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A regular meeting of the Board of Commissioners of the City of Iola was held on April 27, 2010 at 1:00 p.m., at the City of Iola Commission Room, 2 W Jackson, 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.

REVIEW & APPROVAL OF AGENDA

A motion was made by Commissioner Shirley to approve the agenda substituting item 8.G with Drainage Study contract with PEC the Public Hearing on 704 E Lincoln should have been on the agenda for May 11th. Commissioner Abbott seconded the motion. The vote was three ayes.

EMPLOYEE RECOGNITION

- A. Retirement Bob Colborn** – Mayor Maness presented Bob Colborn with a plaque and a watch and thanked him for his many years of service with the City of Iola.
- B. Introduction of New Employee** – Administrator Brigham introduced Ken Hunt the new Human Resources Director to the Commission.

PUBLIC COMMENTS

- Loretta Andres inquired about restrooms and water fountain at the Cofachique Park. Administrator Brigham informed her that there is a water hydrant and that the city is looking into restroom facilities.
- David Toland, THRIVE Director introduced the Health Care Foundation Board members that were in attendance.
- Steve Rowing President of the Health Care Foundation gave a brief overview of the program and the applications that have been received from Allen County and those awarded.
- Ray Shannon gave a lengthy viewpoint of ideas that his group feels is what citizens voted on for commission size and what they think the commission should do.

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CONSENT AGENDA

- A. Minutes Approval** –April 13th, 2010
- B. Appropriations Approval** – 2010-8
- C. Personnel Actions**
 - Josh Mueller – Gas, Water & Wastewater – 6 Month Evaluation
 - Andy Weide – Gas, Water & Wastewater – Annual Evaluation
 - Steve Appling – Gas, Water & Wastewater – Annual Evaluation
 - Ron Conaway – Fire Department – Annual Evaluation
 - David Shelby – Police Department – 12 Month Evaluation
 - Eric Keagle – Water Production – Annual Evaluation
 - Lyndon Kern – Water Production – Annual Evaluation
 - Jed Rice – Utility Office – 6 Month Evaluation
 - Bob Colborn – Electric Distribution – Retirement
 - Joshua Savage – Fire Department – 6 Month Evaluation

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. Iola Amateur Radio Club Request** – The Amateur Radio Club was present to request use of shelter house and waiver of the curfew allowing one person to stay overnight at Riverside Park on June 26th. Commissioner Abbott made a motion to approve the request. Motion seconded by Commissioner Shirley. The vote was three ayes.
- B. Dairy Queen Request** - The Dairy Queen is requesting that the City pay for the replacement of their valley gutter portion of their parking lot entrance. This situation came up while they were replacing their parking lot. This is not common practice for the city, however the gutter portion is in bad shape. Mayor Maness made a motion for the city to bear responsibility to replace the gutter portion of the parking lot. Motion seconded by Commissioner Shirley. Mayor Maness and Commissioner Shirley voted in favor of the motion. Commissioner Abbott abstained from the vote. The vote passed by majority vote.
- C. Arbor Day Proclamation** – The Mayor read the proclamation and declared April 30th Arbor Day.

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- D. Public Projects Grant- Joe Hurla** – Joe Hurla of 360 Energy Solutions was in attendance to present a public projects grant for improvements of energy efficiency throughout public buildings. The grant is a 60/40 funding grant. This step does not require monetary commitment from the city. Mayor Maness made a motion to approve the application process. Commissioner Abbott seconded the motion. Mayor Maness and Commissioner Abbott voted in favor of the motion. Commissioner Shirley voted opposed due to the fact that the college had so much trouble with their energy audit process.
- E. Cedarbrook Addition Discussions** – Assistant Administrator Corey Schinstock and Street Superintendent Dan Leslie have looked at the driveway entranceways and are very concerned about the cracks and breakage. The city is holding a \$150,000 retainer from the contractor. The Commissioners asked Corey and Dan to visit with the contractor and let them know that the city expects the situation resolved to city satisfaction.
- F. Sanitary Sewer Improvement Project** – Ace Pipe Cleaning was the lost bid for the project for the amount of \$189,238.75. Commissioner Shirley to accept the bid from Ace Pipe Cleaning. Mayor Maness seconded the motion. The vote was three ayes.

2:05 p.m. Mayor Maness declared a five-minute break.

G. Drainage Study –

EXECUTIVE SESSION – Attorney / Client 2:10 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 2:12 p.m.

Mayor Maness made a motion to approve the drainage study contracts following a consultation with PEC and the City Attorney to make a slight change in the contract. Motion seconded by Commissioner Shirley. The vote was three ayes.

- H. Vermont Street Trailer Park Resolution - Code Enforcement**
Officer, Jeff Bauer requested a public hearing be set for June 8th to continue with condemnation of the structures located on this property. Motion made by Commissioner Abbott and seconded by Commissioner Shirley. The vote was three ayes.

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- I. Seasonal Mowing – Bid Acceptance** Code Enforcement Officer, Jeff Bauer presented to the commissioners that two of the bids were for the same price, however he was recommending John Lord due to the fact that he had mowed for the city for the last few years and Jeff knew he had the equipment needed to do the job. The other bid was lower, however Jeff was concerned that he did not have the needed equipment. Commissioners stated that they wanted Jeff to let John Lord know that if he felt he couldn't keep on top of the mowing that he needed to get help. John O'Mara stated he would be able to help if needed. Commissioner Shirley made a motion to approve the contract with John Lord. Motion seconded by Commissioner Abbott. The vote was three ayes.

UNFINISHED BUSINESS

- A. Farmers Market Request** – Commissioner Abbott made a motion to approve the request. Motion seconded by Commissioner Shirley. The vote was three ayes.
- B. Water Rate Ordinance** – Commissioners would like to see Administrator Brigham's proposal to transfer funds from the Wastewater Fund to the Water Fund for one year.
- C. Iola Public Library Contract** – Mayor Maness made a motion to approve the contractor's contract. Commissioner Shirley seconded the motion. The vote was Mayor Maness and Commissioner Shirley in favor. Commissioner Abbott voted opposed. The motion passed by majority vote.

ROUNDTABLE DISCUSSIONS

- A. Charter Ordinance Discussions** - Commissioner Abbott made a motion to have Attorney Apt draw up a charter ordinance for a five-member commission. Commissioner Shirley seconded the motion. Commissioners Abbott and Shirley voted in favor of the motion. Mayor Maness voted against the motion due to the fact that he felt the committee wanted a Council instead of a Commission form of government. The motion passed by majority vote. Following discussion a motion was made by Mayor Maness to have Attorney Apt include in the charter ordinance one member of the commission be elected from each of four wards and the Mayor at large. Motion seconded by Commissioner Shirley. Discussion followed then Mayor Maness withdrew his motion. Following more discussion a motion was made by Mayor Maness to have Attorney Apt include in the charter ordinance one member of the commission is elected from each of four wards and the Mayor at large. Motion seconded by Commissioner Shirley. Mayor Maness and Commissioner Shirley voted in favor of the motion. Commissioner Abbott was opposed to the motion. The motion passed by majority vote.

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EXECUTIVE SESSION – Attorney / Client 3:18 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, City Clerk Hutton Street Superintendent Dan Leslie and Water Plant Superintendent Toby Ross. The open meeting to resume in the Commission Room at 3:23 p.m.

EXECUTIVE SESSION – Attorney / Client 3:23 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, City Clerk Hutton and Water Plant Superintendent Toby Ross. The open meeting to resume in the Commission Room at 3:28 p.m.

EXECUTIVE SESSION – Attorney / Client 3:28 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, City Clerk Hutton and Water Plant Superintendent Toby Ross. The open meeting to resume in the Commission Room at 3:31 p.m.

COMMISSION & ADMINISTRATOR REPORTS

A. Commissioner Abbott –

- Nothing to report.

B. Commissioner Shirley –

- Nothing to report.

C. Mayor Maness –

- Nothing to report.

D. City Administrator Brigham

- Asked Commissioners if they were interested in the umbrella coverage with the insurance company. The Commissioners were not in favor of obtaining this coverage.
- The reserve a truck program is updated and being utilized.
- Commended Mitch Phillips for obtaining a clean gas audit.
- Wanted to draw commissioner’s attention to the LKM Journal the tax tables for all cities is enclosed.

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DATE / TIME OF NEXT MEETING

City Commission Meeting 1:00 p.m. Tuesday, May 11th, 2010
City Commission Meeting 1:00 p.m. Tuesday, May 25th, 2010

ADJOURNMENT

3:48 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 11th day of May 2010.

Mayor, Bill Maness

City Clerk, Roxanne Hutton