

**Greensburg City Council  
May 6, 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 May 6, 2013. The Pledge of Allegiance was said and the invocation given by Pastor Terry Mayhew. Roll call was taken. Council present: Mark Trummel, Matt Christenson, Sandra Jungemann, Erica Goodman, and Haley Kern.

**Additions/Deletions to the Agenda**

City Administrator Ed Truelove requested that business item 4D be removed from the agenda as he has not received a contract from Southern Pioneer as of yet. Christenson made a motion, seconded by Trummel, to approve the agenda with one deletion. 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 Council that included in the meeting packet was a letter from Rosa Spainhour, thanking the City for donating two youth pool passes, to be given to kids during an upcoming safety presentation by Safe Kids Kiowa County. Also included was a letter and certificate from Shred-It, the City's document security and recycling provider, informing the City that its 2012 recycling program saved the equivalent of 9.6 trees.

**Item 2: Public Comment**

Dixon welcomed those in attendance and opened the floor for public comment. There were no comments from the public.

**Item 3: Consent Agenda**

Jungemann made a motion to approve the Consent Agenda. Christenson seconded. Motion passed 5-0.

**Item 4: Items of Business**

**A) Receive representatives of Blue Cross Blue Shield of Kansas for the BlueChip Award presentation.**

Dixon reminded Council that in January of this year the City was awarded the 2013 BlueChip Award from Blue Cross Blue Shield (BCBS) of Kansas, in partnership with Kansas Recreation and Parks Association. Marlou Wegener, BCBS; Janet McMurray, BCBS; and Doug Vance, KRPA; presented the Council with a banner, award, and \$2,500 check. The award is in recognition of healthy, sustainable communities. Dixon acknowledged partners in the City's application: Kiowa County Health Department (represented tonight by Mitzi Hesser), USD 422, Kiowa County Memorial Hospital, Greensburg Recreation Commission, and Christy Pyatt (City Clerk).

**B) Receive Beth Warren, Ranson Financial, to present the results of the sewer and water rate study.**

Beth Warren, Ranson Financial, presented the results of water rate and sewer rate studies performed for the City by Ranson Financial. Council was provided a summary of the report in their meeting packet. Ranson used 3 scenarios to make recommendations on potential water rates: breaking even, capital outlay of \$2,500, and capital outlay of \$5,000. Results showed that the City is under the revenue requirements created by a current outstanding bond by approximately \$12,000. In both funds a rate increase is recommended. Warren confirmed that scenarios included salaries that are currently not being paid by the water/sewer funds. Discussion occurred on an adjustment to the minimum charge vs. a flat percentage of increase; how much capital outlay Council would

like to see made available; and increasing rates to the recommended amounts all at once vs. gradually increasing the amount yearly. Operating costs for the water treatment plant were based off of projected data from PEC. Warren recommended rounding the amount of the proposed increases before adopting them, implementing the change sooner rather than later and then updating it if the percentage of increase is found to be inadequate. She explained that though the percentage of increase looks large, the dollar amount that it is equivalent to is fairly minimal.

City Administrator Ed Truelove recommended increases to the rates that would be adequate for the next two years with allowance for annual adjustments so that the funds are sufficiently funded over the coming years. Christenson requested the Council review capital outlay needs in the upcoming budget process. No action was taken.

**C) Receive Matt Jacobs, H.W. Lochner, to present an airport design agreement for Council approval.**

Matt Jacobs, H.W. Lochner, presented Council with an airport design agreement for phase 1 of the new airport. The City has been awarded a KDOT Aviation design grant. Those funds are to be available later this year. A second grant request has been submitted for phase I, a grading package for a 4,000 foot runway and establishment of a 3,200 ft turf runway. Jacobs confirmed that hangars are not strong candidates for KDOT funding and that this will be an additional expense. Phase I does, however, call for a pilot's lounge, which KDOT will consider funding. Jacobs recommended Council consider a ground lease for hangars. If FAA funds are used in the future, there are requirements for renting hangars. Council also discussed the need for building standards at the site and the need for review of the placement of hangars and other structures. Jacobs clarified that once Lochner receives a notice to proceed, they will use the next year to design the site and do the surveys. The design will meet FAA criteria. The project could potentially go to bid in February or March 2014 with bidders being required to allow pricing to remain valid for 6 months, while the city awaits the release of KDOT construction funds. Christenson made a motion, seconded by Kern, to approve the airport design agreement as presented. Motion passed 5-0.

**D) Consider a contract with Southern Pioneer to bury the electric line located on the south end of the new airport.**

Item was removed from agenda, due to lack of a contract document.

**E) Consider a street closing and a temporary cereal malt beverage license for a May 25, 2013 street dance at Bar H Tavern.**

Council was presented with a request to close Cedar Street from Kansas Ave to the first alley, behind Bar H Tavern, for a street dance and beer garden on May 25<sup>th</sup>. Truelove recommended that if approved, Council close the entire first block of Cedar St., to Florida Street, but confirmed that the application meets all criteria for a street closure. Council was also asked to consider a temporary beer license for Bar H Tavern for that evening. The current license for that establishment is only for alcohol within the primary bar structure and does not include the parking lot where the dance will be held. Kern made a motion to approve the closure of Cedar Street from Kansas Ave. to Florida St. on May 25<sup>th</sup>. Jungemann seconded. Motion passed 5-0. Christenson made a motion to approve the temporary cereal malt beverage license for Bar H on that same night. Kern seconded. Motion passed 5-0.

**F) Consider disposition of the hangars located at the Greensburg Business Park.**

Truelove advised Council of the previous extensions given to owners of hangars located at the old airport site. Currently there is not a business that is ready to utilize the buildings in their existing locations. Staff has been advised by Kent Colwell at USDA that remaining USDA funds for the Business Park, that can be used for disposition of the hangars, must be used in the very near future or deobligated. In July 2012, the City offered owners the 2012

County Appraised Value for their hangars. Ten months later the City is no closer to a lease for that portion of the Business Park but has received an inquiry about a private purchase of the structures. The interested party was unable to reach an agreement with owners. Truelove advised that the County Appraised Value remains the same as the previously made offers.

Discussion continued on issuing a new letter to owners; making the same financial offer as previously issued and a set deadline for acceptance of that offer or disposition of the hangars; and city crews doing demolition work on the property vs. hiring a contractor. Trummel made a motion to issue a new letter to hangar owners, offering the same financial compensation as before, with a requirement of acceptance within 30 days of the letter. If an owner accepts the offer, the hangar becomes City property. If an owner refuses the offer, he will then have an additional 30 days to remove or demolish the hangar. At the end of the second 30 days the hangar will become City property. Staff will bring the letter to Council in 2 weeks for approval. Jungemann seconded. Motion passed 5-0. Truelove will work with City Attorney Gordon Stull to draft the letters. Christenson requested that Staff proceed with cost estimates for demolition.

**G) Consider Ordinance 1037, amending the current Special Purpose Vehicle Ordinance.**

Council was presented with Ordinance 1037, which would amend the current Special Purpose Vehicle Ordinance. The change was requested by the County Attorney to allow the approved summer intern to utilize the county ATV to water trees in the City. Ordinance 1037 would allow ATV use by County, USD 422, and City staff for work site purposes. Owners would be required to show proof of insurance and be a licensed driver. All other ATV use in the City would continue to be prohibited. Dixson voiced concern of the public perception that citizens should be allowed to utilize ATVs to travel from town to their property in the county, their work site. Christenson made a motion, seconded by Goodman, to approve Ordinance 1037 as written. Roll call vote: Christenson – yes; Trummel – yes; Jungemann – yes; Goodman – yes; Kern – yes. Motion passed 5-0.

**H) Consider Ordinance 1038, adopting amendments to the Animal Control Code.**

Council was provided an updated copy of the proposed Animal Control Code in their meeting packets. Changes include combining articles on dogs and cats, banning Pit Bulls, and modified fees for animal registration. A habitual violator section was also added. Truelove would like to see a 30 day grace period for citizens to register their animals and remove Pit Bulls before the Ordinance is enforced.

Christenson noted that Section 2-109c references 2-113 rather than 2-112 as it should. He also asked if 2-109 allowed for fowl within City limits. Staff explained that 2-109 matches the wording of the current Animal Husbandry Code in the Sustainable Land Development Code, which allows for certain types of animals, and fowl, on properties of 2 acres or more, with a special exception from the Planning Commission. Staff also confirmed that Pit Bulls currently in the City are prohibited and will not be grandfathered. Also, fowl in City limits are currently prohibited. If a citizen has a minimum of 2 acres of property they are welcome to request a special exception for fowl and other livestock, and a public hearing will be called for the request. Trummel emphasized the importance of educating the community through the media. Recommended media outlets included the newspaper and City website. Christenson also recommended that a reminder to license animals be placed on the utility bills. Discussion was held on Staff organizing a vet clinic at which rabies shots would be distributed and registration could be purchased. Jungemann made a motion to approve the Ordinance, with the correction of the reference to 2-112 in section 2-109c. Trummel seconded. Roll Call vote: Christenson – yes; Trummel – yes; Jungemann – yes; Goodman – yes; Kern – yes. Motion passed 5-0.

**I) Consider Ordinance 1039, amending section 15.8 “Personal Animal Husbandry Special Exceptions” in the Sustainable Land Development Code as recommended by the Greensburg Planning Commission.**

Proposed Ordinance 1039 was tabled previously. The Planning Commission recommends approval of the Ordinance, which would amend section 15.8 of the Sustainable Land Development Code and allow the keeping of fowl within city limits (without the current 2 acre minimum), with approval of a Special Exception from the Board of Zoning Appeals. If the Ordinance is adopted, a new section will need to be added to the Animal Control Code, to regulate fowl. Christenson voiced that he prefers the current process, which gives neighbors the ability to comment at a public hearing on the special exception application. Kern stated that she had not received any comments from constituents that supported passage of the Ordinance. The Ordinance died due to lack of a motion. Council advised that citizens who currently own fowl within city limits are in violation of the current code, which prohibits fowl, and would therefore not be grandfathered. Those who own a minimum of 2 acres of property were welcomed to make application for a special exception.

**J) Consider Resolution 2013-07, approving City participation in the 2013, phase 1, Safe Routes to School Grant.**

Truelove briefed Council on the opportunity for the City to apply for a Safe Routes to School Grant. Truelove has contacted Clelia McCrory of Sterling, Kansas, to facilitate the grant writing process, if approved by Council. McCrory is a successful grant writer and has helped many communities receive Safe Route grants. Phase 1 of the grant would allow the City and USD 422 to study routes to school and identify any difficulties that may exist with a child’s route to school. One example of such a difficulty is the lack of sidewalks in town, requiring children to walk or ride their bikes in the streets. Other aspects such as traffic patterns, cross walks and adequate signage will be evaluated as well. Phase 1 allows both the City and school district to gain knowledge that will allow them to engineer safer routes and educate children and parents how to get kids to school more safely. The City will be the applicant for the grant and the financial responsibility for phase 1 would be \$3,000, plus Ms. McCrory’s fee for writing the grant. Phase II, the implementation phase, would require \$50,000 local contribution. School Superintendent Darin Headrick has agreed to partner with the city on the data collection in Phase 1 and implementation of Phase 2, but has given no commitment for funds from the district. Headrick has already distributed surveys to students, to be completed as part of the data collection process. Goodman made a motion to approve Resolution 2013-07, declaring the eligibility of the City to submit an application to Kansas Department of Transportation for use of Safe Routes to Schools funds. Kern seconded. Christenson voiced concern over the city’s financial commitment to the program considering other upcoming projects. Truelove assured Christenson that approval of Phase 1 does not commit the City to Phase 2 (implementation), but would provide valuable information to both entities on issues that need to be addressed for the safety of citizens. Truelove stated that there are infrastructure funds available that could be utilized, as he feels that data will reflect that current hazards are primarily related to current infrastructure. Motion passed 5-0.

**K) Authorize the Mayor to sign the contract with Kansas Forestry Service for a summer intern. (internship approved by Council April 15, 2013)**

Truelove requested the Council authorize the Mayor to sign the contract with Kansas Forestry Service that formalizes the Council’s previous approval of a summer intern to water City and County trees. Kern made a motion to approve the Mayor to sign the contract. Goodman seconded, and the motion passed 5-0.

**L) Appoint a Council Member to the Public Building Commission for a term ending April 30, 2014. (Current appointee – Matt Christenson)**

**M) Appoint a Council Member to serve as Director #1 for the City of Greensburg on the Kansas Municipal Energy Agency (KMEA) Board of Directors with a term to end April 30, 2015. (Current appointee – Matt Christenson)**

**N) Appoint a Council Member to serve on the LEPC board for a one year term ending April 30, 2014. (Current appointee – Matt Christenson)**

Upon request of the Council, business items L-N were considered in one motion. Christenson briefly described the responsibilities of the Council Member Appointee to the Public Building Commission, KMEA Board of Directors, and LEPC. Kern made a motion to reappoint Christenson to all three boards. Jungemann seconded. Motion passed 5-0.

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

There was no report from the City Attorney

**Item 6: Executive Session**

Stull requested a 15 minute executive session for attorney/client. With request for a brief break, Christenson made a motion to go into executive session until 8:35 p.m. Trummel seconded. Motion passed 5-0. Dixon declared the meeting back in open session at 8:35 p.m.

**Item 7: Adjournment**

Trummel requested an update on Staff and Mayoral conversations with Wes Jury from the Center For Innovation. Staff assured Council that the Center provides monthly progress update phone calls on economic development . Dixon advised that SR20 has obtained non-government grant funding and is ready to proceed. He plans to attend a Bio Productions Consortium Meeting in Arlington, TX in 1 week. SR20 is still committed to coming to Greensburg and is researching bio mass feed stock. Greensburg has also been invited to participate in a meeting with the Center For Innovation, Wichita State University, and Kansas State University to discuss unmanned aerial systems.

Dixon declared the meeting adjourned at 8:39 p.m.

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Robert A. Dixon, Mayor

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Christy Pyatt, City Clerk