



City Council Agenda
 June 6, 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 – 5
- Appropriations:

Motion: _____ **Seconded:** _____ **Action:** _____ **Abstention:** _____ **Este. Cost:** _____

OLD BUSINESS:

- Water Tower Update:

Motion: _____ **Seconded:** _____ **Action:** _____ **Abstention:** _____ **Este. Cost:** _____

- Belfry to 4th Street Chip N Seal Update:

Motion: _____ **Seconded:** _____ **Action:** _____ **Abstention:** _____ **Este. Cost:** _____

- RHID Ordinance Discussion: Pages 6 - 10

Motion: _____ **Seconded:** _____ **Action:** _____ **Abstention:** _____ **Este. Cost:** _____

NEW BUSINESS:

Motion: _____ **Seconded:** _____ **Action:** _____ **Abstention:** _____ **Este. Cost** _____

- Tim & Sheryl Chadd – H7

Motion: _____ **Seconded:** _____ **Action:** _____ **Abstention:** _____ **Este. Cost** _____

- City Lake Committee Recommendation: Dorothy Devine - Devine Properties, LLC Pages 11 - 21

Motion: _____ **Seconded:** _____ **Action:** _____ **Abstention:** _____ **Este. Cost** _____

- Alcohol Consumption and Sale at Community Events Application: Washunga Days: Rotary Beer Tent Pages 22 - 26

Motion: _____ **Seconded:** _____ **Action:** _____ **Abstention:** _____ **Este. Cost** _____

- Planning and Zoning Appointment: Trent Siegle Page 27

Motion: _____ **Seconded:** _____ **Action:** _____ **Abstention:** _____ **Este. Cost** _____

- Police and Fire Committee Recommendation: Appointment of Taylor Bidder Page 28

Motion: _____ **Seconded:** _____ **Action:** _____ **Abstention:** _____ **Este. Cost** _____

- Police and Fire Committee Recommendation: Appointment of Breanna Canby Page 29

Motion: _____ **Seconded:** _____ **Action:** _____ **Abstention:** _____ **Este. Cost** _____

- Boating Safety Rules Ordinance: Discussion Pages 30 – 34

Motion: _____ **Seconded:** _____ **Action:** _____ **Abstention:** _____ **Este. Cost** _____

- Executive Session Attorney Client Privilege: City Owned Property

Motion: _____ **Seconded:** _____ **Action:** _____ **Abstention:** _____ **Este. Cost** _____

Governing Body Comments:

Adjournment:

City Council Meeting Minutes
May 16, 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, City Attorney Brian Henderson Assistant City Attorney Molly Priest. Others attending were Jan Sciacca, Josh Sciacca, Ryan McDonald, Karen Exon, Rev. Adam Reichart

PLEDGE OF ALLEGIANCE

INVOCATION:

Reverend Adam Reichart

PUBLIC COMMENT PERIOD

Cassie Diebold and Tanner Schneider spoke to the Council regarding a potential move to Council Grove but were concerned that their mixed breed dog may fall under the Pitbull ordinance and would not be permitted in the city limits. Photos and documentation related to the dog from the veterinarian call the dog a mixed breed. The Council discussed removing the ordinance, but City Attorney Brian Henderson recommended against it as the ordinance protects the city. After discussion the Council determined that the mixed breed dog did not meet the characteristics of a Pitbull and would be allowed. The Council welcomed the couple to town.

CONSENT AGENDA

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

- May 16, 2023, Minutes
- May 16, 2023, to Current Appropriations.
- Application for Retail Liquor by the Package – LK Liquor

OLD BUSINESS

- **Water Tower Update:**
City Administrator Nick Jones said the Water Tower is full. Water sampled were sent to Topeka and Salina for testing. Once the results are back the results will be sent to the State for approval if the results are in the acceptable ranges set by the State. Once the State approves the test results the Water Tower will back in use around the end of this week.
- **Belfry to 4th Street Chip N Seal: Update**
City Administrator Nick Jones said that the resurfacing from Belfry to 4th street was complete and hope to see Traffic Management by the end of next week to do the stripping from Belfry to 4th street extending to the east city limits. Administrator Jones also informed the Council that the crosswalks on Mission and 56 will hopefully start around the same time.

NEW BUSINESS

- **Together with Veterans AND Morris County: Veterans of Comedy**
 - Community Events Application: Jim Crosby
 - Alcohol Consumption and Sale at Community Events Application: Riverbank Brewery Jesse Knight

City Administrator Nick Jones presented the request from Together with Veterans AND Morris County to waive the fee to use the Amphitheater for a fundraiser Veterans of Comedy. The Council was also presented with an Alcohol Consumption and Sale at Community Events Application from Riverbank Brewery to sale at the event. After discussion Councilperson Mark Berner made a motion to approve both requests for the event. The motion was seconded by Councilperson Denise Hartman. Motion Carried 6 – 0
- **Planning and Zoning Committee Recommendation:**
- City Administrator Nick Jones presented to the Council with the recommendation from the Planning and Zoning Committee to adopt guidelines for barndominiums, Shouse, and Shop Houses in the city limits if the follow is met.

- **Recreation Committee Recommendation: Pool Fees**

City Administrator Nick Jones presented the recommendation from the Recreation Committee for pool fees as follows:

Recreation Committee Recommendation

The Recreation Committee recommends the following price increases for the City of Council Grove Aquatic Center.

- Current Daily Price: \$4.00
- New Recommended Daily Price \$5.00
- Current Price of Coupon Books of 20 - \$60 = \$3 ticket
- New Recommended Price for Coupon books of 20 - \$80 = \$4 ticket
- Current Individual Season Pass Price - \$60
- New Recommended Individual Season Pass Price - \$70
- Current Family of 4 Season Pass Price - \$240
- New Recommended Family of 4 Season Pass Price - \$275 - Additional add on members - \$30/ Per Member.

After discuss Councilperson Jason Booker made a motion to approve the Recreation Committee recommendation on increase in pool fees. The motion was seconded by Councilperson Sharon Haun. Motion Carried 6 – 0

- **Council Grove Recreation Department: Appointment List**

Mayor Debi Schwerdtfeger appointed the following:

**CGAC
Assistant Pool Managers**

Ally Hower 3+ years Lifeguard/WSI - \$9.91
Myles Gant 3+ years Lifeguard/WSI - \$9.91

CGRD

Hayden Buttrey Maintenance - \$10.00
Lucy Palmquist Concessions - \$7.69

After discussion Mayor Schwerdtfeger asked for a motion to approve the appointments. Councilperson Jason Booker made a motion to approve the appointments. The motion was seconded by Councilperson Sharon Haun. Motion Carried 6 – 0

- **Alley Resurfacing: 1 & 2 Hundred Block of West Main:**

City Administrator Nick Jones presented to the Council the cost estimate to resurface the alleys in the 1 & 2 hundred block of West Main for a total estimated cost of \$112,000 as follows.

Alley Resurfacing 1 & 2 hundred block of West Main

LOCATION	AREA	LUMP SUM
Wood Alley – Main Street North to Parking Lot	220x30	\$21,000
Wood Alley Parking Lot	140x26	\$15,000
Alley Wood to Neosho North of Main	18x340	\$19,000
Alley Wood to Neosho South of Main Street	18x340	\$19,000
Alley Neosho to Missions South of Main	18x340	\$19,000
Alley Neosho to Mission N of Main	18x340	\$19,000
	TOTAL	\$112,000

After discussion Councilperson Jason Booker made a motion to approve the Alley Resurfacing at a cost of \$112,000 from Infrastructure. The motion was seconded by Councilperson Denise Hartman. Motion Carried 6 – 0

1. MUST SUBMIT BLUEPRINTS, DESIGN PLANS AND LOCATION, TO CITY INSPECTOR.
2. CITY INSPECTOR WILL NOTIFY ALL NEIGHBORS WITHIN 300 FEET OF DESIGN LOCATION. OF DESIGN PROPOSED, AND TIME AND PLACE OF THE PLANNING AND ZONING MEETING. WILL NEED A SIGNED LETTER FROM NEIGHBORS. THEN IT WILL BE SENT TO THE PLANNING AND ZONING COMMISSION FOR REVIEW
3. THEN IT WILL BE SENT TO THE PLANNING AND ZONING COMMISSION FOR REVIEW.
PLANNING AND ZONING COMMISSION VOTED 7-0 TO RECOMMEND THAT THE CITY COUNCIL APPROVE RECOMMENDATION.

THE PLANNING AND ZONING COMMISSION RECOMMENDS THE COUNCIL APPROVE: ALLOWING ADU (ACCESSORY DWELLING UNITS) AND TINY HOUSES IN CITY LIMITS, AS LONG AS THE FOLLOWING ARE MET.

1. MUST SUBMIT BLUEPRINTS, DESIGN PLANS AND LOCATION, TO CITY INSPECTOR.
2. CITY INSPECTOR WILL NOTIFY ALL NEIGHBORS WITHIN 300 FEET OF DESIGN LOCATION. OF DESIGN PROPOSED, AND TIME AND PLACE OF THE PLANNING AND ZONING MEETING. WILL NEED A SIGNED LETTER FROM NEIGHBORS.
3. THEN IT WILL BE SENT TO THE PLANNING AND ZONING COMMISSION FOR REVIEW.
PLANNING AND ZONING COMMISSION VOTED 7-0 TO RECOMMEND THAT THE CITY COUNCIL APPROVE RECOMMENDATION.

After discussion the Council tabled any action and requested Attorney Brian Henderson create more descriptive verbiage for the Council's review at the next Council meeting on June 6th.

- **Proposals for Auditing Services:**

City Administrator Nick Jones presented the Council with proposals from 3 auditing firms.

- ADAM BROWN Strategic Allies and CPAS:
 - 3-year agreement of \$14,250 for audit year 2022, \$14,670 for audit year 2023 and \$15,120 for audit year 2024. A single audit fee per mayor program of \$5,000 for any audit year for the contract term.
- Loyd Group, LLC
 - 5-year agreement of 20,500 per year for years 2022 thru 2026 for single audit.
 - Municipal entities at \$1,000 per year for years 2022 thru 2026.
 - Single audit if required at \$7,500 per year for years 2022 thru 2026.
- SSC CPA's P.A.
 - 1-year agreement at \$23,350 plus reimbursement for travel costs.
 - Single audit fee of \$5,000
 - Additional major federal programs would increase fee by \$3,000

After discussion Councilperson Sean Honer made a motion to approve the proposal of a 3-year contract with ADAM BROWN Strategic Allies and CPAS. The motion was seconded by Councilperson Jason Booker. Motion Carried 5 – 0 with 1 abstention – Councilperson Hartman

- **RHID Resolution: First Reading**

Assistant City Attorney Molly Priest presented the Council with the RHID Resolution and explained to the Council that areas of development would need to be identified and that a legal description and map would be required in order to submit the application to the State. Administrator Jones said he would work on getting legal descriptions and a maps of areas being considered.

- **Discussion: Hiring Outside Counsel to handle Negotiations: City Lake Park**

GOVERNING BODY COMMENTS

- Mayor Debi Schwerdtfeger – N/A
- Councilperson Jason Booker – Downtown is looking nice.
- Councilperson Mark Berner – N/A
- Denise Hartman – N/A
- Councilperson Sean Honer – Ditto to was Jason Booker
- Councilperson Larry Siegrist – N/A
- Councilperson Sharon Haun – N/A
- City Attorney Brian Henderson – Happy Birthday
- Assistant City Attorney Molly Priest – Happy Birthday
- City Administrator Nick Jones – N/A

Adjournment:

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

Debi Schwerdtfeger Mayor

ATTEST:

Nick Jones City Administrator

RESOLUTION NO. _____

**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 Governing Body of the City has performed a Housing Needs Analysis dated _____ (the "Needs Analysis"), a copy of which is on file in the office of the City Clerk; 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 hereby 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.

ADOPTED by the Governing Body of the City of Council Grove, Kansas, on _____, 2023.

Debi Schwerdtfeger, Mayor

ATTEST:

City Clerk

EXHIBIT A
LEGAL DESCRIPTION

EXHIBIT B

MAP



CITY OF COUNCIL GROVE • 205 UNION STREET • PO BOX 313^{P11}
COUNCIL GROVE, KS 66846 • 620-767-5417 • COUNCILGROVE.COM

CITY LAKE COMMITTEE

City Council Meeting Recommendation, June 6, 2023

1. Recommends the Council approve an installation of two water slides.

Attached is a copy of manufacturer's instruction. Slides will be installed to manufacturer's instructions, and owner will be given a set of safety instructions. Along with area view of location.

Dorothy Devine

Devine Properties LLC, B-18 Cabin 152 Lakeshore Drive

The installation will not restrict or interfere with the neighboring cabins or access to the area.

LAKE COMMITTEE: Nick Jones
Larry Siegrist

CITY INSPECTOR: Dan Drube

Building Permit Application

City of Council Grove, Kansas

To be completed by Applicant...

Job Address

P1
B18 Council Grove City Lake

Owner

Greg & Allison Wright Devine Properties LLC

Job Address: B18 Council Grove City Lake			
Owner: Greg & Allison Wright Devine Properties LLC		Phone:	
Mailing Address:	City:	State:	Zip:
Contractor: 3C Dock Builders	License No.:	Phone: 316-737-0016	
Mailing Address: P.O. Box 163	City: Council Grove	State: K5	Zip: 66846
Use of Building: Boat Storage		Area (ft²): 944	
Class of Work (circle): New Addition Alteration Repair Move Remove			
Describe Work: Install of Dual 10x24 slips with 12x28 platforms on either side Two slides on either side - Slide Brand and model attached, Slide is 8ft tall Code 12-663 requires approval			
Valuation of work: \$51,000			

NOTICE

Separate permits are required for electrical, plumbing, mechanical and building. This permit becomes null and void if work or construction authorized is not commenced within 180 days, or if construction or work is suspended or abandoned for a period of 180 days at any time after work is commenced. I hereby certify that I have read and examined this application and know the same to be true and correct. All provisions of laws and ordinances governing this type of work will be complied with whether specified herein or not. The granting of a permit does not presume to give authority to violate or cancel the provisions of any other state or local law regulating construction or the performance of construction.

Permit not validated until Permit Fee is paid.

[Signature]

2/16/23

Signature of Contractor
or Authorized Agent

Date

Signature of Owner
(if owner builder)

Date

OFFICE USE ONLY

Special Conditions:

Permit No.:

Approval Date:

Approved By:

OFFICE USE ONLY

Use Zone:	Code Edition:
Construction Type:	Occupancy Group:
Max. Occ. Load	Division:
No. of Stories:	No. of Dwelling Units:
No. of Off-Street Parking Spaces	Fire Sprinklers Required: Yes No

SPECIAL APPROVALS:	REQUIRED: (YES/NO)	RECEIVED: (date)
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Zoning Board:

Health Department:

Fire Department:

KS Historical Society:

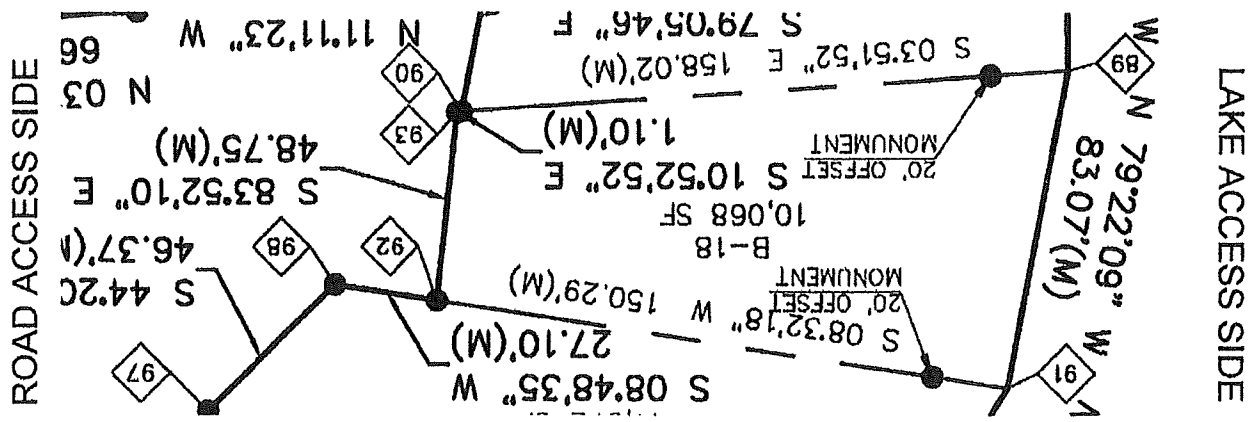
KDOT:

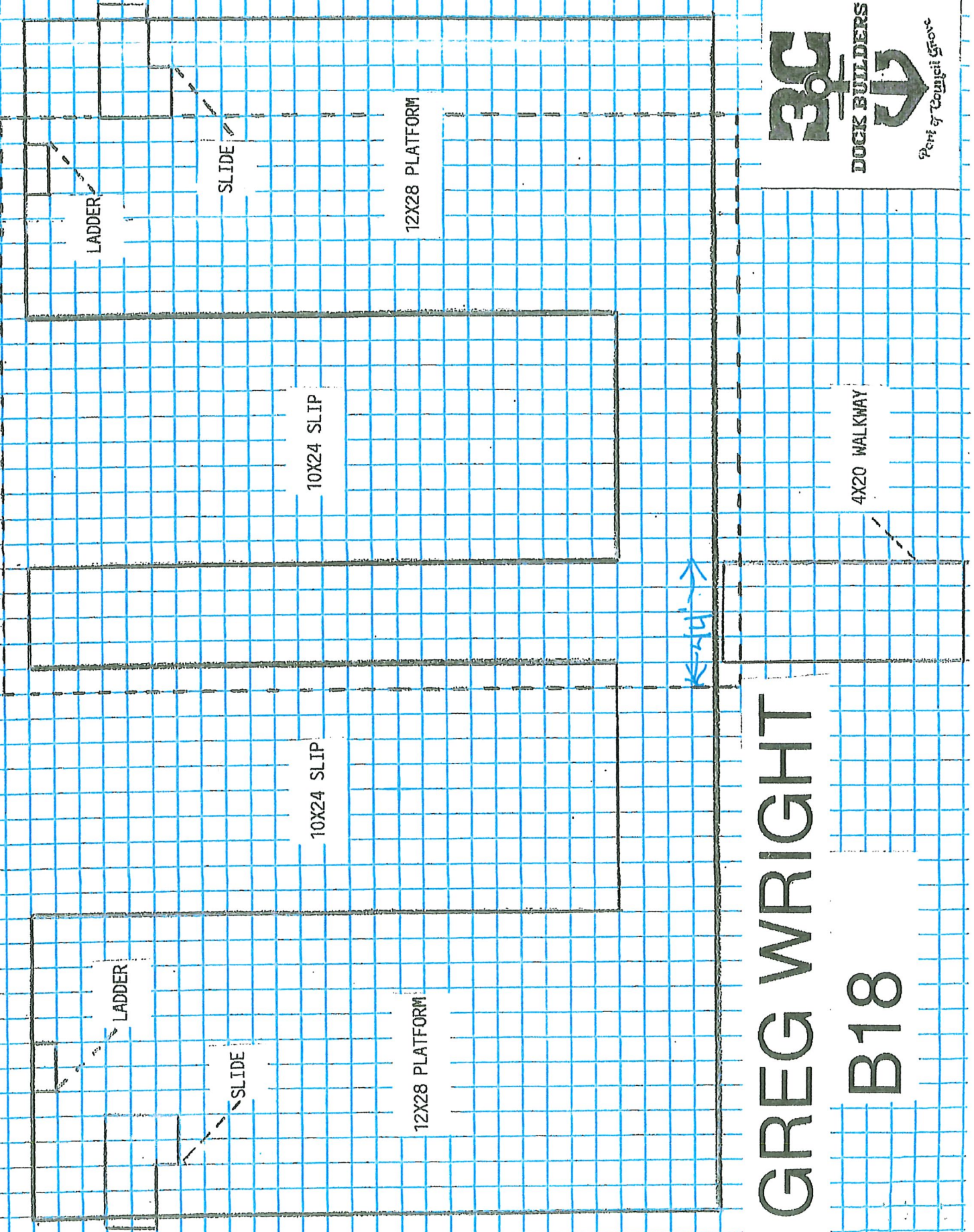
US Army Corps of Engineers:

City Council:

Other: (specify)

PERMIT FEE: \$





GREG WRIGHT

B18

4X20 WALKWAY

12X28 PLATFORM

10X24 SLIP

10X24 SLIP

12X28 PLATFORM

LADDER

SLIDE

LADDER

SLIDE

24



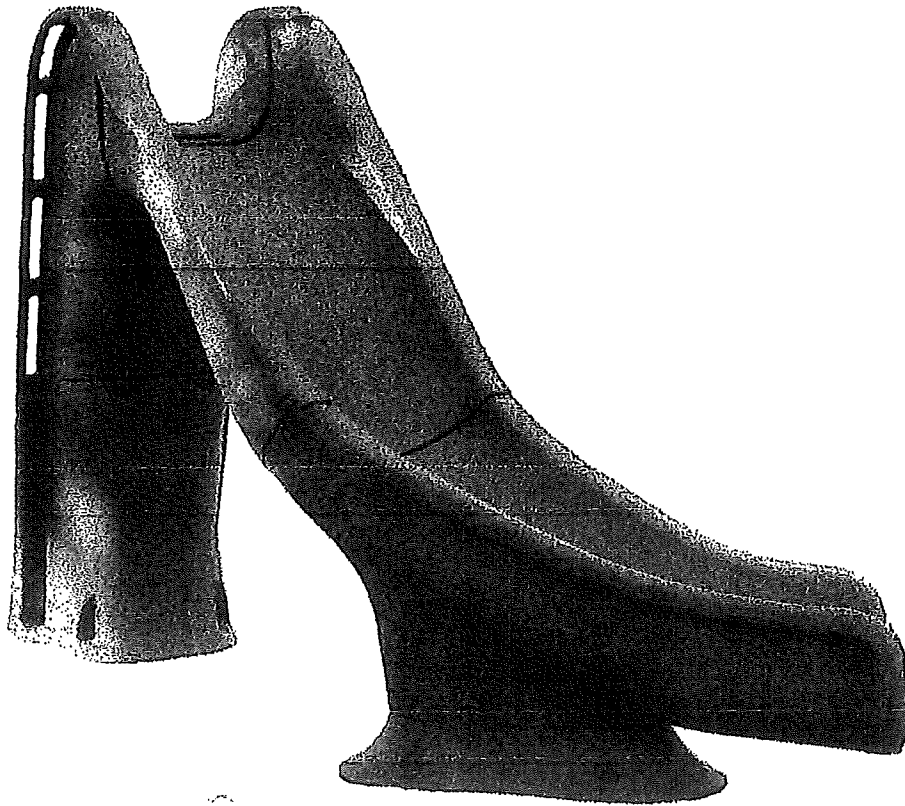
will be 5' set back

5/31/2023



"Global Pool Products is committed to engineering and manufacturing world class products in the pool industry"

TIDAL WAVE OWNER'S GUIDE



www.global-poolproducts.com



"Global Pool Products is committed to engineering and manufacturing world class products in the pool industry"

POST INSTALLATION CHECKLIST FOR TIDAL WAVE SLIDE

Installer to review with slide owner upon completion of slide installation.

Examine:

- The flume for any apparent cracks or gashes.
- The ladder for sharp borders, snags, cracks, or gashes.
- All fasteners to make sure none are loose.
- The ladder for stability and connection to the flume.
- Pool water depth at the base of the slide should be at least 3' (914 mm) deep.
- The height of the slide flume exit above the water should be 20" (508 mm) maximum.
- The distance between the slide centerline and the edge of other pool equipment should be at least 3'6" (1067 mm).

DAILY/WEEKLY MAINTENANCE OF THE TIDAL WAVE®

- A. Spray your Tidal Wave Slide down with water to wash away build up.
- B. Be sure that all connection points are tight. If not, tighten anchors as necessary.
- C. All polyethylene parts require little maintenance. Hose and wipe to clean.

Examine:

- The flume for any apparent cracks or gashes.
- All fasteners to make sure none are loose.
- The ladder for sharp borders, snags, cracks, or gashes.

APPLICABLE STANDARDS AND CODES

The Tidal Wave must be installed following your local building codes and national building codes.

ASSEMBLY AND INSTALLATION

Tidal Wave Slides are inspected prior to shipment from the factory. The installer will need to make sure that the concrete pad meets requirements before taking any steps to install the slide. Global Pool Product's warranty will be voided if the Tidal Wave is not installed and constructed per the installation & assembly guide.



"Global Pool Products is committed to engineering and manufacturing world class products in the pool industry"



SLIDING HEAD FIRST IS STRONGLY DISCOURAGED AND HIGHLY DANGEROUS



Traumatic Brain Injury and/or spinal injuries can commonly result from sliding head first down a slide into shallow areas of pools. These injuries could have long-term effects or even permanent damage. It is vital to slide down with the slider in a seated position, facing forward with feet first.

Safety Compliance

Global Pool Product slides are 3rd Party Tested & Verified by St. Louis Testing Laboratories. Global Pool Product slides fully conform to the U.S. Consumer Product & Safety Commission Safety Standards for swimming pool slides (16 CFR Part 1207).



"Global Pool Products is committed to engineering and manufacturing world class products in the pool industry"

CLEANING INSTRUCTIONS

Use nonabrasive soap and water as often as possible.

The Tidal Wave is a polyethylene surface. Before using any cleaner, always review the label instructions to make sure that it is safe to be used. We strongly suggest that a test spot is used before using a cleaner on a large area of the slide. This will deter any chances of damage or discoloration to the slide.

Keep clear of any abrasive or harsh cleaners, chemicals, and/or disinfectants that could damage the slide.



"Global Pool Products is committed to engineering and manufacturing world class products in the pool industry"

THE WARRANTIES ARE IN LIEU OF ALL OTHER WARRANTIES, EXPRESSED OR IMPLIED, WHICH ARE HEREBY DISCLAIMED AND EXCLUDED, INCLUDING WITHOUT LIMITATION ANY WARRANTY OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE OR USE.

IN NO EVENT SHALL GLOBAL POOL PRODUCTS BE LIABLE FOR ANY INCIDENTAL, CONSEQUENTIAL, INDIRECT, SPECIAL EXEMPLARY OR PUNITIVE DAMAGES OR LOST PROFITS FROM ANY BREACH OF THIS LIMITED WARRANTY. THE SOLE AND EXCLUSIVE REMEDY OF THIS WARRANTY IN REGARDS TO GLOBAL POOL PRODUCTS PRODUCT SHALL BE LIMITED TO REPLACEMENT OR REPAIR AT A GLOBAL POOL PRODUCTS FACILITY OR A DULY APPOINTED DISTRIBUTOR'S LOCATION OR AT A GLOBAL POOL PRODUCTS DESIGNATED LOCATION. IN NO EVENT SHALL GLOBAL POOL PRODUCTS LIABILITY EXCEED THE ENTIRE AMOUNT PAID TO GLOBAL POOL PRODUCTS BY THE ORIGINAL PURCHASER IN REGARDS TO THE DEFECTIVE OR FAILED PRODUCT.

NO REPRESENTATIVE OF GLOBAL POOL PRODUCTS SUCH AS AGENTS, DISTRIBUTORS AND DEALERS HAS THE AUTHORITY TO ALTER IN ANY FASHION THE TERMS OF THIS WARRANTY AND GLOBAL POOL PRODUCTS IS "NOT" RESPONSIBLE FOR REPRESENTATION, UNDERTAKING OR WARRANTY MADE BY ANY OTHER PERSON BEYOND THE WARRANTIES EXPRESSED SET FORTH IN THIS WARRANTY.

Warranty Procedure

Warranty Claims shall be submitted to Global Pool Products by the dealer or distributor which originated the sale with Global Pool Products.

All RGA (Return Goods Authorization) documents shall be requested by and issued only to the dealer or distributor which originated the sale.

Global Pool Products shall determine warranty coverage validation and replacement parts or repair shall be directed to the dealer or distributor which originated the sale. Pictures may be requested to validate claim.

Warranty claims received from end users by Global Pool Products shall be re-directed to the dealer or distributor which originated the sale with Global Pool Products.



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

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Alcohol Consumption and Sale at Community Events Applications

1. NAME: Council Grove Rotary Club

ADDRESS: 12 Main Street Council Grove, KS 66846

2. DATE OF EVENT: June 15 – June 17, 2023

TIME OF EVENT: June 15, 5pm – 11pm / June 16 – 17 5pm to 1am

3. STATE LICENSE PERMIT FOR THE SALE OF ALCOHOLIC LIQUOR OR CEREAL MALT BEVERAGE 15619

4. A SECURITY PLAN. **ATTACH TO FORM**

5. A PLAN FOR HOW AND WHEN THE PREMISES WILL BE CLEANED UP **ATTACH TO FORM.**

6. A PLAN AS TO HOW THE EVENT PROMOTER WILL PREVENT THE OFF PREMISES CONSUMPTION OF ALCOHOL AND THE CONSUMPTION OF ALCOHOL BY MINORS. **ATTACH TO FORM**

7. A DETAILED SITE MAP INDICATING ENTRY EXIT POINTS TO THE EVENT VENUE(S), DESCRIPTION OF THE SIGNAGE, BARRIERS, OR MAPS WHICH WILL USED TO DESIGNATE THE AREA IN WHICH ALCOHOLIC LIQUOR OR CEREAL MALT BEVERAGES MAY BE CONSUMED, NUMBER AND EXACT LOCATIONS OF ALL ALCOHOLIC LIQUOR OR CEREAL MALT BEVERAGE SALE/DISTRIBUTION BOOTHSAND THE LOCATION OF ANY LICENSED DRINKING ESTABLISHMENTS THAT DESIRE TO PARTICIPATE IN THE TEMPORARY ENTERTAINMENT DISTRICT. **ATTACH TO FORM**

- 8. IS ENTRY TO THE EVENT OR TEMPORARY ENTERTAINMENT DISTRICT IS RESTRICTED TO INVITED GUESTS OR OPEN TO THE PUBLIC.

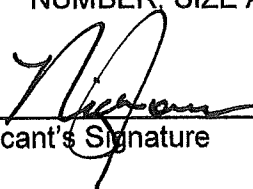
- 9. THE TYPE OF ALCOHOLIC LIQUOR OR CEREAL MALT BEVERAGE TO BE SOLD OR DISPENSED AND THE MEANS OR METHOD WHICH WILL BE USED TO SELL, DISPENSE OR DISTRIBUTE THE ALCOHOL TO EVENT ATTENDEES. **ATTACH TO FORM**

- 10. IDENTIFY THE ON-SITE SUPERVISOR OF THE ALCOHOLIC LIQUOR OR CEREAL MALT BEVERAGE SERVICE. Lucas Cosgrove, Travis Griffin, Aron Dody

- 11. THE NAME, ADDRESS AND LICENSEE OF ANY DRINKING ESTABLISHMENT, WHICH IS ADJACENT TO THE EVENT AND WHICH HAS EXTENDED ITS LICENSED PREMISES INTO THE TEMPORARY ENTERTAINMENT DISTRICT IF SUCH EVENT IS OCCURRING ON THE PUBLIC STREETS AND SIDEWALKS OF THE CITY OF COUNCIL GROVE. **ATTACH TO FORM**
- 12. THE NAME AND ADDRESS OF ANY ADJACENT BUSINESSES WHICH ARE TO BE INCLUDED IN THE EVENT AREA OR TEMPORARY ENTERTAINMENT DISTRICT. **ATTACH TO FORM**

- 13. A LIST OF STREETS AND/OR STREET RIGHTS-OF-WAY TO BE CLOSED TO MOTOR VEHICLE TRAFFIC FOR SUCH EVENT OR TEMPORARY ENTERTAINMENT DISTRICT AND THE DATES AND TIMES FOR SUCH STREET CLOSURES. **ATTACH TO FORM**

- 14. IF SIGNS ARE TO BE USED TO DESIGNATE AREAS WHERE ALCOHOLIC LIQUOR OR CEREAL MALT BEVERAGE MAY BE CONSUMED, A DIAGRAM SHOWING THE NUMBER, SIZE AND LOCATION OF SUCH SIGNS. **ATTACH TO FORM**



 Applicant's Signature

06/91/23

 Date

*****CITY USE ONLY*****

The above application is hereby granted this _____ day of _____, 2022, for the purpose of retail sales on the _____ day of _____, 20____, thru the _____ day of _____, 20____.

 City Clerk/City Administrator

 Date

ALCOHOLIC BEVERAGE CONTROL
109 SW 9th STREET
P.O. BOX 3506
TOPEKA KS 66601-3506



DEPARTMENT OF REVENUE
PHONE: 785-296-7015
FAX: 785-296-7185
www.ksrevenue.org/abc.html

TEMPORARY PERMIT LOCATION AND ZONING

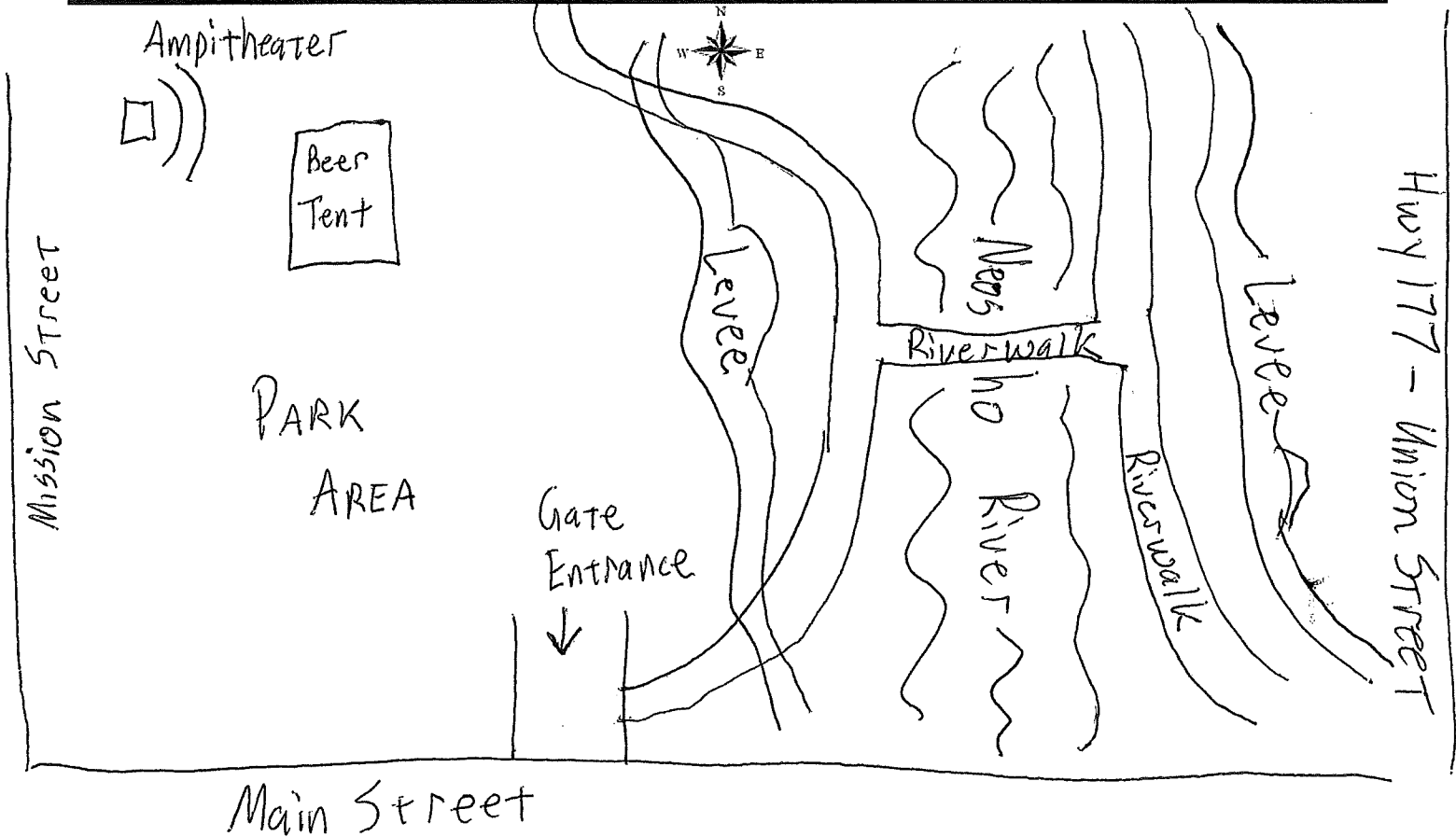
Organization Name or Individual Applicant Council Grove Rotary Club Event Date(s) June 15, 16, & 17

Event Type: Charitable Auction On-Premise Porcelain Container
 Special Event* - Number of Consecutive days (up to 30): _____

*A special event is held on public streets, alleys, roads, sidewalks or highways and must be approved, by ordinance or resolution, by the local governing body of any city, county or township where such special event is being held.

SECTION 1 – EVENT AREA: Complete this section for On-Premise and Special Events only.

In the space below, in ink, draw the floor plan and any outside areas included in the proposed event area where alcoholic liquor will be sold, served or consumed. If the area is outside, it must show where the three-dimensional barriers will be located to define the event area; and, include nearby streets for reference. Shade in the areas you DO NOT wish to be permitted.



SECTION 2 – CERTIFICATE OF CITY, TOWNSHIP OR COUNTY CLERK: (Completed by the clerk).

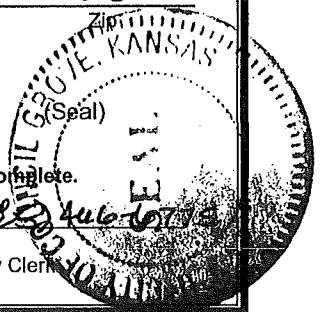
I HEREBY CERTIFY THAT THE PREMISES AT 12 Main Street Council Grove Mo 646
Location Street Address City Zip

CITY LIMITS: Inside the incorporated city limits Outside the city limits
ZONING: within an area that complies with all applicable zoning regulations required by K.S.A. 41-2645(d)
 located outside an incorporated city, in a township or county **that is not zoned**
LOCATION: government property private property public property CMB licensed premise

I declare under penalties of perjury that to the best of my knowledge and belief that Section 2 is true, correct and complete.

CLERK SIGNATURE Nick Jones
PRINTED NAME Nick Jones

DATE 05/10/23 PHONE (785) 466-6073
 City Clerk Township Clerk County Clerk





New On-Premise Temporary Permit Approved

1 message

kdor_donotreply@ks.gov <kdor_donotreply@ks.gov>
To: jhower70@gmail.com

Thu, May 11, 2023 at 10:28 AM

Dear Council Grove Rotary Club,

We are pleased to tell you that your Temporary Permit - On Premise application has been approved. Here are the details of your permit:

Permit Number: 15619
Permit Type: Temporary Permit - On Premise
Effective Date: June 15, 2023
Expiration Date: June 17, 2023

Please print, frame, and post the attached permit on the premises in a conspicuous place.

You are required to collect and remit 10% Liquor Drink Tax on all alcoholic beverages sold at your event. A Liquor Drink Tax return must be submitted for each separate event.

Your Liquor Drink Tax return is due on the 25th day of the month following the month of which your event was held.

You may file/pay your Liquor Drink Tax online through the KDOR Customer Service Center by visiting [Kansas Department of Revenue - Customer Service Center](#) or by submitting a paper Liquor Drink Tax Return (LD-1). You may download the form on our website by visiting [LD-1 Liquor Drink Tax Return](#).

Please contact the Misc. Tax Segment for further questions; kdor_miscellaenous.tax@ks.gov; 785-368-8222, option 5, option 4, option 2.

The Temporary Permit Handbook <https://www.ksrevenue.gov/abchbtemporarypermits.html> is written in plain language with statutory references with the goal of helping our licensees and permit holders become and remain compliant with liquor laws.

Please do not respond to this email address. If you have questions, use the contact information below. Thank you and have a nice day.

STATE OF KANSAS - DEPARTMENT OF REVENUE - ALCOHOLIC BEVERAGE CONTROL

Mailing Address: Mills Building, PO Box 3506, Topeka, KS 66601-3506

Physical Address: 109 SW 9th Street, 5th Floor, Topeka, KS 66612

Phone: 785-296-7015

Fax: 785-296-7185

Email: KDOR_abc.email@ks.gov

Website: www.ksrevenue.gov/abcindex.html

Facebook: www.facebook.com/KansasAlcoholicBeverageControl

**Doc37726590.pdf**

101K

**Kansas Alcoholic Beverage Control Division
Liquor License**

Temporary Permit - On Premise

APPLICANT: Council Grove Rotary Club

SPONSOR:

**ADDRESS: 12 Main Street
Council Grove, KS 66846**

LICENSE NO: 15619

The licensee named above has been granted a liquor license by the Kansas Department of Revenue, Alcoholic Beverage Control Division. This license is neither transferable nor assignable and is subject to suspension or revocation.

EVENT NAME: Washunga Days

EVENT DATE(S): June 15, 2023 - June 17, 2023

EVENT TIME: 5:00 P.M.-11:00 P.M., 5:00 P.M.-1:00 A.M., 11:00 A.M. -1:00 A.M.

PRIVILEGES:

Authorizes the permit holder to sell and serve alcoholic liquor and cereal malt beverage for consumption on the premises at a specified event location, time and date(s); and, the return of unopened alcoholic liquor and cereal malt beverage to the Retailer within three (3) days of the event.

AGREEMENT:

By accepting this license, the licensee agrees to conduct business in compliance with all applicable federal, state, county and city statutes and regulations.

Debbi Beavers

Debbi Beavers
Director, Alcoholic Beverage Control

Mark A. Burghart

Mark A. Burghart
Secretary of Revenue

EFFECTIVE: 06/15/2023

EXPIRES: 06/17/2023

THIS LICENSE MUST BE FRAMED AND POSTED ON THE PREMISES IN A CONSPICUOUS PLACE

IMPORTANT INFORMATION

Contact the ABC Licensing Unit at 785-296-7015 or email Kdor_abc.licensing@ks.gov if you have any:

- questions regarding this license
- changes to your business name, location, ownership or officers
- questions about filing gallonage tax; if applicable

Contact your local ABC Enforcement Agent at 785-296-7015 or visit our website at <http://www.ksrevenue.gov/abccontact.html>

Contact the Miscellaneous Tax Segment at 785-368-8222 or email Kdor_miscellaneous.tax@ks.gov if you:

- need assistance with liquor drink or liquor enforcement taxes
- have questions about liquor drink tax bonds, bond relief or bond release

CLOSING YOUR BUSINESS

If you are closing your business, you must surrender your liquor license and complete the form at <https://www.ksrevenue.gov/pdf/abc824.pdf>



CITY OF COUNCIL GROVE · 205 UNION STREET · PO BOX 313
COUNCIL GROVE, KS 66846 · 620-767-5417 · COUNCILGROVE.COM

Planning and Zoning Appointment

Appointment of Trent Siegal to the Planning and Zoning Commission for a term of 3 years.



CITY OF COUNCIL GROVE · 205 UNION STREET · PO BOX 313
COUNCIL GROVE, KS 66846 · 620-767-5417 · COUNCILGROVE.COM

Police and Fire Committee Recommendation

The Police and Fire Committee recommend the appointment of Taylor Bidder to Volunteer Fire-Fighter for the City of Council Grove Fire Department. Appointment is contingent on passing a drug/alcohol screening and physical.



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

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

Police and Fire Committee Recommendation

The Police and Fire Committee recommend the appointment of Breanna Canby to Part-Time Police Officer for the City of Council Grove Police Department at a pay-rate of \$17.00 per hour. Appointment is contingent on passing a drug/alcohol screening and physical.

ORDINANCE NO.

AN ORDINANCE REGARDING BOATING AT COUNCIL GROVE CITY LAKE;
ESTABLISHING MOTORIZED WATERCRAFT SIZE RESTRICTIONS.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF COUNCIL
GROVE, KANSAS:

Section 1. MOTORIZED WATERCRAFT SIZE. Motorized watercraft shall be subject to the following size restrictions:

- A. Pontoon/Tri-Toon/Sport-Toon shall be no longer than 27 feet from bow to stern.
- B. All other motorized watercraft shall be no longer than 24 feet from bow to stern, excluding removable stern platforms.
- C. Any motorized watercraft licensed to operate on Council Grove City Lake during the 2022 is exempt from this section.

Section 2. CODIFICATION. This section shall be codified in the Code of the City of Council Grove, Kansas as Section 12-919.

Section 3. EFFECTIVE DATE. This Ordinance shall take effect upon its publication in the official City newspaper.

PASSED AND APPROVED BY THE GOVERNING BODY OF THE CITY
COUNCIL ON THIS _____ DAY OF MAY, 2023.

Debi Schwerdtfeger, Mayor

ATTEST:

City Clerk

ORDINANCE NO. 2220

AN ORDINANCE GOVERNING BOATING AT THE COUNCIL GROVE LAKE PARK; SETTING ANNUAL REGISTRATION REQUIREMENTS; FEES; OPERATION OF BOATS; AND SETTING PENALTIES FOR VIOLATION OF THIS ORDINANCE.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF COUNCIL GROVE, KANSAS:

Section 1. DEFINITIONS. The following words shall have the following definitions for the purpose of this ordinance, and only this ordinance:

- A. Resident. A "resident" shall be any person that is a resident of the City of Council Grove, Kansas; a person being named as a Lessee on a leasehold of the Council Grove Lake Park or any person who is a City water customer outside the City limits of the City of Council Grove, Kansas.
- B. Non-resident. A "non-resident" shall be all persons who do not fall within the definition of "resident" above.
- C. Approved Aquatic Nuisance Species (ANS) Education Course. The "Approved Aquatic Nuisance Species (ANS) Education Course" is the course offered online by the Kansas Department of Wildlife, Parks, and Tourism (KDWP) which can be found at the KDWP web site.
- D. Council Grove Boater Safety Course. The "Council Grove Boater Safety Course" is a course offered online which can be found at <https://programs.ksoutdoors.com/Programs/Council-Grove-Boater-Safety-Course>.
- E. Boat. A "boat" means any vessel that is required to be registered by the State of Kansas as well as any vessel designed to be propelled by machinery, oars, paddles or wind action upon a sail for navigation on water.

Section 2. EXEMPTION FROM THIS ORDINANCE. Non-motorized vessels shorter than ten feet of length are exempt from the registration requirements of this ordinance, however the rest of the ordinance is applicable to them. Any boat operated below wake speed and used solely and exclusively for fishing is also exempt from registration under this ordinance, however the rest of the ordinance is applicable to them.

Section 3. CERTIFICATION REQUIRED. No boating license shall be issued to any person who has not completed and received a certificate of completion of an approved Aquatic Nuisance Species (ANS) Education Course within the preceding three years and the Council Grove City Boater Safety Course within the immediate preceding one year.

Section 4. BOAT LICENSE. Persons desiring to keep, have or maintain any boat upon the Council Grove City Lake shall make application for that purpose to the City Clerk or an approved license vendor. Upon demonstration that the applicant has met all the requirements of this ordinance, the City Clerk or an approved license vendor shall issue the license and the boat shall be assigned a number. The licensee shall affix the license number supplied to him upon the starboard side of the bow of the boat. If the license number shall be lost, destroyed or damaged, the licensee must purchase a replacement number from the City Clerk for a fee of \$2.00 per set.

Section 5. BOAT RESTRICTIONS. No person shall make application for a boat license unless the boat meets all requirements of state law. The burden of proof that the boat meets these requirements is upon the boat owner.

Section 6. BOAT FEES FOR RESIDENTS. The annual boat fees for residents who have met the requirements of this ordinance shall be based upon a graduated scale on the horsepower of the motor used to propel the boat. Fees for such residents are as follows:

- A. Ten dollars per year for vessels, sail boats or motor boats with a motor up to and including 50 horsepower.

- B. Twenty dollars per year for a boat with a motor from 51 to 100 horsepower.
- C. Thirty dollars per year for a boat with a motor from 101 to 150 horsepower.
- D. Forty dollars per year for a boat with a motor from 151 to 200 horsepower.
- E. Fifty dollars per year for a boat with a motor from 201 horsepower and up.
- F. Forty dollars per year for a personal water craft.

Section 7. NON-RESIDENT BOAT FEES. The annual boat fees for non-residents who have complied with the requirements of this ordinance shall be based on a graduated scale on the horsepower of the motors used to propel the boat. The fees for such non-residents are as follows:

- A. Twenty dollars per year for vessels, sail boats or motor boats with a motor up to and including 50 horsepower.
- B. Forty dollars per year for a boat with a motor from 51 to 100 horsepower.
- C. Sixty dollars per year for a boat with a motor from 101 to 150 horsepower.
- D. One hundred and twenty dollars per year for a boat with a motor from 151 to 200 horsepower.
- E. One hundred and fifty dollars per year for a boat with a motor from 201 horsepower and up.
- F. One hundred and twenty dollars per year for a personal water craft.

Section 8. NO WAKE ZONES/SPEED LIMIT. It shall be unlawful to operate a boat on the Council Grove Lake Park so as to create a wake with a white cap at its initiation or more than 5 miles per hour under the following conditions:

- A. Where speed boating is forbidden as indicated by markers, buoys or other signs.
- B. Within 200 feet of the shoreline.
- C. Before 7:00 a.m. and until the red light on the dam is lit, but if the light malfunctions, no later than sunset.
- D. No boat shall be operated in the manner to imperil or deliberately annoy fishermen or anchored boats.

Section 9. PERSONAL FLOTATION DEVICES. All boats shall be equipped with personal flotation devices as required by Kansas law.

Section 10. BOAT LIGHTS. When in use on the lake, between sunset and sunrise, each boat must have lighting which complies with state law.

Section 11. MEETING AND OVERTAKING BOATS. Boats, when meeting, shall comply with regulations as required by Kansas law.

Section 12. UNLOADING OF BOATS. All parties not having leasehold sites shall use the boat ramps for unloading and reloading boats.

Section 13. COURSE OF TRAVEL. All boats used on the Council Grove Lake Park are to travel in a counter-clockwise direction, inside the perimeter of the buoys. Travel in a clockwise direction is allowed outside of the perimeter buoys.

Section 14. PROHIBITED MANEUVERS. No boat shall maneuver in small circles, or stop or turn sharply, except in the case of emergency, to pick up a fallen skier or to retrieve someone from the lake.

Section 15. AREA OF OPERATION/CREATION OF WAVES. All boats operating above no wake speed shall do so inside the perimeter of the buoys.

Section 16. OPERATION OF WAKE ENHANCING BOATS. Operating wake enhancing boats and lake surf activity (slow speed, large wakes) must take place as close as is safely possible to the midline buoys located on the centerline of the lake. Travel shall be counterclockwise with buoys being kept on the portside of the boat.

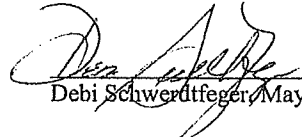
Section 17. PENALTIES. Any person violating any provisions of this ordinance shall, on a first offense, be subject to a fine of not less than \$100 nor more than \$200. On a second or subsequent offense the fine shall be not less than \$200 nor more than \$500.

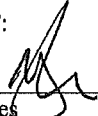
Section 18. SUSPENSION OF BOATING PRIVILEGES. The City reserves the right, on a majority vote of the governing body, to revoke, or to suspend for any period of time, any boating license issued by the City on a showing of careless or reckless operation of a boat or repeated violations of this ordinance. Any person whose license is suspended or revoked may only be re-issued a license on approval of a majority vote by the governing body.

Section 19. REPEAL. Sections 12-620 through 12-634 of Ordinance No. 1820 are hereby repealed. Ordinances 1917, 1991, 2001, 2002 and 2059 are hereby repealed.

Section 20. EFFECTIVE DATE. This Ordinance shall take effective upon its publication in the official City newspaper.

PASSED AND APPROVED BY THE GOVERNING BODY OF THE CITY COUNCIL ON THIS 2 day of April, 2019.


Debi Schwerdtfeger, Mayor

ATTEST:


Nick Jones
City Clerk
(SEAL)



**CGCLA Boating & Lake Safety Committee Recommendations to City of Council Grove
2.25.2023**

- 1) Retain Boating & Safety Rules as they currently exist or have been revised/changed since 2019.
- 2) Retain the "Recreational" (Wake Zone) lay-out and traffic patterns as they exist.
- 3) Specific enforcement attention is needed for the following—
 - a) Inappropriate/dangerous operation and/or underage operation of Personal Watercraft/Jet Skis.
 - b) Operation of any Motorized Craft above NO WAKE speed in NO WAKE areas and/or too close to docks/shore/boat ramps/persons in water/non-motorized watercraft.
 - c) Operation of any Motorized Watercraft outside of traffic patterns set for CGCL.
- 4) Recommend on-Lake enforcement from the start of Memorial Day Weekend through the end of Labor Day Weekend—
 - a) Memorial Day, July 4th, and Labor Day Weekends—
 - a. Friday, 3pm to 9:30pm,
 - b. Saturday, 10am to 9:30pm,
 - c. Sunday, 10am to 9:30pm,
 - d. Monday, 10am to 2pm,
 - e. When the holiday is Tues./Wed./Thurs., 10am to 9:30pm.
 - b) All other weekends—
 - a. Friday, 3pm to 9:30pm,
 - b. Saturday, Noon to 9:30pm,
 - c. Sunday, 10am to 2pm.
 - c) All other days of the week as deemed appropriate.
- 5) Recommend allowing no more than 3 ticketed infractions on CGCL per offending Motorized Watercraft per year. The owner/licensee of that Watercraft shall be immediately notified in writing of each infraction—
 - a) First Infraction = Up to \$250 citation/fine to the operator.
 - b) Second Infraction = Up to \$500 citation/fine to the operator.
 - c) Third Infraction = Up to \$1000 citation/fine to the operator AND offending Watercraft is banned from CGCL for the remainder of the calendar year.
- 6) Recommend Motorized Watercraft Size Restrictions beginning 2023 for operation on Council Grove City Lake—
 - a) Pontoon/TriToon/SportToon shall be no longer than 27 feet from Bow to Stern.
 - b) All other motorized Watercraft shall be no longer than 24 feet from Bow to Stern excluding removable Stern platforms.
 - c) All motorized watercraft licensed to operate on Council Grove City Lake during the 2022 season are "grandfathered" regardless of length.