

CITY OF COLUMBUS
CITY COUNCIL MINUTES
February 04, 2008

ATTENDANCE

The City Council of Columbus, Kansas, met February 04, 2008 at 6:30 p.m. in the City Hall. Mayor Harley McDaniel presided. Council members present: Dana Allison, Jerri Burton, Steve Dunlap, Doug Hosier, Marie Nepple, Dewey Smith, Gary Smith, Grant Spieth. Members absent: Connie Bennett, John Paradee.

Jim Dahmen led the invocation followed by the Pledge of Allegiance.

MINUTES

Mayor Harley McDaniel called for additions or correction to the minutes of the January 22, 2008 council meeting. Burton moved to accept the minutes of the January 22, 2008 council meeting. Hosier seconded the motion. Voting aye: Allison, Burton, Dunlap, Hosier, Nepple, Smith Dewey, Smith Gary, Spieth. Voting nay: None. Motion carried: 8-0.

APPROPRIATION ORDINANCE #07-171

Smith Gary moved to approve Appropriation Ordinance # 07-171. Hosier seconded the motion. Voting aye: Allison, Burton, Dunlap, Hosier, Nepple, Smith Dewey, Smith Gary, Spieth. Voting nay: None. Motion carried: 8-0.

APPROPRIATION ORDINANCE #08-172

Smith Dewey moved to approve Appropriation Ordinance # 08-172. Burton seconded the motion. Voting aye: Allison, Burton, Dunlap, Hosier, Nepple, Smith Dewey, Smith Gary, Spieth. Voting nay: None. Motion carried: 8-0.

City Administrator Evan Capron report: City Administrator was absent as he was in Salina at a meeting in reference to the grant for East Town so was read by Mayor Harley McDaniel:

1. Results of the condemnation hearing for the two property tracts in your packet is the payment for easements of these two tracts to be made before February 25, 2008: GGW Investments; \$1,489 and McDonalds; \$867. This has to be paid within 30 days and they have 30 days to repeal. We need to get the money in their hands as soon as possible. This motion will be made under Streets.
2. In your packet are the statement of appraiser's fees and expenses. Total charge for the 3 appraisers is: \$2,453 to do the appraiser work on the two easements. Motion was made by Burton and seconded by Allison to pay the District Court for Appraiser's fee on both properties and motion and second was withdrawn so each could be voted on separately as it is two different properties.

PAY APPRAISER'S FEES AND EXPENSES – *McDONALD'S CORPORATION*

Burton moved to pay the District Court \$1,226.50 for case number 07 CV 133, McDonald's Corporation for appraiser's fees and expenses. Allison seconded the motion. Voting aye: Allison, Burton, Dunlap, Hosier, Nepple, Smith Dewey, Smith Gary, Spieth. Voting nay: None. Motion carried: 8-0.

PAY APPRAISER'S FEE AND EXPENSES – *GGW INVESTMENTS L.L.C.*

Spieth moved to pay the District Court \$1,226.50 for case number 07 CV 134, GGW Investments, L.L.C. for appraiser's fees and expenses. Burton seconded the motion. Voting aye: Allison, Burton, Dunlap, Hosier, Nepple, Smith Dewey, Smith Gary, Spieth. Voting nay: None. Motion carried: 8-0.

3. We have received 6 applications for Lead Fire Department Driver.
4. The FEMA disaster declaration came through on February 1, 2008. We had a meeting with FEMA at 9:00 a.m. on February 4 to go over the procedures. We have decided to go with the "Pilot Program" temporarily as it was recommended by FEMA and we can always back out before 1st payment is received from FEMA. More than likely we will hire a contractor to do the tree trimming which are the hangers in trees. The City and County would be picking up and disposing the debris from City property and easements. Mayor McDaniel said I just want to clear your mind that on this Pilot Program what that amounts to is if we go strictly with FEMA they do not pay regular time. They pay on overtime and our employees that worked all these days picking up brush with our equipment they will not reimburse us because it was regular time. If we had worked them on Saturday then they would have paid that. The Pilot Program will pay for the regular time for the employees. The hang up with the Pilot Program is once you receive that check it is done and over with and if something comes up later then it is too bad. We were told to go with the Pilot Program at this time and we can back out at anytime until we receive that check.

EXECUTIVE SESSION

Spieth moved to go into executive session for 10 minutes from 6:50 pm to 7:00 pm on consultation with an attorney on matters that would be deemed privileged in an attorney-client relationship with Council Members, Mayor, City Attorney, City Superintendent, Chief of Police and City Clerk in attendance. Burton seconded the motion. Voting aye: Allison, Burton, Dunlap, Hosier, Nepple, Smith Dewey, Smith Gary, Spieth. Voting nay: None. Motion carried: 8-0.

REGULAR SESSION 7:00 PM

PAY FOR REPORT OF APPRAISERS – GGW INVESTMENTS, L.L.C.

Smith Gary moved to pay the District Court \$1,489 for the report of Appraisers on the condemnation of GGW Investments, L.L.C. case no. 07 CV 134 and will be paid out of Streets as this has to be paid within 30 days and is not enough time to submit to TRF Loan. Dunlap seconded the motion. Voting aye: Allison, Burton, Dunlap, Hosier, Nepple, Smith Dewey, Smith Gary, Spieth. Voting nay: None. Motion carried: 8-0.

PAY FOR REPORT OF APPRAISERS – McDONALD'S CORPORATION

Smith Gary moved to pay the District Court \$867 for the report of Appraisers on the condemnation of McDonald's Corporation case no. 07 CV 133 and will be paid out of Streets as this has to be paid within 30 days and is not enough time to submit to TRF Loan. Burton seconded the motion. Voting aye: Allison, Burton, Dunlap, Hosier, Nepple, Smith Dewey, Smith Gary, Spieth. Voting nay: None. Motion carried: 8-0.

RAISE ADMINISTRATION FEES ON WEED NOTICE

Smith Gary moved to raise both administration fees on weed notice to \$35 to help cover the cost of mailing weed notices certified. Dunlap seconded the motion. Voting aye: Allison, Burton, Dunlap, Hosier, Nepple, Smith Dewey, Smith Gary, Spieth. Voting nay: None. Motion carried: 8-0.

ADVERTISE FOR CONTRACT MOWING

Smith Gary moved to advertise for bids on the mowing of weeds. Dunlap seconded the motion. Voting aye: Allison, Burton, Dunlap, Hosier, Nepple, Smith Dewey, Smith Gary, Spieth. Voting nay: None. Motion carried: 8-0.

RETURN RECEIPT ON WEED NOTICES

Smith Gary moved to send all weed notices certified with return receipt in town and out of town. Spieth seconded the motion. Voting aye: Allison, Burton, Dunlap, Hosier, Nepple, Smith Dewey, Smith Gary, Spieth. Voting nay: None. Motion carried: 8-0.

CHANGE TIME PERIOD FOR CONTRACT MOWING OF CEMETERIES

Spieth moved to adjust time period in contract for mowing cemeteries from March 1st to November 30th to March 15th through November 15th . Nepple seconded the motion. Voting aye: Allison, Burton, Dunlap, Hosier, Nepple, Smith Dewey, Smith Gary, Spieth. Voting nay: None. Motion carried: 8-0.

EMPLOYEE STEP INCREASE – ROD BOCK

Nepple moved to give annual step increase to Rod Bock to \$11.35 Range 8 Step I due January 1, 2008 and payable on the February 15, 2008 payroll with retro pay back to January 1, 2008. Dunlap seconded the motion. Voting aye: Allison, Burton, Dunlap, Hosier, Nepple, Smith Dewey, Smith Gary, Spieth. Voting nay: None. Motion carried: 8-0.

REMOVING SECTION OF PERSONNEL MANUAL

Nepple moved to remove Subsection A, Subsection 3 of IV-10 in personnel manual: *Employees who are called out to work for the Water and Sewer Departments during emergencies shall be paid double the employee’s regular rate of pay. The City Superintendent shall maintain a daily list of employees who sign up and make themselves available for emergency calls. No minimum amount of time is guaranteed for emergency call-outs.* Dunlap seconded the motion. Voting aye: Allison, Burton, Dunlap, Hosier, Nepple, Smith Dewey, Smith Gary, Spieth. Voting nay: None. Motion carried: 8-0.

OVERTIME PAY FOR BRUSH PICK UP

Spieth moved to pay overtime to employees for brush pick up and to be reported at each council meeting as to how much is spent, providing there is a full crew and to try this for 2 weeks to see how this works. Allison seconded the motion. Voting aye: Allison, Burton, Dunlap, Hosier, Nepple, Smith Dewey, Smith Gary, Spieth. Voting nay: None. Motion carried: 8-0.

City Attorney Barbara Wright report:

- 1. To bring you up to date on the law suit of Hodge versus the City of Columbus. The law firm in Overland Park will be taking depositions, both they and Mr. Myers, on February 27 and everyone who is a City Official or City Employee who is involved already know about it. Our Attorneys have asked for some sanctions because of problems obtaining information they were told to have and the court is yet to rule on that.

Meetings:

Personnel

Monday February 11, 2008 @ 6:30 pm

ADJOURNMENT

Burton moved to adjourn the meeting at 7:50 pm. Dunlap seconded the motion. Voting aye: Allison, Burton Dunlap, Hosier, Nepple, Smith Dewey, Smith Gary, Spieth. Voting nay: None. Motion carried: 8-0.

Janice Blancett, City Clerk