

CITY OF IOLA
2011-07 PAGE 1
07/11/2011

A regular meeting of the City Council of the City of Iola was held on July 11, 2011 at 6:00 p.m., at the Riverside Park Community Building, 600 S State, Iola, and Kansas.

CALL MEETING TO ORDER

Mayor Shirley called the meeting to order at 6:00 p.m.

ROLL CALL

Mayor Shirley, Council Members Becker, Callahan, Franklin, French, Kilby, Rowe, Stewart, Wicoff were present. Also present was Administrator Brigham, Attorney Apt and City Clerk Hutton.

REVIEW & APPROVAL OF AGENDA

A motion was made by Council Member Stewart to approve the agenda with the addition of Iola Housing Grant under New Business item D. Motion seconded by Council Member Becker. The vote was eight ayes.

PUBLIC COMMENTS

- None

CONSENT AGENDA

- A. Minutes Approval** –June 27, 2011
- B. Appropriations Approval** – 2011-13
- C. Personnel Actions** –
 - Mike Phillips – Electric Generation – Annual Evaluation
 - Mike Aronson – Police Department – Annual Evaluation
 - Kevin Appling – Electric Generation – Annual Evaluation
 - Jason Ellis – Street & Alley – Annual Evaluation
 - Daniel Rodriquez- Police Department – Annual Evaluation
 - Doug Clark – Parks & Cemetery – Annual Evaluation

Questions arose concerning the consent agenda: Council Member Franklin noted she was not in attendance at the June 30th meeting and was listed as present. Council Member Becker was listed as Becky. City Clerk Hutton will make noted changes.

Council Member Rowe questioned the following appropriations:

- Asplundh - Can tree trimming be done in house? Administrator Brigham noted that the use of electrician's time to trim trees it is beneficial to hire the contractors.
- C&D Portable toilet rental – Have you looked into buying a portable. Administrator Brigham noted that no that has not been done, however the price includes delivery and clean up.
- Comfort Contractor – Were local people given chance to provide service?
- Garrett/Callahan Chemicals for water plant. Administrator Brigham unsure will have to check into what this is for.

CITY OF IOLA
2011-07 PAGE 2
07/11/2011

Council Member Callahan questioned the following appropriations:

- AT&T damage is this something that they would charge us for also?
Assistant Administrator Schinstock noted that this is normal practice.
- Heartland Midwest is this the final bill for the Cedarbrook Phase III.
Assistant Administrator Schinstock noted that there might have been some retainage will have to check.
- Pillow Block what is this for and why did we pay so much for postage?
- Playground equipment bill was paid is it installed? Administrator Brigham noted that it was decided to wait until after the fair to install.
- Vision Iola Books what is the number purchased?

Motion to approve the consent agenda was made by Council Member Stewart and was seconded by Council Member Franklin. The vote was eight ayes.

ROUNDTABLE

A. KMU Presentation – Colin Hansen - Colin Hansen, Executive Director of Kansas Municipal Utilities gave an overview of KMU and discussed the importance of municipalities owning their own utilities. A video was shown. It is important for Council Members to understand that utilities are a complex business. It is important to invest in employees and managers education they need to run the city utilities they are the ones that run the utilities and they are the ones that need the knowledge. Council needs to think of the utilities as a business. City Council needs to understand what an asset it is to have those utilities. No questions for Colin Hansen from the Council. Administrator Brigham noted that weekly the KMU Headlines is sent via email. Colin Hansen reviewed the different types of articles that are available and welcomed the council to request that those be sent to them.

B. Hospital Project Discussions – Mayor Shirley thanked the hospital trustees for being in attendance. Mr. Shirley referred to the agreement between the City and the County dated August 31, 2010 stating that the hospital will be built in or adjacent to city limits. Mayor Shirley questioned Attorney Apt about the proposed sight north of town. Attorney Apt stated that the property could be annexed by the city. However, if another utility services the area the City will have to get the utility to agree to turn the area over to the city to be serviced. Mayor Shirley questioned if the hospital has money for the extension of the sewer line. The contractor had stated to the committee that there is ample money to allow for this. Anderson Rural #5 has the water for the property. Council Member Rowe noted that he had talked to a board member of the water district and they are not interested in releasing the water rights. Heartland Electric has stated they would rescind their rights for the electric. Kansas Gas Service is the gas provider.

CITY OF IOLA
2011-07 PAGE 3
07/11/2011

The city does not feel they can adequately supply gas to the property. Council Member Kilby questioned the annexation process how we could force the other utilities to follow the city codes. Attorney apt stated that the city would have to formulate a plan of annexation, which would include this subject. The county has stated they would maintain snow removal on the road for the duration of the tax money the city is providing for the hospital. Administrator Schinstock noted that the road would not necessarily have to be annexed.

NEW BUSINESS

- A. LKM Code of Procedures - Adoption** – The LKM Code of Procedures was presented for adoption to the Council. The code has been a part of the council packet for a couple of previous meetings. Motion made by Council Member Callahan to approve the Code of Procedures for the Council. Motion seconded by Council Member Rowe. Motion carried.
- B. Cedarbrook 3rd Addition - Easements** – Easements for drainage and or utilities in Cedarbrook 3rd Addition was presented to the Council for approval. This step was omitted during the platting process. Council Member Stewart made a motion to approve the easements. Motion seconded by Council Member Wicoff. Voting in favor of the motion was: Council Members Stewart, Wicoff, Becker, Callahan, French, Kilby, and Rowe. Voting against the motion was Council Member Franklin. Motion passed by majority vote.
- C. 2012 Budget Update** – Mayor and Council were given the draft copy of the budget. Administrator Brigham noted that the mill levy is the same at 38.168 mills. Utilities that are not owned by the city remits a franchise fee to the city. A fee of 5 % from all utilities plus a 7% fee for billing, collections, mapping, AP and payroll is being transferred from the utilities to the general fund. There is no transfer from the EMS fund to the general fund due to the State of Kansas stating that this fund must not transfer into the general. The budget is balanced revenues exceed or meet expenditures. Wastewater figures are not shown due to a meeting that will be held tomorrow. July 18, 19 and 21 are open for budget work sessions. The Council wanted to meet on July 18 and 19 from 2-5 at the same time holding the 21st open.
- D. Housing Grant** – Due to the low response from citizens requesting the grant they want to expand the area two blocks to the east. Motion made by Council Member Callahan to approve the expanded area. Motion seconded by Council member Franklin. Motion Carried. Staff is also requesting to raise the income levels to match the state levels that went into effect May 25, 2011. Motion made by Council Member Callahan to approve the new rates. Motion seconded by Council member Franklin. Motion carried.

UNFINISHED BUSINESS

- A. Faith Housing Shelter - Request-** The Shelter House is requesting financial support for the shelter. Council Member Becker made a motion to give the Faith House Shelter \$3,000.00 with a matching fundraising amount by the organization. Council Member Stewart seconded the motion. A question rose about where the funds would come from. Administrator Brigham noted that there was probably some special project money where the playground equipment came from. Motion carried.
- B. Local Bridge Inspections** – Staff has received a bid from HDB Construction for removal of the structure for \$8,000.00. An estimate from Dave Beach of Schwab-Eaton Engineers was received for \$20,000 to repair the bridge to standard. Staff is seeking council’s direction as to either eradicate or repair the structure. Residents Helman, McGuffin and Boeken complained about the bridge being closed. The Council would like to table this item until the next meeting allowing staff to get some more bids for repair of the bridge.
- C. New City Administrator – Contract** – Mayor Shirley noted that with relocating Mr. Slaugh would be favorable to come on board July 25th. Staff is also agreeable with this date. Council Member Franklin noted that it would be a good idea to have him in attendance at the Budget Workshops. Council Member Stewart made a motion to approve the contract with Mr. Slaugh with him starting on July 25th. Motion seconded by Council Member Wicoff. Motion carried.

COUNCIL & ADMINISTRATOR REPORTS

- A. Mayor Shirley** –
- Had a request from Relay for Life to waive the fee for the North Community Building for July 21st to hold the Survivors Banquet. This has been done in the past. Council Member Becker made a motion to approved to waive the fee. Motion seconded by Council Member Stewart. Motion carried.
 - Mayor Shirley asked Attorney Apt if a council member is assigned to a committee could they go to employees with questions. Attorney Apt stated that if the committee needs information from an employee then a member could go to the employee to get the information.
- B. Council Member Stewart** – None

C. Council Member Callahan –

- Would like to see the city contact the individuals with trees in the front of their house prior to trimming trees by using Channel 6 and possibly a notice in the paper.
- Inquired about ordinances that relate to the old form of government. Attorney Apt will get with City Clerk Hutton and provide copies to the committee.

D. Council Member Wicoff –

- Asked Administrator Brigham about the lightning policy and would like to see a heat policy for recreation. Administrator Brigham stated that the Recreation Advisory Board will be reviewing the policies and presenting to the Council for approval.

E. Council Member Franklin –

- None

F. Council Member Kilby –

- Non

G. Council Member Becker –

- None

H. Council Member Rowe –

- Inquired as to whether the damages to the AT&T line were turned into the insurance company. Administrator Brigham will look into this.

I. Council Member French –

- Inquired as to using community service to pay off fines owed to the court. Attorney Apt noted that Judge Saxton would be happy to visit with the Council concerning this issue.
- Inquired if 5 O'clock somewhere had followed the correct process. Attorney Apt informed him that each request is a different issue. The request had to come to the Council for approval there was not another avenue.

J. Administrator Brigham –

- A mutual aid agreement must be signed by the Mayor with the City of Joplin to obtain funding from FEMA.
- Request from ACC for an approval of the Iola Citizenship scholarship to an individual that meets all of the requirements except for his major is mechanical engineering, which is not one of the listed majors. Council Member Becker made a motion to approve the request. Council Member Callahan seconded the motion. Motion Carried. Council would like to review all of the terms of the scholarship.
- Council Member Rowe had inquired about the value of generation. Administrator Brigham asked for Scott Shreve's assistance on the question and came up with the following figures.

EXECUTIVE SESSION – Non-Elected Personnel 8:15 p.m. K.S.A.75-4319a (1)

Motion was made by Council Member Becker and seconded by Council Member Callahan to recess into "Executive Session" for the purpose of conducting a meeting to discuss Non Elected Personnel. The vote was eight ayes. Motion passed. Present: Mayor Shirley, Council Members, Administrator Brigham, and City Attorney Apt. The open meeting to resume in the Commission Room at 8:25 p.m.

EXECUTIVE SESSION – Non-Elected Personnel 8:25 p.m. K.S.A.75-4319a (1)

Motion was made by Council Member Becker and seconded by Council Member French to recess into "Executive Session" for the purpose of conducting a meeting to discuss Non Elected Personnel. The vote was eight ayes. Motion passed. Present: Mayor Shirley, and Council Members. The open meeting to resume in the Commission Room at 8:35 p.m.

EXECUTIVE SESSION – Attorney / Client 8:35 p.m. K.S.A.75-4319a (1)

Motion was made by Council Member Callahan and seconded by Council Member Rowe to recess into "Executive Session" for the purpose of conducting a meeting to discuss Attorney Client. The vote was five ayes. Motion passed. Present: Mayor Shirley, and Council Members. The open meeting to resume in the Commission Room at 8:45 p.m.

**CITY OF IOLA
2011-07 PAGE 7
07/11/2011**

EXECUTIVE SESSION – Non-Elected Personnel 8:47 p.m. K.S.A.75-4319a (1)
Motion was made by Council Member Rowe and seconded by Council Member Callahan to recess into “Executive Session” for the purpose of conducting a meeting to discuss Non Elected Personnel. The vote was eight ayes. Motion passed. Present: Mayor Shirley, and Council Members. The open meeting to resume in the Commission Room at 9:02 p.m.

DATE / TIME OF NEXT MEETING

City Council Meeting 6:00 p.m. Monday, July 25th, 2011
City Council Meeting 6:00 p.m. Monday, August 8th, 2011

ADJOURNMENT

9:02 p.m. Motion made by Council Member Kilby and was seconded by Council Member Callahan to adjourn the meeting to Thursday, July 18, 2011 at 2:00 p.m. The vote was eight ayes. As the vote was unanimous, the meeting was declared adjourned.

**CITY OF IOLA
07/18/2011**

The adjourned meeting of the City Council of the City of Iola was held on July 18, 2011 at 2:00 p.m., at the Riverside Park Community Building, 600 S State, Iola, and Kansas.

CALL MEETING TO ORDER

Mayor Shirley called the meeting to order at 2:00 p.m.

ROLL CALL

Mayor Shirley, Council Members Becker, Callahan, Franklin, French, Kilby, Rowe, Stewart, Wicoff were present. Also present was Administrator Brigham, and City Clerk Hutton.

CITY OF IOLA

07/18/2011

EXECUTIVE SESSION – Land Acquisition 2:00 p.m. K.S.A.75-4319a (1)

Motion was made by Council Member Kilby and seconded by Council Member Stewart to recess into “Executive Session” for the purpose of conducting a meeting to discuss Land Acquisition. The vote was eight ayes. Motion passed. Present: Mayor Shirley, and Council Members. The open meeting to resume in the Commission Room at 2:05 p.m.

Russell Beth representing the Iola Elks was present. In 2010 the Elks shot fireworks under the City of Iola Umbrella as approved by the City Commissioners. This year they shot under John Stranghoner, however since the fireworks were ordered last year under the City of Iola the company billed them this year under the City of Iola and did not charge sales tax. Mr. Beth is present to ask the council if they want him to ask the company to rebill with the tax or if the city was in agreement that they could use the city’s tax-exempt status. Mayor Shirley requested that they consult with the City Attorney prior to making this decision.

Judy gave a brief overview of the draft budget that the council had in front of them. Each Department Superintendent reviewed their individual budget with the council.

Questions that arose:

- Should the city look into once a week pickup versus twice a week to avoid an increase in rates for the refuse fund.
- Check into the loan payment that was made on the water fund.

4:53 p.m. Mayor Shirley declared a seven-minute break.

Attorney Apt arrived at the meeting.

A motion was made by Council Member Wicoff to donate the 16.9 acres to the hospital board for use for construction of a new hospital. Motion seconded by Council Member Kilby. Motion carried.

Questions/ Concerns:

- Tom Miller inquired about the availability of the property. Assistant Administrator Schinstock stated that there were a couple of shallow ponds on the property that are used to water the golf course and as water retention.
- Harry Lee inquired about the water pressure. Staff stated that the water pressure would not be a problem.
- Harry Lee asked the Council if they would support the Hwy 169 and Oregon Road property. Council Member Franklin voiced her support of the site.

CITY OF IOLA

07/18/2011

- Karen Gilpin asked if the city could give a utility cost comparison. Assistant Administrator Schinstock stated that would be something that the hospital engineers would need to do because the city would not have any idea what the needs would be.
- Jay Kretzmeier stated that at the board meeting for Anderson five they stated that they have never released their rights before? Stated that they could possibly sale water to the City of Iola and then the city in turn would resale to the hospital. Noted that Council Member Rowe was at the meeting and asked if they would be interested in buying all of their water from the City.
- Heartland Electric stated that they had no claim to the bear ground, however they would expect a franchise free for the church.
- Harry lee noted that the Oregon property could be easily annexed.
- Attorney Apt noted that the city would need a guarantee that they would be the provider of the utilities.
- Jay Kretzmeier noted that the property the city is donating is in a residential area is this the best thing for the city?
- Council Member Becker asked for cost differences between the East Street Site and the Oregon Road Site.
- Council Member Wicoff questioned the revenue that could be generated from the electric utility. An Architect with the Hospital Committee stated that the load would be equal to current usage.
- Karen Gilpin asked who would pay for the extension of Cottonwood Street. Assistant Administrator Schinstock stated that the road would not need to be extended right away.

ADJOURNMENT

6:02 p.m. Motion made by Council Member Callahan and was seconded by Council Member Stewart to adjourn the meeting to Tuesday, July 19, 2011 at 2:00 p.m. The vote was eight ayes. As the vote was unanimous, the meeting was declared adjourned.

CITY OF IOLA

07/19/2011

The adjourned meeting of the City Council of the City of Iola was held on July 19, 2011 at 2:00 p.m., at the Riverside Park Community Building, 600 S State, Iola, and Kansas.

CALL MEETING TO ORDER

Mayor Shirley called the meeting to order at 2:00 p.m.

ROLL CALL

Mayor Shirley, Council Members Becker, Callahan, French, Kilby, Rowe, Stewart, were present. Also present was Administrator Brigham, and City Clerk Hutton.

Stacey Talkington was present to ask for the Council to lift the curfew for the park this Friday evening so that they could hold the Relay for Life at the Community Recreation Building due to the heat. Council Member French made a motion to allow the Relay for Life to stay in the park after curfew Friday July 21st. Council Member Becker seconded motion. Motion carried.

Mayor Shirley encouraged the Council Members to attend the city picnic on Tuesday, August 9th.

Tom Saxton gave an overview of the court fines that are outstanding and presented his budget to the council.

Roger Carswell gave an overview of the Library budget to the Council.

Donald Leapheart and Ron Conaway gave an overview of the EMS budget.

Council Member Callahan questioned the items in the Major Projects fund that was not in the original budget for 2011. Administrator Brigham noted that the Commission had approved all of the projects and all of the projects except for the water spray park had already been done. The Spray Park was put in the budget worksheet as a possible project when it was brought up in the Vision Iola Project and the Commissioners asked the staff to prioritize the top items in the budget. The item would not occur without prior approval of the council.

3:55 p.m. Mayor Shirley declared a five-minute break.

Administrator Brigham noted that the public hearing for the budget must be published ten days prior to being held. The budget must be filed with the County Clerk no later than August 25th.

CITY OF IOLA

07/19/2011

Council Member Rowe inquired about how the insurance for property, casualty and work comp was divided up by department. City Clerk Hutton noted that the local Insurance Agent divided that up.

Council Members Rowe and Callahan prepared a spreadsheet noting that spending had exceeded revenues from 2007 through 2012 and felt that staff should decrease their budgets by 4.43%.

Mayor Shirley noted that the August 8th meeting he and Council Member Wicoff would be out of town the council would need to nominate a chairperson for that meeting.

Council Member French asked the Mayor if the Water Rate Committee could report to the Council at the second meeting in August instead of the first meeting due to the Council being tied up reviewing the budget. The Committee will report to the council at the August 22nd meeting.

ADJOURNMENT

4:40 p.m. Motion made by Council Member Kilby and was seconded by Council Member Becker to adjourn the meeting. The vote was five ayes. As the vote was unanimous, the meeting was declared adjourned.

Approved by the City Council of the City of Iola, Kansas this 25TH day of July 2011.

Mayor, William A. Shirley

City Clerk, Roxanne Hutton

