

# City of Arkansas City

## Board of City Commissioners

### Agenda

Regular Meeting  
Tuesday, April 15, 2014 @ 5:30 PM  
City Commission Room, City Building – 118 W. Central – Arkansas City, Ks

---

#### I. Routine Business

1. Roll Call
2. Opening Prayer and Pledge of Allegiance
3. Additions or Deletions to the Agenda (Voice Vote)
4. Approval of the Agenda (Voice Vote)
5. Recognition of Visitors

#### II. Awards and Proclamations

#### III. Consent Agenda (Voice Vote)

1. Approval of April 1, 2014 regular meeting minutes as written.
2. Mayors Appointments:
  - Debra Olivas, Daniel Yocum – Human Relations Commission
  - Jerald Hooley – Library Board

#### IV. Old Business

#### V. New Business

1. Elect Mayor for one year term ending April 21, 2015. (Voice Vote)
2. Recognize and honor leadership and service of past mayor Jay Warren.
3. Elect Vice Mayor. (Voice Vote)
4. Appoint three members of the Governing Body to serve as Arkansas City's representatives on the Strother Field Commission. (Voice Vote)
5. Appoint one member of the Governing Body to serve on the Convention and Visitors Bureau Board. (Voice Vote)
6. Appoint one member of the Governing Body to serve as representative to South Central Kansas Medical Center hospital board. (Voice Vote)
7. Designate one member of the Governing Body to serve as representative to Cowley First. (Voice Vote)
8. Designate one member of the Governing Body to serve as ex-officio on the Library Board. (Voice Vote)
9. Designate one member of the Governing Body to serve as Liaison on the Cherokee Strip Museum Board. (Voice Vote)
10. Designate the official City newspaper for the publication of legal notices. (Voice Vote)
11. Designate CornerBank as primary depository for banking services and designate all eligible banks in the community as potential depositories for City Funds. (Voice Vote)

#### VI. Other Business

#### VII. City Manager Updates

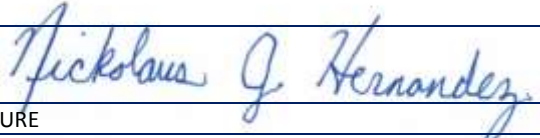
1. Warrant Amnesty Day Tuesday, April 29, 2014.

#### Adjourn for Mayors Reception



# Item for City Commission Action

## Section III Item 1

<b>Date</b> 04/15/2014	<b>Citizen/Agency Contact</b>	<b>Department/Division</b> Finance Department	<b>Staff Contact</b> Lesley Shook, City Clerk
<b>Details</b>	Consent Agenda Item - Approval of minutes from April 1, 2014 Regular Commission Meeting Minutes.		
<b>Description</b> Please see attached.			
<b>Commission Options</b> 1. Approve the minutes.  Recommended by Staff <u>1</u> Advisory Board _____			
<b>Fiscal Impact:</b>  Amount: N/A Fund:            Department:            Expense Code: <input type="checkbox"/> Included in budget <input type="checkbox"/> Grant <input type="checkbox"/> Bonds <input type="checkbox"/> Other (explain) <input type="checkbox"/>			
<b>Approved for Agenda by:</b>			
		SIGNATURE	

# Arkansas City Commission Meeting Minutes

---

The Arkansas City Board of City Commissioners met in regular session on Tuesday April 1, 2014, at 5:30 p.m. in the Commission Chambers at City Hall. Those present at roll call were Commissioners Chad Giles, Dan Jurkovich, Jean Snell, Charles Tweedy III, and Mayor Jay Warren. Also present at roll call were City Manager Nick Hernandez, City Attorney Tamara Niles, Finance Director Kathy Cornwell, Public Works Director Eric Broce, Environmental Services Superintendent Rod Philo, GIS/Planner Josh White, Police Chief Dan Ward, Captain Mark McCaslin, Fire Chief Bobby Wolf, and City Clerk Lesley Shook.

Pastor Fry offered the opening prayer.

Mayor Warren led the pledge of allegiance.

## **Agenda Additions/Deletions and Approval**

City Manager Hernandez requested to amend the agenda to add a 10 minute executive session for acquisition of real estate. Commissioner Tweedy III moved to add a 10 minute executive session for acquisition of real estate. Commissioner Snell seconded the motion. Voice vote was unanimous in favor of the motion. Mayor Warren declared the motion passed.

Commissioner Snell moved to approve the agenda as amended. Commissioner Tweedy III seconded the motion. Dustin Schuetz 1203 N. 3<sup>rd</sup>, addressed the commission regarding discussion of street tax and the hospital debt. It was noted those item are not scheduled before the commission on this agenda. Voice vote was unanimous in favor of the motion. Mayor Warren declared the agenda approved.

Mayor Warren recognized Police Captain Mark McCaslin's acceptance to the FBI National Academy.

## **Consent Agenda**

Motion by Commissioner Jurkovich and seconded by Commissioner Tweedy III that the consent agenda be approved, and to include the following items:

1. Approval of March 18, 2014 regular meeting minutes as written.

Voice vote was unanimous in favor of the motion. Mayor Warren declared the consent agenda approved.

## **Old Business**

### **Agreement with Burns & McDonnell Water Treatment Plant and Public Facilities Resolution No. 2014-04-2897**

City Clerk Shook presented for consideration a Resolution authorizing the City of Arkansas City to enter into a contract Agreement with Burns & McDonnell for design, bidding, and construction phase services for the proposed Water Treatment Plant and Public Facilities. Public Works Director Broce noted the contract agreement between the City and Burns and McDonnell includes engineering services for the final Water Treatment Facility design, bidding and construction phase in the amount of \$2,705,000, including \$23,000 for Security System Design. It was noted several studies have shown that the aging water plant needs major work and comparison of the costs for repair versus build new were virtually the same. The cost for funding this project will come out of water utility revenues. Dustin Schuetz 1203 N. 3<sup>rd</sup>, Mell Kuhn 521 W. Kansas, Ed

# Arkansas City Commission Meeting Minutes

---

Gilliland 2012 Cedar Crest, Brandon Every 19 Pin Oak Drive, addressed the commission regarding this item. Following discussion, Commissioner Tweedy III moved to approve a Resolution authorizing the City of Arkansas City to enter into a contract Agreement with Burns & McDonnell for design, bidding, and construction phase services for the proposed Water Treatment Plant and Public Facilities. Commissioner Snell seconded the motion. Voice Vote was unanimous in favor of the motion. Mayor Warren declared the resolution adopted and given Resolution No. 2014-04-2897.

## **New Business**

### **Insurance Renewal For 2014/2015 Policy Period**

City Clerk Shook presented for consideration renewal of the City's insurance coverage for property, liability, vehicles, and equipment. City Manager Hernandez noted the deductible for commercial property is changing from \$1,000 to \$5,000/\$25,000 per occurrence. City Manager Hernandez recommends the renewal with EMC for 2014/2015 at the rate of \$206,268.00. Dan Deener, United Agency, noted the linebacker policy is the errors and admissions policy which includes employment liability. Following discussion, Commissioner Giles moved to approve the renewal of the City's insurance with EMC for the 2014/2015 policy year in the amount of \$206,268.00. Commissioner Jurkovich seconded the motion. Voice vote was unanimous in favor of the motion. Mayor Warren declared the motion passed.

### **Derek Koller Appeal Replacement Windows 208 S. Summit Resolution No. 2014-04-2898**

City Clerk Shook presented for consideration a Resolution addressing appeal of Derek Koller from determination of the State Historic Preservation Officer, finding no feasible alternative, and authorizing aluminum replacement windows at 208 S. Summit St. GIS/Planner White noted that approximately March 10, 2014, Derek Koller had contractors submit plans to the city to replace windows on his property at 208 S. Summit street, which is in the downtown historic district, with aluminum windows. The State Historic Preservation Officer or SHPO, reviewed the plans on March 26, 2014 and determined the proposed windows do not meet the standards for rehabilitation. Mr. Koller wishes to appeal the determination. Following discussion, Commissioner Jurkovich moved to approve the Resolution addressing appeal of Derek Koller from determination of the State Historic Preservation Officer, finding no feasible alternative, and authorizing aluminum replacement windows at 208 S. Summit St. Commissioner Tweedy III seconded the motion. Voice Vote was unanimous in favor of the motion. Mayor Warren declared the resolution adopted and given Resolution No. 2014-04-2898.

### **KanPak LLC Public Improvement Reimbursement Agreement Resolution No. 2014-04-2899**

City Clerk Shook presented for consideration a Resolution approving a Public Improvement Reimbursement Agreement with KanPak LLC. Public Works Director Broce noted KanPak is proposing an expansion on their property on S. Summit Street. In reviewing the drawings submitted, a 16 inch water line is in the proposed expansion area. The water line will need to be relocated and KanPak has agreed to reimburse the city for all costs associated with that relocation. Following discussion, Commissioner Snell made a motion to approve the Resolution approving a Public Improvement Reimbursement Agreement with KanPak LLC. Commissioner

# Arkansas City Commission Meeting Minutes

---

Jurkovich seconded the motion. Voice Vote was unanimous in favor of the motion. Mayor Warren declared the resolution adopted and given Resolution No. 2014-04-2899.

## **HD Supply Waterworks Agreement Sensus FlexNet Metering System**

City Clerk Shook presented for consideration entering into an Agreement with HD Supply Waterworks to provide Phase 1 services for the Sensus FlexNet Metering System, for a price not to exceed \$323,247.99. Public Work Director Broce noted prior discussions have taken place regarding the city's unaccounted water loss which directly relates to lost revenue. The best way to address this project is with a phased approach as approximately 65% of the City's water meters are 10 years or older. Representatives from Sensus were available to answer questions. Mell Kuhn 521 W. Kansas, and Jack Baird 25 Crestwood, addressed the commission regarding this item. Following discussion, Commissioner Jurkovich moved to table until the next meeting. Commissioner Tweedy III seconded the motion. Voice vote was unanimous in favor of the motion. Mayor Warren declared the motion passed.

## **City Manager Updates –**

Information on the water line replacement project should be available within the next few weeks.

The old Hospital demolition is still moving forward. After the design specs are complete, the project will be ready for bid.

## **Other Business**

Commission Tweedy III moved to hold a 10 minute executive session to discuss acquisition of real estate. Seconded by Commissioner Snell. Public meeting to resume at 7:30 p.m.

Commissioner Giles left the meeting.

## **Adjournment**

Commissioner Tweedy III moved to adjourn. Commissioner Jurkovich seconded the motion. Voice vote was unanimous in favor of the motion. Mayor Warren declared the meeting adjourned.

THE ARKANSAS CITY  
BOARD OF CITY COMMISSIONERS

\_\_\_\_\_  
Jay Warren, Mayor


ATTEST:

\_\_\_\_\_  
Lesley Shook, City Clerk



# Item for City Commission Action

## Section III Item 2

<u>Date</u> <b>04/15/2014</b>	<u>Citizen/Agency Contact</u> 	<u>Department/Division</u> Mayor's Office	<u>Staff Contact</u> Jay Warren
<u>Details</u>	Consent Agenda Item - Mayors Appointments		
<u>Description</u> The mayor will recommend the following appointments: <ol style="list-style-type: none"> <li>1. Debra Olivas, Daniel Yocum – Human Relations Commission</li> <li>2. Jerald Hooley – Library Board</li> </ol>			
<u>Commission Options</u> 1. Approve the appointments  Recommended by Staff <u>1</u> Advisory Board _____			
<u>Fiscal Impact:</u>  Amount: N/A  Fund:                      Department:                      Expense Code: <input type="checkbox"/> Included in budget <input type="checkbox"/> Grant <input type="checkbox"/> Bonds <input type="checkbox"/> Other (explain) <input type="checkbox"/>			
<u>Approved for Agenda by:</u>	 SIGNATURE		



# Item for City Commission Action

## Section V Items 1-11

<b>Date</b> 04/15/2014	<b>Citizen/Agency Contact</b>	<b>Department/Division</b> City Manager	<b>Staff Contact</b> Nick Hernandez, City Manager
<b>Details</b>	Reorganization of City Commission		


### **Item / Description:**

1. The first order of business for the Commission to consider will be the election of a new Mayor. By tradition, the Commission has elected the candidate who was successful in receiving the second highest number of votes in the last municipal election. That candidate is Chad Giles.
2. Following the election of the new Mayor, the new Mayor will take their chair at the center of the dais. The new Mayor's first order of business will be to recognize the outgoing Mayor's leadership and contribution to the Commission and the community during the past year as Mayor.
3. The next order of business will be to elect a Vice-Mayor who serves in the capacity of Mayor when the Mayor is unavailable. Traditionally, the candidate with the third highest number of votes in the last municipal election has been elected to this position. That candidate is Dan Jurkovich.
4. Strother Field is jointly owned by the cities of Arkansas City and Winfield. It is governed by a seven member body, three from each City and one from the County. The Commission will need to appoint three of its members to serve on the Strother Field Commission. The City Commission's past practice has been to appoint the three members of the Governing Body who have been elected to four year terms and are not currently serving as Mayor as its three representatives to the Strother Field Commission. The rationale is to relieve the member of the Governing Body receiving the two year term, who by City Code serves as Chair of the Convention and Visitors Bureau board, and the Mayor, who has the additional duties of that office, from the additional responsibility of serving on the Strother Field Commission.
5. The Convention and Visitors Bureau Board, which oversees the collection and expenditure of Transient Guest Tax to promote tourism in the community, is constituted according to Charter Ordinance. One member of the governing body will need to be chosen to serve on this board.
6. Appoint one member of the Governing Body to serve as representative to South Central Kansas Medical Center Hospital board. The Governing Body appoints seven (7) trustees, one of whom shall be the Chief of the Medical Staff, and the remaining six chosen from citizens of said City with reference to their fitness for such office, who shall constitute a Board of Trustees for the City-owned hospital. At no time shall more than two (2) members of the Board of Trustees be physicians. The Chief of the Medical Staff shall be considered in regard to the limitations imposed for number of physician members of the Board of Trustees. The Chief Executive Officer of the Hospital is an advisory member of the Board of Trustees without voting privileges. The City Manager or his or her designee is an advisory member of the Board of

Trustees serving without voting privileges. A member of the City Commission is an advisory member of the Board of Trustees serving without voting privileges.

7. Designate one member of the Governing Body to serve as representative to Cowley First. This member is a member of the executive coordinating council. The nine member coordinating council is made up of one representative selected by the City of Arkansas City, CornerBank, Cowley County, Union State Bank, Cowley College, Strother Field Commission and the City of Winfield. Two at-large members appointed by the other seven collective members complete the executive coordinating council.
8. Designate one member of the Governing Body to serve as ex-officio on the Library Board. This board member has the same powers as the other board members.
9. Designate one member of the Governing Body to serve as Liaison on the Cherokee Strip Museum Board.
10. It is necessary to designate an official City newspaper for publication of various legal notices required by statute. Throughout Arkansas City's history, the official City newspaper has continued to be the Arkansas City Traveler.
11. In November 2010, through a Requests for Proposals for Banking Services process, CornerBank was selected as the primary depository to a three year contract beginning January 1, 2011 with two one-year options to renew. The City requests bids as CDs come due and currently has funds at CornerBank, Union State Bank, and Stock Exchange Bank. Staff recommends designating CornerBank as the primary depository and designating all eligible banks in the community as potential depositories for City funds.

Following adjournment of the Governing Body, staff has made preparations for a reception for the new Mayor.

<b><u>Commission Options</u></b>	
Recommended by Staff <u>Yes</u> Advisory Board _____	
<b><u>Fiscal Impact:</u></b>	
Amount: N/A	
Fund:	Department: Expense Code:
<input type="checkbox"/> Included in budget	<input type="checkbox"/> Grant <input type="checkbox"/> Bonds
<input type="checkbox"/> Other (explain) <input type="checkbox"/>	
<b><u>Approved for Agenda by:</u></b>	
	SIGNATURE