

CITY OF HAVILAND
Council Minutes
March 5, 2012
Community Room – 7:00 p.m.

I. Call Meeting to Order

The Haviland City Council met in regular session with Mayor Robert Ellis calling the meeting to order at 7:00 p.m. Mayor Ellis asked Chuck Townsend to open the meeting with prayer. Council members present were: Kay Unruh, Dwight Smitherman, Don Chenoweth, Ed Davis, and Steve Larsh. Also present were: Wes Jantz-City Superintendent, Shari McAfee-City Clerk, and following members of the public: Chuck Townsend, Morgan Silva, Elaine Worden, Brian and Twila Hanneken, John and Brooke Starnes, Josiah Williams, and Royce Frazier.

II. Approval of Last Month's Meeting Minutes

Smitherman motioned to approve the February 6 and February 20 minutes as presented. Larsh seconded. Unanimous.

III. Presentation and Approval of Bills

Smitherman motioned to approve the bills as presented. Chenoweth seconded. Unanimous.

IV. Financials as of February 29, 2012

V. Presentation by the Public

1. **Brooke Starnes** – Starnes handed out a time-line report regarding the issue of their dogs. She also passed around pictures of the dogs. Both dogs have had their shots and will get the city tags at the pet clinic on March 17. After hearing what has happened from the Starnes' viewpoint, and following a short discussion, the council took the following action: *Davis motioned that the council take no further action regarding the Starnes' dogs. Unruh seconded. Unanimous.*
2. **Elaine Worden** – Worden was present to ask the City for assistance in finding her water leak. There has been a problem since February 2009. Alvin DeGarmo and Oscar Ebert have looked twice and repaired minor problems, however there is still a leak somewhere. Mayor Ellis asked Jantz to get with Ebert and try to determine what the problem is. Her water usage has been averaging over 6,800 gallons per month for the last 38 months.

VI. Old Business

1. Ordinance Enforcement

- **Public Officer Job Description** – McAfee will check with other cities and ask for copies of their job description.
 - **Ordinances to Enforce** – Smitherman suggested that the council begin reviewing a few ordinances each month.
 - **Repeal Ordinances No Longer Needed** – McAfee will go through the valid ordinances and report at the April meeting.
 - **Review City of Preston's Ordinance/Resolutions Relating to Unsafe or Dangerous Structures and Abandoned Property** – *Larsh motioned that the City write a new ordinance naming an enforcement officer and prescribing duties for enforcement using the City of Preston's ordinance, and with the recommendation of Attorney Steve Brown. Chenoweth seconded. Unanimous.*
2. **Water Systems** – McAfee reported that around 100 R/O units have been installed. Frazier arrived at the meeting at 7:45 p.m.
 3. **Housing Development Planning Group Report** – Larsh reported that he had visited with Dick Kelsey, a Kansas Senator and also on the Barclay College Board, and he is very interested in helping with the housing development. Larsh also reported that Jon

Mansel of Mansel Construction did not want to give an estimate on the Chandler property, since he is not an engineer. Alan Luttrell, with EBH & Associates, looked over the property and sent an Opinion of Probable Cost to develop this subdivision. The scope of the work includes: the cost to do water, sewer and street improvements; legal

engineering, fiscal and inspection; and subdivision platting and development cost. Their estimate is \$920,450.

Rather than sell all 11 acres as first discussed, Chandler only wants to sell one acre. Larsh passed around a drawing of the new proposed area, which would have three lots. An informal HDPG meeting was held Friday, March 2 with 35-40 people in attendance.

Larsh further stated that Kelsey has already scheduled contractors to come and begin building. Larsh proposed that the City offer \$2,000 to \$2,500 for this acre and then sell the lots to individuals. Worden left the meeting at 8:35 p.m.

The general feeling of the council was that they did not want to purchase and sell the lots. Mayor Ellis asked Frazier if Haviland Housing, LLC (Royce Frazier, Dick Kelsey, Lee Anders) would be willing to purchase the land, and Frazier responded that yes they would.

Larsh motioned to provide water and sewer to the Chandler property. Davis seconded. Unanimous. Following are the list of responsibilities that were decided:

City

- Provide water
- Provide sewer
- Annex land

Haviland Housing, LLC

- Purchase land
- Have a survey done
- Platting
- Consent to annexation in writing

The City will begin the annexation process after receiving the written consent to annexation from Haviland Housing, LLC. McAfee will talk to Attorney Steve Brown and Jantz will order the materials needed for water and sewer.

Williams, Brian and Twila Hanneken, John and Brooke Starnes, and Townsend left the meeting at 8:42 p.m.

4. **Building Permits** – Council reviewed the current building permit and decided to leave as is and use for a line of communication between the City and anyone doing any building. Frazier left the meeting at 9:01 p.m. McAfee will send copies of ordinances pertaining to building or new properties to the council.

VII. New Business

1. **Public Officer Interview(s)** – Silva was present to interview for the position of Public Code Enforcement Officer. *Unruh motioned to go into executive session at 9:04 p.m. for ten minutes. Davis seconded. Unanimous.* Jantz left the meeting at 9:04 p.m. Regular session resumed at 9:14 p.m. *Larsh motioned to hire Morgan Silva on a three-month trial as the Public Code Enforcement Officer for a minimum of 20 hours per month at \$25.00 per hour for a monthly total of \$500.00 plus expenses. Any hours over 20 will be billed to the City. This will be reviewed at the end of the trial period. Unruh seconded. Unanimous.*
2. **Payments From County**
 - **Library Janitor** – Mayor Ellis would like to ask the county commissioners to pay for janitor work done at the Haviland Branch of the Kiowa County Library. The City has paid this expense (approximately \$70 per month) for a number of years and feels that the county should be paying it. Mayor Ellis will talk to the commissioners.
3. **Safe Kids of Kiowa County** – Mayor Ellis presented a request for a donation. *Smitherman motioned to give a \$100 donation to Safe Kids Kiowa County. Chenoweth seconded. Motion carried 4-1 with Larsh voting no and wanting to give \$200.*
4. **County Trash Dumping Fees** – Unruh shared the importance of recycling and that Nisly Brothers, Inc. may have to increase their prices for trash service because of dumping charges. This Nisly information was given to another city. Haviland has a contract with Nisly through 2015 and Smitherman reported that the county does not charge Nisly to dump trash at the county landfill.

March 5, 2012 Minutes – Page 3

5. **Council Thoughts**
 - A. **McAfee** – shared a request from Claudine Williams for a discount on her water bill. She had a leak on her side of the line and used 139,000 gallons in January and

80,000 in February before the leak was fixed. Council denied a discount and asked McAfee to set up a payment plan with Williams. McAfee presented a request from the Mavericks Booster Club for a donation for the after prom party. *Larsh motioned to donate \$100 to the Maverick After Prom Party. Davis seconded. Unanimous.*

B. Chenoweth - None

C. Unruh - None

D. Larsh – stated that he is encouraged by tonight’s meeting and that the City is moving forward on the housing problem.

E. Davis – stated that he is encouraged also.

F. Jantz - Absent

G. Smitherman – thanked Larsh for all of his work regarding housing. Reported that Haviland Telephone Co. is going to cement from Walnut Street to the north doors of their new building.

H. Mayor Ellis - None

VIII. Adjournment

At 9:58 p.m., Smitherman motioned to adjourn the meeting. Chenoweth seconded. Unanimous.

Robert Ellis, Mayor

Shari McAfee, City Clerk