

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, Alan Moeder, Cory Urban, Kevyn Soupiset, Jolene Biggs, Davis Jimenez, Lindsey Krom-Craven and Natalie Towns. Absent was councilmember Brock McPherson. Also in attendance were City Administrator Kendal Francis and Deputy City Clerk Alison Urban.

OPENING: PLEDGE OF ALLEGIANCE

A. CONSENT AGENDA

- a) **Minutes:** Minutes of the Regular Session held on December 5, 2022.
- b) **Claim's Warrant Register 12-19-22:** Covering 2022 bills to date in the amount of \$1,125,667.20.
- c) **Payroll Register P/R 12-16-22:** Covering payroll ending December 10, 2022, in the amount of \$491,148.92.
- d) **Change of Date for the Next Regular Council Meeting:** The next regular council meeting falls on Monday January 2, 2023, which is the New Year's Holiday observed by the City. It is recommended that the meeting be held on Tuesday, January 3, 2023, at 6:30 p.m.
- e) **Appointments:** Mayor Schmidt made no appointments.
- f) **Agenda:** Mayor Schmidt amended the agenda to include an Executive Session to discuss the interim City Administrator pursuant to the non-elected personnel matter exception, K.S.A. 75-4319 (b) (1).

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

B. OLD BUSINESS: There was no old business.

C. RECOGNITION OF VISITORS AND ANNOUNCEMENTS

Rakesh Pai spoke to Council about the abatement process. He voiced concerns that while he owns land, a mobile home on his land is not his property and he felt he had no ability to do any cleanup and it should be on the owner of the mobile home.

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. Abatements: Code Enforcement Art Keffer presented the following abatements:

- A. 1416 11th St:** There is trash and refuse on the property including, but not limited to: a broken wooden screen door, west cardboard, carpeting, trash and other refuse and that said Unlawful Accumulation constitutes a nuisance pursuant to Section 8.08.110 of the Code of Ordinances of the City of Great Bend, Kansas. This real estate is located at 2525 16th St. and is the subject of Resolution Number 121922-A.
- B. 1400 12th St:** There is trash and refuse on the property including, but not limited to: tree limbs, brush and other refuse and that said Unlawful Accumulation constitutes a nuisance pursuant to Section 8.08.110 of the Code of Ordinances of the City of Great Bend, Kansas. This real estate is located at 1400 12th St. and is the subject of Resolution Number 121922-B.
- C. 215 Hubbard St:** There is trash and refuse on the property including, but not limited to: multiple tires, scrap metal, brush, trash and other refuse and that said Unlawful Accumulation constitutes a nuisance pursuant to Section 8.08.110 of the Code of Ordinances of the City of Great Bend, Kansas. This real estate is located at 215 Hubbard St. and is the subject of Resolution Number 121922-C.
- D. 2535 21st St:** There is trash and refuse on the property including, but not limited to: numerous tires and other refuse and that said Unlawful Accumulation constitutes a nuisance pursuant to Section 8.08.110 of the Code of Ordinances of the City of Great Bend, Kansas. This real estate is located at 2535 21st St. and is the subject of Resolution Number 121922-D.
- E. 1614 Morton St:** There is a white colored pickup on jacks and pewter colored pickup on the property that are either not displaying current registration, and/or are not inoperable 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. This is located at 1614 Morton St. and is the subject of Resolution Number 121922-E.
- F. 1208 Morphy St:** There are two older pickups on the property that are either not displaying current registration, and/or are not inoperable 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. These motor vehicles are located at 1208 Morphy St. and is the subject of Resolution Number 121922-F.
- G. 235 Maple St:** There are two pickups on the property that are either not displaying current registration, and/or are not inoperable 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. These motor vehicles are located at 235 Maple St. and is the subject of Resolution Number 121922-G.
- H. 212 Chestnut St:** There is a pickup on the property that is either not displaying current registration, and/or is not inoperable 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. This motor vehicle is located at 212 Chestnut St. and is the subject of Resolution Number 121922-H.
- I. 404 Plum St:** There is a silver colored four door sedan on the property that is either not displaying current registration, and/or is not inoperable 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. This motor vehicle is located at 404 Plum St. and is the subject of Resolution Number 121922-I.

Mr. Soupiset made a motion to approve resolutions 121922A-I. Ms. Biggs seconded the motion and passed with all voting in favor.

- 4. Blizzard Energy Inc. Lease:** City Administrator Kendal Francis reported that the current 10-year lease with Blizzard Energy Inc. expires on December 31, 2022. Blizzard suspended operations during Covid and are attempting to restart. We have been working with them to find terms that would help them get back up to speed. They desire to renew the lease, but on a 1-year term, with 4 renewable 1-year options. Initial rent is \$1,779 per month. This amount will remain the same from their current agreement. Rent increases 5% each renewal. Rent will increase to \$2,850 per month upon return of the facility to full-time operations. Termination is 90-days without cause. Ms. Biggs made a motion to approve the lease agreement with Blizzard Energy Inc. The motion was seconded by Mr. Moeder and passed with all voting in favor.
- 5. Amber Meadows Resolution:** City Administrator Kendal Francis reported that at the November 7th work session, the council was presented with information regarding Rural Housing Incentives Districts (RHID). Additionally, it was proposed that the undeveloped, city-owned property at Amber Meadows be designated an RHID to promote future housing development. The council gave consensus to move forward with seeking an RHID designation for that property. The first step is to pass a resolution requesting the Secretary of Commerce to approve the designation. This designation does not commit the city to any future expenditures, but simply provides this incentive for developers. Mr. Moeder made a motion to approve Resolution Number 121922-J, designating Amber Meadows undeveloped city property as an RHID. The motion was seconded by Mr. Urban and passed with all voting in favor.
- 6. Housing Opportunities Inc. (HOI) – Brynwood Addition Rezoning:** Assistant City Administrator Logan Burns reported that HOI has filed an application to rezone a property from A (Agricultural) to PUD (Planned Unit Development) within city limits. This first phase of development will be named Cambridge Park and will consist of 6 duplexes, 2 SROs (Single Room Occupancy) and a community building. It will also entail constructing a portion of Grant Street connecting 6th Street to 2nd Street. 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. Jimenez and passed by a vote of 6-1, with Ms. Biggs voting against. Mr. Urban made a motion to adopt Ordinance Number 4399 rezoning the subject real estate from A (Agricultural) to PUD (Planned Unit Development). The motion was seconded by Ms. Towns and passed by a vote of 5-1, with Ms. Biggs voting against and Ms. Krom-Craven abstained.
- 7. Housing Opportunities Inc. (HOI) – Brynwood Addition Final Plat Submittal:** Assistant City Administrator Logan Burns reported that HOI has submitted the final plat for the Brynwood Addition. Staff has reviewed the final plat and Planning Commission has recommended approval to the City Council. Supporting documents include the drainage study completed by Kaw Valley Engineering as well as the Development Plan. All appropriate parties will need to sign the plat and then it will be recorded with the Barton County Register of Deeds. Mr. Urban made a motion to adopt Ordinance Number 4400 for the Brynwood Addition. The motion was seconded by Mr. Jimenez and passed by a vote of 6-1, with Ms. Biggs voting against. Ms. Krom-Craven made a motion to approve the Mayor to sign the plat. The motion was seconded by Mr. Urban and passed by a vote of 6-1, with Ms. Biggs voting against.
- 8. Boundary Resolution:** City Administrator Kendal Francis reported that K.S.A 12-517 requires the governing body to declare by resolution the entire boundary of the city before the last day of December in any year in which territory has been added to the city. The city annexed the Brynwood addition this year and the governing body,

therefore, needs to update the boundary resolution to include the new territory. Mr. Moeder made a motion to approve Resolution No 121922-K, to declare boundaries of the City. The motion was seconded by Ms. Krom-Craven and passed by a vote of 6-1, with Ms. Biggs voting against.

- 9. Proposed Approval of Airport FBO Lease Assignment:** Airport Manager Martin Miller reported that under the attached FBO Agreement (July 2020), P & N had appeared to assign the agreement to another entity (Coulson Corporation). Without City consent, this would be a violation of the July 2020 agreement (paragraphs 40 & 41). In response to the City Attorney's letter, P & N is requesting the City's approval to assign the Agreement to Coulson Corporation, subject to the transfer of ownership of Coulson Corporation to Ryan and Ashley Coulson. This request has the unanimous support of the Airport Advisory Committee. Ms. Biggs made a motion to approve the FBO Lease assignment and authorize the Mayor to execute the agreement. The motion was seconded by Mr. Moeder and passed with all voting in favor.
- 10. Fee Schedule Resolution:** City Administrator Kendal Francis reported that at the previous council meeting, proposed updates to the Master Fee Schedule were presented. The attached schedule contains the changes as discussed. There was much discussion around the Events Center Fees on whether the proposed fees would be profitable. The council also agreed they were not a fan of the tiered food and alcohol fees. They requested that staff go back to the drawing board for the Events Center. Ms. Biggs made a motion to go back to the drawing board regarding setting the master fees schedule for 2023 was made by Ms. Biggs. The motion was seconded by Ms. Towns and passed by a vote of 6-1, with Mr. Urban voting against.
- 11. 2023 Vac-Con Freightliner Combination Truck:** Public Works Director Jason Cauley reported that we are looking to purchase a 2023 Vac-Con Combination truck on a freightliner chassis. This truck has a more powerful vacuum system with a 3-stage fan than the Vactor trucks. It also has a triplex pump that is minimal maintenance and a steady spray stream with no surging when hydro excavating. It also has a fan placement that allows it to be more durable compared to the Armor truck that has the fan placement on top of the tank. The Armor truck, though the least costly of the three options, in our opinion has a greater possibility for damage to the fan if overfilled. For the applications we utilize our equipment for happens with relative frequency, especially when being used during water main breaks. It would be replacing a 2001 Vactor combination truck that has a vacuum fan that has delaminated making the truck unusable. Parts for replacement would cost \$50,000 which would be equivalent to an annual payment. Currently we have FEMA reimbursement funds and unencumbered funds in the Street/Storm/Sewer fund that would give us a down payment of \$352,505.76. We are looking to utilize a Lease to Purchase from First Kansas Bank for the remainder of the funds of \$167,710.24 at 4 years for 4% interest with an annual payment of \$44,611.54. Farmer's Bank and Trust gave us quotes of 4.38% interest for both 48 months and 60 months. First Kansas Bank and Farmer's Bank and Trust gave us quotes. We are currently putting \$40,000 annually in the Capital Outlay for a vac truck. The council voiced concerns that they were not aware of needing to purchase a new truck and the repair seems way cheaper than buying a new truck. Ms. Krom-Craven made a motion to table the purchase of a 2023 Vac-Can Freightliner Combination Truck from Red Equipment LLC for \$514,216.50 until the second meeting. The motion was seconded by Ms. Towns and passed with all voting in favor.

12. City Administrator Search Firm Proposal: Mayor Schmidt reported that a committee met to discuss firms to help us with our City Administrator search and the committee recommended using Strategic Government Resources (SGR) out of Keller Texas. Mr. Urban made a motion to use SGR to help find our next City Administrator at a cost not to exceed \$24,900, not including incidentals. The motion was seconded by Ms. Biggs and passed with all voting in favor.

13. Executive Session: Ms. Krom-Craven made a motion to recess into executive session for a period of 30 minutes to discuss the Interim City Administrator position pursuant to the non-elected personnel matter exception, K.S.A. 75-4319 (b) (1), with the regular meeting resuming at 8:04pm. The motion was seconded by Mr. Moeder and passed with all voting in favor. The council meeting resumed at 8:04pm. Mayor Schmidt recommended using Logan Burns as Interim City Administrator and Steve Haulmark as his consultant. Mr. Urban made a motion to approve Logan Burns filling in as Interim City Administrator. Ms. Biggs seconded the motion and passed with all voting in favor

ADJOURNMENT

Ms. Biggs made a motion that the meeting be adjourned. Mr. Moeder seconded the motion and passed with all voting in favor. The meeting was adjourned at 8:08 pm.