

A regular meeting of the City Council of the City of Iola was held on December 20, 2012, at 6:00 p.m., at the Riverside Park Community Building, 510 Park Avenue, Iola, Kansas.

CALL MEETING TO ORDER

Council President Wicoff called the meeting to order at 6:00 p.m.

ROLL CALL

Council Members Becker, Kilby, French, Wicoff, Franklin, Ford, and Stewart were present. Also present were Administrator Slaugh, and City Clerk Roxanne Hutton. Absent were Mayor Shirley and Council Member Toland.

REVIEW & APPROVAL OF AGENDA

Administrator Slaugh requested that item 9 be moved to under item 13 (j). Motion made by Council Member Stewart and seconded by Council Member Ford to approve the agenda with the above mention change. All in favor. Motion carried.

PUBLIC COMMENTS

- Donna Houser complimented Council Member Stewart on the prayer this evening, Council Member Ford on her daughter's accomplishments at Pittsburg State University, and Council Member French on his beautiful home.
- Donna Houser informed the council that her and Kara Godfrey had completed and submitted the paperwork required for the CITF/PRIDE committee. The city was awarded a City of Excellence. A copy of the notification is in the packet.
- Council Member Stewart thanked Paul Sorenson for the can of nuts he had given to all members of the council earlier in the evening as a Christmas gift.

CONSENT AGENDA

A. Minutes Approval – December 10, 2012

B. Appropriations Approval – 2012-24

C. Personnel Action Items –

- **Ryan Sell – Fire Department - Promotion**

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

NEW BUSINESS

A. 2012 Budget Amendments – Public Hearing - Council President Wicoff called the public hearing to order. No comments were given from the public. Council President Wicoff closed the public hearing. City Clerk Hutton gave a brief synopsis of the budget amendments. Motion made by Council Member Stewart and seconded by Council Member Ford to approve the 2012 budget amendments. All in favor. Motion carried.

B. CDBG Housing Project – Shonda Jefferis- Bid Opening for six projects were received and opened on December 13, 2012. Laura Moore, Grant Administrator sent a recommendation to award Ewing Construction, Erie Kansas the bid for 401 S Third in the amount of \$20,000, Nance Construction, Galesburg, Ks the bids for 310 S Second in the amount of \$24,200 and 418 S First in the amount of \$17,700, and S&A Construction, Wichita, Kansas for 203 S Second in the amount of \$19,400 and 402 S First in the amount of \$19,568. Ms. Jefferis noted that the second highest bid is being awarded for the property at 401 S Third for time sake, the low bid is being awarded other projects and would not be able to accomplish all of the tasks in the time allotted. Motion made by Council Member Stewart to award the bids as proposed by Laura Moore for the above properties. Motion seconded by Council Member Franklin. Council Member French asked if the proper release had been obtained for the demolition. Ms. Jefferis assured him that the owner had signed the release. Administrator Slaugh congratulated Ms. Jefferis on expending the funds for the grant. All in favor. Motion carried.

C. GAAP Waiver - Resolution –Motion made by Council Member Franklin to approve the GAAP Waiver Resolution. Motion seconded by Council Member Stewart. All in favor. Motion carried.

D. Future Council Meeting Dates – Staff has placed this on the agenda for consideration in adjusting three city council meetings in 2013. The following listed council meetings fall on observed holidays that the city facilities are closed. May 27th – Memorial Day; October 14th – Columbus Day; November 11th – Veteran’s Day. Motion made by Council Member Stewart to move the three meeting dates that fall on the above holidays to the following Tuesday. Motion seconded by Council Member Becker. All in favor. Motion carried.

E. 2013 Fuel Purchases – Bid Acceptance – Bids were solicited for Gasoline and Diesel. Hampel Oil and Lybarger Oil submitted bids. Motion made by Council Member Franklin to follow staff’s recommendation to award Hampel Oil the bid at .06 per gallon over the rack price for gasoline and .07 per gallon over the rack price for diesel. Motion seconded by Council Member Ford. All in favor. Motion carried.

UNFINISHED BUSINESS

A. EMS Billing Proposals - Administrator Slaugh presented quotes from the previous meeting on this agenda item and added one from Allen County Sheriff’s office. The rate from them would be 8% and would include any postage required. Administrator Slaugh stated that one of the bidders stated postage cost would be approximately \$100 per month. Administrator Slaugh noted that the national average is 50% collection rate, the county is currently at 55% and the city at 36% according to the state report done earlier this year. Council Member Ford wondered if Terry Call would have too much work to do with the added billing. Council Member French wondered about Mr. Call’s training if not kept up to date he could lose some reimbursement. Council Member Ford would like information on the total amount billed, total amount

collected and potential collections not being obtained currently if the amount we are paying the current employee compares to the 8% cost of contracting it out. Administrator Slaugh noted that the County Commissioners are interested in making this work for both parties involved, however if it becomes too much work for Mr. Call the cities billing may be what gets put on the back burner. Council Member Stewart stated that the current employee that is billing for the city does have full-time responsibilities also and reminded the councilmembers that if the money is not there no matter how many times a person requests it you will not receive it. Council Member French would like to hire an outside company so that if it came time for the city and the county to look at merging an ambulance service the cities billing would be in neutral party's hands. Noting if the county did take over the service the contract would probably be null and void with the ambulance billing company because there would no longer be a city service. It was the consensus of the council to obtain the figures requested and bring back to the next meeting.

6:22 p.m. Attorney Bob Johnson arrived at the meeting.

6:29 p.m. Attorney Johnson and Ken Hunt went to the executive session room.

B. Bicycle Ordinance – The ordinance was revised from the last meeting for bicycles to be allowed on public sidewalks throughout town including the downtown business district. Council Member French had some concerns about paragraph D it sounds like police officers would be excused from liability if they are just riding on routine patrol and run into an individual. Motion made by Council Member Stewart to approve the ordinance. Motion seconded by Council Member Ford. The motion was then amended to include language of an officer's liability if he was riding on the sidewalk and ran into someone during routine patrol. The motion was then rescinded by Council Member Stewart and tabled until the next meeting until the language could be corrected.

C. Purchasing Policy Amendments – At the December 10, 2012 city council meeting a recommendation was made to replace the gratuities and kickback policy in the purchasing policy agree with the same policy in the personnel manual. The Purchasing Policy Ordinance has been amended to include these changes. There were two areas previously approved by the council that were left out of the last amendment. Motion made by Council Member Stewart to approve the ordinance amendment. Motion seconded by Council Member Becker. All in favor. Motion carried.

D. New Policy Discussions – 2011 Audit – Administrator Slaugh presented policies recommended by the 2011 audit. Administrator Slaugh noted that the cash balance policy is a goal for staff and council to consider when working through the budget process. Motion made by Council Member French to approve the policies and procedures that will form the basis of corrective actions recommended by the 2011 audit. Motion seconded by Council Member Stewart. All in favor. Motion carried.

ROUNDTABLE

A. Building Codes - Discussion – The City of Iola currently utilizes the 2000 International Building Codes and the 2002 National Electrical Code as its standard for building projects. The International Building Codes are updated every three years; the most recently published codes being the 2012 editions. Three proposals were presented to the council according to which version the council would like to adopt for the city. Staff would like to obtain version 2012 to review for possible exclusions. Council Member Wicoff noted that the 2012 version does have wind speed provisions that local contractors may have trouble adhering to. Motion made by Council Member Franklin to obtain the 2012 version of the International Building Codes for review. Motion seconded by Council Member Kilby. Council Member French noted that it would be helpful if Council Member Wicoff reviewed the codes with staff before presenting to the council since he has knowledge in this area. All in favor. Motion carried.

B. Entry Way Signs- There is four monument type entryway signs in the City of Iola. The signs have held up very well for many years, but they are starting to show wear, mainly the lumber is showing severe sun rot. Code Enforcement Officer Shonda Jefferis stated that she has contacted the sign companies that bid previously to obtain current prices. Council Member French stated that he wondered if the signs quoted could be used with the current stone work in place. Council Member Stewart stated that he would like to see the council use the HDU material over the aluminum because of its durability. The council members also wanted to assure that using the stone that is in place would not be cost prohibitive. Motion made by Council Member Stewart to continue to pursue bids on the signs and move forward with the project looking at all options including using the previous stone in place. Motion seconded by Council Member Franklin. All in favor. Motion carried.

COUNCIL & ADMINISTRATOR REPORTS

A. Mayor Shirley –

- Absent

B. Council Member Stewart –

- None

C. Council Member Ford –

- Had one member of her ward approach her about the Connecticut school shooting stating that they would be interested in paying higher taxes to station a police officer at the schools. She would like the council to think about this. Administrator Slaugh noted that in Kansas if a school district wants a resource officer in the schools it is up to them to contract with the city and pay for the services.

D. Council Member Wicoff –

- Commented on the wind factor he discussed in the building code issue earlier in the meeting. Noting that the wind forces have actually reduced in the area.

E. Council Member Franklin –

- Asked about the securities with the bank. City Clerk Hutton stated that she had sent an email following the last council meeting to all of the council members stating that the bank does have securities in place and sends a monthly report to the city clerk. The auditors review the securities annually during the audit.

F. Council Member Kilby –

- None

G. Council Member Becker –

- None

H. Council Member Toland –

- Absent

I. Council Member French –

- Reminded everyone that the employee luncheon will be held on December 28th from 11-1.

J. Administrator Slaugh –

- Thanked Code Enforcement Officer Shonda Jefferis for obtaining approval from all of the entities. It is now in place.
- Annexation will be presented to the Planning Commission in January and then will be brought to the council in late January or February.
- Reminded the Council that the Strategic Planning meeting will be held on Saturday, January 26th at 8:00 a.m.
- The Joint City/County Meeting is scheduled for February 4th, 2013 at 6:00 p.m. at the Creitz Recital Hall at the Bowlus..
- The Kansas Power Pool will be assessing the city a 2.86% increase in rates due to our notice of termination with them. Staff is working on an agreement with Westar. The five cities involved in the South wind Energy Group will exit KPP at the same time this could cause the City of Iola to extend our contract with KPP a couple of months.
- Council Member French asked if the city would pass the 2.86% cost onto its citizens or absorb it. Administrator Slaugh noted that it would be part of the electric cost adjustment passed onto the customers.
- City Attorney Apt has given his notice to end his service as the city prosecutor effective January 1, 2013. Wade Bowie will fill in until the position is filled. Council Member French asked if the city had advertised for the position. Administrator Slaugh stated he would review the minutes to see if that was the request of the council.

EXECUTIVE SESSION – Attorney / Client 7: 30 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 - Potential Litigation Matters. All in favor. Motion carried. Present:

Council Members, Administrator Slaugh and Attorney Johnson. The open meeting to resume in the Council Room at 8:00 p.m.

7:45 p.m. Council Member Toland arrived and entered executive session.

EXECUTIVE SESSION – Attorney / Client 8:00 p.m. K.S.A.75-4319

Motion was made by Council Member Kilby and seconded by Council Member Ford to recess into “Executive Session” for the purpose of conducting a meeting to discuss Attorney / Client Matters – Potential Litigation. Voting in favor of the motion were council members Ford, Becker, Kilby, French and Wicoff. Motion carried. Present: Council Members, Administrator Slaugh and Attorney Johnson. The open meeting to resume in the Council Room at 8:30 p.m.

EXECUTIVE SESSION – Attorney / Client 8:30 p.m. K.S.A.75-4319

Motion was made by Council Member Becker and seconded by Council Member Kilby to recess into “Executive Session” for the purpose of conducting a meeting to discuss Attorney / Client Matters – Potential Litigation. Voting in favor of the motion were council members Ford, Becker, Kilby, French and Toland. Motion carried. Present: Council Members, Administrator Slaugh and Attorney Johnson. The open meeting to resume in the Council Room at 9:00 p.m.

EXECUTIVE SESSION – Attorney / Client 9:00 p.m. K.S.A.75-4319

Motion was made by Council Member Kilby and seconded by Council Member Ford to recess into “Executive Session” for the purpose of conducting a meeting to discuss Attorney / Client Matters – Potential Litigation. Voting in favor of the motion were council members Ford, Becker, Kilby, Franklin and Wicoff. Motion carried. Present: Council Members, Administrator Slaugh and Attorney Johnson. The open meeting to resume in the Council Room at 9:30 p.m.

DATE / TIME OF NEXT MEETING

City Council Meeting 6:00 p.m. Monday, January 14th, 2013

City Council Meeting 6:00 p.m. Monday, January 28th, 2013

ADJOURNMENT

9:35 p.m. Motion made by Council Member Becker and seconded by Council Member Franklin to adjourn the meeting. As the vote was unanimous, the meeting was declared adjourned.

CITY OF IOLA

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Approved by the City Council of the City of Iola, Kansas this 14th day of January 2013.

Mayor, William A. Shirley

City Clerk, Roxanne Hutton