

A regular meeting of the City Council of the City of Iola was held on February 27, 2012, at 6:00 p.m., at the Riverside Park Community Building, 600 S State, Iola, 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, and French were present. Also present were Administrator Slaugh, Attorney Apt and City Clerk Hutton. Council Member Franklin was absent due to being out of town.

REVIEW & APPROVAL OF AGENDA

A motion was made by Council Member Stewart to approve the agenda moving the second personnel action under consent agenda following executive session and item 9C following executive session. Motion seconded by Council Member Kilby. The vote was seven ayes.

PUBLIC COMMENTS

- Holly Slawkoski noted at the last meeting of the council during administrator report Administrator Slaugh stated that he would recommend standing committees appointed by the mayor. Holly noted that Mr. Rowe was the only council member that spoke up. With Administrator Slaugh's recommendation to make these open committees she was disappointed that no one else spoke up. The viewpoint from the public is there is distrust and lack of transparency among the council. Whenever council members are conducting city business they should be formal meetings without giving the perception of closed-door meetings.
- Jim Manning with Kansas Wildlife and Parks requested \$500 to help with the cost of printing the color brochure for the rail trail. He is also asking for help from all of entities along the trail. The cost of the brochures is \$3,000 for 10,000 brochures. Mayor Shirley asked that this item be put on the agenda for the next meeting. Mayor Shirley asked Mr. Manning about the status on the bridge repairs. Mr. Manning stated that bids have been taken for sandblasting.

CONSENT AGENDA

A. Minutes Approval – February 13,2012

B. Appropriations Approval – 2012-04

C. Personnel Actions –

- Chi Wiggin – Clerk's Office – Promotion
- Lisa Fox –Police Department (moved to later in the meeting.)

A motion was made by Council Member Becker and seconded by Council Member Stewart to approve the consent agenda removing Lisa Fox from the personnel actions. All in favor. Motion carried.

UNFINISHED BUSINESS

A. Iola Public Library Project - Administrator Slaugh recommended that the council authorize final payment of retainage for the library renovation project in the amount of \$66,129.26 payable to Schiffman, Remley and Associates, Incorporated contingent on receiving the 15-year no dollar limit warranty for the roof. Attorney Apt stated that he had received notice today that the warranty is coming he recommends either paying the bond company or General Services Corporation directly. Motion made by Council member French to approve the payment contingent on receiving the warranty as recommended by Administrator Slaugh. Motion seconded by Council member Stewart. All in favor. Motion carried.

NEW BUSINESS

- A. Property and Casualty Insurance - Discussion** – Paul Davis a consultant for KMIT spoke about the bid for the city for workman’s compensation insurance.
- Council member Rowe noted that the cost difference with the lost dividend from EMC would actually make the KMIT insurance cost higher than the quote from EMC. Why should the city pay more for KMIT?
 - Paul Davis stated service, the loss control controls, individual coming to the city once per year, to help staff with loss controls.
 - Council member Rowe noted that the \$2 million umbrella coverage through the cities current plan would cover workman’s compensation claims if the need arose.
 - Rob Gill of Iola Insurance Associates was present to discuss the results of the bids received from EMC and KMIT. Rob noted that he had no trouble working with KMIT. The bid received from KMIT was only for worker compensation at a rate of \$101,449. Rob noted that KMIT has not assessed cities since they have started, however there is always the possibility. Noting that EMC does pay dividends on excess funding at the end of the cycle if claims are not paid out. The bid from EMC for all coverage including workers compensation is \$368,024 an increase of 4.93% over last year.
 - Council Member Rowe asked if higher deductibles would make a difference in the premium. Noting that the power plant already carries a high deductible. Council member Rowe then asked if the bid was for the same coverage as last year. Mr. Gill stated that it was.
 - Council Member Callahan was concerned that no other companies had bid on the city insurance. Mr. Gill stated that he was upset about that also and encouraged council and or staff to contact the companies that refused to bid. He noted that the Kansas State Insurance Commission predicted that over \$1 billion would be paid out in 2011 in the state for storm damage.

- Council member French wondered what other cities with power were paying for insurance. He voiced concerns about the possibility of KMIT assessing the city for claims incurred by other members of the pool. Paul Davis noted that KMIT has a \$750,000 limit per occurrence.
- Council would like for Rob Gill to see what affect higher deductibles would have on premium costs. He will look at \$2500, \$5000 and \$10,000 deductibles and report back by the next meeting. Noting that the deductible on the power plant was high enough.

B. Hospital Site Plan – Adoption – The Planning Commission met on December 14, 2011 and February 15 to review the site plan and a traffic impact study. The planning commissions recommendation is to approve the site plan.

- Council Member Wicoff voiced his concerns about the street not holding up with the increased traffic and heavy ambulances on Kentucky Street. Doesn't want to have a huge cost to taxpayers in the future for the replacement of the road.
- Code Enforcement Officer, Jeff Bauer noted that a temporary road would be built off of Oregon behind the house and used by construction vehicles to take stress off of Kentucky.
- Council member French stated that Street & Alley Superintendent Dan Leslie had voiced concerns previously about snow removal being difficult on Kentucky since there are no curbs on the street.
- Discussion about the water run off and no retention plan in place. Would like to have the county address the issue now not wait and see how it goes. Code Enforcement Officer, Jeff Bauer noted that the current pond would be dug out to accommodate the extra run off.
- Council member Callahan wondered if the road could be turned back over to the county. Administrator Slauch noted that this would be against Kansas Statues. Could possibly get an agreement with the county to pay for the road if it failed prematurely.
- Council member French noted that the hospital site had been discussed over and over does not want to hold the county hostage over the road issue.
- Mayor Shirley stated that funds might be available from the State to help with the roadwork.
- Assistant Administrator Schinstock stated that he and Dan Leslie had spoken about the road issues in the past. He would like to have SEKAN due a road base study to determine what kind of base is there to work with. The traffic study was just to determine if turn lanes or curbs were needed. The hospital is taking steps to reduce stress on the road by putting curbs on the west side of the road at the entrance and making the radius on entrances wider than normal.
- Motion made by Council member French and seconded by Council member Becker to approve the site plan with the stipulation that their be a plan to look at the road status and move forward with improvements as recommended by Dan Leslie on his street list.
- Council Member Wicoff noted that if a nice facility is going out there a nice access should accompany it. The city is already spending money to extend the

utilities what will be the plan for the road issue and how are we going to pay for it?

- Council member Kilby asked that Mr. French's motion be modified to remove the street issue since there are two issues here.
- Council Member French modified his motion to state that Dan Leslie will look at the needs for the road and increase priority of repairs of Kentucky Street. Council Member Becker seconded the modification. Voting in favor of the motion were council members Rowe, Callahan, Kilby, Stewart, Becker, and French. Voting against the motion was Council member Wicoff. Motion carried by a majority vote.

C. Personnel Policy / Retiree Benefits - Discussion – This item was moved to later in the meeting.

ROUNDTABLE

- A. Purchasing Policy Discussions** – The purchasing policy committee, consisting of Council members Rowe, French, Kilby and Franklin, presented the draft policy for review by council and staff for approval at the next meeting. Council Member Rowe noted that the committee had taken the purchasing policy from Nixa, MO and modified for Iola.
- Administrator Slaugh noted that he is going to get feed back from staff at tomorrows staff meeting to discuss time constraints and work changes from the policy.
 - Council member Rowe stated that he would like suggestions emailed to him so he can discuss with the committee when they meet again so they can bring it to the March 12th meeting for approval.
 - Administrator Slaugh noted that some of the issues involve a lot of extra work on the Purchasing Department. Inquired about the contract verbiage?
 - Council Member Rowe stated that contracts are required for any purchase of \$2,000 total for the entire year. If it requires a bid it requires a contract.
 - Council member Callahan thanked the committee for their work. Would like to see a recap at the end of the policy stating what is required for each dollar limit.
 - Council member French noted that it is the overall cost savings for the city that the committee is looking at.
 - Attorney Apt noted that he had some recommended changes he will email.
- B. Budget Review** - Administrator Slaugh presented a review of the 2011 budget, the outlook for the 2012 budget and a schedule for the 2013 budget process. Will provide more detail on the budget worksheets showing money set aside for vehicle purchases. Department Heads will begin working on the budget process for the 2013 budget in April and in May to the council.

COUNCIL & ADMINISTRATOR REPORTS

- A. Mayor Shirley** – Noted with the good weather crews seem to be doing well on the utility extensions for the hospital. Assistant Administrator Schinstock noted that gas crews have stalled while waiting on the hospital to obtain easements. Water crews encountered some rock, will be done within the week if the weather holds.
- B. Council Member Stewart** – Inquired about when the court clerk assistant would be advertised. Administrator Slauch noted that will have a proposal in March for the council.
- C. Council Member Callahan** – Inquired about the status on the sound for the council meetings on the television. Administrator Slauch noted that he had passed this issue onto a staff member since he was unable to find the time to accomplish the task he will have an answer at the next meeting.
- Noted that the ordinance committee consisting of Council members Kilby, Stewart, Becker and himself have met. Noting that these council committees have the ability to work thru schedules, sit down and pound through things. The committee is not able to decide anything. They have to trust each other that they won't talk to other members of the council. The proposal has to be brought to the council for a vote.
 - Had concerns about the vote last meeting about the non-gas cost factor. Paperwork did not match what was being read. If we needed the \$2.25 why did we have a recommendation for just a \$.05 increase? Would like for the rest of the council to discuss why they are voting no on an issue and maybe hearing others concerns might bring things to light for others.
- D. Council Member Wicoff** –None
- E. Council Member Franklin** – Absent
- F. Council Member Kilby** – Inquired about the objects on the rail trail that could be dangerous to children if they played on them. Assistant Administrator Schinstock noted that city crew could remove the structures. Council would like to see that done.
- G. Council Member Becker** – None.
- H. Council Member Rowe** – Noted that Sharon Boan called him on Saturday about the storm sewer on the corner of North Street being dangerous. Administrator Slauch will have staff look at it.

- Wanted to know why the cities collections percentage on ambulance was different than the county. Administrator Slaugh noted that a report will be available at the next meeting.
- Wanted one idea to lessen expenditures.

I. Council Member French – Was concerned that he learned about the wastewater assessment from FEMA from the newspaper. Would like to see the correspondence from the past concerning this issue. Administrator Slaugh noted that Toby Ross is working on a summary for the next meeting.

J. Administrator Slaugh –

- Still working on the fireworks ordinance.
- Follow up on action items.
- Ambulance billing numbers at next meeting.
- Briarwood foundation no resolution to date.
- Liquor by the drink money waiting on county to report where they are sending the money.
- Pictures enclosed on the signs. Will get bids on replacement of sign only not the rock.
- Received KPP notification letter. Meeting with other cities that want to combine on an energy agreement on March 9th.

EXECUTIVE SESSION – Non – Elected Personnel 8:02 p.m. K.S.A.75-4319

Motion was made by Council Member Stewart and seconded by Council Member Rowe to recess into “Executive Session” for the purpose of conducting a meeting to discuss Non-Elected Personnel. All in favor. Motion carried. Present: Mayor Shirley, Council Members, Chief Warner, and Administrator Slaugh. The open meeting to resume in the Commission Room at 8:15 p.m.

EXECUTIVE SESSION – Non – Elected Personnel 8:17 p.m. K.S.A.75-4319

Motion was made by Council Member French and seconded by Council Member Kilby to recess into “Executive Session” for the purpose of conducting a meeting to discuss Non-Elected Personnel. Voting in favor of the motion were council members Kilby, French, Wicoff, Callahan, and Becker. Motion carried. Present: Mayor Shirley, Council Members, Chief Warner, and Administrator Slaugh. The open meeting to resume in the Commission Room at 8:37 p.m.

8:38 p.m. Don Becker left the meeting.

Motion made by Council member Callahan to approve the personnel action for Lisa Fox. Motion seconded by Council member Stewart. Voting in favor of the motion were Council members: Rowe, Callahan, Kilby, Stewart, and Wicoff. Council Member French abstained from the vote. Motion carried by a majority vote.

EXECUTIVE SESSION – Attorney Client Matters 8:44 p.m. K.S.A.75-4319

Motion was made by Council Member Stewart and seconded by Council Member Wicoff 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, Administrator Slaugh and Attorney Apt. The open meeting to resume in the Commission Room at 9:15 p.m.

EXECUTIVE SESSION – Attorney Client Matters 9:15 p.m. K.S.A.75-4319

Motion was made by Council Member Kilby and seconded by Council Member Rowe 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 Wicoff, Rowe, Kilby, French and Callahan. Motion carried. Present: Mayor Shirley, Council Members, Administrator Slaugh and Attorney Apt. The open meeting to resume in the Commission Room at 9:35 p.m.

EXECUTIVE SESSION – Attorney Client Matters 9:38p.m. K.S.A.75-4319

Motion was made by Council Member Kilby 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 Wicoff, Stewart, Kilby, French and Callahan. Motion carried. Present: Mayor Shirley, Council Members, and Attorney Apt. The open meeting to resume in the Commission Room at 10:00 p.m.

FOLLOW UP ACTION REVIEW

- None

DATE / TIME OF NEXT MEETING

City Council Meeting 6:00 p.m. Monday, March 12th, 2012

City Council Meeting 6:00 p.m. Monday, March 26th, 2012

ADJOURNMENT

10.03p.m. Motion made by Council Member Kilby and was seconded by Council Member Wicoff to adjourn the meeting. As the vote was unanimous, the meeting was declared adjourned.

Approved by the City Council of the City of Iola, Kansas this 12th day of March 2012.

Mayor, William A. Shirley

City Clerk, Roxanne Hutton