

**Greensburg City Council
February 3, 2014
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 February 3, 2014. The Pledge of Allegiance was said. Pastor Terry Mayhew gave the invocation. Council present: Mark Trummel, Matt Christenson, Haley Kern, Erica Goodman, and Sandra Jungemann.

Additions/Deletions to the Agenda

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

Mayor's Report

Dixon advised those in attendance of the open house to be held at the truck wash on February 12th. This event was rescheduled from February 5th, due to weather conditions. The business is under new ownership and has been under renovation.

Council Member's Report

There was no report from Council

City Administrator Comments

City Administrator Ed Truelove briefed Council on the following topics:

- A. The Convention & Tourism Board reports accepting an attendance resignation, per the new By-Laws, from Ms. Debbie Hewitt. The Board is not considering a replacement at this time, choosing to remain with 9 members.
- B. The Mayor, Sue Greenleaf-Taylor and Truelove participated in a phone conference with Wes Jury, and other Center For Innovation (CFI) staff, to discuss how to begin a process for designing an economic development long-term plan. Mr. Jury has provided Staff with a copy of the long-term planning document from Santa Fe College, Gainesville, FL, entitled, "Envision Bradford 2023." Santa Fe College is a CFI affiliate partner. CFI will help facilitate the process of establishing our own long-term plan. Truelove believes this can be a very rewarding process for the City, and can be seen as one answer to the questions/ comments from Councilmember Christenson's report, at the last Council meeting, on County population trends.
- C. A letter of thanks from the Twilight Theatre for grant funds received through the City was included in the meeting packet. The January Big Well Sales Report was available on Council's desk.

Item 2: Public Comment

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

Steve Kirk encouraged Council to show leniency on City Codes, specifically referencing the sign code, which has been a recent topic of discussion. Dixon reminded those in attendance of the Planning Commission's Advertised Public Hearing to be held February 12th, regarding temporary, outdoor advertising signs.

Item 3: Consent Agenda

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

Item 4: Items of Business

A. Receive Jana Schwartz and Jason Culbertson to discuss sustainability opportunities related to the relocation of Davis Park.

Jason Culbertson and Jana Schwartz gave a media presentation on sustainability opportunities at the new Davis Park. They encouraged Council to consider sustainability when choosing a design firm and include it in the planning of the park, from the beginning. Culbertson and Schwartz feel that a sustainability focused park could be a unique attraction that would encourage the community to utilize the park more than they would otherwise and would be a way to pull tourists off of the highway. The pair discussed opportunities such as consolidating park amenities (a multi-purpose court vs. separate tennis and basketball courts); unconventional park amenities; water recharging; connectivity of park infrastructure to other aspects of town; an ecological design with exposure to natural systems (trail systems, bird houses, bee hotels; the pool possibly having a wind block or retractable top to reduce energy demand and evaporation; and possibly heating the pool using solar panels. Culbertson and Schwartz advised that landscapes can be LEED certified. They also recommended that Council involve the community in a design charrettes rather than simply giving them 2 or 3 options to choose from.

Dixon thanked Culbertson and Schwartz for their presentation. He stated that he and City Administrator Ed Truelove had recently had a meeting with KDOT concerning the project. Due to funding, the construction of a new highway is at least 8-10 years away and the current Davis Park (ball fields, play ground, pavilions) can continue to be utilized. Dixon mentioned that the City could possibly utilize some of the concepts presented tonight to improve the current park location.

B. Receive Wylan Fleener to request Council waive mowing fees associated with 401 S. Grove and 520 N. Walnut.

Truelove explained that in the meeting packet he had provided Council with a breakdown of mowing fees assessed to properties located at 401 S. Grove and 520 N. Walnut in 2011 and 2012. Wylan Fleener and his wife Melinda purchased these properties at the Sheriff's auction in September 2012. Fleener has reluctantly paid the 2011 mowing fees of \$750 for 401 S. Grove, incurred prior to his ownership. His wife paid 2011 mowing fees of \$750 for 520 N. Walnut, incurred prior to her ownership. Neither of the Fleeners have paid the 2012 mowing charges for their properties, which did not appear until their most recent tax statement. Mr. Fleener is requesting that the City recertify a letter to the Kiowa County Clerk to remove the mowing fees for 2012, and is requesting that the 2011 mowing fees be refunded to him. Staff recently spoke to the County Clerk who has agreed to remove the unpaid 2012 fees from the taxes with a new certified letter from the City requesting the removal. Truelove discussed the timing issue of mowing, mowing charges being sent to owners, and the days the City is required to hold those unpaid fees until they can certify them to the County Clerk to have them assessed to the property taxes. The County certifies taxes in mid November. If fees are not assessed prior to that, they will not appear on taxes for another year (2011 would appear on the 2012 taxes that would be owed in 2013). Truelove recommended certifying a letter, requesting 2012 fees be removed from the Fleener's taxes. Acknowledging that through the Sheriff's auction these abandoned properties have come into the hands of responsible property owners who will keep them mowed, Truelove was hesitant to recommend Council refund Fleener the 2011 fees, stating that this would set a precedence.

Wylan Fleener addressed the Council and restated his request for a refund of 2011 fees and that the 2012 fees be removed from his taxes. A lengthy discussion between Fleener, Council, and Truelove ensued. All voiced concern over the timeframe of the City's process and mowing charges frequently not appearing on taxes for the year in which they were incurred. Council and Truelove appreciated those who have purchased properties through Sheriff's auctions and have been maintaining them. Council discussed options of refunding fees paid by the Fleeners in full or at a minimum of 50%. Council and Staff discussed the City's process and the amount of fees charged that are never recouped because of owners not paying their taxes.

Jungemann made a motion, seconded by Goodman, to refund the Fleeners the \$750 each paid for the 2011 mowing of properties located at 401 S. Grove and 520 N. Walnut. Motion passed 5-0.

C. Consider Ordinance 1050 repealing Ordinance 1036 which designated truck routes and prohibited the operation of overweight vehicles on all other streets within the City.

As directed by Council, Truelove presented Ordinance 1050 which repeals designated truck routes and the prohibition of operating overweight vehicles on other City streets as specified in Ordinance 1036. Two other portions of the current code related to trucks on City streets will be retained, those related to the parking of refrigerator and cattle trailers on City streets and damage to city streets by overweight vehicles.

Kern asked if there was a section of the code related to hazardous materials in residential areas. Truelove confirmed that there is; however, no street names are listed in the current code. Truelove intends to address that portion of the code at a later date.

Trummel voiced his disapproval of Ordinance 1050, stating that from the truck route survey results it appears that more value is placed on a load of grain than on the safety of the City's kids and citizens. He feels that the results reflect a greater value on convenience rather than safety and maintenance.

Kern made a motion, seconded by Jungemann, to approve Ordinance 1050. Roll call vote: Kern: yes; Goodman: yes; Jungemann: yes; Trummel: no; Christenson: yes. Motion passed 4-1.

D. Consider Ordinance 1051 amending Sections 9.4E and 9.6A of the 2011 Sustainable Land Development Code to permit the use of certain existing, freestanding sign structures for outdoor advertising signs by businesses located in the City.

Truelove advised that on January 15th, the Planning Commission held a public hearing, upon the request of City Council, concerning amending the Sustainable Land Development Code to permit the use of certain existing, freestanding sign structures for outdoor advertising signs. The Planning Commission voted to recommend Council approve Ordinance 1051 as presented this evening.

Goodman noted that she counted seven meetings at which this topic was discussed and feels that the City has more pressing issues. She questioned the definition of a sign structure and why the Ordinance would only allow a business owner to utilize one of the off-premise sign structures. Goodman feels that signage should be between the property and business owner. Staff clarified that a sign structure is the pole. If the current poles of these four structures are removed, whether to replace due to their condition or to change the size of the pole, the structure would no longer be eligible to support an off-premise sign.

Christenson made a motion to approve Ordinance 1051, changing the third regulation of Section 2 to allow business owners the use of 2 existing sign structures as off-premise signs. Kern seconded. Roll call vote: Kern: yes; Goodman: yes; Jungemann: yes; Trummel: yes; Christenson: yes. Motion passed 5-0.

E. Consider designating Greensburg State Bank as the official bank for the City of Greensburg.

Christenson made a motion, seconded by Jungemann, to designate Greensburg State Bank as the official bank for the City of Greensburg. Motion passed 5-0.

F. Consider designating the Kiowa County Signal as the official newspaper for the City of Greensburg.

Kern made a motion, seconded by Goodman, to designate the Kiowa County Signal as the official newspaper for the City of Greensburg. Motion passed 5-0.

G. Discuss amending Chapter 7 Articles 303 and 304 of the Code of the City of Greensburg, pertaining to the permitted dates of sale and use of fireworks.

Truelove requested that Council consider amending Chapter 7 Articles 303 and 304 of the Code of the City of Greensburg, pertaining to the permitted dates of sale and use of fireworks. The current code allows the sale of fireworks from June 30th to July 4th. The discharge of fireworks is only allowed from July 2nd to July 4th. Truelove requested Council consider modifying the code so that the dates for sale and discharge coincide. He also requested Council review the times at which fireworks are allowed to be discharged. The current code does not allow the discharge of fireworks after 10 p.m. Because it gets dark late in July, Staff feels that 10 p.m. is too early. After a brief discussion, Staff was directed to bring an Ordinance to the next meeting that would change the dates for discharge to June 30th to July 4th and the times for discharge to 8 a.m. to 12 a.m. Council was encouraged to contact Truelove if they had any additional questions or concerns.

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

Dixson declared the meeting adjourned at 7:30 p.m.

Robert A. Dixon, Mayor

Christy Pyatt, City Clerk