

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, February 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 Gingham, Dan Jurkovich, Duane L. Oestmann** and **Karen Welch**.

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**, Police Chief **Dan Ward**, Fire Chief **Bobby Wolfe**, Arkansas City Fire-EMS Department Capt. **Chet Ranzau**, Human Resources Manager **Marla McFarland**, Building Official **Mike Bellis** and Emergency Management Coordinator **Bob Frazee**.

Officers of the Arkansas City Police Department in attendance were Lt. **Chris Arnett**, Lt. **Kevyn Ternes**, Sgt. **Jason Legleiter**, Sgt. **John Merz**, Officer **Cori Tuxhorn**, and Master Police Officers **Corey Combs, Nelson Douglas, T.J. Hall, Wade Hammond, Jeremy Samson** and **Ted Shinneman**.

Citizens in attendance included **Kennedy Hall, Kurt Legleiter, Gareth McGee** and Cowley CourierTraveler reporter **John Shelman**. Veterans of Foreign Wars Post No. 1254 was represented by post commander **Charlie Cravens** and quartermaster **Michael Holland**.

Commissioner Jurkovich offered the opening prayer. Mayor Warren led the pledge of allegiance.

Agenda Approval

At City Manager Hernandez's request, Commissioner Oestmann made a motion to amend the agenda by removing Item 1 from Old Business. Hernandez said staff needs more time to contact local property owners for their support. Commissioner Welch seconded the motion. A voice vote was unanimous in favor of the motion. Mayor Warren declared the agenda approved as amended.

Awards and Proclamations

The commissioners witnessed the presentation of the Officer of the Year award from Veterans of Foreign Wars Post No. 1254 to Master Police Officer **Wade Hammond**. VFW officers Charlie Cravens and Michael Holland praised Hammond's accomplishments with the Drug Task Force.

Mayor Warren issued a proclamation that March 4-8 is **Severe Weather Awareness Week** in Arkansas City. Emergency Management Coordinator Bob Frazee received the proclamation on behalf of the City of Arkansas City and previewed the statewide tornado drill that will be **March 5**.

Consent Agenda

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

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1. Approving the **February 5, 2019**, regular meeting minutes as written.
2. Ratifying Mayor Warren's appointments of **Anita Judd-Jenkins** and **Rags Smith** to the **Equal Opportunity and Accessibility Advisory Board**, and **Kayleigh Lawson** to the **Historic Preservation Board**.

Commissioner Gingher seconded the motion. A voice vote resulted in three yea votes and two nay votes, with Commissioners Gingher and Jurkovich dissenting. Commissioner Jurkovich said he was not personally in favor of expanding the Equal Opportunity Board from five to seven members.

Mayor Warren declared the consent agenda approved.

New Business

Pledge of Sales Tax Revenues **Ordinance No. 2019-02-4481**

City Clerk Shook presented for discussion a first reading of an ordinance pledging the general purposes proposed for the future use of revenue to be received from the **Health Care Sales Tax**.

City Manager Hernandez said the ordinance pledges 95 percent of the existing sales tax revenue to pay South Central Kansas Medical Center's bond payments, which is what was proposed to voters.

He said the remaining 5 percent would be held in a special fund and could be used for multiple purposes, including any costs to refinance those construction bonds to a lower overall interest rate.

Commissioner Jurkovich made a motion to approve the ordinance. Mayor Warren seconded the motion. A roll call vote was unanimous in favor of the motion.

Mayor Warren declared the motion approved and given **Ordinance No. 2019-02-4481**.

Amending the Pay Ordinance **Ordinance No. 2019-02-4482**

City Clerk Shook presented for discussion a first reading of an ordinance fixing the compensation of City employees, by removing the position of **Distribution & Collection Maintenance Worker III** and fixing the compensation for new positions of **Wastewater Collection Maintenance Worker III** and **Water Distribution Maintenance Worker III**, pursuant to the provision of K.S.A. 14-1501 *et seq.*, and repealing **Ordinance No. 2018-12-4476**.

Human Resources Manager McFarland said that in practice, it was proving better to divide the level III maintenance workers back into two separate and distinct positions. This allows each class of worker to focus on the specific duties and reduces the number of certifications they must have.

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Commissioner Oestmann made a motion to approve the ordinance. Commissioner Welch seconded the motion.

Commissioner Gingher asked if this would require the current employees to attain the necessary certifications in order to keep their jobs. McFarland said they would be given a reasonable amount of time to do so. Both workers are close to completing their needed requirements, she indicated.

Commissioner Gingher asked if the workers would be fired if they cannot attain the necessary certifications. Both McFarland and City Manager Hernandez said the City will work with them if needed, but Hernandez said he doesn't think that will be a problem.

A roll call vote resulted in four yea votes and one nay vote, with Commissioner Gingher dissenting.

Mayor Warren declared the motion approved and given **Ordinance No. 2019-02-4482**.

Carbon Monoxide Alarms and Contractor Licensing

City Clerk Shook presented for discussion a first reading of an ordinance modifying Municipal Code Part II, Chapter 14, concerning **carbon monoxide alarms, contractor licensure and examination**, and the **Building Trades Board**, and Chapter 34, adopting by reference the **2015 International Fire Code (IFC)**, amending that code and modifying Municipal Code to so reflect.

Building Official Bellis talked about the changes concerning carbon monoxide alarms, which are a health and safety issue. He showed where in a residence they would be required by the new code.

Bellis said the alarms are affordable, ranging from around \$20 to upwards of \$70 for deluxe alarms.

He said alarms can be either battery-powered or hardwired. They already are required on remodels and new housing if there is an attached garage or fuel-burning appliance present, but this ordinance would expand the requirement to also require installation upon a change of occupancy.

Bellis explained that change-of-occupancy inspections occur when the gas has been turned off for a certain period of time and he has to inspect the appliances before they can be reconnected to gas.

Fire Chief Wolfe and Fire Marshal Ranzau presented changes from the 2009 IFC to the 2015 IFC.

Commissioner Jurkovich made a motion to table the ordinance for a second reading.

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

Mayor Warren declared the motion approved. The ordinance will be split into two separate ordinances, per City Attorney Niles – one for carbon monoxide and the IFC; the other for licensing.

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Hike-Bike Trail Phase II Design Resolution No. 2019-02-3237

City Clerk Shook presented for discussion a resolution authorizing the City to enter into a contract with Smith & Oakes, Inc., to provide engineering design, construction engineering and construction inspection services for the Arkansas River Hike-Bike Trail Phase II extension project, for an amount not to exceed **\$225,631.00**. The City has been awarded an **\$840,091.00** grant for this work.

Public Works Director Crandall said the City will pay the full cost of design and 10 percent of the construction inspection costs. City Manager Hernandez said Westar's money will be used for both.

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

Mayor Warren declared the resolution approved and given **Resolution No. 2019-02-3237**.

Commissioner Jurkovich asked if some of the excess Westar funds could be used to improve Williams Way and the access to McFarland Pond. Hernandez said the City could look into that.

City Manager Updates

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

- Commissioner Gingher will be host to the next Arkansas City Chamber of Commerce coffee at **10 a.m. February 21** at The Grinder Man, located at 101 S. Summit St.
- The next quarterly Cowley County Service Alliance meeting will be at **5:30 p.m. February 21** at the Cowley County Courthouse, located at 311 E. Ninth Ave. in Winfield.
- There will be a special retirement reception for Arkansas City Police Department Capt. Mark McCaslin from **1 to 3 p.m. February 28** in the commission room at City Hall.
- The Cowley County Job Fair is from **3 to 5 p.m. February 28** at the Wright Room in Cowley College's Brown Center, located at 215 S. Second St. The City will participate in this event.
- The next City Commission study session will be at **noon March 1** in Hernandez's office.
- The next monthly RISE Cowley health coalition meeting will be at **10 a.m. March 5** in the conference room at the Strother Field Terminal Building, located at 22193 Tupper St.

Other Business

Police Chief Ward presented the Arkansas City Police Department's annual **asset forfeiture report**.

His eventual goal for the Special Law Enforcement Trust Fund is to possibly use forfeited funds to purchase a used vehicle to serve as a School Resource Officer's vehicle and free up a patrol vehicle.

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Adjournment

Commissioner Jurkovich 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 **6:32 p.m.**

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

Jay Warren, Mayor

ATTEST:

Lesley Shook, City Clerk

Prepared by:

Andrew Lawson, Public Information Officer