

City Commission of Arkansas City - Regular Meeting Minutes

The Arkansas City Board of City Commissioners met in regular session at **5:30 p.m. Monday, January 18, 2022**, in the Commission Room at City Hall, located at 118 W. Central Ave. in Ark City.

Mayor **Kanyon Gingher** called the meeting to order. Commissioners also present at roll call were Commissioners **Scott Rogers, Diana Spielman** and **Jay Warren**. Commissioner **Charles Jennings** was absent.

City employees present were City Manager **Randy Frazer**, City Attorney **Larry Schwartz**, City Clerk **Lesley Shook**, Public Information Officer **Andrew Lawson**, Police Chief **Eric Burr**, Environmental Services Superintendent **Rod Philo** and Building Official **Mike Bellis**.

Citizens observing in person or via GoToMeeting included **Chet Compton, Ken Harader, Justin Hirst, Miley Hirst, Ron Hirst, Tracy Hirst, Paisley Howerton, Jill Hunter, Rhonda Jordan, Molly Kuhn Myers**, Pastor **Jimmy McCullough, Duane Oestmann** and **Beth Schmith**.

Citizen **Miley Hirst** offered the opening prayer. Citizen **Justin Hirst** led the Pledge of Allegiance.

Approval of the Agenda

At City Manager Frazer's request, Commissioner Warren made a motion to approve the agenda with the removal of a resolution authorizing the City to purchase a 2016 Jeep Cherokee Latitude from Zeller Ford, of Arkansas City, for an amount not to exceed **\$18,236.00**, as **Item 4 of New Business**. Commissioner Spielman seconded the motion. A voice vote was **unanimous** in favor of the motion. Mayor Gingher declared the agenda **amended** and **approved**.

Recognition of Visitors

Duane Oestmann, 1337 N. Seventh St., asked the commissioners why multiple bids were not solicited for the Paris Park Pool mechanical evaluation contract that was awarded to Kuhn Mechanical. He encouraged them to seek out multiple bids in the future for this sort of work.

Jimmy McCullough, pastor of Hillcrest Bible Baptist Church, objected to the ongoing development of a private bar and club across the street from his church in the old Dollar General store location.

Consent Agenda

Commissioner Spielman made a motion to approve the consent agenda, consisting of the following:

1. Approving the **January 10, 2022**, regular meeting minutes as written.
2. Approving the **2022 Land Bank** annual report and inventory of property.

Commissioner Warren seconded the motion. A voice vote was **unanimous** in favor of the motion. Mayor Gingher declared the consent agenda **approved** as presented.

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New Business

Kansas Main Street Application **Resolution No. 2022-01-3459**

City Clerk Shook presented for discussion a resolution authorizing the **Arkansas City Area Chamber of Commerce** and **Arkansas City Main Street Association** to submit an application to become a designated Main Street community through the **Kansas Main Street** program.

Arkansas City Area Chamber of Commerce CEO **Paisley Howerton** said that by approving this resolution, the City Commission would be endorsing the following actions:

- approving the submission of this competitive Kansas Main Street application and agreeing to participate in the Kansas Main Street program, if Arkansas City is selected;
- supporting the goal of economic revitalization of the **Downtown Historic District** within the context of the preservation and rehabilitation of its historic buildings;
- approving the Arkansas City Main Street Association members' participation in all required meetings and training sessions for the Kansas Main Street program;
- approving the Chamber of Commerce and Arkansas City Main Street Association as the organizations to house the **Downtown Revitalization Steering Committee** and serve as the financial conduit for associated grants.

Approval of this item also authorizes Mayor Gingher to sign a letter of support for the application.

Howerton requested **\$30,000** from the City in its **2023** budget as startup funds for the organization, if the Main Street application is ultimately approved and Arkansas City selected for the program.

Commissioner Warren made a motion to approve the resolution as presented. Commissioner Rogers seconded the motion. A voice vote was **unanimous** in favor of the motion.

Mayor Gingher declared the motion **approved** and given **Resolution No. 2022-01-3459**.

WWTP Supplemental Agreement **Resolution No. 2022-01-3460**

City Clerk Shook presented for discussion a resolution authorizing the City to enter into **Supplemental Agreement No. 1** with **BG Consultants**, of Manhattan, to provide resident construction observation and construction engineering services during construction improvements to the **Wastewater Treatment Plant**, for an amount not to exceed **\$500,000.00**.

Environmental Services Superintendent Philo said BG already has been performing the duties of the owner's representative during the design phase of the **Wastewater Treatment Plant Improvements Project**. This supplemental agreement will allow BG to continue representing the City during the construction improvements phase of the project, he explained.

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Commissioner Rogers made a motion to approve the resolution as presented. Commissioner Spielman seconded the motion. A voice vote was **unanimous** in favor of the motion.

Mayor Gingher declared the motion **approved** and given **Resolution No. 2022-01-3460**.

2022 Employee Manual

City Clerk Shook presented for discussion a third reading of a resolution adopting by reference the **Personnel Policies and Guidelines Manual** for the City, to become effective **January 1, 2022**.

Commissioner Rogers said Human Resources Assistant Marla McFarland still needs to make a few additional changes to the proposed manual, based on additional input and questions from the commissioners, before it is ready to be approved.

Commissioner Spielman made a motion to table this item for further discussion **February 1**.

Commissioner Warren seconded the motion. A voice vote was **unanimous** in favor of the motion.

Mayor Gingher declared the motion **approved** and item **tabled** until **Feb. 1**, with no action taken.

City Manager's Report on Upcoming Activities

City Manager Frazer provided the commissioners with the following reminders and updates:

- The next quarterly **Traffic Safety Committee** meeting will be at **10 a.m. January 21** at USD 470's Avery Family Learning Center, located at 2500 N. 15th St. in northwest Arkansas City.
- **Local Government Day** is from **2:30 to 7 p.m. January 26** in Topeka. Frazer will have more information for any commissioners who are participating as part of the City delegation.
- The next **City Commission** study session will be at **noon January 28** in Frazer's office.
- The City Commission will convene as the **Land Bank Board of Trustees** at **5 p.m. February 1** in the commission room at City Hall, prior to its next regular meeting at **5:30 p.m. Feb. 1**.
- The annual **Arkansas City Area Chamber of Commerce banquet** will be from **5 to 10 p.m. February 5** at the historic Burford Theatre, located at 118 S. Summit St. in downtown Arkansas City. (**NOTE:** This event was later postponed indefinitely due to COVID-19.)
- The City was awarded a **Traffic Engineering Assistance Program** (TEAP) grant from the Kansas Department of Transportation to fund in full a traffic study of the area from **Kansas to Osage avenues, between C and Summit streets**, which includes three local schools.
- The City also has been approved for establishing a **Rural Housing Incentive District** (RHID) downtown, as well as another housing-related grant that Frazer cannot yet publicize.
- Frazer shared a **legislative update** from the **Regional Economic Area Partnership** (REAP) of South-Central Kansas and the Police Department's **community involvement report**.

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Executive Session

Mayor Gingher made a motion to recess into a **20-minute executive session** for consultation with City Manager **Randy Frazer**, City Attorney **Larry Schwartz** and legal counsel **Chet Compton**, with Wichita-based **Fleeson Gooing Attorneys at Law**, which would be deemed privileged in the attorney-client relationship, pursuant to **K.S.A. 75-4319(b)(2)**, to discuss an overview of the **Tamara Niles lawsuit**, with the open meeting set to resume at **6:15 p.m.**

Commissioner Warren seconded the motion. A voice vote was **unanimous** in favor of the motion.

The executive session began at **5:55 p.m.** and ended at **6:15 p.m.** Afterward, the commissioners reconvened in the Commission Room. No action was taken following the executive session.

Adjournment

Commissioner Warren made a motion to adjourn the meeting. Commissioner Rogers seconded the motion. A voice vote was **unanimous** in favor of the motion. Mayor Gingher declared the meeting adjourned at **6:16 p.m.**

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

Kanyon Gingher, Mayor

ATTEST:

Lesley Shook, City Clerk

Prepared by:

Andrew Lawson, Public Information Officer