



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

**Meeting: REGULAR**

**Date: September 3, 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, Allen Andresen, Sonia Yutzy, Trudy Littlestar, Willy Sports, Bryce Matteson.**

Trudy Littlestar requested an addition to the agenda to discuss a council member's actions. Scott moved to add the item. Stringer seconded, and the motion passed four to zero. Mitchell did not vote.

**Public Hearing: Mid-Kansas Cooperative – Additional Seed Storage**

City Administrator, Allen Blake, noted that Mid-Kansas Cooperative has applied for a building permit for an industrial zone, and therefore, must have the same passed through the Planning Commission and approved by the City Council. Willy Sports of MKC fielded questions from the Council. He advised that the additional seed storage bins and liquid treatment facility will produce no odor and less dust than a grain elevator. Scott moved to approve Mid-Kansas Cooperative's building permit for additional seed storage. Ford seconded, and the motion passed unanimously. The public hearing concluded at 7:04 PM.

**Trudy Littlestar: John Mitchell's Actions**

Because Trudy is the mayor's wife, the mayor asked Council President, Don Ford, to chair this agenda item. Mayor Littlestar left the room for the duration of the discussion. Trudy handed out copies of Yutzy's council meeting coverage from the August 26, 2010, edition of The Clarion. She noted that even though Yutzy was not present during Council Concerns, she provided coverage of the same. However, Trudy felt that Yutzy printed only Mitchell's version of the story. Mitchell, she insisted, should have referred Yutzy to the City Clerk for the meeting's details. The Clarion said that Mitchell "later remarked he was sorry." Trudy advised she never got an apology but was present to collect hers. Mitchell pointedly denied ever apologizing or saying he was sorry, though Yutzy was certain she had recorded his statements correctly.

Trudy delivered thanks to Mitchell for having his "spies" pass by her home on a Thursday afternoon to spot a Sturdi-Built truck at her residence. She advised that they were installing a garage door opener as a surprise for her husband from her and her children, work which does not



require a building permit. She purposely scheduled the work to be done while Cody was at work and was certain the workers were there for less than an hour.

Trudy told Mitchell that the harassment must stop, despite his extreme interest in the lives of the Littlestars. She furthered that the only reason Mitchell is on the Council is to fire personal attacks and carry out personal vendettas. She asked Mitchell if it was his job to enforce the use of building permits. Mitchell responded, "Yes." Trudy pointed out that the City has a compensated individual charged specifically with that duty, and that is the building inspector, Sandy Wright. Mitchell said he understood that but felt like the "full rules and regulations are not enforced." Bluntly, Trudy told Mitchell he needed to "get a life" and let others live theirs. He finished her sentence by saying they must do so within the rules and regulations of the City.

Trudy asked Mitchell to "apologize now," and noted that several Clarion readers approached her and said that what was in the paper must have surely been a misprint because the John Mitchell they know would never apologize. He responded by saying, "I didn't." "You're such a jerk," Trudy remarked.

At this time, Ford said he thought that was enough. He advised Mitchell that he is a Council member *only* while seated at the Council table and that he has no authority out in the City. He advised Yutzy to be careful what she prints in the paper. Littlestar concluded by asking that Mitchell utilize the appropriate channels should he think he encounters any sort of problem in the future.

### **Maintenance Project Updates**

At 7:22 PM, Allen Andresen provided the following updates:

- To run an electrical extension to MKC's planned storage addition will cost \$22,000 according to an estimate from Kenny's Electric. The City would cover the cost and then receive reimbursement for the same from MKC. Discussion ensued regarding savings kept should the maintenance crew do the work rather than contracting it out. Mitchell suggested the City look into running the electrical underground. The suggestion was quickly turned down by the other Council members. The Council asked Andresen to obtain an official quote from Kenny's for them to review and vote on at the next meeting.
- The City is in dire need of additional poly-karts. However, Andresen has discovered that we can no longer purchase any identical to the ones we already have. He showed the Council two options for consideration. They ranged in price from \$56 to \$57.50 per cart. Mayor Littlestar suggested asking Midwest, where we purchased our trash truck, what model of poly-kart they recommend. He also noted that if it was necessary for the truck to be equipped to lift two different types of carts, we could change out the lift on one side to fit the new carts, leaving the other lift for the current carts.
- The digger truck was taken in to B&B Hydraulics on Monday. However, they have not even started the work on it and probably won't until Tuesday.
- The Agco tractor is again in need of expensive repairs. One of the hydraulic cylinders is leaking. Andresen said it has been his experience that if one is in need of repair, the other is not far behind. It would cost about \$1400 in parts alone to replace both hydraulic cylinders. Mayor Littlestar asked Andresen to obtain a quote from B&B Hydraulics. After further discussion about re-built versus new, Ford voiced that he thought they should have the tractor fixed right and be done with it. Stringer agreed, and Scott pointed out the small monetary difference between the two options. Stringer moved for the repair



of the Agco tractor's hydraulic cylinders not to exceed \$1400. Ford seconded, and the motion passed unanimously.

- The maintenance crew is currently behind schedule and has not yet started the annual tree trimming. Instead, they've been dealing with numerous water leaks. Andresen noted that Tony can now run the backhoe pretty well and performed his third job alone on Wednesday.
- Soon Andresen will install a water meter and outside hydrant at the City Office. The gas line at the pool still needs repaired as well.
- The Council acknowledged an e-mailed "thank you" from Haven Grade School's principal, Jerry Higgins, for the recent repair of the school's sidewalk.

### **City Administrator Project Updates**

City Administrator, Allen Blake, presented the following updates:

- In regards to storm water drainage, Blake met with Harland Foraker of Certified Engineering. They looked at the floodplain maps and reviewed the problem areas. Foraker will provide an estimate for an engineering study, which Blake hopes to have by next Council meeting. It was noted that the County has been looking at the ditches.
- The Council reviewed proposed Ordinance 593 to add \$13,000 to the City's \$500,000 state revolving loan for the sewer lagoon project. Mitchell questioned whether the amount should be added to the loan or simply paid out of pocket now. The Council looked to the City Clerk for an answer. Warden advised that she thought it best to add it to the loan at this time, particularly since the City is looking at taking on some large expenses for the water project before they will be reimbursed. Blake explained that the City will have to foot the bill at least for a while for about \$130,000 of the pre-development cost. The water project funding will not come until the engineering is done. Scott asked if there were any other unanticipated expenses, and Blake said no because they are unanticipated. Scott moved that the Council adopt Ordinance 593 amending the loan agreement to include an additional \$13,893.05 for the sewer lagoon project. Hirst seconded, and the motion passed unanimously.

### **Bryce Matteson: Fall Festival Update**

Matteson advised that the theme for the 2010 Fall Festival will be "Our name says it all," and the new City logo will be featured on the buttons. Just like last year, the parade will come all the way down Kansas Avenue. Matteson mentioned that the Coop asked if it would be possible for there to be someone to let an occasional truck through the parade route if necessary. This year the car show will be held at Shep Chevrolet since they are the ones sponsoring it. The "old drugstore" will again be the Festival headquarters. Inflatables for the kids will be in town once again as well. Matteson remarked that funding for the festival is down so he is hoping the City will refund the \$2,000 spent on the fireworks permit as they did last year. Scott moved and Stringer seconded for the City to do just that. All but Mitchell voted in favor of the same.

Mitchell indicated he was not happy how the Chamber handled their Fall Festival funds last year and suggested the Council ask for an accounting from them. Nobody else was unhappy or interested in investigating the Chamber's funds.

### **Yearly Report on Swimming Pool**

Warden presented a profit and loss report regarding the pool, comparing 2010 to 2009. This year the pool was less of a loss by over \$6,000, though it is still a long ways away from being a



money-making venture. Warden said that one of the lifeguards, Zane Keller, approached her to see if the Council would be receptive to allowing him to paint the inside of the concession stand area. She added that this year's group of pool help seemed to really take ownership of the premises. Zane told her that he and Rachel Thalmann spent nearly three hours off the clock giving the place a deep-cleaning, which Mark indicated probably hadn't been done for twenty years. Stringer said the Council would be crazy not to take Zane up on his offer. The Council approved purchase of paint for the project.

### **Utility Billing Software**

Warden pointed out that the maintenance crew's equipment is almost always in need of some sort of repair, and some of those repairs are fairly expensive. However, the Council justifies paying for those repairs because the City relies on that equipment to keep utilities up and going. For example, at this particular meeting, the Council approved a \$1400 expenditure to repair hydraulic cylinder leaks on the 2000 Agco tractor. Warden noted that the utility billing software used in the office was purchased long before 2000 and has not once received a single update, though the City clearly relies on it to bring in nearly 90% of its revenue. It is old, unsophisticated, and almost obsolete. As a matter of fact, any new computer probably would not be able to run it because its operating system would be too new.

However, the reason the Council has not had to pay much attention to the software's glitches is because office personnel (current and past) have always been able to make it work. Obviously, though, if the City hit a point where the software became entirely unworkable, we would be in real trouble. Warden asked that the Council not wait until 2012 to update the billing software as the Capital Improvement Plan calls for. Stringer seemed taken aback and wanted to know exactly what Warden was after. She stated simply, "New software." He asked what price range the City was looking at, and Warden advised that the one she has heard the best things about is around \$2200, which may or may not include everything the City would want. However, before she brought any real quotes to the Council, she'd want to see the prospective new software in action at a City Office. Stringer told her to do it then and to bring estimates to the Council. She advised she would do so before Christmas.

### **Executive Session**

At 8:35 PM, Paula Scott moved that the Council recess into executive session for 10 minutes, with Blake present, pursuant to the non-elected personnel exception to discuss compliance with employee policy. Stringer seconded, and the motion passed unanimously.

At 8:45 PM, with no action taken during executive session, the Council resumed regular session. Then Scott moved for the Council to recess into executive session for an additional 10 minutes pursuant to the same exception in order to discuss the same matter with the City Administrator present. Scott seconded, and the motion passed five to zero.

At 8:55 PM, regular session resumed with no action taken during executive session.

### **Minutes**

Minutes from the August 6, 2010, meeting were approved by four to zero with a motion from Ford and a second from Stringer. Minutes from the August 20, 2010, meeting were approved by four to zero with a motion from Stringer and a second from Ford. (Scott was out of the room during the approval of the meeting minutes.)



**Accounts Payable**

Stringer moved for the approval of the payables, excluding those to Mitchell Hardware, totaling \$52,649.43. Scott seconded, and the motion passed five to zero. Stringer moved for the approval of the payables to Mitchell Hardware, totaling \$529.27. Hirst seconded, and the motion passed five to zero.

Paula Scott moved that the Council recess into executive session with Blake and Andresen present pursuant to the non-elected personnel exception to discuss compliance with employee policy, the open meeting to resume at 9:20. Stringer seconded, and the motion passed unanimously.

At 9:20 PM, regular session resumed with no action taken.

**Council Concerns**

Mitchell noted that Sandy Wright, the City building inspector, was not at the last Planning Commission meeting. Warden confirmed the same and noted that she did send notice of the meeting to her.

Stringer advised he will not be at the next Council meeting.

Hirst asked for an update on Hindman Trailer Park. Blake advised he is still visiting park residents to compile the list of issues. He noted that several of them said they would be glad to help Morgan clean things up.

**Adjournment**

At 9:25 PM, Stringer moved and Hirst seconded for adjournment. The motion passed unanimously.

S/S  
Cody R. Littlestar, Mayor

Attest:

S/S  
Leslie Warden, City Clerk