

**CITY OF COLUMBUS
PUBLIC HEARING – WAIVER THE CAVE
CEREAL MALT BEVERAGE LICENSE**

July 21, 2014
6:30 P.M.

ATTENDANCE

The City Council of Columbus, Kansas, met July 21, 2014 at 6:30 p.m. in the City Hall, presided over by Mayor Grant Spieth. Council members present: Dale Burton, Jerri Burton, Barbara Capron, Mike Leighty, Marion Morgan, Thomas Niegisch, Alvin Patterson, Drew Richards, Dewey Smith, Gary Smith. Council member absent: None.

Reverend Roger Beason led the Invocation followed by the Pledge of Allegiance.

PUBLIC HEARING – *The Cave- Wavier on Cereal Malt Beverage License*

Mayor Grant Spieth opened the public hearing meeting at 6:34 p.m.

Meeting was begun by Mayor reading Public Hearing Notice:

The governing body of the City of Columbus, Kansas has called a public hearing to consider the request for granting a wavier and exception to the code of the City of Columbus, Section 3-206: Restrictions upon location, on behalf of The Cave regarding sale and consumption of cereal malt beverages.

Mayor Spieth asked if Ms. Turner (owner/operator of the establishment) was present. Ms. Turner approached the podium. Mayor Spieth clarified that she is requesting a variance for her business location of 218 East Maple. He asked if there was anything else she would like to address the council about. Ms. Turner stated that the age requirement of servers was noted elsewhere on the agenda and that was her other concern.

Mayor Spieth asked Police Chief Jason Daniels what the measurements were from the building to the church. Attorney Robert Myers responded that he and City Superintendent Jim Burton had measured and it was within the 200 feet. Mayor Spieth clarified that the distance was less than 200 feet and the Attorney response was less than 200 feet. The Mayor stated with this information an exemption would have to be made to allow this type of business to be located there.

Mayor asked if Ms. Turner had any questions or comments. She had none.

Mayor then turned to the council and asked for questions. Councilman Leighty asked if the measurement was property line to property line. Attorney Myers replied that it was.

Mayor asked for any opposition from the public or if anyone wished to address the council regarding the variance. There were no replies.

Attorney Myers informed council members they have a copy of an ordinance in their packet that grants an exception for the address of 218 East Maple for The Cave and if approved it would be Ordinance 1329.

GRANTING OF WAIVER – THE CAVE

Niegisch moved to pass Ordinance 1329 and grant application for waiver and exception on the sale of Cereal Malt Beverage for The Cave. Burton Dale seconded the motion. Voting aye: Burton Dale, Burton Jerri, Capron, Leighty, Morgan, Niegisch, Richards, Smith Dewey, Smith Gary. Voting nay: Patterson. Motion carried 9-1.

CLOSE PUBLIC HEARING

Burton Jerri moved to close the public hearing. Leighty seconded the motion. Voting aye: Burton Dale, Burton Jerri, Capron, Leighty, Morgan, Niegisch, Patterson, Richards, Smith Dewey, Smith Gary. Voting nay: None. Motion carried 10-0.


Cheri Chancellor, City Clerk

**CITY OF COLUMBUS
CITY COUNCIL MEETING
July 21, 2014**

ATTENDANCE

The City Council of Columbus, Kansas met July 21, 2014 at 6:40 p.m. in the City Hall Council Chambers presided over by Mayor Grant Spieth. Council members present: Dale Burton, Jerri Burton, Barbara Capron, Mike Leighty, Marion Morgan, Thomas Niegisch, Alvin Patterson, Drew Richards, Dewey Smith, Gary Smith. Council members absent: None.

COUNCIL MEETING MINUTES

Burton Jerri moved to approve Council Meeting minutes from July 7, 2014 as written. Leighty seconded the motion. Voting aye: Burton Jerri, Capron, Leighty, Morgan, Niegisch, Patterson, Richards, Smith Dewey, Smith Gary. Voting nay: None. Abstain: Burton Dale. Motion carried 9-0-1.

APPROPRIATION ORDINANCE 14-357

Leighty moved to approve Appropriation Ordinance number 14-357 as presented. Smith Gary seconded the motion. Voting aye: Burton Dale, Burton Jerri, Capron, Leighty, Morgan, Niegisch, Patterson, Richards, Smith Dewey, Smith Gary. Voting nay: None. Motion carried 10-0.

VISITOR – JUANITA DOBKINS

Juanita Dobkins addressed the council on behalf of the American Legion and Veteran of Foreign War Women's Auxiliaries asking for permission to host POW/MIA Watch Fire, September 19-21, 2014 at the VFW Park.

POW/MIA WATCHFIRE

Burton Jerri moved to allow the VFW and American Legion Women's Auxiliaries to hold a POW/MIA Watch Fire September 19-21, 2014 at the VFW Park. Smith Dewey seconded the motion. Voting aye: Burton Dale, Burton Jerri, Capron, Leighty, Morgan, Niegisch, Richards, Patterson, Smith Dewey, Smith Gary. Voting nay: None. Motion carried 10-0.

VISITOR – KYLE CLARK

Kyle Clark came before the council to ask permission to place a manufactured home at 600 North Magnolia. According to our ordinance #1298 one of the requirements is to come before the governing body to ask for permission. He is also aware of all the other requirements for placing a mobile/manufactured home. Mr. Clark was advised to keep in contact with the City Superintendent and the Police Department to make sure ordinance guidelines are being met.

ALLOW MANUFACTURED HOME PLACEMENT

Burton Dale moved to allow Kyle Clark to place a manufactured home at 600 North Magnolia providing he adheres to all guidelines and requirements of Ordinance #1298. Burton Jerri seconded the motion. Voting aye: Burton Dale, Burton Jerri, Capron, Leighty, Morgan, Niegisch, Patterson, Richards, Smith Dewey, Smith Gary. Voting nay: None. Motion carried 10-0.

OPEN ASPHALT BID

City Superintendent opened one sealed asphalt bid for tack oil and asphalt:

Tri-State Asphalt	Quapaw, Oklahoma	\$66.67 they haul
		\$61.77 we haul

ASPHALT BID – TRI-STATE ASPHALT

Burton Dale moved to except the low bid of Tri-State Asphalt of Quapaw, Oklahoma of \$61.77 per ton including tack oil with the City/County hauling the asphalt. Smith Dewey seconded the motion. Voting aye: Burton Dale, Burton Jerri, Capron, Leighty, Morgan, Niegisch, Patterson, Richards, Smith Dewey, Smith Gary. Voting nay: None. Motion carried 10-0.

RESOLUTION 457 – CONDEMNATION HEARING

Niegisch moved to approve Resolution 457 fixing a time and place and providing for notice of a hearing before the governing body of the City of Columbus, Kansas for property located at 1102 E. Buckeye, 529 W. Olive (shed), 609 S. Pennsylvania, 117 N. Minnesota, 508 N. Ohio, 425 N. Magnolia and 528 S. Pennsylvania. Burton Dale seconded the motion. Voting aye: Burton Dale, Burton Jerri, Capron, Leighty, Morgan, Niegisch, Patterson, Richards, Smith Dewey, Smith Gary. Voting nay: None. Motion carried: 10-0.

FIRE TRUCK LEASE PURCHASE – COMMERCE BANK

Patterson moved to accept fire truck lease purchase bid from Commerce Bank, utilizing Option 6 putting \$80,000.00 down and making the annual payment \$27,423.12. Burton Jerri seconded the motion. Voting aye: Burton Dale, Burton Jerri, Capron, Leighty, Morgan, Niegisch, Patterson, Richards, Smith Dewey, Smith Gary. Voting nay: None. Motion carried 10-0.

MINI SOCCER DONATION

Burton Jerri moved to provide a handicap accessible port a potty at the industrial park during the mini soccer season. Smith Dewey seconded the motion. Voting aye: Burton Dale, Burton Jerri, Capron, Leighty, Morgan, Niegisch, Richards, Patterson, Smith Dewey, Smith Gary. Voting nay: None. Motion carried: 10-0.

DEBIT/CREDIT CARD PROCESSING – COMMERCE BANK

Leighty moved to use Commerce Bank for debit/credit card processing services at City Hall. Niegisch seconded the motion. Voting aye: Burton Dale, Capron, Leighty, Morgan, Niegisch, Richards, Patterson, Smith Dewey, Smith Gary. Voting nay: Burton Jerri. Motion carried 9-1.

ASBESTOS INSPECTION

Smith Gary moved to proceed with asbestos inspection on the Office Bar & Grill building and the Methodist Thrift Shop building not to exceed \$1,600.00. Burton Dale seconded the motion. Voting aye: Burton Dale, Burton Jerri, Capron, Leighty, Morgan, Niegisch, Patterson, Richards, Smith Dewey, Smith Gary. Voting nay: None. Motion carried 10-0.

DEMOLITION

Burton Dale moved to allow Mayor Spieth and/or Attorney Myers to proceed with razing of the Office Bar & Grill and Methodist Thrift Shop and to sign necessary documents to proceed not to exceed \$25,000.00 to be paid out of the Thrift Shop hold back funds on the condition of no asbestos being found in these buildings. Voting aye: Burton Dale, Burton Jerri, Capron, Leighty,

Morgan, Patterson, Richards, Smith Dewey, Smith Gary. Voting nay: Niegisch. Motion carried 9-1.

EXECUTIVE SESSION

Burton Jerri called for a ten minute executive session at 7:41 p.m. on matters of non-elected personnel with the Council, Mayor, City Attorney, Chief of Police, City Superintendent and City Clerk in attendance. Leighty seconded the motion. Voting aye: Burton Dale, Burton Jerri, Capron, Leighty, Morgan, Niegisch, Patterson, Richards, Smith Dewey, Smith Gary. Voting nay: None. Motion carried 10-0.

REGULAR SESSION: 7:51 P.M.

RELEASE EMPLOYEE

Morgan moved to approve the termination of Cynthia Gillispie, Patrol Officer II, with just cause. Burton Dale seconded the motion. Voting aye: Burton Dale, Burton Jerri, Capron, Leighty, Morgan, Niegisch, Patterson, Richards, Smith Dewey, Smith Gary. Voting nay: None. Motion carried 10-0.

ADJOURNMENT

Burton Jerri moved to adjourn the meeting at 7:54 p.m. Richards seconded the motion. Voting aye: Burton Dale, Burton Jerri, Capron, Leighty, Morgan, Niegisch, Patterson, Richards, Smith Dewey, Smith Gary. Voting nay: None. Motion carried: 10-0.

Meetings:

Economic Development

Wednesday July 23, 2014 @ 6:30 p.m.

Personnel

Wednesday July 23, 2014 @ 7:00 p.m.

Budget & Finance

Tuesday July 29, 2014 @ 6:30 p.m.


Cherri Chancellor
Cherri Chancellor City Clerk