

REGULAR COUNCIL MEETING

SEPTEMBER 8, 2010

5:00 p.m.

PRESENT: Scott Huss, Mike Batchelder, Mari Ann Parker, and Jerry Twombly

ALSO PRESENT: Robert Powell, Scott Sisk, Dennis Lentz, Ted Collins, Mike Miller, Dennis Snyder, Kevin Lackey, Dave Reist, Randy Snyder and Melanie Edie

PRESIDING: Mayor Ken Stewart

5:00p.m. Mayor Stewart called the Regular Council Meeting to order with all Council members present.

Mayor Ken Stewart began the meeting by reading the resignation of Mayor Allen and explaining that he had been sworn in as Mayor, by City Clerk Bill Butrick, on the same day former Mayor Allen resigned because he was the City Council President.

Scott Huss moved to accept the resignation of Mayor Marty Allen with regret. Mike Batchelder 2nd, motion carried.

The Mayor informed the Council that he would be appointing a new Council member to his former position, and that he had been approached by five people who would like to be considered for the position. Those five people were; Dennis Lentz, Dennis Snyder, Jerod Edie, Kevin Lackey and Randy Snyder. Mr. Stewart gave the current Council members a piece of paper to write down their top three choices for the new Council position from the five names given. After the papers were collected, Mayor Stewart decided to appoint Kevin Lackey as the person to fill the vacant Council seat.

Mike Batchelder moved, 2nd by Scott Huss to approve the Mayor's appointment of Kevin Lackey to the vacant City Council position. Motion carried unanimously.

Deputy City Clerk Melanie Edie administered the Oath of Office to Kevin Lackey. Council member Lackey then took his seat at the Council table.

The Mayor led a brief discussion on the election of a Council President. Mari Ann Parker moved to appoint Jerry Twombly as City Council President. Scott Huss 2nd, motion carried 4-0 with Jerry Twombly abstaining.

Jerry Twombly moved to approve the minutes of the last Regular Council Meeting held on August 11, 2010. Mari Ann Parker 2nd, motion carried.

Mike Batchelder moved to approve the minutes from a Special Meeting to discuss streets, held on August 24, 2010 at 4:00 p.m. Scott Huss 2nd, motion carried.

Scott Huss moved to approve the minutes from a Special Meeting to discuss personnel, held on August 24, 2010 at 4:19 p.m. Mike Batchelder 2nd, motion carried.

The Council briefly discussed some of the bills for the previous month. Mike Batchelder asked the Mayor to ask Superintendent Jeff Riley to get bids from more than one company to rebuild the pumps at the waste water facility.

Mike Batchelder moved to approve the bills for the month of August. Jerry Twombly 2nd, motion carried.

PRESENTATIONS:

Police Chief Brandon Whetstine was not able to be at the meeting due to scheduled training. Before the meeting he provided the Mayor and Council with his activity report for the previous month and also a presentation on a new program that he is starting at Doniphan West High School this year. Mayor Stewart explained the new program is called S.A.F.E. (seatbelts are for everyone), and it is designed to encourage students to buckle-up.

Wathena, Elwood and D-West Schools have all agreed to be involved in the project this year. Chief Whetstine along with Elwood City Police Chief Larry Hunsaker, Wathena City Police Chief Brian Walker and Troy City Police Chief Elmer Stewart have already started collecting donations from local businesses to help fund the program. More donations are needed to meet the budget that has been set for the S.A.F.E. program this year to provide for awards for the students who become active in the project and for a Grand Prize to be given to a student from the winning school.

Jerry Twombly moved to donate \$150.00 to the S.A.F.E. Program. Kevin Lackey 2nd, motion carried.

CITY OFFICER'S REPORT:

Robert Powell gave a report on the Community Building. He stated the fish and chicken fund raiser went really well and the total donations were \$4,313.00. The approximate expenditures for the fund raiser were \$1120.00. Robert said he would like to thank everyone who helped with our fund raiser, and he would especially like to thank Scott Sisk, Allen Simmons and Steve Davis for all their help with the cooking for the dinner.

Robert Powell also asked Council to help pay for a new washer and dryer for the Community Center. The Fire Board and the EMT Association agreed to pay for 1/3 of the cost which is \$292.00. Scott

Huss moved to pay \$292.00 to the EMT Association toward the cost of the new washer and dryer set for the Community Center/Fire Station. Mike Batchelder 2nd, motion carried.

Mr. Powell informed the Council that Echo Labs was scheduled to come to the Community Building on 9-9-10 to work on the commercial dishwasher in the kitchen. He also reported that Diane Stewart had been looking into pricing silverware for the Community Center. She said the silverware prices ranged from \$300.00 to \$666.00 for 25 dozen sets. These prices came from Restaurant Depot in Kansas City, MO. Robert asked the Council to consider purchasing the silverware for the Community Center.

Scott Huss moved to purchase silverware for the Community Center for \$300.00. Kevin Lackey 2nd, motion carried.

Robert finished his comments by giving the Council information on alternative wind energy for the Community Center.

CITIZENS REQUESTS:

The Mayor asked if anyone wanted to discuss the item on the agenda about adopting a cat ordinance. Mari Ann Parker said she would like something to be done about the cats within the City. The Council agreed to discuss options at a future work session.

COMMITTEE REPORTS:

It was brought to the Mayor's attention that the Council Committees would need to be reassigned. The Mayor said he would like to discuss new Committee options at the next work session.

OLD BUSINESS:

A brief discussion was held concerning the Degginger Park fountain. Scott Sisk asked if the float had been fixed. Mayor Stewart said he would look into the float issue. Mari Ann Parker stated that Superintendent Riley had mentioned that he would get tablets for it to keep the water from getting murky. The Mayor asked when the fountain was usually shut down for the winter and said he thought maybe sometime around the end of September would be a good time.

NEW BUSINESS:

Mayor Stewart asked the Council if bids had been let out for City trash service. Mike Batchelder said that bids weren't let out but he had been approached by Mike Miller of Miller Trash Service about

presenting the City with a bid for trash service. Mayor Stewart said that we would need to find out if we have a contract with RSP, the City's current trash service.

Jerry Twombly moved to adopt Ordinance #491, an Ordinance of the City of Highland, KS, revising and updating the City's Floodplain management zoning and regulations, incorporating by reference Ordinance #490 and which establishes new Floodplain zoning regulations based on the model recommended by FEMA and the Kansas Dept. of Agriculture, and repealing sections 620,621 and 622 of Ordinance #264 of the City. Scott Huss 2nd, by roll call vote: Batchelder – yes, Parker – yes, Twombly – yes, Lackey – yes and Huss – yes. Motion carried.

Scott Huss moved, 2nd by Mike Batchelder to adopt Ordinance #492, an Ordinance of the City of Highland, Kansas, that is enacted in accordance with Section 805 of Ordinance #264 of the City, amending Ordinance #264 with respect to the boundaries of Zoning Districts, defining the changes of boundaries as amended, changing the official Zoning Map of the City and specifically amending Section 7 of Ordinance #473. By roll call vote: Batchelder – yes, Parker – yes, Twombly – yes, Lackey – yes and Huss – yes. Motion carried.

Mike Batchelder moved, 2nd by Mari Ann Parker to adopt Ordinance #493, an Ordinance of the City of Highland, Kansas, regulating public offenses within the corporate limits of the City, incorporating by reference the "Uniform Public Offense Code for Kansas Cities", edition 2010, replacing Ordinance #485 of the City. By roll call vote: Batchelder – yes, Parker – yes, Twombly – yes, Lackey – yes and Huss – yes. Motion carried.

Scott Huss moved, 2nd by Jerry Twombly to adopt Ordinance #494, an Ordinance of the City of Highland, Kansas, regulating traffic within the corporate limits of the City, incorporating by reference the "Standard Traffic Ordinance for Kansas Cities" edition 2010, repealing Ordinance #486 of the City. By roll call vote: Batchelder – yes, Parker – yes, Twombly – yes, Lackey – yes and Huss – yes. Motion carried.

Jerry Twombly moved, 2nd by Mari Ann Parker to adopt Ordinance #495, an Ordinance of the City of Highland, that is enacted in accordance with the Charter Ordinance #2 of the City, providing for the assessment of Court costs in cases heard in the Municipal Court of the City and repealing Ordinance #455 and all other Ordinances and parts of Ordinances in conflict herewith. By roll call vote: Batchelder – yes, Parker – yes, Twombly – yes, Lackey – yes and Huss – yes. Motion carried.

Mari Ann Parker moved to grant the petitions of Highland Community College to vacate the 800 block of West Ohio St. (between Prairie and West Ave) and the 700 block of West Illinois (between Prairie and Elmira), and to retain all utility easements and rights of way. Scott Huss 2nd, motion carried.

Mari Ann Parker moved, 2nd by Scott Huss to adopt Ordinance #496, an Ordinance of the City of Highland Kansas, vacating the 800 block of West Ohio and the 700 block of West Illinois, retaining

all utility easements and rights of way. By roll call vote: Batchelder – yes, Parker – yes, Twombly – yes, Lackey – yes and Huss – yes. Motion carried.

There was a brief discussion concerning a possible Ball Park Agreement between, the City, Highland Community College and Doniphan West High School. Mari Ann Parker said she had been contacted by a concerned party who felt there should be some sort of agreement signed by all three parties to avoid any future conflicts. City Attorney Ted Collins stated he would look into drawing up such agreement.

Mayor Stewart mentioned that there were some lights not working in left field at the City ball park and that Ben Leatherman has been contacted to come take care of the problem.

Mari Ann Parker asked the Council to consider moving the large hand-painted mural, that used to hang on the wall in what is now the Police Department Office, into the Council chambers and hang it on the East wall. Newly appointed Councilman Lackey and others attending the meeting asked to view the mural. After looking at the mural and the possible new place for it, Mari Ann Parker moved to move the mural into the City Council Chambers. Scott Huss 2nd, motion carried 4-1 with Batchelder voting no.

Mayor Stewart stated he would like to have a work session for the Council on Sept 22, 2010 at 7:00 p.m., and he would like to start having them once or twice a month to discuss issues and be more productive. The Council agreed to this idea. City Attorney Ted Collins reminded the Mayor that these work sessions were open meetings and no official decisions could be made.

The Mayor stated that the discussion on personnel issues would need to be tabled until next meeting in the absence of Chief Whetstine. He also informed the Council that we had received 3 or 4 applications and asked if they wanted the Clerk to do any further advertising in the Hiawatha, Atchison, Topeka or St. Joseph newspapers. It was agreed to further discuss this issue at the work session.

GOVERNING BODY COMMENTS:

Council member Huss asked if anyone had looked into widening the street at South Kansas and Main. City Attorney Collins stated that he had been approached by an individual that was interested in expanding the street to help with visibility and large trucks turning the corner. Mayor Stewart suggested the issue be discussed further in the upcoming work session.

6:05 p.m. Scott Huss moved to adjourn, Kevin Lackey 2nd. Motion carried.

Mayor

City Clerk

