

CITY OF HUMBOLDT
REGULAR CITY COUNCIL MEETING
MONDAY, FEBRUARY 11, 2008 - 7:00 P.M.

The Council met in regular session on Monday, February 11, 2008 at 7:00 p.m. in the Humboldt Public Library meeting room. Mayor Sharp called the meeting to order at 7:00 p.m. with the following Councilmembers present: Aikins, Crawford, McReynolds, Murrow, Walburn and Weilert. Councilmembers Griffith and Julich and City Attorney Works were absent. Also present were City Administrator Tucker, Chief of Police Onnen and Public Works Director Mintz.

The meeting was opened with the Pledge of Allegiance and Councilmember Crawford gave the invocation.

Under Public Comments, Clay Bettis asked if the City has any long term plans for street repair and water line repairs and he questioned trash pick up outside the city limits with the price of gasoline being so high.

Motion by McReynolds, second by Aikins to remove Item c, Approval of cereal malt beverage license - Cleto D. and Celia Coronado d/b/a Chilada's Grill & Bar, from the Consent Agenda for further discussion. Motion carried unanimously.

Motion by Aikins, second by Crawford that Items a, b, d and e of the Consent Agenda be approved. Motion carried unanimously. The Consent Agenda consisted of the following:

- a. Approval of minutes of January 14, 2008
- b. Warrant Ordinance No. 1643 dated January 29, 2008 in the amount of \$13,255.22 and Warrant Ordinance No. 1644 dated February 11, 2008 in the amount of \$116,230.14
- d. Ordinance No. 1419 adopting Neighborhood Revitalization Plan
- e. Use-A-Truck policy change

City Administrator Tucker said one of the two churches that are within 200 feet of Chilada's Grill & Bar, 818 N. 9th, have asked for more information concerning the request by Cleto and Celia Coronado for a cereal malt beverage license at that location. Motion by Aikins, second by Crawford to table approval of the cereal malt beverage license for Cleto D. and Celia Coronado d/b/a Chilada's Grill & Bar to the March council meeting. Five vote aye (Aikins, Crawford, McReynolds, Walburn and Weilert), one nay (Murrow). Motion carried.

Chief of Police Onnen presented Officer Warren Howerter a certificate of appreciation for valor and bravery during an incident that occurred in Humboldt on January 27, 2008.

Stewart Braden, The Humboldt Union, requested they be considered as the official city newspaper during the annual appointments in April. At that time it will be the Mayor's responsibility to make a recommendation in which the Council will vote.

Motion by Aikins, second by Murrow to adopt a City Housing Plan for the Home Repair Grant. Motion carried unanimously.

Motion by Walburn, second by Murrow to accept the inspection agreement for the Home Repair Grant with the Southeast Kansas Regional Planning Commission. Motion carried unanimously.

Motion by Murrow, second by Crawford to accept the lead assessment agreement for the Home Repair Grant with the Southeast Kansas Regional Planning Commission. Motion carried unanimously.

Motion by Murrow, second by McReynolds to authorize Shafer, Kline & Warren to complete additional inspection work on the remaining manhole covers and sewer lines with the remaining funds available from the Sewer Improvement Project. Motion carried unanimously.

Motion by Murrow, second by Aikins to table Ordinance No. 1422, which would establish a nuisance abatement policy for dangerous structures, to the March meeting. Motion carried unanimously.

A nuisance abatement hearing was held concerning a January citation issued to Kent Barfoot for improper fencing around vehicles at 703 S. 9th. He was present and agreed to put up fencing at that location and asked for six months to complete the work. Motion by Aikins, second by Walburn to allow Barfoot 120 days to complete the project with the option of approaching the Council again if more time is needed. He added that the vehicles will be moved. Motion carried unanimously.

No hearings were requested by Ron Sallee, 602 Pine, or James Leroy, 718 Cherokee, who were also issued citations for inoperable vehicles. Sallee had contacted Chief of Police Onnen and said that due to poor health he has been unable to move the vehicles. Motion by Murrow, second by McReynolds to allow Sallee an additional 30 days to remove the vehicles. Motion carried unanimously.

No action has been taken by James Leroy, 718 Cherokee, on the inoperable vehicle at his residence. Motion by Murrow, second by Aikins to abate the nuisance issue and turn it over to Chief Onnen for further action. Motion carried unanimously.

Nine citations were issued for nuisance properties resulting in four requests for hearings. Brenda Maloney-Gutierrez was present to request additional time to set and finish a mobile home at 1216 New York. City Administrator Tucker said he spoke with City Attorney Works and there is some question as to whether the mobile home meets the City code as far as setbacks. He said a previous building superintendent allowed the mobile home to be set as it is and if the City challenged that decision there would probably be some litigation involved. City Administrator Tucker said if the homeowner would make a sincere effort to bring the house up to what the codes require as it currently sits as far as safety and utilities, they should be given additional time to do this, suggesting 120 days

to the Council. Motion by Crawford, second by Murrow to allow Brenda Maloney-Gutierrez 120 days to work on her mobile home. Four vote aye (Aikins, Walburn, Murrow and Crawford), two vote nay (Weilert and McReynolds). Motion carried.

Mike Dillon, owner of property at 914 Mulberry, spoke with City Administrator Tucker earlier in the day and requested a demolition permit and additional time to complete the work and William and Alean Shults, owners of property at 220 S. 3rd, requested a demolition permit. Motion by McReynolds, second by Aikins to allow Dillon and Shults to proceed with the demolition permit and to put a 90 day limit on such permits. Motion carried unanimously.

Brian Ikehorn, owner of property at 221 New York, was present and requested a demolition permit and 90 additional days to tear the property down. Motion by Aikins, second by Walburn to issue a demolition permit and all Ikehorn 90 days to demolish the property. Motion carried unanimously.

Councilmember McReynolds asked that if Dillon, Shults or Ikehorn fail to obtain demolition permits by the March council meeting, that City Administrator Tucker bring the issue back before the Council at that time.

Patrick and Neva Ewing were present concerning their property at 607 New York and requested additional time to make improvements to it. Motion by Murrow, second by Crawford to allow the Ewings 120 days to make significant progress at 607 New York. Motion carried unanimously.

Kent Barfoot has started demolition of the property at 615 New York and was asked by City Administrator Tucker to get a demolition permit.

The property at 418 S. 3rd (Larry Castle) is a foreclosure and a letter will be sent to the lien holder to give them time to respond.

City Administrator Tucker said he had not received word from Pedro and Angela Ramirez for the property at 303 Mulberry or Leota Autry for the property at 515 Pecan. Motion by McReynolds, second by Murrow to take action on these properties. Motion carried unanimously.

Motion by McReynolds, second by Crawford that citations be mailed to the following owners of inoperable vehicles: Raymond Megenity, 304 S. 2nd; Ramona Larrivee, 807 N. 7th; James Smith, 521 N. 11th; Kyle Sigel, 601 Mulberry; and Richard Trester, 404 S. 7th. Motion carried unanimously.

Motion by Murrow, second by Walburn that written citations be issued to owners of nuisance properties at 922 Pecan, 1114 Bridge, 514 S. 8th and 512 Cherokee. Motion carried unanimously.

Motion by Murrow, second by Aikins to proceed with a mail ballot to submit to Humboldt voters to increase the City local sales tax from one cent to one and one-fourth cent for the purpose of funding improvements and maintenance to the City swimming pool. Motion carried unanimously.

Motion by McReynolds, second by Weilert to adopt Resolution No. 2-11-08A, a resolution to submit to the qualified electors of the City the proposition of levying a one-fourth of one percent (.25%) retailers' sales tax in the City of Humboldt, Kansas, in addition to the present City sales tax of one percent (1%) for a total of one and one-fourth percent (1.25%), for the purpose of funding improvements and maintenance of the City swimming pool. Motion carried unanimously.

Motion by Walburn, second by Murrow to adopt Ordinance No. 1420, an ordinance amending the license fees charged for electrician and plumber's licenses and amending Sections 4-326(a) and 4-424(a) of the Humboldt Municipal Code and repealing the existing sections thereof. Motion carried unanimously.

Motion by Murrow, second by Crawford to adopt Ordinance No. 1421, an ordinance amending the license fee charged for peddlers, solicitors, canvassers or transient merchants and amending Section 5-107 of the Humboldt Municipal Code and repealing the existing section thereof. Motion carried unanimously.

Motion by Aikins, second by Murrow to table Item 13 on the agenda, employee recognition for years of service, to the March council meeting to allow more time for consideration to be given to including part-time and Fire Department employees. Motion carried unanimously.

Motion by Aikins, second by Walburn to accept the job descriptions and pay plan for the Police Chief, Water Superintendent, Wastewater Treatment Plant Superintendent and Public Works Director/Code Enforcement Officer (exempt, salaried employees) retroactive to February 1, 2008. Motion carried unanimously.

Motion by Crawford, second by Aikins to approve two new light poles at Sweatt Ballfield Complex and one new light pole located on the south side of Bridge Street between 12th and 13th Street. Motion carried unanimously.

City Administrator Tucker gave a brief report on miscellaneous items. He introduced Craig Mintz, new Public Works Director/Code Enforcement Officer for the City of Humboldt, who began employment on February 4, 2008.

Motion by McReynolds, second by Weilert to recess to executive session for 10 minutes at 8:50 p.m. for discussion of real estate and 5 minutes at 9:00 p.m. for the discussion of personnel matters with the Mayor, Council and City Administrator requested to be present. Motion carried unanimously. Meeting will resume regular session at 9:05 p.m.

The meeting resumed regular session at 9:05 p.m.

At the recommendation of the Mayor, a motion was made by Walburn, second by Murrow to appoint Jean Flores as City Clerk and Lora Hunt as Assistant City Clerk. Motion carried unanimously.

Motion by Weilert, second by McReynolds to adjourn. Motion carried unanimously. Meeting adjourned at 9:10 p.m.

Robert Sharp, Mayor

ATTEST:

Jean M. Flores, City Clerk