

**MINUTE RECORD**  
**Regular Council Meeting City of Haven**

**Meeting: REGULAR**

**Date: November 2, 2009**

**THE CITY COUNCIL MEETING IN REGULAR SESSION WAS CALLED TO ORDER AT 7:00 PM BY CODY R. LITTLESTAR, MAYOR WITH THE FOLLOWING COUNCIL MEMBERS PRESENT:**

**Council Member: Don Ford**

**Council Member: John Mitchell**

**Council Member: Paula Scott**

**ABSENT: Council members, Jeff Stringer and Amy Hirst.**

**Others: Sonia Yutzky, Leslie Warden, Allen Blake, Allen Andresen, Lloyd Schmidt, Ron Boese, Carol Boese, John Bogle, Diane Bogle.**

No additions to the agenda were requested, and no public comment was provided.

**Water Mains for Allen Addition:**

Lloyd Schmidt addressed the council regarding plans for water mains for the Allen Addition. He provided a handout displaying the plans (or at least a portion of them), drawn up by an engineer Schmidt hired. Basically, the plans call for a 6" water line to go in from the public drive on Haven Buhler Road to 1<sup>st</sup> Street. The engineer bid the job with the installation of two fireplugs, though Schmidt thought one would be sufficient. He added that he thought it would be best for the line to be installed in such a way that it can be looped, either now or at a future date if necessary. Schmidt's engineer bid the project at \$38,000, but even Schmidt admitted that the engineer's plans did not seem ideal.

City administrator, Allen Blake, agreed it would be ideal to loop it from both ends. All seemed to agree that a fireplug should be installed at a dead end (if there is one) so that the lines can be flushed. Blake didn't see anything wrong with the way the plan was engineered, but pointed out that right now we are about eighteen months away from the water project. Therefore, including Schmidt's plans as part of the water project may not be an option if he wants it done sooner. Schmidt had no length of time in mind for developing the addition but did think he would want it done before the water project. Blake said he would have the engineer look at Schmidt's plans.

**Color By Design / Ordinances 381 & 492**

At 7:20 PM, John Bogle of Color By Design addressed the Council. He delivered a brief history of Color By Design's presence in Haven and then talked specifically about receiving a Notice of Violation on October 22, 2009. About four to five months prior to receiving the Notice, Blake contacted Mr. Bogle regarding the violations, and Bogle said he began working towards compliance. Bogle was cited for his accumulation of "junk" / unused vehicles, a violation of Ordinance 381, and the use of semi-trailers as storage, a violation of Ordinance 492.

Bogle contended that on July 6, 2009, Color By Design purchased raw materials and a customer base from a company in El Dorado. The raw materials had to be removed by July 28, 2009, and naturally, this undertaking greatly stressed the company's space and abilities. This is why they began renting 305 W. Main from Ron Boese and used trailers to hold drums.

Bogle indicated that though he has removed the trailers, he would like the council to consider offering him a variance on Ordinance 381 and 492.

Council member Paula Scott asked if such an arrangement would be temporary. Bogle didn't know and said his trailers are not unsightly. Furthermore, they are best for the storage of drums because they keep them from being exposed to dust, handprints, etc.

Mayor Littlestar asked about the installation of a security fence that Mr. Bogle had previously mentioned. Bogle said that it would be placed 40' from the road and would have a privacy gate. Bogle said he may not buy a new fence but would make sure a used one looks pristine. Presently, he has been unable to find one within his budget.

Upon being asked, Blake advised that the City cannot grant a variance to a law, but they can work with Bogle towards a solution. Establishing a timeline for compliance with Bogle would be the best idea.

Bogle said he certainly could tag and insure all of his trailers. Blake pointed out that that really wasn't the issue. Whether the trailers are tagged and street legal or not, they still cannot be used for warehousing, according to Ordinance 492. However, having them tagged and insured might make them easier to deal with. Mayor Littlestar said that seemed like a sensible short-term plan. As for the fence, it was noted that a fence, though a good idea, would not do anything for compliance either.

Bogle said he had his unused RV and other vehicles removed from the property. Council member Paula Scott suggested Bogle draw up a written plan for compliance, submit it to the Council, and implement it with good faith effort.

### **Maintenance Updates:**

At 7:40 PM, Allen Andresen, Maintenance Supervisor, presented updates to the Council.

- Work in the park has begun. The old grills and cement pads have been removed. Forming will hopefully begin this week.
- The trailer is ready, except for signage to be done by Haven Sign Co. Andresen said he is hoping to keep the trailer on cement to avoid the possibility of getting stuck when the trailer is moved in and out. A new jack has been placed on the front of the trailer, and contact has been made with John Stutzman of Stutzman Refuse Disposal.
- The Deutz-Allis has an appointment for work on Wednesday morning. However, Schmidt & Sons advised Andresen that the brake kit alone costs \$2800.00. The window has already been fixed.
- The maintenance crew removed 85 cubic yards of leaves last week.
- The maintenance crew will be cutting into one of the newly paved streets to repair a water leak. Andresen would like to have them patched professionally and left with some additional asphalt to repair some other spots on Emporia. Mayor Littlestar indicated that would be fine, and there was no opposition from the Council.

### **City Administrator Updates:**

#### **Update on Water Project:**

City Administrator Allen Blake discussed the progress being made on the water project. Phillip Fishburn finished the environmental report and sent it on. Changes to plans have been discussed, such as changing out the remaining 2" water mains in town and installing a single chlorination station at the water tower. Willis Wilson of Aquatech Engineering drew up a map identifying additional well sites that Phillip Fishburn may use.

Winter Concrete finished installing seven additional handicap ramps and repaired Shep Chevrolet's sidewalk surrounding their water meter.

Seepage tests are still being performed on the new lagoon.

### **Minutes:**

Minutes from the October 19, 2009, council meeting were approved by a motion from Don Ford and a second by Paula Scott. The motion passed three to zero.

### **Accounts Payable:**

Don Ford moved for the approval of the accounts payable, less Mitchell Hardware, totaling \$100,967.43; Scott seconded. The motion passed unanimously. Don Ford moved for the approval of the accounts payable from Mitchell Hardware, totaling \$369.63; Scott seconded. Mitchell abstained from voting, and the motion passed two to zero. Members were provided a summary reconciling receipts between the Jayhawk and Quicken computer programs.

### **Council Concerns:**

Some controversy surrounding the Santa date was discussed. To clarify, Santa will be coming to Haven on December 4, 2009. Scott said that she remembered the date being discussed with Merritt Wright when he was in front of the Council for the proposal of the Recreation budget. Mayor Littlestar suggested having Merritt Wright get in touch with Lois Schlickau. Blake said he would do that, but he thought that had already occurred.

At 8:07PM, John Mitchell moved for a five-minute executive session regarding personnel. Don Ford seconded, and the motion passed three to zero.

At 8:12PM, regular session resumed with no action taken.

### **Adjournment:**

Scott moved for adjournment. Mitchell seconded, and the motion passed unanimously.

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Cody R. Littlestar, Mayor

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Leslie Warden, City Clerk