

CITY OF HARPER, KANSAS
COUNCIL MEETING
MONDAY JANUARY 26, 2015 6:30PM
Mayor Scott Blubaugh

Council met in regular session with Mayor Scott Blubaugh in chair. Present were Eric Barker, David Earls, Don Evans, Jan Graves, Greg Stierwalt and Brande Vogele.

CONSENT AGENDA

Minutes of the January 12, 2015 Council Meeting.

Appropriation Ordinance No. 012615

December 2014 Municipal Court Publication Report.

Treasurer's Quarterly Report.

Motion by Don Evans second by Brande Vogele to approve the consent agenda. Motion carried 6-0.

RECOGNIZE GUEST

Wade Beal, President of the Harper Recreation Commission, was present to update council on the ball field renovation project. He continued with a presentation of proposed future projects to include turning the old grass t-ball fields into a 3rd playing field, replacing old maintenance equipment, replacing the softball crowd's nest and replacing the concession stand to include ADA bathrooms and a possible locker room for the baseball team. He added that the third field would open opportunities for tournaments and possibly the high school softball team could also play at the Harper fields with both their varsity and JV teams. The costs to renovate the third field surface was approximately \$8,500. Mr. Beal continued discussion with the council regarding the replacement of old maintenance equipment which was needed due to constant break downs and repairs, this would also save them time maintaining the fields. The commission had looked into purchasing a used newer 60" mower to maintain the ball fields, they had also looked at the purchase of a new mower which was slightly out of their budget. Council discussed the benefit of the recreation commission purchasing a new mower with a warranty. They discussed paying for the resurfacing of the 3rd ball field allowing enough money to give the recreation board the funds needed to purchase a new mower rather than a used one. They discussed utilizing funds from the Future Community Center Fund which had cash available from the insurance proceeds from when the red barn had been destroyed by a wind storm.

Motion by Don Evans second by Jan Graves to approve \$11,500 to be paid from the Future Community Center fund for the 3rd ball field improvements to the Harper Ball Fields. Motion carried 6-0.

Representatives from Rural Water District No. 5 were not present for the discussion on the water rates regarding the capital costs from the water treatment plant so the matter was tabled until the next meeting.

Jane Gardner, tenant of 912 Central, was present to discuss the city possibly implementing a cold weather rule for disconnection of unpaid water bills. Her landlord had failed to pay his water bill resulting in the city disconnecting the water service. She claimed that while the water was off the line had frozen so when the water was reconnected later that day it had caused the pipe to break. She asked council to also make special concessions for her and her daughter's business. The city had been informed that her daughter had started a business in the unused portion (north) part of the building and so the city added an additional charge since the city code relating to multiple units serviced by one meter says that where there is more than one resident, apartment business or combination thereof there shall be a water rate charged for each occupied unit. Mrs. Gardner felt that she had a special circumstance because although her daughter sold things out of the north part of the building and had given a cute name, it wasn't really a business. She basically just stored her inventory there. She added that there were pipes in that part of the building but there wasn't any water. Anytime her daughter needed water she came over to Mrs. Gardner's side of the building. She asked also that the city reimburse her for the four months that building was charged the extra charge for the north side of the building. Clerk Hartson informed council that the city had spoken with the owner of the building whose name the water was in. In conversations it was concluded that the north side of the building was no longer being used to sell merchandise and that the additional charge was going to be removed in January. After some discussion it was determined that someone else selling items was considered a business in addition to it having a separate physical address. There was no action to reimburse for the additional charges. Clerk Hartson was instructed to look into how any other cities handle "cold weather rules" regarding disconnection of unpaid water.

Ted Farha, Farha Construction, and Rosalea Hostetler, representing the Balmer Fund, were present to discuss the demolition of 121 W. Main. Mr. Farha asked council if there was any way to stop the demolition so the repairs could begin. Mayor Blubaugh informed him that the demolition contract had been signed so stopping the demolition would result in a breach of contract for the city with the contractor. He added that if Mr. Farha and Ms. Hostetler could supply the council with a signed contract showing the amount to have the work completed in its entirety as well as proof from a financial institution that the Balmer Fund and/or Ms. Hostetler had funds on deposit in the amount of the contract it would be worth the city's breach of contract to halt demolition. Mr. Farha nor Ms. Hostetler offered any of the information requested. Ms. Hostetler informed council that prior to the court order deadline she had two offers to put up the funds to repair the building and both backed out. When she went to the bank to get a loan they required collateral, two people again offered to put up the collateral but as the deadline approached both of them also backed out. Mr. Farha explained to council that arrangements had been made for him to begin shoring up the inside of the building, then as Ms. Hostetler was able to come up with more funds they would eventually replace the exterior walls on the two south corners of the building. Mayor Blubaugh said that the city could not breach a contract for demolition to allow for partial repairs without guaranteeing that the project would be completed in its entirety. No further action was taken.

Clerk Hartson asked council if they were interested in obtaining earthquake coverage on the city's critical facilities. Council was interested and asked Clerk Hartson to get costs of coverage for each facility.

7:48 p.m. Councilmember Graves left meeting.

Clerk Hartson informed council that the city attorney recommended the city hire Bickley Foster, Foster and Associates, as a consultant to assist the city with converting to their own zoning. Council asked Clerk Hartson to get pricing for his services, as well as other consultants in the zoning field.

7:52 p.m. Councilmember Graves returned to the meeting.

Motion by David Earls second by Greg Stierwalt to adopt Resolution No. 733-15 a resolution authorizing participation in the Kansas Mutual Aid Program. Motion carried 6-0.

Motion by Jan Graves second by David Earls to hold a public hearing regarding the City of Harper's participation in the Harper County Neighborhood Revitalization Program on February 9, 2015 at 6:30 p.m. at the regularly scheduled council meeting at city hall. Motion carried 6-0.

Councilmember Stierwalt reported back to council from the special CID committee. The committee had determined that it was not in the city's interest to establish a CID at the current time. The committee did, however, feel that the city should have a formal economic development committee with residents from the community involved. The members of the special CID committee were interested in serving on the committee if the governing body chose to set up a more permanent committee. Council was interested in the idea and asked for more information on how other cities have established similar committees.

COMMITTEE REPORTS none

OLD BUSINESS Clerk Hartson informed council that Atlas Electric, installed baffling system on PAPI, was given incorrect instructions on how much it needed baffled, the system failed inspection and a new baffling kit was being order.

Downtown Walls- Clerk Hartson informed council that although Mark Alldritt had not brought in the completed surveys yet, he had assured her that one of the exposed walls belonged to the city and the other to the county. Mayor Blubaugh asked the building committee to get together to review the four proposed solutions to the downtown wall project and get specifications on two solutions to bring back to council to be put out to bid on the option decided. The county needed to be kept involved to see if the two entities could work together.

Downtown Stage Awning-Councilmember Earls discussed with council his visions of a type of metal lean-to to be built above the stage for covering. Mayor Blubaugh asked Councilmember Earls and Councilmember Evans to work together and get specifications for council so bids could be let.

Cemetery Monument Leveling-Council asked for the quote submitted by SI Memorials be brought back for review since the Veteran's Memorial project has been completed.

Storm Sirens-Last fall when Chief Murphy attempted to set off the storm sirens by radio from Anthony (dispatch) it failed. Chief Murphy needed to have the radios' programming reworked so that it could be set off through the repeater.

Home Grant-Clerk Hartson informed council that the city was denied the 2015 HOME grant. Linda Hunisker had informed her that there were a few discrepancies with the application, but it was more of a gut feeling that housing was not a priority for the governing body. During the site visit her and her colleague did not get the impression that the elected officials were as invested in the project as they would have liked them to be. Mrs. Hunisker encouraged the city to reapply if the council was truly supporting housing improvements throughout the city in their entirety and not just looking for grant funds. The council did support the housing initiative and asked Clerk Hartson to begin the reapplication process.

REPORT OF CITY OFFICERS Police Chief Murphy informed council that the suspect that was arrested for the Johnson Liquor store theft was released on bond, through investigation the department obtained an additional arrest warrant for the suspect on another theft and the suspect was rearrested. The department was investigating a theft at 522 E. 8th that appeared to be a family matter, they were also investigating an auto trailer that was stolen from Newberry Family Auto. The department was going to be working on cleaning out their offices, reorganizing and remodeling an office into an interview room.

Fire Chief Ken Leu requested that public works find out from the engineers how much water can be pumped back into the water towers during an emergency.

PWD Bill Sanders informed council that the snow plow truck was moving forward, bushes were being pulled out of the park, and the water treatment plant was schedule to be online the following week.

NOTICES AND COMMUNICATIONS none

Motion by Jan Graves second by Greg Stierwalt to recess into executive session pursuant to the K.S.A. 75-4319(b)(6) exception in order to discuss acquisition of real property, the open meeting to resume in the city council chambers at 8:45 p.m. Motion carried 6-0.

8:45 p.m. Mayor Blubaugh announced no official action was taken.

Motion by Greg Stierwalt second by Brande Vogeles to donate \$50.00 to the Chad Jackson Memorial Fund (Fire Department). Motion carried 6-0.

Motion by Don Evans second by Brande Vogeles to adjourn. Motion carried 6-0.