Item 1: Opening Session

Call to Order; Pledge of Allegiance; Invocation; Roll Call
Mayor Robert Dixson was absent. Council President Haley Kern called the meeting to order at 6:00 p.m. on October 6, 2014. The Pledge of Allegiance was said, and the invocation given by Willard Olinger. Council present: Matt Christenson, Mark Trummel, Sandy Jungemann, Rick Schaffer, and Haley Kern.

Additions/Deletions to the Agenda
There were no additions or deletions to the agenda. Council proceeded with the agenda as presented.

Mayor’s Report
There was no report from the Mayor.

Council Member’s Report
There was no report from Council.

City Administrator Comments
City Administrator Ed Truelove briefed Council on the following topics:
- Based on the angled parking Ordinance, approved by Council on August 18th, Public Works painted parking lines in the 100 block of East and West Florida. Angled parking in this two-block area allows for approximately 83 new parking spots near the theatre and downtown area.
- Included in Council’s packet is a draft of the letter recently mailed to twenty-nine property owners, asking for their assistance in trimming trees and bushes near the curb. Trimming these trees and bushes will help prevent damage to our new street sweeper.
- Provided for Council, on their desk, is a copy of the planning document from the KDOT Local Consult Meeting that occurred in Hutchinson, September 30th. The document shows a good synopsis of planned and potential road projects.

Item 2: Public Comment
Kern welcomed those in attendance and opened the meeting to public comment. There were no comments from the public.

Item 3: Consent Agenda
Jungemann made a motion, seconded by Trummel, to approve the consent agenda as presented. Motion passed 5-0.

Item 4: Items of Business
A. Direct Staff to commence abatement of property located at 504 S. Cherry, as approved January 6, 2014 in Resolution 2014-03, following a period of additional time for the owner to bring the property into compliance or sell the property.

Truelove explained that the abatement of property located at 504 S. Cherry was back on the agenda because the property remains in the same condition it was in January 2014, the owner has not abated the code violations. Truelove sent a letter, included in the meeting packet, to the current property owner, advising them of tonight’s meeting and inviting them to attend. Staff has received no contact from the owner. Previously, Staff was advised that the owner had obtained a Structural Engineer’s report on the structure. Staff has never been provided a copy of that report. Recently, Staff noticed
that the windows of the structure located on the property have been boarded up, but the broken glass remains on the outside of the boards. Public Works has had to begin mowing the property this summer, through the weed abatement process. While mowing the property, Staff observed several large rats running from the property and onto a neighboring property.

Trummel asked for confirmation that the owner had previously requested the opportunity to abate the property once weather had improved. Truelove confirmed the request from nine months prior. Staff believes that the owner has had ample opportunity to abate the property himself. Previously the owner had mentioned a prospective buyer for the property. To Staff’s knowledge, the transaction did not occur. The property has already been declared dangerous and unsafe for human habitation.

Kern went on record as stating that she is pleased the Gumpenbergers went above and beyond to resolve the code violations associated with the open basement they owned in the same area. Kern feels that Council needs to be consistent with how they treat the owners of properties in code violation. Trummel made a motion, seconded by Christenson, to allow Staff to move forward with the abatement of 504 S. Cherry, as specified in Resolution 2014-03. Motion passed 5-0.

B. Consider Ordinance 1058, amending Chapter XIII, Section 13-311 of the Code of the City of Greensburg, Kansas, 2014 which established a City Tree Board.
Truelove explained that the Tree Board has struggled with finding the required number of members for their Board. He requested Council approve Ordinance 1058, allowing for the number of required members to range from 6-9, similar to the recently approved bylaws of the Tourism and Convention Board. This will allow the Tree Board to conduct business with as few as 6 members appointed. Christenson made a motion to approve Ordinance 1058. Trummel seconded. Roll call vote: Christenson: yes; Trummel: yes; Jungemann: yes; Schaffer: yes; Kern: yes. Motion passed 5-0.

C. Consider Ordinance 1059, amending Chapter XIV, Section 14-510 of the Code of the City of Greensburg, KS, 2014 establishing the penalty for traffic infractions in the City of Greensburg.
Truelove explained that City Clerk Christ Pyatt had found a reference to the 2007 Standard Traffic Ordinance (STO) in the currently adopted Code book. Ordinance 1059 would cause Section 14-510 to refer to the most currently adopted STO when establishing the penalty for traffic infractions within the City. Trummel made a motion to approve Ordinance 1059. Schaffer seconded. Roll call vote: Christenson: yes; Trummel: yes; Jungemann: yes; Schaffer: yes; Kern: yes. Motion passed 5-0.

D. Consider the abatement of dead or dying trees on privately owned property located within the City.
Truelove noted the great efforts by many to get the community to the place where it is today. Truelove believes that not enough attention has been paid to dead and dying trees across the city. Already, two of those trees, located on private property, have been blown down in the wind. At Truelove’s request, Public Works has identified dead and dying trees located on private property, there are approximately 77 trees. By Ordinance, it is the function of the City Administrator to identify and cause to be removed trees of this nature. Staff is aware that some property owners are opposed to removing such trees from their property. Truelove confirmed that the list included those that were no longer flowering or were only partially dead. Truelove had instructed Public Works to list trees that were dead from chest height up. Removal of the trees will be a long and costly evolution. Council acknowledged that some owners had refrained from removing the trees, hoping that some would “come back”, following the 2007 disaster. Truelove would prefer to be proactive by removing these trees before more fall, possibly causing property damage or injury. Many of these trees are hollow and will eventually fall.
Trummel asked if any of the documented trees posed risk to city infrastructure. Truelove confirmed that Utility Superintendent Mick Kendall will monitor that possibility. Truelove pointed Council toward the letter sent to property owners with trees that are in the way of the street sweeper. The trees mentioned in that letter are in the easement. The 77 dead and dying trees are on private property. City Ordinance states that abatement of these trees is the responsibility of the City Administrator.

Kern asked if a letter could be created that would allow property owners to give permission for others to remove the trees, if there was a group or individual that would want to do that. City Attorney Gordon Stull said that Staff can identify people who may be willing to perform that service and give those names to property owners; however, the City must be careful not to become responsible for how those who volunteer perform the work. Staff will keep Council updated on the process.

**Item 5: City Attorney’s Report**
Stull reported that an agreement has been created for Silpan Patel to sign, donating his property at 800 W. Kansas to the Land Bank. The agreement can be used as a template for future donations. Council and Administration have conferred with the City Auditor on 2 tax issues related to such donations.

Stull advised Council that, frequently, City Clerk Christy Pyatt starts the creation of an Ordinance and then forwards the document to him for editing. This saves Stull time and the City money.

**Item 6: Executive Session**
There was no need for Executive session.

Trummel asked if there were additional properties, such as the one from Agenda Item A that needed to be addressed. Truelove acknowledged that he has been in contact with GreenTown regarding the Meadowlark House. The GreenTown board has plans to complete the structure, but so far their efforts have not come to fruition. Truelove reminded Council that abatements can be part of the long range planning workshop on October 14th.

**Item 7: Adjournment**
Kern declared the meeting adjourned at 6:35 p.m.

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Robert A. Dixson, Mayor     Christy Pyatt, City Clerk

APPROVED