

A regular meeting of the City Council of the City of Iola was held on September 26, 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, Kilby, Wicoff, Rowe, Stewart, Callahan, French and Franklin were present. Also present were Administrator Slaugh, Attorney Apt and City Clerk Hutton.

### **REVIEW & APPROVAL OF AGENDA**

A motion was made by Council Member Stewart to approve the agenda-removing item 8 C. Hospital Site Utilities. Motion seconded by Council Member Becker. The vote was eight ayes.

### **PUBLIC COMMENTS**

- Ray Houser, Donna Houser, Dee Singer, and Cindy Chalker spoke in favor of Judy Brigham.

Council Member Becker stated the Christian thing to do and my motion is to reinstate all of Judy Brigham's benefits including any wages, vacation, sick leave, etc. Her retirement benefits should be in tack and additionally; she should receive \$2,500 towards her legal expenses. . Motion seconded by Council Member Wicoff. Voting in favor of the motion were: Council Members Wicoff, Becker, Stewart and Kilby. Voting against the motion were: Council Members French, Franklin, Rowe and Callahan. Mayor Shirley made the deciding vote in favor of the motion. Motion carried.

Attorney Apt called for an executive session.

### **EXECUTIVE SESSION – Attorney / Client 6:11 p.m. K.S.A.75-4319a**

Motion was made by Council Member Stewart and seconded by Council Member Kilby to recess into "Executive Session" for the purpose of conducting a meeting to discuss Attorney/ Client Matters. Voting in favor of the motion were council members: Stewart, Kilby, Callahan, Rowe, French and Franklin. Voting against the motion were council members: Becker and Wicoff. Motion passed by majority vote. Present: Mayor Shirley, Council Members, and Attorney Apt. The open meeting to resume in the Commission Room at 6:26 p.m.

### **EXECUTIVE SESSION – Attorney / Client 6:28 p.m. K.S.A.75-4319a**

Motion was made by Council Member Kilby and seconded by Council Member Becker to recess into "Executive Session" for the purpose of conducting a meeting to discuss Attorney/ Client Matters. Voting in favor of the motion were council members: Stewart, Kilby, Wicoff, Franklin, and Becker. Motion passed by majority vote. Present: Mayor

Shirley, Council Members, and Attorney Apt. The open meeting to resume in the Commission Room at 6:48 p.m.

Regular Session: Mayor Shirley read from a prepared statement. The previous motion was premature and not valid. The motion was contrary to the city's written personnel policy.

**EXECUTIVE SESSION – Attorney / Client 6:45 p.m. K.S.A.75-4319a**

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 Attorney/ Client Matters. Voting in favor of the motion were council members: Stewart, Kilby, Callahan, Rowe, French and Franklin. Voting against the motion were council members: Becker and Wicoff. Motion passed by majority vote. Present: Mayor Shirley, Council Members, and Attorney Apt. The open meeting to resume in the Commission Room at 7:45 p.m.

Regular Session: Mayor Shirley read from a prepared statement. It has always been a longstanding policy of the city not to disclose personnel issues or matters of such in open session. When asked by Richard Luken, Iola Register Reporter if the previous motion to reinstate Judy is still standing Mayor Shirley stated no. Jim Talkington asked if the previous motion had to be rescinded was told no by Mayor Shirley and Attorney Apt.

**CONSENT AGENDA**

- A. Minutes Approval** – September 12, 2011 & September 20, 2011
- B. Appropriations Approval** – 2011-17
- C. Personnel Actions** –
  - None

Motion made by Council Member Kilby to approve the Consent Agenda. Motion seconded by Council Member Stewart. All in favor. Motion carried.

**NEW BUSINESS**

- A. Wastewater Collection Project** – Jim Martin and Alex Darby gave a presentation on the sewer collection system noting that only about 1/3 of the lines have been videoed and studied. Total cost of the project would be 3.7 to 3.8 million dollars with funding coming from an EPA matching fund grant and amending the current KDHE Loan. Administrator Slauch would like to have the council approve the city to get started on the project having PEC and the city work together to define the scope of the project. Council Member Franklin made a motion to accept PEC as the contractor to develop a scope of work and report back to council with a cost of project. Council Member Franklin amended her motion to include a cost of up to \$28,000. Motion seconded by Council Member Becker. All in favor. Motion carried.

- B. Farm City Days Request** – The council stated they would be happy to help with the request advising the committee to coordinate with dispatch and city staff.
- C. Hospital Site Utilities – Discussions** - This item was tabled until the next meeting when the planning commission recommendation will also be considered.
- D. Blue Cross Blue Shield – Medical Benefits** – Question arose on the length of time retirees have been allowed to stay on the insurance and how long city employees receive single insurance at no premium cost. This item will be tabled until the next meeting to allow more time for council review.
- E. American Red Cross – Facility Use Agreement** - Attorney Apt has reviewed contract and notice has been given to the Red Cross that one of the buildings is located in the flood zone. Council Member Wicoff made a motion to approve the agreement. Motion seconded by Council Member Stewart. All in favor. Motion carried.

## UNFINISHED BUSINESS

- A. Water Rate Review– Discussions** – Motion made by Council Member Callahan to table this item until the next meeting. Motion seconded by Council Member Franklin. Voting in favor of the motion were council members French, Franklin, Stewart, Kilby, Callahan, and Rowe. Voting against the motion were council members Becker and Wicoff. The motion carried by majority vote.
- B. Purchasing Policy – Discussions** - Administrator Slauch gave a draft copy to the council members noting that the department heads have not had time to review it yet, therefore he will bring it back to a future meeting.

## COUNCIL & ADMINISTRATOR REPORTS

- A. Mayor Shirley** – Received an email noting that Chris Rivera will become the new hospital administrator.
- B. Council Member Stewart** – None
- C. Council Member Callahan** – Council Member Callahan made a motion for a special complete forensic audit of the city finances for years 2007, 2008, 2009, and 2010. Motion seconded by Council Member Stewart. Voting in favor of the motion were council members Rowe, Callahan, Kilby, Stewart, Franklin and French. Voting against the motion were council members Wicoff and Becker. Motion carried by majority vote.

**D. Council Member Wicoff – None**

**E. Council Member Franklin – None**

**F. Council Member Kilby – None**

**G. Council Member Becker – None**

**H. Council Member Rowe – None**

**I. Council Member French – None**

**J. Administrator Slauch –**

- LKM voting delegates need to be submitted. Motion made by Council Member Franklin and seconded by Council Member French to nominate Council Members Callahan and Rowe as voting delegates. All in favor. Motion carried.
- The October 10<sup>th</sup> council meeting falls on the city health fair which is also a city holiday. There are also council members attending the LKM meeting in Wichita that day. Council Member Becker made a motion to move the meeting to Tuesday, October 11<sup>th</sup>. Motion seconded by Council Member French. All in favor. Motion carried.
- The strategic planning meeting is scheduled for October 17<sup>th</sup> at 6:00 p.m.
- Inquired as to possible participation in a water plant and power plant tour this Thursday at 4:00 p.m. Since there was a possibility of five council members in attendance this meeting will be adjourned to that date.

**EXECUTIVE SESSION – Attorney / Client 9:35 p.m. K.S.A.75-4319a**

Motion was made by Council Member Stewart and seconded by Council Member Kilby to recess into “Executive Session” for the purpose of conducting a meeting to discuss Attorney/ Client Matters. All in favor. Motion carried. Present: Mayor Shirley, Council Members, and Attorney Apt. The open meeting to resume in the Commission Room at 9:45 p.m.

Council Member Kilby made a motion to rescind the earlier action by the council on Council Member Becker’s motion due to the fact that it is invalid to city policy. Motion seconded by Council Member Stewart. Voting in favor of the motion were council members Stewart, Kilby, Callahan, Rowe, Franklin and French. Voting against the motion were council members Wicoff and Becker. Motion passed by majority vote.

**DATE / TIME OF NEXT MEETING**

City Council Meeting 6:00 p.m. Tuesday, October 11<sup>th</sup>, 2011

City Council Meeting 6:00 p.m. Monday, October 24<sup>th</sup>, 2011

**ADJOURNMENT**

**9:48.m.** Motion made by Council Member Stewart and was seconded by Council Member Kilby to adjourn the meeting until Thursday, September 28<sup>th</sup> at 4:00 p.m. at the Water Plant. The vote was eight ayes. As the vote was unanimous, the meeting was declared adjourned.

**September 28<sup>th</sup> 4:00 p.m.** Council Member Becker was the only council member that showed up therefore a majority was not present.

Approved by the City Council of the City of Iola, Kansas this 11<sup>th</sup> day of October 2011.

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Mayor, William A. Shirley

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City Clerk, Roxanne Hutton