

## City Commission Agenda MONDAY, APRIL 4, 2022 204 W. 11 ${ }^{\text {TH }}$ ST. - 5:00 P.M.

1. CALL TO ORDER
A. Roll Call
B. Pledge of Allegiance
2. PUBLIC COMMENT
(Members of the audience will have five minutes to present any matter of concern to the Commission. No official action may be taken at this time.)
3. PRESENTATIONS \& PROCLAMATIONS
A. Proclamation - Goodland Cowgirls Basketball Team - State Championship Day
B. Proclamation - Goodland Cowboy Wrestler State Championship Day
C. Crissy Livengood-Ridnour-

Tele-communicator Appreciation Week proclamation
4. CONSENT AGENDA
A. 03-21-22 Commission Meeting Minutes
B. Appropriation Ordinances 2022-07; 202207A; 2022-P07
5. FORMAL ACTIONS
6. DISCUSSION ITEMS
A. Mobile Food Vendor Ordinance
B. Chickens
7. REPORTS
A. City Manager-

1. Manager Memo
2. Joint City/County Meeting - April 11, 2022
B. City Commissioners
C. Mayor
3. ADJOURNMENT
A. Next Regular Meeting: Monday, April 18, 2022

NOTE: Background information is available for review in the office of the City Clerk prior to the meeting. The Public Comment section is to allow members of the public to address the Commission on matters pertaining to any business within the scope of Commission authority and not appearing on the Agenda. Ordinance No. 1730 requires anyone who wishes to address the Commission on a nonagenda item to sign up in advance of the meeting and to provide their name, address, and the subject matter of their comments.


# PROCLAMATION <br> City of Goodland, Kansas <br> "Cowgirls Basketball State Championship" <br> April 4th, 2022 

WHEREAS, the City of Goodland celebrates the winning title of State Champions for the Goodland Cowgirls Basketball team and wishes to honor them for their hard work, dedication and athleticism; and

WHEREAS, the Goodland (KS) Cowgirls varsity basketball team won Friday's neutral state championship playoff game against Hugoton (KS) by a score of 48-47; and

WHEREAS, Head Coach Bill Biermann and the entire coaching staff, team member parents, faculty and student body at Goodland High School were integral in guiding the team to victory through their unwavering support; and

WHEREAS, citizens of Goodland and fans of Goodland High school Athletics are proud of the accomplishments thus far of the Goodland Cowgirls Basketball Team, and

WHEREAS, the City of Goodland commends the Goodland Cowgirls for their teamwork, athleticism, and grace in the sport of basketball, and wishes them well in their future endeavors!

Now, Therefore, I, Aaron Thompson, Mayor of Goodland, and the entire City Commission do heartily congratulate the Goodland Cowgirls varsity basketball team and recognize April 4th as

## GOODLAND COWGIRLS STATE CHAMPIONSHIP DAY!



# PROCLAMATION <br> City of Goodland, Kansas 

"State Champion Wrestler"
April 4th, 2022
WHEREAS, the City of Goodland celebrates the winning title of Class 4A State Champion wrestler for Dexter Dautel and wishes to honor him for his hard work, dedication and athleticism; and

WHEREAS, Dexter Dautel of Goodland won the 220-pound weight class state championship with a 4-2 decision over Riley Marx from Andale.

WHEREAS, Head Coaches Jonathan Whisnant and Joseph Sramek, team member parents, faculty and student body at Goodland High School were integral in guiding Dexter to victory through their unwavering support: and

WHEREAS, Citizens of Goodland and fans of Goodland High school Athletics are proud of the accomplishments thus far of the Goodland Cowboys Wrestling team and especially Dexter Dautel for his achievement of becoming a State Champion in the 220 pound weight class in wrestling; and

WHEREAS, The City of Goodland commends Dexter Dautel for his dedication, hard work, athleticism, and perseverance in the sport of wrestling, and wishes him well!

NOW, THEREFORE, I, Aaron Thompson, Mayor of Goodland, and the entire City Commission do heartily congratulate Dexter Dautel on his outstanding accomplishment and recognize April 4th as

# GOODLAND COWBOYS STATE CHAMPIONSHIP DAY! 

## Proclamation

## National Public Safety Telecommunicators Week

April 10-16, 2022

Whereas emergencies can occur at any time that require police, fire or emergency medical services; and,

Whereas when an emergency occurs the prompt response of police officers, firefighters and emergency medical personnel is critical to the protection of life and preservation of property; and,

Whereas the safety of our police officers and firefighters is dependent upon the quality and accuracy of information obtained from citizens who telephone Sherman County 911 Communications; and,

Whereas Public Safety Telecommunicators are the first and most critical contact our citizens have with emergency services; and,

Whereas Public Safety Telecommunicators are the single vital link for our police officers firefighters and emergency medical personnel by monitoring their activities by radio, providing them information and ensuring their safety; and,

Whereas Public Safety Telecommunicators of Sherman County 911 Communications have contributed substantially to the apprehension of criminals, suppression of fires and treatment of patients; and,

Whereas each dispatcher has exhibited compassion, understanding and professionalism during the performance of their job in the past year;

Therefore Be It Resolved that the City Commission of Goodland, KS declares the week of April 10 through 16, 2022, to be National Public Safety Telecommunicators Week in honor of the women whose diligence and professionalism keep our city and citizens safe.

Signed this $\qquad$ day of $\qquad$ 2022

Mayor $\qquad$

# GOODLAND CITY COMMISSION <br> Regular Meeting 

March 21, 2022
5:00 P.M.
Mayor Aaron Thompson called the meeting to order with Vice-Mayor J. J. Howard, Commissioner Jason Showalter, Commissioner Ann Myers and Commissioner Brook Redlin responding to roll call.

Also present were Dustin Bedore - Director of Electric Utilities, Frank Hayes - Chief of Police, Joshua Jordan - IT Director, Kenton Keith - Director of Streets and Facilities, Neal Thornburg - Director of Water and Wastewater, Danny Krayca - Director of Parks, Jeff Dinkel - Code Enforcement/Building Official, Mary Volk - City Clerk, Kent Brown - City Manager and Jake Kling - City Attorney.

## Mayor Thompson led Pledge of Allegiance

## PUBLIC COMMENT

CONSENT AGENDA
A. 03/07/2022 Commission Meeting Minutes
B. 03/14/2022 Joint Commission Meeting Minutes
C. Appropriation Ordinances: 2022-06, 2022-06A, and 2022-P06

ON A MOTION by Vice-Mayor Howard to approve Consent Agenda seconded by Commissioner Redlin. MOTION carried on a VOTE of 5-0.

## ORDINANCES AND RESOLUTIONS

A. Ordinance 1745: Changing Membership Requirements for Construction Advisory Board Jeff stated, discussion at previous meeting was to change board membership. We received an application from an individual that resides outside City limits but has business inside. Since this is an advisory board about trades, we feel residency requirement could allow individuals residing outside City. I have also been researching that we do not offer commercial general contractor licenses but general, building, residential and demolition contractor licenses. I discussed with Jake who recommends we remove commercial and have general contractor on the board. Kent stated, we also do not recommend requirement of a master license for plumber, electrician and mechanical, but have a licensed plumber, electrician, and mechanical contractor. Other communities allow individuals licensed in trade because want experience. These changes are included in ordinance. ON A MOTION by Commissioner Showalter to approve Ordinance 1745: Changing Membership Requirements for Construction Advisory Board seconded by Commissioner Myers. MOTION carried on a VOTE of 5-0.

## FORMAL ACTIONS

A. Construction Board of Trades and Appeals Appointments: Jonathon Payne, Justin Carter, Peyton Ortner \& Charlie Baker - Jeff stated, I have reached out to individuals in community to serve on boards. Jonathon is still willing to serve. Peyton is young and interested in volunteering. Justin would like to become a master plumber, but waiting on the college to setup testing. He is eager to get involved to codes. Charlie was past member on board and is willing to get involved. Mayor Thompson asked, do we need to wait for publication of ordinance for appointments? Mary stated, I would approve appointments upon publication of ordinance in newspaper. ON A MOTION by Commissioner Showalter to approve appointment of Jonathon Payne to Construction Board of Trades and Appeals, upon publication of Ordinance 1745 in the newspaper,
seconded by Commissioner Redlin. MOTION carried on a VOTE of 5-0. ON A MOTION by Vice-Mayor Howard to approve appointments of Justin Carter, Peyton Ortner and Charlie Baker to Construction Board of Trades and Appeals, upon publication of Ordinance 1745 in the newspaper, seconded by Commissioner Myers. MOTION carried on a VOTE of 5-0.
B. Planning Commission Appointments: Matt McKenzie \& Grady Bonsall - Kent stated, two individuals have applied to serve on the Planning Commission. I have talked to both individuals and they are very interested in serving community. Matt stated, I recently moved back to Goodland. I am a licensed building contractor and own property on Main Street. I am interested in serving the community and getting involved. Kent stated, Grady was unable to attend meeting tonight but provided information for the Commission on his application. I recommend the appointments. ON A MOTION by Commissioner Redlin to approve the appointment of Matt McKenzie and Grady Bonsall to the Planning Commission seconded by Vice-Mayor Howard. MOTION carried on a VOTE of 5-0. Kent stated, we still have three open chairs on Planning Commission.
C. Renewal of Property, Casualty \& Liability Insurance: Jacque Livengood, Eklund Insurance -Jacque stated, we have carried City insurance for a number of years. Coverage had been with EMC for a number of years, then there were some issues so approved another broker, but have been back with EMC since 2020. EMC is the best policy for the City. Many companies will not write City policies or underwrite the Linebacker or Commercial Output policy. The premium increase includes changes made since last renewal. Building values have increased but you never know if enough, but how much can you afford to increase. We discussed the Law and Ordinance coverage but decided since City is in process of updating codes, we will not address until next year. It would become an issue if the town was destroyed and we had to go back and determine if the Law and Ordinance for all your buildings were up to date. An example of this is the 2012 hail storm in St. Francis. They had an ordinance for the thicker felt. Many houses got damaged and if did not have coverage for the thicker felt, they did not get the upgrade. My other concern is Business Income and Extra Expense coverage. This would be if the entire City gets wiped out, coverage provides a means to pay employees and expenses. ON A MOTION by Commissioner Redlin to renew Property, Casualty and Liability Insurance with EMC Insurance in the amount of $\$ 301,962$ seconded by Commissioner Showalter. MOTION carried on a VOTE of 5-0.
D. Cybersecurity Insurance Quote - Jacque stated, cybersecurity quotes are new brokers, existing company would not offer a quote. Currently the City has $\$ 3,000,000$ coverage with $\$ 10,000$ deductible. If you do not have concierge service you have to know laws in every state to file claims. The first quote from Hiscox is $\$ 11,054$ plus concierge service for $\$ 250$. The second quote is Coalition. The liability limit is lower and premium is $\$ 18,442.94$, but they offer additional services. After talking with Joshua, I am comfortable with the City approving Hiscox. Their premium is $50 \%$ higher than last year because of the number of cyber claims filed. I do not see a need for you to have Coalition policy because Joshua has you covered. Mayor Thompson asked, what happens if Joshua leaves? Joshua stated, the coverage most companies provide for us is protection from Department of Homeland Security. Commissioner Myers asked, is there a deductible? Jacque stated, yes, $\$ 10,000$. Mayor Thompson asked, so the premium for Hiscox is $\$ 11,054$ plus the concierge service for $\$ 250$, for total premium of $\$ 11,304$. Commissioner Showalter asked, have you worked with Hiscox? Jacque stated, they are a good company and a big company that writes a lot of policies. ON A MOTION by Commissioner Showalter to approve Cybersecurity Insurance from Hiscox in the amount of $\$ 11,304$, which includes the concierge service, seconded by Commissioner Redlin. MOTION carried on a VOTE of 5-0.

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E. Hangar Lease - Travis Amb - Kent stated, Barker Farm Services terminated their lease at the airport from 2021 to build a hangar on lots 1 and 2. Mr. Barker talked with Travis of Amberican who is interested and willing to lease land. Travis is moving back to operate business out of Goodland. Lease is same as we had with Barker Farm Services. Jake stated, the Airport Board wanted to ensure hangar construction starts within twelve months. They asked to approve hangar design and spacing. The Planning Commission will ultimately approve plans, but board also asked for approval to ensure meets requirements at airport. ON A MOTION by Commissioner Showalter to approve the Hangar Lease with Travis Amb seconded by Commissioner Redlin. MOTION carried on a VOTE of 5-0.

## DISCUSSION

A. Proposed Chicken Ordinance Review - Kent stated, last meeting the Commission asked citizens to contact Commissioners or come to next meeting with comments. We received around one hundred comments on social media. Mayor Thompson stated, there have been a lot of comments and feelings both ways. Kent stated, I had a citizen comment Friday that they asked to have repeated at meeting. The individual stated she has been a resident of Goodland for many years and feel that farm animals do not belong in town. She does not feel five commissioners should make decision of what farm animals should be in town. Commissioner Showalter stated, people are passionate on the issue; I have had many discussions on this matter. Vice-Mayor Howard asked, what does ordinance for animals in City read? Kent read City Code, Chapter 2 pertaining to animals and fowl. Vice-Mayor Howard asked, what is law on burial of animals in City? Kent stated, I will have to research. Mayor Thompson stated, personally I feel we should move ahead with an ordinance to vote either way. If we want to add something to ordinance we should add it. I feel penalty section should be outlined before approved. Now information states a citation will be issued with fines to be determined. What is appropriate? Commissioner Redlin stated, if someone buys baby chicks but get a rooster, need to have information for removal of rooster. Mayor Thompson stated, that is outlined in Section 5 of information. Kent stated, penalty in animal code reads violation is punishable by not more than $\$ 2,500$. You can outline same way, but that is steep for chickens. It is that high for dogs because of bites and other issues. Jake stated, if violation is classified as misdemeanor, State Statute allows that fine. Do we do it, not necessarily, but helps to have a penalty range. It costs the City to monitor these codes. When you prepare penalty section you want a range instead of specific amount so do not have to rewrite codes. Want to have a fine that is a deterrent, but practical. I suggest you have a lid, but note this is a code violation, not a misdemeanor. Mayor Thompson asked, how do you determine appropriate fine? Commissioner Redlin asked, is fee set by code enforcement? Jake stated, yes, based on the code violation. Jeff stated, I have researched, but I have also been approached to allow ducks, rabbits and honeybees. Mayor Thompson asked, do we want it tied to rest of animal codes? Kent stated, we can put together the actual ordinance which includes penalty information to discuss next meeting. You can move item to formal action after discuss, but need to have ordinance presented. Mayor Thompson stated, Section 7 states permit is $\$ 25$ every two years, why not annually? Kent stated, that is commission discretion, if so would you require inspection of premises every year? Vice-Mayor Howard stated, I have no problem with the fee every two year but feel should have inspection every year. Commissioner Showalter asked, do we have inspection when someone gets a dog tag? Kent stated, with dogs inspections are complaint based but nothing on annual basis. Commissioner Showalter stated, this is in addition to what is required. I struggle with an ordinance that adds responsibility that is not in our current ordinance.

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I feel we are creating more red tape. Once they go through initial inspection that is enough unless there is a complaint. Mayor Thompson stated, I agree with that idea. Commissioner Showalter asked, how should the fee be written, annually or every two years? Is the $\$ 25$ a flat fee, not per chicken? Kent stated, a flat fee. Commissioner Redlin stated, I would like to increase cap to six chickens if we pass ordinance. Many other City's allow six. Commissioner Myers stated, but it depends on yard size also. Frank stated, someone just informed me when we had pit bull ordinance an annual inspection was required. I am not sure if that is relevant to chickens. Mayor Thompson stated, I recommend an initial inspection and beyond that it is complaint driven and that the penalty section be tied to rest of animal codes. I feel should have permit fee every two years with an initial inspection. We can increase cap to six chickens instead of four. Does the Commission want to continue to move forward with an ordinance to vote next meeting or just discuss? I recommend have it discussed next meeting with these changes. Consensus of the Commission is in agreement with Mayor Thompson with potential to move ordinance to formal action at meeting if needed. Commissioner Myers asked, are people still allowed to comment on social media? Joshua stated, I took post down but can put it back up with additional information.
B. Follow up to Joint City/County Commission Meeting: Sales Tax for Roads - Kent stated, we had a good meeting with Sherman County and City of Kanorado. Boards agreed to go back and discuss at meetings to come up with what each entity would like to see in ballot proposal. There are five different questions for Commission. $8^{\text {th }}$ Street is our main project with total estimated cost of $\$ 5,600,000$. With inflation, estimating $\$ 400,000$ per block. By the time tax is in place estimate may not be same. Our next project is remainder of $17^{\text {th }}$ Street in concrete because of truck traffic at an estimated cost of $\$ 2,400,000$. We are replacing $17^{\text {th }}$ from west of Scoular to Kansas this summer. The other project discussed is Caldwell from $10^{\text {th }}$ to $17^{\text {th }}$ Street in concrete for estimated cost of $\$ 2,800,000$ or a 2 -inch mill and overlay estimated at $\$ 500,000$, but just an estimate with oil prices. On main traffic routes, the life cycle of concrete compared to asphalt is fifteen to twenty years more before have to redo street. With asphalt, should be doing something on the street for continued maintenance within ten years. All these projects are on main traffic-ways. Total estimated cost is $\$ 10,800,000$. Second question is the distribution of the sales tax. On previous question, the City received $27.72 \%$. The current $1 \%$ tax generated about $\$ 1,350,000$ in 2020 , a little more in 2021 and estimated to be $\$ 1,500,000$ in 2022. With Kanorado should we recommend $70 \%$ County, $25 \%$ City and $5 \%$ Kanorado? Using these assumptions, the 2020 rate, would generate about $\$ 3,375,000$ for the City over ten years which would only allow us to complete $17^{\text {th }}$ Street and a small portion of another project. A fifteen year tax would generate about $\$ 5,062,500$ where we could complete ten blocks of $8^{\text {th }}$ Street (D'Lao to Main) and a small portion of another project, assuming revenues remain same. On last tax issue, revenues were higher than anticipated so retiring bond issue earlier. This information is assuming we stay at the $1 \%$ sales tax. Mayor Thompson asked, have we looked into bond issue? Can we do projects as collect tax revenue? Kent stated, the bond attorney was out last week so do not have direct answer. I am assuming same revenue but if inflation continues, revenues would increase also. There was discussion at the meeting to raise from $1 \%$ to $1.25 \%$ sales tax. Are construction costs going to remain lower than we could borrow money? Interest rates are going to start increasing. Since Commission emphasized during the November election that the City was not part of question, there may be perception any increase is because City is involved. These are big ticket projects. Another question is if ballot issue should be for improvements other than roads. That is for a later discussion. There is not a way to complete these projects with money budgeted from the State, instead of working on other streets. We really need sales tax to supplement how we take
care of streets. It may not seem like there are many problems now on these streets, but the best time to work on them is before any major problems. What do you want to take back to county? Mayor Thompson stated, $8^{\text {th }}$ Street should be priority moving forward. As far as how much tax, I want to keep at $1 \%$ as everything is getting more expensive and everyone is working with increased costs. We have to work within the budget. I like the $70 / 25 / 5$ split for what everyone is trying to accomplish and feel we will have to go twenty years. As far as whether tie to bond or specific infrastructure, we need more information. Commissioner Showalter stated, I feel we need to avoid going any higher than $1 \%$ or I feel it will not pass. We have to work within the money. I agree, $8^{\text {th }}$ Street is the priority. If it does not pass, what do we do? Kent stated, we work with the County on another issue, put our own proposal forward or we just wait until have to do road. Commissioner Showalter stated, I feel best option is to continue what is in place. Vice-Mayor Howard stated, I agree, keep it at $1 \%$ but keep City share at $27.72 \%$ and Kanorado should be involved. Mayor Thompson stated, the distribution of tax will be a discussion with the County. Kent stated, the reason I have Kanorado at 5\% is size of their project; it is not based on population. Mayor Thompson stated, I do not know if that will be their project but it is their main road in town. What timeline does Commission think is feasible? Consensus of Commission is twenty years with $8^{\text {th }}$ Street project as priority and keeping sales tax at $1 \%$.
C. Follow up to Joint City/County Commission Meeting: Housing Study Recommendations Kent stated, a study was completed of programs to consider for community. Main programs discussed are Land Bank Program or a version of it for this community and a rehabilitation program of some type. They suggested a working group to evaluate proposals and get consensus for programs to present to City/County Commissions. Is there a Commissioner willing to volunteer for group? Commissioner Redlin stated, I will volunteer to participate. Consensus of Commission is that Commissioner Redlin will represent the Commission to evaluate programs.
D. Proposed Mobile Food Vendor Ordinance - Kent stated, this is a starting point for discussion, with a sample ordinance. I would like Commission input before consider an ordinance. Mayor Thompson stated, I do not feel I was able to thoroughly evaluate information. I would like to be review information more. Commissioner Myers asked, what about sound devices; some generators are loud does that apply? Is this for everyone or are we looking at it for downtown activities? Jake stated, if you are going to have ordinance, it has to be applied toward everyone unless in exemption section. Frank stated, I looked at noise ordinance and cut time back to 8:00 p.m., which falls under ordinance. Commissioner Showalter stated, I would like to have more time to review information also. Jake stated, the penalty section really needs to define penalties. What will be different is that each application will be truck specific. I recommend penalties be more than obtaining a license to encourage application. I feel you will have specific events and areas, but if allow on public property, I recommend pre-approved areas to allow food trucks. It would be easier with enforcement.

## REPORTS

A. City Manager - 1. As a follow-up on low income water rate, we have a few customers on rate with household income of $\$ 18,000$ or less. Current code states, no meter charge and rate is $15 \%$ less. There will continue to be no meter charge and a minimal increase with rate approved. It will keep bills pretty much the same as now. Mayor Thompson stated, my concern is an $\$ 18,000$ limit, regardless of household size, is not right. When look at other federal poverty guidelines it is based on the household size. Do we need to do a tier rate based on household size? Kent stated, if it relates to a national standard it has to be easily followed. Commissioner Showalter stated, I feel
should follow national guidelines. Kent stated, I really have never had criteria like this in an ordinance. Jake stated, it is really in bigger City's or private utilities where they have their own hybrid programs for people to apply. Will guidelines follow the billing cycle? If you stick a number in there they know that is the cutoff every year. Mary stated, I am concerned with verification of information if you open it up too far. Jake stated, you can put systems in place but how do you get numbers and know they are correct. Kent stated, we will have staff present information on rate. 2. Would like to schedule tour of City facilities for March $28^{\text {th }}$. Commissioner Showalter is getting a vehicle so everyone can ride together. Can we start at 3:00 p.m. in order to hit all facilities before sunset? Consensus of Commission begin tours on March $28^{\text {th }}$ at 3:00 p.m. at power plant, then proceed to other facilities. Mayor Thompson asked, is this considered a meeting since there is a Commission quorum? Kent stated, there is no action taking place only touring facilities. We are making public aware of tour. 3. We are going to pull well three to investigate what is wrong. Neal stated, it has a vibration and would like to fix before busy season. 4. Electric substation required bushings be replaced. We were told six to eight weeks but they showed up last week to fix. It is hard to judge supply chains. Dustin stated, we also have an agreement with KMEA to do breaker maintenance. 5. Most of the control burn at airport is complete. 6. On $17^{\text {th }}$ Street project they are looking to start in April and will look at preconstruction meeting within next two weeks, depending on contractor schedule. We are going to let businesses in neighborhood know when project begins. Andrew Brunner, EBH Engineer stated, the project has specific completion date so will not affect harvest.
B. City Commissioners

Vice-Mayor Howard - 1. Thanks to citizens for volunteering on boards. 2. Thanks to employees for what they do. 3. Shout out to girls' basketball team for winning state.
Commissioner Showalter - 1. No Report
Commissioner Myers - 1. Thanks to citizens for discussion on chickens, appreciate comments either way.
Commissioner Redlin - 1. Congratulations to girls' basketball for winning state. 2. Boards are coming along, still need to fill three spots on Planning Commission.

## C. Mayor Thompson- 1. No Report

ADJOURNMENT WAS HAD ON A MOTION BY Commissioner Redlin seconded by Commissioner Myers. Motion carried by unanimous VOTE, meeting adjourned at 7:00 p.m. Next meeting is scheduled for April 4, 2022.

## ATTEST:

Aaron Thompson, Mayor

Mary P. Volk, City Clerk

INVOICE NO
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3784 AMAZON CAPITAL SERVICES
$13 / 16 / 22$
$13 / 20 / 22$
2 3/20/22

MOUSE PAD
TAPE, POSTITS, PENS

ENTERPRISE INVES
MUSEUM INVESTMENT
DO NO REFERENCE

PAPER TOWELS, TOILET PAPER

AMAZON CAPITAL SERVICES

AMERICAN ENTERPRISE INVES
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| 176.69 | 64885 | $4 / 04 / 22$ |
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| 7.99 | 64885 | $4 / 04 / 22$ |
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64886 4/04/22

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| N | 122.52 | 3045524 | $4 / 01 / 22$ | E |
| N | 130.92 | 3045524 | $4 / 01 / 22$ | E |
| N | 19.02 | 3045524 | $4 / 01 / 22$ | E |
| N | 34.44 | 3045524 | $4 / 01 / 22$ | E |
| N | 34.44 | 3045524 | $4 / 01 / 22$ | E |
| N | 43.08 | 3045524 | $4 / 01 / 22$ | E |
| N | 105.00 | 3045524 | $4 / 01 / 22$ | E |
| N | 22.08 | 3045524 | $4 / 01 / 22$ | E |
| N | 2.76 | 3045524 | $4 / 01 / 22$ | E |
| N | 23.82 | 3045524 | $4 / 01 / 22$ | E |
| N | 20.10 | 3045524 | $4 / 01 / 22$ | E |
| N | 13.62 | 3045524 | $4 / 01 / 22$ | E |
| N | 48.78 | 3045524 | $4 / 01 / 22$ | E |
| N | 26.28 | 3045524 | $4 / 01 / 22$ | E |
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|  | 714.69 |  |  |  |


| $11-00-0012$ | N | 28.25 | 3045521 | $4 / 01 / 22$ | E |
| :--- | :--- | ---: | :--- | :--- | :--- |
| $15-00-0012$ | N | 22.60 | 3045521 | $4 / 01 / 22$ | E |
| $21-00-0012$ | N | 9.90 | 3045521 | $4 / 01 / 22$ | E |
| $11-00-0012$ | N | 128.34 | 3045521 | $4 / 01 / 22$ | E |
| $15-00-0012$ | N | 146.00 | 3045521 | $4 / 01 / 22$ | E |
| $21-00-0012$ | N | 26.95 | 3045521 | $4 / 01 / 22$ | E |
| $11-00-0012$ | N | 177.54 | 3045521 | $4 / 01 / 22$ | E |
| $15-00-0012$ | N | 240.53 | 3045521 | $4 / 01 / 22$ | E |
| $21-00-0012$ | N | 91.75 | 3045521 | $4 / 01 / 22$ | E |
| $11-00-0012$ | N | 72.25 | 3045521 | $4 / 01 / 22$ | E |
| $15-00-0012$ | N | 78.95 | 3045521 | $4 / 01 / 22$ | E |
| $15-00-0012$ | N | 26.99 | 3045521 | $4 / 01 / 22$ | E |
| $21-00-0012$ | N | 15.93 | 3045521 | $4 / 01 / 22$ | E |
| $11-00-0012$ | N | 54.58 | 3045521 | $4 / 01 / 22$ | E |
| $11-00-0012$ | N | 16.26 | 3045521 | $4 / 01 / 22$ | E |
| $15-00-0012$ | N | 8.77 | 3045521 | $4 / 01 / 22$ | E |







3811 PROTECTIVE EQUIPMENT TEST
INVOICE NO LN DATE PO NO REFERENCE TRACK CD GL ACCOUNT $\quad$ CHECK PATE

INVOICE NO
Ln DATE PO NO REFERENCE

| 425 SHERMAN COUNTY TREASURER |  |  |  |  |  |  |  |
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| GEN22-158 | 3 | 4/04/22 | 654CKG/05 FORD | 11-11-3120 | 82.73 | 64924 | 4/04/22 |
| GEN22-158 | 4 | 4/04/22 | FACILITY FEE | 11-11-3120 | 2.50 | 64924 | 4/04/22 |


|  |  | 427 | SHORES NAPA |  |  |  |  |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: |
| 234627 | 1 | 2/25/22 | Shop Supplies | 11-11-3020 | 69.31 | 64928 | 4/04/22 |
| 234651 | 1 | 2/25/22 | OIL FILTER | 11-06-3170 | 7.12 | 64928 | 4/04/22 |
| 234660 | 1 | 2/25/22 | PAINT ROLLERS, TRAYS, MIRROR | 15-40-3120 | 34.93 | 64928 | 4/04/22 |
| 234798 | 1 | 2/28/22 | CORE RETURN/INV 234534 | 11-03-3170 | 6.50- | 64928 | 4/04/22 |
| 234826 | 1 | 2/28/22 | THREADLOCKER-HONEYWAGON | 23-41-3060 | 35.67 | 64928 | 4/04/22 |
| 234925 | 1 | 3/01/22 | WATERLINES/TREES @ VANGOGH | 11-15-3120 | 21.76 | 64928 | 4/04/22 |
| 234964 | 1 | 3/01/22 | COUPLER, TIPS-PWR WASHER PARTS | 23-41-3060 | 43.74 | 64928 | 4/04/22 |
| 234968 | 1 | 3/01/22 | StORAGE CABINET, SNAP LATCH | 23-43-3020 | 344.18 | 64928 | 4/04/22 |
| 235006 | 1 | 3/01/22 | BRAKE CLEANER,LUBE | 15-40-3120 | 68.14 | 64928 | 4/04/22 |
| 235020 | 1 | 3/01/22 | PVC WET SET | 23-43-3120 | 17.99 | 64928 | 4/04/22 |
| 235109 | 1 | 3/02/22 | WIRE, CLAMP, WEED EATER REPAIR | 11-15-3060 | 21.93 | 64928 | 4/04/22 |
| 235228 | 1 | 3/03/22 | AA BAtTERIES | 23-43-3120 | 35.98 | 64928 | 4/04/22 |
| 235298 | 1 | 3/03/22 | BROOM | 11-15-3020 | 12.99 | 64928 | 4/04/22 |
| 235409 | 1 | 3/04/22 | PVC EXT COUPLING/UNION | 15-42-3120 | 14.79 | 64928 | 4/04/22 |
| 235545 | 1 | 3/07/22 | HEAT GUN AND NOZZLE | 15-42-3120 | 34.59 | 64928 | 4/04/22 |
| 235547 | 1 | 3/07/22 | DIAMOND BLADE, 3/8" DRIVE | 11-15-3020 | 15.78 | 64928 | 4/04/22 |
| 235547 | 2 | 3/07/22 | SHOP TOWELS | 11-15-3120 | 13.99 | 64928 | 4/04/22 |
| 235581 | 1 | 3/07/22 | HI PWR V BELT | 11-15-3060 | 78.00 | 64928 | 4/04/22 |
| 235775 | 1 | 3/09/22 | KEYS | 11-11-3030 | 3.00 | 64928 | 4/04/22 |
| 235775 | 2 | 3/09/22 | LUCAS RED-TACKY GRS | 11-11-3060 | 153.60 | 64928 | 4/04/22 |
| 235804 | 1 | 3/09/22 | SUPER WEATHERSTRAP ADHV | 15-42-3060 | 22.91 | 64928 | 4/04/22 |
| 235809 | 1 | 3/09/22 | DEF 2.5 | 11-11-3060 | 31.94 | 64928 | 4/04/22 |
| 235952 | 1 | 3/10/22 | SPRINKLER PARTS | 11-15-3120 | 21.56 | 64928 | 4/04/22 |
| 236034 | 1 | 3/11/22 | RING TERMINAL | 15-40-3120 | 8.44 | 64928 | 4/04/22 |
| 236066 | 1 | 3/11/22 | KEYS, DEGREASER, GLOVES, RAGS | 23-41-3120 | 242.09 | 64928 | 4/04/22 |
| 236182 | 1 | 3/14/22 | OIL/AIR FILTERS \#26 \& 29 | 11-11-3060 | 83.16 | 64928 | 4/04/22 |
| 236218 | 1 | 3/14/22 | 24" EXACT FIT BLADE | 11-11-3060 | 20.32 | 64928 | 4/04/22 |
| 236241 | 1 | 3/14/22 | BUTT CONNECTORS | 11-03-3170 | 21.36 | 64928 | 4/04/22 |
| 236329 | 1 | 3/15/22 | RUBBER WASHER, JAMNUT | 11-03-3170 | 5.79 | 64928 | 4/04/22 |
| 236374 | 1 | 3/15/22 | CARBURETOR ASSEMBLY | 15-42-3060 | 87.19 | 64928 | 4/04/22 |
| 236425 | 1 | 3/16/22 | WD-40, STEEL WOOL PADS | 23-41-3120 | 40.93 | 64928 | 4/04/22 |
| 236532 | 1 | 3/17/22 | 8' CRESENT WRENCH | 11-15-3020 | 15.99 | 64928 | 4/04/22 |
| 236532 | 2 | 3/17/22 | SURE SPRAY 2 GALLONS | 11-15-3020 | 27.99 | 64928 | 4/04/22 |
| 236542 | 1 | 3/17/22 | INSULATION CLAMP, LOCK NUT | 11-15-3060 | 1.18 | 64928 | 4/04/22 |
| 236545 | 1 | 3/17/22 | 3/4 BALL VALVE/WATER VALVE REP | 11-19-3060 | 16.99 | 64928 | 4/04/22 |
| 236612 | 1 | 3/18/22 | HOSE CLAMP/RETURNED | 11-11-3060 | 23.25 | 64928 | 4/04/22 |
| 236620 | 1 | 3/18/22 | WELDING TIP, MAGNET, SOAP HOLDER | 11-11-3020 | 22.37 | 64928 | 4/04/22 |
| 236640 | 1 | 3/18/22 | SPARK PLUGS, UNIT 9 | 11-03-3170 | 39.18 | 64928 | 4/04/22 |
| 236688 | 1 | 3/18/22 | 3/8 DR LOCKING EXT, DR RATCHET | 11-11-4020 | 97.90 | 64928 | 4/04/22 |
| 236924 | 1 | 3/21/22 | $3 / 8$ DR 12MM HEXBIT | 11-11-3020 | 5.48 | 64928 | 4/04/22 |
| 236924 | 2 | 3/21/22 | HEAVY DUTY Hose CLAMP | 11-11-3060 | 23.25- | 64928 | 4/04/22 |
| 236940 | 1 | 3/21/22 | 3/8" DR T-40 ST BITS | 11-11-4020 | 9.11 | 64928 | 4/04/22 |
| 236973 | 1 | 3/22/22 | CABLE TIES | 11-23-3060 | 41.97 | 64928 | 4/04/22 |
| 237037 | 1 | 3/22/22 | U-BOLTS | 11-15-3030 | 11.96 | 64928 | 4/04/22 |
| 237099 | 1 | 3/23/22 | PULLEYS | 15-42-3120 | 7.15 | 64928 | 4/04/22 |
| 237167 | 1 | 3/23/22 | KRYLON IND RUST TOUGH | 15-42-3120 | 20.75 | 64928 | 4/04/22 |
| 237209 | 1 | 3/24/22 | PVC CEMENT | 23-41-3060 | 35.98 | 64928 | 4/04/22 |



JRNL ID/
ACCOUNT
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PAYROLL

11-00-0011
11-00-0001
15-00-0011
15-00-0001
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21-00-0011 21-00-0001 23-00-0001 11-00-0011 11-00-0001 15-00-0011 15-00-0001 21-00-0011 21-00-0011 21-00-0001 23-00-0011 $23-00-0001$
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$45-00-0001$ 15-40-1050 15-00-0001 15-42-1050 15-00-0001 15-44-1050 15-00-0001 21-40-1050 21-00-0001 21-42-1050 21-00-0001 23-41-1050 23-00-0001

GENERAL EMP TAX A/P
GENERAL OPERATING CASH
ELECTRIC EMP TAX A/P
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WATER EMP TAX A/P
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|  | 3,676.33 | 1 |
| 2,202.51 |  |  |
|  | 2,202.51 | 1 |
| 535.34 |  |  |
|  | 535.34 | 1 |
| 42.97 |  |  |
|  | 42.97 | 1 |
| 3,676.33 |  |  |
|  | 3,676.33 | 1 |
| 2,202.51 |  |  |
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|  | 535.34 | 1 |
| 42.97 |  |  |
|  | 42.97 | 1 |
| 3,788.83 |  |  |
|  | 3,788.83 | 1 |
| 1,934.51 |  |  |
|  | 1,934.51 | 1 |
| 500.39 |  |  |
|  | 500.39 | 1 |
| 24.56 |  |  |
|  | 24.56 | 1 |
| 1,855.48 |  |  |
|  | 1,855.48 | 1 |
| 1,136.28 |  |  |
|  | 1,136.28 | 1 |
| 303.30 |  |  |
|  | 303.30 | 1 |
| 14.70 |  |  |
|  | 14.70 | 1 |
| 5,511.57 |  |  |
|  | 5,511.57 | 1 |
| 4,380.05 |  |  |
|  | 4,380.05 | 1 |
| 13,288.41 |  |  |
|  | 13,288.41 | 1 |
| 3,397.11 |  |  |
|  | 3,397.11 | 1 |
| 4,675.57 |  |  |
|  | 4,675.57 | 1 |
| 3,271.95 |  |  |
|  | 3,271.95 | 1 |
| 743.28 |  |  |
|  | 743.28 | 1 |
| 1,906.50 |  |  |
|  | 1,906.50 | 1 |
| 192.46 |  |  |
|  | 192.46 | 1 |


** Transactions affected cash may need to be entered in Bank Rec! **
** Transactions affected cash may need to be entered in Bank Rec! **
** Review transactions that have a number in the Bank \# column. *
**
*

GLJRNLUD
07.01 .21 Wed Mar 30, 2022 3:49 PM POSTING DATE: /01/2022

| ACCOUNT NUMBER | ACCOUNT TITLE | DEBITS | CREDITS | NET |
| :---: | :---: | :---: | :---: | :---: |
| 07-00-0001 | SELF INSUR CASH | . 00 | 9,891.62 | 9,891.62- |
| 07-01-5030 | SELF INSUR BCBS STOP LOSS PYMT | 9,891.62 | . 00 | 9,891.62 |
| 11-00-0001 | GENERAL OPERATING CASH | . 00 | 12,996.97 | 12,996.97- |
| 11-00-0011 | GENERAL EMP TAX A/P | 12,996.97 | . 00 | 12,996.97 |
| 15-00-0001 | ELECTRIC CASH | . 00 | 18,820.44 | 18,820.44- |
| 15-00-0011 | ELECTRIC EMP TAX A/P | 7,475.81 | . 00 | 7,475.81 |
| 15-40-1050 | ELEC. PROD. INSURANCE | 3,397.11 | . 00 | 3,397.11 |
| 15-42-1050 | Elec. DISt. Insurance | 4,675.57 | . 00 | 4,675.57 |
| 15-44-1050 | ELEC. COMM \& GEN INSURANCE | 3,271.95 | . 00 | 3,271.95 |
| 21-00-0001 | WATER CASH | . 00 | 4,524.15 | 4,524.15- |
| 21-00-0011 | WATER EMP TAX A/P | 1,874.37 | . 00 | 1,874.37 |
| 21-40-1050 | WATER PROD. InSURANCE | 743.28 | . 00 | 743.28 |
| 21-42-1050 | WATER DIST. INSURANCE | 1,906.50 | . 00 | 1,906.50 |
| 23-00-0001 | SEWER CASH | . 00 | 317.66 | $317.66-$ |
| 23-00-0011 | SEWER EMP TAX A/P | 125.20 | . 00 | 125.20 |
| 23-41-1050 | SEWER TREATMENT INSURANCE | 192.46 | . 00 | 192.46 |
| 45-00-0001 | EMP BENEFITS CASH | . 00 | 13,288.41 | 13,288.41- |
| 45-01-1050 | EMP BENEFIT HEALTH/ACC INSUR | 13,288.41 | . 00 | 13,288.41 |
|  | TRANSACTION TOTALS | 59,839.25 | 59,839.25 | . 00 |

# PAYROLL REGISTER 

ORDINANCE \#2022-P07

4/1/2022

DEPARTMENT GROSS PAY

GENERAL 48,757.44
ELECTRIC 29,545.01

| WATER | $7,188.12$ |
| :--- | ---: |
| SEWER | 561.65 |
| TOTAL | $86,052.22$ |

PASSED AND SIGNED THIS $\qquad$ DAY OF $\qquad$ 2022

## CITY COMMISSION COMMUNICATION FORM

FROM: Frankie Hayes, Police Chief<br>Kent Brown, City Manager

DATE: 4/4/2022

ITEM: Mobile Food Vendors License

NEXT STEP: Commission Motion
__ORDINANCE
____IOTION
__INFORMATION
I. REQUEST OR ISSUE: Sherman County Community Development is looking at adding mobile food vendors (food trucks) to summer concert series of events in different city parks. As a result, city staff reviewed the codes and requirements for these type of food vendors. The current code only has a series of items identified in the section on SOLICITORS, CANVASSERS, PEDDLERS which is included in your packet. Some of the information included in the code is pertinent to mobile food vendors; however, since the code section was revised in 1997; it does not directly address mobile food vendors and the specific concerns for the City of Goodland.

At the 2/22/2022 City Commission meeting, direction was given to staff to draft an ordinance. A sample ordinance was in the agenda packet for the 3/21/2022 City Commission meeting. The City Commission wanted additional time to review the ordinance and tabled any further discussion until this meeting.

The brief discussion at the 3/21/2022 meeting included the following categories:
Sound requirements - both music and generators.
All locations or just downtown.
Staff discussion/recommendation - - all locations
Time limitations (until 8 pm ).
Penalty section needs to be sufficient.
Preapproved locations - especially on public property.
Staff discussion/recommendation - -

Chamber Park - east, north and west sides within off street parking Gulick Parks - south side along $9^{\text {th }}$ St.
Pioneer Park/Welcome Center - welcome center parking lot as well as parking lot on north side of Pioneer Park
Steever Park - driveway access on either side of pool, parking area on $n$ side of park
II. RECOMMENDED ACTION / NEXT STEP: Staff direction to revise the drafted ordinance or direct staff to use the current procedures as stated in the code.
III. FISCAL IMPACTS: Revenue is neglible regarding these actions.
IV. BACKGROUND INFORMATION: Current practices at special events will be presented at meeting.

## V. LEGAL ISSUES:

VI. CONFLICTS OR ENVIRONMENTAL ISSUES: NONE

## VII. SUMMARY AND ALTERNATIVES:

Commission may take one of the following actions:

1. Direct staff on which approach to pursue.
$\qquad$ on the $\qquad$ day of $\qquad$ , 2022.)

THE CITY OF GOODLAND, KANSAS

ORDINANCE NO. [number]
AN ORDINANCE REGULATING MOBILE FOOD TRUCK VENDORS WITHIN THE CORPORATE LIMITS OF THE CITY OF GOODLAND, KANSAS; AMENDING CHAPTER [number] OF THE GOODLAND CITY CODE

## BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF GOODLAND, KANSAS:

Section 1. Chapter [number] - Business Regulations Article 1. Section 101 (d) is hereby amended to read as follows:

Peddler - shall mean any person, whether a resident of the city or not, traveling by foot, automotive vehicle, or any other type of conveyance, from place to place, from house to house, or from street to street, carrying, conveying or transporting goods, wares, merchandise, meats, fish, vegetables, fruits, garden truck, farm products or provisions, offering and exposing the same for sale, or making sales and delivering articles to purchasers, or who, without traveling from place to place, shall sell or offer the same for sale from a wagon, automotive vehicle, railroad boxcar or other vehicle or conveyance, and further provided, that one who solicits orders and as a separate transaction makes deliveries to purchasers as a part of a scheme or design to evade the provisions of this article shall be deemed a peddler. The term "peddler" does not include foodstuffs and other food merchandise that are governed as Mobile Food Vendors.

Section 2. Chapter [number] - Business Regulations is hereby amended to add and establish a new Article [number].- Mobile Food Vending to read as follows: ARTICLE 3. - MOBILE FOOD VENDING

## Sections:

5-301 - Definitions.
5-302 - Vending without City License.
5-303 - License application.
5-304-Fee.
5-305-License.
5-306-Operating conditions.
5-307 - Term and transferability.
5-308 - Parking to dispense products in public rights-of-way.
5-309 - Sound devices.

## 5-310 - Exemption.

5-311-Approval.
5-312 - Penalty for violation.

## 5-301 - Definitions.

The words and phrases listed below when used in this Chapter shall have the following meanings:
"City Approved Event" shall mean any event sponsored by the City, any event such as a community celebration or festival approved by the Governing Body, or any event sanctioned by a permit issued by the City, including but not limited to a Temporary Use Permit.
"Food and/or Beverage" shall mean (1) articles used for food or drink for humans or other animals, (2) chewing gum, and/or (3) articles used for components of any such article, in accordance with the definition of food within K.S.A. 65-656.
"Mobile Food Vending" shall mean to conduct, hold, carry on, pursue or operate a business of vending, peddling, hawking and/or selling any food and/or beverage from a Mobile Food Unit stopped in one location for a period of more than 5 minutes.
"Mobile Food Vendor" shall mean any person, corporation, association, or other entity, however organized, that offers any food or beverage for sale from a Mobile Food Unit to conduct Mobile Food Vending.
"Mobile Food Unit" or "Unit" shall mean any self-contained vehicle, trailer, cart, wagon, or other type of conveyance from which any food and/or beverage is offered for sale.
"Person" shall mean an individual, corporation, partnership, company, agency, institution, or any other entity.

## 22-302 - Vending without City License.

It is unlawful for any person to conduct Mobile Food Vending within the corporate limits of the City of Goodland, Kansas, without obtaining a license in accordance with this Chapter.

## 22-303 - License Application.

No person shall engage in activities coming under this article within the city without first obtaining a license. Any applicant for a license under this article shall file with the city clerk a sworn application on a form furnished by the city clerk, which shall give information, or provide documentation as follows:
A. Name, date of birth, phone number, copy of state or government issued identification card, email address, and permanent address of the applicant and the business.
B. The name of the owner and the type, make and registration number of the vehicle(s)/mobile food unit to be used;
C. Date(s) and time(s) for which the license is desired:
D. Address (or description) of Location and nature of the business;
E. Description (with dimensions) or any temporary structures to be erected, constructed and used by all persons or employees;
F. A statement as to whether or not the applicant has ever had a mobile vending license or other similar license or registration revoked or suspended under the Goodland Municipal Code or the ordinances of the City of Goodland or any other city. Such a revocation or suspension may result in the City's refusal to process the requested license.
G. A statement as to whether or not all persons or employees has within two (2) years prior to the date of the application been convicted of any felony or misdemeanor of any kind;
H. A statement that the applicant understands and agrees that the license will not be used or represented in any way as an endorsement of the applicant by the City of Goodland, Kansas or by any department, officer, or elected or appointed official of the City.
I. Proof of a valid driver's license from any state for operation of the class of vehicle identified in the application for the applicant and any agents or employees of the applicant who will be involved in driving the identified vehicle;
J. Proof of a current sales tax license from the State of Kansas or proof of exempt status from state sales tax;
K. Proof of Food Service Permit issued by the State of Kansas;
L. Proof that the applicant has secured commercial general liability insurance for the mobile vending operation to be maintained for the entire length of the license, written by an insurance carrier licensed to do business in Kansas, with minimum limits of $\$ 500,000$ combined, single limit for bodily and property damage, each occurrence and $\$ 1,000,000$ in the general aggregate. Evidence of compliance with these insurance requirements shall be in the form of a certificate of insurance that shall be submitted with the application. Such insurance certificate shall not be cancellable without prior written notice to the City; and
M. Signatures of applicant, individually and/or by its members and officers, and any agents or employees of the applicant who will be involved in the applied-for mobile food vending certifying that all of the information provided in the application is true and correct.

## 22-304-Fee.

All applications for mobile food vending license certificates shall be accompanied by a non-refundable license fee as follows:

Mobile Food Vending License.
One Week (consecutive days)- \$25 One Month (consecutive days) - \$60.00, Six Months (consecutive months) - \$200.00, Annual --\$400.00 (expires 365 days from issuance)

## 22-305 - License.

If the facts stated in the application are satisfactory and the requirements of this Chapter are met, the City Clerk may issue a mobile food vending license to the applicant. The issuance of a license shall not constitute approval of the business or activity or otherwise prohibit enforcement of this Chapter or any other applicable laws, city code provisions, rules or regulations. Vendor shall possess all applicable health and safety licenses, food handling licenses or the like as required by local, state, and federal laws, rules, or regulations.

## 22-306 - Operating conditions.

All mobile food vending licenses shall be subject to compliance with the following conditions:
A. Location. Mobile Food Vendors may vend on property within the City subject to the following:

1. Mobile food vendors may vend on public, governmental, church and city property (in accordance with the provisions of this Ordinance, as well as property in the following zoning classifications:
C-1, C-2, and M1
2. Mobile food vendors may not be located on property where the Unit or a line of customers would (1) hinder the flow of traffic on any street, (2) hinder the flow of bicycles within any bike lane or route, (3) hinder the flow of pedestrians along any sidewalks, (4) block or reduce to less than five feet in width any accessible route to persons with disabilities, (5) block, hinder, or obstruct the vehicular flow within any parking lot, or (6) block or obstruct access to any driveway or access point to any property;
3. Mobile food vendors shall not locate on any City or public property without first securing approval from the city administrator;
4. Mobile food vendors shall not locate within 500 feet of an otherwise Approved City Event unless approval is given by the City Administrator;
5. Every Unit shall be stationary while vending; and
6. Whenever any vehicle is used for mobile food vending upon a street, alley, sidewalk or other public right-of-way within the City, the transaction shall occur on the right side of any such vehicle with the right wheels of the vehicle located next to the curb and the Unit shall not locate within one hundred (100) feet of any public street intersection. Unless for an event?
B. Written Permission of Property Owner. All mobile food vendors operating on private property shall acquire and maintain the written permission of the property owner for the use of and location of the Unit on said property. Written permission of the property owner shall be kept in the Unit and produced upon request by the Chief of Police or designee or other public officer charged by the City Administrator with enforcement of this Chapter. Should it list they need written permission every time they set up
C. Hours of Operation. Mobile food vendors are prohibited from offering for sale any food or beverage outside the hours of 8:00 a.m. to 8:00 p.m. Mobile food vendors are prohibited at all times from selling or offering for sale alcoholic beverages, cereal malt beverages, or tobacco products without first being properly licensed pursuant to any applicable federal, state or local laws.
D. Lights. In accordance with the City Zoning Regulations, no flashing lights or attention attracting devices are permitted on or in association with the use of the Mobile Food Unit. No direct light from a Mobile Food Unit may be shined on adjacent property or cause a glare or distraction for vehicles, bicycles, or pedestrians. Unsure if this is applicable
E. Signs. One sign, within fifteen (15) feet of the associated Unit, may be displayed and shall not be greater than 16 square feet in total area. The sign may not interfere with vehicle access, pedestrian movement, or handicap-accessible routes to and around the Unit. Streamers, pennants, search lights and any device with flashing, blinking, rotating, or moving actions or messages are prohibited. No signage shall be placed in a public right-of-way.
F. Trash and Site Cleanup. All Mobile Food Vendors shall ensure that a trash receptacle shall be provided with each Mobile Food Unit. Such receptacle must be attached to the Unit or located within fifteen (15) feet of the Unit
and cannot interfere with vehicle access, pedestrian movement or handicap-accessible routes to and around the Unit. Immediately upon the cessation of vending, the Mobile Food Vendor shall remove and properly dispose of all trash and litter accumulated at the vending site.
G. Licenses and Permits. All mobile food vendors shall acquire and maintain all required licenses and permits applicable to the use and operation of Mobile Food Units from all applicable jurisdictions. Evidence of such licenses and/or permits shall be kept in the Unit and produced upon request by the Chief of Police or designee or other public officer charged by the City Administrator with enforcement of this Chapter.
H. Safety. All mobile food vending units shall be maintained in good repair, shall be free from peeling or flaking paint, and shall be clean and sanitary so as to not pose a threat to public health, safety or welfare. All units shall be connected safely to electricity and other necessary utilities, so they do not pose a threat to public health, safety or welfare.

## 22-307 - Term and transferability.

Licenses issued under this Chapter are available for periods of one day, one week, one month, six months or annual. Such certificates may not be transferred.

## 22-308 - Parking

It is unlawful for the operator of any mobile food unit to stop, stand or park such vehicle in any street, alley, or sidewalk or other public right-of-way for the purpose of mobile food vending, so as to obstruct the free flow of vehicular traffic; except that an operator may temporarily stop, stand or park such vehicle with its right wheels next to the curb for a period of time not to exceed five minutes at any one location, other than upon or along an arterial or collector street for the purpose of mobile food vending.

The mobile food vendor shall obtain a location that provides adequate parking for customers or other persons going to and from the activity or business.

## 22-309 - Sound devices.

The production of amplified music or chimes from a mobile food unit is allowed between the hours of 10:00 AM and 8:00 PM provided that the sound from the amplified music or chimes is inaudible at any distance greater than three hundred (300) feet from the vehicle.

## 22-310 - Exemption.

The provisions of this Chapter shall not apply to the following activities:

- The sale of farm or garden products or fruits grown by the seller or his or her employer or recognized Farmers Market;
- Vendors selling as part of a Special Event sponsored in part by the City, Sherman County Fair, civic organizations, not-for-profit organizations, charitable organizations, public or private schools;
- Individuals providing catering services to a private event and not open for the sale of food and/or beverage to the general public.
- Auctions
- Garage sales at private residences
- Lemonade Stands
- Brick and Mortar Restaurants already operating as a business with a City of Goodland, Kansas address.


## 22-311 - Approval.

Any person registered under this Chapter must keep their approved application inside the unit used for mobile food vending. Such certificate must be current and may be used only by the registered person.

## 22-312 - Penalty for violation.

Penalty for any person or entity in violation of this Code shall be as set forth in Sec

## Section 3. Repeal

All other ordinances or parts of other ordinances in conflict herewith are repealed. However, any section of an existing ordinance not in conflict herewith is not repealed and remains in full force and effect.

## Section 4. Effective Date

This Ordinance shall take effect and be in force from and after publication in the official city newspaper.

Passed by the City Commission this [date]
Approved by the Mayor this [date].

MAYOR, AARON THOMPSON

SEAL
ATTEST:

CITY CLERK, MARY VOLK

Key
Changes or additions
Questions
Delete
Add number

## AGENDA ITEM \#

## CITY COMMISSION COMMUNICATION FORM

# FROM: Shannon Shippy, Administrative Assistant to City Manager Kent Brown, City Manager 

DATE: 04/04/2022
ITEM: Chicken Ordinance
NEXT STEP: Commission Motion

REQUEST OR ISSUE: Request to review a proposed ordinance regarding allowance of chickens within city limits for personal use.
I. RECOMMENDED ACTION/NEXT STEP: Commission had some discussion of the topic at the last meeting. Commission directed staff to have it listed as a discussion item at the March 21 commission meeting to allow some additional input from the public as well as put copy of information on website so the public knows what is being proposed. There was some additional discussion; however, the City Commission recommend to have on the discussion agenda at the April 4 commission meeting with these changes. Consensus of the Commission is that there could be potential to move ordinance to formal action at meeting if needed.

The items that were requested to be changed included:

- Penalty section should be outlined before approved. Proposed penalty to be tied to rest of animal codes.
- Permit fee every two years with an initial inspection.
- Increase cap to six chickens instead of four.

Commission will be asked to direct staff whether or not to have ordinance for formal approval at next meeting with any changes as necessary - if the ordinance is not moved to formal action at this meeting.
II. FISCAL IMPACTS: A Permit fee would be required by owners. Price and violation fees will be tied to rest of animal code.
III. BACKGROUND INFORMATION: Increasing number of members of the community have been asking about the city laws regarding the ownership of chickens and expressed interest in having them. Updating an ordinance to allow this would help citizens create some form of self-sustainability, especially in the economy we are in now and would also provide an opportunity for healthy hobbies for all ages. See cccf forms as part of previous meeting's agenda packets for additional information.
IV. LEGAL ISSUES: No current code or additional liability
V. CONFLICTS OR ENVIROMENTAL ISSUES: As stated in a previous meeting, the animal control officer foresees a few issues. There also has been concerns raised by other residents. The issues are listed below (although there may be other issues brought up at the meeting):

Potential for chickens bringing in foxes or other predators into town,
Dogs getting loose and getting into coops,
Coops are not healthily maintained or food for the chickens is not correctly stored.

How/who would be in charge of doing inspections?
Would you want to allow roosters too?
What would be the procedures for dead chickens?
What would any fees or consequences be if someone violated the laws or didn't have a permit?

What is the max amount of chickens you are allowed to have? (Usually 4-6 is sufficient)

Pen/Coop regulations/sizing and location on the property? How close to the neighbors are they allowed to be?

Completely enclosed cages or will free range be allowed?

And what happens if they get out of their designated pens?
Will the permit application be annually or every two years?
A potential ordinance is included that answers some of these questions in the following manner:

1) Potential for chickens bringing in foxes or other predators into town, Section 3. Poultry Facility Regulations
The facilities should be built to keep dogs, cats, and wildlife from gaining entry.
2) Dogs getting loose and getting into coops, Section 3. Poultry Facility Regulations
The facilities should be built to keep dogs, cats, and wildlife from gaining entry.
Dogs getting loose are the responsibility of the dog's owner.
3) Coops are not healthily maintained or food for the chickens is not correctly stored.

## Section 3. Poultry Facility Regulations

Owners should store all feed supplies in rodent-proof containers. They should take steps to avoid the buildup of flies and maggots by keeping litter and feed dry and promptly disposing of dead birds or waste eggs.
4) How/who would be in charge of doing inspections?

## Section 6. Permit Purpose

Prior to the issuance of a permit, an inspection will be made of the applicant's facility for compliance with this Ordinance and other pertinent laws, and no permit shall be issued for any premises not in compliance with such laws. Each location where chickens are to be raised for personal use shall be inspected by and subject to the standards imposed by the City of Goodland Building Official.
5) Would you want to allow roosters too?

## Section 1. Chickens

The raising of Chickens is limited to single or two-family residences only and the number of chickens to 4 per site. No roosters (male adult chickens) may be kept.
6) What would be the procedures for dead chickens?

## Section 5. Culling and Mortality

Both the process of weeding out inferior animals known as culling and mortality (death) are common occurrences when raising live animals.
Poultry owners will need to deal with unwanted males, old hens, or sick birds properly. Owners should double bag and dispose of dead birds in trash. Offsite incineration is another option, many veterinary offices will incinerate a dead pet for a fee
7) What would any fees or consequences be if someone violated the laws or didn't have a permit?
Section 9. Penalty
The City of Goodland Code Enforcement Officer has the right to revoke any permit in the event that false information was provided on this application. Applicants found to be in violation of any provisions of relevant ordinances shall have their permit revoked, and be given 10 days to remove the chickens from their property. Failure to remove the animals after the revocation of this permit will result in a citation being issued and the offending individual(s) shall be subject to fines of Sec. 2-103. - Penalty.

Sec. 2-103 - Penalty - states "Wherever in this chapter any act is prohibited or declared to be unlawful or the performance of any act is required, or the failure to do any act is declared to be unlawful, the violation of any provision of this chapter shall be punished by a fine of not more than $\$ 2,500.00$ or by imprisonment for a period not exceeding one year, or by both such fine and imprisonment, at the discretion of the municipal court judge. Each day any violation of this chapter continues shall constitute a separate offense."
8) What is the max amount of chickens you are allowed to have? (Usually 4-6 is sufficient)

## Section 1. Chickens

The raising of Chickens is limited to single or two-family residences only and the number of chickens to 6 per site. No roosters (male adult chickens) may be kept.
9) Pen/Coop regulations/sizing and location on the property? How close to the neighbors are they allowed to be?
Section 2. Housing of Chickens
Poultry will not be allowed in a residence, porch or attached garage. Chickens must be confined in a house or coop in the backyard of the residence with a minimum 1 square foot per bird. A minimum of 1 square foot of laying box space shall be provided per 3 chickens. Each laying box will contain adequate clean bedding material such as hay or other similar soft material.
10) How close to the neighbors are they allowed to be?

Section 3. Poultry Facility Regulations
The Poultry Facility should be 5 feet from any property line and at least 10 feet from a neighboring residence. An outside, enclosed run may or may not be allowed. The run should be no larger than 8 feet by 8 feet and it should be attached to the coop.
11) Completely enclosed cages or will free range be allowed?

Section 2. Housing of Chickens
Chickens must be confined in a house or coop in the backyard of the residence with a minimum 1 square foot per bird.
12) And what happens if they get out of their designated pens?

Current city code would apply
Sec. 2-102. - Shelters, pens-Animals at-large-Nuisance.
(b)To permit the same to run at-large in the City of Goodland, Kansas, or to restrain the same upon the streets, alleys or public grounds of the city.
Penalties are included in Section 2-103.
13) What about other fowl - ducks, pheasant, quail, others?

The proposed ordinance only addresses chickens at this time.
14) Will the permit application be annually or every two years?

Section 7. Permit Application
An application fee of $\$ 25$ every two years with inspections of housing for chickens will apply.

## VI. SUMMERY AND ALTERNATIVES

Commission may take one of the following actions:

1. Direct staff to present an ordinance for approval at the next commission meeting - with or without changes, additions or deletions.
2. Direct staff to not present an ordinance and to keep the city code as it is currently written.
3. Direct staff to pursue an alternative approach.

# AN ORDINANCE REGULATING CHICKENS WITHIN CORPORATE LIMITS OF THE CITY OF GOODLAND, KANSAS. 

## BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF GOODLAND, KANSAS:

## Section 1. Chickens

The raising of Chickens is limited to single or two-family residences only and the number chickens to 6 per site. No roosters (male adult chickens) may be kept. Sales of eggs is prohibited. Keeping of hens is for personal use and not for running a business. No butchering of chickens within city limits will be allowed. A $\$ 25$ Permit is required.

## Section 2. Housing of Chickens

Poultry will not be allowed in a residence, porch or attached garage. Chickens must be confined in a house or coop in the backyard of the residence with a minimum 1 square foot per bird. A minimum of 1 square foot of laying box space shall be provided per 3 chickens. Each laying box will contain adequate clean bedding material such as hay or other similar soft material.

## Section 3. Poultry Facility Regulations

The Poultry Facility should be 5 feet from any property line and at least 10 feet from a neighboring residence. An outside, enclosed run may or may not be allowed. The run should be no larger than 8 feet by 8 feet and it should be attached to the coop. The facilities should be built to keep dogs, cats, and wildlife from gaining entry. Owners should store all feed supplies in rodentproof containers. They should take steps to avoid the buildup of flies and maggots by keeping litter and feed dry and promptly disposing of dead birds or waste eggs.

## Section 4. Disposal of waste material

The owner should dispose of waste materials (feed, manure, and litter) in an environmentally responsible manner. The materials can be composted or bagged and disposed of in the trash. Piling waste materials on the property is not acceptable.

## Section 5. Culling and Mortality

Both the process of weeding out inferior animals known as culling and mortality (death) are common occurrences when raising live animals. Poultry owners will need to deal with unwanted males, old hens, or sick birds properly. Owners should double bag and dispose of dead birds in trash. Offsite incineration is another option, many veterinary offices will incinerate a dead pet for a fee.

## Section 6. Permit Purpose

Prior to the issuance of a permit, an inspection will be made of the applicant's facility for compliance with this Ordinance and other pertinent laws, and no permit shall be issued for any premises not in compliance with such laws. Each location where chickens are to be raised for personal use shall be inspected by and subject to the standards imposed by the City of Goodland Building Official. The City Clerk of the City of Goodland, Kansas may only issue a permit pursuant to the Ordinance upon proof that the premises have passed the required inspection by the Goodland Building Official.

## Section 7. Permit Application

An application fee of $\$ 25$ every two years with inspections of housing for chickens will apply. Applications for permits to have chickens shall not be accepted before the first business day of January of the year for which the permit is to be issued.

## Section 8. Application Process

The appropriate permit fee, in certified funds, must accompany each application.
Subject to a determination by the Governing Body of the City of Goodland, Kansas, that said applicant has met all the requirements set forth herein, including a determination as to the appropriateness of the proposed site and the availability of a permit, a permit shall be issued. The City of Goodland Code Enforcement Officer has the right to revoke any permit in the event that false information was provided on this application.

## Section 9. Penalty

Applicants found to be in violation of any provisions of relevant ordinances shall have their permit revoked, and be given 10 days to remove the chickens from their property. Any violation of this section will result in a citation being issued and the offending individual(s) shall be subject to fines as provided in Section 2-103.

The municipal judge shall have the authority to order an animal to be found in violation of this section to be confined, destroyed or removed from the City of Goodland, Kansas.

## Section 10. Effective Date

This Ordinance shall take effect and be in force from and after publication in the official city newspaper.

For the current year 2022 due to the date upon which this Ordinance takes effect applicant may apply for a permit on or after May 1, 2022.

PASSED AND APPROVED by the Governing Body of the City of Goodland, Kansas, on this 4th day of April, 2022.

## ATTEST:

[^0]Mary P. Volk, City Clerk

City of Goodland
204 W. 11 ${ }^{\text {th }}$ Street
Goodland, KS 67735

## MEMORANDUM

## TO: Mayor Thompson and City Commissioners

FROM: Kent Brown, City Manager
DATE: April 4, 2022
SUBJECT: Agenda Report

## Presentations \& Proclamations:

A. Proclamation - Goodland Cowgirls Basketball Team - State Championship Day
B. Proclamation - Goodland Cowboy Wrestler - State Championship Day
C. Crissy Livengood-Ridnour- Telecommunicator Appreciation Week proclamation

## Consent Agenda:

A. 3-21-2022 Commission Meeting Minutes
B. Appropriation Ordinances 2022-07; 2022-07A; 2022-P07;

Staff recommends approval of the Consent Agenda.
RECOMMENDED MOTION: I move that we approve Consent Agenda items $A$ and $B$.
Ordinances and Resolutions:
None scheduled for this meeting in this section.

## Formal Actions:

None scheduled for this meeting in this section.

## Discussion:

A. Discussion on proposed ordinance to allow people to maintain or keep one type of fowl (chickens) within the city limits
This is discussion only although commissioners may move it up to the formal action part of the agenda. Staff requests the commission to give direction whether or not to put a proposed ordinance for consideration at the next commission meeting. Commissioners requested that this item remain on the discussion agenda for this meeting before a decision is made whether to schedule for formal action.
B. Proposed Mobile Food Vendor Ordinance

At a prior meeting, the subject of mobile food vendors was discussed and the lack of any requirements, licensing or regulations in the Goodland city code. An example ordinance is presented to review and discuss. Staff discussion since last meeting was on preapproved locations.

## Reports:

A. City Manager
$>$ Follow up on upcoming joint meeting with County Commissioners.
$>17^{\text {th }}$ St. project - preconstruction meeting results.
$>$ Airport runway construction project update.
$>$ Planning Commission applications are available.
$>$ Monthly fund balance report is included.
B. City Commissioners

The Mayor will ask each City Commissioner for their comments or questions for staff on any other topic not on the agenda at this time.
C. Mayor

Mayor will present any comments or questions for staff at this time.

City of Goodland
Month End Fund Balance

| Fund No. | Fund | Beginning Balance | March 2022 <br> Deposits | Disbursements | Ending <br> Balance | Investments | Total |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: |
| 02 | Economic Development | 0.00 |  |  | 0.00 |  | 0.00 |
| 03 | Museum Endowment | 88,509.06 | 3,037.26 | $(5,680.08)$ | 85,866.24 | 12,200.00 | 98,066.24 |
| 04 | Street Improvement | 0.00 | - | - | 0.00 | - | 0.00 |
| 05 | Cemetery Improvement | 44,878.63 | 6,932.41 | $(5,677.63)$ | 46,133.41 | 222,848.07 | 268,981.48 |
| 06 | Special Highway | 19,214.88 | 35,000.00 | $(40,000.00)$ | 14,214.88 | 130,000.00 | 144,214.88 |
| 07 | Self Insurance | 207,537.47 | 92,815.14 | $(95,565.38)$ | 204,787.23 | 285,000.00 | 489,787.23 |
| 09 | Airport Fund | 192,835.54 | 28,807.70 | $(27,000.00)$ | 194,643.24 | 157,500.00 | 352,143.24 |
| 11 | General | 957,498.97 | 287,646.17 | $(277,836.66)$ | 967,308.48 | 40,000.00 | 1,007,308.48 |
| 12 | Bond and Interest | 150,049.26 | 10,661.99 | - | 160,711.25 | 17,900.00 | 178,611.25 |
| 13 | Library | - | 6,836.98 | $(6,836.98)$ | - | - | - |
| 14 | Sales Tax | 425.50 | 19,682.73 | $(19,908.30)$ | 199.93 | - | 199.93 |
| 15 | Electric Utility | 891,806.14 | 526,374.52 | $(681,741.01)$ | 736,439.65 | 400,000.00 | 1,136,439.65 |
| 18 | Municipal Court Diversion Fees | 4,943.38 | 1,607.69 | $(2,000.00)$ | 4,551.07 | 12,000.00 | 16,551.07 |
| 19 | Law Enforcement Trust | 463.24 | 2,055.50 | (2,000.00) | 518.74 | 15,000.00 | 15,518.74 |
| 20 | Electric Meter Deposit | 50,107.47 | 57,050.00 | $(56,600.00)$ | 50,557.47 | 93,500.00 | 144,057.47 |
| 21 | Water Utility | 322,622.28 | 107,507.72 | $(259,317.01)$ | 170,812.99 | 335,000.00 | 505,812.99 |
| 22 | Water Service Deposit | 80,541.00 | 2,450.50 | $(2,450.00)$ | 80,541.50 | 5,200.00 | 85,741.50 |
| 23 | Sewer Utility | 122,482.68 | 37,489.46 | $(75,509.82)$ | 84,462.32 | 10,000.00 | 94,462.32 |
| 25 | Vehicle Inspections (VIN) | 16,075.87 | 6,742.59 | $(6,880.00)$ | 15,938.46 | 19,500.00 | 35,438.46 |
| 26 | Special Park \& Recreation | 610.04 | 3,603.97 | (1,500.00) | 2,714.01 | 13,500.00 | 16,214.01 |
| 27 | Grant Improvement Reserve Fund | 17,757.55 | 14,004.82 | $(14,000.00)$ | 17,762.37 | 46,500.00 | 64,262.37 |
| 28 | CID Projects | 8,385.70 | 9,724.87 | $(8,385.70)$ | 9,724.87 | - | 9,724.87 |
| 29 | Fire Equipment | - |  | - | - | -- | - |
| 30 | Health and Sanitation | 48,261.76 | 56,833.97 | $(67,255.00)$ | 37,840.73 | 50,000.00 | 87,840.73 |
| 31 | Airport Improvement | (12,728.00) | 12,728.00 | - | - | - | - |
| 32 | Electric Reserve | 123,167.90 | 90,031.74 | $(90,000.00)$ | 123,199.64 | 325,000.00 | 448,199.64 |
| 33 | Water Reserve | 184,732.11 | 26,017.89 | $(15,000.00)$ | 195,750.00 | 45,000.00 | 240,750.00 |
| 34 | CDBG Grant | 0.00 | - | - | 0.00 | - | 0.00 |
| 35 | ARPA Project | 330,284.58 | 25.33 | - | 330,309.91 | 6,100.00 | 336,409.91 |
| 36 | M.E.R.F | 897,487.17 | 413,854.94 | $(285,605.81)$ | 1,025,736.30 | 1,120,000.00 | 2,145,736.30 |
| 37 | Sewer Reserve | 146,648.92 | 35,019.96 | $(35,000.00)$ | 146,668.88 | 77,000.00 | 223,668.88 |
| 38 | Capital Improvement Reserve Fund | 2,715,271.56 | 589,789.08 | $(325,000.00)$ | 2,980,060.64 | 1,140,000.00 | 4,120,060.64 |
| 39 | Efficiency KS Project | (2.86) | 137.13 | (137.13) | (2.86) | - | (2.86) |
| 40 | Insurance Proceeds Fund | - | - | - | - | - | - |
| 45 | Employee Benefits | 471,061.65 | 24,057.94 | $(51,864.53)$ | 443,255.06 | - | 443,255.06 |
| 46 | Library Employee Benefits | - | 1,825.85 | $(1,825.85)$ | - | - | - |
| 48 | State Water Plan | 3,829.41 | 448.31 | (1,825 | 4,277.72 | - | 4,277.72 |
|  | TOTAL | 8,084,758.86 | 2,510,802.16 | (2,460,576.89) | 8,134,984.13 | 4,578,748.07 | 12,713,732.20 |
|  | FNB Bank | - | - | - | - | 3,460,000.00 | 3,460,000.00 |
|  | BANKWEST | 8,082,758.86 | 2,009,126.39 | $(1,958,901.12)$ | 8,132,984.13 | 34,848.07 | 8,167,832.20 |
|  | Western State Bank | - | - | - | - | 1,083,900.00 | 1,083,900.00 |
|  | Ameriprise Ent. Inv. Services | - | - | - | - ${ }^{-}$ | - | - |
|  | Petty Cash | 2,000.00 | - | - | 2,000.00 | - | 2,000.00 |
|  | TOTAL | 8,084,758.86 | 2,009,126.39 | $(1,958,901.12)$ | 8,134,984.13 | 4,578,748.07 | 12,713,732.20 |


[^0]:    Aaron Thompson, Mayor

