

Greensburg City Council
August 21, 2017
City Hall

A) CALL TO ORDER

Mayor Robert Dixson called the meeting to order at 6:00 p.m. on August 21, 2017.

B) PLEDGE OF ALLEGIANCE AND INVOCATION

The Pledge of Allegiance was said and the invocation given by Dixson.

C) ROLL CALL & APPROVAL OF THE AGENDA

Council present: Mark Trummel, Sandy Jungemann, and Rick Schaffer. Matt Christenson and Haley Kern were absent. Trummel made a motion to approve the agenda as presented. Jungemann seconded. The motion passed 3-0.

D) CITIZEN COMMENTS

Mayor Dixson welcomed those in attendance and opened the floor for citizen comments. Chris Kipp, 811 S. Grove, addressed the Council about the City mowing his property. Kipp stated that he received a mowing notice approximately 2 months ago. He mowed following the notice, but, until recently, Kipp was not aware that the City did not have to notice him again before mowing. The city mowed his property two weeks ago, and Kipp claims that bushes his wife had planted on the property were mowed over. Kipp fees that other lots in town were in worse shape than his at the time it was mowed. He requested Council forgive the mowing fee that he was billed and stated that it would have been nice if staff would have knocked on his door prior to mowing.

Ludwig stated that he and Mike Hayse had viewed the property before it was mowed. It is not the practice of Staff to notify citizens each time their lawn was out of compliance. Staff is only required to notify residents once a year if they are out of compliance. Ludwig also stated that the property across the street from Kipp was lettered and mowed by the City.

Dixson advised that Council is unable to take action on items presented during citizen comments at the time that they are presented.

Arrow Zanghi asked why the City was mowing private yards when he has pig weeds and grass growing in the street in front of his property on N. Sycamore. Ludwig responded that weeds in the street and alley are the responsibility of the adjacent land owners. Ludwig stated that City Staff does spray cracks in the street when they have time.

E) CONSENT AGENDA

Jungemann made a motion to approve the Consent Agenda as presented. Trummel seconded the motion, which passed 3-0.

F) ITEMS OF BUSINESS**1. 903 N. Sycamore - Abatement**

At the previous Council Meeting, Arrow Zanghi was asked to provide a development plan for his property at 903 N. Sycamore, which is under an abatement process. Abatement was delayed 2 weeks, providing the owner produced the schedule. After briefly reviewing the plan provided, Jungemann asked if she understood correctly that it would be October before a foundation would be completed. Zanghi stated that, yes, he did propose 60 days to have it completed. Trummel reminded Zanghi that he had previously told Council that he had hired Denton Schmidt to do the foundation and that it was scheduled for 3 weeks from their conversation (which would have been approximately the time of this Council Meeting). Trummel asked if the work had begun. Zanghi confirmed that it had not and stated that he has

been trying to contact Schmidt for the last week. Zanghi stated that he has spoken to Tony Lowry, Pueblo Concrete, but that there was no way they could work him in at this time. Zanghi plans to do the work himself. Schaffer stated that 6 months ago Zanghi had told the Council he could finish the project in 6 months, but there is no visible progress on the property. Zanghi told Schaffer that he and Council had gotten past that and discussed lack of progress at the last meeting.

Dixson and Trummel questioned that the plan provided stated that the structure would be wrapped and roof wrap would be placed by October 31st. They pointed out that the original conditions placed on the building permit stated that the house would be sided and roofed by July 31st. Trummel stated that he wanted to see siding on the structure by the end of October. Zanghi stated that he could not promise that time frame and stated that he still needed to build a porch before siding the structure. Discussion continued about the concerns several Council members have expressed. Zanghi stated that he was really tired of hearing about "stuff" that was discussed at the last meeting and that he could only promise the structure would be wrapped and hope for siding.

Ludwig recommend that the Council gives Zanghi a clear list of expectations and a timeline before he invests additional resources. Zanghi stated that, though he has not made physical progress on the property, he continues to make financial progress, having just paid for the foundation blocks the night before. He has also told the house mover to tentatively plan to set the structure in 6-8 weeks. Dixson clarified that Councilman Christenson had specified at the last meeting that he wanted to see a plan with milestone dates. Trummel stated that Zanghi should have considered if he could afford the project in January, before starting and reiterated that he wants to see the structure on a foundation, siding, and a new roof by the end of October. Hearing direction from Trummel, Zanghi stated that he could then come back to Council their first meeting in November and discuss where the project was at. Schaffer mentioned that Zanghi has a minimal investment in the property now; Shaffer wondered if Council was doing Zanghi a favor if he spends more money only to have the Council move forward with abatement because he has not met specific milestones.

Jungemann made a motion to extend abatement until October 31st, with Zanghi to complete the plan presented. Council would hear back from him on siding and roofing at that time. The motion died due to lack of a second. Trummel made a motion to extend abatement until October 31st, with Zanghi to complete the plan, as well as siding and roofing. The abatement process would be back in order November 7th if those items specified were not complete. The motion died due to lack of a second. Trummel made a motion to delay abatement 2 weeks, until the September 5th Council meeting. Schaffer seconded. Motion passed 2-1 (Jungemann voting "no"). Zanghi told Trummel that he was just looking for someone to second his motion and that there was no reason for him to spend another dime or second on the project. Trummel explained that he was looking for more opinions and wished to delay abatement until more Council Members were present. Zanghi stated that he would not be able to attend the September 5th meeting.

2. Land Bank – 504 S. Cherry

Council went into recess at 6:43 p.m. and convened as the Land Bank. Ludwig reminded Council that on May 1st the Land Bank approved the advertisement to sell the property at 504 S. Cherry. The sale was published in the Kiowa County Signal. On June 19th Staff was authorized by the Land Bank to sell the property to Levi Murray. Recently Murray advised Staff that he is no longer interested in the property. On August 11th, Staff received an application from Jean Finch to purchase the property and build a home on it. The development is expected to start in April of 2018 be completed by the end of 2018. Staff feels that this fits within the scope set out for development "within a year" and recommended the sale of the property for \$300. Since the sale of the property was advertised without naming a potential buyer, it is unnecessary to advertise it again. Ludwig requested authorization to sell the property at 507 S. Cherry to Jean Finch. Schaffer made a motion to sell 507 S. Cherry to Jean Finch for \$300. Trummel seconded the

motion. Motion passed 3-0. The Land Bank adjourned at 6:45 p.m. and Council reconvened regular session.

3. 2nd quarter Financials (Jan-June)

Ludwig presented a brief report of financials through the end of June. Of particular interest was an unpredicted increase of revenue within the General Fund, due to FEMA reimbursement for storm damage during the January ice storm, a grant for trees at the swimming pool park, and a \$10,000 mistake in a line item entry (which has been corrected). The General Fund also shows a decrease in expenditures. The Big Well shows an increase in expenditures over this time last year. Staff will be keeping an eye on Big Well expenditures. For the first time since it's opening, the Incubator Fund is in the black. There are currently 2 office spaces available to rent upstairs. Circles has delayed putting their call-center on the bottom floor, and a lease has been sent to a new tenant for the downstairs retail space that was vacated a few months ago.

4. PURPA Waiver Ordinance

Mark Chesney from Kansas Power Pool (KPP) wrote a letter on July 27, 2017 to all KPP members recommending they adopt an ordinance asking for a waiver from the purchase requirements set in the Public Utility Regulatory Policies Act (PURPA). The waiver would move the purchasing requirements to KPP. PURPA is a law passed in the late 70s to help encourage US energy independence. The law required utilities to pay any "qualifying facility" for electric production at the estimated "avoided cost rate". Staff recommended Council waive its purchasing requirements under PURPA to KPP through the adoption of the prepared ordinance. Ludwig stated that KPP has a lower avoided cost than the City, and KPP has a greater capacity to handle legal costs or negotiations with qualifying facilities. Trummel made a motion, seconded by Jungemann, to approve Ordinance 1076 as prepared. Dixon called for a roll call vote. Trummel: yes; Jungemann: yes; Schaffer: yes. Motion passed 3-0.

5. 410 E. Ohio – Co-op/city Properties

On August 3, 2015 the City Council discussed the property at 410 E. Ohio. The co-op had expressed interest in acquiring the property, but changes at the co-op delayed further discussion. At that time, Jay Newton, Interim City Administrator, recommended selling the property to the co-op for \$1. On August 16th Rod Craft, Alliance Ag and Grain, requested that the City once again look into the option to sell the unused property on the west side of the ditch. This property would be used for expansion of their fertilizer capabilities. If Council chooses to sell the property, Ludwig recommended moving forward with a street vacation of Pine Street from Ohio Avenue to the railroad. The City would also need to advertise that the property is for sale. Ludwig also recommended that Council require the Co-op to pay for a survey setting new boundary lines, which be required for any development by the Co-op.

Dixon mentioned that the property should be sold "as is". The co-op has already done significant clean-up on that section of the property. City Attorney Clayton Kerbs suggested the City give an option for an environmental study to be done. The Co-op could be required to pay for the study or waive the study and accept it "as is". Dixon expressed interest in seeing the property back on the tax rolls. Trummel voiced that the property is worth more than \$1 but was willing to sell for \$1 if the co-op pays for all additional expenses. Schaffer made a motion to authorize Staff to work with the co-op on a property survey, and set October 16th as a sell date for the property. Trummel seconded. Motion passed 3-0.

6. Airport Bidding Process

Provided in the meeting packet was a lengthy document that Lochner is providing to bidders of the airport project. Ludwig briefly discussed the proposed schedule. Ludwig has worked with Lochner to change a few of the dates from the packet; Lochner is now proposing September 1st for final plans and specs; September 5th for advertisement; and September 19th for the pre-bid meeting. Pre-bid would begin at City Hall and then move out to the airport location. Discussion was had on having the property hayed before construction. Lochner suggests that be done prior to the pre-bid meeting, as it could affect bids, which

would be submitted by October 30th. Ludwig recommends a construction start date of February 5th, to save the cost of putting down a temporary ground cover. Watering the runway will be left up to the bidder. They will need to decide if they want to dig a well or haul water. The seeding and over seeding of the turf will be the bidder's responsibility, as will establishing growth of the turf. Trummel made a motion to approve the project schedule. Schaffer seconded, and the motion passed 3-0.

G) CITY ATTORNEY'S REPORT

Kerbs asked for direction on his attendance at Council meetings. Previously it was discussed that after a time Kerbs could be available on an as-needed basis. Kerbs stated that the meetings would always be on his calendar and that he would be available to attend with notice as late as the meeting date. If Council desires to have him at each meeting he would be open to that as well. Dixon voiced that as long as Kerbs and Staff are communicating he had no problem with an as-needed basis. It was the consensus of the Council that Kerbs attend meetings as-needed.

H) CITY ADMINISTRATOR'S REPORT

Ludwig discussed the following topics:

Earthquake Station: Kansas Geological Survey has placed a seismometer on the eastern edge of the airport property. The agreement allows for the city to request equipment to be moved within 30 days. The City's airport engineers had no concerns with the equipment's placement.

Vacation: From August 22nd through August 28th Ludwig will be in California/Oregon visiting family. He will still be available by phone or email.

City Pool: The pool will be open this Sunday and then Saturday-Monday next week. The roofing is tentatively scheduled for the week of August 28th.

Starlight Art Park: The kinetic sculpture has been added to the park.

2016 Audit: The City's 2016 Audit Report is scheduled for the September 5th City Council Meeting.

Union Pacific Railroad: The railroad contacted the City about a well on their leased property. They are hoping that the City can help amend an ordinance from 1887 to give them authority to remove a small 10'x10' square from their property. The railroad will be having a site survey done near the well.

Labor Day: City Hall will be closed on Monday September 4th for Labor Day. The regularly scheduled Council Meeting will take place on Tuesday, September 5th at 6:00 p.m.

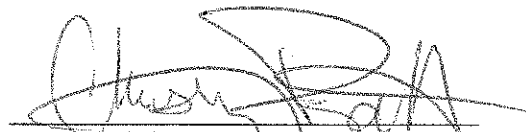
I) GOVERNING BODY COMMENTS

Dixon read a "Thank You" from Power Ups for the City's participation in the July 4th activities.

J) ADJOURNMENT

Dixon declared the meeting adjourned at 7:13 p.m.


Robert A. Dixon, Mayor


Christy Pyatt, City Clerk