

GREAT BEND CITY COUNCIL MEETING

April 18, 2022

6:30 p.m.

Location – City Hall Council Chambers

The Council meeting will be livestreamed for public to view on our city council Facebook page, <https://www.facebook.com/gbcitycouncil/>.

AGENDA

Members present:

<input type="checkbox"/> Mayor Cody Schmidt	<input type="checkbox"/> Councilmember Cory Urban
<input type="checkbox"/> Councilmember Kevyn Soupiset	<input type="checkbox"/> Councilmember Lindsey Krom-Craven
<input type="checkbox"/> Councilmember Brock McPherson	<input type="checkbox"/> Councilmember Natalie Towns
<input type="checkbox"/> Councilmember Alan Moeder	<input type="checkbox"/> Councilmember Davis Jimenez
<input type="checkbox"/> Councilmember Jolene Biggs	<input type="checkbox"/> Attorney Allen Glendenning
<input type="checkbox"/> Administrator Kendal Francis	<input type="checkbox"/> Clerk/Finance Director Shawna Schafer

OPENING: PLEDGE OF ALLEGIANCE

A. CONSENT AGENDA

- a) **Minutes:** Minutes of the Joint City County Meeting held March 28, 2022, and the Regular Session held on April 4, 2022.
- b) **Claim's Warrant Register 4-18-22:** Covering 2022 bills to date.
- c) **Payroll Register P/R 4-8-22:** Covering payroll ending April 2, 2022, in the amount of \$343,356.09.
- d) **Appointments:** Mayor Schmidt will make appointments as appropriate.
- e) **Art & Wine Walk:** Request for unlicensed businesses to serve complimentary alcohol on their premises for the Art & Wine Walk event held on May 6, 2022, from 4:00p.m. to 7:30p.m. Approval of Resolution Number 041822-A.
- f) **Agenda:** Approval of agenda as submitted or amended.

B. OLD BUSINESS

C. RECOGNITION OF VISITORS AND ANNOUNCEMENTS

The public is free to comment on items not listed on the agenda. Please address comments to the City Council as a body and be mindful of others who may also wish to speak by limiting comments to 3 minutes.

D. NEW BUSINESS

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

Recommendation: Informational item.

2. **Administrators Update:** City Administrator Kendal Francis will present an update on what is happening within the City organization.

Recommendation: Informational item.

3. **Community Coordinator Report:** Community Coordinator Christina Hayes will present her monthly report.

Recommendation: Informational item.

4. **Abatements:** Code Enforcement Art Keffer will present abatements.

Recommendation: Take action on abatements.

5. **Public Hearing for Unsafe and Dangerous Structure at 205 Frey:** Logan Burns conducted a visual inspection of a house located on the property of 205 Frey Street. His report is attached. On February 22, 2022, the Council adopted Resolution 022222-A setting this matter for hearing at this meeting. Attached are pictures of the structures that will be explained by Logan Burns. City Attorney Allen Glendenning and Building Official Logan Burns will report.

Recommendation: Motion to approve Resolution Number 041822-.

6. **Temporary Premise Extension:** Dry Lakes Brewery has requested a temporary extension of premise on May 14, 2022, to host their 1-year anniversary party. The event is scheduled from 11am-12am. However, they are requesting the closure from 10am-1am to allow time to set up and cleanup. The event will include 2 bands, games, food truck and a muralist who will be live painting their garage door. The consumption of alcohol is planned in the proposed space. The brewery is working with the State Alcoholic Beverage Control to obtain proper permits for this activity. City Administrator Kendal Francis will report.

Recommendation: Motion to adopt Ordinance Number 4385, allowing consumption of alcohol on public property. Motion to close the alley from Lakin Avenue to Forest and closure of parking stalls on city-owned parking lot at Lakin and Williams on May 14, 2022, from 10:00 a.m. to 1:00 a.m.

- 7. Bike and Micro-mobility Device Parking:** A downtown business requested permission to place a bike rack in front of their business. In reviewing the request, the city attorney recommended changes which help to clarify existing ordinances, provide for engineering approval, as well as help address issues with micro-mobility devices. Additionally, the changes also eliminate the antiquated bicycle registration requirement. City Administrator Kendal Francis will report.

Recommendation: Motion to adopt Ordinance No. 4386, regulating the operation and parking of bicycles and micro-mobility devices.

- 8. Todd Anspaugh Rezoning – 6003 10th Street:** Todd Anspaugh has purchased the real estate for which the rezoning is requested. The structure was operated as a business and Anspaugh requests rezoning from C-2 (General Commercial) to R-1 (Single-Family) for him to move into the structure and permanently live there. Notice of the request and of a public hearing on the request was given to surrounding landowners within 200 feet of this real estate in city limits and 1,000 feet in the county. A public hearing was held on March 28, 2022, before the planning commission. There were two parties that attended this hearing with their concerns on property ownership, which Planning Commission agreed that that issue was beyond their scope and duties and would not affect the rezoning request in any nature. Building Official Logan Burns will report.

Recommendation: Motion to adopt the Findings of Fact prepared by City Staff and as recommended by the Planning Commission. Motion to adopt Ordinance Number 4387, rezoning the real estate from C-2 to R-1.

- 9. David Tabrizi Rezoning – 1801 Patton Road:** David Tabrizi (Represented by Kevin Keller) is the owner of the property located at 1801 Patton Road. He is currently selling the property and is under contract and the sale is running into a challenge. The bank noted the buyers could not get fixed rate financing and it was because the property was not zoned residential to get 15- or 30-year fixed loans. Tabrizi requested rezoning from C-1 (Local Commercial) to R-2 (Two-Family) to finalize the financing and sale of the property. Notice of the request and of a public hearing on the request was given to surrounding landowners within 200 feet of this real estate in the city limits. A public hearing was held on March 28, 2022, before the planning commission. There were two parties that attended this hearing. The first party being Kevin Keller who was representing David Tabrizi and Carole Harris, who lives at 1809 Patton Road and is requesting the same rezoning. Building Official Logan Burns will report.

Recommendation: Motion to adopt the Findings of Fact prepared by City Staff and as recommended by the Planning Commission. Motion to adopt Ordinance Number 4388, rezoning the real estate from C-1 to R-2.

- 10. Carole Harris Rezoning – 1809 Patton Road:** Carole Harris (Represented by Kevin Keller) is the owner of the property located at 1809 Patton Road. She is currently selling the property and is under contract and the sale is running into a challenge. The bank noted the buyers could not get fixed rate financing and it

was because the property was not zoned residential to get 15- or 30-year fixed loans. Harris requested rezoning from C-1 (Local Commercial) to R-2 (Two-Family) to finalize the financing and sale of the property. Notice of the request and of a public hearing on the request was given to surrounding landowners within 200 feet of this real estate in the city limits. A public hearing was held on March 28, 2022, before the planning commission. There were two parties that attended this hearing. The first party being Kevin Keller who was representing David Tabrizi and Carole Harris, who lives at 1809 Patton Road and is requesting the rezoning. Building Official Logan Burns will report.

Recommendation: Motion to adopt the Findings of Fact prepared by City Staff and as recommended by the Planning Commission. Motion to adopt Ordinance Number 4389, rezoning the real estate from C-1 to R-2.

11. Keller Real Estate Rezoning – 1815 Patton Road: Keller Real Estate (Represented by Kevin Keller) is the owner of the property located at 1815 Patton Road. He is planning if he were to sell the property, it would need to be zoned residential to be eligible for fixed rate financing. The bank will not give buyers fixed rate financing of 15- or 30-year fixed loans if the property is not zoned residential. Keller Real Estate requested rezoning from C-1 (Local Commercial) to R-2 (Two-Family) for future planning. Notice of the request and of a public hearing on the request was given to surrounding landowners within 200 feet of this real estate in the city limits. A public hearing was held on March 28, 2022, before the planning commission. There were two parties that attended this hearing. The first party being Kevin Keller who was representing David Tabrizi and his property at 1815 Patton and Carole Harris, who lives at 1809 Patton Road and is requesting the same rezoning. Building Official Logan Burns will report.

Recommendation: Motion to adopt the Findings of Fact prepared by City Staff and as recommended by the Planning Commission. Motion to adopt Ordinance Number 4390, rezoning the real estate from C-1 to R-2.

12. RSVP Request: Linn Hogg. With RSVP, has requested to address the governing body about funding this program.

Recommendation: Take appropriate action.

13. Cinco De Mayo Permissions: The Cinco De Mayo festival is excited to continue. They are requesting closures of streets for the parade and have applied for a Cereal Malt Beverage (CMB) License, which all requirements have been completed and payment has been received. They are also asking for permission to have a beer garden in Jack Kilby Square. Fernando & Martha Delgadillo will report.

Recommendation: Motion to authorize closure of Main Street from 19th Street to Lakin Avenue on May 7, 2022, from 11am to 12pm. Motion to approve CMB License. Motion to authorize the permission to have a beer garden in Jack Kilby Square from 10am – 4pm.

14. Great Bend Alive, Inc: Great Bend Alive, Inc. seeks to extend the boundaries of the CCA down the alleyway between Forest and Lakin. By extending the CCA, more downtown businesses are able to directly participate and it allows for more room for the growing popularity of the CCA events. Economic Development President Sara Hayden will report.

Recommendation: Motion to approve Resolution Number 041822-.

15. Events Center Billboard Update: Our Events Center billboard is officially done with its warranty; this is our most troublesome sign, and it requires a warranty to be able to maintain and keep nice. If we do not have a warranty, it could potentially cost \$700-\$2000 each month to maintain. Marks Custom Signs has provided two options. First option is for \$58,979, which is a slight upgrade to what we currently have; or option two is for \$69,990, which is twice as high of resolution taking us from an SD sign to HD sign. There is also an optional upgrade for the Top Sign with the bid which would be an additional \$14,260 to either of the options, however staff is not recommending this upgrade. The city has been saving monies for billboard upgrades in the budget for several years. Community Coordinator Christina Hayes will report.

Recommendation: Motion to approve option 1 for \$58,979 or option 2 for \$69,990 from Mark Custom Signs for the Event Center billboard upgrade.

16. Chip and Seal: Last year we approved a bid for chip and seal for 80,000 square yards. Circle C was not able to do the project last year due to unforeseen circumstances, thus will be here this year early summer. We would like to add two streets to the project, Walnut between 10th and the bypass and MacArthur, for a total of 9,000 square yards for an additional \$34,200.00. This would be the addition of approximately 6 blocks. The monies are coming from the ¼ cent sales tax that is specific to street improvements. Public Works Director Jason Cauley will report.

Recommendation: Motion to approve the interlocal agreement with Barton County.

17. CDBG Bid Approval: We recently relet bids for the mill and overlay of approximately 13 blocks of Broadway between Polk & Morton Streets as well as the reconstruction of the intersection at 19th & Harrison. We again received only 1 bid from Venture Corporation for \$1,079,640.50. This project is partially funded by a Community Development Block Grant (CDBG), which will reimburse the City 50% of eligible costs up to \$600,000. City Administrator Kendal Francis will report.

Recommendation: Motion to approve the bid from Venture Corporation for \$1,079,640.50.

18. Kansas Public Water Supply Loan Fund (KPWSLF): Last year, city council agreed to further explore the possibility of installing an Automated Meter

Reading system and approved an application for a loan from the Kansas Public Water Supply Loan Fund to fund the venture. The application was approved in October 2021. Since that time, we have been holding the paperwork awaiting finalization of other KDHE requirements which would then allow us to release the project for competitive bids. With the extended delays, KDHE is requesting that we finalize the loan agreement to secure the needed funding. While this does authorize the loan, the city is only obligated if they withdraw funds. Essentially it establishes a line of credit. City Administrator Kendal Francis will report.

Recommendation: Motion to authorize Mayor Schmidt to sign the loan agreement with KDHE.

ADJOURNMENT