

CITY OF HIGHLAND, KANSAS
REGULAR COUNCIL MEETING
CITY HALL
May 13, 2020
5:00 P.M.

Due to statewide stay-at-home orders, this meeting was held on Zoom video conferencing

COUNCIL MEMBERS PRESENT: Greg Delzeit, Marty Allen, Rocky Ruhnke, Dan Collins and Terry Gibson

COUNCIL MEMBERS ABSENT: None

CITY EMPLOYEES PRESENT: City Attorney Ted Collins, City Clerk Joann Karn, and City Superintendent Kevin Lackey. Water & Sewer Superintendent Trevor Saunders participated on Zoom

GUESTS PRESENT: Gerald Neibling, IMAF, LLC; Via Zoom – Russell Karn, Linda Collins, and Garrett Nordstrom, Western Consultants DBA GAS

PRESIDING: Mayor Charles Batchelder

PUBLIC HEARING

The Public Hearing for Vacation Petition was opened at 5:00 p.m. with council members present.

A Public Hearing was held for all affected landowners and the general public that a petition for vacation had been filed with City of Highland, KS with respect to the following described property: South Canada Street south of Pennsylvania Street and Alley in Block 117.

After a brief review by resident Ted Collins, Terry Gibson moved and Greg Delzeit seconded a motion to approve the vacation petition as presented and authorized the Mayor and Clerk to sign the necessary paperwork, including Ordinance #564, vacating a portion of Canada Street between Blocks 117 and 118, and the North-South alley in Block 117. By roll call vote: Delzeit-yes, Allen-yes, Ruhnke-yes, Collins-yes, Gibson-yes Motion carried 5-0

Terry Gibson moved and Rocky Ruhnke seconded a motion to close the Public Hearing at 5:15 p.m. Motion carried 5-0

Mayor Batchelder called the regular city council meeting to order at 5:15 p.m.

Gerald Neibling, IMAF, proposed two scope of work proposals, building and electrical, for updating water well #4 and well #5. Mr. Neibling explained, in detail, his recommendations and procedures in the update. An estimated cost would be around \$70,000 for the building proposal and approximately \$70,000 for the electrical. If city is serious with moving forward on this project, Mr. Neibling will provide a bid. Following committee meetings, the city will respond at the June meeting.

Garrett Nordstrom, Western Consultants, explained the new CDBG-CV grant program which will distribute \$9 million across the state to municipalities to distribute to local business effected by the virus for working capital, etc. Business with five or less employees may qualify up to \$25,000 per employee, above five employees may qualify up to \$35,000 per employee, for a maximum grant of \$300,000; no match required by the cities; 51% of the employees must qualify as low to moderate income; grant is based on first come first serve, require a public hearing; large cities and business with over 50 employees are not eligible; and grant administrator could be paid through the grant;

Terry Gibson moved and Marty Allen seconded a motion to approve Western Consultants DBA GAS, to move forward with the CDBG-CV grant application. Motion carried 3-0 (Delzeit & Ruhnke abstained)

Rocky Ruhnke moved and Marty Allen seconded a motion to approve the minutes of the April 8, 2020, regular city council meeting. Motion carried 5-0

Rocky Ruhnke moved and Terry Gibson seconded a motion to approve the minutes of the April 16, 2020, special city council meeting. Motion carried 5-0

Rocky Ruhnke moved and Greg Delzeit seconded a motion to approve the bills as presented. Motion carried 5-0

COMMUNICATIONS AND REPORTS:

Mayor Batchelder – Nothing at this time

Attorney Collins – Matter for Executive Session

Clerk Karn – Kansas 2020 Census Field Operations resume and a reminder of how vital it is for all citizens to complete the census as it determines numbers for most grant applications and locally receiving federal funding for schools, roads and highways, public health, affordable housing programs and much more. Clerk Karn will be attending the budget workshop webinar on Wednesday, May 27th and the office totally closed. Jim Long, CPA, of Karlin and Long provided the 2019 audit. Following a brief review, Rocky Ruhnke moved and Terry Gibson seconded a motion approving the audit report from Karlin & Long, CPA, which verified the published 2019 year-end balances were correct. Motion carried 5-0

Police Chief Whetstone – Absent due to being on a call.

Water Superintendent Saunders and City Superintendent Lackey – KDHE Nitrate Sample Results – Well #5 is 9.6 mg/L and Well #4 is 11 mg/L. Supt. Saunders explained his trial of new in-house modified testing methods and waiting for the results from a private lab for comparison. Another water sample will be sent to a private lab in June for comparison. Will be checking with KDHE on the procedure to come back in compliance.

COMMITTEE UPDATES:

Finance Committee – Marty Allen & Rocky Ruhnke – Nothing at this time

Law Enforcement Committee – Terry Gibson & Marty Allen – Item for Executive Session

Parks and Rec. Committee – Greg Delzeit & Rocky Ruhnke – Rocky Ruhnke reported the youth summer ball program will be modified and follow the state and county guidelines, anticipated start at phase out, middle of June. Rocky Ruhnke moved and Greg Delzeit seconded a motion to approve paying NEK League dues and purchasing insurance for youth summer ball program. Motion carried 5-0 Greg Delzeit reported on the 4th of July activities. The consensus was to have the fireworks display; not to have the inflatables, entertainment and activities this year; plan to hold a parade which may be cancelled; and items discussed are subject to change due to possible change of state guidelines which the city will follow.

Street and Alley/Bldg & Grounds Committee – Terry Gibson & Dan Collins – Terry Gibson indicated a hole on Elmira Street needs fixed since the city has cold patch.

Water and Sewer Committee – Rocky Ruhnke & Terry Gibson – The city's first use of the jetter was in the sewer line South of Jason Taylor's, roots in service line and main line. Jetted 400' and have determined the need for a larger water supply tank; disappointed in the clarity of the camera; and a sewer line cleaning maintenance schedule has not been determined to date due to other projects. A major water leak which was not surfacing was found with the help KRWA, located near the county shop has been repaired. Another leak to be repaired has been detected near Wiedner's, East Main.

Planning & Zoning – Marty Allen & Greg Delzeit – Nothing at this time

Personnel Committee – Greg Delzeit & Dan Collins – Nothing at this time

NEW BUSINESS:

Regarding the Doniphan County Plan for Re-Opening, which will be following the state guidelines, the consensus of the council was for the city to follow state/county guidelines.

Rocky Ruhnke moved and Dan Collins seconded a motion to accept the application of Kirk Moore/Chris Gibson and adjust the water billing to \$1.00 per thousand gallons due to a leak that was greater than ten times the amount of the average monthly usage. Motion carried 5-0

RESOLUTIONS:

Following Attorney Collins review of the 2001 resolution, Marty Allen moved and Greg Delzeit seconded a motion to adopt Resolution No. 2020-04 which provides the procedure to be utilized in connection with vacation of the public streets, alleys and rights-of-way as recommended. Motion carried 5-0

Rocky Ruhnke stepped out.

EXECUTIVE SESSION:

Marty Allen moved and Dan Collins seconded a motion to recess into executive session at 7:10 p.m. for 15 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 7:25 p.m. Motion carried 4-0 Mayor asked the city attorney and clerk to remain Rocky Ruhnke returned at 7:12

Marty Allen moved Rocky Ruhnke seconded a motion to credit Chief Brandon Whetstine with his requested hours for vacation (120) and sick leave (80) and pay Tom Williams for his requested hours for vacation (120) and sick leave (80 x .5) upon signing the conditional release. Motion carried 4-1 (Gibson)

Rocky Ruhnke moved and Marty Allen seconded a motion to recess into executive session at 7:30 p.m. for 10 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 7:40 p.m. Motion carried 5-0.

Rocky Ruhnke moved and Marty Allen seconded a motion to adjourn at 7:41 p.m. Motion carried 5-0

Mayor

City Clerk