

City Commission of Arkansas City Meeting Minutes

The Arkansas City Board of City Commissioners met in regular session at 5:30 p.m. Tuesday, August 2, 2016, in the Commission Room at City Hall, 118 W. Central Ave., in Arkansas City.

Mayor Duane L. Oestmann called the meeting to order. Those also present at roll call were Commissioners Charles Tweedy III, Jay Warren and Karen Welch. Commissioner Dan Jurkovich was absent from the meeting.

City employees 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, Public Works Director Eric Broce, Assistant Public Works Director Mike Crandall, Neighborhood Services Superintendent Richard Brown, Police Chief Dan Ward, Fire Chief Bobby Wolfe and Human Resources Manager Marla McFarland.

South Central Kansas Medical Center officials in attendance were chief executive officer Virgil Watson and chief financial officer Holly Harper.

The Arkansas City Area Chamber of Commerce's Membership Services and Awards Committee was represented by Kelly Dillner, Sarah Long, and Mendy Pfannenstiel.

Citizens in attendance included Albert Brown, Ken Harader, Bob Mathews, Dr. Scott Rogers, CourierTraveler reporter Cody Griesel and Daily Bytes reporter Jeni McGee.

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

Agenda Changes and Approval

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

Audience Comments

Bob Mathews, 900 North D St., asked for special permission to speak now, even though his item of concern appeared on the agenda. He said he had a meeting to chair at 6:30 p.m. Mayor Oestmann allowed him to speak.

Mathews continued his objection to the proposed merger of the Board of Zoning Appeals and Planning Commission. He said he had 10 applications with him, as promised, and a 11th had been turned in to staff earlier.

Eligible applicants who live inside the City limits are Dale Eggen, Brett House, Ted Kadau, Mell Kuhn, Sue Lancaster, Mathews, Harvey Owens and Chris Tackett. Ineligible applicants who live outside the City limits are Darrin Green, Steve Moore and Colin Taylor. Both Planning Commission seats for outside members are filled.

Mathews challenged the listing of the proposed ordinance as a second reading and said he recalled the first reading of the ordinance being postponed during the July 19 meeting. He gave the forms to City Clerk Shook.

Commissioner Tweedy said even if no action is taken, the simple discussion of the item makes it a first reading. City Attorney Niles said there was no draft ordinance the first time this was on the agenda and thus Mathews was right, but she later corrected herself — that initial discussion was July 5, while the first reading was July 19.

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Awards and Proclamations

Mendy Pfannenstiel explained why ACPD was chosen for the Open Arms Award, which is presented quarterly by the Arkansas City Area Chamber of Commerce's Membership Services and Awards Committee.

The award is given to nonprofit organizations for their contributions to the Arkansas City community. Recipients are eligible for the annual Open Arms of the Year Award, which is given at the chamber's annual banquet.

The committee chooses the winner of the award for "exemplary achievement in community aid, advancement, development, expansion, involvement or other outstanding accomplishments."

Pfannenstiel, Kelly Dillner and Sarah Long presented the Open Arms Award to Police Chief Ward. He said he wished his officers could be there to accept it, but they were too busy working, so he accepted it on their behalf.

Consent Agenda

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

1. Approving the July 19, 2016, regular meeting minutes as written.
2. Ratifying Mayor Oestmann's reappointments of Arty Hicks, Shawn Silliman, and Dena Ward to the Convention and Tourism Committee.
3. Approving Resolution 2016-08-3041, authorizing the rescheduling of a City Commission meeting from 5:30 p.m. August 16, 2016, to 5:30 p.m. August 15, 2016, in the Commission Room at City Hall, 118 W. Central.

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

Old Business

Traffic Engineering Services

City Clerk Shook presented for discussion a resolution authorizing the City to enter into a contract agreement with TranSystems, of Wichita, for a traffic engineering services study on First Street, from Birch to Kansas avenues, including how traffic interacts with Family Dollar and Summit, for an amount not to exceed \$9,500.

City Manager Hernandez said this item was a carryover from the last couple of meetings and nothing had changed in this iteration. Mayor Oestmann asked the other commissioners if they had any concerns.

Commissioner Tweedy asked if the study actually would accomplish anything or generate anything the City actually could use to address the problems raised by Ken Harader and other citizens who live in the area.

Hernandez said there are a lot of potential solutions internally and asked Public Works Director Broce to address the commission. He said Broce is somewhat familiar with the Manual on Uniform Traffic Control Devices, although obviously not as familiar as a firm such as TranSystems that performs traffic studies for a living.

Hernandez said there have been no accidents and there is no way to know if the study will prevent future wrecks.

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He said the decision will come down to commissioners determining whether the study is a wise use of public funds or whether those funds could be applied to a better purpose and cheaper alternatives explored first.

Warren said he drove around the area and had come to agree with Harader's concerns. He also agreed with Harader that making First Street one-way northbound from Poplar to Kansas avenues was a sound idea.

Broce said northbound one-way traffic would create additional problems that do not exist currently. It also could exacerbate existing problems at the intersection of First Street and Kansas Avenue with extra traffic.

He said he would prefer to hear from a better representation of the neighborhood, especially others who live north of the proposed one-way cutoff, and not just rely on Harader's complaints to the City Commission.

Broce said he struggled most with the fact that there are no indicators in the area — such as collisions, congestion, a high volume of traffic or high rates of speed — that normally would warrant such a traffic study.

Commissioner Welch asked if commercial trucks were allowed southbound on First Street. Broce said no trucks weighing more than 5 tons are allowed on First Street.

Mayor Oestmann asked Broce what the difference or difficulty would be if the commissioners simply banned parking on the west side of First Street (because those residents have access to an alley).

Hernandez said it would take a simple ordinance and appropriate signage. Broce said he thinks it would help traffic by basically widening a narrow street. On-street parking is eating up 14 feet, leaving just 11 feet for travel.

He said a good single lane is 13 feet, so the 11 feet allowed is narrow, even for a one-way street, as long as parking is allowed on both sides of the street. Eliminating one side would add 7 feet, for a total of 18 feet across.

Hernandez said starting a one-way street at a T-intersection, as exists at First and Poplar, risks drivers ignoring or missing the signage, creating the possibility of a head-on collision further down the street, especially at night.

He said the City also would have to add complicated striping and probably a three-way stop at the intersection.

Broce pointed out that Warren's proposal could force Union State Bank customers to drive all the way to Second Street, south to Poplar and then north on First just to use the ATM previously accessible to southbound traffic.

Warren said the study should look at that. Broce said he was not comfortable making that recommendation.

He predicted Harader would say there are problems on First Street, but Broce said the data do not support that conclusion. But he also acknowledged that TranSystems might see some things he has overlooked.

Mayor Oestmann said that with all the financial problems concerning the hospital, \$9,500 seemed like too much to spend on a traffic study. The signage required by restricting parking would be much cheaper.

Broce said the traffic study probably would help with public buy-in if it confirms what staff already knows about the area, and it also could help with offering concrete solutions to dealing with the long-term problems.

Commissioner Tweedy asked how long the study would be conducted. Hernandez said it would be eight weeks.

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Commissioner Warren asked if the study would look at the Kansas-Summit intersection at all. Broce said it would focus only on how First Street traffic ties into that. Commissioner Warren said if the study is going to look at all of First Street, it probably also should look at that intersection and the impact any changes would have.

Hernandez said the City would have to change the scope of the agreement to do that. Broce said the entire intersection would be looked at as part of a study prior to the Summit project between Kansas and Radio Lane.

Commissioner Tweedy said Commissioner Warren's scope exceeds a simple traffic study — it's a planning study.

Broce said staff has responded four times to suggestions brought to commission meetings regarding this issue and tried to implement them. Hernandez said adding the intersection could increase the price tag substantially.

He said Kansas Avenue bears about 17,000 vehicles per day, while First Street has just 300. The increased volume of data would drive up the cost. Mayor Oestmann observed it would be even worse during Arkalalah.

He said he didn't want to wait another eight weeks to do something different and suggested that banning parking on the west side of First Street would be a cheaper alternative before doing the wider-scope study.

Commissioner Warren said he would want to see the study ahead of time before restricting First Street parking.

Broce said TranSystems came down to view the area, and its representatives told him and Hernandez that one-way traffic northbound would be a disaster because it would make existing problems at the intersection worse.

Commissioner Warren suggested looking at a roundabout intersection. Hernandez said that actually was mentioned and the Kansas-Summit intersection should have been a roundabout, but the cost to do that now would be prohibitive because of all the land acquisition that would be required surrounding the intersection.

Commissioner Warren asked what it costs the City to maintain the traffic signals. Hernandez said they are very expensive up front, but maintaining them after they are installed is not very expensive, comparatively speaking.

Commissioner Tweedy said he was not in favor of the study, but after listening to Broce, he had come to feel the need for the study was inevitable in order to convince area residents that Broce's parking option is the best one.

Hernandez asked if the resolution should be approved as currently written or if should be modified to include recommendations concerning traffic congestion at the intersection of Kansas Avenue and Summit Street.

Commissioner Warren said he wanted to add the intersection. Hernandez said that would enhance the scope and he couldn't estimate the cost until Broce talks to TranSystems. Commissioner Warren asked Broce to do so.

Commissioner Tweedy said the commission could make a motion not to exceed a certain amount. Hernandez suggested \$15,000. Commissioner Tweedy said he was thinking more like \$12,000.

Broce said he wanted to be clear and asked if the commissioners were requesting that geometric traffic improvements at the Kansas-Summit intersection be included in the study. Commissioner Warren said yes.

Broce said looking at the possibility of a roundabout at least would double the cost of the study. Mayor Oestmann said it still wouldn't solve Harader's problem and the expenditure could wait until the larger project.

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Ken Harader, 1313 N. First St., addressed the commission and handed out pictures of various trucks congesting First Street and executing improper turning maneuvers in or out of Family Dollar's west entrance/exit.

He asked the commissioners why they wanted to punish the people who park on the west side of the street and said parking should be banned on the east because those properties eventually would be bought by developers.

Harader said Broce was not telling commissioners that Broce and Chief Ward will not enforce the signage on the west entrance/exit because it is a private drive. He showed a picture of a City truck entering the wrong way.

Commissioner Welch asked if one of the trucks was a rock hauler. Harader said either that, or it was hauling sand and asphalt. He said the truck had come by at noon earlier that day and it was fully loaded at the time.

He said the truck proceeded south on First all the way to Birch Avenue, and it happens regularly. Commissioner Welch asked if Harader reported the truck's license plate number. Harader said he did not report it.

He said he did report a truck parked in front of a fire hydrant several weeks ago and the police responded, but he doesn't feel that is the answer to the problem and citizens shouldn't have to report these issues constantly.

Hernandez asked Harader if he would be satisfied with any recommendation from the traffic study other than making First Street one-way north of Poplar Avenue, assuming commissioners move forward with funding it.

Harader said he thinks the City is afraid of the site study and what information might come out of it. He said the decision to build Family Dollar there never should have happened and the traffic he is seeing shouldn't be there.

He also said he had called Public Information Officer Lawson on July 28 to report pallets stacked behind the store and Lawson had said he would refer the matter to Neighborhood Services Superintendent Brown.

Harader said he feels like First Street has been turned into an alley. He criticized the management and employees of Family Dollar for not taking more pride in the external appearance of their store.

Commissioner Tweedy asked Chief Ward if it was true that the signs couldn't be enforced. Ward said signs on private property are not enforceable, but the "no parking" signs are. The police have responded to such calls.

He reminded the commission that officers are deployed to the areas with the highest accident and crime rates in order to use limited resources effectively. Other than that, police rely on citizens to notify them of traffic issues.

Mayor Oestmann said he didn't propose eliminating parking on the west side of First Street to hurt those residents, but it is one of the more economical solutions to the problem. He asked Harader if he would be OK with losing the parking if the study recommends that. Harader asked again about eliminating it on the east side.

Commissioner Warren said he thought the study was important and he wanted to add the Kansas-Summit intersection. Hernandez said that intersection really needs to be looked at as part of the entire Summit corridor.

He was asked how to pay for the study. He said it would have to come out of the general fund somewhere.

Commissioner Welch said she was concerned they would be paying for an expensive study just to make one citizen happy. She said more people would benefit from a study of the Summit Street corridor instead.

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Commissioner Welch also said the police are too busy with higher-priority matters to monitor traffic signs that some people will disobey, so they do need citizens to report license plate numbers and help the officers out.

Harader said he wasn't going to report tag numbers on every car and pickup truck that drives by his house.

Commissioner Welch said she was concerned about the high volume of truck traffic. If Harader had time to take pictures of the trucks, she said, he also needed to take pictures of the license plate numbers.

He said that her desire for a study that impacts people communicates to him that the City doesn't care about the 10 or 12 people who are highly impacted by Family Dollar. Commissioner Welch denied saying that.

Commissioner Warren made a motion to approve the resolution as written. Commissioner Tweedy seconded the motion. Mayor Oestmann said he was concerned about where the City would find the money for the study.

A voice vote resulted in two aye votes and two nay votes, with Mayor Oestmann and Commissioner Welch dissenting. Mayor Oestmann declared the resolution failed.

Mayor Oestmann made a motion to add the study to the agenda of the next meeting and consider it again, with the addition of the Kansas-Summit intersection portion. Commissioner Tweedy seconded the motion.

A voice vote was unanimous in favor of the motion. Mayor Oestmann declared the motion approved.

Combining Planning Commission and Board of Zoning Appeals **Ordinance No. 2016-08-4412**

City Clerk Shook presented for discussion a second reading of an ordinance modifying Article 25 of the Zoning Regulations to combine the Board of Zoning Appeals and the Planning Commission, and amending Municipal Code to so reflect.

City Attorney Niles corrected her earlier statement and said this item was a discussion item on the July 5 agenda, then a first reading of the ordinance was held at the July 19 meeting, contrary to what Bob Mathews had said.

Public Information Lawson, standing in for City Planner Josh White, gave a presentation about the respective duties, responsibilities, and appeals processes for both the Board of Zoning Appeals and Planning Commission.

He said the two boards do not really act as a check and balance of each other. The Planning Commission is an advisory board that makes recommendations to the City Commission, which is the body that actually acts on it. The Board of Zoning Appeals hears appeals of City Commission decisions, not Planning Commission decisions.

The Planning Commission is more of a "big picture," long-term planning board, but the Board of Zoning Appeals is more detail-oriented. The Commission hears qualitative appeals regarding the nature and use of certain properties, while the Board hears quantitative appeals of the amount of setback or other measurement allowed.

Lawson said that since the Planning Commission held a public hearing concerning the proposed changes and voted unanimously twice to recommend them, it would take a vote of two-thirds of the commissioners (four) to overturn those recommendations. Only three commissioners needed to vote to approve them, however.

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Decisions of the Board of Zoning Appeals are final, but may be appealed to Cowley County District Court within 30 days of the decision. The Board does not set broad policy. It only meets to consider variance requests.

The combined board would fulfill both functions, but do so separately. Kansas has allowed this since the 1990s.

It still will have separate meetings, but they could be on the same night, with one board voting to recess or adjourn *sine die* to the other board's proceedings and two members either leaving or returning to the dais.

The two boards, with overlapping membership, can elect separate sets of officers. Lawson said that should help to establish and maintain their independence from each other, as well as not overburden one individual as chair.

Lawson said Mathews claimed the Board would be unwilling to overturn decisions of the Commission. He cited consultant Jim Kaup as saying that is preferable — while up to 90 percent of appeals are granted currently, Kaup said that number should be closer to 10 percent. Otherwise, cities end up with a hodgepodge of exceptions.

Lawson said the Board now will have “ownership” of the Zoning Regulations, since its members will have helped to create them and those members will have a greater understanding of how the regulations came to be.

He also said White sometimes has to “coach” the Board on how to go through the hearing process, and since the Board is technically hearing appeals of White's decisions, this puts him in a position of a conflict of interest.

The two boards do not hear appeals of each other's decisions. Appeals of the Planning Commission are made to the City Commission (and appeals of it, to district court) and appeals of the Board go straight to district court.

Lawson said Mary Benton, chair of the Board of Zoning Appeals, regretted not being able to attend the meeting — she was at the same Board of Health meeting as Mathews — but she said she fully supported the proposal.

Planning Commission chair Dr. Scott Rogers said this proposal never was about numbers or filling seats. He said it just makes sense because the planning commissioners have the necessary expertise. He also said this will improve the streamlining of communication between the two boards regarding the background of regulations.

He said he liked the idea that if the Board of Zoning Appeals keeps hearing the same kind of appeals, it will help the Planning Commission to know what areas of the Zoning Regulations might need to be amended.

Mayor Oestmann asked if there had been any discussion about conflicts of interest. Rogers said the only discussion was about encouraging more diversity in the applicants to both boards and possibly reducing seats.

Planning Commissioner Albert Brown also spoke in favor of the proposal, saying it would help to fill vacancies on both boards. He pledged to listen to anyone who has any idea that will better the community.

He said Lawson and White had done good work on the combination proposal, and he urged the commissioners not to delay action on it any further because it was pushing back other work to address issues on City boards.

Brown asked where the 12 new applicants were six months ago when there were vacancies. He questioned why they suddenly were expressing interest. Commissioner Warren agreed, saying volunteers shouldn't have to be recruited by someone. Those people are not likely to have good attendance for very long, he said. He also said he took the board recommendations seriously and he didn't see any conflicts of interest to speak of.

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Commissioner Tweedy said this idea had been proposed years ago, but the same reasoning of conflict of interest was used to defeat the proposal. There has been no improvement in the vacancy situation since then, he said.

Mayor Oestmann made a motion to approve the ordinance. Commissioner Tweedy seconded the motion, saying it finally was time to try this idea. A roll call vote was unanimous in favor of the motion.

Mayor Oestmann declared the ordinance approved and given Ordinance No. 2016-08-4412.

New Business

South Central Kansas Medical Center Loan

City Manager Hernandez asked to move New Business Item 5, concerning a loan to South Central Kansas Medical Center for payment of the Public Building Commission Series 2009 bond payment.

SCKMC chief financial officer Holly Harper presented two letters from chief executive officer Virgil Watson and the SCKMC Board of Trustees, one requesting release of the sales tax funds and the other requesting a loan of \$654,977.50. Hernandez and Harper said the funds needed to be available that week and certified by Aug. 10.

Commissioner Tweedy made a motion to approve the requested loan. Commissioner Welch seconded the motion.

A voice vote was unanimous in favor of the motion. Mayor Oestmann declared the motion approved.

Commissioner Tweedy asked Harper about the Rural Health Clinic survey for South Central Kansas Clinic. She said there are a few things to fix, but the status was approved and full reimbursement should start in 90 days.

Hernandez asked Watson how it was going with Quorum's review. Harper said she has sent off more data to them and they are analyzing it before they begin scheduling specific site visits with hospital staff members.

Commissioner Warren asked how long Quorum would take. Harper said it would be within the next 75 days.

Personnel Policy Updates

City Clerk Shook presented for discussion the following personnel policy updates: Residency and Telephone Requirements, Loyalty Oath, Workplace Violence, and Weapons in the Workplace.

Human Resources Manager McFarland briefly described each of the policies, several of which are just minor updates to those already in place. Weapons in the Workplace is a new policy, however, which is being approved in response to new Kansas laws concerning the concealed carrying of firearms by City employees on the job.

Commissioner Welch asked for the response times, which McFarland provided. Commissioner Tweedy asked what would happen if employees couldn't carry their weapons somewhere. Hernandez said they had to be secured somewhere other than in City-owned vehicles. He expressed concerns about securing City buildings.

Commissioner Tweedy made a motion to approve the personnel policies. Commissioner Welch seconded the motion. A voice vote was unanimous in favor of the motion. Mayor Oestmann declared the motion approved.

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Historic Preservation Board Ordinance

City Clerk Shook presented for discussion a first reading of an ordinance modifying Municipal Code Part II, Chapter 38, Article II, Sec. 38-21, concerning the composition and functions of the Historic Preservation Board.

Public Information Officer Lawson, again standing in for City Planner White, gave a brief overview of the changes included in the ordinance, which mainly removes strict membership requirements from the Board's bylaws.

He said the board voted unanimously on July 18 to recommend the changes because the requirements aren't being met currently by its membership. The changes would make it easier to appoint interested members.

Lawson said staff still would strive to represent the Planning Commission and the downtown entities with future appointments, because of their expertise and interest in the decisions being made, but interest and experience in historic preservation and related occupations would be the primary consideration for any appointment.

Mayor Oestmann asked if members had to live within the City limits. Lawson said there is no such requirement.

He said a reference was changed from "state historical society" to State Historic Preservation Office. The SHPO was notified by White of the changes and also has approved of them.

Commissioner Tweedy asked if the Certified Local Government status has improved matters for local control.

Lawson said White would have to address that Aug. 15, but his sense from attending meetings was that it has.

Commissioner Tweedy and Mayor Oestmann asked about the Arkansas City Public Library's windows. Lawson said White would have to address that process in greater detail.

Commissioner Warren made a motion to table the ordinance until Aug. 15. Commissioner Tweedy seconded the motion. A voice vote was unanimous in favor of the motion. Mayor Oestmann declared the motion approved.

Notices to Appear Charter Ordinance

City Clerk Shook presented for discussion a first reading of a charter ordinance exempting the City from the provisions of K.S.A. 12-420, regarding public officials with the authority to sign and serve an Arkansas City Municipal Court notice to appear.

City Manager Hernandez said the ordinance had been in the works for a long time and it was time to proceed.

Ken Harader asked if passing the charter ordinance would make it possible enforce codes better at Family Dollar.

Mayor Oestmann said it might make it easier to write citations. Hernandez said City Attorney Niles had put a lot of work into this ordinance. Neighborhood Services Superintendent Brown and Police Chief Ward have a lot of experience in administering this sort of process, as does Fire Chief Wolfe. Citations still can be written long-form.

This would speed up the process considerably, though. Niles explained how municipal court would handle the increase in notices to appear and said the municipal court judge is comfortable with hearing these cases.

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Hernandez and Niles said past City practice was not in accordance with Kansas law concerning law enforcement officers, so the charter ordinance is needed to grant that exception. She said she tried to narrowly construe who can write these notices and why, restricting it to people who have training and expertise in only select areas.

Thus, she said, a fire inspector only could write a citation for a fire violation, a code enforcement officer for a code violation, a public service officer for an animal control violation, and so on and so forth.

Commissioner Warren asked Niles about Harader's concerns. She said that as long as it is an actual violation of the City's property maintenance code, a code enforcement officer could write a notice to appear on the spot.

Commissioner Welch asked if the notice would be written to the property owner or the actual occupant of the property. Niles said that would depend on the nature of the violation.

Mayor Oestmann asked Brown about the Family Dollar situation. Brown said he didn't have any authority to enforce the laws and codes on the books, but this ordinance would give him the teeth to handle problems.

He said he would be able to serve a notice in person or send it by certified mail, but he tries other avenues first.

Hernandez said he wanted to ease into this process, with a particular focus being given each month to a specific issue and public notification of that being released beforehand. But the City still would respond to complaints.

Brown said this also would help with enforcing codes. Hernandez mentioned a couple of businesses downtown.

Niles said the charter ordinance will have to be published two consecutive weeks after its passage and take effect 61 days after that. Commissioner Tweedy said he wanted a second reading and no action was taken.

Conveyance of Property to Avsar **Resolution No. 2016-08-3042**

City Clerk Shook presented for discussion a resolution authorizing the sale and conveyance of certain property at 3232 N. Summit St. (Quality Inn) to Avsar Hotel Enterprise, Inc.

City Manager Hernandez said now that the Industrial Revenue Bonds on the hotel have been paid off, the City needs to transfer the property back to the hotel's ownership. The item is administrative in nature, he indicated.

Commissioner Tweedy made a motion to approve the resolution. Commissioner Warren seconded the motion.

A voice vote was unanimous in favor of the motion. Mayor Oestmann declared the resolution approved and given Resolution No. 2016-08-3042.

Summit Street/Radio Lane Improvements **Resolution No. 2016-08-3043**

City Clerk Shook presented for discussion a resolution authorizing the City to enter into a contract agreement with Cornejo and Sons LLC, of Wichita, for the Summit Street paving and water line improvements from Walnut Avenue to Kansas Avenue, including a mill and overlay of Radio Lane from 15th Street to Summit Street, for an amount not to exceed \$1,800,693.05.

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Public Works Director Broce said he had been working on this project for a long time. In addition to the street improvements, it includes new concrete intersections, curb and gutter improvements, and access control.

The water line would be moved to the west side of Summit, out from under the street, in order to better deal with water main breaks without disrupting traffic or adding to their expense by tearing up the street.

The \$300,000 mill and overlay of Radio Lane, in lieu of chip sealing, was approved by commissioners last month.

Broce explained how some of the funds would come from the street sales tax fund for the Summit Street portion, some from the water fund for the water line and some from the special streets fund for Radio Lane.

Mayor Oestmann asked about other upcoming projects. Broce said once the Skyline Road project is closed out, he will know how much is left in the sales tax funds for 15th Street and the South Summit Street KLINK project.

Commissioner Tweedy asked for the completion date on Summit Street. Broce said paving is weather-dependent and he will have to converse with Cornejo about that. He said the company is trying to complete Radio Lane and the water line this fall, then finish the Summit Street paving and improvements next spring.

Commissioner Tweedy asked if this project would impact Arkalalah or the Last Run Car Show. Broce said Cornejo would try to work around those events, as well as Arkansas City High School's schedule.

Hernandez said the water line and side intersections could impact those autumn events slightly. He said trying to work around the schedules for everything else would add some expense to the overall project. He also said he wants to look at eventually striping Summit Street so there are bicycle, parking, travel and turning lanes.

Mayor Oestmann asked how many services would be affected by the new water line. Broce said 40. Hernandez said it would be easier to work on the line, too, because the new valves will allow crews to turn off the pressure.

Commissioner Warren made a motion to approve the resolution. Commissioner Tweedy seconded the motion.

A voice vote was unanimous in favor of the motion. Mayor Oestmann declared the resolution approved and given Resolution No. 2016-08-3043.

Commissioner Tweedy observed that it would be good to have visible stripes on North Summit Street again.

City Manager Updates

City Manager Hernandez said he had visited with the Arkansas City Area Chamber of Commerce, which is requesting \$22,500 for this year and \$20,000 in 2017. It potentially could go back to zero in 2018 and beyond.

He said they needed a few years to ease into a new director and straighten their budget out. Commissioner Tweedy asked about the new director. Hernandez said it probably would be announced within a few weeks.

He also said it was time for renewing audit services and potentially signing an engagement letter with the same firm. Commissioner Warren asked how long it had been since bids were sought. Finance Director Cornwell said it had been three years. Hernandez said the current firm has come in under budget each of the last two years.

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But he also said staff could open the auditing up for bids, if the commissioners preferred. Commissioner Warren said that might be best for the public interest. Cornwell said staff would put together a request for proposals.

Hernandez said one thing to be emphasized will be a quick turnaround, similar to what the City experienced in 2016. Commissioner Welch praised the firm for coming in under budget in each of the past two years. Cornwell said some of that was the firm's efficiency and some of that was staff's efficiency.

Hernandez said the lowest bidder might not necessarily be selected as a result of this process. The fit will matter.

Mayor Oestmann asked how long bids would take. Hernandez said about two months, which he thought would be OK for the City's timeline. Commissioner Tweedy said he wouldn't have a problem staying with this firm.

He suggested one more year with the current firm and opening it up for bids earlier next year. Cornwell said the firm might be flexible with just a one-year contract.

Commissioner Warren asked Hernandez for his opinion. He said he was a proponent of switching auditors periodically because it puts fresh eyes on the numbers, but it also can be disruptive because staff and the new firm would take time to get to know each other's preferences. He said either option could be workable.

Commissioner Warren said it wouldn't hurt to send the audit out for bids. Hernandez said the request for proposals will tell bidders what has been paid the last three years and insist that they come close to matching it.

Cornwell asked if the general consensus was to put an RFP out for bid. Commissioner Welch asked which would be easiest. Cornwell and Hernandez said renewing for one more year, then putting it out for bid in 2017.

The other commissioners indicated that was an acceptable alternative, but no formal vote was taken.

Other Business

City Manager Hernandez asked Assistant Public Works Director Crandall to come to the podium. Crandall said the budget allows for the purchase of a semi-tractor and a low boy trailer. He wants to get a used tractor.

The current truck has more than 600,000 miles on it and is 23 years old. It has rolled over previously, Crandall said. He was seeking \$45,000 in spending authority to go after a used vehicle, possibly before the next meeting.

Commissioner Tweedy asked how the vehicle would be used. Crandall said it hauls a trailer that carries heavy equipment, such as the City's excavator. Hernandez said the purchase is necessary, but probably not urgent.

Hernandez said staff could look for a semi and bring it back up in two weeks, but if it looks like the desired vehicle could be gone, he might ask for a special meeting. He said the current vehicle runs and can be traded in.

Adjournment

Commissioner Tweedy moved to adjourn the meeting. Commissioner Welch seconded the motion. A voice vote was unanimous in favor of the motion. Mayor Oestmann declared the meeting adjourned at 7:46 p.m.

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THE ARKANSAS CITY
BOARD OF CITY COMMISSIONERS

Duane L. Oestmann, Mayor

ATTEST:

Lesley Shook, City Clerk

Prepared by:

Andrew Lawson, Public Information Officer