

**CITY OF THE HIGHLANDS**  
REGULAR COUNCIL MEETING  
Monday, 5:00 p.m., February 13, 2023  
Crazy Horse Sports Club, 922 W. Crazy Horse Dr., 67502

This meeting is being recorded.

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**Minutes**

**I. Meeting called to order - 5:00 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

Absent: Brian McElgunn, Kenny Nuss

AZC: Mo Penny

Guests: Tom Twigg, Randy Parks (Reno Co. Commissioner), Jim Humiston,  
Steve Swartz, Kim Theede, Loren Frees

**II. Approval of the agenda as presented**

- Butch Neel made motion to approve agenda as presented; Jeff Jackson seconded; motion carried unanimously.

**III. Public Comment(s)** Mayor Moore acknowledged the attendance of Randy Parks, Reno County Commissioner.

**IV. Approval of Minutes:** January 9, 2023 regular meeting

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

**V. Reports**

A. Mayor

1. Resident concern brought to her about having Airbnb's in the City. Need to look closer at City Ordinance 2020-18 that states no commercial business is to be allowed in The Highlands, as well as a garage not being made into living quarters - both of these ventures are present now within the City. Will need to address in near future.

B. Treasurer

1. Mark reviewed the January financial report numbers; Jeff Jackson went over the new format which is a monthly year to date format and how it totals to bank

accounts, including a list of checks written. Are reconciling fund balances to bank balances month to month, so an annual outside audit is not necessary.

General Fund Beginning Balance 1-1-2023	\$ 7,181.88
Deposits/Receipts total	63,116.65
Disbursements total	(7,388.79)
General Fund ending balance 1-31-2023	62,909.74

Capital Improvement Fund	140,793.12
Equipment Reserve Fund	25,604.73
Parks and Recreation Fund	7,043.60
American Rescue Fund	<u>47,919.28</u>
Total 1-31-2023	\$284,270.47

- Jeff Jackson made motion to approve the treasurer's report; Butch Neel seconded; motion carried unanimously.

Accounts with Heartland Credit Union and First National Bank: discussed moving the HCU account to FNB.

- Mayor Moore will follow up on this transaction.

- Jeff Jackson made motion to move HCU account to FNB; Butch Neel seconded; motion carried unanimously.

## 2. Approval of invoices:

LOKM Sales Tax Webinar (Bonnie attended) - \$25.00

Crazy Horse Sports Club (6 mos. rental) - \$600.00

Powered by ME - tarring - \$7,140.00

Will have invoices coming soon for Local IQ (Hutch News) for financial publication - \$119.25; WIX - website domain renewal - \$47.70; LOKM for 2023 Local Government Law book - \$225.00. Need to do some research on how invoices can be paid between meetings efficiently if due prior to next meeting.

- unsure who is doing follow up.

- Jeff Jackson made motion to approve payment of invoices and do research on how invoices in between meetings can be paid; Butch Neel seconded; motion carried unanimously.

## C. AZC - Mo Penny

1. Update on road repairs - tarring is complete. Mo estimates \$100,000 to \$150,000 for next two years to get everything repaired. No answer from Jon McDowell for northwest exit access.

2. Status of permits/inquiries - Doug Hester on Golden Arrow is looking at building. Dan Brace purchased the south end duplex, wants to put up fence which is a no cost permit. Ark Valley Electric will be putting in poles along Paganica Pass down to the Yeakel's, no permit required. Culvert for Mike Neustrom on Dull Knife was brought up due to his new shed to be built. Discussed how to get ditches cleaned out as fiber is being run. Jeff suggested talking to PBM about doing culvert work.

- Jeff, Mo and Mike Engel (PBM) will have a discussion on culvert work.

D. Parks and Recreation Committee - nothing to report.

E. Welcome Committee - 2023 directory update is complete, but not to printer yet. Kim Theede reported that they had good results calling people randomly for updates. Only have four outstanding payments to collect for directory advertising.

## **VI. New Business**

A. Ark Valley Electric charges for entrance - Butch reported that the description of entrance lights, water well and siren is a typo on their part, should be just entrance lights. They have Highlands as 3 phase, and will be returning to 1 phase. Sprinklers at entrance are on county water and will be putting in an underground valve.

- Butch will follow up with AVEC on the billing statement status.

B. AVEC/Evergy service discussion -

Resident Steve Swartz discussed his research on differences between AVEC and Evergy, net metering for solar power and costs per KWH. Encouraged City to pursue further conversation with Evergy so that residents can take advantage of potential tax credits. Mayor Moore shared the state statute information and that Kansas Corporation Commission must approve any changes.

➤ Jeff Jackson made motion to contact Evergy to discuss and invite to next meeting; Mark Kerschen seconded; motion carried unanimously.

- Mayor Moore will follow up with Evergy to invite a company representative to next meeting to learn more.

C. Resolution adopting Reno County Fire Ordinance - Mayor Moore presented copy of an resolution that Stan Juhnke wrote for the City of Partridge to incorporate the burn ban resolution the county adopted for Reno County. She asked if The Highlands could rescind the ordinance that is now in effect for The Highlands and adopt the resolution of Reno County. Randy Parks will find out if the county's is still a resolution or an ordinance. A Reno County permit is good for the calendar year and will be available on their website once the bugs are worked out.

- Jeff Jackson made motion to ask Stan to write an ordinance to rescind the Highlands Ordinance 2022-25 and adopt a similar resolution to Partridge's; Mark Kerschen seconded; motion carried unanimously.
  - Mayor Moore will follow up with Stan on writing resolution.

D. Updating the City calendar/monthly guide -

January - publish year-end actual financials, not budget.

February - delete budget items.

May - add budget items; Parks and Rec and Welcome Committees to recruit their own committee replacements.

December - Mayor Moore would like to look into hiring a contractor to put up Christmas lights at entrance but will depend on if the large tree survives (needs to have fungicide applied every May).

E. Goals for 2023 -

Continue with vacant lot cleanup, drainage concerns and road repairs.

## **VII. Unfinished Business**

A. ROW update and status report

1. Hendrick street cleanup - Resident Tom Twigg owns lots between Snokomo and Hendricks. Due to the amount of debris in this area, he asked the council for more time to complete the cleanup since there is a large amount of concrete that will need to be broken up before discarding. Council was agreeable to his request. Jeff stated that Hendricks cleanup is done as far as he was concerned - what is left is removal of large trees that will need to be done by a contractor such as Royer's, possible abandonment of the street making re-platting necessary so deed work can be done for future resale and making them buildable again. Will table the abandonment discussion until a surveyor is contacted on how to proceed.

2. Discussion regarding commons area on Country Club Drive - postponed to next month's agenda due to Kenny Nuss' absence.

3. Terry Wall properties conversation and update - postponed to next month's agenda due to Kenny Nuss' absence.

4. Golf Club cleanup plan - postponed to next month's agenda due to Kenny Nuss' absence.

B. Drainage/culvert project discussion (2022 goal #3) - Jeff stated that the City needs to hire a contractor to be able to start using the ARPA funds. A project needs to be identified soon so that City can move forward on this.

C. County/township visit/discussion - Jeff talked to Angie Davenport on the township board to start discussion on getting drainage on Monroe and 108th. Mayor Moore visited with Don Britain at Reno County Public Works, and he took the water issue off his agenda.

- Jeff will follow up with Ms. Davenport.

#### **VIII. As may arise**

Mayor Moore presented correspondence she received from the Gardner's regarding the tree trimming they feel was done in error on their Right of Way. They were offered trees to replace the ones trimmed but did not accept. Mayor Moore asked for direction on how to respond to them - council suggested asking them what they think is fair and what do they want the City to do. The trees in question are not on private property and presented a traffic hazard, they are within the 30 feet ROW. The Gardner's signed for the initial ROW cleanup letter they received on May 18, 2021.

- Mayor Moore will respond back to Gardner's asking what they would like City to do.

#### **IX. Date for next City Council meeting**

A. February 27, 2023 -

- Jeff Jackson made motion to cancel this meeting; Butch Neel seconded; motion carried unanimously.

B. March 13, 2023, 5:00 p.m. - need to be finished before 7:00 p.m. due to fire department inspection.

C. Agenda items for next meeting:

1. Street abandonment discussion - who does deed work?
2. ROW topics due to Kenny Nuss' absence at February meeting.

#### **X. 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 goals: Road repairs, vacant lot clean-up, signage [completed], future drainage concerns.)

#### **XI. Motion to adjourn - 6:46 p.m.**

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