

REGULAR COUNCIL MEETING

OCTOBER 6, 2009

Mayor Richard Rodriguez called the City of Elkhart council meeting to order at 7:00 p.m. in the council room at city hall.

Councilmembers present for the meeting: Jeremy Lavielle, Kelly Howe, Tony Hoyt, Mo Pando, Tim Predmore and John Meek.

Others in attendance: City Administrator Tim Hardy, Attorney William Graybill, Water Superintendent Matt Higgins, Ben Levario, Shannon Whisennand, Justin Groth, Justin Holliday and Shirley Davis.

Pray and Pledge of Allegiance to the American Flag opened the meeting. Minutes of the September 15th, 2009 council meeting were approved with a motion by Councilmember Predmore. Councilmember Hoyt seconded the motion. Motion carried.

Councilmember Hoyt moved to pay all bills. Councilmember Pando seconded. Motion passed.

Benjamin Levario talked with council concerning zoning on Lagoon Lane and North Street Road, if this area is zoned for horses. Council informed Mr. Levario that the zoning doesn't allow horses or any livestock other than the ones that are grandfathered in because they were there before the ordinance was passed.

Shannon Whisennand discussed with council the procedures involved with turning water on at his rentals and paying deposits. Council wanted more time to talk with City Attorney and discuss what could be done.

Mayor brought up to council concerning pine trees that needed to be sprayed for disease. Delbert Forinash had approached Mayor to let him know he had found pine trees in the parks that needed sprayed.

City Administrator Tim Hardy recommended to council that the trees in the Library Park needed the dead branches trimmed out and shaped. Tim will talk with Mr. Forinash and see about getting this done in the next few weeks.

7:35p.m. Hearing for Davis Addition Sewer District 2005-1 was opened.

Mrs. Shirley Davis attended to ask a few questions and explanation of the procedures that were involved with the sewer district.

7:45 p.m. Davis Addition Sewer District 2005-1 Hearing closed by Mayor Rodriguez.

ORDINANCE NO. 729 AN ORDINANCE APPORTIONING THE COST AND EXPENSES OF ESTABLISHMENT OF SEWER DISTRICT 2005-1 IN THE CITY OF ELKHART, MORTON COUNTY, KANSAS AND CONSTRUCTION OF SEWER

IMPROVEMENTS THEREIN, LEVYING A SPECIAL ASSESSMENT TAX UPON AND AGAINST THE LOTS AND PARCELS OF LAND FOR PAYMENT THEREOF AS HERETOFORE AUTHORIZED BY ORDINANCE NUMBERS 714 AND 728, AND PROVIDING FOR THE COLLECTION OF SUCH ASSESSMENTS.

Motion to pass **ORD 729** was made by Councilmember Hoyt and seconded by Councilmember Lavielle. Motion carried.

Councilmember Lavielle made the motion to appoint EBH as the City's consultant on North Street Road Project. Councilmember Pando seconded. Motion passed.

Motion to adjourn was made by Councilmember Predmore and seconded by Councilmember Hoyt. Motion passed.

Meeting adjourned at 8:30 p.m.

Mayor
Richard Rodriguez

ATTEST:

Brenda Grasz
City Clerk