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A regular meeting of the Board of Commissioners of the City of Iola was held on September 28, 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 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 with the addition of Health Insurance Proposal following item B under new business #8 and adding Change Orders for the Library item J under New Business. Commissioner Abbott seconded the motion. The vote was three ayes.

CONSENT AGENDA

- A. Minutes Approval** –September 28,2010
- B. Appropriations Approval** – 2010-18
- C. Personnel Actions**
 - Curtis Ellis – Sanitation – 6 Month Evaluation
 - James Snavelly – Electric Distribution – 6 Month Evaluation
 - Anthony Maness – Police Department – 6 Month Evaluation
 - Douglas Campbell – Police Department – 12 Month Evaluation
- D. Board Appointments**
 - Jana Taylor – Convention & Tourism – Reappointment
 - Michael Jewell – Convention & Tourism – Reappointment
 - Beth Ann Turner – Convention & Tourism - Appointment

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

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PUBLIC COMMENTS

- Don Becker commented to the Commission that concerning the energy updates at city hall that were voted on at the September 14 commission meeting a question arose concerning remote thermostats. According to Mr. Becker remote thermostats are not a cost saver. Mr. Becker discussed the different ways the city can control the cost saving energy efficiency measures. Mayor Maness reminded Mr. Becker that it was for these reasons that the commission asked that the items be broken out individually on the cost analysis of the updates.
- Administrator Brigham informed the commissioners that someone from the hospital committee had indicated they would be present at today's meeting to request placing pamphlets at city hall and hanging banners across Madison Avenue. Administrator Brigham noted that the electric crew would have to erect poles in order to hang the banners. Attorney Apt stated that the city couldn't spend money to promote one side or the other of an election. Also the city cannot allow pamphlets that are one sided they have to be informational only.
- Police Chief Jared Warner gave an update on the installation of the storm sirens. The sirens should be installed no later than Thursday afternoon and will be tested on Friday at noon. The voice capabilities will take longer due to the fact that the recordings have to be made.

PROCLAMATION

A. Domestic Violence Awareness Month – Mayor Maness read the proclamation and declared the Month of October as Domestic Violence Awareness Month.

NEW BUSINESS

- A. ING 457 Retirement Plan – Ken Hunt**– Employee Task Force Members and Human Resource Director Ken Hunt gave an overview of the ING plan to Commissioners. The Task Force wants to add the ING plan as an alternate choice to the existing ICMA plan. Commissioner Shirley made a motion to approve the plan being added to the city's optional 457 plan. Commissioner Abbott seconded the motion. The vote was three ayes.
- B. 2011 Observed Holiday Schedule** – Employee Task Force members presented the proposed 2011 Holiday schedule for city offices. Commissioner Abbott made a motion to approve the 2011 holiday schedule for employees. Motion seconded by Commissioner Shirley. The vote was three ayes.

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- C. Employee Health Insurance** – Personnel Director Ken Hunt and the Employee Task Force presented to the Commissioners their recommendations. The Employer contribution would increase to \$430.00 per month per employee. The employee contribution for family insurance would increase \$50.00 per month. The Committee is also requesting to change the wording in the Personnel Policy manual for Retirees contribution. Mayor Maness made a motion to approve the recommendations from the task force. Commissioner Abbott seconded the motion. The vote was three ayes.
- D. 601 S. Cottonwood – Resolution** - Code Enforcement Employee, Tony Godfrey presented information to the Commission to set a hearing for the property at 601 S. Cottonwood for November 23, 2010. Motion made by Commissioner Abbot to set the hearing. Motion seconded by Commissioner Shirley. The vote was three ayes.
- E. Allen County Volunteers Request** – A request has been received from the Allen County Volunteer Fire Department for the 1976 Pierce / Ford Pumper Fire Truck known as #311 in the Iola Fleet. Motion made by Commissioner Abbott to approve the sale of the fire truck motion seconded by Commissioner Shirley. The vote was three ayes.
- F. Cedarbrook Land Sale – Contract** – Larry Gruber wants to purchase Lot 10 in Cedarbrook 2nd Addition to build a home. The commissioners were concerned about all of the stipulations. Following discussion a motion was made by Mayor Maness to approve the sale striking the part that stated they had to have three bedrooms and striking all of item C. Commissioner Shirley seconded the motion. The vote was three ayes. Following a brief discussion Mayor Maness amended his motion to include a two car attached garage onto the property. Commissioner Abbott seconded the motion. The vote was three ayes.
- G. Mayoral Appointments** –
- City Attorney - Charles Apt III
 - Municipal Judge – Thomas M. Saxton Jr.
 - City Clerk – Roxanne Hutton
 - Fire Chief – Donald Leapheart
 - City Treasurer – Debra K. Troxel
 - Police Chief – Jared A. Warner

Motion made by Commissioner Shirley to approve the Mayoral Appointments for the two-year term. Motion seconded by Commissioner Abbott. The vote was three ayes.

H. Vermont Street Trailer Park – Jeff Bauer Code Enforcement Officer, Jeff Bauer gave an update on the Vermont Street Trailer Park Cleanup. Following a conversation yesterday with the bank that owns the property they are planning on starting eviction proceedings on the scrappers for the trailers. Jeff discovered yesterday that the scrappers no longer have insurance therefore he has suspended their demotion permits. Jeff would like to take action and remove the trailers and then have the bank reimburse the city for the expense. Attorney Apt recommended to the commission that they take immediate possession of the property due to the dangers of the site. Commissioner Shirley made a motion to approve the resolution to take immediate possession of the property and continue with removal of the trailers and all debris. Commissioner Abbott seconded the motion. The vote was three ayes.

I. Floodplain Land Purchase Code Enforcement Officer, Jeff Bauer was present to present a recommendation to purchase property that is in the 100 year floodplain the owner is moving out of state and wishes to sale to the city. Mayor Maness made a motion to have the city purchase the property. Motion seconded by Commissioner Shirley. The vote was three ayes.

J. Kansas Mutual Aid Agreement – The Kansas Mutual Aid program was presented to the Commissioners for approval. Mayor Maness made a motion to approve the resolution to enter into a mutual aid agreement with KMU. Seconded by Commissioner Shirley. The vote was three ayes.

K. Library Change Order #6 – Roger Carswell – Roger Carswell presented the change order to the commissioners. Motion made by Commissioner Abbott to approve the change order. Motion seconded by Commissioner Shirley. The vote was three ayes.

2:26 p.m. Mayor Maness declared a five-minute break.

UNFINISHED BUSINESS

A. Rail Trail Project – Design Contract Mayor Maness made a motion to approve the contract. Motion seconded by Commissioner Shirley. The vote was three ayes.

COMMISSION & ADMINISTRATOR REPORTS

A. Commissioner Abbott –

- Nothing to report.

B. Commissioner Shirley –

- Nothing to report.

C. Mayor Maness –

- Any word from Mickey concerning the flood buyout grant. Code Enforcement Officer, Jeff Bauer has been working closely with him to assure our records match his records.

D. City Administrator Brigham

- Informed Commissioners that Mitch Phillips has completed the audit of the city's gas system with KCC.
- Eric Keagle, Brandon Thomas, and Lyndon Kern again won the state water/wastewater competition.
- Audit has been filed with the State of Kansas and the city will be signing the agreement for next years audit.
- Presented the SEK transportation plan to the commissioners.
- Presented a letter from the Allen Community College scholarship recipient.

EXECUTIVE SESSION – Attorney/Client Matters 2:46 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, Assistant Administrator Schinstock and Administrator Brigham. The open meeting to resume in the Commission Room at 3:06 p.m.

EXECUTIVE SESSION – Non-Elected Personnel 3:07 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 Non-Elected Personnel. The vote was three ayes. Present: Commissioners, and Attorney Apt. The open meeting to resume in the Commission Room at 3:12 p.m.

EXECUTIVE SESSION – Non-Elected Personnel 3:12 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 Non-Elected Personnel. The vote was three ayes. Present: Commissioners, and Attorney Apt. The open meeting to resume in the Commission Room at 3:17 p.m.

EXECUTIVE SESSION – Non-Elected Personnel 3:17 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 Non-Elected Personnel. The vote was three ayes. Present: Commissioners, and Attorney Apt. The open meeting to resume in the Commission Room at 3:22 p.m.

EXECUTIVE SESSION – Non-Elected Personnel 3:22 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 Non-Elected Personnel. The vote was three ayes. Present: Commissioners, Administrator Brigham and Attorney Apt. The open meeting to resume in the Commission Room at 3:32 p.m.

Mayor Maness made a motion to approve a contract with PEC for Engineering Design services for Scott Street. Motion seconded by Commissioner Shirley. The vote was three ayes.

DATE / TIME OF NEXT MEETING

City Commission Meeting 1:00 p.m. Tuesday, October 12th, 2010

City Commission Meeting 1:00 p.m. Tuesday, October 26th, 2010

ADJOURNMENT

3:32 p.m. Motion made by Mayor Maness and was seconded by Commissioner Shirley to adjourn the meeting at 3:19 p.m. 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 12th
day of October 2010.

Mayor, Bill Maness

City Clerk, Roxanne Hutton