

City Commission of Arkansas City - Regular Meeting Minutes

The Arkansas City Board of City Commissioners met in regular session at **5:34 p.m. Tuesday, February 1, 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 **Charles Jennings, Scott Rogers, Diana Spielman** and **Jay Warren**.

City employees present were City Manager **Randy Frazer**, City Attorney **Larry Schwartz**, City Clerk **Lesley Shook**, Public Information Officer **Andrew Lawson**, Finance Director/Treasurer **Jennifer Waggoner**, Police Chief **Eric Burr**, Environmental Services Superintendent **Rod Philo** and Principal Planner **Josh White**.

Citizens observing in person or via GoToMeeting included **Foss Farrar, Cliff Gottlob, Ken Harader, Bob Mathews, Duane Oestmann, Marshall Puchalla, Kaitlyn Squires, Harrison Taylor, Karen Welch** and Cowley CourierTraveler reporter **John Shelman**.

Citizen **Marshall Puchalla** offered the opening prayer. Citizen **Kaitlyn Squires** led the Pledge of Allegiance.

Approval of the Agenda

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

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

Recognition of Visitors

Cliff Gottlob, 421 South B St., asked the commissioners what could be done to preserve the **West Chestnut Avenue bridge**. The commissioners unanimously expressed no desire to take on the infrastructure costs and liabilities associated with the defunct bridge, which is owned by the county.

Consent Agenda

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

1. Approving the **January 18, 2022**, regular meeting minutes as written.

Commissioner Jennings 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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Old Business

2022 Personnel Policies Manual Resolution No. 2022-02-3461

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

Finance Director Waggoner said all requested changes had been made to the final document.

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

Mayor Gingher declared the motion **approved** and given **Resolution No. 2022-02-3461**.

New Business

Residency Requirements Charter Ordinance No. 36

City Clerk Shook presented for discussion a first reading of a charter ordinance exempting the City from provisions of **K.S.A. 14-1502** as it relates to the residency requirement for appointed officers.

City Attorney Schwartz said **K.S.A. 14-1501** establishes the appointed officers for cities of the second class with a Commission-Manager form of government as a **city attorney**, a **city clerk**, a **city treasurer**, a **municipal judge** of the Municipal Court, a **city marshal**, a **fire chief**, and such other officers, assistants and employees as deemed necessary for the best interest of the City.

City Manager Frazer said the purpose of the proposed exemption is to eliminate undue restrictions on the current employee base, as well as the future applicant pool. Further, the City utilizes response times as managed at the position level, eliminating the need for residency requirements.

Finance Director Waggoner clarified the difference between response times, as defined by employee policies and in employees' individual job descriptions, and state statutory requirements.

Bob Mathews, 900 North D St., spoke in objection to the proposed charter ordinance, defending the idea and purpose of residency requirements. The commissioners thanked him for his perspective.

He raised the issue of a city manager's residency, but Frazer said that was set forth in his contract.

Commissioner Rogers made a motion to approve the charter ordinance as presented.

Commissioner Spielman seconded the motion. A roll call vote was **unanimous** in favor of the motion. Mayor Gingher declared the motion **approved** and given **Charter Ordinance No. 36**.

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Rezoning 600 South B St.

City Clerk Shook presented for discussion a first reading of an ordinance authorizing the rezoning of **600 South B St.** from **P** (Public Use District) to **C-1** (Office and Service Business District).

Principal Planner White said **USD 470** has requested that **600 South B St.** be rezoned for a pending transfer. The surrounding area is composed of both commercial and residential uses.

A vacant commercial site is located northwest of the site. Residential properties are found to the north, south, west and east of the site. The property consists of approximately **0.9 acre** and is **300 feet** by **131 feet**. The project will be to develop a **Federally Qualified Health Clinic** (FQHC).

The applicants are requesting a rezone from **P** to **C-1** because a sale of the property from USD 470 to the **Community Health Center in Cowley County** is contingent upon approval of this request.

White reported the Planning Commission held a public hearing on **January 11, 2022**, and voted **8-1** to recommend that the City Commissioners approve the rezoning request as presented.

Mayor Gingher and Commissioner Warren raised several concerns about the potential impact of the proposed FQHC on the operations of the SCK Health clinic system in Arkansas City. City Attorney Schwartz and Commissioner Rogers pointed out CHC already serves Ark City residents.

Commissioner Warren made a motion to table the resolution for further consideration. Commissioner Spielman seconded the motion. A voice vote was **unanimous** in favor of the motion.

Mayor Gingher declared the motion **approved** and the resolution tabled until **February 15, 2022**.

Wildcat Change Order No. 2 Resolution No. 2022-02-3462

City Clerk Shook presented for discussion a resolution authorizing the City to approve **Change Order No. 2** with **Wildcat Construction Co., Inc.**, of Wichita, regarding repairs and maintenance to the **North Pressure Zone high-service pump station**, for an amount not to exceed **\$8,207.90**.

Environmental Services Superintendent Philo said the change order includes paving the area around the generator and transformer, painting the interior walls, and feeding existing cathodic protection rectifier power from an electrical panel within the pump station.

Additional paving will prevent premature wearing of the surrounding concrete, while the interior painting will extend the useful life of the structure and brighten the interior for operators' safety.

Philo said powering the cathodic protection from the pump station would remove two electric meters and their monthly meter charges from the site, saving on the overall cost of the project.

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

Mayor Gingher declared the motion **approved** and given **Resolution No. 2022-02-3462**.

City Manager's Report on Upcoming Activities

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

- There will be an optional **pre-bid conference** for contractors interested in bidding on the **North Summit Street Resurfacing Project** at **1:30 p.m. February 3** in the commission room.
- The City, the **Arkansas City Area Chamber of Commerce** and **Cowley First** will be host to a special "**visioning session**" for downtown Arkansas City from **11 a.m. to 12:30 p.m. February 5** at the Burford Theatre, located at 118 S. Summit St. This is a public event.
- The next **RISE Cowley** steering committee meeting will be at **10 a.m. February 8** at the Cowley County Courthouse, located at 311 E. Ninth Ave. in Winfield, and also via Zoom.
- The next monthly **Cowley County Legislative Committee** meeting will be at **noon February 8** at the Winfield Area Chamber of Commerce office, located at 123 E. Ninth Ave. in downtown Winfield. (**NOTE: This meeting was later canceled.**)
- The next regular **City Commission** study session will be at **noon February 11** in Frazer's office. Additionally, a special call study session will be scheduled at **noon February 4**, in the same location, so the commissioners can visit with the Kansas State and South Dakota State University students who will be here **February 4-5** for the downtown visioning project.

Other Business

Principal Planner White requested approval to submit a letter of interest to participate in the **National Flood Insurance Program's (NFIP) Community Rating System (CRS)**. He explained the possible benefits of the program to home owners and additional steps staff could reasonably take to attain a higher rating level. The commissioners indicated unanimous support for White to proceed.

Adjournment

Commissioner Warren made a motion to adjourn the meeting. Commissioner Jennings seconded the motion. A voice vote was **unanimous** in favor of the motion.

Mayor Gingher declared the meeting adjourned at **6:29 p.m.**

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THE CITY OF ARKANSAS CITY BOARD OF CITY COMMISSIONERS

Kanyon Gingher, Mayor

ATTEST:

Lesley Shook, City Clerk

Prepared by:

Andrew Lawson, Public Information Officer