

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

The Council met in regular session on Monday, August 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, Griffith, Julich, McReynolds, Murrow, Weilert and Walburn. Councilmember Crawford was absent. Also present were: City Administrator Larry Tucker, City Attorney Fred Works, City Clerk Jean Flores and Chief of Police Dan Onnen.

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

A public comment was made by Clay Bettis, who stated there are numerous fire hydrants leaking and need to be repaired.

Motion by Julich, second by McReynolds to add 12b-Mayor's appointments to the Planning Commission, and 13b-bid requests to demolish nuisance properties to the agenda. Motion carried unanimously.

Motion by Julich, 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 July 14, 2008, Adjourned Council Meeting July 21, 2008 and Special Council Meeting July 28, 2008
- b. Warrant Ordinance No. 1655 dated July 30, 2008 in the amount of \$113,300.81 and Warrant Ordinance No. 1656 dated August 11, 2008 in the amount of \$328,204.48
- c. Resolution 08-11-08A lease-purchase lawnmower
- d. 2008 audit contract - Jarred, Gilmore, Phillips

Motion by Julich, second by Walburn to allow artist Bob Cross to paint a mural on the storm shelter at the Water Plant. Motion carried unanimously. The design was approved and will be paid for by the Humboldt Hoe & Hope Garden Club.

Motion by Aikins, second by Murrow to approve the water system agreement with Southeast Kansas Regional Planning Commission as grant administrator to perform administration and professional services at a cost of \$11,000.00. Motion carried unanimously. Expenses will be paid out of the grant and/or loan funds to complete the water system improvement project.

Motion by McReynolds, second by Julich to approve the Amendment to Agreement between BG Consultants, Inc. and City of Humboldt in which the City wishes to amend its agreement with the architect for the purpose of obtaining professional architectural/engineering services for the design the following improvement: aquatic

facility improvements, Humboldt, Kansas. Motion carried unanimously. Cost for the services is \$40,000.00.

Motion by Julich, second by McReynolds to recess the Regular City Council Meeting to hold a Public Building Commission Meeting in which Resolution 08-11-08B-intent to issue \$450,000.00 in revenue bonds for swimming pool improvements, will be considered. Motion carried unanimously. Meeting recessed at 7:17 p.m. and will reconvene at the Humboldt Public Library meeting room at the conclusion of the Public Building Commission meeting.

The Regular City Council meeting reconvened at 7:25 p.m.

Motion by McReynolds, second by Walburn to approve the underwriting agreement with Cooper, Malone, McClain for issuance of bonds for swimming pool improvements. Motion carried unanimously.

A Public Hearing on the 2009 City Budget was opened at 7:30 p.m. for public comments. There being no public comments, the Public Hearing concluded at 7:40 p.m.

Motion by Aikins, second by Murrow to adopt Resolution No. 08-11-08C, a resolution approving the 2009 annual City budget and establishing the estimated property tax mill levy rate for the 2008 tax year. Motion carried unanimously.

Motion by Murrow, second by Julich to hold a Special Council meeting Wednesday, August 27, 2008 at 6:00 p.m. to discuss and take action on city hall space needs with the City's architect. Motion carried unanimously.

Motion by Julich, second by Aikins to adopt Ordinance No. 1428, an ordinance regulating traffic within the corporate limits of the City of Humboldt, Kansas; incorporating by reference the "Standard Traffic Ordinance for Kansas Cities," Edition of 2008; providing certain penalties and amending Sections 14-101 and 14-102 of the Humboldt City Code as adopted by Ordinance No. 1409 and repealing the existing sections thereof, and Ordinance No. 1429, an ordinance regulating public offenses within the corporate limits of the City of Humboldt, Kansas; incorporating by reference the "Uniform Public Offense Code for Kansas Cities," Edition of 2008; and amending Section 11-101 of the Humboldt City Code as adopted by Ordinance No. 1410 and repealing the existing sections thereof. Motion carried unanimously.

Motion by Aikins, second by Walburn to adopt Ordinance No. 1430, an ordinance amending Chapter XVI, Article 1, of the Humboldt City Code relating to the establishment of a City Planning Commission and Board of Zoning Appeals and repealing the existing sections thereof. Motion carried unanimously.

The Mayor made the following appointments to the newly formed City Planning Commission and Board of Zoning Appeals: Don Becannon-2 years; Shirley Breiner-2

years; Lorene Ellison-1 year; Clint Hillmon-2 years; Mark Criger-3 years; Joe Works-3 years; and Gregg Korte-2 years.

Motion by Aikins, second by McReynolds to accept the Mayor's appointments of the 7 member City Planning Commission and Board of Zoning Appeals. Motion carried unanimously.

Motion by McReynolds, second by Murrow to grant a 30 day extension to Brian Ikehorn to abate his nuisance property at 221 New York. Motion carried unanimously.

Motion by Aikins, second by McReynolds to grant a 60 day extension to Jerry Naff to abate his nuisance property at 1114 Bridge. Six voted aye (Aikins, Griffith, McReynolds, Murrow, Walburn and Weilert), one nay (Julich). Motion carried. The Mayor added that no further extensions will be given to Jerry Naff, the City will demolish the property.

Motion by Murrow, second by Aikins to grant a 60 day extension to Loren Modlin to abate his nuisance property at 214 Osage. Murrow then amended his motion to grant Modlin a 30 day extension to abate the nuisance property, seconded by Aikins. Motion carried unanimously.

Motion by Julich, second by Murrow to grant a 30 day extension for the demolition permit obtained by Kent Barfoot for the nuisance property at 410 N. 7th (owner Steven Yost). Motion carried unanimously.

Motion by Murrow, second by Walburn to grant a 30 day extension to Kent Barfoot for the demolition of the nuisance property at 718 N. 7th (owner Scott Barnhart). Motion carried unanimously.

Motion by McReynolds, second by Aikins to grant a 30 day extension to Karen Hartwig for the demolition and clean-up of the property at 815 S. 9th. Motion carried unanimously.

Motion by Aikins, second by Walburn to allow Mike Dillon 30 days to make improvements to his nuisance property at 322 Pine. Motion carried unanimously.

Motion by McReynolds, second by Aikins to grant a 30 day extension to Ed Ewing to make further improvements to his nuisance property at 404 Pine, with Public Works Director Craig Mintz to monitor the progress. Motion carried unanimously.

City Attorney Fred Works will contact family members of the nuisance property at 421 Bridge (Eva Franklin) to find out what their plans are for this property.

Motion by Murrow, second by Aikins that Public Works Director Craig Mintz send a letter to Olga Philbrick, owner of the nuisance property at 802 Bridge, asking her to clean up the property within 30 days. Motion carried unanimously.

Motion by McReynolds, second by Aikins to send a letter to Don Cress, owner of the nuisance properties at 720 and 812 N. 2nd, asking him to clean up the properties. Motion carried unanimously.

Motion by Murrow, second by Walburn to grant a 30 day extension to Kent Barfoot to complete the fencing around his property at 703 S. 9th, this being the final notice he will be given. Six voted aye (Griffith, McReynolds, Walburn, Weilert, Murrow and Julich), one nay (Aikins). Motion carried.

Motion by Julich, second by Murrow to issue a citation to Roy Fritch, 821 N. 8th. Six voted aye (Aikins, McReynolds, Walburn, Weilert, Murrow and Julich), one nay (Griffith). Motion carried.

Motion by Walburn, second by Aikins to accept the low bid of Highberger Construction, Westphalia, Kansas, for demolition of the nuisance property at 418 S. 3rd. Motion carried unanimously.

A contest will be held for the design of a new City seal to be used on City vehicles and equipment. The contest will be open to residents of Humboldt or students enrolled in USD #258; the design can either be drawn or painted but must be transferrable onto an electronic format for printing; the design should reflect the Humboldt community and its current and/or past historical influences; deadline is November 1, 2008; the top three designs chosen will receive a \$25 gift certificate to a local retail business; the winning design will receive \$150 cash; judges will be Mayor Sharp, a Student Council representative, a member of the Humboldt Historical Society, a Chamber of Commerce representative and a City employee in a non-supervisory position.

City Administrator Larry Tucker gave a brief report on Rebuilding the Public Square meeting on August 19; a Housing Conference on August 25; Special Council Meeting for discussion of City Hall space needs on August 27; and Special Council meeting for swimming pool bonds on September 22.

Motion by McReynolds, second by Murrow 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 5 minutes and discussion of real estate matters for 15 minutes. Meeting will be recessed for 20 minutes at 9:20 p.m. and will resume regular session at 9:40 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 9:40 p.m.

Motion by McReynolds, second by Aikins to adjourn. Motion carried unanimously. Meeting adjourned at 9:45 p.m.

/s/ Robert Sharp, Mayor

ATTEST:

/s/Jean M. Flores, City Clerk