

**CITY OF COLUMBUS
CITY COUNCIL MINUTES
March 15, 2010**

ATTENDANCE

The City Council of Columbus, Kansas, met March 01, 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, David Morrison, John Paradee, Dewey Smith, Gary Smith, Grant Spieth, Dana Wellmeier. Members absent: None.

Council member Doug Hosier led the Invocation followed by the Pledge of Allegiance.

**CONDEMNATION HEARING
1411 E SYCAMORE
6:30 PM**

Mayor Marie Nepple opened the condemnation hearing by reading:

A resolution continuing the condemnation action concerning the structures(s) located at 1411 E. Sycamore, Columbus, Cherokee County, Kansas, consisting of Block 23 E50 Lot 2 in Lisle's 2nd Addition Subdivision. Whereas, on this 1st day of February, 2010, the Governing Body did conduct the hearing scheduled in Resolution #401 and took evidence from the following: the Enforcing Officer on behalf of the City. Now, Therefore, be it resolved by the Governing Body of the City of Columbus, Kansas, that: the Governing Body hereby finds that the owners of the structures located at Block 23 E50 in Lisle's 2nd Addition Subdivision, Lot 2, in the City of Columbus, Cherokee County, Kansas, and commonly known and referred to as 1411 E. Sycamore, Columbus, Kansas, have begun demolition of the unsafe structures. Be it further resolved, that the condemnation action is continued until March 15, 2010, at 6:30 p.m. for status review.

Mayor Nepple then asked if there was anyone present to speak on their behalf. No one came forward. Mayor Nepple then asked the Chief of Police Charles E. Sharp if he had any comment. Chief Sharp informed the Council that the demolition had been completed and they are in the process of pouring footing for a new structure.

DISMISS ACTION ON CONDEMNATION – 1411 E SYCAMORE

Hosier moved to dismiss action on condemnation for 1411 E Sycamore. Burton seconded the motion. Voting aye: Bennett, Burton, Dunlap, Hosier, Morrison, Paradee, Smith Dewey, Smith Gary, Spieth, Wellmeier. Voting nay: None. Motion carried 10-0.

ADJOURNMENT CONDEMNATION HEARING

Burton moved to adjourn condemnation hearing at 6:36 pm. Bennett seconded the motion. Voting aye: Bennett, Burton, Dunlap, Hosier, Morrison, Paradee, Smith Dewey, Smith Gary, Spieth, Wellmeier. Voting nay: None. Motion carried 10-0.

Janice Blancett, City Clerk

REGULAR COUNCIL MEETING

March 15, 2010

6:36 pm

MINUTES OF REGULAR COUNCIL MEETING

Mayor Marie Nepple called for additions or corrections to the March 01, 2010 council meeting minutes. Burton move to accept the minutes of the March 01, 2010 council meeting. Hosier seconded the motion. Voting aye: Bennett, Burton, Dunlap, Hosier, Morrison, Paradee, Smith Dewey, Smith Gary, Spieth, Wellmeier. Voting nay: None. Motion carried 10-0.

APPROPRIATION ORDINANCE #09-234

Spieth moved to approve Appropriation Ordinance #09-234. Wellmeier seconded the motion. Voting aye: Bennett, Burton, Dunlap, Hosier, Morrison, Paradee, Smith Dewey, Smith Gary, Spieth, Wellmeier. Voting nay: None. Motion carried 10-0.

APPROPRIATION ORDINANCE #10-235

Smith Dewey moved to approve Appropriation Ordinance #10-235. Burton seconded the motion. Voting aye: Bennett, Burton, Dunlap, Hosier, Morrison, Paradee, Smith Dewey, Smith Gary, Spieth, Wellmeier. Voting nay: None. Motion carried: 10-0.

VISITORS – Marta Brown

I would like to start off my thanking the council for the donation to the 4th of July community celebration. We are showing a lot of community participation.

I now would like to revisit the issue about the sewer line on E Country Road at the Crossland Conference Center. Several months ago Crossland decided to remodel that property and turn it into a conference center and allow several local businesses and groups to use it. The first week in February was the first time that we had more than one person stay there. They had been there since Friday evening and I think it was when the second load of laundry was done that we began to have a sewer problem. We were not aware that the sewer line had been cut in the city easement and not notified. The raw sewage backed up in the downstairs. I don't think I have ever cleaned up such a mess. I am the one that called Roto Rooter, because at the time I thought it was a Crossland problem. He came and upon using his cable he hit rock. We still didn't realize the sewer line had been cut until the next day when they began to dig it up. Jim came out and we realized the sewer line had been cut off in the easement and just left. It had rocks shoved in the end of it and clay dumped on it. It just dead ended out in the easement where it had been cut. That is what caused the problem and when I was standing knee deep in raw sewage I thought my only alternative was to call Roto Rooter as I could not leave it like that. I am asking you to reconsider the city pay the \$800 back to Crossland as I just paid that bill this morning. City Administrator Evan Capron passed out pictures and a map to give the council a little clearer view as to what was being discussed. No one seems to know how this happened or who did it or when it was done.

REIMBURSE CROSSLANDS

Dunlap moved to reimburse Crossland \$800 on cut sewer line. This will be paid out of GL# 07-000-57730. Burton seconded the motion. Voting aye: Bennett, Burton, Dunlap, Hosier, Morrison, Smith Dewey, Smith Gary, Wellmeier. Voting nay: Paradee. Abstaining: Spieth. Motion carried: 8-1 1-A.

City Administrator Evan Capron report:

1. So far the new garbage schedule is working out without any major problems. The council needs to consider in the future if they want to enact an ordinance addressing people dumping trash into other people's trash dumpsters.
2. The City received a check from the bonding company for \$29,307.56 last week. This is the claim amount submitted to the bonding company for the missing money minus \$250 deductible.
3. I am doing an analysis on water and sewer rates as it is that time of the year to begin looking at that. It is also to help pay back the loan on the East Town Sewer.

City Superintendent Jim Burton report:

1. I had an individual that owns a private water line that wants to let some more residence on that private line. He asked if we had any restrictions at which time we don't. I brought this issue up about a year ago and it just died. This water line is ran to his property and 3 other people want on it so we do need some kind of restrictions as on private water lines they could run clear out in the country. Another thing we ran into on these private lines is they do not have the standard water meter stop hook ups. We are going to have to contact the home owners and have them change them as there is no way for us to shut them off.
2. Jason with Marbery concrete was in town today along with Chuck from PEC. They went around and looked at 3 sidewalks that are cracked. When the drawings for the curb cuts are done sometime next week then they will go back and repair sidewalks.
3. I contacted the milling company today and the asphalt layer and with the weather providing they will be here on the April 5th thru the 9th to mill streets and lay asphalt. The milling will have to be done during the day as their equipment does not have lights to do this at night.
4. I have a bill here from Kunshek in the amount of \$11,320.01 for rip rap, chat and AB-3.
5. All the street signs that have been damaged by the ice storm and various other things have been ordered and some already installed.

PAY KUNSHEK

Smith Gary moved to pay Kunshek Chat & Coal, Inc. \$11,320.01. \$3,265.80 to be paid out of GL# 01-200-58030 for Rip Rap, \$3,138.75 out of GL# 07-000-57671 for chat, \$2,457.73 out of GL# 01-200-58030 and \$2,457.73 out of GL# 07-000-58030 for AB-3 rock. Burton seconded the motion. Voting aye: Bennett, Burton, Dunlap, Hosier, Morrison, Paradee, Smith Dewey, Smith Gary, Spieth, Wellmeier. Voting nay: None. Motion carried 10-0.

DISMISS ORDER OF VIOLATION – 405 W OAK

Spieth moved to dismiss Order of Violation at 405 W. Oak, completed on March 10, 2010. Wellmeier seconded the motion. Voting aye: Bennett, Burton, Dunlap, Hosier, Morrison, Paradee, Smith Dewey, Smith Gary, Spieth, Wellmeier. Voting nay: None. Motion carried: 10-0.

DISMISS ORDER OF VIOLATION – 310 W OAK

Burton moved to dismiss Order of Violation at 310 W. Oak, completed on March 4, 2010. Hosier seconded the motion. Voting aye: Bennett, Burton, Dunlap, Hosier, Morrison, Paradee, Smith Dewey, Smith Gary, Spieth, Wellmeier. Voting nay: None. Motion carried: 10-0.

DISMISS ORDER OF VIOLATION – 327 N MINNESOTA

Burton moved to dismiss Order of Violation at 327 N Minnesota, completed on March 10, 2010. Bennett seconded the motion. Voting aye: Bennett, Burton, Dunlap, Hosier, Morrison, Paradee, Smith Dewey, Smith Gary, Spieth, Wellmeier. Voting nay: None. Motion carried: 10-0.

DISMISS ORDER OF VIOLATION – 118 N. 4TH

Spieth moved to dismiss Order of Violation at 118 N 4th , completed on March 5, 2010. Wellmeier seconded the motion. Voting aye: Bennett, Burton, Dunlap, Hosier, Morrison, Paradee, Smith Dewey, Smith Gary, Spieth, Wellmeier. Voting nay: None. Motion carried: 10-0.

DISMISS ORDER OF VIOLATION – 308 S IDAHO

Burton moved to dismiss Order of Violation at 308 S. Idaho, completed on March 10, 2010. Wellmeier seconded the motion. Voting aye: Bennett, Burton, Dunlap, Hosier, Morrison, Paradee, Smith Dewey, Smith Gary, Spieth, Wellmeier. Voting nay: None. Motion carried: 10-0.

PROCEED WITH CONDEMNATION HEARING – 209 N HIGHLAND

Burton moved to proceed with setting condemnation hearing at 209 N Highland. Paradee seconded the motion. Voting aye: Bennett, Burton, Dunlap, Hosier, Morrison, Paradee, Smith Dewey, Smith Gary, Spieth, Wellmeier. Voting nay: None. Motion carried 10-0.

PROCEED WITH CONDEMNATION HEARING – 1017 E WALNUT

Spieth moved to proceed with setting condemnation hearing at 1017 E Walnut. Burton seconded the motion. Voting aye: Bennett, Burton, Dunlap, Hosier, Morrison, Paradee, Smith Dewey, Smith Gary, Spieth, Wellmeier. Voting nay: None. Motion carried 10-0.

ACCEPT DEMOLITON BID – 414 S FLORIDA

Burton moved to accept bid from B-3 construction in the amount of \$3,300 for demolition of house and garage at 414 S Florida. This will be paid out of GL# 01-700-57740. Bennett seconded the motion. Voting aye: Bennett, Burton, Dunlap, Hosier, Morrison, Paradee, Smith Gary, Spieth, Wellmeier. Voting nay: None. Abstaining: Smith Dewey. Motion carried 9-0 1-A.

Fire Chief Brad Gleason report:

1. I need to ask for the last transfer out to the Smokey Fund in the amount of \$2,819.29 and to be paid out of 01-900-57990.
2. We tested the sirens last Thursday and 4 out of 5 did not work. The brand new one we recently put up did not work as we did not have it programmed into the station, which he did that today. The one on West Maple needs a battery replaced and the one at NAPPA needs a battery and possibly a charger and the one behind the fire station needs a sound relay. The gentleman out of Pittsburg that put in the new siren gave us an estimate of \$1,600 to repair all of them and get them going again. Brad asked where the money was going to come from for these repairs. The Mayor said traditionally, in most cases, it would come out of the fire fund as they are responsible for all the maintenance and such.

POOL RATES REMAIN THE SAME

Smith Dewey moved to leave the pool rates the same as last year. Burton seconded the motion. Voting aye: Bennett, Burton, Dunlap, Hosier, Morrison, Paradee, Smith Dewey, Smith Gary, Spieth, Wellmeier. Voting nay: None. Motion carried 10-0.

CITY TO DO WEED MOWING

Dunlap moved to have the City do the weed mowing, charging the same as last year. Smith Gary seconded the motion. Voting aye: Bennett, Burton, Dunlap, Hosier, Morrison, Paradee, Smith Dewey, Smith Gary, Spieth, Wellmeier. Voting nay: None. Motion carried 10-0.

Dunlap noted that brush will be picked up during Spring Clean up only then the public can take brush to the dog pound and dump in the designated area. Spring Clean Up will be held from April 18, 2010 thru April 30, 2010.

Meetings:

Fire

Thursday March 18, 2010 @ 6:30 pm

Personnel

Monday March 22, 2010 @ 6:30 pm

Cemetery

Thursday March 25, 2010 @ 6:00 pm

ADJOURNMENT

Burton moved to adjourn meeting at 7:37 pm. Bennett seconded the motion. Voting aye: Bennett, Burton, Dunlap, Hosier, Morrison, Paradee, Smith Dewey, Smith Gary, Spieth Wellmeier. Voting nay: None. Motion carried: 10-0

Janice Blancett, City Clerk