this issue.

Commissioner Sybrant said he doesn't think this particular City Commission should make a decision that would bind the next City Commission into pursuing a multimillion-dollar project.

Commissioner Oestmann asked Hernandez to confirm if a mill and overlay of Summit Street from Kansas to Skyline is **\$1 million**. Hernandez confirmed this. Commissioner Oestmann observed that the estimated City construction cost for three lanes was only slightly higher, at **\$1.4 million**.

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Commissioner Sybrant called the question. A voice vote resulted in two yea votes and three nay votes, with Commissioner Gingher, Commissioner Sybrant and Mayor Warren all dissenting.

Mayor Warren declared the motion failed.

### **Adjournment**

Commissioner Sybrant 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 **1:11 p.m.**

### **THE CITY OF ARKANSAS CITY BOARD OF CITY COMMISSIONERS**

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Jay Warren, Mayor

### **ATTEST:**

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Lesley Shook, City Clerk

### **Prepared by:**

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Andrew Lawson, Public Information Officer