

CITY OF THE HIGHLANDS
THURSDAY, JANUARY 23, 2020
REGULAR COUNCIL MEETING MINUTES

Held at: *Nickerson City Hall*

15 N Nickerson Street

Nickerson, KS 67561

Time: 6:00 P.M.

1. Call Meeting to Order - Pledge of Allegiance - Roll Call

- A. Mayor or Council President Will Call the Meeting To Order:** Mayor Mo Penny called meeting to order
- B. Lead in the Pledge of Allegiance:** Mayor Mo Penny led Pledge of Allegiance
- C. Welcome to those in audience: Mayor:** Welcomed those in attendance.
- D. Take Roll Call:** Mayor Mo Penny took roll call. Bonnie Teel, Mark Kerschen, Butch Neel, Robert Bowman, Carol Moore. All Present.

2. Agenda

- A. Adopt the Agenda as presented. Motion to approve agenda as presented**

Motioned: Carol Moore

2nd: Robert Bowman

Passed 5-0

3. Public Comments

- A. When your name is called from the sign-up sheet - please rise and state your name and address and limit your remarks to not more than 5 minutes. (*please follow open forum rules*)**
- B. Request from Peggy Williford to address council (no topic given):**
Peggy noted that dogs were once again running loose on Golden Arrow and continuous loud barking was bothering nearby neighbors. City council let her know a ordinance was being worked on for Animal control.

4. Reports

- A. Mayor Reports (not already addressed on Agenda):** Mo Penny reported possible candidate for the clerk position had a previous commitment and could not make it to the meeting.
- B. City Clerk report (not already addressed on Agenda)** NA
- C. Sub-Committees reports (not already addressed on Agenda)** Bonnie Teel reported we received tax income for the city in the amount of \$57,904.23 and has been deposited in the bank.

5. Council Member Requests

- A. Council Member Request for Information:** NA

6. Consent Agenda

(Items considered routine for approval. If any Council member or person in the audience would like further discussions or explanation of any item they may ask that it be removed from the consent agenda for additional consideration).

- A. Approval of Minutes January 9,2020 (already sent)**
- B. Approval of Minutes for Council Workshop January 13, 2020 (already sent)**
- C. Approval of Minutes for Council Workshop January 15, 2020 (already sent)**
- D. Approval of Minutes for Council Workshop January 20, 2020 (already sent)**

Minutes not approved yet and would be tabled until the next meeting.

- I. Vouchers (bills or payments owed by the city). (None given prior to the time Agenda was prepared)** Vouchers presented Liability Insurance for the City in the amount of \$1960.00 for the year 2020 and Attorney Fee for Randall Henry in the amount of \$122.50.

Action - Motion to Approve Vouchers presented.

Motioned: Butch Neel

2nd: Robert Bowman

Passed 5-0

7. Unfinished- Old Business

- A. Tabled 1-9-2020 - Status on Applicants for City Clerk Position:** At the present time the City has no applicants.

B. Tabled 1-9-2020 – Status of Contract Agreement with Stan Juhnke Attorney at Law for 2020 City Attorney Position. (Document shall be designated as Exhibit A attached to formal Resolution.) (Holding approval/non-approval of Resolution until exhibit is reviewed, approved and signed by both parties.)
All requests must be requested in writing with verification of services requested.

Tabled till next meeting. Butch will contact Stan to make appropriate changes to the letter which will gives more clarification in serving the city.

C. Tabled 1-9-2020 - Revision of AZRC Form Robert Bowman presented. Was determined additional changes were required and was to be presented at 1-23-2020 meeting. **(new form attached for your review)** There was one question about one of the items that may be subjective. After discussion council felt it would be okay to leave in.

Action – Motion to approve new form for AZRC information gathering to be used by AZRC until amended or replaced by Council.

Motioned: Mark Kerschen

2nd: Butch Neel

Passed 5-0

D. Definition of “Hardship” for BZA – include in Ordinance 2019-12 amendments. (Robert Bowman sent out prior to 1-9-2020 Agenda)

Tabled till next meeting: Robert suggested to leave as is in the ordinance. After discussion the council thought it might be good to check with the League of Municipalities before a decision is made. Robert will contact the League and report back next meeting.

E. Tabled 1-9-2020 - Status update - of date and location for the BZA members Training provided by Robert Bowman (Res 2019-0020)

After discussion council decided it would be in the best interest to train new members when an appeal has been presented to the council. That way it would be fresh in their minds for an actual appeal.

F. Amend/Repeal and Replace Ordinance 2018- 01 AZRC as an active committee of one (sent out prior to meeting)

Waiting on a new clerk so this can be updated in the ordinance.

G. Status of Bonding for treasurer. (Ord 2018-04): Mark Contacted EMC Insurance and the bond for the treasurer is not do till May.
Needs to be put on calendar as a reminder.

H. Request by Mayor Penny to consider changing council meeting dates or council considered changing time. f approved must Amend Ordinance 2018-06 - meeting dates for City Council Meetings (provided to council at 1-9-2020 meeting)

Tabled till next meeting. Robert will check with the League of Municipalities if there are any problems associated in making changes to meeting dates and times before a decision is made.

I. Adoption of League of Kansas Municipalities “Code of Procedure for Kansas Cities”. (attachment was sent with 1-9-2020 Agenda for your review)

- I. If so moved need to approve by reference City Ordinance
- II. Purchase copies for Governing Body, and any subcommittee members that are established. Price per booklet \$7.50

Action - Motion to approve the League of Kansas Municipalities “Code of Procedure for Kansas Cities” as The Highlands operating procedures and statutory requirements for governing body meetings.

Motioned: Bonnie Teel

2nd: Carol Moore

Passed 5-0

J. Appointment of Council President to prepare meeting Agenda’s and create a procedure for Council members and residents to put issue on the agenda. Cutoff date will be Friday before next meeting. Additional agenda items could be added at the meeting if not presented before cutoff if approved by the council.

Action: Motion to nominate Council President Bonnie Teel to prepare meeting Agenda’s for 2020.

Motioned: Carol Moore

2nd: Robert Bowman

Passed 5-0

K. Present Service Agreement from Scott Lloyd, CPA to provide 2019 YE Financial Reports for publishing as stated by K.S.A. (see Attachment)

Action - Motion to approve service agreement from Scott Lloyd CPA for stated services.

Motioned: Mark Kerschen

2nd: Butch Neel

Passed 5-0

L. Tabled 1-9-2020 - "Standard Traffic Ordinance". Determine action to be taken.

Tabled to workshop on 2/6/2020 9:00 AM at the Crazy Horse Clubhouse.

M.Tabled 1-9-2020 - "Standard Offense Ordinance". Determine action to be taken.

Tabled to workshop on 2/6/2020 9:00 AM at the Crazy Horse Clubhouse if time dictates.

N. Oath to newly appointed BZA board members – if not already completed by Mayor. Mayor has completed oath for Barbara Bowman but oath needs to be completed for other two members.

Oath needs to be completed by Mayor Mo Penny. Certificates need to be given to Mark to keep on file and sent to Reno county as a courtesy.

8. New Business

A. Submitted to Council for action that the position description in 2018-03 Section 3, 4 and 5 be considered the new job description for the City Clerk with potential additions in future.

Action – Motion to approve 2018-03 Sections 3, 4 and 5 as the new job description for the City Clerk

Motioned: Carol Moore

2nd: Robert Bowman

Passed 5-0

- B.** Submitted to Council for action: that the Council members volunteer to lead Action Areas that need special oversight and responsibility. That a second council member or the Mayor may be asked to serve as a back-up to the leader. The purpose of a back-up member is to insure cross-training in key areas and to protect the city in case of a position vacancy. These Action Area's and Council Volunteers will be posted on the City Website.

Action – A motion to approve the request for volunteer council members to lead special Action Areas that need oversight and responsibility and that a second member will be asked to serve as a back-up to the leader.

Motioned: Bonnie Teel

2nd: Butch Neel

Passed 5-0

Action: Motion to approve a Workshop to discuss Standard traffic ordinance and Standard Offense Ordinance as time allows on 2/6/2020 9:00 AM at the Crazy Horse Clubhouse.

Motioned: Bonnie Teel

2nd: Butch Neel

Passed 5-0

C. Discussion Items

- I. With the amount of new Ordinances and Procedures needed this year it has been suggested that the Council divide the work among council members to create a draft of these ordinances and to discuss draft ordinances at a Council Workshop meeting so as to give adequate time to determine content of these Ordinances.
 1. Need to create Land Use Ordinance ***high priority***
 2. Procedures for who and when can discuss City matters with the City Attorney or other specialized Attorney Services where City will be charged a fee.
 3. Create Ordinance for Establishment of City Enforcement Officer as Contract Labor.
 4. Nuisance Ordinance Process & Procedures for Enforcement
 5. Sample Animal Ordinance submitted by Robert Bowman **(sent out by email to council)**
 6. Municipal Court Establishment Ordinance
 7. Resolution & Contract Agreement for City Enforcement Officer—

Tabled to be worked on during workshops and meetings as time permits.

- II. **Tabled 1-9-2020: Discuss possibility of bringing in Wichita City Attorney for KOMA and KORA training for City Governing Body and committees.**

Action: Tabled to next meeting. Bonnie to check on cost of training and present back to the council.

- III. **Tabled 1-9-2020: Grieg Simms wants to donate a Flagpole at entrance on City Property. (No Attachments Available at time Agenda was prepared)**

Tabled to next meeting where Greg Sims could give more information to the council.

- IV. **Tabled 1-9-2020: Chris Brown inquired about an address for empty lot on Country Club Drive. *No building permit application for location***

Tabled to next meeting. Mark will talk to Chris Brown and suggest for him to make an application for a permit. City needs to review and assign addresses to empty lots that are in proper sequence.

- V. **Tabled 1-9-2020: Update Status of combining Lots (Lot consolidation Deed sample proved by Attorney for review. (Form was disbursed at 1-9-2020 meeting)**

Warranty Deed that was provided raised questions about the easement between lots to ensure that once lots were combined and that easements are vacated. Deeds then needed to be put on file to ensure lots cannot be separated once combined.

Tabled to next meeting. Robert will get more information and present to council at the next meeting.

D. Information Items

- I. Request to have City receive donations for special community projects – **Not currently City Sponsored or Funded. (No Attachment Available at time Agenda was prepared)**

Discussed donations for the sign at city entrance that Vickie Nuss is working on. Bonnie brought up that the city would have to make sure there is a paper trail for

tax deductions and filed properly with the city to ensure compliance for each donation.

Tabled to next meeting. Vickie will bring more information so the item can be discussed further including material, cost, proposal and dates as needed.

9. Executive Session

A. (By motion only if needed)

10. Adjournment

Action – Motion to approve adjournment of the meeting

Motioned: Carol Moore

2nd: Butch Neel

Passed 5-0