



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

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

**City Council Agenda  
September 20, 2022  
5:30 P.M. - City Hall**

WELCOME AND CALL TO ORDER

PLEDGE OF ALLEGIANCE

PUBLIC HEARING: EXCEED REVENUE NEUTRAL RATE AND BUDGET HEARING

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 – 4
- Appropriations:
- Lake Cabin Transfer: N/A
- Renewal for Club Liquor License – Riverbank Brewery Pages 5 - 7
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<b>Motion:</b>	<b>Seconded:</b>	<b>Action:</b>	<b>Abstention:</b>	<b>Este. Cost:</b>	<b>Appd.</b>	<b>Cost:</b>
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OLD BUSINESS:

- Water Tower Update:

<b>Motion:</b>	<b>Seconded:</b>	<b>Action:</b>	<b>Abstention:</b>	<b>Este. Cost:</b>	<b>Appd.</b>	<b>Cost:</b>
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NEW BUSINESS:

- City Audit – Cindy Jensen

<b>Motion:</b>	<b>Seconded:</b>	<b>Action:</b>	<b>Abstention:</b>	<b>Este. Cost:</b>	<b>Appd.</b>	<b>Cost:</b>
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- Ordinance #2255: Providing Notice, Penalty, and Fee for Violation of Section 8-510 Disposal of Grass Clippings Page 8

<b>Motion:</b>	<b>Seconded:</b>	<b>Action:</b>	<b>Abstention:</b>	<b>Este. Cost:</b>	<b>Appd.</b>	<b>Cost:</b>
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Governing Body Comments:

Adjournment:

City Council Meeting Minutes  
September 6, 2022

**WELCOME AND CALL TO ORDER**

Mayor Debi Schwerdtfeger called the regular City Council Meeting to order. Council members present were Jason Booker, Mark Berner, Keith Wessel, Larry Siegrist, Sharon Haun also present were City Administrator Nick Jones, City Attorney Brian Henderson. Others attending were AJ Dome, Pastor Billy Kyger, Angie Schwerdtfeger, Jo King, Renee Berner.

**PUBLIC HEARING – EXCEED REVENUE NEUTRAL RATE AND BUDGET HEARING**

Mayor Debi Schwerdtfeger opened the City Council meeting with open comments regarding the city exceeding the Revenue Neutral Rate. With no questions from those in attendance Mayor Schwerdtfeger asked for a motion to approve Resolution 090622-01 to Exceed the Revenue Neutral Rate. A motion was made by Councilperson Jason Booker to approve Resolution 090622-01 to Exceed the Revenue Neutral Rate. The motion was seconded by Councilperson Sharon Haun. Motion Carried 5 – 0.

Mayor Debi Schwerdtfeger then moved onto approval of the 2023 City Budget. Mayor Schwerdtfeger asked if anyone had any questions or concerns and with no questions called for a motion to approve the 2023 City Budget. A motion was made by Councilperson Mark Berner to approve the 2023 Budget. The motion was seconded by Councilperson Jason Booker. Motion Carried 5 – 0.

**PUBLIC COMMENT PERIOD**

Jo King inquired if the city had plans of thoughts of possibly doing curbside pickup of recyclables. Mayor Schwerdtfeger said she would need to speak with the County regarding recycling as the city does not handle it.

**CONSENT AGENDA**

Councilperson Keith Wessel made a motion to approve the Consent Agenda as presented in the packet. Councilperson Sharon Haun seconded the motion. Motion Carried 5 – 0. The consent agenda consisted of:

- August 16, 2022, Minutes
- August 16, 2022, to Current Appropriations.
- Cabin Transfer: C-0 & J-21
- Renewal for Club Liquor License – Flint Hills Saloon and Eatery Inc.

**OLD BUSINESS**

- N/A

**NEW BUSINESS**

- **Daughters of the American Revolution (DAR): Proclamations**  
DAR did not attend meeting
- **Community Events Application: Council Grove Arts Council - Sethfest**  
Renna Berner with Council Grove Arts Council requested the use of the Riverwalk Amphitheater for Sethfest on October 8<sup>th</sup> from 2pm – 10pm for cornhole, music and beer garden. The Council Grove Arts Council also requested the city leave the solar lights on the stairs at the amphitheater, Temporary lighting on the electric pedestals, use of spider box & extension cords, and fence for the stage area. After discussion Councilperson Jason Booker made a motion to approve the request by the Council Grove Arts Council. The motion was seconded by Councilperson Sharon Haun. Motion Carried 5 – 0
- **City Lake Committee Recommendation:**  
City Administrator Nick Jones read the recommendation of the City Lake Committee for boundary line adjustments for the following lease holds.
  - B-9: Gregory Young - 116 Lakeshore Dr. Request a boundary line adjustment request of 30 feet for a garage. After discussion Councilperson Mark Berner made a motion to approve the request. The motion was seconded by Councilperson Jason Booker Motion Carried 5 – 0
  - B-21: Gregory & Lisa Ebert - 132 Waterway Loop. Request a boundary line adjustment request of 40'x60' for construction of a garage. After discussion Councilperson Jason Booker made a motion to approve the request. The motion was seconded by Councilperson Sharon Haun Motion Carried 5 – 0

- H-7: Tim & Sheryl Chadd - 144 Waterside Circle request a boundary line adjustment of 14' North side and 28' South side for a new construction of a cabin. After discussion Councilperson Jason Booker made a motion to approve the request. The motion was seconded by Councilperson Mark Berner Motion Carried 5 – 0
- C-25: Tim Benning - 132 Breezy Shores Circle. Request a boundary line adjustment of 22' for new construction of a cabin and carport. After discussion Councilperson Sharon Haun made a motion to approve the request. The motion was seconded by Councilperson Keith Wessel Motion Carried 5 – 0

- **Police Recommendation: Stop Sign**

Mayor Debi Schwerdtfeger read the recommendation from Police Chief Shawn Wangerin recommending adding a stop sign and for it be placed for southbound traffic in the 15-mph zone on Wood Street at Hockaday to help slow traffic and make for a safer school zone. After discussion a motion was made by Keith Wessel to approve the recommendation. The motion was seconded by Councilperson Mark Berner. Motion Carried 5 – 0

- **Police and Fire Committee Recommendation: Appointments**

Mayor Debi Schwerdtfeger read the recommendation that the Police and Fire Committee accepted the recommendation from the Fire Department to appoint the following to Volunteer Fire Fighters with the Council Grove Fire Department. Appointments are contingent upon passing a Drug/Alcohol Screening and Physical.

- Matthew Wirtz
- Jimmie Blackburn
- Johnathan Mayhill

Mayor Schwerdtfeger asked for a motion to approve the appointments. A motion was made by Councilperson Jason Booker to approve the appointments. The motion was seconded by Councilperson Sharon Haun. Motion Carried 5 – 0

- **Police and Fire Committee Recommendation: Shawn Wangerin**

Mayor Debi Schwerdtfeger read the recommendation from the Police and Fire Committee recommending a retention raise for Police Chief Shawn Wangerin to \$26.50 per hour with an effective date of September 7<sup>th</sup>, 2022, instead of September 14<sup>th</sup>, 2022, as listed in the Council packet. A motion was made by Councilperson Keith Wessel to approve the recommendation from the Police and Fire Committee. The motion was seconded by Councilperson Mark Berner. Motion Carried 5 – 0

- **Utilities Committee Recommendation: Michael Stover**

Mayor Debi Schwerdtfeger read the recommendation from the Utilities Committee recommending a pay increase for Michael Stover from \$16.32 to \$17.82 for successfully passing his Class I Water Operator Certification with an effective date of September 7<sup>th</sup>, 2022. A motion was made by Councilperson Jason Booker to approve the recommendation from the Police and Fire Committee. The motion was seconded by Councilperson Mark Berner. Motion Carried 5 – 0

### **GOVERNING BODY COMMENTS**

- Councilperson Jason Booker – reminded residents again about the City Ordinance on grass clippings and said he continues to see it. City Administrator Nick Jones informed the Council that City Inspector Dan Drube has stopped and spoken with several residents about leaving the clippings in the road and has been yelled at or cursed at by some and others have just ignored him. Administrator Jones pointed out that there is no teeth to the ordinance sense there is not a fine associated with it. Mayor Schwerdtfeger asked City Attorney Brian Henderson to look at our current fines for other offenses and make a recommendation to the Council.
- Councilperson Mark Berner – N/A
- Councilperson Keith Wessel – N/A
- Councilperson Sean Honer – Absent
- Councilperson Larry Siegrist – asked about when the city boat dock would be installed at the City Lake. City Administrator Nick Jones said it should be sometime this month.
- Councilperson Sharon Haun – N/A
- City Attorney Brian Henderson – N/A
- City Administrator Nick Jones – N/A
- Mayor Debi Schwerdtfeger – N/A

Mayor Debi Schwerdtfeger asked for a motion to adjourn. Councilperson Keith Wessel made a motion to adjourn. Councilperson Jason Booker seconded the motion. Motion carried 5 – 0

\_\_\_\_\_  
Debi Schwerdtfeger                      Mayor

ATTEST:

\_\_\_\_\_  
Nick Jones                      City Administrator

APPLICATION FOR CLUB LIQUOR LICENSE

Council Grove, Kansas \_\_\_\_\_, 20\_\_\_\_\_

TO THE GOVERNING BODY OF THE CITY OF COUNCIL GROVE, MORRIS COUNTY, KANSAS

Council Members:

I hereby apply for a license to operate a Club, in conformity with the laws of the State of Kansas and the rules and regulations prescribed and hereafter to be prescribed by you relating to the operation of a Club: for the purpose of securing such license, I make the following Statements under oath.

1. Name of Proposed licensee: Deidre Knight

Age of proposed licensee: 37

Street and address of licensee (residence): 100 Quiet Waters Loop Council Grove

Phone Number of Proposed licensee: 785-342-5751

How long have you been a resident of the State of Kansas? 36 years

How long have you been a resident of Morris County? 9 years

How long have you been a resident of Council Grove? 9 years

2. Name of business for which license is desired: Riverbank Brewing LLC

Address of business for which license is desired: 13 W Main Council Grove

Telephone number of business for which license is desired: 785-342-5751

Give Legal Description: \_\_\_\_\_

Describe Building: commercial building indoor & outdoor space for patrons

3. Name and address of owner or owners of the premises upon which the place of business is located: Jesse & Deidre Knight 100 Quiet Waters Loop Council Grove

4. Are you a citizen of the United States? yes By birth or naturalization? birth

If naturalized, give place and date of naturalization: \_\_\_\_\_

5. Have you ever been convicted of a felony? no

If so, when and where? \_\_\_\_\_

6. Have you ever been convicted of a crime involving moral turpitude? no

If so, when and where? \_\_\_\_\_

7. Have you ever been convicted or adjudged guilty of drunkenness? no

If so, when and where? \_\_\_\_\_

8. Have you ever been convicted or found guilty of Driving Under the Influence? no

If so, when and where? \_\_\_\_\_

9. Have you ever been convicted of a violation of any state or federal intoxication law? no

If so, when and where? \_\_\_\_\_

10. Is your place of business to be conducted by a manager or agent? no

If so, by whom? \_\_\_\_\_

11. What is your Kansas State Liquor License No.? 12490

What is the expiration date of your State Liquor License? 8/10/2023

**PLEASE ATTACH A COPY OF YOUR STATE LIQUOR LICENSE**

*\$150 for 1 yr license expiring 8-10-2023*

12. Please enclose the City Liquor License Fee of ~~\$300.00~~ with your application \_\_\_\_\_

I, Deidre Knight, the above named applicant hereby agree to comply with all of the laws of the State of Kansas, and all rules and regulations prescribed by you, and hereafter to be prescribed by you, relating to the sale or distribution of alcoholic beverages, and do hereby agree to purchase all alcoholic beverages from a wholesaler licensed and bonded under the laws of the State of Kansas, and do further consent to the immediate revocation of my alcohol beverage license, by proper officials, for the violation of such laws, rules or regulations.

  
Signature of Applicant

\_\_\_\_\_  
City Clerk

APPLICATION APPROVED ON THIS \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

by the Mayor and Governing Body of the City of Council Grove, Morris County, Kansas.

CITY LICENSE NUMBER 18

**PAID**  
**SEP 14 2022**  
**C.G. MUNICIPAL COURT**

**Kansas Alcoholic Beverage Control Division  
Liquor License**

**Drinking Establishment**

OWNER NAME: **Riverbank Brewing, LLC.**  
 DBA: **Riverbank Brewing, LLC.**  
 ADDRESS: **13 W Main Street**  
**Council Grove, KS 66846**

**LICENSE NO: 12490**

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.

**PRIVILEGES:**

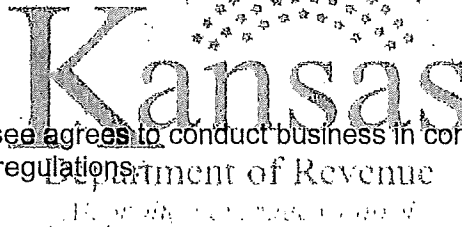
Allows the licensee to sell and serve alcoholic liquor and cereal malt beverage for consumption on licensed premises; serve free samples of alcoholic liquor and cereal malt beverage; redeem drink coupons in arrangement with a hotel; and other activities as authorized by K.S.A. 41-2642.

**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: 08/11/2021**

**EXPIRES: 08/10/2023**

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](mailto: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.org/abccontact.html>

Contact the Miscellaneous Tax Segment at 785-368-8222 or email [Kdor\\_miscellaneous.tax@ks.gov](mailto: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.org/pdf/abc824.pdf>

ORDINANCE NO. 2255

**AN ORDINANCE PROVIDING NOTICE, PENALTY, AND FEE  
TO BE CHARGED BY CITY FOR VIOLATION OF  
SECTION 8-510 DISPOSAL OF GRASS CLIPPINGS AND YARD WASTE**

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

**Section 1. NOTICE.** Any person, corporation, partnership or association found by the public officer to be in violation of section 8-510 shall be personally served a notice of such violation by the public officer or law enforcement officer and advised of the penalty for failure to comply with section 8-510 within 24 hours of receipt of such notice.

**Section 2. FAILURE TO COMPLY; PENALTY.** Should the person, corporation, partnership or association fail to comply within 24 hours following notice pursuant to section 8-511, the public officer may file a complaint in the municipal court of the city against such person, corporation, partnership or association and upon conviction of any violation of provisions of section 8-101, be fined in an amount not to exceed \$100. Each day during or on which a violation occurs or continues after notice has been served shall constitute an additional or separate offense.

**Section 3. FEE TO BE CHARGED BY CITY.** If the owner, occupant, or agent in charge of the property's continued failure to comply necessitates utilization of city resources to remove rubbish, stone, wire, earth, ashes, cinders, sawdust, hay, glass, manure, filth, paper, snow, ice, dirt, grass, leaves, construction waste, garbage or other offensive or noxious material disposed of in violation of section 8-510 an administrative fee of \$150.00 will be assessed against the owner, occupant or agent in charge of the property.

**Section 3. NUMBERING.** This ordinance shall be codified as Sections 8-511, 8-512 and 8-513 of the ordinances of the City of Council Grove.

**Section 4. EFFECTIVE DATE.** This ordinance shall be effective upon it's publication in the Council Grove Republican.

PASSED AND APPROVED BY GOVERNING BODY OF THE CITY COUNCIL GROVE ON THIS 20<sup>th</sup> day of September, 2022

\_\_\_\_\_  
Debi Schwerdtfeger  
Mayor

ATTEST:

\_\_\_\_\_  
Nick Jones  
City Clerk  
(SEAL)