

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, July 16, 2019**, in the Commission Room at City Hall, located at 118 W. Central Ave. in Arkansas City.

Vice Mayor **Karen Welch** called the meeting to order. Commissioners also present at roll call were **Kanyon Gingher, Dan Jurkovich** and **Duane L. Oestmann**. Mayor **Jay Warren** was absent.

City employees present were City Manager **Nick Hernandez**, City Attorney **Tamara Niles**, Public Information Officer **Andrew Lawson**, Finance Director **Kathy Cornwell**, Public Works Director **Mike Crandall**, Environmental Services Superintendent **Rod Philo**, Water Treatment Facility Supervisor **Mike Frank**, Fire Chief **Bobby Wolfe**, EMS Director **Jeri Smith**, Police Chief **Dan Ward**, Arkansas City Police Department Capt. **Jim Holloway**, ACPD Administrative Assistant **Jeni McGee**, Building Official **Mike Bellis** and Human Resources Manager **Marla McFarland**.

Citizens in attendance were **Beverly Frank, Ken Harader, Jennifer Pearman, Travis Pearman** and Cowley CourierTraveler reporter **John Shelman**. The Equal Opportunity and Accessibility Advisory Board was represented by members **JoAnn Bierle, Frances "Rags" Smith** and **Anita Judd-Jenkins**.

AAA Kansas was represented by **Shawn Stewart**. The Kansas Department of Transportation (KDOT) was represented by Traffic Safety Law Enforcement Liaison **Troy Wells**. The Kansas Rural Water Association (KRWA) was represented by consultant **Pat McCool**.

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

Agenda Approval

At City Manager Hernandez's request, Commissioner Oestmann made a motion to amend the agenda by adding an ordinance exempting alcohol consumption at South Central Kansas Medical Center as Item 4 of New Business. Commissioner Gingher seconded the motion. A voice vote was unanimous in favor of the motion. Vice Mayor Welch declared the agenda approved as amended.

Awards and Proclamations

AAA Kansas' Shawn Stewart presented the **2018 AAA Traffic Safety Platinum Award** to Police Chief Ward and ACPD Capt. Jim Holloway on behalf of the Arkansas City Police Department.

It is the eighth consecutive year in which ACPD has received an AAA Traffic Safety Award. This also is ACPD's third consecutive Platinum Award, the highest such award that AAA offers.

Stewart acknowledged ACPD's efforts regarding the annual bicycle rodeo, Cowley County Health and Safety Fair, DARE Camp, educational pamphlets, safety tips on Facebook, rollover crash demonstrations, seat belt and other special traffic enforcement efforts, and bicycle patrol.

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ACPD is in its ninth year of the Seatbelts Are For Everyone campaign and all of its officers are required to wear seat belts. Ward said the Traffic Safety Committee is a huge part of this award.

KRWA consultant Pat McCool presented the **2019 “Best Tasting Water in Kansas” Award** to Environmental Services Superintendent Philo and Water Treatment Facility Supervisor Frank on behalf of the Arkansas City Public Works Department. A blind taste test determined the award.

A sample of water from Arkansas City will be submitted in **February 2020** in the Great American Water Taste Test, held at the National Rural Water Association’s annual rally in Washington, D.C.

Vice Mayor Welch issued a proclamation that **July 26, 2019**, is **National Disability Independence Day** in Arkansas City. JoAnn Bierle, Rags Smith and Anita Judd-Jenkins received the proclamation on behalf of the Arkansas City Equal Opportunity and Accessibility Advisory Board.

Consent Agenda

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

1. Approving the **July 2, 2019**, regular meeting minutes as written.
2. Approving **Resolution No. 2019-07-3265**, authorizing a public meeting of the Governing Body to attend a special City Commission meeting at **5:30 p.m. Tuesday, July 23, 2019**, in the Commission Room at City Hall, located at 118 W. Central Ave. in Arkansas City.

Commissioner Jurkovich seconded the motion. A voice vote was unanimous in favor of the motion. Vice Mayor Welch declared the consent agenda approved.

Old Business

Dangerous Structures Hearing Resolution No. 2019-07-3266

Public Information Officer Lawson presented for discussion a public hearing and a resolution declaring structures located at **309 N. Second St., 514 E. Van Buren Ave., 624 North C St., and 817 South A St.** as unsafe and dangerous.

Building Official Bellis showed pictures of each structure and offered his professional testimony.

Commissioner Jurkovich made a motion to declare the garage at **309 N. Second St.** as unsafe and dangerous. Commissioner Gingher asked if the house is occupied. Bellis said it was not currently.

Commissioner Oestmann seconded the motion, but no vote was taken after City Attorney Niles objected, asking commissioners to vote on all four properties at the same time using the resolution.

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City Manager Hernandez asked Bellis if any property owners had made arrangements to address their issues. Bellis said the owner of **817 South A St.** had pulled a remodeling permit, but had not started any work yet on the structure. City Attorney Niles said the tenant had been prosecuted in Arkansas City Municipal Court for the observed violations regarding animals on the premises.

Vice Mayor Welch opened a public hearing on the four properties. No one from the public spoke.

Vice Mayor Welch closed the public hearing. Commissioner Jurkovich made a motion to approve the resolution. Commissioner Gingher seconded the motion. A voice vote was unanimous in favor.

Vice Mayor Welch declared the motion approved and given **Resolution No. 2019-07-3266**.

New Business

Compass Point Addition Streets and Stormwater

Public Information Officer Lawson presented for discussion the bid and bonds from APAC-Kansas, Inc., Shears Division, of Hutchinson, to construct street and stormwater improvements for Compass Point Addition, for an amount not to exceed **\$561,176.80**.

Public Works Director Crandall said pavement will be installed and constructed on three new roads – 10th Street, 11th Street and Compass Point Drive – with drainage to be installed where necessary.

A Moderate Income Housing grant previously received by the City will pay for **\$400,000.00** of the street costs. The City will be reimbursed for the remaining amount through special assessments.

Commissioner Oestmann made a motion to approve the bid and bonds from APAC-Kansas, Inc., Shears Division, of Hutchinson, for an amount not to exceed **\$561,176.80**.

Vice Mayor Welch seconded the motion. A voice vote was unanimous in favor of the motion. Vice Mayor Welch declared the motion approved.

Amending the Pay Ordinance Ordinance No. 2019-07-4493

Public Information Officer Lawson presented for discussion a first reading of an ordinance fixing the compensation of City employees, pursuant to the provision of K.S.A. 14-1501 *et seq.*, and repealing **Ordinance No. 2019-02-4482**.

Human Resources Manager McFarland said the changes include increasing the **Water Distribution & Collection Supervisor, Water Treatment Facility Supervisor** and **Wastewater Treatment Plant Supervisor** positions to Pay Range 27.

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The other portion of the ordinance is an organizational restructuring that will consist of dividing the Public Works Department into two distinct and separate departments. The new departments will be the **Public Services Department**, which will consist of the Parks and Facilities, Street and Stormwater, and Sanitation Divisions; and the **Environmental Services Department**, consisting of Water Distribution and Collection, Water Treatment Facility, and Wastewater Treatment Plant.

The Public Services Department will be led by the **Public Services Superintendent** and the Environmental Services Department will be led by the **Environmental Services Superintendent**.

McFarland said staff is recommending the elimination of both the **Public Works Director** position (Pay Range 37) and the **Parks & Facilities Director** position (Pay Range 34).

She also recommends modifying the **Public Services Superintendent** position to oversee the Parks and Facilities, Street and Stormwater, and Sanitation Divisions. It will be a full-time salaried, exempt position at Pay Range 37. She said Parks & Facilities Director Tony Tapia will take this job.

City Manager Hernandez recommended the addition of a **Management Assistant** position to the City Manager Department and said Public Works Director Mike Crandall will take on this new role.

This position will be responsible for management support to the City Manager and the entire management team. These duties will include, but are not limited to, the performance of professional administrative work, research and analysis. This position also will perform research and/or studies or lead major organizational projects as directed by the City Manager, in addition to the preparation of reports and other necessary correspondence. This will be a part-time (approximately 30 hours per week) salaried, exempt position at Pay Range 24.

Hernandez said these changes will save **\$49,845.00** overall and become effective **July 20, 2019**.

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

Vice Mayor Welch declared the motion approved and given **Ordinance No. 2019-07-4493**.

Purchase of 2019 Ambulance **Resolution No. 2019-07-3267**

Public Information Officer Lawson presented for discussion a resolution authorizing the City to purchase a 2020 Ford E-450 Ambulance in 2019 from Emergency Services Supply / Osage Ambulances, of Jefferson City, Missouri, for an amount not to exceed **\$196,900.00**.

EMS Director Smith said the Fire-EMS Department is requesting the purchase of a 2020 Ford E-450 Ambulance in 2019 to replace Medic 57, a 2012 Ford E-450 Ambulance that has 89,421 miles on it.

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The patient module on the 2012 E-450 originally was manufactured in 1998 and remounted on a 2012 chassis. Smith said crews report multiple problems with the electronics in the patient module.

Medic 57 originally was scheduled to be replaced in March 2017. The typical life of an ambulance remount is five years. The patient compartment on this unit is old and worn out, and does not meet current safety standards. A new ambulance's life is usually about eight years, depending on wear.

Smith said all but one ambulance in ACFD's fleet has been manufactured by Emergency Services Supply / Osage, which builds to ACFD's specifications and provides excellent customer service.

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

Vice Mayor Welch declared the motion approved and given **Resolution No. 2019-07-3267**.

Purchase of 2020 Ambulance **Resolution No. 2019-07-3268**

City Manager Hernandez presented for discussion a resolution authorizing the City to purchase a 2020 Ford E-450 Ambulance in 2020 from Emergency Services Supply / Osage Ambulances, of Jefferson City, Missouri, for an amount not to exceed **\$208,300.00**.

EMS Director Smith said ACFD is requesting the purchase of a 2020 Ford E-450 Ambulance in 2020 to replace Medic 55, a 2013 Ford E-450 Ambulance that has 69,252 miles on it. The patient module on the 2013 E-450 originally was manufactured in 2003 and remounted on a 2013 chassis.

Medic 55 originally was scheduled to be replaced in March 2018. Hernandez said approval of this purchase in the 2020 budget is being requested now because manufacturers are 300 to 330 days out on ambulance builds. This build is expected to be complete in late spring or early summer of 2020.

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

Vice Mayor Welch declared the motion approved and given **Resolution No. 2019-07-3268**.

SCKMC Alcohol Ordinance **Ordinance No. 2019-07-4494**

Public Information Officer Lawson presented for discussion exempting the application of K.S.A. 41-719(d) to allow the consumption of alcoholic liquor at a designated area of South Central Kansas Medical Center during a physician recruitment event from **6:30 to 9 p.m. Friday, July 19, 2019**.

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City Manager Hernandez said SCKMC requested the exemption only to serve alcohol, not to sell it.

All laws concerning the legal drinking age and confining drinking to the designated premises still are in effect. Lawson said the ordinance exempts only SCKMC's Outpatient Services Building.

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

Vice Mayor Welch declared the motion approved and given **Ordinance No. 2019-07-4494**.

City Manager Updates

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

- There will be a special City Commission meeting at **5:30 p.m. July 23** in the commission room at City Hall to discuss and schedule a public hearing for the 2020 budget. He indicated a resolution concerning SCKMC special assessments also might be considered during this meeting. (Note: This item later was removed from the **July 23** agenda.)
- The Cowley County Democrats will host an informative agriculture forum at **2 p.m. July 27** in the conference room at the Water Treatment Facility, located at 400 W. Madison Ave.
- The Alzheimer's Awareness Benefit, sponsored by DiVall Liquor's 50th anniversary celebration and other sponsors, will be from **3 p.m. to midnight July 27** at Wilson Park.
- The next monthly meeting of Ark City's Complete Count Committee for the 2020 Census will be at **1:30 p.m. August 1** at the Water Treatment Facility, located at 400 W. Madison.
- The next City Commission study session will be at **noon August 2** in Hernandez's office at City Hall. Commissioners will discuss the agenda for their regular meeting on **August 6**.
- The dedication of the Sgt. Kevin A. Gilbertson Memorial Bridge (South Summit Street bridge) will be at **11 a.m. August 3** at 31333 61st Lane, just southeast of the bridge. Police Chief Ward said his department will provide an escort through the city for any dignitaries. Hernandez clarified that the late Sgt. Gilbertson was not an Arkansas City native.
- The City Commission study session currently scheduled for **noon August 16** conflicts with a previously scheduled SCKMC Board of Trustees work session at the same time. Hernandez said a decision on whether or not to cancel the study session will be made a later time.
- The sale of and closing documents for Arkansas City Public Building Commission Refunding Revenue Bonds, Series 2019, will be finalized **July 23**, according to Hernandez.

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. Vice Mayor Welch declared the meeting adjourned at **6:28 p.m.**

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THE CITY OF ARKANSAS CITY BOARD OF CITY COMMISSIONERS

Karen Welch, Vice Mayor

ATTEST:

Lesley Shook, City Clerk

Prepared by:

Andrew Lawson, Public Information Officer