

CITY OF HUMBOLDT
REGULAR CITY COUNCIL MEETING
MONDAY, MARCH 10, 2008 - 7:00 P.M.

The Council met in regular session on Monday, March 10, 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, Walburn, Weilert, Murrow, Julich and McReynolds. Councilmember Griffith, City Attorney Works and Public Works Director Mintz were absent. Also present were City Administrator Tucker and Chief of Police Onnen.

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

Under Public Comments, Stewart Braden, The Humboldt Union, introduced Mr. and Mrs. Cliff Ralstin who will be the new owners of the newspaper on March 14, 2008.

Motion by Aikins, second by Walburn that the Consent Agenda be approved as presented. Motion carried unanimously. The consent Agenda consisted of the following:

- a. Approval of minutes of February 11, 2008
- b. Warrant Ordinance No. 1645 dated February 28, 2008 in the amount of \$52,818.70 and Warrant Ordinance No. 1646 dated March 10, 2008 in the amount of \$242,637.97
- c. Addendum to engineering contract for sewer improvement project

Motion by Aikins, second by Crawford to adopt Resolution No. 03-10-08A, a resolution to submit to the qualified electors of the City of Humboldt, Kansas, 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 Julich, second by McReynolds to accept the application for a cereal malt beverage license from Cleto D. and Celia Coronado, d/b/a Chilada's Grill, 818 North Ninth, for consumption on the premises. Motion carried unanimously. City Administrator Tucker contacted the Methodist Church and Lutheran Church, neither of which had objections to the license being issued. The Methodist Church requested an opportunity to review the application at the end of this year before it is issued again in 2009.

It was suggested that Agenda Item 6 to consider Ordinance No. 1422 amending Article 6 "Dangerous and Unfit Structures" and Ordinance No. 1423 amending Article 2 "Environmental Code" be tabled due to the absence of City Attorney Works.

Motion by Aikins, second by Walburn to award certificates of recognition for all full-time and part-time City employees and volunteer firefighters based upon at least five

years of service and broken down in 5, 10, 15, 20, 25 and 30 years of service categories and for all employees and volunteer firefighters who have obtained the level of ten or more years of service, to recognize them with a gift from the League of Kansas Municipalities catalog using the following limits:

- 10 years - \$100 limit
- 15 years - \$200 limit
- 20 years - \$250 limit
- 25 years - \$300 limit
- 30 years - \$400 limit

Motion carried unanimously. City Administrator Tucker said the estimated cost to the City budget for 2008 would be \$3,550, with budget funds available to purchase the gifts.

The City's financial advisor, Rick Ensz of Cooper Malone McClain, Inc., was present to explain the benefits of forming a Public Building Commission to assist the City with the financing and purchasing of building sites and improvements in Humboldt. Usually the same people that serve on the City governing body serve on the Public Building Commission. Once established, this would allow the City to issue bonded indebtedness without being subject to overall state debt limitations (30% of the City's taxable assessed valuation). Motion by McReynolds, second by Aikins to adopt Charter Ordinance No. 21, a charter ordinance exempting the City of Humboldt, Kansas from the provisions of K.S.A. 12-1758, as amended and supplemented, and providing for substitute provisions of the same subject relating to Public Building Commissions. Motion carried unanimously.

Motion by Julich, second by Crawford to engage Donald Jensen with Cosgrove, Webb and Oman of Topeka, Kansas, as bond counsel to help the City with any future bonded indebtedness financing. Motion carried unanimously.

Ellery Robertson and Judy Arbeiter of the Hoe & Hope Garden Club were present to give an update on 2008 projects, including a Yard of the Month contest, whitewashing the trees in the City Square, and a mural to be painted on the east side of the storm shelter on west Bridge Street.

Motion by Julich, second by Aikins to accept the bid of O'Mara Trucking & Backhoe Svc., Humboldt, for \$2,750 for the demolition and removal of the nuisance property at 303 Mulberry after proper notification has been given to the property owner and also accept the bid of Kent Barfoot, Humboldt, for \$2,250 for the demolition and removal of the nuisance property at 515 Pecan, work to begin immediately, with both O'Mara and Barfoot to be given 30 working days to complete the projects and City Administrator Tucker be given the authority to grant extensions if more time is needed to complete the two projects. Motion carried unanimously.

In regard to the February real estate nuisance abatements citations, Jeff Bowman appeared on behalf of Dennis Edwards for the property at 922 Pecan, stating they will

apply for a building permit to begin work on an addition to the existing structure, put on a new roof and siding. Bowman said the inoperable vehicle will be removed this week. Motion by Aikins, second by Murrow to allow Dennis Edwards 120 days to complete the improvements at 922 Pecan. Motion carried unanimously.

Brett Anderson appeared concerning the nuisance property at 512 Cherokee, stating he plans to fix up the house, possibly paint it, and make some repairs to the roof and porch as soon as possible. Motion by Murrow, second by Julich to allow Anderson 120 days to either make some progress or complete the project. Motion carried unanimously.

Motion by Aikins, second by McReynolds to proceed with the abatement process on the nuisance property at 1114 Bridge. Six voted aye (Aikins, Murrow, Crawford, Weilert, McReynolds and Julich), one nay (Walburn). Motion carried.

Motion by Julich, second by McReynolds to proceed with the abatement process on the nuisance property at 514 S. 8th. Motion carried unanimously.

Motion by Julich, second by Crawford that citation letters be sent to the following owners of inoperable vehicles: Randy Lowry (1005 Sycamore), Cecilia Brinkman (513 Pecan), and William Heape (409 Mulberry) as they are in violation of City code. Motion carried unanimously.

Motion by McReynolds, second by Crawford to proceed with the abatement process on real property-nuisance abatements for March with notification of citation to the following: Steven Woelfel (1222 Mulberry), Stanley Shisler and Mark Melton (1212 Mulberry), Guy Ellsworth (203 Neosho), Loren Modlin (214 Osage), Richard Springer (918 Cherokee), Eugene Pugh (704 Cherokee), Steven Yost (410 N. 7th), and Dennis Reynolds (308 N. 9th). Motion carried unanimously.

Motion by Aikins, second by Walburn to adopt Resolution No. 03-10-08B, a Resolution supporting a unified countywide ambulance service for Allen County. Six voted aye (Aikins, Crawford, Weilert, McReynolds, Walburn and Julich), one abstained (Murrow). Motion carried. City Administrator Tucker said he and the Mayor had attended a meeting in Iola and were told there would still be an ambulance located in Humboldt. Councilmember Murrow stressed the importance of having a strong First Responder program in place if Allen County and the City of Iola ever divide ambulance service.

The City Administrator's report included a reminder for everyone to complete a community survey; the Swimming Pool Committee will be distributing brochures regarding the special election on pool renovations; a meeting is planned with the Growth Committee to see if a Small Business Development Center such as the one he visited in Parsons would be beneficial to Humboldt; and the 2008 Spring Cleanup which is scheduled for March 24 through April 2.

Motion by Aikins, second by Julich to table Agenda Item 6-Consider Ordinance No. 1422 amending Article 6 "Dangerous and Unfit Structures" and Ordinance No. 1423

amending Article 2 "Environmental Code" to the April meeting. Motion carried unanimously.

Motion by Julich, second by Walburn that the Governing Body recess to executive session as authorized by the Open Meetings Law for the exception of discussion of real estate. Meeting will be recessed for 10 minutes at 9:05 p.m. and will resume regular session at 9:15 p.m. in the Humboldt Public Library meeting room. Mayor Sharp and City Administrator Tucker were requested to be present in executive session. Motion carried unanimously.

The meeting resumed regular session at 9:15 p.m.

Motion by Walburn, second by Julich to engage the services of Zingre & Associates, Fort Scott, Kansas, at a cost of \$3,500.00 to evaluate the City's current building needs of office space at City Hall. Motion carried unanimously.

Motion by Julich, second by Weilert to adjourn. Motion carried unanimously. Meeting adjourned at 9:20 p.m.

Robert Sharp, Mayor

ATTEST:

Jean M. Flores, City Clerk