

**Greensburg City Council
December 17, 2012
CITY HALL**

Item 1: Opening Session

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

Mayor Bob Dixon called the December 17, 2012 City Council meeting to order at 6:00 p.m. The Pledge of Allegiance was said. The invocation was given by Willard Olinger, who took the opportunity to speak on the school shooting tragedy in Newtown, CT, his love for this community, and concern of the safety of this community. Roll call was taken. Council present: Mark Trummel, Matt Christenson, Erica Goodman, and Sandra Jungemann. There is one vacant Council seat at this time.

Additions/Deletions to the Agenda

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

Mayor's Report

Dixon reminded Council and those in the audience of the vacancy on the Council with a term to expire the first meeting in May 2014. By state statute appointment of a Council Member to fill an unexpired term is a Mayoral appointment with Council approval. He requested that names of those interested be submitted to Administrator Ed Truelove or himself. Dixon requested that those interested make known why they are interested in serving the Community in this capacity.

Council Member's Report

There was no report from the Council.

City Administrator Comments

Truelove mentioned two items on the agenda. He stated that City Attorney Gordon Stull had pointed out an administrative oversight of the Tax ID numbers missing on the cereal malt beverage license applications of Mikey's Inc. and Kiowa County Golf Course. Those will be required prior to issuance of a license, following Council approval. Also, business item 4D may need to be rescheduled as the Red Cross was called away to assist with an accident.

Truelove advised Council of the two police officers killed in the line of duty in Topeka, KS. Truelove has corresponded with Topeka City Manager Jim Colston and relayed that our thoughts and prayers are with the officers families.

Truelove advised that more than 30 people were treated at the hospital for exposure to carbon monoxide at the Best Western Motel. The owner, Ron Wright, has communicated that the cause of the leak has been remedied and medical expenses of those involved have been paid. Truelove complimented first responders and hospital staff on their response to the emergency.

The previous Friday Truelove participated as a panelist at WSU for a guided discussion on Public Safety Administration. The cities of Derby and Bel Aire were also represented. Truelove discussed the establishment of the new Police Department.

Truelove introduced Paul Alvarez as the City's new Chief of Police. Alvarez spoke briefly about setting up the department.

Item 2: Public Comment

Dixson welcomed those in attendance and asked if there was any public comment. Caroline Irvin voiced her interest in the unexpired Council term. She also asked who is responsible for the maintenance at the lake and if there is a regular maintenance schedule for the road around the lake. Dixson advised that the park is managed by Kansas Wildlife and Parks, but that he will have Administration look into the road maintenance issue.

Item 3: Consent Agenda

Trummel pointed Council's attention to check number 21288 on the Appropriations Ordinance. He asked if City staff could do the winterizing of the Big Well irrigation system in the future. Administration agreed and will look into that for the future. Jungemann made a motion to approve the Consent Agenda as presented. Christenson seconded. Motion passed 4-0.

Item 4: Items of Business

A) Consider options for the repayment of FEMA and State funds overpaid for PW 399 (Electrical Distribution project) totaling \$163,452.44.

Truelove explained that following the FEMA audit of project 399 (Electrical Distribution), the City has received a letter from Kansas Department of Emergency Management (KDEM) stating that there was an overpayment to the City of \$163,452.44. Staff has confirmed that there are funds available to repay the amount in one lump sum rather than requesting a payment plan. Staff would prefer to pay in one lump sum and close the project. Trummel made a motion to pay the total repayment in one lump sum. Goodman seconded. Motion passed 4-0.

B) Receive Patrick Clement to speak on supporting local historical preservation projects.

Patrick Clement informed Council of his historical preservation project on the Crescent Community, formerly located north of Mullinville. He and resident Faye Hargadine have published a book of photographs of the community. The book will be available for sell at the Big Well and other location. Clement encouraged the Council, as he has the County Commission and other communities, to support any future "micro historical preservation projects" that may come before them.

C) Receive Arrow Zanghi requesting a waiver of mowing fees for property purchased in the Sheriff's Auction October 23, 2012.

Arrow Zanghi was not present at the meeting. Truelove stated that he had been approached by Zanghi who was requesting that the City waive 2012 mowing fees on property located at 805 N. Sycamore. Zanghi purchased the property in the October 2012 Sheriff's Auction. Though he did not mow the property prior to purchasing it, Zanghi has stated that he had done some upkeep on the property in the past. Noting the Council's previous decision to waive one of two 2012 mowing fees assessed to property purchased by Earl Liggett at the same Sheriff's Auction, Zanghi requested that his fee be waived as well. Truelove explained that this property was abandoned prior to the tornado and that the City has been mowing it since that time. The fee in question has not yet been filed with the County Clerk, to be assessed to the property taxes. Those bidding at the Sheriff's Auction were advised that they would be responsible for any 2012 mowing fees that may be outstanding on the properties.

During a discussion amongst Council on how to proceed, Stull explained that at a Sheriff's Auction the highest bid is taken and those funds go to pay any unpaid taxes. Generally the sale price is low enough that the City would not receive compensation for previously assessed mowing fees and would have to write them off. Goodman suggested that at future Sheriff Auctions Staff make available the current mowing fees associated with properties up for auction.

Due to lack of a motion, no action was taken.

D) Receive Donna Meier-Pfeifer, Cannonball Trail American Red Cross, for a Red Cross update.

Donna Meier-Pfeifer was not present.

E) Reconvene the public hearing and possibly consider Resolution 2012-18 on the abatement process for property located at 308 S. Sycamore (Resolution was tabled during an advertised public hearing held 7/2/12, 10/1/12, and 12/3/12).

Dixson reconvened the continued public hearing on property located at 308 S. Sycamore. Truelove advised that Tauna Butler had previously submitted an offer to sell the property to the City. The City declined her offer. Butler has requested a letter from the City supporting use of the property for a commercial business and 90 days to allow her family concrete business to put a top on the basement. The business is already committed to other projects "on time." All entrances to the basement would be sealed to the outside elements and animals. Staff verified that the property is located in the Downtown Commercial District.

Council discussed whether or not Butler would have to disclose the abatement process to anyone should she choose to sell the property and if the abatement process would have to be restarted with a new owner. Stull recommended Staff file the hearing resolution with the Register of Deeds. He explained that the abatement process follows the property, not the owner of the property. Should the property be sold, the new owner could be held to any time frame for code compliance set by Council. Christenson made a motion to approve Resolution 2012-18 with a deadline of March 18, 2013 to bring the property into compliance, with the City to remedy the situation shortly thereafter if the deadline is not met. Trummel seconded. Motion passed 4-0.

F) Consider the appointment of Mike Case to the Public Housing Authority to fulfill an unexpired term to expire December 31, 2015.

Goodman made a motion, seconded by Jungemann, to appoint Mike Case to the Public Housing Authority to fulfill an unexpired term to expire December 31, 2015. Motion passed 4-0.

G) Consider the appointment of Stephanie White to the Recreation Commission for a four year term to expire January 1, 2017.

Jungemann made a motion, seconded by Goodman, to appoint Stephanie White to the Recreation Commission for a term to expire January 1, 2017. Motion passed 4-0.

H) Consider Ordinance 1031 adopting the Standard Traffic Ordinance for Kansas Cities 2012.

Trummel made a motion, seconded by Christenson, to approve Ordinance 1031, adopting the 2012 Standard Traffic Ordinance. Roll Call vote: Christenson – yes, Trummel – yes, Jungemann – yes, Goodman – yes.

I) Consider Ordinance 1032 adopting the Uniform Public Offense Code 2012.

Christenson made a motion, seconded by Goodman, to approve Ordinance 1032, adopting the 2012 Uniform Public Offense Code. Roll Call vote: Christenson – yes, Trummel – yes, Jungemann – yes, Goodman – yes.

J) Consider Ordinance 1033 amending Ordinance 1027 relating to building, electrical, plumbing, mechanical, sign permits and contractor license fees; and repealing previously adopted fees for the City of Greensburg.

Trummel made a motion, seconded by Jungemann, to approve Ordinance 1033, amending Ordinance 1027 to include previously omitted permit fees for fences and accessory structures. Roll Call vote: Christenson – yes, Trummel – yes, Jungemann – yes, Goodman – yes.

12.17.12

K) Consider Resolution 2012-16 regarding the waiver of generally accepted accounting principles (GAAP) in the preparation of financial statements and financial reports for fiscal year 2011.

Dixson explained that the GAAP Resolution is something done on a yearly basis. Truelove stated that the City is able to operate on cash basis accounting principles and is therefore required to waive GAAP. This process was not previously completed for fiscal year 2011. Goodman made a motion to approve Resolution 2012-16. Christenson seconded. Motion passed 4-0.

L) Consider Resolution 2012-17 defining the boundaries of the City of Greensburg.

Planning and Zoning Consultant Mike Gurnee prepared Resolution 2012-17 which provides the legal description of the boundaries of the City of Greensburg, including the BTI property that was annexed earlier this year. Trummel made a motion to approve Resolution 2012-17. Jungemann seconded. Motion passed 4-0.

M) Consider an Employee Insurance Benefit Package for 2013.

City Staff proposed an increase in the City's contribution to the employee insurance benefit package for fiscal year 2013. The proposal calls for an increase of \$50 for single plans, \$100 for employee/spouse plans, \$100 for employee/children plans, and \$200 for family plans. Jungemann made a motion to approve Staff's proposal. Christenson seconded. Motion passed 4-0.

Item 5: City Attorney's Report

Stull is working with Staff on a new diversion policy to be adopted on a later date.

Item 6: Executive Session

There was no need for executive session.

Item 7: Adjournment

Trummel requested an update from Staff on the water treatment plant project. The project is ahead of schedule but progress has recently slowed. Staff has been advised of a letter coming from PEC to increase their number of inspection days.

Dixson declared the meeting adjourned at 7:18 p.m.

Robert A. Dixon, Mayor

Christy Pyatt, City Clerk