



MINUTE RECORD
Regular Council Meeting City of Haven

Meeting: REGULAR

Date: August 20, 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

Council member: Paula Scott

Council Member: John Mitchell

Council Member: Jeff Stringer

Council Member: Amy Hirst

ABSENT: None.

Others: Leslie Warden, Allen Blake, Sonia Yutzy, James Schlickau, Dave McComb, Mark Vonachen, Bryan Hamel, Gene Harris, Agnes Harris, Adam Wright, Dean Chesnut, Ann Chesnut, Bill Baldauf, Steve Unruh, Jean Unruh, Don Huston, Don Hindman, Joyce Hindman, Merritt Wright, Dawn Ferguson, Kevin Boese, David Chamberlain, and Virginia Brawler.

Adam Wright requested an addition to the agenda so that he could speak about the bill he received for survey and removal of concrete. Jeff Stringer requested the addition of a 15-minute executive session pursuant to the non-elected personnel exception. Scott moved that both items be added to the agenda. Ford seconded, and the motion passed unanimously.

Public Hearing on 2011 Budget

When the Mayor asked if there was any public comment, Ann Chesnut stood and asked for a how the 2011 budget differs from the 2010 budget. Littlestar noted that no street improvements will be taking place until completion of the water project. Capital outlay money has been budgeted for future large equipment purchases. Also, the City will be paying off \$270,000 in bonds. At 7:10 PM, Scott moved for approval of the 2011 budget as published. Stringer seconded, and all members voted in favor of the same.

Drainage

Reno County Commissioner, James Schlickau, stood and introduced Dave McComb, Reno County Public Works Director, Mark Vonachen, Reno County Planner, and Bryan Hamel, Reno County Engineer. Schlickau noted that in early spring, before July's big rain, he was notified about water flowing west rather than east as it should. At that time, he began asking the County staff to look into the matter. Dave McComb advised that in 1991 BG Consultants came in and updated the 5th Street drainage. A good approach to solving the drainage issue would be to compare the status quo drainage to BG's original plans. However, McComb noted that in regard to a 7-8" rain, no City or County roads are built to a high enough standard. Only State highways are built to properly drain that amount of water. He also pointed out that the City has annexed to the center of Haven Buhler Road, meaning that we own half the pipe.



Hamel advised that his research indicated that the west ditches are tilted upward and that cleaning out the ditches may significantly help the problem. The meeting became a bit chaotic when several conversations took place simultaneously.

When order returned, McComb nicely noted that the County is not responsible for devices of drainage for the City of Haven; the ditch is merely there to get the water off of the road.

Mayor Littlestar mentioned that the railroad continues to leave railroad ties strewn about, which during a flood can float to the wrong area and block drainage. The City has tried to address the issue with the railroad but has gotten the cold shoulder.

Hamel suggested the City have an engineer conduct a study to determine how much water is flowing out of the City, and then bring that number to the County. The County could then re-evaluate the size of the culverts under Haven Buhler Road. For now, cleaning of the ditches should help.

McComb advised that if Gar Creek bridge becomes full of debris, the City should call in to the County's Public Works and put in a work order for it to be cleaned. McComb should be included on the work order.

Scott asked if the build-up of resurfacing Haven Buhler is a problem. Hamel said it is not. He suggested the City contact BG Consultants to come out and re-evaluate the pipes under Haven Buhler road, particularly since their plan was supposed to be a 25-year plan.

The County will clean out the east side ditches, and they will make ditch cuts to guide whomever the City chooses to clean out the west side ditches.

Don Huston stood and delivered "a brief history." He noted that in 1972, the County moved Haven Buhler Road to the east and at that time they replaced culverts. Two large box culverts were replaced with the pipes that are now in place. Huston opined that Haven Buhler Road is the dam for the east side of town. He suggested the City "make a deal with Westfahl" for waterway rights and send the water that direction.

Ann Chesnut wanted to know the timeframe for fixing the drainage issue. Don Ford advised that the Council / City / County has no idea at this point because more information is needed to create a solution. The Council refused to speculate.

Hindman Trailer Court

The governing body requested that Brian Morgan, trailer court owner, be present for the meeting. However, his e-mail response to the Clerk indicated that he could not attend due to work obligations. Don Hindman attended and addressed the Council regarding the issues with the trailer court. Hindman advised that he is the listed owner for the park, but Morgan is purchasing it from him through a land contract. He stated it has really been an ordeal to get rent and tax payments from Morgan. At one point, at least a portion of the park was nearly five years delinquent on property taxes. Hindman told of being served with papers from the Sheriff's Office for the same since the property remains in his name. Joyce Hindman asked if the Council would grant them a trailer park license if they chose to re-takeover the park, and the Council responded affirmatively. Don Hindman indicated that with the help of his attorney he is working



on taking the trailer park back so it may be properly managed. The Council appreciated his attendance and his communication, but of course, noted that their interest at this point remains with Brian Morgan since he remains the owner / manager of the park.

Sonia Yutzy with Tom Heitsman: Veterans Park / Paul Moore Estate Funds

Tom Heitsman, own of Prairie Hills Nursery and previous Parks Director for the City of Hutchinson, presented his plan for the implementation of a Wilderness Trail at Veterans Park. He advised that the trail will be an ADA-compliant stained concrete pathway. Four nurseries will consist of plants with beautiful fall and spring colors and lilacs to draw butterflies and birds. His bid total was \$37,612.89, which included the plants, pathway, and a drip irrigation system. Ford moved for approval of the expenditure of \$37,612.89 of the Paul Moore Estate funds for the project. Hirst seconded, and the motion passed with five “yes” votes.

Adam Wright: Survey and Removal of Concrete

At 8: 40 PM, Wright addressed the Council, noting that prior to the removal of the 2.6’ of concrete he had poured on City property, he was not advised of the results of the July 13, 2010, survey. He merely came home the night of July 26, 2010, around 9:00 PM and the concrete was gone. To this, Blake responded that between the two dates flags and X’es were placed to indicate the portion of concrete to be removed, and furthermore, the outcome of the last meeting Wright attended was that the concrete would be surveyed and if necessary, removed, and charges assessed to the appropriate party.

Wright also found the \$600 survey bill to be excessive because the City, he claimed, had more than his property surveyed. The City merely asked the surveyor to locate the property line between the City and Wright, and he billed for the work it took to arrive at the same. The Council was in consensus that without one being a surveyor, it would be difficult to claim that the property line was surveyed wrongly, improperly, or in such a manner as to bill excessively. It was also pointed out that Wright indicated at the previous Council meeting that the estimates he obtained to have his property surveyed ranged from \$600 to \$800.

Next Wright balked about the fact that the City hired a contractor to remove the 2.6’ of concrete that was poured onto City property. He said he had the tools to do it and could have done the work himself instead of being charged \$450. Again, the Council pointed out that this was the agreement he had entered into at the last meeting – survey, removal, and assessment of costs.

Finally, Stringer spoke directly to Wright and advised that the City was not interested in either paying Wright’s bill or lowering it particularly since he wouldn’t be in this predicament if he had taken care of it correctly from the beginning. Stringer furthered that Wright would pay the bill or hear from the City attorney. At that point, Wright asked if he could make payment arrangements. The Council was agreeable, and Wright indicated he would like to pay the \$1,050 over ten months.

Blake then mentioned another issue at the Wright residence, where a plastic pipe has been hanging from the curb area for quite some time. Wright advised that a phone line had been cut in the area, and he could not finish his drainage project until the phone company comes out to splice and re-route the line. Once they do, Wright will fix the curbing and set the pipe flush with the curb, where it will be hardly noticeable.



Executive Session

At 8:45 PM, Scott moved for the Council to recess into executive session pursuant to the non-elected personnel exception to discuss the softball tournament and use of City facilities with Recreation Director, Merritt Wright, present, the open meeting to resume in the City Council chamber at 9:05 PM. Stringer seconded, and all voted in favor of the same.

At 9:05 PM, regular session resumed with no action taken during executive session. Then a discussion ensued regarding the use of City ball diamonds by private parties. The Council agreed that the recreation board should get first choice on public events. The Council delegated the task of composing further "rental" guidelines to the City Administrator and Recreation Director.

City Administrator Project Updates

City Administrator, Allen Blake, presented the following updates:

- In regards to Hindman Trailer Park, pursuant to the Council's wishes, Blake advised he would send a letter to Morgan with specific recommendations and a time limit for clean-up. It was agreed that if Morgan did not comply the City would charge him with a misdemeanor and implement the fines that the related Ordinance calls for. Blake noted he would run everything past the City attorney before proceeding.
- Phillip Fishburn and Willis Wilson will be meeting with Blake on August 30, 2010, to outline the next steps the City must take to make the water project happen.
- The Police Department is doing away with the City-owned cell phones. Therefore, Blake's cell phone number has changed. He provided it to the Council members, and advised that going to the cell phone reimbursement plan for employees will save the City money.

Street Dance

Blake advised that he was not made aware of the planned August 21, 2010, street dance sponsored by the Recreation Board until very recently. Mayor Littlestar recalled the Recreation Chairperson, David Chamberlain, mentioning at budget presentation time that the board would like to hold a dance, but no specifics were ever delivered to the Council. Blake advised that to close the streets and hold a dance, the City should probably establish a procedure and require a permit.

At this time, Ford mentioned that before the Booster Club holds their Dollar Dance at the tennis courts, the City should have the maintenance crew spray round up there and remove the weeds. The City Clerk advised she would prepare a work order for the request.

The Council asked Blake if he thought BG Consultants should be contacted about the drainage issues. He advised that the BG plan is still in place; it is merely silted in. Therefore, he sees no reason to contact them. Instead, the City's time and resources would be better spent looking for an engineering solution to the problem.

Executive Session

At 9:25 PM, Paula Scott moved that the Council recess into executive session for 15 minutes pursuant to the non-elected personnel exception to discuss an employee's worker's compensation claim and asked the Blake and Warden remain for the session. Stringer seconded, and the motion passed unanimously.



At 9:40 PM, with no action taken during executive session, the Council resumed regular session. Then Stringer moved for the Council to recess into executive session for 10 minutes pursuant to the non-elected personnel exception in order to discuss personnel issues with the City Administrator. Scott seconded, and the motion passed five to zero.

At 9:50 PM, regular session resumed with no action taken during executive session.

Minutes

Minutes from the August 6, 2010, meeting were not approved because the City Clerk failed to include them in the Council members' packets.

Accounts Payable

Stringer moved for the approval of the payables, totaling \$111,143.52. Ford seconded, and the motion passed five to zero.

Council Concerns

Stringer advised that a citizen approached him with concerns that horn flies were in town and noted a cattle trailer that often sits near the Kwik Shop. (Apparently, horn flies are drawn to areas where cows and cattle trailers exist.) However, Stringer advised he had not yet seen a cattle trailer in any area near the Kwik Shop. At any rate, the citizen requested that the City spray for the insects. The Council agreed that the spray the City uses for mosquitoes probably covers flies as well.

Stringer also requested that the City Clerk contact Stephanie Carlson of the Tree Board to have her look at an ill-looking tree in front of 109 Sunset.

Mayor Littlestar asked if the Council wanted the City to continue to help fund the Reno County / 2020 Growth Coalition. The Clerk and Council noted that it is already approved and appears in the 2011 budget.

Ford asked how citizens can participate in the auto-debit utility bill payment program. The Clerk advised they merely need to come in to the City Office and fill out an authorization form.

The Clerk mentioned that Vicki Koontz from the High School contacted her to see if the City could offer any assistance for Stuco to continue their recycling project. Apparently, Stutzman Refuse Disposal has discontinued their recycle pick-up service to the school. The Council, Clerk, and Mayor agreed that there are really no workable, cost-effective solutions that the City could offer. Hirst suggested they request assistance from the Booster Club or PTO.

Mitchell advised that he had two citizens come into his store noting that a Sturdibuilt truck was pulled into Mayor Littlestar's large garage, and those citizens wanted to know if he had a permit for the work being done. Littlestar asked Mitchell what Sturdibuilt was doing there, and following a question with a question, Mitchell asked if Littlestar was denying Sturdibuilt was on his property. Littlestar said no but said he did not know what they did and thought maybe his wife had called them out. Mitchell was clearly unsatisfied with Littlestar's answers and advised it was a shame The Clarion representative had already left for the evening.



Adjournment

At 10:00 PM, Stringer moved and Ford seconded for adjournment. The motion passed unanimously.

S/S
Cody R. Littlestar, Mayor

Attest:

S/S
Leslie Warden, City Clerk