

**Greensburg City Council
December 19, 2016
City Hall**

A) CALL TO ORDER

Mayor Robert Dixson called the meeting to order at 6:00 p.m. on December 19, 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 Jungemann, to approve the agenda as presented. The motion passed 5-0.

D) CITIZEN COMMENTS

There were no comments from those in attendance.

E) RECOGNITIONS, PROCLAMATIONS, AWARDS & NOMINATIONS

Christenson made a motion to approve the following board nominations as presented:

Greensburg Public Housing Authority (4 year terms): Suleenia Trent

Tourism Board (4 year terms): Haley Kern, Sue Greenleaf-Taylor, Jeanine Hassiepen, Kasha Charlton

Greensburg Recreation Commission (4 year term): Samantha Jantz

Jungemann seconded the motion and it passed 5-0.

F) CONSENT AGENDA

Jungemann made a motion to approve the Consent Agenda of the December 5, 2016 minutes, Appropriation Ordinance #1090, and the Malt Beverage License for Kansan Pueblo Nuevo. Kern seconded the motion, which passed 5-0.

G) ITEMS OF BUSINESS

1. Stop Sign Discussion

The discussion of stop signs, specifically at the intersection of Grant and Walnut and around the swimming pool, was tabled from the previous Council Meeting. City Administrator Kyler Ludwig referenced the additional documents provided in the Council Packet regarding sign regulations. These documents were provided by Councilman Christenson. Ludwig specifically pointed out point 6 of the "Multi-way Stops" research document, which states that the safety of pedestrians is decreased at unwarranted multi-way stops, especially small children. Council briefly discussed community involvement in speed control and an accident report for the last 6 years.

Christenson stated that there are reasons for the MUTCD standards and that there are other methods (besides stop signs) that are effective in slowing traffic. He noted that some of those methods (such as speed display boards) may be more expensive than a stop sign, but also may be more effective. Trummel voiced concern of drivers simply changing their driving routes if stop signs are implemented. Dixson voiced that the issue may be attentiveness of drivers rather than speed. Rumble strips and speed bumps were also discussed. Documentation provided in the meeting packet encourages cities to carefully consider the adverse effects of their installation (noise, vibration, obstructions to snow removal, damage to vehicles, etc.)

The consensus of the Council was to focus on educating the public on safe driving practices, enforcing the speed limit in residential areas, and watching accident reports for trends. The topic will be revisited as needed.

2. Review of Junked Motor Vehicles Code

Ludwig noted that on September 19th the Council reviewed the Junked Motor Vehicles Codes. The consensus that night was that the policies were appropriate, and staff was directed to notify all properties in violation of the code. A copy of the code was provided in the meeting packet, along with pictures of vehicles that have been moved or brought into compliance with the code. The code allows for properties in Industrial Zones to house up to 10 vehicles that are being repaired. Residential properties can have up to 2 vehicles for a maximum of 30 days. City Attorney Gordon Stull stated that the current code is most likely a standard ordinance made available to cities by the League of Kansas Municipalities.

The definition of a nuisance vehicle was discussed. Staff confirmed that they have received multiple complaints about various properties that house junked vehicles, as defined by the code. Ludwig explained that an unregistered vehicle is presumed to be non-moving or stagnant. Trummel stated that if staff has complaints, those properties should be taken care of but that he feels it is not the city's job to search for properties in violation. He also voiced concern that the code would negatively affect those in the community who restore vehicles as a hobby. Ludwig noted that this is not an issue if the vehicle is in a garage or if the owner has a permit as prescribed in section 8-403(4) of the code. Ludwig reiterated Council's desire in September for consistency in enforcement. In September, Staff advised Council of a new approach to enforcement, to focus on one area of the code, locate properties in violation and address each of those at once. Christenson expressed that selective enforcement would get the city in trouble. In reviewing the definition of a nuisance and the enforcement of the code, Christenson found nothing that stood out to him, and concurred that if staff receives a property complaint they should investigate it. He discouraged using staff time to look for violators. Stull stated the definition of a nuisance is the legal definition, unless the Council voted to amend the definition.

Citizen Arrow Zanghi asked that Council hear his concern prior to deciding whether to amend the current code or not.

3. Zanghi Junked Motor Vehicles Hearing

Ludwig stated that Zanghi had requested a public hearing for his property located at 903 N. Sycamore. Staff sent a letter to Zanghi, called him, and then sent a formal notice of violation of the Junked Motor Vehicle Code. The property is zoned Residential and is not allowed to house more than 2 vehicles that are in the process of being repaired. Zanghi's property houses multiple vehicles that are unregistered and are lacking parts necessary for lawful operation upon the street or highway.

Arrow Zanghi and Brandon Newell addressed the council. Zanghi is the owner of 903 N. Sycamore. Newell and Zanghi are partners in demo derby cars. Zanghi stated that his property is 4 acres on the north edge of town and that it looks better than most properties in the city. Newell and Zanghi do not believe the vehicles are a danger as the windshields have been removed, as have any fluids or materials that could be burned. Zanghi, though acknowledging the cars are in violation of city code, believes the vehicles to be a renewable resource that are safe for children to play on. Vehicles on the property are reclaimed from a recycler, stay no longer than 6 months before they are repurposed into demo derby cars, and the remains are taken to 21st Century Recycling, who is a sponsor of Newell and Zanghi's demo derby cars. Zanghi questioned how the vehicles could be considered a nuisance or blight if they are not visible. Zanghi asked Council to consider extending the length of time a vehicle can remain on a property, allowing for restoration or for residents to have time to afford repairs. Zanghi first asked for 6 months time and then amended his request to 1 year.

Zanghi does not wish to erect a fence but has intended to extend the existing tree row to provide a screen around the vehicles. If directed to remove the vehicles, Zanghi stated that he would call the vehicles art. Newell threatened to move the vehicles to a property outside city limits that would make them visible to the community on a daily basis. Zanghi believes that only the complaints of a neighboring property owner should be taken into consideration and that citizens will govern themselves, not allowing a neighbor to create a junk yard.

Ludwig voiced concern that extending the time nuisance vehicles are allowed to remain on a property could limit the city's responsiveness to neighbors complaints. Staff would need to document when the vehicle arrived and how long it remained there. Possible rezoning of the property and the placement of screening were discussed. Kern voiced that she would like to see staff work with property owners to educate them on the code and offer options to resolve any issues. Should a property owner choose not to comply, staff should enforce the code. Kern stated that not everything is black and white and that Council must do what is right for the community. Jungemann made a motion to table the discussion. Kern seconded, and the motion passed 5-0. Staff was directed to discuss with the owner a proposal to bring the property into code compliance.

4. Pay Scale Resolution

Council approved a COLA at the December 5th meeting. Council was asked to pass Resolution 2016-07, formalizing the change in the Pay Plan. Stull suggested that the Resolution be amended to change the effective date to the 1st pay period in 2017. Christenson made a motion, seconded by Jungemann, to approve the amended version of Resolution 2016-07. The motion passed 5-0.

H) CITY ATTORNEY'S REPORT

There was no report from the City Attorney.

I) CITY ADMINISTRATOR'S REPORT

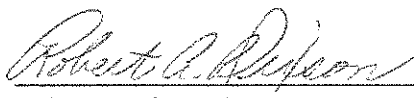
Ludwig advised that he had met with the County Commissioners this morning, upon their request, to discuss alternative options for the Hwy 54 stop light. The conclusion was that other options were not viable. The Uniform transition will be taking place next week. The proposed KPP rate and resolution were approved at their annual meeting. All regular Council Meetings in January will be held on Tuesdays, due to City holidays. Ludwig provided Council with a list of 27 completed accomplishments from 2016. His hope is that they review this past year, Council will find that Greensburg is a better community today than it was a year ago.

J) GOVERNING BODY COMMENTS

There were no additional comments from the Council.

K) ADJOURNMENT

Wishing everyone a Merry Christmas and a Happy New Year, Dixson adjourned the meeting at 8:00 pm.


Robert A. Dixon, Mayor


Christy Pyatt, City Clerk