

**CITY OF COLUMBUS
CITY COUNCIL MINUTES**

January 04, 2010

ATTENDANCE

The City Council of Columbus, Kansas, met January 04, 2010 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.

Councilmember Grant Spieth led the Invocation followed by the Pledge of Allegiance.

CONDEMNATION HEARING

414 S FLORIDA

6:30 P.M.

Mayor Nepple opened the Condemnation Hearing:

Whereas, the Enforcing Officer of the City of Columbus, Kansas, did on the 19th day of October, 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 4th day of January, 2010, 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:

414 S. Florida, Columbus, Cherokee County, Kansas, consisting of Block 8 in
First Addition Subdivision, described as:

Lot 13

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.

City Attorney Barbara Wright asked Robert Pease as to the status of his property at 414 S Florida. Mr. Pease told her that he had went bankrupt and they never foreclosed on him. They informed him what he could do to it but right now he is unemployed. Barbara asked who the lien holder was and he told her Beneficial. Barbara then asked; the house wasn't sold in the bankruptcy and is the bankruptcy completed. Mr. Pease replied yes. Barbara said that if the bankruptcy is completed then the City can move forward with the condemnation if the Council so chooses. Mr. Pease then asked if the condemnation included the garage and was told yes. Barbara then asked Mr. Pease as to where he was living at and he replied 515 W Mulberry. He had intended to tear down the house and move garage to his new place. Since he is unemployed at the moment he can not afford to tear it down. Although he has gone through bankruptcy and has not been foreclosed on he can not sell the house as he can not get the deed to the property.

CONDEMNATION HEARING – 414 S FLORIDA

Smith Gary moved to proceed with demolition on house at 414 S Florida with stipulation they have 30 days to clean out house and 60 days to remove garage. Burton seconded the motion. Voting aye: Bennett, Burton, Dunlap, Hosier, Paradee, Smith Gary, Spieth. Voting nay: Wellmeier. Abstaining: Smith Dewey. Motion carried 7-1- 1 A.

**CONDEMNATION HEARING
712 E WALNUT
6:45 P.M.**

Whereas, the Enforcing Officer of the City of Columbus, Kansas, did on the 19th day of October, 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 4th day of January, 2010, before the Governing Body of the City at 6:45 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:

712 E. Walnut, Columbus, Cherokee County, Kansas, consisting of Block 13 in
P O 1 (Park Addition) Subdivision, described as:
Lot 4

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 if 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.

David and Rebecca Tillman came before the Council to inform them that he had talked to Chief Sharp as to what needed to be done to bring this property up to compliance and he has accomplished all of that. Chief Sharp said he did check this out and it does meet the requirements.

CONDEMNATION HEARING – 712 E WALNUT

Dunlap moved to dismiss demolition on house at 712 E Walnut as they are in compliance. Hosier seconded the motion. Voting aye: Bennett, Burton, Dunlap, Hosier, Paradee, Smith Dewey, Smith Gary, Spieth, Wellmeier. Voting nay: None. Motion carried: 9-0.

**CONDEMNATION HEARING
327 N FLORIDA
7:00 P.M.**

Whereas, the Enforcing Officer of the City of Columbus, Kansas, did on the 19th day of October, 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 4th day of January, 2010, before the Governing Body of the City at 7:00 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:

327 N. Florida, Columbus, Cherokee County, Kansas, consisting of Block 1 in F O (First Addition) Subdivision, described as:

Lot 1

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.

Joe Forkner came before the Council to inform them that he had fixed the holes in the roof on the garage. Chief Sharp confirmed this information.

CONDEMNATION HEARING – 327 N FLORIDA

Dunlap moved to dismiss demolition on garage at 327 N Florida as they are in compliance. 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

Hosier moved to adjourn condemnation hearings at 7:02 p.m. Bennett seconded the motion. Voting aye: Bennett, Burton, Dunlap, Hosier, Paradee, Smith Dewey, Smith Gary, Spieth, Wellmeier. Voting nay: None. Motion carried: 9-0.

Janice Blancett, City Clerk

REGULAR COUNCIL MEETING

January 04, 2010

7:02 P.M.

MINUTES OF PUBLIC HEARING – ECONOMIC DEVELOPMENT APPLICATION

Mayor Marie Nepple called for additions or correction to the minutes of the December 21, 2009 for the Public Hearing on Economic Development Application. Burton moved to accept the minutes of the December 21, 2009 Public Hearing meeting. Bennett seconded the motion. Voting aye: Bennett, Burton, Hosier, Dunlap, Paradee, Smith, Dewey, Smith Gary, Spieth, Wellmeier. Voting nay: None.. Motion carried: 9-0.

COUNCIL MEETING MINUTES

Mayor Marie Nepple called for additions or correction to the minutes of the December 21, 2009 Council meeting minutes. Burton moved to accept the minutes of the December 21, 2009 Council meeting. Bennett seconded the motion. Voting aye: Bennett, Burton, Hosier, Dunlap, Paradee, Smith, Dewey, Smith Gary, Spieth, Wellmeier. Voting nay: None.. Motion carried: 9-0.

APPROPRIATION ORDINANCE #09-224

Hosier moved to approve Appropriation Ordinance #09-224. Paradee seconded the motion. Voting aye: Bennett, Burton, Dunlap, Hosier, Paradee, Smith Dewey, Smith Gary, Spieth, Wellmeier. Voting nay: None. Motion carried: 9-0.

APPROPRIATION ORDINANCE #10-225

Smith Gary moved to approve Appropriation Ordinance #10-225. Burton seconded the motion. Voting aye: Bennett, Burton, Dunlap, Hosier, Paradee, Smith Dewey, Smith Gary, Spieth, Wellmeier. Voting nay: None. Motion carried: 9-0.

UNENCUMBER MONEY FOR CURB CUTS

Spieth moved to unencumber \$9,594.05 out of the \$79,439.50 encumbered for curb cuts. 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.

Meetings:

Streets/Alleys/Bridges

Wednesday January 13, 2010 @ 7:00 pm

ADJOURNMENT

Burton moved to adjourn the meeting at 7:34 pm. Paradee seconded the motion. Voting aye: Bennett, Burton, Dunlap, Hosier, Paradee, Smith Dewey, Smith Gary, Spieth, Wellmeier. Voting nay: None. Motion carried: 9-0.

Janice Blancett, City Clerk