

CITY OF HUMBOLDT
REGULAR CITY COUNCIL MEETING
MINUTES
MONDAY, APRIL 11, 2011 - 7:00 P.M.

The Council met in regular session on Monday, April 11, 2011 at 7:00 p.m. in the Community Room at City Hall. Mayor Sharp called the meeting to order at 7:05 p.m. with the following Councilmembers present: Aikins, Carson, Crawford, Griffith, Julich, McReynolds and Walburn. Councilmember Murrow was absent. Also present were City Attorney Fred Works, City Administrator Larry Tucker, Chief of Police Dan Onnen, City Clerk Jean Flores, Wayne Smith, Sunny Shreeve, Nobby Davis, Planning Commission members Don Becannon, Lorene Ellison and Shirley Breiner, and Loren Korte-Personal Service Insurance.

Before calling his last meeting to order, Mayor Sharp thanked the Council, Chief of Police Dan Onnen, City Clerk Jean Flores and City Administrator Larry Tucker and he welcomed the newly elected Mayor and Councilmembers.

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

Motion by Julich, second by Crawford to amend the agenda and add Item 9b-Cox Communications franchise fee contract renewal. Motion carried unanimously.

There were no public comments.

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

- a. Approval of minutes of Regular Council Meeting March 14, 2011 and Special Council Meeting March 28, 2011
- b. Warrant Ordinance No. 1721 dated March 29, 2011 in the amount of \$32,281.40, Warrant Ordinance No. 1722 dated April 11, 2011 in the amount of \$198,901.07 and Water Line Improvement Project expenditures in the amount of \$2,880.00

Motion by Julich, second by McReynolds that the Governing Body recess to executive session as authorized by the Open Meetings Law for the exception of discussion of attorney-client matters for five minutes and non-elected personnel for 15 minutes. Meeting will be recessed for 20 minutes at 7:10 p.m. and will resume regular session at 7:30 p.m. in the Community Room at City Hall. Mayor Sharp and City Attorney Works were requested to be present in executive session. Motion carried unanimously.

Motion by Aikins, second by Crawford that the Governing Body recess to executive session as authorized by the Open Meetings Law for the exception of discussion of non-elected personnel for an additional five minutes. Meeting will continue to be recessed for five minutes at 7:33 p.m. and will resume regular session at 7:38 p.m. in the Community Room at City Hall. Mayor Sharp and City Attorney Works were requested to be present in executive session. Motion carried unanimously.

The meeting resumed regular session at 7:40 p.m. No action was taken.

Loren Korte, Personal Service Insurance, reviewed with the Council the City's 2011-2012 insurance coverage and premium. He said he would take a closer look at some of the items that have increased in price, such as the old City Hall building, the Water Plant and Sewer Plant and would report back to the Council with possible ways to lower the premium.

Motion by Aikins, second by McReynolds to adopt Ordinance No. 1460, an ordinance amending the Zoning District Map of the City of Humboldt, Kansas, that the zoning designation for the below described real property be changed from R-1, Single Family Dwelling, to R-3, Multi-Family Dwelling: a tract of land located in a portion of vacated Blocks 3, 4, 7 and 8 and a portion of vacated Oak Street, 4th, 5th and 6th Streets located in Signor's Addition to the City of Humboldt in the North Half of Section 4, Township 26 South, Range 18 East of the Sixth Principal Meridian, Allen County, Kansas, being more particularly described as follows: Commencing at the Northeast Corner of said vacated Block 2, of Signor's Addition and the Northwest Right of Way Corner of North 7th Street and on the North Line of said Section 4, Thence S8815'55"W and along the North line of said Section 4 a distance of 490.59 feet to the Point of Beginning, Thence S0204'16"E a distance of 276.74 feet; Thence N8755'44"E a distance of 120.00 feet; Thence S0204'16"E a distance of 295.25 feet; Thence S8749'16"W a distance of 710.28 feet; Thence N0159'03"W a distance of 576.79 feet to a point on the North line of said Section 4; Thence N8815'55"E and along the North line of said Section 4 a distance of 589.41 feet to the Point of Beginning, containing 8.593 acres (Senior Housing Project.) Motion carried unanimously.

Motion by Aikins, second by Crawford to approve and accept the final plat for the Sterling Ridge Senior Housing Project. Motion carried unanimously.

Motion by Aikins, second by Julich to enter into an agreement with Carson & Son Animal Control, Toronto, Kansas, to assist the City for 30 days in controlling the skunk and feral cat populations within the City. Motion carried unanimously.

City Attorney Fred Works asked that Agenda Item 8-Consider extended hours for the Municipal Court Clerk, be taken off the agenda.

The City has been notified by the Department of Justice of the results of an American Disability Act compliance review conducted in 2009 as a result of an anonymous complaint made at that time against the City. Their findings include the need for improved notifications, information access such as the use of the City webpage and telephone services and other disclosures to inform those citizens who have certain disabilities. Motion by Walburn, second by Julich to enter into an agreement with the Resource Center for Independent Living (RCIL) in an amount not to exceed \$500.00 to survey and report independent findings regarding any non-compliance with ADA regulations so that the City can be in compliance with their audit. Motion carried unanimously.

At the suggestion of City Attorney Fred Works, a motion was made by McReynolds, seconded by Julich to table Agenda Item 9b, renewal of Cox Communications franchise fee contract, to the Regular Council Meeting in May, so that more information can be gathered on the issue. Six voted aye (Carson, Crawford, Griffith, Julich, McReynolds and Walburn), one abstained (Aikins). Motion carried.

City Clerk Jean Flores presented the Certificate of Election obtained from County Clerk Sherrie Riebel for the City General Election that was held April 5, 2011 as follows:

Mayor

Nobby Davis 331 votes

Councilmember - Ward 1

Position 1 - Wayne Smith 35 votes

Position 2 - Wayne Carson 127 votes

Councilmember - Ward 2

Position 1 - Vada Aikins 113 votes (Richard Weilert - 111 votes)

Position 2 - Sunny G. Shreeve 102 votes (Brenda Clark - 62 votes
Joe Weiner - 61 votes)

City Clerk Jean Flores gave the Oath of Office of the City of Humboldt to Nobby Davis, newly elected Mayor, and Sunny Shreeve, Wayne Smith, Vada Aikins and Wayne Carson, newly elected Councilmembers. The newly elected officials then took their seats at the Council table and Mayor Sharp and Councilmembers Griffith and McReynolds were excused. Mayor Davis thanked the outgoing officials and welcomed the new Councilmembers.

Mayor Davis stated that he would table his committee appointments to the Regular Council Meeting in May.

Motion by Aikins, second by Crawford to table the Mayor's committee appointments to the Regular Council Meeting in May. Motion carried unanimously.

City Administrator Larry Tucker reported on the following: Bridge/Central/13th Street Improvement Project will begin soon with the pre-construction meeting scheduled this week in Iola. Councilmember Carson asked if it would be possible to pave Central Street between 12th and 13th Streets as long as the equipment is there, instead of leaving one block without a new surface, in which several Councilmembers agreed, the issue to be looked into; a new Council training workshop will be held in the near future, possibly on a Saturday morning from 9 to noon, with the City Attorney, City Administrator and City Clerk invited to attend, to review responsibilities and duties of elective office, etc.; and Rebuilding the Public Square is working with students from Humboldt High School to assist the downtown businesses with various projects.

Motion by Aikins, second by Carson to adjourn. Motion carried unanimously. Meeting adjourned at 8:50 p.m.

/s/ Nobby Davis
Mayor

ATTEST:

/s/ Jean M. Flores
City Clerk