

City of Great Bend  
September 16, 2019

## REGULAR SESSION

The Governing Body met in Regular Session in the City Council Chambers. Mayor Joe Andrasek called the meeting to order at 6:30 p.m. with the following present: Councilmembers Andrew Erb, Jessica Milsap, Dana Dawson, Jolene Biggs, Barry Bowers, Cory Urban and Brock McPherson. Dan Heath arrived at 6:39 p.m. Also in attendance were City Administrator Kendal Francis, City Attorney Robert Suelter and Deputy City Clerk Alison Urban.

### A. CONSENT AGENDA

- a) **Minutes:** Minutes of the Regular Session held on September 3, 2019.
- b) **Claim's Warrant Register 9-16-19:** Covering 2019 bills to date in the amount of \$785,271.50.
- c) **Payroll Register P/R 9-13-19:** Covering payroll ending September 7, 2019 in the amount of \$337,510.34.
- d) **Appointments:** Mayor Andrasek made no appointments.
- e) **2-Day CMB License:** Chad Ehrlich has applied for a 2-day CMB license for the Car Auction at the Expo Grounds on October 4th and 5th. Application has been received along with payment and a copy of the insurance.
- f) **Agenda:** Approval of agenda as amended to include information for the Meadowlark Water Line Repairs, updated information for KDOT Cost Share Program, and Grant Street Paving.

Mr. Bowers made a motion to approve the consent agenda. The motion was seconded by Mr. Erb and Ms. Milsap and passed with all voting in favor.

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

### C. RECOGNITION OF VISITORS AND ANNOUNCEMENTS:

1. **Mark Bartzko:** Mr. Bartzko, operator at transload facility, addressed council to comment on Economic Development. He expressed his concern over a lost grant opportunity in June / July 2019 between the range of \$1 to \$20 million that could have benefitted our community had it been acted upon. Future technology, the city's drainage issues and possibility for a hemp outlet where among items discussed by Mr. Bartzko. There is a possibility that the same funding could be available in 2020 and he urged council to look into it, not around it.

## D. NEW BUSINESS

1. **Councilmember Reports:** Mr. Heath reported that the Great Bend Events Center is the Crest Theatre's temporary home due to construction. He invited everyone to attend their upcoming production "WHAT2RU?" from September 19-22.
2. **Administrators Update:** City Administrator Kendal Francis presented an update on what is happening within the City organization.
3. **CVB Director/Community Coordinator Report:** Community Coordinator Christina Hayes presented her monthly report.
4. **Falcon Convention in Great Bend Update:** Last year the CVB staff worked on bidding to get the National American Falconers Association to come to Great Bend with their Annual Convention. Every 5 years this group comes to Kansas and 5 years ago they hosted their event in Hutchinson. Great Bend is extremely lucky to have landed such a wonderful convention, as it will bring 150-200 Falconers to our area to stay for a full week. Ryan VanZant attended the meeting with his prairie falcon and gave city council members updates on what to expect during their stay and to say thank you for allowing the CVB to be a great host for this year's conference. Community Coordinator Christina Hayes introduced Ryan VanZant.
5. **Abatements:** Property Maintenance Enforcement Manager Austin LaViolette presented the following abatement to the Governing Body:
  - a. **222 Locust:** Trash and refuse including, but not limited to: construction debris materials and other refuse, and that said unlawful accumulation. This real estate is subject of Resolution Number 091619-A.
  - b. **215 Plum:** Trash and refuse including, but not limited to: tires and other refuse, and that said unlawful accumulation. This real estate is subject of Resolution Number 091619-B.
  - c. **223 Holland:** Trash and refuse including, but not limited to: construction debris materials and other refuse, and that said unlawful accumulation. This real estate is subject of Resolution Number 091619-C.
  - d. **1809 9<sup>th</sup> Street:** Trash and refuse including, but not limited to: mattresses and other refuse, and that said unlawful accumulation. This real estate is subject of Resolution Number 091619-D.
  - e. **1104 Frey:** Trash and refuse including, but not limited to: pallets, construction materials, and other refuse, and that said unlawful accumulation. This real estate is subject of Resolution Number 091619-E.
  - f. **333 Fruit:** Trash and refuse including, but not limited to: trash bags, furniture, clothing, and other refuse, and that said unlawful accumulation. This real estate is subject of Resolution Number 091619-F.

Mr. Erb made a motion to approve Resolution Number 091619A-F. The motion was seconded by Mr. Bowers and passed with all voting in favor.

- 6. Great Bend Hospital Waterline Replacement:** A bid opening for the Great Bend Hospital Waterline Replacement was held on September 10, 2019. The project includes replacing a leaking line located under an access tunnel along Broadway. The City received one bid. Bid tab attached for reference. The low, qualified bidder was APAC with a total base bid of \$51,982.00. The project was advertised for bid on August 28, 2019. Advertisement included posting the project on the City's website, PEC's website, and Kansas Construction News which is a regional plan room. In addition, notification was sent directly to known utility contractors in the region. On-call City Engineer Josh Golka reported. Mr. Erb asked if this is in the tunnel running underneath Broadway and if it will go under the Convent's property. Josh Golka responded that the existing line that is leaking is underneath the tunnel and that the relocated line will be above the tunnel. Since it's shallow, they will be casing the line in steel and then insulating it due to frost depth concerns. All work is occurring within right-of-way. Mr. Dawson motioned to approve the project award to APAC for \$51,982.00. The motion was seconded by Mr. Bowers and passed with all voting in favor.
  
- 7. Meadowlark Water Line Repairs:** During the recent waterline replacement bond construction, 5 valves were broken & 4 valves began to leak. To repair the leaks, 5 inserta-valves will need to be installed to control the water to replace the 4 leaking valves. Requests for bids were sent out and the lowest bid came in at \$81,401.00, which will include all valves, new tees, excavation, backfill, and seeding. City Administrator Kendal Francis reported. During the presentation Kendal Francis mentioned that another company came back with lower bid to do inserta-valves and isolate the area, but not do the rest of the work to replace the T's, etc. This bid came back at roughly \$47,000. The city crews would then need to do the rest of the repairs, for which we don't have the time & experience to do it in a timely manner. We plan to address this by looking into purchasing equipment and training staff to do inserta-valves. Mr. Bowers asked how quickly this project can be done. Josh Golka replied that the plan would be the end of October, first part of November. Ms. Biggs didn't agree with the price but mentioned that this needs to be taken care of before winter because the homeowners have been dealing with for quite some time. She asked how quickly the City would be able to purchase equipment and get the training done. Kendal responded that we currently have 2 employees with experience – one is a supervisor and the other a meter reader. More experience is needed. Mr. Erb questioned if the county would have experience in order to help us train. Mr. Urban suggested that we need to address staffing issue before purchasing equipment. Mr. Dawson motioned to approve the repairs on the Meadowlark Water Line. Mr. Erb seconded with all voting in favor.
  
- 8. Exemption of City Owned Real Estate for Alcohol Sales and Consumption:** Rock & Q on the Planes is a rock concert scheduled for October 18 and 19, 2019, in the Expo Area of the Great Bend Municipal Airport. The sponsors have requested permission for the sale and consumption of alcoholic beverages on the real estate. To allow this, the City must pass an ordinance exempting the area from Kansas State Law for the two days of the event. The alcoholic beverages will be sold by a vendor contracted with by the sponsors. Passage of this ordinance will allow the sale and consumption on the described real estate. City Attorney Robert Suelter reported. Mr. McPherson verified with Mr. Suelter the layout of the event – excludes expo buildings. Mr. Suelter also confirmed for Mr. Erb that in general, drinks are not allowed to be brought into the event. Parking was confirmed to go along the south runway by a representative in the audience. Mr. Erb motioned to pass Ordinance Number 4340 to exempt City real

estate for the sale and consumption of alcoholic beverages on October 18 and 19, 2019. Ms. Milsap and Mr. McPherson seconded with all voting in favor.

- 9. Rezoning of Real Estate at 2115 18<sup>th</sup> Street:** Lila Hoch has purchased the real estate at 2115 18<sup>th</sup> Street. The real estate is currently zoned C-1, local commercial. She wishes to build a home on the real estate, but the C-1 zone does not allow single family dwellings. In order for her to construct a home the real estate needs to be rezoned to a R-2 zone allowing residential real estate up to two family dwellings. Notice was published in the newspaper and notices were mailed to property owners within 200 feet of the real estate. A public hearing was conducted by the Planning Commission, which has recommended approval. City Attorney Robert Suelter reported. Mr. McPherson motioned to adopt the Findings of Fact to adopt Ordinance Number 4339 rezoning the real estate from C-1 to R-2. Ms. Biggs seconded with all voting in favor.

**10. KDOT Cost Share Program:**

Original information provided to council on 9/11/19:

KS legislature approved a one-time \$50M transfer from the State General Fund to the State Highway Fund. The Legislature approved use of this funding on transportation projects, but only if the investment can be grown with city and county contributions. The Cost Share Program provides financial assistance to local entities for construction projects that improve safety, leverage state funds to increase total transportation investment, and help both rural and urban areas of the state improve the transportation system.

The original plan was to utilize these funds to do a full-depth concrete replacement of the drag strip and shutdown areas. However, in discussions with KDOT Dep. Sec. Lindsey Douglas, she said that our application would be found more favorable if it had a transportation component as well. To strengthen our application, I have added the 4 proposed CCLIP projects, which have been denied funding for the previous 2 years. As you will see in the exhibits, cover nearly the entirety of US-56 through Great Bend.

A minimum of 15% non-state cash match is required. Additional consideration will be given to project applications that commit more than the minimum required match amount.

For projects to qualify for the one-time \$50 million a minimum 25% match is required. We have begun setting funds aside for repairs at the drag strip with a goal of beginning work in October 2020. However, we were only going to be able to repair the racing portion. This program would allow us to replace the entire track and shutdown area, plus mill & overlay nearly all of US-56 (10th Street). City Administrator Kendal Francis reported.

Recommendation: Staff is requesting approval of the funding and proposed scope of work for the 4 CCLIP projects costing around \$870,166.93 in order to finalize the Cost Share Program application.

Amended information provided to council on 9/16/19:

Here is updated information regarding the KDOT Cost share item. I was notified late Friday afternoon [September 13, 2019] that our 25% match was for construction costs only, which meant we could not count engineering, utilities & inspection costs towards our match %. Attached are recalculated numbers which reflect that change.

Originally, I thought we would be able to apply for monies to replace the entire dragstrip & the remaining sections of 10<sup>th</sup> street for a cost of \$870,166.93. However, that cost would now be \$1,151,960.17.

I have reduced the 10<sup>th</sup> street portion of the application to only include #'s 1 & 2. That reduces our share to \$834,999.31.

Funding will come from multiple sources.

- We transferred to Capital Improvement (fund 75) \$200,000 last year for dragstrip maintenance and in April we spent around \$40,000 for concrete repair, so we have \$160,000 left from last year's transfer.
- In fund 80 (sales tax infrastructure) we have placeholders for street programs, and in 2019 we budgeted \$500,000 and in 2020 we budgeted \$550,000 that we could use.
- We also have around \$2,000,000 in the capital improvement fund of which is \$1,200,000 earmarked for specific projects/donations. Shawna feels comfortable using \$200,000-250,000 of unencumbered funds that we could use and still have enough reserves.
- Finally, we had originally planned to use \$250,000 from Economic Development (fund 71) to help fund the airport runway project if needed. However, we have not pulled any monies from that fund as of today and should not have to as the contract amount was less than what was originally estimated.

Our goal had been to replace the dragstrip racing surface by October 2020 which was its expected end-of-life. The anticipated cost was \$700,000. These KDOT funds will allow us to replace both the racing surface as well as the shutdown area of the track along with 2 sections of US-56 for an additional \$135,000.

During the council meeting, City Administrator Kendal Francis stated the original request was to recommend approval up to \$870,166.93 for our cost share of the project to redo the drag strip and all 4 CCLIP projects; however, since then it was discovered that we can only include construction costs -- that \$870,166.93 turned into \$1.15 million. Options 1 and Option 2 were presented to council as ways to bring the cost back down.

Option 1 is to repair the entirety of the drag strip and the first two priority CCLIP projects. The 1<sup>st</sup> priority CCLIP project is to mill and overlay from Fry to Hickory and McKinley to Harrison. The 2<sup>nd</sup> priority CCLIP project is Patton to Kennedy. The expected cost is \$834,999.31 with funding to come from several sources. Funds: 75 – Capital Improvement (\$160,000); 80 – Sales Tax Infrastructure Fund (\$1,050,000 was budgeted between 2019 & 2020 that could be used); Capital Improvement Fund (\$200,000-\$250,000 could be used).

Option 2 would cover the 4 CCLIP projects: Fry to Hickory and McKinley to Harrison; Patton to Kennedy; Kennedy to McKinley; and Washington to Main. We would leverage \$1.1 million in local match for \$3.4 million in projects.

Ms. Biggs inquired if the application was strong enough for Option 1. Kendal replied that we are required to have 25% match. In the narrative of the application he focused on the importance of these repairs to Great Bend because the streets run right through our business corridor and thousands of vehicles that access that daily. As funding keeps being denied through CCLIP applications, our 10<sup>th</sup> street is rapidly deteriorating.

Mr. Dawson asked if we did Option 1, could we apply for CCLIP for the additional items in Option 2. Kendal confirmed that it would be our intention to do so. CCLIP funding is 10% match. They announce applications starting in February and we would reapply for CCLIP for our 3<sup>rd</sup> and 4<sup>th</sup> priorities.

Mr. Urban had concerns about depleting the street fund, with the GIS system they rolled out for other street repairs and wondered what the city was planning to spend next year. Kendal is confident that there will be no funding issues. The ball park estimate they want to spend next year is \$750,000 and take in roughly \$800,000 in sales tax. The \$750,000 would be in addition to the \$500,000 from 2019 and \$550,000 from 2020.

Mr. Dawson also asked where we would pull funding from to finish out Option 2. Kendal responded that we have reserves but would need to further discuss with City Clerk Shawna Shaffer.

Mr. Bowers wondered when we would hear back about the application. Kendal thought the first part of October. He put a project start date of October 21, but it would still be 1 ½ to 2 years before work gets completed at least on 10<sup>th</sup> street project but would look to expedite dragstrip project. It was in our minds to have it completed 2020. Would end up spending 2 budgets worth.

Kendal Francis had PEC develop a timeline for CCLIP projects and believes it would be completed in 2022.

Ms. Biggs asked that if going with higher option would better our chances of being approved. Kendal replied that he can't say for sure but with conversations had with Ms. Douglas and her conversations with Secretary Lorenz, having a transportation project portion of it strengthened our application. It's written broadly which is why the dragstrip can fit into the funding, but it's still about KDOT and about transportation and the benefit of a good transportation system, which all play into it. Having a 25% match is a big portion of it, as well as having a senator in contact with KDOT. They preferred a minimum KDOT contribution of \$1 million, so would need to have a substantial enough of a project to have KDOT put in that amount.

A third option was asked about by Mr. Dawson to do 3 of the 4 projects. Kendal said we could but would be in between the \$834 and \$1.1 million, but preferred to be able to do all 4 projects.

Mr. Bowers motioned to approve funding for Option 2. Mr. Dawson seconded with all voting in favor.

**11. Grant Street Paving:** The asphalt on Grant Street, south of the 10<sup>th</sup> & Grant Geometric Improvement project has deteriorated rapidly. The north entrance into Walmart's parking is heavily utilized by semi traffic and the asphalt has not withstood those heavy loads turning on it. Now as the intersection project is completing it would be the perfect opportunity to address this portion of street.

Following Council's directive, staff expedited a formal bid process. We received 5 bids. Suchy Construction was the low bidder. Staff is recommending awarding the project to Suchy Construction. City Administrator Kendal Francis reported.

Kendal confirmed the area to be replaced runs from where the 10<sup>th</sup> & grant project ends through the north entrance of Walmart. It was recommended we do full depth replacement of the asphalt with concrete. The project would be funded through Sales Tax and the construction completion date listed is October 31, 2019.

Mr. Heath motioned to approve the project to Suchy Construction for \$41,789.00. Mr. Erb seconded with all voting in favor.

**ADJOURNMENT:** Mr. Heath made a motion that the meeting be adjourned. Mr. Erb seconded this motion and passed with all voting in favor. The meeting was adjourned at 8:14 pm.