

**Greensburg City Council
November 5, 2012
CITY HALL**

Item 1: Opening Session

Call to Order; Pledge of Allegiance; Invocation; Roll Call

Mayor Bob Dixson called the November 5, 2012 City Council meeting to order at 6:00 p.m. The Pledge of Allegiance was said, and the invocation was given by Dixson. Roll call was taken. Council present: Mark Trummel, Matt Christenson, Erica Goodman, Sandra Jungemann, and Rex Butler.

Additions/Deletions to the Agenda

Trummel made a motion, seconded by Christenson, to approve the agenda as presented. Motion passed 5-0.

Mayor's Report

Dixson encouraged everyone to get out and vote tomorrow.

Council Member's Report

There were no reports from Council Members.

City Administrator Comments

City Administrator Ed Truelove advised Council that Staff had accepted the resignation of Mary Racette, from her appointments to the Planning Commission and the Public Housing Authority, effective October 18th. Term expirations for those appointments are as follows: Planning Commission 4/30/14, Housing Authority 12/31/15. To date, Staff has received no nominations for filling the unexpired terms. Council was asked to notify staff of any interested persons.

On October 23rd, Staff participated in the Sheriff's Auction for property. With no other bids, the City purchased the property located at 504 E. Wisconsin for \$25. All properties listed for sale were sold.

On October 25th, the City welcomed the American Legion's National Commander, Mr. James Koutz, during a meeting at the Scout Cabin. Mr. Koutz is on a national tour. Only Greensburg and Wichita were visited in Kansas, something that Truelove feels is an honor.

In the meeting packets, Truelove provide an e-mail regarding the atrazine settlement, advising the City that they have been approved as a valid claim and that a settlement was subject to final approval by the Court. On November 2nd, Truelove read an article found in the KMU newsletter, advising that the settlement was approved by the United States District Court for the Southern District of Illinois, for a \$105 million dollars. The article indicated that payments to community water systems with valid claims would be made within 90 days.

Council was advised of a meeting between the City, H.W. Lochner, and KDOT Aviation, to be held at City Hall on November 8th. Topics to be discussed included burying the power lines at the new airport sight, grant uses, and the next steps in the project.

On November 8th and 9th, Greensburg will be hosting a delegation from Japan, sponsored by the Office of International Visitors, U.S. Department of State. Guests will meet with Dixson and Truelove on November 8th and will also visit with GreenTown, BNIM and school Superintendent Headrick, and Mary Sweet and the Kiowa County Hospital. The group will also tour the Greensburg Wind Farm.

Item 2: Public Comment

Dixson welcomed those in attendance. There were no comments from the public.

Item 3: Consent Agenda

Jungemann made a motion, seconded by Trummel, to approve the Consent Agenda as presented.

Motion passed 5-0.

Item 4: Items of Business

A) Receive Mike Kelsey, PEC, and consider a proposal for Engineering Services related to the Davis Park Relocation Project, to include obtaining 3rd party appraisal values as requested by KDOT.

Truelove introduced Mike Kelsey and Tyler Pjesky, PEC, to discuss a proposal for Engineering Services related to the Davis Park Relocation project, including obtaining the 3rd party appraisal values requested by KDOT. Kelsey stated that, in addition to obtaining 3rd party values, he would like to discuss with the school what they would like to see in the park, ball fields etc., and determine if they will be a funding partner in the project. As the project progresses, PEC recommended hosting community conversations that would allow citizens to vote on certain aspects of the park development, possibly including potential park locations. Kelsey noted that skate parks and splash pads have become popular components in municipal parks. Whether the community would like to see the development of a local pool or a water park that could potentially become an area attraction, drawing visitors from outside the community, is something to be considered. Services mentioned in the current proposal for services do not include the actual design portion of the park. Obtaining 3rd party values to replace the current pool would cost \$1,200. KDOT would work directly with PEC on how to establish those values. KDOT could request a more stringent scope than accounted for in the proposal. If that is the case, PEC will approach the Council regarding those additional services. Increased fees for a more stringent scope would be reimbursable through KDOT. Compiling and creating concepts for the development of the new park would account for the \$18,400 portion of the proposal. The base fee of the proposal does include travel expenses. Should PEC be required to travel to Greensburg an excessive number of times, reimbursement of those additional expenses will need to be discussed, but this scenario is not likely. Dixson and Truelove confirmed that the City would initially have to cover the cost of the development portion of the project, but that this cost would also be reimbursable as the project proceeds.

KDOT land acquisition guidelines were discussed. PEC explained that if no federal funds are utilized in the project, the City will not be required to bid the engineering portion of the project. Christenson received confirmation that both hard and soft costs are reimbursable through a KDOT project; however, sometimes a city match is required for the engineering fees. Staff concurred with Kelsey that those costs will more than likely be covered in the project as they are necessary to proceed with KDOT's requirement to replace the park. Kelsey also noted KDOT is required to pay current land owners of the development site replacement cost rather than fair market value.

Christenson made a motion to approve the proposal as presented. Trummel seconded. Motion passed 5-0.

B) Conduct an advertised public hearing to hear and consider public comment on the proposed Neighborhood Revitalization Plan. Consider Ordinance 1024, adopting the revitalization plan and designating revitalization area, and an Interlocal Agreement on the Neighborhood Revitalization Plan. (Both documents require signatures from Council Members).

Truelove explained that all taxing entities in the County are required to hold an advertised, public hearing and review their continued participation in the Neighborhood Revitalization Program. Also before Council is Ordinance 1024, adopting the revitalization plan and designating the revitalization

area. Once approved, Council will need to sign the provided Interlocal Agreement on the Neighborhood Revitalization Plan.

Dixson opened the public hearing. With no comments from the public, the hearing was closed. Dixon and Truelove concurred that this proposal is a great economic development tool. Butler asked if the program creates a problem for the County because of the refund of property taxes to so many in the County. Dixon stated that projects eligible for the program increase the total valuation in the County. Christenson made a motion to approve Ordinance 1024 and the Interlocal Agreement. Goodman seconded. Roll call vote: Christenson – yes; Trummel – yes; Jungemann – yes; Goodman – yes; Butler – yes.

C) Consider Ordinance 1025, vacating a portion of North Oak St. and utility easements between Ohio Ave. and the northern right-of-way line, of the Union Pacific Railroad, platted in the Original Town Plat of the City of Greensburg.

Truelove explained that Southern Plains Co-op was requesting the vacation of a portion of North Oak St. and utility easements between Ohio Ave. and the northern right-of-way line, of the Union Pacific Railroad. The Planning Commission has held an advertised public hearing on the request and recommends approval. Staff confirmed that utility providers were contacted regarding the proposal and they are not concerned about the vacation. Goodman made a motion to approve the request. Trummel seconded. Roll call vote: Christenson – yes; Trummel – yes; Jungemann – yes; Goodman – yes; Butler – yes.

D) Receive Chad Pore and Clay Cox for a “Sterile Doctor,” anti-microbial program presentation.

Truelove introduced Chad Pore to present a PowerPoint presentation of his product, “Sterile Doctor” to Council. Pore explained that his microbial solution would be utilized in high traffic areas and public contact areas to prevent cross contamination. Pore gave test results of a few of the high traffic and public contact areas of City Hall and the Big Well. Cost to the City would be \$250/month. This would be for 5 city buildings and equipment, except the park equipment. The proposed contract is a 3 year agreement with semiannual testing to be conducted. No action was taken.

E) Consider a lease agreement with Hardinger Construction to allow the Big Well to place a directional sign at the SE corner of Kansas Ave. and Sycamore St.

Stacy Barnes, Tourism Director, presented a contract between the City and Hardinger Construction, to place a two sided directional sign at the southeast corner of Kansas Ave. and Sycamore St. Cost of the contract is \$10/month. The proposed sign would be funded through the USDA project funds. Luminous Neon provided 2 options. Barnes feels that it is unnecessary to have the sign illuminated as the store is not open during dark hours. Luminous would utilize the sign post that is already located on the property. Revitalization of the pole is part of the bid price. Goodman made a motion to approve the contract with the Hardingers. Jungemann seconded. Motion passed 5-0.

F) Consider a proposal for signage at the Fleener-Beck Memorial.

Barnes reviewed the wording of the previously proposed signage at the Fleener-Beck Memorial. Several options for signage were discussed. Barnes has spoken to the artist who created the sculpture. Mr. Whipple recommends placing the sign near the Big Well parking lot. The plan and wording for the sign have been reviewed and approved by both the Fleener family and Whipple. Barnes reviewed the signage proposals she had received from Luminous Neon, Commercial Sign, and Pratt Monument. After discussion regarding the pros and cons of each proposal, it was the consensus of the Council that Barnes return to the next Council meeting with renderings of the Luminous Neon and Commercial Sign designs in actual scale so that the font size and size of the actual sign can be reviewed.

G) Consider establishing a Police Department in the City of Greensburg.

Truelove provided Council with job descriptions for Chief of Police, Building Official, Code Enforcement Officer, and Animal Control Officer. Truelove advised that he has received 3 applications for Building Official/Code Enforcement Officer, none of which were certified individuals. Council and Staff discussed the job descriptions and the pros and cons of having a City Police Department. Trummel made a motion to pursue the establishment of a full-time officer. Jungemann seconded. Motion passed 4-1 (Butler). Council will be presented with an Ordinance to establish a Police Department at an upcoming meeting.

Staff requested approval to begin advertisement of the Chief of Police position. No hiring would be done until the department is officially established. Christenson made a motion, seconded by Trummel, to allow Staff to begin advertising the position of Chief of Police. Motion passed 4-1 (Butler).

H) Consider Ordinance 1026, amending Chapter IV Article 2 of the City Code. Ordinance 1025 rescinds Section 4-218, eliminating a \$5,000 bond for contractors, and amends Section 4-219, increasing minimum liability insurance requirements for licensed building contractors.

City Clerk, Christy Pyatt, requested that Council consider Ordinance 1026, dealing with the requirements for contractor registration within the City. Staff requested, with approval of the City Attorney, that the requirement for a \$5,000 bond for contractors be eliminated and that the liability insurance requirements be amended to amounts consistent with those currently used in the industry. The Ordinance also requires contractors to provide proof of licensure in another jurisdiction or letters of reference that verify proficiency in the same trade that the contractor is making application for in Greensburg. Goodman made a motion to approve Ordinance 1026. Butler seconded. Roll Call: Christenson – yes; Trummel – yes; Jungemann – yes; Goodman – yes; Butler – yes.

I) Consider Ordinance 1027, relating to building, electrical, plumbing, mechanical, sign permits and contractor license fees; and repealing previously adopted fees.

Pyatt requested that Council consider Ordinance 1027, concerning building, electrical, plumbing, mechanical, sign permits and contractor license fees, and repealing previously adopted fees. The primary purpose of the proposed fee schedule is to simplify the process of computing permit fees. Jungemann made a motion to approve Ordinance 1027. Christenson seconded. Roll Call: Christenson – yes; Trummel – yes; Jungemann – yes; Goodman – yes; Butler – yes.

J) Consider purchasing an engraved brick at the Kiowa County Veteran's Memorial.

Barnes had been approached by Mike Case regarding the engraved, brick pavers at the Kiowa County Veteran's Memorial. After a brief discussion, Jungemann made a motion, seconded by Trummel to purchase an 8"x8" paver. Motion passed 5-0. Staff will present Council with options for an inscription at the next meeting.

K) Discuss downtown planter boxes.

Staff members and citizens have raised concerns about the below ground planters along Main Street. Both parties feel that the planters are a hazard. Truelove requested direction on how to rectify the situation. He has researched the placing of metal grates over the boxes. Metal grating would cost around \$61/square foot. By his calculations, each planter would cost approximately \$6,000. There are 24 planters. River rock has also been researched. Trees would be incased to protect the tree. Each box would cost less than \$250 each. Barnes has created a photo shopped rendering of a planter box filled with river rock. Truelove would like direction to proceed with rectifying the situation over the next two years. The project is not infrastructure, therefore funding from the Special Highway Fund would not be appropriate. The consent was to proceed with researching the issue.

11.5.12

L) Consider payment of an invoice in the amount of \$408.75 from Outdoor Power Service, Rex and Shirley Butler.

Staff received a \$408.75 bill from Outdoor Power Services (Rex and Shirley Butler) for reimbursement of mowing fees paid earlier in the summer on a property they were in charge of mowing. The property owner had been mailed a weed notice this summer and the property was mowed by the City when it was again found to be out of compliance. Mrs. Butler has referenced the \$375 fee plus 3 late charges. This is the first bill received by the City. Butler pointed out that Mrs. Butler was not present at the meeting because she was not officially notified that her bill to the City would be on the agenda. Prior to leaving the room at 9:20 p.m., Butler stated that he did not believe that the property was in violation of the Weed Ordinance when it was mowed by the City crew. Since the mowing of the property and Butler's concern over the non compliance of the property, Staff has changed the way that they document properties in violation.

Christenson voiced his trust in Staff's observation of the property in regard to non-compliance. After a time of discussion, Trummel made a motion to table the payment of the invoice to allow Mrs. Butler to present her request at the next Council meeting. Christenson seconded. Motion passed 4-0. Butler returned to the meeting at 9:34 p.m.

Item 5: City Attorney's Report

There was no report from the City Attorney.

Item 6: Executive Session

There was no need for Executive Session.

Item 7: Adjournment

Truelove stated that, prior to PEC representatives leaving the building this evening, he obtained clarification that the \$18,400 portion of the contract agreed upon tonight will not be invoiced to the City until Council decides if they want PEC to proceed with concept drawings for Davis Park Relocation.

Dixson declared the meeting adjourned at 9:35 p.m.

Robert A. Dixon, Mayor

Christy Pyatt, City Clerk