CITY OF GREENSBURG
REGULAR CITY COUNCIL MEETING
300 SOUTH MAIN GREENSBURG, KANSAS
MONDAY, DECEMBER 21, 2020
6:00 PM

The meeting is available online via the City of Greensburg Facebook page.

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 7, 2020
   2. Appropriation Ordinance
      a. Ordinance #1186
   3. Approve Cereal Malt Beverage Licenses: Reggie’s Pizza, Dillon’s, Cannonball Golf Course, Quick Pick

F) ITEMS OF BUSINESS
   1. Receive Kerri Ulrich, Kiowa County Public Health Officer, for COVID-19 Updates
   2. Conditional Use Permit Application 2020-02-CU: Proposed Foster Care Facility at Former Carriage House Building
   3. Convene as Land Bank Board: Consider Donation of 224 S. Spruce into Greensburg Land Bank

G) CITY STAFF REPORTS

H) GOVERNING BODY COMMENTS

I) 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 Stacy Barnes at administrator@greensburgks.org or call City Offices at 620-723-2751.
A) CALL TO ORDER
Mayor Matt Christenson called the December 7, 2020 meeting to order at 6:00 p.m.

B) PLEDGE OF ALLEGIANCE & INVOCATION
The Pledge of Allegiance was said. Invocation was given by Pastor Jon Harrison.

C) ROLL CALL & APPROVAL OF THE AGENDA
Council Present: Mike McBeath, Mark Trummel, Pam Reves, Chance Little, and Haley Kern. Staff present: Administrator Stacy Barnes, Police Chief Aaron Webb, and City Clerk Christy Pyatt.

Reves made a motion to approve the agenda as presented. Kern seconded. Motion passed 5-0.

D) CITIZEN COMMENTS
Michael Rainger introduced himself to Council, stating that he represented a software company from the Mid-Atlantic region that was interested in expanding and opening a business in Greensburg. He also represents a group of investors from Phoenix, Arizona who are considering another project. At this time, he would prefer to discuss that opportunity privately with the Mayor and the Council. Rainger has been in town for two weeks, but plans to stay another month to do a feasibility study.

E) CONSENT AGENDA
Kern made a motion, seconded by McBeath, to approve the Consent Agenda as presented. Motion passed 5-0.

F) APPOINTMENTS: Greensburg Recreation Commission, Greensburg Housing Authority & Convention and Tourism Board.
Kern made a motion, seconded by Little, to reappoint Samantha Jantz to the Greensburg Recreation Commission, for a 4-year term. Motion passed 5-0.

Reves made a motion to reappoint Suleenia Trent to the Greensburg Public Housing Authority, for a 4-year term. Trummel seconded, and the motion passed 5-0.

Trummel made a motion to reappoint Haley Kern and Jeanine Hassiepen to the Convention and Tourism Committee, for 4-year terms. McBeath seconded, and the motion passed 4-0 (Kern abstaining).

G) ITEMS OF BUSINESS
1. Receive Kerri Ulrich, Kiowa County Public Health Officer, for COVID-19 Updates. Request Use of City Property & Electricity for Community Sign Placement
Kiowa County Public Health Officer Kerri Ulrich presented a COVID-19 update. Case statistics were as follows: total positive cases - 138; active positive cases - 13; hospitalizations - 5; deaths - 1. The County Commissioners signed a mask mandate at the end of November. This mandate is not enforceable by law but is meant to encourage the wearing of mask in public places. Food establishments in the county have been notified by mail of the importance of their employees wearing masks. County Health is offering CDC/KDHE signs encouraging social distancing and mask wearing. The CDC has released a shortened quarantine guideline. KDHE is allowing that to be a county-by-county decision. Kiowa County opted in to the shortened, 10-day quarantine. Some counties have opted into a 10 day, while others some have alternative plans. Kiowa County allows for a shortened quarantine if specific testing is done. There is a
lot of misinformation regarding the vaccine that is coming out. Ulrich stated that this vaccine, the SARS vaccine, has been around for 25+ years, but COVID-19 has now been added to the list of diseases treated with it. Vaccination will be allowed in a tiered effect, starting with essential workers. Those interested in being vaccinated are encouraged to call County Health to have their names added to the list for vaccination availability. Kansas is expecting to receive approximately 150,000 doses around December 20th. The Kiowa County will be receiving a limited number of those doses.

Reves asked if there was a difference between the flu vaccine and the COVID vaccine. Ulrich re-iterated that they are two completely different vaccines. Citizens are encouraged get both vaccines as you can have COVID and Influenza at the same time. Matt asked if the COVID vaccine was a single or multiple dose treatment. Ulrich clarified that the vaccine Kansas will receive will be either from Pfizer or Moderna. The Pfizer vaccine, most likely what we will receive, is given as 2 doses over a series of 4 weeks. Whatever manufacturer the County receives the vaccine from initially is the manufacturer they will continue to receive from. Rural Kansas does not have access to ultra-frozen storage, which is required by one of the vaccines. The hospital was looking at purchasing an ultra-frozen storage unit, but not surprisingly, they are on back order. KDHE will be issuing that particular vaccine in more urban areas where it can be transported quickly. They are also looking at organizations such as LifeSave to transport the vaccine to locations across the state. Trummel asked if there were any side effects to the vaccine. Ulrich stated that there are not, noting that someone locally has a family member who participated in the vaccine trial and had no side effects. Ulrich hopes to see the burden of some of the other protective actions in place (such as at hospitals and long-term care facilities) be lifted as the vaccine becomes available. The Haviland Care Center is now testing employees and patients 3 times a week because of the numbers of people testing positive in the county.

Ulrich advised that the Health Department and Emergency Management are purchasing a 24Hr emergency notification sign. The sign can have a revolving message, similar to those KDOT has placed on the highway. The unit that will be purchased is much smaller than the KDOT signs and has a battery that will have to be taken off and charged. Access to electricity will not be required, as previously thought. The sign could be used for a variety of situations, including traffic accidents and health warnings. The unit is mobile. Ulrich asked if Council would allow the sign to be placed on public property, such as Davis Park. The unit will need to be secured to something. In the future, a trailer for the unit may be purchased. Consensus was to allow use of city property. Ulrich is open to feedback on locations, message timing, etc.

2. Convene as Land Bank Board: Consider Donation of 502 S. Elm into Greensburg Land Bank
Council recessed at 6:22 p.m. and opened as the Land Bank. An application has been submitted, requesting property at 502 S. Elm be accepted into the Land Bank. The property was inherited by the applicant’s husband, from his father. The applicant’s husband has since passed away and she is no longer interested in retaining the property. The property is approximately 65 ft wide, similar to the lot across the street, and is large enough for a home to be constructed on. Reves mad a motion to approve the application. Kern seconded the motion, which passed 4-1 (Little).

3. Land Bank Board Discussion Regarding Property at 224 S. Spruce
Christenson recused himself and Trummel took over the meeting. 224 S. Spruce was sold by the Land Bank to Christenson. Christenson stated that he and his wife intended to build a home on the property. Due to COVID-19, their build schedule was pushed back significantly and a house similar to what they were going to construct came on the market. The Christenson’s were able to purchase the home and move in within 2 months rather than the estimated 2 years it would have taken to build. Christenson asked what the Land Bank would like to see happen with the property. Would they prefer Christenson retain the property or place it back in the land bank? Christenson advised he was not requesting money
back from the original transaction. Kern and Reves voiced that they were not opposed to taking the
property back. Reves was also not opposed to returning the funds paid to purchase the property.
Christenson refused the offer to return funds. After a brief discussion the consensus was to have
Christenson complete an application to donate the property back to the Land Bank. The item will be on
a future agenda.

Little voiced concern that the Land Bank is now up to 13 lots. He asked how many lots have been sold
from the Land Bank and been built on. His primary concern is the mowing load that is placed on City
Staff and the potential that Staff will not be able to keep up with other City issues. Little was interested
in discussing a cap on the number of properties allowed in the Land Bank. He would also like to see a
review of the policies. Kern stated that Staff ends up mowing properties anyway through the abatement
process. She stated that if the Land Bank owns the properties, they can potentially be used to entice
people to town. Little believes that private owners could have sold some of the properties several years
ago, but the asking price was just too high. Now owners have had to pay taxes for a while and they have
missed the opportunity to sell. McBeath asked if the Land Bank could partner with Tourism to help
advertise the properties. Barnes discussed the current number of employees and Council’s previous
action of combining departments into one Public Works Department, allowing ADDITIONAL employees
to be available to help with the mowing. Also, the Kiowa County website, livekiowacountyks.com, is now
live and promotes Land Bank properties. Trummel asked what the town would look like if properties
were not accepted into the Land Bank. He believes the City would end up mowing more properties
through abatement, mowing fees would be assessed on taxes, properties would end up in the Sheriff’s
tax sale, and the City would end up with the property in the end. Barnes will place a have review of Land
Bank policies on a 2021 Council Agenda.

4. Reconvene as City Council: Resolution 2020-10: Employee Cost of Living Increase for 2021
Council reconvened open session at 6:38 p.m. Barnes presented Resolution 2020-10, authorizing a COLA
for 2021. This is something Council has been reviewing annually. This year, the CPIW saw a 1.5%
increase from September to September. The percentage increase was the same as last year. Barnes
recommended Council continue small, incremental increases yearly rather than seeing a substantial
increase in wages one year. Reves made a motion to approve Resolution 2020-10 as presented. Kern
seconded, and the motion passed 5-0.

H) CITY STAFF REPORTS
Barnes reported to Council on the following topics:
• Kiowa County SPARK Funds Update: Required documentation for SPARK expenditures is being
completed. At this time, the City has just over $400 remaining in its allotment as expenses came in less
than estimated. City purchases included streaming equipment and installation in the council chambers,
plexiglass partitions for the council desk, plastic seat for the police charger, and a laptop for remote
work capability. Unless Council is aware of additional COVID-19 related expenses, the City will issue a
refund check to the county for the remainder.
• 2020 KHRC MIH Grant: Barnes was notified Friday that the City did not receive the Moderate
Income Housing grant for 2020. This is not terribly surprising since we were a grant recipient in 2019.
There were 24 project applications totaling $7.8 million, only 7 were awarded, totaling the $2 million
that was available. KHRC did note our proposal was worthy, they just did not have enough funds to
cover the request.
• Proposed Foster Care Facility Planning Commission Hearing: Last Wednesday, December 2nd, the
Greensburg Planning Commission approved in a 4-0 vote the Conditional Use application for the former
Carriage House to be used as a youth foster care facility. Through Thursday, Dec. 17th the public can
provide signed, written protest to the City. This item will be on the Council agenda for the December
21st meeting.
Community Christmas Events: Pending changes due to COVID, the following holiday events are planned in the community: Wednesday, Dec. 9th at 7pm First United Methodist Church Community Christmas Concert; Saturday, Dec. 12 Hay Bale Decorating. Sign up on the Visit Greensburg, KS Facebook page; Saturday, Dec. 19th Community Christmas Tree Decorating and Lighting by Santa, 5-6pm, Starlight Park; Miracle on 34th Street Performances at the Twilight Theatre, Saturdays Dec. 12 and 19 at 7:30pm, Sundays Dec. 13 and 20 at 2:30pm; Candy Cane Lane open Dec. 19-25

Pool Park Playground RFP Responses: The November 30th deadline for playground RFP responses has passed. Staff received proposals from 3 companies with 5 designs total. Barnes will be in touch with the park committee, to begin the review process.

KPP Virtual Annual Meeting Friday: Kansas Power Pool will hold their annual meeting virtually on Friday, December 11th. Agenda items include 2021 rates, reports and updates.

City Employee Activities: Over the last couple weeks, employee activities included Christmas light installation, snow removal, participation in the lighted Christmas parade, underground electric installation at fertilizer plant, employee 2021 benefits open enrollment, and the Planning Commission hearing.

Webb reported on the following:

November stats: Statistics for the month of November were provided in the packet and were briefly reviewed. Webb did work an injury accident within the City, on Highway 54. He also assisted the Sheriff’s Office in the execution of a search warrant on a residence within the City that started with an investigation in the county.

Police Officer interviews: Oral interviews for the police officer part-position were conducted by a team consisting of Webb, Barnes, in-coming Sheriff Kendall Lothman, and EMS director Rosa Hettinger. A unanimous decision was made to offer part-time positions to both Jerry Swart and Cory Erickson. Swart is already certified and has begun employment. Erickson has successfully completed the rest of his application process, which included a psych evaluation by the State. He will be sent to the full-time law enforcement academy. He will be a regular part-time employee at 32 hours/week, as budgeted. Because the City will be having him certified, Erickson has signed a contract to work a minimum of 12-months for the department upon graduation. By choosing the full-time academy, the City will only be responsible for paying Erickson’s salary while he is at Academy. Full-time Academy is 14 weeks, vs. the 2-week part-time academy and offers much more in depth training. This was the result of a joint conversation between Webb and Lothman. Having Erickson full-time certified also removes the hour cap on the amount of time he can work legally as an officer.

EMT Class: Webb will be participating in an EMT class offered in January. The class will take place in Larned. All but $200 of the expense will be paid for by a grant through EMS. Upon completion, Webb will be certified to perform the normal duties of a first responder. He will not take EMS call shifts unless they are really short of help. Little questioned the City’s liability if Webb is responding as an officer but performs EMS duties. Webb stated that he must have a sponsoring agency, which would be Kiowa County EMS. Any first responder duties performed would be covered by EMS liability.

Trummel voiced questions about the contract signed by Erickson. He asked if Erickson’s requirement to repay the City for his certification if he did not complete 12 months of employment applied if he were to be terminated. Webb did not have the standard contract in front of him, but believed repayment only applied if Erickson left on his own terms. Trummel asked what would happen if Erickson did not complete the training. Webb stated that he believed the City would incur the cost of his wages paid. He stated that 95% of the time an individual will know if they will pass or fail in the first 6 weeks. Webb will receive weekly updates on his progress. Little and Kern also had questions about the content of the contract and who created it. Webb created the contract based off of a standard law enforcement contract. He stated that Erickson is under a conditional offer of employment, so the contract can be
readdressed. Academy is in Hutchinson and will cost approximately $8,600 in employee wages during the 14 weeks of training. Erickson would take a city vehicle to the site. Consensus of the Council was to look at the contract, specifically the language concerning repayment of Academy costs should he resign or be terminated for cause. Webb clarified that, as written, Erickson would be required to pay the City back if he resigned within 12 months of graduation. If he is unable to complete the Academy or is terminated for cause Webb believes he is not required to repay the City. Should Erickson refuse to pay the City back, a case would need to be filed in District Court. Consensus of the Council was to require repayment of expenses if any police candidate does not pass Academy or is terminated.

Christenson asked if there was an update on the KPP rate study. Staff has been providing information to Brooke at KPP but had nothing further to update Council on. KPP is currently working on establishing the value of the City’s electrical system, something that is hopefully easier because of the rebuilding of the system that took place 13 years ago.

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

J) EXECUTIVE SESSION – In accordance with K.S.A. 75-4319(b) for personnel matters of non-elected personnel. 10 minutes
Trummel made a motion to go into Executive Session for non-elected personnel until 7:10. McBeath seconded. Motion passed 5-0. Council returned to open session at 7:10 with no action taken.

K) ADJOURNMENT
Webb offered clarification on Erickson’s contract. It states that if the 12-month employment period is not completed for any reason the employee must repay the City for wages during KLETC training. With nothing further to discuss, Christenson declared the meeting adjourned at 7:12 p.m.

____________________________________         ____________________________________
Matt Christenson, Mayor           Christy Pyatt, City Clerk
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To: Mayor and City Council  
From: Stacy Barnes, City Administrator  
Subject: Agenda items F.1-3

Agenda Item F.1  Receive Kerri Ulrich, Kiowa County Public Health Officer, for COVID-19 Updates  
Kerri will give public health updates regarding the COVID-19 pandemic.

Agenda Item F.2  Conditional Use Permit Application 2020-02-CU: Proposed Foster Care Facility at Former Carriage House Building  
Included in your agenda packet are documents regarding the Conditional Use Permit application for the former Carriage House facility to be used as a boys foster care facility. At the December 2, 2020 Planning Commission, the commission voted 4-0 in approval of the Conditional Use Permit application. Attached are the draft minutes from that meeting.

After the Planning Commission meeting, there has been a 14-day protest period where any citizens could submit written protest. The City has received two written protests from citizens that are included in the packet.

Article 11.2 of the Greensburg Sustainable Land Development Code gives the procedure for approval of conditional use permits:

11.2 Procedure for Approval of Conditional Use Permits  
A. A Conditional Use Permit may be issued by the City Council for uses designated in the Table of Permitted and Conditional Uses, Article 13. Prior to rendering a City Council decision, the Planning Commission shall hold a public hearing and forward a recommendation to the Council. Each application for a permit shall be made upon forms provided by the City.

B. Upon receipt of a completed application, the Zoning Administrator shall prepare a notice of public hearing. The procedure for advertising and conducting a Conditional Use Permit public hearing shall be the same as for a zoning map amendment, Section 16.3. The Zoning Administrator shall review all applications and present recommendations to the Planning Commission. Other applicable agencies may be asked to comment on the application prior to the public hearing.

C. Either the applicant or a designed agent shall present the proposal and its merits at the public hearing.

D. A Site Development Plan as detailed in Article 10 is required prior to Planning Commission and City Council action on a Conditional Use Permit application. Building plans (including elevation drawings) and descriptive narratives may be required to show conformance with the standards. The plans shall be approved by the City Council as to general design and standards listed in this Article. The Zoning Administrator shall
conduct a technical review as to the provisions of Article 10 prior to the Planning Commission hearing.

E. After the public hearing where the applicant, supporting, and opposing testimonies are heard, the Planning Commission may recommend approval or denial of the Conditional Use Permit requested. The City Council shall consider the recommendation as set out for zoning map amendments, Section 16.3 (including the citizen protest provisions, Section 16.6). If granted, the permit shall include approval of such plans as may be required. In granting the permit, the City Council shall find each and all of the following:

1. That the use will not materially endanger the public health or safety if located where proposed and developed according to the plans as submitted.
2. That the use meets all the required conditions and standards set forth herein or as determined by the City Council.
3. That the layout of the site and the design of structures are compatible with the surrounding neighborhood.
4. That the location and character of the use, if developed according to the plans as submitted and as approved, will be in conformity with the adopted Sustainable Comprehensive Plan.
5. That the design of the site and structures are as sustainable as possible.

F. The City Council may approve, modify, or deny any application for a Conditional Use Permit. If it approves such permit, the Council may attach necessary conditions to render the proposed use more compatible with the area in which it is to be located. Any such conditions shall be recorded in the Council minutes and on the permit. All conditions shall run with the land (except in the case of temporary permits, the duration of which shall be stated within the conditions). Such conditions may not relax the adopted standards in Section 11.3 below, but may be more restrictive and/or in addition thereto.

G. The City Council shall have the power to revoke Conditional Use Permits for noncompliance. Furthermore, the Council shall have a right of action to compel offending structures or uses removed at the cost of the violator, in addition to penalties provided by Article 14 of this Ordinance.

1. The Zoning Administrator shall review all Conditional Use Permits, except those for which all conditions have been permanently satisfied, upon a complaint or at least every two years in order to ascertain compliance with all of the standards and conditions listed on the permit.

2. If not in compliance with all the standards and conditions, the Zoning Administrator shall report the facts to the Planning Commission and the responsible parties, specifying the noncompliance. The Planning Commission shall hold a public hearing on the report, with notice of the hearing furnished to the responsible parties at least one week in advance. If the Planning Commission finds noncompliance, it may recommend to the City Council revocation of the Conditional Use Permit and take
necessary legal action to cause compliance or termination of the activity.

H. A Conditional Use Permit applicant may present a proposal in phases. Upon request, the Planning Commission may make a determination on a concept proposal, and the applicant may request a second public hearing and determination when design details are finalized, as if it were a new application.

The Council has three courses of action regarding this conditional use permit request:

1. Approve the Planning Commission’s recommended approval of this request.
2. Approve the request with modifications to the application.
3. Deny the application for the conditional use permit.

Agenda Item F.3 Convene as Land Bank Board: Consider Donation of Property at 224 S. Spruce

At the January 6, 2020 council meeting, the Land Bank Board approved the sale of 224 S. Spruce to Matt and Sarah Christenson. At the last council meeting, the Council acting as the Land Bank Board, after discussion gave consensus they would accept this property back into the Greensburg Land Bank. Attached is the formal application for this donation.
INDIVIDUAL/SOLE PROPRIETOR
APPLICATION FOR LICENSE TO SELL CEREAL MALT BEVERAGES
(This form has been prepared by the Attorney General’s Office)

☐ City or □ County of Greensburg

SECTION 1 – LICENSE TYPE
Check One: □ New License  ☑ Renew License  □ Special Event Permit

Check One:
☐ License to sell cereal malt beverages for consumption on the premises.
☐ License to sell cereal malt beverages in original and unopened containers and not for consumption on
the licenses premises.

SECTION 2 – APPLICANT INFORMATION
Kansas Sales Tax Registration Number (required):
I have registered as an Alcohol Dealer with the TTB. ☐ Yes (required for new application)

Name  Phone No.  Date of Birth
Residence Street Address  City  Zip Code

Applicant Spousal Information
Spouse Name  Phone No.  Date of Birth
Residence Street Address  City  Zip Code

SECTION 3 – LICENSED PREMISE
Licensed Premise
(Business Location or Location of Special Event)
DBA Name Cannonball Golf Course
Business Location Address 230 S. Poplar St.
City Greensburg  State KS  Zip 6774
Business Phone No. 785-738-8985 Aaron Lelli
Mailing Address
(If different from business address)
Name
Address
City  State  Zip
☐ I own the proposed business location.
☒ I do not own the proposed business location.

SECTION 4 – APPLICANT QUALIFICATION
I am a U.S. Citizen  ☑ Yes  □ No
I have been a resident of Kansas for at least one year prior to application.  ☐ Yes  □ No
I have resided within the state of Kansas for 35 years.
I am at least 21 years old.  ☑ Yes  □ No
I have been a resident of this county for at least 6 months.  ☑ Yes  □ No
Within 2 years immediately preceding the date of this application, neither I nor my spouse have been convicted of, released from incarceration for or released from probation or parole for any of the following crimes:
(1) Any felony; (2) a crime involving moral turpitude; (3) drunkenness; (4) driving a motor
vehicle while under the influence of alcohol (DUI); or (5) violation of any state or federal
intoxicating liquor law.  ☑ Yes  □ No
My spouse has previously held a CMB license.  ☐ Yes  ☐ No
My spouse has never been convicted of one of the crimes mentioned above while licensed.  ☑ Yes  □ No
### SECTION 5 – MANAGER OR AGENT QUALIFICATION

My place of business or special event will be conducted by a manager or agent. ☑ Yes ☐ No

If yes, provide the following:

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<th>Phone No.</th>
<th>Date of Birth</th>
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<td>785-738-8985</td>
<td>08-16-1985</td>
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#### Manager or Agent Spousal Information

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<tbody>
<tr>
<td>622 W. Grant Ave</td>
<td>Greensburg</td>
<td>67054</td>
</tr>
</tbody>
</table>

Qualification Statement

My manager/agent and his/her spouse* meets all of the qualifications in Section 4. ☑ Yes ☐ No

### SECTION 6 – DURATION OF SPECIAL EVENT

<table>
<thead>
<tr>
<th>Start Date</th>
<th>Time</th>
<th>AM/PM</th>
</tr>
</thead>
<tbody>
<tr>
<td>1-1-2021</td>
<td>12:00</td>
<td>☑ AM</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>End Date</th>
<th>Time</th>
<th>AM/PM</th>
</tr>
</thead>
<tbody>
<tr>
<td>12-31-2021</td>
<td>11:59</td>
<td>☑ PM</td>
</tr>
</tbody>
</table>

Proceed to Section 7 on the next page.
SECTION 7 – LICENSED PREMISE

In the space below, draw the area you wish to sell or deliver CMB. Include entrances, exits and storage areas. Do not include areas you do not wish to license. If you wish to attach a drawing, check the box: ☐ 8 ½” by 11” drawing attached.

I declare under penalty of perjury under the laws of the State of Kansas that the foregoing is true and correct. (K.S.A. 52-601)

SIGNATURE __________________________ DATE 12-8-2020

FOR CITY/COUNTY OFFICE USE ONLY:

☐ License Fee Received Amount $________ Date __________
  ($25 - $50 for Off-Premise license or $25-200 On-Premise license)

☐ $25 CMB Stamp Fee Received Date __________

☐ Background Investigation □ Completed Date __________ □ Qualified □ Disqualified

☐ Verified applicant has registered with the TTB as an Alcohol Dealer

☐ New License Approved Valid From Date ________ to ________ By: __________

☐ License Renewed Valid From Date ________ to ________ By: __________

☐ Special Event Permit Approved Valid From Date ________ to ________ By: __________

A PHOTOCOPY OF THE COMPLETED FORM, TOGETHER WITH THE STAMP FEE REQUIRED BY K.S.A. 41-2702(e), MUST BE SUBMITTED WITH YOUR MONTHLY REPORT (ABC-307) TO THE ALCOHOLIC BEVERAGE CONTROL, 109 SW 9TH ST, 5TH FLOOR, PO BOX 3506, TOPEKA, KS 66601.

* Applicant’s spouse is not required to meet the citizenship, residency or age requirements. If renewal application, applicant’s spouse is not required to meet the no criminal history requirement. K.S.A. 41-2703(b)(9)
CORPORATE APPLICATION FOR LICENSE TO SELL CEREAL MALT BEVERAGES
(This form has been prepared by the Attorney General's Office)

☑ City or ☐ County of Greensburg

SECTION 1 – LICENSE TYPE

Check One: ☐ New License ☑ Renew License ☐ Special Event Permit

Check One:
☐ License to sell cereal malt beverages for consumption on the premises.
☐ License to sell cereal malt beverages in original and unopened containers and not for consumption on the licensed premises.

SECTION 2 – APPLICANT INFORMATION

Kansas Sales Tax Registration Number (required): 0044801956590F01

I have registered as an Alcohol Dealer with the TTB. ☐ Yes (required for new application)

<table>
<thead>
<tr>
<th>Name of Corporation</th>
<th>Principal Place of Business</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dillon Stores, Div of Dillon Companies, Inc.</td>
<td>2700 E. 4th, P.O. Box 1608</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Corporation Street Address</th>
<th>Corporation City</th>
</tr>
</thead>
<tbody>
<tr>
<td>2700 E. 4th, P.O. Box 1608</td>
<td>Hutchinson</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Date of Incorporation</th>
<th>Articles of Incorporation are on file with the Secretary of State.</th>
</tr>
</thead>
<tbody>
<tr>
<td>05/13/1921</td>
<td>Yes ☑ No ☐</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Resident Agent Name</th>
<th>Phone No.</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>Residence Street Address</th>
<th>City</th>
<th>State</th>
<th>Zip Code</th>
</tr>
</thead>
</table>

SECTION 3 – LICENSED PREMISE

<table>
<thead>
<tr>
<th>Licensed Premise (Business Location or Location of Special Event)</th>
<th>Mailing Address (if different from business address)</th>
</tr>
</thead>
<tbody>
<tr>
<td>DBA Name</td>
<td>Name</td>
</tr>
<tr>
<td>Dillon's 704</td>
<td>Kroger Business License Department</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Business Location Address</th>
<th>Address</th>
</tr>
</thead>
<tbody>
<tr>
<td>203 W Kansas Ave</td>
<td>P.O. Box 305103</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>City</th>
<th>State</th>
<th>Zip</th>
</tr>
</thead>
<tbody>
<tr>
<td>Greensburg, KS 67054</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

| Business Phone No. | |
|--------------------|-
| 620-723-2224 | |

<table>
<thead>
<tr>
<th>Business Location Owner Name(s)</th>
</tr>
</thead>
</table>

SECTION 4 – OFFICERS, DIRECTORS, STOCKHOLDERS OWNING 25% OR MORE OF STOCK

List each person and their spouse*, if applicable. Attach additional pages if necessary.

<table>
<thead>
<tr>
<th>Name</th>
<th>Position</th>
<th>Date of Birth</th>
</tr>
</thead>
<tbody>
<tr>
<td>None own more than 25%; see attached</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Residence Street Address</th>
<th>City</th>
<th>State</th>
<th>Zip Code</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>Spouse Name</th>
<th>Position</th>
<th>Date of Birth</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>Residence Street Address</th>
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Page 1 of 4

AG CMB Corporate Application (Rev. 12.27.19)
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<td>Residence Street Address</td>
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<td>State</td>
</tr>
</tbody>
</table>
### SECTION 5 – MANAGER OR AGENT INFORMATION

My place of business or special event will be conducted by a manager or agent.  
☑ Yes  □ No

If yes, provide the following:

<table>
<thead>
<tr>
<th>Manager/Agent Name</th>
<th>Phone No.</th>
<th>Date of Birth</th>
</tr>
</thead>
<tbody>
<tr>
<td>Brenda Martin</td>
<td>620-639-1464</td>
<td>10/08/1974</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Residence Street Address</th>
<th>City</th>
<th>Zip Code</th>
</tr>
</thead>
<tbody>
<tr>
<td>114 N Locust</td>
<td>Mullinville</td>
<td>67109</td>
</tr>
</tbody>
</table>

**Manager or Agent Spousal Information***

<table>
<thead>
<tr>
<th>Spouse Name</th>
<th>Phone No.</th>
<th>Date of Birth</th>
</tr>
</thead>
<tbody>
<tr>
<td>Alan Martin</td>
<td>620-200-7052</td>
<td>04/06/1975</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Residence Street Address</th>
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<th>Zip Code</th>
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</thead>
<tbody>
<tr>
<td>114 N Locust</td>
<td>Mullinville</td>
<td>67109</td>
</tr>
</tbody>
</table>

### SECTION 6 – QUALIFICATIONS FOR LICENSURE

Within 2 years immediately preceding the date of this application, have any of the individuals identified in Sections 4 & 5 been convicted of, released from incarceration for or released from probation or parole for any of the following crimes:

1. Any felony;
2. A crime involving moral turpitude;
3. Drunkenness;
4. Driving a motor vehicle while under the influence of alcohol (DUI);
5. Violation of any state or federal intoxicating liquor law.

☐ Yes  ☑ No

Have any of the individuals identified in Sections 4 and 5 been managers, officers, directors or stockholders owning more than 25% of the stock of a corporation which:

1. Had a cereal malt beverage license revoked; or
2. Was convicted of violating the Club and Drinking Establishment Act or the CMB laws of Kansas.

☐ Yes  ☑ No

All of the individuals identified in Sections 4 & 5 are at least 21 years of age.

☑ Yes  □ No

### SECTION 7 – DURATION OF SPECIAL EVENT

<table>
<thead>
<tr>
<th>Start Date</th>
<th>Time</th>
<th>☐ AM ☐ PM</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>End Date</th>
<th>Time</th>
<th>☐ AM ☐ PM</th>
</tr>
</thead>
</table>

Proceed to Section 8 on the next page.
SECTION 8 - LICENSED PREMISE

In the space below, draw the area you wish to sell or deliver CMB. Include entrances, exits and storage areas. Do not include areas you do not wish to license. If you wish to attach a drawing, check the box: □ 8 ½" by 11" drawing attached.

---

I declare under penalty of perjury under the laws of the State of Kansas that the foregoing is true and correct and that I am authorized by the corporation to complete this application. (K.S.A. 53-601)

SIGNATURE

DATE 12/9/2020

FOR CITY/COUNTY OFFICE USE ONLY

□ License Fee Received Amount $_________ Date __________
($25 - $50 for Off-Premise license or $25-200 On-Premise license)

□ $25 CMB Stamp Fee Received Date __________

□ Background Investigation □ Completed Date __________ □ Qualified □ Disqualified

□ Verified applicant has registered with the TTB as an Alcohol Dealer

□ New License Approved Valid From Date __________ to __________ By: __________

□ License Renewed Valid From Date __________ to __________ By: __________

□ Special Event Permit Approved Valid From Date __________ to __________ By: __________

A PHOTOCOPY OF THE COMPLETED FORM, TOGETHER WITH THE STAMP FEE REQUIRED BY K.S.A. 41-2702(e), MUST BE SUBMITTED WITH YOUR MONTHLY REPORT (ABC-307) TO THE ALCOHOLIC BEVERAGE CONTROL, 109 SW 9TH ST, 5TH FLOOR, PO BOX 3506, TOPEKA, KS 66601.

* Applicant's spouse is not required to meet citizenship, residency or age requirements. If renewal application, applicant's spouse is not required to meet the no criminal history requirement. K.S.A. 41-2703(b)(9)
<table>
<thead>
<tr>
<th>Name</th>
<th>Title</th>
<th>Address</th>
<th>DOB</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dreher, Steve</td>
<td>President</td>
<td>65 Tejon Street Denver, CO 80223</td>
<td>01/14/1969</td>
</tr>
<tr>
<td>Wheatley, Christine S.</td>
<td>Vice President and Secretary</td>
<td>225 Lafayette Cincinnati, OH 45220</td>
<td>02/27/1971</td>
</tr>
<tr>
<td>Cossey, Jacqueleen L.</td>
<td>Vice President</td>
<td>2207 Faulkner Springs Dr. Murfreesboro, TN 37128</td>
<td>09/15/1984</td>
</tr>
<tr>
<td>Fike, Carin L.</td>
<td>Vice President and Treasurer</td>
<td>7500 Brill Road Cincinnati, OH 45243</td>
<td>05/02/1968</td>
</tr>
<tr>
<td>Landrum, Rick J.</td>
<td>Vice President and Assistant Secretary</td>
<td>5110 Muirwoods Court Cincinnati, OH 45242</td>
<td>08/11/1964</td>
</tr>
<tr>
<td>Nelson, Philip B.</td>
<td>Vice President</td>
<td>2620 Elm Hill Pike Nashville, TN 37214</td>
<td>09/23/1964</td>
</tr>
<tr>
<td>Roberts, Dorothy D.</td>
<td>Assistant Secretary</td>
<td>4640 Whispering Oak Trail Cincinnati, OH 45247</td>
<td>06/21/1964</td>
</tr>
<tr>
<td>Bradley, Joseph W.</td>
<td>Assistant Treasurer</td>
<td>1165 Abbott Rd. Batavia, OH 45103</td>
<td>11/01/1961</td>
</tr>
</tbody>
</table>
CORPORATE APPLICATION FOR LICENSE TO SELL CEREAL MALT BEVERAGES
(This form has been prepared by the Attorney General’s Office)

☐ City or ☐ County of ____________

SECTION 1 – LICENSE TYPE

Check One: ☐ New License ☐ Renew License ☐ Special Event Permit

Check One: ☐ License to sell cereal malt beverages for consumption on the premises.
☐ License to sell cereal malt beverages in original and unopened containers and not for consumption on the licensed premises.

SECTION 2 – APPLICANT INFORMATION

Kansas Sales Tax Registration Number (required):

I have registered as an Alcohol Dealer with the TTB. ☑ Yes (required for new application)

Name of Corporation

Principal Place of Business

Corporation Street Address

Corporation City

State: KS

Zip Code 67801

Date of Incorporation

Articles of Incorporation are on file with the Secretary of State.

☐ Yes ☐ No

Resident Agent Name

Phone No.

Residence Street Address

City:

State: KS

Zip Code 67801

SECTION 3 – LICENSED PREMISE

Licensed Premise

Business Location or Location of Special Event

Mailing Address

(If different from business address)

DBA Name

Name

Address

City

State: KS

Zip Code 67804

Business Location Owner Name(s)

☑ Applicant owns the proposed business location.
☐ Applicant does not own the proposed business location.

Business Phone No.

SECTION 4 – OFFICERS, DIRECTORS, STOCKHOLDERS OWNING 25% OR MORE OF STOCK

List each person and their spouse*, if applicable. Attach additional pages if necessary.

Name

Position

Date of Birth

Residence Street Address

City

State: KS

Zip Code 67801

Spouse Name

Position

Date of Birth

Residence Street Address

City

State: KS

Zip Code 67801

Name

Position

Date of Birth

Residence Street Address

City

State Zip Code

Spouse Name

Position

Age

Residence Street Address

City State Zip Code

Name

Position

Date of Birth

Residence Street Address

City

State Zip Code

Spouse Name

Position

Age

Residence Street Address

City

State Zip Code

Page 1 of 4

AG CMB Corporate Application (Rev. 12.27.19)
<table>
<thead>
<tr>
<th>Name</th>
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</thead>
<tbody>
<tr>
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<tr>
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SECTION 5 – MANAGER OR AGENT INFORMATION

My place of business or special event will be conducted by a manager or agent. □ Yes □ No

If yes, provide the following:

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Manager or Agent Spousal Information*

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SECTION 6 – QUALIFICATIONS FOR LICENSURE

Within 2 years immediately preceding the date of this application, have any of the individuals identified in Sections 4 & 5 been convicted of, released from incarceration for or released from probation or parole for any of the following crimes*: □ Yes □ No

(1) Any felony; (2) a crime involving moral turpitude; (3) drunkenness; (4) driving a motor vehicle while under the influence of alcohol (DUI); or (5) violation of any state or federal intoxicating liquor law.

Have any of the individuals identified in Sections 4 and 5 been managers, officers, directors or stockholders owning more than 25% of the stock of a corporation which: □ Yes □ No

(1) had a cereal malt beverage license revoked; or (2) was convicted of violating the Club and Drinking Establishment Act or the CMB laws of Kansas.

All of the individuals identified in Sections 4 & 5 are at least 21 years of age*. □ Yes □ No

SECTION 7 – DURATION OF SPECIAL EVENT

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<th>Start Date</th>
<th>Time</th>
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<tbody>
<tr>
<td>End Date</td>
<td>Time</td>
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Proceed to Section 8 on the next page.
I declare under penalty of perjury under the laws of the State of Kansas that the foregoing is true and correct and that I am authorized by the corporation to complete this application. (K.S.A. 53-601)

SIGNATURE

DATE 12-18-20

FOR CITY/COUNTY OFFICE USE ONLY:

☒ License Fee Received Amount $__________ Date ________

($25 - $50 for Off-Premise license or $25-200 On-Premise license)

☒ $25 CMB Stamp Fee Received Date ________

☒ Background Investigation ________

☐ Completed Date ____________ ☐ Qualified ☐ Disqualified

☒ New License Approved Valid From Date ____________ to ____________ By: ____________

☒ License Renewed Valid From Date ____________ to ____________ By: ____________

☒ Special Event Permit Approved Valid From Date ____________ to ____________ By: ____________

A PHOTOCOPY OF THE COMPLETED FORM, TOGETHER WITH THE STAMP FEE REQUIRED BY K.S.A. 41-2702(e), MUST BE SUBMITTED WITH YOUR MONTHLY REPORT (ABC-307) TO THE ALCOHOLIC BEVERAGE CONTROL, 109 SW 9TH ST, 5TH FLOOR, PO BOX 3506, TOPEKA, KS 66601.

* Applicant's spouse is not required to meet citizenship, residency or age requirements. If renewal application, applicant's spouse is not required to meet the no criminal history requirement. K.S.A. 41-2703(b)(9)
INDIVIDUAL/SOLE PROPRIETOR
APPLICATION FOR LICENSE TO SELL CEREAL MALT BEVERAGES
(This form has been prepared by the Attorney General's Office)

City or County of Greensburg

SECTION 1 – LICENSE TYPE
Check One:  ☐ New License  ☑ Renew License  ☐ Special Event Permit

License to sell cereal malt beverages for consumption on the premises.
☐ License to sell cereal malt beverages in original and unopened containers and not for consumption on the licenses premises.

SECTION 2 – APPLICANT INFORMATION
Kansas Sales Tax Registration Number (required): CH-810921923-F01
I have registered as an Alcohol Dealer with the TTB.  ☐ Yes (required for new application)

Name: Michael Wilson
Phone No.: 620-285-1283
Date of Birth: 11-15-1984
Residence Street Address: 125 S. Kay St.
City: Greensburg, KS
Zip Code: 67054

Applicant Spousal Information
Spouse Name
Phone No.
Date of Birth
Residence Street Address
City
Zip Code

SECTION 3 – LICENSED PREMISE
Licensed Premise (Business Location or Location of Special Event)
Licensed Premise Address
City: Greensburg
State: KS
Zip: 67054

Mailing Address (If different from business address)
Name
Address
City
State
Zip

SECTION 4 – APPLICANT QUALIFICATION
I am a U.S. Citizen  ☑ Yes  ☐ No

I have been a resident of Kansas for at least one year prior to application.  ☑ Yes  ☐ No

I have resided within the state of Kansas for 36 years.

I am at least 21 years old.  ☑ Yes  ☐ No

I have been a resident of this county for at least 6 months.

Within 2 years immediately preceding the date of this application, neither I nor my spouse* have been convicted of, released from incarceration for or released from probation or parole for any of the following crimes:
(1) Any felony; (2) a crime involving moral turpitude; (3) drunkenness; (4) driving a motor vehicle while under the influence of alcohol (DUI); or (5) violation of any state or federal intoxicating liquor law.

☐ Yes  ☑ No

My spouse has previously held a CMB license.  ☐ Yes  ☑ No

My spouse has never been convicted of one of the crimes mentioned above while licensed.  ☐ Yes  ☑ No
**SECTION 5 – MANAGER OR AGENT QUALIFICATION**

My place of business or special event will be conducted by a manager or agent. □ Yes  ☒ No

If yes, provide the following:

<table>
<thead>
<tr>
<th>Manager/Agent Name</th>
<th>Phone No.</th>
<th>Date of Birth</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residence Street Address</td>
<td>City</td>
<td>Zip Code</td>
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</table>

**Manager or Agent Spousal Information**

<table>
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<tr>
<th>Spouse Name</th>
<th>Phone No.</th>
<th>Date of Birth</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residence Street Address</td>
<td>City</td>
<td>Zip Code</td>
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**Qualification Statement**

My manager/agent and his/her spouse* meets all of the qualifications in Section 4. □ Yes □ No

**SECTION 6 – DURATION OF SPECIAL EVENT**

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<tr>
<td>End Date</td>
<td>Time</td>
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</table>

Proceed to Section 7 on the next page.
SECTION 7 – LICENSED PREMISE

In the space below, draw the area you wish to sell or deliver CMB. Include entrances, exits and storage areas. Do not include areas you do not wish to license. If you wish to attach a drawing, check the box: □ 8 ½” by 11” drawing attached.

I declare under penalty of perjury under the laws of the State of Kansas that the foregoing is true and correct. (K.S.A. 52-601)

SIGNATURE ___________ DATE ___________

FOR CITY/COUNTY OFFICE USE ONLY:

□ License Fee Received Amount $_____________ Date ____________
($25 - $50 for Off-Premise license or $25-200 On-Premise license)

□ $25 CMB Stamp Fee Received Date ____________

□ Background Investigation □ Completed Date ____________ □ Qualified □ Disqualified

□ Verified applicant has registered with the TTB as an Alcohol Dealer

□ New License Approved Valid From Date ____________ to ____________ By: ____________

□ License Renewed Valid From Date ____________ to ____________ By: ____________

□ Special Event Permit Approved Valid From Date ____________ to ____________ By: ____________

A PHOTOCOPY OF THE COMPLETED FORM, TOGETHER WITH THE STAMP FEE REQUIRED BY K.S.A. 41-2702(e), MUST BE SUBMITTED WITH YOUR MONTHLY REPORT (ABC-307) TO THE ALCOHOLIC BEVERAGE CONTROL, 109 SW 9TH ST, 5TH FLOOR, PO BOX 3506, TOPEKA, KS 66601.

* Applicant’s spouse is not required to meet the citizenship, residency or age requirements. If renewal application, applicant’s spouse is not required to meet the no criminal history requirement. K.S.A. 41-2703(b)(9)

AG CMB Individual Application (Rev. 12.27.19)
APPLICATION FOR CHANGE OF ZONING CLASSIFICATION (REZONING) OR A
CONDITIONAL USE PERMIT

This is an application for change of zoning classification (rezoning) or for a Conditional Use Permit. The form must be completed and filed at the office of the Zoning Administrator in accordance with directions on the accompanying instruction sheet.

AN INCOMPLETE APPLICATION CANNOT BE ACCEPTED.

1. Name of applicant or applicants (owner(s) and/or their agent(s)). All owners of all property requested to be rezoned must be listed in this form.

   A. Applicant/Owner: BRAD LINGAFELTER

      Address: 406 E. CHERRY ST HAVILAND, KS 67059

      Phone: 316 293-9979

   B. Agent: ____________________________

      Address: ____________________________

      Phone: ____________________________

(Use separate sheet if necessary for names of additional owners/applicants.)

2. The applicant hereby requests:

   _____ A change of zoning from _______ to ________.

   __ A Conditional Use for the following: PURCHASED CARRIAGE HOUSE

   AND TURN IT INTO A RESIDENTIAL CARE FACILITY FOR FOSTER CARE.

3. This property address is: 723 S. Elm St. GREENSTRENGTH, KS 67054

4. I request this change in zoning for the following reasons:

   The Carriage House is currently not zoned to allow
   for residential care. The facility is and/or will
   be renovated to maximize the functional use of the building
   and it's existing layout to provide services
   to boys in the foster care system. These will not
   be boys from juvenile justice. There is a big difference.
5. I (We), the applicant(s), acknowledge receipt of the instruction sheet explaining the method of submitting this application. I (We) realize that this application cannot be processed unless it is completely filled in; is accompanied by any required submittals; and is accompanied by the appropriate fee.

By ________________________________

(Owner) ________________________________

(Owner)

By ________________________________

Authorized Agent (if any)

By ________________________________

Authorized Agent (if any)

VI. OFFICE USE ONLY:

This application was received at the office of the Zoning Administrator at ________ (A.M.) (P.M.) on ________ day of ___________, 20___ This application has been checked and found to be complete and accompanied by the required documents and the appropriate fee of $___________________.

______________________________

Name

______________________________

City Clerk

Title
To: Greensburg Planning Commission  
Date: December 2, 2020  
Subject: Conditional Use Request 2020-02-CU  
Applicant(s): Brad Lingafelter

Background:
A request for a Conditional Use Permit was made by Brad Lingafelter, to place a residential care facility at the former Carriage House assisted living facility located at 723 S. Elm St. Mr. Lingafelter represents an 11-member board (9 voting members and 2 non-voting members) of local of Kiowa County residents who desire to purchase and renovate the existing facility lay-out to provide services to boys in the foster care system. Purchase of the property is pending approval of this application. The board is applying for 501(c)(3) non-profit organization status under the name True North. The Kansas Department of Children and Family Services is actively involved in developing the facility.

Analysis:
The adopted Sustainable Land Development Code of the City of Greensburg designates the address requested as R-1A Residential zoning. Institutions such as adult residential care facilities (nursing homes), churches, licensed daycare facilities, family foster care homes, group homes for the developmentally disabled, schools, and the like are allowed within this zoning designation. Most of these facilities are allowed by right with only a plan review of this Planning Commission (no public hearing or Council approval required). Adult Residential Care facilities do require a Conditional Use Permit (including a public hearing and Council approval). Because the use requested would be similar to the previous use (a residential care facility for those unable to live independently), the facility would house more than 4 children at a time, and upon the recommendation of a city/county zoning professional, Staff believes that requiring a Conditional Use Permit is appropriate for this request.

Those being housed in the facility would be strictly from the foster care system, children in need of care. These would not be boys from the juvenile justice system. This fact also played a role in Staff’s decision to recommend a Conditional Use Permit application. Correctional Facilities, juvenile detention centers, secure care facilities, and criminal half-way houses are currently not allowed within any residential zone within the city. A residential care facility for children is designed to provide a safe, healthy, home environment for children who, for various reasons, are not able to reside with their biological families and are awaiting adoption or to age out of the State’s childcare system.

This property has been vacant for several years. Some repairs and renovations will be required for any use of the property. There have been several parties interested in renovating the facility for various other uses; however, those efforts have not come to fruition.

The task of the Planning Commission, and then the City Council, is to determine if this type of use is appropriate within the requested zoning district. Other management details of such a facility would be regulated by the State of Kansas.
Staff has received minimal phone inquiries concerning this case since publication of this public hearing. Phone calls received have been for additional information on the application. No opposition has been voiced to City Staff.

**Recommendations/Actions:**
Because a residential care facility was previously housed at the requested location, similar uses are allowed by right in this zoning district, those who would be housed are not part of the juvenile justice system, there is a significant need in the State of Kansas for housing for these children, facility management would be heavily regulated by the State of Kansas, and there has been sound county-wide interest in assisting children such as these, Staff recommends approval of the application. Should this Commission concur, the case would be brought before the City Council for final approval on Monday, December 21, 2020 at 6:00 p.m. (following the required 2-week protest period).

**Attachments:** Application, site overview, sketch zoning map.

Respectfully Submitted,
Christy Pyatt, City Clerk
City of Greensburg Planning Commission  
December 2, 2020  
Location: City Hall Council Chambers- 300 S. Main, Greensburg, KS 67054

A) Call to Order  
Loren Campbell called the meeting to order at 6:35 pm.

B) Roll Call  
Roll call was taken with the following members present: Scott Eller, Pamela Reves, Georgina Rodriguez and Loren Campbell. Shawn Cannon was absent. Christy Pyatt, City Clerk, Stacy Barnes, City Administrator, were present along with the Brad Lingafelter (CU applicant), True North Board members and other members of the public.

C) Approval of Minutes  
Reves made a motion to approve the minutes of the January 2, 2020 meeting. Campbell seconded, and the motion passed 4-0.

D) Business  
1. 2020-02-CU – Lingafelter  
Pyatt gave an overview of the request for a Conditional Use Permit made by Brad Lingafelter, to place a residential care facility at the former Carriage House assisted living facility located at 723 S. Elm St. Mr. Lingafelter represents an 11-member board (9 voting members and 2 non-voting members) of local of Kiowa County residents who desire to purchase and renovate the existing facility lay-out to provide services to boys in the foster care system. Purchase of the property is pending approval of this application. The board is applying for 501(c)(3) non-profit organization status under the name True North. The Kansas Department of Children and Family Services is actively involved in developing the facility.

The adopted Sustainable Land Development Code of the City of Greensburg designates the address requested as R-1A Residential zoning. Institutions such as adult residential care facilities (nursing homes), churches, licensed daycare facilities, family foster care homes, group homes for the developmentally disabled, schools, and the like are allowed within this zoning designation. Most of these facilities are allowed by right with only a plan review of this Planning Commission (no public hearing or Council approval required). Adult Residential Care facilities do require a Conditional Use Permit (including a public hearing and Council approval). Because the use requested would be similar to the previous use (a residential care facility for those unable to live independently), the facility would house more than 4 children at a time, and upon the recommendation of a city/county zoning professional, Staff believes that requiring a Conditional Use Permit is appropriate for this request.
Lingafelter gave a presentation regarding the proposed operations and business plan for the facility. True North Board President Julie Keeton also spoke in support of the project.

Campbell opened the floor to public comment.

Chris Wolfley spoke of his personal experience with foster care, adoption and what Kiowa County could bring to these kids. He said this community has supported them through their adoption experience.

Jamie Brown said there have been a lot of ideas come about for this building in the past and this is the first one that has gotten this far in the process. He said the personal things were said this evening were good but not relevant to the zoning issue at hand.

Campbell closed the public comment portion of the meeting.

Rodriguez asked about the purchase of the building pending approval of this Conditional Use. Pyatt verified that the purchase is pending the permit and reviewed the process for the approval: Approval by the Planning Commission, open for a 14-day protest period, then final consideration by the City Council on December 21.

Reves asked why it is a Conditional Use application and not a rezoning. Pyatt explained that this use fits the current zoning but requires conditional use for this function.

Reves moved to approve 2020-02-CU Conditional Use permit application for the foster care facility, Eller seconded. Motion carried 4-0.

E) Staff Items
Staff had nothing further to present.

F) Adjournment
Campbell made a motion to adjourn, seconded by Reves. Motion passed 4-0 and the meeting adjourned at 7:08 pm.

_______________________________
Christy Pyatt - Secretary
Letter of Protest of proposed boys group home in Greensburg, Ks

December 12, 2020

To: Greensburg, Ks, City Council Members, and public,

My name is Doug Ulrich, and I live at 441 South Bay Street, in Greensburg, Kansas. I am writing this letter of protest to encourage you to vote against allowing a Foster Care Group Boys Home to be placed in the old Carriage House nursing home location in Greensburg.

First off, please allow me to applaud the efforts of the board of the proposed Boys home in their passion and dedication to this noble and good cause. I was able to watch their presentation to the city planning commission via social media, on December 2nd. They conveyed their points very well of the need for this type of facility in Western Kansas. They cited on multiple occasions during their presentation how most of the cases of Foster care needs are lying mostly in the Dodge City/Ford County area in this part of the state. They stated that this facility would take boys entering foster care between the ages of 12-18, and that they would have complete control over who they accepted and denied at this facility. They also stated that this would not be a lock down facility or detention facility, which leads the concern of how secure will this facility be? Mr. Lingafelter stated the past proposed facility like this in Mullinville was a failure due to it being run by an individual out of Wichita, and that this facility would be managed by local people that had a stake in this community and its success? While there are board members from Greensburg, the officer positions from what I see are people from Haviland and or Mullinville? They are not living in the confines of the City of Greensburg. This facility is not managed by someone in Wichita but managed by someone 10 miles away. My thought is, 10 miles away or 100 miles away, what’s the difference? They personally won’t be affected by the facility living in Haviland or Mullinville.

Mr. Lingafelter, and other board members who are Foster care providers in their homes currently, made statements at the planning commission meeting of their taking in of foster kids and how those experiences were for their families. I would like to know if the children Mr. Lingafelter took in were kids, specifically boys, ages 12-18 like this facility is going to house, or if his foster’s and others were a different age group? These boys in this age group are an extremely high flight risk and are the most at risk of criminal activity or having behavioral/emotional issues in foster care, more so than any other age group of kids in the foster care system.

Julie Keaton, another board member, spoke at the meeting of her experiences having foster kids in her home. Julie and Wayne are my neighbors, and their 3 boys, 1,2, &3, are fantastic to live next to, and Kerri and I are often frequented with visits from them, much to our joy as now empty nesters! Julie spoke of getting a foster child and having to sign for her belongings before receiving the child. The DCF rep that delivered the child’s possessions had 4 other kids in the van and when Julie questioned signing for the child’s gear before the child showed up, she was met with the statement from DCF rep of, “either sign for their bags or take the other 4 kids because I still have to find places for them today as well”. It’s heartbreaking to hear stories like this. Julie has had multiple kids in her home from Foster
care over the years we have lived next to them. Julie is doing what she is called to do by taking these children into her home.

Let me share an experience I've had with Foster care children in Greensburg.

2-3 years ago, my neighbor had a foster child that was a girl around the 13-15-year-old range in her home. My son, Kaden was a sophomore or Junior in high School at that time. Kaden and this girl went to school together, saw each other at school functions, and texted back and forth the way kids do. This girl had hung out with my son on multiple occasions and had evidently been on my property and, if spending time with my son, been in the shop I have behind my house. One night around 10:30 or 11:00Pm, Kerri’s phone rang, and it was my neighbor. She told us that her foster child had slipped out of her house and ran away and was asking us to wake Kaden up and see if she had communicated to him of her plans or contacted him. We immediately woke up our son and asked. He had not received any text or call from the girl. For good measure I went through our house, garage, and out to the shop in my backyard to see if she might be in any of these locations to help look for her. When I went into my shop, I noticed someone had been in there around my Dodge Charger that I store in there. The car was very dust covered as I hadn’t driven it in months. In the dust on the hood was a heart drawn with this foster girl’s initials in it. Upon further looking I saw handprints around the driver door of the car and when I opened the driver’s side door, the key of the car was in the ignition and the car was on. We called our neighbor and let her know and was also visited by a Kiowa county Sheriff’s deputy who was looking for the girl. The girl was eventually found, thankfully. A few days later my son had a text conversation with this girl and asked about her running away and why she got into my shop. This girl stated by text that she remembered the car being there and the only thing that kept her from stealing my vehicle was the fact that the garage door of the shop was dead bolted locked and she couldn’t figure out how to get the door unlocked! I don’t blame my neighbor for this incident, and I never sought criminal charges for this break in and attempted car theft, but my point is, this was a teenage girl in the system at a family home. What are the issues that are going to arise from a group home with boys, ages 12-18, who are not locked down?

I researched many things before writing this protest letter to better understand the foster care system and make an informed decision on this group home matter. I visited the DCFS official website, the website for Strengthen Families Rebuild Hope Coalition, and an article from the Kansas City Star, newspaper, from July of 2019. Here is what I was able to find out about group homes, especially group homes in foster care for Boys.

This is from Rebuildhopekansas.org:

The stability of a child’s placement in the foster care system is also connected to the type of setting the child is placed in. Research shows that children placed in Group Residential Care have consistently worse experiences, more behavioral problems, and worse perception of care than children placed in a single-family foster care setting.

In November 2018, 53.2% of placements were in foster family homes, 32.1% were in kinship care, and 8.4% were in group residential care. Foster family homes as a percentage of placement have trended
down over the last six years in Kansas, kinship care has remained stable, and group residential placements have almost doubled.

This research is saying that group homes are by far the smallest percentage of placement for foster kids and are the most unsuccessful in meeting the child’s needs. Clearly single-family foster care homes are most placements, and by far, present the most successful chance for a foster child to be successful in leaving the foster system or being adopted. Group homes, simply put, do not work for the purpose they are intended for. The members of the board would be more successful in opening their homes for individual foster placements, and have success, than putting these kids in the proposed group home here.

This same website states that one of the most important factors in a child successfully being returned to family, out of foster care system, and or adopted is continuity of schooling. Having the foster child in the same school system they were in before foster care is the single most important factor in that child’s adjustment or success in foster care. If most of these kids are from Dodge City/Ford County, wouldn’t this group home be more fitting in that location to give these troubled youth the best chance of success and recovery?

From the DCFS website:

The statistics were from the Western Kansas area of foster care placements. 20% of boys in Foster care, ages 12-18, runaway or escape from their foster placements, and are not recovered within 6 months of running away. That means 1 in 5 of the boys slated to be at the group home in Greensburg, will statistically run away from that facility and not be recovered within 6 months. That is a high rate of runaway, and assumedly when that child runs, how are they going to get away? Steal a citizen’s car that happens to be unlocked? I’m guilty of that, or break into a home and steal a vehicle, or invite someone from their risky past life to come get them and introduce an undesirable entity to come to our community to get them and return to their past situation? This facility is inviting the criminal element to our back door.

From the Kansas City Star, July 30th? 2019:

This article reported the following information.

The Federal Dept. of Health and Human Environment conducted inspections of the 31 group homes in the state of Kansas in April of 2019. Of the 31 approved and funded foster care group home facilities, 29 of 31 facilities failed a basic inspection. Most of the infractions listed by the Dept of H&HE were as follows:

Most were run down or unkept group facilities that failed to maintain a level of upkeep and maintenance of the structure and facility to allow children to safely dwell in the facility. Many were structurally unsound, had exposed wiring, gas lines, and presented unsafe conditions to house children.

Group homes were not housing the correct number or designated age groups and gender they were originally licensed for. One home was approved to house only girls, 8 of them, between the ages of 8-12
years old. At the time of the inspection this facility had 4 girls ages 12-17 years old and had 4 boys aged 13-18 years old living in the same group home. Multiple other group homes were housing sometimes twice the number of kids they were approved to house in their original agreement with Foster Care.

Finally, the other biggest infractions of these group homes, was having people on staff, actual adults in direct contact with children and managing the facilities, who had not received a proper background check or approval from the Foster care system. Some caregivers were employed for up to a year in these homes and had never completed a complete background check before starting work at the facility. Furthermore, many of the people working in these facilities who didn’t have a background check, failed the check when it was done after the investigation.

So, of the 31 group homes currently in the state, 29 of them are such miserable failures by Dept. of Health and Human Environment standards that they fail to meet the minimum requirements to meet the needs of the kids they are in the business of helping. Adding another home to this group, no matter how well planned and executed, is not the solution to the foster care problem in our area. Group homes whether faith based, discipline based, or otherwise, are failing the system and by the people that run the system are being called, “Not the solution” to the foster child issue in this state.

I had a discussion on social media with a member of the board of this proposed boy’s home about the location in Greensburg and how it would affect the citizens that already live there, and what would happen crime wise in this area. This board member admitted to witnessing drug deals conducted in this area on a public street in daylight multiple times in this part of town. If there is already a criminal element operating in public in this area, what good would come of placing troubled boys in this area? Human nature is such that Bad finds Bad. If there are drugs and drug users/dealers living in this location already, it won’t take long for them to find a way to get to the boys coming from that background to this location. This situation doesn’t have a favorable outcome for these boys.

During the presentation to the planning commission, Mr. Lingafelter mentioned the million-dollar nursing program from Barclay college in Haviland, and the support that would be needed from the Iroquois Center in Greensburg. First, from my research, the nursing program is years away from happening, and the director of the nursing program for the college isn’t even from or currently reside in Kiowa County? This person has no intention of moving to any county community when they do assume the position. Hence, this out of towner will not be vested or live by the service they are running and which this home will be using. Second, the Iroquois Center is a mental health organization that treats many people with a wide array of mental health issues from the surrounding area. Many of their patients are treated for drug addiction, sexual behavior issues, and other issues regarding behavior. Many of their patients live in the low-income apartments. Already in the area close to the proposed boy’s home. Putting impressionable foster care boys in a neighborhood with recovering, still using, drug dependent people, as well as registered sex offenders or people with sexual behavior issues, doesn’t seem like the best place to put a group home, and lends itself to issues just on location alone.

So, what is the solution? I guess a good analogy would be this: You don’t put a 16-year-old new driver in a Semi Truck to teach them how to drive? You put them in an 84 Ford Escort and let them learn, and
then after they have experience, you let them drive better and bigger vehicles. I think this boys home proposal should be the same way. I was on vacation the week of writing this letter and drove around the county to try and figure it out. Here's what I came up with.

In Mullinville, Ks. There is a home for sale located on the main road through town, and there is another house a few houses down that is currently vacant. I drove through Haviland and found multiple houses in town, that were for sale and / or vacant as well. One of the properties in Haviland was right next door to a Kansas State Trooper. Perfect having law enforcement right next door! Instead of renovating such a large facility and putting loads of money into the carriage house in Greensburg, the board could purchase, renovate, and possibly open one of these existing homes into a mini group home that could house 3-4 boys from the age group proposed. Walk before we run kind of mentality. These homes could have access to the same level of support from the schools, behavior help from the Iroquois Center, and the faith based care proposed by Mr. Lingafelter just on a smaller scale in a closer location to the people running the facility, so they could react quicker to issues if they are across the street instead of 10 miles away or more. There would be much less risk to the broader community, better care in a smaller environment for these boys, and easier to staff and keep staffed in the beginning. Once the proposed model of a group home is proven in one of these smaller locations over a designated period of time, and the board gets experience navigating the massive beauracacy that is foster care in Kansas, and actually see what jobs a facility could bring and be maintained and actually will come to benefit this community, then develop a business plan for a larger facility down the road once the model has been proven. The other alternative would be to present this model to the Ford County commission and Dodge City, city council, and get it up and running in the very location these boys are going to come from, and by keeping them in their existing school in foster care as they were in before foster care, giving these boys the most important leg up they need, continuity of schooling and environment, instead of placing them 50 miles away in a new school and surroundings.

Alternative uses for the carriage house building:

I would like to put this out for using the carriage house building for the fire service or Kansas police training academy. This location in its rundown state would be a perfect location to become a facility to train firefighters in the area to conduct search and rescue in a multiple occupant building. Filling it with smoke and teaching fire fighters to do SAR. This could be a regional training site instead of sending these fire personnel to the academy in Topeka for training and could bring dollars into our town through hotel rooms, gas purchases, and restaurant purchases. Police could use the building to conduct, what we called in the Marine Corps, MOUT training. Military Operations in Urban Terrain, basically room clearing and hostage recovery training in a large facility. Just a layperson's thoughts on how to use this space to gain dollars in the community and use an existing building for our First Responders.

I would encourage the city council to vote this proposal for a boy's home down after reading my protest letter and hearing from other members of the community that will be affected by this home. In the very least, I would ask that the council table the matter and don't grant conditional use of this location right now, until further research, maybe from a hired firm, and a more specific plan from the home's board.
are made public knowledge and available for scrutiny from the public. If you vote to grant conditional use now, there is no going back once the property is purchased for this purpose.

Unfortunately, my job will not allow me to attend the City council meeting in person to present my findings and suggestion, however, I hope the city council will read my protest letter, in session if possible to garner any support or feedback from the public and or the board of the proposed home.

Respectfully,

Doug Ulrich

Greensburg, Ks resident and taxpayer
Dear Mayor and Council Members,

I am writing this letter regarding True North foster Care Facility. As you know they are wanting to put a Boy's Home in what used to be The Carriage House. My husband and I do not want this type of facility in our neighborhood or across the street. My husband and I protest this facility moving into our neighborhood. I worry the boys in the facility would cause conflict and drama with each other and they would bring into our yard or home. Our kids in this town don't have anything to do themselves. They have the pool in the Summer and once in a while the Theatre leaving them walking the streets causing trouble or racing around town. What are these boys going to do in this facility with not much to do besides school related work all the time? Cause trouble! I also worry about our taxes going up and that this type of facility will make our homes loose their property value! This will also cause our neighborhood to look bad! This will give our neighborhood a bad reputation.

As you all know my husband and I have lived on this property since 1994. Our home
is our pride and joy. We take a lot of pride in our home and neighborhood. We have spent a lot of money on our home with beautiful fountains, trees, and flowers. We have a tradition of lighting up our entire property for Christmas. We do this for our neighborhood and the children. We are happy with our neighborhood just the way it is now. We do not want a Boys' Home to destroy what we have built or drag down our neighborhood. Everyone in our neighborhood works hard and also have pride in their homes and neighborhood.

So I ask that you don't put this here or that you put it somewhere else. We don't want it in our neighborhood! This will only make it hard on us to live in this neighborhood! We don't need anymore hardship!

Thank you,

Meale and Ruby Collins
- Ewensburg Residents and property owners.
Section 1: Personal Information.
1. Applicant’s Name: **Matt Christenson**
   Spouse (if applicable): **Sarah Christenson**
2. Name of Corporation (if applicable): 
3. Street Address: **702 S Bay St**
4. City, State, Zip: **Greensburg, KS 67054**
5. Home Phone #: **620-491-1866** Work phone #: **620-723-1343**
6. E-Mail Address: **christenson.matt@gmail.com**

Section 2: Proposed land Bank Donation.
1. Common Address(s) of Property: **224 S Spruce St**
   Vacant Land? [ ] Structure? [x]
2. Legal Description(s) of Property (a copy of current deed may be attached)
   All of Lots 3, 4, 5, & 6 of the West Side Addition to the
   City of Greensburg

3. Does the property being donated have any Code Enforcement violations?
   Yes[ ] No [x]

4. Have all taxes/abatement costs been paid on the property?
   Yes[ ] No [ ] If no, how much is remaining? $______________

5. What is the current County Appraised Value of the Property? $2,130
Section 3: Additional Comments & Terms of Proposal.

Persons gifting property to the Land Bank may request confirmation or receipt from the Land Bank as to the property value for tax deductible contribution purposes. Such value statement shall use the County Fair Market Value Appraisal. If desired, a third party, independent appraisal can be obtained at the applicant’s expense, subject to Land Bank approval.

Incomplete applications will not be considered and will be returned to the sender. As the applicant, I attest that the information in this proposal is accurate. I attest that I have read the City of Greensburg Land Bank policy and agree to the terms and conditions of it. I understand that the Land Bank and the City of Greensburg reserve the rights to reject any proposal without cause. I understand that I will be responsible for paying for title insurance.

Applicant’s Signature: __________________________
Print Your Name: Matt Christenson Date: 12/17/2020

Return Completed Application to: Land Bank, City Hall, 300 S. Main, Greensburg, KS 67054
Fax: (620) 723-2644 Phone: (620) 723-2751