

City of The Highlands
REGULAR COUNCIL MEETING
Monday, 6:00 p.m., February 14, 2022
Nickerson Office Building, 13 N. Nickerson St., Nickerson, KS 67561
Social Distancing and hand sanitizing are required, masks are strongly encouraged.

I. Meeting Called to Order

- A. Welcome by Mayor Carol Moore
- B. Pledge of Alliance
- C. Roll Call by the City Clerk:
 - Council Members Present: Butch Neel, Jeff Jackson, Mark Kerschen, Brian McElgunn, and Kenny Nuss.
 - City Clerk: Cindy Dale
 - AZC: Mo Penny
 - Guests: Dusty Tacha, Richard Woolley, Terry Wall, and Tanner Riddle

II. Approval of the Agenda as presented.

- **Butch Neel motioned to approve Agenda as presented, seconded by Mark Kerschen. Motion passed.**

III. Public Comments (State your name and address. Please limit remarks to less than five minutes.)

- A. Invited guest – Dusty Tacha from USDA NRCS (invited by Brian McElgunn)
 - 1. Dusty is a Range Land Management Specialist for the USDA NACS.
 - 2. They have an office at 30th and Lorraine. He is located at the office in South Hutchinson. Reno Co is one of the twenty counties Dusty manages. Dusty has been in this position for 10 years.
 - 3. Some comments were made at the last city council meeting that were in error in requiring the removal of cedars.
 - 4. Dusty has been inspecting the City of The Highlands with a Reno County Task Force.
 - 5. Kansas Forest Service, Dennis Carlson is Fire Manager for this area.
 - 6. Dusty passed out printed information on fire management. This information will be posted on the City's website.
 - 7. Also included in handouts are satellite pictures through the years of growth of trees in Kansas because there has been no management of the land.
 - 8. Cedars are an issue. Because of their volatile fire load that contains chemicals with a low flash point, they ignite easily and have an extremely high burn temperature.
 - 9. Cottonwood trees are a problem because they can be hollow and act as a when they catch on fire. Frequently there are cedars growing under cottonwood trees. Cedars are spread from birds, robins, and j birds. Ninety-five percent of the seeds of a female cedar tree are dispersed within 200 ft. from original tree. The seeds pass through the bird's digestive tract in 7 minutes.
 - 10. Question from Councilman Nuss about propane tanks – An up-to-date propane tank doesn't represent as much danger as one might think. They have a pop off valve that release propane if the tank gets hot. Firefighters hate to see propane tanks surrounded by cedar trees.
- B. Terry Wall owns nine different properties that are not in compliance with Ordinance 2021-23. Mrs. Wall stated that she has got a few lots done but not all of them and she is trying to make an effort to complete clean up.
 - 1. Mayor Moore stated that the elected city council has the responsibility to keep our city safe. The letters are not intended to be harassing, the clean up needs to be done.

- C. Richard Woolley received letter from council to clean up his lots. He said that he is trying to cleanup his lot.
- D. Tanner Riddle a residence of City and would like to let the council know that he is available to help with anything involving the city.
- E. Response to comments made on January 24th – Table this item for now.
- F. Kenny Nuss contacted Kansas League of Municipalities about our no parking signs in right of ways from dusk to dawn. Council has been questioned about locations of signs and if council has legal right to enforce no parking in right of ways. We do not have curbs nor sidewalks. There are six signs, and they should be enough. They said to talk to our city attorney which the council has already done. With the road repairs being made the areas where there has been parking in right of ways the soil and edges of the roads have broken down.

IV. Approval of Minutes of January 24, 2022, Regular Meeting

- **Kenny Nuss made a motion to approve Minutes of January 24, 2022, Regular Meeting, seconded by Butch Neel. Motion passed.**

V. Reports

A. Mayor:

- 1. Issue came up about recording the minutes of meetings: City Clerk is recording the meetings to assist in transcribing the minutes. Are we required to make these recordings available and if so, where? This is a question Mayor Moore will take to the city attorney. We must let people know that the minutes are being recorded.

B. Mitch Cramer is with a client and will not make the meeting. We will schedule him for the next meeting.

C. Treasurer's report

- 1. Interest we earn from the checking account, Money Market and CD go into the General Fund, if we want these funds to go to the Equipment Fund or Capital Improvement Fund, we need to write a Resolution.

- **Jeff Jackson made a motion to leave interest earned from checking account, Money Market and CD in General Fund, seconded by Mark Kerschen. Motion passed.**

2. Money Market share account, City had to establish this to open a money market account with Heartland Credit Union. This is part of the General Fund.

3. Audit, \$69.00 short, which was a voided check from 2020.

4. Do we want the accounting firm to do an audit? How often? The council agreed it would be a good practice to do an audit when we change treasurers within the city council or every three years. Publish on the city website the bank statements every quarter including Heartland and CD.

5. Balance of Funds:

- Business Share Account: \$25.00
- Capital Improvement Fund: \$80,793.12
- Equipment Fund: \$25,604.73
- Parks and Recreation Fund: \$4,917.23
- American Rescue Fund: \$23,959.64

6. Decide in November 2022 if we want to renew the CD at 1st National Bank.

7. Actual funds 2021 report was published in *Hutchinson News* as required and posted on our website

D. AZC Report

1. Mo Penny has followed up with some answers for Mr. Swartz regarding parking in the ROW. Mo did not feel like the city council could approve his request per our Ordinances. Mo had consulted with our city attorney.

➤ **Butch Neel made a motion to send the letter presented by Mo Penny to Mr. Swartz, seconded by Kenny Nuss. Motion passed.**

VI. New Business

A. Fire Ordinance

1. In Mayor Moore's discussion with Reno Co. Emergency Management Director, Mr. Weishaar said the city needs a Fire Ordinance. This has been discussed in prior meetings. Mayor Moore recommended the organization of a committee to include firefighters in our community to be members of committee. Council will ask Jim Humiston, Pat Gardner, and Craig Walle. Schedule special meeting at 5:30 p.m. on February 28, 2022.

B. A referendum to place on election ballot: To place a Referendum on election ballot a petition needs to be written and distributed for signatures of residences. An ordinance will need to be written.

VII. Unfinished Business

A. Progress of lot clean-up for Phase 1/fines. All letter/return cards have been returned, but one letter came back "return to sender, unclaimed, unable to forward" from Mr. Eduardo Beckett.

- Work on Terry Wall lots has started work on some of her lots.
- Work Force has three lots with nothing done.
- Jim McCormick has done work by his house but has not done anything on lot in North Links.
- Richard Woolley has started working on his lot on Paganica Court.

B. Next meeting will discuss fines.

C. Right of Way clean up: Cindy Dale, City Clerk, will go to Reno Co. Appraiser office and get ten copies of map of The City of Highlands.

D. When the entry way of The City was cleaned up, other piles on Chris Brown's property were exposed where he has hauled limbs and debris from his other properties.

E. Send out email to city residents develop plans with Parks and Recreation Fund to get committee members.

F. Drainage issues in the lots north of entry are also a problem that needs to be addressed.

VIII. As may arise

A. Special thanks to Gregg Sims and his grandson for putting up and taking down the Christmas lights at the entry.

IX. Motion to adjourn

➤ **Motion made by Jeff Jackson, seconded by Brian McElgunn. Motion passed. Adjourned at 8:31 p.m.**