

City of Great Bend
August 6, 2018

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, Vicki Berryman, Cory Zimmerman, Jolene Biggs, Joel Jackson, Cory Urban, Dan Heath and Brock McPherson. Also in attendance were City Administrator Kendal Francis, City Attorney Robert Suelter and City Clerk Shawna Schafer.

A. CONSENT AGENDA

- a) **Minutes:** Minutes of the Regular Session held on July 16, 2018.
- b) **Claim's Warrant Register #8-6-18:** Covering 2018 bills to date in the amount of \$2,627,432.71.
- c) **Payroll Register P/R 7-20-18 & 8-3-18:** Covering payroll ending July 14, 2018 in the amount of \$386,625.36 & payroll ending July 28, 2018 in the amount of \$312,404.32.
- d) **Appointments:** Mayor Andrasek made no appointments.
- e) **CMB License:** Mizumi Sushi & Steak (Lu Tseng) of Great Bend, KS has applied for a Cereal Malt Beverage License. She has submitted an application and the required insurance.
- f) **Door-to-Door License:** Have It Maid (Tabitha Dunn) of Great Bend, KS has applied for a Door-to-Door License. She has submitted an application and the required insurance.
- g) **Street Closure:** Close Lakin Avenue between Main and Kansas on August 11, 2018 for the Crosswinds of Kansas Blessed Bike Rally.
- h) **Street Closure:** Close Main Street from 24th Street to 12th Street during the Together As A Community We Stand Parade on September 8, 2018 from 5pm to 6:30pm or until the end of the parade.
- i) **Beer Permission:** Authorize 3.2 cereal malt beverages in Jack Kilby Square from 5:30pm to Midnight on September 8, 2018.
- j) **Jack Kilby Square Curfew Extension:** Authorize people to be in Jack Kilby Square past Midnight on September 8, 2018 for the cleanup of the event.
- k) **Agenda:** City Attorney Robert Suelter requested that the agenda be amended to add item 7 to discuss the Tractor Supply Sewage Disposal.

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



B. OLD BUSINESS

- 1. Library Budget Discussion:** Library Director Gail Santy addressed the Governing Body in regards to the Library's Budget. She stated she had met with many councilmembers and the Mayor the last few weeks. She also met with City Administrator Kendal Francis, Interim George Kolb, City Attorney Robert Suelter and City Clerk/Finance Director Shawna Schafer. After meeting with these individuals, researching Kansas Statutes and speaking with the State Librarian, the Library's budget will remain at \$590,000 that Council had set at the Budget Work Session and the City and the Library will seek an appeal through the State Library to be eligible for the grants. This appeals process needs to show the State Librarian that the Library is maintaining their maintenance of the local tax levy support for the operations of the Library. In prior years to 2018, the Library was receiving \$555,000 and in 2018 it increased to \$627,000 because there was an excess of cash in their fund that needed to be distributed. In 2019. The Library will receive \$590,000 which is maintaining their maintenance when compared to years prior to 2018. City Clerk/Finance Director Shawna Schafer added that to avoid a cash balance in the Library Fund going forward, the City has created a miscellaneous revenue of \$50,000 and a contingency expense of \$50,000 so that if there is a cash balance at the end of the year the City at least has budget authority to distribute the cash up to \$50,000. If there is no cash balance, then no additional distribution will be made. Brock McPherson also wanted to discuss the \$2000 to SRCA. Cory Urban noted that instead of giving the \$2000 directly to SRCA, that instead, put that money into an expo infrastructure account since the facility is owned by the City. Brock agreed to this. Mr. Urban made a motion to publish the amended budget as recommended. The motion was seconded by Mr. Erb and passed with all voting in favor.

- C. RECOGNITION OF VISITORS AND ANNOUNCEMENTS:** There were no visitors or announcements.

D. NEW BUSINESS

- 1. Councilmember Reports:** There were no councilmember reports.
- 2. Administrators Update:** City Administrator Kendal Francis distributed his monthly report regarding the activities of the various City departments.
- 3. Economic Development Report:** Chamber President/CEO Jan Peters presented her monthly report.
- 4. Abatement Requests:** Sanitarian Austin LaViolette presented the following abatements to the Governing Body:
 - a. 401 Cedar:** Trash and refuse including, but not limited to; wood construction materials, plastic containers, and several bags of household trash located at 401 Cedar constituting an unlawful accumulation. This real estate is subject of Resolution 080618-A.
 - b. 1402 Lakin:** Trash and refuse including, but not limited to; trees limbs and branches stored on the property located at 1402 Lakin constituting an unlawful accumulation. This real estate is subject of Resolution 080618-B.
 - c. 3017 10th Street:** Trash and refuse including, but not limited to; trash receptacles not being properly maintained and emptied along with other general trash and refuse on the property that needs to be removed located at

3017 10th Street constituting an unlawful accumulation. This real estate is subject of Resolution 080618-C.

Mr. Jackson made a motion to adopt Resolution Numbers 080618A-C. Mr. Urban seconded this motion and passed with all voting in favor.

- 5. Waterline Project Change Order #2:** On-call Engineer Josh Golka reported on the Waterline Improvement Project noting that Change order #1 came in under the not to exceed amount of \$294,596.74. The final amount for change order #1 is \$214,528.74, \$80,068 under budget, which leaves the City with a remaining budget for additional improvements and modifications of \$1,066,042.31. City staff has identified additional improvements on Morton Street from Broadway to Lakin, on Jackson Street from Broadway to Lakin, and on 12th Street from Main to Stone Street for a total project cost for additional work of \$443,625. 14 modifications also have been identified where existing waterline cannot be shut down due to inoperable valves. The total project cost for the 14 modifications is \$66,396.23. Requested in change order #2 was the total amount not to exceed \$510,021.23. Mr. Zimmerman made a motion to approve change order #2 in the amount not to exceed \$510,021.23. The motion was seconded by Mr. Urban and passed with all voting in favor.
- 6. 8th Street Project Bid:** On-call Engineer Josh Golka reported on the sealed bids for the 8th Street Project noting 1 asphalt bidder and 3 concrete bidders. Suchy Construction came in low bid overall at \$462,951.61 for concrete and then Venture Corporation came in second for asphalt at \$468,876.95. Under the letter of the law, the only bidder who followed bid specs was Venture Corporation. Under the bid specs, it stated that each bidder must submit evidence of being KDOT prequalified. At the time of the bid opening, Suchy Construction and L&M Contractors were not KDOT prequalified and Vogts-Parga Construction was KDOT prequalified but did not submit evidence with their sealed bid. At the time of the bid opening, these bids should have not been read. Also, within the bid specs, it states that the City has the right to waive any informalities if they wish to do so. The City has two options, waive an informality and award bid to low bidder or take it back out for bid to get more than 1 qualified bidder. After much discussion and input from Suchy Construction and Venture Corporation, Mr. Erb made a motion to go back out for bids. Mr. McPherson seconded this motion and passed by a vote of 4-3 with Mr. Jackson, Mr. Zimmerman and Ms. Berryman voting no and Ms. Biggs abstaining from voting.
- 7. Tractor Supply Sewage Disposal:** City Attorney Robert Suelter reported on the proposed construction of Tractor Supply Co, that will be going in across from Walmart facing east on Grant Street with the entrance from Eighth Street. The pressing issue is the sewer line. The City's sewer line serving the real estate runs through the middle of the parking lot of Trail Ridge Apartments north of Eighth Street, across Grant Street and through Walmart property. At the time Eighth Street was developed no utilities were included since it was not anticipated that the real estate would be developed so soon. To create a sewer line, it would require development plans, the development of a benefit district to pay for the costs of the design and installation and the construction of the sewer. This cannot be completed in time to comply with the construction timing for the new building. The alternative that was suggested was to temporarily construct a septic disposal system on the Lighthouse LLC real estate to the west pending design and construction of the sewer line. Once the main sewer line is installed the building would connect to the sewer line and abandon its septic system disposing of it in accordance with all health regulations and city ordinances. The problem with the alternative is that there are City ordinances that require that the structure hook to the City's sewer unless otherwise allowed by the City plumbing code. The plumbing code

requires that a sewer connection should be made if public sewer is available. The nearby public sewer, although close, is not readily available. Therefore, the City would need to waive the code requirements temporarily to accommodate construction of the structure subject to the following:

- a. That Lighthouse LLC and Tractor Supply agree to sign a petition for a benefit district to provide City utilities to the real estate involved.
- b. That Lighthouse LLC and Tractor Supply sign the appropriate easements, if any are needed, to provide space for the construction of the utility services.
- c. That upon the completion of construction of the sewer service that Tractor Supply immediately hook on to the City's sewer.
- d. That the temporarily septic system be constructed as prescribed by all applicable rules and regulations.
- e. That upon the Tractor Supply structure being hooked to the City's sewer system that Tractor Supply immediately abandon the septic system and dispose of the septic system as prescribed by all appropriate rules and regulations.
- f. That the obligations of the parties be carried out in a timely manner.
- g. That this waiver is conditioned on Tractor Supply, Lighthouse LLC and the City entering an agreement setting out the conditions as set out above.

Mr Urban made a motion to waive the code requirements and to authorize the Mayor to sign an agreement with Tractor Supply and Lighthouse LLC setting out the above waiver and conditions. The motion was seconded by Ms. Biggs and passed with all voting in favor.

A DJOURNMENT

Mr. Heath made a motion that the meeting be adjourned. The motion was seconded by Mr. Zimmerman and passed with all voting in favor. The meeting was adjourned at 7:56 p.m.