



Tuesday, March 21, 2023

## Regular Meeting Minutes

118 W Central Ave, Arkansas City, KS

### 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: City Manager Randy Frazer, City Attorney Larry Schwartz, Police Chief Eric Burr, Police Captain Jim Holloway, Police Officer Sampson, Police Sergeant Jeremy Samson, Police Officer Rider, Public Services Superintendent Tony Tapia, Principal Planner Josh White, Court Clerk Barbara Cooper, Communications Director Shana Adkisson, and City Clerk Lesley Shook.

2. Opening Prayer was led by Larry Schwartz and the Pledge of Allegiance was led by Mayor Spielman.

3. There were no additions or deletions to the agenda.

*Motion made by Commissioner Rogers, Seconded by Commissioner Warren to approve the addition to agenda as presented.*

4. Approval of the Agenda

*Motion made by Commissioner Jennings, Seconded by Commissioner Gingher to approve the agenda as presented.*

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

### Awards and Proclamations

1. Chief Burr introduced officer new police officer Shannese Herrick. Herrick was sworn by City Clerk Shook.

Commissioner Jennings joined the meeting.

2. VFW Post Commander for Arkansas City, Kansas, and 3rd District Commander for the VFW South Central Kansas Charlie Cravens along with fellow VFW officials, presented the VFW Post and State of Kansas Officer of the Year Awards. Master Police Officer Ivan Velasquez and Assistant County Attorney Christian Fazel were recognized for being nominated. Commander Craven presented the presented the VFW Post and State of Kansas Officer of the Year Award to Sgt. Mike Yzquierdo. This is the second time the City of Arkansas City has won the award from both the State and VFW Post.

## **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 as written.*

1. Approve the March 7, 2023, regular meeting minutes as written.
2. Approve a new Cereal Malt Beverage (CMB) license for Dollar General, located at 401 W. Madison Ave.

*Motion made by Commissioner Warren, Seconded by Commissioner Rogers 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.*

## **Old Business**

1. City Clerk Shook presented an Ordinance adopting the 2022 Comprehensive Plan and Future land use maps for the City of Arkansas City, Kansas; incorporating such plan and maps by reference pursuant to K.S.A. 12-741 et seq., K.S.A. 12-3009:3012 and K.S.A. 12-3301:3302.

Principal Planner White reported that there has been nothing to add, confirming the last Comprehensive Plan was updated in 2013.

*Motion made by Commissioner Warren, Seconded by Commissioner Rogers to approve the 2022 Comprehensive Plan and Future land use maps for the City of Arkansas City, Kansas; incorporating such plan and maps by reference pursuant to K.S.A. 12-741 et seq., K.S.A. 12-3009:3012 and K.S.A. 12-3301:3302.*

*Roll Call Voting Yea: Commissioner Gingher, Commissioner Jennings, Commissioner Rogers, Commissioner Warren, Mayor Spielman. Mayor Spielman declared the motion approved and given **Ordinance No. 2023-03-4574**.*

## **New Business**

### **City Manager Department**

1. City Clerk Shook presented a Resolution authorizing the rescheduling of a public meeting of the governing body from 5:30 p.m. on Tuesday, April 4, 2023, to 5:30 p.m. on Thursday, April 6, 2023.

*Motion made by Commissioner Warren, Seconded by Commissioner Gingher.*

*Voting Yea: Commissioner Gingher, Commissioner Jennings, Commissioner Rogers, Commissioner Warren, Mayor Spielman. Mayor Spielman declared the motion approved and given **Resolution No. 2023-03-3539**.*

2. City Clerk Shook presented an Ordinance exempting the application of K.S.A. § 41-719(c) to allow the sale and consumption of alcoholic liquor at a designated area of Wilson Park, from 12:00 PM to 10:00 PM, during Tacolalah on May 6, 2023.

Jill Hunter, with Visit Ark City, representing Tacolalah presented the request before the commission.

*Motion made by Commissioner Warren, Seconded by Commissioner Rogers to approve an Ordinance exempting the application of K.S.A. § 41-719(c) to allow the sale and consumption of alcoholic liquor at a designated area of Wilson Park, from 12:00 PM to 10:00 PM, during Tacolalah on May 6, 2023.*

*Roll Call Voting Yea: Commissioner Gingher, Commissioner Jennings, Commissioner Rogers, Commissioner Warren, Mayor Spielman. Mayor Spielman declared the motion approved and given **Ordinance No. 2023-03-4575**.*

3. City Clerk Shook presented a Resolution authorizing the City of Arkansas City to enter into an Engineering Design Services Agreement with Smith & Oakes, Inc., Arkansas City, Kansas, for the Sanitary Sewer Extension Serving KLANDS Venture Truck Stop Development Project, for an amount not to exceed \$45,900.00.

City Manager Frazer discussed the need for the agreement.

*Motion made by Commissioner Rogers, Seconded by Commissioner Gingher to approve a Resolution authorizing the City of Arkansas City to enter into an Engineering Design Services Agreement with Smith & Oakes, Inc., Arkansas City, Kansas, for the Sanitary Sewer Extension Serving KLANDS Venture Truck Stop Development Project, for an amount not to exceed \$45,900.00.*

*Voting Yea: Commissioner Gingher, Commissioner Jennings, Commissioner Rogers, Commissioner Warren, Mayor Spielman. Mayor Spielman declared the motion approved and given **Resolution No. 2023-03-3540**.*

4. City Clerk Shook presented a Resolution authorizing the City of Arkansas City to enter into a contract with JEO Consulting Group, Inc. to begin Levee Certification Phase 1, for an amount not to exceed 56,910.00.

City Manager Frazer discussed details of the item.

*Motion made by Commissioner Gingher, Seconded by Commissioner Rogers to approve a Resolution authorizing the City of Arkansas City to enter into a contract with JEO Consulting Group, Inc. to begin Levee Certification Phase 1, for an amount not to exceed 56,910.00.*

*Voting Yea: Commissioner Gingher, Commissioner Jennings, Commissioner Rogers, Commissioner Warren, Mayor Spielman. Mayor Spielman declared the motion approved and given **Resolution No. 2023-03-3541**.*

5. City Clerk Shook announced to consider approval of city insurance coverage for property, liability, vehicles, and equipment.

City Manager Frazer discussed details of the item and reasoning behind the rise in the renewal price.

*Motion made by Commissioner Warren, Seconded by Commissioner Rogers to consider approval of city insurance coverage for property, liability, vehicles, and equipment.*

*Voting Yea: Commissioner Gingher, Commissioner Jennings, Commissioner Rogers, Commissioner Warren, Mayor Spielman. Mayor Spielman declared the motion approved and given **Resolution No. 2023-03-3542**.*

6. City Clerk Shook presented an Ordinance authorizing the operation of work-site vehicles, micro-utility trucks, all-terrain vehicles, and special purpose vehicles on the city streets, within the corporate limits of the City of Arkansas City, Kansas, providing for related matters, including penalties for violation thereof, to the City of Arkansas, City, Kansas.

Chief Burr spoke about specifics of the ordinance and application process that staff will work to create upon approval. Permit stickers or tags will need to be placed on order once approved as well.

A trail run period of one year will be conducted to evaluate safety moving forward, which Chief Burr will report back to the Commission as necessary.

*Motion made by Commissioner Rogers, Seconded by Commissioner Jennings to approve an Ordinance authorizing the operation of work-site vehicles, micro-utility trucks, all-terrain vehicles, and special purpose vehicles on the city streets, within the corporate limits of the City of Arkansas City, Kansas, providing for related matters, including penalties for violation thereof, to the City of Arkansas, City, Kansas.*

*Roll Call Voting Yea: Commissioner Gingher, Commissioner Jennings, Commissioner Rogers, Commissioner Warren, Mayor Spielman. Mayor Spielman declared the motion approved and given **Ordinance No. 2023-03-4576**.*

7. City Clerk Shook Resolution authorizing the City of Arkansas City to accept a bid submitted by AquaSizers Pool Co., of Wichita, KS, to purchase two (2), 10HP TEFC EQ Pumps with Strainers, for Paris Park Pool, for an amount not to exceed \$16,340.00.

Public Services Superintendent Tony Tapia explained the need for the two new pumps and gave clarification that AquaSizers Pool Company has to install the pumps in order to be covered under warranty. City crews will remove the old pumps.

*Motion made by Commissioner Warren, Seconded by Commissioner Rogers to approve a Resolution authorizing the City of Arkansas City to accept a bid submitted by AquaSizers Pool Co., of Wichita, KS, to purchase two (2), 10HP TEFC EQ Pumps with Strainers, for Paris Park Pool, for an amount not to exceed \$16,340.00.*

*Voting Yea: Commissioner Gingher, Commissioner Jennings, Commissioner Rogers, Commissioner Warren, Mayor Spielman. Mayor Spielman declared the motion approved and given **Resolution No. 2023-03-3542**.*

### **Items for Discussion by City Commissioners**

Commissioner Rogers provided an update on disc gold statistics he received for Kneebler Pond gathered from an app.

Commissioner Gingher reported that different municipal courts have expanded to have a second court date, some by zoom court. She provided a handout to the commission.

Mayor Spielman asked about a Cox Communications update. Commissioner Jennings elaborated on the meeting with the representative from Cox Communication that attended the last work session, answering the raised concern for service maintenance calls and the amount being charged to the customer.

### **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.*

Landon West from Arkansas City Recreation Commission distributed a brochure to participate in a survey to be completed by March 24th.

Russell Graves asked if there were questions regarding a letter of support to be sent out. He briefly explained his event set for September 16, 2023. He asked for consideration for city employees to wear shirts with the memorial wall on the back.

### **City Manager Reminders and Updates**

- A table is reserved for the Rule America Conference April 4<sup>th</sup>. The regularly scheduled commission meeting set for April 4<sup>th</sup>, was re-scheduled to April 6<sup>th</sup> for commission and staff to attend to be able to attend.
- Kansas Sampler Foundation from 9 am – 3pm April 6th
- RISE Cowley Health of the Forefront meeting April 12<sup>th</sup>
- Project Updates:
  - Traffic light at Kansas and C Street, Tony Tapia gave update on the cost of a cabinet that will need to be installed for the turning lane to work. Installation will take place once school is out.
  - The alley project is still in progress with another setback with trenching for sewer lines, the first block is now done.
  - The Wastewater Treatment Plant project still making progress with competition possible by mid-July.
  - The original quote has gone up to clean out both digesters as they ran into a lot of issues while cleaning them out.
  - The bridge is still waiting on materials.
  - Water well No. 3 had be shut down and repaired recently by staff and there are a few other wells that need cleaning
  - Public Wi-Fi will still be a future conversation with the commission.
  - Wastewater Fund will look low as we have been pending reimbursement form the Wastewater Treatment Loan and has been turned into CDBG.

### **Adjournment**

Officer Burr, as Chair of the Suicide Prevention of Cowley County Coalition, shared outstanding news that the Police Department was awarded \$35,000 to the Hope Squad which will allow them to expand on suicide prevention program and work with more schools around Cowley County.

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

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

**THE CITY OF ARKANSAS CITY**

**BOARD OF CITY COMMISSIONERS**

(Seal)

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Diana L. Spielman, Mayor

**ATTEST:**

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Tiffany Parsons, Deputy City Clerk

**Prepared by:**

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Tiffany Parsons, Deputy City Clerk

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