

A regular meeting of the City Council of the City of Iola was held on June 25, 2012, at 6:00 p.m., at the Riverside Park Community Building, 510 Park Avenue, 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, Rowe, Stewart, Callahan, French and Franklin were present. Also present were Administrator Slaugh, Attorney Apt and City Clerk Hutton. Council Member Wicoff arrived at the meeting at 6:15 p.m.

REVIEW & APPROVAL OF AGENDA

A motion was made by Council Member Kilby to approve the agenda as presented. Motion seconded by Council Member Stewart. The vote was seven ayes. Motion carried.

PUBLIC COMMENTS

- Jim Gilpin, Iola Industries – Presented the council with an annual financial report of Iola Industries for the previous year. The annual meeting was held on June 12th. Working on renewing the lease with Columbia Metal with the possibility of increasing the rent to cover the cost of property and casualty insurance that the city currently pays.
- Lisa Wicoff spoke about having ball games when the heat index is currently 106 degrees. When children have illnesses the heat makes them worse. The council understood that a heat policy was passed last year and if so need to make sure it is enforced in the future. Ms. Wicoff wanted the council to take action tonight. Motion made by Council Member French to have the Chief of Police Jared Warner stop the current games and the future games for the evening. Motion seconded by Council Member Rowe. All in favor. Motion carried. Chief Warner left the meeting and informed all umpires that games were to halt immediately.

CONSENT AGENDA

A. Minutes Approval – June 5th & 11th

B. Appropriations Approval – 2012-12

C. Personnel Action Items –

- **Norm Mullins – Fire Department – Retirement (fill position)**
- **David Shelby – Police Department – Promotion**
- **Brandon Andres – Police Department – Promotion**
- **Trent Rhodes – Parks Department – Annual Evaluation**
- **Ryan Sell – Fire Department – Annual Evaluation**

A motion was made by Council Member Stewart and seconded by Council Member Franklin to approve the consent agenda moving the personnel items to executive session. Motion seconded by Council Member Franklin. All in favor. Motion carried.

NEW BUSINESS

A. Option to Purchase - Cedarbrook - Enclosed in the packets for consideration was an email from Tom Carlson regarding the proposed Pointe Royale development in Cedarbrook 2nd Addition to Iola. The email requests the extension of the option to purchase the remaining thirty lots for the purpose of building tax credit homes on them. In his request Mr. Carlson is requesting to extend the option to purchase until May 31st 2013 since he did not receive his tax credits for this year.

- Council Member French asked if these were all of the remaining properties in Cedarbrook that can be built on? Assistant Administrator Schinstock noted that yes they were.
- Council Member Callahan had some concern with tying up all of these properties in hopes that his tax credits may or may not go through a year from now. Wondered if he didn't have the option to purchase would he be able to apply for the tax credits? Staff will check into this.
- Council Member Rowe asked how staff came up with the price of the lots and if this is indeed a fair price for the properties. Assistant Administrator Schinstock explained that this is the amount that the city has tied up into the lots.
- Motion was made by Council Member Rowe to not extend the agreement and have staff check to see if this is indeed a fair market value for the properties.
- Council Member French noted that it would be nice to build affordable housing for low-income residents that do not qualify for this program. Noted that there is a lot of clutter around the houses that are out there now. Will this deter builders from building there?
- Council Member Callahan asked Attorney Apt if the council didn't act on this request, does the current contract automatically terminate? Attorney Apt noted that indeed the current contract would terminate and has already gone past the May 31st deadline. Is there a way the city could give incentives for local contractors to build on the lots; for example give them a lot if they build within a set amount of time and a certain type of house?
- Motion died for lack of a second. Would like on the agenda for the next meeting so that the council can give staff guidance on what to do with the remaining lots.

B. Sycamore Street Bridge - Discussion – Administrator Slauch and Assistant Administrator Schinstock discussed the project for the Sycamore Street Bridge over Coon Creek. Enclosed in the packet for review and consideration is an application to the Kansas Department of Transportation for 80% funding of this project. Staff is estimating approximate cost of \$270,000 to replace the structure of which the city would be responsible for 20% or an approximate cost of \$70,000. The city would be responsible for 100% of design engineering, right of way acquisition and possible utility adjustments. Staff had previously been planning for this project and the 2012 budget has \$40,000 for the engineering of this project. Staff is seeking approval to submit the application to KDOT for funding of this project.

- Council Member Franklin noted that during the design stage maybe it would be an opportunity to reroute the creek.
- Council Member Callahan noted that maybe there would be a better solution for routing of the creek. Can't turn down the 80-20 money. Motion made by Council Member Callahan to give the authority to staff to submit the application for the Sycamore Bridge project. Motion seconded by Council Member Stewart. All in favor. Motion carried.

C. Pay Plan Classification - Discussions- Enclosed in the packet were changes of previously approved by the council changes to the classifications to the current pay plan of the personnel handbook. Changes include:

- Delete Recreation Office Receptionist (H6)
- Add Recreation Administrative Assistant (H8)
- Delete Recreation Program Coordinator (E3)
- Delete Recreation Fitness Coordinator (E3)
- Add Assistant Recreation Director (E4)
- Council approved the above changes at their April 23rd meeting.
- Add Municipal Court Clerk Assistant (H5)
- Council approved the above change at their March 12, 2012 meeting.
- Change Animal Control Officer / Assistant Code Enforcement Officer.
- There is no change in the pay grade of this position. Job duties were changed a little. While the animal control officer is out patrolling he/she can also be looking for code nuisance problems as well as issue permits while in the office. This does not eliminate the Assistant Code Services Officer position.
- Add Regular Part-Time Maintenance (H5). This is a park/cemetery position that began when the parks department lost a full-time employee and the Code Enforcement Office began janitorial/maintenance duties at City Hall.
- Add Ambulance Billing clerk (H8)
- Council approved the above change at their February 27th meeting.
- Delete Dispatcher (H6)
- This change is due to the fact that the city does not provide this service since the county took over the dispatch services.
- Motion made by Council Member Callahan to approve making the pay plan changes as stated to the personnel policy manual. Motion seconded by Council Member Stewart. All in favor. Motion carried.

ROUNDTABLE

- A. Wastewater Rate - Discussions – Administrator** Slaugh highlighted issues that the city is dealing with. Reserves have been depleted and still face a need or requirement to upgrade the lift stations, and repair lines to reduce inflow and infiltration (I&I). The lagoons are currently at maximum capacity. The state may mandate an increase in the lagoon size or impose a requirement to build a mechanical plant. The current funds do not allow the city the ability to pay back the loan that will be needed to make the necessary repairs let alone to continue maintenance on our current lines. Council Member Rowe

reiterated what Administrator Slaugh was saying that the city needs to stop the ground water from going into the lagoons from cracks due to tree root intrusion in the sewer lines. Administrator Slaugh will bring this topic back at a future meeting with recommendations on rate increase.

- B. Neighborhood Revitalization Discussions** – Administrator Slaugh gave an update on the policy. State statute does not allow for the entire city to be included in the program. Staff will continue work on the policy and bring back at a future meeting.

UNFINISHED BUSINESS-

A. Police Video Discussions - Jared Warner – Chief Warner informed the council that there are currently no grants available to purchase the police video equipment. His recommendation is to go with option A at a cost of \$18,057.80. Will budget \$15,000 in the 2013 budget to go with evidence.com or develop an internal evidence storage along with \$14,000 for annual insurance and upkeep on the devices. Council member Rowe asked if the \$14,000 annual insurance replaces the devices for free? Chief Warner stated that the equipment would be replaced no matter what caused the damages. Council Member Rowe asked Chief Warner if there was anywhere the city could cut expenditures to make up for the cost of the cameras? Attorney Apt noted that with the use of these cameras would eliminate questionable cases due to the fact that it is all on video. Council Member French inquired about whether or not dash cameras will be eliminated? Chief Warner stated that they would not and will be used to add to the personal cameras and used for prisoner transports because they can be turned around to face the prisoner. Council Member Callahan asked if the county attorney would be donating \$5,000 to the \$18,000 cost. Chief Warner noted that the County Attorney is so confident in the program he is donating \$5,000 for additional cameras. Attorney Apt noted that the cameras will save hours of legal fees due to the evidence that will be collected through the cameras. The value of the cameras will far exceed the costs. Motion made by Council Member Callahan to proceed with purchasing the system under option A. Motion seconded by Council Member Kilby. All in favor. Motion carried.

- C. Reserves & Transfer Policy - Ordinance** – Administrator Slaugh noted that Auditor Scot Loyd noted that goal is a better word than shall and for the city not to attach a penalty to not obtaining the goal due to the fact that emergencies may arise and circumstances that cannot be helped.
- Council Member Callahan noted that if the word shall is used that means staff will make it happen.
 - Council Member Rowe noted that with the word shall cuts will have to be made or revenues increased to make it happen.
 - Council Member Wicoff noted that having the word goal would make it a workable policy. Beating this ordinance up is waste of time.
 - Council Member Rowe stated that the one word makes a difference in the ordinance therefore it is not a waste of time.
 - Council Member Callahan noted that this would be an opportunity for the council to fix an item that has been listed on audit reports for several years.

- Council Member Becker was concerned that the city may get itself into trouble if it can't adhere to the ordinance.
- Administrator Slauch stated that if it is the consensus of the council to make it "shall" he will have to add a provision of what the city would do if emergencies arise.
- Motion made by council member Rowe and seconded by council member Callahan to make the word "shall" and look at wording of a provision of how to implement.
- Council Member Wicoff stated that the council should follow Scot Loyd's recommendation to make it a goal.
- Voting in favor of the motion were Council Members: Stewart, Kilby, Franklin, French, Callahan and Rowe. Voting against the motion were Council Members: Becker and Wicoff. Motion passed by majority vote.

COUNCIL & ADMINISTRATOR REPORTS

A. Mayor Shirley –

- Enjoyed the tour of Columbia Metal today. Asked the council if they were interested in touring Gates Rubber Company. The consensus showed an interest.
- Encouraged attendance at the See, Hear Iola meeting this Friday at 10:00 a.m.
- The city band and the farmers market on Thursday's is going well.

B. Council Member Stewart – None

C. Council Member Callahan –

- The tour of Columbia Metal was very interesting
- Noted that he thought the cameras the police are purchasing would pay for themselves in short time.
- Asked for a report to the council at the next meeting concerning the heat policy and if it was passed why it was not being followed.

D. Council Member Wicoff – None

E. Council Member Franklin –

- Thought the Columbia tour was very informative.

F. Council Member Kilby – None

G. Council Member Becker –

- Stated the city needs to get ahead of the bindweed growth that is on State Street and in the green area.

H. Council Member Rowe –

- Noted that the county inventories everything including pencils. Need to have a policy for departments to inventory all of their supplies and equipment.

I. Council Member French – None

J. Administrator Slaugh –

- Update on the dog park - have obtained the required property and currently working on plans.
- Will need to revise the 2011 financial statements due to the last six months of the year remittance of sales tax funds to the hospital, which will be paid in 2012.
- CITF is looking for guidance from the city council on whether or not they should travel to Washington DC to try to obtain funds. Council Members noted that it would be good to hear from the members on whether or not this is a beneficial trip and how much it would cost the city.
- Staff met with EPA to negotiate the penalty for the Russell Stover wastewater issues. Will be hearing back from the EPA as to whether or not the city can do a project in lieu of paying the penalty.
- Have requested an extension until December 2013 on the EPA grant; the original completion date was June 30, 2012.
- Have requested an extension on the FEMA close out of the 2007 flood. \$40,000 was received from FEMA for replacement on main pump station. The pump station was reworked instead of being replaced; looking at getting credit on current projects instead of refunding money back to them.
- Staff is working on a list of infrastructure projects to bring to the council at a later meeting.
- Chip and Seal will start mid-July. The Northeast quarter of city will be done. Ditch repair and road patches have been done by city crews. Council Member French asked about the ditch work that has been done; some areas are hard to maintain by the resident. Administrator Slaugh noted that in the areas where we don't have curb and gutter it is hard to maintain. Council Member French asked about the possibility of lining the ditches with stone so that these areas don't have to be mowed by the residents.

7:38 p.m. Mayor Shirley declared a seven minute break.

EXECUTIVE SESSION – Attorney/ Client 7:45 p.m. K.S.A.75-4319

Motion was made by Council Member Franklin and seconded by Council Member Stewart to recess into “Executive Session” for the purpose of conducting a meeting to discuss Attorney Client Matters – Scott Street Drainage. All in Favor. Motion carried. Present: Mayor Shirley, Attorney Apt, Administrator Slaugh and Council Members. The open meeting to resume in the Commission Room at 7:55.m.

EXECUTIVE SESSION – Attorney/ Client 7:55 p.m. K.S.A.75-4319

Motion was made by Council Member Franklin and seconded by Council Member Wicoff to recess into “Executive Session” for the purpose of conducting a meeting to discuss Attorney Client Matters – Scott Street Drainage. Voting in favor were Council Members Wicoff, Kilby, French, Callahan, Stewart and Franklin. Motion carried. Present: Mayor Shirley, Attorney Apt, Administrator Slaugh and Council Members. The open meeting to resume in the Commission Room at 8:05.m.

EXECUTIVE SESSION – Non-Elected Personnel 8:08 p.m. K.S.A.75-4319

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 Non-Elected Personnel. Voting in favor of the motion were Council Members Kilby, Wicoff, French, Franklin and Becker. Motion carried. Present: Mayor Shirley, Attorney Apt, Administrator Slaugh and Council Members. The open meeting to resume in the Commission Room at 8:28 p.m.

EXECUTIVE SESSION – Non-Elected Personnel 8:28 p.m. K.S.A.75-4319

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 Non-Elected Personnel. Voting in favor of the motion were Council Members Kilby, Stewart, French, Franklin and Callahan. Motion carried. Present: Mayor Shirley, Attorney Apt, Administrator Slaugh and Council Members. The open meeting to resume in the Commission Room at 8:43 p.m.

Motion made by Council Member Stewart to approve the personnel actions listed under item 7C. Motion seconded by Council Member Becker. All in favor. Motion carried.

Motion made by Council Member Becker to change the Code Enforcement Officer pay grade from an E6 to an E9. Motion seconded by Council Member Wicoff. All in favor motion carried.

DATE / TIME OF NEXT MEETING

City Council Meeting 6:00 p.m. Monday July 9th 2012
City Council Meeting 6:00 p.m. Monday, July 23rd 2012

ADJOURNMENT

9:03 p.m. Motion made by Council Member Franklin 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 9th day of July
2012.

Mayor, William A. Shirley

City Clerk, Roxanne Hutton