

CITY OF HUMBOLDT
REGULAR CITY COUNCIL MEETING
MINUTES
MONDAY, OCTOBER 12, 2009 - 7:00 P.M.

The Council met in regular session on Monday, October 12, 2009 at 7:00 p.m. in the Humboldt Public Library meeting room. Mayor Sharp called the meeting to order with the following Councilmembers present: Aikins, Crawford, Julich, McReynolds, Murrow and Walburn. Councilmembers Griffith and Weilert were absent. Also present were City Administrator Larry Tucker, City Clerk Jean Flores, and Chief of Police Dan Onnen.

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

(7:05 p.m. City Attorney Fred Works entered the meeting).

There were no public comments.

Motion by Walburn, second by Murrow 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 September 14, 2009 and Special Council Meeting September 28, 2009
- b. Warrant Ordinance No. 1683 dated September 29, 2009 in the amount of \$35,156.94 and Warrant Ordinance No. 1684 dated October 12, 2009 in the amount of \$121,531.54

Results as certified by Allen County Clerk Sherrie Riebel were presented on the Special Question Mail Ballot Election that was held September 22:

*Shall the Governing Body of the City of Humboldt, Kansas fluoridate
the municipal water supply of the City of Humboldt?*

YES	282
NO	430

Cost of the special election was \$2,382.07.

Jason Nelson, Director of Allen County EMS, was present to request that, when the Police Department moves to the new City Hall building at Emprise Bank, the evidence room be made into additional space for the Ambulance Department to use as sleeping quarters. No action was taken.

City Administrator Larry Tucker said the City would receive the keys to the Emprise Bank building on November 1. It was the consensus of the Council to do the remodeling in phases and not all at one time.

A Public Hearing was opened at 7:40 p.m. to consider an application for a USDA grant and supplemental funding to remodel the new City Hall building. Jerri Lucke, Humboldt, suggested the City look for areas where money can be saved as overspending can come back later and cause problems. Richard Weilert, Humboldt, suggested doing the work in stages to see where we're at or our taxes will go up if we keep going in this

direction. There were no other public comments and the Public Hearing was closed at 7:46 p.m.

It was the consensus of the Council to do without the message board on the outside time and temperature sign at the new City Hall building as this would be an added cost, and to look into metal lettering marking the Police Department as opposed to a neon sign. City Administrator Larry Tucker will research the cost and report back to the Council.

Motion by McReynolds, second by Murrow to approve the agreement with Zingre and Associates, Fort Scott, in the amount of \$20,780.00 for comprehensive architectural services for the renovations of the Emprise Bank for the new City Hall. Motion carried unanimously.

(Councilmember Aikins exited the meeting at 8:02 p.m. and returned at 8:03 p.m.)

Motion by Aikins, second by Crawford to accept the low bid of NPL Construction for \$1,331,513.21 for installation of poly pipe as opposed to PVC for the water line improvement project contingent upon adequate financing being obtained. Motion carried unanimously.

Motion by Murrow, second by McReynolds to allow the City to purchase a pipe fitting repair machine to make repairs as needed to the new water lines with financing for such machine to come from the USDA project financing. Motion carried unanimously.

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 10 minutes. Meeting will be recessed for 10 minutes at 8:40 p.m. and will resume regular session at 8:50 p.m. in the Humboldt Public Library meeting room. Mayor Sharp, City Attorney Works and City Administrator Tucker were requested to be present in executive session. Motion carried unanimously.

The meeting resumed regular session at 8:55 p.m.

Motion by Murrow, second by Julich to table Agenda Item 9-consider options for interim financing of water line improvement project. Motion carried unanimously.

At the recommendation of the Humboldt Planning Commission and City Attorney Works, a motion was made by McReynolds, seconded by Aikins to adopt Resolution No. 10-12-09, a resolution of the intent to annex land into the City of Humboldt, Kansas, pursuant to K.S.A. 12-520 and 12-520c. Motion carried unanimously.

At the recommendation of the Humboldt Planning Commission and City Attorney Works, a motion was made by Julich, seconded by Crawford to adopt Ordinance No. 1445, an ordinance vacating that portion of the alley running north and south in Block Two (2), Hartman's Addition to the City of Humboldt, lying between Lots Nine (9), Ten (10), Eleven (11) and Twelve (12) on the west and Lots One (1), Two (2), Three (3) and Four (4) on the east. Motion carried unanimously.

Motion by Murrow, second by Walburn to adopt the Gas Emergency Plan and Public Awareness Plan for the City of Humboldt. Motion carried unanimously.

City Administrator Larry Tucker reported on nuisance properties at 114 Mulberry, owner Ken Rowe, needs Certificate of Occupancy, and 108 Pecan, owner Robert Shaughnessy, unable to contact resident living there.

Other nuisance properties: 421 Bridge-work is still being done; 1103 Ohio-has been demolished; 816 S. 9th-has been demolished; 317 N. 4th-no response; and 718 Cherokee-no response.

Motion by Murrow, second by McReynolds to abate the property at 317 N. 4th. Motion carried unanimously.

Motion by McReynolds, second by Aikins that a court citation be issued to Greta Ingle for the nuisance property at 718 Cherokee. Motion carried unanimously.

Motion by Julich, second by Walburn to allow Gabe Gutierrez, owner of the nuisance property at 1018 Ohio, a one month extension (to November 9, 2009) to remove items from the building, obtain a Demolition Permit, and have it demolished. Motion carried unanimously.

Motion by Julich, second by Murrow to issue citations to the following owners for nuisance vehicles: Kristin Qualls-921 Mulberry, Jeff Bowman-922 Pecan, and Tiffany Cardosa-720 Cherokee. Motion carried unanimously.

City Administrator Larry Tucker reported on the following: The closing of the sale of the Nicholas Grzybowski property at 1201 N. 9th to make way for construction of the new Dollar General Store to begin soon and completed by the end of the year; a small delay on the street improvements on Indiana Street due to a phone line crossing the street; asphalt has been laid on the Walking Trail with expenses ready to be submitted to the grant; Special Council Meeting will be held October 14 to discuss a grant application for a community building and street improvements at the north end of town; Rebuilding the Public Square will meet October 22; Water Plant Operator Darrel Botts retired October 1, he has been replaced by Jeff Marquez, an employee has been hired to fill the opening left by Marquez; and a Maintenance Worker position is open due to a resignation and is now being advertised.

Motion by McReynolds, 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 matters for 10 minutes. Meeting will be recessed for 10 minutes at 9:35 p.m. and will resume regular session at 9:45 p.m. in the Humboldt Public Library meeting room. Mayor Sharp, City Attorney Works and City Administrator Tucker were requested to be present in executive session. Motion carried unanimously.

The meeting resumed regular session at 9:45 p.m.

Motion by McReynolds, second by Crawford to table Agenda Item 15-Consider sale of real estate. Motion carried unanimously.

Motion by McReynolds, second by Crawford to adjourn. Motion carried unanimously. Meeting adjourned at 9:50 p.m.

/s/ Robert Sharp

Mayor

ATTEST:

/s/ Jean M. Flores
City Clerk