

## REGULAR SESSION

The Governing Body met in Regular Session in the City Council Chambers. Mayor Cody Schmidt called the meeting to order at 6:30 p.m. with the following present: Councilmembers Cory Urban, Natalie Towns, Lindsey Krom-Craven, Brock McPherson, Alan Moeder, Davis Jimenez, Jolene Biggs and Kevyn Soupiset. Also in attendance were City Administrator Kendal Francis and City Attorney Allen Glendenning and City 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 in the amount of \$274,155.94.
- 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 made the following appointments:  
  
Airport Advisory Board – Steve Dyer and Jim Hayes  
  
Commission on Aging Board – Kathy Collicott  
  
BOCTEA Board – Brian Pedigo
- 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.

Mr. Urban made a motion to approve the consent agenda. The motion was seconded by Mr. Soupiset and passed with all voting in favor.

**B. OLD BUSINESS:** There was no old business.

#### C. RECOGNITION OF VISITORS AND ANNOUNCEMENTS:

- John Snyder who lives at 918 Stone addressed the Governing Body about an abatement letter he received regarding a vehicle on his property that had current tags and the tires were not flat.

## D. NEW BUSINESS

1. **Councilmember Reports:** There were no Councilmember reports.
2. **Administrators Update:** City Administrator Kendal Francis presented an update on what is happening within the City organization.
3. **Community Coordinator Report:** Community Coordinator Christina Hayes presented her monthly report.
4. **Abatements:** Code Enforcement Art Keffer presented the following abatements:
  - B. **201 Chestnut St:** There is trash and refuse on the property including, but not limited to: a pile of construction material, trash and general refuse that needs to be removed, located at 201 Chestnut St. constituting an unlawful accumulation. This real estate is subject of Resolution Number 041822-B.
  - C. **313 Maple St:** There is trash and refuse on the property including, but not limited to: a falling down metal shed, trash and general refuse that needs to be removed, located at 313 Maple St. constituting an unlawful accumulation. This real estate is subject of Resolution Number 041822-C.
  - D. **501 Odell St:** There is trash and refuse on the property including, but not limited to: pallets, tires, trash and general refuse that needs to be removed, located at 501 Odell St. constituting an unlawful accumulation. This real estate is subject of Resolution Number 041822-D.
  - E. **806 Odell St:** There is trash and refuse on the property including, but not limited to: pallets, trash and general refuse that needs to be removed, located at 806 Odell St. constituting an unlawful accumulation. This real estate is subject of Resolution Number 041822-E.
  - F. **3137 Stone St:** There is a green colored Jeep SUV on the property that is either not displaying current registration, and/or is not in operable condition, and that said motor vehicle(s) constitute a nuisance pursuant to Section 10.20.030 of the Code of Ordinances of the City of Great Bend, Kansas located at 3137 Stone St. This real estate is the subject of Resolution Number 041822-F.

Mr. Soupiset made a motion to approve Resolution Numbers 041822B-F. The motion was seconded by Ms. Krom-Craven and passed with all voting in favor.

5. **Public Hearing for Unsafe and Dangerous Structure at 205 Frey:** City Attorney Allen Glendenning reported that 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. Building Official Logan Burns presented pictures of the structure. Mr. Moeder made a motion to approve resolution 041822-G. The motion was seconded by Ms. Biggs and passes with all voting in favor.
6. **Temporary Premise Extension:** City Administrator Kendal Francis reported that 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. Mr. Urban made a motion to adopt Ordinance Number 4385, allowing consumption of alcohol on public property. The motion was seconded by Mr. Moeder and passed with all voting in favor. Mr. Moeder then made a 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. The motion was seconded by Mr. Soupiset and passed with all voting in favor.

- 7. Bike and Micro-mobility Device Parking:** City Administrator Kendal Francis reported that 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. Mr. Urban expressed that he did not like the way the Ordinance was written as it forbids people to ride a bike on the sidewalks downtown, which he feels is safer to ride on the sidewalk than the street. Mr. Moeder made a motion to adopt Ordinance No. 4386, regulating the operation and parking of bicycles and micro-mobility devices. The motion died for lack of a second. Councilmember Biggs asked the City Administrator if we could still get them a bike rack and Mr. Francis said yes.
- 8. Todd Anspaugh Rezoning – 6003 10<sup>th</sup> Street:** Building Official Logan Burns reported that 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. Ms. Krom-Craven made a motion to adopt the Findings of Fact prepared by City Staff and as recommended by the Planning Commission. The motion was seconded by Mr. Moeder and passed by a vote of 7-1, with Ms. Biggs voting no. Ms. Krom-Craven then made a motion to adopt Ordinance Number 4386, rezoning the real estate from C-2 to R-1. The motion was seconded by Mr. Moeder and passed by a vote of 7-1, with Ms. Biggs voting no.
- 9. David Tabrizi Rezoning – 1801 Patton Road:** Building Official Logan Burns reported that 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. Mr. Soupiset made a motion to adopt the Findings of Fact prepared by City Staff and as recommended by the

Planning Commission. The motion was seconded by Mr. Urban and passed with all voting in favor. Mr. Urban then made a motion to adopt Ordinance Number 4387, rezoning the real estate from C-1 to R-2. The motion was seconded by Mr. Moeder and passed with all voting in favor.

**10. Carole Harris Rezoning – 1809 Patton Road:** Building Official Logan Burns reported that 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. Ms. Krom-Craven made a motion to adopt the Findings of Fact prepared by City Staff and as recommended by the Planning Commission. The motion was seconded by Mr. Moeder and passed with all voting in favor. Mr. Moeder then made a motion to adopt Ordinance Number 4388, rezoning the real estate from C-1 to R-2. The motion was seconded by Ms. Krom-Craven and passed with all voting in favor.

**11. Keller Real Estate Rezoning – 1815 Patton Road:** Building Official Logan Burns reported that 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. Mr. Moeder made a motion to adopt the Findings of Fact prepared by City Staff and as recommended by the Planning Commission. The motion was seconded by Ms. Towns and passed with all voting in favor. Mr. Soupiset then made a motion to adopt Ordinance Number 4389, rezoning the real estate from C-1 to R-2. The motion was seconded by Mr. Moeder and passed with all voting in favor.

**12. RSVP Request:** Linn Hogg, with RSVP, addressed the governing body about funding their medical transportation program at \$3000 as the Commission on Aging cut them from their budget for whatever reason. Ms. Biggs asked that we send a budget request letter for 2023 as well. Ms. Biggs made a motion to fund the request for 2022 to RSVP in the amount of \$3000. The motion was seconded by Ms. Towns and passed by a vote of 6-2, with Mr. Moeder and Mr. Urban voting no.

**13. Cinco De Mayo Permissions:** Fernando & Martha Delgadillo reported that The Cinco De Mayo festival is excited to continue. We 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. We are also

asking for permission to have a beer garden in Jack Kilby Square. Mr. Moeder made a motion to authorize closure of Main Street from 19<sup>th</sup> Street to Lakin Avenue on May 7, 2022, from 11am to 12pm. The motion was seconded by Mr. Urban and passed with all voting in favor. Mr. Urban made a motion to approve CMB License. The motion was seconded by Mr. Moeder and passed with all voting in favor. Mr. Soupiset then made a motion to authorize the permission to have a beer garden in Jack Kilby Square from 10am – 4pm on May 7<sup>th</sup>, 2022. The motion was seconded by Ms. Towns and passed with all voting in favor.

- 14. Great Bend Alive, Inc:** Economic Development President Sara Hayden reported that 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. Mr. Soupiset made a motion to approve Resolution Number 041822-H. The motion was seconded by Mr. Moeder and passed by a vote of 7-1, with Ms. Krom-Craven voting no.
- 15. Events Center Billboard Update:** Community Coordinator Christina Hayes reported that 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. Ms. Biggs made a motion to approve option 2 for \$69,990 from Mark Custom Signs for the Event Center billboard upgrade. The motion was seconded by Mr. Soupiset and passed with all voting in favor.
- 16. Chip and Seal:** Public Works Director Jason Cauley reported that 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 10<sup>th</sup> 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. Ms. Krom-Craven made a motion to approve the change order with Circle C for \$34,200. The motion was seconded by Ms. Towns and passed with all voting in favor.
- 17. CDBG Bid Approval:** City Administrator Kendal Francis reported that 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 19<sup>th</sup> & 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. Mr. Urban made a motion to approve the bid from Venture Corporation for \$1,079,640.50. The motion was seconded by Mr. Soupiset and passed with all voting in favor.
- 18. Kansas Public Water Supply Loan Fund (KPWSLF):** City Administrator Kendal Francis reported that 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. Ms. Towns made a motion to authorize Mayor Schmidt to sign the loan agreement with KDHE. The motion was seconded by Ms. Krom-Craven and passed by a vote of 6-2, with Mr. Moeder and Ms. Biggs voting no.

## **ADJOURNMENT**

Ms. Biggs made a motion that the meeting be adjourned. Mr. Soupiset seconded the motion and passed with all voting in favor. The meeting was adjourned at 8:00 pm.