

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

**Meeting: REGULAR**

**Date: April 2, 2010**

**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, arrived at 7:02 PM**

**Council member: Paula Scott**

**Council Member: Amy Hirst**

**Council Member: John Mitchell**

**ABSENT: Jeff Stringer.**

**Others: Sonia Yutzy, Leslie Warden, Allen Blake, Bob Lickey, Don Huston, Dean Chesnut, Willis Wilson and Kelsi Holsey of Aqua Tech Engineering, and Allen Andresen.**

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

**Public Hearing on Water Project**

Shortly after 7:00 PM, City Administrator, Allen Blake, began the informational meeting by providing history of the nitrate levels in the City's water wells. Nitrate levels in two wells went above the safe standard in 1998, and in 2005, nitrate levels in Well #3 neared the standard. Currently, the city has only two wells in operation, and one of those wells is located only two blocks from the two wells with the highest nitrate levels.

Improvements to the water system are being pursued to address three issues: quality, reliability, and distribution. It is likely that nitrate levels will continue to increase and that water standards will become more stringent. Therefore, the quality of our water must be addressed.

In terms of reliability, we currently have no back up for our wells. If one must be shut down for maintenance and the other one fails, the City will be without water. Also, we would not have sufficient storage to put out a large fire or to provide for the residents for an extended period of time.

Distribution is also an issue. There are quite a few dead-end water mains and some areas of town still have 2" mains. We also do not have water mains to Industrial Park or Haven Steel.

The USDA Rural Development loan / grant program ensures that water rates will not increase past a certain point and allows the City to do the project all at once instead of in stages over forty years.

Willis Wilson of Aqua Tech Engineering discussed the drilling of the test well on Don Huston's property. Apparently, the aquifer thickness was insufficient. Wilson noted that the disinfection systems on our current water wells do not meet KDHE requirements. Therefore, he recommends keeping Wells #3 and #7 in operation, bringing Wells #4 and #6 back into operation, and installing a treatment system. Two emergency generators should also be installed to keep one well and the treatment facility running in the event of an electricity outage.

He handed out a map of the proposed project and pointed out several line improvements, including running an 8" main to Haven Steel and tying in dead ends. Wilson also suggested the replacement of up to 50 valves and the installation of 90 new ones so that water could be shut off to a block at a time when repairs are necessary.

The proposed treatment system would not soften the water. It would only remove the nitrates. This removal process does put out a waste product. Because of its saltiness, it cannot go in the City sewer lagoons. Wilson proposed adding a 1-acre evaporation pond near the lagoons for disposal of the waste products. Also, since we are pursuing USDA funds and they do not allow un-metered water, the installation of water meters at a handful of City locations will be necessary.

Also proposed is a 400,000-gallon water tower complete with centralized blending and disinfection as well as the installation of "SCADA" (supervisory control and data acquisition) to be the "brains" of the system. According to the map, this would be located east of the swimming pool and tennis courts at Engweiler Park.

Statistically, the average daily flow of water in Haven is 135,000 gallons, and the maximum daily flow is 270,000 gallons. By design year 2030, Wilson estimates our average daily flow will be 142,000 gallons and the maximum daily flow will be 283,000 gallons.

Council member, John Mitchell, said he felt the installation of so many valves would be overkill, particularly since we have survived by shutting water off to the entire town. He noted the plan to run 8" line to Haven Steel and asked how that could be done on land that's not the City's. Wilson responded that the accepted standard is to be able to shut the City's water down block-by-block.

Wilson provided a handout with the newly estimated project cost, listing the total at \$5,968,000. Council member, Paula Scott, noticed that the handout listed a price for removal of existing storage and asked if we would indeed be demolishing the current water tower. Blake, Wilson, and Littlestar all agreed that there would be no benefit in allowing the tower to remain.

Mitchell noted the price of \$245,000 for the SCADA system and inquired as to its useful life. Wilson advised that the system is basically a computer and software. The computer's useful life is probably 5 – 7 years, and of course, the software will require periodic upgrades. Mitchell indicated he felt the project was a little too extravagant. Blake pointed out that this is basically a once in a lifetime opportunity to carry out the project with the loan / grant funding.

Dean Chesnut, in reference to the grant money, pointed out there is "no free money." He asked why we needed a generator if we're going to have 4 days of storage in the water tower. Wilson pointed out that based on the average and maximum daily flow figures, a 400,000-gallon tower only represents two days of storage, and obviously, it is more prudent than not to have the generator. Chesnut and Huston pointed out that this meant we would never have an empty water tower. Wilson and Blake said that was the point.

Don Huston agreed with Mitchell that installing so many valves seemed superfluous. He also said that there's a valve on Main Street that could shut off part of town. Furthermore, if the 150 valves were put in, he couldn't see the maintenance crew exercising them. Huston suggested, rather than installing a new water tower, increasing the capacity of the current tower by adding an 8' stand pipe. He agreed there are some things that we need to do but felt this particular plan was overkill.

It was mentioned that some other communities have experienced problems with stagnant water when they installed a large water tower. Wilson said that technology has changed, and the proposed water tower by design will have constant circulation. The water will come from the wells, go through nitrate removal and disinfection, and then enter the tower.

At 7:57 PM, questions regarding funding were fielded. Scott asked if the project still qualified for grant money. Blake said qualification is based on our water rates. Any amount above \$X makes us eligible for grant money. Right now the average water user pays \$20 – 21 per month, and Blake said he believed the standard for the average user is \$40 – 41 per month.

Scott noticed the increase in project cost since the last estimate provided in September. Blake said the price and size of the project changed because of the unavailability of a new water well site. However, he also noted that any increased cost from the last estimate would be paid with grant money, if approved.

Scott indicated she knew the USDA Rural Development money was stimulus money and asked if we really knew if it was still available. Blake said it is still available, and we're still in the running. Scott then asked what portion of the total project cost would be grant and what portion would be loan. Blake advised he did not know but could find out from Tom Finger.

When the discussion regressed back to installation of 150 valves, Wilson advised the reasoning behind the recommendation is to have the least amount of disruption during a water shut-off. Furthermore, if we are using USDA funding, the USDA will not allow the City to put in an extravagant system.

Dean Chesnut asked why the City does not have water softening worked into the project. Blake said that reverse osmosis is an option but it puts out more waste and has ongoing costs.

Scott commented that since stimulus money is involved, we should proceed with the project sooner rather than later.

At 8:20 PM, the public hearing concluded.

#### **Jan Nolde of Swindoll, Janzen, Hawk & Loyd, LLC: 2009 Audit**

Nolde presented the financial statements, audit report, and communication letter. There were no questions from the Council. She also went over the firm's recommendations for tighter internal controls, including segregation of duties, administrator approval of journal entries, employee signatures on time cards, and department head approval of invoices.

At 8:35 PM, Scott moved for approval of the audit report and financial statements prepared by Swindoll, Janzen, Hawk & Loyd, LLC. Ford seconded, and the motion passed four to zero.

#### **Don Huston: Water Project**

Huston requested the Council recess into executive session for the matter he wished to discuss. The Council and City Administrator collectively informed him that would be illegal because his topic does not fall under any of the allowable exceptions. Moving forward, Huston asked if the City had stopped the condemnation of his land, and Blake answered yes. Huston renewed his request for the City to pay his attorney fees, though he could not quantify them. Ford told him the Council would not approve any such payment until the bill was received.

Huston then told the story of how he was served at his home with the Order of Condemnation. He then passed the Order around the Council table so each member could read paragraph 8, highlighted in yellow. He advised he didn't think the Council wanted him to read it aloud. When the Order reached Mitchell, he asked for a Point of Order as to whether the document was an open record. Blake and Warden both advised it was indeed an open record because it was an Order filed with the Court on behalf of a municipality. Mitchell then read the paragraph aloud, and Huston indicated it was false. He asked why it was in the document. Blake advised he would have to ask the City Attorney since he is the one that prepared it. Littlestar said it's probably a form document for condemnation. Regardless, Huston said he thought the situation was handled terribly and improperly.

### **Maintenance Project Updates**

At 8:45 PM, maintenance supervisor, Allen Andresen, provided the following updates:

- We have received bids for street improvements consisting of 780' of Stadium Drive, Sedgwick & Emporia 5<sup>th</sup> Street to Main, Emporia from 2<sup>nd</sup> to 1<sup>st</sup>, and Southland Drive. The first bid was for edge milling with a 1.5" overlay, totaling \$127,941.42. The second bid was for a 2" overlay, totally milling Stadium Drive, and edge milling the rest, totaling \$202,326.65. Due to the economic climate and budget constraints, Littlestar said he felt the City should put street improvements off for another year. The Council agreed to revisit street improvements next year.
- Andresen recently went to Wichita and test-drove a 90s model street sweeper with 2200 hours on it. He spoke to the previous owner (City of Hillsboro) and was told it was overhauled three years ago and traded in only because it was too small. The sweeper is currently used around the shop where it is located. Andresen advised that it does need a gutter broom and shoes, and it does have some hydraulic leaks. For \$3,440.18, the sweeper can be delivered with parts. The Council asked if purchasing and using this sweeper would eliminate the need to bring in an outside sweeper. Andresen said it would. With those savings in mind, Scott moved for the City to purchase the street sweeper from Sellers Tractor for \$3,440.18; Mitchell seconded. The motion passed unanimously.
- Andresen advised he recently learned of three meters appear to be working improperly, which has probably resulted in some lost revenue. Andresen has ordered meters to replace them.
- Installation of the fire hydrant at 2<sup>nd</sup> and Reno cost \$600 less than expected.
- The maintenance crew has painted the bleachers and dug out at the ball diamonds. They are also ahead of schedule with the swimming pool. The pressure washer is helping to eliminate loose paint.
- The roof over Well #7 has been replaced and "beefed up."
- Jay Mattison and Andresen renewed their wastewater certification hours.
- Andresen still has not gotten rid of the excess transformers.
- The Maintenance Inventory should be revised to reflect the addition of a box blade and one of the items listed as a mower is actually a tractor.
- Mitchell said there continues to be problems with the east opening at the burn site. Blake advised there should be or was a cable across the driveway, and the burn site attendant said that was helping. Mitchell said the cable isn't there anymore. Andresen will check on it.

### **City Administrator Project Updates**

Blake advised that it was necessary to amend the City's agreement with Aqua Tech Engineering to include the drilling of the test well. The amendment does not provide for any additional money to go to the engineers. It is merely the direct cost of drilling passed on to the City. Scott moved and Ford seconded for the approval of Amendment No. 1 to the Owner-Engineer Agreement. The motion passed unanimously.

Littlestar asked if the test well site had been put back together to Huston's liking, and Huston answered, "Looks good to me."

Blake advised that refuse driver, Christopher Scott, has successfully completed probation. Typically, a \$.50 raise is given. Ford moved for the approval of Resolution 232 increasing Christopher Scott's pay to \$12.50 per hour. Hirst seconded. The motion passed four to zero. Due to her relation to the refuse driver, Scott abstained, causing her vote to be counted with the prevailing side.

Blake sent Bob Jones a 14-day notice in regards to the junk sitting on his property at 207 S. Sedgwick.

### **Logo**

On behalf of the Logo Committee, City Clerk, Leslie Warden, presented to the Council two logo designs from which the Council could make their final decision. Scott advised she did not like the font used in either of the logos. Hirst said the sunflower in the second logo looked like corn. Following many negative comments, the Mayor inquired as to whether the Council wanted to vote for a logo or table it and send Warden back to the committee to do more work. Warden advised further revisions could be made but probably at an additional cost. Scott refused to vote because she did not like either one of the logos. The other three Council members and the Mayor voted for Logo "A", consisting of sunflowers and wheat.

### **Executive Session: Disciplinary Issues**

At 9:27 PM, Hirst moved that the Council recess into executive session until 10:00 PM pursuant to the non-elected personnel exception in order for the City Administrator to provide information about disciplinary action taken. Scott seconded, and the motion passed unanimously.

Regular session resumed at 10:00 PM with no action taken during executive session.

Ford moved that the Council meet with all maintenance personnel in executive session at the next meeting. Hirst seconded, and the motion passed four to zero.

### **Approval of Inventory**

Scott moved and Mitchell seconded to approve the inventory of the Council Room and City Office, and the revised inventory of the Police Department.

### **Minutes**

Minutes from the March 15, 2010, meeting were unanimously approved with a motion from Scott and a second by Ford.

### **Accounts Payable**

Scott moved for the approval of the payables (excluding those to Mitchell Hardware) totaling \$62,405.73. Ford seconded, and the motion passed four to zero. Scott also moved for approval of the payables to Mitchell Hardware totaling \$535.41, followed by a second from Ford. The motion passed three to zero. Mitchell did not vote.

Members were provided a financial summary dated March 31, 2010, and a report comparing expenditures to the 2010 Budget. They were also provided a summary comparing receipts between the Jayhawk and Quickbooks computer programs.

**Council Concerns**

*Arbor Day Proclamation:*

Scott moved for the approval of a proclamation designating April 24, 2010, as Arbor Day in the City of Haven and recognizing the importance of trees. Ford seconded, and the motion passed with four “yes” votes.

*PRIDE:*

Scott moved for the passage of Resolution 233 regarding the local PRIDE committee, pledging the City’s full support, endorsement and cooperation in carrying out the requirements of the Kansas PRIDE Program. Hirst seconded, and the motion passed unanimously.

Ford provided an update of the Park Board’s progress with the Pioneer Nature Trail. The group has agreed to be a 5-member board and is trying to implement a western type theme in the Veterans Park area. Ford indicated he was happy with their progress.

Now that the structure at 120 N. Kansas has been leveled, the ground is merely dirt. Ford thought it would be best if the City planted grass there to lessen the dust in the air and to aid its appearance.

**Adjournment**

At 10:22 PM, Scott moved and Mitchell seconded for adjournment. The motion passed four to zero.

S/S  
Cody R. Littlestar, Mayor

Attest:

S/S  
Leslie Warden, City Clerk