CITY OF GREENSBURG
REGULAR CITY COUNCIL MEETING
300 SOUTH MAIN GREENSBURG, KANSAS
TUESDAY, JANUARY 2, 2018
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) 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 18, 2017
   2. Appropriation Ordinance
      a. Ordinance #1115

F) ITEMS OF BUSINESS
   1. Annual GAAP Waiver Resolution
   2. Recess: Land Bank Annual Meeting
   3. Recess: Public Building Commission Annual Meeting

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.
Greensburg City Council  
December 18, 2017  
City Hall

A) CALL TO ORDER  
Mayor Robert Dixson called the December 18, 2017 meeting to order at 6:00 p.m.

B) PLEDGE OF ALLEGIANCE & INVOCATION  
The Pledge of Allegiance was said, and the invocation was given by Pastor Terry Mayhew.

C) ROLL CALL & APPROVAL OF THE AGENDA  
Council Present: Matt Christenson, Haley Kern, Mark Trummel, and Sandy Jungemann. Rick Schaffer was absent. City Administrator Kyler Ludwig requested that item E2 be removed from the agenda (Public Service Recognition) Christenson made a motion to approve the agenda with the requested deletion. Trummel seconded. Motion passed 4-0.

D) CITIZEN COMMENTS  
There were no citizens present at the meeting.

E) RECOGNITIONS, PROCLAMATIONS, AWARDS, & NOMINATIONS  
Ludwig offered the name Nick Sterner for consideration for the Greensburg Public Housing Authority, with a term expiring December 31, 2021. Jungemann made a motion, seconded by Kern, to appoint Sterner. The motion passed 4-0.

F) CONSENT AGENDA  
Jungemann made a motion, seconded by Christenson, to approve the Consent Agenda as presented. The motion passed 4-0.

G) ITEMS OF BUSINESS  
1. 2017 Review of Projects and Accomplishments  
Ludwig presented and discussed a compiled list of changes and accomplishments from 2017. Ludwig stated that approximately 90% of the 2017 Work Plan has been completed. Christenson and Trummel voiced interest in seeing the 2017 Work Plan or a list of the 10% of items not completed. Ludwig verbalized items such as maintenance of roads, a direction for the Police Department, and parks and pathways as remaining items. Trummel asked that incomplete 2017 items be moved to the 2018 Work Plan.

2. 2018 Work Plan - Discussion  
Leading into business item #2, Ludwig mentioned that further development of the swimming pool park could be on the 2018 Work Plan. Kern expressed that she would like to see the development of the swimming pool park, as well as the lot across from City Hall, on the Work Plan. A brief discussion was had on the possibility of purchasing the west half of the block across from City Hall. Ludwig reported no formal approach of those property owners since Shelia Magee was City Administrator. He does, however, know of one property owner that would be interested in donating their property; however, there are issues with loans and mortgages with the property. Ludwig mentioned that the adopted development plan for the area included, amongst other items, space for a farmers’ market.

Kern would like to see further discussion on the business park on the 2018 work plan. A brief conversation ensued. Items mentioned included whether or not to erect a building to attract potential corporations or to offer build-to-suite. Trummel commented that the ability of the City to sell property is probably more attractive to prospective developers than leased land.
Dixson mentioned the potential of adding City funding toward economic development. Ludwig stated that the City currently has 3 months in cash reserves in the General Fund, a significant increase from the 2 week reserve that was previously available.

Kern would like to see more community involvement. She would like to know where citizens see the City now and in the future. She recommended bringing in a facilitator to conduct the review process. Kern would like to know if tourism is “selling” the right thing.

Dixson asked that a Work Plan for 2018 be made available by mid January. The Council was asked to communicate with Kyler any additional items they would like to see discussed. Ludwig has reached out to incoming Council Member Pamela Reves, regarding suggestions for the 2018 Work Plan.

Jungemann asked about the need for sewer and water system repairs. Ludwig stated that the City doesn’t have many breaks, and reminded Council of their approval at the last meeting of a $10,000 transfer into reserve to help with future repairs. Discussion was had about repairs made following the 2007 disaster. Repairs were made in specific areas, as needed, and the entire sewer system was lined.

Trummel asked how many open suites there are in the Incubator. Ludwig reported one space available on the first floor and 3 offices available on the second floor. Kern asked about the proposed insurance call center that was to be placed in the former manager’s office. Ludwig stated that opening has been delayed due to issues with training and testing.

**H) CITY ATTORNEY’S REPORT**
City Attorney Clayton Kerbs was not present at the meeting.

**I) CITY ADMINISTRATOR’S REPORT**

**Tesla Charging Stations:** Staff is working with Tesla to purchase 4 electric vehicle charging stations for the Big Well parking lot. There is no formal agreement with Tesla. Ludwig stated that Tesla typically pays for these stations and installation. The City then owns them and is responsible for the power (about $1/hour and vehicles take 3-4 hours to charge).

**2020 Census:** Staff submitted an application to participate in the Local Update of Census Addresses (LUCA). This allows for us to compare Census address information to municipal records. The information provided by the Census Bureau is confidential.

**Flat Utility Billing:** Staff is looking to present a flat billing option to the governing body. Ludwig has reached out to Summit and plans to present this at the January 16th meeting. E-billing has been delayed until Staff get the new email server set-up.

**Email Transition:** The transition to a Google based email server has been delayed until after the first of the year. Mike McBeath, Kiowa County Media Center, has had difficulty getting final approvals from Google to continue the process.

**Electric Transformers:** Staff is still waiting on a bid for the previously mentioned electric transformers. Ludwig anticipates the bid will be within Staff’s expenditure authority.

**January Meetings:** The first regular meeting in January will be on Tuesday the 2nd, due to New Year’s Day being on Monday. Council members elected in November will be sworn in at City Hall on January 8th. The first meeting with the new council will take place on Tuesday January 16th, due to Martin Luther King Jr. Day.

**Christmas Break:** Ludwig plans to visit family in Utah. He will leave December 20th and be back by the 29th. Ludwig will still be available by phone or email.

**Airport Progress:** The first invoice for the airport project, which totaled $178,138.80, was submitted by Lochner. The City will be reimbursed for 90% of the invoice. Funds are being
allocated out of the City’s Infrastructure Fund. Trummel asked if Ludwig checks with Lochner on a daily or weekly basis. Ludwig stated that he receives electronic reports from the on-site inspector.

J) GOVERNING BODY COMMENTS
There were no additional comments from the Council.

K) ADJOURNMENT
Dixson wished everyone a Merry Christmas and adjourned the meeting at 6:42 p.m.

_____________________________  ________________________________
Robert A. Dixson, Mayor     Christy Pyatt, City Clerk
## APPROPRIATION ORD. 1115

### 01.02.2018

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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 3, 2017.

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, 2017.

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 2018-01

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 2017.

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, 2017, 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, 2017.

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, 2017.

__________________________
Robert A. Dixson, Mayor

ATTEST:

__________________________
Christy Pyatt, City Clerk
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.

**History:**  L. 1978, ch. 334, § 5; L. 1979, ch. 279, § 1; L. 1981, ch. 327, § 1; L. 1982, ch. 348, § 1; L. 1994, ch. 274, § 7; July 1.

**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

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**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 2017 the Land Bank sold 4 properties with revenues of $3,170.
No additional properties were added into the bank during 2017.

A list of properties in the land bank has been provided along with a map of commercial and residential properties.

**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.
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<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>
<td>7,000</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 Thirty-three (33) of Westside Addition to the City of Greensburg, Kiowa County, Kansas</td>
<td>108,450 (2.48 ac.)</td>
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<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>
<td>PARK</td>
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<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>
<td>GREEN SPACE</td>
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<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>
<td>GREEN SPACE</td>
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<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>
<td>GREEN SPACE</td>
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<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>
<td>11,250</td>
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<td>412 S. SYCAMORE</td>
<td>Lots Twenty-five (25) and Twenty-six (26) of Block Thirty-three (33) of Fullington's Addition to the City of Greensburg, Kiowa County Kansas.</td>
<td>7,000</td>
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<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>
<td>10,500</td>
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<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>
<td>14,000</td>
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<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>
<td>7,000</td>
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<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>
<td>10,500</td>
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City of Greensburg

Available Land Bank Properties

1. 800 W. Kansas Ave, 2.48 acres
2. 223 S. Bay, 7,000 sq. feet
3. 302 W. Wisconsin, 10,500 sq. feet
4. 412 S. Sycamore, 7,000 sq. feet
5. 322 E. Wisconsin, 14,000 sq. feet
6. 504 E. Wisconsin, 7,000 sq. feet
7. 516 E. Wisconsin, 10,500 sq. feet
8. 320 S. Olive, 11,250 sq. feet
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 bank’s 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
Public Building Commission – January 3, 2017

1. Roll Call
2. Approval of Minutes of Previous Meeting
   a. January 3, 2017
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
1. **Recess: Public Building Commission Annual Meeting**

   Council reconvened at 6:12 pm. Dixson again recessed the Council to convene as the Public Building Commission (PBC).

   President Christenson convened the meeting at 6:12 pm.

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

   **Approval of Minutes of previous Meeting – January 19, 2016:** Christenson requested a motion to approve the minutes of the January 19, 2016 meeting. Jungemann made the motion, seconded by Kern. Motion passed 5-0.

   **Communications:** City Administrator Kyler Ludwig directed the PBC to the revenue and expense report in their meeting packet. Highlighted in the report were the amount of sales tax received by the Big Well and the amount paid in rent from the Big Well to the PBC.

   **Reports:** Sales tax in 2016 was sufficient for the Big Well to fund rent payments to the PBC, who made the required bond payment on the facility. When asked about the significant difference in the amount of sales tax budgeted and the amount collected, Ludwig stated that the budget was created when ICC was in town and tax income was higher.

   **Unfinished Business:** There was no unfinished business to discuss.

   **New Business: Election of President, Vice President, and Secretary** Trummel made a motion to retain the current President (Christenson), Vice President (Schaffer), and Secretary (Kern) appointments. Jungemann seconded the motion, which passed 5-0.

   **Adjournment:** Christenson declared the meeting adjourned at 6:19 pm.
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**PROOF**

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**PCT OF FISCAL YTD 100.0%**
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