

City of The Highlands
REGULAR COUNCIL MEETING
Monday, 6:00 p.m., April 11, 2022
Crazy Horse Sports Club, 922 W. Crazy Horse Dr., Hutchinson, KS 67502
This meeting is being recorded.

I. Meeting Called to Order

- A. Welcome by Mayor Carol Moore
- B. Pledge of Allegiance
- C. Roll Call by the City Clerk:
 - Council Members Present: Butch Neel, Jeff Jackson, Mark Kerschen, Kenny Nuss, and Brian McElgunn
 - City Clerk: Cindy Dale
 - AZC: Mo Penny
 - FEMA: Loren Frees
 - Guests: Brad Easter, Deb Foss, Lyle Foss, Zane Jackson, Peggy Williford, Randy Miller, Alex Macleod, Dave Thomas, Cheryl Wiggins, and Vickie Nuss

II. Approval of the Agenda as presented.

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

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

- A. Brad Easter requested permission from the council to use his live traps to trap cats that are coming around his home. If he knows the owner of the cat, he will return the cat but if not, he will take the cat to the shelter. He will not be killing any cats. The traps will be in Brad's yard only. Refer to Ordinance 2020-17 Care, Control and Regulations of Animals allow for live trapping of animals. An email will be sent out to the residences to let the public know to keep their cats in the house at night.
- B. Alex Macleod asked about the Ordinances for burning and fireworks. He was told the ordinances are on the website for four weeks for citizen comments. The ordinance is then reviewed by the city attorney, after which it is published in the Hutchinson News and after that time the ordinances will be in force.

IV. Approval of Minutes of March 14, 2022, Regular Meeting with change that Mitch Cramer is a guest to present an overview of the city's insurance policy.

- **Kenny Nuss made a motion to approve Minutes of March 14, 2022, Regular Meeting, seconded by Jeff Jackson. Motion passed.**

V. Reports

- A. Mayor:
 - 1. Mayor wants to address decorum in meetings to eliminate all the chatter during meetings to help the city clerk transcribe minutes. Jeff Jackson brought up that this is the only meeting scheduled for this month, so it is important that council and guests are prepared for anything that will be discussed at meetings.

2. Mayor Moore would like to recognize Herschel Crainer, Tony Gaston, Curtis Crossen, John Bogel and Corby Miller for putting the reflectors on our fire hydrants. Mayor Moore will write a thank you to each of them.
3. A tab will be added to the website documents regarding fire mitigation and coyote problem will be posted.

B. Treasurer – Brian McElgunn

1. Treasurer’s report: March 1-31, 2022

General Fund beginning balance	\$82,509.39
Receipts	7,526.55
Monthly expenses	- 1,782.24
Transfer Alcohol Tax to Park and Recreation Fund	<u>- 386.15</u>
Total Balance March 31, 2022, in General Fund	\$87,867.55
Balance Capital Improvement Fund	80,793.12
Equipment Fund	25,604.73
Parks and Recreation Fund	5,303.39
American Rescue Fund	<u>23,959.64</u>
Total Unencumbered Cash	\$223,528.43

- **Jeff Jackson made a motion to accept the treasurer's report as presented seconded by Mark Kerschen. Motion passed.**

C. AZC Report

1. Mo Penny presented four building permits for approval.
 - Mark Kerschen for secondary structure
 - John and Stacey McDowell for secondary structure
 - Matt and Kelly Graber for secondary structure
 - Ed Beyer for new windows and deck

- **Jeff Jackson made a motion to approve all four building permits, seconded by Butch Neel. Motion passed. (Mark Kerschen abstained from voting.)**

2. Report on engineer’s assessment of roads: James Wagoner, civil engineer with the City of Wichita, rode around city with Butch Neel, Kenny Nuss and Mo Penny. He was pleased with everything that we have done, getting cracks sealed. James Wagoner thought at some point we would need to do an overlay, but we need to continue to do the patching and repairing until we can do an overlay. The council owes Gregg Simms a thank you for inviting Mr. Wagoner over to advise the council. He will be writing an overview of what he viewed and suggestions of how to proceed with the roads. Don Britton from Reno County Works Department also made an assessment of the roads and essentially said the same thing.

3. Violations
 - Violation at Chris Brown’s home, the fence has been repaired. His firewood has been stacked and is cut within the standards allowed by ordinance. He still has a violation on this property on East Snokomo, and fine is still in place.
 - Ed Beckett has cleaned his lot, but the fine is still in place.

4. Mike Engel with PBM will start the first of May on patching and repairing roads and will continue to complete Phase II (budget \$80,000) if asphalt plant stays open. He plans to work

three weeks in a row and four days a week. Only four days a week cause APAC plant is not open on Fridays. He is going to do the circle on Country Club Dr. and continue on Crazy Horse and W. Snokomo. The patching and repair work needs to be done on roads before an overlay may be done.

5. Discussion on a bond issue in next few years on an overlay. Mayor Moore will put this on the agenda for next meeting. Jeff Jackson said he would try to contact someone who writes bonds. The base must be fixed before we can consider an overlay.

VI. New Business

A. Parks and Recreation Committee discussion:

- Vickie Nuss called committee volunteers to come to meeting. How much money does committee have to spend (currently there is \$5,303.39 in Park and Recreation fund which is 50% of Alcohol Tax)? Last year we received approximately \$2,500 from the Alcohol Tax, so we have half of that, and so far this year we have received \$386.15.
- The committee is asked to envision the Park in the future. The committee will not be able to do it all in day one but need to get this started and look to the future of the City of Highlands Park.
- Brian McElgunn is the liaison from the council to the Parks and Recreation. He is going to schedule a meeting with volunteers to discuss how the committee will proceed and have information at next council meeting.
- Vickie Nuss asked what property the committee could consider or if we could buy a lot if they do not think what the city owns now is appropriate. Butch Neel will provide them a map that will show what lots the city owns.
- Peggy Williford asked if the front entrance will still be taken care of even if it is not deemed proper for a park. Water needs to be turned on in front entrance. The entrance maintenance is not part of the Parks and Recreation fund. Peggy Williford and Randy Miller have been volunteering their time to water, pull weeds and maintain the front entrance.
- Brian McElgunn has been checking with other municipalities about what can be funded in Park and Recreation and has yet to find a definitive answer.
- The council can allocate more funds to the park if so approved. Funds designated from the state (50% from the Alcohol Tax) for Parks & Recreation cannot be spent for anything other than P & R.

- B. Concerns about coyotes within the city: Mayor Moore had a discussion with Steve Adams of Kansas Department of Wildlife. Information he provided will be put on our website. Items that he emphasized are: Please do not feed the coyotes, do not leave pet food out at night, be aggressive with coyotes to re-establish a fear. We cannot trap them and relocate them. Please do not feed wildlife. There are also bobcats in our community

VII. Unfinished Business

A. Review of Ordinance 2021-24, (dates and frequency of meetings)

1. The original ordinance was amended to change the meeting days from Thursday to Monday.
 - a. The ordinance allows for the cancellation of a regular meeting in the event of a lack of business to be conducted, in the event of an emergency, inclement weather, lack of access to a suitable meeting place, or insufficient council attendance to constitute a quorum of council members.
 - b. At the conclusion of the first meeting (2nd Monday) of the month, the council will decide if a second meeting the 4th Monday of the month is necessary depending on items to be discussed. If there is a lack of business to be conducted, the meeting will be cancelled.

- c. In the event an item of business becomes apparent and must be dealt with before the next regularly scheduled meeting, a special meeting may be called to discuss that specific item of business.
- B. Revisions to Ordinance 2020-13 (AZC responsibilities): Ordinance 2020-13 will be reviewed at our next meeting to clarify the responsibilities of the AZRC chairperson.
- C. Finalize Ordinance 2022-25 Burn: Mayor Moore sent a copy of ordinance to Bobby White for review, and he made some suggestions for changes in ordinance.
- **Jeff Jackson motion to amend proposed Ordinance 2022-25 Burn and Ordinance 2022-26 Fireworks to incorporate Bobby White's suggestions and post on website for four weeks, seconded by Butch Neel. Motion passed.**

Kenny wondered if we could fly the burn band flag at our front entrance, and if flown, would the city have liability issues on whether the flag is up or not. Brian McElgunn has a meeting with the fire department on another matter and he could ask if we could control who will put up the flag if they will call us and tell us when to put it up and when to take it down.

When the fire officials toured the city, they complimented on the fire mitigation the city has taken to reduce the risk of fire.

- D. Progress report on lot clean-up for Phase I/fines
 - 1. Beckett has cleaned his lot.
 - 2. Workforce cleaned their lots, and they only went back to property line backing up to city property.
 - 3. North property owned by the city will be cleaned up
 - 4. Stroberg cleaned his cedar trees to the south of the city, and he is also going to spray.
 - 5. No one has yet to pay their fines.
- E. Status of Right of Way cleanup
 - 1. 95th St. is done. Trees that have overgrown the right of ways need to be cleared We will need to look at full grown trees that are in ROW. The biggest problems are the overgrown cedars and evergreens.
 - 2. The engineer who reviewed our roads said the root system from the trees in the ROW are a problem and need to be addressed.
 - 3. Costs are a problem with fire mitigation that people incur cutting down the cedars. County burns ten ditches per year and they run out of money.
 - 4. The birds are the problem in spreading the cedars because cedars do not grow back after they have been cut down.
 - 5. Everything we have done is justified by professionals that we are doing the right thing by removing the cedars.

VIII. As may arise

- A. One thing that Dennis Carlton mentioned was education for fire mitigation. Do we want to have a town meeting to discuss fire mitigation? We will be specific on topics and if the citizens have questions, they will need to submit them before the meeting so they can be properly answered.
- B. A fire Captain commented that he will not send firemen into a "deathtrap", that being an entrance but no exit from fire. There are areas like that within the city. We only have exits on the east side of our city.
- C. After the Highlands fire five years ago, only twenty-five people attended the education meeting that was offered.
- D. We could serve a little food and have an educational meeting. We will ask Chief Beer and Steven Adams if they could attend a meeting. Look to schedule meeting in June, a Thursday evening.

- E. How are we going to schedule items that will be discussed besides fire mitigation, things like roads?
- F. Mowing ROW, Butch has volunteered to mow ROW.

- **Jeff Jackson motioned to allow Dixon to mow entrance, free of charge, seconded by Butch Neel. Motion passed.**
- **Butch Neel motioned to hire Dixon to spray around signs and fire hydrants for \$500 each time he sprays, seconded by Kenny Nuss. Motion passed**

IX. Date of next City Council Meeting

- **Jeff Jackson motioned to cancel April 25, 2022, meeting, seconded by Brian McElgunn. Motion passed.**

Next meeting is scheduled for Monday, May 9, 2022 @ 6:00 p.m. at Crazy Horse Clubhouse.

X. Motion to adjourn

- **Jeff Jackson motioned to adjourn, seconded by Kenny Nuss. Motion pass. Adjourned at 7:55 p.m.**