

**Greensburg City Council  
August 5, 2013  
City Hall**

**Item 1: Opening Session**

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

Mayor Robert Dixson called the meeting to order at 6:00 p.m. on August 5, 2013. The Pledge of Allegiance was said and the invocation given by Pastor Willard Olinger. Council present: Matt Christenson, Mark Trummel, Erica Goodman, and Haley Kern. Sandra Jungemann was absent.

**Additions/Deletions to the Agenda**

Trummel made a motion to approve the agenda as presented. Kern seconded. Motion passed 4-0.

**Mayor's Report**

There was no report from the Mayor.

**Council Member's Report**

There was no report from the Council.

**City Administrator Comments**

City Administrator Ed Truelove briefed Council on the following topics:

- 1,449,000 gallons of water were lost at the Courthouse due to a water leak. Through City policy of assisting the customer one-time annually, the City has written off \$1,424 of the total bill.
- News release from Jerry Keene, Kiowa County Signal, regarding Mr. Mark Moser and Konza Solar. The release was provided for Council in their meeting packet.
- Larry Foulk, Building Inspector/Code Enforcement Officer has been compiling a prioritized list of all the properties in town that are in violation of City Code. This list will then be used to guide Staff in future abatement processes.
- Release of Request for Bids for demolition at the Business Park. PEC and USDA assisted in the release. Bids are due 8/15/13. Staff will present the bids to Council for their selection on 8/19/13.
- City Hall LEED Platinum Certification plaque mount created by Peter Kern.

Dixson advised that Greensburg has been chosen as the 2013 recipient of the Richard M. Daily Sustainability Award from the USGBC. Dixson will receive the award for the City at the annual Green Build Conference in Philadelphia this November. Dixson was also asked to make a presentation on Greensburg at that conference.

**Recognition of Visitors**

Dixson welcomed those in the audience and thanked them for attending the meeting.

**Item 2: Public Comment**

There were no comments from the public.

**Item 3: Consent Agenda**

Dixson advised that the description provided on the Appropriation Ordinance for check 21951 was incorrect. The amount is correct, and it was for a tourism ad but it was not to the League of Kansas Municipalities. Kern made a motion to approve the Consent Agenda. Goodman seconded. Motion passed 4-0.

**Item 4: Items of Business**

**A) Conduct an advertised public hearing on the 2014 Budget.**

Dixson called to order the advertised public hearing regarding the 2014 Budget. Truelove stated that the budget documents have not changed since the Budget Work Session. The budget reflects that the City's responsibilities to

the community are well taken care of but that there is not a lot of room for capital expenditures. The mil levy will be slightly lower than in 2013. Staff will release an approved budget to the County Clerk by August 23<sup>rd</sup>.

Hearing no questions or comments from those in attendance, Dixon closed the hearing to public comment. Christenson made a motion to approve the 2014 Budget as presented. Trummel seconded. Motion passed 4-0. The 2014 Budget Certificate was signed by the Mayor and Council Members present.

**B) Consider Charter Ordinance 15, moving City elections to odd number years.**

Truelove asked Council to consider Charter Ordinance 15, moving City elections to odd number years, and reviewed Section 2 which describes the voting cycles needed to accomplish this. Goodman pointed out a typing error in Section 6, which Staff also recognized and amended on the Original Document. Trummel made a motion to approve Charter Ordinance 15. Kern seconded. Roll Call Vote: Christenson: yes; Trummel: yes; Jungemann: absent; Goodman: yes; Kern: yes. Ordinance passed 4-0.

**C) Consider Resolution 2013-08, amending the Personnel Policy Handbook regarding conceal carry weapons (CCW) on City property.**

Truelove requested that Council consider Resolution 2013-08, amending the personnel Policy Handbook regarding conceal carry weapons on City property. This resolution was tabled from the July 15, 2013 meeting. Truelove believes that the Resolution, as drafted, will bring the City into compliance with the Personal and Family Protection Act (K.S.A. 75-7c01 et seq). Truelove believes that the statute itself addresses how weapons are to be handled on City property. Municipalities are left to react to what the state has mandated through this statute.

Discussion amongst Staff, Council, the Mayor and the City Attorney consisted of concerns over City liability for CCW permit holders, the City's insurance coverage if employees who are CCW permit holders are allowed to carry on City property, the productivity of employees who must secure a weapon before entering private businesses who do not allow weapons, and the City's inability to exempt itself from the statute requirements through home rule. City Attorney Gordon Stull stated that there is an Attorney General's opinion that municipalities cannot exempt themselves. If the City puts a security plan in place they can deny CCW permit holders from entering City property with a weapon. Stull explained that a person's right to protect themselves is dominant to the city prohibiting weapons. Truelove stated that City buildings have never been designated as no weapon zones and that revealing the names of employees who are CCW permit holders violates their privacy. Law Enforcement does have a list of CCW holders in the County.

Council requested additional information/clarification regarding City liability and insurance. Christenson made a motion to table Resolution 2013-08. Goodman seconded. Motion passed 4-0.

**D) Consider an agreement with PEC to prepare a water modeling study, utilizing remaining funds from the water treatment plant project.**

As previously discussed, USDA has agreed to allow the City to conduct a water modeling study, utilizing remaining funds from the water treatment plant project. Council was asked to consider an agreement with PEC to conduct that study. Christianson asked if costs for any repairs that need to be made, based on the results of the study, could be paid for through the project as well. City Clerk Christy Pyatt stated that she has spoken to Dave Barber at USDA who has requested that a list of specific repairs be submitted for review. There is a possibility that some repairs would fit under the scope of the project. Staff has also been advised that replacement parts for the plant and items such as fire hydrants can be purchased through the project. Goodman made a motion to approve the agreement with PEC. Trummel seconded. Motion passed 4-0.

**E) Consider an option to purchase property for the relocation of Davis Park.**

Dixon stated the he and Truelove recently had a conversation with KDOT regarding the relocation of Davis Park. KDOT has agreed to a phased approach to the project with phase 1 being the pool. Before committing to a partnership with the City, KDOT needs an idea of what features the City would like to see for the pool and the cost of constructing those features. Council has been offered an option to buy the Mennonite Housing properties. The agreement before them was for a 1 year option with \$3,500 down. The agreement is not tied to a specific use for

the property. Trummel made a motion to approve the option to buy agreement. Kern seconded. Motion passed 4-0.

**F) Consider establishing a Park Advisory Committee for the relocation of Davis Park.**

Council was provided a list of nominees for a Davis Park Relocation Advisory Committee. Nominees are from Greensburg, Mullinville, and Haviland. The Committee will initially be tasked with assisting Staff and PEC with gathering community input on features and amenities for the new pool and making recommendations to the Council. After a brief discussion, Kern motioned to approve all nominees presented for the committee. Christenson seconded. Motion carried 4-0. Committee appointees include: Wanda Booth, Cinda Morehead, Missy Cannon, Chance Little, Donna Crites, Kari Neuhold, Peter Blanton, Mitzi Hesser, Hannah Headrick, Liz Ballard, Aaron Zadina, Kim Heft, and Kerri Ulrich. Staff will be scheduling a meeting for the committee in the very near future.

**G) Consider a street closing request for August 31, 2013 for the Kiowa County Health Department Color Triathlon.**

In their packets, Council received a request from the Kiowa County Health Department for a street closure on August 31<sup>st</sup> for their first ever Color Triathlon. Truelove described the request as being for the closure of the intersection of Bay and Illinois from 8:00 a.m. until approximately 10:00 a.m. Goodman made a motion to approve the closure as requested. Kern seconded. Motion passed 4-0.

**H) Discuss the application for a USDA EII Grant to purchase a street sweeper.**

A public hearing for the City's application for a USDA EII Grant, to purchase a street sweeper, was advertised for this Council meeting. Staff explained that the grant was a 60/40 grant with the state having \$90,000 available. Upon researching street sweepers with regional dealers, Staff has found that a new unit would cost approximately \$185,000. A 10-12 year old, well used unit would cost approximately \$40,000. The City and Kiowa County are the only 2 locations in the State eligible to apply for the grant. Christenson acknowledged that the County is applying for less than half of the available funds. The deadline for state appropriated funds is rapidly approaching. If those funds are not awarded, they will be go to a National pool. At that time, there would be an opportunity to request more funds than what have been designated for Kansas. USDA representatives encouraged staff to apply for funds for a new unit. An application for \$200,000 was submitted by Staff. Staff would support a new or slightly used machine. USDA has stated that they cannot enter into a lease to own agreement. Council discussed with Staff the impact a functioning street sweeper would make on the maintenance of City streets. There were no comments or questions from those in attendance. Staff will proceed with the grant application process.

**I) Discuss retaining, modifying, or discarding the City's current Business License Ordinance.**

Truelove feels that the current Ordinance for Business Licenses should be amended or repealed. Currently, business licenses are issued for 5 years at a cost of \$10. There has been no enforcement of this Ordinance and several businesses do not currently have licenses. Staff feels that the current fee is insufficient to cover the cost of Staff time to enforce and monitor the Ordinance. Truelove requested information on the topic from other City Managers. Council was given a list of their responses. The majority of those who responded stated that they do not require business licenses except for peddlers. Truelove recommended changing the current 5 year license to a 1 year license for \$10 or getting rid of the license altogether. The City does have a Green River Ordinance and the current Zoning Code allows for only certain businesses in various zoning districts, allowing Staff to regulate business development. Goodman suggested a one-time license and fee. She feels that the Economic Development Coordinator and Chamber should maintain a current list of local businesses. Questions remained over the enforcement of a license. Goodman suggested a reminder on utility bills that a license is required. It was the consensus of the Council to table the item to the next agenda.

**J) Discuss modifying Ordinance #1036, Truck Route.**

Truelove requested Council give Staff direction on whether or not they intend to alter the existing truck route or if it can be omitted from future agendas. Some Council Members continue to have concerns voiced to them from the agricultural community about the lack of a route through the south portion of town. Council briefly reviewed information given at past meetings on both Olive Street and Main Street. Trummel disapproved of adding to the

current route. Kern confirmed that the route most desired by the agriculture community is Main Street. Dixon stated that he supports adding Main Street as a southern route. Goodman voiced concern over Main Street, reminding the Council that the truck route is not just for agriculture, but would open Main Street to all truck traffic. Staff will discuss with the Street Department when they anticipate the completion of signage for the current truck route. Kern made a motion to direct the City Administrator and City Attorney to draft an Ordinance modifying the current truck route to allow for agricultural trucks on South Main Street. The motion died due to lack of a second.

**K) Approve the Mayor to sign an easement agreement with Southern Pioneer Electric Company for the burying of the electric line on the south end of the new airport property.**

Goodman made a motion to approve the Mayor to sign an easement agreement with Southern Pioneer Electric Company for the burying of the electric line on the south end of the new airport property. Christenson seconded. Motion passed 4-0.

**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**

Trummel asked Staff about the request for demolition bids for airport hangars. Staff advised that Mies Construction was originally slated to do the demolition through a change order on the original Business Park project. Pricing for the change order far exceeded available USDA funds. Staff has been working with USDA and PEC to bring the cost down. USDA supports and has given additional time for a bid process on the demolition. Mies is welcome to submit a bid during this process, but putting it to bid does allow local contractors the opportunity to compete for the project. August 15<sup>th</sup> is the deadline for bid submittal.

Goodman asked if a map of the City could be made available in the Council Chambers. Staff will work on a laminated map for each Council seat.

Dixon declared the meeting adjourned at 7:43 p.m.

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Robert A. Dixon, Mayor

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Christy Pyatt, City Clerk