

City Commission of Arkansas City – Regular Meeting Minutes

The Arkansas City Board of City Commissioners met in regular session at **5:30 p.m. Tuesday, December 7, 2021**, in the Commission Room at City Hall, located at 118 W. Central Ave. in Ark City.

Mayor **Scott Rogers** called the meeting to order. Commissioners also present at roll call were Commissioners **Kanyon Gingher, Duane L. Oestmann, Jay Warren** and **Karen Welch**.

City employees present were City Manager **Randy Frazer**, City Attorney **Larry Schwartz**, City Clerk **Lesley Shook**, Public Information Officer **Andrew Lawson**, Management Assistant **Mike Crandall**, Finance Director **Jennifer Waggoner** and Building Official **Mike Bellis**.

Arkansas City Police Department personnel in attendance were Police Chief **Eric Burr**, Capt. **Jim Holloway**, Lt. **Jason Legleiter**, Master Police Officers **Matt Mayo** and **Jeremy Samson**, Police Officers **Dylan Hettenbach** and **Otey Spires**, Public Service Officer **Eric Gross**, and Administrative Assistant **Jeni McGee**.

Citizens observing in person or via GoToMeeting included **Sierra Evans**, Commissioner-elect **Charles Jennings**, **Amy Pinion**, Commissioner-elect **Diana Spielman**, **Addison Spires**, **Allison Spires**, **Harrison Taylor** and Cowley CourierTraveler reporter **John Shelman**.

Commissioner Warren offered the opening prayer. Mayor Rogers led the Pledge of Allegiance.

Approval of the Agenda

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

Mayor Rogers declared the agenda **approved** as presented.

Recognition of Visitors

Police Chief Burr introduced to the City Commission the two newest members of the Arkansas City Police Department, Police Officers **Dylan Hettenbach** and **Otey Spires**, who then were administered their Oaths of Office by City Clerk Shook.

Consent Agenda

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

1. Approving the **November 16, 2021**, regular meeting minutes as written.
2. Ratifying Mayor Rogers' reappointments of **Nancy Holman** and **Paisley Howerton** to the **Beautification and Tree Advisory Board**, and **JoAnn Bierle** to the **Community Spirit Award Committee** and the **Equal Opportunity and Accessibility Advisory Board**.
3. Approving renewal Cereal Malt Beverage (CMB) licenses for **2022**.

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

Mayor Rogers declared the consent agenda **approved** as presented.

Old Business

Amending 2021 City Budget Ordinance No. 2021-12-4545

Mayor Rogers presented for discussion a public hearing regarding the proposed **2021** amended budget and first reading of an ordinance amending specified funds in the **2021 budget** for the City.

Mayor Rogers made a motion to open a public hearing. Commissioner Gingher seconded the motion. A voice vote was **unanimous** in favor of the motion. Mayor Rogers declared the public hearing **opened**. No one from the public spoke. Mayor Rogers made a motion to close the public hearing. Commissioner Gingher seconded the motion. A voice vote was **unanimous** in favor of the motion. Mayor Rogers declared the public hearing **closed**.

Finance Director Waggoner said this is a housekeeping item that will adjust the **Water Fund** to account for both the **Brad Meek and Hillside Additions Water Line Replacement Project** and the **North Pressure Zone Pump Station Project**, the **Library Fund** in case motor vehicle taxes come in stronger than expected, and the **Health Care Sales Tax Fund** and **Unpledged Health Care Sales Tax Fund** due to stronger-than-expected sales tax and compensating use tax revenues in **2021**.

Commissioner Oestmann made a motion to approve the ordinance as presented. Commissioner Gingher seconded the motion. A roll call vote was **unanimous** in favor of the motion.

Mayor Rogers declared the motion **approved** and given **Ordinance No. 2021-12-4545**.

New Business

Retail Attractions Renewal Resolution No. 2021-12-3448

City Clerk Shook presented for discussion a resolution authorizing the City to renew the contract agreement with **Retail Attractions**, LLC for economic development consulting services, for an amount not to exceed **\$48,000.00**.

City Manager Frazer said the current agreement for economic development consulting services between the City and Retail Attractions expired **November 3, 2021**.

In order to continue the professional consulting services provided to attract appropriate retail, residential, office and other ancillary mixed use development to the City, subject to the terms and conditions specified in the original agreement, Frazer said written notification must be provided for continuation of these services between both parties for an additional year.

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

Mayor Rogers declared the motion **approved** and given **Resolution No. 2021-12-3448**.

WSU Archaeological Survey

City Clerk Shook presented for discussion a resolution authorizing the City to enter into a Service Agreement with **Wichita State University** regarding an archaeological survey at 1110 E. Kansas Ave., for an amount not to exceed **\$18,390.00**.

Commissioner Warren, who also serves on the board for the Etzanoa Conservancy, announced his conflict of interest and recused himself from discussion of this item as he left the room temporarily.

Management Assistant Crandall said the state archaeologist is requiring an archaeological survey to be performed at **1110 E. Kansas Ave.** before any future development can take place there.

Crandall said he recently sent out a Request For Proposals (RFP) to 10 qualified archeological consultants, selected from a list that was provided to him by the state archaeologist. Only one proposal was received back, however — this one from Wichita State University.

Commissioner Welch made a motion to table the resolution for further discussion **December 21**.

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

Mayor Rogers declared the motion **approved** and the resolution tabled until **December 21**.

Commissioner Warren returned to the Commission Room after discussion of this item was over.

Comments from the Audience

Harrison Taylor, 525 N. Fourth St., addressed the commissioners about their relationship with various City advisory boards, especially during the ongoing Comprehensive Planning process.

He advocated for more oversight and limitation from the City Commission to these boards, but several commissioners disagreed with him and said the boards should be free to have open discussions without undue influence or micromanagement from any of the commissioners.

Commissioner-elect Jennings also addressed the matter, pointing out that while some City boards have statutory authority, most do not, and it is always ultimately up to the City Commission to decide whether to acknowledge or disregard their recommendations and/or funding requests.

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City Manager's Report on Upcoming Activities

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

- City staff plans to travel to Derby at **noon December 9** for a special **Statewide Housing Needs Assessment** listening session at the Derby Public Library, 1600 E. Walnut Grove Rd.
- The next **RISE Cowley** steering committee meeting will be at **10 a.m. December 14** at Four County Mental Health, located at 22214 D St. in Strother Field. The steering committee will elect its new officers for 2022 during the meeting.
- The next monthly **Cowley County Legislative Committee** meeting will be at **noon December 14** at the Winfield Area Chamber of Commerce office, 123 E. Ninth Ave.
- The **Arkansas City Area Chamber of Commerce** will be host to a special **“Summit Nights” (Shop Downtown)** promotion event from **5 to 8 p.m. December 16** in downtown Ark City.
- A special **Traffic Safety Committee** meeting to discuss the Multimodal Transportation Master Plan will be held at **10 a.m. December 17** at the Avery Learning Center, 2500 N. 15th.
- The next **City Commission** study session is at **noon December 17** in his office at City Hall.
- He will meet soon with County Administrator **Lucas Goff** and Winfield City Manager **Taggart Wall** to discuss how to proceed with replacing Cowley First Director **Kerri Falletti**.

Other Business

Public Information Officer Lawson updated the commissioners on all of the grants awarded and received in **2021**, totaling **\$3.367 million** in grants toward **\$17.505 million** in new projects.

Another potential **\$265,066.19** in grants, going toward **\$844,726.19** in projects, is pending award.

Lawson also shared with commissioners a little more information from KDOT and the White House regarding the recently signed bipartisan **Infrastructure Investment and Jobs Act (IIJA)**.

Commissioner Warren asked about the **15th Street bridge replacement project**. Management Assistant Crandall said it is set for bidding in **December 2022**, but that will depend on cash flow.

City Manager Frazer said there is the potential for cost savings using prefabricated bridge pieces.

Adjournment

Commissioner Warren made a motion to adjourn the meeting. Mayor Rogers seconded the motion.

A voice vote was **unanimous** in favor of the motion. Mayor Rogers declared the meeting adjourned at **6:20 p.m.**

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THE CITY OF ARKANSAS CITY BOARD OF CITY COMMISSIONERS

Scott Rogers, Mayor

ATTEST:

Lesley Shook, City Clerk

Prepared by:

Andrew Lawson, Public Information Officer