

**CITY OF COLUMBUS  
CITY COUNCIL MINUTES**

April 19, 2010

**ATTENDANCE**

The City Council of Columbus, Kansas, met April 19, 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, Nick Lucian, John Paradee, Gary Smith, Grant Spieth, Dana Wellmeier. Members absent: David Morrison.

Eric Hurd led the Invocation followed by the Pledge of Allegiance.

**MINUTES OF REGULAR COUNCIL MEETING**

Mayor Marie Nepple called for additions or corrections to the April 05, 2010 council meeting minutes. Burton move to accept the minutes of the April 05, 2010 council meeting. Hosier seconded the motion. Voting aye: Bennett, Burton, Dunlap, Hosier, Lucian Paradee, Smith, Spieth, Wellmeier. Voting nay: None. Motion carried 9-0.

**APPROPRIATION ORDINANCE #10-237**

Smith moved to approve Appropriation Ordinance #10-237. Paradee seconded the motion. Voting aye: Bennett, Burton, Dunlap, Hosier, Lucian Paradee, Smith, Spieth, Wellmeier. Voting nay: None. Motion carried 9-0.

**VISITORS**

**Paul Rogers – Methodist Church, Water Aerobics**

I am representing the Methodist Church and I have my wife Marilyn and Sandi Caler who will be heading up the Healthy Congregations Program. One of the components of that is water aerobics which we have done for the last 2 or 3 years. I have spoken with Megan Smith and she has assured me she would like to do this again this year. I guess the terms need to be negotiated yet. Last year we paid \$50 per session. That is to pay Lifeguard and what ever fee she received. I don't know what she did with that and I didn't ask. We would like similar arrangements this year if it can be done. There may have to be some increases in fees if that is what the Council decides. It has been a very successful program. I think about 50 people participates although it wasn't all at the same time during the course of the program. It's very popular and we would like to do it again so I am here to seek your approval. City Administrator Evan Capron asked Mr. Rogers to repeat what is done with that \$50.00. We paid that \$50.00 to the Pool Manager said Mr. Rogers. To the Pool Manager – asked Evan. Also who was the Pool Managers at that time? Mr. Rogers told him he wasn't sure but thought it was Kathy Bond and Megan Smith. Evan asked him if he was collecting money there and Mr. Rogers told him they were collecting \$2.00 per person per session. We supply the instructor and Megan supplies the lifeguard. Evan then asked is there only 1 lifeguard and Mr. Rogers says I think so. Evan asked if the money was to be for the lifeguard or the session. Mr. Rogers told him Megan took care of the lifeguard. Evan then said there is a discrepancy here. Megan sent me an email and said you were collecting \$2.00 per person, which is fine. The City is not getting anything out of this as the pool is being used free. The email said you aren't getting paid and we the managers aren't getting paid for staying late. There is an issue with the people coming early like about 6:45 and when they get out at 8:00 they would hang around for about 15 or 30 minutes. The managers supposedly aren't getting rewarded for any of this because I asked her about the money and she told me she didn't know where the money went that was collected. "We never touched it. They handle that amongst

themselves. Kathy and I have never had anything to do with their fees. We managers have never received any kind of compensation for staying late for the water aerobics. As for the lifeguards, I'm not sure if the church or the city pays that hourly wage twice a week." Evan asked Mr. Rogers if this was done twice a week and Mr. Rogers answered yes. "That was handled by the Council and Mr. Rogers in the past." As for other churches, they have rented the pool for private parties once a summer, (never for activities that take place twice a week through the summer as this church does). This is generally for the members of the church, their families, etc. Typically, they grill/cookout in the pavilion next to the pool before the party and then come into the pool for swimming during the rented time. It is usually a 2 hour block (because that is the minimum amount of time we rent out), although some have rented for 3 hours in the past. They pay in the price range of \$100 - \$140 for 2 hours, depending on the number of people. If they choose to rent it for 3 hours or more, the price increases." There seems to me a direct hit discrepancy. I went back and pulled the minutes for the last 3 years. The first year was \$25 and the next two years it was \$50. So I don't understand her concern according to her email as to who is getting paid what said Evan. I don't either said Mr. Rogers. Evan wanted to know who collected the money and who handed it to the managers. Mr. Rogers said the person who handled this program last year was Dorothy Amos and Mary Jane Parmele was the instructor. As far as I know Dorothy collected the funds and dispersed the funds. I will take issue with Megan on this being fully for church members because fewer than half who participated last year were church members. Mayor Marie Nepple said with this new information we probably should take this to the Property, Pool and Park Committee and have you and Megan attend and any input from the council from years past would be helpful. Mr. Rogers said that would be fine and asked if he could have a copy of the email Megan sent so he could take it back to his committee. Mayor said that would be fine and just come by in the morning.

### **Steve Ragsdale – S&J Mowing Service**

I am Steve Ragsdale and I was here last time. I would like to thank the 5 council members that rejected the \$43,000 bid when there were cheaper bids as the other four companies including myself were not even considered. I just want to thank them for standing up for us for fair and just in the bid process. I don't understand it but I would like to ask if you don't mind the Cemetery Committee, just one member, what was the reason for taking the highest bid. The chairman of the Cemetery Committee was not in attendance to answer that question. Mr. Ragsdale said he just wanted to get that clarified so obviously I'm not going to get that clarified. I know some of you people think I'm here because of sour grapes but it's not. I'm just standing up for what's right, fair and just on the bidding process. There are fair bidding laws. I don't understand and I know you don't have to take the highest bidder, but my complaint was and I think councilmember Dunlap said you didn't have to contact anybody, that's probably true, but your own obligation is to check out the peoples equipment and that wasn't done. City Attorney Barbara Wright told Mr. Ragsdale the State law does not require a city of the second class to have a bidding process. This city has chosen to have an ordinance several years back that requires bidding on anything over \$15,000. But there are exceptions to low bid being awarded when it is considered professional services. Having not been at that meeting myself and not seeing any real findings made as to why the committee chose the bid they chose I couldn't really top that but the whole thing is moot at this point. If you would like to hang around for the cemetery committees section of the agenda there are some new developments. Mr. Ragsdale said he guessed he would stick around and thank you for your time.

### **Steve Rockers – KDOT**

Steve Rockers and George Dockery from KDOT gave a presentation on the US-400 Corridor Study. The preferred corridor will be running just west of the current 69 highway. We wanted to meet with city officials prior to our public meeting later this year. When completed, there will be

a 4-lane highway from Kansas City to I-44 connecting close to Downstream Casino. The estimated time frame is 15-30 years away.

**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 pickup charges.
3. We are having problems with animals getting into people's trash before it's picked up. Possibly we need an ordinance that if you put your trash out the night before or several days before pickup, you would have to have an animal proof container.
4. So far I have signed paper work for \$25,157 in FEMA money for street and water line repair due to the storm in February of freezing and thawing.
5. Water District No. 11 has produced a document for a vote and mayor's signature allowing Rural Water District No. 6, Crawford and Cherokee County to join Water district No. 11 in order to receive water.

**RESOLUTION # 412 –AMMENDMENT TO CONTRACT PWWS DISTRICT # 11**

Paradee moved to adopt Resolution #412 – *A Resolution Authorizing Amendment To Agreement To Organize Public Wholesale Water Supply District No. 11 – A Consent that Rural Water District No. 6, Cherokee County, Kansas and Rural Water District No. 6, Crawford County, Kansas Shall Be Additional Members of Public Wholesale Water Supply District No. 11.*, and allow Mayor to sign document. Burton seconded the motion. Voting aye: Bennett, Burton, Dunlap, Hosier, Lucian, Paradee, Smith, Spieth, Wellmeier. Voting nay: None. Motion carried: 9-0.

**City Superintendent Jim Burton report:**

1. There were some wiring issues on the generator at City Hall, which is monitored by the Fire Department and that has been corrected.
2. Spring clean up started today. We did find out today that we cannot take any kind of plastic stuff to B-3. It seems like each year we are getting more and more stuff that we can't take. They don't always know until the last minute when KDHE sends them a letter as to what they can take or not take. We will just have to leave the plastic out there and pick it up later and take it to the transfer station this year as we did not have the information on time.
3. Empire contacted me last week on the lights on East Avenue and they are putting in a work order to get that job completed.
4. What crews we have had available this week and last have been mowing the cemeteries. The Park side is all done and there still needs to be weed eating on the City side.
5. I have contacted a tree service company and they are to give me an estimate on removing 3 trees that are bad at the cemetery.
6. The sidewalk at High School and East Country Road should be in tomorrow.
7. The milling, paving and striping downtown is done.
8. The concrete that was cracked is repaired and there is another one over by the abstract office that will be taken care of.
9. Rural Water will be in Wednesday to do a check on the sludge in our sewer ponds and will give us a report for budgeting purposes.
10. We'll start handing out weed notices later this week.
11. We have to run the trash truck with a relief driver at least 3 times a week because of all the trash we are getting.

12. We will probably go out for summer help sometime this week.

## **EXECUTIVE SESSION**

Burton moved to go into executive session for 10 minutes from 7:20 pm to 7:30 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, Lucian Paradee, Gary, Spieth, Wellmeier. Voting nay: None. Motion carried 9-0.

## **REGULAR SESSION 7:30 PM**

### **Budget & Finance**

\*Grant Spieth, \*\*John Paradee, Doug Hosier

### **Sanitation**

\*Dana Wellmeier, \*\*Connie Bennett, Jerri Burton

### **Cemetery**

\*David Morrison, \*\*Dana Wellmeier, Gary Smith

### **Property/Pool/Parks**

\*Nick Lucian, \*\*Gary Smith, Connie Bennett

### **Economic Development**

\*Gary Smith, \*\*Doug Hosier, David Morrison

### **Fire**

\*Connie Bennett, \*\*Grant Spieth, Steve Dunlap

### **Personnel**

\*John Paradee, \*\*Nick Lucian, Grant Spieth

### **Police & License**

\*Steve Dunlap, \*\*Jerri Burton, Nick Lucian

### **Streets/Alleys/Bridges**

\*Doug Hosier, \*\*David Morrison, Dana Wellmeier

### **Water & Sewer**

\*Jerri Burton, \*\*Steve Dunlap, John Paradee

## **STANDING COMMITTEES**

Burton moved to approve Mayor's standing committees as written. Paradee seconded the motion. Voting aye: Bennett, Burton, Hosier, Lucian, Paradee, Smith, Spieth, Wellmeier. Voting nay: Dunlap. Motion carried: 8-1.

## **CITY MOW CEMETERIES**

Dunlap moved to have City mow cemeteries and hire more laborers. Spieth seconded the motion. Voting aye: Dunlap, Hosier, Paradee, Smith, Spieth. Voting nay: Bennett, Burton, Lucian, Wellmeier. Motion carried: 5-4.

## **EMPLOYEE TERMINATION – KEVIN ELIAS**

Paradee moved to terminate Kevin Elias effective April 7, 2010. Wellmeier seconded the motion. Voting aye: Bennett, Burton, Dunlap, Hosier, Lucian, Paradee, Smith, Spieth, Wellmeier. Voting nay: None. Motion carried: 9-0.

## **RESOLUTION #413 – GAAP WAIVER**

Burton moved to adopt Resolution #413 – *A Resolution Of The City Council Of The City Of Columbus, Kansas, Adopting A waiver Of Generally Accepted Accounting Principles (GAAP) For The Fiscal Year 2010.* Spieth seconded the motion. Voting aye: Bennett, Burton, Dunlap, Hosier, Lucian, Paradee, Smith, Spieth, Wellmeier. Voting nay: None. Motion carried: 9-0.

## **RESOLUTION #414 – TOWNSHIP FEES**

Hosier moved to adopt Resolution #414 – *A Resolution Of The City Council Of The City Of Columbus, Kansas, Establishing A Fire Protection Fee For County Townships.* Increasing \$100

effective January 1, 2011. Burton seconded the motion. Voting aye: Bennett, Burton, Dunlap, Hosier, Lucian, Paradee, Smith, Spieth, Wellmeier. Voting nay: None. Motion carried: 9-0.

**PRESIDENT OF COUNCIL**

Bennett moved to appoint Grant Spieth as President of the Council. Smith seconded the motion. Voting aye: Bennett, Burton, Dunlap, Hosier, Lucian, Paradee, Smith, Wellmeier. Voting nay: None. Abstaining: Spieth. Motion carried: 8-0 1-A.

**Meetings:**

**Personnel**

Thursday April 22, 2010 @ 6:15 pm

**Streets/Alleys/Bridges**

Thursday April 22, 2010 @ 6:45 pm

**Fire**

Thursday April 22, 2010 @ 7:00 pm

**Property/Pool/Parks**

Thursday April 22, 2010 @ 7:30 pm

**Budget**

Thursday April 22, 2010 @ 8:00 pm

**Cemetery**

Monday April 26, 2010 @ 6:00 pm

**Sanitation**

Wednesday April 28, 2010 @ 6:00 pm

**ADJOURNMENT**

Burton moved to adjourn meeting at 8:20 pm. Paradee seconded the motion. Voting aye: Bennett, Burton, Dunlap, Hosier, Lucian Paradee, Gary, Spieth Wellmeier. Voting nay: None. Motion carried: 9-0

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*Janice Blancett, City Clerk*