

City Commission of Arkansas City - Regular Meeting Minutes

The Arkansas City Board of City Commissioners met in regular session at **5:30 p.m. June 5, 2018**, in the Commission Room at City Hall, located at 118 W. Central Ave. in Arkansas City.

Mayor **Dan Jurkovich** called the meeting to order. Commissioners also present at roll call were Commissioners **Kanyon Gingher, Duane L. Oestmann, Jay Warren** and **Karen Welch**.

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 **Mike Crandall**, Fire Chief **Bobby Wolfe**, Police Chief **Dan Ward**, ACPD Sgt. **Jason Legleiter**, Master Police Officer **Chase Hobart**, Police Officer **T.J. Hall**, Police Officer **Kelsey Horinek**, Police Officer **Madeline Pegorsch**, Human Resources Manager **Marla McFarland**, Principal Planner **Josh White** and Emergency Management Coordinator **Bob Frazee**.

AAA Kansas was represented by **Shawn Stewart**. The Kansas Department of Transportation was represented by Traffic Safety Law Enforcement Liaison **Troy Wells**. GilmoreBell was represented by attorney **Kim Bell**. Also present were board applicants **Vicki Jackson** and **Michael Taylor**.

Citizens in attendance included **Josie Arndt, Felipe Escalante, Brandon Every, Foss Farrar, Gary Hale, Kevin Horinek, Vicki Jackson, Karen Legleiter, Gareth McGee, Dotty Smith, Karen Zeller**, Ark City Daily Bytes reporter **Jeni McGee** and Cowley CourierTraveler reporter **John Shelman**.

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

Agenda Approval

At City Manager Hernandez's request, Commissioner Warren made a motion to approve the agenda with the removal of Item 6 under New Business. Commissioner Oestmann seconded the motion.

Hernandez said eminent domain proceedings would not be necessary because a deal had been reached with the landowners and the matter had been resolved.

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

Awards and Proclamations

Shawn Stewart presented the 2017 AAA Traffic Safety Platinum Award to Police Chief Ward on behalf of the Arkansas City Police Department.

It is the seventh straight year ACPD has received an AAA Award. This was ACPD's second consecutive Platinum Award, the highest AAA offers.

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ACPD is in its eighth year of the Seatbelts Are For Everyone campaign and requires all of its officers to wear seat belts.

Stewart also acknowledged ACPD's efforts regarding the annual bicycle rodeo, Cowley County Health and Safety Fair, DARE Camp, educational pamphlets, safety tips on Facebook, and rollover crash demonstration efforts, special traffic enforcement efforts, K-9 program, and bicycle patrol.

Ward said ACPD observed a 41-percent decrease in injury accidents in 2017 and current trends point to an additional 36-percent reduction in injury accidents through the first five months of 2018.

Optimist Club President Bob Frazee read a statement about the Optimists, what they do in the community and why they give out an award every year for the Law Enforcement Officer of the Year.

He acknowledged fellow club members Mike Crandall, Felipe Escalante, Gary Hale, Andrew Lawson and Jay Warren, all of whom were in attendance.

Optimist Club Secretary Andrew Lawson read some of the accomplishments that ultimately resulted in Police Officer Kelsey Horinek's selection for the 2018 Law Enforcement Award. Frazee and Lawson then presented Officer Horinek with the Optimists' Law Enforcement Award.

Master Police Officer Hobart recognized Josey Arndt, a fifth-grader at Frances Willard Elementary School, as the 2017-18 DARE essay contest winner and presented her with a giant pencil award.

Consent Agenda

Commissioner Oestmann made a motion to approve the consent agenda, including the following:

1. Approving the **May 15, 2018**, regular meeting minutes as written.
2. **Resolution No. 2018-06-3176**, authorizing the purchase of a 1-ton 4x2 dual rear-wheel truck cab and chassis with a flatbed dump and hoist for the Public Works Department from Reedy Ford, of Arkansas City, for an amount not to exceed **\$47,227.00**.

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

Old Business

SCKMC Board of Trustees Charter Ordinance No. 34

City Clerk Shook presented for discussion an action item affirming the City Commission's adoption of **Charter Ordinance No. 34** on May 15, 2018.

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City Attorney Niles said she requested this item because the charter ordinance had not previously been presented to the City Commission in written form, nor was it included in the May 15 packet.

Mayor Jurkovich made a motion to affirm the adoption of Charter Ordinance No. 34 as presented.

Commissioner Welch seconded the motion. A roll call vote was unanimous in favor of the motion.

Mayor Jurkovich declared the charter ordinance affirmed and given **Charter Ordinance No. 34**.

New Business

Carver Park Plat Ordinance No. 2018-06-4463

City Clerk Shook presented for discussion a first reading of an ordinance approving the plat of **Carver Park** and accepting land dedicated for the public purposes included therein.

Principal Planner White said the intent of Cowley College is to build a new student housing development at the site of the former park, located at 102 N. Eighth St. It owns the 4.85-acre parcel.

The land currently is vacant. The area surrounding the property is residential and commercial.

The Planning Commission voted unanimously May 8 to recommend the preliminary and final plats.

Commissioner Warren made a motion to approve the ordinance. Commissioner Oestmann seconded the motion. A roll call vote was unanimous in favor of the motion.

Mayor Jurkovich declared the ordinance approved and given **Ordinance No. 2018-06-4463**.

Change Order Agreement No. 1 Resolution No. 2018-06-3177

City Clerk Shook presented for discussion a resolution authorizing the City to enter into Change Order Agreement No. 1 with Marsau Enterprises, Inc., of Enid, Oklahoma, regarding the Water Treatment Facility waste line to the Wastewater Treatment Facility, for an amount not to exceed **\$9,097.50**.

Public Works Director Crandall said the change order is for new concrete sidewalks, driveway approaches, curbs and gutters along South First Street, where the hike-bike trail will be extended.

City Manager Hernandez said a portion of the price related to the cost of relocating several trees in one resident's front yard, as well as replacing her driveway approach and raising the concrete level.

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

Mayor Jurkovich declared the resolution approved and given **Resolution No. 2018-06-3177**.

Brock Park Land Bank Transfer

City Clerk Shook presented for discussion a recommendation of the Beautification and Tree Advisory Board to transfer **Brock Park**, located at 501 S. Sixth St., to the City Land Bank program and relocate the horseshoe pits to another park.

City Attorney Niles said the 0.76-acre park could serve as a site for up to three new houses. The board voted April 26 to recommend that park be designated for sale and residential development.

Public Information Officer Lawson said the board recommends that the Brock Park horseshoe pits be moved to Cox Park to help revitalize it, but City staff recommend putting them in Pershing Park.

Mayor Jurkovich made a motion to transfer Brock Park to the City Land Bank and relocate the horseshoe pits to **Pershing Park**. Commissioner Warren seconded the motion.

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

Arkansas City Public Library Board of Trustees

City Clerk Shook presented for discussion Mayor Jurkovich's appointment to the **Arkansas City Public Library Board of Trustees**. A vacancy was created with the resignation of Carl Bowker.

Public Information Officer Lawson said Leslie Patterson had withdrawn her interest, leaving Shawna Allison as the only viable applicant at this time to fill the vacancy.

Mayor Jurkovich made a motion to appoint **Shawna Allison** to the Arkansas City Public Library Board of Trustees. Commissioner Warren seconded the motion.

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

Health Care Sales Tax Election Resolution No. 2018-06-3178

City Clerk Shook presented for discussion a resolution authorizing and providing for the calling of a special election in the City to submit the question of imposing a 1-percent **Health Care Sales Tax**.

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City Manager Hernandez said the question would retire the current one-cent and half-cent sales taxes that benefit South Central Kansas Medical Center, replacing them with a one-cent general tax.

He said this proposal gives the City the best possible opportunity to refinance the SCKMC construction bonds, save money on interest payments, reduce the threat of ever having to raise property taxes to cover bond payments and eliminate the need for future sales tax special elections.

Mayor Jurkovich asked some technical questions to the City's bond counsel, Kim Bell, with GilmoreBell, who answered them. Hernandez said ballots will be due back by **noon September 6**.

Mayor Jurkovich asked how reducing sales tax intake will help SCKMC to make its bond payments. Bell said the guarantee of taxes for the full life of the debt may help to reduce payments.

Brandon Every, 19 Pin Oak Drive, asked for clarification regarding details of the sales tax proposal.

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

Mayor Jurkovich declared the resolution approved and given **Resolution No. 2018-06-3178**.

City Manager Updates

City Manager Hernandez asked if the commissioners wanted to cancel the **July 3** regular meeting due to the Independence Day holiday. They expressed a consensus that they'd still like to have it.

He initiated a discussion about scheduling some town hall meetings in July and August to discuss the proposed Health Care Sales Tax with the citizens. Commissioner Gingher suggested having them on Thursday nights and Public Information Officer Lawson said they should start at **7 p.m.**

The first such town hall meeting was scheduled at **7 p.m. June 28** at the Senior Citizens Center.

Hernandez said "Thor: Ragnarok" will be shown starting about **8 p.m. June 7** at the Wilson Park rotunda, following the Ark City Community Band concert. "Jumanji: Welcome to the Jungle" will start about **7 p.m. June 12** at the rotunda, following the Arkansas City Farm and Art Market.

He also previewed the Relay for Life event **June 8-9** at the Agri-Business Building, and a special concert by the community band and the 312th Army Reserve Band at **7 p.m. June 14** at Wilson Park.

Other Business

Commissioner Oestmann asked about water lines. City Manager Hernandez gave several updates.

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Adjournment

Mayor Jurkovich moved to adjourn the meeting. Commissioner Warren seconded the motion.

A voice vote was unanimous in favor of the motion. Mayor Jurkovich declared the meeting adjourned at **6:58 p.m.**

**THE CITY OF ARKANSAS CITY
BOARD OF CITY COMMISSIONERS**

Dan Jurkovich, Mayor

ATTEST:

Lesley Shook, City Clerk

Prepared by:

Andrew Lawson, Public Information Officer