

**CITY OF COLUMBUS
CITY COUNCIL MINUTES**

April 06, 2009

ATTENDANCE

The City Council of Columbus, Kansas, met April 06, 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.

Eric Hurd led the Invocation followed by the Pledge of Allegiance.

MINUTES

Mayor Harley McDaniel called for additions or correction to the minutes of the March 16, 2009 council meeting. Hosier moved to accept the minutes of the March 16, 2009 council meeting. Paradee seconded the motion. Voting aye: Bennett, Dunlap, Hosier, Nepple, Paradee, Smith Gary, Spieth, Wellmeier. Voting nay: None. Abstaining: Burton, Smith Dewey. Motion carried: 8-0 2-A.

MINUTES

Mayor Harley McDaniel called for additions or correction to the minutes of the Special Meeting of March 19, 2009. Burton moved to accept the minutes of the Special Meeting of March 19, 2009. 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.

APPROPRIATION ORDINANCE #09-206

Smith Gary moved to approve Appropriation Ordinance #09-206. Hosier 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

Rodney Oels – Columbus Telephone Company

I am here to ask for the use of the City Park on August 29 for the Columbus Telephone Appreciation Days. Hopefully we will have a lot of people there. We will have games, give away and music. I would also like to talk about the use of the City Pool. I know the pool closes right before school starts but we would like to use the pool for about 1 hour for a free swim also during this time. Several questions arouse as to the liability and work comp insurance if life guards are no longer employed by the City at that time. Mr. Oels said he would take this back to his board and see if this event could be moved up to August 15th. It was decided that after the new committees were in place we would take this to the Property/ Pools/ Park Committee for further discussion and have Mr. Oels and Managers of pool in attendance.

Jean Pritchett – Columbus Chamber of Commerce

For several years residence of the community has been asking the Chamber to put on a spring activity similar to the fall festival. We are trying to fulfill that request but it will not be as big. This will be a circus day in honor of Merle Evans and we would like to do it on May 30th in the evening. We would like to use the City Park putting it around a circus theme with some

circus acts and such and we would like to end the evening by showing a movie of The Greatest Show on Earth which has Merle Evans in it as himself as the conductor of the circus band. This will probably start about 6 in the evening with the games and as soon as it is dark enough we will show the movie. It's free to the public; we have a large canvass that we can put up to view the movie and everyone can bring their lawn chairs or whatever to watch the movie.

The next thing I would like to ask said Jean is permission to use the Industrial Park for the Balloon Festival in October if we can get in the park and the highway is not tore up. In case we can't get in I will have an alternate location. The Industrial Park is preferable the best location.

USE OF INDUSTRIAL PARK FOR BALLOON GLOW

Burton moved to allow the Columbus Chamber of Commerce use the Industrial Park on Columbus Days for the Hot Air Balloon Regatta. 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.

Mayor Harley McDaniel then read an email from Jim Dahmen:

Colleagues, we are conducting a site selection effort for a new project. Please see the information below and submit your building by noon Friday, April 10th. Please read the entire email and contact me with questions or concerns. Thank you. This is a biodiesel fuel manufacturing facility, parameters are capital investment \$90 million dollars, 100 jobs over 5 years, wages to be determined, site criteria is building requirement 24,000 sq. ft. own or lease, land requirement is developed land with utilities at site 10 acres plus with rail access, interstate access is important and incentives. At this point, your submittal should consist of the following: details on buildings and sit-size, price, acreage, acknowledgment of developed land, acknowledgement of rail interstate access, acknowledgment of local incentive, cash incentives and free land/building, etc. State incentives will be covered by the Kansas Department of Commerce. This is from Ron Frierson, President of Kansas Department of Commerce. Mayor then asked Jim Dahmen to fill in what he left out and Jim said you left nothing out is that is all I know. Unfortunately I don't bring this to the Council on short notice said Jim. The key point her is number 4 on the incentives. I don't have any information on the company so I have to assume the Department of Commerce has done their due diligence and is dealing with a bone fide company. However to respond in a timely fashion I had to come before you to see what kind of incentives you might want to offer. That will probably be the deciding factor. As I have approached this council before the process of industrial development it is not one of selecting a community it is one of rejecting a community and rejecting communities until you get down to the last tow or three. Then you make the final selection. I have identified a couple of locations with rail service but we don't have a 24,000 sq. ft. building but I believe that type of facility is special.

ALLOW JIM DAHMEN TO MAKE PACKAGE PROPOSAL

Smith Gary moved to allow Jim Dahmen do a package proposal for the City of Columbus on a possible bio-diesel business to locate in Columbus with an incentive of 10 year tax abatement. 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. As you may or may not know we did not get our stimulus money for the downtown area for the milling and curb cuts. Most of that went to the bigger cities and the county. I don't think any of the small cities received anything.

2. I had to have 2 light poles removed on East Avenue in order for the 2 way traffic that has been requested by Beachner. I contacted Empire today and they removed the poles today so we could put gravel on the side of the shoulder to hopefully keep two-way traffic going.
3. I have a call into Pittsburg as we have a section of sewer line that need TV'd. The gentleman that I need to tale to has been out sick since Friday. We have about 300 foot of line that needs for us to see what is coming into it. The State is requiring us to put in ductile iron pipe from Maple Street from the alley there by NAPA going south to that manhole out in the middle of the road.
4. We have done Spring Clean-up. There have been many complaints as people have supposedly put stuff out after we have come through. We started today again in Ward 1 going through and getting what was left. I don't know what we are going to do about this problem as we have this every year.
5. I do have a bill here from Mr. Keeley, the attorney that is representing us on the ADA issue for council approval. The bill is for \$1,032.12.

PAY ED KEELEY

Burton moved to pay Attorney Ed Keeley \$1,032.12 and to be paid out of GL# 10-000-57390. 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.

6. The power cable over 1,000 feet that goes from our plant down to well #4, which sets on the NW corner of our shop, has failed. We have one estimate of reinstalling that underground cable of \$11,500. We are also looking at Empire and Micro Com of putting in a wireless system. When I get everything together I will then take it to the appropriate committee. So well #4 is down but we are running off of 5 & 6.

UNENCUMBER MONEY SET ASIDE FOR STIMULUS PROJECT

Spieth moved to unencumber the \$50,000 set aside for the Stimulus project, which was denied. Nepple seconded the motion. Voting aye: Bennett, Burton, Dunlap, Hosier, Nepple, Paradee, Smith Dewey, Smith Gary, Spieth, Wellmeier. Voting nay: None. Motion carried: 10-0.

PURCHASE NEW ENGINE FOR 2004 IMPALA

Smith Gary moved to spend \$4,620 for a new engine on Unit # 4, 2004 Chevy Impala from Hatfield Chevrolet and to come out of GL# 01-700-57610. Voting aye: Bennett, Dunlap, Hosier, Nepple, Paradee, Smith Dewey, Smith Gary, Spieth. Voting nay: None. Abstaining: Burton, Wellmeier. Motion carried: 8-0 2-A.

Fire Chief Brad Gleason report:

1. We have had 153 runs.
2. We tested the 3 inch and 5 inch fire hoses on Saturday.
3. We took the rescue truck #30 over to Layton in Bartlett to have a new bed put on the back of it. It will be able to have air bottles and rescue equipment all together on it.
4. We took the skid unit off the rescue truck #30 and put it on the blacktop and has a tarp on it out back.
5. We moved the dually truck inside until we get the rescue truck back. When #30 gets back we are going to put the skid unit on the dually truck and put it into service.
6. The ambulance looking fire truck is gone as we traded it in to do the work on 30.
7. The internet truck is gone. We are going to have the big ladder taken off of that and put on our tanker #23. Have the automatic transmission put on #23.

8. After all this is done everything will fit in fire bay except the education trailer and the rescue boat which the Ambulance barn has consented to let us house them there.
9. We will keep the same ISO rating of 4.
10. I need a motion for the City to move over \$15,000 to the Smokey Fund that the City has set aside.

\$15,000 TO SMOKEY FUND

Burton moved to pay \$15,000 to Smokey Fund and is to be paid out of GL# 01-900-57990. Smith Dewey seconded the motion. Voting aye: Bennett, Burton, Dunlap, Hosier, Nepple, Paradee, Smith Dewey, Smith Gary, Spieth, Wellmeier. Voting nay: None. Motion carried: 10-0.

\$2,000 TO CHAMBER OF COMMERCE

Spieth moved to pay Columbus Chamber of Commerce \$2,000 out of the Transient Guest Fund for their efforts in tourism for the City of Columbus. This is to be paid out of GL# 16-000-58420. 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.

EMPLOYEE HIRE – CLIFFORD DAVIS

Nepple moved to hire Clifford Davis as Part Time Patrol Officer Range 5 Step B at \$8.65 per Appendix A-1. Dunlap seconded the motion. Voting aye: Bennett, Burton, Dunlap, Hosier, Nepple, Paradee, Smith Dewey, Smith Gary, Spieth, Wellmeier. Voting nay: None. Motion carried: 10-0.

EMPLOYEE STEP INCREASE – CHARLES E. SHARP

Nepple moved to give Charles E. Sharp annual step increase to \$18.70 Range 15 Step E per Appendix A-1 due April 6, 2009 and payable on the April 24, 2009 payroll. Paradee seconded the motion. Voting aye: Bennett, Burton, Dunlap, Hosier, Nepple, Paradee, Smith Dewey, Smith Gary, Spieth. Voting nay: None. Abstaining: Wellmeier. Motion carried: 9-0 1-A.

POOL MANAGERS FOR THE 2009 SEASON – KATHY BOND/MEGAN SMITH

Nepple moved to hire Kathy Bond and Megan Smith as Pool Managers for the year 2009 with same contract as last year. Dunlap seconded the motion. Voting aye: Bennett, Burton, Dunlap, Hosier, Nepple, Paradee, Smith Dewey, Smith Gary, Spieth, Wellmeier. Voting nay: None. Motion carried: 10-0.

EMPLOYEE HIRE – KAREN ENGROFF

Nepple moved to hire Karen Engroff as Billing Clerk at \$8.65 Range 7 Step A per Appendix A providing she passes all pre screening requirements. Dunlap seconded the motion. Voting aye: Bennett, Burton, Dunlap, Hosier, Nepple, Paradee, Smith Dewey, Smith Gary, Spieth, Wellmeier. Voting nay: None. Motion carried: 10-0.

RESCIND PREVIOUS MOTION TO NOT IN GOOD STANDING

Nepple moved to rescind previous motion on Deanna Morrison Caviness of her resignation of 3/16/2009 to not in good standing as she did not fulfill her two week obligation. Dunlap 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 BRUSH PICK UP CONTRACT

Burton moved to accept contract for brush pick up allowing on-call contractor to cut and remove brush and tree limbs on private property and to enter private property. Dunlap seconded the

motion. Voting aye: Bennett, Burton, Dunlap, Hosier, Nepple, Paradee, Smith Dewey, Smith Gary, Spieth, Wellmeier. Voting nay: None. Motion carried: 10-0.

EXECUTIVE SESSION

Nepple moved to go into executive session for 15 minutes from 7:45 pm to 8:00 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 Clerk, Chief of Police and City Treasurer in attendance. Dunlap seconded the motion. Voting aye: Bennett, Burton, Dunlap Hosier Nepple, Paradee, Smith Dewey, Smith Gary, Spieth, Wellmeier. Voting nay: None. Motion carried: 10-0.

REGULAR SESSION 8:00 PM

City Attorney Barbara Wright read a brief statement regarding the 2009 city audit:

The City’s audit will be extended this year due to a discrepancy in one or more accounts discovered by the City Clerk and her staff. The audit should be concluded this week and a report issued soon.

CITY EMPLOYEES HANG BANNERS

Burton moved to allow City Employees to hang Discover Columbus banners purchased by the Columbus Chamber of Commerce and the Columbus Telephone Company. 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.

ADJOURNMENT

Burton moved to adjourn the meeting at 8:10 pm. 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.

Janice Blancett, City Clerk