

**CITY OF HIGHLAND, KANSAS
REGULAR COUNCIL MEETING
CITY HALL
July 13, 2016
7:00 P.M.**

COUNCIL MEMBERS PRESENT: Charles Batchelder, Dana Clary, Ben Gilmore, Matt Peterson, and Jerry Twombly

COUNCIL MEMBERS ABSENT: None

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

GUESTS PRESENT: Brian Kingsley and Brian Foster, BG Consultants; Pam Brown, Delaware Valley Center for Independent Living; Dan Erbert and Dave Reist, Highland Community College; Dorothy Diveley, Selena Diveley, Dennis Lentz, Rocky Ruhnke and Pam Twombly

PRESIDING: Mayor Scott Sisk

7:00 p.m. Mayor Sisk called the regular city council meeting to order.

Ben Gilmore moved and Jerry Twombly seconded a motion to approve the June 8, 2016 regular meeting minutes. Motion carried 5-0

Matt Peterson moved and Charles Batchelder seconded a motion to approve the June 30, 2016 special meeting minutes. Motion carried 5-0

Charles Batchelder moved and Ben Gilmore seconded a motion to approve the bills for the period of June 9, 2016 thru July 13, 2016 as presented. Motion carried 5-0

PRESENTATION: Pam Brown, Delaware Valley Center for Independent Living, Horton, KS, summarized the services they have available for Atchison, Jackson, Doniphan and Brown counties. The center can help individuals be more independent in many aspects of daily living.

Brian Kingsley and Brian Foster, BG Consultants, reviewed the draft copy of the Preliminary Engineering Report (PER) of the city's water system, provided an update on the development of probable project costs/options for water treatment, discussed the process of applying for CDBG and USDA grant funding and other funds, including KDHE loan forgiveness, and to consider requesting a Kansas Interagency Advisory Committee (KIAC) meeting. It was pointed out that the city's water supply had an increasing nitrate level over time and was on the verge of being in excess of allowable limits. The engineers, once again, reviewed the options the city has for water sourcing and pointed out that the city continuing to produce its own water is the best option and that the purchase of water from the Regional District #27, which has no current water production, was not a viable option due to excessive cost. Matt Peterson moved and Jerry Twombly seconded a motion to present the PER and for city officials, grant writer and engineers to attend the KIAC meeting on August 23rd in Topeka and to review the options available and, if appropriate, to start an application with USDA and KDHE for the purpose of building a water treatment plant. If the city decides to apply for funding, an environmental study will need to be completed and an option on land for a lagoon system will be necessary. Mayor authorized to sign a State of Ks Water/Sewer Profile for State and/or Federal Assistance which will be presented to Ks Department of Commerce tomorrow. Motion carried 5-0 (Matt Peterson, Scott Sisk and Ted Collins plan to attend the KIAC meeting)

PUBLIC COMMENTS: Dan Erbert, HCC, expressed concern of the drainage ditch in the 200 block of South Canada Street for the HCC softball parking. The property owners would be interested in a cost share of the tube with the city installing. Following discussion, Ben Gilmore moved and Jerry Twombly seconded an amended motion to solicit 2 separate bids 1) installing a tube from Virginia Street to Pennsylvania Street and 2) installing a tube for a driveway to the HCC property. Motion carried 5-0

Selena Diveley commented the city needs to watch the area around the installed tube on the south side at Virginia Street and Canada.

Jerry Twombly asked the city attorney about the city's zoning on the number of animals one person could have. The law enforcement committee needs to review them. Attorney Collins stated that zoning is not necessarily the applicable ordinance with respect to animal control and associated problems. The city has a dog ordinance but nothing specific on cats.

COMMUNICATIONS AND REPORTS:

Mayor Sisk did not receive the bid back from the company that finished Emmett Cole's new building floor.

The Westar franchise agreement renewal is tabled until the August meeting.

Attorney Collins indicated the city has not received a response back from the Rural Water District #6 regarding the proposed connection agreement document, but expects it to be approved.

Chief Whetstine read his report: 1 arrest; 3 citations; 22 warnings; 12 calls for service; 4 assist to other agencies; 0 accident report; and 5 criminal investigations.

City Maintenance Aaron Leach provided the monthly handout of activities completed and upcoming projects to complete. Following discussion, Matt Peterson moved and Ben Gilmore seconded a motion to purchase the necessary brushes for the Bobcat street sweeper. Motion carried 5-0

Matt Peterson moved and Charles Batchelder seconded a motion to purchase and allow Spencer Pruett haul up to 25 ton cold patch for the city. Motion carried 5-0

COMMITTEE UPDATES: Finance Committee – Ben Gilmore: Stop and Shop is offering an in-store credit card option for purchases which could be eligible for a discount when using the card. The city's credit card policy will be reviewed. Matt Peterson moved and Ben Gilmore seconded a motion for the maintenance department and police department be issued the in-store credit cards. Motion carried 5-0

Karlin & Long CPA provided the 2015 audit document which showed no violations of Kansas Statutes.

With the drop in assessed valuation and the change in the consumer price index, the maximum levy for 2017 budget (without notice of vote publication or adoption of a resolution) would require an increase of approx. 1.065 mill. Jerry Twombly moved and Charles Batchelder seconded a motion to publish the 2017 Budget Summary at the 34.951 mill estimated tax rate with the Budget Hearing held on August 10, 2016. Motion carried 5-0

Law Enforcement Committee – Jerry Twombly: The committee has viewed areas in town and letters have been sent out. Malcom Grier will be making recommendations to assist in the process of determining unsafe, dangerous and/or unsightly properties which need action.

Dialog with Chief Whetstine regarding one or two police vehicles for the city; if vehicle(s) remains in town, where parked; emergency or non-emergency response time; repairing of wrecked police truck will be no cost to the city;

maintenance of vehicles; on-call time; use of personal vehicles, etc. Consensus of the council was to have the police truck repaired.

Parks and Rec. Committee – Dana Clary: Degginger Park – Terry Moran will complete in mid-August the park bench on the back side of the pod for \$500 since it was an add-on to the original bid. Grass will be seeded this fall.

4th of July Activities – Rainy day and positive feedback for moving the inflatable's inside at the Walters Wellness Center. The lawn tractor pull was postponed until Saturday, July 16th.

Following review of the bid, Matt Peterson moved and Ben Gilmore seconded a motion to accept the \$1,026 bid of Fuemmeler Flatwork to pour an additional 12" concrete edge around three sides of the court to hold the posts for the fence. Motion carried 5-0

Tiffany Rhodd's request to use the west side of the primary school will be referred to USD #111.

Following discussion of the bids for the bathrooms and shelter house, it was determined the bathroom bids need the same specs for bidding. The 30 x 30 shelter house bids were Tom Lackey/Travis Clary - \$12,277 and Bob Rahe Construction - \$10,031.90. Ben Gilmore moved and Matt Peterson seconded a motion to accept Bob Rahe Construction, 305 Miami Street, Hiawatha, KS 66434 in the amount of \$10,031.90. Motion carried 4-0 Dana Clary abstained.

Mayor Sisk acknowledged the response letter from Highland Community College regarding the community ball park. The college has interest but would like to meet face to face at an agreed upon time. The city's representatives are Matt Peterson, Scott Sisk and Ted Collins.

Street and Alley Committee – Charles Batchelder: For the maintenance department wish list – mini track hoe

Water and Sewer Committee – Matt Peterson: Nothing additional.

NEW BUSINESS:

Community Center Personnel – Following discussion, Ben Gilmore moved and Charles Batchelder seconded a motion to temporarily retain Samantha Wigle at a fee of \$10 to open and \$10 to close per event and \$50 per month cleaning and advertise the open position in the paper for two weeks. Motion carried 5-0

EXECUTIVE SESSION:

Jerry Twombly moved and Dana Clary seconded a motion to recess into executive session at 9:50 p.m. for 15 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 10:05 p.m. Motion carried 5-0, to remain: City Attorney

Jerry Twombly moved and Dana Clary seconded a motion to recess into executive session at 10:05 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 10:15 p.m. Motion carried 5-0, to remain: City Attorney

Jerry Twombly moved and Dana Clary seconded a motion to recess into executive session at 10:15 p.m. for 5 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 10:20 p.m. Motion carried 5-0, to remain: City Attorney

Jerry Twombly moved and Dana Clary seconded a motion to recess into executive session at 10:20 p.m. for 5 minutes to discuss non-elected personnel for the protection of the privacy rights of the protected employee(s) and the open meeting will resume in the city council chamber at 10:25 p.m. Motion carried 5-0, to remain: City Attorney; City Clerk attended at 10:23 p.m.

Jerry Twombly moved and Dana Clary seconded a motion to recess into executive session at 10:25 p.m. for 15 minutes to discuss non-elected personnel for the protection of the privacy rights of the protected employee(s) and the open meeting will resume in the city council chamber at 10:40 p.m. Motion carried 5-0, to remain: City Attorney; City Clerk

Jerry Twombly moved and Dana Clary seconded a motion to recess into executive session at 10:40 p.m. for 10 minutes to discuss non-elected personnel for the protection of the privacy rights of the protected employee(s) and the open meeting will resume in the city council chamber at 10:50 p.m. Motion carried 5-0, to remain: City Attorney

Ben Gilmore moved and Charles Batchelder seconded a motion to spend up to \$1,200 from Heartland Business Machines for a time clock machine. Motion carried 5-0

Charles Batchelder moved and Dana Clary seconded a motion to adjourn at 10:52 p.m. Motion carried 5-0.

Mayor

City Clerk