

**CITY OF GREENSBURG
REGULAR CITY COUNCIL MEETING
300 SOUTH MAIN GREENSBURG, KANSAS
MONDAY, MAY 15, 2017
6:00 PM**

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. Tree Board

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 – May 1, 2017
2. Appropriation Ordinance
 - a. Ordinance #1100

G) ITEMS OF BUSINESS

1. Formal Hearing- 903 N. Sycamore
2. Pool Chlorine Discussion
3. Airport Update
4. KPP- RICE payment

H) CITY ATTORNEY'S REPORT

I) CITY ADMINISTRATOR'S REPORT

J) GOVERNING BODY COMMENTS

K) EXECUTIVE SESSION

1. Non-elected Personnel – (10 min)

L) 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
May 1, 2017
City Hall**

A) CALL TO ORDER

Mayor Robert Dixson called the meeting to order at 6:00 p.m. on May 1, 2017.

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, Rick Schaffer, Haley Kern, and Sandra Jungemann. Trummel made a motion to approve the agenda as presented. Christenson seconded. The motion passed 5-0.

D) CITIZEN COMMENTS

Mayor Dixson opened the floor for citizen comments.

M.T. Liggett, Mullinville, stated that he loves the art piece going in at Starlight Park and believes the park is a fantastic idea. Liggett recommended enhancing the piece by making it rotate and by adding two hidden strobe lights that would cross in the sky. Liggett believes that movement will create more interest. Liggett offered to assist the city with making the art rotate, if it so desires.

E) RECOGNITIONS, PROCLAMATIONS, AWARDS & NOMINATION

The Council consented to have Dixson sign an Arbor Day Proclamation, declaring May 6, 2017 Arbor Day in the City of Greensburg. The Pool Park Committee will be having a tree planting at the new swimming pool park on Saturday, May 6th at 10:00 a.m. The community is encouraged to participate.

F) CONSENT AGENDA

Jungemann made a motion to approve the Consent Agenda as presented. Kern seconded. Motion passed 5-0.

G) ITEMS OF BUSINESS

1. KPP Power Purchase Contract Approval

City Attorney Gordon Stull requested Council go into Executive Session for Attorney/Client Privilege for 15 minutes. Trummel made a motion to go into Executive Session until 6:25 p.m. Jungemann seconded. Motion passed 5-0.

Dixson declared the meeting back in open session at 6:25 p.m. City Administrator Kyler Ludwig recommended moving forward with authorization of the proposed KPP Power Purchase Contract. Mark Chesney, KPP, was available to answer questions. Christenson stated that he was pleased with the partnership between the City and KPP, and hopes that the partnership will continue. Christenson made a motion, seconded by Kern, to approve the KPP contract as presented. The motion passed 5-0.

Dixson invited Chesney and his staff to the 10th Anniversary events Thursday-Saturday.

2. Land Bank Application – 504 S. Cherry

The Council took a recess from open session at 6:28 p.m. and convened as the Land Bank. Staff has received an application from Levi Murray to purchase property commonly known as 504 S. Cherry from the Land

Bank. Murray would like to build a home on the property. Policy requires Staff to advertise the property for sale in the newspaper 30 days prior to the sale, and to notice all adjacent property owners. Staff has received an inquiry from another applicant for properties commonly known as 103 S. Grove and 313 W. Garfield, expanding the adjacent properties currently owned by the applicant. Staff requested consent to set a sale date of June 5th for all 3 properties. Jungemann made a motion to set a sale date for all three properties for June 5th, to advertise the properties “For Sale” in the newspaper, and to notify adjacent land owners. Kern seconded the motion. Motion passed 5-0. The Land Bank adjourned at 6:36 p.m.

3. 2012/2014 Airport Grant Cancellation Agreements

Council reconvened open session at 6:36 p.m. Greensburg has been awarded an airport grant from KDOT-Aviation. Prior to awarding the new grant, KDOT would like Cancellation Agreements for both the AV-2012-06 and AV-2014-18 grants. Lochner, the City’s airport engineer, is reaching out to KDOT to try and retain the \$163,000 remaining in AV-2012-16 for a short period of time to finish covering design expenses. Staff requested authorization to sign the Cancellation Agreements if required. Kern made a motion to allow Staff to sign the cancellation paperwork if needed. Christenson seconded, and the motion passed 5-0.

4. 10 Year Plan Discussion

Dixon requested a discussion regarding updating the long term plan for the City. Council did planning from a Municipal Government stand point back in November, but the Mayor would like to see something that answers where the city is going as a community. Shortly after the disaster, a Public Square Process was implemented. That committee has since dissolved. Discussion on community involvement in the planning process was stressed. Dixon expressed that he does not feel there is any clear direction for the community passed May 4th, 2017. Kern voiced that she thought this was a good idea and worth trying. Christenson stated that he felt a less formal group (than Public Square) is key. It was suggested that the process could be done with local stakeholders and resources rather than a professional planning group creating a plan. Dixon would like to see discussion and a written plan. He believes this will help gauge the level of commitment citizens have. Jungemann concurred that a new plan should be looked at, as thoughts regarding the future of the community may be completely different than they were 10 years ago. Ludwig asked if Council would like to handle the discussions internally or utilize an outside facilitator. Dixon stated that the City needs to be a part, but that there are some advantages to using an outside facilitator.

H) CITY ATTORNEY’S REPORT

Stull stated that he had nothing to report. He did take the opportunity to acknowledge the opportunities that the destruction of 2007 created. He voiced his appreciation for the opportunity Council gave him to represent the City nearly 10 years ago.

I) CITY ADMINISTRATOR’S REPORT

Ludwig discussed the following topics:

Ice Storm Disaster: A report submitted by Kansas Department of Emergency Management (KDEM) to FEMA shows that the City should receive nearly \$10,000 for the electrical portion of the 2017 Ice Storm damage. FEMA is still working on the debris portion of the disaster.

Water Treatment Plant: Staff will be administratively approving the new maintenance contract for equipment at the water treatment plant for just under \$2,500. Staff is also working with Layne to perform well inspections at an estimate of \$3,810.

City Council Elections: The Council seats currently held by Christenson, Kern, and Shaffer are up for election this year. The filing deadline is June 1st at noon. Anyone interested in running for council can file at the County Courthouse with the Clerk.

City Hall – Pest Control: Orkin will be performing insect remediation at City Hall on May

10th. Termites were found in the drywall of one office. The service to kill the termites and protect the remainder of the building will cost \$3,765.

Greensburg Airport: Staff received the official award letter from KDOT for an airport construction grant. This is a 90/10 grant of \$1.08 Million. Lochner will be coming on Tuesday to meet with Staff and put together a plan for the new airport grant. The funds will not be available until July of 2017.

EMC Insurance Dividend: The City received a check for \$16,492.76 from EMC. Each year a dividend is received for being part of the Kansas Municipal Utilities Safety Group.

10th Anniversary Events: Those in attendance were encouraged to invite friends and neighbors to participate in the 10th anniversary commemorative events this week. A schedule of events was included in the utility bill and is available online at visitgreensburgks.com.

J) GOVERNING BODY COMMENTS

Dixson reported that he had received a “Thank You” card from Kendal Kay, Mayor of Ashland, and a letter from the Ashland Community Fund. He also reminded everyone of the activities planned for the May 4th 10th Anniversary.

K) ADJOURNMENT

With nothing additional to discuss, Dixson declared the meeting adjourned at 6:55 p.m.

Robert A. Dixson, Mayor

Christy Pyatt, City Clerk

APPRIATION ORD. 1100

05.15.17

CHECK #	VENDOR	REFERENCE	AMOUNT
PRE-PAID			
25462	AT&T	PHONE & INTERNET	\$ 1,583.67
25463	COMMERCIAL SIGN COMPANY	BILLBOARD LEASE	\$ 300.00
25464	LUMINOUS NEON INC	SIGN LEASE	\$ 1,070.00
25465	NISLY BROTHERS TRASH SERV	APRIL SERVICE	\$ 9,019.00
25466	UNIFIRST CORPORATION	INVOICES FOR 3/28-4/18	\$ 473.54
25467	VERIZON	MOBILE SERVICE	\$ 98.26
25468	VOLZ	FUEL	\$ 1,374.45
	*****PRE-PAID TOTAL *****		\$ 13,918.92
PAID			
25469	ALLIANCE AG & GRAIN LLC	STAPLES - STARLIGHT PARK	\$ 7.45
25470	BLEACHER GEAR	MERCHANDISE FOR RESALE	\$ 1,472.00
25471	BLUE VALLEY PUBLIC SAFETY, IN	CONTRACT MAINTENANCE	\$ 234.00
25472	BTI - PRATT	REPAIR & SUPPLIES	\$ 216.97
25473	COLLEGE HOUSE LIGHTHOUSE	MERCHANDISE FOR RESALE	\$ 3,977.23
25474	DIRKS COPY PRODUCTS INC	OFFICE SUPPLIES & EQUIPMENT	\$ 871.16
25475	DODGE CITY ANIMAL SHELTER	LAB/BORDER COLLIE MIX	\$ 37.00
25476	GALLS	UNIFORM	\$ 173.41
25477	GREENSBURG FARM SUPPLY	PARTS AND SUPPLIES	\$ 851.11
25478	GREENSBURG TIRE	TIRE	\$ 319.28
25479	H & K STUDIOS	MERCHANDISE FOR RESALE	\$ 558.00
25480	HEFT & SONS, LLC	CONCRETE - STARLIGHT PARK	\$ 1,173.00
25481	HOME LUMBER	SUPPLIES/PARTS	\$ 930.31
25482	HUTCHINSON PUBLISHING CO	ADVERTISING	\$ 500.00
25483	ICMA	686790 MEMBERSHIP RENEWAL	\$ 499.20
25484	JANICE HANEY	MERCHANDISE FOR RESALE	\$ 544.00
25485	JEFFREY D. BLACKBURN	MERCHANDISE FOR RESALE	\$ 144.00
25486	JOHNSON'S GARDEN CENTERS	DELIVERY OF TREES - POOL PARK	\$ 840.00
25487	KANSAS POWER POOL	APRIL USAGE	\$ 68,655.46
25488	KIOWA CO. MEDIA CENTER	10TH ANNIVERSARY PUBLICATION	\$ 183.00
25489	KIRKHAM MICHAEL	ROUTINE BRIDGE INSPECTION	\$ 200.00
25490	LAWSON PRODUCTS, INC	BITS, GRINDING DISC,SAW WHEEL	\$ 168.74
25491	MPS	MERCHANDISE FOR RESALE	\$ 215.88
25492	KANSAS ONE-CALL SYSTEM,INC	REGULAR LOCATE FEES	\$ 6.00
25493	ORKIN	TERMITE RETREATMENT	\$ 3,875.07
25494	PEACEFUL VILLAGE INC.	MERCHANDISE FOR RESALE	\$ 134.47
25495	PRAIRIE FIRE	COFFEE & SUPPLIES	\$ 43.40
25496	PRATT GLASS ENTERPRISES	ADJUST FRONT DOORS	\$ 205.25
25497	PRATT TRIBUNE	LEGAL PUBLICATIONS	\$ 132.00
25498	ROCKING M MEDIA (PRATT)	ADVERTISING	\$ 100.00
25499	STULL,BEVERLIN,NICOLAY & HA	LEGAL SERVICES	\$ 1,615.00
25500	T.J.'S ACCESSORIES	MERCHANDISE FOR RESALE	\$ 63.00
25501	THE PRINTING SHOP	MERCHANDISE FOR RESALE	\$ 467.00
25502	TMHC SERVICES, INC	ADMINISTRATIVE FEES	\$ 72.50
25503	TRACE OF COPPER	MERCHANDISE FOR RESALE	\$ 645.00
25504	USA BLUE BOOK	CHLORINE REAGENT	\$ 1,070.49
25505	WESTERN ASSOCIATES, INC.	MERCHANDISE FOR RESALE	\$ 174.71
25506	D.A. TECH, LLC	MERCHANDISE FOR RESALE	\$ 432.00
	***** PAID TOTAL *****		\$ 91,807.09
	***** REPORT TOTAL *****		\$ 105,726.01

**City of Greensburg
City Council Meeting
May 15, 2017**

TO: Mayor and City Council
SUBJECT: Conditional Building Permit Discussion
INITIATED BY: City Administrator, Kyler Ludwig

Background:

In January of 2017 Arrow Zanghi approached the City requesting a conditional building permit for his property at 903 N. Sycamore. Mr. Zanghi placed a structure that was under the abatement process in Mullinville onto his property, but he committed to City Staff that he would bring the home into compliance with codes quickly.

During citizen comments on March 6th, Arrow stated that he was injured on March 2nd and would not be able to complete the project in the allotted time. Staff feels that based on the progress Mr. Zanghi made in the first 6 weeks prior to his injury, he had no intention to finish the project within the set deadline.

On March 20th after Mr. Zanghi had failed to meet the set conditions of his building permit the City Council passed a resolution setting a formal hearing to take place on May 15th to discuss the property. Mr. Zanghi was notified of the hearing through certified mail, and a notice was published in the Kiowa County Signal.

No progress has been made on the property since the March 20th Council Discussion.

Analysis:

When Mr. Zanghi was given a building permit for the property he agreed to have the building on a foundation before March 18th of 2017. He also agreed to have the siding and roof completed by July 31st of 2017. A full list of the agreed upon terms is attached.

A proposed schedule for the abatement process is included. Council is not bound by this schedule and can stop the process at any time if the property is brought into compliance.

Informal Discussion (VIII, 8-712,a)	March 20, 2017
Resolution- Notice of Formal Hearing (VIII,8-712,b)	April 3, 2017
Publish Resolution in Paper of Record (KSA 12-1752)	April 12 & ,19 2017
Notification Sent to Landowner	April 12, 2017
Formal Hearing (VIII,8-712,b)	May 15, 2017
Publish Resolution Directing Owner to “Repair or Remove”	May 24, 2017
Reasonable Time Given to Repair or Remove the Structure	July 31, 2017

Going through this process simply gives council the authority to remove the structure if the July 31st deadline is not met.

Recommendations/Actions: It is recommended the City Council:

- Open the formal hearing
- Pass a resolution setting a deadline for the property to be compliant with the City Code.

Attachments: Exhibit A: Permit Conditions, Exhibit B: Pictures, Exhibit C: Draft Resolution

Conditional Building Permit Agreement

I _____ agree to the following terms as conditions to the building permit for the property located at _____.

- The City will be provided with a copy of the property's survey conducted by a licensed surveyor prior to a permit being issued.
- The foundation footings will reach at least 30 inches below the dirt grade.
- The structure will sit a minimum of 8 inches above grade when backfilled.
- The foundation will meet the minimum requirements set in the 2003 IRC code.
- The foundation will have a minimum of 3 blocks, a 2 foot crawl space, and the building will be securely strapped to the foundation with pinning every 4 feet.
- The structure will be set on the foundation by March 18th of 2017.
- The structure's electric infrastructure will meet the 2003 IRC and is subject to inspection by City staff.
- The siding will be completed by July 31st of 2017.
- The roof will be completed by July 31st of 2017.
- The home will be sealed with appropriate windows and venting by July 31st of 2017.
- The structure will meet all requirements set in the 2003 IRC
- Plumbing of the structure will meet the City's adopted plumbing codes.
- The construction is subject to inspection by city representatives to insure the facility meets the established requirements.
- The conditional building permit may be suspended or revoked for failure to meet the set requirements.

If the agreed upon deadlines and requirements are not met, I _____ understand that the property is in violation of the City's codes, and is subject to the cities abatement process, which may include fines and/or the removal of the structure at the expense of the property owner.

Signature of Building Permit Applicant _____

Date _____







RESOLUTION NO. 2017-03
A RESOLUTION FOR THE GOVERNING BODY OF THE CITY OF GREENSBURG, KANSAS.

WHEREAS, the governing body of the City of Greensburg, Kansas, is charged with the responsibility of enforcing Chapter VIII, Article 7 of the City Code; and

WHEREAS, Chapter VIII, Article 7 of the City Code provides the City with the authority to order to correct and/or repair, remove or demolish a blighted premises; and

WHEREAS, the Public Officer has determined a dangerous or unfit structure(s) exists on a part of All of Block Four (4); Lots One (1), Two (2), Three (3), Four (4), five (5), and Six (6), and the North Twelve Feet (N12') of Lot Twelve (12) in Block Thirteen (13), all in Lakeside Addition, city of Greensburg, Kiowa County, Kansas, more commonly known as 903 North Sycamore; and

WHEREAS, under Code Section 8-712 it is the right of the governing body to adopt a resolution fixing a time and place at which the owner, the owners' agent, any lien holder of record, and any occupant of any such structure may appear and show cause why the structure should not be condemned and ordered repaired or demolished; and

WHEREAS, said resolution was published once each week for two consecutive weeks on the same day of each week and that a copy of said resolution was mailed by certified mail, return receipt, within three days after its publication to each owner, agent, lien holder and occupant at the last known place of residence; and

WHEREAS, on May 15, 2017 at the regular City Council meeting a public hearing was held at which time the owners and any other interested party were given the opportunity to show cause why the structure(s) should not be condemned and ordered repaired or demolished; and

WHEREAS, the Mayor called the public hearing to order and asked the City staff to present factual information supporting the City's position that the property in question, 903 North Sycamore, Greensburg, Kansas, has located on it a structure that does not meet the adopted Minimum Housing Code of the City of Greensburg as defined in Chapter VIII, Article 7, Section 8-701 *et seq* of the City Code. City Administrator Kyler Ludwig presented a photograph(s) of the structure in question, described the disrepair the structure and lack of a permanent foundation, and noted that the owner has failed to bring the exterior of the home into compliance with the city code within the time agreed upon by the owner and Ludwig. Ludwig requested Council declare the structure to be in violation of the Minimum Housing Code and proposed Council give the owner until July 31, 2017 to abate the property.

The Mayor then inquired if the owner or any other individual interested in said property was present at the hearing and desired to speak; and

WHEREAS, the owner of the property _____; and

THEREUPON, in open session _____ made a motion, seconded by _____, that the Council should find, based upon the information received from the City Staff, that the conditions on the premises constitute a violation of Chapter VIII, Article 7, Section 8-701 *et seq*; that the owner has

provided no evidence or information sufficient to contradict the evidence of the City; that the City has attempted to obtain voluntary cooperation from the owner in rectifying the offending conditions but the owner has failed to alleviate the condition of the structure; that the offending conditions existed at least since the original notice was sent to the owner; that the owner has requested a reasonable time to eliminate the problems; and that the owner shall be given until July 31, 2017 to abate the condemned structure. The motion was approved _____.

NOW, THEREFORE, be it resolved by the governing body that the violating structure(s) located on 903 North Sycamore, Greensburg, Kansas, shall be demolished or repaired and the property brought into compliance by the owner on or before the 31st day of July, 2017 and if the owner of such structure(s) fails to commence within said time or fails to diligently prosecute the same until the work is completed the governing body will cause the structure(s) to be razed and removed.

BE IT FURTHER RESOLVED, by the governing body that in the event the owner fails to comply with the forgoing resolution regarding the removal or repair of the offending structure the enforcing officer may cause the structure to be removed and demolished; and

BE IT FURTHER RESOLVED, that in the event the City is required to take action with respect to the offending structure as a result of the failure of the owner to comply with this Resolution any costs incurred by the City shall be assessed and collected in accordance with Chapter VIII, Article 7, Section 8-716; and

BE IT FURTHER RESOLVED, that this resolution shall be published once in the official City newspaper and a copy mailed to the owner, agents, lien holders of record and occupants in the same manner as provided for notice in Chapter VIII, Article 7, Section 8-712.

This Resolution is approved and adopted this 15th day of May, 2017, and it shall be effective upon publication in the official newspaper.

ATTEST:

ROBERT A. DIXSON, Mayor

CHRISTY PYATT, City Clerk

City of Greensburg
City Council Meeting
May 15, 2017

TO: Mayor and City Council
SUBJECT: Pool Chlorine System
INITIATED BY: City Administrator, Kyler Ludwig

Background: In 2016 the City spent \$11,000 on chlorine in the City's pool. This is significantly higher than the previous pools chlorination costs. Staff is working on a plan to reduce the costs of chlorinating the pool.

Analysis:

Option 1: Continue with our current chlorination system (which uses "unstable chlorine") but add Cyanuric Acid as it is needed throughout the season to "stabilize" the chlorine.

-Unstable chlorine breaks down when exposed to the sun, which is why so much chlorine was needed during the 2016 pool season.

Option 2: Purchase a system similar to the old pool (\$300) which uses stabilized chlorine tablets. The risk of stable chlorine is that the cyanuric acid can build up too much, which makes the chlorine less potent. Muriatic Acid which is currently used to stabilize the pool would no longer be needed if we use stabilized chlorine.

Option 3: Purchase a liquid chlorine system (\$2000) which uses unstable chlorine, but is a more reliable chlorination system. It is likely some stabilizer will still be needed. The chemical will all be managed by a contractor, and staff will no longer need to manage the chlorine or acid systems.

Recommendation/Action:

Review and comment on the three options, and discuss any concerns about the potential plans of action.

**City of Greensburg
City Council Meeting
May 15, 2017**

TO: Mayor and City Council
SUBJECT: Airport Grant Cancellation Agreements
INITIATED BY: Kyler Ludwig, City Administrator

Background:

In March of 2017 KDOT discussed with the City the new Airport Grant for 2018. The City is working with Lochner to put together a plan of action for the grading project.

Analysis:

Lochner discussed proposed that the City advertise the project starting in June of 2017 with a bid deadline of July. The state funds will officially become available in July for the project. The engineering estimated construction is 60 days. The engineers want to get a temporary cover crop planted in November with a final seeding to take place in spring of 2018.

Recommendations/Actions: It is recommended the City Council:

Receive and file the report

Attachments: None

**City of Greensburg
City Council Meeting
May 15, 2017**

TO: Mayor and City Council
SUBJECT: KPP RICE Payment
INITIATED BY: City Administrator, Kyler Ludwig

Background:

In September of 2011 KPP took on a system upgrade cost that was to be paid for by all members. On September 30, 2011 Jay Newton Informed KPP that the City would pay for our part of the upgrade in a single payment. On October 1st of 2012 the Council set aside up to \$50,000 for the payment, which was anticipated to be paid at the end of 2012. At that time it the amount was anticipated to be approximately \$46,646. The project took longer than expected, and did not get completed until December of 2016. KPP has final numbers for the project and the City is responsible for \$40,049.49 of the project.

Carl Myers said that we could hold off paying until the first quarter of 2018 if it was needed, but they would take payment anytime we were ready to transfer the funds.

Analysis:

The Electric fund is healthy enough to make this payment, but it may require us to make a budget amendment prior to the end of the year. Staff recommends that council authorize the payment through a motion, but we hold off on making the payment until after summer when we have a better understanding of the 2017 electric budget.

Recommendations/Actions: It is recommended the City Council:

-Authorize a payment of \$40,049.49 for RICE upgrades to KPP to be paid prior to the end of the first quarter of 2018.

Attachments: Exhibit A: Email from Carl Myers, Exhibit B: Minutes Oct 1, 2012

**Greensburg City Council
October 1, 2012
CITY HALL**

Item 1: Opening Session

Call to Order; Pledge of Allegiance; Invocation; Roll Call

Mayor Robert Dixon called the October 1, 2012 City Council meeting to order at 6:00 p.m. The Pledge of Allegiance was said, and the invocation was given by Greg Waters. Roll call was taken. Council present: Mark Trummel, Matt Christenson, Erica Goodman, Sandra Jungemann, and Rex Butler.

Additions/Deletions to the Agenda

Trummel made a motion, seconded by Goodman, to approve the agenda as presented. Motion passed 5-0.

Mayor's Report

Dixon pointed Council's attention to the flag framed and hanging on the back wall of the Chambers. The flag was the one that was used at City Hall on May 4, 2007. Dixon also thanked Paul DeWeese for constructing and installing the acoustic panels in the Chambers. Those in the audience were asked to raise their hand if they were having difficulty hearing so that Staff can gauge the effectiveness of the panels.

Council Member's Report

There were no comments from Council Members.

City Administrator Comments

City Administrator Ed Truelove stated that Staff was evaluating the effectiveness of the newly completed acoustic panels without the use of the sound system. At the next meeting Staff will have the sound system in use. Repairs may need to be made to Goodman's mic as there appears to be a short.

Truelove has been advised that there have been over 1,000 claims received in the Atrazine settlement.

Letters will be going out to local 501(c)3 organizations, advising them of a December 1st application deadline for the grant funds budgeted for 2013.

Dixon and Truelove attended a KDOT planning meeting last Thursday in Hutchinson. They were given an update on Kansas T-Works projects. K96 and US 54 are prominently being discussed, primarily the Kingman by-pass. Area Engineer Scott Mullins visited with Truelove last week. He advised that US 54 from west of Greensburg to the east Kiowa County line will be resurfaced beginning in late May, early June 2013. This project is funded through the KDOT Preservation Fund.

Trummel asked if Truelove had any additional information on the relocation of Davis Park. Truelove has received an email from Rob Stork at KDOT. Truelove hopes to bring information to the next Council meeting regarding KDOT's request for the City to obtain 3rd party assessed values for these items.

Item 2: Public Comment

Dixon welcomed those in attendance. There were no comments from the public.

Item 3: Consent Agenda

Butler questioned check number 21052 for phones at the Incubator. It was explained that the City is responsible for specific phone lines in the Incubator building. Those lines include the Economic

10.1.12

Development Office (including the line used to download information to the community sign), the maintenance phone, the conference room phone, and the line designated for building control systems. Butler then questioned check 21058. Truelove explained that building control system operator training was approved through the Energy Manager Grant and this will be reimbursed. Dixon clarified that check 21068 was for Truelove and Dixon to attend the League of Kansas Municipalities meeting this coming weekend and for acoustic panel materials.

Goodman made a motion to approve the Consent Agenda. Butler seconded. Motion passed 5-0.

Item 4: Items of Business

A) Receive Chad Pore, Greensburg Rotary, and consider a park improvement project proposal for Sunset Acres Park.

Chad Pore, President of Greensburg Rotary, along with members Greg and Lisa Waters, was present to request approval for a park improvement proposal for Sunset Acres Park. After giving a brief history of Rotary in Greensburg, Pore stated that Rotary has contributed \$250,000 to Greensburg and Kiowa County since the 2007 tornado. Rotary has been awarded a 50/50 district grant to make improvements at Sunset Acres Park and would like to use those funds to install a new semi-permanent backstop, pitching mound, bases, and semi-permanent soccer goals. The school is donating the framing for the backstop. Rotary would like to work with the City to adopt a 5 year park plan. Other improvement possibilities at Sunset Acres include an expanded basketball court and picnic area. Pore requested Council support the installation of the backstop, pitching mound, bases, and goals at this time. He also invited Council to attend a Rotary meeting. They meet at noon on Wednesdays in the hospital conference room.

Trummel made a motion, seconded by Jungemann, to approve the proposed improvements. Motion passed 5-0.

B) Consider an appointment to the Greensburg Recreation Commission to fill an unexpired term ending January 1, 2014.

City appointee Chris Tedder has stepped down from the Greensburg Rec. Commission. Aaron Zadina and Brad Estes have expressed interest in fulfilling the unexpired term. Council was provided with a letter of qualifications from Estes. There is nothing keeping the City from considering citizens outside of city limits for the appointment; however, USD 422 can select nominees from anywhere within their district and Haviland and Mullinville each have their own commissions. Truelove stated that, in an effort to avoid taking from any of those entities, he would prefer that City nominees be from the Greensburg area. He feels that both candidates are well qualified for the open term. The City's second seat is currently held by Missy Cannon. Dixon explained how the 5 member Commission is selected.

Goodman stated that she feels that attendance at meetings is very important. Acknowledging that Estes is a very busy man, she stated that she has reviewed minutes from another board that Estes serves on and has found that he is frequently not in attendance. Goodman serves with Zadina on the Tourism Board, and stated that he is very active and has nearly perfect attendance.

Trummel made a motion to appoint Zadina to the unexpired term ending January 1, 2014. Goodman seconded. Motion passed 5-0.

C) Consider an extension to the abatement process for property located at 308 S. Sycamore.

Tauna Butler, owner of 308 S. Sycamore, has communicated to Truelove that she is awaiting the results of an appraisal of her property. She requests additional time to obtain those results and decide what to do with the property. She stated that she would be considering selling the property to the City, selling to a private individual, or establishing a business on the existing, open basement, as discussed at the July 2, 2012 abatement hearing. Truelove recommended a 60-90 day extension.

Jungemann made a motion to give Butler an additional 90 days. Goodman seconded. Trummel asked if they would have a decision from Butler at the end of the 90 days. He and Christenson agreed that Council cannot continue to grant extensions. After a brief discussion, Jungemann and Goodman amended their motion and second to 60 days. Motion passed 5-0.

D) Consider a request from Kiowa County United to replace curb and guttering on the east side of property located at 300 W. Kansas at a cost of \$1,500, as bid by Pueblo Concrete.

Kiowa County United has purchased the unfinished building at 300 W. Kansas. Turquoise Ranch is relocating from the Incubator Building to this location. The new owners are finishing the front of the building and installing a concrete parking lot on the east side. They are requesting that the City assist them by paying for approximately 40 ft. of valley curb and guttering to be installed along the drive at a cost of \$1,500. Butler pointed out that traditionally it is the property owner's responsibility to alter curbs and guttering for parking lots. Staff confirmed that this section of curbing was not replaced during the street project. Truelove feels that Kiowa County United is investing significantly in assisting an established business to expand and that a City contribution toward economic development would be appropriate. It was noted that the City previously contributed \$50,000 toward the construction the downtown United building. Butler and Trummel were concerned about setting a precedence. City Attorney Gordon Stull noted that other cities have ordinances that allow requests to the city for gutters/curbs /sidewalks at a 50/50 split. The City of Pratt goes through the Economic Development Board. Dixon recommended that Council discuss this possibility with Economic Development for future projects, but believes that they do not have the funds to contribute this fiscal year.

Goodman made a motion to approve the contribution. Jungemann seconded and the motion passed 4-1 (Butler).

E) Discuss and consider whether to provide upfront payment or participate in a 10 year bond financing of the City's portion of the required upgrades to certain City owned generating units of the KPP that are designated network resources (DNRs) for all KPP members.

Truelove reminded Council that in August 2011 the City entered into a 20 year contract with KPP, but stated that he was unable to locate in Council minutes where the Council agreed to pre-pay their portion of repairs, though City Treasurer Pam Reves and KPP representative Carl Myers recall the dialogue. The City must advise KPP by mid October if they intend to go through the bond process, rather than pre-pay. Reves assures Truelove that the funds are available to pre-pay. If Council chooses the bond process, the interest rate is 3.45%. A bond issue would require an increase in utility cost. If Council proceeds with pre-payment, the \$46,647 City portion will be called in late 2013. Dixon requested and received clarification that if the City chooses pre-payment their utility costs will not go up due to other cities choosing to utilize the bond. Christenson favored pre-payment to save on interest and avoid broker and other associated costs.

After a brief discussion on potential cost increase over the next year, Butler made a motion to earmark up to \$50,000 for pre-payment of the City's portion. Christenson seconded. Motion passed 5-0.

F) Discuss LEED Certification for City Hall building.

10.1.12

Staff has been communicating with BNIM regarding the current status of the City's LEED certification for City Hall. BNIM plans to submit the City's request to the US Green Building Council (USGBC) on Friday and have provided Staff with a copy of the score card to be submitted. BNIM questions achieving LEED Platinum with the submittal of 53 points. Fifty-two points are required, and it is not unusual for USGBC to deny points that are submitted. They may also convert some of the "maybe" points to "yes". Non USGBC members are required to submit a \$2,700 filing fee. In the BNIM contract, \$85,000 of the total \$295,000 was specifically for LEED Certification. The City has paid the full \$295,000; however, BNIM believes that this fee should be paid in addition to previously paid contract costs through the additional \$25,000 noted in the contract under section 1.3.9.2 as "reimbursable expenses." Referencing an April 2008 letter from BNIM that specifies what the \$85,000 covers, Truelove feels that the City has already paid for the filing fee. Additional costs have reduced the amount of "reimbursable expenses" funds dramatically. Christenson agreed with Truelove that the submission fees referenced in 1.3.9.2 of the contract are for submissions for code review, not LEED Certification. Goodman questioned if the building would be re-examined during the certification process. Staff confirmed that this would not be the case. Dixson pointed out that BNIM is marketing City Hall as a LEED Certified building and has won several awards for such. Trummel expressed dissatisfaction with other issues in the building (including the additional expense of acoustic panels to improve sound quality in the Council Chambers and to fix the roof that is leaking). It was the consensus of the Council that the City owes nothing more to BNIM for reimbursement of the certification filing fee.

Item 5: City Attorney's Report

There was no report from the City Attorney.

Item 6: Executive Session

Stull requested a 15 minutes executive session for attorney/client. Trummel made a motion, seconded by Butler, to go into executive session until 7:30 p.m. Motion passed 5-0.

Dixson declared the meeting back in open session at 7:30 p.m.

Trummel asked Staff to investigate if USDA had stipulations on what could and could not be developed in the Business Park. Staff noted that current zoning regulations list what development is allowed in an industrial zone, but will check with USDA for additional direction.

Goodman requested Staff provide an updated list of board appointments and term limits.

Dixson stated that he would be out of town during the next Council meeting. By request of Goodman, Staff will look into the possibility of using SKYPE during the meeting to allow Dixson to participate.

Council was reminded of their scheduled work session on Monday, October 8th at 6 p.m. in the Incubator meeting room. Stull is not required to attend.

Dixson relayed to Council that Public Works Superintendent Mike Hayes' mother's funeral was held earlier today and asked Council to remember the family.

Item 7: Adjournment

Dixson declared the meeting adjourned at 7:37 p.m.

Robert A. Dixson, Mayor

Christy Pyatt, City Clerk

Kyler Ludwig

From: Carl Myers [CMyers@kansaspowerpool.org]
Sent: Friday, September 28, 2012 11:24 AM
To: Ed Truelove
Subject: EPA NESHAP/RICE Project Verification

Ed:

KPP is preparing to issue revenue bonds for the required upgrades to certain City-owned generating units that are Designated Network Resources (DNR's) for all KPP members. The cost of this expense is to be spread across all the KPP member cities taking energy through the KPP. Prior to your arrival in Greensburg, KPP surveyed each member city to ascertain if they wanted to pay their pro rata share through the KPP demand rate over a ten-year period until the bonds are paid off or if they wanted to pre-pay their share of the project cost prior to the issuance of the bonds. At the time, Greensburg opted to pre-pay their share of the expense.

We want to make sure Greensburg still wants to do this since the project cost has fluctuated since the survey was sent out. Greensburg's approximate share of the expense is \$46,647, however, the amount may change as explained below:

The prepayment amount of the project cost is determined by the member's forecasted percentage of the total KPP demand. Any of the following factors may change the prepayment amount, at which time KPP will reconcile the difference with a true-up amount to either be paid by the member to KPP or paid to the member by KPP using the most recent bond interest rate to determine the cost of money:

Ø the final project cost is different from the estimated project cost

Ø a City's projected percentage of the total KPP demand changes when:
* the actual percentage differs from the forecasted percentage

· a new member city joins the KPP and changes all percentages

Ø new member units become KPP upgraded DNR's

Ø existing member units are later upgraded as KPP DNR's

Greensburg may change its method of payment from a pre-payment to a ten-year financing through the KPP rate if I am notified by mid-October when the bond size must be finalized.

Please contact me if you have questions.

Best regards,

Carl Myers
Director of Member Services
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Wichita, KS 67202
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