

**Greensburg City Council
July 15, 2013
City Hall**

Item 1: Opening Session

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

Mayor Robert Dixon called the meeting to order at 6:00 p.m. on July 15, 2013. The Pledge of Allegiance was said and the invocation given by Dixon. Council present: Mark Trummel, Erica Goodman, Haley Kern, Matt Christenson and Sandra Jungemann.

Additions/Deletions to the Agenda

Trummel made a motion to approve the agenda as presented. Kern seconded. Motion passed 5-0.

Mayor's Report

Dixon reported that Congressman Pompeo will be at the hospital basement meeting room on Saturday at 11:00 a.m. Citizens are encouraged to attend.

Council Member's Report

There was no report from the Council.

City Administrator Comments

City Administrator Ed Truelove advised Council of the following:

- Included in the Council packet was a copy of the letter from Richard Fedrizzi, president, CEO and Founding Chairman of the USGBC, congratulating the City for receiving LEED Platinum on the City Hall Project. Truelove received 10 LEED Platinum certificates. USGBC no longer provides free plaques. Truelove purchased an 8-inch plaque for the foyer of City Hall.
- The position of building inspector/code enforcement officer has been offered to Mr. Larry Foulk. He plans to start the part-time position the week of July 22nd.
- Mike Hayes and the Public Works crew have completed work on the park pavilion at the Big Well. Stacy Barnes has also purchased tables and benches for use in the area. Funding for the addition was provided through the Big Well project.
- Truelove received an email from Tim Tyree regarding the article in the Kiowa County Signal which referenced Tyree Ag. Truelove read excerpts from the email.

Item 2: Public Comment

Sidney, from Greensburg GreenTown, announced that she is leaving Sunday and thanked the community for the time she has spent in Greensburg.

Item 3: Consent Agenda

Trummel made a motion, seconded by Jungemann, to approve the Consent Agenda as presented. Motion passed 5-0.

Item 4: Items of Business

A) Receive Rod Craft, Southern Plains Co-op, to discuss modifying the truck route.

Rod Craft, Branch Manager of Southern Plains Co-op (SPC), addressed the Council with concerns from the co-op and its patrons regarding the adopted truck route. SPC is concerned that without the addition of a truck route through south Greensburg trucks from south of town will utilize other facilities rather than coming into SPC in Greensburg. Craft presented Council with a list of SPC's community involvement. Craft reminded Council that the farming community patronizes other local businesses while they are bringing commodities to town; of the financial investment SPC has made in rebuilding and in updating their facilities; and of the tax dollars that come from the co-op. When asked by Trummel, Craft clarified that his customers would prefer S. Main St. be added to the truck route rather than S. Olive St. This route gives them a direct route to the SPC scales through a controlled intersection. Olive St. and Hwy. 54 is not a controlled intersection, making it very difficult to get turned onto the

highway. If a driver chose to cross Hwy 54 on Olive and follow the route on Ohio St. it would be very difficult for him to turn onto the scales.

The size, weight, and number of trucks that an additional south route would bring was discussed. Christenson also addressed safety concerns on both Olive and Main Streets: both run through residential areas, S. Main goes through the narrowed downtown area, and S. Main has a school zone. He suggested a mailing to property owners on those streets, asking for their feedback. Truelove stated that he had spoken to School Superintendent Darin Headrick regarding truck traffic in front of the school. Headrick stated that he has observed trucks slowing for the area and has no concerns.

Marvin Jantz, co-op board member, shared his concern for lack of a south route and addressed the ability of trucks to easily access the co-op scales.

Dixon thanked those in attendance for the honest and open dialog regarding the topic.

B) Discuss the future relocation of Davis Park.

Truelove and Dixon recently had a phone conference with representatives of KDOT (Kansas Department of Transportation) and FHA (Federal Highway Administration) regarding the relocation of Davis Park. Both have advised that addressing the construction of a new park can be done through a phased approach, with primary emphasis being on the swimming pool. KDOT has requested City Staff prepare a master plan (site plan) addressing all features that must be replaced. This plan can show that certain current amenities are being replaced with another amenity, should that be the Council's desire (i.e. replacing a tennis court with a skate park). The plan does not need to concern design, value, or a time frame. The plan is more about a location and showing that the City does have a plan to move forward. Truelove requested to speak to Council regarding land acquisition during executive session under agenda item 6.

Christenson asked if the City should retain an engineering firm to do the master plan. He was advised that Staff can manage the type of plan that KDOT is looking for at this time. Once the City has approval from KDOT to move forward there will need to be community involvement and an engineering firm would be needed at that time. Dixon questioned at what point the City can expect expenditures, such as engineering, to be reimbursed by KDOT. The master plan will be a living document that can be modified to fit future needs.

C) Consider moving City elections to odd number years.

Truelove explained that most City elections in Kansas are held on the first Tuesday in April on odd numbered years. Greensburg is on even number years, requiring the conduction of and cost of a special election each time. Truelove would like to see the City move to odd number years, eliminating the \$1,500 per special election. Staff presented Power Point flow charts representing two options for moving the elections. Option 1 was preferred by Staff. City Attorney Gordon Stull reminded Council of the required 61 day protest period following publication of a Charter Ordinance. Christenson made a motion to have staff prepare a Charter Ordinance reflecting option 1 for the next Council meeting. Kern seconded. Motion passed 5-0.

D) Discuss the 2014 budget and consider a date for an advertised public hearing.

Council was provided copies of the non-budgeted funds. Truelove requested the Council set a public hearing for the 2014 budget on August 5th. Christenson asked for clarification on the balance of the USDA grant fund. Truelove explained that USDA funds cycle through. Once the City actually pays a bill, USDA is notified and funds are dispersed. Assistance during the annual audit helps to more easily reflect that negative balances in that fund are temporary as the City waits to receive their USDA reimbursement. Christenson made a motion seconded by Trummel, to hold a public hearing on the 2014 budget on August 5, 2013 at 6:00 p.m. at City Hall. Motion passed 6-0. Notice will be sent to the newspaper.

E) Consider Resolution 2013-08, amending the personnel Policy Handbook regarding conceal carry weapons on City property.

Truelove presented Council with Resolution 2013-08, amending the Personnel Policy Handbook Section 8.5, regarding conceal carry weapons on City property. To be in compliance with the Personal and Family Protection Act (K.S.A. 75-7c01 et seq) the City must allow employees who are authorized to carry a concealed weapon (CCW) to possess or carry weapons on city property. According to Senator Knox, one of the authors of this bill, the City's

current policy is in conflict with statute. Only the creation of a security plan would allow the City to prohibit employees with CCW permits to carry.

Christenson, Goodman, and Dixon voiced their displeasure with the new law and that as a nation we have regressed to a point where people view others as a foe rather than a friend or neighbor. Trummel asked if the statute addressed the City's liability should an employee's weapon discharge during the process of them performing their regular duties. Dixon asked if "home rule" could apply to this situation. Stull responded that he would have to look at the statute, but that home rule would not apply.

With no motion being made, the topic will be held for further consideration.

F) Consider renewing a service agreement with Hach Company for the water treatment plant.

Truelove presented Council with an amended service agreement with Hach Company. Section 20 now shows that Kansas law will govern all construction, interpretation, performance, and transactions associated with the agreement. Truelove has been advised by Hach that sections 7 and 8 further explain liability, answering Stull's question from the last Council meeting. Jungemann made a motion to approve the agreement as presented. Christenson seconded. Motion passed 5-0.

G) Consider a site hosting service agreement with QAS (Quality Attribute Software) for kiosks located at City Hall, Sun Chips Business Incubator, and the Big Well Museum.

Dixon left the meeting briefly. Truelove went over the fees associated with the QAS service agreement before the Council. Staff has discussed usage of the machines at City Hall, the Business Incubator, and the Big Well. Staff has observed little to no usage in the last year at City Hall or at the Incubator. Stacy Barnes, Big Well Manager, has observed a few users at her facility. Barnes recommended cancelling all three sites, but if Council would like to continue, she would recommend only renewing the Big Well location. Truelove questions if this is a solid investment given the age of the equipment and lack of support for the machines themselves. The City owns the kiosks so the fees are for the web site they display. Should Council renew the agreement tonight and then decide later in the year to cancel it, there would be no refund of the fee. Christianson voiced interest in learning more about the machines themselves and possibly developing a site that can be maintained and supported locally. Jungemann made a motion, seconded by Trummel, not to renew the service agreement with QAS. Motion passed 5-0.

H) Discuss change order pricing from Mies Construction for demolition of hangars and site preparation at the Business Park.

Truelove advised that Staff had received the change order pricing from Mies Construction after 5:00 today and has not had an opportunity to review it. Truelove requested that the item be tabled until the next Council meeting, still allowing for demolition in mid August. Trummel made a motion, seconded by Kern, to table agenda item H. Motion passed 5-0.

Item 5: City Attorney's Report

There was no report from Stull.

Item 6: Executive Session

Stull requested executive session for attorney client for 15 minutes. Trummel made a motion to go into executive session until 7:50 p.m. Christenson seconded. Motion passed 5-0. Council resumed open session at 7:50 p.m. Truelove clarified that the article in the Kiowa County Signal that referenced Tyree Ag was not written to say that the superfund site at the Kinsley airport was Tyree, but it could have been perceived that way.

Item 7: Adjournment

With no additional business to come before the Council, Dixon declared the meeting adjourned at 7:52 p.m.

Robert A. Dixon, Mayor

Christy Pyatt, City Clerk