

**CITY OF COLUMBUS  
CONDEMNATION HEARING**

September 2, 2014

6:30 P.M.

**ATTENDANCE**

The City Council of Columbus, Kansas met September 2, 2014 at 6:30 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.

Paul Yeager from Center Christian Church led the Invocation followed by the Pledge of Allegiance.

Mayor Grant Spieth called the Condemnation Hearing to order by naming the addresses involved:

1102 E. Buckeye  
529 W. Olive  
609 S. Pennsylvania  
117 N. Minnesota  
508 N. Ohio  
425 N. Magnolia  
528 S. Pennsylvania

Mayor Spieth asked if there is anyone to represent 1102 E. Buckeye and if so to step forward and state their name and address. Richard Thompson, Galena came forward and asked the council why his property should be condemned. City Attorney Robert Myers replied to Mr. Thompson information has been submitted to the council that the condition of the property is dangerous or the structures are dilapidated. It was noted that the two mobile homes on the lot are the structures being addressed at this time. Mr. Thompson stated the mobile homes probably would not meet the current ordinance because it is too stringent; however these mobile homes were moved in before the ordinance was passed. Council member Capron noted mobile homes set up in the City before the ordinance passed were grandfathered in. She asked if these were here before the ordinance was passed on 9/20/2011 why did you not proceed because you would not have been in violation of any ordinances. Mr. Thompson did not have a solid response. Capron noted this all took place three plus years ago and now the trailers are in disrepair. Mr. Thompson was told that all the listed properties will be addressed then the council will decide how to proceed.

Mayor Spieth asked if there is anyone here to speak for 529 W. Olive. Attorney Myers indicated on this property it is the garage and shed only. No one came forward with objections.

Mayor asked for 609 S. Pennsylvania respondents. Nancy Jane Wemhoener, 531 W. Central approached the council. When asked what her plans are for the property she stated they intend to board it up, it is structurally sound and sets off the street and it is not a hazard to anyone unless they are trespassing. Time frame for completion would be approximately six months. Boarding it up will happen within a couple of weeks. Chief of Police Jason Daniels asked what had changed because he had spoken with them a month and a half ago they planned to have it torn

down by the end of the year. It was replied that structurally it (house) is sound, it is just ugly, needs windows and doors, but with cooler weather coming they should be able to work on it. Ms. Wemhoener asked if there is an appeal process if the council decides to take down the house. She was informed that there is not. She then asked if the council could go into executive session because she has information that is relevant to the issue but is not willing to present it in front of the public and the press that may change their (council) opinion. Attorney Myers consulted the reasons council may go into executive session and stated there is not one to cover her request.

Mayor asked for anyone concerning 117 N. Minnesota. Aaron Smith of 113 N. Messer informed the council he is working on getting the outside painted, replacing windows, adjusting the foundation and fixing the little room off the back. He should be able to complete this within two months.

Mayor asked for anyone to speak for 508 N. Ohio. Paula Zook, 3046 NE 107<sup>th</sup> Weir state she would need to get someone to clean up the property but should be able to have it completed within a month. Capron asked if she was sure that the yard, siding and all of this could be completed in one month. Ms. Zook said it could be.

Mayor called for someone representing 425 N. Magnolia. No one came forward.

Mayor Spieth then announced 528 S. Pennsylvania. Dave Touchton, 891 SE Alt 69 Hwy, Galena representing D&T rentals came forward to inform the council this is a rental property. Renters moved out July 2013 and they have not done anything with the property since then. Mr. Touchton states the back flat roof is the issue, he is trying to decide whether to fix and rent or sell the house. He is having a problem finding help to get the work done. Capron asked for a timeframe. Mr. Touchton stated 90-120 days; more likely 120 days unless he can find a contractor then it might be completed sooner.

#### **EXTENSION – 528 S. PENNSYLVANIA, 117 N. MINNESOTA, 508 N. OHIO**

Smith Gary moved to give an extension to property owners of 528 S. Pennsylvania, 117 N. Minnesota, and 508 N. Ohio until November 3, 2014, at which time they are to come back to council for an update. Burton Jerri seconded the motion. Voting aye: Burton Jerri, Capron, Leighty, Morgan, Niegisch, Patterson, Richards, Smith Dewey, Smith Gary. Voting nay: Burton Dale. Motion carried 9-1.

#### **RESOLUTION 458**

Patterson moved to adopt Resolution 458 – *A Resolution to proceed with the condemnation of 1102 E. Buckeye, 529 W. Olive, the garage and shed only, 609 S. Pennsylvania, 425 N. Magnolia.* Leighty seconded the motion. Voting aye: Burton Dale, Capron, Leighty, Morgan, Niegisch, Patterson, Richards, Smith Dewey, Smith Gary. Voting nay: Burton Jerri. Motion carried 9-1.

#### **ADJOURNMENT**

Burton Jerri moved to adjourn the condemnation hearing at 7:40 p.m. Capron 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.

**CITY OF COLUMBUS**

**BUDGET HEARING**

September 2, 2014

7:41 P.M.

Mayor Grant Spieth opened the budget hearing by announcing this meeting is for the purposing of hearing and answering questions and objections of the taxpayers and council concerning the 2015 city budget. The Mayor asked for questions from the gallery. No one came forward. Mayor Spieth announced the actual mill levy for the 2015 budget would increase approximately one-half mill from 58.637 to 59.125. The Mayor asked if there were any questions from the council, he was asked the total budget for 2015. Mayor Spieth replied the total budget is \$4,325,764.00. With no further questions the Mayor asked for a motion to approve the 2015 budget.

**APPROVE 2015 BUDGET**

Niegisch moved to approve the 2015 budget as presented. 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.

**ADJOURNMENT**

Capron moved to adjourn the budget hearing at 7:24 p.m. Niegisch 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.

**PAVE STREET**

Smith Dewey moved to pave one block of Lake Street from East Avenue west between Mike Carpino Ford parking lots. Leighty seconded the motion. After discussion Smith Dewey and Leighty withdrew the motion and second to allow city superintendent time to gather costs for the project.

**APPROVE COSTS OF INTERVIEW**

Morgan moved appropriate up to \$1,500.00 to be paid out of administration for two City Administrator candidate interview and visitation costs; this includes mileage, lodging and meal. Niegisch 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.

**ADVERTISE FOR POLICE OFFICER**

Morgan moved to advertise internally and externally for open Police Officer positions until filled. 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.

**EXECUTIVE SESSION**

Burton Jerri called for a ten minute executive session at 8:58 p.m. for consultation with city attorney on matters that would be deemed privileged in an attorney – client relationship with council, mayor, city attorney, chief of police, city superintendent and city clerk in attendance. 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.

**REGULAR SESSION 9:08 P.M.**

**ADJOURNMENT**

Niegisch moved to adjourn the meeting at 9:09 p.m. 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.

**Meetings:**

**Police & Licensing**

Monday September 8, 2014 @ 12:00 p.m.

**Personnel**

Monday September 8, 2014 @ 5:30 p.m.

**Water & Sewer**

Monday September 8, 2014 @ 6:00 p.m.

  
Cherri Chancellor City Clerk