

CITY OF THE HIGHLANDS
REGULAR COUNCIL MEETING
Monday, January 22, 2024, 6:00 p.m.
Crazy Horse Sports Club, 922 W. Crazy Horse Dr., 67502

This meeting is being recorded.

Minutes

I. Meeting called to order - 6:00 p.m.

A. Welcome by Mayor Moore

B. Pledge of Allegiance

C. Swearing in of re-elected mayor and two new council members – City Clerk administered oaths to Mayor Carol Moore, Lyle Foss and Christina Gardner, new council members.

D. Roll call of the Council by City Clerk, Bonnie Swenson

Present: Lyle Foss, Christina Gardner, Jeff Jackson, Mark Kerschen, Kenny Nuss

AZC: Mo Penny

Guests: John Hendricks, Zane Jackson, Randy Miller, Butch Neel, Jim Humiston, Pat Gardner, Mark Ahrens (Crazy Communications)

II. Approval of the agenda as presented

- Mark Kerschen made motion to approve agenda; Jeff Jackson seconded; motion carried unanimously.

III. Public Comment(s) Mark Ahrens, Crazy Communications dba Kansas Rural Communications representative, asked for the current Special Use Permit to continue as an automatic 12 month renewal each year, unless cancelled by either party. They will be trenching, weather permitting, and he is in the process of hiring a new IT person. Will meet with the council once a quarter to provide update. He will bring the permit check to Mark Kerschen tomorrow. They have placed yellow flags where they intend to put pedestals.

- Jeff Jackson made a motion to approve the updated Special Use Permit; Kenny Nuss seconded; motion carried unanimously.

IV. Approval of Draft Minutes: December 11, 2023 regular meeting

- Mark Kerschen made motion to approve minutes; Kenny Nuss seconded; motion carried unanimously.

V. Election of council officers (Council president and treasurer)

A. Mayor Moore asked for nominations from the floor for council president. Kenny Nuss nominated Jeff Jackson to be retained as president for 2024.

Nominations ceased.

- Kenny Nuss made motion to retain Jeff Jackson as president; Mark Kerschen seconded; motion passed 4-1, Jeff Jackson abstaining.

B. Mayor Moore asked for nominations from the floor for the treasurer position. Jeff Jackson nominated Lyle Foss for treasurer for 2024. Nominations ceased.

- Jeff Jackson made motion to elect Lyle Foss for treasurer; Kenny Nuss seconded; motion carried unanimously.

Will be removing Brian McElgunn (2022 former treasurer) from First National Bank accounts and keep Mark Kerschen (2023 treasurer) as a signor on the accounts. Lyle Foss (2024 treasurer) will need to be added as a signor on all accounts, so that there will be a total of three people that can sign checks (Mayor Moore, Lyle, Mark). Will need to ensure that Lyle has full view access to the FNB online accounts, also.

VI. Appointments for approval: AZC, BZA, City judge

A. AZC Coordinator – Mayor Moore presented Mo Penny as her appointment for 2024.

- Mark Kerschen made motion to accept; Jeff Jackson seconded; motion carried unanimously.

B. BZA Volunteer – Mayor Moore presented Mitch Cramer as her appointment for 2024 through 2027 (3 years).

- Jeff Jackson made motion to accept; Mark Kerschen seconded; motion carried unanimously.

C. City judge – Mayor Moore presented Larry Bolton as her appointment to continue in this position for 2024.

- Jeff Jackson made motion to accept; Kenny Nuss seconded; motion carried unanimously.

VII. Reports

A. Mayor

1. For the record, it is noted that the regular council meeting for January 8, 2024 was cancelled due to inclement weather conditions.

2. Report of the LKM webinar for members on January 9, 2024. Mayor Moore, Lyle Foss, Bonnie Swenson, Christina Gardner attended. This prompted Mayor Moore to ask LKM legal counsel how we should be managing our volunteer committees. He stated that according to the Open Meetings Act, if they are truly a "committee", established by the council and have membership, they

should take minutes and publish notice of their meetings. In The Highlands setting, they are volunteers, membership is fluid and meetings occur as needed depending on the project. Therefore, going forward, we will adapt our reference to them as “volunteers” (Park and Recreation Volunteers, Welcome Volunteers, Short Term Rental Volunteers).

3. City Clerk will communicate the council updates to the Reno County clerk and LKM.

4. Business cards and letterhead – discussed obtaining the current logo in a color format to be used on letters, invoices, and business cards. Mo Penny stated that the Postmaster is asking that we notify them of newly assigned mailing addresses on Highlands letterhead, also.

- Kenny Nuss will follow up with Fincher’s Findings, whose artist created the original logo and see what we need to do to obtain it in color.
- Jeff Jackson has a color logo image that he will send to City Clerk.

5. Recognition of former council members - Kenny Nuss thought the council should acknowledge their appreciation to outgoing council members. An example would be a framed certificate with the city’s seal.

- Mayor Moore will check into certificates and proceed with this for outgoing council members, Butch Neel and Brian McElgunn.

6. LEPC meeting, February 7, 2024, 9:30 a.m. to 11:00 a.m., at Hutchinson Regional Center Pavilion. Mayor Moore has asked Randy Miller to join her on this committee. It involves planning for emergencies such as chemical spills, fires, pandemics, and can provide training. She invited other council members to attend.

B. Treasurer

1. Mark Kerschen presented December’s financial statement. There are allocations that need to be worked out before we can finalize the year-end financial report.

2. Approval of invoices

- a. Crazy Horse room rental – 6 months - \$600.00
 - b. LKM 2024 dues - \$555.98
 - c. Nationwide Insurance – treasurer’s bond annual premium - \$100.00
 - d. EMC Insurance – annual liability insurance premium - \$4,870.00
 - e. Reno Co. Utilities - \$30.66
- Mark Kerschen made motion for approval to pay invoices a. through e.; Kenny Nuss seconded; motion carried unanimously.

f. Powered by ME – snow removal - \$1,625.00

Discussed the recently drafted contract with PBM for their retainer fee and subsequent hourly charges for actual snow removal. There was some dissent on the lateness of their arrival in the City following the last snowfall. They are to monitor the street conditions and clean ROW when plowing. Discussed further whether to solicit another source or write an addendum to the contract to line out expectations better.

- Mark Kerschen made motion to pay the retainer fee of \$750.00, plus charges of \$875.00; Kenny Nuss seconded; motion passed 4-1, Jeff Jackson voted against.

- Mayor Moore will work with Mo Penny and PBM on addendum to contract addressing concerns.

g. Reimbursement to Jeff Jackson for Hovious deed fee - \$38.00

- Lyle Foss made motion to approve the reimbursement; Mark Kerschen seconded; motion carried unanimously.

3. Discussion on how items B.1 and B.2 are presented/recorded in minutes. The council is okay with the items that are shown now.

- Kenny Nuss made motion to keep items B.1. and B.2. as currently recorded; Jeff Jackson seconded; motion carried unanimously.

4. Publish year-end actual financials –

- The year-end financial statement needs to be finalized so that it can be filed. Jeff Jackson will check to see if it needs to be physically published in The Hutch News or if posting on our website (our official newspaper) is the proper procedure now. Deadline is January 31, 2024.

C. AZC

1. Mo presented a permit for Randy Miller to construct a pergola. Kansas Rural Communications special use permit discussed in Public Comment section. Mo asked the council for permission to allow Nathan DeWitt and Ramy Morris to proceed with clearing their lots in preparation for construction so they can stake for their houses.

- Jeff Jackson made a motion to approve Randy Miller's permit; Kenny Nuss seconded; motion carried unanimously.

2. Contract for snow removal – see discussion in B.2.f.

VIII. New Business

- A. Short term rental volunteers – convening their first meeting.
Mayor Moore will contact the seven individuals that have agreed to assist in defining the City's considerations and to begin organizing so that they might be able to report back to the council in April.
- B. Insurance for the City – Mitch Cramer, ProValue Insurance agent, was not present to review the 2024 liability insurance renewal.
 - 1. Discussion regarding insurance coverage for volunteers.
Per Mayor Moore's conversation with Mitch Cramer, the volunteers need to have their own insurance coverage; the liability would be covered by the City's. Designated council members should know when defined projects are being done. Randy Miller notified the council at this meeting that volunteers will be taking down the Christmas decorations in the next few days. The council asked to table this discussion until Mitch could be present.
 - Mayor Moore will contact Mitch for the insurance policies and will check with LKM to see if they have any input.
- C. Planning for budget (K.S.A. 79-2988)
The recent LKM webinar compelled Mayor Moore to begin thinking about the 2024 budget process. May be premature since the county assessments have not been received yet. May need to consider exceeding the Revenue Neutral Rate for longer term planning (i.e. road overlay).

IX. Unfinished Business

- A. Report on property compliance review, December 20, 2023, and action plan.
Kenny Nuss reported that he, Brad Easter and Jeff Jackson drove around the City to note any properties that would fall into non-compliance of lot and ROW cleanup. In March or April, the whole process will start over as vegetation continues to grow. Kenny would like to ask for more volunteers to assist in this ongoing process.
 - 1. There are six properties that need to complete a survey as their property line falls between two landowners.
 - 2. Lot owners that had incomplete clearing of lots. There are five properties that will be noted as in compliance.
 - 3. Lot owners that will be assessed fines. Kenny had a list and will work with City Clerk on letters to be sent to these individuals.
 - Jeff Jackson made a motion to move ahead with assessing fines to the parties on Kenny's list; Lyle Foss seconded; motion carried unanimously.

- 4. Update on Country Club lots – Paganica Peaks #1. These are properties that are deeded as common area, and property owners have an undivided interest. The last known address for one of the owners is in California.
 - Jeff Jackson is looking further into the ownership with Salt City Land and Title to determine the legal status.
 - B. Report on acquisition of northwest property by the City. The completed warranty deed has been received and will be kept by the City Clerk. Jeff Jackson reported that the council had given approval to purchase the land for \$2,000.00, but he was able to complete the transaction for \$1,500.00 from Judith A. Hovious Trust. Work is being done to clear this property so that the fire hydrant is exposed.
 - C. ARPA funds – Jeff Jackson reported that we can use these funds to rock Monroe Street (okay to use for another municipality). Reno County will assist with the rock that will aid in the drainage project – no dollar amounts available yet. New council members were briefed on how the various funds work that we track for expenditures.
 - D. Conversation with township – the county has surveyed the area and will be working on raising Monroe so that the ditches will flow north. Pat Henke will be out so that this project can continue moving forward.
- X.** As may arise
- A. City Clerk asked if an extended warranty could be purchased for the City laptop from Dell. The council agreed to purchase one more year.
 - B. City directory – has been printed every two years with sponsored ads purchased for this time period. May consider printing an update on the in-between years and bring to same cycle as elections.
 - Mayor Moore will check with LKM on the directory information that is currently published.
- XI.** Date for next City Council meeting
- A. February 12, 2024
 - Mark Kerschen made motion to accept this date; Lyle Foss seconded; motion carried unanimously.
 - B. February 26, 2024 – will make decision at February 12, 2024 meeting.

C. Agenda items for next meeting

1. Identifying goals for 2024
2. Insurance review/Volunteer liability question
3. End of year financial statement/publication
4. Noncompliance fine letters
- 5.

XII. Motion to adjourn - 7:53 p.m.

- Jeff Jackson made motion; Mark Kerschen seconded; motion carried unanimously.

2023 Goals continued from 2022 Goals

1. Develop long-term plans for roads (obtain estimate from civil engineer) (completed)
2. Identify what needs to be done with roads this year (short term) (completed)
3. Identify drainage concerns
4. Establish Parks & Recreation committee (completed)
5. Continue with vacant lot clean-up
(2021-22 goals: Road repairs, vacant lot clean-up, signage [completed], future drainage concerns)