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) 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 – December 19, 2016

F) ITEMS OF BUSINESS
   1. Annual GAAP Waiver Resolution
   2. Recess: Land Bank Annual Meeting
   3. Recess: Public Building Commission Annual Meeting
   4. Kansas Power Pool - Update

G) CITY ATTORNEY’S REPORT

H) CITY ADMINISTRATOR’S REPORT

I) GOVERNING BODY COMMENTS

J) 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.
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
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.
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<td>HEINSON SUPPLIES</td>
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<td>DECEMBER SERVICE</td>
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</tr>
<tr>
<td>25203</td>
<td>PAC GREENSBURG</td>
<td>PAC BRICKS - EMPLOYEE CHRISTMAS</td>
<td>$ 900.00</td>
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<td><strong>PRE-PAID TOTAL</strong></td>
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</table>
TO: Mayor and City Council  
SUBJECT: Annual Cash Basis Waiver of GAAP  
INITIATED BY: Kyler Ludwig, City Administrator

Background:
The City of Greensburg historically adopts a resolution requesting the Director of Accounts and Reports to waive requirements of KSA 75-1120a. The Council last adopted a similar resolution on January 4, 2016.

Analysis:
The proposed resolution waives Generally Accepted Accounting Principles (GAAP) accounting and directs staff to construct all financial statements and reports using cash basis and budget laws. The waiver applies to the GAAP regulations as they apply to the City of Greensburg for the year ending December 31, 2016.

Legal Considerations:
Approved as to form

Recommendations/Actions: It is recommended the City Council:

Adopt the proposed resolution to waive GAAP requirements for the City of Greensburg and allow for cash basis accounting.

Attachments: Exhibit A: Proposed Resolution, Exhibit B: Kansas Code 75-1120a
RESOLUTION NUMBER 2017-01

RESOLUTION REGARDING THE WAIVER OF GENERALLY ACCEPTED ACCOUNTING PRINCIPLES IN THE PREPARATION OF FINANCIAL STATEMENTS AND FINANCIAL REPORTS FOR THE CITY OF GREENSBURG, KANSAS FOR FISCAL YEAR 2016.

WHEREAS, the City of Greensburg, Kansas, a City of the Third Class, is a municipality as defined by K.S.A. 75-117; and,

WHEREAS, as a municipality, the City is required to have its fiscal procedure, accounts and reports examined and audited annually; and,

WHEREAS, K.S.A. 75-1120a requires that the City utilize accounting procedures and fiscal procedures that conform to generally accepted accounting principles; and,

WHEREAS, K.S.A. 75-1120a permits the Director of Accounts and Reports to waive the above stated accounting principles upon appropriate findings and requests being made by the Governing Body;

THEREFORE, IT IS HEREBY FOUND AND RESOLVED BY THE GOVERNING BODY OF THE CITY OF GREENSBURG, KANSAS:

Section 1: That financial statements and financial reports for the year ended December 31, 2016, to be prepared in conformity with the requirements of K.S.A. 75-1120a(a) are not relevant to the requirements of the cash basis and budget laws of this state and are of no significant value to the Governing Body or the members of the general public of the City of Greensburg, Kansas.

Section 2: There are no revenue bond ordinances or other ordinances or resolutions of the City which require financial statements and financial reports to be prepared in conformity with the requirements of K.S.A. 75-1120a(a) for the year ended December 31, 2016.

Section 3: That the City Clerk or the Clerk’s designee is hereby authorized and directed to request the Director of Accounts and Reports to waive the requirements of K.S.A. 75-1120a(a) as they apply to the City of Greensburg, Kansas, for the year ended December 31, 2016.

________________________________________
Robert A. Dixson, Mayor

ATTEST:

________________________________________
Christy Pyatt, City Clerk
Kansas Code - 75-1120a

75-1120a. Uniform system of fiscal procedure, accounting and reporting for municipalities; use of generally accepted accounting principles; waivers, when. (a) Except as otherwise provided in this section, the governing body of each municipality, as defined in K.S.A. 75-1117, and amendments thereto, shall utilize accounting procedures and fiscal procedures in the preparation of financial statements and financial reports that conform to generally accepted accounting principles as promulgated by the governmental accounting standards board and the American institute of certified public accountants and adopted by rules and regulations of the director of accounts and reports.

(b) The governing body of any municipality, which has aggregate annual gross receipts of less than $275,000 and which does not operate a utility, shall not be required to maintain fixed asset records.

(c)(1) The director of accounts and reports shall waive the requirements of subsection (a) upon request therefor by the governing body of any municipality. The waiver shall be granted to the extent requested by the governing body. Prior to requesting the waiver provided for in this subsection, the governing body, by resolution, annually shall make a finding that financial statements and financial reports prepared in conformity with the requirements of subsection (a) are not relevant to the requirements of the cash-basis and budget laws of this state and are of no significant value to the governing body or members of the general public of the municipality. No governing body of a municipality shall request the waiver or adopt the resolution authorized under this subsection if the provisions of revenue bond ordinances or resolutions or other ordinances or resolutions of the municipality require financial statements and financial reports to be prepared in conformity with the requirements of subsection (a). The governing body of any municipality which is granted a waiver under this subsection shall cause financial statements and financial reports of the municipality to be prepared on the basis of cash receipts and disbursements as adjusted to show compliance with the cash-basis and budget laws of this state.

(2) The provisions of this subsection do not apply to community colleges.
(d) The director of accounts and reports shall waive the requirements of law relating to the preparation and maintenance of fixed asset records upon request therefor by the board of trustees of any community college. The waiver shall be granted to the extent and for the period of time requested by the board of trustees. Nothing contained in this subsection shall be construed so as to exempt any community college from compliance with the provisions of K.S.A. 71-211, and amendments thereto, which requires the use by all community colleges of a standardized and uniform chart of accounts.


Disclaimer: These codes may not be the most recent version. Kansas may have more current or accurate information. We make no warranties or guarantees about the accuracy, completeness, or adequacy of the information contained on this site or the information linked to on the state site. Please check official sources.
TO: Mayor and City Council
SUBJECT: Annual Land Bank Report
INITIATED BY: Kyler Ludwig, City Administrator

Background:
On June 25, 2014 the City’s Land Bank was established through ordinance 1053. Section 11 of the ordinance requires an annual report to the governing body of the annual expenses by the Land Bank. The report also needs to include a list of all available Land Bank properties.

Analysis:
In 2015 the Land Bank did not use any funds. The City Attorney cleared the titles for the new properties accepted into the bank.
A list of properties in the land bank has been provided along with a map of commercial and residential properties.

At the November 14th special council meeting the governing body discussed the possibility of having signs placed on land bank properties to advertise that the lot is available for development. Staff has worked with Taylor Printing on pricing for aluminum signs. The original bid was $80.00/sign, but after working through the pricing staff anticipates the cost to be approximately $20.00/sign. The lower price will require staff to make the frames in house.

Recommendations/Actions: It is recommended the City Council:
Discuss the requested signage for land bank properties and receive and file presentation.

Attachments: Exhibit A: Land Bank Inventory, Exhibit B: Land Bank Map, Exhibit C: Land Bank Ordinance.
<table>
<thead>
<tr>
<th>COMMON ADDRESS</th>
<th>LEGAL</th>
</tr>
</thead>
<tbody>
<tr>
<td>223 S. BAY</td>
<td>Lot Seven (7) in Block Twenty-four (24) of West Side Addition to the City of Greensburg, Kiowa County, Kansas</td>
</tr>
<tr>
<td>504 S. CHERRY</td>
<td>A part of Block Ten (10) of Cooper's Addition to the City of Greensburg, Kiowa County, Kansas, described as follows: Beginning at the northwest corner of said Block 10, running South a distance of 207.5 feet; running thence East on a line parallel with the South line of said Block 10 a distance of 150 feet to a point on the East line of Lot 18 in said Block 10; running thence North a distance of 207.5 feet to a point on the North line of said Block 10, which point is the Northeast corner of Lot 7 in said Block 10; running thence West along the North line of said Block 10 a distance of 150 feet to the place of beginning, subject to the deed of record to the City of Greensburg, Kansas for alley.</td>
</tr>
<tr>
<td>313 W. GARFIELD</td>
<td>The East Half (E 1/2) of Lot Three (3) and all of Lots Four (4) and Five (5), all in Block Sixteen (16) of Hopkins Addition to the City of Greensburg, Kansas</td>
</tr>
<tr>
<td>103 S. GROVE (KANSAS FRONT)</td>
<td>Lots Five (5) and Six (6), block forty-one (41), Original Town, City of Greensburg, Kiowa County, Kansas</td>
</tr>
<tr>
<td>800 W. KANSAS</td>
<td>Lots One (1), Two (2), Three (3), Four (4), Five (5) South 43 feet of Nine (9), Ten (10), Eleven (11), Twelve (12), Thirteen (13), Fourteen (14), Fifteen (15) and Sixteen (16) in Block Thirteen (13) of Westside Addition to the City of Greensburg, Kiowa County, Kansas</td>
</tr>
<tr>
<td>239 S. MAIN</td>
<td>Lots Eleven (11) and Twelve (12) and the south twelve and one half (12 ½) feet of Lot thirteen (13) in Block Five (5) of South Addition to the City of Greensburg, Kiowa County, Kansas</td>
</tr>
<tr>
<td>307 S. MAIN</td>
<td>Lots nineteen (19) and Twenty (20), Block Twelve (12), South Addition to the City of Greensburg, Kiowa County, Kansas</td>
</tr>
<tr>
<td>315 S. MAIN</td>
<td>Lots Fourteen (14), Fifteen (15), Sixteen (16), Seventeen (17) and Eighteen (18), Block Twelve (12), South Addition to the City of Greensburg, Kiowa County, Kansas</td>
</tr>
<tr>
<td>321 S. MAIN</td>
<td>Lot Eleven (11), Twelve (12) and Thirteen (13), in Block Twelve (12), South Addition to the City of Greensburg, Kiowa County, Kansas</td>
</tr>
<tr>
<td>320 BLOCK S. OLIVE</td>
<td>Lots Nine (9) and Eleven (11) and the West Half (W/2) of the vacated alley, Block Two (2), Canfield and Lee's Addition to the City of Greensburg, Kiowa County, Kansas</td>
</tr>
<tr>
<td>412 S. SYCAMORE</td>
<td>Lots Twenty-five (25) and Twenty-six (26) of Block Thirteen (13) of Fullington's Addition to the City of Greensburg, Kiowa County, Kansas</td>
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<tr>
<td>Address</td>
<td>Description</td>
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<tr>
<td>--------------------</td>
<td>-----------------------------------------------------------------------------</td>
</tr>
<tr>
<td>603 S. SYCAMORE</td>
<td>The East Twenty-two (22) feet of Lot Seven (7), and all of Lots Eight (8), Nine (9) and Ten (10) in Block Fifteen (15) of Hopkins Addition to the City of Greensburg, Kiowa County, Kansas.</td>
</tr>
<tr>
<td>103 W. WISCONSIN</td>
<td>Lots Twenty-one (21) and Twenty-two (22), Block Twelve (12), South Addition to the City of Greensburg, Kiowa County, Kansas.</td>
</tr>
<tr>
<td>302 W. WISCONSIN</td>
<td>Lots Thirteen (13), Fourteen (14) and Fifteen (15) in Block Seven (7), South Addition, to the City of Greensburg, Kiowa County, Kansas.</td>
</tr>
<tr>
<td>322 E. WISCONSIN</td>
<td>Lots Thirteen (13), Fourteen (14), Fifteen (15), and Sixteen (16) in Block Two (2), of South Addition to the City of Greensburg, Kiowa County, Kansas.</td>
</tr>
<tr>
<td>504 E. WISCONSIN</td>
<td>Lots Twenty-one (21) and Twenty-two (22) in Block One (1) of Fullington’s Addition to the City of Greensburg, Kiowa County, Kansas.</td>
</tr>
<tr>
<td>516 E. WISCONSIN</td>
<td>Lots Twenty-seven (27), Twenty-eight (28) and Twenty-nine (29) in Block One (1) of Fullington’s Addition to the City of Greensburg, Kiowa County, Kansas.</td>
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</table>
ORDINANCE NO. 1053

AN ORDINANCE ESTABLISHING A CITY LAND BANK PURSUANT TO
K.S.A. 12-5901, et seq.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF
GREENSBURG, KANSAS:

Section 1. The City of Greensburg, Kansas (herein after “City”), by the power vested in it by K.S.A. 12-5901, et seq., hereby establishes a city land bank. The land bank will be the centralized point of contact for individuals and developers interested in acquiring developable vacant and abandoned land within the City of Greensburg, Kansas. The land bank will be guided in its affairs by a board of trustees.

Section 2. The land bank board of trustees shall consist of a six (6) member board comprised of the Mayor and the City Council of the City of Greensburg, Kansas.

Section 3. The land bank staff shall consist of the administrative staff of the City of Greensburg, Kansas.

Section 4. CASH BASIS. The bank shall be subject to the provisions of the cash-basis law, K.S.A. 10-1101 et seq., and amendments thereto, as provided in K.S.A. 12-5903 (a).

Section 5. BUDGET. The budget of the bank shall be prepared, adopted and published as provided by law for other political subdivisions of the state. No budget shall be adopted by the board until it has been submitted to, reviewed and approved by the Governing Body of the City of Greensburg.

Section 6. For any property acquired by the land bank, the trustees shall: (1) manage, maintain and protect the same; (2) compile and maintain a written inventory of such property; (3) study, analyze and evaluate potential, present and future uses for such property which would provide for its effective re-utilization; (4) plan for and use the board’s best efforts to consummate the sale or other disposition of such property upon such terms and conditions deemed appropriate; (5) establish and maintain records and accounts reflecting all transactions, expenditures and revenues relating to the banks activities; and (6) develop such policies and procedures as the board determines reasonable and necessary to effectuate the purposes of the land bank.

Section 7. Property available for inclusion in the land bank shall include, but not be limited to: (1) parcels of tax delinquent property foreclosed on by the county of Kiowa pursuant to K.S.A. 79-2401, et seq. and requested by the land bank board of trustees pursuant to its authority under K.S.A. 12-5901, et seq. (Only property that has the potential for development within a reasonable period of time and has been accepted by the land bank board of trustees will be identified for inclusion in the land bank); (2) property currently held in the name of the City of Greensburg, Kansas; (3) parcels of property donated by other governmental entities; (4) property purchased by the land bank board of trustees to compliment properties previously identified to the land bank through other means; and (5) property offered to and accepted by the land bank.
Section 8. The land bank board of trustees may offer such incentives as it deems appropriate to encourage the development of land bank property.

Section 9(a). The land bank staff shall consult with any individuals, organizations and developers which may be affected by a land bank development project and pass on to the land bank board of trustees the recommendations and concerns of individuals, organizations and developers.

Section 9(b). Proposals will be reviewed by the land bank staff and forwarded to the land bank board of trustees along with recommendations and or concerns of affected individuals, organizations and developers.

Section 10. The governing body of the City of Greensburg, Kansas may advance operating funds to the land bank to pay expenses of the board of trustees and the land bank.

Section 11. The land bank is required to make an annual report to the governing body of the City of Greensburg, Kansas, on or before January 31 of each year, showing receipts and disbursements from all funds under its control.

Section 12. Any money derived from the sale of property by the land bank shall be retained by the land bank. Any funds not immediately required for the purposes of the land bank shall be invested in the manner provided by K.S.A. 12-1675, and amendments thereto.

Section 13. Members of the board of trustees shall receive no compensation, but shall be paid their actual expenses in attending meetings and carrying out their duties as members of the board of trustees.

Section 14. STATUTORY AUTHORITY. The provisions of this ordinance shall at all times be consistent with K.S.A. 12-5901 et seq and amendments thereto.

Section 15. This ordinance shall take effect and be in force from and after its publication once in the official newspaper of the City of Greensburg, Kansas.

Passed and approved by the Governing Body of the City of Greensburg, Kansas this 16th day of June 2014.

Approved and signed by the Mayor this 16th day of June 2014.

______________________________
Robert Dixson
Mayor

ATTEST:

__________________________
Christy Pyatt
City Clerk
1. Roll Call
2. Approval of Minutes of Previous Meeting
3. Communications
4. Reports
   a. Report on Big Well Payments- City Staff
5. Unfinished Business
6. New Business
   a. Election of President
   b. Election of Vice President
   c. Election of Secretary
7. Adjournment
4. Public Building Commission
The Council recessed and convened as the Public Building Commission (PBC) to conduct their required, annual meeting.

Serving as Vice-President prior to the change in by-laws that declared the Council to be the PBC, Matt Christenson chaired the meeting and called it to order.

Roll Call: All members were present (Mayor Bob Dixson and Council Members Matt Christenson, Mark Trummel, Sandy Jungemann, Rick Shaffer, and Haley Kern).

Approval of Minutes of Previous Meeting – January 5, 2015: Dixson made a motion to approve the minutes of the January 5, 2015 meeting as presented. Sandy Jungemann seconded the motion. The motion passed 6-0.

Communications: Staff did not have any communications to provide the Commission.

Reports: City Clerk Christy Pyatt reported that $56,087.46 was paid this year on the 30 year PBC bond for the Big Well Museum construction.

Unfinished Business: There was no unfinished business.

New Business: The Commission was asked by Staff to elect a President, Vice-President, and Secretary. With the approach of City Council Elections in April, Dixson made a motion, seconded by Trummel, to appoint Christenson as President, Schaffer as Vice-President, and Kern Secretary. The motion passed 6-0.

Adjournment: With no additional business to come before the Commission, Christenson declared the meeting adjourned at 6:20 pm.

Council resumed open session at 6:20 pm.
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RESOLUTION NO. PBC2009-00

A RESOLUTION OF THE CITY OF GREENSBURG, KANSAS PUBLIC BUILDING COMMISSION APPROVING AND ADOPTING BYLAWS.

WHEREAS, under the authority of K.S.A. 12-1757 et seq., as amended by Charter Ordinance No. 11 of City of Greensburg, Kansas (the "Act"), the City of Greensburg, Kansas Public Building Commission (the "PBC"), a municipal corporation of the State of Kansas, has heretofore been created by Ordinance No. 988 of the governing body of the City of Greensburg, Kansas (the "City"); and

WHEREAS, the PBC is authorized, and hereby finds it necessary and advisable, to approve and adopt bylaws to govern the internal affairs of the PBC.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF GREENSBURG, KANSAS PUBLIC BUILDING COMMISSION:

SECTION 1. Approval and Adoption of Bylaws. The Bylaws presented with and attached to this Resolution as Exhibit A are approved and adopted by the PBC and shall govern the internal affairs of the PBC. The Bylaws may be amended as provided therein.

SECTION 2. Effective Date. This Resolution shall be effective from and after its adoption by the PBC.

ADOPTED by the City of Greensburg, Kansas Public Building Commission on October 6, 2009.

[Signature]
President

ATTEST:

[Signature]
Secretary
Greensburg Public Building Commission  
October 6, 2009  
Incubator

On October 6, 2009 at 6pm, the Greensburg Public Building Commission held its organizational meeting. Members present: Greg Waters, Erica Goodman, Judy Kirk and Debbie Goering. Marvin George was absent. Staff present: Gordon Stull, City Attorney, Steve Hewitt, City Administrator and Kim Alderfer, Assistant City Administrator. Gordon explained the purpose of a Public Building Commission. It is a financial vehicle for funding of government projects where debt is limited. The Commission is to adopt bylaws and elect officers. They are subject to open meetings and open records. The meeting quorum is four and majority is three.

Adoption of Bylaws
Greg made a motion to adopt the bylaws. Erica seconded. Motion passed 4-0.

Election of Officers
Judy made a motion to nominate Greg Waters as President. Erica seconded. There were no other nominations. Motion passed 3-1.

Judy made a motion to nominate Erica for Vice President. Greg seconded. There were no other nominations. Motion passed 4-0.

Erica made a motion to nominate Marvin for Secretary. Judy seconded. There were no other nominations. Motion passed 4-0.

Big Well Museum
Discussion was held about the Big Well project. There is already a half cent sales tax in place that will be used to pay a 15-20 year bond. We have approximately $700,000 FEMA and insurance. Next steps will be to get with the Kevin Cowan and have the City Councils proceed with plans for the Big Well. Administrator Hewitt will let the PBC know when the next meeting will be set.
BYLAWS
of the
City Of Greensburg, Kansas Public Building Commission

ARTICLE I

AUTHORITY

The City of Greensburg, Kansas Public Building Commission ("PBC") has been created pursuant to Ordinance No. 988 (the "Creating Ordinance") of the City of Greensburg, Kansas (the "City"), and it is authorized to adopt these bylaws pursuant to law and to the aforementioned Creating Ordinance.

ARTICLE II

ORGANIZATION AND OFFICERS

A. The officers of the PBC shall be a President, a Vice-President and a Secretary, and they shall have the following authority:

1. The President shall preside at all meetings of the PBC and shall sign, execute, act and deliver for the PBC all contracts, warrants, deeds, conveyances, leases, bonds and documents of any kind required or authorized to be signed or delivered by the PBC.

2. The Vice President shall in the absence or disqualification or disability of the President perform the duties of the President and shall act in his/her place with the full power and authority which he/she would have were he/she present. In case of the resignation or death of the President, the Vice President shall perform such duties as are imposed on the President until such time as the PBC shall elect a new President.

3. The Secretary shall keep the records of the PBC and act as secretary at the meetings thereof. The Secretary shall record all votes and shall keep all records of the proceedings of the PBC in a written journal. The Secretary shall keep and protect the seal of the PBC and shall have the power to affix such seal and attest to all contracts and documents authorized to be executed by the PBC.

B. The PBC shall appoint such other officers as may be required by law or Ordinance or Resolution or as the business of the PBC demands.

C. The officers of the PBC shall perform such other duties and functions as may from time to time be required by the PBC or the Bylaws and regulations of the PBC.

D. The President, Vice President and Secretary shall be elected at the annual meeting of the PBC from among and by its number; and they shall hold office for one year or until their successors are elected and qualified.
E. Should an elective office become vacant, the commissioners shall elect a successor from their membership at the next meeting or as soon as is reasonably possible; and such successor shall serve for the unexpired term of office.

F. The PBC may from time to time employ such personnel as it deems necessary to exercise its powers, duties and functions as prescribed by law, provided funds are available or made available by the City.

G. Regular members and officers of the PBC shall serve without compensation.

ARTICLE III

MEETINGS OF THE PBC

A. The annual regular meeting of the PBC shall be held in January of each year. The time and place of such meetings shall be determined by the President.

B. The Secretary, or other authorized officer, shall prepare a notice of the meeting and an agenda of all matters to come before the PBC and mail same to the PBC members no later than one week preceding the next regular meeting. A copy of the agenda shall also be furnished to the City Clerk and City Attorney for the City. Any member of the PBC may cause matters to be placed on the agenda by advising the Secretary no later than 12:00 noon on the tenth day preceding the next scheduled meeting.

C. Special meetings of the PBC may be called by the President at any time by giving 24 hours' notice of the time and place of such meeting to all of the members thereof, and such meetings may also be called upon the request of a majority of the qualified members.

D. Four qualified members shall constitute a quorum.

E. All meetings of the PBC shall be conducted in accordance with Robert's Rules of Order, except as otherwise provided by these Bylaws or by procedures adopted by the PBC.

F. At the regular meeting of the PBC, the following shall be the order of business is

1. Roll Call
2. Approval of Minutes of Previous Meeting
3. Communications
4. Reports
5. Unfinished Business
6. New Business
7. Adjournment

G. All matters of business shall be voted upon by voice vote. The yeas and nays shall be entered on the minutes of such meeting when the vote is other than unanimous. On motion and passage of a majority of the members present, a roll call vote may be taken.

H. The PBC shall act by Resolution in all formal matters.
ARTICLE IV
POWERS AND DUTIES OF THE PBC

The PBC shall have authority prescribed in the Creating Ordinance of the City, including the power to:

A. Acquire real estate for purposes of constructing, reconstructing, equipping and furnishing, or purchase or otherwise acquire, a building or buildings or other facilities ("Land and Facilities") of a revenue producing character. Such building or buildings or facilities shall be maintained and operated for (i) City offices or such other purposes as are commonly carried on in connection with such facilities and general City buildings, (ii) public, municipal, community or recreational purposes of the City, (iii) educational, recreational or administrative purposes for school districts, (iv) health care and long-term care facilities of the City, another governmental entity or a non-profit organization operating for such purposes in the City, (v) housing and accommodation of county offices or county businesses or such other purposes as are commonly carried on in connection with such facilities and general county buildings and (vi) for housing, accommodations and parking facilities for offices of state and federal agencies, or (vii) any other buildings or facilities lawfully authorized by state statute or City Charter Ordinance; and,

B. Enter into leases to lease all or any part of such Land and Facilities to any nonprofit corporation organized under the laws of the State of Kansas, or any federal, state, county or county governmental agency, or any municipal corporation, quasi-municipal corporation, political subdivision or body politic, or agency thereof, doing business, maintaining an office or rendering a public service in the county seat or county in which the commission was organized and to rent any space as may not be needed by such governmental agencies for such service facilities as such public building commission may determine will primarily serve the comfort and convenience of the occupants of its buildings or other facilities; and,

C. Acquire fee simple title to real estate, including easements and reversionary interests in roads, highways, streets, alleys and other public places, and personal property required for PBC purposes by purchase, gift, or devise and to take title in the corporation name of the PBC; and,

D. Borrow money and issue revenue bonds ("Bonds") in the manner provided by law for the purpose of paying the cost or a portion of the cost of acquiring, constructing, equipping and furnishing Land and Facilities; to pledge the revenues received from such Land and Facilities to secure such Bonds; and to make covenants with respect to the maintenance, operation, repair and insuring of improvements thereon; and,

E. Adopt a seal; and,

F. Convey title to governmental entities for which the PBC has held title, after Bonds issued for the purpose of acquiring Land and Facilities for the benefit of any such governmental entity have been retired. Conveyance may be made of portions of the Land and Facilities as portions of the Bonds are paid or retired, if provision for such conveyance is provided for in bond documents and in the lease between the PBC and the lessee; and,

G. Pledge the interest in Land and Facilities acquired by the PBC to the payment of Bonds; and,
H. Do all other things and acts authorized and necessary or convenient to carry out the powers granted to the PBC under the Creating Ordinance of the City, K.S.A. 12-1757 et seq., as amended, Charter Ordinance No. 11 of the City, and any other applicable Charter Ordinances of the City; provided, however, that under no circumstance shall any income of the PBC inure to the benefit of any private person.

ARTICLE V
SUPPORT SERVICES

The City shall provide support services to the PBC. The City Attorney may provide legal representation to the PBC.

ARTICLE VI
REQUIRED NOTICES BY PUBLICATION

All notices required by law to be published shall be given by publication in the official newspaper of the City.

ARTICLE VII
SEAL

The seal of the PBC shall have the words "CITY OF GREENSBURG, KANSAS Public Building Commission" in the outer circle.

ARTICLE IX
AMENDMENTS TO BYLAWS

The PBC may, by a two-thirds majority vote thereof, amend these Bylaws or any provisions or sections thereof at any time when the same is not in conflict with or in contravention of any of the laws of the State of Kansas or Ordinances or Resolutions of the City applicable thereto; provided, however, that notice of the proposed amendments be furnished by the Secretary to the PBC members not less than ten days prior to the meeting at which said amendments are to be considered.

ARTICLE X
VESTING OF PROPERTY UPON DISSOLUTION

Upon dissolution of the PBC, title to all property owned by the PBC shall vest in and become the property of the City.
ADOPTED THIS 6TH DAY OF OCTOBER, 2009.

Marvin George, Member

Debbie Goering, Member

Erica Goodman, Member

Judy Kirk, Member

Greg Waters, Member
TO: Mayor and City Council
SUBJECT: Kansas Power Pool Discussion
INITIATED BY: Kyler Ludwig, City Administrator

Background:
On September 7, 2011 the governing body passed resolution 2011-04, which authorized the Mayor to enter into a contract with the Kansas Power Pool (KPP). The contract presented to the council leading up to resolution 2011-04 included terms that locked the City into the Power Pool for a minimum of 20 years up to 40 years or until all debt is paid. The City signed this agreement, but there is no documentation that KPP signed the agreement. Between September 2011 and January 2012 KPP altered the proposed contract agreement, which changed the termination language to flat a 20-year agreement (likely at the request of other cities). The contract with a 20-year agreement was signed in January of 2012 by KPP and the City of Greensburg.

In December of 2017, KPP voted unanimously to move towards the language found in the contract used in September of 2011, which allows KPP to take on additional debt. A letter of intent will be presented at the January 17th meeting stating intent from the City to amend the KPP contract. Under the new agreement the City’s contract with KPP will extend with new bond issuances up to a 40 year period. New debt taken on by KPP will need to be approved by the Pool, which the City is an active member of.

Analysis:
Staff believes that the contract language change is within the scope of what was approved by the council in 2011. Staff also believes that the Kansas Power Pool is the city’s best option for providing electricity to customers over the next 20 to 40 years.

Recommendations/Actions: It is recommended the City Council:
Discuss the requested contract language and LOI.

Attachments: Exhibit A: Resolution 2011-04, Exhibit B: Proposed Language and LOI
KPP Contract Termination
Project and discussion

The Term of the Power Purchase Contract shall begin on the effective date and shall continue in force for a period ending on the later of twenty (20) years from the First Supplemental Effective Date or the date upon which the principal of, premium, if any, and interest on all Bonds are paid in full and the Bonds are retired; notwithstanding any provision to the contrary, the term shall continue until all indebtedness incurred with regard to the Project is paid in full; provided however, the Term shall not exceeding forty (40) years from the Effective date. The Power Purchase Contract will be extended so as to terminate upon the earliest occurrence of any of the following events (i) the expiration of the term as set forth... (ii) a default by the Participant and the KPP’s election to terminate this Power Purchase Contract... , or (iii) the payment of, premium, if any, and interest on any Bonds and retirement of such Bonds.

This is the termination language which is anticipated to be reflected in the Resolution and which already exists in contracts signed by 9 of the 23 KPP members.
KPP Contract Termination Project and discussion

“It has been shown that certain economic and operating efficiencies are to be clearly achieved for the mutual benefit of all members by an alignment of power purchase contracts among the KPP membership. To accomplish that, a re-signing of contracts is anticipated. It is recognized that all governing bodies of KPP members may not act simultaneously. However, it is desirable to achieve order in record keeping by establishing a contract Effective Date that is as nearly uniform as possible among the membership. For that reason, KPP and The City are hereby establishing only the City’s intent to formally approve and execute a new power purchase contract has been contemplated previously. Further, when such contract is presented to the City bearing acceptable language, the City will formally approve and execute such contract at the first opportunity.”