

CITY OF HUMBOLDT
REGULAR CITY COUNCIL MEETING
MONDAY, JUNE 9, 2008 - 7:00 P.M.

The Council met in regular session on Monday, June 9, 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, Walburn, Murrow, Griffith, Crawford, McReynolds, Weilert and Julich. Also present were: City Attorney Works, 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.

There were no public comments.

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

- a. Approval of Minutes of May 12, 2008, May 27, 2008 and June 2, 2008
- b. Warrant Ordinance No. 1651 dated May 28, 2008 in the amount of \$29,405.90 and Warrant Ordinance No. 1652 dated June 9, 2008 in the amount of \$246,170.24

Motion by Aikins, second by Julich to accept the recommendation of the Planning Commission and City Attorney Works that Steve Bulk's property, 1514 Bridge, remain zoned A-1. Motion carried unanimously.

City Attorney Works asked that Agenda Item 5-amend City Code, be moved to executive session under attorney-client matters.

Richard Zingre, Zingre & Associates, PA, presented options regarding space requirements and possible renovation plans for City Hall. No action was taken.

Motion by Aikins, second by Weilert that Rex Heape, Shafer, Kline & Warren, be directed to proceed with corrections on the sewer lines as originally planned and forego the lift station work, which would eliminate the use of a sewer line that runs under the high school, until a later date. Motion carried unanimously.

Motion by McReynolds, second by Weilert to accept Change Order #3 from I-CON Underground, LLC, for additional work on manholes for the sewer improvement project. Motion carried unanimously.

Ken Shetlar was not ready to make a recommendation on the street improvement project for Central Street but should have it ready for the July council meeting.

Motion by Walburn, second by Crawford to return Neosho Street, west to east between 11th and 12th Streets (north of the grade school) to a two-way street. Motion carried unanimously.

Motion by Murrow, second by Aikins that New York Street, east to west between 12th and 11th Street, and 11th Street, north to south between New York and Cherokee (south of the high school) remain one-way streets. Seven voted aye (Aikins, Walburn, Murrow, Griffith, Crawford, McReynolds and Weilert), one nay (Julich). Motion carried.

Motion by Aikins, second by McReynolds to accept the Home Repair Grant Relocation Policy. Motion carried unanimously.

(8:27 p.m. Councilmember Griffith left the Humboldt Public Library meeting room).

City Administrator Tucker presented the results of the sales tax election for swimming pool improvements as certified by County Clerk Sherri Riebel: Yes=407, No=232.

Motion by Julich, second by Murrow to adopt Ordinance No. 1427, an ordinance levying a city retailers' sales tax in the amount of one-fourth of one percent (.25%) (in addition to the present city sales tax of one percent (1%) for a total of one and one-fourth percent (1.25%)) within the City of Humboldt, for the purpose of funding improvements and maintenance of the City swimming pool, effective October 1, 2008. Motion carried unanimously.

(8:30 p.m. Councilmember Griffith re-entered the Humboldt Public Library meeting room and was seated).

Motion by Aikins, second by Walburn to adopt Resolution No. 06-09-08A, a resolution authorizing the Kansas Municipal Gas Agency to represent, negotiate and settle all claims and proceedings on behalf of the City arising from or relating to intervention in the Southern Star Central Gas Pipeline, Inc. rate case filing with the Federal Energy Regulation Commission. Motion carried unanimously.

Motion by McReynolds, second by Crawford to adopt Ordinance No. 1425, an ordinance creating a Public Building Commission in the City of Humboldt, Kansas, pursuant to the provisions of K.S.A. 12-1757 et seq. Motion carried unanimously.

Chief of Police reported that the two nuisance vehicle abatements for last month are now in compliance and that there were five this month, all have complied.

Motion by Murrow, second by Julich to allow Kent Barfoot 60 days to complete installation of a fence around his property at 703 S. Ninth. Motion carried unanimously.

Motion by Julich, second by Aikins to allow Patrick and Neva Ewing, 607 New York, 30 days to complete work on their property. Motion carried unanimously.

Motion by Aikins, second by Crawford to allow Brian Ikehorn, 221 New York, 60 days to remove the debris from his nuisance property. Motion carried unanimously.

Motion by Aikins, second by Crawford to allow Loren Modlin, 214 Osage, 60 days to complete work on his nuisance property. Motion carried unanimously.

Motion by McReynolds, second by Julich to issue a citation to Mike Dillon for his nuisance property at 914 Mulberry. Motion carried unanimously.

A motion was made by Julich and later withdrawn to give notification to Patricia Litherland, 1007 Osage, of the nuisance abatement process.

Motion by Julich, second by Crawford to begin the nuisance abatement process on properties at 1007 Osage, 412 N. 10th, 1009 Charles, 304 S. 6th, 322 Pine, 404 Mulberry and 404 Pine. Motion carried unanimously.

Motion by Julich, second by Weilert that the City abate the nuisance property at 418 S. 3rd subject to City Attorney Works confirming title ownership. Motion carried unanimously.

Motion by McReynolds, second by Julich to accept the bid of LB Dirtworks, Humboldt, for demolition of the property at 1212 Mulberry for \$3,200 and the bid of Cress Excavation, Humboldt, for demolition of the property at 918 Cherokee in the amount of \$2,850. Motion carried unanimously.

The Mayor made the following annual appointments:

CITY ATTORNEY - Fred Works

CITY ADMINISTRATOR - Larry Tucker (2 year appointment)

CITY TREASURER - Audrea Johnson

CHIEF OF POLICE - Dan Onnen

CITY CLERK - Jean Flores

ASSISTANT CITY CLERK - Lora Hunt

MUNICIPAL JUDGE - Ron Call

COUNCIL COMMITTEES

Southeast Kansas Community Action Program and Chamber of Commerce Representative - McReynolds

Southeast Kansas Regional Planning Commission Representative - Aikins

Swimming Pool, Parks & Buildings - Crawford and Weilert

Ordinances, Insurance & Claims - Aikins and McReynolds

Utilities (Utility Hearing, Gas, Water & Sewer) - Griffith and Julich

Public Safety (ADA, Fire, Ambulance, Police, Animal Control) - Murrow and Weilert

Finance & Licenses - Griffith and Walburn

Personnel - Julich and Walburn

Growth Committee - McReynolds and Weilert

OTHER COMMITTEES (TERM APPOINTMENTS)

CITY PLANNING COMMITTEE

Shirley Breiner - 2008-2011

Lorene Ellison - 2008-2011

Mark Criger - 2008-2011

Don Becannon - 2005-2008

Jim Woods - 2005-2008

Tim Clouch - 2005-2008

Don Coy - 2006-2009

Rick Turner - 2006-2009

Jerrie Lucke - 2006-2009

ZONING BOARD OF APPEALS

Carl Johnson - 2005-2008

Scott Murrow - 2005-2008

Clint Johns - 2006-2009

Clint Hillmon - 2008-2011

Mary Lou Brown - 2008-2011

OFFICIAL CITY NEWSPAPER - The Humboldt Union (effective July 1, 2008)

OFFICIAL DEPOSITORIES - Emprise Bank, Community National Bank and Kansas Municipal Investment Pool

Motion by Julich, second by Crawford to accept the Mayor's appointments as stated. Motion carried unanimously.

Motion by Weilert, second by Julich to appoint Councilmember Walburn as president of the Council. Seven voted aye (Aikins, Murrow, Griffith, Crawford, McReynolds, Weilert and Julich), one abstained (Walburn). Motion carried.

City Administrator Tucker gave a brief report on the Vision Retreat (Rebuilding the Public Square) that was held; the City planning workshop to be held June 16 at 6:30 at the library; the new business workshop to be held June 17; and the budget workshop that will be held July 21 at 7 p.m. at the library.

City Attorney Works recommended that Agenda Item 20, Ordinance No. 1426-establishing salaries for City officials, be postponed to next month.

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 real estate for 10 minutes and attorney-client matters for 5 minutes. Meeting will be recessed for 15 minutes at 9:10 p.m. and will resume regular session at 9:25 p.m. in the Humboldt Public Library meeting room. Mayor Sharp, City Administrator Tucker, and Rick Ensz

of Cooper, Malone, McClain, were requested to be present in executive session. Motion carried unanimously.

The meeting resumed regular session at 9:25 p.m. Motion by Julich, second by Weilert that the Governing Body recess to executive session as authorized by the Open Meetings Law for the exception of discussion of real estate for 10 minutes. Meeting will be recessed for 10 minutes at 9:28 p.m. and will resume regular session at 9:38 p.m. in the Humboldt Public Library meeting room. Mayor Sharp, City Administrator Tucker, City Attorney Works and Rick Ensz were requested to be present in executive session. Motion carried unanimously.

The meeting resumed regular session at 9:39 p.m. 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 real estate and attorney-client matters for 10 minutes. Meeting will be recessed for 10 minutes at 9:39 p.m. and will resume regular session at 9:49 p.m. in the Humboldt Public Library meeting room. Mayor Sharp, City Administrator Tucker and City Attorney Works were requested to be present in executive session. Motion carried unanimously.

The meeting resumed regular session at 9:49 p.m. Motion by Julich, second by Weilert to adjourn. Motion carried unanimously. The meeting adjourned at 9:53 p.m.

Robert Sharp, Mayor

ATTEST:

Jean M. Flores, City Clerk