

**CITY OF IOLA**  
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A regular meeting of the Board of Commissioners of the City of Iola was held on April 13, 2010 at 1:00 p.m., at the Iola High School Lecture Hall at 300 E Jackson Avenue, Iola, and Kansas.

**CALL MEETING TO ORDER**

Mayor Maness called the meeting to order at 1:00 p.m.

**ROLL CALL**

Mayor Bill Maness and Commissioner Bill Shirley and Commissioner Craig Abbott were present, with Mayor Maness presiding. Also present were City Administrator Judy Brigham, City Clerk Roxanne Hutton, and City Attorney Chuck Apt.

**PLEDGE OF ALLEGIANCE**

Mayor Maness led the group in reciting the Pledge of Allegiance.

**SWEARING IN**

City Clerk Hutton swore in Mayor Maness.

**REVIEW & APPROVAL OF AGENDA**

A motion was made by Commissioner Abbott to approve the agenda as presented. Commissioner Shirley seconded the motion. The vote was three ayes.

**EMPLOYEE RECOGNITION**

- A. **Retirement Gary Wells** – Mayor Maness presented Gary Wells with a plaque and a watch and thanked him for his many years of service with the City of Iola.
- B. **AAKC Award – Beth Ann Turner** – Mayor Maness presented the AAKC Award to Beth Ann and read the nomination letter from Administrator Brigham. This is the first time this award has been presented.

**PUBLIC COMMENTS**

- None

**CONSENT AGENDA**

- A. **Minutes Approval** –March 23<sup>rd</sup>, 2010
- B. **Appropriations Approval** – 2010-7
- C. **Personnel Actions**
  - Jared Warner – Police Department – 12 Month Evaluation
- D. **Board Appointments**
  - Recreation Advisory Board
    - a. Troy Smith – Appointment
    - b. Kirsten Weide – Appointment
    - c. Damaris Kunkler – Appointment

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- 31<sup>st</sup> Judicial District Community & Juvenile Corrections
  - a. Gena Clouch – Re-Appointment
  
- Iola Tree Board
  - a. Beverly Johnson – Re-Appointment
  - b. Don Hillbrant – Re-Appointment
  - c. Kristy Sutherland – Re-Appointment

Commissioner Shirley made a motion to approve the consent agenda as presented. Motion seconded by Commissioner Abbott. The vote was three ayes.

**NEW BUSINESS**

- A. Student Government Day Proclamation** – The Mayor and student Mayor Kyle Heffern read the proclamation and declared April 13<sup>th</sup>, 2010 Student Government Day.
- B. Fair Housing Month Proclamation** - The Mayor read the proclamation and declared April as Fair Housing Month.
- C. Special Drug & Alcohol Funds** – The only request received was from Southeast Kansas Mental Health. A motion was made by Commissioner Abbott to distribute \$5,155.25 to Southeast Kansas Mental Health. Commissioner Shirley seconded the motion. The vote was three ayes.
- D. Farmers Market Request - Thrive** – Dwaine Bearden was present to ask that Washington Street be closed on Thursday evenings during the summer months from Madison to West Street for the Farmers Market from 5:00 p.m. – 7:45 p.m. The commissioners would like to hear from Chief Warner prior to approving this request.
- E. Jefferson Avenue Bridge** – The Authority to Award Contract and Commitment of city Funds. Commissioner Abbott made a motion to award the bid to the lowest bid of \$222,640. Mayor Maness seconded the motion. The vote was three ayes.
- F. Recreation Advisory Board Recommendation** – Recreation Coordinator Luke Bycroft presented a proposal from the Recreation Advisory Board to increase ticket prices at the swimming pool from \$1.00 to \$2.00 for students and from \$2.00 to \$3.00 for adults with ticket books being sold for \$30.00. Following discussions the commissioners stated they would not like to increase individual ticket prices, however they are in favor of the ticket book increase.
- G. Vermont Street Trailer Park** – Code Enforcement Officer, Jeff Bauer approached the commissioners concerning the dangers of the trailers and the need to post signs of the danger and secure the trailers. Mayor Maness made a motion to take immediate action. Commissioner Shirley seconded the motion. The vote was three ayes.

## **UNFINISHED BUSINESS**

- A. 319 W Garfield** – Commissioners advised Code Enforcement Officer, Jeff Bauer to continue with the condemnation process making an effort to notify the owner prior to tomorrow.
- B. Lincoln & State Intersection** – Jared Warner. Chief Warner was absent, however he had reported to Administrator Brigham that the study showed there was not enough traffic to warrant a signal at this intersection.
- C. Storm water Rate Ordinance** – a motion was made by Mayor Maness to approve the ordinance with the stipulation that the money be designated for use on the storm water system only. Motion seconded by Commissioner Shirley. Mayor Maness and Commissioner Shirley voted in favor of the motion. Commissioner Abbott voted against the motion. The motion carried with a majority vote.
- D. Water Rate Ordinance** – Administrator Brigham noted that the ordinance allows for a 10% increase. Commissioner Shirley would like to see a spreadsheet year by year of water intake and outtake.
- E. Elm Creek Community Garden Request** – This request is for the replacement on the box culvert located at the north alley approach. The city received a bid from Dog House Concrete for \$2080.00 they will not be able to do the project until August. The commissioners stated that if the Garden wants to pay for it it could be done.
- F. Iola Public Library – Contract** – City Attorney Apt had some concerns about the liquidated damages portion of the contract. The commissioners would like to see this worked out prior to approving the contract.

## **COMMISSION & ADMINISTRATOR REPORTS**

- A. Commissioner Abbott** –
- Nothing to report.
- B. Commissioner Shirley** –
- Commended the city crews that worked during the April 2<sup>nd</sup> storm. Noted the equipment that broke down during the storm was over 15 years old.
  - Requested that Attorney Apt start the process for a Charter Ordinance for a five-member commission.
- C. Mayor Maness** –
- Inquired about the flood buyout grant status. Administrator Brigham noted that all buyouts are done not sure of the status on relocation. As soon as the grant is closed Code Enforcement Officer, Jeff Bauer can start the process on condemnation of properties that are left.

**D. City Administrator Brigham**

- Noted that the landfill rules had changed and with last week being clean up week this caused the process to extend into this week. Noted that limbs had to be separated from trash and leaves. This will cause some concerns for the reserve a truck currently suspending use of the truck until the details can be worked out.
- The City Auction will be May 13<sup>th</sup> at 5:30 p.m. at the old water plant.
- A new law will go into affect July 1<sup>st</sup> banning smoking in the city buildings and vehicles.
- Insurance Adjusters will be in town to assess the storm damage to city property.
- April 19<sup>th</sup> will be the TriValley Walk a mile in my shoes.
- Work Comp mod is down a little from last year.
- Gary Wells last day is Friday.
- Beth Ann and Roxanne did a survey of cities in Kansas concerning snow removal most of them have the same policies and we do. Will make the public aware of the policies when it is closer to winter.

**3:00 p.m. Adjourned to City Hall will reconvene at 3:15 p.m.**

**EXECUTIVE SESSION – Attorney / Client 3:15 p.m. K.S.A.75-4319a (1)**

Motion was made by Mayor Maness and seconded by Commissioner Abbott to recess into “Executive Session” for the purpose of conducting a meeting to discuss attorney / client matters. The vote was three ayes. Present: Commissioners, Attorney Apt, Administrator Brigham and City Clerk Hutton. The open meeting to resume in the Commission Room at 3:20 p.m.

**EXECUTIVE SESSION – Attorney / Client 3:20 p.m. K.S.A.75-4319a (1)**

Motion was made by Mayor Maness and seconded by Commissioner Abbott to recess into “Executive Session” for the purpose of conducting a meeting to discuss attorney / client matters. The vote was three ayes. Present: Commissioners, Attorney Apt, Administrator Brigham and City Clerk Hutton. The open meeting to resume in the Commission Room at 3:25 p.m.

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**EXECUTIVE SESSION – Non-Elected Personnel 3:25 p.m. K.S.A.75-4319a (1)**

Motion was made by Mayor Maness and seconded by Commissioner Abbott to recess into “Executive Session” for the purpose of conducting a meeting to discuss non-elected personnel. The vote was three ayes. Present: Commissioners, Attorney Apt, and Administrator Brigham. The open meeting to resume in the Commission Room at 3:40 p.m.

**EXECUTIVE SESSION – Non-Elected Personnel 3:40 p.m. K.S.A.75-4319a (1)**

Motion was made by Mayor Maness and seconded by Commissioner Abbott to recess into “Executive Session” for the purpose of conducting a meeting to discuss non-elected personnel. The vote was three ayes. Present: Commissioners, Attorney Apt, and Administrator Brigham. The open meeting to resume in the Commission Room at 3:45 p.m.

**EXECUTIVE SESSION – Non-Elected Personnel 3:45 p.m. K.S.A.75-4319a (1)**

Motion was made by Mayor Maness and seconded by Commissioner Abbott to recess into “Executive Session” for the purpose of conducting a meeting to discuss non-elected personnel. The vote was three ayes. Present: Commissioners, Attorney Apt, and Administrator Brigham. The open meeting to resume in the Commission Room at 3:50 p.m.

**EXECUTIVE SESSION – Non-Elected Personnel 3:50 p.m. K.S.A.75-4319a (1)**

Motion was made by Mayor Maness and seconded by Commissioner Abbott to recess into “Executive Session” for the purpose of conducting a meeting to discuss non-elected personnel. The vote was three ayes. Present: Commissioners, Attorney Apt, and Administrator Brigham. The open meeting to resume in the Commission Room at 3:55 p.m.

Motion made by Commissioner Abbott to hire Ken Hunt for the Human Resources position. Motion seconded by Commissioner Shirley. The vote was three ayes.

**EXECUTIVE SESSION – Attorney / Client 3:57 p.m. K.S.A.75-4319a (1)**

Motion was made by Commissioner Abbott and seconded by Commissioner Shirley to recess into “Executive Session” for the purpose of conducting a meeting to discuss attorney / client matters. The vote was three ayes. Present: Commissioners and Attorney Apt. The open meeting to resume in the Commission Room at 4:02 p.m.

**EXECUTIVE SESSION – Attorney / Client 4:02 p.m. K.S.A.75-4319a (1)**

Motion was made by Commissioner Abbott and seconded by Commissioner Shirley to recess into “Executive Session” for the purpose of conducting a meeting to discuss attorney / client matters. The vote was three ayes. Present: Commissioners and Attorney Apt. The open meeting to resume in the Commission Room at 4:07 p.m.

**DATE / TIME OF NEXT MEETING**

City Commission Meeting 1:00 p.m. Tuesday, April 27<sup>th</sup>, 2010  
City Commission Meeting 1:00 p.m. Tuesday, May 11<sup>th</sup>, 2010

**ADJOURNMENT**

**4:09 P.M.** Motion was made by Commissioner Abbott, and was seconded by Mayor Maness to adjourn the meeting. The vote was three ayes. As the vote was unanimous, the meeting was declared adjourned.

Approved by the Board of Commissioners of the City of Iola, Kansas this 27<sup>th</sup> day of April 2010.

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Mayor, Bill Maness

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City Clerk, Roxanne Hutton