

CITY OF THE HIGHLANDS
REGULAR COUNCIL MEETING
Monday, November 13, 2023, 6:00 p.m.
Crazy Horse Sports Club, 922 W. Crazy Horse Dr., 67502

This meeting is being recorded.

Minutes

I. Meeting called to order - 6:00 p.m.

A. Welcome by Mayor Moore
B. Pledge of Allegiance
C. Roll call of the Council by City Clerk, Bonnie Swenson
Present: Jeff Jackson, Mark Kerschen, Butch Neel, Kenny Nuss
Absent: Brian McElgunn
AZC: Mo Penny
Guests: Jim Humiston, Peggy Williford, Lyle Foss, Christina Gardner

II. Approval of the agenda as presented

- Mark Kerschen made motion to approve agenda; Butch Neel seconded; motion carried unanimously.

III. Public Comment(s) None

IV. Approval of Draft Minutes: Mayor Moore asked for correction of city listed for Engineering Consultants to be Wichita, not Clearwater, in Item VI. A. of the October 9, 2023 draft minutes.

- Jeff Jackson made a motion to approve the draft minutes with this correction; Kenny Nuss seconded; motion carried unanimously.

V. Reports

A. Mayor - None

B. Treasurer

1. Mark Kerschen reviewed the October 2023 financial report.

General Fund Beginning Balance 10-1-2023	\$ 48,227.23
Deposits/Receipts total	4,735.18
Disbursements total	(28,323.03)
General Fund ending balance 10-31-2023	24,639.38
Capital Improvement Fund	175,793.12
Equipment Reserve Fund	25,604.73
Parks and Recreation Fund	7,952.23
American Rescue Fund	<u>41,419.28</u>
Total 10-31-2023	\$275,408.74

- Jeff Jackson made a motion to approve the treasurer's report as Mark presented; Kenny Nuss seconded; motion carried unanimously.

2. Approval of invoices

- a. Gatehouse Media – publishing Charter Ordinance No. 09 - \$374.28
- b. Welborn Sales – 5 No Hunting signs - \$243.60
- c. Reno Co. Utilities - \$70.21
- d. Powered by ME – street repair - \$32,752.50
- e. Fincher’s Findings – Welcome Committee refrigerator magnets - \$377.74
- f. League of Kansas Municipalities – 2023 City forum dinner, Butch Neel - \$20.00
- g. Mullen Landscape & Irrigation – front entrance island plantings - \$2,539.59
- h. Brad Easter – reimbursement for supplies for front entrance work - \$66.01
- i. Carol Moore – reimbursement for EMS card printing - \$90.66
- j. Pools Plus – reimbursement for SWS Plumbing and Western invoices – front entrance - \$181.53
- k. Peggy Williford – reimbursement for front entrance decorations - \$37.71
- l. Southeast Sand – rock for front entrance - \$2,635.00
- Jeff Jackson made a motion to approve the payments; Butch Neel seconded; motion carried unanimously.
- A second motion was made by Jeff Jackson to pay the invoice from Southeast Sand as soon as it is received for rock at the front entrance; Mark Kerschen seconded; motion carried unanimously.

3. First National Bank accounts – Mayor Moore stated that cities are not allowed to put money in credit unions, due to not being FDIC insured, and they cannot invest in mutual funds, per the League of Kansas Municipalities and state regulations. The council discussed and decided to move funds from the Money Market account and checking to a nine-month CD at First National Bank that could earn 5.25% and leave the checking account at First National Bank.

- Jeff Jackson made a motion to make this move; Kenny Nuss seconded; motion carried unanimously.
- Mayor Moore will follow up on this transaction.

C. AZC

1. Items for discussion and review:

- a. Road repair – work on 30th St. is not using the same asphalt as used for our street repairs. Powered by ME will be out this week to do more work.
- b. Lyle Foss – secondary structure permit, 30’ x 40’. Lyle is waiting for the state to approve the warranty deed combining lots so he can begin construction.
- Jeff Jackson made a motion to approve this permit contingent on the warranty deed being approved by the state; Mark Kerschen seconded; motion carried unanimously.
- c. Steve Swartz (Michael) – 10020 Paganica Pass, no fee permit to install black chain link fence on property. Mo is checking on setbacks for the fence.
- Jeff Jackson made a motion to approve this permit; Kenny Nuss seconded; motion carried unanimously.
- d. Steve Swartz – secondary structure permit for 10020 Paganica Pass – waiting on paperwork.
- e. Logan Gray – bank required an address (10410 Seneca Lane) to continue the paperwork for a primary structure. Would like to start building in January 2024.
- f. Nathan Dewitt – in the process of clearing his lot for preparation of building a primary structure. Recommend 10697 East Snokomo Road for address.

g. Wayne Johnson – 10505 West Snokomo Road – contacted Mo regarding building secondary structure in 2024.

h. Robert Kenyon – purchased lot east of Corby Miller on Dull Knife Road. Contacted Mo regarding building primary structure in mid-2024. Recommend 980 Dull Knife Road for the address.

2. Placement/location of “No Hunting” signs – the signs will say “No Hunting in The Highlands” and will be placed as soon as the posts are purchased. All locations have been approved by Dig Safe and marked.

D. Parks and Recreation Volunteer Committee – Peggy Williford reported that they are waiting for equipment to arrive to begin work on Paganica Park. The sprinkler system has been winterized and the hydrant is working so that water can be manually provided for the new trees in the entrance island. The “dream” for the new park would include items such as leveling the ground, community shelter with unisex bathroom, playground equipment, parking lot area, gazebo, and a walking path. The AT&T fence has been removed. They will be working on Christmas decorations soon, including the possible purchase of new wreaths and twinkle lights. Peggy asked to be reimbursed for purchasing the pumpkins and mums for the front entrance.

- A motion was made by Jeff Jackson to approve reimbursing Peggy Williford for the decorations for the front entrance; Mark Kerschen seconded; motion carried unanimously.

E. The Highlands Volunteer Welcome Committee – all refrigerator magnets and EMS cards have been delivered to the residents.

VI. New Business

A. Grant opportunity with Kristen Zimmerman – Mayor Moore provided an update that our request for a grant is being evaluated to see if we would qualify for a federal grant opportunity with Environmental Finance Center. Ms. Zimmerman has sent our information to Professional Engineering Consultants; upfront expenses could be \$10,000 to \$20,000. Mayor told her roads would be our top priority, with parks and recreation next. They are civil engineers that could be a good resource to help with the drainage issues.

B. City attorney – Stan Juhnke will be retiring at the end of the year due to health reasons. We have a lead for a replacement – Mark Tremaine has offices in Sterling and Lyons. He is the City attorney for South Hutchinson, leads the criminal justice department at Sterling College, and has several years of experience in municipal law. Mayor Moore asked for suggestions of other names from the council. The council wants to pursue hiring Mr. Tremaine as soon as possible.

- Jeff Jackson made a motion to ask Mr. Tremaine if he would be available January 1, 2024, to be our City attorney; Mark Kerschen seconded; motion carried unanimously.
- Mayor Moore will contact Mr. Tremaine as soon as possible.

C. Discussion – history of sprinkler system at front entrance. Mayor Moore has concerns of citizens having to manually water the new trees during the winter and wanted to know the reasons for the underground sprinkling system not working in the entrance island to take care of this.

- Mayor Moore will follow up with Brad Easter to arrive at a solution that will make the required watering easier for all parties involved.

- D. Speeding issues – concerns have been expressed regarding citizens speeding coming into and out of The Highlands.
 - After discussion, Kenny Nuss will talk to Sheriff's office deputy, Erik Lutz, to request a presence of law enforcement to attempt to slow the speeders down.
- E. Election results

Mayor Moore congratulated Lyle Foss and Christina Gardner on their election bid for the two open council seats. They will begin their terms January 1, 2024.

Mayor Moore began discussion on how we should move forward on developing an ordinance to regulate short term rentals. She has reviewed a few ordinances of other cities such as Wichita and Lawrence and will send those to council members for their input. We must be able to enforce the ordinance. Will we require a license or permit, and other questions were discussed.

 - City Clerk will send out mass email soliciting residents to assist on a volunteer short term rental committee to represent both sides in developing the new ordinance.
- F. Website report – City Clerk reviewed website traffic statistics and suggested that it was time to improve the website so that it can be more attractive, navigable, and able to support the additional postings of being the official City newspaper. The council agreed that we should start looking at improving the website to make it more professional.
 - City Clerk will obtain information on services and quotes from website developers for municipal websites.

VII. Unfinished Business

- A. Report – Charter Ordinance No. 09 has been published in The Hutchinson News, posted on our website, and a completed copy sent to the Secretary of State.
- B. ROW report
 - 1. Closing out the year
 - a. Lot boundaries – there are some lots that need to have the lot lines identified so that follow up letters are not sent out in error. The City will need to do the dead-end roads.
 - Kenny Nuss will contact a person that can do the accurate staking of lot boundaries.
 - b. Letters –
 - 1. Review draft of non-compliance fine letter – Kenny reviewed the 2022 fine letter, and asked the other council members to review it to see if there is anything else that should be included. He would like to do one more drive-through prior to sending any letters out and wait until the first of the year to send them by registered mail. Landowners that have complied will be taken off the list. Kenny would also like to solicit more citizens to participate in the ROW committee.
 - 2. Education letter – was a good overview communication piece for residents that are new to The Highlands.
 - c. Culvert clean out status – engineers will assist in this process.

- ## **VIII. As may arise:**
- Mayor Moore requested that the result of Section VIII. B. in the October 9, 2023 minutes be noted in these minutes - Jeff Jackson did not purchase any land on Monroe at the Reno County tax auction. It went for a higher price, was not platted and there are no utilities on it. The City will need to clean up the ROW on Monroe.

IX. Dates for next City Council meeting

- A. November 27, 2023
- B. December 11, 2023, 6:00 p.m.
 - Jeff Jackson made a motion to cancel the second November meeting and proceed with the December 11 date; Kenny Nuss seconded; motion carried unanimously.
- C. Agenda items for next meeting
 - 1. First National Bank transaction for moving funds to CD.
 - 2. Website update.
 - 3. Sprinkler system update.
 - 4. Speeding issue results.
 - 5. Short Term Rental volunteer committee and ordinance update.
 - 6. ROW committee – need more volunteers to assist.
 - 7. Butch Neel and Brian McElgunn – bring City Officials manuals, with updates, to December meeting.
 - 8. City attorney update.

X.

- 2023 Goals continued from 2022 Goals
- 1. Develop long-term plans for roads (obtain estimate from civil engineer) (completed)
 - 2. Identify what needs to be done with roads this year (short term) (completed)
 - 3. Identify drainage concerns
 - 4. Establish Parks & Recreation committee (completed)
 - 5. Continue with vacant lot clean-up
(2021-22 goals: Road repairs, vacant lot clean-up, signage [completed], future drainage concerns.)

XI. Adjournment - 7:32 p.m.

- Jeff Jackson made motion to adjourn; Butch Neel seconded; motion carried unanimously.