

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, March 17, 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 Commissioner **Kanyon Gingher**, Commissioner **Duane L. Oestmann** and Commissioner **Jay Warren**. Commissioner **Scott Rogers** participated remotely from quarantine via GoToMeeting.

City employees participating remotely via GoToMeeting were City Manager **Nick Hernandez** (*who also was under quarantine*), Public Information Officer **Andrew Lawson**, Management Assistant **Mike Crandall**, Environmental Services Superintendent **Rod Philo** and Fire Chief **Bobby Wolfe**.

City employees present were City Attorney **Larry Schwartz**, City Clerk **Lesley Shook**, Police Chief **Dan Ward**, Finance Director **Kathy Cornwell** and Information Technology Manager **Matthew Metzinger**. Citizens observing were **Jeff Bowman**, **Chad Giles** and local reporter **John Shelman**.

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

Agenda Approval

At City Manager Hernandez's request, Commissioner Gingher made a motion to amend the agenda by removing **Item 1** (*recognizing promoted police officers*) under **Awards and Proclamations**, removing **Item 2** (*scheduling a demolitions hearing*) under **New Business**, and adding a \$57,142.64 funding request from South Central Kansas Medical Center as **Item 3** under **New Business**.

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

Consent Agenda

Mayor Welch made a motion to approve the consent agenda, including the following:

1. Approving the **March 3, 2020**, regular meeting minutes as written.
2. Authorizing Mayor Welch to sign the annual **Statement of Assurance** from the Kansas Department of Wildlife, Parks and Tourism, regarding continuing use of recreational facilities funded by **Land and Water Conservation Fund** (LWCF) grant funds.
3. Approving a new Cereal Malt Beverage license for **Family Dollar**, located at 1313 N. Summit St.
4. Approving **Resolution No. 2020-03-3319**, authorizing a public meeting of the City Commission to attend a budget retreat starting at **8 a.m. Saturday, May 9, 2020**, at Commissioner Warren's cabin, located at 2776 272nd Road.

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

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New Business

City Insurance Renewal

City Clerk Shook presented for discussion renewal of City insurance coverage for property, liability, vehicles, and equipment with EMC and United Agency, for a total amount not to exceed **\$263,378**.

The City received two quotes for comprehensive insurance coverage — excluding workers compensation insurance, which is provided by Kansas Municipal Insurance Trust — for the period of **April 1, 2020**, through **March 31, 2021**.

United Agency, Inc., which has provided coverage through EMC Insurance Companies, provided a quote, along with a quote from OneBeacon Government Risks, through Conrade Insurance Group.

Various Cyber Liability options were submitted by United Agency, and one from Conrade Insurance Group, that will need further review by City staff before making a recommendation.

Commissioner Oestmann made a motion to approve EMC's proposed insurance coverage renewal.

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

Purchase 4-Wheel-Drive Mower **Resolution No. 2020-03-3320**

City Clerk Shook presented for discussion a resolution authorizing the City to purchase a 4-wheel-drive Kubota F2690 72-inch-cut mower with side discharge and a suspension seat from John Schmidt & Sons, Inc., of Winfield, for an amount not to exceed **\$15,270.00**.

The Environmental Services Department's Bad Boy mower, purchased in 2012, has not held up to the rigor of the department's mowing needs. This mower is used for all of Environmental Services' mowing, including the Bryant Shop, Goff Industrial Park water tower, old water tower location at Birch Avenue and Seventh Street, Wastewater Treatment Plant, and water well fields west of town.

Staff had requested that this mower be replaced with a different unit that is more suited for this workload prior to the heavy mowing season later this year. Thus, delivery time was an important scoring criterion. Three bids were requested and two qualified bidders responded.

Both bids were scored using the department's bid award scoring criteria, with the scoring attached for commission review. Schmidt & Sons attained the best score, despite a slightly higher bid.

Although this piece of equipment was not included in the Capital Outlay budget for 2020, there are sufficient funds in the Wastewater Fund with the replacement of the old mower to absorb the cost.

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

Mayor Welch declared the resolution approved and given **Resolution No. 2020-03-3320**.

SCKMC Funding Request

City Clerk Shook presented for discussion a funding request from South Central Kansas Medical Center, for an amount not to exceed **\$57,142.64**.

Finance Director Cornwell presented a worksheet showing the total balances in both the Unpledged Health Care Sales Tax Fund (**\$15,480.14**) – which comprises 5 percent of the tax that can be used to compensate SCKMC for operational expenses and supplies incurred in delivering uncompensated medical care, among other limited uses – and the remaining balance (**\$41,512.29**) of the Compensating Use Tax attributable to the 2018 Health Care Sales Tax, minus the 10 percent already committed to the 2019 Public Building Commission bond debt payment for the hospital.

Including carryover balance and interest, the total balance in the unpledged fund is **\$57,142.64**.

Commissioner Ginger made a motion to approve the funds request of **\$57,142.64**. Commissioner Warren seconded the motion. Commissioner Oestmann requested that SCKMC in the future provide some kind of itemized statement of its expenses in the delivery of uncompensated care.

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

City Manager Updates

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

- Hernandez said the following events had been **canceled** due to the coronavirus pandemic:
 - The police department's Coffee with a Cop event, originally set for **March 19**;
 - A community grant writing workshop at Cowley College, also set for **March 19**;
 - The annual Toy Train Show at the Agri-Business Building, scheduled for **March 21**;
 - His "State of the City" luncheon at MidAmerican Credit Union, set for **March 25**;
 - The start of the Fourth Friday Free Film series, which was planned to start **March 27**.
- The next two meetings of the Arkansas City Area Complete Count Committee will be at **1:30 p.m. March 19** and **April 2**, but they will be held virtually via GoToMeeting technology.
- The next study session will be at **noon April 3**, likely via GoToMeeting due to COVID-19.
- Hernandez gave an overview of recent actions taken to combat the coronavirus pandemic:
 - He recapped a decision by Gov. Laura Kelly to close all schools for the rest of spring.
 - Nonessential State of Kansas employees are being put on administrative leave.

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- While Municipal Court was held **March 17**, it likely will be suspended for 2 weeks.
- All City facilities other than City Hall are closed to the public and accessible only by employees. City Hall will be closed as well when there is a confirmed local case.
- Essential services will continue to be delivered through alternative methods.
- He will discuss with the Rec Commission whether to open the Paris Park Pool or not.
- Recent executive orders prohibit utility shutoffs for nonpayment and all public gatherings of more than 50 people (with limited exceptions) until at least **May 1**.

Commissioner Ginger asked about buffets. Hernandez said employees have to serve patrons.

Other Business

City Manager Hernandez asked SCKMC chief executive officer Jeff Bowman to update the commissioners on hospital operations related to the coronavirus (COVID-19) pandemic.

Executive Session

Mayor Welch made a motion to recess into a **one-hour executive session** — to include **Don Osenbaugh**, with Osenbaugh Consulting — to discuss personnel matters of non-elected personnel, pursuant to **K.S.A. 75-4319(b)(1)**, to discuss potential candidates for the City Manager position, with the open meeting set to resume at **6:55 p.m.**

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

The executive session began at **5:55 p.m.** and ended at **6:55 p.m.** Afterward, the commissioners reconvened in the commission room. No action was taken following the executive session.

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 **6:59 p.m.**

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THE CITY OF ARKANSAS CITY BOARD OF CITY COMMISSIONERS

Karen Welch, Mayor

ATTEST:

Lesley Shook, City Clerk

Prepared by:

Andrew Lawson, Public Information Officer