

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

**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 applauded the City crew for their snow removal efforts.

**Council Member's Report**

There was no report from Council.

**City Administrator Comments**

City Administrator Ed Truelove briefed Council on the following topics:

- A. Staff was recently made aware of a city violation of state-required water testing for asbestos levels. This test is required to be completed at nine-year intervals and should have been done sometime between 2011 and 2013. Public Utilities Staff conducted the sample collection on February 18<sup>th</sup> and no asbestos was detected. As required, staff has mailed a letter to each water customer advising them of the violation and the results of the water test.
- B. Due to weather conditions, Staff has seen very little activity on properties that are in violation of City Code. As we approach springtime, Staff will be following up with property owners to ask for their assistance in bringing their properties into compliance.
- C. The February Big Well Sales Report has been placed on Council's desk.

**Item 2: Public Comment**

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

Judy Kirk reminded Council that there are other ways to perform an Arts and Crafts Fair than what has been done here in years past. She recommended moving the event down one block, allowing downtown merchants exposure during the business week of the summer.

RuthAnn Wedel stated that when she was a store owner in the downtown area she had difficulty bringing people into the store with the craft fair at her door. Wedel also believes that Greensburg will potentially host the Regional Track Meet that same weekend, which would bring a heavier traffic flow.

Kari Kyle informed Council that the Green Bean has had trouble with their parking lot being blocked by fair traffic in years past. She reported an increase in customers that day, but stated that most of the parking was taken up by fair vendors.

Sue Greenleaf-Taylor voiced her support of the Arts and Crafts Fair, but stated that the 2014 parade route proposed by the Triangle Rodeo Club was not their first choice. The club feels that the less conflict there is the better off they are. Greenleaf-Taylor described the parade route as proposed to Council. The route will go down Sycamore Street, rather than Main Street, and end at the Big Well Park. The Triangle Rodeo Club is working with the Big Well and the Chamber to have a meal at the park and possibly dedicate the new park pavilion. This year will mark the 50<sup>th</sup> Anniversary of the rodeo. Greenleaf-Taylor stated that she would like to have a conversation with Georgina Rodriguez, fair organizer, to resolve issues between the rodeo club and the fair event. She also clarified that, should Kiowa County High School host the regional track meet, the meet would be on Friday, not Saturday.

Gary Goodman commented that his recent inability to post temporary outdoor advertising signs for his store sales and the Arts & Crafts Fair are the only 2 items that have negatively affected his business this year. He voiced concern over past parking issues his store had with the one hundred block of Main Street being blocked off for the fair.

**Item 3: Consent Agenda**

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

**Item 4: Items of Business**

**A. Consider street closing requests from Georgina Rodriguez and the Triangle Rodeo Club for the Memorial Day Weekend.**

Truelove explained that there has been some struggle in deciding where to locate the annual Arts and Crafts Fair and the Triangle Rodeo Club parade on Memorial weekend. Georgina Rodriguez, fair organizer, has requested the 100, 200, and half of the 300 block of South Main Street this year. Triangle Rodeo Club has decided to move the location of the parade from Main Street to Sycamore Street. Truelove briefly discussed moving the fair farther south on Main Street, but was uncertain of the accessibility of power in that area. He also mentioned that in past years there have been vendors allowed to set up in the shade and cool of the Incubator Building, which would not be possible if the fair were moved further south.

Goodman stepped down from the Council bench and joined the audience. Dixon opened the floor for public comment on the topic. Goodman stated that she appreciates the time, commitment, and dedication of Rodriguez to the fair. Goodman expressed that Rodriguez does a fabulous job organizing the event and she appreciates the tradition being brought back; however, Goodman feels that the 100 block of South Main should remain open to traffic and the fair be moved. Goodman stated that she was given permission by store owners Starla McClain, Debbie Boyles, Glenda Nichols, and Denise Unruh to express their desire to see the first block left open, allowing patrons to park in front of their businesses. After speaking, Goodman returned to the Council bench.

Gary Goodman agreed that the 100 block of South Main should remain open. He stated that last year the fair had made space for approximately 80 vendors and only about 40 actually attended.

Dixon asked if Staff had offered the vacant half block of city property located in the 300 block of South Main. This was offered and declined in 2013. Discussion on leaving the 100 block open and replacing that space by offering the vacant property commenced. Some feel that barricades are unwelcoming and not as well observed as if a patrol car were used to block the streets used. Last year, fair organizers worked well with the City to move booths back from the intersection of Main and Hwy 54 to create a

buffer zone, in case a car turned the corner, not realizing that the street was blocked. Truelove also mentioned that vendors could set up under the awning of City Hall, but that the availability of power would need to be discussed with Utility Superintendent Mick Kendall. Christenson reminded those in attendance that in years past the first half blocks of Wisconsin and Florida had been barricaded and used for vendor space. Dixon mentioned the possibility of using Davis Park, stating that there are many options for the fair location.

The issue of parking was brought up by Trummel. Private property owners could block off entry to their properties or place signage redirecting traffic, to ensure that vendors and fair goers did not park on their property. Any spaces in downtown would be open to whomever wanted to park in them, whether that be a vendor, fair participant, or the patron of a downtown business. Discussion commenced on working with private property owners in the area to provide alternative fair parking.

Upon the recommendation of Kern and the Triangle Rodeo Club, Jungemann made a motion to table both street closure requests. Christenson seconded. Motion passed 5-0.

**B. Consider Ordinance 1052, amending sections 9.4.E and 9.6A of the 2011 Sustainable Land Development Code and adding section 9.8H to permit the use of temporary outdoor advertising signs.**

Truelove advised that the Planning Commission had held an advertised public hearing to discuss proposed changes to the 2011 Sustainable Land Development Code that would allow for the use of temporary off premise signs. The Planning Commission offered Ordinance 1052 for Council's consideration. Truelove read the recommended addition to the code (section 9.8H).

Goodman stepped down from the Council bench and joined those in the audience. Council requested clarification on the permit fees mentioned in Ordinance 1052. Currently, the City's fee schedule calls for a \$15 sign permit fee. This fee would be assessed for each permit period, rather than for each sign placed. Kern stated that she had attended the public hearing and stated that those in attendance had generally agreed with the recommended change to the code.

Dixon opened the discussion to public comment. Goodman stated that their business was ok with the recommended change, but other businesses would like to see additional time added to the number of permits that could be issued each year. Their concern was centered around their ability to utilize this form of signage for two or three day intervals over holiday weekends. Concerns over having to pay for a permit were also raised and Council was asked to waive the fees for 501 C 3 organizations.

Truelove explained that Council could amend the content of Ordinance 1052, as it was recommended by the Planning Commission, by a 2/3 majority vote of the membership of the Council.

Various specific events were mentioned and it was explained that events that are considered to be community events, rather than private sales, can be advertised with temporary outdoor advertising signs, free of charge, with Administrative approval. Administration will put as many events in the category of "public events" as possible.

Scott Brown, Kari Kyle, and Dennis McKinney questioned the need to regulate such signs and encouraged Council to support business efforts to draw shoppers off of the highway by either not regulating their usage or by temporarily suspending the sign code and seeing what, if any, regulations should be implemented. Christenson voiced that he felt it was good and prudent to have some regulations. He stated that it was not responsible government to not regulate to some extent and

recommended that Council entertain how to make the ordinance work for the businesses in the community.

Council discussed amending the number of permits allowed yearly and the required fee. Jungemann made a motion to approve Ordinance 1052, amending the recommended 4 permits a year to 12 permits per year and eliminating the sign permit fee for temporary outdoor advertising signs. Kern seconded. Roll call vote: Kern: yes; Jungemann: yes; Trummel: yes; Christenson: yes; Goodman abstained. Motion passed with a vote of 4 yes and 1 abstention. Goodman returned to Council bench after vote.

**C. Consider calling a Work Session for Tuesday, March 11, 2014 at 6 p.m. in the Council Chambers.**

Truelove requested that Council call a special work session on March 11<sup>th</sup> to discuss the re-codification of the Code of the City of Greensburg. Staff has submitted recommended changes to Citycode Financial and anticipates a new redline copy in the coming days. Christenson made a motion to hold a work session Tuesday, March 11, 2014 at 6 pm at City Hall, for the purpose of discussing the codification of the city code book. Jungemann seconded. Motion passed 5-0.

**Item 5: City Attorney's Report**

City Attorney Gordon Stull spoke of a class action lawsuit for which he had received information. Stull is consulting with Kevin Cowan, Bond Council, to determine if the City is in the class specified in the suit.

**Item 6: Executive Session**

Dixson requested a 30 minute executive session for attorney/client. Christenson made a motion to go into executive session until 7:45 p.m. Trummel seconded. Motion passed 5-0.

Council returned to open session at 7:45 p.m. Christenson made a motion to go into executive session until 8:00 p.m. for attorney/client. Trummel seconded. Motion passed 5-0.

Council returned to open session at 8:00 p.m. Truelove stated that he would be discussing Davis Park at the work session on March 11<sup>th</sup>, in addition to the codification process. Christenson, seconded by Jungemann, made a motion to add discussion of Davis Park to the agenda for the previously called work session to be held on March 11<sup>th</sup>. Motion passed 5-0.

**Item 7: Adjournment**

Dixson declared the meeting adjourned at 8:03 p.m.

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Robert A. Dixon, Mayor

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Christy Pyatt, City Clerk