



MINUTE RECORD
Regular Council Meeting City of Haven

REGULAR MEETING

TUESDAY, JANUARY 17, 2023

THE CITY COUNCIL MEETING IN REGULAR SESSION HELD AT 120 S. KANSAS AVENUE WAS CALLED TO ORDER AT 7:00 PM BY MAYOR ADAM WRIGHT. THE FOLLOWING PEOPLE WERE PRESENT:

Council Members: Christopher Scott, Kylie Rush (at 7:01 PM), Sandra Williams, Mark Robinson, Austin Borden.

Absent: None.

Others: City Clerk Leslie Atherton, Police Chief Stephen Schaffer, Public Works Director Chad Swartz, City Attorney Andrew Foulston, Les Banman, Rick Gates, Cody Powers, Ciara Powers, Dean Chesnut, Colton Chesnut.

Public Comment

Dean Chesnut, owner of Cronus, operated out of 139 S. Kansas Ave, spoke during public comment regarding his concerns about the validity of executive sessions at the previous Council meeting. He provided governing body members, City Attorney, and City Clerk with a copy of KSA 75-4319. He also advised that if any of the Council members saw something at his property at 139 S. Kansas Avenue that they would like addressed, he welcomed them to call him. He described the property sitting outside of 139 S. Kansas Avenue.

Revisions to Agenda

After motion from Scott and second from Williams, the addition of an executive session about employee evaluations was unanimously made to the agenda.

Minutes

Robinson moved to approve the minutes of the January 3, 2023, meeting. Borden seconded, and the motion passed.

Accounts Payable

Robinson moved and Rush seconded to approve accounts payable, totaling \$391,568.37. Motion passed unanimously.

Members were provided financial reports for the month of December 2022 and year of 2022, including a summary of receipts and disbursements, comparison of budgeted to actual expenditures, and reconciliation of Jayhawk Utility receipts to money deposited into utility accounts.

Consider Planning Commission's Recommendation to Rezone Northern Portion of Parcel that Contains 410 W. Main from "E" Industrial District to "B" Single Family Dwelling District

Members were provided with minutes and pertinent attachments from the January 10, 2023, Planning Commission meeting, wherein the Commission recommended approval of a change in zoning from "E" Industrial District to "B" Single Family Dwelling District. A copy of Engineer Harlan Foraker's answers to Planning Commissioners' inquiries about drainage were provided to members as well.

Atherton and Economic Development Committee Chairperson, Rick Gates, were present to answer questions about the proposed change. Ultimately, Williams moved, and Scott seconded to adopt Ordinance 713, implementing the requested zoning change. Motion passed unanimously.



Les Banman, Park Board: Consider Expenditure Overage (\$600.00) to Bornholdt Plantland, Inc.

Banman appeared before the Council to explain a discrepancy in the bill from Bornholdt Plantland, Inc. At the December 5, 2022, meeting, the governing body approved an expenditure of up to \$4,100, presented by then-Park Board Chairperson, Delon Martens, for the planting of six (6) trees. The bill for the work, however, came in at \$5,050. Banman talked to Gary Bornholdt, and he advised that seven (7) trees were indeed planted but he agreed to reduce the bill to \$4,700. Banman requested the Council authorize payment of the \$600 overage. Rush moved and Borden seconded to approve the request. Motion passed with five “yes” votes.

Board Appointment

Scott moved and Williams seconded to approve the appointment of Chris Shields and Justine Dalke to the Recreation Board for terms expiring December 31, 2024. Motion passed unanimously.

Executive Session

Scott moved that the Council recess into executive session pursuant to the non-elected personnel exception in order to discuss employee evaluations with City Attorney Andrew Foulston, the open meeting to resume at 7:30 PM in Council Chambers. Williams seconded, and the motion passed unanimously.

At 7:30 PM, regular session resumed with no action taken during executive session.

City Clerk, Leslie Atherton, and Public Works Director, Chad Swartz: Update on AMI Project

Members were provided with a three-page handout entitled AMI Project. Atherton went over the information contained therein to make the Council aware that the overall project cost will likely be greater than the original expenditure approval of \$295,554. Current estimates show that the project will exceed \$295,554 by \$18,723.29. Of that overage, \$12,016.35 can be covered by remaining ARPA funds. The remainder of the overage, \$6,706.94, will have to come from either the Water Fund or Electric Fund.

Swartz provided information on the change in approach for water meter can lids and a tower for the second gateway.

Public Works

Consider Expenditure to Replace Kubota RTV

Members were provided with a quote from Schmidt & Sons for the purchase of KUBOTA RTV-X1100CWL-H, estimated to cost the City of Haven either \$9,740.73 with a two-year extended warranty or \$8,390.73 without extended warranty, both prices after a trade-in allowance of \$14,700. It was noted there's \$14,400 set aside in the Sewer Fund for the purchase. Rush moved and Robinson seconded to approve the purchase, not to exceed \$9,740.73. Motion passed unanimously.

Consider Estimate for Tree Trimming

Members were provided with a handout from Asplundh, estimating an expenditure of \$70,000 to perform tree trimming in the rest of town. Members were given the option to do half in 2023 and half in 2024 or to complete all tree trimming in 2023, taking 2024 off. After brief discussion, Williams moved and Borden seconded to authorize tree trimming for 2023, not to exceed \$70,000. Motion passed five to zero.

Updates

Swartz provided the following updates:

- City of Mt. Hope has been using Haven's hydrovac quite a bit lately to repair water leaks.
- Scott inquired as to the status of Carmichael's CDL. Swartz said Carmichael is waiting on Swartz to accompany him to the DMV to take his test. King cannot take Carmichael because his CDL has an “automatic restriction;” that will need addressed as well.
- Praise was voiced by Council members and Swartz for the painting of the crosswalks and the parking lines done by Matthew Mulligan and fellow Scouts.



Chief of Police

Updates

Chief Schaffer provided the following updates:

- At the next Council meeting, Schaffer will present an expenditure for new handheld radios for Haven PD.
- Officer Hayden is on vacation.
- Scott thanked Schaffer for the police presence around Haven Grade School in the mornings. He noted that traffic around the high school gets crazy immediately after school dismisses. Schaffer has been in touch with the high school principal.
- Scott inquired about truck traffic on Second Avenue. He noticed it had lessened, and Schaffer said he had spoken to Shep Chevrolet management, and they had spoken to their vendor. He will work with Swartz to have better truck route signage put up.

Executive Session

At 7:59 PM, Robinson moved that the Council recess into executive session pursuant to the attorney-client privilege exception to discuss the pool matter with City Attorney Andrew Foulston, City Clerk Leslie Atherton, and Public Works Director Chad Swartz, present, the open meeting to resume at 8:10 PM in Council Chambers. Borden seconded, and the motion passed unanimously.

At 8:10 PM, regular session resumed with no action taken during executive session. Then Rush moved and Scott seconded that the Council recess into executive session pursuant to the same exception for the same discussion purpose with the same individuals present, the open meeting to resume at 8:15 PM in Council Chambers. All members voted in favor of the same.

At 8:15 PM, regular session resumed with no action taken during executive session. Next, Williams moved to approve authorization for a third set of plans, not to exceed \$3,000, authorization of revision of comprehensive pool plans, not to exceed \$3,000, and authorization of Mayor Wright to sign new contract with LJ Roth, totaling \$1,168,988. Scott seconded, and the motion passed unanimously.

Council Concerns

Robinson "ranted" about the food truck vendor(s) parking across the street from Las Carnitas. He said that bothers him, and he worries about the detrimental effects on local restaurants.

Rush said the Park Board is still pursuing folks to fill Park Board vacancies.

Scott asked Public Works Director about exercising valves. Under the previous Public Works Director, Derek Stoll, Scott advised it seemed valve exercise responsibilities were placed on Reno County Fire District #9. Swartz advised he will speak to the Assistant Chief to work out a plan.

Agenda Planning Items listed for February 6, 2023, were read aloud.

Adjournment

At 8:23 PM, adjournment was unanimously approved after motion from Robinson and second from Borden.

/s/
Adam Wright, Mayor

Attest:

/s/
Leslie Atherton, City Clerk