

**Greensburg City Council
September 8, 2015
City Hall**

A) CALL TO ORDER

Mayor Robert Dixon called the meeting to order at 6:00 p.m. on September 8, 2015.

B) PLEDGE OF ALLEGIANCE AND INVOCATION

The Pledge of Allegiance was said. The invocation was given by Pastor Jeff Miller.

C) ROLL CALL & APPROVAL OF THE AGENDA

Council present: Matt Christenson, Mark Trummel, Sandy Jungemann, Rick Schaffer, and Haley Kern. City Administrator Kyler Ludwig requested that business item G3 be removed from the agenda. Kern made a motion, seconded by Jungemann, to approve the agenda with the deletion of item G3. The motion passed 5-0.

D) CITIZEN COMMENTS

Dixon welcomed citizens to the meeting and opened the floor for comments. Ruth Anne Wedel, representing the board of Greensburg GreenTown, advised that the GreenTown board had met the night before and decided to auction the Meadowlark House. Wedel has been in contact with several home inspectors. The board would like to have an expert opinion on the status of the structure. Wedel has an upcoming meeting with Scott Brown, Brown Auction & Real Estate.

E) RECOGNITIONS, PROCLAMATIONS, AWARDS, & NOMINATIONS

1. Proclamation for Constitution Week (Sept. 17th through 23rd)

Dixon explained that he had been contacted by the Daughters of the American Revolution and was asked to issue a proclamation proclaiming September 17-23, 2015 to be Constitution Week. Jungemann made a motion to allow Dixon to make such a proclamation. Kern seconded. Motion passed 5-0.

2. LKM Delegate Nomination

The annual League of Kansas Municipalities Conference is slated for October 10th – 12th. Dixon asked if any Council Members would like to attend, to which there was no reply. Those interested are to notify Ludwig of their intention. Last year Administrator Truelove and Clerk Christy Pyatt represented the City.

F) CONSENT AGENDA

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

G) ITEMS OF BUSINESS

1. Meadowlark Home – Abatement Discussion

Ludwig reminded Council of a motion made on June 1, 2015 to start the abatement process on property located at 409 S. Sycamore. Requesting an informal discussion on how the process would move forward, Ludwig presented a time line of the abatement process. Ludwig explained that the Council could vote to stop the abatement at any point during the process. Lien holders of the property have been notified by phone of city code violations that exist on the property and the abatement process. A formal notice will be served at a later date.

Ruth Anne Wedel and Carol Montgomery were present to represent the Greensburg GreenTown board, owners of the property. On June 1st, Interim City Administrator Jay Newton reported to Council that he

had spoken to GreenTown Director Daniel Wallach regarding the Meadowlark House. At that time, Wallach voiced that he was no longer interested in pursuing bringing the property into compliance with City Code and stated that it is the community's problem. Wedel and Montgomery were unaware of the conversation and feel that there was a miscommunication, stating that Wallach is very involved with the project at this time.

Christenson asked for a time frame for holding an auction on the property, as mentioned by Wedel during "Citizen Comments". Wedel stated that a contract has not yet been signed; however, Brown Auction does have Saturday, October 24, 2015 available. Christenson asked for clarification on the abatement process should the property exchange hands. City Attorney Gordon Stull stated that it would be appropriate to restart the process with a new owner, giving him/her time to bring the property into compliance. Council voiced concern that potential buyers may not be aware that an abatement process has been started. Stull explained that the realtor must disclose the abatement process to potential buyers. Council must publish a Resolution to abate the property, giving the community notice of the proceedings. Ludwig advised that Staff would treat structure abatements the same as they do weed nuisances, if the property comes under new ownership the abatement process starts over.

Discussion was held on additional time that has been provided to GreenTown since September 2013 to bring the property into compliance. Staff did not request action from Council at this time. As directed by Council, Staff will prepare a Resolution calling for a public hearing. The Resolution will be reviewed at the September 21st meeting which will allow GreenTown an opportunity to have the structure inspected and to set a date for an auction.

2. Incubator Space Remodel

Ludwig informed Council that a business has approached the City with interest in modifying space #119 of the business incubator to fit the needs of a proposed asian cuisine restaurant. The entrepreneurs want to partially lower the counter to allow customers to see the prepared food. Staff requested that a hood ventilation system be installed above the stove. Any changes made would be at the expense of the lessee, and the City would require them to return the space to its original condition prior to returning the deposit. Discussion was held on a procedure to cover costs of returning the space to its original condition, should the lessee be unable to afford the restoration. The space in question currently requires a deposit of \$340. Council could consider modifying the standard incubator contract, requiring a larger deposit.

Trummel made a motion, seconded by Christenson, to approve the changes to the counter and approve the required hood ventilation system subject to approval by the City Administrator. The motion passed 5-0.

3. Arts Center Alcohol Permit

This business item was deleted from the agenda when it was approved this evening.

4. Lochner Supplemental Agreement – Airport

Ludwig has spoken to Tiffany Brown, Kansas Department of Transportation – Aviation Division, who has stated that it is unlikely Greensburg will receive KDOT grant funds in the near future for the construction of a new airport. Matt Jacobs at Lochner has prepared a proposal to using current grant funds to move forward with the grading of the parking lot, terminal area, and aircraft parking apron. KDOT has approved of the proposed use of funds. Staff will move forward with submittal of an airport grant

application later this week. KDOT has advised that they are moving away from 5 and 10% matching grants to 25% grants.

Staff requested Council approve the supplemental agreement with Lochner to amend the agreement made on May 6, 2013. Christenson made a motion to approve the \$21,000 supplemental agreement. Trummel seconded the motion, which passed 5-0.

5. Convene as Public Building Commission
a. Architect RFP Business Park

The Council recessed at 6:41 p.m. and convened as the Public Building Commission. Staff has received submittals from 4 firms, responding to an RFP for architectural services to design an industrial building at the Greensburg Business Park. Staff recommended Council accept the proposal of GMCN from Garden City. The GMCN proposal is lower in cost and provided reference of local experience with Centera Bank and USD 422.

Trummel made a motion to approve the proposal from GMCN for architectural services related to a industrial building to be constructed at the business park. Jungemann seconded Trummel's motion. The motion passed 5-0.

The Public Building Commission adjourned at 6:44 p.m.

6. Road Closure Request – September 10th

Council returned to open session. Ludwig presented a late submittal for a street closure on Thursday September 10th from 8 p.m. to 11 p.m. The Twilight Theatre, in conjunction with USD 422, wishes to present the movie "We Are Marshall" through outdoor projection placed in front of City Hall. The request was submitted on September 4th, less than the 15 day minimum required by policy. Staff voiced two concerns related to the request: 1) There are Junior High volleyball and football games scheduled for that evening. Traffic from the ballgame would need to be diverted. 2) Loud speakers will be used for audio. The street closure policy prevents loud speakers to be used when audible beyond the designated event location. The noise may be a complaint particularly on a school night.

Staff recommended approval of the application from Twilight Theatre for a road closure on Thursday September 10th. Jungemann made the motion, with a second from Kern. The motion passed 5-0.

H) CITY ATTORNEY'S REPORT

Stull stated that he has been discussing possible changes to the Land Bank Policy with Staff. The current policy requires those donating property to obtain title insurance. Stull is considering a proposal to amend the policy to allow legal staff to check the property for a clear title.

I) CITY ADMINISTRATOR'S REPORT

Ludwig presented a copy of a prepare City Administrator's Report. The following topics were discussed in the report:

- **Incubator:** Staff has finalized the move of Emblazon to the corner location and the agreement with Great Plains Fluid Services. Carmen Renfrow has expressed interest in moving into Emblazon's old rental space after they have fully moved out.
- **Airport:** The grant application for FY2017 has been compiled, and staff will submit the application this week. Tiffany Brown from KDOT said it is unlikely that a new airport will receive any grant funding, but she does not want to discourage us from applying.

- **Homecoming Parade:** The Parade will be taking place on September 11th, with the street closure from 1:30 to 3:00pm. A few City vehicles will be participating as a way to show our support to the school, and our appreciation to the community.
- **State Fair:** Staff will be helping with the State Fair Booth from Friday the 11th through the 19th. Stacy Barnes and Sue Greenleaf will be working a majority of the time, with staff and community members filling in from 1-5pm daily.
- **County Economic Development:** A meeting was held on September 1st to discuss the retirement of Sue Greenleaf as the County Economic Development Director. Two County Commissioners, the County Economic Development Board, and representatives from the City discussed the future of the organization. A consensus was reached that each city will be responsible for taking calls from developers, and the City of Greensburg will take responsibility for the economic development phone line. Small businesses with a need for loan assistance will be referred back to the committee for assistance. Economic Development will not move forward with filling the director position at this time.
- **Land Bank:** The land bank was approached by an individual interested in donating their property, but they are reluctant to participate, because of the expense of title insurance. After discussions with City Attorney Gordon Stull staff feels that amendments to the Land Bank Policy may be beneficial to give the City more flexibility in dealing with land owners. Staff will be proposing an amendment to allow for our attorneys to review the property records as an alternative to using a title insurance firm.

A resident has expressed interest in purchasing one of our land bank properties. It is likely that council will be approached about the purchase of a residential property on September 21st.

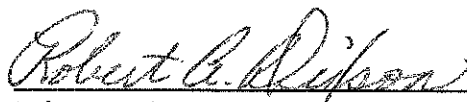
- **Green Electric Company:** On February 2, 2015 Council approved a letter of intent describing our interest in a "Broad Arrow Advertising Sign". I have met with Michael Blevins about the project, and will bring to council the options we have in continuing the agreement. Staff will likely recommend nullifying the agreement.
- **City Pool:** The pool is officially closed for the season. Staff will receive training from KC Gunite on how to winterize the pool on September 14th and 15th. A full review of City pool policies and finances will be prepared for the September 21st regular City Council Meeting.
- **Big Well:** We had approximately 1,765 visitors at the Big Well during the month of August. The sales total was \$13,366 in August with an annual total of \$91,813.45 for the year.


J) GOVERNING BODY COMMENTS

Dixson reminded everyone that the state fair begins on Friday. Those present were asked to contact Stacy Barnes if they would like to volunteer at the City's booth in the Pride of Kansas Building.

K) ADJOURNMENT

With no additional items to come before the Council, Dixson declared the meeting adjourned at 6:55 p.m.


Robert A. Dixon, Mayor


Christy Pyatt, City Clerk