

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 20, 2018**, in the Commission Room at City Hall, located at 118 W. Central Ave.

Vice Mayor **Jay Warren** called the meeting to order. Commissioners also present at roll call were Commissioner **Kanyon Gingher**, Commissioner **Duane L. Oestmann** and Commissioner **Karen Welch**. Mayor **Dan Jurkovich** was absent due to traveling out of town for Thanksgiving.

City employees present at the meeting were City Manager **Nick Hernandez**, City Attorney **Tamara Niles**, City Clerk **Lesley Shook**, Public Information Officer **Andrew Lawson**, Finance Director **Kathy Cornwell**, Public Works Director **Mike Crandall**, Human Resources Manager **Marla McFarland**, Police Chief **Dan Ward**, ACPD Lt. **Anthony Rider**, ACPD Sgt. **Eric Mata**, Master Police Officer **Nelson Douglas**, Police Officer **Madeline Pegorsch** and Public Service Officer **Eric Gross**.

Citizens in attendance were **Paisley Howerton**, **Gareth McGee** and Cowley CourierTraveler reporter **John Shelman**. Vice Mayor Warren offered the opening prayer and led the pledge of allegiance.

Agenda Approval

At City Manager Hernandez's request, Commissioner Oestmann made a motion to approve the agenda with the removal of Item 1 under Old Business. Commissioner Welch seconded the motion.

Hernandez said he would like to postpone the Old Business action item until **December 4**. A voice vote was unanimous in favor. Vice Mayor Warren declared the agenda amended and approved.

Recognition of Visitors

Police Chief Ward recognized Police Officer **Madeline Pegorsch**'s recent graduation from the Kansas Law Enforcement Training Center in Yoder. He said she was elected class president by her peers and finished ninth in her class. Pegorsch is the second straight Arkansas City Police Department officer to serve as her class president, after fellow officer Kelsey Horinek did so in 2016.

Consent Agenda

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

1. Approving the **November 6, 2018**, regular meeting minutes as written.

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

Vice Mayor Warren declared the consent agenda approved.

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New Business

Westar Grant of Right-of-Way Resolution No. 2018-11-3216

City Clerk Shook presented for discussion a resolution authorizing the City to execute a **Grant of Right-of-Way agreement** with Westar Energy for an easement at Chestnut Avenue and G Street.

City Manager Hernandez said in exchange for the easement, Westar will pay the City **\$1,200.00**.

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

Vice Mayor Warren declared the resolution approved and given **Resolution No. 2018-11-3216**.

Wilson Park Phase 1 Upgrades Resolution No. 2018-11-3217

City Clerk Shook presented for discussion a resolution authorizing the City to enter into a professional services agreement with **LK Architecture**, of Wichita, for professional architectural, electrical, plumbing, mechanical and structural engineering services for the Wilson Park Master Plan Phase 1 Upgrades, for a total amount not to exceed **\$60,500.00**.

City Manager Hernandez said the City applied for **\$263,144.11** in matching funds from the V.J. Wilkins Foundation for the advancement of the Wilson Park Master Plan. That money is for part of the Foundation's **\$500,000** Challenge Grant to match, dollar for dollar, funds raised for the plan.

The City's match consisted of in-kind contributions toward the restoration of the BNSF train engine and tender in Wilson Park, including **\$1,382.00** from Mid-West Electric, **\$97,330.00** from L.G. Pike Construction and **\$97,242.00** from Rob Carroll Sandblasting & Painting.

It also includes a **\$10,000.00** grant from BNSF Railway that was given as part of a Heritage Community Award that Arkansas City received for the train restoration, Hernandez explained.

The V.J. Wilkins Foundation has agreed to accept in-kind contributions in lieu of cash contributions and thus has pledged **\$205,954.00** toward the project, payable in three installments of **\$68,651.00** annually in 2018, 2019 and 2020. Payment will commence as a financial need is identified to warrant payment or if a date is identified to commence construction on improvements.

Additionally, the Foundation noted the pending agreement with Creekstone Farms to provide 10 annual payments of **\$30,000.00** toward Wilson Park, which will provide sufficient match for the remaining **\$295,000.00** in the Challenge Grant. Accordingly, the Foundation extended the City's grant-match deadline from June 30, 2018, to **June 30, 2019**, which allows for full usage of the grant.

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Thanks to this generous pledge contribution from the V.J. Wilkins Foundation, Hernandez said the City is ready to move to the next step of the Wilson Park Master Plan — design of the south half.

LK Architecture estimates 12 weeks will be needed to complete the project scope. At the conclusion of that time, it will provide a full-scale bound set of construction document drawings and a CD with electronic PDF files of the same drawings. Its professional fee for this work will be **\$45,500.00**.

Additionally, LK will enter into sub-consultant agreements with **MKEC Engineering**, of Wichita, for all structural engineering and **Hydro Dramatics**, of St. Louis, Missouri, for fountain design services.

Including the **\$8,750.00** fountain design fee for Hydro Dramatics and the **\$6,250.00** structural engineering fee to MKEC, the City's total lump sum for all design and engineering services will be **\$60,500.00**. However, this is well within the **\$68,651.00** pledge from the Wilkins Foundation for 2018 and the City will apply for immediate reimbursement, making this work basically cash-neutral.

Vice Mayor Warren asked about sanitation concerns regarding the splash pad. Hernandez said Hydro Dramatics will look at all of those aspects as part of its professional engineering design.

Hernandez explained that purchasing a prebuilt Farm and Art Market structure from **Poligon Products** and assembling it on site with City staff will save a significant amount of money. He said LK could look into the possibility of accommodating food trucks under the canopy structure.

Commissioner Oestmann asked about closing Birch Avenue. Hernandez said it can happen anytime.

As part of the pop-jet fountain design process, citizens who volunteered for the **Public Art** and **Splash Pad** committees will be contacted to gauge their interest in participating on a design committee for that element. Similarly, volunteers for the **Fundraising** and **Playground** committees will be contacted once LK and the City identify a designer for the playground portion of the plan.

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

Vice Mayor Warren declared the resolution approved and given **Resolution No. 2018-11-3217**.

City Manager Updates

City Manager Hernandez reminded commissioners of the following upcoming events in Ark City:

- City Hall and other City offices will be closed **November 22-23** for Thanksgiving.
- The final Fifth Thursday Art and Music Crawl of 2018 will be from **4 to 6:30 p.m. November 29** in downtown Ark City, followed by the Bellamy Brothers concert at **7 p.m.** at the Burford.
- The City Commission will have a study session at **noon November 30** in Hernandez's office.

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Other Business

City Manager Hernandez mentioned the 2019 employee holiday calendar in the commissioners' agenda packet – the floating holiday will be **July 5**, to provide a four-day holiday weekend – and that Ark City was selected as one of 20 finalists for the Small Business Revolution television show.

Hernandez said he and Visit Ark City director Pam Crain will have a conference call with the television show producers on **November 27**. The City must return a questionnaire by **December 3**.

He said improvements to the Agri-Business Building are coming along nicely, and except for the flooring, the work should be mostly done by **December 7** in time for the employee Christmas party.

Adjournment

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

Vice Mayor Warren declared the meeting adjourned at **5:54 p.m.**

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

Jay Warren, Vice Mayor

ATTEST:

Lesley Shook, City Clerk

Prepared by:

Andrew Lawson, Public Information Officer