

CITY OF COUNCIL GROVE · 205 UNION STREET · PO BOX 313

COUNCIL GROVE, KS 66846 · 620-767-5417 · COUNCILGROVE.COM

City Council Agenda August 1, 2023 5:30 P.M. - City Hall

WELCOME AND CALL TO ORDER

PLEDGE OF ALLEGIANCE

INVOCATION

PUBLIC COMMENT PERIOD

Items not already on the agenda may be brought before the Governing Body. Persons must sign in to be eligible. (Three-minute maximum time limit). After three minutes, items will then be voted on to see whether to place the item on the next agenda.

CONSENT AGENDA:

• Minutes from the Previous meeting:

Pages 2-3

- Appropriations:
- Cabin Transfers: N/A

Motion:	: Seconded:	Action:	Abstention:	Este. Cost:
OLD B	USINESS:			-
•	N/A			
Motion	: Seconded:	Action:	Abstention:	Este. Cost
NEW]	BUSINESS:			
•	City Lake Committee Recomme	endation: Tim and Sheryl Chad	ld H-7 Pages 4 - 8	
Motion	a: Seconded:	Action:	Abstention:	Este. Cost
•	Planning and Zoning Committee	e Appointment: Andy Benning	Page 9	
Motion	a: Seconded:	Action:	Abstention:	Este. Cost
•	RHID Resolution: 080123-01		Pages 10 - 37	
Motion	a: Seconded:	Action:	Abstention:	Este. Cost
•	Rural Fire Contract:			
Motion	a: Seconded:	Action:	Abstention:	Este. Cost
•	ADA Committee Discussion:			
Motion	1: Seconded:	Action:	Abstention:	Este. Cost
•	Executive Session: City Lake A	ttorney		
Motion	1: Seconded:	Action:	Abstention:	Este. Cost

Governing Body Comments:

Adjournment:

City Council Meeting Minutes July 18, 2023

WELCOME AND CALL TO ORDER

Mayor Debi Schwerdtfeger called the regular City Council Meeting to order. Council members present were Sharon Haun, Jason Booker, Mark Berner, Denise Hartman, Larry Siegrist and Sean Honer, also present were the City Administrator Nick Jones, , Assistant City Attorney Molly Priest. Others attending were Jan Sciacca, Jeff Blosser, Thatcher Rakestraw, Susan King, Jenna Blosser, Enugue Salas Jr., Angela Blosser, Henry Salas.

PLEDGE OF ALLEGIANCE

INVOCATION:

Mayor Debi Schwertfeger

PUBLIC COMMENT PERIOD

CONSENT AGENDA

Councilperson Mark Berner made a motion to approve the Consent Agenda as presented in the packet. Councilperson Jason Booker seconded the motion. Motion Carried 6-0. The consent agenda consisted of:

- July 11, 2023, Minutes
- July 11, 2023, to Current Appropriations.
- Cabin Transfer C-35

OLD BUSINESS

N/A

NEW BUSINESS

• Henry Salas - Mi Pueblito - Variance Request

Jeff Blosser and Henry Salas addressed the City Council concerning a request for variances to Ordinance #2125, which only grants a 3-month food vender license per year. Mr. Blosser and Mr. Salas requested the Council allow for another 3-month permit. It was discussed by Council that they are in very supportive of brick-and-mortar businesses and that the ordinance will need revisited to take a look at the fees associated with the permit to make sure there is a equal playing field for brick-and-mortar and mobile food vendors. Councilperson Jason Booker made a motion to approve the variance to Ordinance #2154 and the fee of \$150 per ordinance. The motion was seconded by Councilperson Sean Honer. Motion carried 6-0

• Sales Tax Committee Recommendation:

The City Sales Tax Grant Committee recommended to the Council to approve a request for the KARL Program in the amount of \$2,750. The grant funds will be used for lodging, food, and space rental for the KARL Programs seminar in Council Grove on August 24-25. Councilperson Jason Booker made a motion to approve the request. The motion was seconded by Councilperson Sean Honer. Motion Carried 6-0

• City Lake Committee Recommendation: Variance Request B-21

The City Lake Committee recommends the Council approve a 23ft variance on the lake side of cabin for a deck with gable extension for Gregory and Lisa Ebert, B-21. The addition will not restrict or interfere with neighboring cabins or access to the area. The neighbors are aware and have approved in writing. A motion was made by Councilperson Sean Honer to approve the request. The motion was seconded by Councilperson Larry Siegrist. Motion Carried 6-0

• City Lake Committee Recommendation: Boundary Line Adjustment C-40

The City Lake Committee recommends the Council approve a boundary line adjustment request of 46ft for a garage at C-40 for Carl Barry Cross and Judy M. Cross. The addition will not restrict or interfere with neighboring cabins or access to the area. The neighbors are aware and have approved in writing. A motion was made by Councilperson Denise Hartman to approve the request. The motion was seconded by Councilperson Sharon Haun. Motion Carried 6-0

• <u>Date of Public Hearing: Intent to Exceed Revenue Neutral Rate/Approval of City Budget</u>
City Administrator Nick Jones recommended to the City Council to hold the Public Hearing on
September 5, 2023, at 5:30pm in City Hall for the purpose of Intent to Exceed Revenue Neutral
Rate and the Public Hearing to approve the 2024 Budget. A motion was made by Jason Booker to
approve the purposed date of the Public Hearings. The motion was seconded by Councilperson
Mark Berner. Motion Carried 6 – 0

• Purchase of Real Estate: Katy Depot

City Administrator Nick Jones spoke to the Council regarding the purchase of the Katy Depot in the amount of \$35,000 from owner Dee Gieswein. Discussion was held for the many uses for the Katy Depot once it is rehabilitated. Councilperson Sean Honer said he would like to see Katy Depot and Durland Park area be tied together with a theme. A motion was made by Councilperson Denise Hartman to approve of the purchase from Dee Gieswein in the amount of \$35,000 to come from Infrastructure. The motion was seconded by Councilperson Sharon Haun. Motion carried 6-0

• Executive Session: Council Grove City Lake

Councilperson Sharon Haun made a motion to go into Executive Session for 30 minutes to discuss the Council Grove City Lake to include the Mayor, Council, Assistant City Attorney and City Administrator. The motion was seconded by council person Sean Honer. Motion carried 6 – 0

GOVERNING BODY COMMENTS

- Mayor Debi Schwerdtfeger said have the city crew look at the crossing on Mission and Hwy56 downtown with the transition from brick to asphalt. Also, said the Destination Council Grove was receiving calls about housing in the \$250,000 to \$350,000 range.
- Councilperson Jason Booker N/A
- Councilperson Mark Berner N/A
- Denise Hartman N/A
- Councilperson Sean Honer N/A
- Councilperson Larry Siegrist N/A
- Councilperson Sharon Haun N/A
- City Attorney Brian Henderson N/A
- Assistant City Attorney Molly Priest N/A
- City Administrator Nick Jones said the auditors have been in to review files and plan
 on attending the August 15, 2024 meeting to present the Audit Report.

Adjournment:

D 1101

Mayor Debi Schwerdtfeger asked for a motion to adjourn. Councilperson Jason Booker made a motion to adjourn. Councilperson Sean Honer seconded the motion. Motion carried 6 – 0

Debi Schwerdtieger	Mayor		
ATTEST:			
Nick Jones	City Administrator		

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CITY LAKE COMMITTEE

City Council Meeting Recommendation, August 1, 2023

The City Lake Committee recommends the Council approve a new septic system request for H-7. Contingent on the following guidelines.

Tim and Sheryl Chadd H-7 144 Waterside Circle

- System must be located at the location discussed with City Lake Committee and approved by Council.
- Must have 2 feet of sand under lateral fields.
- Must have 1 foot of rock around the lateral chambers.
- Must have 1 foot or more of dirt over the top of chambers.
- Sign annual agreement

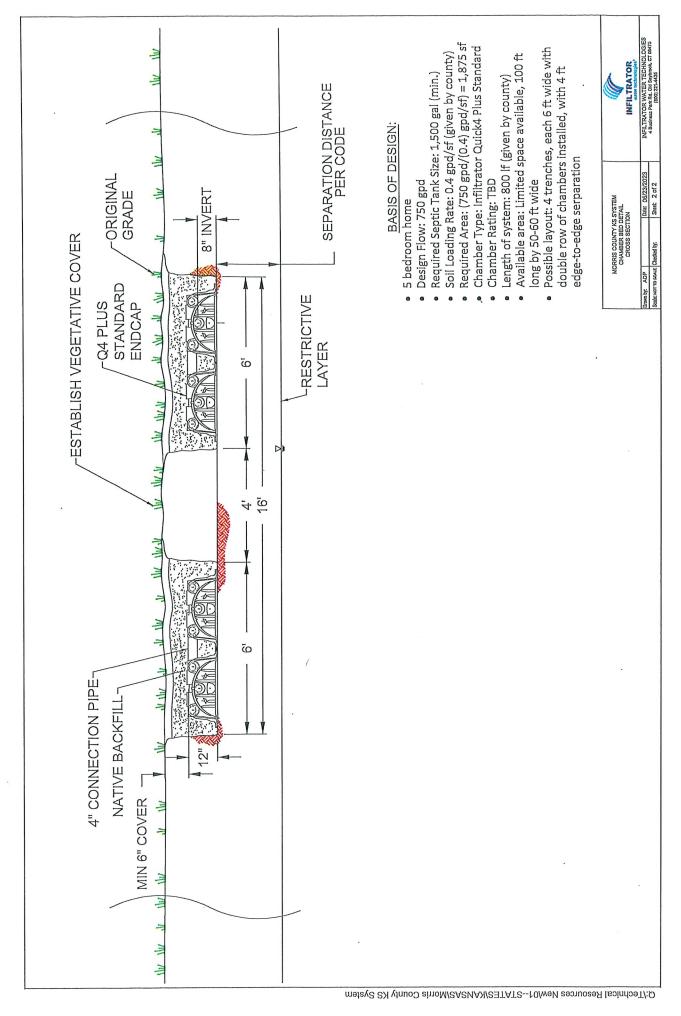
LAKE COMMITTEE:

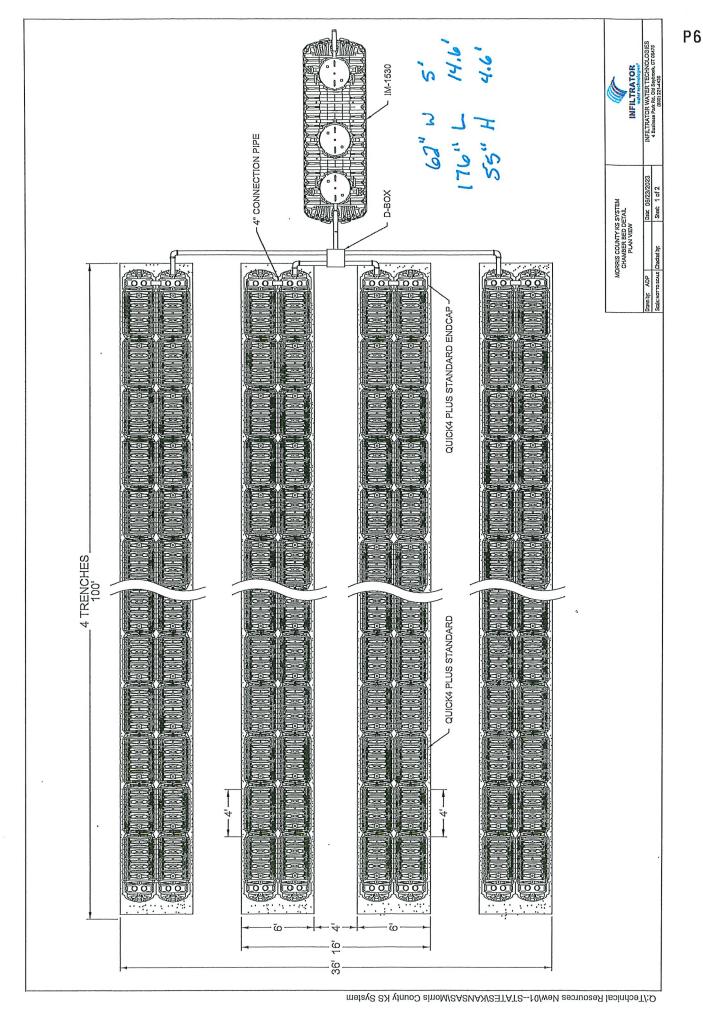
Sean Honer

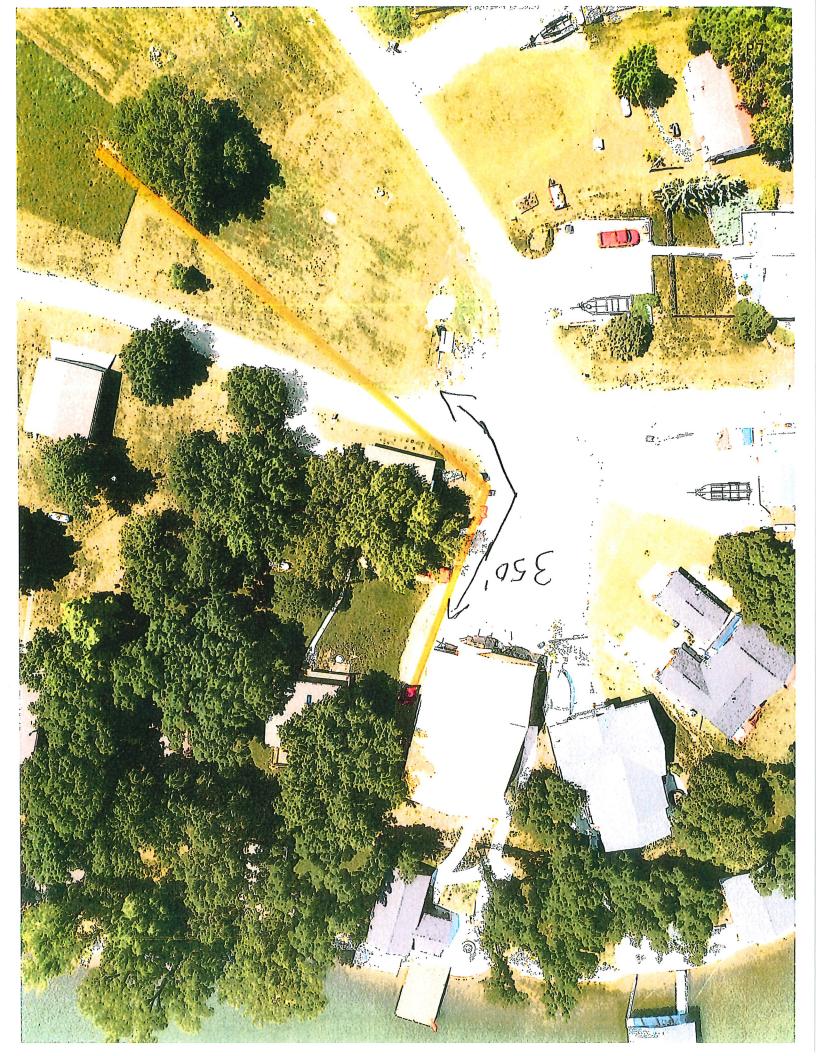
Nick Jones

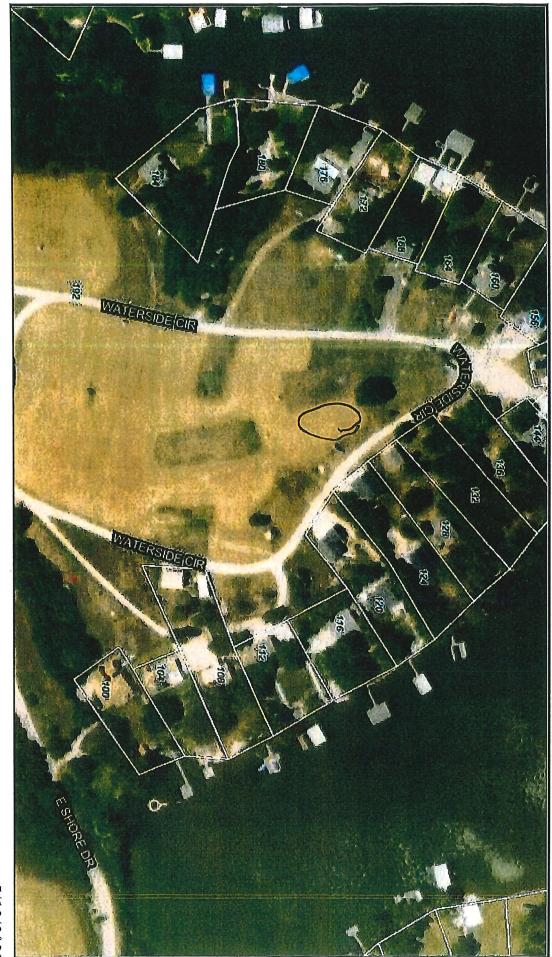
CITY INSPECTOR:

Dan Drube









7/12/2023



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Planning and Zoning Commission Appointment

Appointment of Andy Benning to Planning and Zoning Commission for a term of 3 years.

RESOLUTION NO. 080123-01

A RESOLUTION MAKING CERTAIN FINDINGS AND DETERMINATIONS AS TO THE NEED FOR HOUSING WITHIN THE CITY OF COUNCIL GROVE, KANSAS AND SETTING FORTH THE LEGAL DESCRIPTION OF REAL PROPERTY PROPOSED TO BE DESIGNATED AS A RURAL HOUSING INCENTIVE DISTRICT WITHIN THE CITY.

- WHEREAS, K.S.A. 12-5241 et seq., as amended (the "Act") authorizes any city incorporated in accordance with the laws of the state of Kansas (the "State") with a population of less than 60,000 located in a county with a population of less than 80,000 to designate rural housing incentive districts within such city; and
- WHEREAS, prior to such designation the governing body of such city shall conduct a housing needs analysis to determine what, if any, housing needs exist within its community; and
- WHEREAS, after conducting such analysis, the governing body of such city may adopt a resolution making certain findings regarding the establishment of a rural housing incentive district and providing the legal description of property to be contained therein; and
- WHEREAS, after publishing such resolution, the governing body of such city shall send a copy thereof to the Secretary of Commerce of the State (the "Secretary") requesting that the Secretary agree with the finding contained in such resolution; and
- WHEREAS, if the Secretary agrees with such findings, such city may proceed with the establishment of a rural housing incentive district within such city and adopt a plan for the development or redevelopment of housing and public facilities in the proposed district; and
- **WHEREAS**, the City of Council Grove, Kansas (the "City") has an estimated population of 2,140 and is in Morris County, Kansas (the "County") which has an estimated population of 5,386 and therefore constitutes a city as said term is defined in the Act; and

	WHEREAS, the Gove	rning Body of the	e City has p	erformed a H	ousing Nee	ds Analysis
dated_	(tl	ne "Needs Analys	is"), a copy	of which is or	n file in the	office of the
City Cl	erk; and					

WHEREAS, based on the Needs Analysis, the Governing Body of the City proposes to commence proceedings necessary to create a Rural Housing Incentive District, in accordance with the provisions of the Act.

THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF COUNCIL GROVE, KANSAS, AS FOLLOWS:

Section 1. The Governing Body hereby adopts and incorporates by this reference as part of this Resolution the Needs Analysis, a copy of which is on file in the office of the City Clerk, and based on a review of said Needs Analysis makes the following findings and determinations.

- **Section 2.** The Governing Body herby finds and determines that there is a shortage of quality housing of various price ranges in the City despite the best efforts of public and private housing developers.
- **Section 3**. The Governing Body hereby finds and determines that the shortage of quality housing can be expected to persist and that additional financial incentives are necessary in order to encourage the private sector to construct or renovate housing in the City.
- **Section 4**. The Governing Body hereby finds and determines that the shortage of quality housing is a substantial deterrent to the future economic growth and development of the City.
- **Section 5**. The Governing Body hereby finds and determines that the future economic wellbeing of the City depends on the Governing Body providing additional incentives for the construction or renovation of quality housing in the City.
- **Section 6.** Based on the findings and determinations contained in Sections 2 through 5 of this Resolution, the Governing Body proposes to establish a Rural Housing Incentive District pursuant to the Act, within boundaries of the real estate legally described in Exhibit A attached hereto, and shown on the maps depicting the existing parcels of land attached hereto as Exhibit B (the "District").
- **Section 7**. The Governing Body hereby finds that the building located within the proposed District is more than 25 years of age, will be primarily used for residential use, and is located in a central business district.
- **Section 8**. The City Clerk is hereby directed to publish this Resolution one time in the official City newspaper, and to send a certified copy of this Resolution to the Secretary for the Secretary's review and approval.
- **Section 9**. The Mayor, City Manager, City Clerk, other City officials are hereby further authorized and directed to take such other actions as may be appropriate or desirable to accomplish the purposes of this Resolution.
- **Section 10**. This Resolution shall take effect after its adoption and publication once in the official City newspaper.

AD	OPTED	•	he 23.	Governing	Body	of	the	City	of	Council	Grove,	Kansas,	on
		,											
							Deb	i Schv	verd	tfeger, M	ayor		
ATTEST:_		No.			······································								
(City Clerk												

EXHIBIT A LEGAL DESCRIPTION

EXHIBIT B

MAP

Property Details for PID: 0641261302006003000

Shareable link to

Property Information:

https://www.kansasgis.org/orka/permalinkprop.cfm?

parcelld=0641261302006003000

Shareable link to

Мар:

https://www.kansasgis.org/orka/permalink.cfm?

parcelld=0641261302006003000

QuickRef ID:

R3500

Owner Name:

COUNCIL GROVE, CITY OF

Location:

514 E MAIN ST, Council Grove, KS 66846

Abbreviated

Boundary Description: PARK SUB/CG, BLOCK 11, ACRES 11.0, LTS A,B & 9;

PRT RR RW LAND LYG NWLY OF NLY LN MAIN ST; LS

ription: BLK 4

Owner Information:

Owner

COUNCIL GROVE, CITY OF

Mailing Address

P O BOX 313 COUNCIL GROVE, KS 66846-0313

Property Information:

Type

Exempt

Status

Active

Taxing Unit

001

Neighborhood

Code

122

No Secondary Address Details found

Market Land Details:

Actual Width: 0

Eff. Width 0

Eff. Depth 0

Acres 11

Square Feet 479,160

Permit Details

Number Date Amount Purpose

02001 Jan 01, 2001 0.0000 N FIREHOU

No Orion Deed Book Page Details found

Additional Deed Book Page Details

Deed Book/Page 129/ 582 130/ 46 131/ 147

Value Details

No Dwelling Details found

No Manufactured Home Details found

No Additional Dwelling Details found

Other Improvements

Type:	Quantity :	Area ;	Year Built :	Quality :	Condition ;
Paving. Concrete with Base (heavy)	1	10	2001	FR	FR
Paving, Concrete with Base	1	10	2001	FR	FR

Commercial Building Details

Building No: units: Ident Units: Struct Type:

1 1 Public safety-related facility

Commercial Building Section Details

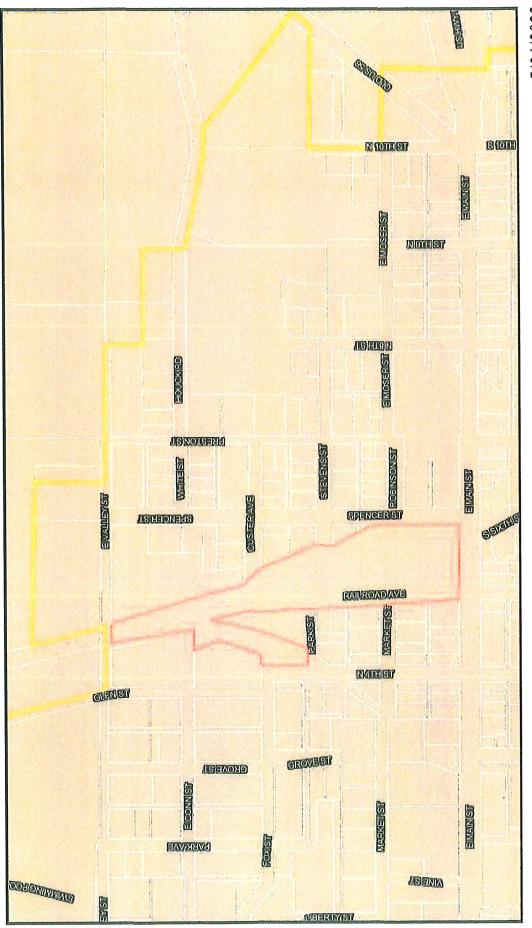
Section No:	Level From :	Level To :	Size :	Perlmeter :	Occupancy ;	Wall Height :	Year Built :	
1	1	1	5150	306	Fire Station (Volunteer)	16	2001	
		Commercial C	Commercial Component Details					
		Commercial Component :	Space Heater	Units :	100 %			
		Commercial Component :	PEMetal Sandwich Panels	Units :	100 %			
2	1	1	1935	133	Fire Station (Volunteer)	12	2001	

Commercial Component Details

Commercial Component :	Warmed and Cooled Air	Units :	100 %
Commercial Component :	Canopy, Retail Steel Frame	Units :	65
Commercial Component	PEMetal Sandwich Panels	Units :	100 %

No Ag Land Details found

No Ag Building Details found



7/24/2023

Property Details for PID: 0641261302008001000

Shareable link to

Property Information:

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parcelid=0641261302008001000

Shareable link to

Мар:

https://www.kansasgis.org/orka/permalink.cfm?

parcelld=0641261302008001000

QuickRef ID:

R3503

Owner Name:

HARTMAN MASONRY LC

Location:

00000 GLEN ST, Council Grove, KS 66846

Abbreviated

Boundary

Description:

PARK SUB/CG, S13, T16, R08E, BLOCK 8, Lot 9 - 16,

44800 SQUARE FEET

Owner Information:

Owner

HARTMAN MASONRY LC

Mailing Address

204 N EIGHTH ST COUNCIL GROVE, KS 66846-1106

Property Information:

Type

Commercial & Industrial

Status

Active

Taxing Unit

001

Neighborhood

Code

121

No Secondary Address Details found

Market Land Details:

Actual Width:			320			
Eff. Width			320			
Eff. Depth			140			
Acres			0			
Square Feet			0			
No Permit Details found						
No Orion Deed Book Page Deta	ils found					
Additional Deed Book Page Details						
Deed Book/Page 69/ 22 110/ 115	110/ 476 110/	479 168/ 5	2 168/ 54			
Value Details						
No Dwelling Details found						
No Manufactured Home Details found						
No Additional Dwelling Details found						
Other Improvements						
Type :	Quantity :	Area :	Year Built :	Quality :	Condition:	

4680

2008

AV

AV

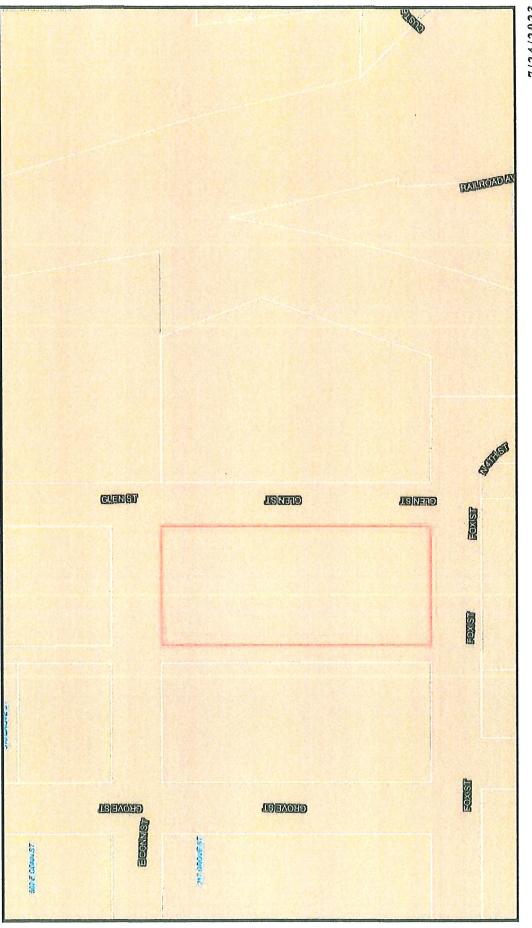
No Commercial Building Details found

No Commercial Building Section Details found

1

No Ag Land Details found

No Ag Building Details found



7/24/2023

Property Details for PID: 0641261401012001000

Shareable link to

Property Information:

https://www.kansasgis.org/orka/permalinkprop.cfm?

parcelid=0641261401012001000

Shareable link to

Мар:

https://www.kansasgis.org/orka/permalink.cfm?

parcelld=0641261401012001000

QuickRef ID:

R3837

Owner Name:

HARTMAN MASONRY LC

Location:

00000 GROVE ST, Council Grove, KS 66846

Abbreviated

Boundary

PARK SUB/CG, BLOCK 8, Lot 1-8

Description:

Owner Information:

Owner

HARTMAN MASONRY LC

Mailing Address

204 N EIGHTH ST COUNCIL GROVE, KS 66846-1106

Property Information:

Type

Commercial & Industrial

Status

Active

Taxing Unit

001

Neighborhood

Code

110

No Secondary Address Details found

Market Land Details:

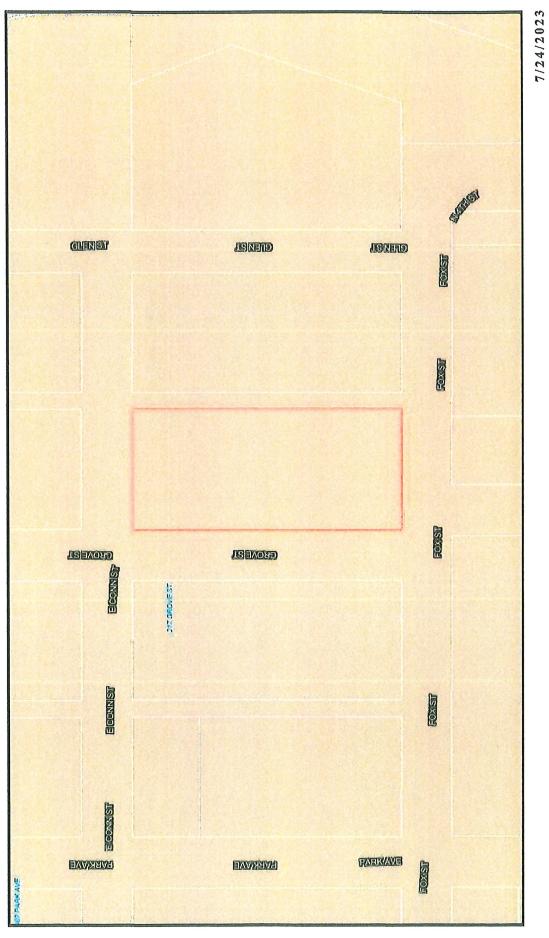
Actual Width:	0					
Eff. Width	0					
Eff. Depth	0					
Acres	1					
Square Feet	44,800					
No Permit Details found						
No Orion Deed Book Page Details found						
Additional Deed Book Page Details						
Deed Book/Page 110/ 308 110/P309 110/ 479 110/ 4	176 168/ 52 168/ 54					
Value Details						
No Dwelling Details found						
No Manufactured Home Details found						
No Additional Dwelling Details found						
No Other Improvements found						

No Commercial Building Details found

No Commercial Building Section Details found

No Ag Land Details found

No Ag Building Details found



Property Details for PID: 0641261401013004000

Shareable link to Property

Information:

https://www.kansasgis.org/orka/permalinkprop.cfm?

parcelid=0641261401013004000

Shareable link

to Map:

https://www.kansasgis.org/orka/permalink.cfm?

parcelld=0641261401013004000

QuickRef ID:

R3840

Owner Name:

COUNCIL GROVE, CITY OF

Location:

00000 LIBERTY ST, Council Grove, KS 66846

Abbreviated

Boundary Description:

PARK SUB/CG, S14, T16, R08E, ACRES 1.1, LT 8 BLK A LYG NE LIBERTY ST; N12' LT 6, LTS 7-8 & VAC ALY ADJ

BLK 1; LTS 15-16 SE FOX ST BLK B; LTS 1-2 SW OF FOX

ST BLK 2; VAC FOX & LIBERTY STS ADJ ABOVE LTS,

PARK SUB

Owner Information:

Owner

COUNCIL GROVE, CITY OF

Mailing

Address

P O BOX 313 COUNCIL GROVE, KS 66846-0313

Property Information:

Type

Commercial & Industrial

Status

Active

Taxing Unit

001

Neighborhood

Code

121

No Secondary Address Details found

Market Land Details:

Actual Width: 0

Eff. Width 0

Eff. Depth 0

Acres 1

Square Feet 47,916

Permit Details

Number Date Amount Purpose

042216D1 Apr 22, 2016 DEMO///OLD FAIRMONT BLDG/// Bldg gone for 2018.

Deed Book Page Details

Book Page

227 96

Additional Deed Book Page Details

Deed Book/Page 78/ 325 104/ 308 116/ 35 143/ 375 165/ 678 166/ 288 169/ 189 177/ 540 227/ 96

Value Details

No Dwelling Details found

No	Manufac	tured	Home	Details	found
	wanulas	LUIGA	HOINE	Details	- IVUIIV

No Additional Dwelling Details found

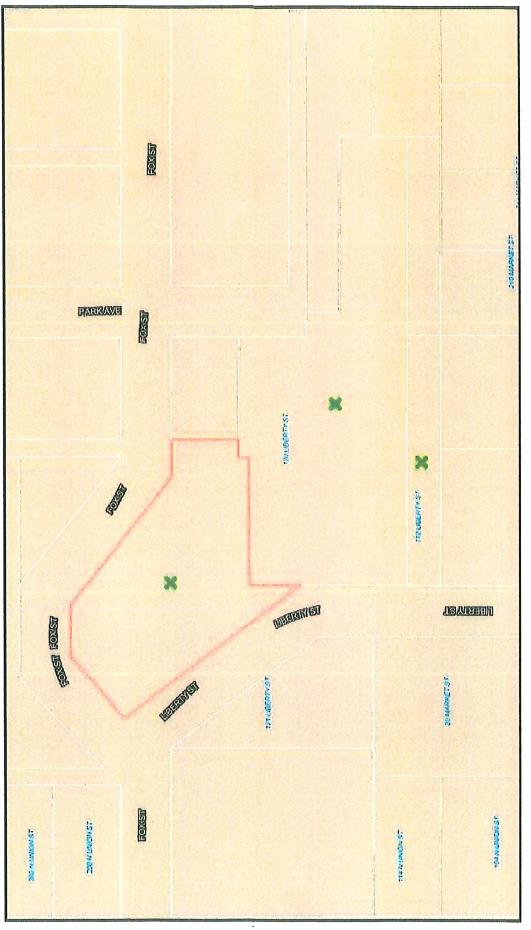
No Other Improvements found

No Commercial Building Details found

No Commercial Building Section Details found

No Ag Land Details found

No Ag Building Details found



7/24/2023



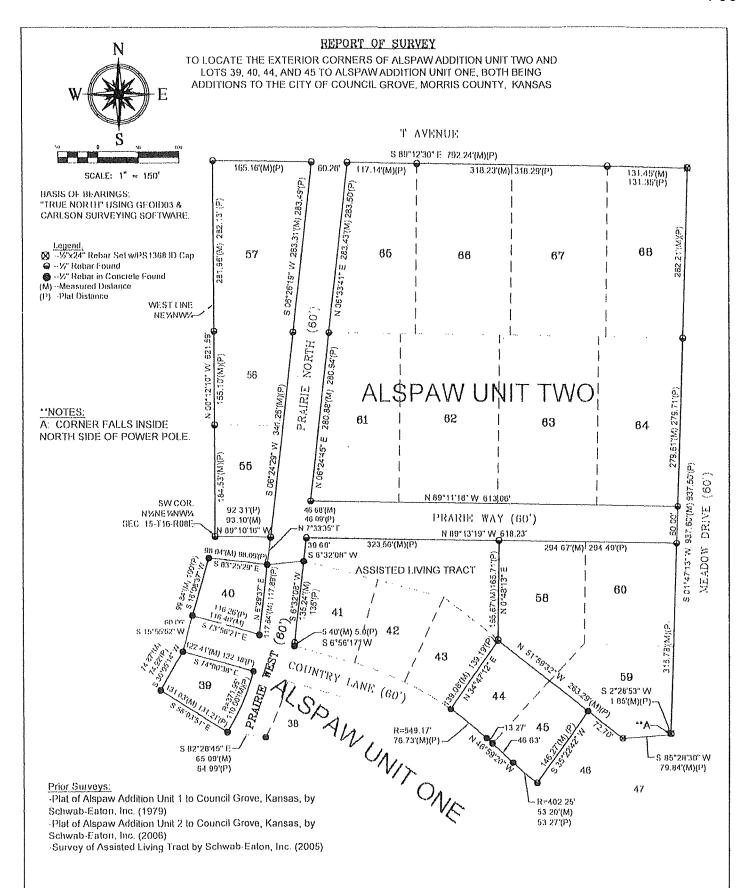
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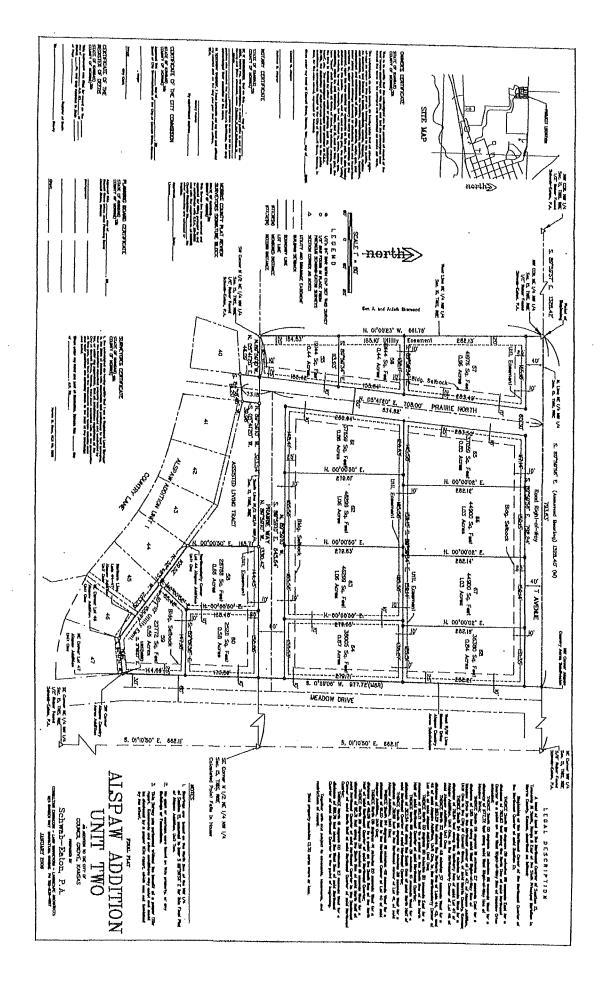
Alspaw Unit

39, 40, 44, 45, 55, 56, 57, 61, 62, 63, 64, 65, 66, 67, and 68.

S15, T16, R08E, ACRES 12.23, LOTS 39, 40, 44, 45 ALSPAW ADD UNIT 1, CITY OF COUNCIL GROVE.

LOTS 55-57, 61-68; ALSPAW ADD UNIT 2 CITY OF COUNCIL GROVE





Property Details for PID: 0641251502002001010

Shareable link to Property Information:

https://www.kansasgis.org/orka/permalinkprop.cfm?

parcelid=0641251502002001010

Shareable link to Map:

https://www.kansasgis.org/orka/permalink.cfm?

parcelld=0641251502002001010

QuickRef ID:

R304644

Owner Name

GRANT, CHRISTOPHER & HEIDI

Location:

701 MEADOW DR, Council Grove, KS 66846

Abbreviated Boundary Description:

ALSPAW ADD UNIT ONE/CG, S15, T16, R08E, ACRES 12.23, LOTS 39, 40, 44, 45 ALSPAW ADD UNIT 1, CITY OF COUNCIL GROVE; LOTS 55-68; ALSPAW ADD UNIT 1

CITY OF COUNCIL GROVE ALSPAW ADD UNIT 2

Owner Information:

Owner

GRANT, CHRISTOPHER & HEIDI

Mailing Address

1495 S 975 RD COUNCIL GROVE, KS 66846-8762

Property Information:

Type

Agricultural Use

Status

Active

Taxing Unit

001

Neighborhood

Code

114

No Secondary Address Details found

Market Land Details: Actual Width: 0 Eff. Width 0 Eff. Depth 0 0 Acres Square Feet 0 No Permit Details found **Deed Book Page Details** Page Book 235 129 **Additional Deed Book Page Details**

Value Details

No Dwelling Details found

DEED BOOK/PG 235/ 129

No Manufactured Home Details found

No Additional Dwelling Details found

No Other Improvements found

No Commercial Building Details found

No Commercial Building Section Details found

Ag Land Details

Acre Type :	No Acres:	Map Unit:	Irrig:	Well Depth:
Native Grass - NG	0.10	4051		
Native Grass - NG	2.90	4655		
Native Grass - NG	4.30	4672		
Native Grass - NG	3.33	4744		
Native Grass - NG	1.60	4783		
Total Acres :	12.23			

No Ag Building Details found