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CITY COUNCIL AGENDA

Tuesday, August 3, 2010
7:00 p.m.

1. CALL TO ORDER

- A. Roll Call
- B. Invocation
- C. Pledge of Allegiance

2. MAYOR AND COUNCIL REPORTS

3. STAFF REPORTS

- A. City Attorney Report
- B. City Administrator Report

4. PUBLIC COMMENT

5. CONSENT AGENDA

- A. 7/20/10 City Council Meeting Minutes
- B. Appropriations 8A

6. ORDINANCES

- A. Ordinance No. 2077 Junk Vehicles

7. RESOLUTIONS

- A. Resolution No. 18-2010 State Budget
Deadline Extension Support

8. FORMAL ACTIONS

- A. Cereal Malt Beverage License
- B. KMGa Appointments
- C. Transformer Bid
- D. North Campus Farm Ground Contract
- E. Budget Hearing Publication

9. CLOSED SESSION

- A. Attorney-Client Privileged Information

10. ADJOURNMENT

WORK SESSION AGENDA

1. CORRESPONDENCE AND STAFF REPORTS

- A. KDHE Information Report
- B. City Attorney Report
- C. City Administrator Report

2. DISCUSSION ITEMS

- A. Council Retreat Review
- B. Airport Advisory Board
- C. Library Update

3. ADJOURNMENT

NOTE: Background information is available for review in the office of the City Clerk prior to the meeting.

The Public Comment section is to allow members of the public to address the Council on matters pertaining to any business within the scope of Council authority and not appearing on the Agenda. Kansas Statutes prohibit the Council from taking action on any item not appearing on the Agenda, except where an emergency is determined to exist.

DRAFT
BELOIT CITY COUNCIL MEETING MINUTES
JULY 6, 2010

The Beloit City Council met in regular session on July 20, 2010 in the Council Chambers. Mayor Koster called the meeting to order at 7:00 p.m. City Council members in attendance were Frank Delka, Rick Brown, Pat Struble, Tom Naasz, Bob Richard, Denis Shumate, Matt Otte and James Crowley. Also present were City Administrator Glenn Rodden, City Attorney Harry Gantenbein, and Director of Finance/City Clerk Kerry Benson.

Department heads in attendance were Lynn Miller, Jerry Blass, Lloyd Littrell, Ryan Stocker, Mike Haeffele and Murray McGee.

Mayor Koster gave the invocation and the Pledge of Allegiance was recited.

Mayor Koster reported that there was a revised agenda adding a closed session and the purchase of a K-9 vehicle. She also thanked Council President Struble for running the last meeting while she was on vacation. Councilor Struble congratulated Colleen McKeon for receiving the Chamber's Quarterly Image Award. James Crowley inquired as to if any arrangements had yet been made for an auction at the North Campus. Mr. Rodden indicated that the city and county will be doing this at some point in time. Denis Shumate asked Transportation Director Haeffele is something could be done about the alley that serves the mailboxes. Mr. Haeffele will look into it.

City Administrator Rodden reported on a couple of issues including: 1. The K-14 Project will begin on August 2. There was a preconstruction meeting in Belleville on Friday, July 16 that Glenn attended. 2. Administrator Rodden will be on vacation July 21 thru July 23.

Mr. Rodden presented the Parks and Recreation employees with the Employee of Quarter award. He indicated that since the city has acquired the North Campus, their work load has significantly increased with the maintenance and upkeep of the buildings and the grounds. The award was presented to Lynn Miller, Brandon Behymer, Steve Deneke, Charles Gastley, Colleen McKeon, Morgan Harris, Mike McLain and Heath Littrell.

James Foster from the Kansas Department of Commerce introduced himself during the public comment section of the meeting. He informed the governing body that he helps cities with populations of 5,000 or less to obtain grants. He works a 21 county area and is based in Colby.

The Consent Agenda consisted of the meeting minutes of July 6, 2010, and Appropriations 7B. A motion was made by Councilor Struble and seconded by Councilor

Naasz to approve the Consent Agenda in its entirety. Roll call vote: Yeas: Crowley, Shumate, Delka, Brown, Struble, Richard, Naasz and Otte. Nays: None.

A motion was made by Councilor Struble seconded by Councilor Brown to approve Resolution No. 17-2010 approving the Mayor's appointment of Craig Cousland to the Library Board. Roll call vote: Yeas: Crowley, Shumate, Delka, Brown, Struble, Richard, Otte and Naasz. Nays: None.

Jerry Blass is recommending the council approve the bid for fire hydrants from HD Supply in the amount of \$18,465.00. A motion was made by Councilor Naasz seconded by Councilor Otte to approve the bid from HD Supply. Motion carried 8-0.

The Solomon Valley Eagles is requesting a special event license to hold the annual gathering in Chautauqua Park on August 14. Their application for a cereal malt beverage license will be on the next agenda for approval. They would like to serve alcohol at the event. A motion was made by Councilor Shumate seconded by Councilor Otte to approve the special event license. Motion carried 8-0.

The Mitchell County Fair Association is requesting a special event license to allow a beer garden at the Mitchell County Fair during the car races and the demolition derby July 29, 30 and 31. A motion was made by Councilor Crowley seconded by Councilor Otte to approve the special event license. Motion carried 8-0.

The City received a grant from KDOT in conjunction for the FY 2010 Kansas Airport Improvement Program for the AWOS at Moritz Memorial Airport. A motion was made by Councilor Naasz seconded by Councilor Struble to authorize the mayor to sign the agreement accepting the grant from KDOT. Motion carried 8-0.

Chief of Police Ryan Stocker is requesting the purchase of a K-9 Vehicle. This vehicle was previously owned by the Mitchell County Sheriff's Department and is K-9 ready. They are asking \$5,000 for the vehicle. A motion was made by Councilor Crowley seconded by Councilor Brown to purchase the K-9 unit in the amount of \$5,000 to be taken out of the Police Capital Reserve Fund. Motion carried 8-0.

A motion was made by Councilor Naasz and seconded by Councilor Crowley to recess into an executive session for attorney-client privileged information for a period of twenty minutes. The session is to include the Governing Body, City Attorney and City Administrator. Motion carried 8-0. The session began at 7:30 p.m. and ended at 7:50 p.m. No motions or decisions were made.

A motion to adjourn the Council meeting was made by Councilor Struble and seconded by Councilor Crowley. Motion passed 8-0. The meeting ended at 7:52 p.m.

The work session began at 7:53 p.m. Present were Councilors Brown, Delka, Struble, Richard, Naasz, Crowley, Shumate, and Otte. Also present were Mayor Koster, City Administrator Rodden, City Attorney Gantenbein and City Clerk Kerry Benson.

The department heads present were Murray McGee, Lloyd Littrell, Jerry Blass, Lynn Miller, Ryan Stocker, and Mike Haeffele.

The correspondence and staff reports included the 2nd Quarter Treasurer's Report, the July Community Development Report and the 2nd Quarter Police Reports. Mayor Koster reminded the governing body of the upcoming Kansas League of Municipalities annual meeting to be held in October in Overland Park. The League is looking for volunteers to serve on their various committees.

The current farm ground lease at the North Campus expired at the end of June this year. This lease was between the tenant and the State of Kansas. There will be an extension of the contract for a year and then it will go out for bid next year. Mr. Gantenbein will draw up a new lease and include new provisions that address terms should the land sell before the contract has expired. The house will be available to rent and this will be advertised as such.

City Administrator Rodden made a presentation regarding the 2011 proposed budget. He started out with a review of the revenue sources and expenditures over the last 10 years. A detailed budget was provided for the governing body to review.

The work session adjourned at 8:47 p.m.

REBECCA KOSTER, Mayor

ATTEST:

KERRY BENSON, Director of Finance/City Clerk

Accounts Payable Detail Listing

City of Beloit

Vend# Vendor Name									
<u>Pay#</u>	<u>Post Date</u>	<u>Due Date</u>	<u>Amount</u>	<u>Invoice</u>	<u>Date</u>	<u>PO#</u>	<u>Date</u>	<u>Status</u>	
	<u>Account#</u>	<u>Work Order</u>		<u>Description</u>			<u>Debit</u>	<u>Credit</u>	
6 ABRAM READY-MIX									
42951	8/5/2010	8/5/2010	3,024.32			03596			Posted
	30-00-8400			INV #2981 - CURB & GUTTER (3 YDS)			255.54	0.00	
	30-00-8400			INV #2981 - FLOWABLE (20 YRDS)			980.00	0.00	
	30-00-8400			INV #3032 - CURB & GUTTER (10.5 YRD)			894.39	0.00	
	30-00-8400			INV #3050 - CURB & GUTTER (10.5 YRD)			894.39	0.00	
							<u>3,024.32</u>	<u>0.00</u>	
774 AIR AND FIRE SYSTEMS INC									
42962	8/5/2010	8/5/2010	375.00	25361		4136			Posted
	10-14-4330			COMPRESSOR AIR TEST			375.00	0.00	
767 AIRGAS MID SOUTH INC									
42470	8/5/2010	8/5/2010	(42.00)	106245089		03949	6/2/2010		Posted
	51-43-6000			RETURN OF GLOVES			0.00	42.00	
42953	8/5/2010	8/5/2010	75.00	106012792		03594	8/5/2010		Posted
	10-15-7440			WORK GLOVES			75.00	0.00	
1124 APAC-KANSAS INC									
42955	8/5/2010	8/5/2010	1,150.17	8001068975		03593			Posted
	25-00-6160			1/2" CHIPS (\$26.13 PER TON)			1,150.17	0.00	
64 BELOIT AUTO AND TRUCK PLAZA									
42999	8/5/2010	8/5/2010	306.72	115842		4056			Posted
	10-13-4310			MOTOR/FAN K-9 UNIT			306.72	0.00	
669 BLADE-EMPIRE PUBLISHING									
42968	8/5/2010	8/5/2010	2,042.43	7/1/2010		4142			Posted
	10-11-5400			PUBLISHINGS			416.55	0.00	
	10-11-6110			PUBLISHINGS			1,460.88	0.00	
	10-20-5400			PUBLISHINGS			33.00	0.00	
	10-21-5400			PUBLISHINGS			66.00	0.00	
	51-41-5400			PUBLISHINGS			33.00	0.00	
	53-41-5400			PUBLISHINGS			33.00	0.00	
							<u>2,042.43</u>	<u>0.00</u>	
256 BRENNTAG SOUTHWEST INC									
42979	8/5/2010	8/5/2010	1,322.58	BSW203010		3979			Posted
	10-21-6170			CHLORINE			1,322.58	0.00	
2158 CHAMBER OF COMMERCE BUCKS									
42970	8/5/2010	8/5/2010	400.00	1018		4144			Posted
	10-18-6000			CHAMBER BUCKS P & R EMPLOYEE OF			400.00	0.00	
1771 CIVICPLUS									
42987	8/5/2010	8/5/2010	825.00	82119		4150			Posted
	10-11-3360			QUARTERLY FEE AUG-OCT 2010			825.00	0.00	
868 CONSOLIDATED ENERGY PRODUCTS									
42982	8/5/2010	8/5/2010	19,163.80	78047		4009			Posted
	53-41-6260			UNLEAD FUEL			19,163.80	0.00	
42983	8/5/2010	8/5/2010	15,877.14	78444		4011			Posted
	53-41-6260			DIESEL FUEL			15,877.14	0.00	
2088 DAVID CRAIG & CO									
42980	8/5/2010	8/5/2010	400.00	1333		4147			Posted
	30-00-3000			AIRPORT EXPANSION			400.00	0.00	
2188 EMERGENCY FIRE EQUIPMENT INC									
43007	8/5/2010	8/5/2010	72.39	22653		4135			Posted
	10-14-6000			LATCH/HANDLE			72.39	0.00	
387 FLEX ONE-AFLAC									
43005	8/5/2010	8/5/2010	115.00	239285ER		4152			Posted
	10-11-3000			CAFETERIA PLAN			115.00	0.00	
1858 SCHAEFER FRALEY									
43000	8/5/2010	8/5/2010	4.53	7/22/2010		4060			Posted
	10-13-5800			LUNCH			4.53	0.00	
1772 MACK GORMLY									
42992	8/5/2010	8/5/2010	90.00	78452		3669			Posted
	52-43-2911			BOOTS			90.00	0.00	

Accounts Payable Detail Listing

City of Beloit

Vend# Vendor Name		Pay#	Post Date	Due Date	Amount	Invoice	Date	PO#	Date	Status
	Account#	Work Order			Description				Debit	Credit
1010	MORGAN HARRIS (continued)									
42973	8/5/2010	8/5/2010	210.00	7/19/2010	4146					Posted
	10-11-6600				CLEANED UP 617 CLINTON ST				210.00	0.00
349	KANSAS DEPT OF HEALTH & ENVIRONMENT									
42978	8/5/2010	8/5/2010	428.00	B7500	4805					Posted
	51-41-3000				2ND QUARTER WATER TESTING				428.00	0.00
486	KDHE-BUREAU OF WATER									
42976	8/5/2010	8/5/2010	185.00	7/14/2010	4808					Posted
	52-41-3000				ANNUAL WASTEWATER PERMIT				185.00	0.00
2042	KMEA-EMP2 OPERATING ACCOUNT									
42981	8/5/2010	8/5/2010	1,137.50	BE-GAS-2010-06	4014					Posted
	53-41-6220				GAS FOR GENERATION				1,137.50	0.00
1037	LATTIN AVIATION-TRAVIS LATTIN									
43013	8/5/2010	8/5/2010	900.00	8/1/2010	4153					Posted
	10-22-3000				CONTRACT FOR AUG 2010				900.00	0.00
405	LEAGUE OF KS MUNICIPALITIES									
42986	8/5/2010	8/5/2010	221.00		4149					Posted
	10-11-6400				STO				110.50	0.00
	10-11-6400				UPOC				110.50	0.00
									221.00	0.00
2186	DENNIS LUTGEN									
43009	8/5/2010	8/5/2010	60.28	7/7/2010	2598					Posted
	52-41-6500				305 N BELL REDUCE SEWER/TRASH				30.14	0.00
	52-41-6500				305 N BELL REDUCE SEWER/TRASH				30.14	0.00
									60.28	0.00
43010	8/5/2010	8/5/2010	15.83	7/7/2010	2597					Posted
	53-41-6500				409 E COURT B				15.83	0.00
43011	8/5/2010	8/5/2010	60.28	7/7/2010	2599					Posted
	52-41-6500				1001 E TOPEKA SEWER/TRASH				60.28	0.00
424	MCHENRY ELECTRIC & SUPPLY									
42991	8/5/2010	8/5/2010	352.14		3670					Posted
	53-43-6000				1257 CHAIN SAW REPAIR				169.48	0.00
	53-43-6000				1158				174.41	0.00
	53-43-6000				1202				8.25	0.00
									352.14	0.00
467	MITCHELL CO HIGHWAY DEPT									
42956	8/5/2010	8/5/2010	1,246.08	24703	03591					Posted
	25-00-6090				PREMIX ASPHALT				1,246.08	0.00
980	MOORE WALLACE									
42960	8/5/2010	8/5/2010	137.95	980348738	4134					Posted
	10-11-6110				W-2'S, 1099				137.95	0.00
2187	NCL OF WISCONSIN, INC									
43008	8/5/2010	8/5/2010	111.82	272283	3984					Posted
	52-41-7450				16' CORE TAKER				111.82	0.00
827	NETWORKS PLUS									
42971	8/5/2010	8/5/2010	265.00	81944	4145					Posted
	10-11-3360				SERVICE CONTRACT AUG 10				265.00	0.00
42972	8/5/2010	8/5/2010	513.00		3732					Posted
	10-11-3000				139417 PREEMPLOYMENT TEST/ASSIS				89.25	0.00
	10-13-3000				139417 PREEMPLOYMENT TEST/ASSIS				140.00	0.00
	10-11-3000				139418				213.75	0.00
	10-21-3000				139418				70.00	0.00
									513.00	0.00
2181	DARSEY OFFUTT									
42961	8/5/2010	8/5/2010	17.00	7/23/2010	4792					Posted
	10-17-6800				REFUND FOR FARM DAY				17.00	0.00
1135	PAVING MAINTENANCE SUPPLY									

Accounts Payable Detail Listing

City of Beloit

<u>Vend#</u>	<u>Vendor Name</u>	<u>Pay#</u>	<u>Post Date</u>	<u>Due Date</u>	<u>Amount</u>	<u>Invoice</u>	<u>Date</u>	<u>PO#</u>	<u>Date</u>	<u>Status</u>
		<u>Account#</u>	<u>Work Order</u>			<u>Description</u>			<u>Debit</u>	<u>Credit</u>
1135	PAVING MAINTENANCE SUPPLY (continued)									
42954	8/5/2010	8/5/2010		488.50				03592		Posted
	25-00-6000					INV #10079170 - YELLOW TRAFFIC PAI			285.00	0.00
	25-00-6000					INV #10079415 - GLASS BEADS			203.50	0.00
									<u>488.50</u>	<u>0.00</u>
517	PDQ EMERGENCY PRODUCTS									
43001	8/5/2010	8/5/2010		1,968.65				4061		Posted
	10-13-2911					13879			296.35	0.00
	10-13-2911					13866			771.77	0.00
	10-13-2911					13867			128.80	0.00
	10-13-2911					13865			771.73	0.00
									<u>1,968.65</u>	<u>0.00</u>
530	PITNEY BOWES									
42969	8/5/2010	8/5/2010		148.00	3848488-JY10			4143		Posted
	10-11-3000					MAILING SYSTEM			148.00	0.00
1478	PITNEY BOWES INC									
43006	8/5/2010	8/5/2010		85.83	385549			4151		Posted
	10-11-6110					INK FOR MAILING MACHINE			85.83	0.00
1263	PRAIRE FIRE COFFEE ROASTERS									
42990	8/5/2010	8/5/2010		35.53	210220			3671		Posted
	53-43-6000					COFFEE			35.53	0.00
2185	PUMP MART									
43012	8/5/2010	8/5/2010		3.89	7/26/2010			3672		Posted
	52-43-8200					ICE			3.89	0.00
155	RAMSEY OIL									
42995	8/5/2010	8/5/2010		3,445.48	14940			4017		Posted
	53-41-6180					ENGINE OIL COOPER ENGINES			3,445.48	0.00
2182	RIVERSIDE MANUFACTURING COMPANY									
43002	8/5/2010	8/5/2010		293.59	4839533002			3673		Posted
	53-43-2911					JEANS			293.59	0.00
2036	GLENN RODDEN									
42966	8/5/2010	8/5/2010		162.50	7/31/2010			4140		Posted
	10-11-5800					MILEAGE			162.50	0.00
575	SAGE PRODUCTS									
42989	8/5/2010	8/5/2010		316.20	0035577-IN			3674		Posted
	51-43-6000					CENTERPULL			316.20	0.00
488	SCHWAB EATON BELOIT									
42952	8/5/2010	8/5/2010		860.25				03595		Posted
	30-00-3000					INV #10B035 - PINE STREET DESIGN			441.75	0.00
	30-00-3000					INV #10B001 - K-14 & MATOUS PROJEC			418.50	0.00
									<u>860.25</u>	<u>0.00</u>
643	STANION WHSE ELECTRIC COMPANY									
42997	8/5/2010	8/5/2010		120.27	2738518-00			4160		Posted
	53-43-7500					METER SOCKET			120.27	0.00
658	STRUBLE STUDIO									
42984	8/5/2010	8/5/2010		55.00	280525			4148		Posted
	10-11-6000					M MCGEE PHOTO			55.00	0.00
423	SUNNYVIEW CUSTOM DESIGNS									
42965	8/5/2010	8/5/2010		1,050.00	7/23/2010			4139		Posted
	53-41-6000					HATS			116.67	0.00
	52-41-6000					HATS			116.67	0.00
	51-41-6000					HATS			116.67	0.00
	53-43-6000					HATS			116.67	0.00
	51-43-6000					HATS			116.67	0.00
	52-43-6000					HATS			116.67	0.00
	10-15-6000					HATS			116.67	0.00
	10-18-6000					HATS			116.67	0.00
	10-11-6000					HATS			116.64	0.00
									<u>1,050.00</u>	<u>0.00</u>

Accounts Payable Detail Listing

City of Beloit

Vend# Vendor Name

<u>Pay#</u>	<u>Post Date</u>	<u>Due Date</u>	<u>Amount</u>	<u>Invoice</u>	<u>Date</u>	<u>PO#</u>	<u>Date</u>	<u>Status</u>	
<u>Account#</u>	<u>Work Order</u>	<u>Description</u>	<u>Debit</u>	<u>Credit</u>					
2178 SUR-TEC INC (continued)									
42998	8/5/2010	8/5/2010	235.00	101703		4058		Posted	
	10-13-4340			64GB SOLID STATE EXTERNAL			235.00	0.00	
979 TEREX UTILITIES-SOUTH INC									
42996	8/5/2010	8/5/2010	289.36			4161		Posted	
	53-43-4310			700-7714 SEAL KIT			76.92	0.00	
	53-43-4310			SA-61928 TUBE ASSEMBLY			212.44	0.00	
							<u>289.36</u>	<u>0.00</u>	
1842 THE LEADERSHIP FIRM									
43003	8/5/2010	8/5/2010	2,500.00	060172010a		4132		Posted	
	10-11-3000			PLANNING COUNCIL RETREAT			2,500.00	0.00	
1887 UMB BANK-KMEA GRDA FUND									
42985	8/5/2010	8/5/2010	164,068.54	GRDA-BE-10-08		4015		Posted	
	53-41-6220			GRDA POWER SUPPLY AUG 2010			164,068.54	0.00	
704 UNIVAR USA INC									
42975	8/5/2010	8/5/2010	904.00	WI-585446		3975		Posted	
	10-21-6170			SODA ASH			904.00	0.00	
42988	8/5/2010	8/5/2010	13,328.00	WI-585780		4000		Posted	
	51-41-6170			ALUMINUM SULFATE			13,328.00	0.00	
410 UTILITIES									
42964	8/5/2010	8/5/2010	21.13	7/31/2010		4138		Posted	
	10-13-6220			N CAMPUS			21.13	0.00	
702 UTILITY SERVICE COMPANY									
42974	8/5/2010	8/5/2010	6,867.94	242767		4809		Posted	
	51-41-3000			MAINTENANCE CONTRACT ON S TOWE			6,867.94	0.00	
712 WACONDA TRADER									
42967	8/5/2010	8/5/2010	37.70	7/27/2010		4141		Posted	
	10-11-5400			ADMINISTRATIVE CLERK			37.70	0.00	
721 WATER PRODUCTS OF OKLAHOMA									
42993	8/5/2010	8/5/2010	333.26			4163		Posted	
	51-43-8100			0815213-IN			74.22	0.00	
	51-43-8100			0815015-IN			259.04	0.00	
							<u>333.26</u>	<u>0.00</u>	
2183 WAYNE'S TREE SERVICE									
43004	8/5/2010	8/5/2010	50.00	7/26/10		4164		Posted	
	53-43-8300			STUMP REMOVAL			50.00	0.00	
660 WICHITA WINWATER WORKS									
42994	8/5/2010	8/5/2010	1,383.62			4165		Posted	
	51-43-8100			17148200 VALVES			833.00	0.00	
	51-43-8100			17148800 CORP STOP			550.62	0.00	
							<u>1,383.62</u>	<u>0.00</u>	

250,115.20 59 Non-voided payables listed.

Report Setup
 AP - Accounts Payable Listing : Vendor Name
 Filter Options
 Starting: 8/5/2010
 Ending: 8/5/2010
 Banks: All
 Payable Status: Posted, Printed, ACH, Recorded, Voided
 All Vendors Selected

REQUEST FOR COUNCIL ACTION

DATE:

August 3, 2010

TITLE:

ORDINANCE NO. 2077 JUNK VEHICLES

ORIGINATING DEPARTMENT:

Administration

TYPE OF ACTION:

ORDINANCE

RESOLUTION

FORMAL ACTION

OTHER

RECOMMENDATION:

I recommend that the Council approve Ordinance Number 2077.

FISCAL NOTE:

- There is no cost associated with this item.

DISCUSSION:

Approving this ordinance allows the city code officer to charge offenders with a criminal offense and, if necessary, bring offenders to court.

Respectfully submitted,

Glenn Rodden
City Administrator

ORDINANCE NO. 2077

AN ORDINANCE REGULATING THE OWNERSHIP, STORAGE AND ABANDONMENT OF INOPERABLE VEHICLES ON PRIVATE PROPERTY WITHIN THE CITY LIMITS OF BELOIT, KANSAS AND PROVIDING FOR THE PENALTIES FOR VIOLATION OF THE SAME.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF BELOIT, KANSAS:

Section 1. FINDINGS OF GOVERNING BODY. The governing body finds that junked, wrecked, dismantled, inoperative or abandoned vehicles affect the health, safety and general welfare of citizens of the city because they:

- (a) Serves as a breeding ground for flies, mosquitoes, rats and other insects and rodents;
- (b) Are a danger to persons, particularly children, because of broken glass, sharp metal protrusions, insecure mounting on blocks, jacks or other supports;
- (c) Are a ready source of fire and explosion;
- (d) Encourage pilfering and theft;
- (e) Constitute a blighting influence upon the area in which they are located;
- (f) Constitute a fire hazard because they frequently block access for fire equipment to adjacent buildings and structures.

Section 2. DEFINITIONS. As used in this ordinance, unless the context clearly indicates otherwise:

- (a) Inoperable means a condition of being junked, wrecked, wholly or partially dismantled, discarded, abandoned or unable to perform the function or purpose for which it was originally constructed;
- (b) Vehicle means, without limitation, any automobile, truck, tractor or motorcycle which as originally built contained an engine, regardless of whether it contains an engine at any other time.

Section 3. NUISANCES UNLAWFUL; DEFINED; EXCEPTIONS. It shall be unlawful for any person to maintain or permit any motor vehicle nuisance within the city.

- (a) A motor vehicle nuisance is any motor vehicle which is not currently registered or tagged pursuant to K.S.A. 8-126 to 8-149 inclusive, as amended; or parked in violation of city ordinance; or incapable of moving under its own power; or in a junked, wrecked or inoperable condition. Any one of the following conditions shall raise the presumption that a vehicle is junked, wrecked or inoperable:
 - (1) Absence of a current registration plate upon the vehicle;
 - (2) Placement of the vehicle or parts thereof upon jacks, blocks, or other supports;
 - (3) Absence of one or more parts of the vehicle necessary for the lawful operation of the vehicle upon street or highway.
- (b) The provisions of this ordinance shall not apply to:
 - (1) Any motor vehicle which is enclosed in a garage or other building;
 - (2) To the parking or storage of a vehicle inoperable for a period of 30 consecutive days or less; or
 - (3) To any person conducting a business enterprise in compliance with existing zoning regulations or who places such vehicles behind screening of sufficient size, strength and density to screen such vehicles from the view of the public and to prohibit ready access to stored vehicles by children. However, nothing in this subsection shall be construed to authorize the maintenance of a public nuisance.

Section 4. CODE OFFICER. The City Code Enforcement Officer shall be charged with the administration and enforcement of this ordinance.

Section 5. COMPLAINTS; INQUIRY AND INSPECTION. The code officer shall make inquiry and inspection of premises upon receiving a complaint or complaints in writing signed by two or more persons stating that a nuisance exists and describing the same and where located or is informed that a nuisance may exist by the board of health, chief of police or the fire chief. The code officer may make such inquiry and inspection when he or she observes conditions which appear to constitute a nuisance. Upon making any inquiry and inspection the public officer shall make a written report of findings.

Section 6. RIGHT OF ENTRY. The code officer has the right of access and entry upon private property at any reasonable time for the purpose of making inquiry and inspection to determine if a nuisance exists.

Section 7. ORDER OF VIOLATION. (a) The governing body shall serve upon the occupant, owner, any agent of the owner of the property or any other person, corporation, partnership or association found by the code officer to be in violation of Section 3 an order stating the violation. The order shall be served on the occupant, owner or agent of such property by certified mail, return receipt requested, or by personal service. If the property is unoccupied and the owner is a nonresident, then by mailing the order by certified mail, return receipt requested, to the last known address of the owner.

(b) If the occupant, owner or the agent of the owner of the property has failed to accept delivery or otherwise failed to effectuate receipt of a notice or order sent pursuant to this section during the preceding twenty-four month period, the governing body of the city may provide notice of the issuance of any further orders to abate or remove a nuisance from such property or provide notice of the order by such methods including, but not limited to, door hangers, conspicuously posting notice of such order on the property, personal notification, telephone communication or first class mail. If the property is unoccupied and the owner is a nonresident, notice provided by this section shall be given by telephone communication or first class mail. (K.S.A. 12-1617e)

Section 8. SAME; CONTENTS. The order shall state the condition(s) which is (are) in violation of Section 3. The notice shall also inform the person, corporation, partnership or association that (a) He, she or they shall have 10 days from receipt of the order to abate the condition(s) in violation of Section 3; or

(b) He, she or they have 10 days from receipt of the order to request a hearing before the governing body or its designated representative of the matter as provided by Section 12;

(c) Failure to abate the condition(s) or to request a hearing within the time allowed may result in prosecution as provided by Section 9 and/or abatement of the condition(s) by the city as provided by Section 10.

Section 9. FAILURE TO COMPLY; PENALTY. Should the person fail to comply with the notice to abate the nuisance or request a hearing, the code officer may file a complaint in the municipal court of the city against such person and upon conviction of any violation of provisions of Section 3, be fined in an amount not to exceed \$100 or be imprisoned not to exceed 30 days or be both fined and imprisoned. Each day during or on which a violation occurs or continues after notice has been served shall constitute an additional or separate offense.

Section 10. ABATEMENT. In addition to, or as an alternative to prosecution as provided in Section 9, the code officer may seek to remedy violations of this ordinance in the following

manner. If a person to whom an order has been sent pursuant to Section 7 has neither alleviated the conditions causing the alleged violation or requested a hearing before the governing body within the time period specified in Section 8, the public officer may present a resolution to the governing body for adoption authorizing the code officer or other agents of the city to abate the conditions causing the violation at the end of 10 days after passage of the resolution.

The resolution shall further provide that the costs incurred by the city shall be charged against the lot or parcel of ground on which the nuisance was located as provided in Section 13. A copy of the resolution shall be served upon the person in violation in one of the following ways:

- (a) Personal service upon the person in violation;
- (b) Service by certified mail, return receipt requested; or
- (c) In the event the whereabouts of such person are unknown and the same cannot be ascertained in the exercise of reasonable diligence, an affidavit to that effect shall be made by the code officer and filed with the city clerk, and the serving of the resolution shall be made by publishing the same once each week for two consecutive weeks in the official city newspaper and by posting a copy of the resolution on the premises where such condition exists.
- (d) If the occupant, owner or the agent of the owner of the property has failed to accept delivery or otherwise failed to effectuate receipt of a notice or order sent pursuant to this section during the preceding twenty-four month period, the governing body of the city may provide notice of the issuance of any further orders to abate or remove a nuisance from such property or provide notice of the order by such methods including, but not limited to, door hangers, conspicuously posting notice of such order on the property, personal notification, telephone communication or first class mail. If the property is unoccupied and the owner is a nonresident, notice provided by this section shall be given by telephone communication or first class mail

Section 11. DISPOSITION OF VEHICLE; RECOVERY OF VEHICLE. (a) Disposition of any motor vehicle removed and abated from private property pursuant to this ordinance shall be as provided by K.S.A. Supp. 8-1102, as amended.

(b) Any person attempting to recover a motor vehicle impounded as provided in this ordinance, shall show proof of valid registration and ownership of the motor vehicle before the motor vehicle shall be released. In addition, the person desiring the release of the motor vehicle shall pay all reasonable costs associated with the impoundment of the motor vehicle, including transportation and storage fees, prior to the release of the motor vehicle.

Section 12. HEARING. If a hearing is requested within the 10 day period as provided in Section 8, such request shall be made in writing to the governing body. Failure to make a timely request for a hearing shall constitute a waiver of the person's right to contest the findings of the public officer. The hearing shall be held by the governing body or its designated representative as soon as possible after the filing of the request therefore, and the person shall be advised by the city of the time and place of the hearing at least five days in advance thereof. At any such hearing, the person may be represented by counsel, and the person and the city may introduce such witnesses and evidence as is deemed necessary and proper by the governing body or its designated representative. The hearing need not be conducted according to the formal rules of evidence. Upon conclusion of the hearing, the findings of the governing body or its designated representative shall be prepared in resolution form, adopted by the governing body, and the resolution shall be served upon the person in the matter provided in Section 10.

Section 13. COSTS ASSESSED. If the city abates or removes the nuisance pursuant to section 10, the city shall give notice to the occupant, owner or his or her agent by certified mail, return receipt requested, of the total cost of the abatement or removal incurred by the city. The notice shall also state that the payment is due within 30 days following receipt of the notice. The city also

may recover the cost of providing notice, including any postage, required by this section. The notice shall also state that if the cost of the removal or abatement is not paid within the 30-day period, the cost of the abatement or removal shall be collected in the manner provided by K.S.A. 12-1,115, and amendments thereto, or shall be assessed as special assessments and charged against the lot or parcel of land on which the nuisance was located and the city clerk, at the time of certifying other city taxes, shall certify the unpaid portion of the costs and the county clerk shall extend the same on the tax rolls of the county against such lot or parcel of land and it shall be collected by the county treasurer and paid to the city as other city taxes are collected and paid. The city may pursue collection both by levying a special assessment and in the manner provided by K.S.A. 12-1,115, and amendments thereto, but only until the full cost and applicable interest has been paid in full.

This Ordinance shall become in full force and effect from and after its adoption and publication as provided by law.

PASSED AND ADOPTED at a regular meeting of the Governing Body of the City of Beloit and signed by the Mayor this 20th day of July, 2010.

Rebecca Koster, Mayor

ATTEST:

Kerry Benson, Director of Finance/City Clerk



REQUEST FOR COUNCIL ACTION

DATE:

August 3, 2010

TITLE:

RESOLUTION NO. 18-2010 STATE BUDGET DEADLINE
EXTENSION SUPPORT

ORIGINATING DEPARTMENT:

Administration

TYPE OF ACTION:

ORDINANCE

RESOLUTION

FORMAL ACTION

OTHER

RECOMMENDATION:

I recommend that the Council approve Resolution No. 18-2010 supporting the study to extend the deadline required by municipalities to annually certify their ad valorem tax as set forth.

FISCAL NOTE:

- There is no direct cost associated with this item.

DISCUSSION:

The point of this study is to determine whether or not it is feasible for cities and counties to move the deadline for filing city and county budgets to October versus the current deadline in September. Many cities and counties would like this change because the new deadline would allow us to provide more accurate information for the current fiscal year.

Respectfully submitted,

Glenn Rodden
City Administrator

RESOLUTION NO. 18-2010

THE CITY COUNCIL OF THE CITY OF BELOIT REQUESTS THAT THE KANSAS LEGISLATURE STUDY THE VIABILITY OF CHANGING THE DEADLINE REQUIRED BY MUNICIPALITIES TO ANNUALLY CERTIFY THEIR AD VALOREM TAX

WHEREAS, all municipalities are subject to the budget law and are required to prepare an annual operating budget; and,

WHEREAS, the governing body is required to annual certify, on or before August 25th, the amount of ad valorem tax to be levied, as per K.S.A. 79-1801; and,

WHEREAS, the preparation of the annual budget, and the levying of ad valorem taxes, is one of the most significant responsibilities of a governing body; and,

WHEREAS, the present timetable compels municipalities to prepare their annual budget with a less than desirable and an insufficient amount of current year receipts and expenditure information; and,

WHEREAS, having a later certification date for the ad valorem tax would enable more accurate current year receipts and expenditure estimates, thereby facilitating better budgeting by enabling more precise budget projections; and,

WHEREAS, a later certification date for the ad valorem tax would also enable additional formal public hearings, which would allow the public a greater opportunity to comment upon and influence the budget.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Beloit as follows:

The City of Beloit governing body believes that a need exists to study the viability of changing the deadline required by municipalities to annually certify their ad valorem tax as set forth.

PASSED AND ADOPTED at a regular meeting of the Governing Body of the City of Beloit and signed by the Mayor this 3rd day of August, 2010.

Rebecca Koster, Mayor

ATTEST:

Kerry Benson, Director of Finance/City Clerk



REQUEST FOR COUNCIL ACTION

DATE:	TITLE:
August 3, 2010	CEREAL MALT BEVERAGE LICENSE APPLICATION
ORIGINATING DEPARTMENT:	TYPE OF ACTION: <input type="checkbox"/> ORDINANCE <input type="checkbox"/> RESOLUTION
Administration	<input checked="" type="checkbox"/> FORMAL ACTION <input type="checkbox"/> OTHER

RECOMMENDATION:

I recommend that the Council approve the Cereal Malt Beverage License for the Solomon Valley Eagles.

FISCAL NOTE:

- There is no direct cost associated with this item.

DISCUSSION:

The Solomon Valley Eagles is requesting a Cereal Malt Beverage License for a special event to be held on August 14 in Chautauqua Park.

Respectfully submitted,

Glenn Rodden
City Administrator

108 E Main – P O Box 336
Beloit, Kansas 67420

Tel No (785) 738-2363
Fax No (785) 738-2365



HARRY GANTENBEIN
CITY ATTORNEY

July 19, 2010

City Clerk Kerry Benson
P.O. Box 567
Municipal Building
Beloit, Kansas 67420

RE: Special Event Cereal Malt Beverage License Application

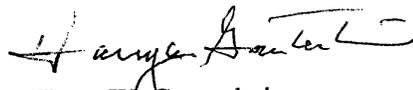
Dear Kerry:

I have carefully examined the cereal malt beverage license application submitted by the Solomon Valley Eagles for approval of a special event license.

I find this application is in proper order for acceptance and issuance of a special event cereal malt beverage license. Please keep in mind that they will need to enclose this area into a 2,000 square foot radius as stated in Ordinance No. 2074 and comply with other regulations of Ordinance No. 2022.

Also, please keep in mind that the manager has to fit the same criteria as set forth in our City Code Chapter III, Article 1, as does the proposed licensee and the same background check, etc. should be done on the manager if not previously completed.

Very truly yours,



Harry W. Gantenbein

HWG:eh

**114 S. Campbell
Beloit, Kansas 67420**



**Ph. (785) 738-2203
Fax (785) 738-2759**

Memorandum

To: City Administrator Glenn Rodden

From: Chief Ryan Stocker

Date: July 26, 2010

Re: Cereal Malt Beverage License

The application for cereal malt beverage license within the city limits of Beloit has been screened for criminal violations, which would provide cause for not issuing said license. I find no violations of the sort and recommend the following for cereal malt beverage licensing for a special event to Larry Haden, President of the Soloman Valley Eagles Club.

**Chief Ryan Stocker
Beloit Police Department**

APPLICATION FOR LICENSE TO RETAIL CEREAL MALT BEVERAGES

Beloit Mitchell COUNTY, KANSAS, July 19, 2010
TO THE GOVERNING BODY OF THE CITY OF Beloit, KANSAS,

or
THE BOARD OF COUNTY COMMISSIONERS OF Mitchell COUNTY, KANSAS.

On behalf of the Solomon Valley Eagles
corporation whose principal place of business is 312 S. Mill Beloit, KS 67420

and under authority of the resolution of the Board of Directors of said corporation, I hereby apply for a license to retail cereal malt beverages in conformity with the laws of the State of Kansas and the rules and regulations prescribed and hereafter to be prescribed by your relating to the sale or distribution of cereal malt beverages on behalf of said corporation; for the purpose of securing such license, I make the following statements under oath:

1. The proposed licensee is Solomon Valley Eagles corporation with principal place of business at 312 S. Mill, Beloit
The resident agent is Angela L. Larson with offices at 312 S. Mill
Said corporation was incorporated on Jan 19
A copy of the Articles of Incorporation is presently on file with the Register of Deeds of this County.
Yes () No ().

2. The following is the full and complete list of officers, directors, stockholders owning in the aggregate more than 25 percent of corporate stock, and managers of said corporation together with their positions and addresses, ages, dates of birth, places of birth, methods of acquiring United States citizenship - if acquired by naturalization, date and place of naturalization, and the length of residence in the State of Kansas.
Larry Hayden - Pres.
Frank Kohler - Vice-president
Angela L. Larson - Secretary
Melissa Brunner - Treasurer
Leonard Hicks - Trustee
Ryan Robinson - Trustee
John Kohler - Trustee

4. The name(s) and address(es) of the owner or owners of the premises upon which the place of business is located is/are City of Beloit

5. I hereby certify with regard to each of the persons named in number 2 above the following statements are true:
(a) None of them has within the last two years from this date been convicted of
(1) A felony
(2) A crime involving moral turpitude
(3) Drunkenness
(4) Driving a motor vehicle while under the influence of intoxicating liquor
(5) Violation of any state or federal intoxicating liquor law.
If any of the above have been convicted of any of the above, specified offenses, the details are set out hereinafter.
(b) No manager, officer or director or any stockholder owning in the aggregate more than 25% of the stock of the corporation has been an officer, manager or director, or a stockholder owning in the aggregate more than 25% of the stock of a corporation which:
(A) has had a retailer's license revoked under K.S.A. 41-2708 and amendments thereto; or
(B) has been convicted of a violation of The Drinking Establishment Act or the Cereal Malt Beverage Laws of the State.

6. The place of business will be conducted by the following manager or agent:
Name Larry Hayden
Address 909 W. Main Beloit
Residence _____

3. The premises for which the license is desired are located at Chautauque Park
Beloit, KS

Length of residence within this city or county in which the application is being made Life
Method of obtaining U.S. citizenship together with date of naturalization if such is the method Birth

(a) The legal description of the premises is See Attached
(b) The street number is grass areas within the confines of Chautauque Park
(c) The building is described as west portion of the park
(d) The corporate business under the license will be conducted in the name of the corporation or in the following name:
Solomon Valley Eagles

Date and place of birth 1/24/1959
I hereby certify that with regard to this above-named manager the statement contained in number 5 above is in every respect true. If not, the details are set out hereinafter.

7. This application is for a license to retail cereal malt beverages for consumption on the premises (). For a license to retail cereal malt beverages in original and unopened containers and not by consumption on the premises ().

A license fee of \$ 150.00 is enclosed herewith.