Official Greensburg City Council Minutes 12.21.2020

Greensburg City Council
December 21, 2020
City Hall

A. CALL TO ORDER

Mayor Matt Christenson called the December 21, 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, and Chance Little. Haley Kern was absent. Staff present: Administrator Stacy Barnes, Police Chief Aaron Webb, and City Clerk Christy Pyatt.

Reves made a motion to approve the agenda as presented. McBeath seconded. Motion passed 4-0.

D. CITIZEN COMMENTS

Carolyn Irvin read a prepared statement, recommending Council bid out mowing of City properties to area mowing services. She also voiced concern over potholes, especially those around Quick Pick. She asked who she should contact regarding the signs on the highway for the hospital and lake. She believes that they are not located correctly. She was advised that the signs are placed by KDOT.

Doug Ulrich mentioned the protest letter he previously submitted on the Conditional Use Permit Application for a Foster Care Facility at the former Carriage House facility. Ulrich requested the topic be tabled, saying he believes a lot of the public is unaware of the proposal.

E. CONSENT AGENDA

Trummel made a motion, seconded by McBeath, to approve the Consent Agenda as presented. In addition to the minutes of the December 7, 2020 Council meeting and Appropriation Ordinance #1186 were four applications for Cereal Malt Beverage licenses. Motion passed 4-0.

F. ITEMS OF BUSINESS

1. Receive Kerri Ulrich, Kiowa County Public Health Officer, for COVID-19 Updates
Kerri Ulrich, Kiowa County Public Health Officer, was unable to attend tonight’s meeting; however, she did provide information to Barnes ahead of time. COVID-19 vaccinations will soon be available. Residents are asked to call County Health and have their name placed on a waiting list. KDHE has said that those who have been vaccinated will not be required to quarantine if they become exposed.

2. Conditional Use Permit Application 2020-02-CU: Proposed Foster Care Facility at Former Carriage House Building
Council took a 5-minute recess, until 6:15 p.m., to address audio issues with the meeting’s live feed. At 6:15 p.m. the consensus was to continue recess while issues were being addressed. Council resumed open session at 6:19 p.m.
Pyatt gave an overview of the conditional use application prepared by Brad Lingafelter, on behalf of an 11-member board of Kiowa County residents, proposing a residential care facility for high school age foster care boys at 723 S. Elm. This location was most recently the Carriage House, a senior assisted living facility. The property is located in the R-1A zoning district, which does allow for institutions such as adult residential care facilities, churches, licensed daycares, family foster care homes, group homes for the developmentally disabled, schools, and the like. Most of these facilities are allowed by right, with only a plan review by the Planning Commission. Adult residential care facilities do require a Conditional Use Permit. Because the use requested would be similar to the previous use and would house more than 4 children at a time, Staff believes that requiring a Conditional Use Permit is the most appropriate form of action. Those being housed in the proposed facility would be strictly from the foster care system. They are considered “children in need of care,” and they are not from the juvenile justice system. The State does not require such a facility to be a secure facility, though the board intends on installing a security system at the facility. Correctional facilities, juvenile detention centers, secure care facilities and criminal half-way houses are currently not allowed in residential zones within the City. The board is in negotiations for purchasing the property; however, Staff has advised them not to move forward with a purchase until they receive approval for the use.

A public hearing on this application was heard before the Planning Commission on December 2, 2020. The hearing was advertised a minimum of 20 days in advance in the official City newspaper and neighboring property owners within 200 ft. of the property were notified by mail. The Planning Commission recommended 4-0 that the requested use is appropriate for the area. As required, a 14-day protest period has been held, following the Planning Commission’s ruling. Staff received 2 written protests during this time. Those were provided in tonight’s meeting packet. Staff has not had any additional phone calls or contacts voicing protest. Because of the types of uses allowed by code in this zoning district, the fact that those being housed are not part of the juvenile justice system, and the significant need in the State of Kansas for housing for these children, Pyatt again recommended approval of the application.

Brad Lingafelter gave a presentation on the proposal for what will be called True North. Lingafelter clarified for Council the difference between 24-hour residential foster care and juvenile justice kids. He and the board would like to specifically address the needs of high school age boys within foster care, in hopes of helping to stop the cycle of poverty and instability that often leads to kids being in the foster care system and uncertain futures. Lingafelter currently works with J.A.G. Kansas, where he is able to help address some of these needs from within high schools in Kansas. The board is working on a partnership with the school as far as online and in-person schooling for kids residing at the facility. Lingafelter has worked in care facilities in the past and believes that it can be done better than what he has observed. The board would have several positions available for quality, trauma informed staff and strongly believes in relationship building, as well as trade learning. Board Members for True North were announced, along with their qualifications for assisting with this project. Lingafelter would be the Executive Director. The group is applying for 501-(c)(3) status. They have had the facility inspected by contractors, to determine the costs of renovations and repairs.

Lingafelter believes Greensburg has what is needed for a successful facility: the property, the people of the community, a vision for rebuilding lives, and forward moving thinking. The goal is to see kids come in to the facility as Freshmen and graduate with skills that will make them successful in their adult lives. Lingafelter discussed intentions for a mentoring program and opportunities for community members to get involved. The Board had prepared an Economic Impact Study. Overall, the total economic impact within the County is estimated at: $912,223 - $1,062,000 per year.
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Trummel stated that 75% of time kids in the facility will be in school, but asked Lingafelter what they would do with the rest of their time? Because the facility would not be a lock-down facility, residents would be allowed to participate with their peers in school activities, mentoring activities, skill learning opportunities, and activities within the community. Lingafelter stated that a lot of their time will be in the facility. He has been working on ideas for creating spaces within the facility and on the remainder of the property that would help occupy time and allow them to be kids. Trummel asked if someone such as himself needed an extra hand at work if one of these kids might have the opportunity to participate. Lingafelter stated that this is exactly the kind of activity he would like to see these kids and community members getting involved in. Lingafelter was asked, other than the public hearing, this Council meeting, and the School Board meeting, how much exposure the community has had to his proposal. Lingafelter stated that most of his conversations have been one-on-one conversations with Greensburg and Haviland residents. Lingafelter has had a conversation with the Haviland schools about the potential use of their facility. The Board has also been talking to some of the property neighbors, one-on-one, about their reservations and providing information about the proposal.

Christenson clarified how Council could proceed tonight: approve the conditional use as presented, approve the proposal with modifications, deny the application, or table the conversation. Reves voiced that she felt this was a good project. Trummel concurred, saying that he was glad to hear the board plans to start small, use the now vacant facility, and do what we can to assist under-privileged children. McBeath stated he has had nothing but good comments from the public he has spoken to.

Reves made a motion to approve the Conditional Use as presented. Trummel seconded. The motion was approved 4-0.

3. Convene as Land Bank Board: Consider Donation of 224 S. Spruce into Greensburg Land Bank
Council recessed open session at 6:55 p.m. and convened as the Land Bank. Christenson recused himself.

Trummel opened the meeting of the Land Bank, reminding Council of its previous discussion regarding property at 224 S. Spruce. The property was purchased from the Land Bank by Christenson, who intended to build a residence at the location. Due to COVID delays in construction and a home similar to what they would have built coming on the market, the Christenson’s decided to buy rather than build. Council showed interest at the last meeting in accepting the property back into the Land Bank. Taxes on the property are current. Trummel opened the meeting for discussion.

McBeath made a motion to accept the donation of 224 S. Spruce into the Land Bank. Reves seconded, and the motion passed 3-1 (Little).

Council reconvened as the City Council at 6:57 p.m.

G. CITY STAFF REPORTS
Barnes reported to Council on the following topics:

- **2021 Water, Trash and Incubator Rates:** On January 1, previously approved rates for water, trash and incubator will go into effect. On October 1, 2018 incremental water rate increases over 5 years were approved. The increase this year is $.25 on the minimum rate and $.25 each 1,000 gallons. A new 10-year contract with Nisly Brothers was approved earlier this year. The residential trash rate will increase by $1. In June 2019, Council approved rental rate increases at the Business Incubator for 2020 and 2021. The increase is $.02 per square foot and $5 for utilities.

- **KPP 2021 Rates:** KPP held their virtual annual meeting on Friday, December 11th. Rates for 2021
were approved at $66.68 per MWH, a $.02 increase from 2019. A rate history for the last few years was provided.

- **117th District House Representative Appointed:** Tatum Lee-Hahn of Ness City has been voted by the precinct committeemen and women of the district to fill Leonard Mastroni’s seat, following his passing earlier this fall.

- **Kiowa County Economic Development:** The Kiowa County Economic Development Board has approved the hiring of a director. They are advertising the position now and accepting resumes. The job posting can be found at [www.livekiowacountyks.com](http://www.livekiowacountyks.com). Barnes looks forward to collaborating with this person on eco devo efforts. The LiveKiowaCountyKS.com website is now live and a Facebook page has also been created to market living and working in Kiowa County. If anyone has real estate or jobs available, they can submit them for listing on the site.

- **Public Works planning:** The Public Works Department is working on project planning for 2021, including mowing and street maintenance plans. Bids are being taken on some items. A plan will be presented to the governing body in the near future.

- **City employee activities:** Over the last couple weeks, employees have been working on end-of-the-year activities such as ending financials and the annual Tree City USA application. Also, a deed bringing 502 S. Elm into the Land Bank was filed, recently fallen snow was cleared and sand/salt applied, streets were later swept, and Staff is preparing and sending utility bills. City Hall will be closed Dec. 24 and 25 and January 1. Trash pick-up will be on its regular schedule.

Reves asked if pothole repairs must be done when temperatures are warmer. Barnes confirmed this, noting that snowfall is also not conducive to street repairs. She asked about the pot holes around Bay Street that were previously mentioned. Staff is getting a bid to repair streets in that area.

Trummel stated that if the City is going to bring more property in to the Land Bank, we’re going to need to do something as far as the number of employees the City has. Barnes advised that the Land Bank Policies are now available in Drop Box for Council’s review and will be on a future agenda. As previously mentioned, Council may want to discuss number of properties allowed in the bank at any one time, as well as any other questions or concerns. Trummel stated that the City may need to look at mowing being contracted. Barnes will discuss items such as this at the Public Works planning meetings.

**H. GOVERNING BODY COMMENTS**

There were no additional comments from the Council.

**I. ADJOURNMENT**

With nothing further to discuss, Christenson declared the meeting adjourned at 7:07 p.m.

Matt Christenson, Mayor

Christy Pyatt, City Clerk