

# City Commission of Arkansas City Meeting Minutes

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The Arkansas City Board of City Commissioners met in regular session at 5:30 p.m. Tuesday, October 4, 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 Commissioner Dan Jurkovich, Commissioner Charles Tweedy III, Commissioner Jay Warren and Commissioner Karen Welch.

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, Riverview Cemetery Sexton Marcus Lynn, Police Chief Dan Ward, Fire Chief Bobby Wolfe, ACFD Lt. Paul Hunter and Sparky the Firefighting Dalmatian.

The Veterans of Foreign Wars Post No. 1254 Auxiliary was represented by Sue Ellen Hartman. The Arkalalah Executive Committee was represented by Tasha Bucher. Bottle Service LLC was represented by Matt Miers.

Citizens in attendance were Ken Harader, 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 a VFW proclamation as the second item under Awards and Proclamations.

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

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

## **Awards and Proclamations**

Mayor Oestmann proclaimed October 9-15 as Fire Prevention Week in Arkansas City and presented a copy of the proclamation to Chief Wolfe and Sparky. Wolfe said Oct. 9 was the anniversary of the great Chicago fire of 1871.

He described the activities the Fire-EMS Department has planned for local schoolchildren that week, including a skit and a great fire prevention message. The theme of the week is changing smoke detectors every 10 years.

Auxiliary president Sue Hartman previewed the upcoming visit to Arkansas City by national VFW Auxiliary president Collette Bishop, who will be here October 18. A special reception will be at 11:30 a.m. at the bingo hall.

Mayor Oestmann then issued a proclamation of October 18 as Unwavering Support for Uncommon Heroes Day in Arkansas City. Hartman received a copy of the proclamation on behalf of the VFW Post 1254 Auxiliary.

## **Consent Agenda**

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

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1. Approving the September 21, 2016, regular meeting minutes as written.
2. Ratifying Mayor Oestmann's appointments of Dennis Rittle to the Outstanding Young Student Award Committee, and Tammy Lanman-Henderson to the Equal Opportunity and Accessibility Advisory Board.

Commissioner Tweedy asked if Rittle would have a conflict of interest serving on the committee since Cowley College students are eligible for the award. City Manager Hernandez said Rittle would not nominate candidates.

Tasha Bucher, who is chair of the committee, said she thought Rittle was professional enough to manage any conflict or recuse himself where any existed, if need be. And his vote would be just one out of seven.

Hernandez said he thinks bringing Rittle into the group will help to strengthen the City's partnership with the college, especially when it comes to the reception and the banquet.

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

## **New Business**

### **Liquor at Arkalalah Concert Ordinance No. 2016-10-4418**

City Clerk Shook presented for discussion a first reading of an ordinance exempting the application of K.S.A. 41-719(c) to allow the consumption of alcoholic liquor at a designated area of Wilson Park during the Arkalalah concert between the hours of 6 p.m. and midnight on October 27, 2016.

City Manager Hernandez said the item had been discussed previously. After a proposal for BroCorp to manage the festival fell through, the Arkalalah Executive Committee reached out to Matt Miers and Bottle Service LLC.

Commissioner Warren asked what kind of liquor would be served. Miers said only "strong" beer would be served.

Commissioner Welch asked if the proposed area would be cordoned off and Miers said it would. Commissioner Tweedy asked if it would be restricted to only those older than 21. Miers said they would use wristbands for that.

Commissioner Jurkovich asked if this was the same thing as the BroCorp Arktoberfest beer garden. Hernandez said it was not and added that event will take place in the same location as last year, at Chestnut and Summit.

Mayor Oestmann asked if the concert was open to anybody to attend and Tasha Bucher said yes. Commissioner Warren asked which band was playing. She said it was the Annie Up group out of Wichita. The concert is only from 8 to 11 p.m., but the entire six-hour block was set aside for the drinking allowance.

Commissioner Tweedy asked if Bottle Service would take care of all the liquor licenses through the state and Miers said yes. Cowley College is providing security for the event on behalf of the Arkalalah Committee.

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

A roll call vote was unanimous in favor of the motion. Mayor Oestmann declared the ordinance approved and given Ordinance No. 2016-10-4418.

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## **Summit Street Addendum No. 1** **Resolution No. 2016-10-3050**

City Clerk Shook presented for discussion a resolution authorizing Addendum No. 1 to the contract agreement between the City and Smith & Oakes, Inc. for engineering design and inspection services for the Summit Street Paving Improvements project, for an amount not to exceed \$33,050.00.

Public Works Director Broce said this was a cleanup item to account for two replacement water lines that were added to the project after it began because additional degraded lines were found that needed to be replaced.

He said new striping at the intersection of Kansas Avenue and Summit Street also was added to the project scope.

Broce said design fees normally are in the range of 8 to 9 percent, but this contract is for around 3 percent.

Commissioner Warren said he was approached at the Last Run Car Show about the possibility of painting parking lines on North Summit Street when the project is done. Broce said he wants to do that and also mark bike lanes.

Commissioner Warren asked about the possibility of eliminating truck parking on 61<sup>st</sup> Road, north of Skyline Road. Broce said the City could put up new signs, but two already have been knocked down. Enforcement is key.

He said the road is wide enough to accommodate and withstand the truck parking without sustaining short-term damage. He prefers to be welcoming and keep the trucks at the north end of town, instead of coming downtown.

Commissioner Tweedy agreed with Broce that the City needs to be hospitable to truckers coming into town.

City Manager Hernandez and Broce said the city has seen a huge influx of truck traffic recently and desperately needs some sort of truck stop, lot or washout area. He said Salina and Osage City had similar problems.

Commissioner Warren said there was no need to do anything at this time as long as nothing is being torn up.

Commissioner Jurkovich 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. 2016-10-3050.

## **City Manager Updates**

Public Works Director Broce said there have been numerous leaks springing from a water line at 11<sup>th</sup> Street and Chestnut Avenue. He suggested asking Nowak Construction for pricing on an emergency repair on that line.

He advised against doing a change order on the Summit Street project because Cornejo & Sons will mark it up.

Broce said the line will go from 4 inches to 6 inches. The line only serves four services, one of which is a daycare.

The project will be an open-ditch situation. The commissioners assented to Broce looking into the emergency repair cost. He mentioned that replacing lines can cause issues further down the system due to higher pressure.

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## Riverview Cemetery Discussion

City Manager Hernandez said the appraised value of the property for sale is \$155,000 and the owners are willing to part with it at that price. But he said he no longer thinks buying the property is the best strategy for the City.

Riverview Cemetery sexton Marcus Lynn said there are about 4,023 plots remaining in the current cemetery boundaries, but the amount of cremains being buried is going up each year. He proposes buying a columbarium.

Hernandez and Lynn showed a location in the cemetery where one of the structures, which houses more than 100 niches containing ashes, could be located, with nice landscaping around it and other burial sites nearby.

The advantage for cemetery customers is that a niche is much cheaper than a traditional plot. For the City, it takes up less space and helps to extend the lifespan of the current cemetery property, which is 124 years now.

Hernandez said just \$50,000 could take care of all the landscaping and purchase columbarium, while also keeping the cemetery in line with its needs to become for changing times. It could be designed in stages.

The commissioners agreed it was a good idea and Hernandez said Lynn would work on planning for fiscal year 2018. That will provide time for proper design of the new area and to gather more public input on the idea.

Commissioner Jurkovich asked, based on a question from a citizen, if the City could exercise eminent domain in 125 years to take the land even if it passes on the purchase now. Hernandez said that still would be possible.

## Other Business

Mayor Oestmann said he had been contacted by Ken Harader, 1313 N. First St., about ongoing traffic issues.

He said he doesn't know if eliminating on-street parking or making First Street one way will solve the entire problem. He added that he would like to see more information on the times the issues occur at Family Dollar.

Commissioner Warren said he still wants to look at a traffic study of the area, including the Kansas-Summit intersection, as part of the upcoming project on Summit Street, between Kansas Avenue and Radio Lane.

City Manager Hernandez mentioned that the last traffic study of the area only recommended a median on West Kansas Avenue that would prevent left turns and straight traffic into the north end of First Street.

He said that was not done to save on costs, but plastic "candlestick" markers could be placed to deter traffic.

Commissioner Welch and Mayor Oestmann asked what that would do to drivers trying to access the Union State Bank drive-through ATM. Hernandez indicated it would force them go the long way around on Second Street.

Harader again questioned why the City allowed the development to take place and why signage was placed on private property that cannot be enforced in municipal court.

Vickie Jackson, 1201 N. First St., observed again that she has not noticed any problems on First Street, but a few commissioners and Hernandez said the semis occasionally are a problem in that area.

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## **Adjournment**

Commissioner Welch moved to adjourn the meeting. Mayor Oestmann seconded the motion. A voice vote was unanimous in favor of the motion. Mayor Oestmann declared the meeting adjourned at 6:36 p.m.

THE ARKANSAS CITY  
BOARD OF CITY COMMISSIONERS

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Duane L. Oestmann, Mayor

ATTEST:

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Lesley Shook, City Clerk

Prepared by:

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Andrew Lawson, Public Information Officer