

# GREAT BEND CITY COUNCIL MEETING

June 5, 2023

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 Brock McPherson	<input type="checkbox"/> Councilmember Natalie Towns
<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"/> Interim Administrator Logan Burns	<input type="checkbox"/> Clerk/Finance Director Shawna Schafer

## OPENING: PLEDGE OF ALLEGIANCE

### A. CONSENT AGENDA

- a) **Minutes:** Minutes of the Special Session held on May 15, 2023.
- b) **Claim's Warrant Register 6-5-23:** Covering 2023 bills to date.
- c) **Payroll Register P/R 5-19-23 & P/R 6-2/23:** Covering payroll ending May 13, 2023, in the amount of \$507,049.92 and payroll ending May 27, 2023, in the amount of \$411,935.17.
- d) **Appointments:** Mayor Schmidt will make appointments as appropriate.
- e) **Annual Blessed Bike Rally:** Authorize blocking off parking stalls on the north side of Lakin Avenue between Kansas Avenue and Main on August 18-20, 2023, for vendors to set up and tear down. Authorize closing Lakin Avenue between Main and Kansas from 8:00am to 11:00pm on August 19, 2023. Authorize individuals to stay overnight in Jack Kilby Square for security of the event on August 18-20, 2023.
- f) **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 also wish to speak by limiting comments to 3 minutes.*

## D. NEW BUSINESS

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

Recommendation: Informational item.

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

Recommendation: Informational item.

3. **Economic Development Report:** Economic Development Inc. President Sara Arnberger will present her monthly report.

Recommendation: Information item.

4. **Abatements:** Code Enforcement Art Keffer will present abatements.

Recommendation: Take action on abatements.

5. **Short-Term Rental Ordinance:** Based upon the findings and the current processes, Building Inspection staff feel it is important to have regulations in place for Short-Term Rentals within the City of Great Bend. Staff proposes to change the Zoning Regulations allowing Short-Term Rentals to be classified as a Permitted Use rather than a Conditional Use in designated zoning districts. Staff also propose creating and implementing a licensing and inspection program for Short-Term Rentals. This program will be implemented and managed through Building Inspections in a similar manner as the current Contractor Licensing. This would also allow for the licensing and City inspection to be maintained within one department. Interim City Administrator Logan Burns will report.

Recommendation: Motion to adopt Ordinance No 4408, reglating the operation and offering of short-term rentals.

6. **Skatepark Soil Conditions Change Order:** The City is in the process of demolition of the asphalt and concrete at the skatepark. We found 2' of mud/muck underneath as the years of water infiltrating the cracks in the asphalt have destroyed the subsoil. Attached is the language from Stone on the remedies and proposals for replacement. The additional costs incurred and options moving forward for the wet soils removal and replacement are as follows; Removal of saturated soils from the 125' x 125' area at the depth of 2' - \$10,000. Use our soil from the sports complex as backfill for the area, no guarantees as to the moisture content, amount of irrigation pipe and vegetation that could/will cause problems - \$13,500 (not recommended). Supply and place

clean LVC fill dirt soils as backfill up to grade - \$25,300. Supply and place clean dirt/concrete screenings - \$29,700. The dirt/concrete screening would be a better option as it stabilizes the soil better and would also allow the pad to get wet again and not sacrifice the integrity and compaction of the soil until the concrete contractors are on-site. To accommodate the additional costs, as I would not like to take this money out of QOL, our options are to take monies from Park Maintenance where we have a balance of \$50,000. Our other options are FEMA Admin Costs from Flood Disaster of \$51,026.56 and FEMA Walking Bridge Reimbursement of \$34,925.59. Any of these funds or a combination of any can be used to cover the additional expense of \$39,700. Interim City Administrator Logan Burns will report.

Recommendation: Motion to approve the change order from Stone Sand for removal of soils for \$10,000 and supply and place clean dirt/concrete screening for \$29,700 for a total cost of \$39,700.

- 7. Ordinance Regarding Vacancies on the Governing Body:** The city currently has no clear definition of what creates a vacancy or any procedure to address the situation where a person is elected to a position on the governing body but fails or refuses to accept the office, take the oath and/or attend meetings. This either leaves a portion of the citizenry not fully represented or leaves the city with only the cumbersome and expensive statutory processes of ouster or a recall election. The city can pass an ordinance that allows for the replacement of non-qualifying or non-functioning members, which is much less cumbersome and expensive. City Attorney Allen Glendenning will report.

Recommendation: Motion to adopt Ordinance No 4409, relating to vacancies in the offices of Mayor and Council Member.

- 8. Ordinance Regarding Harboring of Chickens Within the City Limits:** The current city code prohibits the harboring of chickens within the city limits. Recently citizens have expressed a desire to be allowed to keep "backyard chickens" within the city limits and have argues that the present code does not prohibit them. If the city council desires to continue the ban on harboring chickens, it can take no action, stand on the existing code and allow any arguments about its interpretation to be handled in the courts. Or the council can pass the attached proposed ordinance that addresses the arguments being made and clarifies that harboring chickens is not allowed within the city limits. If the council desires to allow the harboring of chickens, then it should discuss and give some direction on whether it wishes the harboring of chickens to be limited and regulated and, if so what limitations and regulations are desired and an ordinance can be drafted and submitted at a later meeting. City Attorney Allen Glendenning will report.

Recommendation: Take appropriate action.

- 9. 2023 Chip and Seal with Fog Seal Top:** For the 2023 year, we are requesting to fund chip and seal with a fog seal top coating on residential streets on approximately 100 blocks. We received only one bid for this project despite

putting bids out through our typical bid process. The bid is from Circle C Paving for \$308,100.00. The funding will come from money budgeted in the ¼ cent sales tax fund. Public Works Director Jason Cauley will report.

Recommendation: Motion to approve the bid from Circle C Paving for Chip and Seal with Fog Seal Top for \$308,100.00.

**10. 2024 Connecting City Link Improvement Program (CCLIP):** Our 2024 CCLIP project was approved by the Kansas Department of Transportation. We have received the agreement from KDOT which is the next step in the process that will allow us to utilize the funding from the state to make improvements to Main Street from the bridge to 2<sup>nd</sup> Street and improvements to Patton Road from 10<sup>th</sup> to 9<sup>th</sup> street. As per CCLIP Resurfacing Program under the criteria of Surface Preservation the State's participation in the cost of Construction and Construction engineering will be 90% and 10% will be City's portion. Assistant City Engineer Hitha Kadiyala will report.

Recommendation: Motion to authorize Mayor Schmidt to sign the 2024 CCLIP Agreement with KDOT.

**11. Proposed Lease of Storage Building at Airport:** The lease of the storage building located south of EagleMed at the airport has expired, and an updated lease has been negotiated with the existing tenant, Ray Christians. The proposed lease incorporates necessary terms compliant with the City's assurances with the FAA. Airport Manager Martin Miller will report.

Recommendation: Motion to authorize Mayor Schmidt to sign the lease agreement with Ray Christians.

**ADJOURNMENT**