

GREAT BEND CITY COUNCIL MEETING

August 19, 2024

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:

___ Mayor Cody Schmidt	___ Councilmember Cory Urban
___ Councilmember Kevyn Soupiset	___ Councilmember Lindsey Krom-Craven
___ Councilmember Rickee Maddox	___ Councilmember Tina Mingenback
___ Councilmember Alan Moeder	___ Councilmember Davis Jimenez
___ Councilmember Jolene Biggs	___ Attorney Allen Glendenning
___ Administrator Brandon Anderson	___ Clerk/Finance Director Shawna Schafer
___ Assistant Administrator Logan Burns	

OPENING: PLEDGE OF ALLEGIANCE

A. CONSENT AGENDA

- a) **Minutes:** Minutes of the Regular Session held on August 5, 2024.
- b) **Claim's Warrant Register 8-19-24:** Covering 2024 bills to date.
- c) **Payroll Register P/R 8-9-24:** Covering payroll ending August 3, 2024 in the amount of \$428,147.81.
- d) **Appointments:** Mayor Schmidt will make appointments as appropriate.
- e) **Change of Date for the Next Regular Council Meeting:** The next regular council meeting falls on Labor Day which is a Holiday observed by the City. It is recommended that the meeting be held on Tuesday, September 3, 2024 at 6:30 p.m.
- f) **Agenda:** Approval of agenda as submitted or amended.

B. OLD BUSINESS

1. **Common Consumption Area (CCA):** On August 5, 2024, The Council considered this ordinance and tabled the vote to allow a requested change to include the Mayor and a Council member in the Downtown Committee. The ordinance attached makes that change. City Attorney Allen Glendenning will report.

Recommendation: Take appropriate action on Ordinance 4439.

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 wish to speak by abiding by the 3-minute limit. If a large group is present for the same topic, the mayor, in his discretion, may ask that you elect 1 spokesperson, and he could allow a longer time for that individual to speak.

D. NEW BUSINESS

1. **2025 Budget Ordinance No. 4440:** Previous City Administrator, Brandon Anderson, presented the 2025 Operating Budget to the Governing Body at the July 8, 2024, budget work session. The budget is funded at a mill levy of 44.391, which is the calculated Revenue Neutral Rate of 44.391 certified by the County Clerk. Senate Bill 410 was approved this past year which states that if the governing body did not intend to exceed its revenue neutral rate but the final valuations of the taxing entity used to calculate the revenue neutral rate changes, the governing body shall be permitted to levy a tax rate that generates the same amount of property tax revenue as levied in the prior year. With this change in the bill, no RNR hearing is recommended. City Clerk/Finance Director Shawna Schafer will report.

Recommendation: Open for public hearing. Motion to close public hearing. Motion to adopt Ordinance No. 4440 as the 2025 Budget Ordinance.

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

Recommendation: Informational item.

3. **Administrators Update:** City Administrator Logan Burns will present an update on what is happening within the City organization.

Recommendation: Informational item.

4. **CVB/Community Coordinator Report:** Community Coordinator Christina Hayes will present her monthly report.

Recommendation: Informational item.

5. **Abatements:** City Administrator Logan Burns will present abatements.

Recommendation: Take action on abatements.

6. **Adoption of the 2024 Edition of the Standard Traffic Ordinance (STO):** The Standard Traffic Ordinance is published by The League of Kansas Municipalities

and adopted by cities throughout the state. It is updated annually. The 2024 edition makes substantive changes. The only changes relate to Court procedures. Two versions of the ordinances are presented for your consideration; Version 1 maintains the status quo by continuing the past practice of adopting the current edition of the STO with two tweaks regarding parking and removing vehicles, to meet local conditions. Version 2 the City Attorney has made a review of the Great Bend Code and found several sections that are duplicative of, or in conflict with, the STO. Version 2 would delete those duplicative and conflicting code sections. It makes no substantive change to what the ordinances declare to be unlawful. City Attorney Allen Glendenning will report.

Recommendation: Motion to adopt Ordinance 4441, the 2024 STO version 2.

- 7. Adoption of the 2024 Edition of the Uniform Public Offense Code Ordinance (UPOC):** The Uniform Public Offense Code is published by The League of Kansas Municipalities and adopted by cities throughout the state. It is updated annually. The 2024 edition makes the following substantive changes; First, amending the definition of disorderly conduct to remove language that the Kansas Supreme Court struck down in a decision on March 4, 2024 and second, adding provisions to three section dealing with controlled substances to provide immunity from arrest and prosecution for persons who initiate contact with law enforcement or EMS, seeking medical assistance needed as a result of the use of controlled substances, provided they cooperate with the officers and EMTs. This year three versions of the adopting ordinance are being presented for the reasons explained below; Version 1 would continue the past practice of adopting the current edition with the marijuana prohibition deleted and the trespass definition tweaked. Version 2 the City Attorney has made a review of the Great Bend Code and found several sections that are duplicative of, or in conflict with, the UPOC. Version 2 would delete those duplicative and conflicting code sections. It makes no substantive change to what the ordinances declare to be unlawful. Version 3, historically, the City of Great Bend has adopted the most recent edition of the UPOC but has tweaked it to delete the section prohibiting the possession of marijuana, as a result, the possession of marijuana is not a violation of city ordinance. It remains a violation of state and federal law, but those cases are prosecuted in state and federal courts by the County Attorney and the United States Attorney. The Police Department has requested that the UPOC prohibition on possession of marijuana not be deleted, which would make possession of marijuana a violation of city ordinance going forward. This would allow officers to submit such cases for prosecution in Municipal Court by the City Attorney. Chief Haulmark will be present and available to answer questions and discuss the reasons for the request. City Attorney Allen Glendenning will report.

Recommendation: Motion to adopt Ordinance 4442, the 2024 UPOC with the modifications selected by the council (version 1, 2, or 3).

- 8. Kestrel Sublease to Med-Trans Corporation (Eagle Med):** On January 2, 2024, the Council approved the renewed lease of the ground at this address to Kestrel. Kestrel owns the buildings at that address. In recent years, Kestrel has

sublet the ground and buildings to Med-Trans (Eagle Med) for their operations and that sublease has just been renewed. The lease between the City and Kestrel prohibits subletting without the City's written consent. City Attorney Allen Glendenning will report.

Recommendation: Motion to approve the sub lease agreement, subject to its subordination to or incorporation of the terms of the lease between the City and Kestrel and the federal government, and authorize the City Administrator to give written consent on behalf of the City of Great Bend.

- 9. Proposed Agreements with Garver for Airport Projects:** The Airport has accrued FAA entitlement and BIL grants that are sufficient to fund 95% of the 2025 rehabilitation of Runway 17/35, specifically crack-fill, slurry seal, and re-marking. Requisite to obtaining these federal grants, the Airport Consultant Selection Committee chose Garver on February 9 to administer the upcoming 5-year Airport Improvement Program. Attached are the two proposed agreements to establish Garver as the Engineer of Record for the upcoming projects, and to authorize Garver to administer this first project through the bidding phase. Airport Manager Martin Miller will report.

Recommendation: Motion to approve and authorize the Mayor's signature on the attached Master Agreement and Work Order #1 with Garver.

- 10. City Administrator Contract:** On August 5, 2024, the Mayor, with the advice and consent of the City Council, appointed Logan Burns to fill the City Administrator position. By City ordinance, the terms and conditions of that employment may be set by contract. The contract was prepared by the City Attorney in accordance with information provided by the Mayor and Council members. Mayor Schmidt will report.

Recommendation: Motion to approve the contract setting the terms and conditions of the City Administrator's employment.

ADJOURNMENT