



Routine Business

1. Roll Call

PRESENT

Commissioner Kanyon Gingher
Commissioner Charles Jennings
Commissioner Scott Rogers
Commissioner Jay Warren
Mayor Diana Spielman

ABSENT

None

Also present from staff: Building Official Mike Bellis, City Attorney Larry Schwartz, City Manager Randy Frazer, City Clerk Tiffany Parsons, Communications Director Shana Adkisson, Environmental Services Superintendent Rod Philo, Division Chief of Fire Prevention Chet Ranzau, Interim Assistant Fire/EMS Chief Patrick Ramirez, Interim Fire/EMS Chief Stuart Cassaboom, Police Captain Jim Holloway, Police Chief Eric Burr, and Public Services Superintendent Tony Tapia.

1. Opening Prayer and Pledge of Allegiance led by Commissioner Charles Jennings.
2. Additions or Deletions to the Agenda as read by City Manager Frazer:
 - Correct Consent Agenda item #1 to reflect - Approve the September 5, 2023, regular meeting minutes as written.

Motion made by Commissioner Rogers, Seconded by Commissioner Gingher to approve the addition as written.

Voting Yea: Commissioner Gingher, Commissioner Jennings, Commissioner Rogers, Commissioner Warren, Mayor Spielman. Mayor Spielman declared the motion approved.

3. Approval of the Agenda

Motion made by Commissioner Jennings, Seconded by Commissioner Warren to approve the agenda as amended.

Voting Yea: Commissioner Gingher, Commissioner Jennings, Commissioner Rogers, Commissioner Warren, Mayor Spielman. Mayor Spielman declared the motion approved.

Awards & Proclamations

1. Proclaim October 3, 2023, as National Night Out in Arkansas City, as read by Police Captain Holloway alongside Police Chief Eric Burr.
2. Proclaim October 8-14, 2023, as Fire Prevention Week in Arkansas City as ready by Interim Assistant Fire/EMS Chief Patrick Ramirez with support from Division Chief of Fire Prevention Ranzau.

3. Proclaim October 2023 as Community Planning Month in Arkansas City as read by Building Official Mike Bellis.

Consent Agenda

Note: All matters listed below on the Consent Agenda are considered under one motion and enacted by one motion. There should be no separate discussion. If such discussion is desired, any item may be removed from the Consent Agenda and then considered separately under Section VI: New Business.

1. Approve the September 5, 2023, regular meeting minutes as written.
2. Ratify Mayor Diana Spielman's appointment of Mickie Schmith to the Northwest Community Center Board.

Motion made by Commissioner Warren, Seconded by Commissioner Gingher, to approve the consent agenda as written.

Voting Yea: Commissioner Gingher, Commissioner Jennings, Commissioner Rogers, Commissioner Warren, Mayor Spielman. Mayor Spielman declared the motion approved.

New Business

City Manager Department

1. City Clerk Parsons presented, consider 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 SCK Health during the Fall on the Lawn Special Event on October 7, 2023.

SCK Health Foundation Executive Director Pam Crain spoke that it is a celebration of their 2nd anniversary elaborating on all the fun activities planned that evening. The beer garden proceeds will go to annual fireworks display in Ark City. The event is free to the public; however, the beer garden will have a cost.

Visit Ark City Program Director Jill Hunter noted that they will sell beer, pop, and snow cones during the event. With fireworks costs going up from \$10k to \$12k next year SCK Health Foundation is allowing Visit Ark City to host the beer garden to help raise money for the fireworks. Cowley County College Security Officer Frank Owens will provide security of the beer garden, which although not required, has been an added precaution.

Commissioner Warren moved, seconded by Commissioner Rogers to approve the item as written.

*Roll Call Voting Yea: Commissioner Gingher, Commissioner Rogers, Commissioner Warren, Mayor Spielman. Roll Call Voting Nay: Commissioner Jennings. Mayor Spielman declared the motion approved, given **Ordinance 2023-09-4587**.*

2. Consider a Resolution scheduling a public hearing at 5:30 PM on November 7, 2023, in the Commission Chambers at City Hall, to determine if structures located at 820 S. 3rd St., 610 N. 5th St., 126 S. 8th St., 120 S. 9th St., 122 S. 9th St., 1504 S. G St., 514 E. Cedar Ave., and 525 E. Cedar Ave., are unsafe and dangerous.

Building Official Bellis spoke of the item, noting that all the addresses are currently vacant.

Commissioner Jennings moved, seconded by Commissioner Rogers, to approve the item as written.

*Voting Yea: Commissioner Gingher, Commissioner Jennings, Commissioner Rogers, Commissioner Warren, Mayor Spielman. Mayor Spielman declared the motion approved, given **Resolution No. 2023-09-3570**.*

3. An Ordinance prohibiting the use of tobacco products, including electronic smoking devices, in Lovie Watson Park, in the City of Arkansas City, Kansas.

City Manager Frazer spoke of the ordinance being both a requirement and one of the grants next step.

Commissioner Roger moved, seconded by Commissioner Jennings, to approve the item as written.

*Roll Call Voting Yea: Commissioner Gingher, Commissioner Jennings, Commissioner Rogers, Commissioner Warren, Mayor Spielman. Mayor Spielman declared the motion approved, given **Ordinance 2023-09-4588**.*

Environmental Services Department

1. A Resolution authorizing the City of Arkansas City to enter into a contract with Professional Engineering Consultants (PEC), of Wichita, KS, to provide project specifications including permitting, design, bidding assistance and construction administration for Goff Tower Rehabilitation, for an amount not to exceed \$94,500.00.

Environmental Services Superintendent Philo discussed the reasoning behind the request. Divers throughout the years have inspected gradual deterioration inside. Although the process would require very little civil engineering, any coating and use abrasiveness to remove paint must meet specs and code.

Commissioner Gingher moved, seconded by Commissioner Warren, to approve the item as written.

*Voting Yea: Commissioner Gingher, Commissioner Jennings, Commissioner Rogers, Commissioner Warren, Mayor Spielman. Mayor Spielman declared the motion approved, given **Resolution No. 2023-09-3571**.*

2. A Resolution approving the proposal submitted by R.E. Pedrotti Company, of Mission, KS, to upgrade the Chestnut Booster Station SCADA Remote Telemetry Unit, for reliability of the booster station operation, for an amount not to exceed \$32,429.00.

Environmental Services Superintendent Philo gave a background of old booster station including holding onto old parts to be able to fix scale upgrades one at a time to save money. Low water presser lately is the reason for the request.

Commissioner Warren moved, seconded by Commissioner Rogers, to approve the item as written.

*Voting Yea: Commissioner Gingher, Commissioner Jennings, Commissioner Rogers, Commissioner Warren, Mayor Spielman. Mayor Spielman declared the motion approved, given **Resolution No. 2023-09-3572**.*

Items for Discussion by City Commissioners

None.

Comments from the Audience for Items not on the Agenda

The public will be allowed to speak on issues or items that are not scheduled for discussion on the agenda. Individuals should address all comments and questions to the Commission. Comments should be limited to issues and items relevant to the business of the Governing Body. The Commission will not discuss or debate these items, nor will the Commission make decisions on items presented during this time. Each person will be limited to three (3) minutes.

None.

City Manager Reminders and Updates

1. City Manager Frazer provided the commissioner with the following:
 - Frazer met with the new representative for U.S. Senator Moran's Office today
 - Staff is looking a Technical Assistance Grant Program, Risk Map for stormwater to improve the C. St. Canal primarily on the East side of town. This study would reduce the risk of flooding in that area.
 - Rehabilitation Housing Incentive District (RHID) was approved for Sleeth Housing Development Project. Staff met with Alfredo on Monday to get re-zoning the process of re-zoning going.
 - Sam Olglesby with the Pickleball group has requested to move funds from Friend of Wilson Park over to the pickleball funds. Legacy Foundation Funds is okay with it but also needs to verify funds were not allocated to a specific project.
 - Staff met with the Arkalalah Board on Friday to discuss the upcoming events.
 - CDBG Housing Grant inspection of files occurred last week. Staff had everything needed accounted for. The city is being allowed an expansion of the target area, staff will reach out to those areas and advertise to occupy the rest of the grant dollars. City staff plans to apply for a second CDBG Housing Grant towards the end of the year.
 - Another Child Care Impact Center Grant is available. The same group as before is working on bringing another community childcare facility to Ark City.
 - KanPak bought additional property on S. Summit and recently expanded their parking lot, then inquired about adding traffic crossings for their employees. KDOT to perform a traffic impact study for that area. Frazer sent the recommendation from KDOT to KanPak to review and City staff will meet with KanPak to see what we can do to address safety issues for their employees.
 - A tour of the Waste Water Treatment Plant is planned for commission work session Friday, September 29th, contingent on weather.
 - LKM Conference October 7, 8 and 9th. All attendees have been registered and rooms confirmed.
 - October 25th LKM Annual Regional Dinner in Hutchinson, KS, more details to come.
 - August 2023 Financial Summary located in the packet.

Executive Session

1. City Clerk Parsons offered to recess into executive session to discuss the City Manager's contract, pursuant to K.S.A. 75-4319(b)(1), personnel matters of nonelected personnel.

Mayor Spielman moved, seconded by Commissioner Rogers to recess into executive session to discuss the prior acquisition of real estate, pursuant to K.S.A. 75-4319(b)(1), for personnel matters of nonelected personnel, for no more than 30 minutes, to include City Attorney Larry and Commissioners.

Voting Yea: Commissioner Gingher, Commissioner Jennings, Commissioner Rogers, Commissioner Warren, Mayor Spielman. Mayor Spielman declared the motion approved.

Commission meeting resumed at 6:53 p.m.

Mayor Spielman moved, seconded by Commissioner Warren, to continue the executive session for 10 minutes, with the same individuals.

Commission meeting resumed at 7:05 p.m.

Mayor Spielman moved, seconded by Commissioner Rogers, to continue the executive session for another 10 minutes.

Voting Yea: Commissioner Gingher, Commissioner Jennings, Commissioner Rogers, Commissioner Warren, Mayor Spielman. Mayor Spielman declared the motion approved.

Commission meeting resumed at 7:15 p.m.

Commissioner Rogers moved to extend the executive session for just five more minutes. Commissioner Rogers amended the motion to 10 minutes, seconded by Commissioner Jennings.

Voting Yea: Commissioner Gingher, Commissioner Jennings, Commissioner Rogers, Commissioner Warren, Mayor Spielman. Mayor Spielman declared the motion approved.

Commission meeting resumed at 7:27 p.m.

Mayor Spielman declared the Executive Session now closed.

Adjournment

Motion made by Commissioner Gingher, Seconded by Commissioner Jennings to adjourn the meeting.

Voting Yea: Commissioner Gingher, Commissioner Jennings, Commissioner Rogers, Commissioner Warren, Mayor Gingher. Mayor Spielman declared the meeting adjourned.

(Seal)

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

ATTEST:

Diana L. Spielman, Mayor

Tiffany Parsons, City Clerk

Prepared by:

Tiffany Parsons, City Clerk