

CITY OF COLUMBUS
CITY COUNCIL MINUTES
February 16, 2010

ATTENDANCE

The City Council of Columbus, Kansas, met February 16, 2010 at 6:30 p.m. in the City Hall. Mayor Marie Nepple presided. Council members present: Jerri Burton, Steve Dunlap, Doug Hosier, John Paradee, Dewey Smith (6:35), Gary Smith, Grant Spieth (6:32) , Dana Wellmeier. Members absent: Connie Bennett, David Morrison.

Jim Dahmen led the Invocation followed by the Pledge of Allegiance.

MINUTES OF PUBLIC HEARING- TELEPHONE FRANCHISE

Mayor Marie Nepple called for additions or corrections to the February 01, 2010 public hearing minutes for the Telephone Franchise. Burton moved to accept the minutes of the February 01, 2010 public hearing minutes for the Telephone Franchise. Hosier seconded the motion. Voting aye: Burton, Hosier, Paradee, Smith Gary, Spieth, Wellmeier. Voting nay: None. Abstaining: Dunlap. Motion carried: 6-0 1-A.

MINUTES OF PUBLIC HEARING- TAX EXEMPTION/SPECTRA COMPOSITES

Mayor Marie Nepple called for additions or corrections to the February 01, 2010 public hearing minutes for the Tax Exemption for Spectra Composites. Hosier moved to accept the minutes of the February 01, 2010 public hearing minutes for the Tax Exemption for Spectra Composites.. Burton seconded the motion. Voting aye: Burton, Hosier, Paradee, Smith Gary, Spieth, Wellmeier. Voting nay: None. Abstaining: Dunlap. Motion carried: 6-0 1-A.

MINUTES OF REGULAR COUNCIL MEETING

Mayor Marie Nepple called for additions or corrections to the February 01, 2010 council meeting minutes. Smith Gary move to accept the minutes of the February 01, 2010 council meeting. Paradee seconded the motion. Voting aye: Burton, Hosier, Paradee, Smith Gary, Spieth, Wellmeier. Voting nay: None. Abstaining: Dunlap. Motion carried: 6-0 1-A.

APPROPRIATION ORDINANCE #09-231

Burton moved to approve Appropriation Ordinance #09-231. Paradee seconded the motion. Voting aye: Burton, Dunlap, Hosier, Paradee, Smith Gary, Spieth, Wellmeier. Voting nay: None. Abstaining: Smith Dewey. Motion carried: 7-0 1-A.

APPROPRIATION ORDINANCE #10-230

Hosier moved to approve Appropriation Ordinance #10-230. Spieth seconded the motion. Voting aye: Burton, Dunlap, Hosier, Paradee, Smith Dewey, Smith Gary, Spieth, Wellmeier. Voting nay: None. Motion carried: 8-0.

Mayor Marie Nepple called for an interruption to the council meeting to conduct condemnation hearings at 6:35 p.m.

CONDEMNATION HEARING
February 16, 2010, 6:30 PM
636 S DELAWARE

Mayor Marie Nepple opened the hearing by reading:

Whereas, the Enforcing officer of the City of Columbus, Kansas, did on the 7th day of December, 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 16th day of February, 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 (s), 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:

Section 13, Township 33, Range 23, Second Addition in the City of Columbus, Cherokee County, Kansas, Beginning at SW Corner, Thence N 50, E 120, S 50, W 120 to Point of Beginning, commonly known as 636 S. Delaware Street, 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.

Mayor Nepple then asked if there was anyone here to speak on this condemnation. The Mayor and Council were informed that the property had been demolished and cleaned up.

CONDEMNATION HEARING
February 15, 2010, 6:45 PM
1411 E SYCAMORE

Mayor Marie Nepple opened the hearing by reading:

Whereas, the Enforcing officer of the City of Columbus, Kansas, did on the 7th day of December, 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 16th day of February, 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(s), 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:

Lisle's 2nd Addition in the City of Columbus, Cherokee County, Kansas, Block 23, E 50, Lot 2, commonly known as 1411 E. Sycamore Street, 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.

Mayor Nepple then asked if there was anyone here to speak on this condemnation. The Mayor and Council were informed by Chief of Police Charles E. sharp that the property is in the process of being cleaned up but due to the recent weather we have had it has slowed down the clean up. He suggested they give them a 30 day extension to finish this project.

30 DAY EXTENSION

Hosier moved to give a 30 day extension for 1411 E. Sycamore to remove property and debris. Burton seconded the motion. Voting aye: Burton, Dunlap, Hosier, Paradee, Smith Dewey, Smith Gary, Spieth, Wellmeier. Voting nay: None. Motion carried: 8-0.

ADJOURNMENT

Spieth moved to adjourn condemnation hearings at 6:47 p.m. Burton seconded the motion. Voting aye: Burton, Dunlap, Hosier, Paradee, Smith Dewey, Smith Gary, Spieth, Wellmeier. Voting nay: None. Motion carried: 8-0.

Janice Blancett, City Clerk

**REGULAR COUNCIL MEETING
CONTINUANCE
February 16, 2010 6:47 p.m.**

City Administrator Evan Capron report:

1. I have been working on the refuge problem and this will come up later in this meeting.
2. On your desk is a list of broken sewer lines for your review.

City Superintendent Jim Burton report:

1. Bruce & Chuck with PEC and Tri-Star will be here Thursday at 1:00 p.m. to go over the sewer project to close out the job.
2. As the curb cut project is not closed out I would like to ask the council to allow me to have PEC engineer the handicap ramps, to be done at the intersection of Maple and Indiana, if the contractor agrees to do them at the price he did the others. We have \$40,000 set aside for curb cuts and this is a chance to get these done.

CURB CUTS

Burton moved to do the curb cuts at the intersection of Maple and Indiana. Wellmeier seconded the motion. Voting aye: Burton, Dunlap, Hosier, Paradee, Smith Dewey, Wellmeier. Voting nay: Smith Gary, Spieth. Motion carried: 6-2.

3. I have submitted a list of properties that have broken lateral sewer lines that are letting rainwater and dirt into the city system as well as letting sewage out when we have a heavy rain. The one at 204 N. Highland has a 4" diameter hole that has caved in and the owner has been sent a letter. We need to move to start the process on this one as soon as possible. On the other ones we need to have the attorney send them a letter to see if they will take care of these themselves and if not we can start the process on those properties.

CITY ATTORNEY SEND LETTERS

Smith Dewey moved to have City Attorney Barbara Wright send letters to the 5 property owners on the list that have broken lateral sewer lines. Wellmeier seconded the motion. Voting aye: Burton, Dunlap, Hosier, Paradee, Smith Dewey, Smith Gary, Spieth, Wellmeier. Voting nay: None. Motion carried: 8-0.

4. I had a meeting on Friday with KDOT, Terry Beachner and Jay Hatfield about his delivery trucks (car haulers) dragging going in and out of his dealership. It was agreed that Bob would contact Bruce with PEC and let him know what is going on, the Bruce will get with me and we will try to figure out a solution. We will then see if KDOT agrees and also see if they have the funds to try and correct the problem.
5. Sometime during the road construction process on east Country Rd. the sewer line to the Crossland house was some how cut. VJ with Roto-Rooter contacted me Thursday night about the line telling me that the line went out to the east rather than to the south. He told me that he put his locator in and found it. Dale and I went out the next morning and found out to where it was broken and I sent a crew out to get it reconnected. I contacted KDOT as that line is now on the state right away and I got permission to go ahead and complete the job. No one knows how it got broken. The reason that the problem just now came to light is because Crossland had been remodeling the house and very little water was being used, but on the weekend before Friday they had a guest staying there and was cleaning up and doing laundry and the water had no where to go except backing up into the house.

6. I have sent 5 employees tonight to the pipeline safety training (one Call) in Independence.
7. I would like to get the councils permission to apply for a grant from the Kansas Dept. of Wildlife & Pars to build a Handicap fishing dock at the VFW Park. The grant is a 75% - 25% grant and the City's par can be in kind. The dock will be 20' long and 8' with a 34" safety rail across the front and 3' on each end. There will also be a 17' X 18' handicap parking space with an access isle. In front of the handicap parking spot will be a large concrete block like they use to divide highways during construction to keep the vehicle from going into the water. This block is being donated. All I have to do is go pick it up. Total cost of the grant will be about \$4,500.

SUPERINTENDENT PREPARE GRANT REQUEST

Dunlap moved to allow City Superintendent Jim Burton prepare grant request for the handicap fishing dock at the VFW Park. Spieth seconded the motion. Voting aye: Burton, Dunlap, Hosier, Paradee, Smith Dewey, Spieth, Wellmeier. Voting nay: None. Motion carried: 7-0.

EXECUTIVE SESSION

Wellmeier called for a 15 minute executive session from 7:20 pm to 7:35 pm on Confidential Data relating to financial affairs or trade secrets of second parties with Council, Mayor, City Administrator, City Attorney, City Superintendent and City Clerk in attendance. Paradee seconded the motion. Voting aye: Burton, Dunlap, Hosier, Paradee, Smith Dewey, Spieth, Wellmeier. Voting nay: None. Motion carried: 7-0.

REGULAR SESSION 7:35 PM

DRAFT ORDINANCE – GARBAGE RATES

Wellmeier moved to adopt draft ordinance on increasing charges for residential and business garbage pick up services and the monthly charge for use of dumpsters and to add the change of \$5 per dump per dumpster and to be picked up once a week. Paradee seconded the motion. Voting aye: Dunlap, Hosier, Paradee, Smith Dewey, Spieth, Wellmeier. Voting Burton: None. Motion carried: 6-1.

ORDINANCE #1272 – TAX EXEMPTION

Hosier moved to adopt tax exemption ordinance for Spectra Composites Ordinance #1272 – *An Ordinance Exempting Certain Property In The City Of Columbus, Cherokee County, Kansas, From Ad Valorem Taxation For Economic Development Purposes*. Burton seconded the motion. Voting aye: Burton, Dunlap, Hosier, Paradee, Smith Dewey, Spieth, Wellmeier. Voting nay: None. Motion carried: 7-0.

ALTERNATE TO SPRING RIVER BOARD

Smith Dewey moved to accept the Mayor's appointment of Jim Burton as alternate to the board of Spring River district 19. This is a non voting position. Spieth seconded the motion. Voting aye: Dunlap, Hosier, Paradee, Smith Dewey, Spieth Wellmeier. Voting nay: None. Abstaining: Burton. Motion carried: 6-0 1-A.

RECESS

Discussion came about on numbering ordinance on garbage rates and with the short time line we have to get this adopted Mayor Marie Nepple called for a 25 minute recess from 8:50 pm to 9:15 pm in order for the City Attorney to revise ordinance with changes.

REGULAR SESSION 9:15 PM

Wellmeier rescinded her motion on the previous ordinance on garbage rates. Paradee rescinded his second.

ORDINANCE #1273

Wellmeier moved to adopt Ordinance #1273 – *An Ordinance By the City Council of The City of Columbus, Kansas Increasing Charges For Residential and Business Garbage Pick Up Services and the Monthly Charge for use of Dumpsters*. This is to include the addition of dumpster rates that anyone desiring to use a dumpster shall have a basic monthly chard of \$20 rental fee plus monthly chard to \$35 for dumping and may request additional dumping service at a rate of \$5 per dump per dumpster and customers should contact City Hall to arrange additional dumping services and schedules. Paradee seconded the motion. Voting aye: Dunlap, Hosier, Paradee, Smith Dewey, Spieth, Wellmeier. Voting Burton: None. Motion carried: 6-1.

Meetings:

Personnel

Monday February 22, 2010 @ 6:00 pm

ADJOURNMENT

Smith Dewey moved to adjourn meeting at 9:21 pm. Hosier seconded the motion. Voting aye: Burton, Dunlap, Hosier, Paradee, Smith Dewey, Spieth, Wellmeier. Voting nay: None. Motion carried: 7-0

Janice Blancett, City Clerk