

**CITY OF HIGHLAND, KANSAS  
REGULAR COUNCIL MEETING  
CITY HALL  
FEBRUARY 8, 2017  
7:00 P.M.**

**COUNCIL MEMBERS PRESENT:** Charles Batchelder, Dana Clary, Ben Gilmore, Matt Peterson and Jesse Marriott appointed

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

**GUESTS PRESENT:** Rocky Ruhnke, Chris Gibson, Selena Diveley, Mike Batchelder, Dorothy Diveley, Randy Snyder and Pam Twombly.

**PRESIDING:** Mayor Jerry Twombly

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

Charles Batchelder moved and Ben Gilmore seconded a motion to approve the January 11, 2017 regular meeting minutes. Motion carried 4-0

Candidates interested in the vacant council position briefly spoke. Mayor Twombly appointed Chris Gibson. Following discussion, Chris Gibson withdrew and Mayor Twombly appointed Jesse Marriott. Ben Gilmore moved and Matt Peterson seconded a motion to confirm Jesse Marriott as council member. Motion carried 3-1

Oath of office was given to Jesse Marriott by Clerk Joann Karn.

Ben Gilmore moved and Jesse Marriott seconded a motion to elect Matt Peterson as council president. Motion carried (Matt Peterson abstained)

Charles Batchelder moved and Ben Gilmore seconded a motion to approve the bills as presented for the month of January 2017. Motion carried 5-0

**PUBLIC COMMENTS:**

Rocky Ruhnke indicated he purchased survey equipment and asked to set up at the West water tower and lagoons on a temporary basis. Matt Peterson moved and Dana Clary seconded a motion to allow Rocky Ruhnke, Precision Grading Design, to utilize the requested two (2) spots in the city for his surveying equipment. Motion carried 5-0

Rocky Ruhnke, on behalf of the HCC Quarterback Club, asked to extend the closing time of the all day rental on March 11<sup>th</sup> of the community center to 2:00 a.m. on March 12<sup>th</sup> for the 1<sup>st</sup> Annual Poker Tournament. Matt Peterson moved and Ben Gilmore seconded a motion to allow the extension of time to 2:00 a.m. on March 12, 2017. Motion carried 5-0

Randy Snyder asked if the parking lines could be more of an angle when they are painted on Main Street. Also, stated just because the council appointment is short term does not mean a person does not care about the city.

Selena Diveley asked what the status is on closing Nebraska Street. Mayor Twombly stated that would be review by the street and alley committee.

**COMMUNICATIONS AND REPORTS:**

Mayor Twombly updated the committees. Street & Alley – Charles Batchelder, Chair, and Jesse Marriott; Law Enforcement – Matt Peterson, Chair, and Charles Batchelder; Water & Sewer – Jesse Marriott, Chair, and Matt Peterson; Parks & Recreation – Dana Clary, Chair, and Ben Gilmore; Finance – Ben Gilmore, Chair, and Dana Clary; Outreach – Mayor Twombly and Jesse Marriott

Mayor Twombly suggested a Bidder's Contact List be established and arranged in groupings of offered services. Any company may contact Mayor Twombly or the city clerk.

Samantha Wigle and her mother cleaned six hours at the community center at no charge to the city. Discussed couple ideas on how the pilot-light might be kept lite on the stove/oven in the community center. Council discussed sealing the good streets and looking at options on how to improve the community center parking lot. The Street & Alley committee will meet Thursday, 5:30 p.m. at the community center.

The Law Enforcement committee will meet prior to the March council meeting regarding the current dog ordinance. The ordinance is in place, it is a matter of enforcement.

The council agrees current policy is in place to follow for the community building usage fee by not-for-profit groups, college, school district, fire district, fundraisers, funeral dinners, etc.

Attorney Collins explained the Site Plan Review. Heinrich's submitted a completed Site Plan Application, had requested a variance hearing which will be held February 16, 2017 in city hall at 7:00 p.m. With parts of the review not applicable to the proposed garage/storage building, Clerk Joann Karn recommends approval. Ben Gilmore moved and Matt Peterson seconded a motion to approve the Site Plan Application of C.J. and Chelsea Heinrich. Motion carried 5-0

Clerk Joann Karn asked to attend a clerk's course sponsored by the League of Ks. Municipalities in Shawnee, Ks. Ben Gilmore moved and Matt Peterson seconded a motion allowing the clerk to attend clerk fundamentals course in Shawnee, KS on March 3<sup>rd</sup> and pay the \$75 registration fee. Motion carried 5-0

Other dates for the clerk: On site annual audit scheduled for February 10, 2017; KRWA meeting at Hiawatha's Fisher Center on Feb. 22 & 23, 6-9 p.m. on Sustainable Management for Water & Wastewater Utilities.

Police Chief Whetstine read his report and explained Officer Williams' taser handle is cracked. Sent the taser in to be checked and cost of repairs. Chief Whetstine will bring back bids for a new gun with an approximate cost of \$700-\$800 to be paid from the Diversion Fund.

Aaron Leach, Maintenance Supt., is asking consideration to purchase sign posts, cold patch and fuel barrel. Mayor Twombly will work with the maintenance department on purchasing sign posts from Jack Horner, St. Joseph, Mo. Supt. Leach is checking on cost and availability of an approximate 200 gallon diesel fuel tank for maintenance equipment. Supt. Leach stated cold patch costs \$80/ton and when weather turns better, he would like one city truck load (5 tons). Charles Batchelder moved and Ben Gilmore seconded a motion to purchase one five-ton load at \$80 per ton. Motion carried 5-0

The law enforcement committee met with Police Chief Whetstine regarding several items. Call time: restricted or unrestricted – committee recommends to do call time on unrestricted basis, not eligible for OT pay, (avg. approx. 50 calls per year) \$25 per call (up to 2 hours) and anything above is at \$20 per hour. With only Police Chief Whetstine eligible for call time, Chief Whetstine is allowed to take the police vehicle home and Officer Williams still drive personal vehicle to work. On current policy, law enforcement be allowed comp time and used as time off in the next two pay periods if at all possible; comp time is on an 80 hr. bi-weekly basis as opposed to 40 hr. weekly basis for other employees. Chief Whetstine explained call outs would be at the call out pay, only time comp time would apply would be at the end of a shift that is a required task to complete. Attorney Collins noted several areas of the proposed would not comply with the current personnel policy – vehicles out of town, 80 hours work period, current policy does not apply to police department, and work day established by the chief, mayor and/or council. Matt Peterson moved and Dana Clary seconded a motion authorizing Attorney Collins to draft an amendment to supplement the personnel policy taking effect tonight for call time. Motion carried 5-0

Mayor Twombly suggested the council and mayor pay (approx \$2,500 yearly) be converted into pay for the four employees that did not receive a pay raise. Ben Gilmore moved and Matt Peterson seconded a motion to eliminate the mayor and council pay effective January 1, 2017 and increase Whetstine, Williams, Leach and Hunsaker pay 30 cents an hour. Attorney Collins will prepare an ordinance, for passage by the council, in modification of the existing ordinance on this subject. Motion carried 5-0

#### **COMMITTEE UPDATES:**

**Finance Committee** – Ben Gilmore: Nothing at this time

**Law Enforcement Committee** – Matt Peterson: Previously covered

**Parks and Rec. Committee** – Dana Clary: Minier Park – Submitting Waste Tire Grant; approx. \$250 for a basketball court stencil kit plus paint with costs paid from the Minier Park fund. Council asked Mayor Twombly to purchase kit and paint within his limits. 4<sup>th</sup> of July Fireworks meeting scheduled for February 22<sup>nd</sup>, 5:30 at city hall. Matt Peterson moved and Ben Gilmore seconded a motion to match donations up to \$3,000 for 4<sup>th</sup> of July fireworks and celebration. Motion carried 5-0

Ideas for the Solar Eclipse Event in Highland were reviewed and Rocky Ruhnke provided information. Next meeting is February 28<sup>th</sup> at 10 a.m.

**Street and Alley Committee** – Charles Batchelder: Aaron Leach is checking with Westar on upgrading the street lighting in town

**Water and Sewer Committee** – Matt Peterson: Some individuals still need to complete the Median Household Income (MHI) survey. Rita Clary, KRWA, will be going door-to-door (weather permitting) to achieve the 100% return survey requirement

**EXECUTIVE SESSION:**

Matt Peterson moved and Dana Clary seconded a motion to recess into executive session at 8:41 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 8:56 p.m. Motion carried 5-0 Mayor excused himself, Charles Batchelder and city attorney Collins left the meeting, and asked for Clerk Karn to remain (legal counsel Michael Schmitt on speaker phone)

Ben Gilmore moved and Jesse Marriott seconded a motion for Clerk Karn to protect the interest of the city at the upcoming real estate auction sale. Motion carried (Charles Batchelder abstained)

Doniphan County Road and Bridge is requesting information on what streets/area the city wants oiled and chatted this summer. Mayor Twombly will visit with them.

Ben Gilmore moved and Dana Clary seconded a motion to approve a \$32,067.68 transfer from Water Fund to Debt Service Fund for GO Bond payment. Motion carried 5-0

Ben Gilmore moved and Jesse Marriott seconded a motion to adopt the City's Emergency Water Supply Plan with the noted updates. Motion carried 5-0

Mayor Twombly reviewed the summer mowing bid presented by Schmitz Lawn Care. Following discussion, the consensus was to hire Schmitz Lawn Care for the 2017 mowing season with questions on a couple city properties. Mayor Twombly will contact Elmer Schmitz regarding the properties and possibly a prepay discount. Mayor will bring back information for the March regular meeting.

The council consensus was for Elmer Schmitz and the DWHS FFA to continue planting flowers in pots around town as last year.

Charles Batchelder moved and Matt Peterson seconded a motion to donate \$100 to the Doniphan West After Prom. Motion carried 5-0

Ben Gilmore moved and Matt Peterson seconded a motion to adopt resolution 17-02 GAAP (General Accepted Accounting Principles) waiver. Motion carried 5-0

Ben Gilmore moved and Dana Clary seconded a motion to adopt resolution 17-03 Kansas Pride Program. Motion carried 5-0

Charles Batchelder moved and Jesse Marriott seconded a motion to adjourn at 9:14 p.m. Motion carried 5-0.