

**CITY OF HIGHLAND, KANSAS
REGULAR COUNCIL MEETING
CITY HALL
OCTOBER 8, 2014
7:00 P.M.**

COUNCIL MEMBERS PRESENT: Randy Snyder, Jerry Twombly, Charles Batchelder, Ben Gilmore and Jim Watts.

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

GUESTS PRESENT: Pam Twombly, J.W. Twombly, Rocky Ruhnke, Bill Batchelder, Mari Ann Parker, Gerald Neibling and Dennis Lentz.

PRESIDING: Mayor Ken Stewart

7:00p.m. Mayor Ken Stewart called the Regular City Council meeting to order.

Randy Snyder moved, seconded by Jerry Twombly, to approve the minutes of the last Regular City Council meeting held on September 10, 2014. Motion carried 5-0.

Ben Gilmore moved and Charles Batchelder seconded a motion to approve the minutes of the Special Meeting held on September 25, 2014. Motion carried 5-0

Jerry Twombly moved and Randy Snyder seconded a motion to approve the bills for the month of September, 2014 with two additional bills presented by the Assistant City Clerk. Motion carried 5-0.

PRESENTATIONS: Mari Ann Parker of Highland Pride, presented information to the Council concerning plans for this year's Snowflake Festival to be held on Friday November 28, 2014 from 5:00pm to 7:00pm. Mrs. Parker asked the Council: to allow them to use Degginger Park again this year, to close Main street from Genesee street to Kirkwood street for the event, for permission to put up another small shed in the park for the festival and to store it in the old city hall building when they were finished using it and that the City's Christmas lights be put up in time for the event. Randy Snyder moved and Ben Gilmore seconded a motion to allow Highland Pride to have the Snowflake Festival as presented by Mrs. Parker. Motion carried 5-0.

PUBLIC COMMENTS: Rocky Ruhnke asked if the Council had any questions or concerns about his proposal for the fuel site that had been discussed at the last regular Council meeting in September. A discussion was had including several pros and cons to the proposal. Ben Gilmore moved and Charles Batchelder seconded a motion to move forward to begin the necessary steps to review and move forward with the proposal made by Mr. Ruhnke. The motion failed 2-3 with Watts, Twombly and Snyder voting no.

No other motions were made and the issue was tabled.

Gerald Neibling expressed his concern that failure to move forward with Ruhnke's proposal was short-sighted, in light of the economic development and/or revenue it could generate.

COMMUNICATIONS & REPORTS: Mayor Stewart informed the Council that Doniphan West High School will be having their Homecoming this Friday October 10, 2014. The Mayor stated that he had been contacted by representatives of the school asking for permission to have a Homecoming parade. They had also asked for Main street to be blocked off at Elmira and Genesee for the pep rally to be held right after the parade as it had been done in years past. Ben Gilmore moved and Charles Batchelder seconded a motion to allow the Homecoming festivities to go on as presented. Motion carried 5-0.

Mayor Stewart stated the City was planning to send out a Drinking Water Notice. Assistant Clerk Hollabaugh explained the monthly water sample for the month of July was sent in late which is in violation of the reporting requirements set forth by the Kansas Bureau of Water. The notices mandated by KDHE will be sent to all water customers as soon as possible as well as posted at local businesses and on the City's website and face book page.

Updating the Council concerning progress of the "Old Water tower" demolition, Mayor Stewart said he had contacted a company to get an idea on the costs of taking the tower down. It was in their opinion the City would be best served to wait until the first of the year to get bids for the tower demolition with the work to be done in the late spring or summer time. City Attorney Collins suggested that he and the Mayor, along with the City Clerk, should consult with the city's engineer and, thereafter, prepare bidding specifications for the project.

Mayor Stewart said that Kevin Lackey had submitted a revised bid to put up some fencing at the brush disposal site on the east side of town. For \$3600, 3 twelve foot gates and fencing to connect the gates would be put up along the west entrance of the site only. The Mayor also had received an estimate from the security company that handles the City's current security cameras of \$1400 for 4 cameras installed around the disposal area. After discussion, Jerry Twombly moved and Randy Snyder seconded a motion to purchase the cameras only for the disposal site. Motion failed 2-3 with Gilmore, Watts and Batchelder voting no.

Following more discussion, it was agreed that no action would be taken at this time.

Jim Watts moved and Ben Gilmore seconded a motion to purchase a new sign to be put up at the disposal site containing information on what can and cannot be put in the disposal area. Motion carried 5-0. City Attorney Collins stated that he would be available to give suggestions to the Mayor and Mr. Leach on what information should go on the new sign.

Mayor Stewart stated that Banks Construction had been in town recently and fixed a few remaining areas where the new water line had been installed.

Assistant City Clerk Melanie Hollabaugh informed the Council that Chuck Simmons had come by City Hall to let them know that he and his son Jake had started a business. Simmons Excavating LLC would be interested in being considered in any bid process to include excavation.

Police Chief Brandon Whetstine presented his report to the Council. Information included on the report: 2-arrests, 8-citations, 26-verbal warnings, 22-calls for service, and 16-assists for other agencies. Chief Whetstine continued by explaining: that he had been working on getting the S.A.F.E. Program started again this year in the Doniphan West High School, Officer Williams had a pursuit with two 4-wheelers on October 4th which the officer ended because it became too dangerous and Highland Community College had an unscheduled lockdown of the campus on September 30th and later learned the lockdown had been accidentally activated.

Chief Whetstine asked the Council to reconsider purchasing rifles for the Police Department.

Mayor Stewart asked Chief Whetstine to get an estimate on what it would cost to get a dash camera for the police truck that does not have one.

Maintenance Supervisor Aaron Leach gave a copy of his report to the Council and asked for comments or questions.

Mr. Leach informed the Council that the F450 would need to get serviced soon.

Supervisor Leach explained to the Council that the snow plow for the F450 is ten years old and in very bad shape. The quote on the cost for repairs from Kranz of Kansas City would be \$2800 and price of a new Meyer Lot Pro Poly Plow to be installed would be \$5600 with a 5 year warranty. Jerry Twombly moved and Charles Batchelder seconded a motion to purchase a new plow for the F450 for \$5600. Motion carried 5-0.

Mr. Leach asked the Council to allow the Maintenance Dept. to purchase and install a tube under Ohio street near Lisa Parson's driveway. Jerry Twombly moved and Ben Gilmore seconded a motion to install the tube. Motion carried 5-0.

Supervisor Leach informed the Council of several projects they have finished recently.

OLD BUSINESS: City Attorney said he had not completed a proposal for annexation of city-owned properties as of yet and it would be handled in a future meeting.

Ken Stewart said the Roadside Park Title would need to be discussed in executive session later in the meeting.

Council person Ben Gilmore updated the Council on progress at Degginger Park by Terry Moran of Moran Lawn and Landscape. Mr. Gilmore said; the liner and platform had been ordered for the fountain area, the bubbling rock had been delivered and Mr. Moran was waiting for Wes Coffelt to get the top of the fountain sandblasted so the coating could be applied.

NEW BUSINESS: Randy Snyder moved and Ben Gilmore seconded a motion to adopt Resolution No. 14-02, a Resolution of the City of Highland, Kansas adopting the Northeast Kansas (Region K) Multi-Hazard, Multi-Jurisdictional Hazard Mitigation Plan. Motion carried 5-0.

EXECUTIVE SESSION: Randy Snyder moved and Ben Gilmore seconded a motion to recess into executive session at 7:57 p.m. for 10 minutes for consultation with an attorney on matters that would be deemed privileged in attorney-client relationship and the open meeting will resume in the city council chamber at 8:07 p.m. Motion carried 4-1 with Batchelder abstaining. Council person Batchelder excused himself from the session to do conflict of interest. The Mayor asked for the City Attorney and Asst. City Clerk to remain.

Randy Snyder moved and Ben Gilmore seconded a motion to recess into executive session at 8:07 p.m. for 10 minutes for consultation with an attorney on matters that would be deemed privileged in attorney-client relationship and the open meeting will resume in the city council chamber at 8:17 p.m. Motion carried 4-0. Mayor Stewart invited Bill and Charles Batchelder to attend the session and he asked the City Attorney and the Asst. City Clerk to remain.

Randy Snyder moved and Ben Gilmore seconded a motion to recess into executive session at 8:17 p.m. for 10 minutes to discuss negotiations concerning the acquisition of real property and the open meeting to resume in the city council chamber at 8:27 p.m. Motion carried 4-1 with Batchelder abstaining. Council person Batchelder excused himself from the session to do conflict of interest. Mayor asked for the Asst. City Clerk to remain.

Mayor Stewart announced due to unclear title issues on the Roadside Park Area, the Council would like to offer Bill and Charles Batchelder 50% of the amount of the sale of the disputed property.

8:30p.m. Council person Charles Batchelder asked for a 2-3minute recess.

8:33p.m. The Council meeting resumed and Bill Batchelder announced that he and Charles would accept 100% of the property only.

Attorney Collins advised that he would be able to assist with settlement between the parties, but could not participate in any adversarial proceeding, due to a conflict of interest. Jerry Twombly moved and Jim Watts seconded a motion to take such steps as may be necessary to sell the Roadside Park property, including retaining counsel to file a quiet title action, if such is required. Motion carried 4-1 with Batchelder abstaining.

8:35p.m. Charles Batchelder moved and Jim Watts seconded a motion to adjourn. Motion carried 5-0.

Mayor

City Clerk