

REGULAR SESSION

The Governing Body met in Regular Session in the remodeled southwest room of the Events Center. Council President Jolene Biggs called the meeting to order at 6:30 p.m. with the following present: Councilmembers Junior Welsch, Kevyn Soupiset, Lindsey Krom-Craven, Davis Jimenez, Cory Urban, Alan Moeder, and Jolene Biggs. Also in attendance were City Administrator Kendal Francis, City Attorney Robert Suelter and City Clerk/Finance Director Shawna Schafer. Absent was Mayor Cody Schmidt and Councilmember Brock McPherson.

OPENING: PLEDGE OF ALLEGIANCE

A. CONSENT AGENDA

- a) **Minutes:** Minutes of the Regular Session held on August 16, 2021.
- b) **Claim's Warrant Register 9-7-21:** Covering 2021 bills to date in the amount of \$530,063.04.
- c) **Payroll Register P/R 8-27-21:** Covering payroll ending August 21, 2021, in the amount of \$440,421.11.
- d) **Appointments:** Mayor Schmidt made no appointments.
- e) **Street Closure:** Close Forest Avenue from Main Street to Williams Street on Saturday October 16, 2021, from 6:00 a.m. to 11:00 a.m. for the Flatlander Half Marathon.
- f) **Tree Trimmers License:** Flatland Tree Service (Skyler Edwards) out of Great Bend, KS has applied for a tree trimmers license. Application has been received along with payment and copy of the insurance.
- g) **2021 Uniform Public Offense Code Ordinance Number 4373 (UPOC):** The Kansas League of Municipalities prepares yearly a Uniform Public Offense Code. This is the majority of the City's criminal code. It complies with the State of Kansas changes to its criminal code and reflects changes made by the Kansas Legislature during its most recent session. The Ordinance excludes certain sections of the code which historically been prosecuted by the County Attorney's office. This is an annual action by the Governing Body to keep the City's code updated. Staff recommends adopting Ordinance Number 4373.
- h) **2021 Standard Traffic Ordinance Number 4374 (STO):** The Kansas League of Municipalities prepares yearly a standard Traffic Ordinance for Cities. This is the majority of the City's traffic code. It complies with the State of Kansas changes to its traffic code. This is an annual action by the Governing Body to keep the City's traffic code updated. Staff recommends adopting Ordinance Number 4374.
- i) **Agenda:** Council President Jolene Biggs amended the agenda to remove the Executive Session.

Mr. Welsch made a motion to approve the consent agenda. The motion was seconded by Ms. Krom-Craven 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.

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. Revenue Neutral Rate:** City Clerk/Finance Director Shawna Schafer reported that the Revenue Neutral Rate (RNR) public hearing was passed into law in 2021. The RNR is the tax rate that would generate the same total property tax dollars for the City as the previous year using the current years assessed valuation. The City's RNR that was certified by the County Clerk is 54.684 and the City's proposed rate is 54.684. To protect the amount of revenue we have levied in the budget, it is recommended to hold a RNR hearing regardless of if you exceed RNR or not. Mr. Urban made a motion to open the public hearing. The motion was seconded by Mr. Moeder with all voting in favor. Mr. Moeder then made a motion to close the public hearing. The motion was seconded by Mr. Welsch with all voting in favor. Mr. Moeder made a motion to adopt Resolution Number 090721-A, to levy a property tax rate exceeding the revenue neutral rate. The motion was seconded by Mr. Urban with all voting in favor.
- 2. 2022 Budget Ordinance No. 4375:** City Clerk/Finance Director Shawna Schafer reported that City Administrator, Kendal Francis, presented the 2022 Operating Budget to the Governing Body at the July 12, 2021, budget work session. The budget is funded at a mill levy of 54.684, which is the calculated Revenue Neutral Rate certified by the County Clerk. Mr. Soupiset made a motion to open the public hearing. The motion was seconded by Mr. Moeder with all voting in favor. Mr. Welsch made a motion to close the public hearing. The motion was seconded by Mr. Moeder with all voting in favor. Ms. Krom-Craven made a motion to adopt Ordinance No. 4375 as the 2022 Budget Ordinance. The motion was seconded by Mr. Soupiset with all voting in favor.
- 3. Unsafe and Dangerous Structure at 403 Buckeye:** City Attorney Robert Suelter reported that on July 6, 2021, the Governing Body passed a resolution to conduct a hearing on this date to determine if the structure located at 403 Buckeye is an unsafe and dangerous structure. The appropriate notices were sent to interested parties and published in the Tribune. The home caught fire some years ago and is in terrible shape. No contact from any interest holders has occurred. Mr. Soupiset made a motion to open the public hearing. The motion was seconded by Mr. Moeder with all voting in favor. Mr. Welsch made a motion to close the public hearing. The motion was seconded by Mr. Moeder with all voting in favor. Ms. Krom-Craven made a motion to adopt Resolution Number 090721-B, directing that the homeowners raze and remove not later than September 30, 2021, and if they fail to do so that the City raze and remove the home. The motion was seconded by Mr. Soupiset with all voting in favor.
- 4. Unsafe and Dangerous Structure at 1007 Tenth Street:** City Attorney Robert Suelter reported that on July 6, 2021, the Governing Body passed a resolution to conduct a

hearing on this date to determine if the structure located at 1007 Tenth Street is an unsafe and dangerous structure. Since that date the owners of the real estate and a prospective buyer have contacted City staff and presented a plan to rehabilitate and repair the structure. Ms. Krom-Craven made a motion to open the public hearing. The motion was seconded by Mr. Welsch with all voting in favor. Mr. Soupiset made a motion to close the public hearing. The motion was seconded by Mr. Moeder with all voting in favor. Mr. Moeder made a motion to table this item for 60 days until the first Council meeting in November to check in on the property for an update at that time. Mr. Welsch seconded the motion with all voting in favor.

5. **Councilmember Reports:** There were no councilmember reports.
6. **Administrators Update:** City Administrator Kendal Francis presented an update on what is happening within the City organization.
7. **Economic Development Report:** Economic Development Inc. President Sara Hayden presented her monthly report.
8. **Abatements:** Code Enforcement Arthur Keffer presented the following abatements.
 - C. **0000 Churchill St:** There is trash and refuse on the property including, but not limited to: a tree limb and general refuse that needs to be removed, located at 0000 Churchill St constituting a motor vehicle nuisance. This real estate is the subject of Resolution Number 090721- C.
 - D. **0000 Eisenhower Ct:** There is trash and refuse on the property including, but not limited to: a brush pile and general refuse that needs to be removed, located at 0000 Eisenhower Ct constituting an unlawful accumulation. This real estate is the subject of Resolution Number 090721- D.
 - E. **1310 Morphy St:** There is trash and refuse on the property including, but not limited to: tires and general refuse that needs to be removed, located at 1310 Morphy St constituting an unlawful accumulation. This real estate is subject of Resolution Number 090721- E.
 - F. **1431 22nd St:** There is trash and refuse on the property including, but not limited to: a washer and general refuse that needs to be removed, located at 1431 22nd St constituting an unlawful accumulation. This real estate is the subject of Resolution Number 090721- F.
 - G. **2210 San Domingo St:** There is trash and refuse on the property including, but not limited to: a branch pile and carpeting and general refused that needs to be removed, located at 2210 San Domingo St constituting an unlawful accumulation. This real estate is the subject of Resolution Number 090721- G.
 - H. **2212 Main St:** There is trash and refuse on the property including, but not limited to: a dishwasher and general refuse that needs to be removed, located at 2212 Main St constituting an unlawful accumulation. This real estate is the subject of Resolution Number 090721- H.
 - I. **2706 19th St:** There is trash and refuse on the property including, but not limited to: a cabinet and general refuse that needs to be removed located at 2706 19th St constituting an unlawful accumulation. This real estate is the subject of Resolution Number 090721- I.
 - J. **3812 10th St:** There is trash and refuse on the property including, but not limited to: pallets, lumber and general refuse that needs to be removed located at 3812 10th St constituting an unlawful accumulation. This real estate is the subject of Resolution Number 090721- J.

Ms. Krom-Craven made a motion to approve Resolution Numbers 090721C-J. The motion was seconded by Mr. Soupiset and passed with all voting in favor.

9. 2023 CCLIP Agreement: City Administrator Kendal Francis reported that we recently received notification that our application for the FY2023 Communities Connecting Link Program (CCLIP) was approved. The project is the mill and overlay of K-96 from US-56 to Patton Road. The total project cost is estimated to be \$534,183. The project is funded 90% by KDOT up to \$300,000. The grant requires a 10% local match. This agreement covers the initial project design and construction administration. A funding agreement with KDOT is forthcoming. Staff recommends entering into an agreement with PEC for design and construction administration of the CCLIP project for a cost of \$34,800. Mr. Soupiset made a motion to approve the agreement with PEC for \$34,800 for the design and construction administration of the CCLIP project. The motion was seconded by Mr. Moeder with all voting in favor.

10. Police Station Construction Manager Agreement: City Administrator Kendal Francis reported that the city recently released a Request for Qualifications for Construction Manager services for a new police station. We received 8 submittals. A committee reviewed and ranked the submittals and conducted in-person interviews with the top 3 firms. McCown-Gordon was unanimously selected. Staff recommends entering into an agreement with McCown-Gordon to act as Construction Manager for the new police station for the price of \$343,000. Ms. Biggs asked the representative from McCown-Gordon that council is hesitant to approve the agreement as the sales tax funding has not been voted on. The representative stated that that is a risk that is assumed by their firm and that the city would not have to pay anything until the actual project has been approved, which has been outlined in the contract. Mr. Urban made a motion to approve the agreement with McCown-Gordon for \$343,000 for construction manager services for a new police station. The motion was seconded by Mr. Moeder with all voting in favor.

ADJOURNMENT

Mr. Welsch made a motion that the meeting be adjourned. Ms. Krom-Craven seconded the motion and it passed with all voting in favor. The meeting was adjourned at 7:15pm.