

A regular meeting of the City Council of the City of Iola was held on July 9, 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, and Franklin were present. Also present were Administrator Slaugh, Attorney Apt and City Clerk Hutton. Council Member French was absent due to a prior commitment out of town.

REVIEW & APPROVAL OF AGENDA

A motion was made by Council Member Stewart to approve the agenda adding budget dates under New Business item 8F and Relay for Life request under New Business item 8G. Motion seconded by Council Member Becker. The vote was seven ayes. Motion carried.

PUBLIC COMMENTS

- Sharon Boan wanted to commend the city electric crew for their quick response to a limb blowing down on her electric line over the weekend.
- Judy Brigham was present to inform the council that she is running for the 9th District Kansas House of Representatives. Ms. Brigham wanted the council to know that the issues that are of importance to the city are important to her. She asked the council for their support. At that time Attorney Apt informed her that she could not use the open meeting to campaign. Ms. Brigham then let the council know that she is visiting with all of the cities within her district and letting them know to contact her with any concerns they may have and gathering information. Following her comments Council Member Rowe stated for the record he felt it was inappropriate for Ms. Brigham to politic to this governing body.

CONSENT AGENDA

A. Minutes Approval – June 25, 2012 & Revised June 11, 2012

B. Appropriations Approval – 2013-12

C. Personnel Action Items –

- **Kevin Appling – Electric Generation – 12 Month Evaluation**
- **Susie Call – Municipal Court – Pay Grade Adjustment**
- **Mike Phillips – Electric Generation – Annual Evaluation**
- **Kevin Rush – Electric Distribution – 6 Month Evaluation**
- **Jason Ellis – Street & Alley – Annual Evaluation**
- **Michael Aronson – Police Department – Annual Evaluation**
- **David Ingle – Police Department – 6 Month Evaluation**
- **Danny Rodriguez – Police Department – Annual Evaluation**
- **Brian Plumlee – Police Department – New Hire**

- **Brian Fees – Sanitation – Transfer to Police “ sanitation position to be filled”**

A motion was made by Council Member Kilby and seconded by Council Member Stewart to approve the consent agenda as presented. All in favor. Motion carried.

NEW BUSINESS

A. Purchasing Policy Approvals

- **Bid Opening – Transformer** – City Clerk Hutton opened up the four bids received for the transformer for the hospital. Bids received included Soloman Corporation in the amount of \$49,889.58, Stanion Wholesale Electric \$50,584.30, Kriz-Davis Electric \$51,626.38, and Jerry’s Electric \$63,000. Motion was made by Council Member Stewart to accept the lowest bid contingent upon staff review and verification of bid. Motion failed for lack of a second. The Council would like copies of the bids. Council Member Rowe asked if it was a problem if a bid wasn’t approved this evening. Administrator Slaugh noted that it wasn’t something that had to be ordered right away.
- **SeKan Asphalt** – Administrator Slaugh informed the council that he would like approval make SeKan a sole source provider for the city’s purchases. Council Member Rowe wondered why bids could not be taken from other companies. That is the reasoning behind the purchasing policy to make sure the city is getting the products at the lowest price. Administrator Slaugh noted that to buy from a company farther away would not be logical because the hot mix would cool down before it reached the city. Council Member Wicoff wondered how far the city was going to push the purchasing policy not buying locally to help the local economy. Council Member Callahan stated that if we start tearing the purchasing policy apart then what about the next guy; are we going to make an exception for him. Council Member Wicoff commented about local employment, taking money out of the community and the county is not good business for the city. Motion made by Council Member Becker to designate SeKan Asphalt for all services for the City of Iola. Motion seconded by Council Member Wicoff. Council Member Rowe stated that they can not be named a sole source provider by definition of the policy. Council Member Kilby stated that it made sense because there is not another provider in the area. Council Member Callahan asked how are we going to do this. There is a policy in place; we need to follow it. Bid it out to other companies that could bring in a portable plant. The reason for the policy is to have checks and balances. The city shouldn’t be subsidizing companies just because we have always done business with them. He noted that we went with the lowest bid on paper because it was 30% higher to purchase from the local vendors. The decision was made by staff not by the council. Council Member Becker stated that there comes a time when common sense needs to enter into the decision. We need to move on with the business of the city and quit spending all of this time on the

purchasing policy. Council Member Callahan asked Attorney Apt if the council could vote to detour from the policy. Attorney Apt stated that the policy was voted on by the council and approved, therefore the exceptions shouldn't be made. Council Member Callahan made a call to order as the discussion accelerated, noting that Council Members Wicoff and Becker have been against the purchasing policy since it was approved. It is not common sense to spend 30% more locally. The vote was taken. Voting in favor of the motion were Council Members Stewart, Wicoff and Becker. Voting against the motion were: Council Members Rowe, Callahan, and Kilby. Council Member Franklin abstained from the vote. Mayor Shirley broke the tie and voted against the motion.

- **TD Williamsons** – Administrator Slaugh choose not to bring this topic up.

B. Wastewater Rate - Ordinance –

Administrator Slaugh recommended a sewer rate increase of the minimum charge to \$6.50 from \$5.00 and \$1.95 from \$1.50 per unit. The increased revenue is needed to continue maintenance of the aging infrastructure. Council Member Rowe noted that he would be voting against a rate increase, not because he didn't feel like adequate funds weren't needed to take care of the infrastructure, but because several of his constituents today asked him to please not increase rates. He noted that if there is a need to increase revenues then there also needs to be spending cuts. Council Member Stewart asked if the increase for an average customer was going to be \$6.70. Administrator Slaugh stated that the average customer would see a \$6.70 increase in their overall bill. Council Member Franklin noted that city needed the increase in order to take care of this serious issue. Council Member Callahan asked Administrator Slaugh if he had sat down with the department head and made sure that we are hitting the 85% productivity. If not maybe we don't need to come up the entire 30%. Administrator Slaugh feels like this department is manned adequately with the workload they have to get done. It would not be feasible to cut manpower in this department. Administrator Slaugh noted that this is what happened in the water department. Staff tried to get a rate increase through and bankrupted the fund. This is the same situation we can't do projects that are pending because the funds are not there. Council Member Franklin made a motion to recommend staff's recommendation for the increase in wastewater charges approving the ordinance presented. Motion seconded by Council Member Stewart. Administrator Slaugh noted that a built in increase is part of the ordinance based on the cost of living adjustment. Council Member Rowe asked the councilmember's to consider this ordinance before voting since this is the first time it has been brought to the council. Administrator Slaugh stated that for the last three meetings it has been a topic of discussion. Council Member Rowe stated it is easy to talk about increased costs but there is no plan to reduce costs. The vote was taken on the motion. Voting in favor of the motion were council members: Stewart, Callahan, Kilby, Becker, Wicoff and Franklin. Voting against the motion was Council Member Rowe.

- C. Farm City Days Request-** The Farm City Days Committee is requesting permission to close West Street in front of the post office for a street dance. Staff recommends approving the request with some stipulations, one of them being that no alcohol be available. Motion made by Council Member Franklin to approve the request with staff's recommendations including the police department. Motion seconded by Council Member Callahan. All in favor. Motion carried.
- D. Water fund- Bond Payment -** Administrator Slaugh informed the Council that the bond payment was due and there is a lack of funds to cover the payment within the water fund. Staff recommends that the payment be made causing the fund to go into the red, with hopes that by the end of the year the fund will be in the black. Motion made by Council Member Becker to cover the payment out of the water fund. Motion seconded by Council Member Franklin. All in favor. Motion carried. Council Member Callahan asked if a more formal transfer would be needed. Administrator Slaugh noted that if the budget needed to be amended later it would be brought back to the council for approval. He noted that the increase in rates is stable but not building a reserve. Staff will be taking a closer look at the health of this fund.
- E. Life Insurance – Policy Renewal –** The life insurance policy through Lincoln National is up for renewal. This is a benefit solely paid for by the city for employees, spouses and children. The coverage for employees is \$25,000, for spouses of employees \$5,000 and children \$2,000. Council Member Rowe noted that the city should look at enhancing the policy at some point. This is a great benefit at a low cost. Motion made by Council Member Callahan to approve the renewal. Motion seconded by Council Member Franklin. All in favor. Motion carried.
- F. Budget Dates –** Administrator Slaugh noted that next Wednesday and Thursday there will be work sessions to review the budget for 2013. Adjustments have to be made because the assessed valuation came in lower than anticipated. Plans are to distribute an electronic copy of the 2013 budget to council along with a narrative from each department. Motion made by Council Member Becker and seconded by Council Member Franklin to set a public hearing for the 2013 budget on July 23rd. All in favor. Motion Carried.
- G. Relay for Life Request –**Relay for Life is requesting waiver of fees for use of the North Community Building to hold its annual survivors banquet on Wednesday, July 18, 2012. Motion made by Council Member Stewart and seconded by Council Member Becker to waive the fee. All in favor. Motion carried.

COUNCIL & ADMINISTRATOR REPORTS

A. Mayor Shirley –

- This weekend is the Mad Bomber run. A lot of people will be in town.
- Ken Hunt asked if he could address a point of order question. He was told it would not be allowed at this time.

B. Council Member Stewart –

- None

C. Council Member Callahan –

- Noted that he hadn't heard of any issues with fireworks.
- Felt like the council had to make a quick decision at the last meeting concerning the heat policy. The council was under the impression that a policy was in place, however found out there was not a policy. He felt that the safety of children was a higher priority for council members. In retrospect the games should probably have been postponed to later in the evening instead of cancelled. Administrator Slauch noted that the Recreation Committee is reviewing the heat policy that was recommended to the council last year and will bring back to the August 13th meeting.
- With the upholding of Obama Care it may not be the time to increase employee insurance. Council Member Callahan would like to get information from BCBS for the next meeting and see if we will lose grandfather status with an increase in the premium cost to employees. It doesn't make sense to do this if it will end up costing taxpayers more.

D. Council Member Wicoff –

- None

E. Council Member Franklin –

- The council's actions concerning the ballgames were the right decision.
- Has been concerned with the insurance increase also.

F. Council Member Kilby –

- None

G. Council Member Becker –

- None

H. Council Member Rowe –

- None

I. Council Member French –

- Absent

J. Administrator Slaugh –

- Staff is looking into bind weed spraying. Bind weed is on city property as well as other areas of town. We will address it at a later meeting.
- Staff will work on an infrastructure need list after the budget.
- Staff will be working on parameters for inventory lists. Winter months would be the ideal time to work on this.
- Relay for Life requested closure of Jefferson and Jackson Street on July 20th from 5:00 p.m. to 6:00 a.m. on July 21st. Council was in favor of the request.

EXECUTIVE SESSION – Attorney/ Client 7:15 p.m. K.S.A.75-4319

Motion was made by Council Member Becker and seconded by Council Member Stewart to recess into “Executive Session” for the purpose of conducting a meeting to discuss Attorney Client Matters – Possible Litigation. 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 7:25.m.

EXECUTIVE SESSION – Non-Elected Personnel 7:27 p.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 Non-Elected Personnel. Voting in favor of the motion were Council Members Kilby, Wicoff, Rowe, Callahan and Becker. Motion carried. Present: Mayor Shirley, Attorney Apt, Administrator Slaugh and Council Members. The open meeting to resume in the Commission Room at 7:37 p.m.

Motion made by Council Member Stewart to approve the hiring of Shonda Jefferies for Code Enforcement Officer. Motion seconded by Council Member Becker. All in favor. Motion carried.

City Clerk Hutton stated she had had a question from the audience concerning the vote earlier on the SEKAN issue. Since Council Member Franklin abstained should her vote have counted in favor of the motion thus making Mayor Shirley’s tie vote unnecessary? City Attorney Apt feels like the vote was correct; however he will research it and get back with the council.

DATE / TIME OF NEXT MEETING

City Council Meeting 6:00 p.m. Monday July 23rd 2012
City Council Meeting 6:00 p.m. Monday, August 13th 2012

ADJOURNMENT

7:44p.m. Motion made by Council Member Stewart and was seconded by Council Member Becker 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 23rd day of July
2012.

Mayor, William A. Shirley

City Clerk, Roxanne Hutton