

**Greensburg City Council  
January 22, 2013  
CITY HALL**

**Item 1: Opening Session**

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

Mayor Bob Dixon called the meeting to order at 6:00 p.m. on January 22, 2013. The Pledge of Allegiance was said and the invocation given by Pastor Christa Zapfe. Dixon thanked Zapfe for her spiritual leadership and work with Ministerial Alliance through the tornado recovery. He wished her well as she leaves the community to serve elsewhere. City Clerk Christy Pyatt administered the Oath of Office to Councilwoman Haley Kern. Roll call was taken. Council present: Mark Trummel, Matt Christenson, Erica Goodman, Haley Kern, and Sandra Jungemann.

**Additions/Deletions to the Agenda**

City Administrator Ed Truelove requested that Business Item 4G be added to the Agenda. Truelove would like to present Council with an advertising opportunity presented by USA Today for their Green Guide Sustainability Magazine. Also, Truelove noted that a revised Appropriation Ordinance #1896 was available to Council on their desk. Check number 21412 on the council packet copy was removed and replaced by check number 21428. Trummel made a motion to approve the agenda with one addition and the revised Appropriation Ordinance. Christenson seconded. Motion passed 5-0.

**Mayor's Report**

There was no report from the Mayor

**Council Member's Report**

There was no report from Council.

**City Administrator Comments**

Truelove advised that in December the City had received a donation in the mail from Mr. Charles Wise, Austin, TX. Mr. Wise has donated \$24,405.20 to the City of Greensburg, to help with the continued rebuilding efforts. Truelove has communicated with Mr. Wise by letter and thanked him for his thoughtful and kind donation.

Truelove gave Council an update on the City of Greenville v. Syngenta Crop Protection, Inc. settlement, previously discussed. The City has received \$7,392.32 as its portion of the atrazine settlement. The money has been placed into the water fund. 1,085 cities and towns across America filed settlement claims. Settlement amounts were based on past atrazine detections. On October 23, 2012 a federal judge in Illinois approved the \$105 million settlement. The ruling stated that it is up to the water providers and local governments to determine how these funds are used.

On Saturday, January 19<sup>th</sup>, the Mayor, Truelove, and their spouses attended the Chamber of Commerce Annual Banquet at the Scout Cabin. Truelove was pleased to receive a certificate from the Chamber in recognition of the work accomplished by City employees. In addition, the Chamber brought two dozen cinnamon rolls to the City this afternoon for employees to enjoy.

**Item 2: Public Comment**

Dixon welcomed those in attendance and opened the floor for public comment. There was no public comment.

**Item 3: Consent Agenda**

Goodman made a motion, seconded by Jungemann, to approve the consent agenda, again noting the revision to Appropriation Ordinance 1896. Motion passed 5-0.

**Item 4: Items of Business**

**A) Receive Brad Estes, Twilight Theatre Board, for an update on the progress of the theatre project and a proposal for a City partnership.**

Brad Estes, Twilight Theatre Board, gave a PowerPoint presentation on the history of the theatre building project; the board's future plans for creating a sustainable venture that offers a full entertainment venue, school activities, private party rentals, and space for corporate conferences, seminars, and workshops; as well as current and future local partnerships. Estes, on behalf of the board, requested that the City partner with the theatre by investing \$150,000 toward closing the construction funding gap. Thus far there have been expenditures of \$1.6 million. The board has secured an additional \$800,000 in financial commitments and applied for \$200,000 - \$250,000 in grants. When finished, the project will cost \$3.4 - \$3.5 million. When asked by Dixon, Estes stated that the current funding gap is approximately \$1 million. Dixon thanked Estes for his presentation.

**B) Receive Morgan Sharp, LegalShield, to present a legal service benefit for employees.**

Morgan Sharp, local representative for LegalShield, requested that Council consider allowing him to present an optional legal service benefit to employees. This service would be at no cost to the City and would come as a payroll deduction for the employee. LegalShield offers 24 hour legal advice and representation to their clients. Scheduling of a meeting with employees would be at the City's discretion. Sharp stated that he services employees of the county, Iroquois Center, and the school. If approved, Sharp would request a "Gold Card" be signed, written affirmation of approval for him to present to employees and for payroll deductions. This benefit is portable and could be taken with the employee should he/she leave their employment with the City. Dixon thanked Sharp for his presentation.

**C) Discuss an easement agreement between the City and Haviland Telephone Company, Inc. D/B/A GMAXX.**

Truelove stated that he had been contacted by Sabrina Freeman of Haviland Telephone Company regarding a request for a 20 year easement agreement to install a fiber optic line along California Street, west to Main St., and then south on Main St. to the elevator. Included in the meeting packet was an agreement Haviland Telephone has with the City of Coldwater for something similar. This agreement does not fit a franchise agreement; however, the City would be paid a \$500 easement fee per year. City Attorney Gordon Stull has reviewed the Coldwater document and has recommendations for changes to the damages and insurance portions of the agreement. Stull would prefer that the agreement allow for periodic adjustments to the required insurance coverage as deemed necessary. Council consented to having Stull draft changes to the agreement for approval at the next Council Meeting.

**D) Consider a proposal from Ranson Financial Consultants, LLC for a water and sewer rate review.**

Truelove recently became aware that Ranson Financial Consultants, who handled the Big Well bond for the City, is a contractor for KDHE and offers free water studies to Kansas Municipalities. For a small fee they can also provide a sewer study. The cost for the sewer study would be between \$1,000 and \$1,500. Truelove believes that both studies should be performed as Council considers rates appropriate to make the water fund solvent without removing salaries from the fund, as they currently are. Funds

for the sewer study are available in the sewer fund. Dixon asked if the studies would recommend capital improvements. Truelove explained that a water modeling study was being planned upon the completion of the water treatment plant. This will be paid for through the plant project. This study will identify weak points in the water system. It was the consensus of the Council that Ranson Financial provide a more formal proposal at the next Council meeting. Truelove stated that Ranson Financial will present the results of both studies to the Council.

**E) Consider Resolution 2013-03, encouraging action by the Kansas Congressional Delegation regarding tax-exempt Municipal Bonds.**

The City has been asked to consider passing a resolution encouraging action by the Kansas Congressional Delegation regarding tax-exempt Municipal Bonds. As part of the "Fiscal Cliff" talks, legislature will consider eliminating the tax-exemption in their next session. The resolution requests that the delegation keep these bonds in place as an economic development incentive. Christenson made a motion to approve Resolution 2013-03. Goodman seconded. Motion passed 5-0.

**F) Consider Resolution 2013-04, a street closing policy for the City of Greensburg.**

Truelove made changes to the insurance portion of the street closing policy that he presented at the last Council meeting. He also specified that a copy of the application would be given to the applicant. Jungemann made a motion to approve the street closing policy as presented. Christenson seconded. Motion passed 5-0.

**G) Consider a request from Tourism to participate in an advertising opportunity presented by USA Today in their Green Guide Sustainability Magazine.**

Stacy Barnes, Tourism Director, has been contacted by USA Today regarding their Green Guide (sustainability magazine). The publication will be on newsstands in mid April, prior to the start of tourism season, and will have an 8-10 page article on Greensburg with the possibility of a feature and cover story. USA Today has offered ad space in the publication at a reduced rate. Normally a half page ad would cost \$15,500. USA Today is offering a full page ad at \$10,500, half page for \$5,500, or a quarter page for \$3,000. Tourism has reviewed the offer and feels that this is an opportunity expenditure, giving significant, national recognition. Barnes has spoken to Lisa at New Boston Group, who recently completed the City's marketing study. She was astonished at the offer and recommended a half page ad be taken. The publication has a circulation of approximately 600,000 people and attracts one of the target groups identified by New Boston in their study. Dixon stated that photojournalists from USA Today were in town last week. Truelove explained that Tourism is requesting that the City split the cost of the half page ad with them. As this expenditure is over \$5,000, Council would need to approve it if Tourism were to pay the entire expense out of budget. Due to the publication deadline, USA Today must have an answer by the end of the month. Goodman and Kern both spoke to the uniqueness of the opportunity and the potential benefits of advertising in the publication. Christenson voiced concern over approving funds over and above the approved Tourism budget. Kern and Goodman conveyed that Tourism is already considering what planned expenditures for 2013 they would need to postpone should Council vote to require the full amount to come out of their budget. Christenson made a motion to approve a half page ad at a cost of \$5,500. Jungemann seconded. Motion passed 5-0.

Christenson then asked to see Tourism's budget for 2013, any carry over, and what impact paying the entire amount would have on the current budget. Staff will move forward with the advertisement. Determination of payment will be made at a later date.

**Item 5: City Attorney's Report**

There was no report from the City Attorney.

**Item 6: Executive Session**

Truelove requested executive session for non-elected personnel for 20 minutes. Christenson made a motion to go into executive session until 7:46 p.m. Goodman seconded. Motion passed 5-0. Council returned to open session at 7:46 p.m.

Truelove gave an update on the Davis Park relocation project. KDOT has received the independent, 3<sup>rd</sup> party numbers he forwarded to them. KDOT was pleased with the documentation provided by PEC and has begun their review process. They have confirmed that the park is available for city use until a functional replacement is in place. KDOT will, at some point, require a Memorandum of Understanding with the City that will require that the City maintain insurance on the property until such time as the park is decommissioned. Truelove has spoken to Public Works Superintendent Mike Hayes regarding preparing the pool for this season. Hayes is looking into the cost and availability of an ADA, portable lift. Pool management has confirmed that they have had a request from a citizen for a lift. Hayes has so far identified lifts for \$3,000-\$6,000, and is looking into a water powered lift that would not require a battery and have less maintenance.

**Item 7: Adjournment**

Dixson declared the meeting adjourned at 7:51 p.m.

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Robert A. Dixson, Mayor

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Christy Pyatt, City Clerk