

Greensburg City Council
May 2, 2016
City Hall

A) CALL TO ORDER

Mayor Robert Dixon called the meeting to order at 6:00 pm on May 2, 2016.

B) PLEDGE OF ALLEGIANCE AND INVOCATION

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

C) OATH OF OFFICE

City Clerk Christy Pyatt administered the Oath of Office to re-elected Mayor Robert Dixon and Council Members Mark Trummel and Sandra Jungemann.

D) 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 Mark Chesney be added to the agenda as Business Item 1 to give a KPP update. Christenson made a motion to approve the agenda with one addition. Jungemann seconded the motion. The motion passed 5-0.

E) CITIZEN COMMENTS

Dixon thanked those in attendance for allowing him and the Council to serve. Dixon opened the floor for comments or questions.

Judy Kirk stated that she believes there is a perception that there is no opposition to the proposed domestic fowl regulations. Kirk explained that she had spoken to 12 residents. Of those 12, 9 said that they were not in favor of the code, 0 said they were in favor, and 3 said maybe. When asked if they would like chickens next door to their residence, 11 said no but that they would not turn their neighbors down if they asked. Kirk voiced her preference for a privacy fence requirement and concern that other animals, such as goats, would be the next to be permitted. She also voiced concern over the probability of an increase in foxes and other predators making their way into town. Kirk feels that the request for domestic fowl in city limits is a minority interest and should not be adopted.

F) RECOGNITIONS, PORCLAMATION, AWARDS & NOMINATIONS

1. Ludwig requested the reappointment of Tom Corns, Dea Corns, and Pam Muntz to the Tree Board for terms that would expire in June 2019. Jungemann made a motion to approve all three reappointments. Schaffer seconded the motion, and the motion passed 5-0.

2. Dixon made a Mayoral Proclamation declaring May 14, 2016 Arbor Day in the City of Greensburg. The Tree Board will host a tree planting ceremony May 14th at 10:00 am at the swimming pool park.

G) CONSENT AGENDA

Council was provided with an amended Appropriation Ordinance, which provided for the payment of bills that arrived after the publication of the Ordinance. Kern made a motion, seconded by Christenson, to approve the Consent Agenda with the amended Appropriation Ordinance 1075. The motion passed 5-0.

H) ITEMS OF BUSINESS**1. KPP Update – Mark Chesney**

Chesney reminded Council of the 3rd Annual Fall Planning Retreat in Wichita September 9th-10th. Council was encouraged to submit any topic they would like to see discussed at the retreat to either Ludwig or Pyatt. A report of topics discussed will be returned to Council following the retreat. A topic being widely discussed is refining the structure of net metering. Chesney was advised the Greensburg has a net metering ordinance. Staff was asked to forward a copy to Chesney.

2. Amendment to Animal Control Code

Ludwig reviewed the most recent changes to the draft Animal Control Code, including increasing the fees and protest period and clarifying the protest process.

Trummel, sighting 2-504(l), asked Ludwig to confirm that he felt requiring a privacy fence as screening for domestic fowl was out of the question because it would be cost prohibitive. Ludwig agreed and stated that he felt requiring "screening" allowed for greater flexibility and encompasses the same purpose. Ludwig confirmed that the screening must be in place prior to Staff approving an application for domestic fowl. Trummel stated that during the rebuilding process, homeowners were required to follow City Code which required additional cost to homebuilders. He feels that the situations are similar and that if a citizen wants to own domestic fowl in city limits they should be prepared to put forth the expense necessary to comply with the City Code. Christenson suggested changing "screen such objects from the view of the public" to "from the view of the public and neighbors" or "adjacent property owners". Kern voiced that she would have preferred to have seen this issue go to a public vote. She stated that she agreed that privacy fencing should be required. Council was asked to provide a description of what kind of privacy fence they would require (i.e. height, spacing)

Christenson stated that, having reviewed several drafts of the proposed code, the current draft provides answers to his original concerns and that it is a good compromise. Suggesting that Council may want to review the code after a year, Christenson made a motion to approve Ordinance 1070 to accommodate fowl in city limits. Kern seconded the motion, and Dixon called for a roll call vote. Roll call: Kern: yes; Schaffer: yes; Jungemann: no; Trummel: no; Christenson: yes. The motion passed 3-2.

3. Elections Ordinance – Charter Ordinance

Ludwig presented a proposed charter ordinance that would bring the City into compliance with HB 2104, adopted by the Kansas State Legislature in May of 2015. The proposed charter ordinance would extend the terms of Council Members that end in April 2017 to the second Monday in January 2018. Elections for terms expiring in April 2017 would be moved to the November 2017 election. Terms expiring in April 2019 would be extended to the second Monday in January 2020 and be up for election in November 2019. The charter ordinance reaffirms that the City of Greensburg Elections will be non-partisan. Kern made a motion, seconded by Schaffer, to adopt Charter Ordinance 17 as proposed. Dixon called for a roll call vote. Roll Call: Kern: yes; Schaffer: yes; Jungemann: yes; Trummel: yes; Christenson: yes. The motion passed 5-0.

4. Land Bank – Accept Deeds from Iroquois Center

The Council recessed at 6:37 pm and convened as the Land Bank. On April 4, 2016 the Land Bank approved accepting two properties from the Iroquois Center. With the assistance of City Attorney Gordon Stull, the deeds were approved by the Iroquois Center board on April 26th. Ludwig requested that the deeds be officially accepted into the Land Bank. Staff will then file those deeds with the Register of Deeds office. Jungemann made a motion to accept the two donations into the Land Bank. Schaffer seconded the motion, and the motion passed 5-0.

5. Utility Collections – Collection Bureau of Kansas

Council reconvened in open session at 6:39 pm. Staff has been approached by Collection Bureau of Kansas (CBK). CBK is interested in providing collection services for the City. Currently the City utilizes the state Set-Off program for utilities and American Municipal Services for Municipal Court. CBK offers collections for all city services and is able to submit City claims to the Set-Off program. Utilizing only the Set-Off program limits collections to those who submit tax returns to the State of Kansas. Staff requested feedback from Council on whether or not they were interested in pursuing a contract with CBK or looking at other vendors. If Council chooses to pursue a collection agency, they would need to pass an ordinance setting a collection fee on customers sent to collections. CBK charges a 30% fee. The State of Kansas limits collection fees to 33%. Discussion was held on the benefits of utilizing one collection agency for all City services. CBK is owned by an attorney who only does collections. Should the City need to pursue collections through a court process CBK can handle the filing and prosecution of those cases in house. Stull stated that his understanding is that a collection agency attorney cannot represent the City if they own the collection agency. It was the consensus of the Council to move forward with finding a collection agency for utilities and court.

6. Review of Current Incubator Leases

Provided in the meeting packet was a spreadsheet of current Incubator lease holders. Information provided included when the lease began, if it was renewed, when the lease expires, the rent for the space and the total potential monthly rent collection. Ludwig reviewed the data with Council. This item was intended for discussion only.

7. Report on Key Indicators (January – March)

Provided in the meeting packet was a report of key indicators for the first quarter of 2016. Future reports will compare totals with previous years and show more trends in the data. Ludwig discussed the first quarter results. Dixson asked if the city had any major events that would have attributed to the number of overtime hours banked or if these were standard call outs. Ludwig explained that the number of overtime hours reported were standard for a 3 month period and the number of employees being reported on. Schaffer asked if a pool manager had been hired yet. Ludwig advised that Travis Powell has been hired as the pool manager for the 2016 season.

I) CITY ATTORNEY'S REPORT

There was no report from the City Attorney.

J) CITY ADMINISTRATOR'S REPORT

Ludwig provided a prepared City Administrator's Report to Council. The following topics were discussed in the report:

City Pool: Travis Powell has been hired as the pool manager. Staff is in the process of hiring lifeguards. Training with the City of Pratt does not take place until May 31st- June 3rd. The City will be trying to find an earlier training that allows for the pool to open up sooner. Staff plans to open the pool Memorial weekend.

Spring Clean Up: Spring cleanup is scheduled for May 14th. The Methodist Church has volunteered to help individuals get things to the curb in preparation for that day. Staff is working with a few residents to get their properties cleaned up on this day. Nisly Brothers will be celebrating their 60th anniversary at the Arts Center from 11am-1pm.

Arbor Day: On May 14th at 10:00 am members of the tree board are planning a tree planting ceremony at the City Pool. In collaboration with the tree board, the City will be looking at using grant funding to replace trees on Main Street.

Dog Registration: Chief Alvarez will be giving official notice to individuals not in compliance with the City's dog licensing regulations. 166 dogs have been registered with the City this year, which is an 82% increase from last year's registration numbers.

Kiowa County Economic Development: The Kiowa County Economic Development meeting has been moved to May 3rd at 4:30 pm. The meeting will be held at the Incubator.

Mowing Notices: The City is preparing to send weed notices and reminders over the next two weeks. Weeds over 12 inches are presumed to be blighting.

4th of July Fireworks: At the May 16th meeting the Greensburg Power-Ups will be making their annual request for funds to sponsor the Annual Fourth of July Firework Show.

Public Engagement- Budget: City Staff is developing ways to involve the public in setting priorities for next year's budget. The engagement process will likely start over the next two weeks with the citizen engagement board at City Hall and with a few meetings with groups in the community.

K) GOVERNING BODY COMMENTS

Kern asked how many permits had been pulled on Colclazier properties that are in violation of City Code. She was advised that those properties have all changed hands. The new owner has given Colclazier 30 days to remove his property from the premises. Ludwig has visited with the new owner about the May 14th clean up day and is giving her time to clean up the properties. The new owner plans to get the properties ready to rent.

Trummel asked about progress on the "Meadowlark" house. Ludwig advised that the new owners have sent money to the Canadian company that had custom built windows for the house. They have not received the windows and are having trouble contacting the company. The windows must be installed prior to siding being put on the structure.

Trummel stated that he has heard concerns from Staff regarding Ludwig's plan to allow the 5.4.7. Art Center to paint the old bathhouse. Trummel was under the impression that the State of Kansas now owns the old pool and bathhouse. Ludwig advised that the property is still in City ownership and that the paint is flaking off, making it a blight. Ludwig is working with 5.4.7. to allow them to use the building as a canvas for murals. The painting will be at no cost to the City and keeps City Staff from having to paint the facility. Ludwig has also heard concerns that the murals will be graffitied and that the graffiti will move to other locations (i.e. the ball fields). Trummel further explained that the concern is that Staff will be expected to clean graffiti off the murals. Ludwig stated that public murals often discourage graffiti. Christenson stated that he does not believe that we have a graffiti problem. He believes that the partnership is a good idea, but understands the concerns.

Kern received a complaint that the notice that was hand delivered or posted to citizen's doors regarding the required licensing of dogs with the City should have been mailed rather than taped to doors. The citizen commented that the notice could have blown away, leaving her unaware of the requirement. Christenson stated that he had received good comments regarding the licensing and insuring that dogs are properly vaccinated.

L) ADJOURNMENT

Dixon declared the meeting adjourned at 7:12 pm.


Robert A. Dixon, Mayor


Christy Pyatt, City Clerk