

**CITY OF IOLA**  
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A regular meeting of the Board of Commissioners of the City of Iola was held on May 11, 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 as presented. Commissioner Abbott seconded the motion. The vote was three ayes.

**EMPLOYEE RECOGNITION**

- A. Introduction of New Employees** – Chief Warner introduced Garrett Lucas to the Commissioners. Dan Leslie, Street Superintendent introduced Brian Fees new employee in the Sanitation Department and Brandon Westerman new employee in the Street and Alley Department.

**PUBLIC COMMENTS**

- Bill Newman inquired about the foundation in Briarwood Addition that has just been sitting there since the developer left town. He is concerned that it is unsafe with children around the area. Code Enforcement Officer, Jeff Bauer and City Attorney Apt will see if they can contact the owner about resolving the issue.

**CONSENT AGENDA**

- A. Minutes Approval** –April 27<sup>th</sup>, 2010
- B. Appropriations Approval** – 2010-9
- C. Personnel Actions**
  - Brian Cochran – Gas, Water & Wastewater – Annual Evaluation
  - James Jerome – Police Department – Annual Evaluation
  - Jarrod Tedder – Street & Alley – Annual Evaluation
  - Dana Nauretc – Stores Department – Annual 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. EMC Insurance Dividends Debbie Taiclet** – Debbie Taiclet presented a check to the City Commissioners. This dividend is payable to participants in the KMU Safety Group Insurance for the policy year of April 2009 – April 2010.
- B. 704 East Lincoln Public Hearing** - Code Enforcement Officer, Jeff Bauer explained what the deficiencies were at the property. At 1:11 p.m. Mayor Maness opened the public hearing for public comments. Property owner Dennis Williams stated that he was willing to tear down the property with the exception of the quonset hut, which he wants to sale, and have hauled away. Code Enforcement Officer, Jeff Bauer explained that this building couldn't remain on the property due to the fact that the greenhouse is not being run any longer so it would be a non-conforming use. Mayor Maness made a motion to proceed with the condemnation excluding the quonset hut with a time limit of 120 days. Motion seconded by Commissioner Shirley. The vote was three ayes.
- C. Street Closure Request - Thrive** – David Toland was present to request the closure of Jackson Avenue between North Street and Jefferson Avenue from 6:00 p.m. Thursday September 9<sup>th</sup> until as soon as they can get the tent down on Saturday September 11<sup>th</sup> for the annual meeting. Commissioner Abbott made a motion to approve the street closure. Motion seconded by Commissioner Shirley. The vote was three ayes.
- D. Energy Audit Program – Scott Shreve** – Scott Shreve from EMG discussed the energy audit program with the commissioners. The responsibility lies with the homeowners, however if they make the recommended changes they would be eligible for an interest free loan from the State of Kansas. They will pay the loan through their utility bill. The city bears no financial obligation. Mayor Maness made a motion to authorize Administrator Brigham to sign the initial paperwork for the program. Commissioner Shirley seconded the motion. The vote was three ayes.
- E. Municipal Band Contract** The contract is up for renewal for the 2010 season there are no changes from last years contract. A motion was made by Commissioner Shirley to approve the contract. Motion seconded by Commissioner Abbott. The vote was three ayes.
- F. 319 West Garfield Resolution** – Commissioner Abbott made a motion to approve the resolution setting June 22<sup>nd</sup> as the date for the public hearing. Motion seconded by Commissioner Shirley. The vote was three ayes.
- G. N&B Gas Contract** – Commissioner Abbott made a motion to approve the contract noting no changes from last years contract. Motion seconded by Commissioner Shirley. The vote was three ayes.
- H. Sanitary Sewer Project – Contract** – Motion was made to approve the contract by Commissioner Abbott. Motion seconded by Commissioner Shirley. The vote was three ayes.

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- I. Boot Block Request** – The Iola Sister Relay for Life Team is requesting to hold a boot block on May 29<sup>th</sup> from 8:30 a.m. – 11:30 a.m. Motion made by Commissioner Abbott to approve the request and seconded by Commissioner Shirley. The vote was three ayes.
- J. Raw Water Meter Replacement** – M—Con LLC of Wathena, Kansas will replace the meter for the amount of \$21,587.00 with the city paying the cost and PEC reimbursing the city. Water Plant Superintendent Toby Ross stated that the city would pay M-Con directly which would make the warranty with the city and then PEC would reimburse us. Motion made by Mayor Maness to proceed with the purchase and installation. Motion seconded by Commissioner Shirley. The vote was three ayes.
- K. Animal Control - Discussions** –Mayor Maness discussed his concern for safety of citizens from animals that run loose and the need to have an animal control officer on staff. Representatives from ACARF were present and stated that they are very close to opening and would like to meet with Commissioners at their next meeting. Ray Shannon discussed an ordinance that would prohibit residents from tying up their dogs on a 24/7 basis.

**2:03 p.m. Mayor Maness declared a five-minute break.**

## **UNFINISHED BUSINESS**

- A. Water Rate Ordinance** –Administrator Brigham presented a proposal to transfer \$300,000 from the sewer fund to the water fund for the 2010 budget year. The commissioners would like for staff to continue to monitor ways to either increase revenue or cut costs in the water fund. A motion was made by Commissioner Shirley to approve the transfer of \$300,000 from the sewer fund to the water fund. Motion seconded by Mayor Maness. The vote was three ayes.

## **COMMISSION & ADMINISTRATOR REPORTS**

- A. Commissioner Abbott** –
- Nothing to report.
- B. Commissioner Shirley** –
- Inquired about the stone repair work that is to be done at the cemetery. Administrator Brigham informed the commissioners that work is supposed to start after Memorial Day. Commissioners would like a report on this before the next meeting.

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- Commented on the Cedarbrook ribbon cutting ceremony earlier today. Would like to see the city continue to work with the developers on future programs.
- Inquired about the grant on the Miller Road Sidewalk. Assistant Administrator Corey Schinstock stated that after contacting the Sunflower Foundation it was discovered that they had not received some of the paperwork. The paperwork has been submitted and the money should be received shortly.

**C. Mayor Maness –**

- Inquired about putting a stop or yield sign on the south end of the swimming pool with incoming traffic coming from the north. Police Chief Warner will check into the matter.
- Inquired about why the cement holding the fence around the pool broke during the storm. Assistant Administrator Schinstock stated that is was probably due to the fact that the fence was located so close to the end of the cement platform.
- Asked about the procedure for mowing notices. Notices go out once per season and then the city mows the property if it gets over the limit.

**D. City Administrator Brigham**

- Stated that the local police station number is switched over to the 911-dispatch center line after 5:00 p.m. so any utility problem calls are answered by the dispatch center.
- Manhole rehab that will be taking place soon will require residents that have built fences; decks or storage sheds on the city right-of-way to be removed. Administrator Brigham will send a list of the residents to the commissioners to let them know who is required to move these things. Mayor Maness requested that city personnel make a point to contact property owners (as opposed to just the residents), and that sufficient notice be given so that those affected may consider their options.
- Met this morning with Carlson and Gardner representatives and Homes for Iola representatives about future projects.

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**EXECUTIVE SESSION – Attorney / Client 2:43 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 Street. The open meeting to resume in the Commission Room at 2:53 p.m.

**DATE / TIME OF NEXT MEETING**

City Commission Meeting 1:00 p.m. Tuesday, May 25<sup>th</sup>, 2010  
City Commission Meeting 1:00 p.m. Tuesday, June 8<sup>th</sup>, 2010

**ADJOURNMENT**

**2:53 P.M.** Motion was made by Mayor Maness, and was seconded by Commissioner Shirley 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 25<sup>th</sup>  
day of May 2010.

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Mayor, Bill Maness

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City Clerk, Roxanne Hutton