Official Greensburg City Council Minutes 09.21.20

Greensburg City Council
09.21.20
City Hall

A) CALL TO ORDER
Mayor Matt Christenson called the September 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 joined utilizing ZOOM. Staff present: Administrator Stacy Barnes, Chief of Police Aaron Webb, and City Clerk Christy Pyatt.

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

D) CITIZEN COMMENTS
There were no comments submitted in advance and no comments from those in the audience.

E) CONSENT AGENDA
Upon review of the presented Consent Agenda, including Appropriation Ordinance 1180, Reves asked about the Alliance Ag & Grain, LLC expenditure of $2,446.81 and who this vendor is. Pyatt explained that this is the local co-op and that a majority of the expense is for fuel, with the remainder being for chemical. Since the closing of Volz Oil, the City has been purchasing their fuel through the coop, utilizing a card system similar to that of Volz Oil. Reves made a motion, seconded by McBeath, to approve the Consent Agenda as presented. Motion passed 5-0.

F) ITEMS OF BUSINESS
1. Receive Kerri Ulrich, Kiowa County Public Health Officer, for COVID-19 Updates
As of 2:00 p.m. today there are 4 confirmed positive cases of COVID-19 in Kiowa County. There are several tests pending. Ulrich explained the new KDHE Stoplight Scenario, using the colors red, yellow, and green to identify how often long-term care facilities in each county will be required to test residents for COVID-19. The rating system is based on an algorithm using the number of positive cases per 100,000 people in the county. Kiowa County is currently listed as yellow, required weekly testing. Testing numbers will increase rapidly through this process. Thankfully, all tests in the first round were negative.

Also, the Kiowa County Health Department will be hosting several open flu immunization clinics. Fliers are being distributed. All of the flu shots this year will be quadrivalent. Ulrich advised that flu symptoms are very similar to those of COVID-19. There are already positive Influenza B cases in the county. Residents are highly encouraged to vaccinate. The standard flu shot for those without insurance is $25. A "booster" flu shot for those age 18 and over will also be offered. This vaccine provides approximately 30% more protection over the standard flu vaccine and is especially beneficial to those with lower immune systems.
2. Consider Resolution 2020-07 authorizing and directing the City Administrator to file an application for participation in the Kansas Housing Resources Corporation (KHRC) Moderate Income Housing Program addressing affordable, moderate income housing needs in the State of Kansas

At the last meeting, Barnes mentioned that she has been working with Gumpenberger Construction to apply for the 2020 KHRC Moderate Income Housing Grant Program. Gumpenbergers are proposing 2 single-family homes that would then be rented. The homes would be 4-bedroom, 3-bath, with fully furnished basements. More detailed information was available to Council in the meeting packets. Barnes asked Council to consider donating Land Bank property located at 219 and 223 S. Bay Street toward the project. To move forward with the application, Council would be required to pass a resolution authorizing and directing Barnes to file an application for participation in the program. Brian Gumpenberger was in attendance, to answer any questions Council may have.

Trummel asked if the grant program would be the same as the one received last year. Barnes confirmed this to be the case. The City is involved in the application process and submitting requests for reimbursement of project costs but would be under no financial obligation. Ownership of the properties would be deeded to Gumpenbergers upon project completion. There is compliance monitoring of income requirements, which Staff will assist Gumpenbergers with for the next 5 years. Reves asked if the proposal is similar to what is currently being built. Barnes reiterated that the proposed project if for 2 stand-alone homes, rather than the 2 duplexes currently being completed. Renters have voiced interest in single family homes, not just apartments or duplexes. This application would help to fill a second need in the community. Trummel asked if the projects have a required completion date. Barnes believes that KHRC would like them completed within 1 year. The City received notification of the 2019 award in mid-December. Little asked if there would be ramifications if the projects exceed their completion time frame. Barnes stated that the applicant can request an extension in writing.

Reves made a motion to approve Resolution 2020-07, authorizing Staff to move forward with an application for the MIH program. Trummel seconded, and the motion passed 5-0.

3. Convene as Land Bank Board: Consider Land Bank property donation, 219 and 223 S. Bay Street, towards MIH Housing Project Pending KHRC Grant Approval

Christenson recessed the Council at 6:14 p.m. and convened them as the Land Bank to consider the donation of properties located at 219 and 223 S. Bay to the 2020 MIH Housing Project, pending KHRC grant approval. Gumpenbergers have considered other locations in town, but being Land Bank property, these could be part of the City’s investment in the project, a nice addition to the grant application. Both Barnes and the Gumpenbergers feel the two homes would be a nice addition to South Bay Street, filling in the block. If approved, a land transaction would occur after Staff is advised that the project will be funded through the grant program.

Stating that he thinks it is great to see some of the Land Bank property being put to use, Trummel made a motion to approve the donation of 219 and 223 S. Bay Street towards the MIH Housing Project, pending KHRC grant approval. McBeath seconded. Upon clarification that the property would be donated to Brian and Tracy Gumpenberger, Little abstained from voting. The motion passed 4-0.

4. Remain Convened as Land Bank Board: Consider land Bank Property Short Term Lease, Michels Power

Remaining convened as the Land Bank, Barnes stated that Michels Power has approached her about space for a temporary, lay down staging area for supplies that will be used in work on the ITC powerline south of town. Barnes first gave them the option of the business park; however, Michels prefers something with a stable surface as we enter winter months. They are interested in Land Bank Property (2)
located at 800 W. Kansas Ave., across the street from the hospital. There is some existing driveway and concrete from the former property. A list of the types of materials to be stored was provided to Council in their meeting packet. Trucks are primarily on location rather than the staging area once the project begins. The time frame for the project is October 1 through the end of January. The proposed lease provides a month to month extension option. Michels has reviewed and signed the proposed lease.

Upon confirmation that the lease requires Michels to return the property to its original condition, Trummel again voiced that he is glad to see some of the property being used.

McBeath moved to approve the short-term lease with Michels Power. Trummel seconded. The motion passed 5-0. Christenson closed the meeting of the Land Bank at 6:19 p.m. and resumed the open meeting of the City Council.

5. STO/UPOC Update, Ordinance 1101
Barnes presented the Ordinance prepared annually to adopt the most current Standard Traffic Offense (STO) and Uniform Public Offense (UPOC) Codes. Minimal changes were made to the manuals for 2020, due to a shortened Legislative session. A list of changes made was provided in the agenda memo. Yearly adoption of the codes keeps the City up-to-date with State laws. Trummel made a motion, seconded by McBeath, to adopt the 2020 STO and 2020 UPOC. Christenson called for an Ordinance Roll Call Vote. The motion passed 4-0. Kern had lost internet connection to the meeting and did not vote on this item.

6. MOA with Kiowa County Regarding Coronavirus Relief Funds
In July, Council approved Resolution 2020-04, outlining the City’s responsibilities regarding receipt, expenditures, and reporting of Coronavirus Relief Funds. The State has now passed down a Memorandum of Agreement to be used between the City and County. The document provides additional details on the use of funds, responsibility for those funds, and relationship between the City and County in regard to the funds. Section 3 specifies the city’s total grant award amount as $6,296.69. Approval of the MOA is required for the City to proceed in receiving funds. Reves made a motion to approve the MOA as presented. McBeath seconded the motion, and it passed 4-0.

7. Consider Purchase of Ford Explorer for Police Department
At the last Council meeting, consideration of the purchase of a Ford Explorer for the Police Department was tabled. Council requested financial reports for the Amendment Fund, where the expenditure would be taken from. In addition to the requested report, Staff provided documentation of Court revenues and expenditures, which are significantly over what was predicted due to increased court activity. Year to date revenues are $84,285 ($30,000 budgeted) and expenses are $23,459 ($15,000 budgeted). The Amendment Fund is an unbudgeted fund that was established in April of this year. Due to COVID there was no real activity in the fund until June. To date, the fund has received $19,074. $3,6015 has been expended out, leaving a cash balance of $15,458.

Acknowledging that the numbers looked good, Trummel voiced concern over what the first of the year would bring. He asked if Council should sit on some of the funds in case incoming Sheriff Kendal Lothman would require a dispatch contract. Webb reminded Council of their MOU with the County Commissioners. Per the MOU the earliest that the County could request dispatch fees is 2022. That request would need to be made prior to approval of the 2022 budget. Webb stated he has had brief conversations with the incoming Sheriff and has not heard any plans for a request at this time.

Christenson clarified with Webb the use of the proposed vehicle, as well as the current patrol vehicles. Webb would drive the proposed Explorer. The officer filling the regular part-time position budgeted for next year would drive the charger, and those coming on as part-time officers would utilize the Crown
Official Greensburg City Council Minutes 09.21.20

Vic. After some feedback Webb received following the last meeting, he would look at utilizing ghost graphics rather than having the Explorer unmarked. The purpose of having the vehicle less identifiable is for when it is used out of town for things such as meetings and transporting evidence to KBI. Trummel asked if Council decided to purchase the Explorer if Staff would need to go ahead and outfit the vehicle or if those expenses could wait. Webb reiterated that the vehicle is already set up. The only additional purchase needed would be a camera system. The department already has an extra radar system that would be installed. Webb stated that he could wait on design and installation of graphics on the vehicle. Trummel then asked if anything would need to be done to the Crown Vic to get it back in service. Nothing was removed from the camera system, which was installed in the Charger. McBeath voiced that he thought it would be good to have a vehicle for off-road use.

McBeath motioned to approve the purchase of a 2015 Ford Explorer Police SUV from Ray Stegman for $8,000. With no one voicing a second, Reves stated that due to all the uncertainty she would prefer to wait on purchasing another vehicle. She then asked when Webb is planning on hiring another officer. Webb stated that the position is budgeted in 2021 and he intends to open up the position this fall, allowing time for interviews, background checks, etc. before having the hire start in January. Reves asked if this was all budgeted for. Barnes confirmed it is budgeted for. Christenson gave last call for a second. The motion died for lack of a second. Christenson said that we would have to see how long Stegman would keep the vehicle for the City and that one thing to consider is that with Stegman looking to sell the vehicle, if Council decides to purchase a third vehicle, it will probably end up being more expensive than the current offer. Trummel asked for verification that Stegman is in no rush to sell the vehicle. Webb stated that Stegman was giving the City first option, but he does not expect him to hold onto it knowing that the Council is not interested at this time.

8. Consider Purchase of and Contract for Body Cameras for Police Department

Webb stated that the City’s current body camera is a Watchguard camera. The unit is several years old and in need of updating. The city will need additional cameras as additional officers are brought on. Webb obtained quotes from three companies, with the preferred quote being included in the packet. Webb gave a rundown of the Pro-Vision system and quote. The equipment would be purchased outright, with a monthly video hosting service contract. The quote from Pro-Vision is for 4 cameras; however, only 2 body cameras and 1 car camera would be purchased at this time. Webb went over cost differences of all 3 collected quotes. The Pro-Vision system will use Cloud storage, rather than our local server. Video would automatically upload once the devise is docked, using the car’s current hot spot. This would be a 5-year service agreement. The cost for the 2 body cameras would be $1,382 and $86 per month for the storage contract. The in-car system was quoted at $2,930 with $200 for blue tooth activator and $43 per month for storage.

Christenson asked if the current hot spot has any data caps, as they can become expensive quickly. Webb advised that the data is unlimited. Normally the in-car system install fee would be $1,100. Stegman can install for under $200 and keep the business local.

Little made a motion to approve the purchase of 2 body cameras and 1 in-car system from Pro-Vision. Trummel second. The motion passed 4-0.

9. Police Department Policy Amendments

Webb reminded Council that when the Policy Department Standard Operating Procedure was adopted in July, he was waiting to see what changes the City of Wichita would make to its “Use of Force Policy”. Those changes have been made. Webb proposed a similar Section 34 “Use of Force Policy”, as well as Section 35 “Firearms Policy”, Section 36 “Impact Weapons- Batons”, Section 37 “Conducted Electronic Weapons (CEW)”, and Section 38 “Use of Oleoresin Capsicum (OC) Spray”. A brief summary of each was
given by Webb. He also recommended adding language to Section 15 “Observers” to address social media postings of activities observed while on a ride along. These postings would be prohibited without direct approval of the Chief of Police. Also, in Section 15, Webb recommended time limits for ride alongs under the age of 18. Recommended changes to Section 31 “Explorer Program” would change the age range from 14-20 years of age to 13-20 years of age; prohibit the posting of photographs or videos in which department issued equipment, uniforms, or badges are visible without permission from the Chief of Police; prohibit social media postings regarding activities observed while on a ride along without direct approval from the Chief; and increases the minimum age of Explorers allowed at the gun range during trainings to 16. The City Attorney has reviewed and approved the content of all recommended changes and additions, which are formulated after those of the City of Wichita.

Little asked for clarification that an observer and Explorer are 2 separate things. Webb clarified that the Explorer program is something he plans to implement this fall and is more of a classroom setting. Trummel stated he wants the cut off for observers to be 10 p.m. rather than 11 p.m. In Section M he wants “parent” changed to “parents”. Webb stated that City Attorney Clayton Kerbs concurs that only the signature of the parent with primary residency is legally required. Trummel strongly believes that both parents should be aware of and approve of a minor riding with an officer. Webb asked how Trummel suggested a child who only knows one parent be handled. It was suggested that sub-section N be added, stating that juveniles must have the signature of both parents unless one parent has 100% custody. Little stated he wants the ride along for minors dropped completely. Trummel questioned the portion of the policy that states observers must always stay in the vehicle unless given authorization by the officer. Webb explained that an observer stays in the vehicle unless the officer authorizes them to exit the vehicle. Trummel wanted the policy changed to say that unless an emergency requires an observer to exit the vehicle they are to remain inside at all times. Reves asked why Little wanted to discontinue ride alongs for minors. Little stated he doesn’t believe policies are being followed. He further clarified that he is concerned for the welfare of minors.

Due to the nature of conversation on the topic, Christenson suggested that it continue in executive session. Little made a motion to go into executive session for 15 minutes for non-elected personnel until 7:05. Trummel second the motion. The motion passed 4-0. When asked by Barnes who was to be included in the executive session, Christenson stated that for now it would be just the Council and City Administrator. Council returned to open session at 7:05 p.m. with no action taken.

McBeath made a motion to go into executive session for non-elected personnel, to include the City Administrator and Police Chief, until 7:15 p.m. Trummel seconded, and the motion passed 4-0. All parties returned to open session at 7:15 p.m. with no action taken.

Continuing the discussion on policy amendments, Little made a motion, seconded by McBeath, to amend Section 31 “Explorer Program” as originally recommended in the meeting packet and remove all language related to observers under the age of 18 being allowed to do ride alongs. McBeath seconded and the motion passed 4-0.

Trummel made a motion, seconded by McBeath, to remove all language in Section 15 “Observer Program” related to minors participating, making the program only for those 18 years of age and older, and adding the recommended social media changes. The motion passed 4-0.

Little made a motion to approve the “Use of Force” policies as presented. Trummel seconded. Motion passed 4-0.
10. City Social Media Policy Amendments
In December 2018, Council adopted a Social Media Policy. Barnes requested that the policy be amended to include the Chief of Police as one of those responsible for monitoring City social media accounts. McBeath moved to approve amendments as proposed. Reves seconded. The motion passed 4-0.

11. Kennedy McKee & Company 2020 Engagement Letter
Council was asked to review and approve the annual engagement letter offered by Kennedy McKee and Company for the 2020 audit. Reves believes they have been performing the City’s audit since 2003. Trummel made a motion to approve the 2020 Engagement Letter with Kennedy McKee. Reves seconded. The motion passed 4-0.

12. KPP and LKM Voting Delegate Designation
Annually Council is asked to select voting delegates for both KPP and LKM. The LKM annual conference will be held virtually October 13-16. Council may register to view the conference. Their Annual Business Mtg. will be held at that time as well. Due to its size, Greensburg is allowed 1 voting delegate. The KPP Annual Members Meeting will be held virtually in December. Action is being requested by the governing body. Typically, the City Administrator is appointed as the delegate for both meetings. Trummel made a motion, seconded by McBeath, to appoint Stacy Barnes as the voting delegate this year for the KPP and LKM annual meetings. The motion passed 4-0.

A report on swimming pool attendance, as well as a financial report was included in the meeting packet. Barnes has received several complements on management and staff this season. She believes having the pool open during this COVID pandemic was very much appreciated. Expenses were up from the previous year. Some of this was due to the pandemic and increased staffing with an extra guard rotation for COVID cleaning. Also, the City partnered with the Rec Department to offer swimming lessons in July, adding to staffing expenses with the lifeguard that was provided. Early in the pool season we had some doubling up of staff to help with the training of new guards. Brad Lingafelter, this year’s manager, has said that he learned a lot this year about predicting staffing needs and when to close and send people home. The pool is a quality of life amenity for the community, not a revenue generator.

Reves asked if new playground equipment had been purchased for the park, as she had seen an expense for equipment on the appropriation ordinance. Barnes explained that one of the “bowl seats” from the Big Well Park has disappeared, leaving on the base, and the other seat is cracked. The referenced expense was for replacement of those items. Little asked what we usually budget for the pool, knowing it will be in the red. Barnes did not have those numbers available, but explained that the revenues and expenditures presented are all within budget, that the City always plans for a financial loss, and Staff budgets for unexpected expenses that may arise. Barnes sees the pool as an amenity for surrounding communities as well, especially this year when many pools did not open.

Little began a discussion on possible changes to admission fees, suggesting Council consider free admission to county resident since they already know they will not make money. The City would have to make up the difference in revenue they do receive with taxes money. Some communities assess a monthly pool fee on every utility bill, making up for revenue lost by free admissions. Lingafelter has voiced that he had visitors that were pleasantly surprised by how affordable our current admission rate is. Trummel and Christenson suggested pool admissions may be something to investigate next spring.
G) CITY STAFF REPORTS

Barnes reported to Council on the following topics:

- **KAIP and Cost Share Grant Submissions:** Barnes has received final grant application drafts from Lochner for the KDOT KAIP and Cost Share Grant programs. Everything in the applications is very similar to those previously submitted, except for the costs adjusted for inflation and COVID related price increases. The grant applications cover paving the runway, turnarounds, taxiways, and the apron; installing lighting, a beacon, REILs, and PAPIs; developing rules and regulations for the facility; and extending utilities to the terminal and hangar areas. Barnes will finalize the submission this week.

- **Coronavirus Relief Funds (CRF):** Kiowa County has received its share of CRF that were allocated to state and local governments as part of the CARES Act passed by congress earlier this year. The county has allocated a substantial portion of its CRF share to a number of grant programs intended to help local businesses, nonprofits, and individual families cope with the economic impact of the Coronavirus. Funds are available for Small Business Working Capital, Preventative Measures (PPE), and Rent/Utility Assistance. Additional information about the programs is available at kiowacountyks.org or by emailing spark@kiowacountyks.org.

- **Washington Post Journalist:** Last week the City hosted a journalist from the Washington Post doing a story on Greensburg. Barnes does not have a timeframe on the publication, which is a follow-up on how we are doing 13 years post disaster, how the pandemic has affected us, and what our vision is moving forward.

- **Retirement:** Richard Brent is retiring on October 1st after 23 years of service to the City. There will be a lunch for him that day for employees and the governing body. Those planning to attend were asked to RSVP.

- **Other Recent Activities:** Staff has been working on street repairs, monthly meter reading and billing preparations, pool winterization, and mowing. Barnes and Pyatt were able to do a walk through of the MIH project. A flier advertising an Open House this Friday and Saturday was available to Council.

Trummel asked if Staff has had a chance to use the new Bobcat attachment. The device has been used at the MIH duplexes, Komotara and several other locations. He then asked how crack sealing was coming. Staff has been using the plainer attachment in some of those areas as well. Work has been done to the alley behind the Senior Center, which is constantly in need of repair due to the traffic it receives.

H) GOVERNING BODY COMMENTS

McBeath reported that the Housing Authority is going really well with new manager Brad Lingafelter. He has had positive comments from some of the residents on their interactions with Lingafelter. Monthly board meetings have been moved to the first Friday at 1 p.m.

I) ADJOURNMENT

With nothing further to discuss, Christenson declared the meeting adjourned at 7:38 p.m.

Matt Christenson, Mayor

Christy Pyatt, City Clerk