

CITY OF IOLA
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A regular meeting of the Board of Commissioners of the City of Iola was held on August 10, 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 Maness, 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.

CONSENT AGENDA

- A. Minutes Approval** –July 27th 2010 & July 30th 2010
- B. Appropriations Approval** – 2010-15
- C. Personnel Actions**
 - Larry Gilmore – Electric Generation – 6 Month Evaluation
 - Danny McKarnin –Electric Generation – Annual Evaluation
 - Charles Sellman – Water Production – Annual Evaluation
 - Garrett Lucas – Police Department – 6 Month Evaluation
 - Chi Wiggin – Clerk Department – 6 Month Evaluation
 - Angela Huff – Clerk Department – Annual Evaluation
 - Bo Becker – Gas, Water & Sewer – Annual Evaluation
 - Ron Knavel – Gas, Water & Sewer – Annual Evaluation
 - Brian Fees – Solid Waste – 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.

PUBLIC COMMENTS

- John O'Mara asked if there were any new construction projects coming up. Administrator Brigham stated not currently but when there were it would be open for bids.
- Mr. O'Mara commented that he had seen employees not wearing their seatbelts. Administrator Brigham and Chief Warner stated that employees had been notified of the new law in Department Head meeting and that they would be cited if they were seen not wearing their seatbelts

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NEW BUSINESS

- A. 2011 Budget Hearing** – Mayor Maness opened the public hearing at 1:58 p.m. No public comments were made concerning the budget. Mayor Maness closed the public hearing at 2:00 p.m. Motion made by Commissioner Abbott to approve the budget as presented. Motion seconded by Commissioner Shirley. The vote was three ayes.
- B. Storm Siren Presentation – Jared Warner - Chief Warner and Brian from Blue Valley Public Safety** discussed the age of the current storm siren system and the possibility of updating system. The bid for six new sirens including 3 voice capable sirens was \$145,071.54. The commission left the meeting to go outside for a demonstration of the voice activated sirens. The money will come from the capital improvement portion of the sales tax revenues. A motion was made to purchase the system was made by Mayor Maness and seconded by Commissioner Shirley. The vote was three ayes.
- C. Recreation Community Building Roof - Discussions**– A proposal was received from Murphy Roofing of Stark to install a new polyurethane foam roof on the little theatre portion of the building at a cost of \$19,950.00. Recreation Director Luke Bycroft was present to answer questions. The current roof over the little theater and restroom area is where all of the leaking occurs. This material is the same as what was put on the Thrive building and they have had no problems since installation. The money will come from the capital improvement portion of the sales tax revenues. Commissioner Shirley made a motion. Motion seconded by Commissioner Abbott. The vote was three ayes.
- D. KwiKom Communications** – John Vogel and Zach Peres from KwiKom were at the meeting to discuss the demolition project of the old Elm Street Water Tower and their desire to purchase the tower. The commissioners voiced their desire to remove the tower while they had an offer from a recycling company to do so to limit any liability with having the tower. The Commissioners suggested that KwiKom be allowed to erect a tower on the property after the water tower is removed. KwiKom requested that the meter charge be waived for their move to the Oak Street tower since they have had to move twice within less than a year. The commission was in favor of this request. KwiKom was given until October 1st to remove their equipment from the water tower.

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- E. Unified Development Code Amendments – Jeff Bauer** - Code Enforcement Officer, Jeff Bauer was at the meeting to present various changes to the unified development code. Mayor Maness questioned the section that restricts the number of out buildings an owner can have on their property. Jeff Bauer was asked to take this back to the Planning commission for review. A motion was made by Commissioner Shirley to approve the changes to the ordinance. Mayor Maness seconded the motion. The vote was three ayes.
- F. Cedarbrook Lot Request** – USD 257 is requesting donation of lot 57 located at the southeast corner of McGuire Drive and Immel Lane to build building trades home on. Commissioners voiced concerns over not being allowed more time to make this decision and indicated that future requests should be made with commission input prior to planning. Commissioner Shirley made a motion to approve the donation of the property mentioned. Motion seconded by Mayor Maness. The vote was three ayes.
- G. Iola Animal Clinic – Contract** – The new amended contract was presented to the commissioners for approval. Mayor Maness made a motion to approve the contract. Motion seconded by Commissioner Shirley. The vote was three ayes.
- H. Brownfield Assessment – Agreement** – Mayor Maness made a motion to approve the agreement. Motion seconded by Commissioner Shirley. The vote was three ayes.
- I. Municipal Court – Charter Ordinance** – Motion made by Commissioner Shirley to approve the Charter Ordinance. Motion seconded by Mayor Maness seconded the motion. The vote was three ayes.
- J. Public Offense Code – Ordinance** - Motion made by Commissioner Shirley to approve the Charter Ordinance. Motion seconded by Mayor Maness seconded the motion. The vote was three ayes.
- K. Standard Traffic Code – Ordinance** - Motion made by Commissioner Shirley to approve the Charter Ordinance. Motion seconded by Mayor Maness seconded the motion. The vote was three ayes.

UNFINISHED BUSINESS

A. Iola Public Library Project – Contractor General Services Corporation Project Manager Jordan Erwin, Roofing Contractors, Architect Hans Fischer, Roger Carswell and representatives from the Library Board were in attendance to discuss the issues with the roof. Following a lengthy discussion commissioners directed library board chairman Tom Strickler to meet with the group and come back to the commission with a recommendation.

B. Allen County Commission Request – Will be discussed in Executive Session.

COMMISSION & ADMINISTRATOR REPORTS

A. Commissioner Abbott –

- Nothing to report.

B. Commissioner Shirley –

- Inquired about the swimming pool break in.

C. Mayor Maness –

- Reported that on Thursday, August 19th a job creation forum will be held from 5:30 p.m. – 6:30 p.m. In attendance will be:
- Congresswoman Lynn Jenkins
- Anne Emerson, District Director for Senator Sam Brownback
- Gilda Lintz, District Director for Senator Pat Roberts
- Mike Zamizla, District Director for Congressman Jerry Moran
- State Senator Derek Schmidt
- State Representative Bill Otto
- Randy Snider from USDA Rural Development
- Mike Beene, Operations Manager, Kansas Department of Commerce
- John McRae, President Iola Industries
- John Masterson, President Allen Community College.

D. City Administrator Brigham

- Linda Garrett, Allen County Fairboard wanted to thank the entire city crews for their help with the fair.
- Reported to the commission that the trail extension grant was awarded to the city.
- Reminded commissioners that the Employee Picnic is at 5:30 p.m. this evening.

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

Motion was made by Mayor Maness 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, Attorney Apt, Administrator Brigham, and City Clerk Hutton. The open meeting to resume in the Commission Room at 3:50 p.m.

EXECUTIVE SESSION – Attorney/Client Matters 3:50 p.m. K.S.A.75-4319a (1)

Motion was made by Mayor Maness 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, Attorney Apt, Administrator Brigham, and City Clerk Hutton. The open meeting to resume in the Commission Room at 3:55 p.m.

EXECUTIVE SESSION – Attorney/Client Matters 3:55 p.m. K.S.A.75-4319a (1)

Motion was made by Mayor Maness 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, Attorney Apt, Administrator Brigham, and City Clerk Hutton. The open meeting to resume in the Commission Room at 4:00 p.m.

DATE / TIME OF NEXT MEETING

City Commission Meeting 1:00 p.m. Tuesday, August 24th, 2010

City Commission Meeting 1:00 p.m. Tuesday, September 10th, 2010

ADJOURNMENT

4:05 p.m. Motion made by Mayor Maness and was seconded by Commissioner Shirley to adjourn the meeting to Thursday, August 12th at 11:00 a.m. The vote was three ayes.

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ADJOURNED MEETING AUGUST 12, 2010 AT 11:00 A.M.

ROLL CALL

Mayor Maness, 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.

Mayor Maness called the meeting to order at 11:00 a.m.

EXECUTIVE SESSION – Attorney/Client Matters 11:00 p.m. K.S.A.75-4319a (1)

Motion was made by Mayor Maness 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, Attorney Apt. The open meeting to resume in the Commission Room at 11:15 p.m.

EXECUTIVE SESSION – Attorney/Client Matters 11:15 p.m. K.S.A.75-4319a (1)

Motion was made by Mayor Maness 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, Attorney Apt. The open meeting to resume in the Commission Room at 11:20 p.m.

EXECUTIVE SESSION – Attorney/Client Matters 11:20 p.m. K.S.A.75-4319a (1)

Motion was made by Mayor Maness 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, Attorney Apt. The open meeting to resume in the Commission Room at 11:25 p.m.

A motion was made by Mayor Maness to commit ½ of the ½ % sales tax per the following terms. The city will commit up to \$350,000.00 per year with an annual review of the commitment to ensure it remains in the best interests of its citizens to spend this money in such a fashion and should the hospital be as financially successful as has been represented then this sales tax amount could be reduced accordingly; and that the city and county maintain an understanding regarding the operations of their ambulance services that will not cause any disruption in the service of the other and reasonable payment of funds for the services provided. Commissioner Shirley seconded the motion. The vote was three ayes.

THE CITY OF IOLA IS PLEASED TO ANNOUNCE, THAT THEY ARE BY THE VOTE TAKEN TODAY, COMMITTING 1/2 OF ITS 1/2 SALES TAX TO THE CONSTRUCTION OF A NEW HOSPITAL. THE IOLA CITY COMMISSION FOUND SUCH A VENTURE TO BE A NECESSARY CAPITAL IMPROVEMENT TO THE AREA AS WELL AS AN ECONOMIC DEVELOPMENT SITUATION THAT IS IN THE BEST INTEREST OF THE CITIZENS OF THE CITY OF IOLA. HOWEVER, THIS COMMITMENT IS CONDITIONED ON THE FOLLOWING ELEMENTS:

- (1) THAT THE CITY WILL COMMIT TO A MAXIMUM OF \$350,000.00 PER YEAR;
- (2) THAT THE CITY WILL REVIEW THE COMMITMENT ON AN ANNUAL BASIS TO ENSURE IT REMAINS IN THE BEST INTERESTS OF ITS CITIZENS TO SPEND THIS MONEY IN SUCH A FASHION AND SHOULD THE HOSPITAL BE AS FINANCIALLY SUCCESSFUL AS HAS BEEN REPRESENTED THEN THIS SALES TAX AMOUNT COULD BE REDUCED ACCORDINGLY; AND
- (3) THAT THE CITY AND COUNTY MAINTAIN AN UNDERSTANDING REGARDING THE OPERATIONS OF THEIR AMBULANCE SERVICES THAT WILL NOT CAUSE ANY DISRUPTION IN THE SERVICE OF THE OTHER AND THE REASONABLE PAYMENT OF FUNDS FOR THE SERVICES PROVIDED:

IT IS, OF COURSE, HOPED THAT THE LOCATION OF THE HOSPITAL WILL BE IN THE IOLA AREA SO THAT THE CITY CAN PROVIDE UTILITY SERVICE THERETO AS PART OF ITS RETURN ON THIS INVESTMENT. THIS WOULD SEEM EVEN MORE APPROPRIATE WHEN CONSIDERING THAT THE CITIZENS OF IOLA WILL BE PAYING ALMOST TWO-THIRDS OF THE \$750,000 NEEDED TO MAKE THIS PROJECT GO AND THAT THE CITY MAY HAVE TO FOREGO OTHER CAPITAL IMPROVEMENT PROJECTS IN THE FUTURE DUE TO THE COMMITMENT OF THESE FUNDS. HOWEVER, IT IS BELIEVED THESE MINOR CONDITONS, WHILE BEING DONE TO HELP PROTECT THE CITIZENS OF IOLA, WILL NOT INHIBIT THE COUNTY FROM GOING FORWARD WITH ITS PLAN TO IMPLEMENT THEIR OWN 1/4 CENT SALES TAX IN PURSUIT OF THE CONSTRUCTION OF A HOSPITAL.

FINALLY, THIS VOTE SHOWS THE CITY'S SUPPORT OF THIS PROPOSAL AND THE CONTINUING DEVELOPMENT OF NOT ONLY THE CITY OF IOLA, BUT THE ENTIRE COUNTY.

Approved by the Board of Commissioners of the City of Iola, Kansas this 24th
day of August 2010.

Mayor, Bill Maness

City Clerk, Roxanne Hutton