

# GREAT BEND CITY COUNCIL MEETING

November 15, 2010

7:30 p.m.

## AGENDA

### Members present:

__ Mayor Mike Allison	__ Councilmember Allene Owen
__ Councilmember Bill Berryman	__ Councilmember Ken Roberts
__ Councilmember Mitch Haney	__ Councilmember Dana Dawson
__ Councilmember Joel Jackson	__ Councilmember Randy Myers
__ Councilmember Dale Westhoff	__ Administrator Howard Partington
__ Attorney Robert Suelter	__ Clerk Wayne Henneke

### A. OPENING PRAYER

### B. CONSENT AGENDA

- a) **Minutes:** Minutes of the Regular Session held on November 1, 2010
- b) **Claim's Warrant Register #1115-10:** covering 2010 bills to date.
- c) **Payroll Register P/R 11-05-2010** covering payroll ending November 5, 2010 in the amount of \$241,456.22.
- d) **Appointments:** Mayor Allison will make appointments as needed.

### C. OLD BUSINESS

### D. RECOGNITION OF VISITORS AND ANNOUNCEMENTS

### E. NEW BUSINESS

1. **Councilmember Reports:** Councilmembers will report on the boards and commissions that they serve on.

Recommendation: Informational item.

2. **City Administrator's Update:** City Administrator Howard Partington will present an update on what is happening within the city organization. He may also present responses to "Fact or Fiction".

Recommendation: Informational item.

- 3. Mike Smith Subordination Agreement:** Recently an agreement was made with Mike Smith for the leasing of property at the airport. In order for Mr. Smith to get an SBA loan, there is a requirement that the city subordinate any claim it may have against certain assets to Sunflower Bank, the lender. Attached is a copy of the agreement. City Attorney Bob Suelter will report.

Recommendation: Motion to authorize Mayor Allison to sign the subordination agreement with Mike Smith for the property leased at the airport.

- 4. Abatement Requests:** Attached is a memo from Don Craig regarding the abatement requests to be presented at this meeting. Also attached are the resolutions to be considered.

Recommendation: Take action on abatements.

- 5. Amendment to Flexible Benefit Plan:** Human Resource Director Terry Hoff will present the changes needed in the city's flexible benefit plan (Section 125). Attached is a copy of the amendment wording and also a copy of the proposed resolution. Mr. Hoff will report.

Recommendation: Motion to adopt resolution amending the city's flexible benefit plan.

- 6. Pine Wilt Tree Removal:** In an effort to slow down the spread of Pine Wilt, any Pine Trees with Wilt were approved to be removed by the city. During the last four months, 18 properties have requested testing. Of these only three (3) properties tested positive for Pine Wilt. The City posted a Request for Bids in the Tribune to remove five (5) trees. Dawn Jaeger, Assistant City Administrator will report.

Recommendation: Motion to accept the lowest bid received and to pay the selected vendor for the removal of five Pine Trees affected with Pine Wilt.

- 7. Conditional Use Permit for Nex-Tech Cell Tower:** Request for issuance of a Conditional Use Permit allowing a cell tower. The tract is zoned A (Agricultural) and located in the Barton County/City of Great Bend 3-Mile Zoning district, on the following described property, to wit:

*A tract of land located in the NW1/4 of Section 20-T19S-R13W of the 6<sup>th</sup> P.M., Barton County, Kansas, more particularly described as follows: Commencing at the Southwest corner of the NW ¼ of said Section 20, thence North 0°0'0" West along the West line of said NW ¼, a distance of 841.55 feet; thence North 90°0'0" East a distance of 147.03 feet to the point of beginning; thence North 0°0'0" West parallel with the West line of said NW ¼ a distance of 50.0 feet; thence South 90°0'0" East a distance of 50.0 feet to a point; thence South 0°0'0" East parallel with the West line of said NW ¼ a distance of 50.0 feet; thence North 90°0'0" West a distance of 50.0 feet to the point of beginning.*

*Said tract contains 0.06 acres, more or less, and is subject to any easement(s) and/or right(s)-of-way of record. (located North of 158 NW 10 Avenue)*

Recommendation: Approve conditional use permit for the Nex-Tech Cell Tower to be located at North of 158 NW 10 Avenue within the three mile radius and within the Agricultural Zoning District, and authorize Resolution 111510-\_\_\_\_.

- 8. Conditional Use Permit for Bainbridge Property:** Request for issuance of a Conditional Use Permit allowing a residential use of 264 N. Washington, Great Bend. The tract is zoned LM-SC (Light Manufacturing) and located in the Barton County/City of Great Bend 3-Mile Zoning district, on the following described property, to wit:

*That part of the NW1/4 of Section 16-T19S-R13W of the 6<sup>th</sup> P.M., Barton County, Kansas, described as follows: Commencing at the Southwest corner of the NW ¼ of said Section 16, thence on an assumed bearing of North 00°00'00" East, along the West line of the NW ¼ of said section, a distance of 503.18 feet to the point of beginning of the land to be described; thence continuing on a bearing of North 0°0'0" East, along the West line of the NW ¼ of said section, a distance of 179.42 feet; thence on a bearing of South 88°58'00" East a distance of 540.16 feet; thence on a bearing of South 00°01'15" East a distance of 164.18 feet; thence on a bearing of South 89°25'00" West, parallel to the South line of the NW ¼ of said section, a distance of 540.16 feet to the point of beginning. The above tract of real estate, including county road right-of-way contains 2.1301 acres. (aka 264 North Washington Avenue)*

Recommendation: Approve conditional use permit for the Bainbridge Residence located at 264 N. Washington within the three mile radius and within the Light Manufacturing Zoning District, and authorize Resolution 111510-\_\_\_\_.

- 9. Conditional Use Permit for Westhoff Sand & Gravel LLC:** Request for issuance of a Conditional Use Permit allowing a sandpit in the A- Agricultural District and LM/SC- Light Manufacturing District located in the Barton County/City of Great Bend 3-Mile Zoning district, on the following described property, to wit:

*That portion of U.S. Government Lots Six (6) and Seven (7), in Section Thirty-three (33), Township (19) South, Range Thirteen (13) West, Barton County, Kansas, lying and situate South of the following described line, viz: Beginning at a point 1260.2 feet North of the Southeast corner of said Section 33; thence S89° 18' 16"W, 1787.7 feet; thence S00° 41' 44"E, 10.0 feet; thence S89° 18' 16"W, 270.9 feet; thence along a 2905 foot radius curve to the left, an arc distance of 463.5 feet to the east right of way of US Highway 281 (aka 54 SE 10 RD)*

Recommendation: Approve conditional use permit for Westhoff Sand and Gravel LLC, in care of Don Erickson, to be located at 54 SE 10 Road within the three mile radius and within the Agricultural and Light Manufacturing Zoning Districts, and authorize Resolution 111510- \_\_\_\_.

- 10. Health Insurance Rates and Cost Sharing for 2011:** Attached is an informational worksheet prepared by Human Resource Director Terry Hoff. Due to increases in the insurance for 2011, it is being recommended that the employee share of the cost be increased from 17% of option number 2 to 20 % of option number 2. Howard Partington and Terry Hoff will report.

Recommendation: Motion to utilize an 80% city share and 20% employee share for BCBS health insurance for 2010 for option number 2. (Percentages may vary with other options selected, but the cost to the city would remain the same.)

## **F. ADJOURNMENT**