

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, Brock McPherson, Cory Urban, Kevyn Soupiset, Jolene Biggs, Davis Jimenez, Lindsey Krom-Craven and Natalie Towns. 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 October 17, 2022.
- b) **Claim's Warrant Register 11-7-22:** Covering 2022 bills to date in the amount of \$767,261.50.
- c) **Payroll Register P/R 10-21-22 & P/R 11-4-22:** Covering payroll ending October 15, 2022, in the amount of \$476,866.86 and covering payroll ending October 29, 2022, in the amount of \$390,127.95.
- d) **Appointments:** Mayor Schmidt made no appointments.
- e) **CMB License:** Approval for Armando Martinez for a CMB license for Tacos Los Primos at 925 10th Street. Application has been received along with payment and a copy of the insurance.
- f) **Agenda:** Approval of agenda as submitted or amended.

Mr. Urban made a motion to approve the consent agenda. Ms. Biggs 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.
3. **Economic Development Report:** Economic Development Inc. President Sara Arnberger presented her monthly report.

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

- A. **213 Heizer St:** There is trash and refuse on the property including, but not limited to: doors, construction material and other 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 213 Heizer St. and is the subject of Resolution Number 110722-A.
- B. **3410 17th St:** There is trash and refuse on the property including, but not limited to: a water heater and other 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 3410 17h St. and is the subject of Resolution Number 110722-B.
- C. **1400 8th St:** There is trash and refuse on the property including, but not limited to: numerous trash bags containing garbage and other 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 1400 8th and is the subject of Resolution Number 110722-C.
- D. **1400 19th St:** There is trash and refuse on the property including, but not limited to: tree limbs, brush piles and other 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 1400 19th St. and is the subject of Resolution Number 110722-D.
- E. **1443 9th St:** There is trash and refuse on the property including, but not limited to: a recliner, appliances, and other 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 1443 9th St. and is the subject of Resolution Number 110722-E.
- F. **1608 Holland St:** There is trash and refuse on the property including, but not limited to: indoor furniture, appliances, and other 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 1608 Holland St. and is the subject of Resolution Number 110722-F.
- G. **1803 Willow Ln:** There is trash and refuse on the property including, but not limited to: a couch, mattress, chair, and other 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 1803 Willow Ln. and is the subject of Resolution Number 110722-G.
- H. **222 Baker Ave:** There is trash and refuse on the property including, but not limited to: an appliance, tires and other 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 222 Baker Ave. and is the subject of Resolution Number 110722-H.
- I. **301 3rd St:** There is trash and refuse on the property including, but not limited to: tires, water heater and other 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 301 3rd St. and is the subject of Resolution Number 110722-I.
- J. **313 Maple St:** There is trash and refuse on the property including, but not limited to: a bed frame, mattress, and other 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 313 Maple St. and is the subject of Resolution Number 110722-J.
- K. **333 Fruit St:** There is trash and refuse on the property including, but not limited to: an appliance and other 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 333 Fruit St. and is the subject of Resolution Number 110722-K.

- L. **1810 Hubbard St:** There is trash and refuse on the property including, but not limited to: brush piles, pieces of awning and other 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 1810 Hubbard St. and is the subject of Resolution Number 110722-L.
- M. **2316 8th St:** There is trash and refuse on the property including, but not limited to: an appliance and other 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 2316 8th St. and is the subject of Resolution Number 110722-M.

Mr. Soupiset made a motion to approve resolutions 110722A-M. Ms. Krom-Craven seconded the motion and passed with all voting in favor.

- 5. **Great Bend Livestock Company Inc. Sewer Rate:** City Clerk/Finance Director Shawna Schafer reported that in 2015, Terry Esfeld with Great Bend Livestock Company Inc. addressed the Governing Body to request that the sewer bill for the business he owns located on Railroad Avenue be reduced. He uses the business to house cattle for a few months of the year at which time they consume a great deal of water that is not disposed of down the sewer. At that time the Governing Body approved charging \$25 per month for sewer so long as Mr. Esfeld is the owner of the business, and the business is operated as currently operated. Due to sewer staff changes at the Front Door that was not aware of this agreement, his bill was calculated for a new sewer rate this year which increased by approximately \$240.00. Mr. Esfeld contacted staff stating the Governing Body had approved of his sewer rate to be \$25. After reviewing council meeting minutes, we reduced his sewer rate back to \$25. However, it has been 7 years and staff felt this item should come back for council to re-evaluate his sewer rate. In 2020, we approved new sewer rates that are supposed to increase by 3.5% each year. At that time his sewer rate was unchanged. If you choose to continue with his reduced sewer rate, staff recommends to at least increase his rate by 3.5% each year per current city ordinance. His rate for the previous year would have been calculated to be \$25.88 and for 2022 it would be \$26.79. Mr. Moeder made a motion to approve increasing Great Bend Livestock Company Inc. sewer rate by 3.5% each year, with the 2022 rate starting at \$26.79. The motion was seconded by Ms. Biggs and passed with all voting in favor.
- 6. **Great Bend Events Center – Charges 10% Fee & Extra Day Fee:** Community Coordinator/CVB Director Christina Hayes reported that several years ago, city staff, the CVB Advisory Board and the Mayor decided that we should charge caterers 10% of their total food & alcohol receipts for all events. This would enable us to maintain a list of approved caterers. It also helped ensure people bringing in food had less liability issues and that they had a food license and insurance. This practice was not well enforced. However, three years ago, I notified both Caterers/Vendors and Events that we were going to start charging 10% to all events in food and alcohol sales. This is the duty of the caterers to collect and pay us. We do have a few vendors/caterers that pay religiously. The Events Center receives revenue in 2 ways; Room rental fees which everyone, including city departments, pay a fee to use the rooms and 1% of transient guest tax, which is generated by overnight stays in hotels. We do not offer a special rate for non-profits organizations because most non-profit events do not generate overnight stays. The Event Center needs to be self-sufficient, and correct rental fees is a key component. We again notified everyone that beginning in 2023, we would strictly

enforce the 10% rule. Letters have been sent to all the approved caterers and it will be up to the caterers to pay this fee to the Events Center. We have received the 10% fee from around 26 events this year (this includes mostly private events). After much discussion, the consensus on council was that the 10% fee is kind of muddy and puts a lot on caterers to be honest with their accounting, therefore they felt charging an additional flat fee that is tiered to accommodate different meeting sizes. Mr. Soupiset made a motion to table this discussion until the December 5th Council meeting. The motion was seconded by Ms. Biggs and passed with all voting in favor.

7. **Airport FBO Agreement:** Airport Manager Martin Miller reported that on October 28th, 2022, the Great Bend Airport Advisory Committee had concern with the FBO agreement with P&N Flight and Charter. Foremost, the lack of communication and presence. The committee recommends that the city take action to accomplish a remedy to this situation by having the City Attorney send a letter to Mr. Norton and P&N asking what his intentions are and requesting that if he intends to assign the FBO agreement, that he makes a request of the city by identifying the assignee and requesting an assignment under paragraph 40 of the agreement. Ms. Biggs made a motion to approve the City Attorney to send a letter to Mr. Norton and P&N. The motion was seconded by Mr. Moeder and passed with all voting in favor.

ADJOURNMENT

Mr. Moeder made a motion that the meeting be adjourned. Mr. Soupiset seconded the motion and passed with all voting in favor. The meeting was adjourned at 7:30 pm.