

City Commission of Arkansas City Meeting Minutes

The Arkansas City Board of City Commissioners met in regular session at 5:30 p.m. Tuesday, September 20, 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 arrived during roll call.

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, Fire Chief Bobby Wolfe, Police Chief Dan Ward, ACPD Capt. Mark McCaslin and Officer Phil White.

South Central Kansas Medical Center was represented by chief executive officer Virgil Watson.

Citizens in attendance were Albert Brown, Vickie Jackson, 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

City Manager Hernandez asked to add the swearing in of new officer Phil White as the first item under Recognition of Visitors, moving the hospital update down to the second item.

Commissioner Tweedy moved to amend the agenda as requested. Commissioner Warren seconded the motion.

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

Recognition of Visitors

Chief Ward introduced the newest member of the Arkansas City Police Department, Officer Philip White. He is retired U.S. Army sergeant who had 20 years of service. He and his wife moved here to be closer to her family.

Also in attendance were Officer White's wife, Amanda, who operates Land Rush Antique Mall in downtown Arkansas City; their two sons, Oliver, 3, and Amos "AJ," 2; and his mother-in-law/Amanda's mother, Lisa Koller.

Chief Ward said he thinks Officer White will bring some stability to the police department because he is an older employee with some life experience.

Officer White will not be able to attend the Kansas Law Enforcement Training Center until October or January 2017. He secured the last spot in January and is on a wait list in case of any cancellations in the October class.

Officer White was sworn in by City Clerk Shook. Chief Ward reported on the progress of the latest hiring process.

He said four candidates were forwarded to him by the hiring committee and his interviews with all four candidates were very positive. He has recommended that all four be advanced to background checks.

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South Central Kansas Medical Center

South Central Kansas Medical Center CEO Virgil Watson gave a report on the hospital's progress since August. He said he wanted to bring the commissioners' attention to the KanCare expansion forum at 6:30 p.m. Sept. 22 at the Arkansas City Senior Citizens Center. He said expanding KanCare could bring an extra \$1 million to SCKMC.

Commissioner Tweedy asked if this was a grassroots initiative. Watson said it was more than that because the Kansas Hospital Association is making an active effort to support political candidates who support expansion.

Also, Watson said there would be a conference call with the bondholders the next morning regarding what to do to improve the hospital's situation. In their words, City Manager Hernandez said, it's "looking positive."

He said a representative of Quorum would make a site visit the following week to South Central Kansas Clinic and added the firm has determined there is more capacity to see patients there is scheduling can be optimized.

He explained how the process has been going with Quorum and outlined several opportunities for improvement. One of them is selling excess inventory of medical equipment, including supplies purchased for retired Dr. Siwek.

Watson said his staff also met with a Quorum accountant on the accounts receivable strategy that he said needs to focus on processing the largest accounts first. Fast-paying payers such as Medicare pay every 14 days, he said.

He said SCKMC is starting to see benefits from its clinical documentation changes and Rural Health Clinic status.

Mark Armstrong, lead Quorum consultant, will have a conference call with Watson and chief financial officer Holly Harper later that week to discuss the very rough draft results. Hernandez will join at the rough draft stage.

Commissioner Jurkovich asked about a report at the last Board of Trustees meeting regarding coding improvements. He asked if that benefit is being seen across the board, or if those seven or so cases were lucky.

Watson said he thinks some cases will benefit, while others will stay about the same. SCKMC is still in the learning process of identifying those opportunities, but it is critical to the facility's long-term viability, he said.

Commissioner Warren asked how it was going with catching up on accounts payable. Watson said it is continuing to improve, but that is closely tied to inventory, which SCKMC is analyzing with a fine-toothed comb.

Commissioner Warren asked how physician recruitment is going. Watson met with Drs. Slack and Strickland last week and it was positive, but he said he set a deadline of October 30. After that, he said, the two doctors will not receive SCKMC's sole focus, although it will continue to recruit them even as it looks to recruit other candidates.

Commissioner Tweedy asked if there was anything the commissioners could do to help. Watson said it was a community recruiting process and he would reassemble the cross-community recruiting team to discuss ideas.

Commissioner Warren asked how the recent SCKMC Landrush went. Watson said it was very successful and well attended, and he thought they did a little better than last year. SCKMC plans to do the event again next year.

Commissioner Jurkovich asked if Quorum made any recommendation regarding networking with other hospitals in the area. Watson said he met with William Newton Hospital recently, but would not comment further.

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Awards and Proclamations

Mayor Oestmann issued a proclamation of October 3, 2016, as National Night Out in Arkansas City. Chief Ward received a copy of the proclamation on behalf of the Arkansas City Police Department.

Ward said the kickoff party will move to Wilson Park and it will start a little earlier, at 5 p.m., to maximize sunlight. He thanked Creekstone Farms Premium Beef and the Optimists for providing free food for everyone.

He said neighborhoods could sign up for block parties by the end of that week and he anticipates the largest National Night Out turnout yet. City Manager Hernandez said "Teenage Mutant Ninja Turtles: Out of the Shadows" will be shown at the rotunda starting at 7 p.m. The movie also is sponsored by the Optimists.

Consent Agenda

Mayor Oestmann made a motion to approve Items 1, 2 and 4 of the consent agenda as presented below:

1. Approving the September 6, 2016, regular meeting minutes as written.
2. Approving a Certificate of Special Assessment for a dangerous structure demolition at 606 S. Summit and directing staff to file it with the Cowley County Clerk's Office for inclusion on the 2016 property tax rolls.
3. Approving a resolution authorizing the purchase of a new detachable gooseneck 35-ton lowboy trailer from Holden Industries, Inc., for an amount not to exceed \$41,267.00.
4. Approving Resolution No. 2016-09-3049, scheduling a public town hall meeting of the City Commission at 7 p.m. October 6, 2016, at the Senior Citizens Center to discuss City beautification and code enforcement.

He said he wanted to table the purchase for at least a month due to SCKMC and golf course funding concerns.

Commissioner Tweedy asked if the current trailer is a gooseneck trailer. Assistant Public Works Director Crandall said it is not. He said it is a safety feature and added that the trailer purchase is already budgeted.

Commissioner Tweedy asked if the bid was good for 60 days. Crandall said he was not exactly sure, but indicated it would be good for at least 30 days. Commissioner Jurkovich said he liked Mayor Oestmann's idea.

Commissioner Jurkovich asked when the City would be finished paying Quorum. City Manager Hernandez said at the conclusion of the study, likely at the end of October. Commissioner Jurkovich asked if the City was planning to transfer any money from its utility funds. Hernandez said that would have to happen regardless.

Commissioner Warren asked for an explanation of Item 2. Hernandez said the final cost of the abatement and demolition of 606 S. Summit St. was \$89,630.00. That amount would be placed on the tax rolls for next year.

Commissioner Jurkovich asked if there was a legal foot for the City to stand on. City Attorney Niles said yes. He asked if the City would receive any money and she said that was more doubtful. The property is up for tax foreclosure sale, at which point City liens would be terminated. But if the tax sale price exceeds taxes, the City may receive something, and it also could choose in a year to pursue legal owner Dame-N Barton in a civil action.

Commissioner Warren seconded the motion. A voice vote was unanimous in favor of the motion. Mayor Oestmann declared the modified consent agenda approved and Item 3 tabled for at least 30 days.

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New Business

General Provisions for City Boards

City Clerk Shook presented for discussion a first reading of an ordinance modifying Municipal Code Part II, Chapters 2, 14 and 38, concerning general provisions for City organizations, including boards, commissions, committees, councils and task forces.

Public Information Officer Lawson said this legislation represented a break from the ongoing board bylaws cleanup. No action was requested that night, but he said he was looking for feedback in a couple of areas.

He said the new provisions will be applicable to all boards, rather than repeated throughout each bylaws set.

Lawson talked about the process for board appointments, meetings, special meetings, cancellations, election of officers, vacancies and residency requirements. He asked if there should be strict residency requirements or not.

He also asked about whether to allow people to serve one, two or more than two boards at the same time. He suggested a limit of two, but Commissioner Tweedy said he'd like to see people be on just one board at a time.

Mayor Oestmann asked if Lawson had contacted all the boards about proposed changes to their language. He said he hadn't done that specifically because most of the language is being moved, not deleted entirely.

Lawson briefly went through the other sets of board bylaws to highlight the duplicative provisions to delete.

There are more substantive changes on the Building Trades Advisory Board, some of which were requested by Neighborhood Services Superintendent Brown. Commissioner Jurkovich said only the board chair should determine absenteeism, not staff members. Lawson said there needs to be clarification of what is "excused."

Commissioner Tweedy asked about relaxed residency requirements for that board. Lawson said staff has been allowing the appointment of contractors who are licensed to do business in Ark City, even if they don't live here.

Commissioner Warren asked if some of the ordinance had come from other cities. Lawson said most of it was from existing code. Commissioner Warren asked if other cities allow people who don't live there to serve.

Lawson said he could research that before the next meeting. He suggested it could depend on the board.

The commissioners decided to table the ordinance for a second reading at the October 18 meeting.

Lost or Mislaid Property Charter Ordinance No. 31

City Clerk Shook presented for discussion a first reading of a charter ordinance exempting the City from the provisions of K.S.A. 14-10a02, relating to lost or mislaid funds, and providing substitute and additional provisions.

City Attorney Niles said this will resolve three issues. The first is that it gives the City authority to give unclaimed money back to the Good Samaritan who turned it in, after a period of 90 days. Commissioner Warren asked how it is handled now. She said the City is required to keep it, which doesn't encourage people to do the right thing.

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After 90 days, if the person who lost it still claims it, the Good Samaritan to whom it was given still must give it back to the person or reimburse them accordingly. They are legally obligated to give it back, she said.

The second issue resolved by the charter ordinance is a storage problem. There are more than 100 or 150 bicycles in police storage at this time, said City Manager Hernandez. The City needs to be able to dispose of them.

Third, the City currently is required to sell lost or mislaid property and keep the proceeds, but the cost of doing so exceeds the profits available. The auction service ACPD was using now requires the City to ship the bicycles.

She said if the cost exceeds the value, the ordinance allows the police chief to give it away to a suitable charitable organization. Commissioner Welch said the City used to take the lost bicycles to the fire department so they could be fixed up and given away or sold. Hernandez said that currently is against the law.

But this charter ordinance would make such a practice legal again. Commissioner Tweedy asked to whom Chief Ward will decide to give away the bikes. Ward is comfortable working with Angels in the Attic and churches.

He said groups currently contact him about donations, but he says he can't give them away. This charter ordinance would let him accommodate those requests. It also gives ACPD the authority just to throw them away.

Commissioner Warren made a motion to approve the charter ordinance, stating "property" instead of "funds."

Commissioner Jurkovich seconded the motion. Both said it was common sense. A roll call vote was unanimous in favor of the motion. Mayor Oestmann declared the ordinance approved and given Charter Ordinance No. 31.

City Manager Updates

City Manager Hernandez said he had three items for discussion. The first is a piece of property west of Riverview Cemetery that the City potentially could acquire to expand the available land in the cemetery.

He said the 12 acres of land were appraised at \$180,000 and the owners are asking \$175,000. He said opportunities such as these don't come up often and the commissioners need to take a serious look at it.

The City went through a re-vestment process in recent years to dispose of paid-for, but unclaimed plots and reopen them from purchase. That bought some time before the cemetery is full, but only for so long.

However, Hernandez cautioned, the funds extended to the hospital and Spring Hill Golf Course are so extensive this year that it would be difficult to find the money, which would not have been a problem in a "normal" year.

Commissioner Warren asked how big the current cemetery is. Hernandez did not know, but said he would research the acreage. He also said he would get a count of current plots, in response to Commissioners Warren and Welch, and an estimate of new plots produced by the purchase, in response to Commissioner Tweedy.

He said the cost of property purchase could be recouped by renting out the land and house, but the City is not in the home leasing business and would need to hire a property management company to handle that aspect.

Hernandez said the money could come out of utility transfers or be secured through a traditional bank loan.

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Commissioner Jurkovich challenged City staff to identify an equivalent amount of City-owned property that could be disposed of to offset the purchase of the 12 acres, should commissioners approve the land deal.

Hernandez also previewed the Last Run Car Show, which will be September 23-25; the Burford Theatre's grand opening celebration, which will be September 29 through October 2; and the showings of "Zootopia" and "Minions" under the Wilson Park rotunda on September 23 and September 30, respectively.

He said he would be out of town September 24-28 for the annual International City/County Management Association conference in Kansas City, Mo. He said the conference two years ago in Charlotte was very good.

Commissioner Tweedy reminded the commissioners that there will be a dance at Wilson Park after the Last Run downtown cruise on September 24. He also volunteered to step back from the annual League of Kansas Municipalities conference in Olathe. Commissioner Jurkovich also said he could not attend the Oct. 9-10 event.

Adjournment

Commissioner Warren moved to adjourn the meeting. Commissioner Tweedy seconded the motion. A voice vote was unanimous in favor of the motion. Mayor Oestmann declared the meeting adjourned at 6:45 p.m.

THE ARKANSAS CITY
BOARD OF CITY COMMISSIONERS

Duane L. Oestmann, Mayor

ATTEST:

Lesley Shook, City Clerk

Prepared by:

Andrew Lawson, Public Information Officer