Greensburg City Council
August 6, 2012
CITY HALL

Item 1: Opening Session
Call to Order; Pledge of Allegiance; Invocation; Roll Call
Mayor Robert Dixon called the August 6, 2012 City Council meeting to order at 6:00 p.m. The Pledge of Allegiance was said, and the invocation was given by Pastor TJ Lawson. Roll call was taken. Council present: Mark Trummel, Matt Christenson, Erica Goodman, and Sandra Jungemann. Councilmen Rex Butler was absent during roll call due to a fire call. He arrived later in the meeting.

Additions/Deletions to the Agenda
Goodman made a motion to approve the agenda as presented. Trummel seconded. Motion passed 4-0.

Mayor’s Report
Dixon reported that he had attended a meeting last week in Dodge City regarding the ITC transmission line. Construction of the line will move from east to west, beginning in September at the substation north of Medicine Lodge. Dixon also pointed Council’s attention to the letter from Wes Jurey at the Center For Innovation (CFI). Dixon and City Administrator Ed Truelove have been part of numerous conference calls since the signing of the partnership between the City and CFI. More information about those calls will be presented as part of Business Item F on this agenda.

Council Member’s Report
There were no reports from the Council.

City Administrator Comments
Truelove stated that on July 23rd, following up on a question by Butler, he contacted a KDHE representative regarding the Big Well, to determine if the City had any requirements to pump water. Truelove explained that in the past, wells were required to be pumped at least once in a five-year period. Recent laws now provide that there is no requirement to pump water in areas closed to new water rights; therefore, the City has no requirement to pump at this time.

In the meeting packet, Council was provided with a letter from the Kansas Water Office, regarding the Governor’s updated draught declaration. Truelove provided this information in case citizens question Council members.

On July 31st Truelove received a phone call from Rob Stork, KDOT, who informed him that KDOT executive staff has approved them to move forward with the Davis Park right-of-way. Staff has requested that KDOT provide a breakdown for funding, which is their intention. KDOT will be working on an agreement document between the City and KDOT. He anticipates that step will be completed in a couple of weeks.

The City has received grant approval from KDOT Aviation for $300,000 to bury the overhead power lines located on the south end of the airport land. The City’s portion of this grant is $30,000. Mike Waller, H.W. Lochner, has spoken with Southern Pioneer regarding this portion of the project. Southern Pioneer believes that the project will come in significantly less than the grant amount.
City Clerk Christy Pyatt has been in contact with Ed Young, Director of KDOT Aviation, who has recommended the City submit a grant application for the maximum $1.6 million that can be earmarked for construction of a new airport runway. This application must be submitted by September 30th. The normal project grant limit is $800,000 at any one time, except for a new runway. The City’s portion of this grant is 10% or $160,000. Young has explained that if the cost comes in less than the maximum award of a grant, KDOT will simply reduce the amount of award and the amount required of the City. Should a project come in over the funded maximum, the City would need to make application for additional funds.

Truelove reminded Council that September 3rd is Labor Day. The Council meeting scheduled for that evening will be held on Tuesday, September 4th.

Previously, Truelove had understood that Council would like to schedule a Council retreat the week of August 20th. Truelove requested a specific date but received no response.

Tyler Pjesky, PEC, has submitted a Work Change Order (WCO) on the water treatment plant project totaling $8,900 for work around asbestos water lines at well #7. PEC has explained that it is common to leave abandoned asbestos lines buried and install new lines around the old. The cost of this WCO is well within the cost of the project. The City still has savings remaining from the window WCO.

**Item 2: Public Comment**

Dixon welcomed those in attendance and opened the floor to public comment.

Warren Sturgeon protested the comment in the Kiowa County Signal in which Truelove is quoted as saying that all airport hangar owners were behind on their leases. Sturgeon stated that since the tornado he has had no reference as to when the lease payment was due. Sturgeon stated that he had canceled checks for his payment for each year. He also possessed a letter from the City with a recently submitted lease check that was returned to him. Sturgeon expressed that after 5 generations of Sturgeons in the community he feels that he is being pushed out.

Tony Sturgeon stated that business people rely on reputation. He feels that information in the newspaper regarding late lease payments is incorrect and could potentially be damaging.

Butch Sturgeon feels that the City should print a retraction.

**Item 3: Consent Agenda**

Christenson asked if check number 20880 was for light bulbs purchased through the Energy Manager Grant. He was assured that this was the case. Truelove explained that these light bulbs would be reimbursed through the grant and were disbursed to Kiowa County citizens in conjunction with the recent Doug Rye presentation. Trummel made a motion to approve the Consent Agenda as presented. Christenson seconded. Motion passed 4-0.

**Item 4: Items of Business**

A) Receive Carl Myers of Kansas Power Pool (KPP) for a KPP update.

Carl Myers, Director of Members Services for Kansas Power Pool (KPP), was present to give an update on KPP activity. Information presented included the resignation of their General Manager and the search for his replacement; the success of the recently purchased Dogwood Power Plant; the RICE Project; and transmission projects (including that for the Greensburg Wind Farm). The KPP board of directors is
working on a strategic plan with 5 areas of study to be headed by board members. Myers invited the Council to participate in a strategic planning group. Also offered to members of KPP is an organizational check-up of the City’s electrical distribution system by Home Town Connections, Inc. They would review the City’s billing and collections system and customer service, making recommendations on how to improve that system. The cost of the study is $10,000. KPP will underwrite 50% of the cost for 2 KPP cities. They are currently discussing membership with 3 new cities and seeking reimbursement from 2 cities that KPP financed up front through bond issues. KPP is working on an economic development grant project to assist with retention and creation of new jobs in member cities as long as the jobs are electric related. Awards will be $1,000 ea. once next year’s budget is approved. Finally, they are updating their brochure.

B) Conduct Public Hearing on the 2013 Budget.
Dixson called the advertised public hearing for the 2013 budget to order. Truelove briefly discussed the budget summary, pointing out that the mil rate was being raised less than what Council has the budget authority to do. The mil rate will go up but there will be a significant tax savings of $185,000 from 2012-2013 because of valuations. After a request from Ron Shank for clarification on the mil rate Dixson closed the hearing to public comment. Christenson made a motion to approve the 2013 budget as presented. Trummel seconded. Motion passed 4-0.

C) Consider extending the timeline for disposition of airport hangars.
Truelove reminded Council of the letter generated to airport hangar owners which stated that no lease would be extended. At the time that the letter was sent, the City was facing the loss of remaining USDA funds for the business park. Recently, Staff requested that USDA consider allowing the City to use remaining funds to install a gas line to the park. Mike Day of Kansas Gas Service (KGS) is building numbers on what it would take to install that line. USDA has verbally agreed to the new request, relieving the City from rushing hangar owners and allowing owners to consider other options for their property. There may be a new business interested in the buildings that would make owners an offer, giving a better possibility of fair market value. Hangar owner Tim Tyree has asked to be on the next Council agenda to present additional options for the structures. Tyree has agreed with Truelove that the structure closest to the highway will block the view from the highway into the park and should be removed. Truelove requested that Council allow staff to pursue the installation of the gas line and give the hangar owners additional time to consider other potential offers.

Christenson asked for a ballpark figure on the cost and time line to complete work on the gas line. Truelove explained that Staff is still gathering information, including what the appropriate load capacity would be for the park. Greensburg Crystalline has been contacted regarding their best estimate on required capacity for their facility. Staff has had no response from them. KGS and USDA are willing to work with us. USDA funds will probably run short of the total cost of the project. Trummel agreed with Christenson that the gas line seems to be a good use of remaining funds, but asked if Staff was considering installing a full line through the park or just to where we currently have commitments on properties? Christenson asked about the ability to cover the funding gap. Truelove stated that a partial line was worth discussing with KGS.

Dixson stated that if the process was the same for industrial use as it was for residential use, the City would receive a percentage of rebate back as others tie into the line. Staff will look into this possibility as well. Truelove advised that KGS prefers to tie into the 2” line coming from BTI. There is the possibility that the line will have to be upgraded to a 4” line for the park. KGS has said that an upgrade would be at the expense of the City.
Goodman expressed that she was in agreement to extend the timeline for disposition of the hangars. She asked that Staff communicate with owners individually. Jungemann agreed. Truelove asked for a date for the Council to review the situation.

Butler arrived at 6:53 p.m., and Dixson voiced his appreciation for the volunteer fire department.

Jungemann made a motion to extend the timeline until February 2013. Goodman seconded. Motion passed 4-0.

D) Consider options for repairs to the Incubator building sidewalk.
Truelove has contacted GLMV engineer Jeff Weiford and Public Works Superintendent Mike Hayes regarding the northeast corner of the Incubator building. It appears that pressure from the sidewalk against the north side of the corner has caused the bottom stone panel to pull away from the building. Upon examination, it appears that the sidewalk from the ADA ramp to the building is one continuous pour, with inadequate expansion joints. Weiford’s emailed reply recommends an expansion gap of 5/8 – 3/4”. He also recommends removing the sidewalk along the building and tuck pointing the limestone back to plumb. Truelove stated that he was requesting direction from Council on how to proceed with those repairs. He asked if they preferred that we try to do the work in house or request bids. Staff has mentioned that Luke Derstein at the school does this kind of work. Truelove explained that there were two different contractors initially involved as the sidewalk was done during the streetscape project rather than the Incubator project.

Council questioned when the warranty on the sidewalk started. Dixson recommended bringing the issue to the attention of the architect and contractor of the project. Christenson recommended that Staff review the project drawings for expansion joints. It was pointed out that at one point the joint could have been larger, but due to exceptionally hot temperatures it could have expanded beyond what was estimated.

Goodman informed the Council that the annual Summer Soiree was planned for August 18th. Over $600 in merchandise and discounts have been donated as prizes. There will be a community picnic at Davis Park, the pool will be open, the fire department will be providing water fun and there will be a movie on the lawn at the Art Center.

F) Consider a Council work session to be scheduled for August 30th at 12 p.m. at City Hall to receive representatives from Center For Innovation (CFI), Kansas Bioscience Authority, and Scrap Rubber to Oil (SR2O) to give a presentation on a possible project for Greensburg.
Dixson stated that he and Truelove have visited with Wes Jurey from CFI. Scrap Rubber to Oil (SR2O) wants to come to Greensburg. Tony Simpson from the Kansas Bioscience Authority is interested in joining the project. A work session to discuss a potential project was requested for August 30th at 12 p.m. at City Hall. The session would be informational only, with no action taken. Dixson stated that the project was very promising. Jungemann made a motion, seconded by Butler, to call a work session on August 30th at 12 p.m. in the Council Chambers. Motion passed 5-0.

Tony Sturgeon asked to address the Council again. Sturgeon stated that there is a difference between not receiving payment for hangar leases and refusing payment. He feels that the statement quoted in
the Kiowa County Signal regarding this issue is unethical slander. He asked why payment was refused. Sturgeon stated that he recognized that the City is not required to pay hangar owners for their structures, but feels that it is the ethical thing to do. He also asked why the old airport was closed prior to the new airport being built. Sturgeon has concerns about the new site, but stated that he was looking forward to the new airport and hoped to be allowed to utilize the new site. Sturgeon was encouraged to come to City Hall and speak to Truelove regarding the topic.

Dixson asked if there were any additional public comments. Leanna Holtz asked why City codes were not being enforced. Understanding that the City does not currently have a police force, she wondered why City employees were not authorized to enforce codes. She feels that code enforcement is not only necessary but would increase city revenue. Holtz stated that she was chased in her own yard by a boxer or pit bull and that other walkers have had similar issues with multiple dogs. Truelove explained that a person must be an appointed law enforcement officer to issue citations and carry a firearm. After being asked if she had called 911 Holtz stated that she was told by City Hall that there was nothing that they could do. Truelove explained that if an animal is dangerous or aggressive, law enforcement must respond. Holtz encouraged Council to make law enforcement a priority. She was encouraged to speak to Truelove at his City Hall office.

**Item 5: City Attorney's Report**
There was no report from the City Attorney.

**Item 6: Executive Session**
Truelove requested executive session for 15 minutes for attorney client. Christenson made a motion to go into executive session until 7:35 p.m. Trummel seconded. Motion passed 5-0.

Dixson declared the meeting back in open session at 7:35 p.m.

Butler asked if Council planned to pursue recouping money from Southern Plains Co-op for the contamination of well #8. Butler was asked to speak to Truelove about when this item should appear on the agenda.

Truelove repeated to Butler the information he had received and reported on earlier in the meeting regarding the pumping of the Big Well. City Attorney Gordon Stull asked if the well had a water right vested and if this would have been a commercial or residential water right. This is something that Staff would have to look into. Butler asked if the City could get written confirmation that they are not required to pump the well.

**Item 7: Adjournment**
Dixson encouraged everyone to exercise their right to vote in tomorrow’s elections and declared the meeting adjourned at 7:43 p.m.

Robert A. Dixson, Mayor

Christy Pyatt, City Clerk