A) CALL TO ORDER
Mayor Matt Christenson called the April 6, 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, City Clerk Christy Pyatt, Police Chief Aaron Webb.

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

D) CITIZEN COMMENTS
There were no comments from those in attendance.

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

F) ITEMS OF BUSINESS
1. Updates on the COVID-19 Pandemic, Review City Operations
Kerri Ulrich, County Public Health Officer, presented a COVID-19 update. Ulrich stated that 9 local residents have been tested so far. Seven tests have come back negative, and 2 are pending. To date, there have been no positive confirmations in Kiowa County. A handout of state statistics as of 11 a.m. was distributed. Ulrich spoke briefly on issues across the country such as clustering, limited testing opportunities, and the concern of exposure to citizens who are unconfirmed carriers. On March 27 Ulrich issued a stay-at-home emergency order, effective through April 30th. The next day, Gov. Kelley issued a state-wide stay-at-home order through April 19th, which supersedes the County order. If the Governor’s order is not extended, the County order would go into effect through April 30th. The local order addresses hotel/motel establishments, who could service traveling essential workers who are unknown COVID-19 carriers. The Governor’s order does not address this issue. Ulrich expects an addendum to the Governor’s order with possible clarifications and possibly an extension. FEMA is dispersing inventory from the national reserve of PPE (personal protective equipment). State National Guard units will be distributing the PPE to local health departments. The Health Department and local Emergency Management Office will be working together to distribute these items to care providers within the county.

Barnes opened discussion on any alterations to daily city operations that Council may want to see. The lobbies of City Hall and Public Works are closed to the public. The Big Well remains closed. Staff has been making good use of time without visitors, performing upkeep tasks. Council has not yet discussed regular, full-time employees and daily operations. Public Works employees have very limited public interaction when performing their duties. They do, however, congregate in the Public Works break room. If one of those employees were to be infected, the potential of all public works employees getting sick is high. Barnes asked if Council felt we are at a point where they would want to alter operations or continue to monitor the situation. Barnes offered a proposed plan for reduced staff operations. She proposed 2 teams consisting of Public Works and Administrative Staff.
Trummel voiced that he did not feel the City was at a point where they need to further alter operations. He recommended limiting breakroom access at Public Works. Trummel voiced concern that employees who are not required to present to work daily could use their time to travel out of town, thus putting themselves and their co-workers at higher risk of exposure. He noted that other entities in town are still working (specifically the co-op). Reves agreed and voiced concern that a reduced crew could result in spring mowing getting out of hand, or an increase in overtime to keep up. She would prefer employees be asked to separate themselves from one another, rather than splitting the team. Kern agreed that if department heads were organized, they could give their employees work orders ahead of time and then monitor them from a distance. The general consensus was that there are plenty of maintenance tasks that could be performed by an individual employee, creating social distancing. Kern asked if the City had the ability to offer a mask and hand sanitizer to each employee? Barnes will work with Ulrich to make those items available.

Little and Trummel agreed that there is a fine line when it comes to requiring employees to continue to report to work at this time and whether or not an employee who is not showing symptoms and is not being tested could utilize sick time to stay home. Trummel asked what the procedure would be if an employee did not feel comfortable coming to work. Trummel believes those employees should be required to use vacation if they want to be at home. Barnes advised Council of the current FMLA leave order. Employers are required to allow 2 weeks paid leave is employees who have COVID-19 or are seeking testing for the disease. Christenson recommended Barnes seek the City Attorney's opinion on the grey area of an employee stating “I don’t feel safe”. Ulrich and Barnes discussed the expectations of citizens with the state-wide stay-at-home order. Law Enforcement has not been directed to enforce the Executive Order. Ulrich explained that Kiowa County received an “F” for stay-at-home practices. This rating is based on pings from cell phones that leave the county. There are several local entities with employees who live outside of county or who's employees must travel in and out of county to perform essential duties. This increases the number of pings and thus lowers the rating. She also confirmed that the State will be receiving 15 rapid testing machines, to be distributed throughout Kansas. Results from those machines are available within 20 minutes. Ulrich believes this will change the algorithm for case numbers within the County.

The consensus of the Council was to maintain current city operations.

2. Ordinance 1093 Court Costs

Pyatt advised that during the March court date, Judge Moore, City Attorney Clayton Kerbs, and Chief Webb discussed the current court costs and adopted fine schedule for traffic citations within the City. Current court costs of $95 were adopted by Council in September 2014. Section 9-112 of the Code of the City of Greensburg states that the City Council sets the court costs by resolution and references that state statutes that provide assessments required per case. Currently the Court remits a total of $23.50 per case to the State of Kansas. Due to the increase in Court activity and the increased cost to administer Court processes, Staff recommends the Council adopt Ordinance 1093, amending Section 9-112 of the Code of the City of Greensburg, making court costs consistent with those required through the District Court (currently $108) and no longer requiring the Council to update those costs by resolution. The amendment also adds K.S.A. 12-4116 as a statute defining the assessments required by the State.

Trummel made a motion, seconded by Little, to approve Ordinance 1093 as presented. Christenson called for a roll call vote. Kern: yes; Reves: yes; Trummel: yes; McBeath: yes; Little: yes. The motion passed 5-0.
3. **Ordinance 1094 Amending Section 1-116 of the City Code Regarding General Penalty**

Pyatt advised that throughout the City Code of the City of Greensburg are sections that assess specific or unique punishment for the violation of city codes. For the violation of codes that do not list specific punishments, Section 1-116 provides a general penalty than can be assessed. Currently, the general penalty fine range is “not less than $500.00 and not more than $1,000.00.” Upon review of the code book, Staff has observed that the general penalty is to be applied to a large spectrum of situations. It is the opinion of Staff that the fine range provided does not always fit the violation, and that the Municipal Judge and City Attorney tasked with prosecuting the violations should have greater latitude in assessing a proper penalty. Examples of codes that utilize the general penalty were provided in the meeting memo. Proposed Ordinance 1094 would amend the fine range of the general penalty to not less than $50.00 and not more than $1,000.

Following a brief discussion, Reves made a motion, seconded by Kern, to approve Ordinance 1094 as presented. Christenson called for a roll call vote. Little: yes; McBeath: yes; Trummel: yes; Reves: yes; Kern: yes. Motion passed 5-0.

4. **Resolution 2020-02 Trash and Recycling Rates 2021-2030**

Barnes reminded Council that a sanitation contract with Nisly Brothers for 2021-2030 was approved at the last meeting. Proposed Resolution 2020-02 would amend the code book to reflect rates for the next 10 years, effective January 1, 2021. Reves questioned the commercial fees listed for weekly pickup. Barnes confirmed those were approved in the contract. Christenson questioned if the rates listed included the City’s administrative fee? Upon review, Barnes determined that they did not and asked Council to table the resolution until the next meeting.

5. **Police Department Report by Chief Aaron Webb**

Barnes welcomed Chief Webb for a report on police activities. Webb reported that he officially became full-time March 23rd and plans to move to the community next week. Following the same procedures as the Sherriff’s Office, Webb has made adjustments to the way that he responds to calls and has limited proactive policing activities, lessening his potential exposure to COVID-19. Since his hiring in February, Webb has responded to 170 calls for service. 126 of those calls were traffic, during which 74 traffic citations were issued. Webb provided a breakdown of statistics in the meeting packet.

Webb reported that most of the equipment needed for the department is now purchased. The department was awarded a grant from the United States Deputy Sheriff’s Association for a Preliminary Breath Test, First Aid Kit, and Traffic Safety Vest, valued at approximately $800. Web is working on additional grant options for the department.

In March, Webb attended a lock-in event hosted by the Future Farmers of America at the Kiowa County Schools and interacted with the kids, demonstrating some of the department’s equipment. Webb also created a department Facebook page to stay connected with the community. National Night Out in an annual community-based event on the first Tuesday evening in August. There is a possibility that this year’s event will be postponed; however, Webb plans to host the event locally and has invited the Sheriff’s Office to join the event.

Council thanked Webb for his services, stating that they have heard nothing but good from the Sheriff’s Office and the community.
6. Consider Waiving Utility Late Fees for April 10th Billing
On March 17th, Governor Laura Kelly issued Executive Order 20-05, temporarily suspending utility companies from disconnecting services for non-payment. The order is in effect until May 1, 2020 or until rescinded or until the statewide State of Disaster Emergency expires, whichever is earlier. The order does not prevent the utility from assessing late fees. Barnes anticipates Kansas will see a strong economic impact from COVID-19 in months to come. Staff has received a few calls from citizens, asking if the City was doing anything additional to assist residents and businesses with their utility bills. City code states that a 10% late fee will be assessed to unpaid accounts on the 11th day of the month. In April last year $1,460 in penalties were collected. This amount could be more this year as a result of COVID-19. The League of Kansas Municipalities as consistently warned member cities against jumping to assist citizens, stressing the need for cities to be able to take care of themselves during this time. Barnes advised that, as a utility, the City is unable to give any other utility discount other than potentially eliminating the late penalty assessment. The City must have the ability to pay for the services it provides to citizens. Barnes proposed Council waive the assessment of late fees to utility accounts for the April 11th assessment date.

Reves stated that, from her previous experience as the City’s Utility Billing Clerk, the same accounts are usually delinquent every month. Reves believes there are some customers that have fallen behind and found themselves caught in a “trap” while others simply choose not to pay until after the cut-off date. She voiced concern that if the penalty is withheld, some customers will expect the same in the future. Barnes confirmed for Council that the City’s costs for utility services are covered by the original fees charged. Discussion was had on the potential of regular paying customers struggling during this time of disaster. Barnes stated that Utility Billing Clerk Suleenia Trent is making it very clear to customers that they still have a bill to pay and is encouraging them to go ahead and pay what they can, when they can. There will come a time when the bill will be due. Currently it is unclear who (federal, state, or local officials) will determine how long a customer will have to get caught up once the “no-shutoff order” is lifted. Trummel asked how Staff would plan to make it clear to customers that the waiving of penalties would only be for April. He also asked if the community has businesses who have closed that are not paying employees. McBeath mentioned that the state unemployment office has seen a drastic increase in applications and that the processing of those claims is currently backlogged. Barnes advised that she had Trent mail a letter to customers who had not yet paid, reminding them of their bill and encouraging them to pay what they can when they can. She went on to explain that in the regular billing process, non-pay customers are assessed the penalty, sent a notice of their delinquency and current balance, are given time to remit payment, and receive a door hanger notice prior to having utilities shut-off.

Kern made a motion to waive April 11th, 2020 late fees on all utility accounts. McBeath seconded. The motion passed 5-0.

7. Convene as Greensburg Land Bank; Request to Purchase 302 W. Wisconsin
Christenson recessed the Council at 6:50 p.m. and convened them as the Greensburg Land Bank. The City has received an application from to purchase Land Bank property located at 302 W. Wisconsin from Ryan McLaughlin, who currently resides in Florida, but has family in town. McLaughlin intends to begin building a residence on the property within the next 2 years. He would like to make $100/month payments on the purchase. Barnes stated that residential land bank properties, with intent to build, have typically sold for $300. Reves voiced concern about the applicant’s ability to build a residence if there is a need to make payments on the property. Trummel asked if the applicant intends to pay the City to continue to mow the property until he pays it off. Christenson believes that for title purposes it would be “cleaner” if the application were to be approved when the purchase price is paid in full. For liability purposes, the City would continue to maintain the property until such time as the property is deeded to another party. Question was raised as to whether the applicant would be given first
Opportunity to purchase should someone else show interest. Little believes that Land Bank properties should be offered on a first-come-first-served basis and not be reserved. Barnes suggested holding the property for a set period of time.

Little made a motion to decline the application until such time as the full sale price can be paid. Trummel seconded the motion. Motion passed 5-0. The Land Bank adjourned at 6:57 p.m. Council reconvened open session at the same time.

G) CITY STAFF REPORTS

Barnes reported to Council on the following topics:

- **KDOT Cost Share Grant**: Due to the COVID-19 crisis, the application submission date for the KDOT Cost Share Grant has been pushed back to May 18th. Barnes is using this extra time to work with Lochner to review the water and sewer specs before submitting the grant.

- **Swimming Pool**: At this time, it is unknown if or when the swimming pool will open for the summer. For now, Staff is operating as though it will open, even if opening is delayed. The City is currently accepting applications for Manager, Assistant Manager and Lifeguards.

- **Spring Clean Up Day**: A date of Saturday, April 25th has been set for the City’s annual Spring Clean Up Day with Nisly’s. Residents need to place items at the curb by 7 a.m. that day for pick up. All items must be bagged or boxed. The City of Greensburg Facebook page provides citizens a full list of what is and is not included for pickup.

- **2020 Census**: Today Greensburg has a 39.9% response rate to the 2020 Census, and Kiowa County 36%, which is behind the overall Kansas response rate of 49.6%. Staff continues to encourage citizens to use this time to visit my2020census.gov to complete their responses.

- **Public Works/Parks**: City crews have been spraying weeds on Main Street, as well as cracks in streets. Mowers are being serviced to prepare for mowing season to begin.

- **Big Well Painting**: While the Big Well Museum is closed, Staff has been busy painting the stairs, railings and bathroom floors, as well as deep cleaning.

- **Leadership League of South-Central Kansas**: The graduation ceremony for the Leadership League of South-Central Kansas, previously announced, has been postponed.

Reves asked Barnes if she has completed compiling policy manual changes or if she needs additional input. Barnes explained that she had tabled that work due to other things going on, but that she could have a draft ready for the next meeting.

Trummel asked how the KDOT grant delay affected Sturgeons, who have intended to build a hangar at the airport in the coming months. Barnes has been in contact with Tony Sturgeon, keeping him up to date on utility construction options. Trummel also commented that spraying weeds is a perfect example of work that can be done while employees practice social distancing, suggesting continued crack sealing on the streets as well.

Little asked if Staff had a fire extinguisher count for city vehicles. Barnes will follow-up on that, but reported that the City’s annual fire extinguisher inspection was completed last week.

Little has been asked by a citizen if the signs Staff has placed at playgrounds, advising citizens to not utilize playground and picnic equipment, are adequate. The citizen had mentioned that the signage is small. Ulrich and Barnes were asked if the City should rope off the equipment. Ulrich was shown the signage prior to installation and confirmed that it is adequate. Barnes has observed that Sunset Acres Park, which normally would be busy this time of year, has had virtually no activity on the playground equipment. They also noted that the signage is similar to what City of Pratt has placed at their parks.
H) GOVERNING BODY COMMENTS
Kern publicly thanked McBeath for the work he is doing with Tanner Fulton, at the Theatre, to produce PPE. McBeath reported on current and future production capabilities, as well as distribution of the PPE.

I) ADJOURNMENT
With nothing further to discuss, Christenson declared the meeting adjourned at 7:06 p.m.

Matt Christenson, Mayor

Christy Pyatt, City Clerk