

City Commission of Arkansas City Meeting Minutes

The Arkansas City Board of City Commissioners met in regular session at 5:30 p.m. November 21, 2017, in the Commission Room at City Hall, 118 W. Central Ave., in Arkansas City.

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

City employees present at the meeting were City Manager Nick Hernandez, City Attorney Tamara Niles, City Clerk Lesley Shook, Public Information Officer Andrew Lawson, Finance Director Kathy Cornwell, Public Works Director Eric Broce, Assistant Public Works Director Mike Crandall, Police Chief Dan Ward and Human Resources Manager Marla McFarland. The only citizen in attendance was Vicki Jackson.

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

Agenda Approval

Commissioner Oestmann made a motion to approve the agenda with the deletion of an award presentation.

Commissioner Warren seconded the motion. A voice vote was unanimous in favor of the motion. Vice Mayor Welch declared the agenda amended and approved.

Awards and Proclamations

A Good Neighbor Award presentation to Robert Courtland was delayed until Dec. 5 due to the mayor's absence.

Consent Agenda

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

1. Approving the November 7, 2017, regular meeting minutes as written.

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

New Business

15th Street Change Order **Resolution No. 2017-11-3138**

City Clerk Shook presented for discussion a resolution authorizing the City to enter into a Change Order Agreement with Andale Construction, Inc., of Wichita, to deliver and install 4-inch compacted concrete paving overlay for approximately 130 feet over the existing 15th Street bridge, for an amount not to exceed \$14,384.00.

City Manager Hernandez said this work already has been completed to save on substantial mobilization costs.

Commissioner Warren made a motion to approve the resolution. Commissioner Oestmann seconded the motion. A voice vote was unanimous in favor of the motion.

Vice Mayor Welch declared the motion approved and given Resolution No. 2017-11-3138.

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WTP Change Order No. 2 **Resolution No. 2017-11-3139**

City Clerk Shook presented for discussion a resolution authorizing the City to enter into Change Order Agreement No. 2 with Walters-Morgan Construction, Inc., of Manhattan, regarding the Water Treatment Facility improvements, for an amount not to exceed \$98,649.13.

Public Works Director Broce said this 62-page change order encompasses all of the project changes since January. The most significant was a new sanitary sewer line at Fourth Street and Washington Avenue. Even with these additions, total cost only increased 0.69 percent and still is less than the second-highest bidder's cost.

Commissioner Warren made a motion to approve the resolution. Commissioner Oestmann seconded the motion. A voice vote was unanimous in favor of the motion. Vice Mayor Welch declared the motion approved and given Resolution No. 2017-11-3139.

City Manager Updates

City Manager Hernandez noted the new clearwell came in about \$38,000 under budget and now is completed.

Hernandez also reported that City Attorney Niles has received an answer from the Kansas Attorney General's Office regarding her request for a legal opinion concerning application of the Kansas Roofing Registration Act.

The attorney general agreed with Niles that there is an ambiguity in the statute that will have to be corrected by the Kansas Legislature. Hernandez said he is communicating with local legislators, but doesn't care how it's fixed.

The commissioners indicated they would like to make a specific recommendation to the legislators. Niles said she will develop a proposed solution and bring it back to them for approval.

Other Business

Commissioner Oestmann made a motion to recess into a 15-minute executive session for consultation with City Attorney Niles which would be deemed privileged in the attorney-client relationship, pursuant to K.S.A. 75-4319(b)(2), to discuss a contract for Direct Primary Care clinic services, and also to include City Manager Hernandez, Finance Director Cornwell and Human Resources Manager McFarland.

Vice Mayor Welch seconded the motion. A voice vote was unanimous in favor. The executive session began at 6:05 p.m. and ended at 6:20 p.m.

Afterward, Commissioner Oestmann made a motion to recess into an additional 10-minute executive session.

Commissioner Warren seconded the motion. A voice vote was unanimous in favor of the motion. The executive session began at 6:20 p.m. and ended at 6:30 p.m.

Adjournment

Commissioner Oestmann moved to adjourn the meeting. Commissioner Warren seconded the motion. A voice vote was unanimous in favor of the motion. Vice Mayor Welch declared the meeting adjourned at 6:30 p.m.

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THE ARKANSAS CITY
BOARD OF CITY COMMISSIONERS

Karen Welch, Vice Mayor

ATTEST:

Lesley Shook, City Clerk

Prepared by:

Andrew Lawson, Public Information Officer