A) CALL TO ORDER

B) PLEDGE OF ALLEGIANCE AND INVOCATION

C) ROLL CALL & APPROVAL OF THE AGENDA

D) CITIZEN COMMENTS
   All comments are limited to a maximum of three minutes for each speaker. In accordance with the Open Meetings Act, City Council members may not discuss or take action on any item that is not on the Agenda.

E) RECOGNITIONS, PROCLAMATIONS, AWARDS & NOMINATIONS
   1. Greensburg Public Housing Authority
      a. Suleenia Trent (4 years)
   2. Tourism Board
      a. Haley Kern (4 years)
      b. Sue Greenleaf-Taylor (4 years)
      c. Jeanine Hassiepen (4 years)
      d. Kasha Charlton (4 years)
   3. Greensburg Recreation Commission
      a. Samantha Jantz (4 years)

F) CONSENT AGENDA
   These items are routine and enacted by one motion. There will be no separate discussion of these items unless a Council member so requests. Any consent agenda item can be removed and placed on the agenda as an item of business.
   1. Approval of Minutes
      a. Regular Meeting – November 21, 2016
   2. Appropriation Ordinance
      a. Ordinance #1090
   3. Malt Beverage License
      a. Kansan Pueblo Nuevo

G) ITEMS OF BUSINESS
   1. Stop Sign Discussion
   2. Review of Junked Motor Vehicles Code
   3. Zanghi Junked Motor Vehicles Hearing
   4. Pay Scale Resolution

H) CITY ATTORNEY’S REPORT

I) CITY ADMINISTRATOR’S REPORT

J) GOVERNING BODY COMMENTS

K) ADJOURNMENT

NOTICE: SUBJECT TO REVISIONS

It is possible that sometime between 5:30 and 6:00 pm immediately prior to this meeting, during breaks, and directly after the meeting, a majority of the Governing Body may be present in the council chambers or lobby of City Hall. No one is excluded from these areas during those times.

To be placed on future agendas please contact City Administrator Kyler Ludwig at administrator@greensburgks.org or call City Offices at 620-723-2751.
Greensburg City Council
December 5, 2016
City Hall

A) CALL TO ORDER
Mayor Robert Dixson called the meeting to order at 6:00 p.m. on December 5, 2016.

B) PLEDGE OF ALLEGIANCE AND INVOCATION
The Pledge of Allegiance was said and the invocation given by Pastor Jeff Blackburn.

C) ROLL CALL & APPROVAL OF THE AGENDA
Council present: Matt Christenson, Mark Trummel, Haley Kern, Rick Schaeffer, and Sandra Jungemann. Trummel made a motion, seconded by Kern, to approve the agenda as presented. The motion passed 5-0.

D) CITIZEN COMMENTS
There were no comments from those in attendance.

E) CONSENT AGENDA
Christenson asked why the Incubator property tax payment was listed separately on the consent agenda from the appropriation ordinance. City Administrator Kyler Ludwig explained that the taxes came in after the ordinance was prepared and is above Ludwig’s spending authority. Ludwig wanted Council’s specific approval of the expenditure. City Attorney Gordon Stull mentioned some technical issues with the Malt Beverage Licenses. He recommended approval pending the issues being resolved. Trummel made a motion to approve the Consent Agenda. Jungemann seconded the motion, and it passed 5-0.

F) ITEMS OF BUSINESS
   1. Conditional Use Permit – 522 N. Bay
City Clerk Christy Pyatt presented a request from the Planning Commission for approval of a Conditional Use Permit for an RV Park to be located at 522 N. Bay. On November 16th the Planning Commission held a public hearing on the request from Scott and Jill Eller to develop a 14 space RV park. Staff had worked with the applicant to create a site plan that fits the intent of the current RV park regulations. A copy of the staff report from the public hearing and a site plan were provided in the meeting packet. The Planning Commission unanimously recommended approval of the application, and Staff supports their recommendation. Christenson made a motion, seconded by Trummel, to approve the request as presented. The motion passed 5-0. Trummel commented that he was glad to see development in that area of town. Dixson appreciated Staff working with the applicants to make the project happen.

   2. Stop Sign Request – Grant/Walnut
Ludwig stated that he had received a request from resident Jason West to consider the placement of stop signs on Grant Street at the Walnut intersection. West’s concerns are over the increasing number of kids in the area and the speed of vehicles traveling on Grant. This street had a stop sign prior to 2007, when the hospital used Walnut as an emergency route. Ludwig reviewed standards from the Manual on Uniform Traffic Control Devices (MUTCD). Based on these standards, Staff would not recommend a stop sign at this intersection under the current conditions. The MUTCD also warns the stop signs should not be used for speed control but rather to minimize the number of vehicles having to stop. The manual recommends less
restrictive measures such as yield signs, policing, cross walks, or children at play signs on intersections where a full stop is not necessary. Pictures of the intersection were provided in the meeting packet. Ludwig requested discussion on the topic and a recommendation on how Staff should proceed. Ludwig opened the floor to West for additional comments.

West voiced concern that there is nothing in place to slow traffic on Grant from the west edge of town to Main Street and from Main Street to Olive Street. He feels that the Walnut/Grant intersection is one of the busier intersections in town. Pedestrian traffic, specifically kid traffic, increases greatly in the summer months, with the pool located one block south of the intersection. With no signs and no drainage dips, traffic frequently moves quickly on both streets. West noted that the standards presented are recommendations, not law, and asked Council to consider placement of stop signs.

Council discussed several intersections of concern, none of which have stop signs. Dixson asked if this was a stop sign issue or a driver education issue. Trummel asked why Staff made a recommendation that signs not be placed. Ludwig voiced that there is a general concern, based on the MUTCD, that stop signs actually encourage traffic to speed up, to make up the short time they lost stopping. He is also concerned that stop signs at Walnut would simply divert the faster moving traffic to another street without signs. Kern would like to review the other options offered and look at all the intersections surrounding the pool. She asked if it was legal to place speed bumps in the streets, rather than signs. Schaffer asked why the Police Department was not utilized to review the situation. Christenson mentioned a traffic study and utilizing the Police Department. Kern asked about placing a camera at the intersection for 24 hours, reviewing crash records for the area, and the possibility of a 4-way stop. Jungemann would like to see slow signs placed around the pool, at a minimum. Council was receptive to West’s request and tabled the discussion until the December 19th meeting, giving themselves time to review the intersections.

3. **KPP – Contract Discussion**

Staff has received a request from KPP that the City’s representative to the KPP Membership Committee (Ludwig) be prepared to participate and vote on a proposed resolution calling all governing bodies to adopt and sign a new contract with KPP. The resolution would cause all member cities to operate under identical contracts, allow for long term finance planning (debt financing) for KPP projects, and would cause the contract to renew with debt agreements for up to 40 years. Ludwig asked for direction to vote at the December 16th Membership Meeting. If the resolution passes, Council will be asked for a letter of intent and adoption of the contract.

Christenson asked what would happen with assets if KPP dissolved for any reason. Though unlikely, the assets would be sold and profits distributed to member cities. Under the current environment, KPP is the best option for the City if Council wishes to keep power costs low and steady. Going on our own will not be a viable option in the future. It was the consensus of the Council to allow Ludwig to vote in favor of the proposed resolution.

4. **COLA – 2017 Adjustment**

At their previous meeting, Council discussed COLA for employees. Since the adoption of the City’s Pay Plan in May 2012, the CPI-W indicates inflation of 4%. Ludwig provided a revised pay scale table that would reflect the current rates with a 4% COLA. All 2017 budgets could absorb a 4% salary increase, an impact of approximately $24,000. In computing the financial impact, Ludwig looked at current overtime, KPERS, etc.,
not just hourly rates. Christenson and Kern concurred that, if not addressed now, the percentage of increase will only continue to rise. An annual review of COLA would allow for easier budgeting. If approved, the COLA would increase both the salary scale and salary of all employees. Kern made a motion to approve a 4% COLA, effective the first pay period in January. Jungemann seconded the motion. The motion passed 5-0.

5. Fund Transfers
Ludwig reviewed the budgeted transfers from water, electric and the equipment reserve funds. Staff has been making these transfers quarterly, with Council's approval. The transfer from equipment reserve to the general fund has been put off until the 4th quarter. This transfer was recommended by the City's Auditors, who wanted to assure the City had a healthy general fund. Financial projections show the City roughly breaking even in 2016. For the last several years the City has taken a loss in the general fund. Ludwig asked for direction from Council: transfer the full amount, transfer a smaller amount, or make no transfer. Kern made a motion to authorize the proposed quarterly transfers, including the budgeted transfer from the equipment reserve to the general fund. Jungemann seconded the motion, which passed 5-0.

G) CITY ATTORNEY’S REPORT
There was no additional report from the City Attorney.

H) CITY ADMINISTRATOR’S REPORT
  January Meetings: Both meetings in January will be on Tuesdays, January 3rd and 17th,
because of previously approved holidays.
  Council Tablets: The electronic tablets are ready for council use. Staff will give a brief training
to each member of the Governing Body prior to the next council meeting.
  Transformer/ LTC Update: Staff is waiting on quotes from the two transformer service
companies for a new oil sample. Discussions with engineers from both companies have been very
positive.
  Property Taxes: The Incubator’s taxes were included in the consent agenda, while the other
property taxes will be paid prior to the next council meeting as a regular bill.
  Uniform Transition: The final transition from Aramark to Unifirst uniforms will take place at
the end of this month.
  Free Movies: The Volt group in town has sponsored two community films that are free to the
public tonight and tomorrow. “Sully” will be shown tonight and “Lincoln” tomorrow evening.
  Vacation: Ludwig will be out of the office from January 23rd through the 31st for his brother’s
wedding in Utah.
  Junked Motor Vehicles: The postponed public hearing on junked motor vehicles located at
903 N. Sycamore will take place on December 19th. The vehicle at 507 S. Grove Street has been
removed from the property, and a formal abatement process is no longer necessary.

I) GOVERNING BODY COMMENTS
There were no additional comments from the Council.

J) ADJOURNMENT
With nothing further to bring before the Council, Dixson declared the meeting adjourned at 7:02 p.m.

___________________________________   ________________________________
Robert A. Dixson, Mayor     Christy Pyatt, City Clerk
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CORPORATE APPLICATION FOR LICENSE TO SELL CEREAL MALT BEVERAGES
(This form has been prepared by the Attorney General's Office)

SECTION 1 – LICENSE TYPE
Check One: ☐ New License ☐ Renew License ☐ Special Event Permit
Check One: ☐ License to sell cereal malt beverages for consumption on the premises.
☐ License to sell cereal malt beverages in original and unopened containers and not for consumption on the licensed premises.

SECTION 2 – APPLICANT INFORMATION
Kansas Sales Tax Registration Number (required):
Name of Corporation
Corporation Street Address
Date of Incorporation
Resident Agent Name
Residence Street Address

SECTION 3 – LICENSED PREMISE
Licensed Premise
(Business Location or Location of Special Event)
DBA Name
Business Location Address
City
State
Zip
Business Location Owner Name(s)

SECTION 4 – OFFICERS, DIRECTORS, STOCKHOLDERS OWNING 25% OR MORE OF STOCK
List each person and their spouse, if applicable. Attach additional pages if necessary.

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Residence Street Address
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State
Zip Code

Spouse Name
Position
Age

Residence Street Address
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State
Zip Code

Name
Position
Date of Birth

Residence Street Address
City
State
Zip Code

Spouse Name
Position
Age

Residence Street Address
City
State
Zip Code

AG CMB Corporate Application (Rev. 07.08.2013)
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## SECTION 5 – MANAGER OR AGENT INFORMATION

My place of business or special event will be conducted by a manager or agent. 

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<th>Yes</th>
<th>No</th>
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If yes, provide the following:

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<th>Manager/Agent Name</th>
<th>Phone No.</th>
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<td>Gabriel Chavez</td>
<td>720-797-0885</td>
<td>01-13-83</td>
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<tr>
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### Manager or Agent Spousal Information

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<th>Phone No.</th>
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</table>

## SECTION 6 – QUALIFICATIONS FOR LICENSURE

Within two years immediately preceding the date of this application, have any of the individuals identified in Sections 4 & 5 been convicted of, released from incarceration for or reeased from probation or parole for any of the following crimes:

- (1) Any felony;
- (2) a crime involving moral turpitude;
- (3) drunkenness;
- (4) driving a motor vehicle while under the influence of alcohol (DUI);
- (5) violation of any state or federal intoxicating liquor law.

Have any of the individuals identified in Sections 4 and 5 been managers, officers, directors or stockholders owning more than 25% of the stock of a corporation which:

- (1) had a cereal malt beverage license revoked; or
- (2) was convicted of violating the Club and Drinking Establishment Act or the CMB laws of Kansas.

All of the individuals identified in Sections 4 & 5 are at least 21 years of age.

<table>
<thead>
<tr>
<th>Yes</th>
<th>No</th>
</tr>
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</table>

## SECTION 6 – DURATION OF SPECIAL EVENT

<table>
<thead>
<tr>
<th>Start Date</th>
<th>Time</th>
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</thead>
</table>

<table>
<thead>
<tr>
<th>End Date</th>
<th>Time</th>
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</table>

I declare under penalty of perjury under the laws of the State of Kansas that the foregoing is true and correct and that I am authorized by the corporation to complete this application. (K.S.A. 53-601)

**SIGNATURE**

**DATE**

12-06-16

---

### FOR CITY/COUNTY OFFICE USE ONLY:

- License Fee Received
  - Amount $__________ Date ________
  - ($25 - $50 for Off-Premise license or $25-200 for On-Premise license)

- $25 CMB Stamp Fee Received Date ________

- Background Investigation Completed Date ________
  - Qualified __________ Disqualified __________

- New License Approved Valid From Date ________ to ________ By: ________

- License Renewal Valid From Date ________ to ________ By: ________

- Special Event Permit Approved Valid From Date ________ to ________ By: ________

---

A PHOTOCOPY OF THE COMPLETED FORM, TOGETHER WITH THE STAMP FEE REQUIRED BY K.S.A. 41-2702(e), MUST BE SUBMITTED WITH YOUR QUARTERLY REPORT (ABC-307) TO THE ALCOHOLIC BEVERAGE CONTROL, 915 SW HARRISON STREET ROOM 214, TOPEKA, KS. 66623-3512.

---

1 Spouse not required to be over 21 years of age. K.S.A. 41-2703(b)(9)
TO: Mayor and City Council
SUBJECT: Stop Sign Request – Grant/Walnut
INITIATED BY: City Council

Background:
Resident Jason West requested that the governing body look into stop signs on Grant Street at the Walnut intersection. This street had a stop sign prior to 2007 when the hospital used Walnut as an emergency route. Following comments made during the Administrator’s report on November 21st the Council indicated they would like to look into Mr. West’s concern. Discussion was held on December 5th, concluding that the council would like time to review the request.

Analysis:
Staff stands by the previous recommendation that the intersection at Grant and Walnut does not meet the requirements for a stop sign set in the MUTCD.

Three documents have been attached to the packet, which were provided by a member of the governing body.

“Multi-way Stops – The Research Shows the MUTCD is Correct”
This paper is a compilation of more than 70 technical research papers. It argues “Multi-way stops do not control speeds” and “compliance is poor” at stop signs that are not warranted under the MUTCD. The study points to 13 references where safety of pedestrians (especially small children) decreased when unwarranted stop signs were used. It also found that many cities “feel they may be incurring higher liability exposure by ‘violating’ the parameters set by the MUTCD (Bretherton).

Fort Collins- Why Don’t They Put in More Stop Signs
This document is to educate residents of Fort Collins why stop signs are not put up in response to ever request. The document argues that stop signs do not effectively control speed. It argues that unwarranted stop signs can perversely impact traffic volumes and stop sign compliance. It also brings up the impact that stop signs have on the environment, vehicle operations costs, and on noise pollution within the community.

Speed Control in Residential Areas
This document published by Drive Michigan Safely discusses the ideas of traffic calming as an alternative to stop signs. It argues that successful traffic calming must include “enforcement, education, engineering, and community involvement. The booklet provides pros and cons for many different traffic-calming practices like warning signs, one way streets, or traffic islands.

Recommendations/Actions: It is recommended the City Council:
Discuss the stop sign request at Walnut and Grant Street, and give a recommendation on how to proceed. Staff would not recommend a stop sign at this intersection under the current conditions.
TO: Mayor and City Council
SUBJECT: Junked Motor Vehicles
INITIATED BY: City Administrator

Background:
On September 19th the City Council reviewed the Junked Motor Vehicles Codes. The consensus that night that “the policies are appropriate”, and staff was directed to notify all properties in violation of the code. On November 21st Council requested that more time be taken to review the Junked Motor Vehicles Code. The following information was presented on September 19th, and will be represented tonight.

Analysis:
Regulations
The following types of vehicles are not allowed within City Limits
1. Unregistered – or absence of license plate
2. Vehicles on blocks, jacks, or other supports
3. Vehicles that are missing parts necessary for operation

Properties that are zoned for auto repair can store up to 10 vehicles that are awaiting repair or restoration. Any additional vehicles must be appropriately screened.

Residentially zoned properties can only store 2 vehicles awaiting repair for a period of 30 days, and must maintain a 30ft setback from property lines. The City may provide permits ($50.00 each) for additional vehicles (up to 5).

Vehicles stored in a garage or enclosed building are exempt from these regulations.

Enforcement
Properties found in violation will be served a violation of section 8-403. This can be served through certified mail or personal service.

The order must state the conditions which are in violation of section 8-403. Violators have 10 days to comply with the ordinance or request a public hearing.

Failure to comply – Municipal court may place charges of $250-$1,000 per day or prison of up to 30 days.

Abatement – The governing body may authorize by resolution the abatement of the violation with costs assessed against the property owner.

Recommendations/Actions: It is recommended the City Council:
Discuss the Junked Motor Vehicle Code.
ARTICLE 4. JUNKED MOTOR VEHICLES ON PRIVATE PROPERTY

8-401. Findings of governing body.

The governing body finds that junked, wrecked, dismantled, inoperative or abandoned vehicles affect the health, safety and general welfare of citizens of the city because they:

(a) Serves as a breeding ground for flies, mosquitoes, rats and other insects and rodents;
(b) Are a danger to persons, particularly children, because of broken glass, sharp metal protrusions, insecure mounting on blocks, jacks or other supports;
(c) Are a ready source of fire and explosion;
(d) Encourage pilfering and theft;
(e) Constitute a blighting influence upon the area in which they are located;
(f) Constitute a fire hazard because they frequently block access for fire equipment to adjacent buildings and structures.

(Code 2007)

8-402. Definitions.

As used in this article, unless the context clearly indicates otherwise:

(a) Inoperable - means a condition of being junked, wrecked, wholly or partially dismantled, discarded, abandoned or unable to perform the function or purpose for which it was originally constructed;

(b) Vehicle - means, without limitation, any automobile, truck, tractor or motorcycle which as originally built contained an engine, regardless of whether it contains an engine at any other time.

(Code 2004)

8-403. Nuisances unlawful; defined; exceptions.

It shall be unlawful for any person to maintain or permit any motor vehicle nuisance within the city.

(a) A motor vehicle nuisance is any motor vehicle which is not currently registered or tagged pursuant to K.S.A. 8-126 to 8-149 inclusive, as amended; or parked in violation of city ordinance; or incapable of moving under its own power; or in a junked, wrecked or inoperable condition. Any one of the following conditions shall raise the presumption that a vehicle is junked, wrecked or inoperable;

(1) Absence of a current registration plate upon the vehicle;

(2) Placement of the vehicle or parts thereof upon jacks, blocks, or other supports;

(3) Absence of one or more parts of the vehicle necessary for the lawful operation of the vehicle upon street or highway.

(4) To any person, firm or corporation, either as principal agent or employee actually engaged in the activity or enterprise of motor vehicle repair or restoration in compliance with existing zoning regulations, may
temporarily park up to ten (10) vehicles at a properly licensed business, described in Chapter 5, Article 1 of this code. All vehicles must be awaiting repair or restoration. Vehicles awaiting repair in excess of ten (10) must be stored in compliance with Chapter 5, Article 8 of this code. However, nothing in this subsection shall be construed to authorize the maintenance of a public nuisance. Vehicles parked or stored for more than 30 days in residential zoning and in public view must maintain 30 foot setbacks from all property lines, provided no more than 2 vehicles may be parked or stored. Parked or stored vehicles in excess of 2, but not more than 5 shall purchase city permits yearly and promptly display such permit on each vehicle. If the number of parked vehicles exceed 2, all vehicles must display current city permits. There will be a $50.00 annual fee for each such parked or stored vehicle.

(b) The provisions of this article shall not apply to:

(1) Any motor vehicle which is enclosed in a garage or other building;

(2) To the parking or storage of a vehicle inoperable for a period of 30 consecutive days or less; or

(3) To any person conducting a business enterprise in compliance with existing zoning regulations or who places such vehicles behind screening of sufficient size, strength and density to screen such vehicles from the view of the public and to prohibit ready access to stored vehicles by children. However, nothing in this subsection shall be construed to authorize the maintenance of a public nuisance.

(Code 2007)

8-404. Public officer.

The mayor with the consent of the council shall designate a public officer to be charged with the administration and enforcement of this article.

(Code 2007)

8-405. Administrative procedure.

Whenever a written complaint is made to the council or a duly authorized officer or notice is given to such officer of the existence of an apparent violation of this article, he or she shall within seven days thereafter cause to be served upon the person in possession of the real property upon which such inoperable vehicle is located or the owner of the real property upon which such inoperable vehicle is located a written notice by certified mail, personal service, or residential service. Personal service shall be made by delivering or offering to deliver a copy of the notice to the person to be served. Residential service shall be made by leaving a copy of the notice at the dwelling house or usual place of abode of the person to be served with some person of suitable age and discretion residing therein. If service cannot be made upon a person by personal or residential service, service may be made by leaving a copy of the notice at the person’s dwelling house or usual place of abode and mailing a notice that such copy has been left at such house or place of abode to the person by first class mail. The notice shall inform such person of the violation and direct that he or she take action within ten (10) days of the date of the notice to comply with the provisions of this article or prosecution will be commenced for violation thereof. In the event such person fails to comply with the provisions of this article within such time, the council or the duly authorized officer shall notify the city attorney who shall commence prosecution under this article. Failure of any person to receive notice under this section shall not be a defense in any prosecution hereunder.

(Ord. 883, Sec. 1; Code 2007)

8-406. Right of entry.

The public officer has the right of access and entry upon private property at any reasonable time for the purpose of making inquiry and inspection to determine if a nuisance exists.

(Code 2007)

8-407. Order of violation.
(a) The governing body shall serve upon the owner, any agent of the owner of the property or any other person, corporation, partnership or association found by the public officer to be in violation of section 8-403 an order stating the violation. The order shall be served on the owner or agent of such property by certified mail, return receipt requested, or by personal service. If the property is unoccupied and the owner is a nonresident, then by mailing the order by certified mail, return receipt requested, to the last known address of the owner.

(b) If the owner or the agent of the owner of the property has failed to accept delivery or otherwise failed to effectuate receipt of a notice or order sent pursuant to this section during the preceding 24 month period, the governing body of the city may provide notice of the issuance of any further orders to abate or remove a nuisance from such property or provide notice of the order by such methods including, but not limited to, door hangers, conspicuously posting notice of such order on the property, personal notification, telephone communication or first class mail. If the property is unoccupied and the owner is a nonresident, notice provided by this section shall be given by telephone communication or first class mail.

(K.S.A. 12-1617c; Code 2007)

8-408. Same; contents.

The order shall state the condition(s) which is (are) in violation of section 8-403. The notice shall also inform the person, corporation, partnership or association that

(a) He, she or they shall have 10 days from the date of serving the order to abate the condition(s) in violation of section 8-403; or

(b) He, she or they have 10 days from the date of serving the notice to request a hearing before the governing body or its designated representative of the matter as provided by section 8-412;

(c) Failure to abate the condition(s) or to request a hearing within the time allowed may result in prosecution as provided by section 8-409 and/or abatement of the condition(s) by the city as provided by section 8-410.

(Code 2007)

8-409. Failure to comply; penalty.

Should the person fail to comply with the notice to abate the nuisance or request a hearing, the public officer may file a complaint in the municipal court of the city against such person and upon conviction of any violation of provisions of section 8-403, be fined in an amount not less than $250.00 but not to exceed $1,000.00, or be imprisoned not to exceed 30 days, or to be both fined and imprisoned, and assessed court costs. Each day during or on which a violation occurs or continues after notice has been served shall constitute an additional or separate offense.

(Code 2007; Ord. 996)

8-410. Abatement.

In addition to, or as an alternative to prosecution as provided in section 8-409, the public officer may seek to remedy violations of this article in the following manner. If a person to whom an order has been sent pursuant to section 8-407 has neither alleviated the conditions causing the alleged violation or requested a hearing before the governing body within the time period specified in section 8-408, the public officer may present a resolution to the governing body for adoption authorizing the public officer or other agents of the city to abate the conditions causing the violation at the end of 10 days after passage of the resolution.

The resolution shall further provide that the costs incurred by the city shall be charged against the lot or parcel of ground on which the nuisance was located as provided in section 8-413. A copy of the resolution shall be served upon the person in violation in one of the following ways:

(a) Personal service upon the person in violation;

(b) Service by certified mail, return receipt requested; or
(c) In the event the whereabouts of such person are unknown and the same cannot be ascertained in the exercise of reasonable diligence, an affidavit to that effect shall be made by the public officer and filed with the city clerk, and the serving of the resolution shall be made by publishing the same once each week for two consecutive weeks in the official city newspaper and by posting a copy of the resolution on the premises where such condition exists.

(d) If the owner or the agent of the owner of the property has failed to accept delivery or otherwise failed to effectuate receipt of a notice or order sent pursuant to this section during the preceding 24 month period, the governing body of the city may provide notice of the issuance of any further orders to abate or remove a nuisance from such property or provide notice of the order by such methods including, but not limited to, door hangers, conspicuously posting notice of such order on the property, personal notification, telephone communication or first class mail. If the property is unoccupied and the owner is a nonresident, notice provided by this section shall be given by telephone communication or first class mail

(Code 2007)

8-411. Disposition of vehicle.

Disposition of any motor vehicle removed and abated from private property pursuant to this article shall be as provided by K.S.A. Supp. 8-1102, as amended.

(Code 2007)

8-412. Hearing.

If a hearing is requested within the 10 day period as provided in section 8-408, such request shall be made in writing to the governing body. Failure to make a timely request for a hearing shall constitute a waiver of the person’s right to contest the findings of the public officer. The hearing shall be held by the governing body or its designated representative as soon as possible after the filing of the request therefore, and the person shall be advised by the city of the time and place of the hearing at least five days in advance thereof. At any such hearing, the person may be represented by counsel, and the person and the city may introduce such witnesses and evidence as is deemed necessary and proper by the governing body or its designated representative. The hearing need not be conducted according to the formal rules of evidence. Upon conclusion of the hearing, the findings of the governing body or its designated representative shall be prepared in resolution form, adopted by the governing body, and the resolution shall be served upon the person in the matter provided in section 8-410.

(Code 2007)

8-413. Costs assessed.

If the city abates or removes the nuisance pursuant to section 8-410, the city shall give notice to the owner or his or her agent by certified mail, return receipt requested, of the total cost of the abatement or removal incurred by the city. The notice shall also state that the payment is due within 30 days following receipt of the notice. The city also may recover the cost of providing notice, including any postage, required by this section. The notice shall also state that if the cost of the removal or abatement is not paid within the 30-day period, the cost of the abatement or removal shall be collected in the manner provided by K.S.A. 12-1,115, and amendments thereto, or shall be assessed as special assessments and charged against the lot or parcel of land on which the nuisance was located and the city clerk, at the time of certifying other city taxes, shall certify the unpaid portion of the costs and the county clerk shall extend the same on the tax rolls of the county against such lot or parcel of land and it shall be collected by the county treasurer and paid to the city as other city taxes are collected and paid. The city may pursue collection both by levying a special assessment and in the manner provided by K.S.A. 12-1,115, and amendments thereto, but only until the full cost and applicable interest has been paid in full.

(Code 2007)
Official Greensburg City Council Minutes 09.19.16

Greensburg City Council
September 19, 2016
City Hall

A) CALL TO ORDER
Mayor Robert Dixson called the meeting to order at 6:00 p.m. on September 19, 2016.

B) PLEDGE OF ALLEGIANCE AND INVOCATION
The Pledge of Allegiance was said and the invocation given by Dixson.

C) ROLL CALL & APPROVAL OF THE AGENDA
Council present: Matt Christenson, Mark Trummel, Rick Schaeffer, and Sandra Jungemann. Haley Kern was absent. Trummel made a motion to approve the agenda as presented. Christenson seconded. Motion passed 4-0.

3. Discussion on Junked Motor Vehicles
Staff has received a few complaints about junked motor vehicles. Ludwig reviewed the current policies with Council and asked for feedback on the policies, as well as enforcement. Staff will be making junked motor vehicles their code enforcement focus for the next month or two. The consensus of the Council was that the policies are appropriate. Staff was directed to start sending friendly letters to violators 30 days prior to beginning the formal process for those still not in compliance.
Official Greensburg City Council Minutes 11.21.16

Greensburg City Council
November 21, 2016
City Hall

A) CALL TO ORDER
Mayor Robert Dixson called the meeting to order at 6:00 p.m. on November 21, 2016.

B) PLEDGE OF ALLEGIANCE AND INVOCATION
The Pledge of Allegiance was said and the invocation given by Pastor Franklin Ruff.

C) ROLL CALL & APPROVAL OF THE AGENDA
Trummel made a motion, seconded by Christenson, to approve the agenda as presented. The motion passed 5-0.

2. Junked Motor Vehicle Abatement Resolutions
Staff presented a proposed resolution for a junked motor vehicle located at 507 S. Grove. Staff has made multiple attempts to contact the owner through phone calls, a friendly letter, and a certified letter (which was returned unclaimed). There has been no contact with the owner. The vehicle falls under the junked vehicle code as its tag is several years out of date. The code allows for unregistered vehicles if they are garaged.

Trummel, Schaffer, and Kern voiced concern that the vehicle is parked in the owner’s drive way, is not causing any problems, and is not surrounded by weeds. Christenson and Ludwig noted that the criteria of “no registration” makes the code less subjective and gives the city the ability to remedy a junked motor vehicle without going to the extent of having to have an owner attempt to operate the car. City Attorney Gordon Stull stated that the wording of the code puts the burden on the owner to explain why the vehicle should not be declared a junked vehicle. Discussion continued on the current code and possible changes that could be discussed. Ludwig clarified that a copy of the code and pictures of some of the properties that would be lettered for junked vehicles had been provided in the September 19th. Should Council not feel comfortable deeming a vehicle “junked” they can simply not pass the prepared abatement resolution.

Christenson made a motion, seconded by Schaffer, to table action on the vehicle located at 507 S. Grove until a later date. The motion passed 5-0. The consensus of the Council was to review the current code for possible added changes.
TO: Mayor and City Council
SUBJECT: Hearing on Junked Motor Vehicles – 903 N. Sycamore
INITIATED BY: Request from Mr. Arrow Zanghi

Background:
On September 19th the City Council reviewed the policies on junked motor vehicles. The consensus of the Governing Body was that the current policies are appropriate. One of the properties found in violation of this code is at 903 N Sycamore. The property owner, Arrow Zanghi was sent a letter, called, and then sent a formal notice. Arrow expressed to staff that he was not interested in bringing his property into compliance with the code. Mr. Zanghi’s hearing was scheduled for November 21st, but it was tabled until December 19th to accommodate Mr. Zanghi’s schedule.

Analysis:
Photos have been provided of Mr. Zanghi’s properties from 9-20-16 and 10-24-16. Both photos show junked motor vehicles on the property at 903 N. Sycamore.

Current zoning codes and the City code prohibits Mr. Zanghi from storing junked motor vehicles on his property.

Staff has prepared a resolution, which finds Mr. Zanghi in violation of the Junked Motor Vehicles code, and gives him 10 days to comply with the code. Following the 10-day period, the City will have the authority to go onto Mr. Zanghi’s property to abate the code violation with all costs being assessed to Mr. Zanghi.

Recommendations/Actions: It is recommended the City Council:
Conduct a hearing for Mr. Zanghi in regards to the order of violation for junked motor vehicles.

Following the hearing, the findings will need to be presented in the form of a resolution.
RESOLUTION NO. _____________

A RESOLUTION OF THE GOVERNING BODY OF THE CITY OF GREENSBURG.

WHEREAS, the governing body of the City of Greensburg, Kansas, is charged with the responsibility of enforcing Chapter VIII, Article 4 of the City Code; and

WHEREAS, Chapter VIII, Article 4 of the City Code provides the City with the authority to require or cause the abatement or removal of motor vehicle nuisances from the property; and

WHEREAS, the Public Officer has determined an unsightly and hazardous condition exists on CO CLERK REPLAT LAKESIDE ADDN, ALL BLK 4 & LOTS 1-6 & N 12 LOT 12 BLK 13, more commonly known as 903 N SYCAMORE ST, Greensburg, KS 67054; and

WHEREAS, the property owner was served an Order of Violation from the City and failed to alleviate the condition or to request a hearing as provided in Code Section 8-407; and

WHEREAS, under Code Section 8-410 it is the right of the governing body in such circumstances to adopt a resolution authorizing the public officer or other agents of the city to abate the conditions causing the violation at the end of 10 days after passage of the resolution; and

WHEREAS, under Code Section 8-413 it is the right of the governing body to assess the costs incurred by the city in such abatement against the lot or parcel of ground on which the nuisance is located.

NOW, THEREFORE BE IT RESOLVED by the governing body that the City abate the violations found to be existing on the above described property at the end of 10 days after passage of this resolution.

BE IT FURTHER RESOLVED, that a copy of this Resolution shall be served upon the person in violation in accordance with Code Section 8-410.

This Resolution is approved and adopted this 19th day of December, 2016.

__________________________________________
ROBERT A. DIXSON, Mayor

ATTEST:

__________________________________________
CHRISTY PYATT, City Clerk
TO: Mayor and City Council
SUBJECT: COLA Pay Plan Resolution
INITIATED BY: City Administrator

Background:
A motion was approved at the December 5th meeting to change the City of Greensburg pay rate. A resolution has been prepared to formalize the change in the Pay Plan.

Recommendations/Actions: It is recommended the City Council:
Approve the proposed resolution amending the Position Classification and Pay Plan.
## Section 4: Pay Tables

City of Greensburg Pay Ranges for Classified Employees

<table>
<thead>
<tr>
<th>Grade 00: $10.30 to $14.30 $8.63-$14.87</th>
<th>Unskilled, Seasonal, Temporary, Part-Time</th>
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</thead>
<tbody>
<tr>
<td>Grade 01: $10.85 to $15.80 $11.28-$16.43</td>
<td>Billing Clerk/Receptionist Custodian</td>
</tr>
<tr>
<td>Grade 02: $11.40 to $16.60 $11.86-$17.26</td>
<td>Public Utilities Maintenance Worker Public Works Maintenance Worker</td>
</tr>
<tr>
<td>Grade 03: $12.00 to $17.45 $12.48-$18.15</td>
<td></td>
</tr>
<tr>
<td>Grade 04: $12.60 to $18.35 $13.10-$19.08</td>
<td></td>
</tr>
<tr>
<td>Grade 05: $13.25 to $19.30 $13.78-$20.83</td>
<td>Mechanic</td>
</tr>
<tr>
<td>Grade 06: $13.95 to $20.40 $14.51-$21.22</td>
<td>Electrical Lineman</td>
</tr>
<tr>
<td>Grade 07: $14.65 to $21.50 $15.24-$22.36</td>
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</tr>
<tr>
<td>Grade 08: $15.40 to $22.60 $16.02-$23.50</td>
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<tr>
<td>Grade 09: $16.20 to $23.75 $16.85-$24.70</td>
<td>City Clerk City Treasurer Convention and Tourism Director</td>
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<tr>
<td>Grade 10: $17.00 to $24.95 $17.68-$25.95</td>
<td>Public Works Superintendent Electrical Lineman</td>
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<tr>
<td>Grade 11: $17.90 to $26.25 $18.62-$27.30</td>
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</tr>
<tr>
<td>Grade 12: $18.80 to $27.60 $19.55-$28.70</td>
<td>Public Utilities Superintendent</td>
</tr>
</tbody>
</table>
A RESOLUTION AMENDING THE POSITION CLASSIFICATION AND PAY PLAN FOR THE CITY OF GREENSBURG, KANSAS AND RESCINDING THE PREVIOUSLY ADOPTED POSITION CLASSIFICATION AND PAY PLAN ADOPTED BY THE GREENSBURG CITY COUNCIL.

WHEREAS, Kansas Statutes provide that a city may exercise the powers of home rule to determine local affairs, and the City of Greensburg, Kansas is a City of the Third Class as defined by Kansas Statute; and

WHEREAS, the City of Greensburg has by the adoption of Charter Ordinance no. 13, exempted the City of Greensburg from the provisions of K.A.S. 15-204 in order to define the management responsibilities of the City Administrator; and

WHEREAS, the City of Greensburg has established a pay plan, position descriptions and personnel policies for all City of Greensburg employees in the form of a Position Classification and Pay Plan document and a Personnel Policy Handbook to establish an equitable pay system based upon merit performance to be administered by the City Administrator:

THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF GREENSBURG, KANSAS that the following amendments be made to the adopted Position Classification Pay Plan:

• The Pay Tables be amended to reflect the COLA approved by City Council on December 5, 2016.
• Rescind the previously adopted Position Classification and Pay Plan.

BE IT FURTHER RESOLVED that amendments to the City of Greensburg Position Classification and Pay Plan are hereby adopted effective immediately.

Passed and adopted this 19th day of December 2016.

________________________
Robert A. Dixson, Mayor

________________________
Christy Pyatt,
City Clerk