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CITY COUNCIL MINUTES

Tuesday, August 19, 2008

The Beloit City Council met in regular session on August 19, 2008 in the Council Chambers. Mayor Rebecca Koster called the meeting to order at 7:00 p.m. City Council members in attendance were Pat Struble, Bill Foreman, Craig Cousland, Rick Brown, Tom Naasz, Tom Maxwell, and James Crowley. Also present were City Administrator Doug Gerber, City Attorney Harry Gantenbein and Director of Finance/City Clerk Kerry Benson. Councilor Denis Shumate was absent.

Department heads in attendance were Stacy Thompson, Murray McGee, Caite Kendrick, and Frank Gent.

Councilor Cousland gave the invocation and the Pledge of Allegiance was recited.

Mayor Koster commented that she hoped the weather held out so Mill Street can be completed in the next couple of days. She indicated that the meeting would adjourn from Council Chambers as they would be touring the pool for the work session. She also asked everyone to be cautious as school has started and there are a lot of children out and about.

Councilor Brown thanked the community on behalf of the Fairboard for supporting the fair and demolition derby. Councilor Crowley also commented about school being back in session and being cautious. He inquired about the possibility of extending the sidewalk on Bell Street from 13th to 15th. Councilor Foreman expressed his concern about the roughness of the railroad tracks on South Hersey Avenue.

City Attorney Gantenbein shared with the Council that he has done some research on who is responsible for the maintenance of the railroad tracks. State statute says the railroad should be responsible for the upkeep and maintenance.

City Administrator Gerber introduced Youth Councilors Kylie Miller and Jacee Simmons. They reported that the Youth Council would again be putting on a haunted house this year. They will also be having a mock presidential election at the high schools. A ride in the City bucket trucks highlighted the last Youth Council meeting. They were very appreciative and wanted to thank the crews. Administrator Gerber said staff would contact the railroad again but they had not been successful in the past. He

wanted to encourage everyone to make contact with Kyle Railroad in Phillipsburg and express their concerns.

Mayor Koster asked for comments from the public. There were no comments.

Mayor Koster opened the public hearing regarding the 2009 budget. The hearing started at 7:10 and ended at 7:11. There were no comments.

Mayor Koster opened the public hearing addressing the unfit structure located at 611 W 3rd Street. Mayor Koster asked Chris Jones if he has heard anything from the family. He said he had not. City Administrator Gerber indicated that the family had received all the proper notifications and documentation relating to the unfit structure. The hearing started at 7:11 and ended at 7:13.

Mayor Koster opened the Neighborhood Revitalization Act public hearing. The hearing started at 7:13 and ended at 7:14. There were no comments.

The Consent Agenda consisted of the minutes of the August 5, 2008 City Council Meeting, Appropriations 8B, Ordinance 2050 Standard Traffic Ordinance, Ordinance 2051 Uniform Public Offense Code, Resolution 16-2008 Setting a Public Hearing for Unfit Structure Located at 117 W Main. Councilor Foreman questioned where a micro utility truck could operate. Mr. Gantenbein said it can not operate on highways but they can on city streets provided they are street legal. Foreman also questioned the legality of funeral picketing. Gantenbein said it is illegal however there is an appeal filed. A motion was made by Councilor Maxwell and seconded by Councilor Brown to approve the Consent Agenda in its entirety. Roll call vote: Yeas: Foreman, Struble, Maxwell, Brown, Crowley, Naasz and Cousland. Nays: None.

A motion was made by Councilor Foreman to approve Ordinance 2052 Adopting the FY2009 Budget. Councilor Struble seconded the motion. Roll call vote: Yeas: Foreman, Struble, Maxwell, Brown, Crowley, Naasz and Cousland. Nays: None.

A motion was made by Councilor Cousland seconded by Councilor Crowley to approve Ordinance 2053 Property Tax Revenue. Councilor Cousland commented that this ordinance was not increasing the taxes. It indicates that



if the valuations increase the result would be an increase in tax revenues. Roll call vote: Yeas: Foreman, Struble, Maxwell, Brown, Crowley, Naasz and Cousland. Nays: None.

A recommendation has been made to approve Ordinance 2054 Adopting the Neighborhood Revitalization Act. A motion was made by Maxwell and seconded by Struble to approve Ordinance 2054. Roll call vote: Yeas: Foreman, Struble, Maxwell, Brown, Crowley, Naasz and Cousland. Nays: None.

A recommendation has been made to adopt Resolution 17-2008 directing the structure at 611 W 3rd be repaired, removed or demolished and the premises made safe and secure. A motion was made by Struble seconded by Maxwell to approve Resolution 17-2008. Roll call vote: Yeas: Foreman, Struble, Maxwell, Brown, Crowley, Naasz and Cousland. Nays: None.

A motion was made by Councilor Struble and seconded by Councilor Cousland to approve Resolution 18-2008 Ratification of Mayor's Appointment of City Treasurer Kerry Benson. Roll call vote: Yeas: Foreman, Struble, Maxwell, Brown, Crowley, Naasz and Cousland. Nays: None.

A recommendation has been made to appoint Lloyd Littrell as Director and Doug Gerber as Alternate Director to a two year term beginning September 1, 2008 to serve on the Board of Directors for the Kansas Municipal Gas Agency. A motion was made by Councilor Maxwell seconded by Councilor Crowley to approve the KMGGA Board of Director appointments. Motion carried 7-0.

The Mike and Rose Gray sewer contract was presented for approval. The Gray's have requested to pay for their portion of the expenses in installing the new sewer line over a 10-year period with 6% interest on their taxes. A motion was made by Cousland seconded by Struble to approve the contract. Motion carried.

A motion was made by Councilor Naasz and seconded by Councilor Maxwell to recess into an executive session for Preliminary Consideration of Specific Personnel Matter of Non-Elected Personnel for a period of fifteen minutes. The session is to include the Governing Body, the City Administrator, and the City Attorney. Motion carried 7-0. The session began at 7:30 p.m. and ended at 7:45 p.m. No motions or decisions were made.

A motion was made by Councilor Struble and seconded by Councilor Cousland to recess into an executive session for Preliminary Consideration of Specific Personnel Matter of Non-Elected Personnel for a period of fifteen minutes. The session is to include the Governing Body,

the City Administrator, and the City Attorney. Motion carried 7-0. The session began at 7:47 p.m. and ended at 8:02 p.m. No motions or decisions were made.

A motion was made by Councilor Maxwell and seconded by Councilor Naasz to adjourn the meeting. Motion carried 7-0. The meeting ended at 8:08 p.m.

The work session began at 8:10 p.m. Present were Mayor Koster, Councilors Struble, Brown, Cousland, Naasz, Foreman, Crowley and Maxwell. Also present were City Administrator Gerber, City Attorney Gantenbein and Finance Director/City Clerk Benson.

Department Heads present were Thompson, Gent and McGee.

Correspondence and Staff reports consisted of the July Community Development Report, the July Police Report, the July Library Board Minutes and the July Planning Commission Minutes.

City Attorney Gantenbein had nothing to report.

Administrator Gerber reminded the council to turn in their web questionnaire. Gerber thanked Sergeant Stocker and the police department for solving the pool break-ins and vandalism. He informed the council of the upcoming LKM conference on October 12-14 in Wichita. Job opening updates were given on the Water Plant Operator, Deputy City Clerk and Police Officer positions.

The Council then toured the facilities of the outdoor pool.

The work session ended at 9:10 p.m.

REBECCA J. KOSTER, Mayor

ATTEST:

KERRY BENSON, City Clerk