

CITY OF COLUMBUS
CITY COUNCIL MINUTES
March 16, 2009

ATTENDANCE

The City Council of Columbus, Kansas, met March 16, 2009 at 6:30 p.m. in the City Hall. Mayor Harley McDaniel presided. Council members present: Connie Bennett, Doug Hosier, Marie Nepple, John Paradee, Gary Smith, Grant Spieth, Dana Wellmeier. Members absent: Jerri Burton, Steve Dunlap, Dewey Smith.

Doug Hosier led the invocation followed by the Pledge of Allegiance.

MINUTES

Mayor Harley McDaniel called for additions or correction to the minutes of the March 02, 2009 council meeting. Spieth moved to accept the minutes of the March 02, 2009 council meeting. Hosier seconded the motion. Voting aye: Bennett, Hosier, Nepple, Smith Gary, Spieth, Wellmeier. Voting nay: None. Abstaining: Paradee. Motion carried: 6-0 1-A.

APPROPRIATION ORDINANCE #09-205

Smith Gary moved to approve Appropriation Ordinance #09-205. Bennett seconded the motion. Voting aye: Bennett, Hosier, Nepple, Paradee, Smith Gary, Spieth, Wellmeier. Voting nay: None. Motion carried: 7-0.

City Administrator Evan Capron report:

1. I want to bring before the council the water sale contract that is in your packets. This is Water District 19 that we are trying to get up and going. I am on the board which I was appointed by one of the mayors. What Water District # 19 is trying to do is get another water source into Cherokee County. This is the water contract they came up with. This project looks like it is very positive. With the stimulus money coming about there has been more activity with this project in the last four weeks than in the last fourteen years from what I understand. The board has been able to stay together because it is a very good cause. Water is going to become a real problem for this County with buying water coming in from the west. The highlights of this, as this has already been through the council at one time, are that we will be purchasing 4 million gallons of water per month from water district #19. The cost would be up to \$5 per thousand which doesn't mean it's going to be \$5 per thousand because this thing is still in the making. The more people they get on it then it will be cheaper. Currently we are getting water from Bone Creek for \$3.50. It is a 40 year contract which is standard in the water industry. What we need is a vote on it by the Council. We pay Bone Creek \$14,000 a month and we get 4 million gallons per month. Councilmember Gary Smith wanted to know if we could refine this contract to where we could get more water in the summer than in the winter months when water consumption is down. Bone Creek give water on a percentage basis. Evan said he could take that to the board and discuss that with them. Gary said he would like to have it stated that we could get more when needed and less when we don't need it. Evan said he thought we could. Councilmember Spieth said so right now from Bone Creek we get so much a month until we reach our 48 million in a year. Mayor McDaniel said he was at that meeting and if he understood right if we had a well go down we could pump more

the same as we do Bone Creek and was told yes but you have to pay for the minimum of 4 million per month. Spieth said he would like to know what we pump out of our wells versus what we buy. Spieth asked City Attorney Barbara Wright if this contract would tie us down and she said yes and she thinks if that is what you are wanting in paragraph 2 instead of saying minimum you need to say average gallons per month.

SIGN LETTER OF INTENT WHOLESALE WATER DISTRICT #19

Smith Gary moved to sign a letter of intent for 4 million gallons per month not to exceed \$5.00 per 1,000 with 8 million being available to us. Then we could check on the contract, come back if they will let us negotiate the contract with the changes. Paradee seconded the motion. Voting aye: Bennett, Hosier, Nepple, Paradee, Smith Gary, Wellmeier. Voting nay: Spieth. Motion carried: 6-1.

City superintendent Jim Burton report:

1. We have two of the master metes in on well # 4 & 5. We turned them on today. They were inspected last week by Morgan Perryman with the Kansas Division of Water. He hasn't got back with me as of yet but there was only two things he said that might be a problem. On our master meter we have a regular reading and because where our meters are, they are like a dog house and you have to lift off the tops, so we have external digital meters so on the regular head there is no way to tamper proof it so he is getting with the State to see what to do.
2. We started on well #6 today and we have to order more parts for it.
3. I have been working with Beachner on some of that project. Calibrated has contacted me for the last week and a half so I had a meeting with Bill Elmore and Mr. Miller today. In our easement settlement with them it was that the City would pave the rest of their parking lot in lieu of cash. In that settlement we allotted \$9, and some dollars. I contacted Beachner to give an estimate on doing that, which they did, but when we looked at it and with KDOT's input last year we actually looking at putting the asphalt on top of that solid rock bed. Because of the changes with KDOT's shoofly they have had to dig down. So that in turn means they will have to remove rock also. The bid to put 4 inches of asphalt and remove that rock now is right at \$14,975 with the price of asphalt going up and them removing that rock. There is probably no way for us to remove that rock. I need permission from the Council to do this and Calibrated is anxious for us to hold up our end of the bargain. I guess the extra money will have to come out of Streets.

PAY FOR PAVING AT CALIBRATED SOUTH BUILDING

Smith Gary moved to pay \$14,975 to pave parking lot at the south end of the Calibrated building that the City had agreed to do. Bennett seconded the motion. Voting aye: Bennett, Hosier, Nepple, Paradee, Smith Gary, Spieth, Wellmeier. Voting nay: None. Motion carried: 7-0.

4. In your package you will find a contract in reference to the right of way easement that we need to go under the BNSF abandoned railroad track that we need for the East Town Sewer Project. Even though it is abandoned it will never be used again as they have sold part of the easement so you have to go through the same process as if that line is still alive. They need a check in the amount of \$2,500, which covers the contract fee that is good for 25 years, \$1,000 for railroad protective liability and then there is a \$350 processing fee that is not returnable. I will need approval of the Council for this.

BNSF CONTRACT- EAST TOWN SEWER PROJECT

Spieth moved to approve \$3,850 for the Burlington Northern East Town Sewer Project, for the liability insurance, contract fees and the processing fee. Nepple seconded the motion. Voting aye: Bennett, Hosier, Nepple, Paradee, Smith Gary, Spieth, Wellmeier. Voting nay: None. Motion carried: 7-0.

5. They started laying the new water line out on Highway 69 by Calibrated that has to go in on the Prestige side of the street up to Merle Evans Drive. They started on Wednesday and that line has been broken twice.

Fire Chief Brad Gleason report:

1. We have had 138 runs so far this year.
2. Tomorrow night we have a fire meeting at 7:00 pm.
3. I would like to have the \$1,132.42 unencumbered from the 2008 budget.

UNENCUMBER MONEY IN FIRE FUND

Spieth moved to unencumber \$1,132.42 out of Fire Fund GL# 01-900-57580. Wellmeier seconded the motion. Voting aye: Bennett, Hosier, Nepple, Paradee, Smith Gary, Spieth, Wellmeier. Voting nay: None. Motion carried: 7-0.

SEWER SERVICE TO COFFEYVILLE COMMUNITY COLLEGE

Wellmeier moved for the City to furnish all the labor, the College pay for all the material, with the requirement being, it must be schedule 40 pipe and fittings and to split the cost 50/50 for the tapping fee. Smith Gary seconded the motion. Voting aye: Bennett, Hosier, Nepple, Paradee, Smith Gary, Spieth, Wellmeier. Voting nay: None. Motion carried: 7-0.

MOVING METERS

Smith Gary moved to have Brown's meter moved out to the road, trench a new ¾ inch line from Brown's meter to where the old meter set was and then come over to Jarrett's property and make a new tap, run a line up to hook back into their old meter set or take whatever route necessary and then move Jarrett's meter out to the road. Wellmeier seconded the motion. Voting aye: Bennett, Hosier, Nepple, Paradee, Smith Gary, Spieth, Wellmeier. Voting nay: None. Motion carried: 7-0.

EQUIPMENT OPERATOR I

Nepple moved to hire Joe Carlson as Equipment Operator I at \$9.79 Range 8 Step C, due to his experience and providing he passes all pre employment requirements. Paradee seconded the motion. Voting aye: Bennett, Hosier, Nepple, Paradee, Smith Gary, Spieth, Wellmeier. Voting nay: None. Motion carried: 7-0.

EXECUTIVE SESSION

Nepple moved to go into executive session for 10 minutes from 7:16 pm to 7:26 pm for personnel matters of non-elected personnel with Council, Mayor, City Attorney, City Administrator and City Clerk in attendance. Spieth seconded the motion. Voting aye: Bennett, Hosier, Nepple, Paradee, Smith Gary, Spieth, Wellmeier. Voting nay: None. Motion carried: 7-0.

REGULAR SESSION 7:26 PM

EMPLOYEE RESIGNATION – DEE MORRISON CAVINESS

Nepple moved to accept the resignation of Dee Morrison Caviness being the last day worked March 27, 2009, in Good Standing providing she fulfill her 2 week obligation. Paradee seconded

the motion. Voting aye: Bennett, Hosier, Nepple, Paradee, Smith Gary, Spieth, Wellmeier.
Voting nay: None. Motion carried: 7-0.

RESOLUTION #386

Nepple moved to approve Resolution #386 – *A Resolution Finding That The Structures Located at 535 W. Mulberry Street Is Unsafe and Dangerous, and Directing That the Structures Be Removed and the Premises Made Safe and Secure.* Bennett seconded the motion. Voting aye: Bennett, Hosier, Nepple, Paradee, Smith Gary, Spieth, Wellmeier. Voting nay: None. Motion carried: 7-0.

APPOINTMENT TO COLUMBUS HOUSING AUTHORITY – GRANT SPIETH

Smith Gary moved to accept the Mayor’s appoint of Grant Spieth to the Columbus Housing Authority Board as his current term expires 4/1/2009. This will extend his term to 4/1/2013. Wellmeier seconded the motion. Voting aye: Bennett, Nepple, Paradee, Smith Gary, Wellmeier. Voting nay: None. Abstaining: Hosier, Spieth. Motion carried: 5-0 2-A.

Meetings:

Personnel

Wednesday March 25, 2009 @ 6:00 pm

Personnel

Tuesday March 31, 2009 @ 7:00 pm

Budget & Finance

Wednesday April 1, 2009 @ 6:30 pm

ADJOURNMENT

Nepple moved to adjourn the meeting at 7:49 pm. Bennett seconded the motion. Voting aye: Bennett, Hosier, Nepple, Paradee, Smith Gary, Spieth, Wellmeier. Voting nay: None. Motion carried: 7-0.

Janice Blancett, City Clerk