

**CITY OF HIGHLAND, KANSAS  
REGULAR COUNCIL MEETING  
CITY HALL  
SEPTEMBER 10, 2013  
7:00 P.M.**

**COUNCIL MEMBERS PRESENT:** Jim Watts, Scott Huss, Randy Snyder, Jerry Twombly and Charles Batchelder .

**CITY EMPLOYEES PRESENT:** City Attorney Ted Collins, City Police Chief Brandon Whetstine, City Maintenance Supervisor Aaron Leach and City Clerk Melanie Hollabaugh.

**GUESTS PRESENT:** Pam Twombly, Dennis Lentz, Jim Twombly, Dorothy Diveley, Clarence (Fuzz) Lewis, Betty Lewis of Highland Pride, Marian Thompson, Kolten Huss, Melinda Simmons, John Petrik, David Diveley and Mari Ann Parker.

**PRESIDING:** Mayor Ken Stewart

The meeting was called to order at 7:00 p.m. with all Council members present.

After a brief discussion, Jerry Twombly moved to approve the minutes of the last Regular City Council Meeting held on August 7, 2013. Randy Snyder 2<sup>nd</sup>, motion carried 5-0.

Charles Batchelder moved to approve the minutes of the Special Meeting held August 16, 2013 concerning EMS coverage for the City. Jerry Twombly 2<sup>nd</sup>, motion carried 5-0.

Randy Snyder moved to approve the minutes of the Special Meeting held August 16, 2013 changing the Council Meeting date. Charles Batchelder 2<sup>nd</sup>, motion carried 5-0.

Council member Scott Huss asked the City Clerk to divide next month's fuel bill from Clark Brothers to show how much fuel each department is using. Scott Huss moved to approve the bills for the month of August, 2013. Jerry Twombly 2<sup>nd</sup>, motion carried 5-0.

**CITIZENS REQUESTS:** Betty Lewis of Highland Pride gave the Council history about the banners that used to be hanging around town. She asked if the City could help Pride work to get the banners back up. She also mentioned that she had spoke with Dave Reist from Highland Community College and he said the College would like to help also. Jerry Twombly moved to support Pride to get all the banners put back up and split the cost of the new hardware needed to complete the job with the College. Randy Snyder 2<sup>nd</sup>, motion carried 5-0.

Clarence (Fuzz) Lewis asked the Council to address the problem the City is having with dogs running all over town. City Attorney Ted Collins agreed that something needed to be done. Jerry Twombly moved to enforce the current Dog Ordinance. The motion died for lack of a 2<sup>nd</sup>. After some discussion, Charles Batchelder moved to publish a notice in the paper informing all citizens that beginning November 1, 2013 the current Dog Ordinance would be enforced with the support of the Council and after the notice was published in the Kansas Chief, the City Officers would begin issuing warnings. Jerry Twombly 2<sup>nd</sup>, motion carried 4-1 with Huss voting no.

Jerry Twombly asked if the City had any intentions of cleaning up the area down by Anthros. Aaron Leach stated he would talk to the County about helping to get that job done.

Jerry Twombly asked if the City was going to fix North Kirkwood street where a new tube had been put in last year just south of Missouri street. Scott Huss moved to fix that area by digging it out 4 inches and filling with cold patch. Jerry Twombly 2<sup>nd</sup>, motion carried.

Jerry Twombly asked if a copy of the Ordinance concerning restoring a street after construction could be copied and given to the property owner at 507 N. Kirkwood.

**COMMUNICATIONS AND REPORTS:** Mayor Ken Stewart informed the Council that the City had been reimbursed \$1537.00 for the purchase of the 4<sup>th</sup> of July Fireworks.

Mr. Stewart stated that he would like to see the Water and Sewer Committee meet sometime soon and discuss possible new City policy for requiring one-way valves on new construction.

City Attorney Ted Collins presented Ordinance #438 to the Council for approval. This Ordinance would vacate that portion of the north-south alley in Block 120, City of Highland, Doniphan County, Kansas, bounded on the north by the north boundary lines of Lots 6 and 9 extended to the point where they converge and bounded on the south by the south boundary lines of Lots 7 and 8 extended to the point where they converge. Randy Snyder moved, 2<sup>nd</sup> by Jim Watts to approve Ordinance #438. By roll call vote: Snyder-yes, Watts-yes, Twombly-yes, Batchelder-yes and Huss-yes, motion carried 5-0.

City Clerk Melanie Hollabaugh stated that she would be attending the League of KS Municipalities Annual Conference in October. She gave updates on: recent KOMA-KORA training attended by Assistant City Clerk Joann Karn, status of the City credit card, options for the possible new City Logo, and purchasing locks for water meters that needed to be shut off due to lack of payment. The City Clerk also asked for Council approval to attend Municipal Clerks Certification Institute in Wichita, November 11<sup>th</sup> thru the 15<sup>th</sup>. Charles Batchelder moved to allow City Clerk Melanie Hollabaugh to attend the Clerk's Institute in Wichita. Randy Snyder 2<sup>nd</sup>, motion carried 5-0.

City Maintenance Supervisor Aaron Leach gave the Council an update on clean out work being done by Bud's Sewer Service on some of the City's sewer lines and stated that he thought it would be beneficial to get a sewer maintenance plan in place to eventually get all of the sewer lines cleaned out. Mr. Leach advised the Council that Bud's Sewer Service has said they could clean and camera approximately one (1) mile of sewer per eight (8) hour day for \$1000.00. Mayor Stewart mentioned he had talked with Brian Kingsley of BG Consultants about possibly getting a grant to help with the costs of cleaning and using a camera on the sewer lines. Charles Batchelder moved to have Aaron Leach set up one more clean out date with Bud's Sewer Service for this year. Jerry Twombly 2<sup>nd</sup>, motion carried 5-0.

Aaron Leach asked for the Council's approval to purchase new bristles for the newly repaired street sweeper to cost around \$400.00 from Bobcat. Scott Huss moved to purchase the bristles for the street sweeper. Jerry Twombly 2<sup>nd</sup>, motion carried 5-0.

Superintendent Leach stated he had been considering the purchase of a new brush hog mower to attach to the City's Bobcat for \$6200.00. Scott Huss moved to approve the purchase of the brush hog mower. Randy Snyder 2<sup>nd</sup>, motion carried 5-0.

**OLD BUSINESS:** Mayor Stewart asked the Council to consider reimbursing Becky Gilmore \$175.00 for her personal payment for the entertainment for the 4<sup>th</sup> of July this past summer. Charles Batchelder moved to reimburse Mrs. Gilmore \$175.00. Randy Snyder 2<sup>nd</sup>, motion carried 5-0.

**NEW BUSINESS:** After some discussion, Charles Batchelder moved to allow City personnel to cover up to two (2) days per week of "On Call" time for the local EMS Service upon the conditions that payment for

personnel and reimbursement to the City for call time can be negotiated with agreement by all parties involved. Scott Huss 2<sup>nd</sup>, motion carried 4-1 with Randy Snyder voting no.

City Clerk Melanie Hollabaugh presented to the Council, payment requests from Maguire Iron and Banks Construction for their approval and a Certificate of Substantial Completion for the water line part of the project for the Council's review.

Scott Huss moved to approve Payment Request #2 from Maguire Iron for \$217,449.49 for work completed on the City's new water tower. Jerry Twombly 2<sup>nd</sup>, motion carried.

Scott Huss moved to approve Payment Request #3 from Banks Construction for \$111,399.21 for work completed on the City's waterline project. Charles Batchelder 2<sup>nd</sup>, motion carried.

The issue on the agenda concerning the appointment of a new Zoning Board member was tabled until the next Regular Council meeting.

Mayor Stewart asked for Council approval for John Petrik, owner of JP Small Engine Repair, to block off the parking spaces and a portion of Main street for an event at his place of business on Friday September 20<sup>th</sup> from 9:00a.m. to 5:00p.m. and Saturday September 21<sup>st</sup> from 9:00a.m. to 1:00p.m. Scott Huss moved to allow Mr. Petrik to block off the parking area and a portion of Main street for his event. Charles Batchelder 2<sup>nd</sup>, motion carried 5-0.

**ORDINANCES:** Jerry Twombly moved, 2<sup>nd</sup> by Randy Snyder to adopt Ordinance #518, an Ordinance of the City of Highland, Kansas, regulating public offenses within the corporate limits of the City of Highland, Kansas; incorporating by reference the "Uniform Public Offense Code for Kansas Cities", Edition of 2013, with certain changes and additions; prescribing additional regulations; providing certain penalties and repealing Ordinance number 508 of said City. By roll call vote: Snyder-yes, Watts-yes, Twombly-yes, Batchelder-yes and Huss-yes. Motion carried 5-0.

Randy Snyder moved, 2<sup>nd</sup> by Jerry Twombly to adopt Ordinance # 519, an Ordinance of the City of Highland, Kansas, regulating traffic within the corporate limits of the City of Highland, Kansas; incorporating by reference the "Standard Traffic Ordinance for Kansas Cities", Edition of 2013, with certain omissions, changes and additions; prescribing additional regulations; providing certain penalties and repealing Ordinance number 509 of the City of Highland, Kansas. By roll call vote: Snyder-yes, Watts-yes, Twombly-yes, Batchelder-yes and Huss-yes. Motion carried 5-0.

**GOVERNING BODY COMMENTS:** Scott Huss mentioned he had heard a complaint on how the City Police Officer had handled a situation in town.

Randy Snyder asked about EMS negotiations with City Personnel.

Ken Stewart and Jerry Twombly mentioned they would like to thank Kenny Tilton for volunteering his time and hard work in repainting City street markers.

8:34p.m. Scott Huss moved to adjourn. Charles Batchelder 2<sup>nd</sup>, motion carried 5-0.

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Mayor

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City Clerk

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Mayor

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City Clerk