



City Commission Meeting

March 05, 2024 at 5:30 PM

118 W Central Ave, Arkansas City, KS

Please join our meeting <https://global.gotomeeting.com/join/896248197>
Or dial in using your phone: United States: +1 (224) 501-3412 Access Code: 896 248 197

I. Routine Business

1. Roll Call
2. Opening Prayer and Pledge of Allegiance
3. Additions or Deletions (**Voice Vote**)
4. Approval of the Agenda (**Voice Vote**)

II. Awards and Proclamations

1. The City of Arkansas City is an Award of Excellence recipient for the 2021 Wastewater Treatment Plant Improvement Project, presented by The Associated General Contractors of America, Inc.

III. Recognition of Visitors/Staff

1. Appoint and swear in new Police Chief, Jim Holloway.

IV. Consent Agenda (**Voice Vote**)

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 February 20, 2024, regular meeting minutes as written.
2. Ratify Mayor Jay Warren's appointments of Misty Birdwell and Teresa Wedman to the Northwest Community Center Advisory Board.
3. A Resolution authorizing a public meeting of the Governing Body to attend a Public Building Commission meeting at 5:00 p.m. Tuesday, April 2, 2024, in the Commission Room at City Hall, located at 118 W. Central Ave. in Arkansas City.

V. New Business

City Manager Department

1. An Ordinance annexing, incorporating within, and adding territory to the City of Arkansas City, Cowley County, Kansas, a municipal corporation in conformity with the provisions of K.S.A § 12-520c and all acts amendatory thereof or supplemental thereto, at a location commonly known as 28379 81st Rd., Arkansas City, KS. (**Roll Call Vote**)
2. An Ordinance authorizing the rezoning of 28379 81st Road, from "R-1" (Low Density Residential District) to "R-3" (High Density Residential District). (**Roll Call Vote**)
3. An Ordinance granting a conditional use permit to allow a non-profit institution of an educational nature in an R-3, High Density Residential District, located at 28379 81st Road requested by the Etzanoa Conservancy, in the City of Arkansas City, Kansas. (**Roll Call Vote**)

- [4.](#) A Resolution authorizing the City of Arkansas City to cover a portion of the roof replacement costs to the City owned building located at 115 E. Radio Ln., currently occupied by the City-Cowley County Health Department, for an amount not to exceed \$13,631.67. **(Voice Vote)**
- [5.](#) Hear from Walnut Valley Disc Golf Association Representative Arty Hicks on ideas for a course expansion at Knebler Pond.

Public Services Department

- [1.](#) A Resolution authorizing the City of Arkansas City to accept a bid from Wichita Tractor Company, to purchase a 2024 Kubota utility vehicle, for an amount not to exceed, \$20,897.00. **(Voice Vote)**

VI. Items for Discussion by City Commissioners

VII. 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.

VIII. City Manager Updates & Reports

IX. Adjournment



City Commission Agenda Item

Meeting Date: March 5, 2024
From: Randy Frazer, City Manager
Item: Award of Excellence for 2021 WWTP Improvements Project

Purpose: The City of Arkansas City is an Award of Excellence recipient for the 2021 Wastewater Treatment Plant Improvement Project, presented by The Associated General Contractors of America, Inc.

Background:

Mayor Jay Warren and City Manager Randy Frazer accepted the award during the Associated General Contractors of Kansas State Building Awards luncheon held at the DoubleTree by Hilton Hotel Wichita Airport on Friday, February 23, 2024.

Approved for Agenda by:

A handwritten signature in black ink, appearing to be "R. Frazer", is written over a horizontal line.

Randy Frazer, City Manager



PRESENTED TO

CITY OF ARKANSAS CITY, KANSAS

February 2024

AWARD OF EXCELLENCE

CITY OF ARKANSAS CITY, 2021 WWTP IMPROVEMENTS PROJECT

CAS Constructors, LLC

ASSOCIATED GENERAL CONTRACTORS OF KANSAS, INC.



City Commission Agenda Item

Meeting Date: March 5, 2024
From: Randy Frazer, City Manager
Item: Apoint & Swear in New Police Chief Jim Holloway

Purpose: Apoint and swear in new Police Chief, Jim Holloway.

Background:

We are pleased to announce the appointment of Jim Holloway as Chief of Police for the Arkansas City Police Department, effective February 24, 2024. Jim, who has dedicated 32 years of exemplary service to the ACPD, recently served as Captain before assuming the role of Interim Police Chief in January 2024.

Throughout the past few months, I have engaged in conversations with Jim and understand his vision for the department. I am confident that his wealth of experience and commitment will contribute to outstanding leadership in the years ahead.

Please join staff and I, in extending heartfelt congratulations to Jim Hollway as he takes on the role of ACPCD Chief of Police.

Jim will be officially sworn in by City Clerk Tiffany Parsons.

Fiscal Impact:

Included in budget Grant Bonds Other Not Budgeted

Approved for Agenda by:

Randy Frazer, City Manager



City Commission Agenda Item

Meeting Date: March 5, 2024
From: Tiffany Parsons, City Clerk
Item: Approve the February 20, 2024, Regular Meeting Minutes

Purpose: Approve the February 20, 2024, regular meeting minutes as written.

Background:

Each meeting, the City Commission reviews and approves the minutes of its prior meeting(s).

Commission Options:

- 1. Approve with consent agenda.
- 2. Remove item from consent agenda for further consideration.

Approved for Agenda by:

A handwritten signature in black ink, appearing to read "Randy Frazer", is written over a horizontal line.

Randy Frazer, City Manager



Tuesday, February 20, 2024
Regular Meeting Minutes
118 W Central Ave, Arkansas City, KS

Routine Business

1. Opening Prayer led by Principal Planner Josh White and Pledge of Allegiance led by Mayor Warren.
2. Roll Call

PRESENT

Commissioner Chad Beeson
 Commissioner Diana Spielman
 Commissioner Tad Stover
 Commissioner Charles Tweedy
 Mayor Jay Warren

ABSENT

None

Also present from staff: City Attorney Larry Schwartz, City Manager Randy Frazer, City Clerk Tiffany Parsons, Communications Director Shana Adkisson, Assistant Environmental Services Superintendent Kyle Blubaugh Interim Assistant Fire/EMS Chief Patrick Ramirez, Firefighter-EMT Isaac ‘Ike’ Hobbs, Firefighter-EMT Patrick Rodke, Firefighter-Paramedic Brandy Rice, Firefighter Engineer-EMT Logon French, Fire Marshall Chet Ranzau, Interim Police Chief Jim Holloway, Police Officers Lt. Corey Combs and Sgt. Detective Kelsey Horinek, Principal Planner Josh White, and Public Services Superintendent Tony Tapia.

3. There were no additions or deletions.
4. Approval of the Agenda

Motion made by Commissioner Tweedy, Seconded by Commissioner Stover to approve the agenda.

Voting Yea: Commissioner Beeson, Commissioner Spielman, Commissioner Stover, Commissioner Tweedy, and Mayor Warren. Mayor Warren declared the motion approved.

Awards and Proclamations

1. Proclaim March 2024 as Intellectual and Developmental Disabilities Awareness Month in Arkansas City as read by Mayor Warren.
2. Proclaim March 17-23, 2024 as Severe Weather Awareness Week in Arkansas City as presented by Mayor Warren.

Recognition of Visitors/Staff

1. Presentation of the Life Saving “Heart of Kindness” Award by Children’s Mercy, to Arkansas City Police Officers Lt. Corey Combs and Sgt. Detective Kelsey Horinek, Firefighter-EMT Isaac ‘Ike’ Hobbs, Firefighter-Paramedic Brandy Rice, Firefighter-EMT Patrick Rodke, Engineer-EMT Logon French, and Fire Marshall Chet Ranzau for their life saving efforts. VFW Post 1254 announced Arkansas City Police Officer Dylan Hettenbach of the Arkansas City Police Department as the recipient of the annual VFW Post Officer of the Year Award. VFW Charlie Cravens presented the award in recognition of Officer Hettenbach’s outstanding public safety contributions.

Assistant Director of Critical Care Transport Heather Scutron and Transport Outreach and EMS E Coordinator Sarah Hales, gave brief background of the life save event that took place during the January 10, 2024, that remarkably resulted in the 14-year old patient walking out of the Childrens Mercy Hospital just a week later. Each staff member involved in the response was presented with an award. Scutron further recognized the South Central Kansas Medical Center team for their efforts as well.

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 February 6, 2024, regular meeting minutes as written.
2. Ratify Mayor Jay Warren’s appointment of Brad Bryant to the South Central Kansas Medical Center (SCKMC) Board of Trustees.
3. Ratify Mayor Jay Warren’s re-appointment of JoAnn Bierle to the Community Spirit Award Committee and Equal Opportunity & Accessibility Advisory Board.
4. End-date extension request for Community Development Block Grant (CDBG) Program Home Rehabilitation Grant. Currently, the grant is scheduled to expire on March 14, 2024. We are seeking an extension of the award date to July 14, 2024.

Motion made by Commissioner Spielman, Seconded by Commissioner Stover to approve the consent agenda as written.

Voting Yea: Commissioner Beeson, Commissioner Spielman, Commissioner Stover, Commissioner Tweedy, and Mayor Warren. Mayor Warren declared the motion approved.

New Business

City Clerk Parsons offered the following items for consideration:

City Manager Department

1. A Resolution authorizing an agreement with Professional Engineering Consultants (PEC), to provide a housing master plan and related services for a 101 acre tract owned by the City, for an amount not to exceed \$28,550.00.

Principal Planner White explained that the staff did reach out to PEC who advised the city of what needs to happen for this planning phase. PEC Representative Lance Onstott spoke of their offering for an in-depth discovery phase of the developmental project which involves review of the full site, evaluations of streets and traffic studies, while also taking into consideration surrounding constraints and land uses. PEC will offer their team’s subject matter expertise, encompassing multiple engineers throughout the large-scale developmental process.

Motion made by Commissioner Beeson, Seconded by Commissioner Stover to approve the item as written.

*Voting Yea: Commissioner Beeson, Commissioner Spielman, Commissioner Stover, Commissioner Tweedy, and Mayor Warren. Mayor Warren declared the motion approved; given **Resolution No. 2024-02-3599**.*

2. A Resolution amending Resolution No. 2021-12-3452, concerning the composition of the Northwest Community Center (NWCC) Advisory Board.

City Clerk Parsons spoke of the need for the board to move back to a five-member board from a three-member board, as temporary established by Resolution 2021-12-3452, in order for the board to better meet the quorum requirements should schedule conflicts arise.

Motion made by Commission Spielman to amend the Resolution No. 2021-12-3452, concerning the composition of the Northwest Community Center (NWCC) Advisory Board, to be five people. Seconded by Commissioner Beeson.

*Voting Yea: Commissioner Beeson, Commissioner Spielman, Commissioner Stover, Commissioner Tweedy, and Mayor Warren. Mayor Warren declared the motion approved; given **Resolution No. 2024-02-3600.***

Environmental Services Department

1. Select one voting delegate and one alternate to attend the 2024 Kansas Rural Water Association annual business meeting to be held Thursday, March 28, 2024.

Assistant Environmental Services Superintendent Kyle Blubaugh elected to nominate himself as voting delegate and Water Treatment Facility Operator Mick David as alternate.

Motion made by Commissioner Beeson, Seconded by Commissioner Stover to select one voting delegate and one alternate to attend the 2024 Kansas Rural Water Association annual business meeting to be held Thursday, March 28, 2024, Kyle and Mick to be delegates.

Voting Yea: Commissioner Beeson, Commissioner Spielman, Commissioner Stover, Commissioner Tweedy, and Mayor Warren. Mayor Warren declared the motion approved.

Public Services Department

1. A Resolution authorizing the City of Arkansas City to accept a bid submitted by Keeler Equipment to purchase a 83" X 16' Sanitation Dump Trailer, for an amount not to exceed \$12,250.00.

Public Services Superintendent Tapia mentioned that there is a need for an additional dump trailer because residents often rent the one they have and staff would get use of an additional second trailer. Issues can arise when the dump trailer is rented and staff or another renter would like to use. The city currently offers the sanitation dump trailer rental at \$125.00 for three days which is a better price than renting elsewhere and accounts for why it is so popular.

Motion made by Mayor Warren, Seconded by Commissioner Spielman to approve the item as written.

*Voting Yea: Commissioner Beeson, Commissioner Spielman, Commissioner Stover, Commissioner Tweedy, and Mayor Warren. Mayor Warren declared the motion approved; given **Resolution No. 2024-02-3601.***

Comments from the Audience for Items not on the Agenda

City resident Linda Stanley of 1221 N 14th St. spoke of concerns for the city streets. She would like to see improvements made and with the use asphalt or a material that will last over the years.

City Manager Updates & Reminders

City Manager Frazer provided the following reminders and updates before the commission.

1. January 2024 Financial Summary is located at the back of the packet.
2. Auditors will be at the City Thursday, April 22nd.
3. Mayor Warren and City Manager Frazer will attend the Associated General Contractors of America of Kansas, Inc. award ceremony in Wichita on February 23rd. The City is up for an award for the Water Treatment Plant Project.

- 4. South Central Kansas Health Foundation (Hospital) Gala is March 2, 2024, the city has a table reserved for commissioners who would like to attend.
- 5. March 13th City Attorney Schwartz and City Manager Frazer will meet with the attorney who work on the Every Rate Case concerning street light costs.
- 6. Updates on current city projects, handout provided to commission, some items include:
 - Water well 16
 - Goff Tower design rehabilitation in review
 - Updates on work order based on KDHE provisions on have submitted an SRF loan
 - Water treatment plan expansion includes an additional green filter
 - Flood Plan regulations, Principal Planner White to meet with JEO consulting on level recertification
 - Central Trail Transportation working on an alternate grant
- 7. City Manger Frazer and Municipal Project Manager Rizzio met with the Cowley County Clerk about possible election date for a half-cent sales tax to work on the street improvement projects.

Adjournment

Motion made by Commissioner Spielman, seconded by Commissioner Beeson to adjourn the meeting. The voice vote was unanimous in favor of the motion. Mayor Warren declared the meeting adjourned.

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

(Seal)

Jay Warren, Mayor

ATTEST:

Tiffany Parsons, City Clerk

Prepared by:

Tiffany Parsons, City Clerk



City Commission Agenda Item

Meeting Date: March 5, 2024
From: Tiffany Parsons, City Clerk
Item: City Board Appointment – Misty Birdwell to Northwest Community Board

Purpose: Ratify Mayor Jay Warren’s appointment of Misty Birdwell to the Northwest Community Center Advisory Board.

Background:

Misty Birdwell has expressed an interest in serving on this board. Residing in Arkansas City for over 10 years, Misty serves our community as a Case Manager with Four County Mental Health. Misty does activities at the Northwest Community Center weekly through her work and is interested in promoting more activities at this location.

The board and Mayor Warren recommend Misty Birdwell to the Northwest Community Center Advisory Board.

Commission Options:

- 1. Approve with consent agenda.
- 2. Remove from consent agenda to new business for further consideration.

Approved for Agenda by:

A handwritten signature in black ink, appearing to read "Randy Frazer", written over a horizontal line.

Randy Frazer, City Manager



City Commission Agenda Item

Meeting Date: March 5, 2024
From: Tiffany Parsons, City Clerk
Item: City Board Appointment – Teresa Wedman to Northwest Community Board

Purpose: Ratify Mayor Jay Warren’s appointment of Teresa Wedman to the Northwest Community Center Advisory Board.

Background:

Teresa Wedman has expressed an interest in serving on this board. Native to Arkansas City, Teresa serves our community as a Case Manager with Four County Mental Health.

The board and Mayor Warren recommend Teresa Wedman to the Northwest Community Center Advisory Board.

Commission Options:

- 1. Approve with consent agenda.
- 2. Remove from consent agenda to new business for further consideration.

Approved for Agenda by:

A handwritten signature in black ink, appearing to read "Randy Frazer", is written over a horizontal line.

Randy Frazer, City Manager



City Commission Agenda Item

Meeting Date: March 5, 2023
From: Tiffany Parsons, City Clerk
Item: Schedule Public Building Commission Meeting April 2nd

Purpose: A Resolution authorizing a public meeting of the Governing Body to attend a Public Building Commission meeting at 5:00 p.m. Tuesday, April 2, 2024, in the Commission Room at City Hall, located at 118 W. Central Ave. in Arkansas City.

Background:

The Public Building Commission (PBC) is required to meet publicly at least once annually. Traditionally, this annual meeting takes place on the third Tuesday of September, prior to the regular City Commission meeting, unless other business should arise that needs to be taken into consideration.

Currently, there are seven (7) members on this Commission, five (5) of whom are the elected members of the Governing Body. Citizens presently on the PBC are Angela Bruce and Mike Munson.

The PBC was formed primarily to provide for the construction of the South Central Kansas Medical Center and Patterson Park Subdivision and is the owner of SCKMC’s construction bonds. At this particular meeting, the PBC will convene and conduct any business necessary as they consider adopting a resolution calling for the redemption of such bonds.

Commission Options:

1. Approve with consent agenda.
2. Remove from consent agenda for further consideration.

Approved for Agenda by:



Randy Frazer, City Manager

A RESOLUTION AUTHORIZING A PUBLIC MEETING OF THE GOVERNING BODY TO ATTEND A PUBLIC BUILDING COMMISSION MEETING AT 5:00 P.M. TUESDAY, APRIL 2, 2024, IN THE COMMISSION ROOM AT CITY HALL.

WHEREAS, all five (5) members of the Governing Body of the City of Arkansas City, Kansas, are members of the City’s Public Building Commission (PBC); and

WHEREAS, the Public Building Commission is required to meet at least once annually for regular business, which traditionally occurs on the third Tuesday in September, prior to a regular meeting of the Governing Body; and

WHEREAS, the PBC is also needs to meet to discuss and take further action(s) related to the bonds used to construct and equip South Central Kansas Medical Center as needed; and

WHEREAS, to comply with the Kansas Open Meetings Act, the Governing Body of the City of Arkansas City, Kansas, must designate this upcoming PBC meeting as a public meeting of the Governing Body and provide appropriate public notice.

NOW, THEREFORE, IN CONSIDERATION OF THE AFORESTATED PREMISES, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF ARKANSAS CITY, KANSAS:

SECTION ONE: The Governing Body of the City of Arkansas City, Kansas, hereby establishes that it shall hold a public meeting at 5:00 p.m. on Tuesday, April 2, 2024, in the Commission Room at City Hall, 118 W. Central Ave., Arkansas City, Kansas, to attend a Public Building Commission meeting.

SECTION TWO: The Governing Body of the City of Arkansas City, Kansas, hereby authorizes City staff of the City of Arkansas City, Kansas, to take such further and other necessary actions that are required to effectuate the intent and purposes of this Legislative Enactment, and also to notify all persons requesting notice of such public meetings under the Kansas Open Meetings Act and K.A.R. 16-20-1.

SECTION THREE: This Resolution shall be in full force and effect from its date of passage by the Governing Body of the City of Arkansas City, Kansas.

PASSED AND RESOLVED by the Governing Body of the City of Arkansas City, Kansas, on this 5th day of March 2024.

(Seal)

Jay Warren, Mayor

ATTEST:

Tiffany Parsons, City Clerk

APPROVED AS TO FORM:

Larry R. Schwartz, City Attorney

CERTIFICATE

I hereby certify that the above and foregoing is a true and correct copy of Resolution No. 2024-03-_____ of the City of Arkansas City, Kansas, adopted by the Governing Body thereof on March 5, 2024, as the same appears of record in my office.

DATED: _____.

Tiffany Parsons, City Clerk



City Commission Agenda Item

Meeting Date: March 5, 2024
From: Josh White, Principal Planner
Item: Etzanoa Annexation-Adoption (Part 2)

Purpose: An Ordinance annexing, incorporating within, and adding territory to the City of Arkansas City, Cowley County, Kansas, a municipal corporation in conformity with the provisions of K.S.A § 12-520c and all acts amendatory thereof or supplemental thereto, at a location commonly known as 28379 81st Rd., Arkansas City, KS. **(Roll Call Vote)**

Background:

A petition to annex 28379 81st Road has been filed by the Etzanoa Conservancy to develop the future home of the Etzanoa Cultural & Immersion Center which will benefit the city and surrounding area with economic development related to tourism. The property does not adjoin the city, and therefore it is a requirement that the Cowley County Commissioners make a determination that the annexation will not hinder or prevent the proper growth and development of the area or that of any other incorporated city located within Cowley County. The County Commission made such a finding and adopted Resolution 2024-04 on February 20, 2024.

The Planning Commission voted to make a recommendation of approval of the annexation at their meeting on January 9, 2024. The property will also require a rezone and conditional use permit which will be brought before the Governing Body after the annexation has been approved.

Commission Options:

1. Approve the ordinance.
2. Disapprove the ordinance.
3. Table the ordinance for further discussion.

Fiscal Impact: Cost of publication

Attachments: Petition, Area Map, and Ordinance

Approved for Agenda by:

Randy Frazer, City Manager



Etzanoa

Etzanoa Conservancy
31639 US-77,
Arkansas City, KS 67005
620-442-6750
etzanoa@yahoo.com

December 4, 2023

City Commissioners
City of Arkansas City
118 W Central
Arkansas City, KS 67005

Subject: Petition for Annexation of Property into City Limits

Dear City Commissioners,

Etzanoa Conservancy, the undersigned landowner of the property located at 28379 81st Road, Arkansas City, Kansas, am submitting this petition to request the annexation of my property into the city limits of Arkansas City KS. I believe that the annexation will bring about mutual benefits for both the city and the property, contributing to the overall development and prosperity of the community.

Property Details:

- Property Address: 28379 81st Road, Arkansas City, KS 67005

- Legal Description: *A tract of land situated in the Northeast Quarter of Section 20, Township 34 South, Range 4 East of the 6th P.M., Cowley County, Kansas, being more particularly described as follows: Commencing at the Southeast Corner of said Northeast Quarter; thence North 00 deg. 31 min. 01 sec. West (assumed), along the East Line of said Northeast Quarter, a distance of 630.00 feet to a point; thence South 89 deg. 28 min. 59 sec. West, a distance of 569.00 feet, more or less, to a point on the West Right-of-Way line for a County Road, described in Road Record Book 1, Page 105 in the Cowley County Engineers Office and the Point of Beginning of the herein described tract; thence South 47 deg. 02 min. 26 sec. West, a distance of 17.00 feet to a 1/2" rebar-cap#1323; thence South 85 deg. 55 min. 15 sec. West, a distance of 240.00 feet to a 1/2" rebar-cap#1323; thence South 49 deg. 06 min. 16 sec. West, a distance of 170.00 feet to a 1/2" rebar-cap#1323; thence South 87 deg. 35 min. 08 sec. West, a distance of 100.00 feet to a 1/2" rebar-cap#1323; thence North 70 deg. 35 min. 12 sec. West, a distance of 232.00 feet to a point; thence North 01 deg. 14 min. 56 sec. West, a distance of 122.00 feet to a 1/2" rebar-cap#1323; thence North 35 deg. 48 min. 27 sec. East, a distance of 385.00 feet to a 1/2" rebar-cap#1323; thence North 67 deg. 19 min. 16 sec. East, a distance of 105.0 feet, more or less, to a point on said West Right-of-Way; thence South 42 deg. 57 min. 34 sec. East, along said West Right-of-Way, a distance of 557.0 feet, more or less, to the Point of Beginning.*

- Current Zoning: Not currently zoned; default is R-1 Low Density

- Land Size: 4.97 acres

Reasons for Annexation:

Proximity to city services, desire for municipal utilities, and future tourism opportunities.

Proposed Use:

The future home of the Etzanoa Cultural & Immersion Center.

Community Benefits:

Support of the local community through tourism and potential future UNESCO site.

Supporting Documents:

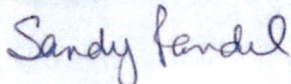
See attached.

I understand that the annexation process involves city and county commission reviews, and I am committed to actively participating in these proceedings to address any questions or concerns that may arise.

I appreciate your time and consideration of this petition. I am confident that the annexation of my property will be a positive step towards the shared growth and prosperity of Arkansas City Ks.

Thank you for your attention to this matter. I look forward to the opportunity to discuss this petition further.

Sincerely,

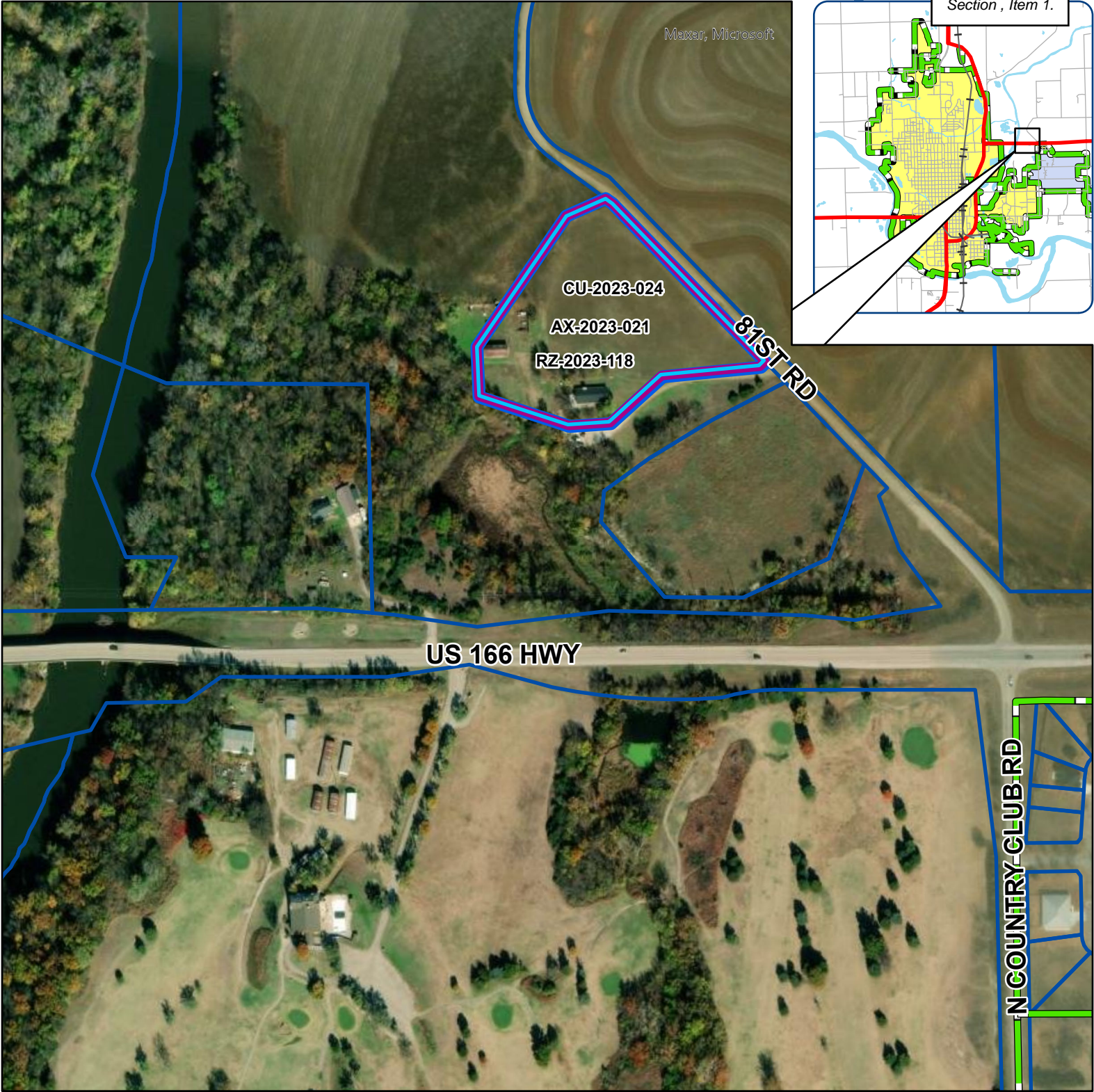


Sandy Randel
Director

Enc

Annexation/Rezone/Conditional Use Permit Request

Section , Item 1.



A request to annex, rezone from R-1 to R-3,
and a conditional use permit for a non-profit institution in an R-3 district
the property at 28379 81st Rd

-  City Limits
-  Annexation
-  Conditional Use
-  Rezone
-  Property Lines

Produced by the
City of Arkansas City GIS
using the best available
data to date.
Created: December 14, 2023



(First Published in the *Cowley CourierTraveler*, March ____, 2024)

ORDINANCE NO. 2024-03-_____

AN ORDINANCE ANNEXING, INCORPORATING WITHIN, AND ADDING TERRITORY TO THE CITY OF ARKANSAS CITY, COWLEY COUNTY, KANSAS, A MUNICIPAL CORPORATION IN CONFORMITY WITH THE PROVISIONS OF K.S.A § 12-520c AND ALL ACTS AMENDATORY THEREOF OR SUPPLEMENTAL THERETO, AT A LOCATION COMMONLY KNOWN AS, 28379 81ST RD., ARKANSAS CITY, KS.

WHEREAS, a Consent for Annexation of the following described land adjoining the City has been signed by the owner thereof and has been filed with the City of Arkansas City, Cowley County, Kansas pursuant to K.S.A. §12-520c; and

WHEREAS, the Governing Body of the City of Arkansas City, Kansas, finds it advisable to annex such land and, the preparation of a plan for extension of services is excused a result of said Consent to Annexation in accordance with K.S.A. §12-520b(c); and

WHEREAS, pursuant to K.S.A. §12-520c, on the 16th day of January 2024 in its Regular Session, the Governing Body of the City of Arkansas City, Kansas adopted Resolution No. 2024-01-3593, requesting the Board of County Commissioners of Cowley County, Kansas, to make findings as required by K.S.A. §12-520c(c); and

WHEREAS, this land annexation is the proposed site for the Etzanoa Cultural & Immersion Center, owned by Etzanoa Conservancy, Inc., who have petitioned in writing of such annexation consisting of approximately 4.97 acres, at a location commonly known as, 28379 81st Rd., Arkansas City, KS; and

WHEREAS, on the 6th day of February 2024, the Board of County Commissioners of Cowley County, Kansas, in its Regular Session made a finding that the Annexation of such land will not hinder or prevent the proper growth and development of the area or that of any other incorporated City located within Cowley County, Kansas and on the 20th day of February 2024, passed Resolution No. 2024-04 officially documenting such findings.

NOW THEREFORE, IN CONSIDERATION OF THE AFORESTATED PREMISES, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF ARKANSAS CITY, KANSAS:

SECTION ONE: The following described property is hereby annexed to, incorporated within, and made a part of the City of Arkansas City, Kansas to all intents and for all purposes contemplated in and under the laws by which said City was originally established and now exists, to-wit:

SEE EXHIBIT A WHICH IS INCORPORATED BY REFERENCE AS IF FULLY SET FORTH HEREIN

SECTION TWO: That this annexation is authorized and in conformity with the provisions of K.S.A. §12-520 and all acts amendatory thereof and supplemental thereto in that the real estate as hereinabove described meets one or more of the classifications for annexation as described by law.

SECTION THREE: The City Clerk shall make proper publication of this Ordinance which shall be published once in the official City newspaper and which shall be effective from and after said publication and shall thereafter file a certified copy of such Annexation Ordinance with the Cowley County Clerk, the Cowley County Register of Deeds, and the Cowley County Election Officer (Cowley County Clerk) (serving in such capacity) in accordance with K.S.A. §12-522, and all acts amendatory thereof or supplemental thereto.

PASSED AND ORDAINED by the Governing Body of the City of Arkansas City, Kansas this 5th day of March 2024.

(Seal)

Jay Warren, Mayor

ATTEST:

Tiffany Parsons, Clerk

APPROVED AS TO FORM

Larry R. Schwartz, City Attorney

CERTIFICATE

I, hereby certify that the above and foregoing is a true and correct copy of Ordinance No. 2024-03-_____ of the City of Arkansas City, Kansas adopted by the governing body on March 5, 2024 as the same appears of record in my office.

DATED: _____.

Tiffany Parsons, Clerk



Etzanoa

Etzanoa Conservancy
 31639 US-77,
 Arkansas City, KS 67005
 620-442-6750
 etzanoa@yahoo.com

Exhibit A

Property Details:

- Property Address: 28379 81st Road, Arkansas City, KS 67005

- Legal Description: *A tract of land situated in the Northeast Quarter of Section 20, Township 34 South, Range 4 East of the 6th P.M., Cowley County, Kansas, being more particularly described as follows: Commencing at the Southeast Corner of said Northeast Quarter; thence North 00 deg. 31 min. 01 sec. West (assumed), along the East Line of said Northeast Quarter, a distance of 630.00 feet to a point; thence South 89 deg. 28 min. 59 sec. West, a distance of 569.00 feet, more or less, to a point on the West Right-of-Way line for a County Road, described in Road Record Book 1, Page 105 in the Cowley County Engineers Office and the Point of Beginning of the herein described tract; thence South 47 deg. 02 min. 26 sec. West, a distance of 17.00 feet to a 1/2" rebar-cap#1323; thence South 85 deg. 55 min. 15 sec. West, a distance of 240.00 feet to a 1/2" rebar-cap#1323; thence South 49 deg. 06 min. 16 sec. West, a distance of 170.00 feet to a 1/2" rebar-cap#1323; thence South 87 deg. 35 min. 08 sec. West, a distance of 100.00 feet to a 1/2" rebar-cap#1323; thence North 70 deg. 35 min. 12 sec. West, a distance of 232.00 feet to a point; thence North 01 deg. 14 min. 56 sec. West, a distance of 122.00 feet to a 1/2" rebar-cap#1323; thence North 35 deg. 48 min. 27 sec. East, a distance of 385.00 feet to a 1/2" rebar-cap#1323; thence North 67 deg. 19 min. 16 sec. East, a distance of 105.0 feet, more or less, to a point on said West Right-of-Way; thence South 42 deg. 57 min. 34 sec. East, along said West Right-of-Way, a distance of 557.0 feet, more or less, to the Point of Beginning.*



City Commission Agenda Item

Meeting Date: March 5, 2024
From: Josh White, Principal Planner
Item: Etzanao Rezone

Purpose: An Ordinance authorizing the rezoning of 28379 81st Road, from “R-1” (Low Density Residential District) to “R-3” (High Density Residential District). **(Roll Call Vote)**

Background:

The subject property is located at 28379 81st Road. The surrounding area is comprised of agricultural uses. The property consists of approximately 4.97 acres. The project will be to develop the Etzanao Cultural & Immersion Center. The applicant is requesting a rezone from the default R-1, Low Density Residential District to an R-3, High Density Residential District. R-3 is the most restrictive district that allows the proposed use. A conditional use permit will also be required for a non-profit institutional use.

The Planning Commission held a public hearing on Tuesday, January 9, 2024 and voted unanimously to recommend that the City Commission approve the request.

Commission Options:

1. Approve ordinance on the first reading
2. Table and approve on second reading
3. Dissapprove ordinance with 2/3 majority
4. Table and send back to Planning Commission for further consideration

Fiscal Impact: Cost of publication

Attachments: Staff report, ordinance

Approved for Agenda by:

Randy Frazer, City Manager



STAFF REPORT

City of Arkansas City Neighborhood Services Division
 Josh White, Principal Planner
 118 W Central Ave, Arkansas City, KS 67005

Phone: 620-441-4420 Fax: 620-441-4403 Email: jwhite@arkansascityks.gov Website: www.arkcity.org

CASE NUMBER
 RZ-2023-118

APPLICANT/PROPERTY OWNER
 Etzanoa Conservancy

PUBLIC HEARING DATE
 January 9, 2024

PROPERTY ADDRESS/LOCATION
 28379 81st Rd

SUMMARY OF REQUEST

The subject property is located at 28379 81st Road. The surrounding area is comprised of agricultural uses. The property consists of approximately 4.97 acres. The project will be to develop the Etzanoa Cultural & Immersion Center. The applicant is requesting a rezone from the default R-1, Low Density Residential District to an R-3, High Density Residential District. R-3 is the most restrictive district that allows the proposed use. A conditional use permit will also be required for non-profit institutional use. Staff recommend approval of the rezone.



Map data ©2023 Esri World Topographic map

<p>EXISTING ZONING R-1, Low Density Residential District (subject to approval of annexation case AX-2023-021)</p>	<p>EXISTING LAND USE Residential</p>	<p>SURROUNDING ZONING & LAND USE Surrounded by Unzoned County/Agricultural Use</p>	<p>SITE IMPROVEMENTS Single Family Home & Farm Utility Building</p>	<p>SIZE OF PROPERTY 4.97 acres</p>
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STAFF RECOMMENDATION

APPROVE

APPROVE WITH CONDITIONS

DENY

<p>COMPATIBILITY with the COMPREHENSIVE PLAN The Future Land Use portion of the Comprehensive Plan does not cover this property. When the Comprehensive Plan was developed, the plans for the center were not known. The proposed use is a non-profit institution. While there isn't a specific goal for Etzanoa there is a Goal to "Maintain coordination among community partners to coordinate goals and establish a funding stream for economic development" and under it is an action to "Work with Visit Ark City to promote tourism opportunities". This project will generate tourism for the area which will generate additional sales at area stores, restaurants and stays at our lodging institutions.</p>	<p>PROPERTY HISTORY According to County Records the Single-Family Home was built in 1956 and the utility building in 1990. The land had never been within the City Limits prior to the proposed annexation, so no further records or cases were found.</p>
<p>COMPATIBILITY with the ZONING ORDINANCE The surrounding area is comprised of agricultural uses. It is the intent of the residential zoning districts to provide for areas of low, medium and high density residential development including certain public or private uses which are compatible with residential development. The change in classification would be consistent with the intent and purpose of these regulations. This project also requires a conditional use permit.</p>	

Annexation/Rezone/Conditional Use Permit Request



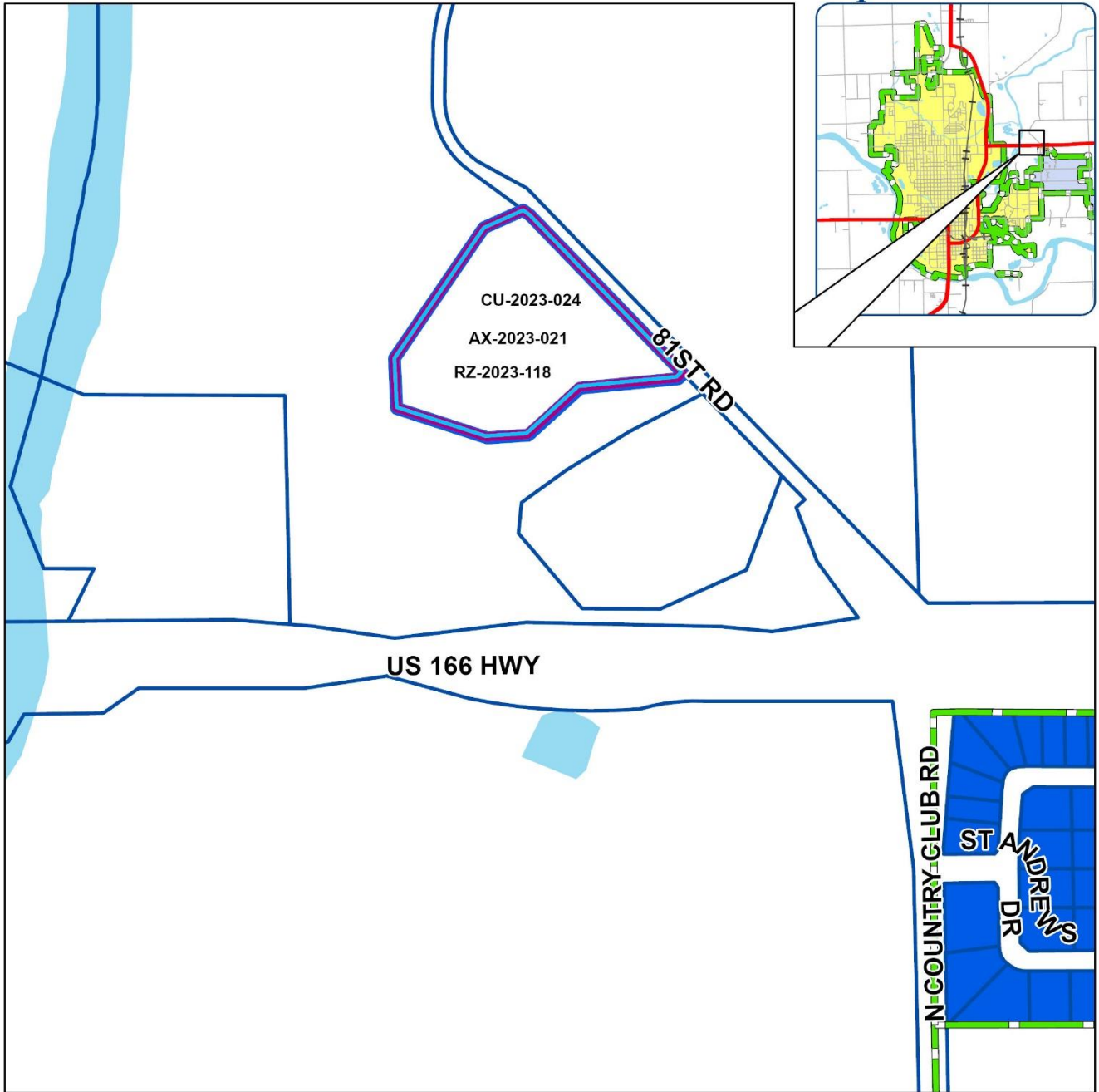
A request to annex, rezone from R-1 to R-3,
and a conditional use permit for a non-profit institution in an R-3 district
the property at 28379 81st Rd

-  City Limits
-  Annexation
-  Conditional Use
-  Rezone
-  Property Lines

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using the best available
data to date.
Created: December 14, 2023



Annexation/Rezone/Conditional Use Permit Request



A request to annex, rezone from R-1 to R-3,
and a conditional use permit for a non-profit institution in an R-3 district
the property at 28379 81st Rd

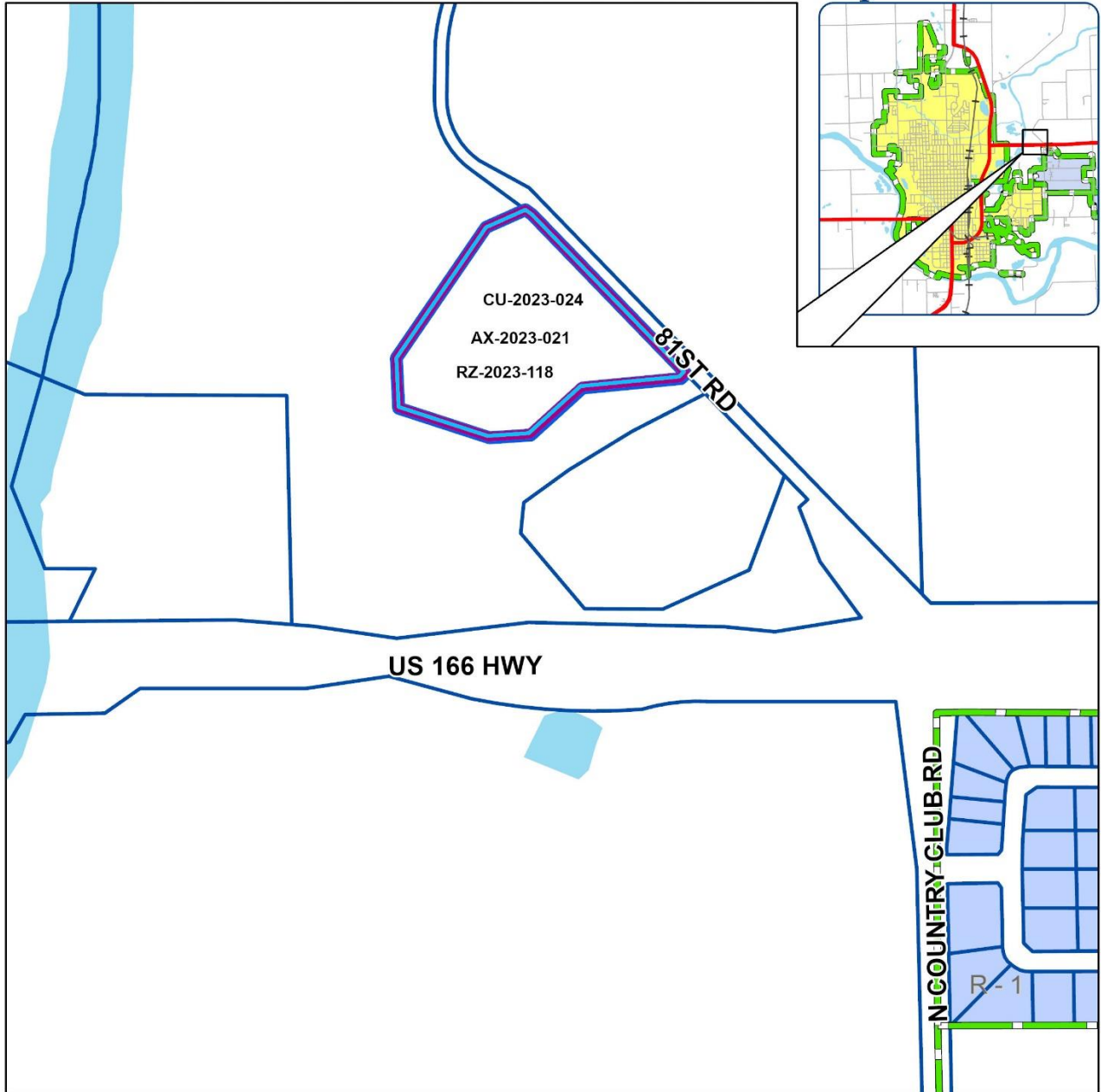
-  City Limits
-  Annexation
-  Conditional Use
-  Rezone
-  Property Lines
- Future Land Use**
-  Residential

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Zoning map

Annexation/Rezone/Conditional Use Permit Request



A request to annex, rezone from R-1 to R-3,
and a conditional use permit for a non-profit institution in an R-3 district
the property at 28379 81st Rd

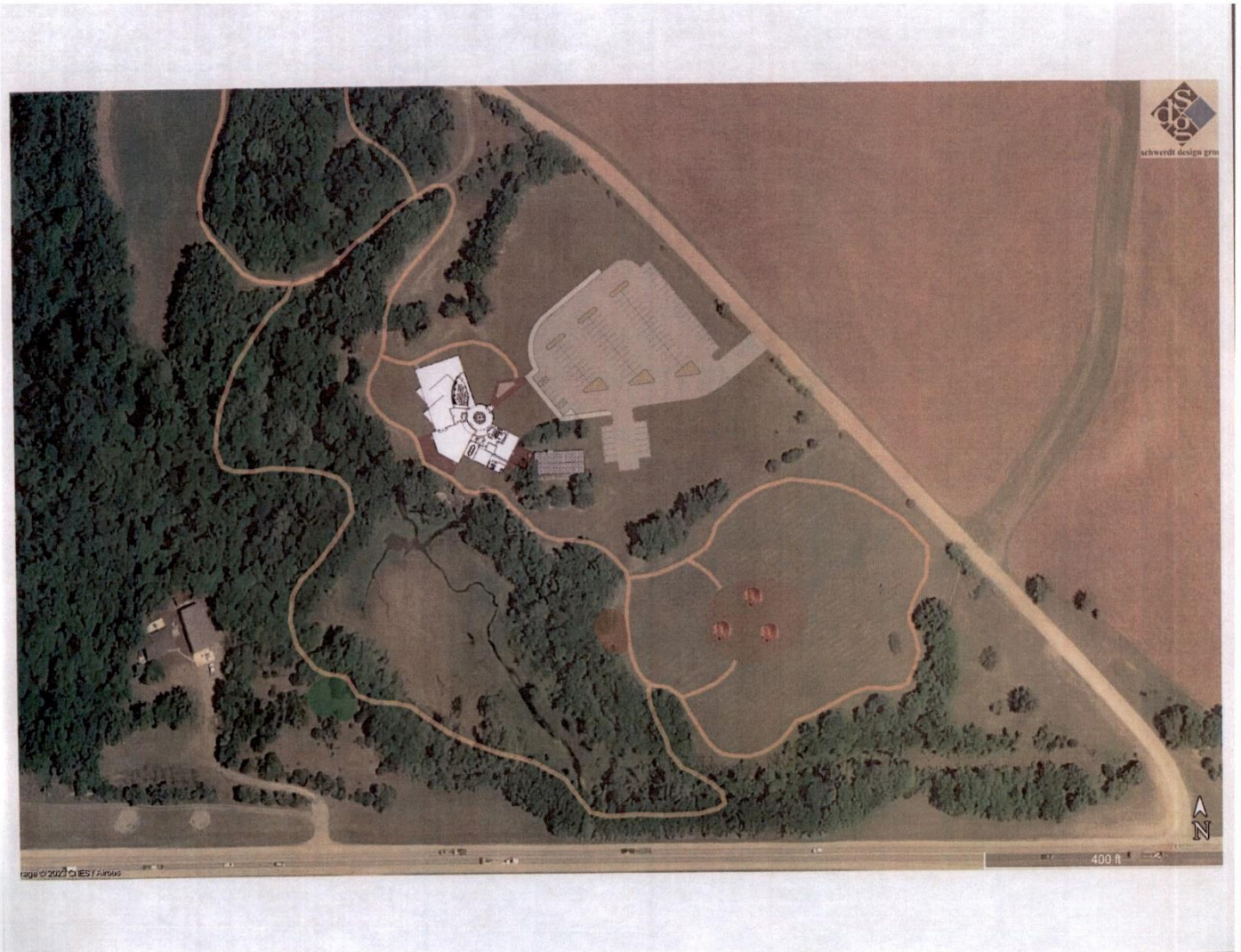
-  City Limits
-  Annexation
-  Conditional Use

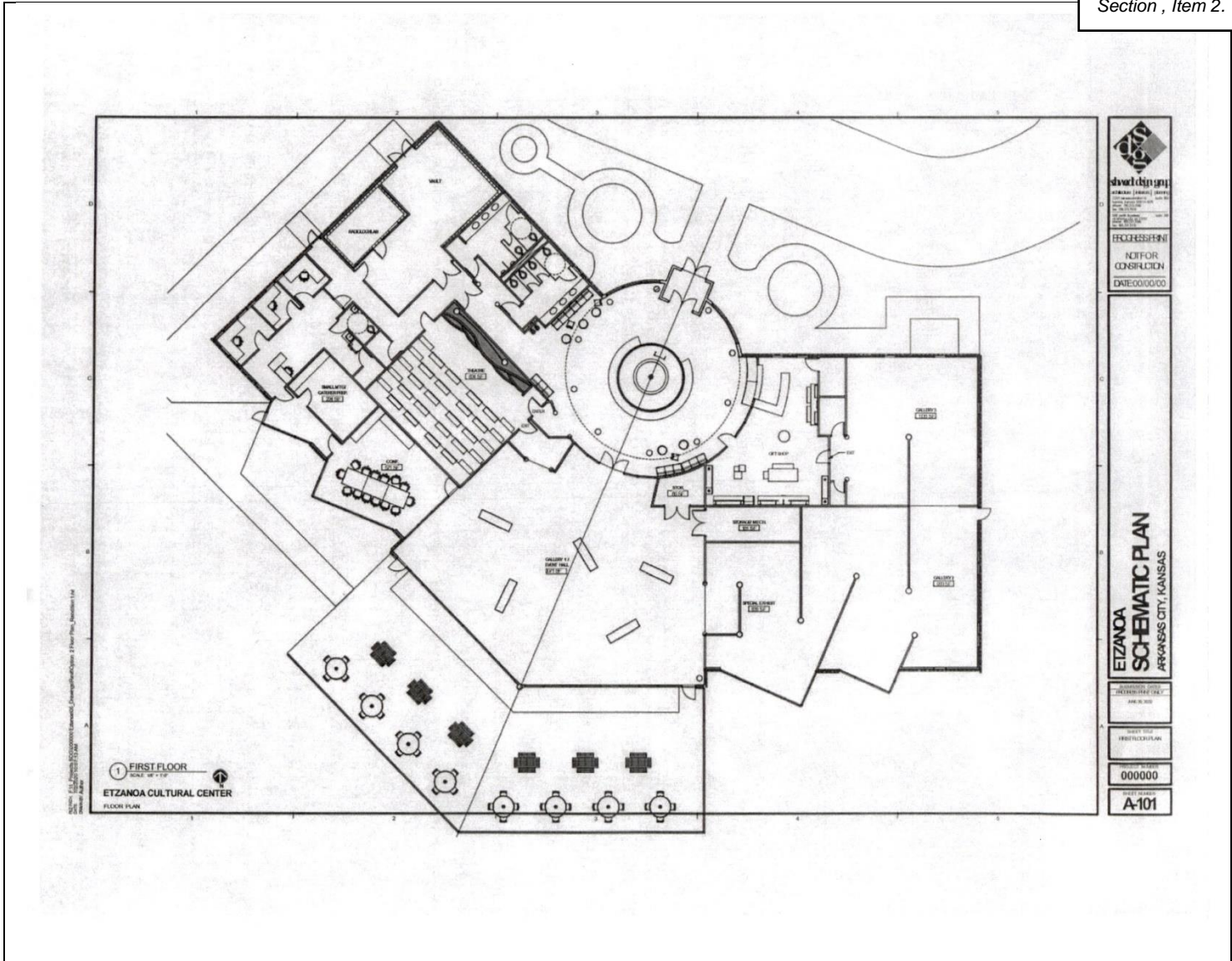
-  Rezone
-  Property Lines

- Zoning**
-  R-1, Low Density Residential District

Produced by the
City of Arkansas City GIS
using the best available
data to date.
Created: December 14, 2023







Findings

When a proposed amendment would result in a change of the zoning classification of any specific property, the recommendation of the Planning Commission, accompanied by a copy of the record of the hearing, shall contain statements as to the present classification, the classification under the proposed amendment, the reasons for seeking such reclassification, a summary of the facts presented, and a statement of the factors upon which the recommendation of the Planning Commission is based, using the following guidelines. Note that all references to agriculture in this report also include associated residential uses.

1. Whether the change in classification would be consistent with the intent and purpose of these regulations;

The surrounding area is comprised of agricultural uses. It is the intent of the residential zoning districts to provide for areas of low, medium and high-density residential development including certain public or private uses which are compatible with residential development. The change in classification would be consistent with the intent and purpose of these regulations.

2. The character and condition of the surrounding neighborhood and its effect on the proposed change;

The surrounding area is comprised of agricultural uses.

Neighborhood Photos



Subject Property Google Streetview from September 2023



Looking east across 81st Rd taken 12/27/2023 by Josh White



Looking South along 81st Rd taken 12/27/2023 by Josh White



Looking North along 81st Rd taken 12/27/2023 by Josh White



End of pavement approximately 400 feet north of intersection, south of site taken 12/27/2023 by Josh White



Intersection of 81st & US 166 taken 12/27/2023 by Josh White

3. **Whether the proposed amendment is made necessary because of changed or changing conditions in the area affected, and, if so, the nature of such changed or changing conditions;**

The current Low Density Residential District does not allow the proposed use. The proposed R-3 district allows non-profit institutional uses with a conditional use permit. The R-3 district is the most restrictive district that allows the use with the requirement of the conditional use permit. The conditions

of the area are not changing outside of this property. This property is within the Etzanoa ex field and is the only land in the area large enough to accommodate the proposed use.

4. The current zoning and uses of nearby properties, and the effect on existing nearby land uses upon such a change in classification;

The properties surrounding the site are Unzoned County with agricultural uses. The proposed use is more intense than the surrounding uses and would require conditions to be approved. As noted above, this is the only appropriate location for the site in the area.

5. Whether every use that would be permitted on the property as reclassified would be compatible with the uses permitted on other property in the immediate vicinity;

The proposed R-3 district allows multi-family homes and institutional uses at greater intensities than the R-1 district. The R-3 district allows is the most restrictive district that will allow the use. Conditions will have to be applied to approve the rezoning in the form of a conditional use permit.

6. The suitability of the applicant's property for the uses to which it has been restricted;

The property is currently zoned for low density residential use. That is likely the most appropriate use for the site, however, the site could certainly support higher density development with conditions.

7. The length of time the subject property has remained vacant or undeveloped as zoned;

The property is not currently vacant.

8. Whether adequate sewer and water facilities, and all other needed public services exist or can be provided to serve the uses that would be permitted on the property if it were reclassified;

All sewer, water and other utilities will need to be extended from nearby Country Club Estates. Police and Fire should be able to serve the center without any major changes to services. The road serving the site likely will need to be upgraded due to increased traffic.

9. The general amount of vacant land that currently has the same zoning classification proposed for the subject property, particularly in the vicinity of the subject property, and any special circumstances that make a substantial part of such vacant land available or not available for development;

There is other land that has the appropriate zoning, but this project aims to provide a cultural immersion center. The location of the center is important and there isn't any other land that is large enough to develop into the center.

10. Whether the proposed amendment would be in conformance to and further enhance the implementation of the City's Comprehensive Plan;

The Future Land Use portion of the Comprehensive Plan does not cover this property. When the Comprehensive Plan was developed, the plans for the center were not known. The proposed use is a non-profit institution. While there isn't a specific goal for Etzanoa there is a Goal to "Maintain coordination among community partners to coordinate goals and establish a funding stream for economic development" and under it is an action to "Work with Visit Ark City to promote tourism opportunities". This project will generate tourism for the area which will generate additional sales at area stores, restaurants and stays at our lodging institutions.

11. Whether the relative gain to the public health, safety, and general welfare outweighs the

**hardship imposed upon the applicant by not upgrading the value of the property by s
reclassification; and,**

Public health, safety and general welfare should not be negatively impacted by this rezoning. However, a traffic study may be needed to ensure the safety of drivers in the area. It will also be important to provide adequate transportation shuttles between city businesses and the center.

12. Such other factors as the Planning Commission may deem relevant from the facts and evidence presented in the application

13. The recommendations of professional staff;

It is the recommendation of staff that the requested rezoning R-1 to R-3 be approved based on the following conclusions:

- This is the most restrictive district that allows the use with conditions.
- The project will enhance tourism opportunities and the related economic development associated with tourism.
- Utilities can be extended to the site relatively easily
- A conditional use permit will accompany this request to mitigate negative factors.

ORDINANCE NO. 2024-03-____

AN ORDINANCE AUTHORIZING THE RE-ZONING OF 28379 81ST ROAD, FROM “R-1” (LOW DENSITY RESIDENTIAL DISTRICT) TO “R-3” (HIGH DENSITY RESIDENTIAL DISTRICT).

WHEREAS, the City of Arkansas City Planning Commission, after providing notice and holding a hearing pursuant to K.S.A. § 12-756 and K.S.A. § 12-757, has considered the proposed request to re-zone newly annexed territory from the initial zoning of R-1 (Low Density Residential District), and recommended the City grant the Petition to re-zone; and

WHEREAS, the Governing Body of the City of Arkansas City, Kansas, after due investigation and consideration has determined that the nature and extent of the public use and interest to be subserved is such as to warrant the re-zoning of the property at issue; and

NOW THEREFORE, IN CONSIDERATION OF THE AFORESTATED PREMISES, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF ARKANSAS CITY, KANSAS:

SECTION ONE: The property legally described as:

SEE EXHIBIT A WHICH IS INCORPORATED BY REFERENCE AS IF FULLY SET FORTH HEREIN.

IS HEREBY RE-ZONED from an R-1 (Low Density Residential District) to an R-3 (High Density Residential District).

SECTION TWO: This Ordinance shall take effect and be in full force from and after its adoption by the governing body of the City of Arkansas City and either (a) publication once in the official newspaper of the City, or (b) publication of a summary of this Ordinance certified as legally accurate and sufficient by the City Attorney.

SECTION THREE: A certified copy of this Ordinance signed by the City Clerk for the City of Arkansas City, Kansas, shall be recorded in the Office of the Register of Deeds, Cowley County, Kansas.

PASSED AND ORDAINED by the Governing Body of the City of Arkansas City, Kansas this 5th day of March 2024.

(Seal)

Jay Warren, Mayor

ATTEST:

Tiffany Parsons, Clerk

APPROVED AS TO FORM

Larry Schwartz, City Attorney

CERTIFICATE

I, hereby certify that the above and foregoing is a true and correct copy of Ordinance No. 2024-03-____ of the City of Arkansas City, Kansas adopted by the governing body on March 5, 2024 as the same appears of record in my office.

DATED: _____.

Tiffany Parsons, City Clerk

Etzanoa

Etzanoa Conservancy
 31639 US-77,
 Arkansas City, KS 67005
 620-442-6750
 etzanoa@yahoo.com

Exhibit A

Property Details:

- Property Address: 28379 81st Road, Arkansas City, KS 67005

- Legal Description: *A tract of land situated in the Northeast Quarter of Section 20, Township 34 South, Range 4 East of the 6th P.M., Cowley County, Kansas, being more particularly described as follows: Commencing at the Southeast Corner of said Northeast Quarter; thence North 00 deg. 31 min. 01 sec. West (assumed), along the East Line of said Northeast Quarter, a distance of 630.00 feet to a point; thence South 89 deg. 28 min. 59 sec. West, a distance of 569.00 feet, more or less, to a point on the West Right-of-Way line for a County Road, described in Road Record Book 1, Page 105 in the Cowley County Engineers Office and the Point of Beginning of the herein described tract; thence South 47 deg. 02 min. 26 sec. West, a distance of 17.00 feet to a 1/2" rebar-cap#1323; thence South 85 deg. 55 min. 15 sec. West, a distance of 240.00 feet to a 1/2" rebar-cap#1323; thence South 49 deg. 06 min. 16 sec. West, a distance of 170.00 feet to a 1/2" rebar-cap#1323; thence South 87 deg. 35 min. 08 sec. West, a distance of 100.00 feet to a 1/2" rebar-cap#1323; thence North 70 deg. 35 min. 12 sec. West, a distance of 232.00 feet to a point; thence North 01 deg. 14 min. 56 sec. West, a distance of 122.00 feet to a 1/2" rebar-cap#1323; thence North 35 deg. 48 min. 27 sec. East, a distance of 385.00 feet to a 1/2" rebar-cap#1323; thence North 67 deg. 19 min. 16 sec. East, a distance of 105.0 feet, more or less, to a point on said West Right-of-Way; thence South 42 deg. 57 min. 34 sec. East, along said West Right-of-Way, a distance of 557.0 feet, more or less, to the Point of Beginning.*



City Commission Agenda Item

Meeting Date: March 5, 2024
From: Josh White, Principal Planner
Item: Etzanoa Conditional Use Permit

Purpose: An Ordinance granting a conditional use permit to allow a non-profit institution of an educational nature in an R-3, High Density Residential District, located at 28379 81st Road requested by the Etzanoa Conservancy, in the City of Arkansas City, Kansas. **(Roll Call Vote)**

Background:

The Etzanoa Conservancy has submitted a request for a conditional use permit for a non-profit institution of an educational nature located at 28379 81st Road. The surrounding area is comprised of agricultural uses. The property consists of approximately 4.97 acres. The applicant has submitted the request for a conditional use permit for a non-profit institution. In the R-3 District this use is only permitted with a conditional use permit. Staff do have some concerns but having a Conditional Use Permit as a requirement for the proposed use alleviates some of the concerns. Assuming the issues can be mitigated by requiring certain conditions, it is the recommendation of staff that the conditional use permit be approved. The Planning Commission held a public hearing on Tuesday, January 9, 2024 and voted to recommend to the City Commission to approve the request with the following conditions: 1) Traffic shall not be permitted north of the site on 81st Road; 2) All parking shall be onsite.

Commission Options:

1. Approve ordinance on the first reading
2. Table and approve on second reading
3. Dissapprove ordinance with 2/3 majority
4. Table and send back to Planning Commission for further consideration

Fiscal Impact: Cost of publication

Attachments: Staff report, Ordinance

Approved for Agenda by:

Randy Frazer, City Manager



STAFF REPORT

City of Arkansas City Neighborhood Services Division
 Josh White, Principal Planner
 118 W Central Ave, Arkansas City, KS 67005

Phone: 620-441-4420 Fax: 620-441-4403 Email: jwhite@arkansascityks.gov Website: www.arkcity.org

CASE NUMBER
 CU-2023-024

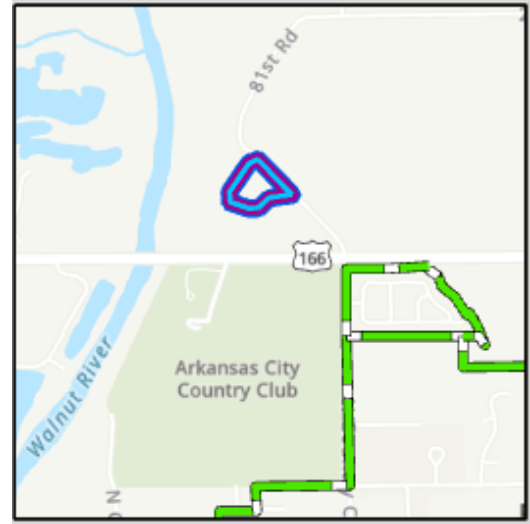
APPLICANT/PROPERTY OWNER
 Etzanoa Conservancy

PUBLIC HEARING DATE
 January 9, 2024

PROPERTY ADDRESS/LOCATION
 28379 81st Road

BRIEF SUMMARY OF REQUEST

The subject property is located at 28379 81st Road. The surrounding area is comprised of agricultural uses. The property consists of approximately 4.97 acres. The applicant has submitted the request for a conditional use permit for a non-profit institution. In the R-3 District this use is only permitted with a conditional use permit. Staff do have some concerns but having a Conditional Use Permit as a requirement for the proposed use alleviates some of the concerns. Assuming the issues can be mitigated by requiring certain conditions, it is the recommendation of staff that the conditional use permit be approved.



Map data ©2023 Esri World Topographic map

<p>EXISTING ZONING R-1-Low Density Residential (subject of case RZ-2023-118 which would rezone the property to R-3-High Density Residential District)</p>	<p>EXISTING LAND USE Residential</p>	<p>SURROUNDING ZONING & LAND USE Surrounded by Unzoned County/Agricultural Use</p>	<p>SITE IMPROVEMENTS Single Family Home & Farm Utility Building</p>	<p>SIZE OF PROPERTY 4.97 acres</p>
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STAFF RECOMMENDATION

APPROVE

APPROVE WITH CONDITIONS

DENY

<p>COMPATIBILITY with the COMPREHENSIVE PLAN The Future Land Use portion of the Comprehensive Plan does not cover this property. When the Comprehensive Plan was developed, the plans for the center were not known. The proposed use is a non-profit institution. While there isn't a specific goal for Etzanoa there is a Goal to "Maintain coordination among community partners to coordinate goals and establish a funding stream for economic development" and under it is an action to "Work with Visit Ark City to promote tourism opportunities". This project will generate tourism for the area which will generate additional sales at area stores, restaurants and stays at our lodging institutions.</p>	<p>PROPERTY HISTORY According to County Records the Single-Family Home was built in 1956 and the utility building in 1990. The land had never been within the City Limits prior to the proposed annexation, so no further records or cases were found.</p>
<p>COMPATIBILITY with the ZONING ORDINANCE The surrounding area is comprised of agricultural uses. It is the intent of the residential zoning districts to provide for areas of low, medium and high-density residential development including certain public or private uses which are compatible with residential development. The change in classification would be consistent with the intent and purpose of these regulations.</p>	

Annexation/Rezone/Conditional Use Permit Request



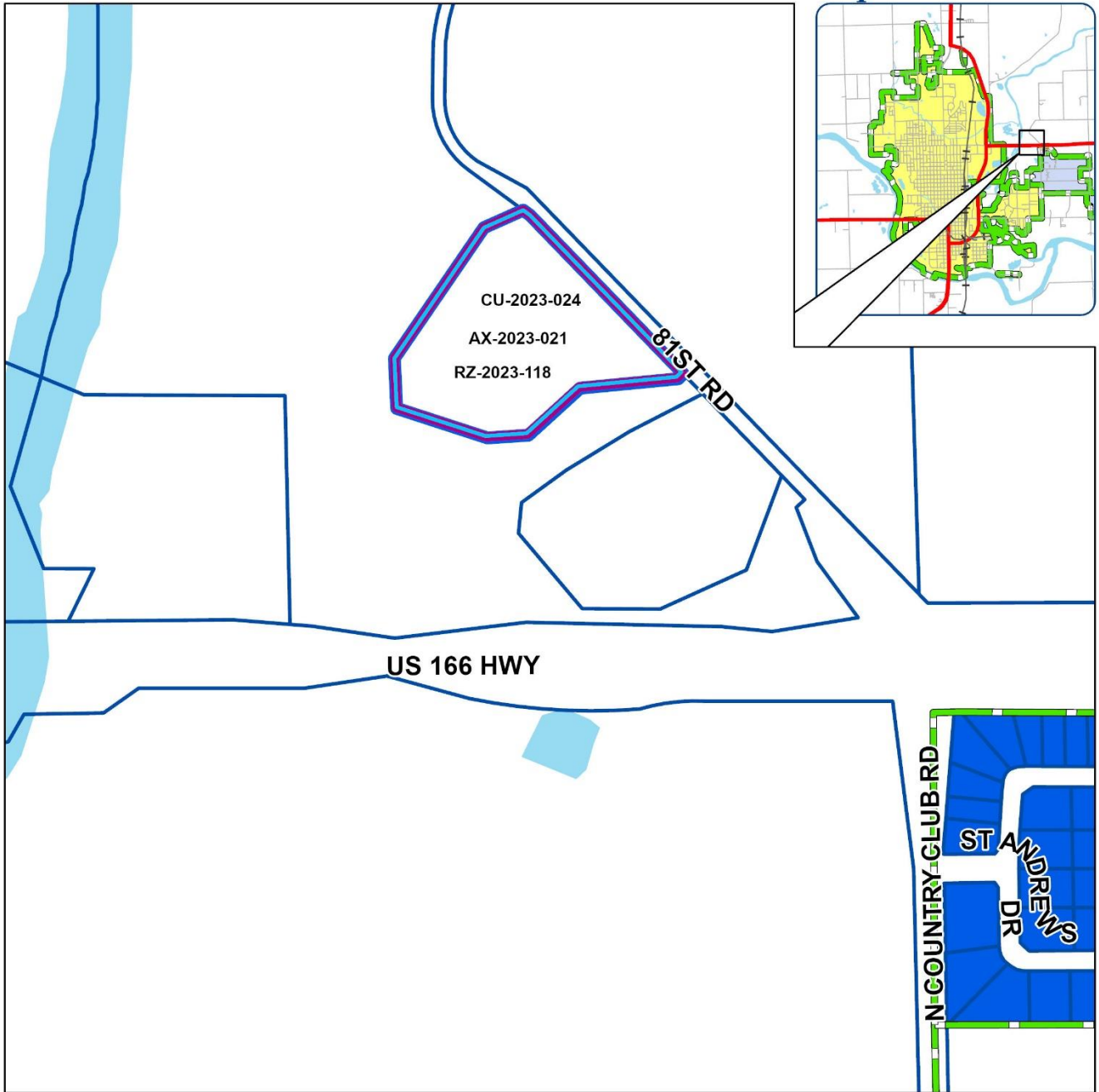
A request to annex, rezone from R-1 to R-3,
and a conditional use permit for a non-profit institution in an R-3 district
the property at 28379 81st Rd

-  City Limits
-  Annexation
-  Conditional Use
-  Rezone
-  Property Lines

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using the best available
data to date.
Created: December 14, 2023



Annexation/Rezone/Conditional Use Permit Request



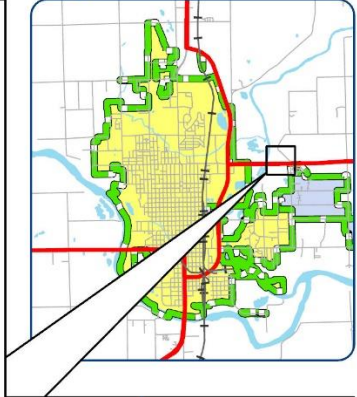
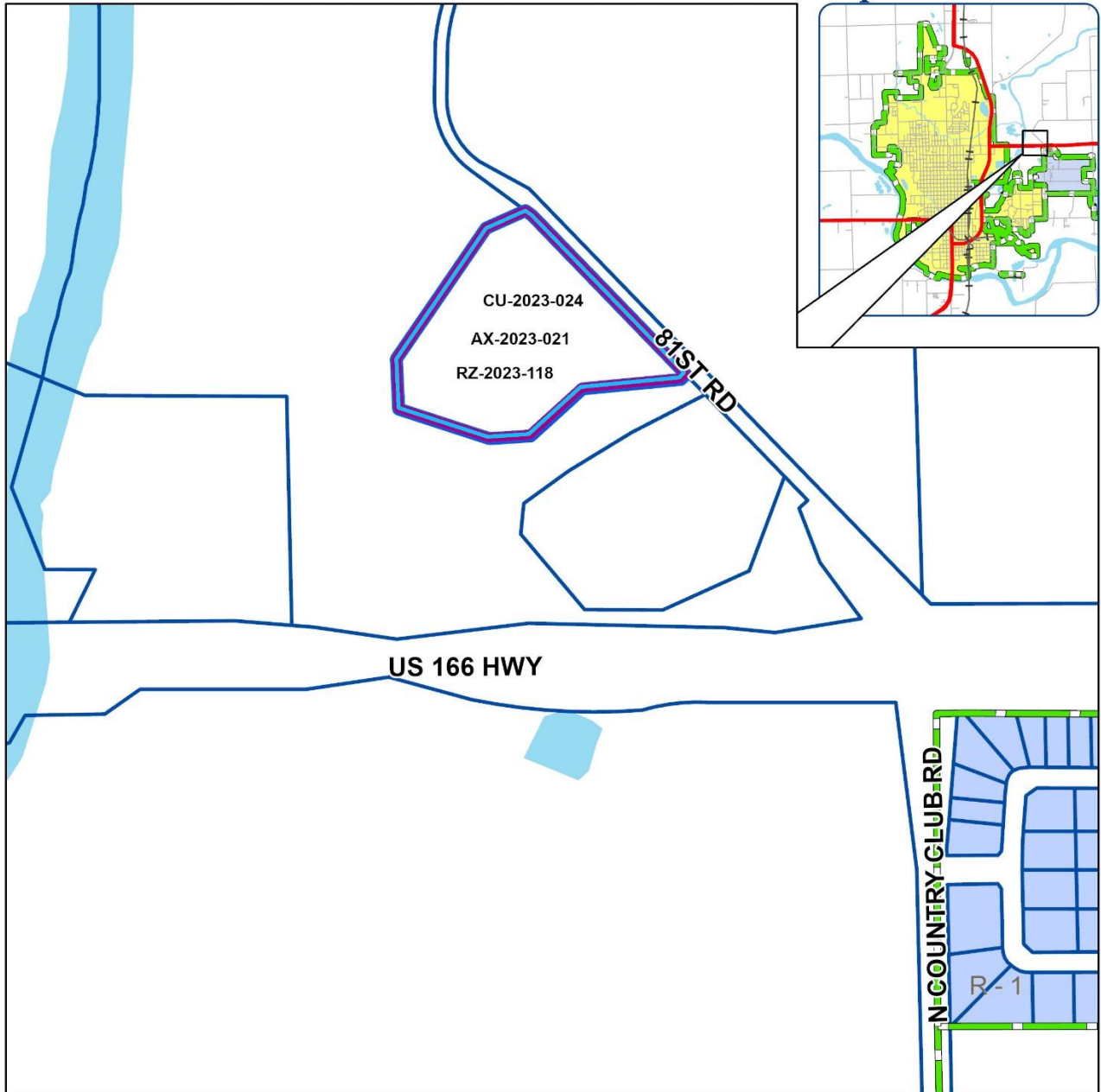
A request to annex, rezone from R-1 to R-3,
and a conditional use permit for a non-profit institution in an R-3 district
the property at 28379 81st Rd

- | | | |
|-----------------|----------------|------------------------|
| City Limits | Rezone | Future Land Use |
| Annexation | Property Lines | Residential |
| Conditional Use | | |

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Created: December 14, 2023



Annexation/Rezone/Conditional Use Permit Request



A request to annex, rezone from R-1 to R-3,
and a conditional use permit for a non-profit institution in an R-3 district
the property at 28379 81st Rd

- | | | |
|-----------------|----------------|---------------------------------------|
| City Limits | Rezone | Zoning |
| Annexation | Property Lines | R-1, Low Density Residential District |
| Conditional Use | | |

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using the best available
data to date.
Created: December 14, 2023



Findings

When a proposed amendment would result in a change of the zoning classification of any specific property, the recommendation of the Planning Commission, accompanied by a copy of the record of the hearing, shall contain statements as to the present classification, the classification under the proposed amendment, the reasons for seeking such reclassification, a summary of the facts presented, and a statement of the factors upon which the recommendation of the Planning Commission is based, using the following guidelines. Note that all references to agriculture in this report also include associated residential uses.

1. Whether approval of the conditional use would be consistent with the intent and purpose of these regulations

The surrounding area is comprised of agricultural uses. It is the intent of the residential zoning districts to provide for areas of low, medium and high-density residential development including certain public or private uses which are compatible with residential development. The change in classification would be consistent with the intent and purpose of these regulations.

2. Whether the location of the proposed use is compatible to other land uses in the surrounding neighborhood;

The proposed use of a non-profit institution would be permitted under R-3, High Density Residential District. This area surrounding the property is agricultural. The site could be designed so that it has large setbacks in order to mitigate any issues.

Neighborhood Photos



Subject Property Google StreetView from September 2023.



Looking east across 81st Rd taken 12/27/2023 by Josh White



Looking South along 81st Rd Taken 12/27/2023 by Josh White



Looking North along 81st Rd Taken 12/27/2023 by Josh White



End of pavement approx 400 feet north of intersection, south of site taken 12/27/2023 by Josh White



Intersection of 81st & US 166 taken 12/27/2023 by Josh White

3. **Whether the proposed use places an undue burden on the existing public infrastructure in the area affected and, if so, whether additional infrastructure can be provided;**
All sewer, water and other utilities will need to be extended from nearby Country Club Estates. Police and Fire should be able to serve the center without any major changes to services. The road serving the site likely will need to be upgraded due to increased traffic.
4. **Whether the proposed use is made necessary or desirable because of changed or changing conditions in the area affected;**
The conditions of the area are not changing outside of this property. This property is within the Etzanooga exploration field and is the only land in the area large enough to accommodate the proposed use.
5. **The length of time the subject property has remained vacant or undeveloped as zoned;**
The property is not currently vacant.
6. **Whether the applicant's property is suitable for the proposed conditional use;**
This property is within the Etzanooga exploration field and is the only land in the area large enough to accommodate the proposed use. The property is a suitable location for the proposed conditional use.
7. **Whether the proposed conditional use would be in conformance to and further enhance the implementation of the City's Comprehensive Plan;**
The Future Land Use portion of the Comprehensive Plan does not cover this property. When the Comprehensive Plan was developed, the plans for the center were not known. The proposed use is a non-profit institution. While there isn't a specific goal for Etzanooga there is a Goal to "Maintain coordination among community partners to coordinate goals and establish a funding stream for economic development" and under it is an action to "Work with Visit Ark City to promote tourism opportunities". This project will generate tourism for the area which will generate additional sales at area stores, restaurants and stays at our lodging institutions.
8. **Whether the proposed conditional use, if it complies with all the conditions upon which the approval is made contingent, will not adversely affect the property in the area affected;**
With the proposed conditions, the project should not adversely affect the area affected. The biggest issue at this site is the traffic and existing road conditions.
9. **For such uses as solid waste disposal facilities, including sanitary landfills, construction and demolition landfills and transfer stations, whether the proposed conditional use is consistent**

with any adopted Solid Waste Management Plan of Cowley County, and amendments and

The proposed project does not require special disposal of solid waste.

10. The recommendations of professional staff and advisors

Staff does have some concerns but having a Conditional Use Permit as a requirement for the proposed use alleviates some of these concerns. Assuming the issues can be mitigated by requiring certain conditions, it is the recommendation of staff that the conditional use permit for a non-profit institution be approved based on the following conclusions:

- This is the most restrictive district that allows the use with conditions.
- The project will enhance tourism opportunities and the related economic development associated with tourism.
- Utilities can be extended to the site relatively easily
- A conditional use permit will accompany this request to mitigate negative factors.

Conditions:

- Traffic should not be permitted to go north of the site on 81st Road
- All parking should be on site

11. Such other factors as the Planning Commission may deem relevant from the facts and evidence presented in the application

Additional conditions may be recommended by the Planning Commission

ORDINANCE NO. 2024-03-_____

AN ORDINANCE GRANTING A CONDITIONAL USE PERMIT TO ALLOW A NON-PROFIT INSTITUTION OF AN EDUCATIONAL NATURE IN AN R-3, HIGH DENSITY RESIDENTIAL DISTRICT, LOCATED AT 28379 81ST ROAD REQUESTED BY THE ETZANOVA CONSERVANCY, IN THE CITY OF ARKANSAS CITY, KANSAS.

WHEREAS, written findings have been made by the Planning Commission for the City of Arkansas City after providing notice and holding a hearing pursuant to K.S.A. § 12-756 and K.S.A. § 12-757 that the application from the Etzanoa Conservancy dated November 30, 2023, for a conditional use permit is in compliance with the Arkansas City Zoning Regulations.

WHEREAS, the Governing Body of the City of Arkansas City, Kansas, after due investigation and consideration has determined that the nature and extent of the public use and interest to be subserved is such as to warrant the granting of a conditional use permit for the property.

NOW THEREFORE, IN CONSIDERATION OF THE AFORESTATED PREMISES, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF ARKANSAS CITY, KANSAS:

SECTION ONE: A Conditional Use Permit is hereby granted to allow a non-profit institution of an educational nature in an R-3, High Density Residential District, at 28379 81st Road, Arkansas City, Kansas with the following conditions: 1) Traffic shall not be permitted to travel north of the site on 81st Road; 2) All parking shall be onsite.

The property is legally described as follows:

SEE EXHIBIT A WHICH IS INCORPORATED BY REFERENCE AS IF FULLY SET FORTH HEREIN.

SECTION TWO: The Conditional Use Permit runs with the land and the right to carry on the approved use is subject to the initial application and conditions of this permit. The permit for the approved use shall not be limited in time. A change in ownership shall require the new owner to notify staff. Any change in scale, extent or nature of the approved use will require notice and hearing before the Planning Commission with final approval by the City Commission.

SECTION THREE: This Ordinance shall take effect and be in full force from and after its adoption by the governing body of the City of Arkansas City and either (a) publication once in the official newspaper of the City, or (b) publication of a summary of this Ordinance certified as legally accurate and sufficient by the City Attorney.

SECTION FOUR: A certified copy of this Ordinance signed by the City Clerk for the City of Arkansas City, Kansas, shall be recorded in the Office of the Register of Deeds, Cowley County, Kansas.

PASSED AND ORDAINED by the Governing Body of the City of Arkansas City, Kansas, this 5th day of March 2024.

(Seal)

Jay Warren, Mayor

ATTEST:

Tiffany Parsons, City Clerk

APPROVED AS TO FORM

Section , Item 3.

Larry Schwartz, City Attorney

CERTIFICATE

I, hereby certify that the above and foregoing is a true and correct copy of Ordinance No. 2024-03-_____ of the City of Arkansas City, Kansas adopted by the governing body on March 5, 2024 as the same appears of record in my office.

DATED: _____.

Tiffany Parsons, City Clerk

Etzanoa

Etzanoa Conservancy
31639 US-77,
Arkansas City, KS 67005
620-442-6750
etzanoa@yahoo.com

Exhibit A

Property Details:

- Property Address: 28379 81st Road, Arkansas City, KS 67005

- Legal Description: *A tract of land situated in the Northeast Quarter of Section 20, Township 34 South, Range 4 East of the 6th P.M., Cowley County, Kansas, being more particularly described as follows: Commencing at the Southeast Corner of said Northeast Quarter; thence North 00 deg. 31 min. 01 sec. West (assumed), along the East Line of said Northeast Quarter, a distance of 630.00 feet to a point; thence South 89 deg. 28 min. 59 sec. West, a distance of 569.00 feet, more or less, to a point on the West Right-of-Way line for a County Road, described in Road Record Book 1, Page 105 in the Cowley County Engineers Office and the Point of Beginning of the herein described tract; thence South 47 deg. 02 min. 26 sec. West, a distance of 17.00 feet to a 1/2" rebar-cap#1323; thence South 85 deg. 55 min. 15 sec. West, a distance of 240.00 feet to a 1/2" rebar-cap#1323; thence South 49 deg. 06 min. 16 sec. West, a distance of 170.00 feet to a 1/2" rebar-cap#1323; thence South 87 deg. 35 min. 08 sec. West, a distance of 100.00 feet to a 1/2" rebar-cap#1323; thence North 70 deg. 35 min. 12 sec. West, a distance of 232.00 feet to a point; thence North 01 deg. 14 min. 56 sec. West, a distance of 122.00 feet to a 1/2" rebar-cap#1323; thence North 35 deg. 48 min. 27 sec. East, a distance of 385.00 feet to a 1/2" rebar-cap#1323; thence North 67 deg. 19 min. 16 sec. East, a distance of 105.0 feet, more or less, to a point on said West Right-of-Way; thence South 42 deg. 57 min. 34 sec. East, along said West Right-of-Way, a distance of 557.0 feet, more or less, to the Point of Beginning.*



City Commission Agenda Item

Meeting Date: March 5, 2024
From: Randy Frazer, City Manager
Item: Cowley County Health Dept. Building Roof Replacement

Purpose: A Resolution authorizing the City of Arkansas City to cover a portion of the roof replacement costs to the City owned building located at 115 E. Radio Ln., currently occupied by the City-Cowley County Health Department, for an amount not to exceed \$13,631.67. **(Voice Vote)**

Background:

The City owned building located at 115 E. Radio Lane is in need of a new roof and several repairs to bring the roof back up to code. The City-Cowley County Health Department is primarily responsible for building repairs as stated in the current contract agreement with the City. The City-Cowley County Health Department did take the roof repairs out for bid and the current estimate received from Hartly Roofing, was more than the \$20,000.00 they can budget for.

City staff would like to contribute to the roof repairs and as a landlord, feel there is civic a responsibility to ensure the building it brought up to code. Staff proposes covering the cost of the building code related items and seamless gutter replacement to the building which totals \$12,631.44 and contribute another \$1,000.23 to help meet the re-roofing quote. This brings total the City contribution amount to \$13,631.67.

Enclosures:

Hartley Roofing estimate.

Commission Options:

1. Approve the Resolution
2. Disapprove the Resolution
3. Table the Resolution for further discussion

Fiscal Impact:

Amount: **\$13,631.67**

Fund: **01-General** Department: **201-City Commission** Expense Code: **6217-Contribution**

Included in budget Grant Bonds Other Not Budgeted

Approved for Agenda by:

Randy Frazer, City Manager

RESOLUTION NO. 2024-03-_____

A RESOLUTION AUTHORIZING THE CITY OF ARKANSAS CITY TO COVER A PORTION OF THE ROOF REPLACEMENT COSTS TO THE CITY OWNED BUILDING LOCATED AT 115 E. RADIO LN., CURRENTLY OCCUPIED BY THE CITY-COWLEY COUNTY HEALTH DEPARTMENT, FOR AN AMOUNT NOT TO EXCEED \$13,631.67.

WHEREAS, the building roof is in desperate need of repair and replacement; and

WHEREAS, The City of Arkansas City does own the building and staff feels there is a civic responsibility to see that the building is maintained to code; and

WHEREAS, currently occupied by the City-Cowley County Health Department, who is primarily responsible for building repairs as stated in the current contract agreement with the City, cannot solely finance for the total estimated repair cost of \$33,631.67 provided by Hartley Roofing, but have advised they can cover up to \$20,000.00; and

WHEREAS, City staff would like to support to the City-Cowley County Health Department by contributing to the roof repairs and propose covering the cost of the building code related items and seamless gutter replacement to the building which totals \$12,631.44, and contribute another \$1,000.23 to help further meet the re-roofing quote. Bringing the total the City contribution amount to \$13,631.67.

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF ARKANSAS CITY, KANSAS:

SECTION ONE: The Governing Body of the City of Arkansas City, Kansas, hereby authorizes the City of Arkansas City, Kansas, to cover a portion of the roof replacement costs to the City owned building located at 115 E. Radio Ln., currently occupied by the City-Cowley County Health Department, for an amount not to exceed \$13,631.67.

SECTION TWO: The Governing Body of the City of Arkansas City, Kansas, hereby authorizes the Mayor and/or City staff of the City of Arkansas City, Kansas, to take such further and other necessary actions that are required to effectuate the intent and purposes of this Legislative Enactment.

SECTION THREE: This Resolution shall be in full force and effect from its date of passage by the Governing Body of the City of Arkansas City, Kansas.

PASSED AND RESOLVED by the Governing Body of the City of Arkansas City, Kansas, on this 5th day of March 2024.

(Seal)

Jay Warren, Mayor

ATTEST:

Tiffany Parsons, City Clerk

APPROVED AS TO FORM:

Larry R. Schwartz, City Attorney

CERTIFICATE

I hereby certify that the above and foregoing is a true and correct copy of Resolution No. 2024-03-____ of the City of Arkansas City, Kansas, adopted by the Governing Body thereof on March 5, 2024, as the same appears of record in my office.

DATED: _____.

Tiffany Parsons, City Clerk

01/22/2024
 Claim Information



Hartley Roofing
 P.O. Box 704 ,
 Winfield , KS 67156
 Phone: (620) 222-0226

Company Representative
 Danny Hartley
 Phone: (620) 222-0226
 dannyhartley64@gmail.com

Tom Langer
Cowley County Health Dept
 115 East Radio Lane
 Arkansas City, KS 67005
 (620) 221-1430

Job: Tom Langer

Roofing Section

	Qty	Unit	Per Unit Charge	Price
Remove and dispose of 1 layer of shingles	35.37	SQ	\$52.00	\$1,839.24
Install Laminated shingles incl underlayment	40.66	SQ	\$269.00	\$10,937.54
Install pipe boot flashings 3 in 1	4.00	EA	\$39.00	\$156.00
Install Ice and water shield in valleys instead of metal	92.00	LF	\$6.25	\$575.00
Install starter shingles	370.00	LF	\$1.72	\$636.40
Install Drip edge	342.30	LF	\$2.60	\$889.98
Install Ridge cap shingles	293.00	LF	\$4.44	\$1,300.92
Remove existing asphalt flat roofing	3.85	SQ	\$55.00	\$211.75
Install 60 Mil TPO single ply membrane with 1/2" coverboard	5.00	SQ	\$625.00	\$3,125.00
Install 1" termination bar on perimeter of west side flat	12.00	LF	\$3.25	\$39.00
Replace rotted fascia on south gable end	32.00	LF	\$9.00	\$288.00
Sales tax on materials only	1.00	EA	\$1,001.40	\$1,001.40
				\$21,000.23


Building code related items

	Qty	Unit	Per Unit Charge	Price
Install ridge vent	48.00	LF	\$9.00	\$432.00
Install edge vent intake system	96.00	LF	\$9.50	\$912.00
Install 7/16 OSB sheathing	40.00	SQ	\$200.00	\$8,000.00
				\$9,344.00

Gutters Section

	Qty	Unit	Per Unit Charge	Price
Remove and replace 5" seamless gutters	340.00	LF	\$7.54	\$2,563.60
Remove and replace downspouts	96.00	LF	\$7.54	\$723.84
				\$3,287.44

TOTAL \$33,631.67

Starting at \$336/month with  Acorn FINANCE •  APPLY

Estimates are good for **30 days** from the date of this estimate. Additional layers of tear off will be billed at the current market rate of \$30 per layer per square. If plywood decking is needed to meet roofing code requirements this will be billed at the current market rate.

This estimate comes with a 5yr workmanship warranty. Manufacturer warranties apply according to the product that is installed.

Upon acceptance of this proposal, a 50% deposit will be required prior to ordering materials. The balance is to be paid upon completion unless otherwise agreed upon by both parties.

Company Authorized Signature

Date

Customer Signature

Date

Customer Signature

Date



City Commission Agenda Item

Meeting Date: March 5, 2024
From: Randy Frazer, City Manager
Item: Arty Hicks - Knebler Pond Disc Golf Course Ideas

Purpose: Hear from Walnut Valley Disc Golf Association Representative Arty Hicks on ideas for a course expansion at Knebler Pond.

Background:

The Walnut Valley Disc Golf Association (WVDGA), represented locally by Ark City Chamber Director Arty Hicks, were previously approved to renew an adoption contract at Knebler Pond, also known as the Prairie Passage Recreation Area, by Resolution No. 2022-04-3470 on April 5, 2022, for its recreational use and now home of an 18-hole advanced disc golf course, maintained by WVDGA.

The current Public Land Adoption Agreement is set to expire April 5, 2024. Before discussing renewal options, the group would like to share ideas for possible future course expansion.

Fiscal Impact:

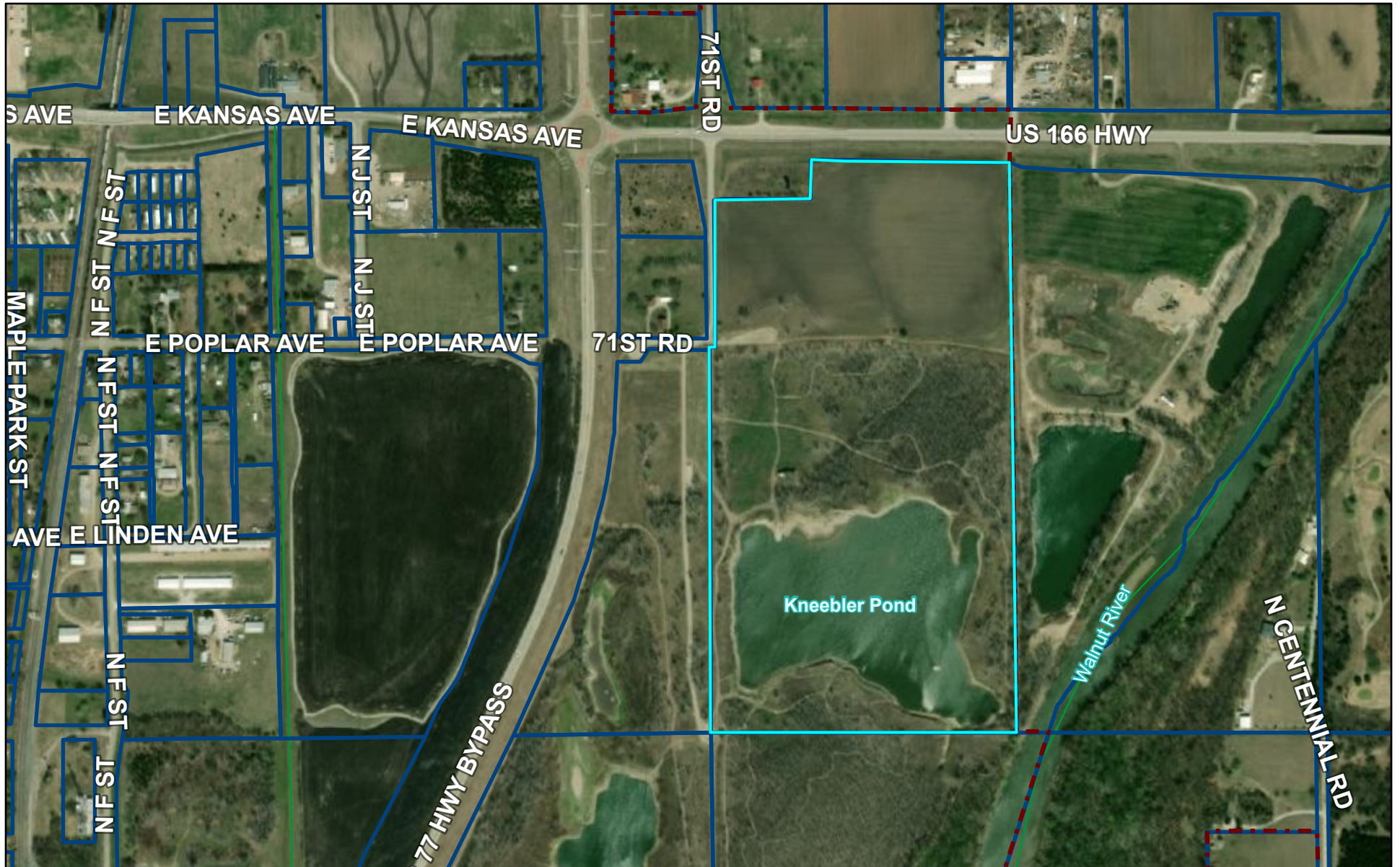
Amount:

Fund: Department: Expense Code:

- Included in budget Grant Bonds Other Not Budgeted

Approved for Agenda by:

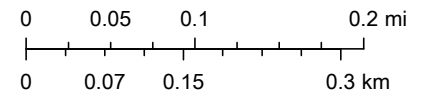
Randy Frazer, City Manager



3/10/2021, 12:32:07 PM

1:9,028

- Roads County Line Parcels Streams
- City Areas State Line Points of Interest Lakes and Ponds



USDA FSA, GeoEye, Maxar



City Commission Agenda Item

Meeting Date: March 5, 2024
From: Tony Tapia, Public Services Superintendent
Item: UTV Enclosed Cab - 2024 KUBOTA Bid

Purpose: A Resolution authorizing the City of Arkansas City to accept a bid from Wichita Tractor Company, to purchase a 2024 Kubota utility vehicle, for an amount not to exceed, \$20,897.00.
(Voice Vote)

Background:

Two bids were sought for this piece of equipment from Wichita Tractor Company and Schmidt & Sons. Staff recommend the 2024 Kubota UTV Model No. RTV-X1100CWL-H due to it meeting all the specs including having a hydraulic dump bed and it will be utilized to spray chemicals, snow removal and levee walking path trash routes. This new 2024 Kubota UTV will replace the current 2012 John Deere Gator with a trade in cost of \$1,800.00. Has a 2-year/1000-hour warranty and is currently in stock with an approximate delivery time frame of 30 days from order. This purchase will be split between two budgets.

Commission Options:

1. Approve the Resolution
2. Disapprove the Resolution
3. Table the Resolution for further discussion

Fiscal Impact:

Amount: **\$20,879.00**

Fund: **15** - Stormwater Department: **544** - Stormwater Expense Code: **7405** - Machinery/Equipment

Fund: **01** - General Fund Department: **542** - Street Expense Code: **7405** - Machinery/Equipment

Included in budget Grant Bonds Other Not Budgeted

Approved for Agenda by:

Randy Frazer, City Manager

RESOLUTION NO. 2024-03-_____

A RESOLUTION AUTHORIZING THE CITY OF ARKANSAS CITY TO ACCEPT A BID SUBMITTED BY WICHITA TRACTOR COMPANY, TO PURCHASE A 2024 KUBOTA UTILITY VEHICLE, FOR AN AMOUNT NOT TO EXCEED \$20,879.00.

WHEREAS: The 2024 KUBOTA UTV Model RTV-X1100CWL-H will replace the current 2012 John Deere Gator at a trade in amount of \$1,800.00.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF ARKANSAS CITY, KANSAS:

SECTION ONE: The Governing Body of the City of Arkansas City, Kansas, hereby authorizes the City of Arkansas City, Kansas, to accept a bid submitted by Wichita Tractor Company, to purchase a 2024 Kubota utility vehicle, for an amount not to exceed, \$20,879.00.

SECTION TWO: The Governing Body of the City of Arkansas City, Kansas, hereby authorizes the mayor and/or city staff of The City of City of Arkansas City, Kansas, to take such further and other necessary actions that are required to effectuate the intent and purposes of this Legislative Enactment.

SECTION THREE: This Resolution shall be in full force and effect from its date of passage by the Governing Body of the City of Arkansas City, Kansas.

PASSED AND RESOLVED by the Governing Body of the City of Arkansas City, Kansas, on this 5th day of March 2024.

(Seal)

Jay Warren, Mayor

ATTEST:

Tiffany Parsons, City Clerk

APPROVED AS TO FORM:

Larry R. Schwartz, City Attorney

CERTIFICATE

I hereby certify that the above and foregoing is a true and correct copy of Resolution No. 2024-03-_____ of the City of Arkansas City, Kansas, adopted by the Governing Body thereof on March 5, 2024, as the same appears of record in my office.

DATED: _____.

Tiffany Parsons, City Clerk

UTV Enclosed Cab

COMPANY	Wichita Tractor Company	Schmidt & Sons
UTV MODEL	2024 Kubota RTV-X1100CWL-H	2024 Kubota RTV-X1100CWL-H
TRADING IN	2012 John Deere Gator	2012 John Deere Gator
TOTAL COST	\$ 22,679.00	\$ 23,550.00
TRADE IN	\$ 1,800.00	\$ 2,250.00
NET COST	\$ 20,879.00	\$ 21,300.00
DELIVERY TIME	Approx. 30 Days from Order In Stock	Approx. 30 Days from Order In Stock
MEET SPECS	Yes- Hydraulic Dump Bed -with Bed Liner	Yes- Hydraulic Dump Bed -with Bed Liner
WARRANTY	2 year/1,000 hour warranty	2 year/1,000 hour warranty

Budgeted amount for this is \$30,000

Recommendation would be the to purchase the 2024 Kubota RTV-X1100CWL-H, from Wichita Tractor Company, due to meeting and being under budget.



1750 south west st
 wichita, kansas 67213
 ph. 316-942-8118
 fax 316-942-3901



Section , Item 1.

Name CITY OF ARKANSAS CITY Date 12/15/2023

Address _____ Email _____

City ARKANSAS CITY State KS Zip _____ County COWLEY Phone _____

QTY.	NU	MODEL	MAKE, DESCRIPTION	SERIAL NUMBER	AMOUNT
1	N	RTV-X1100	2024 KUBOTA RTV-X1100CWL-H		\$22,679.00
			CAB WITH AC/HEAT/RADIO - HYDRAULIC DUMP BED - W/LINER		

TRADE INS				TOTAL CASH PRICE	\$ 22,679.00
YEAR & MAKE	MODEL	DESCRIPTION, SERIAL NUMBER	TRADE IN ALLOWANCE	TRADE ALLOWANCE	\$ 1,800.00
JOHN DEERE	GATOR	JOHN DEERE GATOR UTILITY	\$ 1,800.00	TRADE DIFFERENCE	\$ 20,879.00
				ADMIN FEE	\$ -
				OWING	
				SALES TAX	\$ -
				TOTAL	\$ 20,879.00
			TRADE-IN ALLOWANCE \$ 1,800.00	PAYMENT	
BALANCE DUE:				<input checked="" type="checkbox"/> ON DELIVERY	<input type="checkbox"/> FINANCED
				BALANCE DUE	\$ 20,879.00

I hereby certify the items on this Invoice are tax exempt for agricultural use pursuant to Kansas Statutes. If these items are not used exclusively for tax exempt purposes, I will be liable to the State of Kansas for the tax, interest, and penalty due on such purchases.

Signed _____

TRADE-INS*
 *I/WE HEREBY CERTIFY THAT THERE IS NO LIEN, CLAIM, DEBT, MORTGAGE, OR ENCUMBERANCE OF ANY KIND, NATURE, OR DESCRIPTION AGAINST TRADE-IN PROPERTY LISTED ABOVE NOW EXISTING OF RECORD OR

 PURCHASER'S SIGNATURE

I HEREBY AGREE TO THE CONDITIONS OF THIS ORDER, EXPRESSED IN THE FOREGOING, CONSTITUTING A PURCHASE CONTRACT. I HEREBY CERTIFY THAT I AM OF LEGAL AGE AND ACKNOWLEDGE RECEIPT OF A COPY OF THE ORDER. PURCHASER ACKNOWLEDGES AND AGREES THAT THE EQUIPMENT OR OTHER GOODS PURCHASED SHALL BE COVERED ONLY BY THOSE EXPRESS, WRITTEN MANUFACTURER'S WARRANTIES WHICH MAY BE APPLICABLE TO THE PRODUCT. SELLER MAKES NO OTHER WARRANTIES, EXPRESS OR IMPLIED AND SPECIFICALLY DISCLAIMS ANY AND ALL IMPLIED WARRANTIES, INCLUDING, BUT NOT LIMITED TO, THE WARRANTIES OF MERCHANTABILITY AND FITNESS FOR A PARTICULAR PURPOSE. PURCHASER IS NOT RELYING ON ANY WARRANTY, OR REPRESENTATION OF PROMISE BY SELLER WHICH IS NOT CONTAINED IN THIS DOCUMENT. NOTICE TO THE BUYER: DO NOT SIGN THIS CONTRACT BEFORE YOU HAVE READ SAME.

ANTHONY LEE

 DEALERSHIP REPRESENTATIVE

 PURCHASER'S SIGNATURE

 DATE





MT. HOPE, KANSAS
316-445-2103
800-281-2164

WINFIELD, KANSAS
620-221-0300
800-273-9014

*"Your Partners
for Success!"*

www.schmidtinc.com

Section , Item 1.

Customer Quote

NAME :City Of Arkansas City

Date:2/8/2024

Stock Number		Item Description	Sales Price	
1	RTV-X1100CWL-H	Kubota UTV W/ Cab Heat & A/C	\$23,550.00	
	Includes: Hydraulic Dump Bed Bed Liner Radio			
1	2012 John Deere Gator TS	Trade In Allowance	-\$2250.00	
	Unit that is being quoted is in stock as of 2/7/2024.			
		Total of Equipment	\$21,300.00	\$

PRICES SUBJECT TO CHANGE WITHOUT NOTICE