

City Commission of Arkansas City – Regular Meeting Minutes

The Arkansas City Board of City Commissioners met in regular session at **5:30 p.m. Tuesday, August 4, 2020**, in the Commission Room at City Hall, located at 118 W. Central Ave. in Ark City.

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

City employees present were City Manager **Randy Frazer**, City Attorney **Larry Schwartz**, City Clerk **Lesley Shook**, Public Information Officer **Andrew Lawson**, Management Assistant **Mike Crandall**, Finance Director **Kathy Cornwell**, Environmental Services Superintendent **Rod Philo**, Public Services Superintendent **Tony Tapia** and Building Official **Mike Bellis**.

Arkansas City Police Department personnel in attendance were Police Chief **Dan Ward**, Capt. **Jim Holloway**, Lt. **Jason Legleiter**, Sgt. **Wade Hammond** and Administrative Assistant **Jeni McGee**.

AAA Kansas was represented by **Shawn Stewart**. The Kansas Department of Transportation (KDOT) was represented by Traffic Safety Law Enforcement Liaison **Troy Wells**.

Citizens in attendance included **Ken Harader, Thomas Langer, Rudy Steiner** and Cowley CourierTraveler reporter **John Shelman**.

Commissioner Warren offered the opening prayer. Mayor Welch led the Pledge of Allegiance.

Agenda Approval

At City Manager Frazer's request, Mayor Welch made a motion to amend the agenda by adding Thomas Langer under **Recognition of Visitors** and an ordinance granting a natural gas franchise to Kansas Gas Service as **Item 5 of New Business**. Commissioner Oestmann seconded the motion.

A voice vote was unanimous in favor of the motion. Mayor Welch declared the agenda amended as stated. Commissioner Warren then made a motion to approve the agenda as amended.

Commissioner Rogers seconded the motion. A voice vote was unanimous in favor of the motion. Mayor Welch declared the agenda approved as amended.

Awards and Proclamations

AAA Kansas' Shawn Stewart presented the **2019 AAA Traffic Safety Platinum Award** to Police Chief Ward and ACPD Capt. Jim Holloway on behalf of the Arkansas City Police Department.

It is the ninth consecutive year in which ACPD has received an AAA Traffic Safety Award. This also is ACPD's fourth consecutive Platinum Award, the highest such award that AAA offers.

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Stewart acknowledged ACPD's efforts regarding the annual bicycle rodeo, Cowley County Health and Safety Fair, DARE Camp, educational pamphlets, safety tips on Facebook, rollover crash demonstrations, seat belt and other special traffic enforcement efforts, and bicycle patrol.

ACPD is in its 10th year of the Seatbelts Are For Everyone campaign and all of its officers are required to wear seat belts. Ward said the Traffic Safety Committee is a huge part of this award.

Recognition of Visitors

Public Health Officer **Thomas Langer**, director of the City-Cowley County Health Department, provided the commissioners with an update regarding the progression of the novel coronavirus (COVID-19) pandemic in Arkansas City specifically, as well as Cowley County as a whole.

Langer said of **160** total cases, **24** are considered active and **120** were from the Ark City ZIP code.

Consent Agenda

Commissioner Warren made a motion to approve the consent agenda, consisting of the following:

1. Approving the **July 21, 2020**, regular meeting minutes as written.

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

Old Business

2021 City Budget Hearing **Ordinance No. 2020-08-4512**

Mayor Welch presented for discussion a public hearing to receive public comment regarding the proposed **2021 budget** and the first reading of an ordinance adopting the budget for the City.

Mayor Welch opened a public hearing on the 2020 budget. No one from the public spoke.

Mayor Welch closed the public hearing. Commissioner Warren made a motion to approve the ordinance. Mayor Welch seconded the motion. A roll call vote resulted in four yea votes and one nay vote, with Commissioner Oestmann casting the lone dissenting vote.

Mayor Welch declared the motion approved and given **Ordinance No. 2020-08-4512**.

Commissioner Rogers requested to revisit the General Fund and external agencies in **November**.

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Dangerous Structures Hearing **Resolution No. 2020-08-3345**

Mayor Welch presented for discussion a public hearing and a resolution declaring structures located at **415 E. Tyler Ave., 427 S. Sixth St., 609 S. Fifth St., and 1321 South B St.** as unsafe and dangerous, and directing that said structures be repaired or otherwise made safe, or demolished.

Building Official Bellis showed pictures of each structure and offered his professional testimony.

Mayor Welch opened a public hearing on the four properties. No one from the public spoke.

Mayor Welch closed the public hearing. Commissioner Oestmann made a motion to approve the resolution. Commissioner Warren seconded the motion. A voice vote was unanimous in favor.

Mayor Welch declared the motion approved and given **Resolution No. 2020-08-3345**.

New Business

Public Water System Costs **Resolution No. 2020-08-3346**

City Clerk Shook presented for discussion a resolution authorizing improvements to the City **public water supply system** and providing for the payment of the costs thereof.

Finance Director Cornwell said this resolution simply “reauthorizes” already completed projects.

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

Mayor Welch declared the motion approved and given **Resolution No. 2020-08-3346**.

2020 G.O. Refunding Bonds **Resolution No. 2020-08-3347**

City Clerk Shook presented for discussion a resolution authorizing the offering for sale of **General Obligation Refunding and Improvement Bonds, Series 2020**, of the City of Arkansas City, Kansas.

Commissioner Rogers said these bonds will net a savings of **\$2.1 million** and pay off debts earlier.

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

Mayor Welch declared the motion approved and given **Resolution No. 2020-08-3347**.

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Piper Leigh Benefit Alcohol Ordinance No. 2020-08-4513

City Clerk Shook presented for discussion a first reading of an ordinance exempting the application of **K.S.A. 41-719(d)** to allow the sale and consumption of alcoholic liquor at a designated area of Wilson Park during the Piper Leigh Benefit from **5 to 9 p.m. August 8, 2020**.

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

Mayor Welch declared the motion approved and given **Ordinance No. 2020-08-4513**.

Retired Citizens Advisory Council

City Clerk Shook presented for discussion a first reading of an ordinance modifying **Arkansas City Municipal Code Part II, Chapter 2, Article III, Division 1**, to amend general provisions for City boards, commissions, committees, councils and task forces; **Division 3**, to remove the **Retired Citizens Advisory Council** from Municipal Code; and **Division 4**, to amend the **Equal Opportunity and Accessibility Advisory Board's** purpose and duties.

Public Information Officer Lawson requested that the ordinance be tabled so it can be amended.

Commissioner Warren made a motion to table the ordinance for a second reading **August 18**.

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

Mayor Welch declared the motion approved and the ordinance tabled.

Kansas Gas Service Franchise Ordinance No. 2020-08-4514

City Clerk Shook presented for discussion a first reading of an ordinance granting to **Kansas Gas Service**, a Division of ONE Gas, Inc., and its successors and assigns, a **natural gas franchise**, prescribing a franchise fee, providing terms and conditions for the use of public rights-of-way, requiring advance notice of work and duty to repair, providing for indemnification and a hold harmless agreement, providing for rules and regulations, prescribing insurance requirements, reserving certain rights, providing for revocation and termination, providing for an acceptance of the terms of the franchise, providing for a reopener, providing for notice of annexations, prescribing relevant governing law, providing for transfer and assignment of the franchise, providing for points of contact and notifications, providing for an agreement to renegotiate, and repealing all ordinances or parts of ordinances inconsistent with or in conflict with the terms hereof.

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City Manager Frazer said this ordinance effectively would repeal **Ordinance No. 2020-05-4509** and fix an unintended impact on industrial customers' rates, which was a Kansas Gas Service error.

Frazer said the **20-year agreement** still includes a provision that would let the City Commission choose to opt out of the agreement and renegotiate the fee percentage after **five years** have passed.

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

Mayor Welch declared the motion approved and given **Ordinance No. 2020-08-4514**.

City Manager Updates

City Manager Frazer provided the commissioners with the following reminders and updates:

- The next meeting of the Arkansas City Area Complete Count Committee will be at **noon August 6** in the conference room at the Water Treatment Facility, 400 W. Madison Ave.
- The Mike Cox Memorial Golf Tournament will be held from **9 a.m. to noon August 8** at Spring Hill Golf Course, 3202 N. Summit St. (*The late Cox was a former city clerk/treasurer.*)
- The Arkansas City Police Department will be host to "Pop in the Park" from **2 to 4 p.m. August 8** at Wilson Park, located at 701 N. Summit St. Come enjoy a free cold soda!
- The next monthly Cowley County Legislative Committee meeting will be at **noon August 11** at the Winfield Area Chamber of Commerce office, located at 321 E. Ninth Ave.
- The City plans to offer a free KOMA/KORA training for municipal officials from **8:30 a.m. to noon August 13** at the Water Treatment Facility, located at 400 W. Madison Ave.
- The next City Commission study session is at **noon August 14** in the city manager's office.
- A rescheduled and restructured Arkansas City Relay for Life will take place from **7 to 9:30 p.m. August 15** at Wilson Park, located at 701 N. Summit St. Luminaries will be placed around the vacant north (hospital) lot and participants will be asked to drive around the lot.
- The next RISE Cowley health coalition meeting will be at **10 a.m. August 18** via Zoom. The coalition will be revising its bylaws and reorganizing in preparation for Pathways Phase 2.

Other Business

Environmental Services Superintendent Philo said a pump assembly had failed on **Well No. 9**, but a repair is scheduled. He indicated it should be covered by a warranty on the 2-year-old pump.

City Manager Frazer raised the need to address **mixed-use zoning and development**, especially in the North First Street corridor, after Ken Harader raised numerous concerns to him and Principal Planner Josh White. Frazer said he thinks this is best done carefully, in the **Comprehensive Plan**.

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Adjournment

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

Mayor Welch declared the meeting adjourned at **6:52 p.m.**

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

Karen Welch, Mayor

ATTEST:

Lesley Shook, City Clerk

Prepared by:

Andrew Lawson, Public Information Officer