

CITY OF COLUMBUS
SPECIAL MEETING
December 28, 2021
5:00 P.M.

ATTENDANCE

The City Council of Columbus, Kansas met December 28, 2021, at 5:00 p.m. presided over by Mayor Grant Spieth. Council members present: Kathy Doherty, Sammye Opela, Tom Pryor. Council members absent: Stephanie Farstvedt. Other staff present: Daniela Rivas, Barbara Wright, Jason Daniels, Randy Coble, Erin Williams, Gary Holt.

Mayor Spieth called the meeting to order at 5:00 p.m. and reminded the council that the topic of discussion for the Special Meeting is Code Enforcement and Permitting and no other topics can be discussed during the meeting.

CODE ENFORCEMENT & PERMITTING

City Administrator, Daniela Rivas spoke to the council regarding Officer Holt filling the Code Enforcement role for the past 18 months in a part-time capacity and the opportunity to move him to a full-time role. The purpose of the meeting is to discuss the future of the program and gain feedback on how the council would like the program to be utilized going forward.

Officer Holt spoke to the benefits of permitting/code enforcement, citing it helps protect property, saves money, makes selling property easier and improves safety by allowing code enforcement to reduce potential hazards in our public buildings. He provided what the process flow would look like if the city were to implement permitting, stating the resident would complete a form, fill it out and submit the completed form to city hall, code enforcement would review the site plan for any easement or utility issues and then the permit would be issued to the applicant.

The proposed permits would be for general building, fence construction and sign requests. The general build permits would be for new construction of one and two-family dwellings or any other new structures, one story detached building exceeding 200 square feet, and for exterior alterations that enlarge or expand an existing structure, foundation changes, or roof line changes. Fencing permits would be needed for any fence over seven feet and retaining walls over four feet to ensure that fencing is not being placed over easements or utility lines. Permanent sign requests are required per Municipal Ordinance, the purpose is to ensure signs are built safely and have the ability to withstand winds and to ensure that not installed in traffic rights-of-way or easements.

Holt then discussed where the city is currently now, and the direction he would like to see the program go. Currently he can review site plans for easement concerns and provide general information on building design issues but is unable to provide construction inspections. To move forward he would need additional certifications looking at a timeline of obtaining residential building inspector certification and plumbing and mechanical certifications in the beginning of 2022. In order to devote the time to his certifications he proposed the option of moving him to full-time code enforcement which would increase his availability and allow him to focus solely on code enforcement. The drawback to this

option would be the loss of a full-time patrol officer which would cause an increase in cost for the department to replace his position.

The next option presented was to maintain current operations, this would present no additional costs for staffing and no additional certifications would be needed. The negative aspect would be the city would continue to have response delay due to his duties being split and the department is wanting to be more reactive. The final option presented was to contract out building inspections to a third party.

He then provided recommendations to our current practices starting with removing the adopted requirement for electrical contractor licensing, stating we have no ability to verify competency. Next, he would like to see the city move up to the 2018 edition of code, the 2015 edition is currently being used. A cost estimate of \$600 was cited for the materials it would entail. Mayor Spieth added that code would also need to be updated which would incur additional costs. His final recommendation was to consider an admin penalty in the building code section and shifting enforcement to the city council instead of municipal court. This could help to add penalty for not obtaining proper permits. This would start with a courtesy notice and after three days a stop work order would be issued, then a \$100/per day fine would be assessed if the stop work order is violated. After ten days the resident would be required to appear before the city council. This concluded his presentation and allowed for council feedback.

Opela questioned why the city would not assess a fee to help cover the cost of Officer Holt's salary, Rivas relayed that it was a council decision, but the option is still on the table. Doherty stated she doesn't feel that he can do his job effectively continuing to only devote half of his time. Further discussion centered around how much new construction was taking place and if that would be enough to sustain full-time hours for the position. Chief Daniels stated that at this time Officer Holt is unable to devote his full attention to Code Enforcement as he acts as a law enforcement officer first, and with the schedule and lack of staff at times which results in things not taken care of in a timely manner. Rivas added that if council is satisfied with how things are currently being handled, they can leave his position as is, but stated there is an opportunity for growth and to be more efficient.

Opela posed the question if three employees were going to continue to be needed on the garbage truck now that the poly cart program has been implemented? Rivas stated that a promise was made to not eliminate a position when upgrades were made to the truck, but if staff left a decision could be made to not fill the vacancy. Pryor asked if we have taken the opportunity to see how the route would run with only two staff on the truck? Rivas stated that at this time they had not, but they could. Mayor Spieth added that eliminating a garbage employee would only get us half of the funding to replace a full-time officer. Rivas stated that it doesn't have to be all or nothing, it could be any combination of ideas to start the process. Pryor added it will take a while to get all of these processes in place. Opela mentioned wanting Officer Holt to move towards getting additional certifications, but the financial aspects need to be figure out before moving forward. Pryor agrees and sympathizes with the frustration Officer Holt has with being split on his time.

Wright brings attention to difficulties with implementing inspections without zoning. Officer Holt stated that inspection pieces are not contingent on zoning. Wright continues discussion regarding subdivision regulations, and where our standings are with tiny homes. She states that zoning is necessary to prevent Officer Holt from getting into situations without protection to back him up. Opela redirects conversation to the suggestion of the 2018 code being adopted versus the 2021 version. Officer Holt

stated that he is certified in the 2018 version and currently that's what most cities have adopted. Dexter Opela approaches council and states that the 2021 code has a lot of electrical changes and that this can be added expenditures for builders and homeowners. He also added that zoning is important to get laid out first and suggests a committee being formed with builders and residents to try and find a happy medium. Doherty suggests easing the community into this and expresses she would like residents to come and tell council of their concerns. Wright stresses the need for a zoning board and a planning commission.

Mayor Spieth poses the question of where do we go from here? Council is in favor of code enforcement but with a committee/group/board to implement the process. Doherty added that the board needs to have people of varying incomes on it and Rivas added along with knowledgeable people. Council suggested moving forward with zoning but start process on planning and regarding Officer Holt becoming full-time code enforcement Rivas stated the departments open position would need to be fulfilled before that is an option. In addition to replacing the open position Chief Daniels also added that Officer Holt would need to gain additional certifications before he could make the move. He also stated that this would be a five-to-ten-year process. Opela added a five-year plan was needed to move forward and that should be the focus to get a full scope to guide the program. Rivas stated enough information was given to investigate and regroup in February.

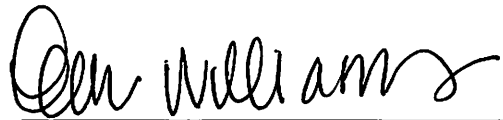
ADJOURNMENT

Pryor moved to adjourn the meeting at 6:38 p.m. Opela seconded the motion. Voting aye: Doherty, Opela, Pryor. Voting nay: None. Motion carried 3-0.

Meetings:

Council Meeting

Monday, January 3, 2022 @ 6:30 p.m.



Erin Williams, Assistant City Clerk



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