

CITY OF IOLA
2011-06 PAGE 1
06/27/2011

A regular meeting of the City Council of the City of Iola was held on June 27, 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 tabling item C under New Business. Motion seconded by Council Member Becky. The vote was eight ayes.

PUBLIC COMMENTS

- None

CONSENT AGENDA

- A. Minutes Approval** –June 13, 2011
- B. Appropriations Approval** – 2011-12
- C. Personnel Actions** –
 - Trent Rhodes – Parks & Cemetery – Annual Evaluation
 - Jacob French – Fire Department – Annual Evaluation
- D. Board Appointments**
 - Christopher Weiner – Planning Commission – New Appointment

Council Member French noted that in his comments in the June 13th meeting he was requesting documentation on agenda items prior to the Friday before the meeting.

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

NEW BUSINESS

- A. Iola Library Project – Public Hearing** – Mayor Shirley opened the public hearing. Laura Moore gave an overview of the project. Council Member Callahan asked about the roof issues. Roger Carswell stated that the roof had not leaked since the last issue was repaired. The hearing was closed. Council Member Franklin made a motion to approve the mayor signing the documents to close out the grant and the pay request. Council Member Stewart seconded motion. Motion carried.
- B. Faith House Shelter – Request** – Linda Stange, Executive Director for Faith House Shelter in Chanute was present to request funds of \$3,000 from the City of Iola. Mayor Shirley recommended that this item be tabled until the next meeting to give the council time to look over the DVD's of the facility that were provided.
- C. Allen County Animal Rescue Foundation - Contract**– This item was tabled until the next meeting.

6:26 p.m. City Attorney Apt arrived at the meeting.

- D. Recycling Project - Discussions** – Becky Nilges and Administrator Brigham discussed the Take Charge Challenge and noted that the city must designate a project for the funds if the city were to win the \$100,000. Motion made by Council Member Franklin and seconded by Council Member Stewart to designate the recycling program as the city's choice to spend the \$100,000. Motion carried.
- E. Mayoral Committee Appointments** – Mayor Shirley appointed Council Members Stewart, Kilby, Becker and Callahan to an Ordinance Review Committee. Motion to approve the appointments was made by Council Member Stewart and seconded by Council Member Wicoff. Motion carried.
- F. New City Administrator - Discussions** – Mayor Shirley noted that the council interviewed last Wednesday and Thursday. Council Member French noted that although he was not available to participate in the interview process he had looked at the applications and was confident with the other council members recommendation. Council Member Stewart made a motion for the mayor to enter into negotiations to hire Carol Slauch for the Administrator's position. Motion seconded by Council Member Kilby. Voting in favor of the motion was Council Members Kilby, Stewart, Wicoff, Callahan, Franklin, Rowe, and Becker. Abstain from the vote was Council Member French since he was unable to attend the interviews. Motion passed.

CITY OF IOLA
2011-06 PAGE 3
06/27/2011

G. Local Bridge Inspections – Dan Leslie and Corey Schinstock reported the results of the bridge inspection. The city was given fourteen days to respond to the report. The city does not have enough barricades to close the bridge immediately due to the safety threat unless they remove the barricades that are on East Carpenter that were placed there to deal with dust issues. Council Member Wicoff made a motion to remove the E Carpenter Street barricades and close the bridge immediately. Motion seconded by Council Member French. Motion carried.

UNFINISHED BUSINESS

A. Fence Permit Variance - Request- Assistant Administrator Schinstock reported that he had visited with the utility superintendents and there were no city utilities on the area where Mr. Burke is wanting to build the fence. Motion made by Council Member Rowe to enter into a one year lease for \$1.00 to allow Mr. Burke to build the fence to fire code with a review of the lease after a one year period. Motion seconded by Council Member Stewart. Voting in favor of the motion was Council Members Callahan, Stewart, French, Franklin, Wicoff, and Rowe. Voting against the motion was Council Members Becker and Kilby. Motion passed by majority vote.

B. Water Rate Ordinance – Council Member Callahan presented a scenario that he had come up with for water rate increases. Council Member Rowe stated he had went to Russell Stover's and Gates Rubber to ask the plant managers if they would be happy with a double-digit rate increase. Council Member Rowe read an email that he had received from Mark Cooper from Gates Rubber Mr. Rowe stated that Mr. Cooper did not want the document itself to be public. City Clerk Hutton informed Mr. Rowe that the document would be a public record since he was reading from it in an open meeting. The record was never given to City Clerk Hutton to become an official part of the record. Council Member Wicoff noted that the city is not protecting the infrastructure currently with the amount of revenue that is being generated with the current rates. These problems should not be left for our children to deal with. It is the council's responsibility to step up and address these issues. Council Member French stated that this issue has been before the council for the last three meetings and no one has stepped up from the public with concerns. He feels a committee to brainstorm the water rate issue would be a good idea. Mayor Shirley appointed a Utility Review Committee to look at possible water rates and report back to the council at the last meeting in July. A motion was made by Council Member Stewart and seconded by Council Member Becker to approve the appointment of Council Members French, Franklin, Wicoff and Rowe by Mayor Shirley. Motion carried.

C. Fireworks Ordinance – Discussions – Attorney Apt presented to the council a fine not to exceed \$100.00 plus court costs for a first offense. A second offense would be a fine not to exceed \$250.00 plus court costs. Council Member Rowe made a motion to allow shooting of fireworks this Fourth of July with guidelines designated by the Fire and Police Chiefs in designated areas. Council Member French stated he would like to see something to this affect for next year but would like to review the current ordinance in plenty of time to make a recommendation. Council Member Callahan agreed with Council Member French. Council Member Wicoff questioned Council Member Rowe’s motion following last months vote against the same motion at the last meeting. Council Member Franklin seconded the motion. Voting in favor of the motion was Council Members Rowe and Franklin. Voting against the motion was Council Members Stewart, Callahan, Wicoff, French, Kilby, and Becker. Motion failed.

Council Member Kilby made a motion to approve the penalty change as presented by Attorney Apt. Motion seconded by Council Member Stewart. Motion carried.

7:46 p.m. Mayor Shirley declared a five minute break.

COUNCIL & ADMINISTRATOR REPORTS

A. Mayor Shirley –

- Asked Council Member Wicoff if he had come up with some policies for the swimming pool and ball games during storms. Council Member Wicoff handed out the information he had found from KSHSAA. Staff will look over the information and have a policy at the next meeting.
- Asked Administrator Brigham about break policy for employees. Administrator Brigham stated that employee’s follow the FLSA rules, which allow for a fifteen-minute break for every four hours worked.

B. Council Member Stewart – None

C. Council Member Callahan –

- Would like to see the LKM rules and procedures on the next agenda.

D. Council Member Wicoff – None

E. Council Member Franklin –

- None

F. Council Member Kilby –

- Inquired about cars parking on both sides of the street on Sycamore Street. This does not allow emergency vehicles the room needed to get down the street. Chief Warner and Chief Leapheart noted that they are looking at other streets also they will make recommendations as needed.

G. Council Member Becker –

- Inquired about residents that trap feral cats having to pay for ACARF to take them. Council Member French noted that ACARF is no longer taking them due to lack of space and the Animal Control Officer is looking at other options.

H. Council Member Rowe –

- Inquired about lower rates the city receives due to the fact that the city can generate its own electric. Administrator Brigham noted that the city receives more favorable rates because the city can generate, however we are currently generating due to the fact that Westar can not give the city the power they need at this time of year due to the service line feeding the city.
- Inquired about an individual doing business out of his home and would like to discuss this matter in executive session.

I. Council Member French –

- Applauded the Fire Department and the Street and Alley Department doing an excellent job in the heat. Noticing that the emergency responders are not receiving the respect they are due. Would like to see some brainstorming on how we can get some community service from individuals that owe court fines. Attorney Apt noted that Judge Saxton has been working toward the hiring of an individual that would oversee community service as part of the job.

J. Administrator Brigham –

- Received money from Dean Development for the property work will begin soon in Cedarbrook.
- Staff has been working with the individuals involved in the new hospital development.
- Currently mowing 160 lots as part of green space mowing in addition to mowing at Cedarbrook.
- The Fire Department has been painting fire hydrants.
- Fire Department is putting up flags on holidays and as requested by the American Legion.
- Currently the Power Plant is generating electricity.

CITY OF IOLA
2011-06 PAGE 6
06/27/2011

- Electric Crews have been working with Gates Rubber Company to identify issues with power.
- A fence is being erected at the park on the South Side of Elm Creek.
- CITF has been involved in fundraisers to purchase picnic tables. The next one will be an ice cream social Thursday night at the bandstand.
- Water Plant employees have returned from the Top Ops Contest in Washington DC where they placed 7th nationally.
- The riprap has been completed at the water plant and the sewer lagoons.
- The electric department has been fighting the squirrels.
- The outage this morning was due to a tree at the townhouse.
- Street and Alley are planning to chip and seal next week weather permitting.
- Concrete work will begin soon to create handicap ramps on State Street at the park entrance.
- Mitch Phillips department is preparing for the audit on the lift stations.
- Gas checks are being done in accordance with FCC regulations.
- Riverside Park has been busy with Girl Scouts, Boy Scouts, College Play and a Christian band.
- The playground equipment provided by THRIVE will be installed in the near future.
- The financial audit was done last week a report will be presented to the council at a later date.
- Reminder the Mad Bomber Run will be July 8th.

EXECUTIVE SESSION – Attorney / Client 8:30 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 Attorney/Client Matters. The vote was eight ayes. Motion passed. Present: Mayor Shirley, Council Members, Administrator Brigham, Assistant Administrator Schinstock and City Attorney Apt. The open meeting to resume in the Commission Room at 8:45 p.m.

CITY OF IOLA
2011-06 PAGE 7
06/27/2011

EXECUTIVE SESSION – Attorney / Client 8:45 p.m. K.S.A.75-4319a (1)

Motion was made by Council Member French and seconded by Council Member Stewart to recess into “Executive Session” for the purpose of conducting a meeting to discuss Attorney/Client Matters. The vote was eight ayes. Motion passed. Present: Mayor Shirley, Council Members, Administrator Brigham, Assistant Administrator Schinstock and City Attorney Apt. The open meeting to resume in the Commission Room at 8:55 p.m.

EXECUTIVE SESSION – Attorney / Client 9:00 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 Attorney/Client Matters. The vote was eight ayes. Motion passed. Present: Mayor Shirley, Council Members, Administrator Brigham, Assistant Administrator Schinstock and City Attorney Apt. The open meeting to resume in the Commission Room at 9:10 p.m.

EXECUTIVE SESSION – Attorney / Client 9:13 p.m. K.S.A.75-4319a (1)

Motion was made by Council Member Rowe and seconded by Council Member Becker to recess into “Executive Session” for the purpose of conducting a meeting to discuss Attorney/Client Matters. The vote was eight ayes. Motion passed. Present: Mayor Shirley, Council Members and City Attorney Apt. The open meeting to resume in the Commission Room at 9:28 p.m.

DATE / TIME OF NEXT MEETING

City Council Meeting 6:00 p.m. Monday, July 11th, 2011
City Council Meeting 6:00 p.m. Monday, July 25th, 2011

ADJOURNMENT

9:29 p.m. Motion made by Council Member Kilby and was seconded by Council Member Callahan to adjourn the meeting to Thursday, June 30, 2011 at 4:00 p.m. The vote was eight ayes. As the vote was unanimous, the meeting was declared adjourned.

CITY OF IOLA
2011-06 PAGE 8
06/27/2011

June 30, 2011 4:00 p.m. Adjourned Meeting

CALL MEETING TO ORDER

Mayor Shirley called the meeting to order at 4:00 p.m.

ROLL CALL

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

EXECUTIVE SESSION – Attorney / Client 4:05 p.m. K.S.A.75-4319a (1)

Motion was made by Council Member Callahan and seconded by Council Member Franklin to recess into “Executive Session” for the purpose of conducting a meeting to discuss Attorney/Client Matters. The vote was five ayes. Motion passed. Present: Mayor Shirley, Council Members and City Attorney Apt. The open meeting to resume in the Commission Room at 4:15 p.m.

EXECUTIVE SESSION – Attorney / Client 4:15 p.m. K.S.A.75-4319a (1)

Motion was made by Council Member Callahan and seconded by Council Member Franklin to recess into “Executive Session” for the purpose of conducting a meeting to discuss Attorney/Client Matters. The vote was five ayes. Motion passed. Present: Mayor Shirley, Council Members and City Attorney Apt. The open meeting to resume in the Commission Room at 4:20 p.m.

Council Member Stewart made a motion to approve the contract as negotiate with Carl Slauch for City Administrator. Motion seconded by Council Member Kilby. Motion carried.

Attorney Apt left the meeting.

Jeffery Trinca and Stephanie Roehl from Van Scoyoc Associates gave a presentation on what they have done with city since the relationship began.

Administrator Brigham noted that the city has seen a great return on their money with the revenue that has come to from the city from the federal government. The important goal was to get D.C. to know the needs of the community and Van Scoyoc has been instrumental in this process. The CITF group and the Mayor have been the designated group to travel to D.C. once a year to work with Van Scoyoc to obtain funds.

Mayor Shirley thanked Richard Zahn, Mayor Maness and Mayor McRae for getting this project instigated and doing so much to help our community.

No questions or comments from the Council Members.

DATE / TIME OF NEXT MEETING

City Council Meeting 6:00 p.m. Monday, July 11th, 2011
City Council Meeting 6:00 p.m. Monday, July 25th, 2011

ADJOURNMENT

4:57 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 11TH day of July 2011.

Mayor, William A. Shirley

City Clerk, Roxanne Hutton

