

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

**Meeting: REGULAR**

**Date: March 15, 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, arrived at 7:22 PM**

**Council Member: Jeff Stringer**

**Council Member: Amy Hirst**

**Council Member: John Mitchell**

**Council member: Paula Scott**

**ABSENT: None.**

**Others: Sonia Yutzy, Leslie Warden, Allen Blake, Bill Thomas, Nita Johnston, and Lloyd Schmidt.**

No additions to the agenda were necessary, and no public comment was provided.

**Don Huston: Water Project**

Huston addressed the Council regarding the “threatening letter” he received from the City attorney. He recounted the 3-month hassle he endured when trying to obtain a special use permit for a cell tower and discussed a more recent ordeal with the City regarding frozen water service at 109 N. Topeka, one of his rental properties.

Huston advised that there is no guarantee there is water on his property, and even if there is, the quality and quantity of it may not be sufficient. He also opposed the location chosen to dig a test well because of its central location on the piece of land. Though he did receive the letter stating condemnation proceedings were going to be commenced, he has had no conversation since February 16 with the engineer or administrator. Furthermore, he was reluctant to believe his land was the only remaining feasible location for a new well.

The City is in a time crunch for obtaining a grant, Mayor Littlestar noted, and Huston’s land is the last good option that meets KDHE’s requirements and the engineer’s recommendations.

Huston stated that the City had no right to place stakes on his property. Blake advised that Huston had given verbal permission for the City to dig a test well. Huston told Blake he should also obtain permission from Kenneth Westfahl, who farms the ground. However, Huston then rescinded his permission before Westfahl could return Blake’s calls.

Mayor Littlestar asked Huston if any damage was done to the land, and Huston replied no.

Blake expanded upon why the locations near Huston would not work for a water well. KDHE has determined those locations have groundwater under the influence of surface water due to their proximity to Gar Creek.

If given the choice, Huston said he would prefer to lease the land to the City rather than sell it. Littlestar said he didn’t think that would be in the best interest of the City. Blake pointed out that may not jive with our financing, but that could be researched. Huston also asked why the City

needed three and a half acres for the well, and Blake advised quite simply that three acres are necessary to meet the KDHE requirements and the engineer's recommendations.

Though Huston said he would give permission to drill a test well if the City agreed on damages, he refused to quantify, saying the damage would not be a one-time deal. The installation of a well would cause damages for a lifetime. At that point, Mitchell told Huston it sounded like he wanted a blank check. Blake passed around a Memorandum of Understanding between the City, Kenneth Westfahl, and Don Huston. The document had been drafted but never signed.

From the audience, Lloyd Schmidt suggested the City consider witching the area to find water sources. The Council was receptive to the idea.

The City will not do anything on the land until written permission has been obtained, Blake advised. Also, the City will not enter into any agreement with damages not quantified.

Therefore, it was decided that Huston would take the Memorandum of Understanding to his attorney for review and then return to the Council for further action.

#### **Nita Johnston, Haven Insurance Agency, Insurance Bid**

Johnston presented a bid for property and casualty insurance from EMC. The Council noted that 120 N. Kansas needs to be added to and three vehicles removed from the policy. There was also a question as to whether or not the golf course should be on the policy.

Ford moved for the approval of the insurance bid from EMC providing that the premium would not exceed \$40,000 with the suggested revisions. Mitchell seconded, and the motion carried five to zero.

#### **Maintenance Project Updates**

Maintenance supervisor, Allen Andresen, provided the following updates:

- The price of the fire hydrant and its installation will cost more than previously projected. Inman Excavating estimates it at \$4220.00. Scott moved for approval of Inman Excavating to install a new fire hydrant at 2<sup>nd</sup> and Reno providing the expenditure does not exceed \$4,220. Stringer seconded the motion, and it passed unanimously. This installation will require water to the entire town to be shut off from 1:30 to 4:30 on Tuesday, March 23, 2010.
- Maintenance installed electric and water meters at the Wellness Center. Andresen asked the Council if they wanted to donate the materials and labor or whether those items should be billed out. About \$900 worth of materials was used. The Council decided to donate the materials and labor since the Wellness Center is working under a matching grant.
- The street sweeper was brought out for use, and it lost a conveyor belt. The Council asked Andresen to continue working on it. Mitchell suggested getting it to a mechanic shop.
- Andresen has had Daniel Stanford, a new employee, working on some secondary electrical, and things have worked out well.
- The trash truck is going back to the shop on Thursday. Apparently, it has some sort of fuel leak.
- Andresen plans to have resurfacing bids for the Council at the next full meeting.

#### **EMS Update**

EMS Director, Tony Troyer, advised that he has found a grant for which we do have the chance to qualify. However, a survey regarding household income must be completed sooner rather than later. Discussion took place regarding whether to hire an architect to create plans for the

prospective EMS building. Finally, the Council gave Troyer the green light to have plans done by an architect so that we can get an idea of the cost.

Mitchell was unconvinced that EMS needed new facilities. Troyer pointed out that the doors of the ambulance cannot be opened while it is parked in the garage. Ford, Hirst, Stringer, and Littlestar all expressed the need to know the price of a new building.

### **City Administrator Project Updates**

In regard to the water project, a draft of the preliminary engineering report is now complete. As far as real estate goes, the City will not deem having permission to drill a test well until a signed agreement is in place. Also, Blake will check to see if lease of the ground is acceptable with our funding.

Blake advised the engineer that the \$30,000.00 estimate to revamp the low water crossing was not approved.

Blake sought Council approval to purchase an LED light bar for \$579.90 for patrol car #3, driven primarily by Aaron Meek. Usually, they are about twice that price. Stringer moved and Scott seconded approval of the purchase not to exceed \$580. The motion passed unanimously.

### **Appoint Committee to Update Capital Improvement Plan**

Blake recommended the committee consist of him, Mayor Cody Littlestar, Maintenance Supervisor Allen Andresen, Council member Jeff Stringer, and citizens, Marty Nienstedt and Phil Watson. Scott moved for appointment of the recommended individuals without limiting addition of others to the committee to update the capital improvement plan. Hirst seconded, and the motion passed with five "yes" votes.

### **Approval of Inventory**

City Clerk, Leslie Warden, presented the written inventory of the City Council room and the City Office, and pursuant to the auditors' recommendations, requested the Council initial them. Two revisions were requested. Revised copies will be provided at the next meeting.

### **Treasurer**

Warden advised the Council that due to the change in accounting software, the treasurer, Gladys Dodds, has had to spend additional hours reconciling the books. The change in software changed many of the tools / reports Dodds previously used to keep her books and thus has caused her to learn a new, complex system. Because of this, she has basically had to develop a new routine for completing her work. With the old system, reconciliation took about 8 – 10 hours to complete. Because some previous months had to have changes made in order for her to have an accurate starting point, to get through December of 2009, Gladys put in an additional 48 hours of work in February and 21 so far in March. Warden said that Dodds would like to be paid before she puts in too many more hours and Warden thought \$9.00 per hour was fair. The Council was hesitant to set a precedent of paying the treasurer by the hour. Therefore, Stringer moved to pay Gladys Dodds, treasurer, \$625.00 as compensation for the additional hours she put in through March 15, 2010, during the transition from Quicken to Quickbooks. Mitchell seconded, and the motion passed five to zero. Blake advised he should first check to see if a resolution is necessary.

### **Minutes**

At 9:15 PM, minutes from the March 1, 2010, meeting were unanimously approved with a motion from Stringer and a second by Ford.

**Accounts Payable**

Ford moved for the approval of the payables (excluding those to Mitchell Hardware) totaling \$103,679.37. Stringer seconded, and the motion carried. Ford also moved for approval of the payables to Mitchell Hardware totaling \$178.76, followed by a second from Hirst. The motion passed unanimously.

Members were provided a financial summary dated February 28, 2010, and a report comparing expenditures to the 2010 Budget.

**Council Concerns**

Mitchell requested the Council re-undertake inspection of city-owned property / facilities. Ford agreed this should be done. The Council agreed to visit half of the property at the beginning of the April 16, 2010, meeting, and the second half at the beginning of the May 7, 2010, meeting.

Blake informed the Council that the City must hold a public meeting and post public notice of the same since we are seeking funding through the USDA Rural Development. It was decided the public meeting should be held at the next Council meeting on April 2, 2010.

The City should begin to advertise for pool employees in The Clarion.

Mayor Littlestar took a moment to say thank you to all of the City employees for accepting the many changes that have come about recently.

**Adjournment**

At 9:35 PM, Scott moved and Stringer seconded for adjournment. The motion passed five to zero.

S/S  
Cody R. Littlestar, Mayor

Attest:

S/S  
Leslie Warden, City Clerk