

**CITY OF COLUMBUS  
CITY COUNCIL MINUTES**

April 05, 2010

**ATTENDANCE**

The City Council of Columbus, Kansas, met April 05, 2010 at 6:30 p.m. in the City Hall. In the absence of Mayor Marie Nepple Grant Spieth, Chairperson 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.

**MINUTES OF CONDEMNATION HEARING**

Chairperson Grant Spieth called for additions or corrections to the March 15, 2010 condemnation hearing. Burton moved to accept the minutes of the March 15, 2010 condemnation hearing. 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.

**MINUTES OF REGULAR COUNCIL MEETING**

Chairperson Grant Spieth called for additions or corrections to the March 15, 2010 council meeting minutes. Hosier move to accept the minutes of the March 15, 2010 council meeting. Morrison 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 #10-236**

Burton moved to approve Appropriation Ordinance #10-236. 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.

**VISITORS**

Steve Ragsdale – 101 14<sup>th</sup> North West, Miami Oklahoma: I am here representing S&J Mowing Service. I understand you are going to take a vote on it tonight. I also understand that the individual you had last year was recommended by the Cemetery Committee to have that job again this year. I just want to mention that no one called me to ask who I was or where I was and that is the reason I came here tonight before you take the vote. I have pictures, recommendations and insurance if you would like to see that. I realize that the cemetery is a grounds keeping thing and you don't just come in mow and leave. I just wanted you to know who I was, what I was and who I represent before you took that vote. I just don't think it is right to come up here and bid on something and nobody contacts you. They just recommend somebody else without even knowing you. So that is why I am here. Chairperson Grant Spieth said that the normal procedure is it goes through the committee and then the committee makes the recommendation to the council after they review the bids. So they can't tell you who got the bid until tonight. Mr. Ragsdale said he understood that. What I am saying is nobody knows who I am other than what I bid. Nobody on this council knows who I am, what kind of equipment I have, what kind of job I have, what kind of person I am. I am a retired mail carrier and my brother is a retired Yellow Transit driver. We know this is not a one day job, it takes work to keep up a cemetery. The only reason I am here is to represent myself. When I heard the recommended somebody else without consulting me or asking me that bothered me. Chairperson Spieth asked if he sent pictures with his bid and Mr.

Ragsdale said no but I have pictures tonight if you would like to see them. Council member Gary Smith said it wouldn't hurt to pass them around as there has been no vote yet.

Buddy Andrews – 824 W Buckeye: Reason I am here is we have had a real problem with flooding in the alley and I was wondering if we could get the trash picked up and moved to the street side on Buckeye. There is hardly any traffic on that street. The alley is so wet all the time that the trucks going down the alley are breaking the sewer pipes. So I would like to see if we could get that moved over to Buckeye Street instead of the alley. It would be easier on the trucks and easier on the guys who have to get on and off the truck to step on asphalt instead of mud and water. Chairperson Spieth asked City Superintendent Jim Burton if there was a problem there and Jim told the council that there was a water problem there. Mr. Andrews said there had been a problem ever since curb and guttering was put in. Chairperson Spieth said to take this to Sanitation Committee and invite Mr. Andrews to the meeting.

**City Administrator Evan Capron report:**

1. I have been getting calls from people with dumpsters complaining about other people dumping garbage in their dumpsters. The council needs to consider an ordinance addressing people dumping trash into other people's trash dumpsters.
2. We will need to set up a committee meeting later this evening to discuss tweaking the garbage pick-up charges.
3. Terry Sercer, our auditor was here to perform the audit the last week of March and first of April.
4. I want to remind Dewey and Steve to turn into the City Clerk their Code books. It will be returned to you Steve, if reelected.
5. John Gaither visited with the City Superintendent and I last year about the alley between Maple and Walnut. John Believes it to be built up to high with asphalt and causing water to flow into a building which he owns and is renting to a good customer. John visited with me about it again today.
6. We have 2 old fire sirens stored at the city barn which we can not use. Riverton has contacted our fire department and ask if we would donate the sirens to Riverton.

**DONATE FIRE SIRENS**

Smith Gary moved to donate 2 old fire sirens stored at the city barn to Riverton or anyone that wants them. 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.

7. I have passed out my first annual Financial Report for the council to review. I believe this report would be beneficial to the citizens.

**City Superintendent Jim Burton report:**

1. The private sewer line on 209 N Highland has been repaired. There is still one on 414 N. Florida but I have not been out there to check on it.
2. Destrol came to town this morning and milled Kansas and Pine. We will do the 2 blocks of Maple Street tomorrow from Pennsylvania east to Indiana, and Wednesday morning they will be milling Pennsylvania Street between Pine and Maple. The asphalt contractor has already moved into town and they are going to start laying asphalt Thursday morning. They can't start now as the County does not have enough trucks to keep the asphalt coming and haul off the milling.

## **EXECUTIVE SESSION**

Burton moved to go into executive session for 10 minutes from 6:55 pm to 7:05 pm on Employer – Employee Relations and Negotiations with Council members, City Administrator, City Attorney, Chief of Police and Lt. Jason Daniels in attendance. 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.

## **REGULAR SESSION 7:05 PM**

### **INCREASE TOWNSHIP FEES**

Hosier moved to increase Township fees \$100 starting January 1, 2011. 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 ATTORNEY DRAFT RESOLUTION ON TOWNSHIP FEES**

Hosier moved to have City Attorney draft resolution reflecting increase of Township fees. 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.

### **2010 CEMETERY MOWING CONTRACT**

Morrison moved to approve cemetery mowing contract for the year 2010 from Richard Umphenour in the amount of \$43,000. Bennett seconded the motion. Voting aye: Bennett, Dunlap, Morrison, Paradee, Smith Dewey. Voting nay: Burton Hosier, Smith Gary, Spieth, Wellmeier. Motion was 5-5. With the Mayor being absent no tie breaking vote could be cast. Vote will continue and the April 19, 2010 council meeting for the Mayor to cast the deciding vote.

### **NO BURIALS IN WALKWAYS**

Hosier moved that no burials be allowed in the walk ways of the cemeteries. Smith Dewey seconded the motion. Voting aye: Bennett, Burton, Dunlap, Hosier, Morrison, Paradee, Smith Dewey, Smith Gary, Spieth, Wellmeier. Voting nay: None. Motion carried 10-0.

### **POOL MANAGERS 2010**

Paradee moved to accept contract with Cindy Skahan and Megan Smith as pool managers for the 2010 season. Spieth seconded the motion. Voting aye: Bennett, Burton, Dunlap, Hosier, Paradee, Smith Dewey, Smith Gary, Spieth, Wellmeier. Voting nay: Morrison. Motion carried: 9-1.

### **EMPLOYEE ANNUAL STEP INCREASE – JOE CARLSON**

Paradee moved to approve annual step increase for Joe Carlson to \$10.03 Range 8 Step D per Appendix A, due March 27, 2010 and payable on the April 9, 2010 payroll with retro pay. Dunlap seconded the motion. Voting aye: Bennett, Burton, Dunlap, Hosier, Morrison, Paradee, Smith Dewey, Smith Gary, Spieth, Wellmeier. Voting nay: None. Motion carried 10-0.

### **EMPLOYEE ANNUAL STEP INCREASE – STEPHEN MATTICE**

Paradee moved to approve annual step increase for Stephen Mattice to \$11.80 Range 9 Step D per Appendix A-1, due March 6, 2010 and payable on the April 9, 2010 payroll with retro pay. Spieth seconded the motion. Voting aye: Bennett, Burton, Dunlap, Hosier, Morrison, Paradee, Smith Dewey, Smith Gary, Spieth, Wellmeier. Voting nay: None. Motion carried 10-0.

**EMPLOYEE ANNUAL STEP INCREASE – CHARLES E. SHARP**

Paradee moved to approve annual step increase for Charles E. Sharp to \$19.14 Range 15 Step G per Appendix A-1, due April 23, 2010 and payable on the May 07, 2010 payroll. Spieth seconded the motion. Voting aye: Bennett, Burton, Dunlap, Hosier, Morrison, Paradee, Smith Dewey, Smith Gary, Spieth, Wellmeier. Voting nay: None. Motion carried 10-0.

**RESOLUTION # 408 – 1411 E SYCAMORE**

Smith Gary moved to approve Resolution # 408 – *A Resolution Dismissing The Condemnation Action Concerning the Structure(s) Located At 1411 E. Sycamore, Columbus, Cherokee County, Kansas, Consisting of Block 23 E50 Lot 2 In Lisle’s 2<sup>nd</sup> Addition Subdivision.* 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.

**RESOLUTION # 409 – 414 S FLORIDA**

Burton moved to approve Resolution # 409 – *A Resolution Finding That The Structures Located At 414 S. Florida, Consisting of Block 8 In First Addition Subdivision, Described As: Lot 13 In The City Of Columbus, Cherokee County, Kansas, Is Unsafe And Dangerous, And Directing That The Structures Be Removed And The Premises Made Safe, And Secure.* Morrison 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.

**RESOLUTION # 410 – 209 N HIGHLAND**

Burton moved to approve Resolution # 410 – *A Resolution Fixing A Time And Place And Providing For Notice Of A Hearing Before The Governing Body Of The City Of Columbus, Kansas, At which the Owners, His or Her Agent, Lienholders of Record Occupants and Other Parties In Interest Of Structures Located Within Said City And Described Herein, May Appear And Show Cause Why Such Structure Should Not Be Condemned And Ordered Repaired Or Demolished As Unsafe Or Dangerous Structures.* Setting public hearing for May 17<sup>th</sup> at 6:30 pm. 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.

**RESOLUTION # 411 – 1017 E WALNUT**

Burton moved to approve Resolution # 411 – *A Resolution Fixing A Time And Place And Providing For Notice Of A Hearing Before The Governing Body Of The City Of Columbus, Kansas, At which the Owners, His or Her Agent, Lienholders of Record Occupants and Other Parties In Interest Of Structures Located Within Said City And Described Herein, May Appear And Show Cause Why Such Structure Should Not Be Condemned And Ordered Repaired Or Demolished As Unsafe Or Dangerous Structures.* Setting hearing for May 17<sup>th</sup> at 6:45 pm. 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.

**ADJOURNMENT**

Burton moved to adjourn meeting at 7:50 pm. 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

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Janice Blancett, City Clerk

