

# Arkansas City Commission Meeting Minutes

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The Arkansas City Board of City Commissioners met in regular session on Tuesday January 6, at 5:30 p.m. in the Commission Chambers at City Hall. Those present at roll call were Commissioners Charles Tweedy III, Jay Warren, and Mayor Chad Giles. Absent at roll call were Commissioners Dan Jurkovich and Jean Snell. Also present at roll call were City Manager Nick Hernandez, City Attorney Tamara Niles, Fire Chief Bobby Wolfe, Police Chief Dan Ward, Public Works Director Eric Broce, GIS/Planner Josh White, Finance Director Kathy Cornwell, and City Clerk Lesley Shook.

Pastor Fry offered the opening prayer.

Mayor Giles led the pledge of allegiance.

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

Commissioner Tweedy III moved to approve the agenda. Commissioner Warren seconded the motion. Voice vote was unanimous in favor of the motion. Mayor Giles declared the agenda approved.

## **Recognition of Visitors**

Jim Sybrant, 1816 E. Chestnut, addressed the commission regarding fire damaged houses in Arkansas City in particular, the 1500 block E. Chestnut, and 500 block W. Madison.

## **Consent Agenda**

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

1. Approval of December 16, 2014 regular meeting minutes as written.
2. Resolution No. 2015-01-2940 authorizing the City to execute a GAAP waiver for the 2015 fiscal year.

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

## **New Business**

### **Setting Public Hearing Proposed Annexation**

City Clerk Shook presented for consideration a plan for annexation, service extension plan, and Resolution setting a public hearing on the proposed annexation for March 17, 2015. City Manager Hernandez noted several meetings ago the commission directed staff to prepare a resolution for a public hearing regarding annexation of certain properties. He noted maps and legal descriptions of the properties were included in the packet and have been broken down into three separate items and will need to be addressed individually by the commission. He reviewed each of the three maps with the commission and noted action requested tonight would just be setting a public hearing. Jim Sybrant 1816 E. Chestnut, Tim Hays 1215 W. Madison, and Cliff Gottlob 421 S. B. Street, each addressed the commission in opposition of the annexation.

Commissioner Jurkovich arrived at the meeting.

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City Attorney Niles noted the notice process for the public hearing is to send personal notice by certified mail within 10 days of the date the resolution is adopted to the owners and taxing entities within the proposed annexed area. Notice is also published in the newspaper two week prior to the hearing. Following discussion, Commissioner Tweedy III moved to proceed with the annexation service plan and set a public hearing for March 17, 2015. Mayor Giles seconded the motion. Voice vote resulted in two ayes and two nays with Commissioner Jurkovich and Commissioner Warren voting nay. Mayor Giles declared the motion failed.

Commissioner Jurkovich moved to table this item to be revisited at the next commission meeting. Commissioner Tweedy III seconded the motion. Voice vote resulted in three ayes and one nay with Commissioner Warren voting nay. Mayor Giles declared the motion passed.

## **Purchase Body Worn Cameras From WatchGuard Video Resolution No. 2015-01-2941**

City Clerk Shook presented for consideration a resolution approving the purchase of 10 body worn cameras for the Police Department from WatchGuard Video. Police Chief Ward noted a study out of Rialto, California, between 2009-2011 showed that the use of body worn cameras reduced use of force by 59%, and citizen complaints by over 87%. Currently the police department uses in-car video. He noted the body worn cameras will work in conjunction with the in-car camera system and the recently purchased WatchGuard System. Following discussion, Commissioner Jurkovich moved to approve the resolution authorizing the purchase of 10 body worn cameras for the Police Department from WatchGuard Video not to exceed \$9,070.00. Commissioner Warren seconded the motion. Voice Vote was unanimous in favor of the motion. Mayor Giles declared the resolution adopted and given Resolution No. 2015-01-2941.

## **Waterline Replacement Project Change Order, Mies Construction Resolution No. 2015-01-2942**

City Clerk Shook presented for consideration a resolution authorizing the City of Arkansas City to enter into a Change Order Agreement with Mies Construction, Inc. regarding the Waterline Replacement Projects 2014. Public Works Director Broce the waterline replacement project was originally authorized in March of 2014 and was awarded to Mies Construction. Due to existing shallow waterlines, broken valves, mis-located waterlines and existing waterline not fit to be connected with, several valves, fittings, waterline, services, etc. were added to the project per staff request. The amount of the requested Change Order is \$30,626.00, which would increase the original contract amount from \$715,995.00 to \$746,621.00. KanPak's share of the requested change order is \$1,806.00, which would increase their original shared amount from \$84,545.00 to \$86,351.00. Following discussion, Mayor Giles moved to approve the resolution authorizing the City of Arkansas City to enter into a Change Order Agreement with Mies Construction, Inc. regarding the Waterline Replacement Projects 2014 in the amount of \$30,626.00. Commissioner Tweedy III seconded the motion. Voice Vote was unanimous in favor of the motion. Mayor Giles declared the resolution adopted and given Resolution No. 2015-01-2942.

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## **Right-of-Way Management** **First Reading**

City Clerk Shook presented for consideration first reading of an Ordinance providing for the management of the public Right-of-Way in the City of Arkansas City, KS. City Manager Hernandez there have been issues with contractors such as Kansas Gas Service, Westar, AT&T coming and opening up the city street to make repairs. Currently the only way the city becomes aware of the issue is when a citizen calls in a complaint about a hole in the street. The proposed ordinance will require a permit for those individuals who cut within the City's right-of-way. City Manager Hernandez recommended the commission table this item for a second reading. Following discussion, Mayor Giles moved to table to the next meeting. Commissioner Tweedy III seconded the motion. Voice Vote was unanimous in favor of the motion. Mayor Giles declared the motion passed.

## **City Manager Updates**

Kansas Water Authority met and recommended 11 individuals in the Equus Walnut Planning region area and he was selected as one of the individuals to take part in the 50 year master plan. There is wide representation on the planning committee from water plant superintendents', realtors, farmers, ranchers, and business owners. The region consists of McPherson, Sedgwick, Butler, Cowley, and Harvey counties.

The next worksession will be code interpretation and a representative from the International Code Council will be in attendance to discuss an answer any questions regarding building codes.

## **Other Business**

Commissioner Tweedy reminded citizens of future public meetings: Human Relations Commission 5:30 p.m. January 12th in the City Commission chambers, CVB 12:00 January 8<sup>th</sup> in the chamber office, and Zoning appeals 5:00 p.m. January 12<sup>th</sup> in the City Commission chambers.

## **Adjournment**

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

THE ARKANSAS CITY  
BOARD OF CITY COMMISSIONERS

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Chad Giles, Mayor

ATTEST:

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Lesley Shook, City Clerk