

A regular meeting of the City Council of the City of Iola was held on April 23, 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, 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 as presented. Motion seconded by Council Member Becker. The vote was eight ayes.

PUBLIC COMMENTS

- Jim Gilpin – brought in the 100 dos and don'ts of economic development for the council.
- Darrin Petrowsky – While walking his dog one day it bit someone. The animal control officer deemed the dog vicious. He was later cited for not keeping the vicious dog according to ordinance. He wants the council to override the animal control officer deeming his dog vicious. Attorney Apt stated that since the citation was issued he would have to appear in municipal court and plead his case to the judge. Mayor Shirley informed Mr. Petrowsky that City Administrator Slaugh would look into the matter and get back with him.
- Bill Farmer – Spoke concerning the 911 call he made when his neighbor was injured during a fall and his subsequent arrest following that call. Police force should be trained how to treat people that are shook up and trying to get their message across. Mr. Shirley stated that the incident is under investigation by outside authority.
- Tonya Shaughnessy daughter of Bill Farmer stated that she did not hear about her father's arrest until Sunday night. She stated that the 911 Dispatcher shouted at him. He was only concerned with getting his information rather than helping the individual that had been injured. She stated her father wasn't aware that the ambulance was in route only after her father sent her pictures of his bruised arms did she really get concerned; took off three days this week to help her father with this incident. The officers should have calmed everyone on the scene instead of badgering her father. She has visited with Chief Warner about this and listened to the 911 tape, watched the video and audio of the incident. She wants the investigation to go forth and if officers are found at fault appropriate actions should be taken in this matter.
- Christina Muntzert – Spoke about the foundation at 324 Briarwood Drive, wanted to thank everyone for taking it into consideration. Judy Brigham, Steve French and the council for taking care of the problem.

CONSENT AGENDA

A. Minutes Approval – April 9th and April 17th

B. Appropriations Approval – 2012-08

C. Personnel Actions –

- Kelly Rouse – Electric Distribution - 6 Month Evaluation
- Dana Nauertc – Purchasing / Stores – Annual Evaluation
- Eric Keagle – Water Production – Annual Evaluation
- Lyndon Kern – Water Production – Annual Evaluation
- David Shelby – Police Department – Annual Evaluation
- James Jerome – Police Department – Annual Evaluation
- Doug Campbell – Police Department – Annual Evaluation
- Robert Droessler Jr. – Solid Waste – New Hire

C. Board Appointments –

- Roger Fogleman – Library Board – Re-Appointment

Council Member French had a correction to the minutes on page 7. He was not in attendance at the meeting; however he was listed as a voting member instead of Council Member Franklin. Council Member French inquired about the bill in the amount of \$14,000 to ICC for review of the hospital plans. Administrator Slaugh explained that the contractor for the hospital would reimburse the city for this expense. A motion was made by Council Member Franklin and seconded by Council Member Stewart to approve the consent agenda. All in favor. Motion carried.

NEW BUSINESS

A. Arbor Day – Proclamation – Mayor Shirley read the proclamation and proclaimed April 27, 2012 Arbor Day.

B. Sale of Alcoholic Beverages Ordinance – The wording change for the sale of alcoholic beverages and the distance from where they may be sold was approved at the April 9th meeting. The ordinance reflects the approved modifications to allow sale of alcoholic beverages from 200 feet between property lines to 200' between the structures. Motion made by Council Member Rowe to approve the ordinance. Motion seconded by Council Member Stewart. All in favor. Motion carried.

C. KDHE Loan Fund - Application – Enclosed in the packet for review are the necessary documents regarding the wastewater collection system improvement project and the Kansas Department of Health and Environment loan application for approval. Council Member Stewart stated the city needs to continue with this

project even though it is costly and it is a priority to maintain our infrastructure. A motion was made by Council Member Stewart to approve a resolution authorizing application for a KDHE revolving fund loan in the amount of \$732,000 to cover the matching share of the project costs for a wastewater system improvement project in the approximate amount of \$1.5 million and authorize the mayor to sign the necessary documents. Motion seconded by Council Member Franklin. Council Member Franklin inquired about whether our sewer charge should be increased. Administrator Slaugh noted that as part of the loan process our fee structure would be looked at, noting that this project will cover about 1/3 of the city, which has been videoed so far. Council Member French has concerns about the material that is being used for the lining. Council Member French had an incident in which the city's side of the connection failed, which caused the residential side to slip off. He wondered if it would be possible to go onto the beginning of the resident's side in order to try to prevent this from happening in the future. Administrator Slaugh noted that he could bring a large map showing the areas that will be affected. Council Member Callahan noted that the lining is not the perfect solution, however it is the best solution out there, in order to get more bang for the buck. Council Member French asked what city has had this product and how long has it lasted? Will we be paying for this loan and have to go in and make repairs? Administrator Slaugh noted that the recommendation is for a ten-year loan time. Material has a 50-year rating. All in favor. Motion carried.

D. FEMA Flood Insurance - Discussion – As a condition of the reimbursement from FEMA for flood damage, flood insurance is required for all structures with four walls. Of the twelve structures that received funding, five have flood insurance. Three have been torn down and or removed. The remaining four structures require flood insurance. They are stands, shelters, dugouts, bleachers, pole built shop, concession stand and power plant. Council Member Rowe noted that the council was given different policies than the ones mentioned in the packet. Motion made by Council Member Callahan to table until the next meeting. Motion seconded by Council Member Rowe. All in favor. Motion carried.

ROUNDTABLE

A. Fire / EMS Discussions – Fire Chief Leapheart and Ron Conaway were present to discuss how the fire department currently runs with a full time ambulance service and how it would be affected if the county took over the ambulance service entirely. Ron Conaway noted that the state survey that the county requested could take up to six months. State EMS officials are in Iola today visiting with county personnel today and will be at the Iola station tomorrow. The city will continue to provide the service as long as the council wishes the department to do so. Conaway noted that the worst-case scenario would be if Iola quit doing EMS service and became a volunteer fire department. Level of staffing is right where it needs to be. Tax dollars from citizens are strictly for the fire department. Revenue is generated through the EMS for runs. Same men trained as firefighters as well as EMT's and paramedics. Department also does HAZMAT, inspections and fight fires in Fire

District #2. Fire/EMS service not a fire department that has EMT'S. Council Member Becker praised the EMS group, noting having used the services to KU Medical Center, the staff at KU Med stated that the IV's put in by the EMS staff were excellent. Than you for the quality service provided. Please call Chief Leapheart or Ron Conaway if any questions in the future.

COUNCIL & ADMINISTRATOR REPORTS

A. Mayor Shirley –

- Addressed the issue of the council using too much executive session time. Three times as big now makes the time longer.
- Noted that the selling idea for a larger government was that the council would be able to visit with each other. This is possible now as long as it is four members or less.
- Concerning transparency issues for the past year a camera now shows everything that goes on within the meetings.
- Friday April 27th starting See Hear Iola 10-11 a.m., all of the good things going on in Iola. All are welcome; hope a lot of the council will be there.
- Hospital groundbreaking May 7th at 5:30 p.m., would like a big crowd for that big positive step for our community.
- Last Thursday during his open session he was asked what would it take to change the size of the council. Attorney Apt noted that the current council could draw up a charter ordinance exempting it from the statutory mandate now or citizens can petition for the council to draw up a charter ordinance to do so.

B. Council Member Stewart – Thank the fire/EMS department for the work they do. Would like to express my confidence in the Iola Police Department.

C. Council Member Callahan –

- Passed out a spreadsheet showing the executive session time compared to the 2010 commission. New city council has spent 21.5% in executive session and 2010 24.1% of executive time for the past commission. Less percentage with more people.
- When the council goes into executive session they state the reason and the time when we will be out.
- Several hours in executive session over the past year has been to deal with ongoing things that we were handed down from past commission.
- Would like for the council members to join together and do something good for the community, get beyond the differences we have.

D. Council Member Wicoff –None

E. Council Member Franklin – Look at annexing some of the housing around the city limits. Put on a future agenda.

F. Council Member Kilby – None

G. Council Member Becker – None.

H. Council Member Rowe – Was asked by a dog park committee member where are we at on the dog park? Ray Shannon is going to Arkansas to find the individual that owns the two lots to sign a quitclaim deed. Where are we on the quitclaim deed? Letter needed to be looked over by the city attorney. Carl and Chuck are working on project and will hopefully have letter and deed done by the end of the week.

I. Council Member French – None

J. Administrator Slauch –

- Congratulate Mike Phillips department and Kent Tomson department for excellent work in connecting new transformer at Bassett Substation to Gates Rubber.
- Meeting monthly with southwind energy group concerning proposal to obtain power from another source. Talks are going well, using Westar to submit a study through SPP. Information has been requested for study. KPP has closed on dogwood power plant; next month will start assessing member cities for cost of the plant.

EXECUTIVE SESSION – Non-Elected Personnel 7:15 p.m. K.S.A.75-4319

Motion was made by Council Member Franklin and seconded by Council Member Becker 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, Administrator Slauch, and Attorney Apt. The open meeting to resume in the Commission Room at 7:30 p.m.

With the departure of Luke Bycroft staff recommends selecting Brad Yoder to take his place as Recreation Director, Jake Lawrence to be moved to Assistant Recreation Director and Kristy Sutherland to become the Recreation Administrative Assistant. Council Member Kilby made a motion to approve staff’s recommendation, Council Member Stewart seconded the motion. All in favor. Motion carried.

DATE / TIME OF NEXT MEETING

City Council Meeting 6:00 p.m. Monday, May 14th, 2012
City Council Meeting 6:00 p.m. Monday, May 29th, 2012

ADJOURNMENT

7:51 p.m. Motion made by Council Member Kilby and was seconded by Council Member Stewart 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 14th day of May 2012.

Mayor, William A. Shirley

City Clerk, Roxanne Hutton