

**Greensburg City Council  
July 17, 2017  
City Hall**

**A) CALL TO ORDER**

Mayor Robert Dixson called the meeting to order at 6:00 p.m. on July 17, 2017.

**B) PLEDGE OF ALLEGIANCE AND INVOCATION**

The Pledge of Allegiance was said and the invocation given by Pastor John Harrison.

**C) ROLL CALL & APPROVAL OF THE AGENDA**

Council present: Mark Trummel, Matt Christenson, Rick Schaffer, and Haley Kern. Sandra Jungemann was absent. Trummel made a motion to approve the agenda as presented. Kern seconded. The motion passed 4-0.

**D) CITIZEN COMMENTS**

Mayor Dixson welcomed those in attendance and opened the floor for citizen comments.

Bruce Foster stated that he had received a mowing notice from the city. He stated that the letter he received said he had 10 days from the date he signed for the letter to mow his property. Foster stated that the city mowed the property 3 days prior to the 10 day deadline, a Friday. When he questioned Staff about it he was told that he has 10 days from the date the letter was sent. Foster said that he was delayed in mowing his grass because his mower had broken down and he intended to borrow one from a friend and mow on Saturday. During the process of mowing the property, city staff damaged a water hydrant, which they repaired at no cost to the property owner. Foster was, however, billed \$375 for the mowing. His utility bill will also reflect the cost of the water that was lost due to the broken hydrant. Foster asked if he still had to pay the mowing bill since staff had mowed the property early.

City Administrator Kyler Ludwig advised that the letter to Foster was mailed certified on June 9<sup>th</sup>. Foster signed for the letter on June 17<sup>th</sup> and the property was not mowed until June 30<sup>th</sup>. Ludwig stated that city ordinance allows a property owner 10 days from the date a letter is mailed to abate tall grasses. Ludwig will amend the wording of the mowing notice to provide a clear abatement deadline.

Foster was advised by Dixson that the Council does not address issues brought up during public comment when they are presented, they are addressed at a later date.

**E) CONSENT AGENDA**

Kern made a motion to approve the Consent Agenda as presented. Christenson seconded the motion, which passed 4-0.

**F) ITEMS OF BUSINESS**

**1. Public Arts Committee (PAC) Update**

PAC member Shawn Cannon advised that the committee has met again, since the last Council Meeting. Three members of the committee traveled to Kechi to view the Karg Sculpture that was proposed for Starlight Park. Council was presented with pictures of the piece, as well as other pieces that the committee is considering. The pieces can be altered to fit the theme of the park. The artist recommends a 10" concrete base, of whatever shape the committee desires, to add height and protect the piece from animals. Some of the pieces they were shown would allow visitors to be more interactive with them, such as allowing visitors to sit on them for photo opportunities. The artist utilizes a thick, blown, colored glass in many of his pieces, but he has never had the glass broken by weather elements. Cannon prefers not to see a foundation poured until funding for the total project is in place and stated that a delay in choosing the piece will not stop progress on the park. City Staff can proceed with planting grass. The artist will

not begin work on the project until the funding is in place either. The committee should have a better idea of which piece they would like, and available funding, by the end of August. The potential corporate donor for the piece has said that his donation would be for the project, not a specific piece. The committee is also considering lighting for the third piece.

When asked about the second piece of art, Cannon stated that it still has not been delivered. Focused lighting for the piece will be installed, and the group continues to explore options to improve the lighting on the Beacon. Council encouraged PAC to take their time in decided on a third piece, as this project is one for generations to come.

## **2. Lochner Supplemental Agreement**

When the City accepted a new KDOT grant for the airport project they had to let remaining funds from two previously awarded grants go. Lochner is working with KDOT to see how incomplete pre-construction work can be funded under the current grant. Ludwig presented a Supplemental Agreement with Lochner for Council's consideration, which would allow them to continue work through the current grant process. The proposed agreement covers the engineering of the upcoming grading and runway construction. Lochner will also help with the bidding, permitting, inspections, and selection process. The agreement has been approved by City Attorney Clayton Kerbs as to form.

Christenson asked for clarification on the city's portion of the costs and items removed from the original contract. Ludwig explained that the airport lighting system and paving of the runway will have to be covered by a future grant. The proposed supplement includes seeding of the runway and contains no duplication of services. KDOT prefers that grants be used within the budget year but often allows grants to remain open as progress on the project continues.

Christenson made a motion to approve Supplemental Agreement No. 2 with Lochner for services for construction of the new airport. Trummel seconded, and the motion passed 4-0.

## **3. Land Bank – 313 W. Garfield Discussion**

Dixon recessed the Council, who convened as the Land Bank at 6:26 p.m. Ludwig stated that in May Staff advertised for sale land bank property located at 313 W. Garfield. Council had approved Staff to offer the property to Patrick Kumar, the applicant who had requested the sale of the property; however, Kumar told Staff that he was no longer interested in the property because he "did not see properties turning over very fast in our community," and did not want to hold on to the property. On July 5<sup>th</sup>, Staff received an application from Kathy McOمبر, who is interested in building a home at that location. McOمبر would prefer to purchase the property at the \$10/frontage foot rate because they do not want to be subject to the one year development time limit. Kumar, as an adjacent property owner, was notified of this application and expressed interest again in purchasing the property at 313 W. Garfield. Kumar stated that he would like to keep the land there as a barrier between him and future development. The sale of the property has been advertised and the Land Bank would not need to go through the advertisement process again to move forward with the sale of the property.

After a brief discussion, and voicing a preference to see properties developed, Schaffer made a motion, seconded by Trummel, to authorize Staff to sell the property located at 313 W. Garfield to McOمبر. Motion passed 4-0. The Land Bank adjourned at 6:31 p.m.

## **4. Call for Budget hearing – August 7, 2017**

Council reconvened open session at 6:31 p.m. Ludwig requested that Council approve the publication of the 2018 budget as presented, over the past month, and set the annual budget hearing for August 7<sup>th</sup> at 6:00 p.m. As prepared, the 2018 budget would increase 1.709 mills from 2017 to 65.151mills. Ludwig explained that the Council can choose to lower the mill levy from the published amount during the public

hearing, but cannot increase it. The County proposed an increase of approximately 4 mills. The school is waiting to prepare its budget because of pending Supreme Court rulings.

Christenson made a motion to approve the publication of the 2018 budget as presented and set the annual budget hearing for August 7<sup>th</sup> at 6:00 p.m. Trummel seconded, and the motion passed 4-0.

#### **5. EMC – Hail Claim**

Ludwig reported that on June 17<sup>th</sup> a few City facilities suffered damage from a hail storm. A claim was submitted to EMC Insurance. A copy of the EMC report was provided in the meeting packet. EMC does not cover dents in metal roofs. Utility Superintendent Mick Kendall has said that City Staff can be utilized to perform repairs on some of the smaller structures. Street/Park Superintendent Mike Hayse has stated that equipment would need to be purchased to do the job right. Two items remain open on the claim – solar panels and pool canopies. Staff will be getting the panels inspected and will be seeking quotes for replacement canopies. Ludwig requested Council authorize Staff to receive quotes for the repair of the pool house roof and any other structures that cannot be handled by Staff. Bids would be presented to Council for approval.

Trummel asked how soon Staff would be able to perform the work, as they are busy with mowing. Ludwig stated that out buildings and pump houses were not urgent and can be scheduled later in the year, but that the pool house should be taken care of sooner.

Council voiced that obtaining repairs to structures is mostly administrative and thanked Ludwig for the facilities update.

#### **6. Fiber Internet and VoIP Quote**

Staff has noticed an increase in the cost of phone service. Currently the bill for City Hall is approximately \$950/mo (1 fax/3 phone lines). In addition, we pay \$75 for internet (18 Mbps/1 Mbps). Ludwig is pursuing options for a dedicated fiber internet connection at City Hall. Fiber connectivity allows for mirrored upload and download speeds, and greater reliability (99.9% guaranteed). Currently the County Courthouse, BTI, USD 422, and Greensburg State Bank have fiber internet capabilities. Quotes from Verizon and AT&T have been obtained. AT&T has a fiber line down the alley behind City Hall. AT&T quoted the City \$898.34/mo for 20 Mbps internet which includes 6 internet based phone lines (VoIP). The written quote included a bid for 50 Mbps internet and 6 VoIP lines at \$1,136.10. After discussions with AT&T they reduced their 50 Mbps cost to \$964.73/mo. New phones would be required. Ludwig is working with the Media Center to put together a bid for the phone system (10 phones). Ludwig is optimistic that the phones and set-up can be purchased under the Administrator's purchasing authority.

Christenson asked if AT&T utilizes a PRI or SIP system and if they use a managed router. He stated that a managed router would add a little to the bill but that AT&T would own the router and the City would just need to provide space and access. He explained that the router would be fairly large (3 rack). The courthouse has had their new system for 2-3 months, with no problems and a savings of approximately \$1,300/mo. Dixon asked if the City would need to pay for a line to be run from the alley to the building. Ludwig stated that the cost of the line would be waived with a 3 year agreement. He believes that utilizing the fiber line would show that we are a community interested in growing our fiber capability.

Ludwig asked for a motion to move forward with the project with AT&T. Any major changes would be brought back to Council. Kern made a motion to move forward with the 3 year AT&T contract. Christenson seconded and the motion passed 4-0.

**G) CITY ATTORNEY'S REPORT**

City Attorney Clayton Kerbs reported that he has been working on Municipal Court cases started by Gordon Stull. Kerbs does not plan to offer diversions, in an effort to expedite the process, but will consider a plea deal on a case-by-case basis. Diversions require that the driver's record be monitored and it is difficult to know if the driving record has been masked.

**H) CITY ADMINISTRATOR'S REPORT**

Ludwig discussed the following topics:

**Pool Canopy:** One of the corners of the green canopy at the pool fell down on Thursday. The entire canopy was taken down. Staff will be working to find replacement parts.

**August Pool Schedule:** Summer hours at the pool will start the week of August 20<sup>th</sup>. A schedule of hours will be included in the utility newsletter.

**Kiowa County Fair:** The County 4H Fair is going now until Thursday the 20<sup>th</sup>.

**Business Incubator:** City Staff has been approached about the open downstairs space at the Incubator. Staff will find out this week if the party is interested in renting the space. Great Plains gave their notice, and they are planning to move out of the Incubator on August 31<sup>st</sup>.

**Greensburg Recreation Commission:** Has expressed interest in building a 20x20 concrete slab for equipment storage at Davis Park. They have also asked for permission to store some fencing in the old pool building. Staff will move forward with the requests unless Council has any concerns.

**STO/UPOC:** Updating to the 2017 STO/UPOC will be on the next Council Agenda.

**Property Abatement:** The Property at 903 N Sycamore has not had any improvements since the public hearing. The property owner has until July 31<sup>st</sup> to abate the nuisance. Staff has reached out to the home mover to notify him about the pending abatement, because some of his equipment is underneath the home. This property will be placed on the August 3<sup>rd</sup> Council Agenda.

**Rice Property Mineral Rights:** Staff has worked with Advantage Resources to get the mineral rights at the new airport property transferred into the City's name. The past due revenues from the well are being forwarded to the City. (Approximately \$1,000)

**I) GOVERNING BODY COMMENTS**

Schaffer stated that he is impressed by the condition of the lake road. Ludwig verified that City Staff had graded the road and that they typically do so after a rain (though not under agreement to do so). The State has been contacted and has said that they are looking at doing some work to the area.


Trummel asked if the owner of 903 N. Sycamore still receives mail. Ludwig verified that mail is still received at the address, but that the owner resides in the Hayes apartments on Grant Street.

Christenson will be gone during the August 21<sup>st</sup> Council meeting, and possibly the first meeting in September. Kern will also be absent August 21<sup>st</sup>.

**J) ADJOURNMENT**

Dixson declared the meeting adjourned at 7:05 p.m.

  
Robert A. Dixon, Mayor

  
Christy Pyatt, City Clerk