

REGULAR SESSION

The Governing Body met in Regular Session in the City Council Chambers. Mayor Cody Schmidt called the meeting to order at 6:30 p.m. with the following present: Councilmembers Alan Moeder, Jolene Biggs, Lindsey Krom-Craven, Brock McPherson, Natalie Towns, Cory Urban, Kevyn Soupiset, and Davis Jimenez. Also in attendance were City Administrator Kendal Francis, City Attorney Allen Glendenning, and City Clerk Shawna Schafer.

OPENING: PLEDGE OF ALLEGIANCE

A. CONSENT AGENDA

- a) **Minutes:** Minutes of the Regular Session held on July 5, 2022.
- b) **Claim's Warrant Register 7-18-22:** Covering 2022 bills to date in the amount of \$582,358.53.
- c) **Payroll Register P/R 7-15-22:** Covering payroll ending July 9, 2022, in the amount of \$491,819.34.
- d) **Appointments:** Mayor Schmidt made no appointments.
- e) **Resolution 071822-A – 2022 GAAP Waiver:** Each year the City requests a waiver from the Generally Accepted Accounting Principles (GAAP) for the reporting of Cities financial statements and to allow the City to use the regulatory basis of accounting under the Kansas Municipal Audit & Accounting Guide (KMAAG).
- f) **Tree Trimmers License:** Trent Sallee, DBA Sallee Tree Service, out of St. John, KS has applied for a tree trimmers license. Application has been received along with payment and copy of the insurance.
- g) **Notice of Revenue Neutral Rate Intent:** Approval for City Clerk/Finance Director Shawna Schafer to send the Notice of Revenue Neutral Rate Intent to the County Clerk.
- h) **Agenda:** Mayor Schmidt amended the agenda to add an executive session to discuss information deemed privileged in the attorney-client relation.

Mr. Urban made a motion to approve the amended agenda. Mr. Soupiset seconded the motion and passed with all voting in favor.

B. OLD BUSINESS: There was no old business.

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 presented an update on what is happening within the City organization. Mr. Moeder had concerns on sidewalks buckling on west 10th and asked if the City had a liability with this. Kendal said the repairs are the responsibility of the owner.
3. **Community Coordinator Report:** Community Coordinator Christina Hayes presented her monthly report.
4. **Nextlink Communication Tower – Conditional Use Permit:** Building Official Logan Burns reported that AMG Technology Investment Group, dba Nextlink, has applied for conditional use permit to allow for the installation of a new 120-foot communication tower. The property is zoned A (agricultural) which allows for communication towers as a conditional use. The property is located in the 3-mile radius of the City of Great Bend. Mr. Soupiset made a motion to adopt the Findings of Fact prepared by City Staff and approved by the Planning Commission. The motion was seconded by Mr. Moeder and passed by a vote of 7-0, with Ms. Krom-Craven abstaining. Mr. Moeder made a motion to adopt Resolution Number 071822-B, issuing a Conditional Use Permit for a communication tower. The motion was seconded by Mr. Soupiset and passed by a vote of 7-0, with Ms. Krom-Craven abstaining.
5. **Jessica Roan – Conditional Use Permit for a Licensed Group Home Daycare:** Building Official Logan Burns reported that Jessica Roan has applied for a conditional use permit for a licensed group home daycare for operation Monday-Friday 7:15 AM to 5:30 PM by non-resident, non-family members in an R-2 (two-family) zone in the City of Great Bend. The property is owned by Hammond Investments and Tammy Hammond has signed the application authorizing the applicant use the property for this proposed use. There were two parties present for the public hearing: Rita Pivonka and Diane Olsen. They were concerned with the pickup and drop-off of the children on the busy street of McKinley and Planning Commission recommended to Jessica to have a plan to present to Council regarding the parking, pickup and drop off of the children. Ms. Biggs made a motion to adopt the Findings of Fact prepared by City Staff and approved by the Planning Commission. The motion was seconded by Mr. Jimenez and passed by a vote of 7-1, with Ms. Krom-Craven voting against. Ms. Biggs then made a motion to adopt Resolution Number 071822-C, issuing a Conditional Use Permit for a Group Home Daycare for real estate at 2206 McKinley. The motion was seconded by Mr. Moeder and passed by a vote of 7-1, with Ms. Krom-Craven voting against.
6. **Abatements:** Code Enforcement Leo Espino presented the following abatements:
 - D. **1901 Madison St:** There is trash and refuse on the property including, but not limited to: window awning and general refuse and that said Unlawful Accumulation constitutes a nuisance pursuant to Section 8.08.110 of the Code of Ordinances of the City of Great Bend, Kansas. This real estate is located at 1901 Madison St. and is the subject of Resolution Number 071822-D.
 - E. **1719 Morphy St:** There is trash and refuse on the property including, but not limited to: a tree branch and general refuse and that said Unlawful Accumulation

constitutes a nuisance pursuant to Section 8.08.110 of the Code of Ordinances of the City of Great Bend, Kansas. This real estate is located at 1719 Morphy St. and is the subject of Resolution Number 071822-E.

- F. **2535 21st St:** There is trash and refuse on the property including, but not limited to: four tires and general refuse and that said Unlawful Accumulation constitutes a nuisance pursuant to Section 8.08.110 of the Code of Ordinances of the City of Great Bend, Kansas. This real estate is located at 2535 21st St. and is the subject of Resolution Number 071822-F.
- G. **2910 18th St:** There is trash and refuse on the property including, but not limited to: tires and general refuse and that said Unlawful Accumulation constitutes a nuisance pursuant to Section 8.08.110 of the Code of Ordinances of the City of Great Bend, Kansas. This real estate is located at 2910 18th St. and is the subject of Resolution Number 071822-G.
- H. **3108 18th St:** There is trash and refuse on the property including, but not limited to: an indoor chair and general refuse and that said Unlawful Accumulation constitutes a nuisance pursuant to Section 8.08.110 of the Code of Ordinances of the City of Great Bend, Kansas. This real estate is located at 3108 18th St. and is the subject of Resolution Number 071822-H.
- I. **3422 16th St:** There is trash and refuse on the property including, but not limited to: two inoperable riding mowers and general refuse and that said Unlawful Accumulation constitutes a nuisance pursuant to Section 8.08.110 of the Code of Ordinances of the City of Great Bend, Kansas. This real estate is located at 3422 16th St. and is the subject of Resolution Number 071822-I.
- J. **1504 12th St:** There is trash and refuse on the property including, but not limited to: pallets, lumber, tires, storm windows and general refuse and that said Unlawful Accumulation constitutes a nuisance pursuant to Section 8.08.110 of the Code of Ordinances of the City of Great Bend, Kansas. This real estate is located at 1504 12th St. and is the subject of Resolution Number 071822-J.

Mr. Soupiset made a motion to approve resolutions 071822D-J. Ms. Biggs seconded the motion and passed with all voting in favor.

- 7. **40 HP Wet Well Submersible Pump Rebuild:** Public Works Director Jason Cauley reported that this spring a rebuilt submersible pump was placed in the primary wet well replacing the pump that we are seeking to currently rebuild. Rebuilding of the pump is primarily for emergency situations where an existing pump failure may occur. JCI submitted a quote for \$39,967.00. Funding will come from the existing line item for the Street/Sewer/Storm line. Cost estimate of a new pump would be approximately \$100,000. Ms. Krom-Craven made a motion to approve the quote to rebuild the wet well submersible pump from JCI for \$39,967. The motion was seconded by Mr. Urban and passed with all voting in favor.
- 8. **Humane Society Agreement:** City Administrator Kendal Francis reported that the city's contract with the Golden Belt Humane Society for animal control services has expired. We have negotiated a new agreement that provides 2 significant changes; removal of the automatic 5% price increase and a mechanism for issuing Notices to Appear for violations of Article 6 on the City's Code of Ordinances. This is an initial 5-year agreement, which automatically switches to an annual agreement at the end of the 5-years. Councilmember Biggs requested to add an additional clarification to final determination of funding in item 9. Mr. Urban made a motion to approve the agreement with the Golden Belt Humane Society contingent on the Humane Society Board approving the change to the agreement in Article nine. The motion was seconded by Ms. Biggs and passed with all voting in favor.

- 9. Request for 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. Mr. Soupiset made a motion to recess into executive session for a period of 20 minutes to discuss pending litigation 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, with the regular meeting to resume in the City Council Chambers at 7:21pm. The motion was seconded by Mr. Moeder and passed with all voting in favor. The meeting resumed at 7:21pm. Ms. Towns then made a motion to recess into executive session for another period of 20 minutes to discuss pending litigation 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, with the regular meeting to resume in the City Council Chambers at 7:41. The motion was seconded by Ms. Krom-Craven and passed with all voting in favor. The meeting resumed at 7:41pm. No action was taken.

ADJOURNMENT

Mr. Moeder made a motion that the meeting be adjourned. Mr. Jimenez seconded the motion and passed with all voting in favor. The meeting was adjourned at 7:42 pm.