

GREAT BEND CITY COUNCIL MEETING

October 21, 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:

<input type="checkbox"/> Mayor Cody Schmidt	<input type="checkbox"/> Councilmember Cory Urban
<input type="checkbox"/> Councilmember Kevyn Soupiset	<input type="checkbox"/> Councilmember Lindsey Krom-Craven
<input type="checkbox"/> Councilmember Rickee Maddox	<input type="checkbox"/> Councilmember Tina Mingenback
<input type="checkbox"/> Councilmember Alan Moeder	<input type="checkbox"/> Councilmember Davis Jimenez
<input type="checkbox"/> Councilmember Jolene Biggs	<input type="checkbox"/> Attorney Allen Glendenning
<input type="checkbox"/> Administrator Logan Burns	<input type="checkbox"/> Clerk/Finance Director Shawna Schafer
<input type="checkbox"/> Assistant Administrator VACANT	

OPENING: PLEDGE OF ALLEGIANCE

A. CONSENT AGENDA

- a) **Minutes:** Minutes of the Regular Session held on October 7, 2024.
- b) **Claim's Warrant Register 10-21-24:** Covering 2024 bills to date.
- c) **Payroll Register P/R 10-18-24:** Covering payroll ending October 12, 2024, in the amount of \$524,146.80.
- d) **Appointments:** Mayor Schmidt will make appointments as appropriate.
- e) **Agenda:** Approval of agenda as submitted or amended.

B. OLD BUSINESS

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

Recommendation: Informational item.

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

Recommendation: Informational item.

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

Recommendation: Take action on abatements.

4. **Lot-Tie Agreements:** A lot-tie agreement is being presented tonight after consideration by the Planning Commission to allow for a property owner to merge smaller lots into a larger lot for zoning purposes. A lot-tie agreement would be carried out by the property owner whereby the property owner agrees that the described lots and/or parcels shall be held under the same ownership and not sold separately unless approved by the City pursuant to Chapter 16.24 of the Code of Ordinances. Said agreement shall be recorded with the Register of Deeds as a restriction on the subject property. We have many pieces of property that are owned contiguously by the citizens of Great Bend, and many are not combined. The merger of lots would allow for property owners to merge the smaller lots into a larger lot and allow them to add buildable area to their property. Many times, in the past, the bank/mortgage company would not allow the parcels to be combined because of a lien on the property. This ordinance would allow the Inspections Department to issue a permit for building and zoning purposes after a lot-tie agreement was carried out. Inspections have allowed the combining of lots in the past, but this would give the City a cleaner process to move forward with. Contiguous lots within the same zoning district and not separated by a street or an alley, may be combined to create a larger lot. No lot-tie agreement shall be effective unless it is approved by the Secretary of the Planning Commission similar to how we treat Lot-Splits currently. The lot-tie agreement shall not create a through lot that has more than 3 street frontages and does not increase a lot with a width or area greater than 200 percent of the average lot width or average. City Administrator Logan Burns will report.

Recommendation: Motion to adopt Ordinance 4445, allowing a lot-tie agreement to be executed by the property owner to provide for the merger of smaller lots into a larger lot for zoning purposes.

5. **Public Hearing – Creation of Great Bend STAR Bond District:** In conjunction with the proposed hotel and restaurants at 3017 10th Street, City staff and GBED

have been working with the state of Kansas on a proposed STAR bond project at the Great Bend Expo Complex. The work to take place may include but not be limited to improvements to the drag strip including increased seating capacity and additional amenities, a livestock arena with amenities, a banquet hall with four multi-purpose courts for sporting events, an amphitheater, improvements to the existing rodeo grounds, and an additional hangar/restaurant. The proposed plans and project costs are not final until approved by the state of Kansas and are subject to change. STAR bonds are repaid through the increased sales tax revenue generated by the development. The base sales tax revenue is calculated and the increase in sales tax revenue is used to pay off the STAR bond. The STAR bond project costs are to be paid by the issuance of bonds of the City and the bonds may be issued to reimburse expenditures and the purchased bonds must be paid off in 20 years. There would be no additional sales tax that the City of Great Bend citizens would be subject to, and taxpayers are never responsible for bond payments. STAR bonds are an important tool for local communities to attract new visitors and new revenues to Kansas while improving the quality-of-life for both Great Bend and Kansas residents. The resolution presented at the October 7th Council meeting called for a public hearing to consider the establishment of the STAR bond project district and gave notice of the public hearing on October 21, 2024. Following the conclusion of the public hearing, the City Council will consider an ordinance making certain findings related to and establishing the Great Bend STAR Bond Project District. Notice of the public hearing which included a copy of resolution 100724-D and Exhibits A & B were mailed certified to the Board of County Commissioners, USD 428, and each owner and occupant of land within the proposed District within 10 days of October 7th. The resolution including Exhibits A & B were published once in the Great Bend Tribune not less than one week nor more than two weeks preceding the date of the public hearing and posted at a prominent location on the first page of the City website. City Administrator Logan Burns will report.

Recommendation: Open for public hearing. Motion to close public hearing. Motion to adopt Ordinance 4446, establishing the STAR Bond District.

- 6. Solar Regulations:** On September 30, 2024, the Great Bend Planning Commission held a public hearing to consider proposed solar regulations within the 3-mile zoning jurisdiction of Great Bend allowed in certain districts. The regulations were discussed with the public and conversation was held between the Planning Commission, the public, and City staff. The Great Bend Planning Commission, after discussion, recommended approval of the proposed solar regulations to the Great Bend City Council. The Great Bend City Council held a work session on October 7th to go over the proposed regulations and raised questions on the following items to be considered: the language for general liability insurance of not less than two million dollars and a groundwater test conducted within the area of the BESS site before placement, every 5 years and after an extraordinary event. The last time item falls under 17.22.050(Y)(3) to change the language of "developer" to "owner/operator" to be consistent with (A) & (B) in this section. The Council has three options at this point; Approve the Planning Commission's recommendation and pass the Ordinance with no changes, Override and reject the Planning Commission's recommendation (this option would require a 2/3rds majority of the membership – 6 votes), or neither

approve nor disapprove this ordinance but send it back to the Planning Commission for reconsideration. The Council should identify the reasons for sending it back and the matters it would like the Planning Commission to reconsider. City staff recommend language be changed for general liability insurance to be per occurrence in the amount of not less than \$2,000,000 or as determined by the size of the project and approved by the Great Bend Planning Commission/City Council. Regarding the language concerning the groundwater test, City staff have recommended language after discussion with the City Council to read as: a Phase 1 Environmental Site Assessment or equivalent be conducted. City Administrator Logan Burns will report.

Recommendation: Motion to send Ordinance 444X back to the Planning Commission with new suggested language after a work session on October 7, 2024.

- 7. Executive Session:** An executive session has been requested to discuss information deemed privileged in the attorney-client relation. The executive session shall include the Governing Body, the City Administrator, and the City Attorney.

Recommendation: A motion to recess into executive session for a period of ___ minutes to seek legal advice for pending legal matters pursuant to K.S.A. 75-4319(b)(2), consultation with an attorney for the body which would be deemed privileged in the attorney-client relationship. The regular meeting will resume at ___:___.

ADJOURNMENT