

**CITY OF HIGHLAND, KANSAS
REGULAR COUNCIL MEETING
CITY HALL
July 10, 2019
5:00 P.M.**

COUNCIL MEMBERS PRESENT: Greg Delzeit, Terry Gibson, Rocky Ruhnke and Matt Peterson left at 6:00 p.m.

COUNCIL MEMBERS ABSENT: Dana Clary

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

GUESTS PRESENT: Dennis Lentz, Chris Waggoner, Russell Karn, Dennis and Tana Snyder, Chelsea Heinrich, and David Diveley

PRESIDING: Mayor Batchelder

Mayor Batchelder called the regular city council meeting to order.

Terry Gibson moved and Greg Delzeit seconded a motion to approve the minutes of the June 12, 2019, regular city council meeting. Motion carried 4-0

Matt Peterson moved and Terry Gibson seconded a motion to approve the bills as presented. Motion carried 4-0

PUBLIC COMMENTS

Chris Waggoner, Fire Chief, informed the council the testing of all fire hydrants will be on Sunday, August 4th, beginning around 2:00 p.m.

Chelsea Heinrich commented on the removal of their driveway drainage tube on Virginia Street and asked for it to be reinstalled so they can have access to their property from the South. Councilman Gibson will look at it again.

COMMUNICATIONS AND REPORTS:

Mayor Batchelder – Commented the water and sewer rates need to be increased in the near future.

Attorney Collins – Provided update on the sewer backup at the Kyle Heinrich resident. Judge Roper indicated he will be resigning from our municipal court in the future. The mayor and council should consider appointing a replacement as soon as possible. Collins will send out notification of the opening to local attorneys and judges that may have an interest in the position.

Clerk Karn – Items later on the agenda

Police Chief Whetstine – Received two bids for a 7' x 10' evidence room, with exhaust fan, sheet rock, mud/paint interior wall, install one solid wooden door, and be built in the southwest corner of the police office with payment from the Asset Forfeiture Fund. NE Kansas Builders bid \$1,956.50; Brad Smith bid \$4,950.00 and Tom Lackey/Travis Clary did not submit a bid. Matt Peterson moved and Rocky Ruhnke seconded a motion to accept the \$1,956.50 bid of NE Kansas Builders to be paid out of the forfeiture account to build the evidence room as described. Motion carried 4-0 Chief Whetstine presented a second bid for a 22 Model Glock 40 caliber handgun with 3 magazines for Officer Williams from Eric Tracy for \$398 and the first bid was from GM Firearms for \$495. Terry Gibson moved and Matt Peterson seconded a motion to purchase the described gun from Eric Tracy for \$398 with payment from the forfeiture account. Motion carried 4-0

Maintenance Leach –Updated that well #4 and #5 are cycling correctly after Gerald Neibling repaired well #4. Maintenance Saunders asked for a \$100 per diem for work boots. Following discussion, absent of a current policy, Mayor authorized the purchase of work boots for Maintenance Worker Saunders. Councilman Gibson asked Maintenance Leach how many radio-read meters are left to install (approx. 20-30) and the city is working with Gerald Neibling on cutting holes in the meter lids to install the radio reader at ground level. Councilman Gibson volunteered to spray the Duckweed at the lagoons and the weeds are beginning to die.

COMMITTEE UPDATES:

Finance Committee – Greg Delzeit – Nothing at this time

Law Enforcement Committee – Matt Peterson – Not a Law Enforcement update but Mike Blevins is asking for a community service project for Boy Scouts. Discussion ideas: building couple benches and a picnic table for youth at Minier Park or other projects the Boy Scouts can do for the city.

Parks and Rec. Committee – Dana Clary – Absent

Street and Alley/Bldg & Grounds Committee – Terry Gibson – A pallet of asphalt crack sealer will cost approx. \$2,000. Councilman Delzeit and Gibson are volunteering to patch the cracks beginning with Missouri Street. Rocky Ruhnke moved and Greg Delzeit seconded a motion to purchase one pallet of asphalt material from Menards for approx. \$2,000. Motion carried 4-0

Water and Sewer Committee – Rocky Ruhnke – Working with Gerald Neibling on planning a well house for future bidding of a building. Councilman Ruhnke works with a product called Nu-Form wall panels which should work for the chemicals in the building. Vance Brothers should start in the fall for the oil and chat as they have completed the prep work. Attorney Collins noted that the new restaurant group is concerned about the timing of the street work in the first block of Kirkwood in regards to the ongoing construction, trucks turning, etc. and damaging the street after repairs are made. Councilman Ruhnke will coordinate with Mr. Jason Taylor, restaurant rep. and Vance Brothers on the 100 block of South Kirkwood.

Planning & Zoning – Matt Peterson – Nothing at this time

Personnel Committee – Greg Delzeit – Nothing at this time

OLD BUSINESS:

City Attorney Collins conducted the auction of the Old City Hall building at 4:30 p.m. today and Kevin and Carla Lackey were the high bidder at the city's established minimum price of \$10,000. Attorney Collins presented, for council approval, the contract for sale of Old City Hall property to Kevin and Carla Lackey for \$10,000 under the terms of the contract. A water meter and storm siren will be moved within six months, per contract. The property will require a rezoning to B-2, General Business District. Rocky Ruhnke moved and Greg Delzeit seconded a motion for the sale of the Old City Hall property to Kevin and Carla Lackey for \$10,000 under the terms of the contract. Motion carried 4-0

CCTV BID

Following discussion, the bids are to be tabled until the August meeting. It was noted that the low bidder had indicated they will become certified to perform the work under their bid proposal in accordance with NASSCO standards.

NEW BUSINESS

Clerk Karn explained the installation of the maintenance kit did not repair the Lexmark printer. Heartland Business Machines quoted a copier/scanner/printer for the clerk's office at \$4,599.99. Terry Gibson moved and Greg Delzeit seconded a motion to purchase the copier/scanner/printer for the clerk's office at \$4,599.99 from Heartland Business Machines. Motion carried 3-0

Dennis and Tana Snyder are asking for financial assistance from the city to remove a tree in the alley. Mayor asked Attorney Collins to review the ordinance explaining the abutting landowners are responsible for the growth in the alleys, streets, etc. Following discussion, council decided to table until later.

Following review of the proposed 2020 budget which shows a slight increase (+.556) in the estimated tax rate, Rocky Ruhnke moved and Terry Gibson seconded a motion to publish the Notice of Budget Hearing with the hearing set on August 14, 2019, at 5:00 pm at city hall. Motion carried 3-0

ORDINANCE

Attorney Collins reviewed Senate Bill 105, Installation of Officers – which authorizes a city to determine the start date of a regular term of office for a city officer by resolution of the city. Charter ordinance No. 8 exempts the city from the application of the terms of SB 105 along with clearer language on term-limits of the mayoral and council positions, and Attorney Collins recommends passage. Beginning with the November 2019 general election, all terms for the positions of Mayor and Council members shall begin at the first regular council meeting in December of the same year of any such election. This will shorten the term of those positions elected in November of 2017 to the first council meeting in December of 2019. Rocky Ruhnke moved and Terry Gibson seconded a motion to approve Charter Ordinance No. 8 as written. Said charter ordinance will require two publications, and passage of the required time period before it becomes effective, pursuant to Kansas law. Roll call vote: Greg Delzeit-yes, Terry Gibson-yes, and Rocky Ruhnke-yes Motion carried 3-0

Solicitation/Peddler ordinances are outdated and Attorney Collins will draft an ordinance for future review.

EXECUTIVE SESSION:

Rocky Ruhnke moved and Terry Gibson seconded a motion to recess into executive session at 6:38 p.m. for 10 minutes for consultation with an attorney on legal matters that would be deemed privileged in attorney-client relationship and the open meeting will resume in the city council chamber at 6:48 p.m. Motion carried 3-0 Mayor asked the city attorney to remain

Rocky Ruhnke moved and Terry Gibson seconded a motion to recess into executive session at 6:48 p.m. for 5 minutes to review individual employee(s) pursuant to the 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 6:53 p.m. Motion carried 3-0. Mayor asked the city attorney to remain

Rocky Ruhnke moved and Terry Gibson seconded a motion to recess into executive session at 6:53 p.m. for 5 minutes to review individual employee(s) pursuant to the 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 6:58 p.m. Motion carried 3-0. Mayor asked the city attorney to remain

Greg Delzeit moved and Terry Gibson seconded a motion to adjourn at 7:58 p.m. Motion carried 3-0

Mayor

City Clerk