

City of Great Bend  
October 21, 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, Cory Urban and Brock McPherson. Dan Heath arrived at 7:10 pm. Also in attendance were City Attorney Robert Suelter and Deputy City Clerk Alison Urban. Councilmember Barry Bowers and City Administrator Kendal Francis were not present.

### A. CONSENT AGENDA

- a) **Minutes:** Minutes of the Regular Session held on October 7, 2019.
- b) **Claim's Warrant Register 10-21-19:** Covered 2019 bills to date.
- c) **Payroll Register P/R 10-11-19:** Covered payroll ending October 5, 2019 in the amount of \$319,503.66.
- d) **Appointments:** Mayor Andrasek made the following appointments:
  - Great Bend Economic Development, Inc. ad hoc committee:
    - Jessica Milsap
    - Cory Urban
    - Dana Dawson
- e) **Cereal Malt Beverage License:** Tim Jacobs has applied for a one-day CMB license for a concert being held at the Great Bend Events Center on November 9, 2019. Application has been submitted and requirements have been met.
- f) **Agenda:** Mayor Andrasek motioned to amend the agenda by adding the following items to the consent agenda:

To add item #9 to the regular agenda requesting an Executive Session for the discussion relating to non-elected personnel and correspondence received. The Executive Session will take place for 20 minutes with possible personnel action taking place afterwards.

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

### B. OLD BUSINESS

### C. RECOGNITION OF VISITORS AND ANNOUNCEMENTS

## D. NEW BUSINESS

1. **Councilmember Reports:** Mr. McPherson offered his condolences to the family of Richard Schenk.
2. **CVB Director/Community Coordinator Report:** Community Coordinator Christina Hayes presented her monthly report via video recording.
3. **Abatements:** Property Maintenance Enforcement Manager Austin LaViolette presented the following abatement to the Governing Body:
  - a. **1318 Frey Street:** There is a blue Oldsmobile and a red Buick on the property that are not displaying current registration, and/or are not in operable condition. These motor vehicles are subject to Resolution Number 102119-A.
  - b. **308 Fruit Street:** There is a red Ford SUV on the property that is not displaying current registration, and/or is not in operable condition. This motor vehicle is subject to Resolution Number 102119-B.
  - c. **115 Becker Ct.:** There is a red and silver Dodge pickup on the property that is not displaying current registration, and/or is not in operable condition. This motor vehicle is subject to Resolution Number 102119-C.
  - d. **1408 12<sup>th</sup> Street:** There is a yellow Mustang on the property that is not displaying current registration, and/or is not in operable condition. This motor vehicle is subject to Resolution Number 102119-D.
  - e. **1036 Jefferson:** Trash and refuse including, but not limited to: household trash/garbage, plastic containers, wood and other construction materials, and other general refuse. This real estate is subject of Resolution Number 102119-E.

Mr. Erb made a motion to approve Resolution Number 102119 A-E. The motion was seconded by Ms. Biggs and passed with all voting in favor.

4. **City of Great Bend Employee Handbook Revision:** The current Employee Handbook was approved by Council in December of 2015. We have spent that past year reviewing the policies and making the changes needed to bring our handbook up to date. The revision touches almost every policy in some way; some changes were small, and some changes amounted to a complete re-write of a policy. Legal Counsel from The Kansas League of Municipalities has reviewed the draft and made recommendations and changes as well. This was presented to council on October 7, 2019, and a motion was made to table until the October 21, 2019 meeting to vote on approval of the new handbook. Human Resource Director Randy Keasling reported.

Two additional policies were fine-tuned since the October 7, 2019, council meeting. Page 22, policy D relating to Doctor's release -- when employees are injured or are off work due to a non-related work injury and are unable to perform their job functions, the employee will not be allowed to come back until they are cleared to return to work by their physician.

Page 23, letter J: For an employee who has been on a qualifying FMLA event and reaches the end of the 12-week period and is still unable to be released to come back to work, the City Administrator along with department head(s) and HR director have ability to extend absence up to an additional 60 days. Whether it's paid or unpaid is solely dependent on whether the employee has any benefit time left at that point. Input on this policy was received from Amanda Stanley with the League of Municipalities.

After much discussion, Mr. Urban made a motion to approve the new City Employee Handbook. The motion was seconded by Mr. Erb and passed by a vote of 6-1, with Mr. McPherson voting no.

- 5. Alley Vacation:** First Southern Baptist Church has requested the vacation of the east one-half of the alleyway between Harrison and Tyler. City Attorney Robert Suelter reported.

There was much discussion about the information presented during the meeting by First Southern Baptist Church (ie...use of permanent gates), in addition to concerns by surrounding neighbors & Kansas Gas Service. Gary, with First Southern Baptist Church, and the neighbors are going to work together on a solution.

Mr. Urban made a motion to table Ordinance 4341 for further review [no date announced]. The motion was seconded by Mr. Heath and passed with all voting in favor.

- 6. Wheatland Rezoning:** Wheatland Electric Coop Inc., through the current owners of real estate, has requested the rezoning of certain real estate located on east 10th Street from R-1 (residential) to M-1 (light manufacturing). This rezoning would allow Wheatland to close the purchase on the real estate. Once closed, Wheatland would build an office building, storage facilities and a storage (lay down) yard on the real estate. The company would then re-locate its offices to that location. The former location at Broadway and Morton would house Sunflower Electric employees. The storage facility at Second and Main would be used by Sunflower to store equipment and supplies for its operation. The Planning Commission heard the matter on September 30, 2019, and recommended approval. City Attorney Robert Suelter reported.

Mr. McPherson motioned to approve the findings of fact as prepared by City Staff and recommended by the Planning Commission. Mr. Erb seconded the motion and passed with all voting in favor.

Mr. Erb motioned to adopt Ordinance 4342, rezoning real estate located on east 10<sup>th</sup> Street from R-1 to M-1. Ms. Milsap seconded the motion and passed with all voting in favor.

- 7. Propane Storage tank in C-2 Zone:** This item is a result of the request of Waters Realty to allow propane storage tanks up to 1,000 gallons to be present in a C-2 Zone. The City Staff has recommended approval of the request. The Planning Commission has also recommended approval of the ordinance modifying the zoning ordinance. In order to carry out this recommendation, it is recommended that the Governing Body adopt Ordinances Numbered 4343 and 4344. The Planning Commission has recommended the adoption of Ordinance 4343, that would amend the City's Zoning Ordinance. Ordinance Number 4344 would amend the City's Code of Ordinances to

allow the Fire Chief to approve the placement of said tanks provided they meet the standard as set out therein. City Attorney Robert Suelter reported.

Ms. Biggs invited Fire Chief Luke McCormick to address council with his findings on other cities with propane storage tanks.

Mr. Dawson motioned to adopt Ordinance 4343, amending the City's Zoning Ordinance to allow for conditional use in a C-2 zone. Mr. Erb seconded the motion and passed with all voting in favor.

Mr. Dawson motioned to adopt Ordinance 4344, amending the City's Code of Ordinances to allow the Fire Chief to approve the placement of said tanks provided they meet the standard as set. Ms. Milsap seconded the motion and passed with all voting in favor.

- 8. Conditional Use Permit for Waters Realty LLC:** In the event Ordinances numbered 4343 and 4344 are passed, this item may be considered by the Governing Body. Waters Realty LLC has requested the issuance of a Conditional Use Permit to allow the business to develop a storage and dispensing facility for up to 1,000 gallons of propane at its business on K-96 highway. The Planning Commission considered this at its September 30, 2019 meeting and, after a public hearing, recommended approval. City Attorney Robert Suelter reported.

Mr. Waters answered Councilmember questions.

Mr. Heath motioned to approve the findings of fact as prepared by City Staff and recommended by the Planning Commission. Mr. Erb seconded the motion and passed with all voting in favor.

Mr. Dawson motioned to adopt Resolution #102119-F, approving the conditional use permit. Mr. Erb seconded the motion and passed with all voting in favor.

- 9. Request for Executive Session:** An executive session was requested to discuss non-elected personnel and correspondence received. The executive session included the Governing Body and the City Attorney.

Mr. Dawson motioned to recess to executive session for a period of 20 minutes. Ms. Milsap seconded the motion and passed with all voting in favor.

The regular meeting resumed at 7:50 p.m. Mr. Dawson motioned to accept the resignation of Public Works Director Simon Wiley effective immediately. Mr. Urban seconded with all voting in favor.

**ADJOURNMENT:** Mr. Urban 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 7:51 pm.