

## REGULAR COUNCIL MEETING

JUNE 6, 2007

7:30 P.M.

PRESENT: Mike Batchelder, Ken Stewart, Donna Parish, Tony French and Mari Ann Parker.

ALSO PRESENT: Scott Huss, Robert Powell, Carol Hopkins, Patti Santos, Jeff Riley, Bob Evans, Randy Snyder, Chuck Simmons, Paul Stewart, Jason Pendleton, Dennis and Tana Snyder, Bill Noll, Tim Collins, Scott Sisk, John Alfrey, Larry and Sharon Edie, Larry Dale Whetstine, Eric Cole, Randy Koelliker, Bobby and Michelle Smith, Marilyn McVicker, Heath Cluck, Brandon Cluck, Bryson Cluck, Brian Klaus, Ted Collins, Rick Clark, Craig Windmeyer, Landon Riley, Marian Thompson, Jerry Bruns, Russ Karn, Jean Ann Gross, Charles Baskins, Diane Stewart, Melody Huss, Melanie Edie and Bill Butrick.

PRESIDING: Mayor Marty Allen.

The meeting was called to order at 7:30 p.m. with all council members present.

Mike Batchelder moved to approve the minutes of the last Regular Council Meeting held May 2, 2007. Ken Stewart 2<sup>nd</sup>, motion carried unanimously.

Ken Stewart moved to approve the bills for the month of May, 2007. Mike Batchelder 2<sup>nd</sup>, motion carried unanimously.

### CITIZENS REQUESTS

A general discussion was held concerning the operation of ATV'S (four wheelers) within the city limits of Highland.

Those coming forward to speak out against a ban of 4 wheelers included the following: Dennis Snyder, Randy Koelliker, Sharon Edie, Marilyn McVicker, Tim Collins, Heath Cluck and Scott Huss. Comments from this group included enforcing current traffic laws instead of a full ban, implementing a curfew, wearing helmets, age restrictions, restricting other vehicles such as gators, golf carts and lawn mowers and restricting passengers. Tim Collins spoke of the cystic fibrosis fund raiser that was held where 4-wheelers were used for this benefit.

Larry Dale Whetstine asked about the history of 4-wheelers in other towns in Doniphan County. City Attorney Ted Collins stated that Wathena has a ban on 4-wheelers and that Troy and Elwood have regulations and restrictions in place at this time. Doniphan County Deputy Jason Pendleton reported on his dealings with 4-wheelers as an officer for the City of Highland.

Jerry Bruns and Jean Ann Gross spoke in favor of the ban. Comments from them included problems with fast driving, racing, noise, underage driving and if insurance coverage is in place.

Council member Donna Parish stated she has received numerous complaints about 4 – wheelers from citizens mostly due to noise and irresponsible driving. She said she was in favor of a total ban because of the safety issue.

## COMMITTEE REPORTS

Law Enforcement Committee Chairman Ken Stewart stated that the committee met on June 23<sup>rd</sup> to discuss the operation of 4-wheelers within the city limits. The recommendation of the committee was to outlaw 4 wheelers and to adopt an Ordinance as such.

Council member Tony French and committee member stated he was in favor of restrictions which included no one under fourteen allowed to operate a 4 wheeler and anyone under 18 must wear a helmet.

Ken Stewart moved to approve Ordinance #459. An Ordinance prohibiting the operation of all-terrain vehicles within the corporate limits of the City of Highland, Kansas; amending Ordinance #457. Donna Parish 2<sup>nd</sup>. By roll call vote: Batchelder-yes, Parker-yes, French-No, Stewart-yes, Parish-yes. Motion carried 4-1.

8:19 p.m. Mayor Allen declared a five minute recess.

8:24 p.m. Mayor Allen called the meeting back to order.

Law Enforcement Committee Chairman Ken Stewart reported that the committee also met to discuss the law enforcement contract with the Doniphan County Sheriff's Office and to discuss the sale of beer for a street dance by Ernie's. The recommendation was to renew the law enforcement contract and to allow for the closing of the street and beer consumption for a street dance on June 30, 2007.

County Attorney Charles Baskins stated that the county was in favor of renewing the contract without any changes at this time.

Ken Stewart moved to renew the annual law enforcement contract with the Doniphan County Sheriff. Tony French 2<sup>nd</sup>, motion carried unanimously.

Ken Stewart moved to block off the 400 block of W. Main from 6:00 p.m. to 1:00 a.m. to allow for a street dance by Ernie's, with legal possession to be allowed within the fenced in area, for the owner to follow all regulations referring to minors, for the sale of beer to take place on the premises of Ernie's, for the owner to be responsible for maintaining an orderly event up to 12:00 midnight and for cleaning of the premises to take place between midnight and 1:00 a.m. Mike Batchelder 2<sup>nd</sup>, motion carried unanimously.

Water and Sewer Committee Chairman Donna Parish reported the committee had met to discuss a water and sewer rate increase. She stated that the pump replacement at well #4 cost the city approximately \$14,000 and that the sewer system had incurred some problems due to the heavy rains recently. She complimented Jeff Riley and crew for their efforts to keep the system running. The committee recommendations were as follows:

1. To increase the minimum monthly charge for water \$3.00 per month.
2. To increase sewer rates \$2.00 per month.
3. To increase the cost per thousand gallon of water after the minimum charge from \$4.00 to \$4.25.
4. To increase non residential customers by the percentage established from the above rates.

Donna Parish moved to have City Attorney Ted Collins prepare Ordinance #'s 460 and 461 to include the rate increases recommended by the Water and Sewer Committee for approval/non-approval at the next regular council meeting. Ken Stewart 2<sup>nd</sup>, motion carried unanimously.

Mike Batchelder moved to hold the July Regular Council Meeting on Tuesday, July 3, 2007 due to the holiday falling on the scheduled date. Mari Ann Parker 2<sup>nd</sup>, motion carried unanimously.

#### OLD BUSINESS

Ken Stewart updated the Council on the new Community Center/Fire Station building and stated that street plans for W. Avenue are still being reviewed.

Ken Stewart reported on information for a Cafeteria Plan for the city.

Donna Parish moved to table the discussion of a Cafeteria Plan until a later date. Mari Ann Parker 2<sup>nd</sup>, motion carried 4-1 with Stewart voting no.

Donna Parish moved to table the discussion of street asphaltting until a later date. Ken Stewart 2<sup>nd</sup>, motion carried unanimously.

#### NEW BUSINESS

Tony French moved to authorize Mayor Marty Allen and City Clerk Bill Buttrick to be co-signers for the grant account. Donna Parish 2<sup>nd</sup>, motion carried unanimously.

Mayor Allen and Council members wanted it stated that they wanted to compliment everyone involved with all the hard work to make the Sesquicentennial Celebration such a success.

#### CITY OFFICERS REPORT

City Clerk Bill Butrick reported changes in personnel with the accounting firm that does the city's audit and prepares the budgets. He stated that the audit should take place in June and budget preparation should start in July.

Deputy Jason Pendleton asked if the city would hire someone to work on the computers in the police department.

Ken Stewart moved to hire Jerod Edie for computer repair on all city computers. Donna Parish 2<sup>nd</sup>, motion carried unanimously.

Mayor Allen and the Council agreed to have a Planning Meeting on June 11<sup>th</sup> at 1:00 p.m. at City Hall.

A brief discussion was held concerning parking at the ballpark. The Council asked that all posted areas be enforced.

Mayor Allen reported he had received an estimate of \$1320 to replace non-working bulbs at the ball park. This estimate would cover the cost for the bulbs and aerial truck rental. He also stated that he talked with the college about paying one half of the cost.

Donna Parish moved to replace the bulbs at the ball park if the college agreed to pay one half the cost. Ken Stewart 2<sup>nd</sup>, motion carried unanimously.

9:05 p.m. Tony French moved to adjourn. Mari Ann Parker 2<sup>nd</sup>, motion carried unanimously.

---

Mayor

---

City Clerk