City of The Highlands, Kansas

COUNCIL MEETING Minutes

June 13th, 2019, 6:00 PM Held at Nickerson City Offices, Nickerson, Ks.

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**CALL TO ORDER:** Mayor Penny called the meeting to order on June 13th at 6:00 P.M.

1. **ROLL CALL:** Ken Nuss, Bonnie Teel, Mark Kerschen, Butch Neel, Dwight Gehring
2. **PLEDGE OF ALLEGIANCE TO THE AMERICAN FLAG:** Led by Mo Penny
3. **APPROVAL OF MINUTES**: Minutes from 05/30/2019 meeting and 06/06/2019, 06/10/2019 town hall preparation workshops. Ken Nuss motion to approve all. Mark Kerschen second. Passed 5-0.
4. **REQUESTS/PRESENTATIONS**
5. **REIMBURSEMENT REQUESTS AND INVOICES:**
   * 1. Invoice from Martindell Swearere Attorneys. Bonnie Teel motion to pay the invoice for $697.50 . Butch Neel second. Passed 5-0.
6. **BUSINESS:**
   * 1. Discussion and vote on building permit #2019-RR-02, Tony Gaston. Ken Nuss motion to approve permit. Bonnie Teel second. Passed 5-0
     2. Discussion on road repair agreement. Mark Kerschen motion to enter contract with PBM to repair roadways as listed for a total of $25,000 and payable after satisfactory completion of project. Dwight Gehring Second. Passed 5-0.
     3. Update on mower purchase. Waiting on availability of mower. Tabled until future meeting.
     4. Review and discussion of application #2019-AS-03, Chad Wilson. Lengthy discussion about the proposal being non-compliant to zoning ordinance No. 2019-12. The discussion led to agreement by Mr. Wilson to consolidate the east parcel (tract that the structure construction is proposed) and the primary parcel (tract with current dwelling) and be joined into one lot. That act would create a single lot, consisting of all three parcels or at a minimum the two parcels and allow the permit application to be approved. Final approval of the permit would be conditional upon the completion of the consolidation. It was stated that no variance could be approved by the Council and that be an issue with the Board of Zoning Appeals.

Motion by Ken Nuss to approve the Permit based on the conditions stated. Mark Kerschen second.

Votes were Ken Nuss – YES; Bonnie Teel - NO (based on the location impact to neighboring homes and well being of those residents and having 5 other lots to use); Mark Kerschen – YES; Butch Neel – NO (based on the appearance of having a solitary structure (secondary) abutting the Par three street and the impact to the neighbors); Dwight Gehring – YES. Motion passed with conditions, 3 Yes, 2 No.

Clerk's note: Statement of agreement to the conditional terms will be added to the permit by the city attorney and provided to Mr, Wilson for signature. Following the signature of Mr. Wilson, the Council members voting Yes and the Mayor shall sign. Upon completion of the consolidation process, the permit will be made effective. The vote of approval by the council is recorded as approved with conditions and be complete and effective upon the recording of the consolidation process.

* + 1. Review and discussion to approve and close out year end city financial statement for 2018. Butch Neel motion to approve the 2018 financial statement. Ken Nuss second. Passed 5-0

* + 1. Report on the possibility of contracting a code enforcement official. Nickerson, Buhler, Hutchinson Police Dept., Reno County Sheriff would not consider it. Will continue to investigate possibilities. Mayor Penny will act as enforcement officer until City can engage a non-resident. No action Required.
    2. Auto Call system was discussed. Ken Nuss motion to approve subscription. Butch Neel second. Passed 5-0.

Need to gather contact information and preferences as to method of notification.

* + 1. Brad Easter discussed July 4th fireworks on pond/island property between the Easters, Johnsons and Jacksons. The City can neither approve or deny the activity and does not offer any input other than a suggested insurance policy be obtained by those involved.
    2. Brad Easter sworn in by Oath (AZRC) as required by State Statute
    3. Last workshop for "dry run" town hall meeting set by consensus. No call for meeting as no decision binding on City will be made.
  1. **ADJOURNMENT**:

Mark Kerschen motion to adjourn. Butch Neel second. Passed 5-0