

City of The Highlands
REGULAR COUNCIL MEETING
Monday, 6:00 p.m., July 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, Brian McElgunn, and Kenny Nuss.
 - Council Member absent: Mark Kerschen
 - City Clerk: Cindy Dale
 - AZC: Mo Penny
 - Guests: Joey Dean

II. Approval of the Agenda as presented.

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

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

IV. Approval of Minutes: June 13, 2022, Regular Meeting

- **Approval of Minutes of June 13, 2022, Regular Meeting, Jeff Jackson motioned to approve minutes, Butch Neel seconded. Motion approved.**

V. Reports

A. Mayor:

- 1. Mayor Moore visited with Fire District 3 regarding a flag pole at the entrance to the City for the purpose of flying a red flag warning during high fire risk. Because they are a volunteer service they cannot guarantee consistency of flying a red flag and they don't want citizens to rely solely on a red flag. Citizens should follow our ordinance.

B. Treasurer:

- 1. Current Financial Report: Month of June 2022
 - Income: \$60,852.94. This includes \$23,859.64 in American Rescue funds
 - Expenditures: \$3,922.69, this includes Stan Juhnke \$310 in legal fees; Wayne's Printing \$984.50.
- 2. Invoices to pay from Stutzman Refuse for the roll-off used for city clean up and reimbursement to Mo Penny for the cost of purchasing the road hazard cones.

- **Jeff Jackson made a motion to accept Treasurer Report as presented, seconded by Kenny Nuss. Motion passed.**

C. AZC Report

- 1. Road hazard cones are stored at Mo Penny's house
- 2. No cost building permit for building a fence by the Deans. They are taking possession of house on August 1, 2022. The permit will be approved on proof ownership

- **Jeff Jackson made a motion to approve building permit for fence with contract of purchasing the home, seconded by Butch Neel, motion passed.**

3. Chris Brown requested if he could pour his slab for his secondary structure, the council cannot approve it per Ordinance.
4. A warranty deed is required to combine lots This deed contains the verbiage as required per ordinance and must be completed before a secondary structure can be built. If you sell your home, you must sell your secondary structure also. Warranty deed form will be on city's website.
5. Report on road abandonment – Mayor Moore discussed issue of road abandonment with our attorney and he recommended to put it on hold for now.

- **Jeff Jackson made a motion accept our attorney's recommendation on abandonment of roads, seconded by Brian McElgunn. Motion passed.**

6. On Country Club Drive there is a dead tree hanging over the road. How should this situation be handled? Gene Buxton said he would take down the dead limb.

VI. New Business

- A. Discussion on solar energy ordinance.

1. Mayor Moore wrote a rough draft of a solar energy ordinance. There are a few residents that have a few solar panels already. With our power company we must buy back energy from the power company.
 - Check IBC on solar requirements
 - Invite a solar company to next meeting.

- **Jeff Jackson motioned to table solar energy ordinance for now, seconded by Brian McElgunn. Motion passed.**

- B. Regional Hazard Mitigation Plan

1. Ask Loren Frees and Butch Neel if they would attend meetings.

- **Jeff Jackson motioned that we participate in the Regional Hazard Mitigation Plan, seconded by Butch Neel. Motion passed.**

VII. Unfinished Business

- A. Report from ROW committee

1. The committee (Kenny Nuss, Brian McElgunn, Kim Swafford, Tom Dobson[absent] and Loren Frees) met. Discussed what will be the next step.
2. The best way to communicate to all lot/homeowner is via a letter describing the problems in the ROW and include copy of examples of the problems, example 10' from edge of the road. Some ROW's are 30' and other 40'.
3. City Clerk will send letter to all homeowners/lot owners and pictures of examples.

- B. ROW/other vegetation spraying: Jeff Jackson has sprayed 95th and will be spraying more when weather allows.

- C. Drainage/Culvert updates (2022 Goal #3)

1. Butch and Kenny will drive the city and identify the ditches that need to be cleaned up and check culverts condition

- 2. Butch and Jeff will get bids from contractors for opening culverts. First, we need to survey the city. Culverts are hard to find. Call Alpha about surveying.
- D. Progress report on lot clean-up for Phase I and II (2022 Goal #5). Send Phase II letter to Alere, Ratzlaff, Wall and McCormick along with ROW letter.
- E. Front Entry/Park update, committee has not met. Jeff has sprayed this area.
- F. Participation in Reno County 150-year celebration: Thursday, August 18, 2022, in conjunction with activities with 3rd Thursday. The city will participate with Crazy Horse Golf Club. They will have chipping and putting; logo balls; cornhole; Crazy Communications information; drawing for 18-hole golf including a cart (foursome); Highland writing pads; map of City of The Highlands. Mayor Moore is requesting members of the council to help staff our activities. Kenny Nuss suggested checking with the Welcoming Committee for their help and offered the use of the Highlands flag. Will look into having a City of The Highlands banner made—more details forthcoming.
- G. Kenny Nuss mentioned the question of who is responsible for the tree if it hangs over a neighbor's roof. The origin of the tree is the trunk and the owner of the lot that contains the trunk of that tree is responsible for maintaining the tree. The other homeowner has the right to remove limbs off roof.
- H. Final approval of Ordinances 2022-27 and 2022-28, they have been on website for over 4 weeks and there have been no citizen comments. A summary of both ordinances will be published in *The Hutchinson News*.
 - **Jeff Jackson motion to approve Ordinances 2022-27 and 2028, seconded by Butch Neel. Motion passed.**
- I. Resolution 2022-0074 in Minutes of May 9, 2022, it was motioned and seconded, that the city will designate 4.7 acres at entry way for the park for our city.
 - **Kenny Nuss motioned that we approve Resolution 2022-0074 that we designate 4.7 acres at front entrance for a park, seconded by Jeff Jackson. Motion passed.**
- J. Kenny Nuss brought up that we may want to contact realtors to inform new owners of what is happening in the city.

VIII. As may arise

IX. Date of next City Council Meeting

A. Schedule for next meeting

- **Jeff Jackson motioned to cancel meeting the meeting on July 25, 2022, and next meeting will be scheduled for August 8, 2022 @ 6:00 p.m. and Special Budget meeting August 8, 2022 @ 5:30 p.m., seconded by Butch Neel. Motion passed.**

B. Agenda items for next meeting solar ordinance, letters mailed to owners.

X. Motion to adjourn

- **Jeff Jackson motioned to adjourn, seconded by Butch Neel. Motion pass. Adjourned at 7:43 p.m.**