

CITY OF COLUMBUS  
CITY COUNCIL MEETING

June 1, 2015  
6:30 P.M.

**ATTENDANCE**

The City Council of Columbus, Kansas met May 18, 2015 at 6:30 p.m. in the City Hall Council Chambers presided over by Mayor Dexter Opela. Council members present: Barbara Capron, Steve Dunlap, Mike Leighty, David Martin, Marion Morgan, Alvin Patterson, Drew Richards, W.E. Schaiff. Council members absent: Dale Burton, Jerri Burton.

Dennis Johnson representing the Sherwin Christian Center led the Invocation followed by the Pledge of Allegiance.

**PUBLIC HEARING** – Condemnation 1413 East Oak

Mayor Dexter Opela opened the public hearing at 6:33 p.m. by reading the Public Hearing Notice:

Whereas, the Chief of Police of the City of Columbus, Kansas on April 6, 2015 presented information to the Governing Body of the City, information in writing that certain structures hereinafter described are unsafe and /or dangerous. Be it resolved by the Governing Body of the City of Columbus, Kansas that the owners, their agents, lienholders of record or occupants of the following buildings or structures at 1413 East Oak may appear and show cause why such buildings or structures should not be condemned or ordered repaired or demolished as dangerous or unsafe structures.

The Mayor asked if there was someone present representing the property to please step forward and state their name and address for the record.

Nancy S. Cook, 5401 NE Lawton Road Columbus, Kansas approached the council. Ms. Cook stated they do plan to take the house down later this year. She stated they have already removed three trees and some brush from the property and plan to finish the project in late September or early October when her companion returns from a job in North Dakota. Ms. Cook would like a demolition extension until October.

Ms. Cook addressed questions and comments from the council. At the end of the discussion City Attorney Robert Myers advised that the council needs to make a motion for an extension on demolition or a motion to adopt a resolution to proceed with the condemnation. Attorney Myers commented that even if council adopts the resolution, the property owner has 30 days before the City would take action or even go out for bids.

**RESOLUTION 462**

Capron moved to adopt Resolution 462 – *A Resolution to proceed with the condemnation of 1413 East Oak*. Dunlap seconded the motion. Voting aye: Capron, Dunlap, Leighty, Martin, Morgan, Patterson, Richards. Voting nay: Schaiff. Motion carried 7-1.

**CLOSE PUBLIC HEARING**

Leighty moved to close the condemnation hearing at 6:47 p.m. Capron seconded the motion. Voting aye: Capron, Dunlap, Leighty, Martin, Morgan, Patterson, Richards, Schaiff. Voting nay: None. Motion carried 8-0.

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*Cherri Chancellor, City Clerk*

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MAY 18, 2015  
6:48 PM**

**COUNCIL MEETING MINUTES**

Leighty moved to approve Public Hearing and Council Meeting minutes from May 4, 2015 as presented. Patterson seconded the motion. Voting aye: Capron, Dunlap, Leighty, Martin, Morgan, Patterson, Richards, Schaiff. Voting nay: None. Motion carried 8-0.

**APPROPRIATION ORDINANCE 15-381**

Leighty moved to approve Appropriation Ordinance 15-381 as presented. Capron seconded the motion. Voting aye: Capron, Dunlap, Leighty, Martin, Morgan, Patterson, Richards, Schaiff. Voting nay: None. Motion carried 8-0.

**VISITOR – MALINDA HEFLIN**

Malinda Heflin approached the council to follow up on mobile home placement request for 621 North Ohio. Chief of Police Daniels reported the lot dimension is 181’x100’ and the mobile home size is 30’x60’. Daniels stated if the home is placed where the stakes are, it will be within the Ordinance guidelines. Attorney Myers asked Mrs. Heflin if they have a delivery date. He advised Heflin that if the council approves the placement they have 60 days to have set up complete. Mrs. Heflin will contact lender and come back for council approval once delivery date is confirmed.

**VISITOR – JUDY LEIGHTY**

Judy Leighty approached the council requesting they keep the north and south stop signs in place at the Kansas and Pine Street intersection. Removal of these signs has been discussed and recommended by the Police and Licensing committee to improve traffic flow. Mrs. Leighty feels these stop signs are a safety factor. The Mayor thanked Mrs. Leighty for her input and noted this topic will be addressed under committee reports later this evening.

**REMOVE DEAD TREES**

Capron moved to allow City to proceed with removal of dead trees at 510 S. Indiana and 516 S. Indiana as presented by Police Chief Daniels per City Code 13-313 to be paid out of #01-200-57730. City Superintendent is to contact tree service to fall the trees with city crews taking care of cleanup and disposal. Dunlap seconded the motion. Voting aye: Capron, Dunlap, Leighty, Martin, Morgan, Patterson, Richards, Schaiff. Voting nay: None. Motion carried 8-0.

**PURCHASE LIFT STATION VOLUTE**

Morgan moved to allow City Superintendent Burton to purchase lift station volute from Smith & Loveless, Inc., Lenexa, Kansas in the amount of \$3,792.13 plus shipping. Capron seconded the motion. Voting aye: Capron, Dunlap, Leighty, Martin, Morgan, Patterson, Richards, Schaiff. Voting nay: None. Motion carried 8-0.

**PURCHASE LIFT STATION RAIL EXTENSION**

Morgan moved to accept proposal for extension to railing of north lift station wet well baskets from Hickman Environmental Services of Leon, Kansas, in the amount of \$2,543.01 plus shipping. Leighty seconded the motion. Voting aye: Capron, Dunlap, Leighty, Martin, Morgan, Patterson, Richards, Schaiff. Voting nay: None. Motion carried 8-0.

#### **INCREASE SPENDING LIMIT**

Morgan moved to approve increase to City Superintendent spending limit to \$7,000.00. Leighty seconded the motion. Voting aye: Capron, Dunlap, Leighty, Martin, Morgan, Patterson, Richards, Schaiff. Voting nay: None. Motion carried: 8-0.

#### **PURCHASE POOL CHEMICALS**

Morgan moved to approve purchase of pool chemicals in the amount of \$4,465.00 as quoted from G&L Pools, Riverton, Kansas. Leighty seconded the motion. Voting aye: Capron, Dunlap, Leighty, Martin, Morgan, Patterson, Richards, Schaiff. Voting nay: None. Motion carried 8-0.

#### **REDUCE SPEED LIMIT**

Dunlap moved to reduce speed limit from 30 mph to 20 mph on South Kansas Street, South Pennsylvania Street and West Elm Street from High School Street to Goode Avenue. Patterson seconded the motion. Voting aye: Capron, Dunlap, Patterson, Schaiff. Voting nay: Leighty, Martin, Morgan, Richards. Tie vote 4-4. Mayor broke tie with aye vote. Motion carried 5-4.

#### **REMOVE STOP SIGNS**

Dunlap moved to take down north and south stop signs at the Kansas and Pine Streets intersection to allow better traffic flow. Patterson seconded the motion. Voting aye: Dunlap, Martin, Patterson, Schaiff. Voting nay: Capron, Leighty, Morgan, Richards. Tie vote 4-4. Mayor broke the tie with a nay vote. Motion failed 4-5.

#### **ACCEPT RESIGNATION**

Capron moved to accept the resignation of Police Officer Patrick Dobyms as a full time officer, in good standing effective June 1, 2015 providing he fulfills his two week notice. Leighty seconded the motion. Voting aye: Capron, Dunlap, Leighty, Martin, Morgan, Patterson, Richards, Schaiff. Voting nay: None. Motion carried 8-0.

#### **HIRE RESERVE OFFICER – *Patrick Dobyms***

Capron moved to hire Patrick Dobyms for the position of Reserve Police Officer June 2, 2015 with a starting wage of \$8.65 per hour Range 5 Step B per Appendix A-1, providing he fulfills his 2 week resignation requirement as a full time officer. Leighty seconded the motion. Voting aye: Capron, Dunlap, Leighty, Martin, Morgan, Patterson, Richards, Schaiff. Voting nay: None. Motion carried 8-0.

#### **HIRE POLICE OFFICER – *David Elmore***

Capron moved to hire David Elmore for the position of Police Officer II with a starting wage of \$11.28 per hour Range 9 Step B per Appendix A-1, providing he passes all pre-employment screenings. Leighty seconded the motion. Voting aye: Capron, Dunlap, Leighty, Morgan, Patterson, Richards. Voting nay: Martin, Schaiff. Motion carried 6-2.

#### **RESIDENCY EXTENSION – *Derrick Mitchell***

Capron moved to allow two month residency requirement extension for Police Officer Derrick Mitchell until September 13, 2015. Leighty seconded the motion. Voting aye: Capron, Dunlap, Leighty, Martin, Morgan, Patterson, Richards, Schaiff. Voting nay: None. Motion carried 8-0.

**ADVERTISE FOR POLICE OFFICER**

Capron moved to allow City Clerk to advertise in house/out house for open Police Officer position. Leighty seconded the motion. Voting aye: Capron, Dunlap, Leighty, Martin, Morgan, Patterson, Richards, Schaiff. Voting nay: None. Motion carried 8-0.

**ORDINANCE 1340**

Leighty moved to approve Ordinance 1340 *Granting a Waiver and Exception to the Code of the City of Columbus, Section 3-102, Restrictions Upon Location, on behalf of Los Lunas Mexican Restaurant, Inc. Regarding Sale and Consumption of Liquor*. Richards seconded the motion. Voting aye: Capron, Dunlap, Leighty, Martin, Richards. Voting nay: Morgan, Patterson, Schaiff. Motion carried 5-3.

*\*\* Per K.S.A. 12-3002 passage of a regular ordinance requires a majority of whole council to pass, not just majority of those present, therefore Ordinance 1340 failed, 6 votes were needed for passage.( Governing Body Handbook, 17<sup>th</sup> edition 2013, page 42.)*

**ADJOURNMENT**

Capron moved to adjourn the meeting at 8:39 p.m. Dunlap seconded the motion. Voting aye: Capron, Dunlap, Leighty, Martin, Morgan, Patterson, Richards, Schaiff. Voting nay: None. Motion carried: 8-0.

**Meetings:**

Police and Licensing  
Wednesday, May 27, 2015 @ 6:30 p.m.

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*Cherri Chancellor City Clerk*