



City of Arkansas City

CITY COMMISSION MEETING MINUTES

Tuesday, June 07, 2022 at 5:30 PM — 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 Canyon Gingher

Also present: City Manager Randy Frazer, City Attorney Larry Schwartz, Police Chief Eric Burr, City Clerk Lesley Shook, Deputy City Clerk Tiffany Parsons, and Principal Planner Josh White.

2. Opening Prayer was led by Tim Durham and Pledge of Allegiance was led by Devon Bruno-McBride.
3. Additions or Deletions
 - City Manager Frazer requested to add a proclamation for Juneteenth under Awards and Proclamations item #4.

Motion made by Commissioner Jennings, Seconded by Commissioner Warren to approve the addition of item #4 under Awards and Proclamations.

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 Spielman, Seconded by Commissioner Rogers to approve the agenda as amended.

Voting Yea: Commissioner Jennings, Commissioner Rogers, Commissioner Spielman, Commissioner Warren, Mayor Gingher. Mayor Gingher declared the agenda approved as amended.

Awards and Proclamations

1. Kim Imel gave a presentation to the commission and guest regarding the Butterfly Affect.

2. Traeh Barton, Devon Bruno-McBride, and Zek Edgar, were recognized by the City Commission for their initiative taken in cleaning up the skate park. Zek Edgar was unable to attend. Josh Papan, Calico Skate Organization, presented gifts to the kids and thanked them for all the work they did.

The Mayor also recognized Eva Headrick for her outstanding community service for her help, along with 49 other students, in cleaning up at Chilocco for their upcoming event.

3. KanPak, winner of the 2021 Governor's Award of Excellence, was recognized by the Commission.
4. Proclaim June 19, 2022 at Juneteenth National Independence Day in Arkansas City as read by McKinley Huddleston. Robyn Henderson thanked the commission for the recognition and invited everyone to attend the Juneteenth celebration at Lovie Watson Park on June 18th and 19th.

Comments from the Audience

Evelyn Shoup, 1126 N. 14th Street, addressed the commission regarding the condition of the street in front of her house. She played a brief video and distributed a picture to the commissioners as well. City Manager Frazer will look into the issue.

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 VII: New Business.

Motion made by Commissioner Warren, Seconded by Commissioner Spielman to approve the consent agenda as presented.

1. Approve the May 13, 2022 special call meeting, and the May 17, 2022 regular meeting minutes as written.

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

New Business

Ordinances for Consideration

1. City Clerk Shook presented for discussion an Ordinance authorizing the rezoning of 401 W Madison Avenue, from R-2 (Medium Density Residential District) to C-2 (Restricted Commercial District). Principle Planner White stated that AAB Engineering has requested 401 W Madison Avenue be rezoned. The property consists of approximately 1.34 acres. The project will be to develop a retail store. A sale of the property to Rupe Helmer Group LLC dba Arkansas City 23987 LLC is contingent upon approval of this request.

The Planning Commission held a public hearing on Tuesday, April 12, 2022. The item was tabled at the applicant's request. On May 10, 2022 the application returned to the Planning Commission with an alteration of the area to be rezoned. The Planning Commission discussed the changes and voted unanimously on Tuesday, May 10, 2022 to recommend that the City Commission approve the request.

Motion made by Commissioner Warren, Seconded by Commissioner Rogers to approve the Ordinance authorizing the rezoning of 401 W Madison Avenue , from R-2 (Medium Density Residential District) to C-2 (Restricted Commercial District).

*Roll Call Voting Yea: Commissioner Jennings, Commissioner Rogers, Commissioner Spielman, Commissioner Warren, Mayor Gingher. Mayor Gingher declared the motion approved and given **Ordinance No. 2022-06-4554.***

2. City Clerk Shook presented for discussion an Ordinance authorizing the vacating of a portion of alley and a portion of 3rd Street adjacent to Block 2, Park Place Addition, Arkansas City, Cowley County, Kansas. Principle Planner White stated AAB Engineering, LLC has filed a request to vacate a portion of the alley and a portion of 3rd Street (originally platted as 10th Street) adjacent to Block 2, Park Place Addition. All adjacent property owners were notified. Staff recommends approval of the request to vacate the area.

The Planning Commission held a public hearing on April 12, 2022 voted to recommend approval of this vacation subject to the reservation of the access and utility easement at their meeting on May 10, 2022.

Motion made by Commissioner Warren, Seconded by Commissioner Jennings to approve the Ordinance authorizing the vacating of a portion of alley and a portion of 3rd Street adjacent to Block 2, Park Place Addition, Arkansas City, Cowley County, Kansas.

*Roll Call Voting Yea: Commissioner Jennings, Commissioner Rogers, Commissioner Spielman, Commissioner Warren, Mayor Gingher. Mayor Gingher declared the motion approved and given **Ordinance No. 2022-06-4555.***

3. City Clerk Shook presented for discussion an Ordinance denying the petition to rezone of 2305 N 8th Street , from R-1 (Low Density Residential District) to R-3 (Medium Density Residential District). Principle Planner White stated Jose Paz-Ontiveros has requested 2305 N 8th Street be rezoned. The surrounding area is comprised of residential uses. The property consists of approximately 3.4 acres. The project will be to develop a duplex in addition to the existing single family home on the site. A portion of the site is within the floodplain.

The Planning Commission held a public hearing on Tuesday, April 12, 2022 and voted 6-1 to recommend that the City Commission deny the request citing concerns from citizens about additional housing causing additional traffic on 8th Street which is already insufficient and about the majority of the property being within an established floodplain.

An alternative to this proposal could be to split the property in accordance with the lot split requirements and build an additional single family home there. The Floodplain Management Ordinance

would be followed for any development in the floodplain. The new home would also be required to connect to the city sanitary sewer system. This alternative would not require a rezone.

Owners Jose Paz-Ontiveros and Nancy Sebastian were in attendance at the meeting.

Motion made by Commissioner Jennings, Seconded by Commissioner Rogers to table this item and send it back to the planning commission for further recommendation with the strong encouragement to follow the guidance of staff.

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

Staff Report Presentations

1. City Manager Frazer provided the commissioners with the following reminders and updates:
 - Downtown vision reveal is June 20, 2022 at 5:30 pm.
 - The next commission meeting is June 21, 2022 at 5:30 p.m.
 - A budget workshop is scheduled for July 1, 2022 at 8 a.m. at the Water Treatment Facility.
 - The Fire dept roof repair is moving along and should be completed soon.
 - The Department of Commerce 2023 CDBG proposed grant recommendation outline has been received and has a heavy emphasis on early childhood learning centers, youth programs, and community services with nothing proposed for critical city services or infrastructure. City Manager Frazer asked and was given approval to send a written letter of opposition.

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