

**CITY OF COLUMBUS
CITY COUNCIL MINUTES
February 17, 2009**

ATTENDANCE

The City Council of Columbus, Kansas, met February 17, 2009 at 6:30 p.m. in the City Hall. Mayor Harley McDaniel presided. Council members present: Connie Bennett, Jerri Burton, Steve Dunlap, Doug Hosier, Marie Nepple, John Paradee, Dewey Smith, Gary Smith, Grant Spieth, Dana Wellmeier. Members absent: None.

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 February 02, 2009 council meeting. Burton moved to accept the minutes of the February 02, 2009 council meeting. Hosier seconded the motion. Voting aye: Burton, Dunlap, Hosier, Nepple, Paradee, Smith Dewey, Smith Gary, Spieth, Wellmeier. Voting nay: None. Abstaining: Bennett. Motion carried 9-0 1-A.

APPROPRIATION ORDINANCE #08-202

Smith Gary moved to approve Appropriation Ordinance #08-202. Burton seconded the motion. Voting aye: Bennett, Burton, Dunlap, Hosier, Nepple, Paradee, Smith Dewey, Smith Gary, Spieth, Wellmeier. Voting nay: None. Motion carried: 10-0.

APPROPRIATION ORDINANCE #09-203

Spieth moved to approve Appropriation Ordinance #09-203. Paradee seconded the motion. Voting aye: Bennett, Burton, Dunlap, Hosier, Nepple, Paradee, Smith Dewey, Smith Gary, Spieth, Wellmeier. Voting nay: None. Motion carried: 10-0.

VISITORS

Bruce Remsburg: City Superintendent Jim Burton told the council we will need council approval for PEC to go out for bids on East Town Sewer project. We are under a 3-30-09 dead line to be under contract. Bids have to be out for 30 days. PEC will go out for bids by 2-19-09. We will have bid openings at 2:00 p.m. on 3-19-09 at City Hall and the Mayor will set a special council meeting on 3-19-09 to approve the contract. Bruce is here in case anyone has any questions. Councilmember Spieth asked Bruce as to where these bids will be solicited. Bruce said what we will do, if you give the go ahead, we will send out 4 or 5 plans to different plan rooms in Oklahoma, Missouri and here in Kansas. There will also be an official publication in the newspaper.

GO OUT FOR BIDS ON EAST TOWN SEWER REHABILITATION

Hosier moved to go out for bids on the East Town Sewer Rehabilitation. Burton seconded the motion. Voting aye: Bennett, Burton, Dunlap, Hosier, Nepple, Paradee, Smith Dewey, Smith Gary, Spieth, Wellmeier. Voting nay: None. Motion carried: 10-0.

Mayor Harley McDaniel then set a Special Meeting for March 19, 2009 at 6:30 pm to approve contract for East Town Sewer Project.

Luke Prauser: I would like to do a music fest on the square and the location I am looking at is 114 S Kansas where the Mexican Restaurant was at. This is something I would like to do every couple of months. It will be for all ages. If I can do this I would like to have 6 or 7 bands come in and if it does good have bands from Baxter, Galena and such. Chief Sharp asked if this was going to be inside and was told yes. What time? Probably from 5 – 11 sometime next month on a Saturday. I can be flexible with the time changes on that. Councilmember Gary Smith said he would probably have to watch the crowd limit as his is sure there is a capacity minimum in that building. Luke said in the building there was an area that was an ice cream parlor but that has been removed so it will open the building up further. Chief Sharp said he might want to check with the Fire Department to see what the fire codes would be on the minimum amount of people that would be allowed in there at any given time. Mayor McDaniel asked Luke if he had contacted the property owner. Luke said yes and he is working with the property owner on insurance. Mayor asked if he would be serving any refreshments such as alcohol and Luke said there will be no alcohol. Right now would probably be only soft drinks. We're not doing any food or anything. We don't want to put a bunch into it at this time. The only thing is I would have to charge a small fee at the door to pay for the utilities and use of the building. Councilmember Nepple asked if that would require a business license. Councilmember Dunlap asked about security. Luke said he has talked to a couple of people that could work the front door. The back door will not be accessible to people unless it will be needed for say fire escapes and things like that. Councilmember Spieth said there is a hotel out the back door so there might be a problem with noise level. Councilmember Dewey Smith said he might want to have a talk with Chuck as he is our law enforcement. Chief Sharp asked him how many people he thought might be there and Luke said he would like to see at least 50 people. The Council wanted to know what kind of music would be played and Luke told them it would be a mix. I just wanted to start here to find out what needs to be done. No decision could be made but Councilmember Dunlap head of the Police Committee said he would set a police meeting and invited Luke to attend.

Thomas Niegisch: I am representing Chamber of Commerce Jr. Leadership class. We get together and go over community things. We have sessions to learn more about the community. One of the things we are learning is what it would take to get a business to Columbus. This would be a mock business. One of the things we are looking at was buildings in the area. Of course with what this business is needing there are no buildings available. What we were wondering is what it would take to use the Industrial Park. Whatever you could tell us would be helpful. This is just a mock business. We have to get information so we may present to that business to try and get it to come to this community. City Superintendent Jim Burton said what he is wanting is to know how much we would sell that piece of property for and about the utilities. City Attorney Barbara Wright said if they were looking for us to offer them a tax incentive they would have through a process with Department of Commerce and us. They would have to have a cost benefit analysis, which is what will this gain the City versus what this will cost the City in lieu of taxes. It wouldn't be for the first of the year but if it was approved by the Council they could have it the second year. Barbara said I don't think there is enough land at the Industrial Park for that. Thomas said they thought maybe just putting the office building there and purchasing property for the actual factory of the mock business of wind turbines. Barbara said if they bought land contiguous to the City then they could have that annexed in. Someone suggested he go see Jim Dahmen as he is usually the one who promotes things like this. Thomas said he is the one we have to present this to.

Janet Lindsey: We are again asking for the use of the City Park for an overnight event for the Cancer Society for the Relay for Life. This year's event is scheduled for September 19th and 20th,

which is again a Saturday and Sunday from 6 pm to 6am. We usually start sometime afternoon on Saturday and are done before 5 on Sunday. We do put up tents and cook food. Normally the Boy Scouts come in and do clean up. We have done this for the past 6 years and have averaged about \$22,000 that we have raised with about 15 teams. We normally run about 150 to 250 people in the Park during the night. We do run a PA system throughout the night. We have not had a noise complaint from any of the neighbors as they usually know what is going on. Mayor McDaniel asked if they were going to use the candles in the sacks like they had done in the past and was told yes.

RELAY FOR LIFE AT CITY PARK

Smith Dewey moved to allow Relay for Life the use of the City Park September 19th and 20th. Paradee seconded the motion. Voting aye: Bennett, Burton, Dunlap, Hosier, Nepple, Paradee, Smith Dewey, Smith Gary, Spieth, Wellmeier. Voting nay: None. Motion carried: 10-0.

Vhonda Schreiner: I believe you all received a handout as to why I am here. For 5 years now, I have cared for, played with, groomed, walked and cleaned for all the dogs that have come through the shelter. Over the years, with the help of my husband and Joe, we have made some temporary repairs to the shelter. More recently we have been able to make more permanent repairs with the help of my animal loving friend, Martha Emberlin. She very graciously agreed to help make some repairs that have improved the condition of the shelter. I would like there to be the installation of steel locking screen doors on the exits to allow air flow through out the pound during the spring and summer months. Martha is able to make and install these. I also would like permanent doggie doors to replace the rubber flaps that are continually destroyed by the dogs. Calibrated Forms have generously donated rubber material for the doggie doors but again the dogs tear them up. A couple of years ago I met Tammie Goodrich. She operates a grooming shop and dot/cat rescue called Little Treasures. A lot of the small dogs that come through the shelter are very nice and make well mannered pets. We were able to transfer the dogs to her rescue and find them great new homes. When the dogs are released to Little Treasure's I take them to veterinarian Mindy Mayfield. We have them, spay/neutered, immunized, heartworm tested and micro chipped. Little Treasures pays the cost and we donate our time and take them to Pet Smart on Saturdays where we adopt them out for the cost of the vet bill on each dog. I want to take this opportunity to thank the council for approving the purchase of a power washer. It has been a great help in keeping the dog kennels cleaner. I would also like to see installation of lights over the front and back doors for safety and security. I usually go to the pound twice a day but sometimes it will be late in the evening when I can get there. Chief Sharp said he didn't think there would be a problem in acquiring this as this is within our set limit fee. He said the main issue is the housing of the rescue dogs. Vhonda said yes that was the main issue I came to you. Chief Sharp said the council needs to take action on this. What she is doing is the dogs we pick up we hold them for 5 days and if the owner doesn't claim them, then what we've been doing is taking them to the vet and putting them to sleep. They have been taking these dogs and adopting them out. Right now with the economy the way it is dogs are not getting adopted very fast. Vhonda has some dogs down at the pound in the pens she is holding until they can get them adopted out. I cannot give them permission to hold them in the City Pound. It has to go through the council so that is why Vhonda is here to ask the council for 1, 2, 3 or however many pens you want to allow her to use for this purpose. Vhonda said for however space allows. I do realize if there are animals being held for the City for certain reasons such as court, that is why it is as space allows. I have talked to the state inspector and she has no problem with housing another shelter's dogs at a city facility. That is in the letter you have. Most of the dogs are just little dogs. There have been a couple of big dogs but mostly just little dogs. There are about 14 usable kennels. I sometimes have 2 dogs to a kennel. Mayor McDaniel said he had one thing he would like to bring up. What I would have a problem with is if that dog pound was pretty near full and

you had some dogs in there and then our Animal Control Officer picks up 2 or 3 dogs and there is no room down there for him then we would have to take them to a veterinarian and pay for the housing. Vhonda said that is why she said as space allows. If space does not allow then I would have to remove my animals. The vet has been graciously allowing me to house them there when I had to take mine out. I am just waiting to get this approved. I'm not talking about permanent kennels that you give me on a regular basis, it is just temporary. So many nice little dogs are coming through this community that we rescue and that is what we run into by being short on space. We buy our own dog food to feed them. We're not making money off of these dogs. We are losing money as a matter of fact. I am just talking on behalf of the animals. I just wanted to let the council know what I have been doing and what I look forward to doing in the future.

HOUSING DOGS AT DOG POUND

Dunlap moved to allow volunteer Vhonda Schreiner house dogs for adoption per her judgment. Burton seconded the motion. Voting aye: Bennett, Burton, Dunlap, Hosier, Nepple, Paradee, Smith Dewey, Smith Gary, Spieth, Wellmeier. Voting nay: None. Motion carried: 10-0.

City Superintendent Jim Burton report:

1. The A/C unit has been installed in the museum last Tuesday and Wednesday and is working just fine.
2. I would like to set spring clean up for 3/23/09 to 4/03/09. The Chief of Police and myself will work together letting people know what will be taken and the Police Chief will let people know how his department will handle those properties that don't get their property cleaned up during this time.
3. In your packet you have a letter from a company out of Wichita, KS. on the stop lights uptown. I contacted Baxter and this is a company they have used and they are familiar with the one on East Ave. and Maple.
4. I attended wastewater training in Independence last week put on by KWRA. These trainings are free to members.
5. I will be attending a solid waste meeting in Chanute on 2/19/09 from 1-4 pm.
6. I would like the have the council have the City Attorney update our bidding ordinance to give the City Administrator or and Department Head to be able to go our for bids without council approval. It delays the process as the committee and council has the final say whether a bid is accepted or rejected. It was stated in an earlier meeting that department head could, but I guess unless it is in an ordinance we couldn't. City Attorney Barbara Wright told Jim there was nothing in the code book saying Department Heads could not go out for bid with council approval. It only says anything over \$15,000 must go out for bid.
7. I would like for the council to put more teeth into the personal cell phone policy they enacted. It has got to the point that employees are on the cell phone quite a bit of the time. Last week we had an employee that was trying to use a cell phone while he was on the back of the trash truck. When the last ordinance was updated it was discussed that all personal cell phones would be left in their vehicle until brake or lunchtime, again today's cell phones are so small they hide them away in their pocket and you know they are on their personal cell phones but they also carry a city phone. If you like it can go to the personnel committee.

Fire Chief Brad Gleason report:

1. We've had 72 runs this year.
2. We will have a fire meeting this Thursday.
3. We are still getting quotes on trucks.

PURCHASE WATER METERS

Smith Gary moved to purchase 150 meters not to exceed \$6,000. Bennett seconded the motion. Voting aye: Bennett, Burton, Dunlap, Hosier, Nepple, Paradee, Smith Dewey, Smith Gary, Spieth, Wellmeier. Voting nay: None. Motion carried: 10-0.

ADOPT WATER CONSERVATION PLAN

Smith Gary moved to adopt water conservation plan. Wellmeier seconded the motion. Voting aye: Bennett, Dunlap, Hosier, Nepple, Paradee, Smith Dewey, Smith Gary, Spieth, Wellmeier. Voting nay: Burton. Motion carried: 9-1.

CITY ATTORNEY DRAFT ORDINANCE ADOPTING CONSERVATION PLAN

Smith Gary moved to have City Attorney draft ordinance adopting water conservation plan. Nepple seconded the motion. Voting aye: Bennett, Dunlap, Hosier, Nepple, Paradee, Smith Dewey, Smith Gary, Spieth, Wellmeier. Voting nay: Burton. Motion carried: 9-1.

WORK ORDER FOR CEMETERIES

Bennett moved to approve work order for burials in City Cemetery and Park Cemetery. Burton seconded the motion. Voting aye: Bennett, Burton, Dunlap, Hosier, Nepple, Paradee, Smith Dewey, Smith Gary, Spieth, Wellmeier. Voting nay: None. Motion carried: 10-0.

PROCEED WITH CONDEMNATION – 535 W. MULBERRY

Dunlap moved to proceed with condemnation at 535 W. Mulberry. Burton seconded the motion. Voting aye: Bennett, Burton, Dunlap, Hosier, Nepple, Paradee, Smith Dewey, Smith Gary, Spieth, Wellmeier. Voting nay: None. Motion carried: 10-0.

PROCEED WITH CONDEMNATION – 416 S. FLORIDA

Dunlap moved to proceed with condemnation at 416 S. Florida. Burton seconded the motion. Voting aye: Bennett, Burton, Dunlap, Hosier, Nepple, Paradee, Smith Dewey, Smith Gary, Spieth, Wellmeier. Voting nay: None. Motion carried: 10-0.

ACCEPT ANNEXATION OF COFFEYVILLE COMMUNITY COLLEGE

Dunlap moved to accept annexation request for the Coffeyville Community College's new welding school. Burton seconded the motion. Voting aye: Bennett, Burton, Dunlap, Hosier, Nepple, Paradee, Smith Dewey, Smith Gary, Spieth, Wellmeier. Voting nay: None. Motion carried: 10-0.

ORDINANCE# 1260

Smith Gary moved to accept Ordinance #1260 – *Establishing mandatory solid waste services and fees for water service customer*. Burton seconded the motion. Voting aye: Bennett, Burton, Dunlap, Hosier, Nepple, Paradee, Smith Dewey, Smith Gary, Spieth, Wellmeier. Voting nay: None. Motion carried: 10-0.

Meetings:

Water & Sewer

Thursday February 19, 2009 @ 5:00 pm

Cemetery

Thursday February 19, 2009 @ 5:30 pm

Personnel

Thursday February 26, 2009 @ 6:30 pm

Police & License

Thursday February 26, 2009 @ 7:00 pm

Streets/Alleys/Bridges

Thursday February 26, 2009 @ 8:00 pm

ADJOURNMENT

Smith Gary moved to adjourn the meeting at 8:11 pm. Burton seconded the motion. Voting aye: Bennett, Burton, Dunlap, Hosier, Nepple, Paradee, Smith Dewey, Smith Gary, Spieth, Wellmeier. Voting nay: None. Motion carried: 10-0.

Janice Blancett, City Clerk