



City Commission Meeting

December 05, 2023 at 5:30 PM

118 W Central Ave, Arkansas City, KS

Please join our meeting <https://global.gotomeeting.com/join/179598437>
Or dial in using your phone: United States: +1 (646) 749-3122 Access Code: 179-598-437

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. Recognition of Visitors/Staff

1. Recognize Municipal Project Manager Nick Rizzio for becoming a Heartland Certified Public Manager (CPM).

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 the November 21, 2023, regular meeting minutes as written.
2. A Resolution authorizing the City to execute a GAAP waiver for the 2024 fiscal year.
3. Approve the Cereal Malt Beverage (CMB) License renewals for 2024.

IV. Items for Discussion by City Commissioners

V. Comments from the Audience for Items not on the Agenda

The public will be allowed to speak on issues or items that are not scheduled for discussion on the agenda. Individuals should address all comments and questions to the Commission. Comments should be limited to issues and items relevant to the business of the Governing Body. The Commission will not discuss or debate these items, nor will the Commission make decisions on items presented during this time. Each person will be limited to three (3) minutes.

VI. City Manager Reminders & Updates

VII. Adjournment



City Commission Agenda Item

Meeting Date: December 5, 2023

From: Randy Frazer, City Manager

Item: Recognize CPM Graduate Municipal Project Manager Nick Rizzio

Purpose: Recognize Municipal Project Manager Nick Rizzio for becoming a Heartland Certified Public Manager (CPM).

Background:

The Certified Public Manager Program is a nationally accredited management and certification program committed to developing exceptional public managers. The Heartland Certified Public Manager® (CPM) program is the flagship program at the KU Public Management Center that provides professional development for public service professionals in Kansas and Missouri. This 300-hour course is the only credentialing program for professionals in federal, state, or local government, nonprofits, and organizations that contract to provide public services and meet community needs. The course culminates with participants completing a capstone project that delivers an innovative solution to an issue they've identified within their organization.

We would like to congratulate Nick who recently graduated from the CPM Program on December 1, 2023, in Lawrence, Kansas.

Approved for Agenda by:

Randy Frazer, City Manager



City Commission Agenda Item

Meeting Date: December 5, 2023
From: Tiffany Parsons, City Clerk
Item: Approve the November 21, 2023, Regular Meeting Minutes

Purpose: Approve the November 21, 2023, regular meeting minutes as written.

Background:

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

Commission Options:

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

Approved for Agenda by:

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

Randy Frazer, City Manager



Tuesday, November 21, 2023
Regular Meeting Minutes
118 W Central Ave, Arkansas City, KS

Routine Business

- 1. Roll Call

PRESENT

Commissioner Kanyon Gingher
Commissioner Charles Jennings
Commissioner Scott Rogers
Commissioner Jay Warren
Mayor Diana Spielman

ABSENT

None

Also present from staff: Building Official Mike Bellis, City Attorney Larry Schwartz, City Manager Randy Frazer, City Clerk Tiffany Parsons, Communications Director Shana Adkisson, Finance Director/Treasurer Jennifer Waggoner, Police Captain Jim Halloway, and Public Services Superintendent Tony Tapia.

- 2. Opening Prayer and Pledge of Allegiance led by Mayor Spielman.
- 3. There were no additions or deletions to the agenda.
- 4. Approval of the Agenda

Motion made by Commissioner Rogers, Seconded by Commissioner Gingher to approve the agenda as written.

Voting Yea: Commissioner Gingher, Commissioner Rogers, Commissioner Warren, Mayor Spielman. Mayor Spielman declared the motion approved.

Consent Agenda

Note: All matters listed below on the Consent Agenda are considered under one motion and enacted by one motion. There should be no separate discussion. If such discussion is desired, any item may be removed from the Consent Agenda and then considered separately under Section VI: New Business.

- 1. Approve the November 7, 2023, regular meeting minutes as written.
- 2. Ratify Mayor Diana Spielman’s appointment of Joyce Jordan to the Joint City-Cowley County Board of Health
- 3. Approve Statutory Quit Claim Deed to execute transfer of property located at 609 S. 5th Street owned by the Arkansas City to reflect correct ownership to the Arkansas City Land Bank.

Motion made by Commissioner Gingher, Seconded by Commissioner Warren to approve the consent agenda as written.

*Voting Yea: Commissioner Gingher, Commissioner Jennings, Commissioner Rogers, Commissioner Warren.
Abstained: Mayor Spielman. Mayor Spielman declared the motion approved.*

New Business

City Manager Department

- 1. City Clerk Parsons proposed to hold a public hearing regarding the proposed 2023 amended budget.

Finance Director/Treasurer Waggoner gave insight on the reasoning for the public hearing and details of the seven funds being amended.

Motion made by Commissioner Gingher, Seconded by Commissioner Rogers to open the Public Hearing for the proposed 2023 amended budget.

Voting Yea: Commissioner Gingher, Commissioner Jennings, Commissioner Rogers, and Commissioner Warren. Abstained: Mayor Spielman. Mayor Spielman declared the motion approved.

No one present came forward to speak.

Motion made by Commissioner Rogers, Seconded by Commissioner Jennings to close the Public Hearing.

Voting Yea: Commissioner Gingher, Commissioner Jennings, Commissioner Rogers, and Commissioner Warren. Abstained: Mayor Spielman. Mayor Spielman declared the motion approved.

- a. City Clerk Parsons offered to consider first reading of an Ordinance amending specified funds in the budget for the City of Arkansas City for the year beginning January 1, 2023.

Motion made by Commissioner Rogers, Seconded by Commissioner Gingher to approve the item as written.

*Roll Call Voting Yea: Commissioner Gingher, Commissioner Jennings, Commissioner Rogers, Commissioner Warren, and Mayor Spielman. Mayor Spielman declared the motion approved; given **Ordinance No. 2023-11-4600.***

Public Services Department

- 1. City Clerk Parsons presented a Resolution authorizing the City of Arkansas City to accept a bid submitted by John’s Heating & Air Conditioning, of Arkansas City, KS, to purchase a new Trane 7.5-ton unit for the Northwest Community Center, for an amount not to exceed \$10,750.00.

Public Services Superintendent Tapia explained that the Northwest Community Center is currently without heat as the heat exchanger went out in the old unit this week.

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

*Voting Yea: Commissioner Gingher, Commissioner Jennings, Commissioner Rogers, and Commissioner Warren. Abstian Mayor Spielman. Mayor Spielman declared the motion approved; given **Resolution No. 2023-11-3587.***

Items for Discussion by City Commissioners

None.

Comments from the Audience for Items not on the Agenda

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None.

City Manager Reminders and Updates

1. City Manager Frazer provided the commissioner with the following:
 - Sewer line in basement deteriorating and city is looking at bids from contractors .
 - Workman comp .92 down from 108 which should reduce work comp premiums.
 - A developer has contacted the City and is interested in doing a purchase option for the 14 acers the city just bought.
 - Thankful Tree Lighting is at 6:00 PM tonight at Ben Givens Park.
 - Follow up provided on Commissioner Gingher’s previous inquiry from the las meeting. County and city agreed to swap property on Skyline Rd. and a section close by but was only talked about 2014 to 2016 nothing came of it. City and County are working together to see if anything was actually executed for these properties.

Financial Summary

The October 2023 Financial Summary was available for review in the packet.

Executive Session

1. Recess into executive session to discuss the City Manager’s contract, pursuant to K.S.A. 75-4319(b)(1), personnel matters of nonelected personnel.

Commissioner Charles Jennings moved to go into Executive Session at 5:45 PM for a period not to exceed 17 minutes, to discuss the City Manager’s contract, pursuant to K.S.A. 75-4319(b)(1), personnel matters of nonelected personnel. Motion seconded by Commission Scott Rogers.

City Attorney Larry Schwartz was included in the closed meeting. Mayor Spielman called the regular commission meeting back into session at 6:02 PM. Commissioner Canyon Gingher did not return to join the meeting.

The matter of amending the City Manager Employment Agreement No. 1 with Randy Frazer regarding the term and length of the employees’ service as City Manager came into consideration post Executive Session.

Thereupon, was a Resolution entitled:

A RESOLUTION AUTHORIZING THE CITY OF ARKANSAS CITY TO AMEND THE CITY MANAGER EMPLOYMENT AGREEMENT AMENDMENT NO. 1 WITH RANDY FRAZER REGARDING THE TERM AND LENGTH OF THE EMPLOYEES’ SERVICE AS CITY MANAGER.

Commissioner Charles Jennings moved, seconed by Commissioner Rogers to adopt the City Manager Employment Agreement Amendment No. 2 with the intent of this agreement to be entered into on November 21, 2023, and continue for a period of two-years, adding to the motion compensation adjustment of 5% for his services.

*Voting Yea: Commissioner Jennings, Commissioner Rogers, and Commissioner Warren. Abstian Mayor Spielman. Absent: Commissioner Gingher. Mayor Spielman declared the motion approved; given **Resolution No. 2023-11-3588**.*

Adjournment

Motion made by Commissioner Jennings, seconded by Commissioner Warren to adjourn the meeting.

Voting Yea: Commissioner Jennings, Commissioner Rogers, Commissioner Warren, Mayor Spielman. Mayor Spielman declared the meeting adjourned.

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

(Seal)

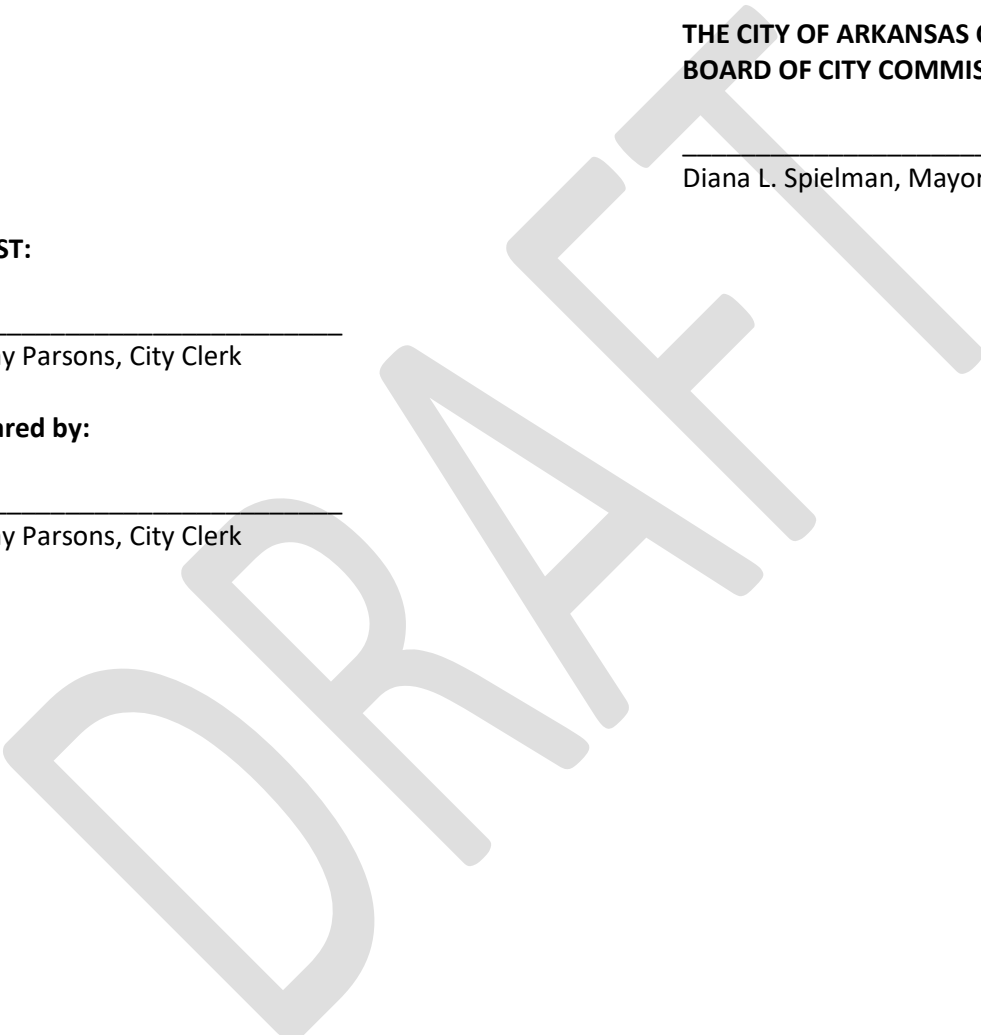
Diana L. Spielman, Mayor

ATTEST:

Tiffany Parsons, City Clerk

Prepared by:

Tiffany Parsons, City Clerk





City Commission Agenda Item

Meeting Date: December 5, 2023
From: Jennifer Waggoner, Finance Director/Treasurer
Item: 2024 GAAP Waiver

Purpose: Consent Agenda Item: A Resolution authorizing the City to execute a GAAP waiver for the 2024 fiscal year.

Background:

This legislation authorizes the City to waive financial reporting requirements under GAAP. Kansas State Legislature passed a law requiring all municipalities in Kansas to meet the requirements of Generally Accepted Accounting Principles (GAAP), which included the requirements of fixed assets accounting. Many units of local government protested as the requirements are time consuming and costly for the benefit provided. In light of this, staff recommends the City waive the GAAP. Additionally, this will allow for cash basis statements that relate better to the state budget documents. As required by K.S.A. 75-1120a(c)(1) the Kansas Director of Accounts and Reports automatically grants a GAAP waiver for the year the annual resolution stipulates, provided that the resolution contains wording substantially similar to that provided in K.S.A. 75-1120a(c)(1).

The City has received a GAAP Waiver for each year since 2011.

Commission Options:

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

Fiscal Impact:

Amount:

Fund: Department: Expense Code:

Included in budget Grant Bonds Other (explain)

Approved for Agenda by:

Randy Frazer, City Manager

A RESOLUTION AUTHORIZING A GAAP WAIVER TO BE IN EFFECT FOR FISCAL YEAR 2024 BY THE CITY OF ARKANSAS CITY, KANSAS.

WHEREAS, The City of Arkansas City, Kansas, has determined that the financial statements and financial reports for year ended December 31, 2024 to be prepared in conformity with the requirements of K.S.A. 75-1120a(a) are not relevant to the requirements of the cash basis and budget laws of this state and are of no significant value to the Governing Body or the members of the general public of the City of Arkansas City; and

WHEREAS there are no revenue bond ordinances or resolutions or other ordinances or resolutions of the municipality which require financial statements and financial reports to be prepared in conformity with K.S.A. 75-1120a(a) for the year ended December 31, 2024.

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

SECTION ONE: That the Governing Body of the City of Arkansas City, Kansas, in a regular meeting duly assembled this 5th day of December, 2023, that the Governing Body waives the requirements of K.S.A. 75-1120a(a) as they apply to the City of Arkansas City, Kansas for the year ended December 31, 2024.

SECTION TWO: That the Governing Body shall cause the financial statements and financial reports of the City of Arkansas City, Kansas to be prepared on the basis of cash receipts and disbursements as adjusted to show compliance with the cash basis and budget laws of this State.

SECTION THREE: That the Governing Body of the City of Arkansas City hereby authorizes the Mayor and/or City Manager 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 City Commission of the City of Arkansas City.

PASSED AND RESOLVED by the Governing Body of the City of Arkansas, Kansas this 5th day of December, 2023.

(Seal)

Diana L. Spielman, 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. 2023-12-____ of the City of Arkansas City, Kansas adopted by the governing body on December 5, 2023 as the same appears of record in my office.

DATED: _____.

Tiffany Parsons, City Clerk

CEREAL MALT BEVERAGE LICENSE APPLICATIONS FOR 2024

RENEWALS OF CONSUMPTION ON PREMISES:

Business Name	Address	Owner or * Manager
Hillcrest Lanes, LLC	2400 N. Summit	Richard Doffing
Spring Hill Golf Course	3202 N. Summit	*Monty Potter
Pizza Hut	422 N. Summit	*Jeff Hettenbach
Terry's Place	121 S. Summit Street	Terry Cassidy
Ninja Sushi Steakhouse	1618 N Summit St.	*Zhenjuang Fang

RENEWALS OF PACKAGE SALES ONLY:

Business Name	Address	Owner or * Manager
APCO East	804 E. Madison	Kevin Swick
Casey's General Store #1789	1425 N. Summit	*Tiago Coelho
Casey's General Store #1530	601 S. Summit	*Tiago Coelho
Casey's General Store #3435	3413 N. Summit	*Tiago Coelho
Dillon Store #38	425 N. Summit	*Stuart Palmer
Love's Country Store #97	1712 N. Summit	*Kristye Davis
Phil-Stop 2	801 E. Madison	*Rebecca Eastman
Walmart #978	2701 N. Summit	*Logan Wiley
Family Dollar #21984	1313 N. Summit	*Margaret Jones
Dollar General #21984	401 W. Madison Ave.	*Sheila Reams

All applications have been reviewed by the proper authorities and are approved for licensing.

2023 CMB LICENSES NOT RENEWING FOR 2024

Business Name	Address	Owner or Owner or * Manager
Billy Sims Barbecue	2113 N. Summit	*Amanda Graves



City Commission Agenda Item

Meeting Date: December 5, 2023
From: Tiffany Parsons, City Clerk
Item: Cereal Malt Beverage Renewals for 2024

Purpose: Approve the Cereal Malt Beverage (CMB) License renewals for 2024.

Background:

The attached businesses have requested the city approve their Cereal Malt Beverage license renewal application for 2024. All procedures have been followed as outlined in Municipal Code Part II, Chapter 6, Article III, Sec. 6-108. No deficiencies noted. After approval by the governing body, licenses will be processed and issued by the City Clerk then filed with the State of Kansas.

Commission Options:

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

Fiscal Impact:

Amount: None

Fund: Department: Expense Code:

Included in budget Grant Bonds Other Not Budgeted

Approved for Agenda by:

Randy Frazer, City Manager