

A regular meeting of the City Council of the City of Iola was held on August 13, 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, Stewart, French, Wicoff and Franklin were present. Also present were Administrator Slaugh, Attorney Apt and City Clerk Hutton. Council Members Callahan and Rowe were absent from the meeting.

REVIEW & APPROVAL OF AGENDA

Motion made by Council Member Stewart and seconded by Council Member Becker to approve the agenda as presented. All in favor. Motion carried.

PUBLIC COMMENTS

- Donna Houser informed the council that the CITF/PRIDE committee has started painting on the community building. Informed the council that the windows above the historical society have had curtains hung and some of the original doctors names placed on the windows.
- Becky Nilges requested that if a special meeting was called to appoint new members to the council to fill the vacant seats that the meeting be held in the evening when more of the public could attend.

CONSENT AGENDA

A. Minutes Approval – July 18, 2012, July 19, 2012, July 23, and August 6, 2012

B. Appropriations Approval – 2012-14

C. Personnel Action Items –

- **Justin Turner** – Fire Department – Resignation
- **Bo Becker** – Gas, Water & Sewer – Annual Evaluation
- **Anthony Godfrey** – Code Services – Resignation
- **Charles Sellman** – Water Production – Annual Evaluation
- **Tom Nevans** – Parks & Cemetery – 6 Month Evaluation
- **David Harrison** – Solid Waste – New Hire
- **Joe Robertson** – Police Department – 6 Month Evaluation
- **Angela Huff**- Clerk – Annual Evaluation
- **Tammy Womelsdorf** – Clerks Office – Annual Evaluation
- **Charles Ecton** – Fire Department – New Hire
- **Andrew Hill** – Fire Department – New Hire
- **Jared Keagle** – Code Services – New Hire

Council Member French stated that there was an error in the July 18th minutes on page 5. He stated that he would like Brad Yoder to check into a grant for the handicap lift and if there was excess money to purchase chairs and sunshades. People have commented there are not enough available. A motion was made by Council Member Stewart and seconded by Council Member Franklin to approve the consent agenda with the above-mentioned change. All in favor. Motion carried.

UNFINISHED BUSINESS

A. Wastewater Flow Monitoring – Bid Acceptance - Administrator Slaugh informed the council that the flow monitoring was required by the Kansas Department of Health and Environment for the ongoing project the city is doing on the lift stations. Solicitation of bids was done in an effort to find companies that provide the equipment and perform flow-monitoring services. Two bids were received, one from TREKK in the amount of \$36,975.00 and one from JCI in the amount of \$21,868. This is a 12-week study with an additional cost as required for calibration and software and the associated equipment. The bids were opened at the last city council meeting. It is staff's recommendation to accept the low bid from JCI. The city is currently looking into possibly purchasing our own flow metering equipment if it is more feasible due to the low rainfall in the area. With our own equipment we will be able to get more accurate readings over a longer period of time with additional rainfall. Council Member Franklin asked if the city had ever used JCI before. Administrator Slaugh stated that they have never used the company before. Council Member Wicoff asked when they would start the monitoring process since the rainfall is so low at the present time? Administrator Slaugh noted that the city would like to start in September, noting that the lack of rain is a concern. The EPA grant was extended until June of 2013 so will need to begin the construction project soon to prevent jeopardizing the grant. Administrator Slaugh noted that if he does discover that the purchase would be more cost effective he would come back to the council for their determination of purchase vs. lease. Council Member Stewart wondered if we could proceed with the purchase even if we go ahead and install the leased equipment. Administrator Slaugh noted that if it was cost-effective we could. Motion was made by Council Member French to accept the bid from JCI for approximately \$21,868 for a 12-week period plus fees for calibration as required and software and associated equipment with the understanding that staff continue to look at a purchase option. Motion seconded by Council Member Franklin. Council Member French questioned the need for future monitoring after this project is done. Administrator Slaugh stated that all five lift stations would be monitored even though only four are being replaced with the project so data will be available when the time comes to replace the fifth one. Council Member Wicoff asked if JCI will gather and analyze the data or will it be the engineer? Administrator Slaugh noted that staff is meeting with engineers on Friday to determine who will analyze the data. The vote was taken. All council members voted in favor of the motion. Motion carried.

B. 2013 Budget Adoption – Administrator Slaugh reviewed the fact that the city held a public hearing for the budget on August 6, 2012 and no public comments

were made at the hearing. There is no change in the mill levy from last year's budget and the total tax levied will decrease 1.07%. Total expenditures from all funds are projected to increase from \$27,904,215 to \$28,530,910 or 2.25%. By adopting the budget the governing body certifies that the budget hearing was held; the budget was duly approved and adopted as the maximum expenditures for the various funds for the year and the amounts of 2012 Ad Valorem Taxes are within statutory limitations. No further comments were made. Motion made by Council Member Stewart to approve the 2013 budget. Motion seconded by Council Member Becker. All in favor. Motion carried.

NEW BUSINESS

- A. Water Rate - Ordinance-** The 10% water rate increase was approved by the council at the July 23rd meeting. This is a formality to adopt the ordinance that will have an effective date of January 1, 2013. Council Member French voiced his concerns that citizens within the city limits continue to carry the burden for those citizens outside the city limits that have our utilities, by increasing the meter charge every Iola citizen is hit while those outside the city limits have one meter for all of the customers. Motion made by Council Member Franklin to approve the ordinance increasing residential and wholesale water utility meter charge from \$17.70 to \$19.47 and to increase each unit from \$3.14 to \$3.45, wholesale rate #1 increase from \$3.04 to \$3.34 and wholesale rate #2 increase from \$2.56 to \$2.82. Motion seconded by council Member Becker. All in favor. Motion carried.
- B. Request for Payment - Auditors** – The auditors, Swindoll, Janzen, Hawk and Loyd, LLC that were hired by the council on December 27, 2011 with a bid price of \$17,000 plus a single audit fee of \$7,500 if required have submitted a bill in the amount of \$18,950. The bill is \$1,950 over the bid price for additional work required beyond the scope of audit contract to bring point to council regarding ambulance material weakness. The proposal from Swindoll, Janzen, Hawk & Loyd, LLC agreed to by the city council contains a statement: “ Any additional audit expenses or consulting fees agreed upon in advance by the city and our firm would not be included in the above fee. “ Staff recommendation is to pay the \$17,000 agreed to in advance, but not the claim for additional work because it was not agreed to in advance. Council Member French asked for City Attorney Apt's opinion of the request. City Attorney Apt stated that the additional expense exceeds the terms of the contract. Motion made by Council Member Stewart with a second by Council Member Becker to approve payment of only the agreed upon contract amount of \$17,000. Voting in favor of the motion were Council Members: Kilby, Stewart, Wicoff, Becker and French. Voting against the motion was Council Member Franklin. Motion carried with a majority vote.
- C. Iola Public Library – Ordinance for Mill Levy-** The City of Iola sets the level of support for the Iola Public Library by ordinance. The previously approved ordinance from August 2007 set the maximum mill levy at 5.5 mills. If the city were

to reduce the mill levy to 5.5 mills as set in the ordinance the library would not obtain state aid per K.S.A. 75-2556 which requires the city to support the library as much or more for the budget year as received in the current year. Motion made by Council Member Franklin and seconded by Council Member Becker to approve the ordinance increasing the library mill levy from 5.5 to 5.715. All in favor. Motion carried.

D. Levee Study – Request Letter - Assistant Administrator Schinstock reported to the Council that in 2008 or early 2009 the city requested that the Corps of Engineers do a levee study on the railroad right-of-way in Riverside Park. Staff made a number of attempts to get FEMA to allow the fourth side remains as a levee as it was previously, since that is what their people conveyed. Staff even took a trip to Washington DC to speak with the U.S. Army regarding help with certifying and possibly rebuilding this portion of the levee. Staff has met with representatives of the U.S. Army Corps of Engineers from the Tulsa office regarding an investigation into the levee system and the flooding potential in Riverside Park. With this request there is a \$100,000 allocated amount for their agency to perform the investigation with no monetary commitment of the city. Council Member French had some concerns with the part of the letter that states if a flood control project was found feasible and advisable to develop the city would be required to enter into a contract with the Corps, requiring the city to share 35% of the cost. Staff assured Council Member French that the letter does not bind us to the project until it has been found feasible and advisable and at that time the city council would decide if they wanted to continue with the project. Motion made by Council Member Becker and seconded by Council Member Stewart to authorize the mayor to sign the letter requesting the U.S. Army Corps of Engineers to perform an investigation into the levee system and flooding within Riverside Park. All in favor. Motion carried.

E. Incode Software Module – City Clerk Hutton reviewed the purchasing module with the council, noting that adding the purchase module to the system will produce a consistent system throughout out the city departments. The additional cost to add other city facilities onto the server is yet to be determined. Motion made by Council Member Franklin to purchase the purchasing policy module from Tyler Technologies at a cost of \$7,675 with an annual maintenance fee of \$1,544 which will be divided between all of the department budgets, connecting all city facilities into the main server. Motion seconded by Council Member Stewart. All in favor. Motion carried.

ROUNDTABLE

A. Notification Procedures - Discussion – Currently staff sends meeting notices to those that have requested via email, fax and regular mail. Staff would like to advise all individuals that have requested notification via email only and require a yearly update of such list. It was noted that possibly the agendas could also be placed on the website. Motion made by Council Member Becker and seconded by Council Member Stewart to advise those on the meeting call list that the notification method to be used in the future will be by e-mailonly. All in favor. Motion carried.

COUNCIL & ADMINISTRATOR REPORTS

A. Mayor Shirley –

- Mayor Shirley commended City Clerk Hutton for obtaining her Certified Municipal Clerk status.
- Noted he will set up a special meeting after Wednesday to appoint new council members to the two open positions. The meeting will be held at a time when most of the public would be able to attend.
- Asked Administrator Slaugh to give an update on the Water Conservation Stage II order that was put into place today.

B. Council Member Stewart –

- None

C. Council Member Callahan –

- Absent

D. Council Member Wicoff –

- None

E. Council Member Franklin –

- None

F. Council Member Kilby –

- None

G. Council Member Becker –

- None

H. Council Member Rowe –

- Absent

I. Council Member French –

- None

J. Administrator Slaugh –

- Reviewed the chip and seal project; to date expenditures have been \$257,979.83 not including labor and equipment use.
- Reviewed the bidding process that was followed recently concerning the demolition of the substandard properties. A formal bidding process was not done because the cost was expected to be below the \$15,000 limit provided for within the purchasing policy.

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- Water conservation order put into place at the direction of the water assurance district. Stage II drought restrictions implemented.

DATE / TIME OF NEXT MEETING

City Council Meeting 6:00 p.m. Monday August 27th 2012

City Council Meeting 6:00 p.m. Monday, September 10th 2012

ADJOURNMENT

6:50 p.m. Motion made by Council Member Stewart and seconded by Council Member Franklin 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 27th day of August 2012.

Mayor, William A. Shirley

City Clerk, Roxanne Hutton