



City Commission Meeting

February 04, 2025 at 5:30 PM

118 W Central Ave, Arkansas City, KS

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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. Proclaim February 13, 2025 as Day of Hope in Arkansas City.

III. 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 January 21, 2025, regular meeting minutes as written.
2. A Resolution declaring the boundary and limits of the City of Arkansas City, Kansas pursuant to K.S.A. 12-517. **(Voice Vote)**

IV. New Business

City Manager Department

1. A Resolution authorizing the City of Arkansas City to approve a proposal submitted by The Arnold Group (TAG), to provide an Employee Classification Plan, Salary Survey, and Compensation Study with a three-year support package, for a cost of \$37,552.00 to be paid over a three-year period. **(Voice Vote)**
2. An Ordinance granting a Conditional Use Permit to allow a short term-rental in an R-2, Medium Density Residential District, located at 311 Highland Drive requested by Budija Enterprises, LLC in the City of Arkansas City, Kansas. **(Roll Call Vote)**

V. City Manager Reminders & Updates

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 five (5) minutes.

VIII. Adjournment



Proclamation

WHEREAS, the **City of Arkansas City** is committed in promoting organizations that support the positive mental health and well-being of all its citizens; and

WHEREAS, Hope Squad believes in the power of peer-to-peer connection to prevent suicide and they are committed to raising awareness of mental health issues, sharing the hope, and saving lives; and

WHEREAS, currently, suicide is the 2nd leading cause of death in the United States for youth ages 10-17 years old; and

WHEREAS, more than 49,000 Americans died by suicide and another 1,600,000 attempted suicide in 2022; and

WHEREAS, in Kansas, 596 individuals died by suicide in 2022; and

NOW, THEREFORE, BE IT RESOLVED, I, Chad Beeson, Mayor of the City of Arkansas City, do hereby proclaim February 13, 2025 as:

DAY OF HOPE

in the City of Arkansas City and encourage the community to join our efforts in any way that is personally meaningful.

In witness thereof I have hereunto set my hand and caused this seal to be affixed:

*Chad D. Beeson, Mayor
Date: February 4, 2025*



City Commission Agenda Item


Meeting Date: February 4, 2025
From: Tiffany Parsons, City Clerk
Item: Approve the January 21, 2025, Regular Meeting Minutes

Purpose: Approve January 21, 2025, 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:



Randy Frazer, City Manager



Tuesday, January 21, 2025
Regular Meeting Minutes
118 W Central Ave, Arkansas City, KS

Routine Business

- 1. Opening Prayer let by Principal Planner Josh White and Pledge of Allegiance led by Mayor Chad Beeson.
- 2. Roll Call

PRESENT

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

Also present from staff: City Attorney Larry Schwartz, City Manager Randy Frazer, City Clerk Tiffany Parsons, Communications Director Shana Adkisson, Fire Chief Stuart Cassaboom, Police Chief Jim Holloway, and Public Services Superintendent Tony Tapia.

- 3. There were two additions and one amendment to the agenda.

Additions:

- **Awards & Proclamations; Item No. 1.** A Resolution honoring Charles Edward “Chuck” Watson Sr. for his lifelong dedication to faith, family, and community service in Arkansas City, Kansas, and unwavering dedication to improving the lives of others at the Northwest Community Center. **(Voice Vote)**
- **Environmental Services Department; Item No. 2.** A Resolution authorizing the City of Arkansas City to enter into an agreement with KUHN Mechanical for an emergency sewer main replacement under the BNSF Railway, for an estimated amount of \$477,822.00, subject to fee fluctuations. **(Voice Vote)**

Amendments:

- **Comprehensive Fee Schedule Draft Revision** to Neighborhood Services Fees to incorporate neglected buildings and demolition abatements.

Motion made by Commissioner Stover, seconded by Commissioner Tweedy III to approve the additions and amendment to the agenda.

Voice Voting Aye: Commissioner Stover, Commissioner Spielman, Commissioner Tweedy III, and Vice Mayor Beeson. Vice Mayor Beeson declared the motion approved.

- 4. Approval of the Agenda

Motion made by Commissioner Warren, seconded by Commissioner Tweedy III to approve the agenda.

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

Awards & Proclamations

1. A Resolution honoring Charles Edward “Chuck” Watson Sr. for his lifelong dedication to faith, family, and community service in Arkansas City, Kansas, and unwavering dedication to improving the lives of others at the Northwest Community Center. **(Voice Vote)**

Motion made by Mayor Beeson, seconded by Commissioner Stover, to approve a Resolution honoring Charles Edward “Chuck” Watson Sr. for his lifelong dedication to faith, family, and community service in Arkansas City, Kansas, and unwavering dedication to improving the lives of others at the Northwest Community Center.

*Voice Voting Aye: Commissioner Spielman, Commissioner Stover, Commissioner Tweedy III, Commissioner Warren, and Mayor Beeson. Mayor Beeson declared the motion approved; given **Resolution 2025-01-3675**.*

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.

City Clerk Parsons presented to following consent agenda items for consideration:

1. Approve January 7, 2025, regular meeting minutes as written.
2. Ratify Mayor Chad Beeson’s appointment of Foss Farrar to the **VISIT Ark City Board of Trustees**, and Travis Pearman to the **Planning Commission/Board of Zoning Appeals Committee**.
3. Ratify Mayor Chad Beeson’s re-appointment of:
 - Lloyd Colston and Katie Boyle to the **Arkansas City Public Library Board**
 - Tammy Lanman-Henderson to the **Equal Opportunity & Accessibility Advisory Board**
 - Robin Henderson to the **Northwest Community Center Advisory Board**
 - Tammy Lanman-Henderson to the **Outstanding Student Award Committee**
 - Dotty Smith and Cody Richardson to the **Planning Commission/Board of Zoning Appeals Board**
 - Carlla Pike to the **Visit Ark City Board**

Motion made by Commissioner Spielman, jointly seconded by Commissioner Stover and Commissioner Tweedy III to approve the consent agenda as written.

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

New Business

City Manager Department

City Clerk Parsons presented the following items for consideration:

1. An Ordinance modifying Municipal Code Section 50-227 concerning signs placed on public property and modifying Zoning Regulations Article 27 (Signs), adopting such regulations by reference and modifying municipal code to so reflect.

Principal Planner White reported that A recent case brought before the Planning Commission brought to light that regulations concerning billboards needed to be amended. Staff also solicited additional public feedback in the form of an online poll. The feedback indicated that most respondents felt that both the location and size of the proposed sign were inappropriate. The sign was within the limits of the Zoning Regulations, so it is necessary to amend the regulations to match public sentiment. The amendments reduce the allowable height, size, and allowable locations of such signage. The Planning Commission held a public hearing and voted to recommend adoption of the proposed amendments to the Subdivision and

Zoning Regulations on December 10, 2024. Staff is also recommending a minor change to Municipal Code Section 50-227 concerning Public property. The amendment retains the original language of the section to generally prohibit signs or other encroachments upon public property but allows for certain exceptions as noted in the Zoning Regulations Sections 27-301 and 27-401.

Motion made by Commissioner Warren, jointly seconded by Commissioner Tweedy III to approve the item as written.

*Roll Call Voting Yea: Commissioner Spielman, Commissioner Stover, Commissioner Tweedy III, Commissioner Warren, and Mayor Beeson. Mayor Beeson declared the motion approved; given **Ordinance No. 2025-01-4630**.*

- 2. A Resolution authorizing the City of Arkansas City to file an application for a Historic Preservation Fund Grant administered by the Nation Park Service for a National Register nomination revising the Downtown Arkansas City Commercial District.

The city was rewarded with a grant in 2017 to conduct a resurvey of our downtown historic district. The survey was conducted and completed in May 2018. The survey made recommendations to modify the historic district by adding some properties and removing others. The report also recommended creating a thematic nomination of Arkansas City’s historic churches but that will not be part of this project. This project also directly aligns with the City’s Comprehensive Plan goal to “promote the maintenance and preservation of historical resources” as well as its accompanying action item to “Expand the existing historic district to match the recommendations from the 2017 Resurvey of the Downtown Historic District.” The city owns 3 properties that would be added to the district, including City Hall which would be considered contributing and eligible for grants and tax credits. The other two would be considered non-contributing and not eligible for funding and include the Police Department and Ben Givens Park. The grant requires a 40% match, but it can be in salaries and volunteer labor. The proposed budget for the grant does include enough salaries and labor so that the city should not have to pay cash directly. The proposal would be to apply for a grant in the amount of \$25,000 to pay for the consultant. Staff expect this final figure to be lower, but estimates were difficult to come by. The grant does operate on a reimbursement basis so any expenses would have to be incurred up front and then reimbursed at the close of the grant in the summer of 2026. After that the Historic Preservation Board will accept bids and recommend a consultant to the Commission.

Motion made by Commissioner Spielman, seconded by Commissioner Stover to approve the item as written.

*Voice Voting Aye: Commissioner Spielman, Commissioner Stover, Commissioner Tweedy III, Commissioner Warren, and Mayor Beeson. Mayor Beeson declared the motion approved; given **Resolution No. 2025-01-3669**.*

- 3. A Resolution authorizing the City of Arkansas City enter into Agreement No. 884-24 with Smith & Oakes, Inc. and the Kansas Department of Transportation (KDOT) for Federal-Aid Construction Engineering Services for Hike Bike Trail Project No. 18 TE-0471-01.

City Manger Frazer provided an explanation for this item. The City of Arkansas City (LPA) is undertaking Project No. 18 TE-0471-01 under the Federal-Aid Program administered by the Kansas Department of Transportation (KDOT). This project is funded through federal and state resources to construct and enhance the Hike-Bike Trail, promoting pedestrian and bicycle connectivity. As the LPA does not have sufficient engineering staff to conduct the required construction engineering inspection services, the City has engaged Smith & Oakes, Inc., a qualified consulting engineering firm. The consultant will provide construction engineering services in compliance with KDOT standards, ensuring adherence to all applicable regulations and specifications. Agreement No. 884-24 outlines the responsibilities of the parties involved, the scope of services, and the allocation of costs. The CIP Fund is not budgeted for this project, but this project has been in the planning stages for several years. The City is responsible for the associated LPA CE

funding costs, as reflected in previously budgeted matching funds in the amount of \$269,000.00 under Resolution No. 2024-11-3656 Hike Bike Extension Phase 2.

Motion made by Commissioner Stover, seconded by Commissioner Tweedy III to approve the item as written.

*Voice Voting Aye: Commissioner Spielman, Commissioner Stover, Commissioner Tweedy III, Commissioner Warren, and Mayor Beeson. Mayor Beeson declared the motion approved; given **Resolution No. 2025-01-3670.***

- 4. A Resolution adopting by reference the City’s 2025 Comprehensive Fee Schedule and repealing Resolution No. 2024-08-3641. **Amended**

City Clerk Parsons presented the updated Comprehensive Fee Schedule for this year, featuring revised formatting and an amendment to the original draft to include fees for Neighborhood Services related to neglected buildings and demolition abatements. The Comprehensive Fee Schedule establishes the fees the city will charge for services provided to residents. Key updates include the Environmental Services Department addition and reclassification of water metered & sewer utility rates, Neighborhood Services updates to align with the 2024 International Residential Code and incorporate fees for neglected buildings and demolition abatements, and an updated rate structure forecast through 2029 for Public Services Water Utility, General Fees, & Sanitation rates.

Motion made by Mayor Beeson, seconded by Commissioner Warren to approve a Resolution adopting by reference the City’s 2025 Comprehensive Fee Schedule and repealing Resolution No. 2024-08-3641 as amended.

*Voice Voting Aye: Commissioner Spielman, Commissioner Stover, Commissioner Tweedy III, Commissioner Warren, and Mayor Beeson. Mayor Beeson declared the motion approved; given **Resolution No. 2025-01-3671.***

Environmental Services Department

- 1. A Resolution authorizing the City of Arkansas City to enter into a Letter of Agreement with Burns & McDonnell Engineering Company, Inc. to provide professional engineering services for the Water Treatment Plant Chloride Discharge Review, for an amount not to exceed \$25,000.00.

Assistant Environmental Services Superintendent Blubaugh explained that staff have identified increasing chloride levels in the discharge from its Wastewater Treatment Facility, which may have regulatory and operational implications. In response, Burns & McDonnell Engineering Company, Inc. has proposed professional services to analyze water quality trends, determine likely causes, and recommend operational or other mitigation strategies. This agreement outlines the scope of services, responsibilities, and compensation terms. The total cost for the proposed services is not to exceed \$25,000 without prior written consent from the City. The scope includes evaluating water quality data, identifying trends, and proposing solutions to address the chloride discharge issue. Burns & McDonnell will provide these services in accordance with Exhibit A, included in the agenda packet.

Motion made by Commissioner Warren, seconded by Commissioner Stover to approve the item as written.

*Voice Voting Aye: Commissioner Spielman, Commissioner Stover, Commissioner Tweedy III, Commissioner Warren, and Mayor Beeson. Mayor Beeson declared the motion approved; given **Resolution No. 2025-01-3672.***

- 2. A Resolution authorizing the City of Arkansas City to enter into an agreement with KUHN Mechanical for an emergency sewer main replacement under the BNSF Railway, for an estimated amount of \$477,822.00, subject to fee fluctuations.

Assistant Environmental Services Superintendent Blubaugh presented this item for review. The City has identified an urgent need to repair a failing sewer main in the specified area. The project involves replacing the sewer main to prevent potential environmental hazards, regulatory fines, and disruptions to sewer

services. This critical infrastructure improvement requires specialized construction under the BNSF Railway and includes compliance with railroad permitting, protective liability insurance, and inspection requirements. Kuhn Mechanical has submitted a detailed proposal for the project, which includes horizontal boring, steel casing installation, and flow redirection during construction. Exclusions and stipulations are clearly outlined in the proposal, ensuring clarity regarding the scope of work.

Motion made by Commissioner Stover, seconded by Commissioner Tweedy III to approve the item as written.

*Voice Voting Aye: Commissioner Spielman, Commissioner Stover, Commissioner Tweedy III, Commissioner Warren, and Mayor Beeson. Mayor Beeson declared the motion approved; given **Resolution No. 2025-01-3673.***

Fire/EMS Department

1. A Resolution authorizing the City of Arkansas City to purchase nine (9) APX 8000 all band portable radios in compliance with the Kansas State Interoperable Communications System (KSICS) 800 MHz radios, from Motorola Solutions, for an amount not to exceed \$67,715.10, excluding shipping. **(Voice Vote)**

Fire Chief Cassaboom explained the need for the purchase request of the nine (9) new radios, is to allow the Arkansas City Fire/EMS Department to comply with the FBI Criminal Information Service Security Policy along with the State of Kansas enhanced 800 MHz communication system allowing for encryption of personal information shared over the radio. The policy change went into effect in December 2022 and required local and state agencies to gain the capabilities to be in compliance with encryption radio traffic to protect personal information transmitted over the air. The Arkansas City Fire/EMS Department currently utilizes Motorola radios, chargers and batteries and has been pleased with the product. By staying with Motorola, staff can keep costs down and to not have to purchase a variety of different chargers and batteries.

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

*Voice Voting Aye: Commissioner Spielman, Commissioner Stover, Commissioner Tweedy III, Commissioner Warren, and Mayor Beeson. Mayor Beeson declared the motion approved; given **Resolution No. 2025-01-3674.***

City Manager Updates & Reminders

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

1. January 22nd – LKM Local Government Day at the Beacon 420 SW 9th Ave. Topeka, KS. The event includes opportunities to meet with local legislators, a legislative panel discussion, and reception to follow with policymakers.
2. January 23rd - City Manager Frazer meets with Winfield City Manager and Cowley County Economic Development Director to discuss updating the area housing study.
3. January 28th – Housing Tap Tour in Wichita, KS. Provides update on housing in the region.
4. January 31st – Retirement Parties for employees Rod Philo and Tommy Bowan.
5. February 11th – LKM webinar training opportunity. *The First Amendment in Action: Managing Disruption at Public Meetings.*
6. Local Government Network (LGN) is offering a NextGen EcoDevo: six hour live online session exploring the book *13 Ways to kill a Community, 2nd Edition* by Doug Griffiths through WSU.
7. The City was notified that we did not receive CDBG Grant for Wilson Park this year for the playground equipment and new splash pad. The City did go ahead and budget \$130k for playground equipment and will move forward with replacing existing equipment.
8. Recreation Commission pool report.

Items for Discussion by City Commissioners

Mayor Beeson commended city sanitation crews for counting to work and pick up citizens trash in 12-degree weather, especially to those on the back of the trucks. Beeson went on to acknowledge the street department for the long hours and efforts put into keeping our city streets clear, paying attention to main intersections and emergency routes. Thanking crews who have been working non-stop with now still coming down. Chief Holloway mentioned a water break situation at the Police Department that the on-call Water Department was able to address and fix. Mayor Beeson gave another shoutout to the Water Department for dealing with main breaks in the freezing weather. Mayor Beeson went on to thank the Police Department for working the increase in accidents over the last few days and the Fire Department that have battled three structure fires in the last week. And the Park Department for always stepping up to help.

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 five (5) minutes.

No one wished to speak.

Financial Summary

The December 2024 Financial Summary provided in the back of the agenda packet.

Adjournment

Commissioner Warren made a motion, seconded by Commissioner Stover to adjourn the meeting.

The voice vote was unanimous in favor of the motion. Mayor Beeson declared the meeting adjourned.

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

(Seal)

Chad D. Beeson, Mayor

ATTEST:

Tiffany Parsons, City Clerk

Prepared by:

Tiffany Parsons, City Clerk



City Commission Agenda Item

Meeting Date: February 4, 2025
From: Josh White, Principal Planner
Item: Boundary Resolution

Motion: A Resolution declaring the boundary and limits of the City of Arkansas City, Kansas pursuant to K.S.A. 12-517. **(Voice Vote)**

Background:

In each year during which the City annexes additional property into its corporate limits, the City Commission is required by state statute to adopt a resolution delineating the updated legal boundary of the City. Staff, with the assistance of Smith & Oakes, Inc., have updated the legal description of the City's boundary which has been incorporated into the attached boundary resolution. The additions to the boundary from 2023 & 2024 include the 101- acre tract, the Etzanoa island annexation and the Creekstone Daycare and Truck Gate. The changes are highlighted in yellow. A map showing the changes is also attached.

Commission Options:

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

Fiscal Impact: Amount: \$0

Fund:	Department:	Expense Code:		
<input type="checkbox"/> Included in budget	<input type="checkbox"/> Grant	<input type="checkbox"/> Bonds	<input type="checkbox"/> Other Not Budgeted	

Attachments: Resolution, updated legal boundary map

Approved for Agenda by:

Randy Frazer, City Manager

RESOLUTION NO. 2025-02-_____**A RESOLUTION DECLARING THE BOUNDARY AND LIMITS OF THE CITY OF ARKANSAS CITY, KANSAS, PURSUANT TO K.S.A. 12-517.****BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF ARKANSAS CITY, KANSAS:**

SECTION ONE: The corporate limits and city boundary of the City of Arkansas City, Kansas, is declared to be confined East of the 6th Principal Meridian, Cowley County, Kansas within either Townships 33, 34 or 35 South and Range 3 or 4 East as follows:

Beginning at the intersection of the North line of the Northeast Quarter of Section 26, Township 34 South, Range 3 East of the 6th Principal Meridian; and the West Right-of-Way of the Arkansas City Levee, said point being 714.30 feet, more or less, from the Northeast Corner of the Northeast Quarter of Section 26, Township 34 South, Range 3 East; thence West along the North line of said Section 26 to the East bank of the Arkansas River; thence Southeasterly along the East bank of the Arkansas River bank to a point, said point being 37.6 feet, more or less, West of the Southwest corner of the Southeast Quarter of Section 36, Township 34 South, Range 3 East and 37.6 feet, more or less, West of the Northwest corner of the Northeast Quarter of Section 1, Township 35 South, Range 3 East of the 6th P.M., Cowley County, Kansas; thence South parallel with the West line of said Section 1, to the South bank of the Arkansas River; thence Easterly along the South bank of the Arkansas River to the Northerly extension of the center line of vacated Baldwin Street in Longview Addition to Arkansas City; thence North along the said Northerly extension of the centerline of vacated Baldwin Street to the North bank of the Arkansas River; thence East along the North bank of the Arkansas River to a point on the West Right-of-Way of the A.T. & S.F. Railroad Spur Track #25; thence Northerly along the West Right-of-Way of the A.T. & S.F. Railroad Spur Tract #25 to a point on the original Right-of-Way of the A.T. & S.F. Railroad; thence Northerly along said original A.T. & S.F. Railroad Right-of-Way to a point on the old Right-of-Way Line of the A.T.&S.F. Railroad; thence Northwesterly on a curve to the left having a chord bearing of North 62 degrees, 03 minutes, 12 seconds West and a chord distance of 279.98 feet to a point on the South line of the Southwest Quarter of Section 31 of said Township 34 South, Range 4 East; thence East along said South line to the Southeast corner of the Southwest Quarter of Section 31; thence North along the East line of said Quarter Section to the North Right-of-Way line of the Arkansas River levee; thence Easterly along the North Right-of-Way line of the Arkansas River levee to the West line of "M" Street extended; thence North 318.06 feet, more or less, along the West line of "M" Street extended, to the South line of Sleeth Addition to Arkansas City, Kansas; thence East 40 feet, along the South line of said Sleeth Addition and its extension, to a point; thence North, parallel with the East line of said Sleeth Addition, to the North line of the Southeast Quarter of Section 31 of said Township 34 South, Range 4 East; thence East, along the North line of said Southeast Quarter of Section 31, and the North line of the Southwest Quarter of Section 32 of said Township 34 South, Range 4 East, to the West bank of the Walnut River; thence Northwesterly along the West and South bank of said Walnut River to a point, said point being the intersection of the North line of Jackson Avenue extended, and the West bank of the Walnut River; thence West along the North line of Jackson Avenue extended, to a point; said point being 1258.8 feet, more or less, East of the West line of the Northeast Quarter of Section 31, Township 34 South, Range 4 East of the 6th P.M., Cowley County, Kansas; and 90 feet East of the center of Old Mill Road; (as said Mill Road is shown "remove" on Kansas Department of Transportation plans for project number 18-M-0111 (001), said plans are on file in the Office of the City Engineer of Arkansas City); thence Northerly and 90 feet East of the center of Old Mill Road to the South Right-of-Way line of Madison Avenue; thence East, along the South Right-of-Way line of said Madison Avenue, to the East bank of the Walnut River, thence Southerly, along the East bank of the Walnut River, to a point, said point being 478.1 feet, more or less, South of the North line of the Northeast Quarter of Section 31 of said Township 34 South, Range 4 East; thence East, parallel with the North line of said Northeast Quarter of Section 31, to the East

line of said Northeast Quarter of Section 31; thence North, along the East line of said Northeast Quarter of Section 31, to the South Right-of-Way line of Madison Avenue; thence East along the South Right-of-Way line of said Madison Avenue to a point, said point being 677.3 feet east of the Northwest corner of the Northwest Quarter of Section 32, Township 34 South, Range 4 East, and on the South Right-of-Way line of said Madison Avenue; thence Southerly, a distance of 156.7 feet to a point 217.55 feet South and 699.45 feet East of the Northwest corner of said Quarter Section; thence Southeasterly, 187.75 feet to a point; thence East, parallel with the South Right-of-Way line of Madison Avenue, 353.7 feet to a point; thence North, parallel with the West line of said Section 32, 340.0 feet to a point on the South Right-of-Way line of Madison Avenue; thence East, along said South Right-of-Way line to a point 1,465 feet, more or less, West of the Northeast corner of the Northwest Quarter of said Section 32, and on said South Right-of-Way line of Madison Avenue; thence South, 170.0 feet; thence East 134.5 feet to a point 1330.5 feet West and 233.0 feet South of the Northeast corner of the Northwest Quarter of said Section 32, said point lying on the West line of Summit Acres; thence South along the West line of said Summit Acres, and its Southerly extension, to the point where the continuation of the West line of Summit Acres produced South, intersects with the continuation of the South line of Summit Acres produced West; thence East, along the South line of said Summit Acres and its extension, to a point on the East line of said Northwest Quarter of Section 32 of said Township 34 South, Range 4 East; thence South, along said East line of the Northwest Quarter of Section 32, and along the West line of the Northeast Quarter of said Section 32, to a point which lies 1116.92 feet North of the Southwest corner of said Northeast Quarter; thence East 429 feet; thence South, parallel with the West line of said Quarter Section, 205.11 feet; thence East, parallel with the North line of said Quarter Section, 330 feet; thence Northeasterly, 136.5 feet, more or less; thence Northerly to the Southwest corner of Running Horse Subdivision; thence Easterly along the South Line of Running Horse Subdivision a distance of 344.55 feet to the Southeast corner of Running Horse Subdivision; thence Northerly along the East Line of Running Horse Subdivision to a point on the South Right-of-Way line of Madison Avenue, said point being the Northeast corner of Forewood Addition; thence East, along said South Right-of-Way line of said Madison Avenue, to the East line of the Northeast Quarter of Section 32, Township 34 South Range 4 East; thence North along said East line to the Northeast corner of said quarter section, said point also being the Southeast corner of the Southeast Quarter of Section 29 and the Southeast corner of Fountaine Tracts; thence North, along the East line of said Southeast Quarter of Section 29, and along the East line of Fountaine Tracts, to the Northeast corner of said Southeast Quarter of Section 29 and the Northeast corner of Fountaine Tracts; thence continuing North, along the East line of the Northeast Quarter of Section 29, a distance of 938 feet; thence West, 606 feet; thence North, 32 feet; thence West, parallel with the South line of said Quarter section to a point on the West Right-of-Way of Lord Road; thence North along the West Right-of-Way of Lord Road to the Northeast Corner of a tract described in Book 503, Page 540 at the Cowley County Register of Deeds Office; thence Westerly 160 feet to the Northwest Corner of a tract described in Book 503, Page 540 at the Cowley County Register of Deeds Office; thence Southerly parallel with the West Right-of-Way of Lord Road a distance of 915 feet to the Southwest Corner of a tract described in Book 253, Page 515 at the Cowley County Register of Deeds Office; said point being on the North Line of the South Half of the Southwest Quarter of the Northeast Quarter of said Section 29; thence West, along the North line of the South Half of the Southwest Quarter of the Northeast Quarter of said Section 29, to the Northwest corner of said South Half of the Southwest Quarter of the Northeast Quarter of said Section 29; thence North, along the North-South Half Section line of said Section 29, to a point, said point being 1412.5 feet, more or less, North of the Southeast corner of the Northwest Quarter of said Section 29, Township 34 South, Range 4 East; thence West on a line parallel with the South line of said Quarter Section, a distance of 418.35 feet to a point; thence Southerly to a point at the intersection of the centerline of Rock Meadow Road and the centerline of the road curving toward the Northwest; thence Northwest along the centerline of the road on a curve to the left whose central angle is 91 degrees and 26 minutes and whose tangent is 100 feet, a distance of 155.65 feet; thence West along the centerline of the road, a distance of 121.32 feet; thence Southwest along the centerline of the road curving to the left with a central angle of 56 degrees 52 minutes and with a tangent of 90 feet, a distance of 164.96 feet, more or less; thence Southwest along the centerline of said road, a distance 162.5 feet, more or less; thence Southwest, along the centerline

of said road, on a curve to the left with a central angle of 7 degrees 38 minutes and with a tangent of 90 feet, a distance of 179.73 feet, more or less; thence Southwest, along the centerline of said road, a distance of 48.55 feet, more or less; thence Southwest along the centerline of said road on a curve to the left with a central angle of 8 degrees and 48 minutes, with a tangent of 50 feet, a distance of 99.79 feet, more or less; thence Southwest along the centerline of said road to a point, said point being 1075 feet West and 435 feet, more or less, North of the Southeast corner of the Northwest Quarter of Section 29 of said Township 34 South, Range 4 East; thence South 435 feet, more or less, parallel with the East line of said Quarter Section, to the South line of said Quarter Section; thence West 265 feet, more or less, along the South line of said Quarter Section; thence North 792 feet, more or less, parallel with the East line of said Northwest Quarter Section; thence West 220 feet, more or less, parallel with the South line of said Quarter Section; thence South, 792 feet, more or less, parallel with the East line of said Quarter Section, to a point on the South line of said Quarter Section; thence West, along the South line of said Northwest Quarter of Section 29, Township 34 South, Range 4 East, to the East bank of the Walnut River; thence Southwesterly, along the East bank of the Walnut River to a point, said point being 132.495 feet, more or less, East of the West line of the Southwest Quarter of Section 29 of said Township 34 South, Range 4 East of the 6th P.M., Cowley County, Kansas; thence South 375 feet, more or less, parallel with the West line of said Quarter Section; thence West 132.495 feet, more or less, parallel with the South line, and to a point on the West line of said Quarter Section; thence Southerly along the West line of said Quarter Section, to a point, said point being the North line of Lewis Subdivision to Arkansas City, Kansas, extended; thence West along the North line of said Lewis Subdivision, and its extension, a distance of 1368.84 feet, more or less; thence Northwest, on a forward right angle of 45 degrees and 54 minutes, to a point, said point being 120.8 feet, more or less, North of the South line of Adams Avenue extended, and 25 feet, more or less, East of the East line of "H" Street; thence North, parallel with and 25 feet East of the East line of "H" Street to the South line of Central Avenue extended (also being the East Right-of-Way of the Arkansas City Bypass); thence Northeast to the Southwest corner of a tract recorded in Book 509, Page 662 at the Cowley County Register of Deeds Office; thence continuing North along said East Right-of-Way and the West Line of said recorded tract to the Northwest Corner of said recorded tract; thence Northeasterly along said East Right-of-Way and the North Line of said recorded tract to the Northeast Corner of said recorded tract; thence North to a point on the North Right-of-Way of Chestnut Avenue; thence Northwesterly along the East Right-of-Way of the Arkansas City Bypass to a point on the East Line of recorded Tract No. 14 of District Court Condemnation Case No. 95-C57-W; thence Northerly along said East Right-of-Way and the East Line of said recorded tract to a point on the South Line of the North Half of the Northeast Quarter of Section 29 & 30, Township 34 South, Range 4 East; thence Easterly along said South Line of the North Half of the Northeast Quarter of said Section 29 & 30 to a point on the West Bank of the Walnut River; thence Northerly along said West Walnut River Bank to a point on the North Line of said Section 29; thence to the Southeast corner of the West Half of the Southwest Quarter of Section 20, Township 34 South, Range 4 East; thence North along the East line of the West Half of the Southwest Quarter of said Section 20, to a point on the North line of the Southwest Quarter of said Section 20; thence North to the North Right-of-Way of Kansas Avenue; thence West along the North Right-of-Way of Kansas Avenue to the Southwest Corner of Lot 8, Block 7, Thompson's Gardens Subdivision; thence continuing West along the North Right-of-Way of Kansas Avenue a distance of 25 feet to the centerline of vacated "M" Street; thence Northerly along said centerline a distance of 425 feet to the centerline of vacated Palmetto Avenue; thence Easterly along said centerline a distance of 375 feet to a point on the West Right-of-Way of 71st Road (Greens Farm Road), said point also lying 30 feet West of the East Line of the Northeast Quarter of Section 19, Township 34 South, Range 4 East; thence Northerly along said West Right-of-Way of 71st Road to its intersection with the North Line of the Southeast Quarter of Section 18, Township 34 South, Range 4 East; thence West along the North line of the Southeast Quarter of said Section 18 to a point on the West Right-of-Way of U.S. Highway 77 Bypass; thence Northerly along said West Right-of-Way of U.S. Highway 77 Bypass to a point on the South line of the Southeast Quarter of Section 7, Township 34 South, Range 4 East of the 6th P.M.; thence continuing Northerly along said West Right-of-Way of U.S. Highway 77 Bypass a distance of 200 feet to a point; thence Southwesterly to the intersection of said South line of the Southeast Quarter of Section 7

and the East Right-of-Way of the Atchison, Topeka and Santa Fe Railroad, thence Westerly along the South line of said Section 7 to the East Right-of-Way of U.S. Highway 77B (Summit Street); thence North along said East Right-of-Way to the Easterly extension of the North Right-of-Way of Skyline Road; thence Westerly along said North Right-of-Way of Skyline Road to a point that is North 86 degrees, 59 minutes West, 528.4 feet from the Southeast Corner of the Southeast Quarter of Section 12, Township 34 South, Range 3 East (with the South line of said Quarter section having an assumed bearing of South 88 degrees, 40 minutes West); thence North 01 degrees, 20 minutes West, 20.0 feet to the Southeast corner of a tract recorded in Book 493, Page 307 at the Cowley County Register of Deeds; thence North 81 degrees, 05 minutes East a distance of 126.0 feet to a point on the West Right-of-Way of 61st Road; thence $N00^{\circ}59'15''W$, along the West Right-of-Way of 61st Road, a distance of 430.00 feet; thence $N25^{\circ}46'45''E$ along said West Right-of-Way line, a distance of 420.00 feet; thence $N21^{\circ}48'45''E$ along said West Right-of-Way line, a distance of 93.82 feet; thence $S89^{\circ}04'45''W$ parallel to the South line of the Southeast Quarter of Section 12, Township 34 South, Range 3 East, a distance of 967.77 feet; thence Northerly on a non-tangent curve to the right having a chord bearing of $N19^{\circ}10'45''W$, a radius of 530 feet, a central angle of $05^{\circ}13'53''$, and a distance of 48.39 feet to a point; thence $N21^{\circ}47'41''W$ a distance of 53.19 feet; thence Northerly on a curve to the right, tangent to the last described course, having a radius of 470 feet, a central angle of $21^{\circ}21'44''$, and a distance of 175.23 feet to a point; thence $N00^{\circ}25'57''W$, parallel with the West line of said Southeast Quarter, a distance of 271.64 feet to a point on the South Right-of-Way of Goff Industrial Park Road; thence $S88^{\circ}57'26''W$ along said South Right-of-Way line, a distance of 65.00 feet; thence $S00^{\circ}25'57''E$, parallel with West line of said Southeast Quarter, a distance of 589.90 feet; thence $S89^{\circ}04'45''W$, parallel with South line of said Southeast Quarter, a distance of 637.80 feet; thence $S00^{\circ}25'57''E$, parallel with the West line of said Southeast Quarter, a distance of 857.03 feet, more or less, to a point on the North Right-of-Way of Skyline Road; thence Westerly along said North Right-of-Way of Skyline Road to a point that is 673.23 feet East of the West Line of the Southeast Quarter of Section 12, Township 34 South, Range 3 East; thence North parallel with the West Line of the Southeast Quarter of Section 12, Township 34 South, Range 3 East; to a point on the North Right-of-Way of Goff Industrial Park Road; thence East along the North Right-of-Way of Goff Industrial Park Road to the Southwest corner of a tract of land recorded in Book 1079, Page 41; thence North along the West line of said recorded tract, a distance of 450 feet to the Northwest corner of said recorded tract; thence East along the North line of said recorded tract to a point on the West Right-of-Way for 61st Road; thence Northerly along said West Right-of-Way a distance of 578.34 feet to a point on the North line of the Southeast Quarter of Section 12, Township 34 South, Range 3 East; thence West along said North line to a point on the Centerline of the Abandoned St. Louis & San Francisco Railroad; thence Northwesterly along the Centerline of said Abandoned St. Louis & San Francisco Railroad Right-of-Way to the North Line of Walkerwae Tracts Produced; thence Easterly along said North Line of Walkerwae Tracts to a point on the East Right-of-Way of said Abandoned St. Louis & San Francisco Railroad Right-of-Way; thence Northwesterly along said East Line of Abandoned St. Louis & San Francisco Railroad Right-of-Way to the North Line of the Northeast Quarter of Section 12, Township 34 South, Range 3 East; thence West along said North Line of the Northeast Quarter of Section 12, Township 34 South, Range 3 East to the Northwest Corner of the Northeast Quarter of Section 12, Township 34 South, Range 3 East; thence South along the West Line of Section 12, Township 34 South, Range 3 East, to the Southwest Corner of the Northeast Quarter of Section 12, Township 34 South, Range 3 East; thence West along the North Line of the Southwest Quarter of Section 12, Township 34 South, Range 3 East to a point on the West Right-of-Way of Eighth Street; thence South along the West Right-of-Way of Eighth Street to a point on the North Right-of-Way of Skyline Road; thence West along the North Right-of-Way of Skyline Road to a point on the West Right-of-Way of Fifteenth Street produced; thence South along the West Right-of-Way of Fifteenth Street produced to a point on the South Right-of-Way of Skyline Road produced; thence East along the South Right-of-Way of Skyline Road to a point 757.07 feet East of the Northwest Corner of the Northwest Quarter of Section 13, Township 34 South, Range 3 East, said point is on the East line of a tract recorded in Book 1056, Page 516; thence Southwesterly along the East line of said recorded tract a distance of 370.00 feet to the Southeast corner of said recorded tract; thence West along the South line of said recorded tract 30.00 feet to the

Northeast corner of a tract of land recorded in Book 1034, Page 421; thence southwesterly along the East line of said recorded tract a distance of 612.65 to a point; thence South along the East line of said recorded tract a distance of 300.00 feet to the Southeast corner of said recorded tract; thence West along the South line of said recorded tract a distance of 693.00 feet to a point on the West line of said Northwest Quarter, thence South along the East line of the Northeast Quarter of Section 14, Township 34 South, Range 3 East to the Northeast corner of the South Half of the Southeast Quarter of the Northeast Quarter of said Section 14; thence West, along the North line of the South Half of the Southeast Quarter of the Northeast Quarter of said Section 14, to the Northwest corner of the South Half of the Southeast Quarter of the Northeast Quarter of said Section 14; thence South, along the West line of the South Half of the Southeast Quarter of the Northeast Quarter of said Section 14, to the Southwest corner of the South Half of the Southeast Quarter of the Northeast Quarter of said Section 14; thence East, along the North line of the Southeast Quarter of said Section 14, to a point that lies 1227 feet West of the Northeast corner of said Southeast Quarter; thence South, parallel with the East line of said Southeast Quarter, a distance of 1506.29 feet, more or less; thence West, a distance of 234.15 feet, thence South, 1090.4 feet to the South line of the Southeast Quarter of said Section 14; thence West, along the South line of the Southeast Quarter of said Section 14, and along the North line of the Northeast Quarter of Section 23, Township 34 South, Range 3 East, to the intersection of said North line of the Northeast Quarter of Section 23, with the centerline of Chilocco Avenue in Riverview Addition (now vacated); thence South, along the centerline of Chilocco Avenue, to the intersection of the centerline of Chilocco Avenue with the centerline of Fairview Avenue in said Riverview Addition (now vacated); thence West, along the centerline of Fairview Avenue, to the intersection of the centerline of Fairview Avenue with the centerline of Berwyn Avenue in said Riverview Addition (now vacated); thence South, along the centerline of Berwyn Avenue, to the intersection of the centerline of Berwyn Avenue with the centerline of Riverview Avenue; said point being the Southwest corner of the Northwest Quarter of the Northeast Quarter of said Section 23; thence South, along the West line of the Northeast Quarter of said Section 23, to the South line of Riverview Second Addition; thence continuing South, along the West line of the Northeast Quarter of said Section 23, to the Southwest corner of the Southwest Quarter of the Northeast Quarter of said Section 23; thence continuing South, a distance of 825 feet, to a point; thence East, a distance of 1742.4 feet, to a point; thence North, a distance of 825 feet, to a point on the North line of the Northeast Quarter of the Southeast Quarter of said Section 23, and on the South line of the Northeast Quarter of said Section 23; thence East, along the South line of said Northeast Quarter of Section 23 to a point, said point being 466.95 feet, more or less, West of the Southeast corner of the Northeast Quarter of said Section 23; thence South, 466.95 feet, more or less, parallel with the East line of the Southeast Quarter of said Section 23; thence East, 466.95 feet, more or less, parallel with the North line of said Southeast Quarter of Section 23, to a point on the East line of said Southeast Quarter of Section 23; thence South, along the East line of the said Southeast Quarter to the Northeast corner of a Mitigation Area, with said point being 724.29 feet North of the Southeast corner of said Southeast Quarter of Section 23, Township 34 South, Range 3 East of the 6th P.M., thence Northwesterly along the North line of said Mitigation Area a distance of 344.98 feet; thence Southwesterly along the North line of said Mitigation Area a distance of 310.66 feet, to the East Arkansas City Levee Right-of-Way North terminus point; thence Northwesterly along the City of Arkansas City Levee Right-of-Way Northerly terminus line a distance of 208.44 feet to the West Arkansas City Levee Right-of-Way North terminus point; thence Southerly along the West Arkansas City Levee Right-of-Way to a point on the South line of the Southeast Quarter of Section 23, Township 34 South, Range 3 East; and the point of beginning; said point being 714.30 feet, more or less, from the Southeast Corner of the Southeast Quarter of Section 23, Township 34 South, Range 3 East.

ALSO INCLUDING A TRACT OF LAND DESCRIBED AS FOLLOWS: Beginning at a point 430 feet South and 40 feet West of the Northeast corner of the Northwest Quarter of Section 29, Township 34 South, Range 4 East; thence South 480 feet parallel with the East line of said quarter section; thence West 480 feet parallel with the North line of said quarter section; thence North 480 feet parallel with the East line of said quarter section; thence East 480 feet to point of beginning, Cowley County, Kansas.

ALSO INCLUDING A TRACT OF LAND DESCRIBED AS FOLLOWS: Beginning at the Northwest Corner of the Southwest Quarter of Section 21, Township 34 South, Range 4 East of the 6th Principal Meridian, Cowley County Kansas; Thence S00°00'04"W along the West line of said Southwest Quarter, 537.27 feet to the true point of beginning; Thence S89°59'12"E, 35.00 feet along the South Right-of-Way line of Kansas Avenue; thence, N09°27'54"E, 332.91 feet along the South Right-of-Way line of Kansas Avenue; thence S89°00'25"E, 479.92 feet along the South Right-of-Way line of Kansas Avenue; thence N82°27'44"E, 21.96 feet along the South Right-of-Way line of Kansas Avenue; thence S01°03'38"W, 134.93 feet; thence S88°56'22"E, 275.00 feet; thence along a curve to the right with a radius of 75.00 feet, a arc distance of 105.30 feet, said curve having a chord bearing of S48°42'53"E and a chord length of 96.87 feet; thence along a curve to the left with a radius of 325.00 feet, an arc distance of 313.63 feet, said curve having a chord bearing of S36°08'09"E, and a chord length of 301.61 feet; thence along a curve to the right with a radius of 135.00 feet a distance of 152.78 feet, said curve having a chord bearing of S31°21'38"E and a chord length of 144.76 feet; thence S01°03'38" West, 6.16 feet; thence S44°41'17"E, 27.00 feet; thence S88°56'22"E, 45.66 feet; thence along a curve to the right with a radius of 75.00 feet, a distance of 39.27 feet, said curve having a chord bearing of N76°03'38"E, and a chord length of 38.82 feet; thence N61°03'38"E, 125.00 feet; thence S28°56'22"E, 50.00 feet; thence along a curve to the right with a radius of 75.00 feet a distance of 10.01 feet, said curve having a chord bearing of N64°52'59"E and a chord length of 10.00 feet; thence S30°43'55"E, 118.61 feet; thence S13°42'33"E, 175.75 feet thence N41°03'09"W, 76.96 feet; thence N88°56'22"W, 1486.62 feet; thence N00°00'04"E, along the West line of said Southwest Quarter, 431.18 feet to the point of beginning.

ALSO INCLUDING A TRACT OF LAND DESCRIBED AS FOLLOWS: A tract of land situated in the West Half of Section 32, Township 34 South, Range 4 East of the 6th Principle Meridian, Cowley County, Kansas, being more particularly described as follows: Commencing at the Northwest Corner of the Northwest Quarter of Section 32, Township 34 South, Range 4 East of the 6th Principle Meridian, Cowley County, Kansas; thence South 1 degree, 8 minutes, 58 seconds East along the West Line of said Northwest Quarter a distance of 882.04 feet to a point on the East Walnut River Channel Right-of-Way, and the Point of Beginning; thence South 60 degrees, 10 minutes, 35 seconds East along said East Channel Right-of-Way a distance of 1259.10 feet to a point; thence South 60 degrees, 51 minutes, 52 seconds East along said East Channel Right-of-Way a distance of 823.03 feet to a point; thence South 47 degrees, 16 minutes, 30 seconds East a distance of 358.64 feet to a point on said East Channel Right-of-Way; thence South 31 degrees, 24 minutes, 45 seconds East along said East Channel Right-of-Way a distance of 714.00 feet, more or less, to a point on the South Line of the Abandoned MOPAC Railroad Right-of-Way; thence Southwesterly along said Abandoned South Right-of-Way a distance of 292.59 feet, more or less, to a point on the East Bank of the Walnut River; thence Northwesterly along said East Bank a distance of 1570.69 feet, more or less, to a point at right angles 2066.01 feet South and 1064.56 feet East of the Northwest Corner of said Northwest Quarter; thence North 61 degrees, 30 minutes, 0 seconds West a distance of 1224.94 feet, more or less, to a point on the West line of said Northwest Quarter; thence North 1 degree, 8 minutes, 58 seconds West along said Northwest Quarter Line a distance of 578.00 feet to the Point of Beginning; containing 23.87 acre(s), more or less.

ALSO INCLUDING A TRACT OF LAND DESCRIBED AS FOLLOWS: A tract of land situated in the South Half of Section 32, Township 34 South, Range 4 East of the 6th Principle Meridian, Cowley County, Kansas, being more particularly described as follows: Commencing at the Northwest Corner of the Northwest Quarter of Section 32, Township 34 South, Range 4 East of the 6th Principle Meridian, Cowley County, Kansas; thence South 1 degree, 8 minutes, 58 seconds East a distance of 882.04 feet to a point on the East Walnut River Channel Right-of-Way; thence South 60 degrees, 10 minutes, 35 seconds East along said East Channel Right-of-Way a distance of 1259.10 feet to a point; thence South 60 degrees, 51 minutes, 52 seconds East along said East Channel Right-of-Way a distance of 1022.39 feet to a point; thence South 31 degrees, 16 minutes, 3 seconds East along said East Channel Right-of-Way a distance of 884.00 feet to the Point of Beginning; thence South 89 degrees, 41 minutes, 1 second East a distance of 229.33 feet to a

point; thence South 1 degrees, 8 minutes, 58 seconds East a distance of 230.07 feet to a point; thence South 89 degrees, 41 minutes, 1 second East a distance of 955.00 feet to a point; thence North 0 degrees, 18 minutes, 59 seconds East a distance of 130.00 feet to a point; thence South 89 degrees, 41 minutes, 1 second East a distance of 819.86 feet to a point; thence South 1 degree, 43 minutes, 59 seconds East a distance of 1033.03 feet to a point; thence South 89 degrees, 43 minutes, 9 seconds West a distance of 990.13 feet to a point on said East Channel Right-of-Way; thence North 58 degrees, 6 minutes, 40 seconds West along said East Channel Right-of-Way a distance of 323.66 feet to a point; thence North 46 degrees, 19 minutes, 13 seconds West along said East Channel Right-of-Way a distance of 599.72 feet to a point; thence North 31 degrees, 16 minutes, 3 seconds West along said East Channel Right-of-Way a distance of 659.07 feet to the Point of Beginning, containing 35.00 acre(s), more or less.

ALSO INCLUDING A TRACT OF LAND DESCRIBED AS FOLLOWS: A tract of land situated in the Northwest Quarter of Section 5, Township 35 South, Range 4 East of the 6th Principle Meridian, Cowley County, Kansas, being more particularly described as follows: Commencing at the Northwest Corner of the Northwest Quarter of Section 5, Township 35 South, Range 4 East of the 6th Principle Meridian, Cowley County, Kansas; thence South 1 degree, 59 minutes, 45 seconds East along the West Line of said Northwest Quarter a distance of 507.80 feet to a point on the South Arkansas City Levee Right-of-Way; thence South 41 degrees, 22 minutes, 18 seconds East along said South Levee Right of Way a distance of 254.19 feet to a point; thence Southeasterly on a curve to the left along said South Levee Right of Way having a central angle of 17 degrees, 22 minutes, 17 seconds and a radius of 400.00 feet a distance of 121.28 feet to a point; thence South 58 degrees, 44 minutes, 35 seconds East along said South Levee Right of Way a distance of 104.03 feet to the Point of Beginning; thence North 1 degree, 59 minutes, 45 seconds West a distance of 37.63 feet to a point; thence North 89 degrees, 31 minutes, 15 seconds East a distance of 1647.70 feet to a point; thence South 1 degree, 59 minutes, 45 seconds East a distance of 40.00 feet to a point; thence North 89 degrees, 31 minutes, 15 seconds East a distance of 664.43 feet to a point; thence South 1 degree, 51 minutes, 45 seconds East a distance of 127.08 feet to a point on said South Levee Right of Way; thence South 89 degrees, 35 minutes, 26 seconds West along said South Levee Right of Way a distance of 586.43 feet to a point; thence Northwesterly on a curve to the right along said South Levee Right of Way having a central angle of 3 degrees, 11 minutes, 9 seconds and a radius of 1100.00 feet a distance of 61.17 feet to a point; thence North 87 degrees, 13 minutes, 23 seconds West along said South Levee Right of Way a distance of 718.62 feet to a point; thence Southwesterly on a curve to the left along said South Levee Right of Way having a central angle of 17 degrees, 33 minutes, 56 seconds and a radius of 200.00 feet a distance of 61.32 feet to a point; thence South 75 degrees, 12 minutes, 48 seconds West along said South Levee Right of Way a distance of 26.97 feet to a point; thence Southwesterly on a curve to the right along said South Levee Right of Way having a central angle of 12 degrees, 34 minutes, 54 seconds and a radius of 300.00 feet a distance of 65.88 feet to a point; thence South 87 degrees, 47 minutes, 46 seconds West along said South Levee Right of Way a distance of 444.89 feet to a point; thence Northwesterly on a curve to the right along said South Levee Right of Way having a central angle of 33 degrees, 27 minutes, 41 seconds and a radius of 500.00 feet a distance of 292.01 feet to a point; thence North 58 degrees, 44 minutes, 35 seconds West along said South Levee Right of Way a distance of 60.23 feet to the Point of Beginning; containing 7.23 acre(s), more or less.

ALSO INCLUDING A TRACT OF LAND DESCRIBED AS FOLLOWS: A tract of land situated in the Southwest Quarter of section 7, Township 34 South, Range 4 East of the 6th Principal Meridian, Cowley County, Kansas, being more particularly described as follows: Commencing at the Northeast Corner of the Southwest Quarter of Section 7, Township 34 South, Range 4 East of the 6th Principal Meridian, Cowley County, Kansas; thence South along the East line of said Southwest Quarter a distance of 555.40 feet to a point on the South Right-of-Way of U.S. Hwy 77 By-pass, and the Point of Beginning; thence continuing South along the East line of said Southwest Quarter a distance of 1145.23 feet to a point on the East Right-of-Way of the A.T. & S.F. Railroad, thence Northerly along the A.T. & S.F. Railroad Right-of-Way, a distance of 1325.00 feet, more or less, to a point on the South Right-of-Way of the U.S. Hwy 77 By-pass;

thence East along the South Right-of-Way of the U.S. Hwy 77 By-pass a distance of 267.88 feet to the Point of Beginning, containing 4.40 acre(s), more or less.

ALSO INCLUDING A TRACT OF LAND DESCRIBED AS FOLLOWS: A tract of land described as follows: Beginning at a point 989.5 feet South and 1380 feet East of the Northwest corner of the Northeast Quarter of Section 29, Township 34 South, Range 4 East of the 6th P.M.; thence North parallel to the West line of said Quarter Section 150 feet to a point; thence East parallel to the South line of said Quarter Section 350 feet to a point; thence South parallel to the West line of said Quarter Section 150 feet to point; thence West 350 feet to the point of beginning.

ALSO INCLUDING A TRACT OF LAND DESCRIBED AS FOLLOWS: Lot 2 and the Southeast Quarter of the Northwest Quarter of Section 31, Township 33 South, Range 4 East of the 6th P.M., except the West 33 feet thereof; AND All that part of the Southwest Quarter of Section 31, T 33 S, R 4 E of the 6th P.M. lying West of U.S. Highway 77, except the West 33 feet thereof; AND All that part of the Northwest Quarter of Section 6, T 34 S, R 4 E of the 6th P.M. lying West of U.S. Highway 77, North of the South Right-of-Way of 242nd Road, and East of the East Right-of-Way of 61st Road produced.

ALSO INCLUDING A TRACT OF LAND DESCRIBED AS FOLLOWS: 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 630.00feet to a point; thence South 89 deg. 28 min. 59 sec. West, a distance of 569.00feet, 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#1313; 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 557.00 feet, more or less, to the Point of Beginning.

ALL ABOVE WITHIN THE CITY LIMITS OF ARKANSAS CITY, KANSAS; EXCEPT: A tract of land in the Northwest Quarter of Section 36, Township 34 South, Range 3 East, beginning at a point 550 feet West, and 30 feet South of the Northeast corner of the Northwest Quarter of said Section, said point being on the South Right-of-Way line of U.S. Highway 166; thence South, parallel with the East line of said Quarter Section 500 feet; thence East, parallel with the North line of said Quarter Section 100 feet; thence South, parallel with the East line of said Quarter Section 1000 feet; thence West, parallel with the North line of said Quarter Section 1300 feet; thence North, parallel with the East line of said Quarter Section, 1488.98 feet to a point on the South Right-of-Way line of U.S. Highway 166, said point being 41.02 feet South and 1750 feet West of the Northeast corner of the Northwest Quarter of Section 36; thence Easterly, along said Right-of-Way line of U.S. Highway 166, 1200 feet, more or less, to the point of beginning; **ALSO EXCEPT** a tract of land in part of the Northeast quarter of Section 13, Township 34 South, Range 3 East described as follows: Beginning at a point on the southerly right of way line of Skyline Road said point being 666.25 feet more or less West of the Northeast corner of the Northeast Quarter of said Section 13 thence South 1230 feet, more or less, parallel with the East line of said Northeast Quarter of Section 13; thence West, parallel with the South line of said Quarter Section, a distance of 380 feet, more or less; thence South, parallel with the East line of said Section 13, a distance of 390.3 feet; thence West, parallel with the South line of said Quarter Section, a distance of 401.55 feet, more or less, thence North, parallel with the

East line of said Northeast Quarter of Section 13, Township 34 South, Range 3 East, a distance of 340 feet, more or less; thence West, parallel with the South line of said Quarter Section, a distance of 150 feet, more or less, to a point, said point being on the East Right-of-Way line of the Frisco Railroad; thence Southerly along said East Right-of-Way line of the Frisco Railroad, a distance of 80 feet, more or less; thence West, parallel with the South line of said Northeast Quarter of Section 13, a distance of 52.10 feet, more or less, to the centerline of said Frisco Railroad Right-of-Way; thence Northeast, along the centerline of said Frisco Railroad Right-of-Way, a distance of 1332.2 feet, more or less, to the Southerly Right-of-Way line of Skyline Road thence Easterly along said southerly Right-of-Way line to the point of beginning; **ALSO EXCEPT** A tract of land beginning at the intersection of the West Right-of-Way of the Arkansas City Bypass and the North Line of the South Half of the Northeast Quarter of Section 30, Township 34 South, Range 4 East; thence Southerly along said West Right-of-Way to a point on the South Line of said Northeast Quarter; thence West along said South Line to a point being 299.18 feet, more or less, East of the Southwest Corner of said Northeast Quarter; thence Northwesterly 435.15 feet to the beginning of a curve to the right; thence of said curve to the right with a radius of 901.23 feet and a central angle of 13 degrees, 53 minutes, 05 seconds to the West Line of the said Northeast Quarter; thence North along said West Line to a point on the North Line of the South Half of said Northeast Quarter; thence East along said Line to the Point of Beginning. **ALSO EXCEPT** Commencing at the Southwest Corner of the Southwest Quarter of Section 31, Township 33 South, Range 4 East; thence North along the West line of said Southwest Quarter 894 feet; thence East parallel with the South line of said Southwest Quarter 482.35 feet; thence South parallel with the West line of said Southwest Quarter 498 feet; thence West parallel with the South line of said Southwest Quarter 152.35 feet; thence South parallel with the West line of said Southwest Quarter 371 feet to the South line of said Southwest Quarter; thence West 330 feet along the South line of said Southwest Quarter to the point of beginning.

SECTION TWO: The Governing Body of the City of Arkansas City, Kansas, hereby directs the City Clerk is directed to file a certified copy of this Resolution with the Cowley County Clerk, the Cowley County Register of Deeds and the State Transportation Engineer, pursuant to K.S.A. 12-518.

SECTION THREE: 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 FOUR: 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 4th day of February 2025.

(Seal)

Chad D. Beeson, Mayor

ATTEST:

Tiffany Parsons, City Clerk

APPROVED AS TO FORM:

Larry Schwartz, City Attorney

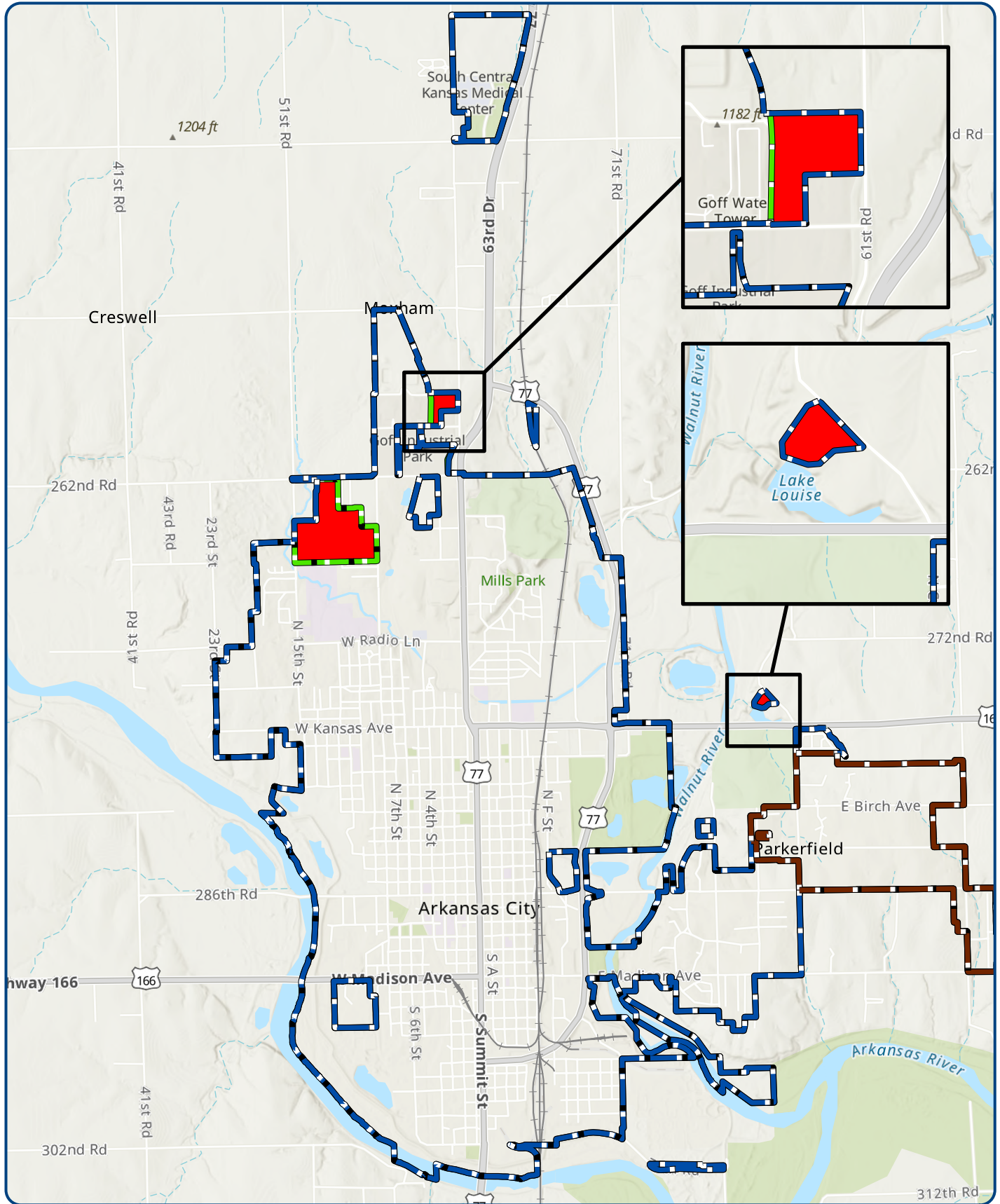
CERTIFICATE

I hereby certify that the above and foregoing is a true and correct copy of Resolution No. 2025-02-_____ of the City of Arkansas City, Kansas, adopted by the Governing Body thereof on February 4, 2025, as the same appears of record in my office.

DATED: _____.

Tiffany Parsons, City Clerk

Legal Boundary



Produced by the City of Arkansas City GIS using the best available data to date. The City makes no warranty or representation, expressed or implied, with respect to the data displayed. January 27, 2025



- Parkerfield Boundary
- Current Boundary
- 2023 & 2024 Annexations
- 2022 City Limits





City Commission Agenda Item

Meeting Date: February 4, 2025
From: Marla McFarland, Human Resources Director
Item: Compensation Study

Motion: A Resolution authorizing the City of Arkansas City to approve a proposal submitted by The Arnold Group (TAG), to provide an Employee Classification Plan, Salary Survey, and Compensation Study with a three-year support package, for a cost of \$37,552.00 to be paid over a three-year period.
(Voice Vote)

Purpose:
Take the necessary and responsible steps to ensure the City’s compensation plan is fair, equitable, and most importantly, promotes retention and is proactively competitive.

Background:
Staff would like to engage in an updated compensation study to ensure competitive and equitable pay structures across all employee categories. The study will encompass a comprehensive analysis of external compensation plans, comparing similar employers’ pay rates and structures.

The goal is to evaluate equity based on key factors such as knowledge, skills, abilities, education, certification, licensing, experience, and responsibly. By conducting both internal and external comparisons the study aims to identify any disparities in compensation and recommend adjustments that align with industry standards, promote fairness, and ensure the recruitment and retention of qualified personnel.

Please see the attached proposal. Preferred option (Option 2) highlighted (yellow).

Commission Options:

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

Fiscal Impact: Amount: **\$37,522.00 paid over a three-year period, per Proposal Option 2**
\$37,552.00 broke down into three years as: 40% due Year 1 is \$15,021.00, 30% due Year 2 is \$11,266.00, and 30% due year 3 is \$11,266.00.

Fund: **01-General** Department: **209-Finance** Expense Code: **6214-Other Professional Services**

Fund: **16-Water** Department: **209-Finance** Expense Code: **6214-Other Professional Services**

Fund: **18-Sewer** Department: **209-Finance** Expense Code: **6214-Other Professional Services**

Fund: **19-Sanitation** Department: **209-Finance** Expense Code: **6214-Other Professional Services**

Included in budget Grant Bonds Other Not Budgeted

Attachments: Employee Classification, Salary Survey and Compensation Study Technical & Cost Proposal.

Approved for Agenda by:

Randy Frazer, City Manager

A RESOLUTION AUTHORIZING THE CITY OF ARKANSAS CITY TO APPROVE A PROPOSAL SUBMITTED THE ARNOLD GROUP (TAG), TO PROVIDE AN EMPLOYEE CLASSIFICATION PLAN, SALARY SURVEY, AND COMPENSATION STUDY WITH A THREE-YEAR SUPPORT PACKAGE, FOR A COST OF \$37,552.00 TO BE PAID OVER A THREE-YEAR PERIOD.

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 to approve a proposal submitted by The Arnold Group (TAG), to provide an Employee Classification Plan, Salary Survey, and Compensation Study with a three-year support package, for a cost of \$37,552.00 to be paid over a three-year period.

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

SECTION FOUR: This Resolution will be in full force and effect from its date of passage by the Governing Body of the City of Arkansas City.

PASSED AND RESOLVED by the Governing Body of the City of Arkansas City, Kansas, on this 4th day of February 2025.

(Seal)

Chad D. Beeson, 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. 2025-02-_____ of the City of Arkansas City, Kansas, adopted by the Governing Body thereof on February 4, 2025, as the same appears of record in my office.

DATED: _____.

Tiffany Parsons, City Clerk

EMPLOYEE CLASSIFICATION, SALARY SURVEY AND COMPENSATION STUDY

Section , Item 1.

TECHNICAL & COST PROPOSAL

Prepared For:

City of Arkansas City

Prepared By:



May 14, 2024

May 14, 2024

City of Arkansas City
 Attn: Marla McFarland
 118 West Central
 Arkansas City, KS 67005

Re: Employee Classification, Salary Survey and Compensation Study

Dear Marla:

Thank you for the RFP regarding your interest in a Compensation Study for the City of Arkansas City (**THE CITY**). It appears the City of Arkansas City is interested in taking the necessary steps to ensure their compensation plan is fair, equitable and most importantly, competitive. As requested, we are providing a technical and cost proposal with recommendations on how The Arnold Group (**TAG**) might assist the City of Arkansas City in meeting its compensation goals and objectives.

Background of The Arnold Group

- Firm Size: 30 regular, full-time internal employees and 3,000+ temporary employees
- Longevity: Incorporated in Wichita, KS in 1979
- Structure: Private business, family and women owned
- Client Industries:
 - Public Sector: Counties, Cities, and Public School Districts
 - Private Sector: Healthcare, Higher Education, Manufacturing, Professional/Business Services, and Transportation & Shipping
 - Not For Profits
- Organizational Memberships: SHRM, Rotary, NFIB, Chamber of Commerce
- Specific Experience:
 - Compensation Studies
 - Private businesses, public entities, and non-profits since the early 2000's
 - Demographic Analysis & Trend Projections
 - The Arnold Group addresses pay equity and trends in all of our compensation studies

We truly enjoyed learning about the City of Arkansas City and we are excited about this opportunity if selected. If beneficial, we would be more than happy to present a demonstration of the various components contained in the proposal as well as answer any specific questions/concerns interested parties might have regarding the technical and cost proposal. Again, thank you for the opportunity and we look forward to working with you.

Respectfully,

Phillip M. Hayes, Vice President
 Heather Poorman, HR Business Partner

The Arnold Group

530 South Topeka
 Wichita, KS 67202
 800-794-6098
 316-214-7784 (direct)
HRC-Tag@the-arnold-group.com

ABOUT THE ARNOLD GROUP

After 15 years of working for large, national staffing corporations, George Arnold decided with his wife, Marion, to break away and strike out on their own. The Arnold Group (TAG) began as an Olsten Staffing Services franchise in 1979 with a single office in Wichita, Kansas, and later expanded to include multiple offices throughout south-central Kansas. The Arnolds gained their independence in 2000 and officially rebranded as The Arnold Group.

George and Marion established TAG with the sole purpose of providing quality recruiting and staffing solutions to the Wichita business community and surrounding areas. They found success using their experience, entrepreneurial spirit, and principal belief of “putting the customers first and developing long-term relationships with them.”

Commitment to that purpose, along with significant investments in people and technology, has made The Arnold Group one of the most successful and respected recruiting firms throughout the Midwest. Unlike large national firms, we are an independent, third-generation, family-owned and operated company who focuses on integrity, quality, overall fit, and building business relationships by always putting the client first.

For over 40 years, we’ve built a solid reputation of superior services, commitment to our clients, and respect for our associates. Both our Mission and Values are dedicated to continuing to honor those very traditions and have taken us from a solitary service to a diverse provider of workforce solutions.

Our Mission

To be the preferred partner in helping organizations achieve their recruiting goals by putting relationships first.

- **Recruiting and Staffing**
Sourcing and evaluating individuals for employment based on skill level, talent, and motivation
- **Executive Search and Talent Acquisition**
Aligning qualified associates with reputable companies
- **Workforce Solutions**
Providing customized, strategic and innovative Human Resources solutions to ensure the challenges of our clients are met

Our Vision

To be the #1 Human Resource solution for clients and associates based on our five core principles.

Our Core Values

- **A**.chievement through teamwork
- **R**.espect
- **N**.ew ideas and continuous improvement
- **O**.pportunity
- **L**.eadership with integrity
- **D**.edication to quality

Our Leadership

With over 100 combined years of experience in the human resource and staffing industry, our leadership team continues to apply George and Marion’s basic principles in guiding The Arnold Group’s current success.

PROPOSED SOLUTIONS

In working with The The City of Arkansas City (**THE CITY**), The Arnold Group will provide you with the highest quality of professional service. We will bring extensive resources, experience, fresh ideas and approaches, responsiveness to your needs and interests and sound judgement. The objective of the study will be to provide THE CITY with a compensation plan that will continue to accurately reflect job roles and responsibilities, establish an organizational structure that is flexible to accommodate The The City of Arkansas City’s growth and is well aligned with its broader goals and strategies. To meet The City of Arkansas City’s needs, TAG offers the following background and technical components for your review and consideration.

WHY THE ARNOLD GROUP?

- We offer a unique benefit to the client
 - The City of Arkansas City is provided more than just a report or recommendations for changes
 - Compensation tools utilized to complete this project will be provided to The City of Arkansas City at no additional cost, giving THE CITY the ability to update and maintain the information with little effort

“After discussing their approach and learning more about their comp philosophy and seeing a demonstration of their Comp Book as a deliverable, going with The Arnold Group wasn’t just the obvious choice for [our city] ... it was the only choice.”
- Jo, Director of HR

- TAG is always a phone call away for immediate assistance
- If the employee data is maintained the necessity to complete a formal and expensive compensation study more frequently is essentially eliminated. When it's time to do another full study with The Arnold Group, the cost is drastically reduced with a maintained TAG designed Compensation Tool
- Our Compensation Tool has a COLA and Merit/Pay for Performance administration feature built-in
 - Evaluations of individual, departmental and/or organizational performance have significant influence on the amount of pay increases given to each employee
 - Increases can be calculated and reflected in the budget process
- We've been in your shoes; we look at the process from a client's viewpoint. We understand the challenges you may be facing
- We understand the reality and balance between budget constraints against employee recruitment, retention and morale
- We are an independent, third-generation, family-owned and operated company who focuses on integrity, quality, overall fit, and building business relationships by always putting the client first
- We place a high emphasis on a balanced approach to external AND internal equity
 - Increases retention of current employees
 - Increases application pool
 - Mitigates risk of discrimination lawsuits

HR PROJECT TEAM

Phillip M Hayes, Project Manager



As a principal owner, Hayes provides company leadership as well as engages with clients to strengthen their HR programs, objectives, and goals by delivering tailored workforce solutions. With an undergrad in HR Management and a Masters in Management Information Systems, coupled with 20+ years of business and HR experience, he's been recognized as the Wichita and the Kansas HR Professional of the Year. Phil remains active in legislative priorities pertaining to state HR policy and specifically in the unemployment arena as he was appointed to serve on the Kansas Employment Security Board of Review; the Kansas Unemployment Compensation Modernization & Improvement Council; and the Kansas Workers Compensation and Unemployment Review Board Nominating Committee.

Heather Poorman, Project Partner



As an HR Business Partner, Heather serves as a collaborative HR advisor offering professional guidance, support and expertise to partner with clients and stakeholders to effectively help manage their workforce challenges while saving them valuable research time, reducing costly external legal fees, ensuring compliance obligations and mitigating risk. With her extensive background in employee benefits and compensation, Heather is committed to helping organizations move their HR strategy forward with the professionalism and service expected from a true HR business partner.

RECENT PROJECT EXPERIENCE

- Bergkamp, Inc. – KS
- Berry Companies – KS
- City of Emporia, KS
- City of St. Mary's, KS
- City of Winfield, KS
- Crawford County, KS
- Dickinson County, KS
- Ellis County, KS
- Finney County Committee on Aging – KS
- Finney County, KS
- Geary County, KS
- GLMV Architecture – KS
- Heartspring – KS
- Kan-Okla Networks – KS & OK
- Lincoln County, KS
- Miami County, KS
- Midwest Public Risk – MO
- Montgomery County, KS
- Ottawa County, KS
- Pottawatomie County, KS
- Reno County, KS
- Riley County Police Department – KS
- Saline County, KS
- Seward County, KS
- South Central Kansas Area Agency on Aging – KS
- USD 443, Dodge City Public School District – KS
- USD 457, Garden City Public School District - KS
- Vermillion, Inc. – KS
- West Texas Rehabilitation Center – TX
- WSU Tech - Wichita State University – KS

Client references available upon request

SCOPE OF WORK / METHODOLOGY

The City of Arkansas City has identified a need to complete a comprehensive pay and classification study resulting in an updated, fair, equitable, and legally defensible strategy and plan, which meets the goals of the organization.

The Arnold Group understands that compensation as a reward system is an important indicator of how effectively a business strategy is implemented. In addition, effective compensation systems work to achieve motivated employees, control compensation costs, ensure internal and external equity and allocate financial resources appropriately.

We focus on the three most important aspects of compensation – employees, organizational capabilities and core competencies. In considering the many sides of what it may take to align all three of the above compensation areas, we break these three areas down further to find a foundation for where TAG starts the compensation consideration process.

Job Descriptions

All employers, regardless of size, should have accurate and well-written job descriptions for each position in the organization. Job descriptions should serve to document the consistent application of job duties across job titles, without regard to gender, race, religion and/or nationality.

There is no law that specifically mandates job descriptions, but they are crucial to complying with various employment laws. For example, the Americans with Disabilities Act (ADA) states a person with a disability is considered a qualified candidate for the job if he or she can perform the essential functions of the job with or without reasonable accommodation. All job descriptions should be written in conformity with the ADA to include the essential functions and the physical work environment details. Essential functions cannot be determined and applied consistently without the development of accurate job descriptions.

Effective job descriptions

- Assist with employment advertisements and job-based selection tests and evaluations
- Aide in analyzing staffing needs and compensation budgets
- Identify essential functions as required by the Americans with Disabilities Act (ADA) and assist in accommodating employees with disabilities
- Determine physical requirements, such as an ability to lift and/or move 25 pounds
- Help protect THE CITY from claims of discrimination in hiring
- Aide in conducting performance evaluations based on job requirements
- Correlate the level of job responsibility with the pay
- Assist in determining exempt/non-exempt status as required by the Fair Labor Standards Act (FLSA)

Project Note

- Job Descriptions provided by The City of Arkansas City will be utilized for this project
- If no job descriptions exist, TAG can create them for you for an additional cost (included in the cost section of this proposal)

Project Approach

The Arnold Group's approach is consultative in nature and is summarized as follows:

Understand the business environment

- This involves a critical evaluation of both the internal and the external business environment, meaning the situational position of your organization within the broader landscape of the business world and in comparison, with your competitors (private and public employers)

Clearly define and understand the need

- Before any business challenge can be fully addressed, it is crucial to understand how the issue is affecting each stakeholder—and how any potential solutions could impact them as well

Provide an objective, 3rd party, partnership perspective

- Define the purpose, know the end goal
- Present and generate ideas
- Involve the customer, ask for feedback and even foster healthy dissent for best outcomes
- Create a plan with specific and measurable action items/milestones

Implement new HR solutions

- Evaluate the organization's readiness for change by
 - Considering the culture of the organization. Is it open and generous? Or greedy
 - Understanding the organization's values and guiding principles. Does the organization value transparency
 - Assessing the style of the leadership team. Are the leaders approachable or do they induce fear among employees

- Evaluating employees' readiness for change. Is this something employees have been anticipating and asking for

Make change sustainable

- The key to making a sustainable change is continued evaluation of how the change is working (or not working)
 - Check in with stakeholders in person to ask what they like about the new program and what recommendations they may have for further improvement
 - Holding a feedback meeting and brainstorming for ways to improve
 - Meeting with senior executives to share the outcomes of the program and gain their input
 - Communication focused on increasing transparency, encouraging involvement, buy-in, and sustainability

Classification, Salary Survey & Compensation Plan

Compensation is a critical piece of overall human resources strategy vital in attracting, retaining, and motivating employees. Because compensation is both visible and important to employees, a compensation program designed to communicate and reward strategic goals increases the probability employees not only understand what those goals are but also achieve them. Because employees also understand compensation dollars are important to the organization, the strategic intent of other human resources efforts, such as performance management, recruiting, career development, and the like, is also clearer if their designs are consistent with the compensation program. In short, realization of compensation strategy requires the money match the message.

Formal pay scales are valuable for a number of reasons including assistance in controlling costs, providing set minimum starting wages for positions, and providing a legal defensible position since organizations with pay scales are less likely to be challenged with pay discrimination complaints.

Based on feedback we have received, The City of Arkansas City's current salary structure is informal through a combination of job evaluation techniques including general market information, wage comparison, and similar positions analysis. Current job descriptions exist for many positions.

The Arnold Group provides customized compensation services for organizations. TAG evaluates the use of market survey data, job documentation materials, and the overall design of the core compensation plan by collecting data, analyzing pay ranges and grade differentials, overtime practices, pay range progressions, and other details of your pay structure.

The Arnold Group recommends the following:

- **Complete a Point Factor Analysis (PFA)** of compensable factors of current job descriptions to objectively determine external and internal wage equity. Compensable factors are characteristics that define and distinguish jobs from one another such as knowledge, supervisory control, guidelines, complexity, scope and effect, personal contacts, purpose of contacts, physical demands, and work environment
 - Internal equity is the value of jobs to each other relative to their value to the organization
 - External equity is best achieved by staying in tune with the job market via wage and salary survey information, and adjusting your salaries and/or ranges where appropriate
- **Establish pay grades and distinguish between non-exempt, exempt and executive pay grades**
 - Commonly applied groups
 - **Grades 10-15** Operations/Industrial/Clerical/Office (non-exempt)
 - **Grades 30-35** Management/Administrative/Professional (exempt)
 - **Grades 40-42** Executive (exempt)
- **Establish benchmark salaries** for the lowest, common paid non-exempt position(s) and the lowest, common paid exempt position(s). Build the pay scale with pay ranges based on the midpoint of the benchmark positions
 - Calculate the pay spread within each pay grade to determine minimums and maximums to allow for an appropriate amount of growth within the pay grades while meeting THE CITY's goals and expectations
 - Identify pay range quartiles and compa-ratio's to be used throughout the employment relationship regarding all THE CITY's employees
 - Ensure the pay range minimums reflect mandated requirements under the Fair Labor Standards Act (FLSA)
 - Traditionally, new hires will start at the minimum pay rate because they have the least experience. Ideally, the wage range minimum should be high enough to attract the most qualified candidates to the position
 - Identify "green-circled" (below pay grade minimum) and "red-circled" (above pay grade maximum) employees to allow THE CITY to plan and take appropriate communication/action
- **Develop and/or revise The City of Arkansas City's written compensation and wage policy** to include promotions, transfers, and definitions for spread, job analysis, job evaluation, job classification, and schedule of wage scale reviews and methods used

WORK SAMPLES

We welcome the opportunity to provide an in-person or online demonstration with the appropriate parties or Steering Committee. Following are a few select screenshots from our Workforce/Compensation Dashboard for your reference.

Organizational & Departmental Summary - Employee Gender			
		Male	Female
12.	ALL EMPLOYEES / ALL DEPARTMENTS	216	51.31%
13.	Administration	1	20.00%
14.	Appraiser	3	21.43%
15.	Aging & Public Transportation	11	42.31%
		205	48.69%
		4	80.00%
		11	78.57%
		15	57.69%

Organizational & Departmental Summary - Employee Tenure (Excludes Commissioners)							
		<1 yr	1-4 yrs	5-9 yrs	10-14 yrs	15-19 yrs	20-24 yrs
		206	48.93%				
			304	72.21%			
			353		83.85%		
				379		90.02%	
					399		94.7%
32.	ALL EMPLOYEES / ALL DEPARTMENTS	69	16.39%	137	32.54%	98	23.28%
33.	Administration	1	20.00%	2	40.00%	1	20.00%
34.	Appraiser	2	14.29%	3	21.43%	3	21.43%
35.	Aging & Public Transportation	4	15.38%	9	34.62%	7	26.92%
						49	11.64%
						26	6.18%
						1	2.00%
						3	21.43%



Point Factor Analysis

Job Number	Common Name	Factor 1 - Knowledge Required	Factor 2 - Supervisory Control	Factor 3 - Guidelines	Factor 4 - Complexity	Factor 5 - Scope and Effect	Factor 6 - Personal Contact	Factor 7 - Purpose of Contact	Factor 8 - Physical Demands	Factor 9 - Work Environment	Point Factor Total	Job Grade
YS-0004.00	Cook	200	25	25	75	75	10	20	20	20	470	11
MP-0003.00	Custodial Technician FT	200	25	25	75	75	10	20	20	20	470	11
MP-0004.00	Custodial Technician PT	200	25	25	75	75	10	20	20	20	470	11
YS-0005.00	Custodial Technician PT	200	25	25	75	75	10	20	20	20	470	11
PW-0044.00	General Laborer	200	25	25	25	25	10	20	50	50	430	11
SW-0006.00	General Laborer	200	25	25	25	25	10	20	50	50	430	11
DA-0001.00	Administrative Associate I	350	25	25	75	75	10	20	5	5	590	12
EM-0003.00	Administrative Associate I	350	25	25	75	75	10	20	5	5	590	12
HD-0001.00	Administrative Associate I - Health Dept.	350	25	25	75	75	10	20	5	5	590	12
HD-0002.00	Administrative Associate I - WIC Clerk	350	25	25	75	75	10	20	5	5	590	12
HD-0012.00	Breastfeeding Peer Counselor	200	125	125	75	75	10	20	5	5	640	12
AGT-0003.00	Bus Driver	350	25	25	75	75	60	20	5	20	655	12
MP-0001.00	Crew Leader - Custodial	350	25	25	75	75	10	20	20	20	620	12
HD-0021.00	HHA-CNA	350	25	25	25	75	25	20	20	20	585	12
DA-0004.00	Administrative Associate II	350	125	125	75	150	10	20	5	5	865	13
PW-0001.00	Administrative Associate II - AP/AR/Utility Billing	350	125	125	75	150	10	20	5	5	865	13
CLK-0002.00	Administrative Associate II - Clerk	350	125	125	75	150	10	20	5	5	865	13
HD-0003.00	Administrative Associate II - Environmental Health	350	125	125	75	150	10	20	5	5	865	13
HD-0004.00	Administrative Associate II - Interpreter Grant Funded	350	125	125	75	150	10	20	5	5	865	13
PW-0002.00	Administrative Associate II - Permits/Time Keeping	350	125	125	75	150	10	20	5	5	865	13
HL-0005.00	Administrative Associate II - WIC Clerk	350	125	125	75	150	10	20	5	5	865	13



COLA Date: 01/01/23

Departmental Employee Summary

Pay Compression Analysis - Total Positional Tenure - Target Pay w/ Inflation																
EE Count	0.3th Percentile In Grade	0.3th Percentile or Target Pay w/ Inflation	DIFF	Current/Recommended ADJ. Annual Pay w/ Inflation	Annual Impact	Adjusted Range Penetration (on % in)	Est. Total Current Dept. Base Pay Only	Est. Total Current Dept. Differential Pay Only	Est. Total Current Dept. Total Pay	c. Non-Elected/Contracted EEs Projected COLA	Total Dept. Proj. COLA Increase \$	e. Non-Elected/Contracted EEs Projected	Total Dept. Proj. PMP Increase \$	Total Dept. Proj. Increase \$	Total Red Circled (Over Max)	Total Green Circled (Under Min)
14	\$22,777	\$26,011	\$3,234	\$699,258.93	\$53,959.73		\$645,299.20	\$9,424.00	\$653,723.20	1.000%	6,452.39	2.000%	\$13,036.04	\$19,488.04	\$6,356.40	\$29,107.80

Sheet for total EE analysis. You can sort by any heading once you unprotect the worksheet. Protect the worksheet once you are done editing/sorting.

Information Based from Today: 12/08/22

EE	EE Last	MI	0.3th Percentile In Grade	0.3th Percentile or Target	DIFF	Current/Recommended ADJ. Annual	Annual Impact	Adjusted Range Penetration	Hrly Base Rate	Wkly Reg. Hrs	Hrly Differential 1	Hrly Differential 2	Hrly Differential 3	Total Hrly Base Rate	Annual Wages (Base Only)	Annual Differential Wages	\$\$ Range In Grade	Compa-Ratio	Range Penetration (% in Grade)	Red Circled (Over Max)	Green Circled (Under Min)
1		2022	\$23.21	\$26.36	\$3.15	\$47,278.40	\$0.00	25.82%	\$22.73	40.00				\$22.73	\$47,278.40	\$0.00	\$23.875	89.12%	26.82%	\$0.00	\$0.00
2	Smith		\$23.21	\$26.07	\$2.86	\$43,618.00	\$8,903.70	10.49%	\$16.69	40.00				\$16.69	\$34,715.20	\$0.00	\$23.875	66.44%	26.82%	\$0.00	\$6,399.80
3	Anderson		\$28.79	\$28.79	\$0.00	\$55,723.20	\$0.00	61.19%	\$28.79	40.00				\$28.79	\$55,723.20	\$0.00	\$23.875	106.03%	61.19%	\$0.00	\$0.00
4	Bel		\$23.21	\$24.98	\$1.77	\$44,927.47	\$9,172.27	16.97%	\$17.19	40.00				\$17.19	\$35,755.20	\$0.00	\$23.875	67.40%	26.82%	\$0.00	\$5,359.80
5	Hogers		\$23.21	\$23.21	\$0.00	\$48,277.50	\$903.90	30.00%	\$22.92	40.00				\$22.92	\$47,673.60	\$0.00	\$23.875	89.80%	27.47%	\$0.00	\$0.00
6	Thomas		\$23.21	\$23.21	\$0.00	\$48,277.50	\$9,194.30	30.00%	\$18.79	40.00				\$18.79	\$39,083.20	\$0.00	\$23.875	73.67%	25.81%	\$0.00	\$2,033.80
7	Davis		\$28.01	\$28.01	\$0.00	\$54,100.00	\$0.00	54.39%	\$28.01	40.00				\$28.01	\$54,100.00	\$0.00	\$23.875	101.96%	54.39%	\$0.00	\$0.00
8	Black		\$23.21	\$19.77	-\$3.44	\$42,702.40	\$0.00	6.85%	\$20.53	40.00				\$20.53	\$42,702.40	\$0.00	\$23.875	80.49%	6.85%	\$0.00	\$0.00
9	Roberts		\$23.21	\$23.21	\$0.00	\$48,277.50	\$6,823.10	30.00%	\$19.93	40.00				\$19.93	\$41,454.40	\$0.00	\$23.875	78.14%	1.42%	\$0.00	\$0.00
10	Hanson		\$23.21	\$28.97	\$5.76	\$43,618.00	\$16,491.30	10.49%	\$16.97	40.00				\$16.97	\$33,217.60	\$0.00	\$23.875	62.61%	23.33%	\$0.00	\$7,697.40
11	Peterson		\$23.21	\$26.36	\$3.15	\$42,348.45	\$8,652.45	5.17%	\$16.20	40.00				\$16.20	\$33,696.00	\$0.00	\$23.875	63.51%	-11.07%	\$0.00	\$7,419.00
12	Hayes	J	\$34.58	\$26.36	-\$8.22	\$71,926.40	\$0.00	-5.96%	\$34.58	40.00	\$0.00	\$0.00	\$0.00	\$34.58	\$71,926.40	\$0.00	\$23.875	136.58%	29.65%	\$6,936.40	\$0.00
13	Jones		\$28.00	\$28.00	\$0.00	\$59,904.00	\$0.00	-5.96%	\$28.00	40.00	\$3.76	\$0.30		\$32.85	\$59,904.00	\$3,424.00	\$27,455	98.16%	45.96%	\$0.00	\$0.00
14	Cass		\$23.21	\$23.21	\$0.00	\$48,277.50	\$908.70	30.00%	\$23.11	40.00				\$23.11	\$48,088.80	\$0.00	\$23.875	90.64%	29.13%	\$0.00	\$0.00

PROJECT SCHEDULE

Here at The Arnold Group, we pride ourselves on our excellent ability to meet multiple time commitments while maintaining excellent customer service. The Arnold Group's size provides us with dedicated staff to your project and allows us to make your Organization's needs our top priority. For your Organization's project, we will put together a projected project timeline that meets your priorities.

The Arnold Group estimates project completion within 8-12 weeks and assumes the timely receipt of information/documents from The City of Arkansas City. Provided we receive all the required information within a timely manner, we are confident this project will completed on time and on budget.

LEGAL

The Arnold Group is not aware of any current, pending or potential disciplinary action or complaint(s) or other like proceedings, including any claims in arbitration, mediation, or litigation, against the firm or against any partner or associate of the firm or team.

The Arnold Group is not aware of any actual or potential conflicts of interest with The City of Arkansas City.

The Arnold Group will conform to the requirement to maintain strict confidentiality about all matters of this project.

The Arnold Group will not engage in any partnerships regarding this project.

CERTIFICATE OF INSURANCE

The Arnold Group's Certificate of Insurance is included in our submission as a separate attachment.

THANK YOU

The Arnold Group would be honored to work with The City of Arkansas City and earn your trust and business because of this RFP submission. With more than 100 years of combined HR experience, our team and our services align with The City of Arkansas City's goals and objectives as outlined in the RFP/RFQ.

We look forward to the next steps in continuing this journey with The City of Arkansas City. If you have any follow up questions, please feel free to contact us.

COST SUMMARY

The Arnold Group's rate structure for The City of Arkansas City's project is based on estimated project time and level of expertise required to complete each service.

Employee Classification, Salary Survey, and Compensation Study

Cost Option 1: \$29,572

Cost Option 2: \$37,552

- Review/engage with The City of Arkansas City documents
 - Background information
 - Organization charts, personnel policies/rules review
 - Position descriptions – review, clarification, interviews, updates
 - **135 Employees | Up to 5 Depts. | 79+ Unique Positions**
- Review/create recommended classification structure for all The City of Arkansas City positions
 - Consistent, consolidated structure
 - Allows for department/division analysis as well as organizational wide
- Review/complete a Point Factor Analysis (PFA) of compensable factors of current job descriptions
 - Knowledge, guidelines and complexity
 - Supervisory control, job scope and effect
 - Personal contacts and purpose of contacts
 - Physical demands and work environment
- Establish pay grades and distinguish between non-exempt, exempt, and executive pay grades
- Establish benchmark salaries for job grades
- Recommend grade progression and pay spreads for each pay grade
- Establish pay scale summaries and guidelines to assist HR with new hire starting pay/criteria
- Ensure the pay range minimums reflect mandated requirements under the FLSA
- Revise/develop written compensation and wage policy
- Conduct and present employee compensation analysis with recommendations
- Deliverables (digital/electronic copies)
 - Final written report and presentation of the plan to appropriate parties
 - Methodologies, findings, conclusions and recommendations
 - Finalized Compensation Administration Workbook (CompBook) with training
 - Workforce Planning Dashboard
 - Workforce Summaries (gender, tenure, age, race/ethnicity)
 - Organizational/departmental financial summaries
 - Compensable Factors, Point Factor Analysis (PFA) Summary and Job Grade Conversion Table
 - Formal Pay Scales
 - Employee Pay/Wage Analysis
 - Employee Compa-Ratio and Wage Penetration Impact
 - Current Pay Alignment
 - Green/red circled employee analysis
 - Pay equity and employee pay compression analysis
 - Labor cost/budget analysis and projections impact
 - Written Wage and Salary Administration Policy and Related Forms
 - Compensation Policy and Objectives
 - Methodology and Procedures
 - Performance Evaluations / Pay Increases
 - Cost of Living Adjustment (COLA)
 - Grade & Step, Merit, or Pay for Performance
 - COLA Adjustments and Pay Scale Maintenance
 - Market Adjustments, Promotions, and Reclassifications (Demotions, Transfers)
 - Payroll Change and Salary Adjustment Forms

Option 1:	\$29,572
Payment Terms: All Payments Due within 1 Year	
• Project kickoff: 25% due	\$7,393
• Project mid-point: 25% due	\$7,393
• Project completion: 50% due	\$14,786
<u>One-Year Annual Support Included</u>	\$0
• TAG offers follow up, maintenance, support and analysis for one (1) year following the CompBook delivery date	
○ Point Factor Analysis (PFA) review/calculation for new and/or updated position descriptions	
○ Update salary survey data points	
• <i>Subsequent annual support:</i>	<i>\$3,286/per year</i>

Option 2:	\$37,552
Payment Terms: All Payments Due within 3+ Years	
• Project kickoff: 40% due	\$15,021
• Year 2: 30% due	\$11,266
• Year 3: 30% due	\$11,266
<u>Three Years Annual Support Included</u>	\$0
• TAG offers follow up, maintenance, support and analysis for three (3) years following the CompBook delivery date	
○ Point Factor Analysis (PFA) for new and/or updated position descriptions	
○ Update salary survey data points	

Optional Service: Job Description Review and Update **\$5,140**

- Review, assess and update existing job descriptions
 - Job Purpose and Objectives
 - Supervisory / Management Competencies
 - Job Competencies / Essential Functions
 - Position Requirements and Qualifications
 - Required / preferred qualifications, certifications, licenses
 - Knowledge / Skills / Abilities
 - Work Environment and physical demands
 - Personal contacts and confidential / sensitive information
 - Convert all job descriptions to a recommended, updated, and consistent format with your input
- Create new job descriptions
 - For any positions added during the compensation project
 - For any active position that currently does not have a written/updated job description

Employee Performance Management Integration

Generally, any existing or new performance management solutions can easily dovetail into our core compensation workbook

Optional, Cloud-Based, Employee Performance Management Solution

A demonstration available upon request, can be selected separately at a later date

Performance management that is easy for everyone

- For annual reviews, quarterly goals, continuous feedback and everything in between, our recommended software partner offers flexible features for HR and creates a simple employee experience

Flexible and automated

- Your organization is unique, and your performance management strategy should be too. We embrace your requirements, so you can manage your entire vision from one place; reviews, goals & feedback

Streamlined for employees

- Employees should focus on feedback and performance, not administering performance management. We make it easy for employees to participate in your process

- **Setup Fee & Supervisory Training Session(s)** **\$500**
 - Includes creation of a customized supervisory and non-supervisory evaluation templates
 - Unique performance evaluations based on job descriptions available at an additional cost
- **Annual License Fee per employee** **\$25**

ADDITIONAL HR SERVICES

In any successful organization, the heart and soul of the company lies with the people. To be a profitable, productive, growing organization and have satisfied employees, an effective human resource function must be a foundational element for every organization. Providing effective human resource solutions, therefore, is a critical function of any successful business. There are a significant number of capabilities involved in human resource management to include the following:

- Compensation Analysis/Strategy
- Disciplinary Actions
- Employee Benefits
- Employee Handbooks/Policies
- Employee Investigations
- Employee Motivation/Recognition
- Employee Orientation/On-Boarding
- Employee Relations
- Employee Surveys
- Employee Training
- Exit Interview Programs
- FLSA Exempt/Non-Exempt Status Surveys
- Form I-9 Audits
- HR Audit/Compliance Assessment
- HR Coaching
- HR Department Set-Up/Operations
- HR Hotline/HR Hotline *PLUS*
- HR Policy/Procedure Review
- Job Analysis/Job Descriptions
- Organizational Development
- Performance Management
- Pre-Employment Screening
- Records Retention Programs
- Recruiting & Retention Strategies
- Safety Programs & Consulting
- Staffing & Placement Services
- Supervisory Training
- Testing & Evaluations
- Time & Attendance Solutions
- Training & Development
- Unemployment Cost Control
- Wage & Salary Survey



City Commission Agenda Item

Meeting Date: February 4, 2025
From: Josh White, Principal Planner
Item: 311 Highland Drive Conditional Use Permit

Motion: An Ordinance granting a Conditional Use Permit to allow a short term-rental in an R-2, Medium Density Residential District, located at 311 Highland Drive requested by Budija Enterprises, LLC in the City of Arkansas City, Kansas. **(Roll Call Vote)**

Background: Budija Enterprises LLC has submitted a request for a conditional use permit for a short-term rental located at 311 Highland Drive. The subject property is located at 311 Highland Drive. The surrounding area is comprised of residential uses. The property consists of approximately 0.28 acres. The applicant has submitted a request for a conditional use permit for a short-term rental. In the R-2 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 14, 2025 and voted to recommend to the City Commission to approve the request with the following conditions: 1) Maximum of 5 guests per night; 2) No pets allowed; and 3) All parking should be off street when feasible; and 4) The facility must meet all appropriate ADA & fire safety standards as determined by the Building Official.

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: Amount: **Cost of Publication**

Fund: Department: Expense Code:

Included in budget Grant Bonds Other Not Budgeted

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-2024-026

APPLICANT/PROPERTY OWNER
 Budija Enterprises LLC

PUBLIC HEARING DATE
 January 14, 2025

PROPERTY ADDRESS/LOCATION
 311 Highland Drive

BRIEF SUMMARY OF REQUEST

The subject property is located at 311 Highland Drive. The surrounding area is comprised of residential uses. The property consists of approximately 0.28 acres. The applicant has submitted a request for a conditional use permit for a short-term rental. In the R-2 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 ©2024 Esri World Topographic map

EXISTING ZONING R-2 Medium Density Residential District	EXISTING LAND USE Residential	SURROUNDING ZONING & LAND USE Surrounded by R-2 and Residential Land Use	SITE IMPROVEMENTS Home and outbuildings	SIZE OF PROPERTY 0.28 acres
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STAFF RECOMMENDATION

APPROVE

APPROVE WITH CONDITIONS

DENY

COMPATIBILITY with the COMPREHENSIVE PLAN

The Future Land Use portion of the Comprehensive Plan designates this area as residential. There is not a goal associated with the proposed use in the Comprehensive Plan. The main reason for requiring a conditional use permit for short-term rentals is to ensure that they do not negatively impact the surrounding neighborhood or further reduce the amount of available housing. By requiring such a conditional use permit, the city can control how many short-term rentals are in a specific neighborhood.

PROPERTY HISTORY

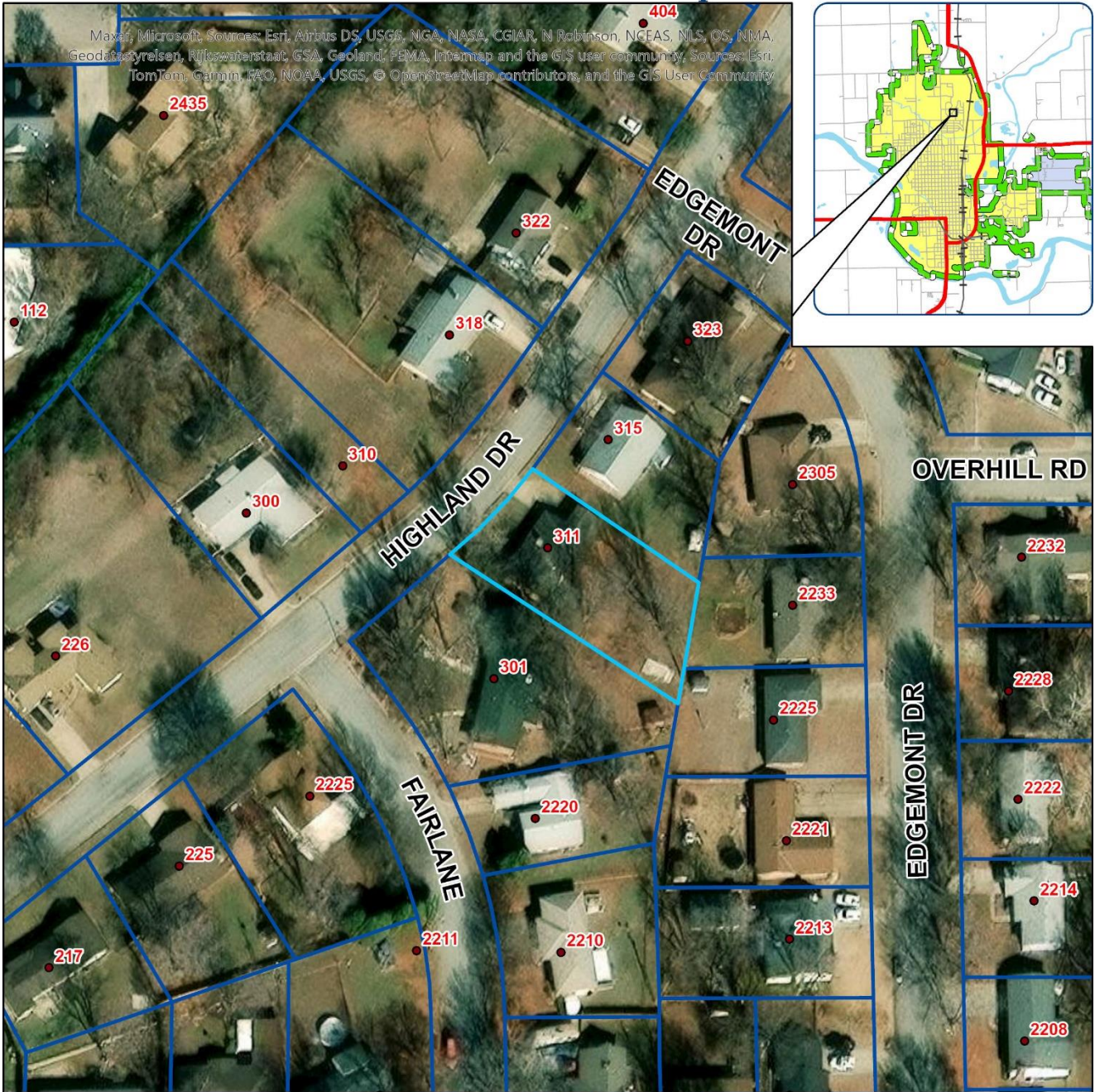
According to County Records the house was built in 1959. In 1979 the carport on the north side of the house was converted into a garage. All other permits were minor. No other land use cases were found for the property.

COMPATIBILITY with the ZONING ORDINANCE

The surrounding area is comprised of residential 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 requested conditional use would be consistent with the intent and purpose of these regulations.

Conditional Use Permit Request

Maxar, Microsoft, Sources: Esri, Airbus DS, USGS, NGA, NASA, CGIAR, N Robinson, NCEAS, NLS, OS, NMA, Geodatastyrelsen, Rijkswaterstaat, GSA, Geoland, FEMA, Intermap and the GIS user community, Sources: Esri, TomTom, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community



A request for a conditional use permit to operate a short-term rental at 311 Highland Drive

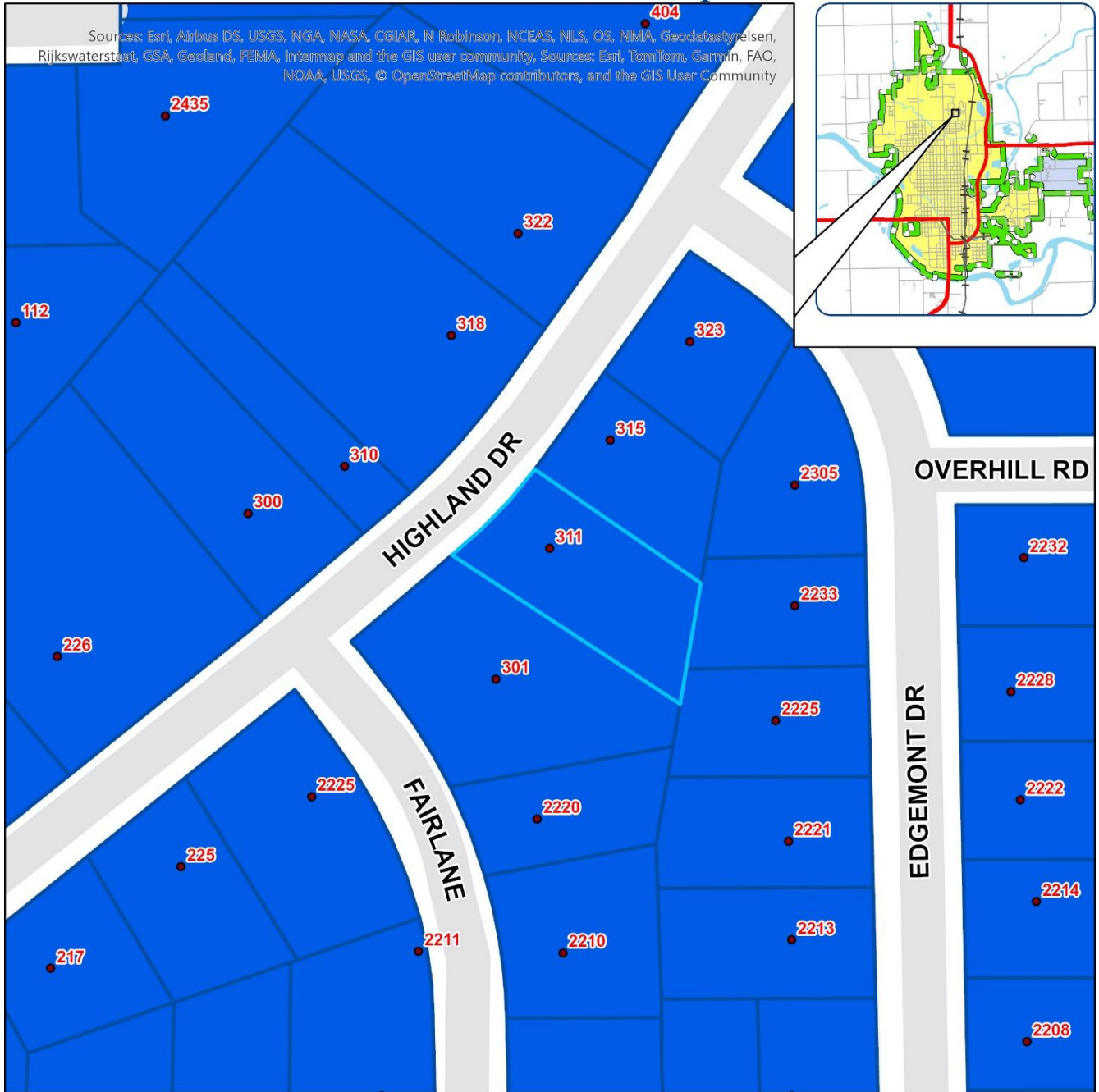
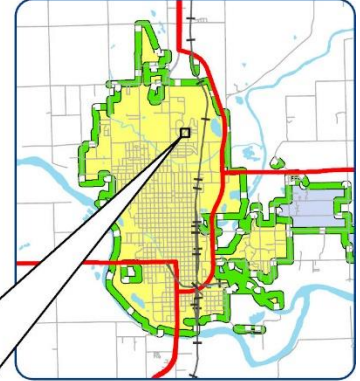
- Conditional Use
- Property Lines

Produced by the City of Arkansas City GIS using the best available data to date. Created: December 03, 2024



Conditional Use Permit Request

Sources: Esri, Airbus DS, USGS, NGA, NASA, CGIAR, N Robinson, NCEAS, NLS, OS, NMA, Geodatasystemen, Rijkswaterstaat, GSA, Geoland, FEMA, Intermap and the GIS user community, Sources: Esri, TomTom, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community



A request for a conditional use permit to operate a short-term rental at 311 Highland Drive

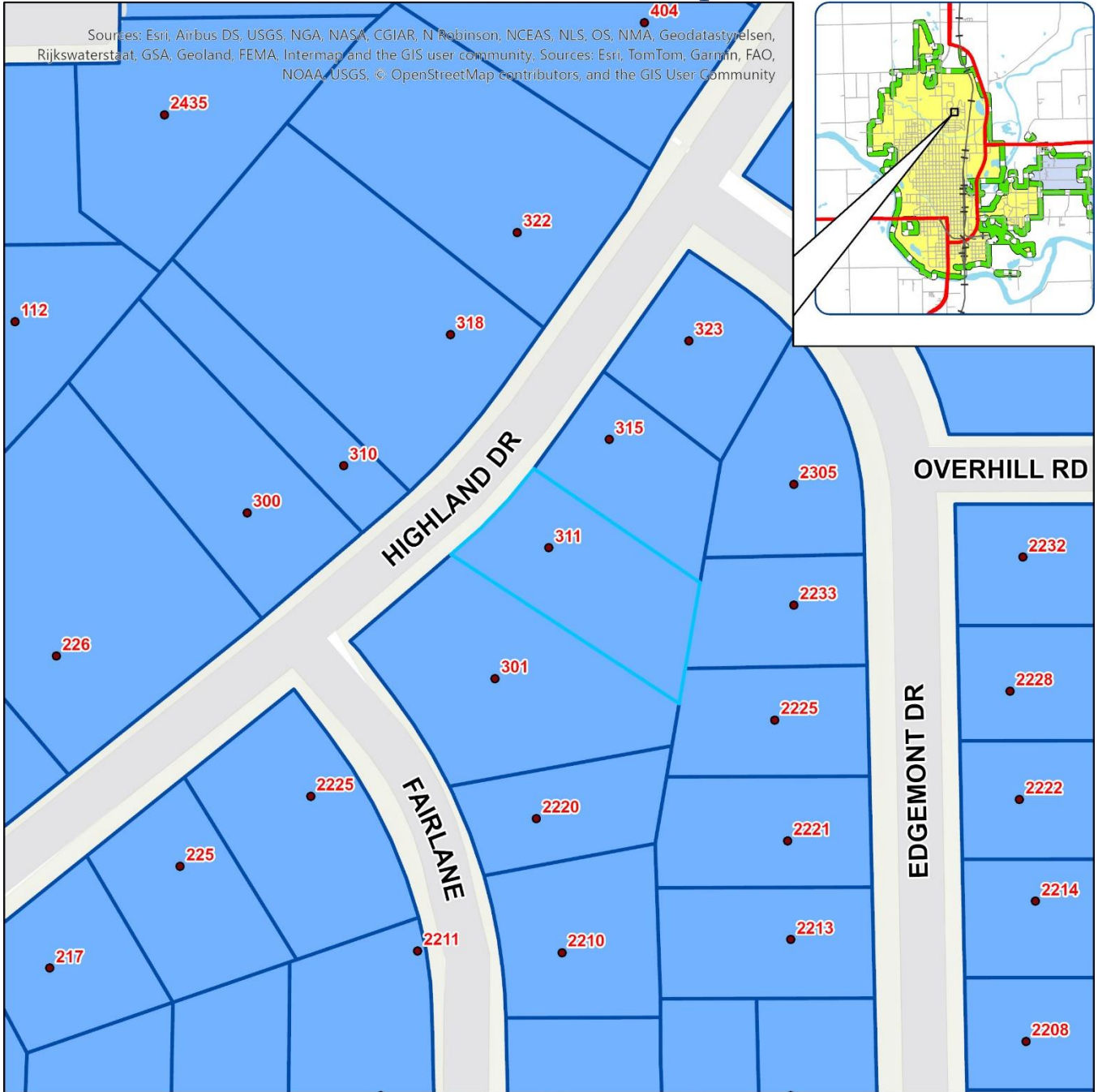
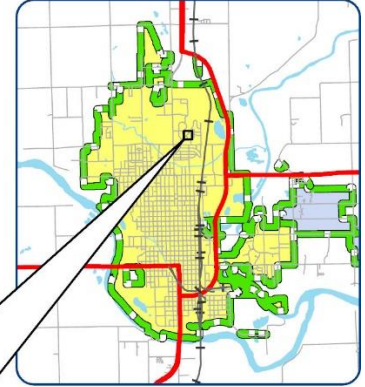
- Conditional Use
- Property Lines
- Future Land Use
- Residential

Produced by the City of Arkansas City GIS using the best available data to date. Created: December 03, 2024



Conditional Use Permit Request

Sources: Esri, Airbus DS, USGS, NGA, NASA, CGIAR, N Robinson, NCEAS, NLS, OS, NMA, Geodatastyrelsen, Rijkswaterstaat, GSA, Geoland, FEMA, Intermap and the GIS user community. Sources: Esri, TomTom, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community



A request for a conditional use permit to operate a short-term rental at 311 Highland Drive

-  Conditional Use
-  Property Lines
- Zoning Districts**
-  R-2, Medium Density Residential District

Produced by the City of Arkansas City GIS using the best available data to date. Created: December 03, 2024



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 residential 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 requested conditional use would be consistent with the intent and purpose of these regulations.

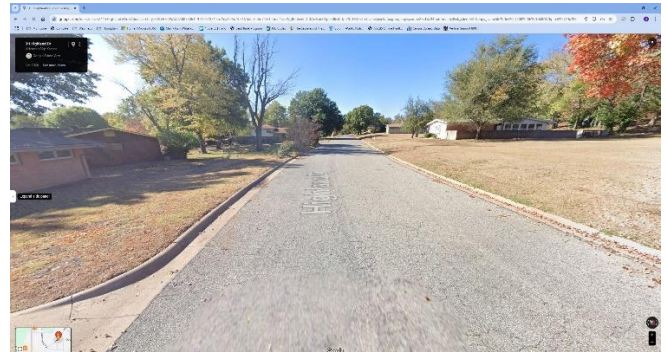
2. Whether the location of the proposed use is compatible with other land uses in the surrounding neighborhood;

The proposed use of a short-term rental would be permitted under the R-2, Medium Density Residential District with this conditional use permit. This area surrounding the property is residential.

Neighborhood Photos



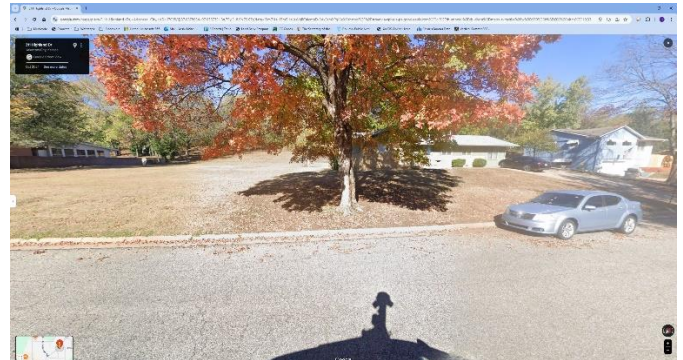
Subject Property. Google Street View from October 2024.



Neighborhood looking SW along Highland Drive. Google Street View from October 2024



Neighborhood looking NE along Highland Drive. Google Street View from October 2024



Across the street from the subject property. Google Street View from October 2024.

Site Plan

A site plan was not provided with this request and is not required for approval as no new construction is proposed.

- 3. **Whether the proposed use places an undue burden on the existing public infrastructure area affected and, if so, whether additional infrastructure can be provided;**
No additional infrastructure would be required for the proposed use.
- 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. This property is within a residential area that is stable.
- 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;**
The property is a suitable location for the proposed conditional use if the conditions for the proposed use are met.
- 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 designates this area as residential. There is not a goal associated with the proposed use in the Comprehensive Plan. The main reason for requiring a conditional use permit for short-term rentals is to ensure that they do not negatively impact the surrounding neighborhood or further reduce the amount of available housing. By requiring such a conditional use permit, the city can control how many short-term rentals are in a specific neighborhood.
- 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 potential issue would be the number of overnight guests, and the issues excessive numbers of guests can cause which can be mitigated by 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 thereto;**
The proposed project does not require special disposal of solid waste and is not such a facility.
- 10. **The recommendations of professional staff and advisors**
Staff do 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 short-term rental be approved based on the following conclusions:
 - The proposed use is still residential in character.
 - There is adequate parking available.
 - The proposed use should not negatively impact the neighborhood.

Conditions:

 - Maximum of 5 guests per night
 - No pets allowed
 - All parking should be off street when feasible.
- 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. 2025-02-_____

AN ORDINANCE GRANTING A CONDITIONAL USE PERMIT TO ALLOW A SHORT-TERM RENTAL IN AN R-2, MEDIUM DENSITY RESIDENTIAL DISTRICT, LOCATED AT 311 HIGHLAND DRIVE REQUESTED BY BUDIJA ENTERPRISES, LLC, 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 BUDIJA ENTERPRISES LLC dated December 2, 2024, 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 short-term rental in an R-2, Medium Density Residential District, at 311 Highland Drive, Arkansas City, Kansas with the following conditions: 1) Maximum of 5 guests per night; 2) No pets allowed; 3) All parking should be off-street when feasible; and 4) The facility must meet all appropriate ADA & fire safety standards as determined by the Building Official.

The property is legally described as follows:

Lot 10, Block 3, Hillside 1st Addition to Arkansas City, Kansas, more commonly known as 311 Highland Drive.

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 conditional use permit shall expire on the date title to the property is transferred from Budija Enterprises, LLC (Steve S. Budija or Rojean Budija) to any third party. 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 4th day of February 2025.

(Seal)

Chad D. Beeson, Mayor

ATTEST:

Tiffany Parsons, City 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. 2025-02-_____ of the City of Arkansas City, Kansas adopted by the governing body on February 4, 2025 as the same appears of record in my office.

DATED: _____.

Tiffany Parsons, City Clerk