

GREAT BEND CITY COUNCIL MEETING

October 17, 2022

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"/> Administrator Kendal Francis	<input type="checkbox"/> Clerk/Finance Director Shawna Schafer

OPENING: PLEDGE OF ALLEGIANCE

A. CONSENT AGENDA

- a) **Minutes:** Minutes of the Regular Session held on October 3, 2022.
- b) **Claim's Warrant Register 10-17-22:** Covering 2022 bills to date.
- c) **Payroll Register P/R 10-7-22:** Covering payroll ending October 1, 2022, in the amount of \$385,229.67.
- 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 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. Administrators Update:** City Administrator Kendal Francis will present an update on what is happening within the City organization.

Recommendation: Informational item.

- 3. Conditional Use Permit for Group Daycare Center:** Notice of the request and of a public hearing on the request were given to surrounding landowners within 200 feet of this real estate in city limits. Notice was also published in the Great Bend Tribune. A public hearing was held on September 26, 2022, before the planning commission. There were no surrounding landowners that attended the meeting. Building Official Logan Burns will report.

Recommendation: Motion to adopt the findings of fact prepared by City staff and recommend for approval by the Planning Commission. Motion to adopt Resolution Number 101722-A, for a conditional use permit for a Group Daycare Center.

- 4. Amendment of Zoning Regulations – Boarding Kennels:** The issue has recently arisen that kennel businesses are not allowed in residential districts. A recent request from Larry & Jennifer Kurtz to continue the operation of their kennel business from their residence led to discussion by City staff regarding the permitting of such businesses. The result of the discussion was that staff concluded that certain circumstances might justify permitting of such kennel businesses in residential districts. It is being proposed to amend Part II. Definitions of the current Zoning Regulations to define boarding kennel and redefine kennel. It is also being proposed to amend the current R-1 District Conditional Uses to allow for boarding kennels to be operated by resident members. The Planning Commission considered the matter at its September 26, 2022, meeting and recommended approval. Building Official Logan Burns will report.

Recommendation: Motion to adopt Ordinance Number 4395, to allow for a conditional use permit to be issued for a dog boarding kennel in a R-1 zone.

- 5. Conditional Use Permit for a Dog Boarding Kennel:** Notice of the request and of a public hearing on the request were given to surrounding landowners within 200 feet of this real estate in city limits. Notice was also published in the Great Bend Tribune. A public hearing was held on September 26, 2022, before the planning commission. There were 19 surrounding landowners and customers that attended the meeting. Building Official Logan Burns will report.

Recommendation: Motion to adopt the findings of fact prepared by City staff and recommend for approval by the Planning Commission. Motion to adopt Resolution Number 101722-B for a conditional use permit for a dog boarding kennel.

6. Abatements: Code Enforcement Leo Espino will present abatements.

Recommendation: Take action on abatements.

7. Temporary Premise Extension: Dry Lake Brewery has requested a temporary extension of premise on October 29th to host a Halloween party. The event will include food trucks and Pumpkin Smash fundraiser for the Cystic Fibrosis Foundation. The consumption of alcohol is planned in the proposed space. The brewery is working with the State Alcoholic Beverage Control to obtain proper permits for this activity. In order to allow consumption of alcohol on public property, Ordinance 4396 must be passed to exempt the public property from state statute. City Attorney Allen Glendenning will report.

Recommendation: Motion to approve Ordinance Number 4396, allowing consumption of alcohol on public property. Motion to close the alley from Lakin Avenue to Forest and closure of parking stalls on city-owned parking lot at Lakin and Williams on October 29th from 4:00 p.m. to 12:00 a.m.

8. Ordinance Limiting Living in Recreational Vehicles (RV) to Campgrounds and RV Parks: Existing ordinances and regulations could be interpreted to prohibit the use of an RV parked on a lot as a residence. However, they do not clearly do so. A complaint was made to code enforcement about a trailer in the side yard of a residence being used as a residence for a family member. When the city code enforcement officer contacted the owner, he came before the Council a few weeks ago and argued that the existing ordinances and regulation do not prohibit the use of on RV as a residence. Since then, the city clerk and the zoning enforcement officer have received complaints about new instances of RVs being set up to be used as residences. The use of RVs in this manner creates problems and potential problems with the esthetics of the neighborhoods, the stringing of cables and hoses across yards, and substandard and potentially hazardous and unsanitary utility connections. It also creates enforcement issues with other regulations such as zoning regulations prohibiting more than one residence on a lot. Since the issue is not clear, we are presenting Ordinance 4397 to clearly state that this is not permitted. Those uses already existing as of October 1, 2022, are grandfathered City Attorney Allen Glendenning will report.

Recommendation: Motion to approve Ordinance Number 4397, limiting living in recreational vehicles to campgrounds and RV parks.

9. Annexation of Cambridge Development: Housing Opportunities, Inc. (HOI) is the sole owner of approximately 24 acres adjacent to the southern boundary of the city. It has been working with the Planning Commission to rezone the property to a planned unit development. A hearing before the Planning Commission is set for November 28, 2022. HOI has requested to connect the anticipated development into the city's sanitary sewer. On October 3, 2022, the governing body approved the connection to the sanitary sewer, conditioned upon HOI requesting annexation. HOI has requested annexation. City Attorney Allen Glendenning will report.

Recommendation: Motion to approve Ordinance Number 4398, annexing certain lands adjoining the corporate city limits.

10. City Attorney/Prosecutor Contract: For the past year, the city has contracted with Watkins Calcara for attorney & prosecutor services. The current agreement is based on 40hrs/month for attorney & 40hrs/month for prosecutor. The base fee for services is \$14,000/month, with additional hours be billed at \$200/hr. We have learned that the attorney's workload requires a more full-time presence. Following overtures to Allen for a full-time position, a new contract has been proposed; Allen will serve as city attorney/prosecutor, fee will remain at \$14,000/month, Watkins Calcara will provide workers comp & other applicable insurance, and the city will continue to provide a legal staff position to assist. The term of the new agreement is for 3 years ending November 2025. City Administrator Kendal Francis will report.

Recommendation: Motion to approve the new agreement with Watkins Calcara.

11.2023 Health Insurance Options: Following the September 19th council meeting, the city reached out Humana, Aetna, United Healthcare, and Cigna and received no response. The city reached out to KMIT for their association health plan for municipalities and after providing census and claims, we were denied the ability to join this year based on our current utilization but encouraged us to try again next year. However, Julie Yarmer with Freedom Claims Management contacted the city about their services, and she is here tonight to present options. The city then contacted Mike Minton to discuss options and he is here tonight as well to present options. Human Resources Director Randy Keasling will report.

Recommendation: Take appropriate action.

ADJOURNMENT