

**CITY OF COLUMBUS  
CITY COUNCIL MINUTES**

November 02, 2009

**ATTENDANCE**

The City Council of Columbus, Kansas, met November 02, 2009 at 6:30 p.m. in the City Hall. Mayor Marie Nepple presided. Council members present: Connie Bennett, Jerri Burton, Steve Dunlap, Doug Hosier, John Paradee, Dewey Smith, Gary Smith, Grant Spieth, Dana Wellmeier. Members absent: David Morrison.

Gene Murdock led the invocation followed by the Pledge of Allegiance.

**Condemnation Hearing 6:30 p.m.**

November 02, 2009

538 S Delaware

Mayor Marie Nepple opened the Condemnation Hearing by reading:

Whereas, the Enforcing Officer of the City of Columbus, Kansas, did on the 17<sup>th</sup> day of August 2009, file with the Governing Body of said City, a statement in writing that the structures, hereinafter described, are unsafe and dangerous.

Now, Therefore, be it resolved by the Governing Body of the City of Columbus, Kansas:

That a hearing will be held on the 2<sup>nd</sup> day of November, 2009, before the Governing Body of the City at 6:30 o'clock p.m., at Columbus City Hall Council Chambers, 300 East Maple, Columbus, Kansas 66725, at which the owner, his or her agent, any lienholders of record, any occupant and any other parties in interest, as that term is defined by law, of the structures located at:

538 S. Delaware Ave., Columbus, Cherokee County, Kansas, consisting of Block 2 in Bubach's Subdivision, described as:

Lot 10,11

May appear and show cause why such structures should not be condemned as unsafe or dangerous structures and ordered repaired or demolished and the debris removed.

Be it further resolved, that the City Clerk shall cause this resolution to be published and shall give notice of the aforesaid hearing in the manner provided by law.

Adopted the 8<sup>th</sup> day of September, 2009.

**PROCEED WITH CONDEMNATION**

Spieth moved to proceed with condemnation at 538 S. Delaware. Burton seconded the motion. Voting aye: Bennett, Burton, Dunlap, Hosier, Paradee, Smith Dewey, Smith Gary, Spieth Wellmeier. Voting nay: None. Motion carried: 9-0.

**ADJOURNMENT**

Burton moved to adjourn the condemnation hearing at 6:35 pm. Smith Gary seconded the motion. Voting aye: Bennett, Burton, Dunlap, Hosier, Paradee, Smith Dewey, Smith Gary, Spieth Wellmeier. Voting nay: None. Motion carried: 9-0.

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*Janice Blancett, City Clerk*

**Regular Council Meeting  
November 02, 2009 @ 6:35 pm.**

**MINUTES**

Mayor Marie Nepple called for additions or correction to the minutes of the October 19, 2009 council meeting. Hosier moved to accept the minutes of the October 19, 2009 council meeting. Burton seconded the motion. Voting aye: Bennett, Burton, Dunlap, Hosier, Paradee, Spieth, Wellmeier. Abstaining: Smith Dewey, Smith Gary. Voting nay: None. Motion carried: 7-0 2-A.

**APPROPRIATION ORDINANCE #09-220**

Burton moved to approve Appropriation Ordinance #09-220. Bennett seconded the motion. Voting aye: Bennett, Burton, Dunlap, Hosier, Paradee, Smith Dewey, Smith Gary, Spieth Wellmeier. Voting nay: None. Motion carried: 9-0.

**City Superintendent Jim Burton report:**

1. Utility Maintenance, who are lining the pipe in East Town, have lined 8,300 feet of 8 inch. Their truck that hauls the lining got snow bound in Colorado and they should be here tomorrow. They should be here this week and next and then the lining will be done.
2. We have 3 curb cuts that have been completed up town.
3. Stop light on 69 and Maple are to be in operation tomorrow.
4. Tri-Star was in today and pipe bursted a 12 inch line under the railroad track on E. Lake. Back west we have some major problems with that 12 inch line. They had to go 10 to 20 feet and couldn't find a good line to tie on. I'm working with the engineers and depending on how much money we have left will camera that line to see how bad it is. We know we have problems from Kansas on over as when the lift station kicks on the man hole runs about half full.
5. We turned on well 4 and 5 this morning.
6. The water tower was prepped and we starting fill it Friday so everybody's water press should be back up.
7. I attended a KODT meeting here about 2 weeks ago and it basically outlined the projects for the next 10 years if they get any funding. At that point Hwy. 7 was 5<sup>th</sup> out of 35 for major projects.
8. We've got almost 4 blocks of the water line in on West Walnut. We sent off samples today for the first 2 blocks and will send off more tomorrow. If those come back good then we will start hooking up the first 2 blocks as we lay them.
9. We need to decide what we are going to do on the water line on Country Road as the by pass is working well.
10. Tru-Value has and old structure that houses their flowers and they contacted me and they want to tear down the old one and have the City's permission to construct a new one which would be narrower and longer and would be removable.

**CONSTRUCTION OF REMOVABLE DISPLAY**

Smith Dewey moved to allow Tru-Value to construct a removable display providing they tear down old one. Burton seconded the motion. Voting aye: Bennett, Burton, Dunlap, Hosier, Paradee, Smith Dewey, Smith Gary, Wellmeier. Voting nay: Spieth. Motion carried: 8-1.

## **VISITORS**

Terry Sercer – The audit was finished on July 23, 2009 and there was a lot of extra work done this year and was delayed because of the missing money situation. There are a couple of highlights I would like to go over with you. One is the bound copy and the other is the loose letter. I would like to start with the bound copy. The financial statement fairly presents the financial position of the City as the operations or receipts and expenditures for the year end. That means that the numbers on the financial statements present what happened and including the footnotes which is all the written statements on page 26 and on. As far as the actual financial statements go as to all the funds it is obvious there is no Cash Basis violations and no negative numbers. The statements are to show the compliance with the statutes. The next page shows the Budget law compliance. They are negative numbers which shows you didn't overspend your budget. On page 27 are the footnotes and on page 32 it shows the compliance with the statutes. Any violations on the statues would be in this section which is very small. On page 35 is one small thing we need to point to and that is the missing funds. Everything that happens in the City is disclosed here or in the footnotes. This would be the deposit that was short back in February of about \$1,500. There has been extensive investigation since then. I believe it is all under your insurance covered by your insurance company. I don't have that exact number. It is pretty clear it is under your insurance amount. In the loose letter you will recognize from the past that every year we talk about certain issues that came about due to Enron. We have to formally tell you that if we prepare your statements that some people in the standards service think that we should have 2 different firms, one firm to prepare the statements and one firm to do the audit. That doesn't make sense because you would have to pay one to prepare the audit and one to verify the numbers so that is why we do both at the same time. So since the Enron if we prepare the statements and do the audit we have to cite that in the letter. Those of you who have been on the council for a few years have seen this citation before. The second part is the control type issues. I point out a few recommendations that could improve controls. The problem with the City like Columbus and a lot of smaller cities is If one person has access to billing and receipting of cash and maintenance of the accounting records that is a weakness in controls. Even though you have a couple of people up front there are times when there is always one person. It is good to have rotation which I think is being done at this time. There was a problem with missing billing registers but we called the software company and got them but it was just an inconvenience. There should always be a hard copy on hand. This was not a violation of the statues just time consuming of getting it. In 07 we couldn't find them but when it happened again the second straight year I had to cite it. I'm sure that all of 09 is now in hard copy. It was noted that a few payroll checks where being cashed which is just exchanging checks for cash and that is no longer being done. The deposits are to be done frequently which were noted that they are being done everyday and not the same person is doing the deposit every day and they are being escorted by a police officer. The Component unit financial statements should be included with the City's financial statements. However, the statements are omitted in a departure for generally accepted accounting principles. What this means is the City has 3 potential component units which we do not audit, being the Columbus Housing Authority, Columbus Library and the Columbus Recreation Commission. We do have some other cities that have requested while we are doing their audit we do audit these units. It is up to you if that is what you want done but you don't have to as you waiver out of GAAP. Of course that is more time and money but it is your choice. You are giving them a good amount of money so again it is your choice.

## **REPAIR TO 22 PUMPER TRUCK**

Hosier moved to pay Fire Master \$9,600 to repair #22 pumper truck and to be paid out of GL# 01-900-57610. Burton seconded the motion. Voting aye: Bennett, Burton, Dunlap, Hosier, Paradee, Smith Dewey, Smith Gary, Spieth Wellmeier. Voting nay: None. Motion carried: 9-0.

**IDENTITY THEFT PREVENTION PROGRAM**

Spieth moved to adopt the Identity Theft Prevention Program per the FTC Red Flag Rule. Smith Dewey seconded the motion. Voting aye: Bennett, Burton, Dunlap, Hosier, Paradee, Smith Dewey, Smith Gary, Spieth Wellmeier. Voting nay: None. Motion carried: 9-0.

**RESOLUTION #395**

Spieth moved to adopt Resolution #395 – *Incorporating by Reference, The Identity Theft Prevention Program, Implemented the Date of This Resolution, As Mandated By the Federal Trade Commission*. Paradee seconded the motion. Voting aye: Bennett, Burton, Dunlap, Hosier, Paradee, Smith Dewey, Smith Gary, Spieth Wellmeier. Voting nay: None. Motion carried: 9-0.

**Meetings:**

**Water & Sewer**

Tuesday November 10, 2009 @ 6:30 pm

**Property/ Pools/Parks**

Tuesday November 10, 2009 @ 7:00 pm

**Streets/Alleys/Bridges**

Tuesday November 10, 2009 @ 7:30 pm

**Budget & Finance**

Tuesday November 10, 2009 @ 8:00 pm

**ADJOURNMENT**

Spieth moved to adjourn the meeting at 7:40 pm. Burton seconded the motion. Voting aye: Bennett, Burton, Dunlap, Hosier, Paradee, Smith Dewey, Smith Gary, Spieth, Wellmeier. Voting nay: None. Motion carried: 9-0.

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*Janice Blancett, City Clerk*