



**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 Attorney Larry Schwartz, City Manager Randy Frazer, City Clerk Tiffany Parsons, and Communications Director Shana Adkisson.

1. Opening Prayer and Pledge of Allegiance led by Mayor Spielman.
2. Additions or Deletions to the Agenda as read by City Manager Frazer:
  - Add new item #3 under City Manager Department - *Consider approving a request from SCK Health for release of funds from the Unpledged Healthcare Sales Tax Fund from the City of Arkansas City in the amount of \$62,966.77.*

*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 September 10-16, 2023, as Direct Support Professionals Recognition Week in Arkansas City as read by Mayor Spielman.
2. Proclaim September 2023 as National Suicide Prevention month in Arkansas City as read by Arkansas City High School Junior and active Hope Squad Member Presli Tharp, with support from Police Captain Anthony Rider and School Resource Police Officer Adam Utt.

## **Recognition of Visitors/Staff**

City Manager Frazer recognized Environmental Services employees Rod Philo, Tommy Bowman, Mike Frank, and Spencer Stover for winning the Environmental Excellence Competition, a “scholar’s bowl” of the water industry, at the Kansas Section AWWA/KWEA Water and Wastewater Conference held August 29-31, 2023, in Wichita, KS.

## **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 August 15, 2023, regular meeting minutes as written.
2. Approve a Resolution authorizing a public meeting of the Governing Body to attend a Public Building Commission meeting at 5:15 p.m. Tuesday, September 19, 2023, in the Commission Room at City Hall, located at 118 W. Central Ave. in Arkansas City.

*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.*

## **New Business**

### **City Manager Department**

1. City Clerk Parsons presented to hold a public hearing to receive public comment relating to the Revenue Neutral Rate.  
Finance Director/Treasurer Waggoner gave brief description of the Revenue Neutral Rate that has be in review by the City and Commissioners since May and purpose of the public hearing.

*Commissioner Rogers moved, seconded by Commissioner Warren to open a public hearing to receive public comment relating to the (RNR) Revenue Neutral Rate.*

*Voting Yea: Commissioner Gingher, Commissioner Jennings, Commissioner Rogers, Commissioner Warren, Mayor Spielman. Mayor Spielman declared the floor open to the public for public comment.*

Four citizens residing in the city limits and one Cowley County resident spoke before the commission regarding the Revenue Neutral Rate.

*Mayor Spielman moved, seconded by Commissioner Warren to close the public hearing.*

*Voting Yea: Commissioner Gingher, Commissioner Jennings, Commissioner Rogers, Commissioner Warren, Mayor Spielman. Mayor Spielman declared the public hearing closed.*

- 1a) City Clerk Parsons recited to consider a Resolution to exceed the Revenue Neutral Rate.

Commissioner Gingher confirmed with Finance Director/Treasurer Waggoner that the commission did vote to exceed the RNR when Waggoner initially put this packet together, which the City had to confirm the intent to exceed the RNR to the County Clerk by July 20, 2023.

*Commissioner Warren moved and Commission Gingher seconded to consider a Resolution to exceed the Revenue Neutral Rate.*

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

Commissioner Jennings asked staff to outline the ramifications of a no vote on the motion to exceed the revenue neutral rate. Wagoner explained that the next step is the budget hearing, which we can still hold tonight as the next item, but the commission cannot vote to adopt the budget as presented. However, if the commission wants to go down to the revenue neutral rate (63.000 mills), then the budget could be adopted at that lower RNR rate.

2. Hold a public hearing to receive public comment regarding the proposed 2024 budget.

*Mayor Spielman moved, seconded by Commissioner Gingher to open a public hearing on the budget.*

*Voting Yea: Commissioner Gingher, Commissioner Jennings, Commissioner Rogers, Commissioner Warren, Mayor Spielman. Mayor Spielman declared the floor open to the public for public comment.*

Three citizens of Arkansas City from the public audience spoke.

*Mayor Spielman moved, seconded by Commissioner Rogers to close the public hearing.*

*Voting Yea: Commissioner Gingher, Commissioner Jennings, Commissioner Rogers, Commissioner Warren, Mayor Spielman. Mayor Spielman declared the public hearing closed.*

- 2a) Consider first reading of an Ordinance adopting the 2024 Budget for the City of Arkansas City.

*Commissioner Rogers moved, seconded by Commissioner Warren to approve an Ordinance adopting the 2024 Budget for the City of Arkansas City based off the (RNR) Revenue Natural Rate.*

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

3. Consider approving a request from SCK Health for release of funds from the Unpledged Healthcare Sales Tax Fund from the City of Arkansas City in the amount of \$62,966.77.

Waggoner spoke of the regular request of SCK Health for release of all funds that are available from the unpledged healthcare sales tax fund, providing their charity care write offs included in the packet.

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

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

4. City Clerk Parsons offered a Resolution adopting by reference the City's 2023 Comprehensive Fee Schedule and repealing Resolution No. 2023-07-3559. **(Voice Vote)**

City Manager Frazer spoke to the major changes being the stormwater items with a few other areas that needed to be cleaned up. Currently there are two stormwater rates residential and commercial. Through the stormwater rate analysis, five classes were created for separate residential and commercial classes.

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

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

5. City Clerk Parsons presented an Ordinance authorizing the City of Arkansas City, Kansas, in conjunction with other participating governmental entities, to enter into a new interlocal agreement for the provision of Cowley First, a county-wide economic development service. **(Roll Call Vote)**

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

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

6. Building Permit Valuation Discussion

Discussion was held among commission and staff.

#### City Attorney Department

1. An Ordinance adopting by reference the Standard Traffic Ordinance for Kansas Cities, 50th Edition, prepared and published in book form in 2023, by the League of Kansas Municipalities.

City Attorney Schwartz gave a brief overview of the changes made by the by the League of Kansas Municipalities.

*Commissioner Gingher moved, seconded by Commissioner Warren seconded 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.*

2. An Ordinance adopting by reference the Uniform Public Offense Code for Kansas Cities, 39th Edition, prepared and published in book form in 2023, by the League of Kansas Municipalities.

City Attorney Schwartz noted that the changes by the by the League of Kansas Municipalities.

New this year, City Clerk Parsons is ordering both the book and electronic version of both the STO and UPOC editions for officers and staff, also making the electronic version available to the public on the city website.

*Commissioner Warren moved, seconded by Commissioner Rogers seconded 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.*

### **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.*

Ken Harader at 1313 N. 1<sup>st</sup> St., would like the PA speaker and microphone system brought back in the commission chambers.

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

1. City Manager Frazer provided the commissioner with the following:

- Waste Water Treatment Plant is winding down. Clarifier valve should be in this week.
- More funding received for the Opioid Settlement, \$5,4500 each for three different settlements.
- CCLIP at Maddison had mobilization traffic control issues should be up and running tomorrow.
- City Staff did a stop log training on S. Summit. Stop logs are for the flood control and the levy to block off the openings at the bridges, to be prepared for emergency situations.
- Waste Water Treatment Plan Project fund has an estimated \$122k left in our allowance for unexpected items. Staff has identified a couple of pumps that are older they would like added into this project.

### **Executive Session**

1. City Clerk Parsons offered to recess into executive session to discuss the prior acquisition of real estate, pursuant to K.S.A. 75-4319(b)(6), for the preliminary discussion of the acquisition of real property.

*Commissioner Rogers moved, seconded by Commissioner Warren to recess into executive session to discuss the prior acquisition of real estate, pursuant to K.S.A. 75-4319(b)(6), for the preliminary discussion of the acquisition of real property, to include City Manager Randy and Larry (City Attorney) in there for no more than 10 minutes.*

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

Commission meeting resumed at 7:30 p.m.

*Commissioner Rogers moved, Seconded by Commissioner Jennings to continue the executive session for another 10 minutes, with the same individuals.*

Commission meeting resumed at 7:41 p.m.

*Commissioner Rogers moved, Seconded by Commissioner Jennings to continue the executive session for another 7 minutes.*

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

Commission meeting resumed at 7:49 p.m.

**Adjournment**

*Motion made by Commissioner Rogers, Seconded by Commissioner Warren 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

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Tiffany Parsons, City Clerk

**Prepared by:**

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Tiffany Parsons, City Clerk

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