

## 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, Natalie Towns, Kevyn Soupiset, Davis Jimenez and Cory Urban. Also in attendance were City Administrator Kendal Francis, City Attorney Allen Glendenning, and City Clerk Shawna Schafer. Absent was councilmember Brock McPherson.

### OPENING: PLEDGE OF ALLEGIANCE

#### A. CONSENT AGENDA

- a) **Minutes:** Minutes of the Regular Session held on August 1, 2022.
- b) **Claim's Warrant Register 8-15-22:** Covering 2022 bills to date in the amount of \$183,283.51.
- c) **Payroll Register P/R 8-12-22:** Covering payroll ending August 6, 2022, in the amount of \$376,502.98.
- d) **Appointments:** Mayor Schmidt made no appointments.
- e) **Change of Date for the Next Regular Council Meeting:** The next regular council meeting falls on Labor Day which is a Holiday observed by the City. It is recommended that the meeting be held on Tuesday, September 6, 2022, at 6:30 p.m.
- f) **Adoption of the 2022 version of the Standard Traffic Ordinance #4392:** Each year The League of Kansas Municipalities updates the Standard Traffic Ordinance for Kansas Cities, which is adopted by Kansas Cities by ordinance. This year's changes are clarifying and formatting tweaks. This is an annual action by the Governing Body to keep the City's traffic code updated. Staff recommends adopting Ordinance Number 4392.
- g) **Adoption of the 2022 version of the Uniform Public Offense Code Ordinance #4393:** Each year The League of Kansas Municipalities updates the Uniform Public Offense Code for Kansas Cities, which is adopted by Kansas Cities by ordinance. This year's changes are clarifying and mostly formatting and clarification tweaks. The one significant substantive addition is a new offense of operating an aircraft under the influence. The Kansas Legislature created this offense by state statute this year and the League has incorporated it into the standard code for cities. It tracks the statutes and code provisions dealing with operating a motor vehicle under the influence, except that the alcohol concentration cutoff level is .04.
- h) **Annual Blessed Bike Rally:** Authorize blocking off parking stalls on the north side of Lakin Avenue between Kansas Avenue and Main on August 19-21, 2022, for vendors to set up and tear down. Authorize closing Lakin Avenue between Main and Kansas from 8:00am to 11:00pm on August 20, 2022. Authorize individuals to stay overnight in Jack Kilby Square for security of the event on August 19-21, 2022.

- i) **Alcohol on Airport Grounds:** Grant permission to serve alcohol on the Airport Grounds on October 15, 2022, for the Wedding Reception of Curtis Arnberger and Sara Hayden. Joe Andrasek with Charlie's Place will be the alcohol caterer. No alcohol will be sold at the event. Optional transportation will be provided at the end of the evening.
- j) **Agenda:** Approval of agenda as submitted or amended.

Mr. Urban made a motion to approve the consent agenda. Mr. Moeder seconded the motion and the motion 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. The intersection at 19<sup>th</sup> and Harrison is going to become a 4 way stop intersection. Also, Citywide cleanup day is scheduled for September 24<sup>th</sup> – October 2<sup>nd</sup>.

3. **CVB/Community Coordinator Report:** Community Coordinator Christina Hayes presented her monthly report.

4. **Abatements:** Code Enforcement Art Keffer presented the following abatements:

**A. 505 Morphy St:** There is trash and refuse on the property including, but not limited to: appliances 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 505 Morphy St. and is the subject of Resolution Number 081522-A.

**B. 1214 Madison St:** There is trash and refuse on the property including, but not limited to: a mattresses, trash, 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 1214 Madison St. and is the subject of Resolution Number 081522-B

**C. 1409 16th St:** There is trash and refuse on the property including, but not limited to: a dishwasher, furniture, 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 1409 16th St. and is the subject of Resolution Number 081522-C.

**D. 3821 12th St:** There is trash and refuse on the property including, but not limited to: an appliance, 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 3821 12<sup>th</sup> St. and is the subject of Resolution Number 081522-D

- E. 1508 Broadway Ave:** There is trash and refuse on the property including, but not limited to: tires, bags of trash 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 1508 Broadway Ave. and is the subject of Resolution Number 081522-E
- F. 1814 Adams St:** There is trash and refuse on the property including, but not limited to: an appliance, toilet, 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 1814 Adams St. and is the subject of Resolution Number 081522-F.

Mr. Soupiset made a motion to approve resolutions 081522A-F. Ms. Krom-Craven seconded the motion and passed by a vote of 6-1, with Mr. Moeder voting against.

- 5. Initiating Amendment to the Zoning Regulations:** City Attorney Allen Glendenning reported that Larry and Jennifer Kurtz live at 5908 Broadway, which is zoned R-1. Last year, they obtained a Multiple Animal Permit from the city pursuant to Code section 6.08.180, and a license from the state to operate a kennel in order to board dogs for pet owners who need a place to board their dogs while the owners are at work or out of town or for other reasons. The information provided to staff indicates that they have been conscientious in attempting to comply with all applicable laws and operate in a fashion to prevent or minimize any negative effects on neighboring landowners. The zoning official received a complaint and provided notice to the clerk that current zoning regulations do not allow the operation of a kennel in R-1 districts. The Clerk has, therefore, given the notice required by 6.08.180 that the multiple animal permit cannot be renewed this year. The code allows the Kurtz's to request a hearing before the Governing Body. However, the Governing Body is bound by the regulations, and they do not allow a kennel as either a permitted use or a conditional use, unless it qualifies as a "Home Occupation," and the definition of "Home Occupation" expressly excludes kennels. The only way in which a dog boarding operation may be operated in a residential zone, is if the regulations are amended. This could be done more than one way. The best method will need to first be considered by the Planning Commission at a hearing and a recommendation made to the City Council. Under Kansas Statutes, a general amendment may only be initiated by the Planning Commission or the Governing Body. Ms. Biggs made a motion to initiate an amendment to the zoning regulations and direct the City Attorney to present proposed amendments to the Planning Commission. The motion was seconded by Ms. Krom-Craven and passed by a vote of 6-1, with Ms. Towns voting against.
- 6. 2021 Audit Report:** Sean Gordon with Gordon CPA presented the audit report. Mr. Soupiset made a motion to approve the 2021 annual audit report as presented was made by Mr. Soupiset. The motion was seconded by Mr. Moeder and passed with all voting in favor.
- 7. Police & Municipal Court Building Guaranteed Maximum Price (GMP):** Mitch Binns and Alan Youngers with McCown-Gordon reported that the bid deadline was 11am Monday, August 8<sup>th</sup>, with 96 total bid received across all trades. There were 4 alternates to the bids.
  - 1. (\$24,020): DEDUCT Alt#01 – Sealed Concrete in lieu of Polished Concrete
  - 2. \$16,434: ADD Alt#02 – Monument Sign
  - 3. (\$5,081): DEDUCT Alt#03 – Remove Sidelights at Hollow Metal Frames

4. \$187,903: ADD Alt#04 – Site Security & Fencing  
We chose to accept alternates 2 & 4.

Additionally, under Interior Finishes we chose to accept a (\$72,772) DEDUCT- Remove AWI certifications. With these changes, the Guaranteed Maximum Price for construction is \$7,790,591.00. Additional costs include Architect for \$498,500.00 (previously approved) and Owner Equipment & Electric to site for \$594,182.00. The total project cost includes \$518,091 in contingencies. The total project cost exceeds current available revenues by \$902,667.00. Staff recommends using the following breakdown of funds to cover the shortfall; SPARKS \$677,765.00, leftover Insurance Proceeds \$214,902.00, and ARPA Interest \$10,000.00. Mr. Urban made a motion to authorize the mayor execute a Guaranteed Maximum Price amendment to the City's agreement with McCown-Gordon for construction of the new Police building not to exceed \$7,790,591.00. The motion was seconded by Mr. Soupiset and passed with all voting in favor. Mr. Urban then made a motion to approve expenditures for other equipment, furniture, fixtures, fixtures and equipment in an amount not to exceed \$594,182.00. The motion was seconded by Mr. Soupiset and passed with all voting in favor.

8. **Automated Meter Infrastructure (AMI):** Public Works Director Jason Cauley reported that earlier this year we released the bid for the Automated Meter Reading (AMR) with an Add Alternate for Automated Meter Infrastructure (AMI). Bids were received and opened June 28<sup>th</sup>, 2022, with 4 bidders. Zenner USA was the low bid at \$2,461,631.70 (includes add alternate). There is an annual cost of \$10,274 associated with the system for data hosting, software, maintenance to collectors, repeaters, etc. This cost would not go into effect until the third year of service as 2 years of service maintenance is included into the bid price. Cellular usage through Verizon is also an additional cost of \$300 per year. No FCC licensing required. There will be no additional cost for leasing space on towers as equipment will be installed on City properties, i.e., the water tower at the airport and city hall. After questions to the contractor about the technology, Mr. Jimenez made a motion to approve the low bid from Zenner USA for AMI for \$2,461,631.70 pending KDHE review and approval of bid. The motion was seconded by Ms. Krom-Craven and passed by a vote of 5-2, with Ms. Biggs and Mr. Moeder voting against.

## **ADJOURNMENT**

Ms. Biggs 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 7:55 pm.