

## REGULAR COUNCIL MEETING

DECEMBER 12, 2012

7:00 P.M.

PRESENT: Jerry Twombly, Scott Huss, Kevin Lackey, Randy Snyder, Lori Kelley (7:05 p.m.)

ALSO PRESENT: Joann Karn, Jim Twombly, Pam Twombly, Dennis Lentz, Mike Batchelder, Bill Butrick, Brandon Whetstine, Ted Collins, John Petrik, Ben Petrik, Dave Diveley and Melanie Hollabaugh.

PRESIDING: Mayor Ken Stewart

The meeting was called to order at 7:00 p.m. with a quorum present.

Randy Snyder moved to approve the minutes of the last Regular Council Meeting held November 14, 2012. Scott Huss 2<sup>nd</sup>, motion carried 4-0.

Randy Snyder moved to approve the minutes of the Special Council Meeting held December 7, 2012 to discuss sidewalk improvements on the 200 block of West Main Street. Kevin Lackey 2<sup>nd</sup>, motion carried.

Kevin Lackey moved to approve the bills for the month of November, 2012. Scott Huss 2<sup>nd</sup>, motion carried.

### CITY OFFICERS REPORT:

Mayor Ken Stewart and City Attorney Ted Collins informed the Council of the need to declare an official website for the City of Highland. Mr. Collins mentioned that the City currently owns the domain name "cityofhighlandkansas.com" until 2019. He recommended the Council to keep that domain name. He also stated that he was talking with Highland Community College to possibly use storage on their server. Mr. Collins continued by saying the City would also need to purchase it's own web software and work out other details on who would have access to put information on the website and keep it updated. Kevin Lackey moved to approve "cityofhighlandkansas.com" as the City of Highland's official website. Jerry Twombly 2<sup>nd</sup>, motion carried.

### CITIZENS REQUESTS:

Council member Jerry Twombly expressed his concern about his water still being cloudy from the water main break. He stated that his water seems to be getting worse, not better. Mayor Stewart informed him that City Maintenance was aware of the problem and Kansas Rural Water Association has been in town recently working on the problem. Mayor Stewart also said that he

would discuss the problem again with City Maintenance and see about flushing water hydrants again in the problem areas.

Mayor Stewart led a brief discussion on possible chip and seal on Main Street in Highland. It was agreed that Mayor Stewart would speak to Bob Edie of Doniphan County and let him know that the City is interested in possibly putting chip and seal on Main Street in 2013.

Ken Stewart informed the Council that it will cost around \$200.00 to put in a flag pole on the North edge of the new sidewalk between City Hall and Highland Hardware. Randy Snyder moved to install and pay for half of the flagpole with David Diveley paying for the other half and the City to be responsible for electrical charges to keep the flag properly lit at all times. Scott Huss 2<sup>nd</sup>, motion carried.

#### OLD BUSINESS:

Mayor Stewart responded to John Petrik's questions from last month's council meeting, indicating that the city will not be posting police officer's schedules for the public and there are no plans to modify the ATV ordinance, as it has been effective in limiting the problems experienced before its adoption. Police Chief Whetstine indicated that the stop sign at the corner of Main and Ives was properly located.

City Attorney Ted Collins advised the council that it was his opinion that portable storage containers, such as truck trailers converted into portable storage units, are not permissible in residential zones within the city under the old ordinance, and perhaps other zones, but that the issue was not entirely clear, as that ordinance, adopted in 1972, did not directly address the issue.

A further discussion was had concerning such containers under the terms of the new zoning ordinance. It was noted that the provisions recommended to be included therein by the planning committee were inadvertently omitted. After discussion of the need to regulate such containers, the terms of a new section were discussed and approved, to be inserted in lieu of Article 5 Section 3 of the proposed zoning regulations.

Scott Huss moved, 2<sup>nd</sup> by Kevin Lackey, to adopt Resolution #12-02 for the City of Highland, Kansas. A Resolution declaring the City to be an official entrant in the Pride Program for the year of 2013. By roll call vote: Snyder-yes, Kelley-yes, Twombly-yes, Lackey-yes, Huss-yes. Motion carried.

Jerry Twombly moved to accept the new water and sewer application showing the new water and sewer rates and changing the administration fee from \$20.00 to \$40.00 to start service. Kevin Lackey 2<sup>nd</sup>, motion carried.

Scott Huss moved to authorize Mayor Ken Stewart, City Clerk Melanie Hollabaugh, Assistant City Clerk Joann Karn, City Treasurer Jackie Watts and Police Chief Brandon Whetstine to sign all City financial accounts including City CD's and other documents as needed and for one

stamped signature and two live signatures to be required on the City's main account. Kevin Lackey 2<sup>nd</sup>, motion carried.

Randy Snyder moved to approve the Cereal Malt Beverage Applications for 2013 from Casey's, Highland Convenience Store and Ernie's B.S. Scott Huss 2<sup>nd</sup>, motion carried.

The next matter on the agenda was consideration of adoption of the proposed zoning and subdivision regulations and comprehensive revisions to the zoning map. It was noted that a record of the proceedings of the commission and city should be retained in the city's records. City Attorney Collins reviewed the extended planning process to date and the recommendations of the Doniphan County Regional Planning Committee, which are considered as part of this hearing.

Dennis Lentz requested that his properties located in Blocks 1 and 88 be retained as R-3, multi-family residential, rather than R-1, single family residential. It was noted that the council had already approved the Block 1 request. After considerable discussion, Scott Huss moved, and Kevin Lackey seconded, a motion to retain the R-3 zoning on Lentz's property in Block 88. Motion carried 3-2, with Twombly and Kelley voting no.

Following more discussion, Jerry Twombly moved, 2<sup>nd</sup> by Randy Snyder to approve Ordinance #513. An Ordinance of the City of Highland, Kansas, amending and revising Zoning and Subdivision Regulations within the corporate limits of the City of Highland, Kansas; incorporating by reference the "Zoning Regulations & Subdivision Regulations & Procedures Manual for the City of Highland, Kansas" and the Official Zoning Map of Zoning Districts; prescribing additional regulations; providing certain penalties and repealing Ordinance #264 of the City of Highland, Kansas, with the noted changes to the Lentz properties and Article 5 Section 3 A. By roll call vote: Huss-yes, Lackey-yes, Twombly-yes, Kelley-yes and Snyder-yes. Motion carried 5-0.

7:55 p.m. Kevin Lackey moved to go into executive session for 10 minutes to discuss the new Police Officer Position. Randy Snyder 2<sup>nd</sup>, motion carried.

8:05 p.m. Kevin Lackey moved to come out of executive session. Lori Kelley 2<sup>nd</sup>, motion carried.

Randy Snyder moved to offer the full-time Police Officer position to Steven Wilson beginning on December 15, 2012 and to start his salary at step 22 on the City's salary schedule. Lori Kelley 2<sup>nd</sup>, motion carried.

8:10 p.m. Kevin Lackey moved to go into executive session for 20 minutes to discuss annual employee raises and to have City Clerk Melanie Hollabaugh remain for the first 5 minutes of the session. Randy Snyder 2<sup>nd</sup>, motion carried.

8:30 p.m. Randy Snyder moved to come out of executive session. Lori Kelley 2<sup>nd</sup>, motion carried.

Kevin Lackey moved to keep City Attorney Ted Collins, Judge Roy Roper, City Treasurer Jackie Watts, Mayor Stewart and all Council members pay at the current rate for 2013. Randy Snyder 2<sup>nd</sup>, motion carried 4-1 with Huss voting no.

Randy Snyder moved to give Maintenance workers Aaron Leach and Michael Hunsaker a one step pay increase for 2013. Jerry Twombly 2<sup>nd</sup>, motion carried.

Scott Huss moved to give Police Chief Brandon Whetstine a one step pay increase for 2013. Randy Snyder 2<sup>nd</sup>, motion carried.

Kevin Lackey moved to give City Clerk Melanie Hollabaugh an eight step pay increase for 2013. Lori Kelley 2<sup>nd</sup>, motion carried.

8:37 p.m. Kevin Lackey moved to adjourn. Lori Kelley 2<sup>nd</sup>, motion carried.

---

Mayor

---

City Clerk