



City of Arkansas City
Tuesday, December 20, 2022

118 W Central Ave, Arkansas City, KS

Routine Business

1. Roll Call

PRESENT

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

Also present: Also present: City Manager Randy Frazer, Police Chief Eric Burr, Finance Director/Treasurer Jennifer Waggoner, City Clerk Lesley Shook, Deputy City Clerk Tiffany Parsons, Human Resources Director Marla McFarland, Accountant Amy Roberts.

2. The Opening Prayer was led by Commissioner Charles Jennings and Pledge of Allegiance was led by Mayor Kanyon Gingher

3. Additions to the Agenda

- Revise New Business Item #2 from “city services” to “loan”.
- Renumber New Business Item #3 City Manager Frazer reminders and updated to #5.
- Add New Business Item #3 Request from SCK Health for distribution of the available funds in the unpledged healthcare sales tax for uncompensated care.
- Add New Business Item #4 Resolution authorizing the City of Arkansas City to approve a bid recommended by Smith & Oakes submitted from APAC-Kansas, to resurface US-166 from 8th Street to Summit Street, for an amount not to exceed \$458,787.00.

Motion made by Commissioner Spielman, Seconded by Commissioner Jennings to approve the additions to the agenda.

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

4. Approval of the Agenda

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

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

Recognition of Staff

1. Patrick Shook was introduced and sworn in as a new Police Officer.

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.

Motion made by Commissioner Warren, Seconded by Commissioner Rogers to approve the consent agenda.

1. Approve the December 2, 2022, Special and December 6, 2022, regular meeting minutes as written.
2. Ratify Mayor Kanyon Gingher's re-appointment of:
 - Robin Henderson and Candace Hendricks to the Beautification and Tree Advisory Board
 - James Fry and Tammy Lanman-Henderson to the Equal Opportunity & Accessibility Advisory Board
 - Dan Jurkovich and Jay Warren to the South-Central Kansas Medical Center Board of Trustees,
 - Shawn Silliman and Sadie Spurlock to the Visit Ark City Board of Trustees
3. Approve renewal Cereal Malt Beverage (CMB) licenses for 2023.

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

Old Business

1. City Clerk Shook presented for consideration Holding a public hearing regarding the proposed 2022 amended budget.

Motion made by Commissioner Rogers, Seconded by Commissioner Warren to open the public hearing regarding the proposed 2022 amended budget.

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

With no public comment received, Motion made by Commissioner Rogers, Seconded by Commissioner Spielman to close the public hearing.

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

- a. City Clerk Shook presented for consideration an Ordinance amending specified funds in the budget for the City of Arkansas City for the year beginning January 1, 2022. Finance Director/Treasurer Waggoner outlined the 8 funds being amended which include Water, Sanitation, Library, Municipalities Fight Addition, Debt Service, Healthcare Sales Tax, Unpledged Healthcare Sales Tax, and CID Sales Tax.

Motion made by Commissioner Rogers, Seconded by Commissioner Spielman to amend specified funds in the budget for the City of Arkansas City for the year beginning January 1, 2022.

Voting Yea: Commissioner Jennings, Commissioner Rogers, Commissioner Spielman, Commissioner Warren, Mayor Gingher. Mayor Gingher declared the motion approved and given **Ordinance No. 2022-12-4569.**

2. City Clerk Shook presented for consideration a Resolution authorizing the City of Arkansas City to renew the contract agreement with Retail Attractions, LLC for Economic Development Consulting Services, for an amount not to exceed \$48,000. Dustin Schutz, 2115 Cedar Crest Court Arkansas City, expressed his concerns regarding renewing this agreement. Brandon Jellings, no address given, expressed his concerns as well.

Motion made by Commissioner Warren, Seconded by Commissioner Jennings to approve the contract.

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

Motion made by Commissioner Jennings, Seconded by Commissioner Rogers to extend the contract with retail attractions on a quarterly basis subject to the agreed upon reviews and reports.

Voting Yea: Commissioner Jennings, Commissioner Rogers, Commissioner Warren. Voting Nay: Mayor Gingher. Commissioner Spielman abstained. Mayor Gingher declared the motion approved and given **Resolution No. 2022-12-3521.**

New Business

City Manager Department

1. City Clerk Shook presented for discussion the Agri-Business building use charges. Finance Director/Treasurer Waggoner stated the expenses are approximately \$35,000 per year just for the building to exist. Currently all entities are being charged a fee to use the building, including nonprofits, which makes up approximately 85-90% of the usage of the building.

Dustin Schutz, 2115 Cedar Crest Court Arkansas City addressed the commission regarding possibly creating a donation fund for the building.

Motion made by Commissioner Spielman, Seconded by Commissioner Warren to no longer charge non-profits for the use of the Ag Building.

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

2. City Clerk Shook presented for discussion a request from SCK Health regarding a loan from the city. Hospital CEO Jeff Bowman and CFO Debbie Hockenbury were present at the meeting to request a loan of \$1,000,000 from the city to subsidize their payroll until their allotted \$3,000,000.00 comes in in July 2024 at which time they would reimburse the city. The commission directed staff to look at what obligations the city has regarding the cash and budget authority and loan the hospital money to subsidize their payroll. They also directed the CEO to keep the City Manager and Finance Director involved and updated on the hospital's financial situation.

3. City Clerk Shook presented for discussion a request from SCK Health for distribution of the available funds in the unpledged healthcare sales tax for uncompensated care.

Motion made by Commissioner Spielman, Seconded by Commissioner Warren to approve the request from SCK Health for distribution of the available funds in the unpledged healthcare sales tax for uncompensated care also to include the December distribution.

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

4. City Clerk Shook presented for discussion a Resolution authorizing the City of Arkansas City to approve a bid recommended by Smith & Oakes submitted from APAC-Kansas, to resurface US-166 from 8th Street to Summit Street, for an amount not to exceed \$458,787.00. City Manager Frazer noted that APAC was the low bidder for this project.

Motion made by Commissioner Spielman, Seconded by Commissioner Rogers to approve a bid recommended by Smith & Oakes submitted from APAC-Kansas, to resurface US-166 from 8th Street to Summit Street, for an amount not to exceed \$458,787.00.

Voting Yea: Commissioner Jennings, Commissioner Rogers, Commissioner Spielman, Commissioner Warren, Mayor Gingher. Mayor Gingher declared the motion approved and given **Resolution No. 2022-12-3522**.

5. City Manager Frazer reminders and updates
 - a. Received notice city will get an additional 26921.00 in opiate funds by the end of the year.
 - b. Great American water taste test will be in Washington DC, February 6-9, 2023.
 - c. Meeting at strother re: pavement replacement on 77 between Winfield and Ark city would probably start in the year 2025.
 - d. Data walk for Cowley County will be January 31, 2023. Commissioners were encouraged to go.
 - e. Local government day at LKM will be January 26, 2023.
 - f. 2023 REAP legislative agenda was distributed to commissioners for review.
 - g. KMU water summit recently held focusing on municipal issues. The outcome of that meeting was distributed to commissioners for review.

Items for Discussion by City Commissioners

Commissioner Warren Jay – brought up the question Ken Harader talked about at the last work session regarding a truck that came down 1st street recently. He asked Police Chief Burr what can be done to stop truck traffic on side streets. Police Chief Burr stated this is something he will talk about it at the city level, possibly getting additional signage.

Comments from the Audience for Items not on the agenda

Ken Harader, 1st street, addressed the commission regarding the truck traffic and signage on 1st street.

Executive Session

1. Recess into executive session to discuss a potential real estate development site, pursuant to K.S.A. 75-4319(b)(6) preliminary discussion of the acquisition of real property exception.

Motion made by Commissioner Rogers, Seconded by Commissioner Jennings to Recess into executive session to discuss a potential real estate development site, pursuant to K.S.A. 75-4319(b)(6) preliminary discussion of the acquisition of real property exception. The public meeting to resume in the commission chambers at 7:28 p.m.

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

Adjournment

Motion made by Commissioner Rogers, Seconded by Commissioner Warren to adjourn the meeting.

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

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

Kanyon Gingher, Mayor

ATTEST:

Lesley Shook, City Clerk

Prepared by:

Lesley Shook, City Clerk