

City Commission of Arkansas City Meeting Minutes

The Arkansas City Board of City Commissioners met in regular session at 5:30 p.m. Tuesday, November 3, 2015, in the Commission Room at City Hall, 118 W. Central Ave., in Arkansas City.

Those present at roll call were Mayor Chad Giles, and Commissioners Brandon Every, Commissioner Dan Jurkovich, Duane Oestmann and Jay Warren.

Also present at roll call were City Manager Nick Hernandez, City Attorney Tamara Niles, Public Information Officer Andrew Lawson, City Clerk Lesley Shook, Finance Director Kathy Cornwell, and Parks and Facilities Director Tony Tapia.

Fire-EMS Department personnel in attendance included Fire Chief Bobby Wolfe, EMS Director Jeri Smith, Administrative Assistant Linda O'Neal, Capt. Ken Corcran, Firefighter-Paramedic Josh Bowker, Firefighter-Paramedic Justin Parks and Firefighter-Paramedic Brandy Rice.

Public Works Department personnel in attendance were Public Works Director Eric Broce, Assistant Public Works Director Mike Crandall, Environmental Services Superintendent Rod Philo, Neighborhood Services Superintendent Richard Brown, Public Services Superintendent Randy Jacobs, Emergency Management Coordinator Bob Frazee, and Distribution and Collection Supervisor Jason Bradshaw.

Citizens in attendance included Cindy Current, Connie Dykes, Michelle Dykes, Allen Fisk, Mary Lou Fisk, Jill Sullivan and Traveler reporter Jeni McGee.

Pastor Mark Fry offered the opening prayer. Mayor Giles led the pledge of allegiance.

Agenda Additions/Deletions and Approval

Commissioner Oestmann moved to approve the agenda as presented. Commissioner Warren seconded the motion. A voice vote was unanimous in favor of the motion. Mayor Giles declared the agenda approved.

Recognition of Visitors

Michelle Dykes, 423 N. Fourth St., addressed the Commission about Catalpa Park and its history of donation to the City. She asked that playground equipment be returned to the park and neighborhood residents consulted in the future if a park is being considered for closure. She suggested park "adoption" to handle mowing needs.

Jill Sullivan, 1708 N. 11th St., said she felt like the decision to remove equipment from Catalpa Park was made without public input or regard to quality of life. She said the Comprehensive Plan discusses evaluating parks, but does not specify by whom. She asked commissioners to consider the impact on families of closing parks.

Mary Lou Fisk, 1901 N. 11th St., said Catalpa Park is less frequented than other parks because the neighborhood is less populated than others, but it still is used on at least a weekly basis. She said parks help to teach social and motor skills. She said she understood removing the slide, but asked if other equipment could be put in its place.

Connie Dykes, 423 N. Fourth St., thanked Commissioner Every for asking tough questions about finances. She asked the Commission to consider having its meetings later on Tuesday nights. She said she had fallen in love with Catalpa Park, despite not living in the neighborhood, and criticized the City for a lack of transparency.

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Awards and Proclamations

The Commission recognized Firefighter-Paramedic Brandy Rice for being named the 2015 Paramedic of the Year by the National Association of Emergency Medical Technicians (NAEMT) and EMS World, sponsored by Nasco.

Rice was introduced by Fire Chief Wolfe and given a plaque. She thanked EMS Director Smith for nominating and supporting her. A reception in her honor was to be held from 4 to 6 p.m. Wednesday in the same room.

The NAEMT/Nasco Paramedic of the Year award recognizes a paramedic who demonstrates excellence in the performance of emergency medical services (EMS).

The honor is part of NAEMT's and EMS World's 2015 National EMS Awards of Excellence, which recognize the recipients for their outstanding achievements and contributions in emergency health care.

Consent Agenda

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

1. Approving the October 6, 2015, and October 20, 2015, regular meeting minutes as written.
2. Approving Resolution No. 2015-11-3000, setting a public meeting of the Governing Body at noon Friday, November 13, 2015, in the City Manager's Office at City Hall for a City Commission study session.

Commissioner Warren seconded the motion. A voice vote was unanimous in favor of the motion. Mayor Giles declared the consent agenda approved.

New Business

Public Hearing for Dangerous Structures **Resolution 2015-11-3001**

City Clerk Shook presented for discussion setting a public hearing to determine if the structures located at 203 E. Madison Ave., 1818 N. Sixth St., 310 North C St., 1221 S. Third St., 1011 South A St., 703 N. Third St., 1313 South J St., 716 S. Seventh St., and 606 S. Summit St. are unsafe and dangerous.

Public Works Director Broce introduced the City's new neighborhood services superintendent, Richard Brown, and outlined his 25 years of building experience for the Commission. Brown made some additional comments.

Brown showed pictures of some of the properties, most of which have failing foundations and walls, as well as significant interior damage and debris. He also showed some pictures of properties that will come before the Commission at a later time, but were not being considered for a hearing at this time.

Commissioner Every asked Brown how he gained access to the interior of the homes. Brown said that as a building official, he was empowered to inspect the interior of any building with an open door.

Mayor Giles moved to schedule a public hearing for 5:30 p.m. December 15. Commissioner Every seconded the motion. A voice vote was unanimous in favor of the motion. Mayor Giles declared the resolution approved and given Resolution No. 2015-11-3001.

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Purchase of Standby Generator **Resolution 2015-11-3002**

City Clerk Shook presented for discussion the purchase of a standby generator for the basement level of City Hall from Cummins Mid-America, of Wichita, for an amount not to exceed \$14,500.

Assistant Public Works Director Crandall outlined the details of the two bids received in response to a question from Commissioner Oestmann. Crandall said the recommended generator would connect to an existing automatic transfer switch, while the other would not. He also told Commissioner Every the current generator, which is more than 30 years old and obsolete, has no trade-in value.

Commissioner Every asked about the \$2,500 estimate for installation by Graham Electric and if installation could be accomplished by City staff. Emergency Management Coordinator Frazee said he had not yet sought any competing bids and it was just an installation estimate. Crandall said it would take time to deliver the generator.

Mayor Giles moved to purchase the generator, with installation bid separately. Commissioner Warren seconded the motion. A voice vote was unanimous in favor of the motion.

Mayor Giles declared the resolution approved and given Resolution No. 2015-11-3002.

Purchase of Valve Exerciser **Resolution 2015-11-3003**

City Clerk Shook presented for discussion the purchase of a valve exerciser from Key Equipment and Supply Company, of Wichita, for an amount not to exceed \$17,160.

Assistant Public Works Director Crandall said Key Equipment, with which the City has done a lot of work in the past, had a bid that was \$175 higher than the lowest bid, but was going to throw in extra training for free.

Commissioner Every asked if the current GPS system would talk to the new equipment, and Distribution and Collection Supervisor Bradshaw said it would. Commissioner Every asked if the GPS system was necessary or if coordinates could be entered manually. Bradshaw said it all was automatic and would be a time-saving feature.

Commissioner Warren moved to purchase the valve exerciser. Commissioner Oestmann seconded the motion.

A voice vote was unanimous in favor of the motion. Mayor Giles declared the resolution approved and given Resolution No. 2015-11-3003.

Purchase of Used Bulldozer **Resolution 2015-11-3004**

City Clerk Shook presented for discussion the purchase of a used Komatsu bulldozer from Berry Tractor, of Wichita, for an amount not to exceed \$129,000.

Assistant Public Works Director Crandall said City staff had priced the cost of used versus new and also leasing a dozer since the prior study session at which upcoming capital purchases were discussed.

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Commissioner Oestmann asked if the City could expect 20 to 30 years of use from the proposed dozer. Public Services Superintendent Jacobs said it could. Crandall said dozers five years older were holding their value well.

Crandall added that prevailing rental rates yielded a calculation that holding on to a purchased dozer for five years would be a break-even proposition versus renting it on an as-needed basis.

City Manager Hernandez asked if there was a warranty available on the used dozer. Crandall said there was, and Commissioner Oestmann asked if he thought it was worthwhile. Jacobs said he thought it would be a good idea.

In response to a question from Mayor Giles, Crandall said the six-month warranty (or 500 hours, whichever comes first) would cost an additional \$3,500, while the 12-month warranty (or 1,000 hours) would be \$4,500.

Commissioner Every asked what kind of use officials were expecting for the dozer. Jacobs and Crandall estimated between 200 and 300 hours per year. Every presented cost estimates that he had gathered for renting a dozer.

Every said he was concerned about the financial liability to the City. Crandall said his concern would not be having a dozer available on immediate demand in case of a flooding situation involving the levees. Every said he would be concerned about putting a City employee in that situation, rather than an experienced professional.

Commissioner Jurkovich asked for better examples of the kind of work for which the dozer would be used.

Jacobs said the current dozer hasn't been used for about a year due to concerns about its breaking down. Broce said a lot of work needs to be done, but it would be hard to schedule around rental limitations due to staffing.

Commissioners Every and Jurkovich both said they wanted to see some more numbers before voting on the issue.

Commissioner Oestmann asked if the City was responsible for maintaining the levees and if a dozer could help with that. Jacobs said it was responsible for levee maintenance.

Commissioner Warren moved to table the purchase until a future meeting. The motion died for lack of a second.

Mayor Giles said he supported purchasing the dozer because it was included in this year's budget and already approved as part of that process. Crandall agreed with his reasoning. Giles said he preferred owning to renting.

Commissioner Every asked how the dozer would be transported. Crandall said the same tractor-trailer used to transport the excavator around town could be used to move the dozer around.

Commissioner Every made a motion to require City staff to present a project list with hours of estimated usage, as well as quotes for dozer rental service per hour from local contractors. The motion died for lack of a second.

Crandall presented some quotes from local construction services for dozer rental rates.

Mayor Giles said the City had moved away from leases in years past in order to save money and maximize flexibility. He asked for a recommendation on the warranty. Crandall and Jacobs suggested one for 12 months.

Mayor Giles moved to purchase the dozer, with a 12-month/1,000-hour warranty. Commissioner Oestmann seconded the motion. A voice vote resulted in three aye votes and two nay votes, with Commissioners Every and Jurkovich dissenting. Mayor Giles declared the resolution approved and given Resolution No. 2015-11-3004.

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Purchase of Used Pickup Resolution 2015-11-3005

City Clerk Shook presented for discussion the purchase of a used 2007 Nissan Frontier crew cab pickup truck from Zeller Motor Company, for an amount not to exceed \$13,149.

Assistant Public Works Director Crandall said this bid was in response to Commission direction from the study session that he should look at a used pickup for a Public Works Department administration travel vehicle.

Buying used would save the City more than \$9,000, which Commissioner Jurkovich praised. Commissioner Every asked what a vehicle allowance would cost. City Manager Hernandez said that wouldn't be a savings after more than three to four years and Crandall pointed out that other administration staff would use the vehicle, as well.

Commissioner Jurkovich moved to purchase the used pickup truck. Mayor Giles seconded the motion, and asked for better City decals on this and other City vehicles.

A voice vote was unanimous in favor of the motion. Mayor Giles declared the resolution approved and given Resolution No. 2015-11-3005.

City Board Appointments

City Manager Hernandez presented for discussion several candidates who have applied for City boards that have vacancies that are in need of appointments.

Mayor Giles said he would be willing to appoint Mariah Sefel to the Arkansas City Public Library Board of Trustees and Sara Williams to the Convention and Tourism Board.

Hernandez said the South Central Kansas Medical Center Board of Trustees had recommended Mark Paton to fill an open seat. Commissioner Every mentioned that Mike Bergagnini, Joel Day and Mell Kuhn all had applied previously to be on that board, too. City Clerk Shook was directed to gauge if the three men still were interested.

Commissioner Jurkovich moved to ratify the two appointments by Giles. Commissioner Oestmann seconded the motion. A voice vote was unanimous in favor of the motion. Mayor Giles declared the motion approved.

City Manager Updates

City Manager Hernandez said he had been contacted by a citizen about the possibility of posting signs banning engine brakes (Jake brakes) on the U.S. 77 bypass and also passing an ordinance to accomplish the same goal.

There was some discussion about whether the section of the bypass is inside the City limits, and it eventually was determined that it was. The Arkansas City Police Department would have to enforce the ordinance.

Hernandez said the Kansas Department of Transportation supported posting the signs if an ordinance were to be approved by the City Commission. City Attorney Niles suggested simply amending the section of Municipal Code that governs noise throughout the City. Mayor Giles asked for the issue to be brought back at a future meeting.

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Other Business

Commissioner Every and City Manager Hernandez commended City workers for their efforts to maintain order during and clean up after Arkalalah.

Adjournment

Commissioner Jurkovich moved to adjourn. Commissioner Warren seconded the motion. A voice vote was unanimous in favor of the motion. Mayor Giles declared the meeting adjourned at 6:55 p.m.

THE ARKANSAS CITY
BOARD OF CITY COMMISSIONERS

Chad Giles, Mayor

ATTEST:

Lesley Shook, City Clerk