



MINUTE RECORD
Regular Council Meeting City of Haven

Meeting: REGULAR

Date: October 3, 2022

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, Mark Robinson, Austin Borden, Kylie Rush.

Absent: Sandra Williams.

Others: Leslie Atherton, Stephen Schaffer, Andrew Foulston, Steve Carmichael, Ciara Powers, Cody Powers, Kyran Crist, Lee Logsdon.

No one signed up for public comment.

Additions requested were "Public Works Updates" and "Consider Application for Fireworks Display Permit." Rush moved and Borden seconded to approve the additions. Motion passed unanimously.

Minutes

Robinson moved to approve the minutes of the September 19, 2022, meeting with a suggested revision from Atherton. Borden seconded, and the motion passed unanimously.

Accounts Payable

Robinson moved and Scott seconded to approve accounts payable, totaling \$142,968.04. Motion passed with four "yes" votes.

Consider Application for Fireworks Display Permit

Atherton shared with the Council the application from Haven's Chamber of Commerce for fireworks display permit for Saturday's Fall Festival, noting location and vendor to be used, with accompanying Fire Chief approval and certificate of liability insurance. Borden moved and Rush seconded to approve the permit. Motion passed unanimously.

Consider Resolution Changing Name from "Kansas Power Pool" to "KPP Energy"

Members were provided with a letter from Kansas Power Pool's attorney requesting their approval of the Second Amendment to the Agreement Creating the Kansas Power Pool, A Municipal Energy, as well as a Resolution, both of which approve changing the name of "Kansas Power Pool" to "KPP Energy." Rush moved to authorize Mayor Wright to sign the Second Amendment and to adopt Resolution 395, approving the name change. Borden seconded, and all members voted in favor of the same.

Consider Resolution Implementing Pay Rate for Assistant Public Works Director

Members were provided with a proposed resolution implementing a rate of \$20 per hour for Assistant Public Works Director, Steve Carmichael, effective September 16, 2022. Robinson moved to adopt Resolution 396. Scott seconded, and the motion carried.

Discuss Utilization of Mayor as Public Works Fill-in During Interim (Until Public Works Director Is Hired)

Mayor Wright suggested the Council consider allowing him to serve as a fill-in for the Public Works Department on an emergency / as-needed basis. Borden noted that absent Council member, Sandra Williams, asked him to ask the Council to table a decision on this topic until she could be part of the discussion. Scott emphasized using the mutual aid of City of Andale and City of Mt. Hope as well as utilizing Steven Phillips. Atherton noted that former Public Works Director, Derek Stoll, advised he would be willing to assist during utility emergencies when / if

Approved 10.17.2022



Assistant Public Works Director, Steve Carmichael, called him out. However, he would want to be paid \$35 hourly. Carmichael advised he would only call Stoll out to assist if it were absolutely necessary; otherwise, he would primarily utilize mutual aid as it has been successful in the past. Scott moved for the City to continue utilizing mutual aid for assistance and to pay Stoll \$35 per hour if called out by Carmichael to assist with utility emergencies. Robinson seconded, and the motion passed.

Chief of Police Updates:

Consider Ordinance to Relating to Offenses Against the Public Peace

Members were provided with a proposed ordinance as authored by City Attorney Andrew Foulston relating to, defining, and providing penalties for unlawful public intoxication, public nudity, urinating / defecating in public. Robinson moved to adopt Ordinance 707 as presented. Scott seconded, and all members voted in favor of the same.

Consider Ordinance Making Unlawful Transfer or Diversion of Electric Current A Misdemeanor

Members were provided with a proposed ordinance as authored by City Attorney Andrew Foulston making unlawful the transfer or diversion of electric current a misdemeanor. Robinson moved to adopt Ordinance 708 as presented. Borden seconded, and the motion passed four to zero.

Updates

Chief Schaffer provided the following updates:

- Schaffer plugged the USD 312 Foundation golf tournament.
- Schaffer discussed staffing for the upcoming Fall Festival.
- Schaffer hopes to do an MDT demonstration at the next Council meeting.
- Rush inquired as to the status of the Police Department policy manual. Schaffer said it is going to be a long-term project because he has to review every policy before it becomes a part of the manual. Rush asked if the Council could be sent the policies that have been approved so far. Schaffer said it would be best to share once it is completely done. The Lexipol representative told Schaffer that if he spent 5-6 hours weekly on it, it would take six months.

Public Works Director

Assistant Public Works Director, Steve Carmichael, provided the following updates:

- The motor on the new generator at the Water Treatment Plant failed; it is covered under warranty.
- Carmichael fixed a water leak and took care of an electrical outage today with the assistance of City of Andale.
- APAC will be in town on Monday to begin street repaving. This will produce millings, and the City lacks a good place to put them. Mayor Wright hoped to have received an offer from a company on the millings. By way of consensus, the Council agreed to allow USD 312 to take what they want if they need some. Mayor Wright and Carmichael will operate with the goal of getting rid of the millings as or before they come in so as to mitigate or eliminate the need for the City to store them.

Council Concerns:

Borden noted the Council approved allowing golf carts at night on certain holidays, and Fall Festival and Halloween are right around the corner. Atherton noted the Council would need to adopt legislation in order to allow the same. (Chief Schaffer had stepped out temporarily so he was not part of this initial discussion.) Foulston will draft an ordinance for the Council to consider in regard to the Council's wishes for the allowance of properly lit golf carts on holiday nights.

Robinson commented on an article he recently read about Erie, Kansas, and how the City saved their grocery store by purchasing and operating it. Members briefly discussed the concept. Atherton asked Robinson to forward the article to her so she could share it with the Economic Development Committee.



Mayor Wright is still playing phone tag with Haven Steel owner, Ken Brown, regarding the previously mentioned \$100,000 donation.

Scott suggested the Council schedule a tour of the City's facilities, such as the City Shop, Water Treatment Plant, Wastewater Treatment area. Members agreed.

Executive Session

Robinson moved that the Council recess into executive session pursuant to the non-elected personnel exception in order to review applications for Maintenance Technician and Public Works Director, with City Clerk Leslie Atherton and City Attorney Andrew Foulston, present, the open meeting to resume at 7:58 PM. Scott seconded. Motion passed.

At 7:58 PM, regular session resumed with no action taken during executive session.

Executive Session

Robinson moved that the Council recess into executive session pursuant to the non-elected personnel exception in order to discuss the job performance of Assistant City Clerk, with City Clerk Leslie Atherton and City Attorney Andrew Foulston, present, the open meeting to resume at 8:10 PM. Scott seconded. Motion passed.

At 8:12 PM, regular session resumed with no action taken during executive session. Then Rush moved and Borden seconded to recess into executive session pursuant to the same exception in order to discuss the same topic with the same individuals present, the open meeting to resume at 8:18 PM in Council Chambers.

At 8:18 PM, regular session resumed with no action taken during executive session. Then Borden moved and Rush seconded to increase Assistant City Clerk's pay to \$48,334.46, which includes an annual salary of \$47,500.08, a holiday bonus of \$354.38 (if the Council so elects each year) and a cell phone allowance of \$40 monthly, effective in the pay period immediately following her obtaining her Certified Municipal Certification from IIMC. Motion passed with four "yes" votes.

Pool Update

No executive session on the pool matter occurred. City Attorney Andrew Foulston advised we are still waiting for a bid from the contractor on redoing the zero-degree entry area.

Back to Council Concerns

In regard to folks out after-dark on golf carts, Schaffer noted over Fall Festival weekend it would be enforced the same way it always has. That is, if someone is out after sunset, his officers would simply remind people they cannot be out with golf carts after dark, and they will have to head on home.

Agenda Planning: Items listed for the October 17th Council meeting were read aloud.

Adjournment

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

/s/
Adam Wright, Mayor

Attest:

Approved 10.17.2022



/s/
Leslie Atherton, City Clerk