

**CITY OF HARPER, KANSAS  
COUNCIL MEETING  
MONDAY, MAY 09, 2022 6:30PM  
Mayor Scott Blubaugh**

Council met in regular session with Mayor Scott Blubaugh in chair. Present were Eric Barker, David Earls, Rose Ann Green, Kenneth Leu, Lonnie Teel and Brande Vogele.

**CONSENT AGENDA**

Minutes of the April 25, 2022 Council Meeting.

Appropriation Ordinance No. 05092022

Orders of Violation:

- Chapter 28 Article 2
  - 211 W. Main St.
  - 616 W. Main St.

Motion by Lonnie Teel second by Rose Ann Green to approve the consent agenda. Motion carried 6-0.

**RECOGNIZE GUEST**

Erin Teel, Harper Tree Board, was present to inform council of the Tree Board's Arbor Day Project. They had purchased a large number of trees to be able to send them home with kids from Harper Elementary school. They had about 150 left over. She asked council if they would have any issues with taking the excess to Harper County Homegrown (farmer's market) and giving them away. After some discussion there was no objection from the governing body for the Tree Board's plans.

Scott Busch and Gail Hall, Layne, was in attendance to discuss the additional work needed for the well 5 rehabilitation. In the fall of 2021, Council had approved the repair to well 5's pump, in addition there was approximately \$4,500 done for the motor. Before the pump was reinstalled the City received an additional quote to rehab the well itself. Mr. Hall explained that the well was drilled in the 1940's. Over time there has been a build-up on the screen at the bottom of the well which was greatly reducing the pumping capacity of the well. The proposal included using muriatic acid and a soft brush to clean the slotted screen. He noted some concerns of the screen's attachment to the carbon steel due to age. Mayor Blubaugh asked about the value of cleaning the screen versus installing a new one. Mr. Hall explained that unless the screen comes off on its own, it can't intentionally be removed. Mayor Blubaugh noted that he didn't want to see the City spend another \$14,000 on well #5 and then receive a quote for replacement because the screen was broken. If the additional investment was \$10,000 then he would rather do that and get a new screen and casing for a longer life expectancy on the well. Mr. Hall said that they couldn't remove the screen, just replace it if it came off. Mr. Hall said that they would perform additional televising of the well after clean out at no additional costs. If approved, they planned to be back in a couple of weeks to complete the work.

Motion by Brande Vogele second by Lonnie Teel to authorize the rehabilitation of Well #5 relating the screen obstructions, at a cost not to exceed \$14,462.00 to be paid out of the water reserve fund. Motion carried 6-0.

City Admin. Hartson presented a draft ordinance related to variances to the zoning regulations. The board of zoning appeals recently had a case that needed to be revisited due to the conditions that were set forth had then created unforeseen consequences. In the original 2015 regulations that were adopted after the joint city/county commission disbanded there was a provision that allowed for review. When the city did complete revision of the zoning regulations under Riggs & Associates, that provision was lost. The ordinance would re-establish the provision.

Motion by Ken Leu second by Brande Vogele to adopt Ordinance No. G-414 an ordinance relating to variances to the zoning regulations, amending Chapter 50 Article 4 Section 50-89 of the City Code of the City of Harper, Kansas. Yea- Barker, Earls, Green, Leu, Teel, Vogele. Ney – 0; Motion carried 6-0.

Admin. Hartson presented a draft ordinance related to the extra strength user surcharge. She explained that when the surcharges were reviewed previously and the cost for BOD and TSS were changed, the formula was written in the ordinance without the weight of water being factored in. The equation doesn't calculate appropriately without

that factor. Staff had continued to calculate charges correctly, the equation within the ordinance just needed corrected.

Motion by Lonnie Teel second by Ken Leu to adopt Ordinance No. G-415 an ordinance relating to the calculations of sewage service charges, amending Chapter 48 Article 6 Section 48-418(5) of the City Code of the City of Harper, Kansas. Yea – Green, Leu, Teel, Vogele, Barker, Earls; Ney – 0; Motion carried 6-0.

Admin. Hartson presented a draft ordinance related to the tethering of dogs. She had a resident inquire about the tethering laws in Harper after seeing that Anthony had specific guidelines for tethering. When informed that Harper had no specific guidelines she asked if there could be some. Admin. Hartson reviewed some different cities' ordinances that did have them and presented the most common ones to council. Police Chief Burns opposed the action. He felt it would be too cumbersome to enforce specific guidelines. Councilmember Earls asked if action could still be taken under "cruelty to animal" laws if in certain cases it is clear the dog is not being cared for. Chief Burns confirmed that there were still other laws that were applicable in cases of mistreatment. It was the consensus of council to take no action.

**COMMITTEE REPORTS** Councilmembers Teel and Barker reported meeting with Street Superintendent Miller and Michael Kramer, Wilson & Associates, to review the preliminary street master plan. The plan included maps with condition grading. Preliminary cost estimate to rehabilitate/reconstruct all streets was \$12 million. Mr. Kramer and staff were still working on identifying the sources of funding assistance available for street infrastructure. There were some quality control that was still being performed and all surface types would have minimum standards established for consistency on future improvements.

**DEPARTMENT REPORTS** Chief Burns reported that Officer Jacob has his first DARE class graduation. Chief Burns had received a lot of positive feedback from school regarding Officer Jacob's performance with the program. Next year he would have 5<sup>th</sup> and 6<sup>th</sup> grade curriculums.

The pool was being prepared for the season. The water department had addressed a faulty corp on the new line at Spring Creek and had to make repairs. The street sweeper had been through the entire town, the street department was very happy with its performance.

Motion by Brande Vogele second by Eric Barker to adjourn. Motion carried 6-0.

Tiffany M. Hartson, CPM, CMC  
City Administrator/Clerk