

City Commission of Arkansas City - Regular Meeting Minutes

The Arkansas City Board of City Commissioners met in regular session at **5:30 p.m. April 17, 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 Gingham, 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**, Human Resources Manager **Marla McFarland**, Fire Chief **Bobby Wolfe**, Police Chief **Dan Ward**, Police Officer **Wade Hammond** and Police Officer **Madeline Pegorsch**.

The Beautification and Tree Advisory Board was represented by **Jill Wineinger**. The South Central Kansas Medical Center (SCKMC) Board of Trustees was represented by Treasurer **JoLynn Foster**.

Citizens in attendance included **Vicki Jackson, Mell Kuhn, Gareth McGee**, 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 Oestmann made a motion to approve the agenda with the addition of a discussion regarding a new tanker under City Manager Updates.

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

Mayor Jurkovich declared the agenda amended and approved.

Awards and Proclamations

Mayor Jurkovich issued a proclamation that April 27, 2018, is **Arbor Day** in Arkansas City. Jill Wineinger received the proclamation on behalf of the Beautification and Tree Advisory Board.

Recognition of Visitors

Police Chief Ward introduced the newest member of the Arkansas City Police Department, Madeline Pegorsch. Officer Pegorsch was administered her Oath of Office by City Clerk Shook.

Pegorsch, the 2016 Ark City Outstanding Student Award winner and scholarship recipient, started working at ACPD last week and will attend the Kansas Law Enforcement Training Center in July.

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Consent Agenda

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

1. Approving the **April 3, 2018**, regular meeting minutes as written.
2. Ratifying Mayor Jurkovich's appointments of **Carl Bowker** and **Kate Reilly** to the **Arkansas City Public Library Board of Trustees**.
3. **Resolution No. 2018-04-3168**, scheduling a public meeting of the City Commission for a study session to receive the 2017 audit at **12 p.m. Friday, April 27, 2018**, in the city manager's office at City Hall, located at 118 W. Central Ave.
4. **Resolution No. 2018-04-3169**, authorizing the purchase of one 2018 Dodge Ram 1500 4x2 crew cab pickup truck with a Tommy Gate for the Arkansas City Public Works Department from Zeller Motors, of Arkansas City, for a total amount not to exceed **\$25,500.00**.

Commissioner Welch 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

City Clerk Shook presented for discussion Mayor Jurkovich's appointments to the **South Central Kansas Medical Center Board of Trustees**. There currently are 12 applicants for two vacant seats.

Mayor Jurkovich said he still thinks the board might be too large. Commissioner Oestmann said he thinks the commissioners should seriously consider appointing Michael Taylor to the board.

Commissioner Warren said he still is "digesting" the discussion from the April 13 joint meeting.

Mayor Jurkovich asked to view Charter Ordinance No. 24, the latest one affecting the SCKMC Board of Trustees. He offered the following thoughts regarding the board's composition:

- He does not think the chief of the medical staff needs to be a voting member of the board.
- He does not think the chief executive officer should be a board member in any capacity.
- He doesn't necessarily think the city manager needs to be an ex officio member of the board.
- He thinks a city commissioner should remain on the board, possibly with voting privileges.
- The board appointment time frame might need to be changed due to the election date shift.
- He thinks board term limits could be eliminated entirely, in order to retain quality members.
- He suggested allowing for the possibility of compensation of trustees to attract applicants.
- He asked City Attorney Niles if the City is required to empower the SCKMC pension fund.

City Manager Hernandez recommended tabling the appointments and appointing a small task force to look more closely at SCKMC finances. He said SCKMC's plan needs to be in written form.

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Possible task force members could include himself, Finance Director Cornwell, Commissioner Gingher, Mayor Jurkovich, outgoing trustee Dr. Nick Rogers and others, Hernandez indicated.

Commissioner Warren said he thinks the SCKMC Board of Trustees needs to meet at least twice a month so trustees can ask more questions and go more in depth into discussion of the issues.

Vicki Jackson, 1330 N. Third St., asked if the City Commission can just order the Board of Trustees to meet more often. Mayor Jurkovich said it could. She expressed interest in the task force.

JoLynn Foster clarified that the executive board – consisting of herself, Chair Carol Hearne, Vice Chair Hap McLeod and Secretary Karen Zeller – meets separately prior to each board meeting.

However, Commissioner Oestmann pointed out that those gatherings do not constitute a quorum, so they are not technically meetings and they are not open to the public or the media.

Commissioner Warren clarified that he meant the Board of Trustees should have at least two public meetings each month. Vicki Jackson agreed that all meetings of the board should be public.

Commissioner Gingher made a motion to table the board appointments until the **May 1** meeting.

Commissioner Warren seconded the motion. A voice vote was unanimous in favor of the motion.

Mayor Jurkovich declared the motion approved and then made a motion to add discussion of this matter to the agenda for the **April 27** study session. Commissioner Warren seconded the motion.

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

New Business

Personnel Policy Update

City Clerk Shook presented for discussion a personnel policy update – **Position Classification Plan**.

Human Resources Manager McFarland said two new categories, Temporary/Seasonal and Temporary Agency, would be added to the policy. The latter already are employed by the City.

Temporary/Seasonal would be employed no more than five months per calendar year and would receive only the benefits required by law. They will be used to supplement crews in the summer.

City Manager Hernandez said this change will provide 1,400 more labor hours for the same cost.

Mayor Jurkovich made a motion to approve the update. Commissioner Gingher seconded it. A voice vote was unanimous in favor of the motion. Mayor Jurkovich declared the motion approved.

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Temporary/Seasonal Positions Ordinance No. 2018-04-4460

City Clerk Shook presented for discussion a first reading of an ordinance amending Ordinance No. 2017-12-4447, by removing the position of **Water Treatment Facility Lead** and fixing the compensation for new City positions of **Temporary/Seasonal Grounds Maintenance Worker**, **Temporary/Seasonal Horticulturalist**, and **Temporary/Seasonal Hydrant Flusher**.

City Manager Hernandez said the removal will mirror the setup at the Wastewater Treatment Facility and said it didn't seem right to have a "lead" when there are only three people working.

Human Resources Manager McFarland said the City's intent is to hire all three Temporary/Seasonal positions at a rate of \$10 an hour, which falls within Pay Range 10.

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

Mayor Jurkovich declared the ordinance approved and given **Ordinance No. 2018-04-4460**.

Arkansas City Recreation Commission

City Clerk Shook presented for discussion Mayor Dan Jurkovich's appointment to the **Arkansas City Recreation Commission**. The only applicants are Mike Dobson and Jason O'Toole.

Commissioner Warren made a motion to appoint **Jason O'Toole** to the board. Commissioner Oestmann seconded the motion. A voice vote was unanimous in favor of the motion.

Mayor Jurkovich declared the motion approved and said he hoped this will create some stability.

Surface Preservation Grant Resolution No. 2018-04-3170

City Clerk Shook presented for discussion a resolution authorizing the City to enter into a project agreement with the Secretary of the Kansas Department of Transportation (KDOT) for the City Connecting Links Improvement Program's Surface Preservation grant for the South Summit Street resurfacing project from Madison Avenue to the U.S. 77 bypass.

City Manager Hernandez said the City only will pay about **\$217,121.50** of the estimated total **\$434,243.00** project cost. The total maximum project grant available is **\$300,000.00**, split 90-10.

Commissioner Warren asked where the money will originate. Hernandez said the Street Fund.

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Mayor Jurkovich 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. 2018-04-3170**.

City Manager Updates

City Manager Hernandez informed the commissioners of the following upcoming events:

- A Chamber of Commerce coffee at **10 a.m. April 19** at the Water Treatment Facility;
- The Outstanding Student Award banquet at **6:30 p.m. April 23** in the Earle Wright Room;
- The State of Strother Field luncheon at **noon April 25** at Four County Mental Health;
- The 2019 budget retreat that will start at **8 a.m. April 28** at Commissioner Warren's cabin.

Hernandez said staff plans to pay off the Arkansas City Fire-EMS Department's new tanker a year early. This was made possible by lower-than-expected costs and through prepaying for the chassis.

The remaining balance is **\$137,077.00**. The commissioners verbally assented to Hernandez's plan.

Other Business

Police Department Report

Police Chief Ward presented the Arkansas City Police Department's 2017 annual report. He said the report holds the department accountable and meets CALEA accreditation requirements.

ACPD's major accomplishments, he said, were to achieve full staffing levels, hold candidate testing every quarter, implement new crime analysis software and monthly "compstat"-style management meetings, and launch several new outreach programs in addition to continuing National Night Out.

The new programs include Popsicle Patrol, Coffee with a Cop, #Badgetober, No Valuables November, Distracted Driving December and relaunching the Neighborhood Watch program.

Ward has assigned two officers to a proactive community policing shift from noon to midnight. He said traffic enforcement efforts increased by 90%, reducing the number and severity of accidents.

Social media outreach and high-level leadership training/development efforts continue to increase.

The bad news, he said, is that with the increase in enforcement has come a rise in reported crime.

Part I violent crimes, Part I property crimes and Part I total crimes all were up from last year, but thefts, thefts from vehicles and auto thefts (all per 1,000 citizens) all declined from high 2016 levels.

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Ward said total arrest rates are down nearly 300 from 2016, while calls from citizens continued to rise by 350 to a new high in 2017 of 1,615,76, almost double the call load observed just two years ago.

Traffic citations and warnings per 1,000 citizens more than doubled from 2016, which Ward said helped to cause a 27% decline in total crashes and a 41% drop injury crashes and non-injury crashes. He said that Traffic Safety Committee recommendations also helped to reduce injury accidents.

He predicted that the 2018 budget will continue to be very tight due to full staffing. Personnel costs account for 82 percent of the Arkansas City Police Department's budget.

Ward said the department's goals in 2018 are to complete CALEA accreditation and continue to reinvigorate the Neighborhood Watch program, while blending "hot spot" and intelligence-led policing into the department's philosophy of community-oriented policing to reduce crime rates.

Spring Cleanup Week Report

Public Information Officer Lawson presented a report on Spring Cleanup Week volunteer activities.

He said at least 10 properties were positively affected on April 10-11. Fifty-plus Cowley College students volunteered April 10 for Earth Day, followed by more than 15 volunteers working April 11.

Tasks included tree branch and brush removal; hauling old furniture and appliances, rubbish, junk, and debris to the curbs; moving bags of leaves to the F Street burn site; removing tree branches from alleys; and cutting and removing large tree branches from several back yards.

Cowley College students helped to clean up three properties — **427, 1311 and 1401 S. Second St.**

Citizen volunteers worked at **324 Warren Way; 410 N. Fourth St.; 411 S. Second St.; 518 W. Cedar Ave.; 710, 718 and 728 N. Second St.; 1312 North D St.; and 1327 N. Third St.**

Lawson praised Combination Inspector Brian Williams' work to spearhead these volunteer efforts.

Executive Session

Mayor Jurkovich made a motion to recess to a **13-minute executive session** for consultation with City Attorney Niles which would be deemed privileged in the attorney-client relationship, with City Manager Hernandez present, to discuss legal options for collecting a debt incurred by the City during the demolition of a dangerous structure. Commissioner Oestmann seconded the motion.

A voice vote was unanimous in favor of the motion. The executive session began at **7:07 p.m.** and ended at **7:20 p.m.** No action was taken by the commissioners following the executive session.

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Adjournment

Mayor Jurkovich moved to adjourn the meeting. Commissioner Oestmann seconded the motion. A voice vote was unanimous in favor. Mayor Jurkovich declared the meeting adjourned at **7:22 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