

A regular meeting of the City Council of the City of Iola was held on October 8, 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, Franklin, Toland and Ford were present. Also present were Administrator Slauch and City Clerk Hutton.

### **REVIEW & APPROVAL OF AGENDA**

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

### **PUBLIC COMMENTS**

- Donna Houser pointed out the article about the Elm Creek Park in the League of Kansas Municipalities Magazine, Kansas Government Journal for September. The article was written by Tony Godfrey and submitted by Kara Godfrey.
- Reminded the council that the annual Allen County Historical Society meeting is this Saturday at the North Community Building. Iola Citizen Gary Hawk will be inducted into the Allen County Hall of Fame. Dinner is at 6:00 p.m. with a charge of \$15.00. The meeting begins at 7:00 p.m. and is free to the public.
- Buster Keaton Festival went well.

### **CONSENT AGENDA**

**A. Minutes Approval** – September 24<sup>th</sup> and September 26<sup>th</sup>, 2012

**B. Appropriations Approval** – 2012-19

**C. Personnel Action Items** –

- **Toby Ross – Water Production – Annual Review**

A motion was made by Council Member Stewart and seconded by Council Member French to approve the consent agenda changing page 3 of the minutes where it shows Council Member Franklin making a motion and seconding it also and on page 5 where it shows Council Member Franklin absent. All in favor. Motion carried.

### **UNFINISHED BUSINESS**

**A. Iola Recreation Discussions** - Brad Yoder, Recreation Director, reviewed the guidelines for background checks on coaches. Council Member Toland questioned whether or not we were covering everything that our insurance company would like us to cover for liability purposes. Motion made by Council Member Stewart to approve the background check guidelines with Brad obtaining an approval from our

insurance carrier. Motion seconded by Council Member Toland. All in favor. Motion carried.

Recreation Director Brad Yoder reviewed the 2012 swimming pool report. The 2012 report showed a net loss of \$46,441.69 compared to the 2011 report, which showed a \$69,367.05 net loss. Brad credited help from Parks/Cemetery Superintendent Berkley Kerr for his help on chemical usage and his staff. Council Member French noted that the insurance costs seemed to be increasing at a rapid rate from 2010 to 2012 and asked staff to look into this. Council Member Stewart commended Brad for his cost saving efforts. The entire council echoed his praise.

## **NEW BUSINESS**

**A. Recreational Dog Park** – Representatives from Sonic Equipment and the dog park committee selected the name of “Happy Tails” Dog Park from school age children that were asked to come up with a name for the park. They are asking for the council’s consideration and endorsement of the name. Sonic Equipment is planning a grand opening in the spring. The park is almost ready to be used. Staff recommended the rules for the park and is asking for approval by the council of the rules so that signs can be ordered. Council Member French wondered if the hours of operation needed to be added to the sign so that there would be no miscommunication of usage after dark. Administrator Slauch noted that the hours of all of the parks is noted in the municipal code and therefore would not need to be posted at the park. Motion made by Council Member Becker to approve the name Happy Tails for the dog park and to approve the rules presented. Motion seconded by Council Member Franklin. All in favor. Motion carried.

**B. Iola Industries – Economic Development Position-** A proposal has been discussed over the previous months to add an economic development resource that would provide services to the whole county. At the Iola Industries meetings September 10 and October 1 more detail was presented on options. The proposal presented by Glen Buchholz from Iola Industries to have THRIVE staff work on economic development leads and projects that would serve the entire county on a part time basis. Proposed funding for the part-time economic development position would come one-third from Allen County, one-third from the City of Iola, and one-third from Iola Industries. The proposed initial budget for the part-time position is \$45,000 with \$15,000 to come from the City of Iola. The budget includes salary, benefits and some overhead expenses. The City of Iola would fund this position from the Industrial Revenue Fund, which receives revenues from a property tax levy of one mill or about \$30,000 per year. This will be done on a one-year trial basis. Council Member Toland stated he will be abstaining from discussion and voting on this issue due to conflict of interest since he is a THRIVE employee. Jim Gilpin noted that Iola Industries have appointed John Masterson and Glen Buchholz to oversee the program. Motion made by Council Member Franklin to approve the effort to establish the economic development position allocating \$15,000 for the position. Motion seconded by Council Member Ford. Mayor Shirley asked Mr. Gilpin what would happen if the county did not support the position. Voting in

favor of the motion were Council Members Ford, Kilby, Stewart, Wicoff, Becker, Franklin and French. Abstaining from the vote was Council Member Toland. Motion carried by a majority vote.

**C. Asphalt Purchases – Discussions** – Staff wants to discuss the purchasing of approximately 300 tons of asphalt. This purchase would be for the patching of the water line project on South Walnut Street from Madison Avenue to Rock Street and would also include various water leak patch areas throughout town. Staff received bids from three different sources SeKan Asphalt for \$64.00 per ton, Venture Corporation located 4 miles NE of 59 & 169 Junction for \$76.00 per ton and Whitaker Aggregates located at Mound City Quarry for \$61.00 per ton. Staff is seeking council approval of waiving the formal bid process for the purpose of purchasing asphalt material for patching streets prior to winter weather. If approved staff will purchase asphalt material from SeKan Asphalt. This is due to the proximity of their plant unless an availability issue arises in which case we would purchase material for this project from Venture Corporation as long as weather conditions allow. Since an unknown amount is to be purchased it is possible that the \$15,000 sealed bid limit may be exceeded. Staff is asking that the council waive this policy rule. Council Member French asked why Venture would be the second choice since they are more costly. Assistant Administrator Schinstock noted that the distance of the plant would be considered if the weather became a factor, otherwise staff would go with Whitaker. Council Member French noted that this is the part of the policy that allows for the council to make exceptions to the policy to buy locally because the cost difference is not worth the added expense of going out of town to obtain the material. Motion made by Council Member French to approve staff's recommendation for the purchase of asphalt. Motion seconded by Council Member Franklin. All in favor. Motion carried.

**D. Southwind Energy Group – Electric Transmission** - The first draft of a Southwind Energy agreement was approved by the city council September 8, 2012. Since that time some minor edits have been made and reviewed by the Westar Energy attorney and member cities. The revised draft is presented again for approval. City Attorney Apt has reviewed the agreement. Council Member French inquired as to what would take place if Centralia or Arcadia did not participate. Administrator Slauch noted that the remaining cities would split the \$18,000 committed for these two cities. Motion made by Council Member Becker to approve the revised draft agreement with Westar Energy Inc. and authorize the mayor to sign the necessary documents. Motion seconded by Council Member Stewart. All in favor. Motion carried.

**E. Blue Cross Blue Shield Insurance Renewal** – The City is self-insured with BCBS of KS administering the plan. The premium for 2013 has decreased, down approximately 8.5% from 2012. The premium in 2012 was \$351.57 and \$ 321.87 for 2013 for single coverage and \$778.63 to \$709.71 for family. The city pays 100% of the premium for single employees. Employees pay \$250.00 per month towards the premium for family coverage. The reduction in premium for 2013 is based 95%

on claims history over the previous 32 months and 5% on statewide averages. On March 26, 2012 a motion was made by the council to require employees pay the entire family portion of the premium. If this were to happen the city would lose its grandfathered status, which would force the city to cover preventive medical tests for all members on the plan, which could increase the plan liability. David Dillon, representative from BCBS of KS informed the council that the city has had a healthy year. Since the city went to this plan in 2004, the first entity in the State of Kansas to adopt a Health Savings type plan, the city has been able to pay the entire cost for a single employee premium.

- Council Member Toland asked Mr. Dillon if he knew what the cost savings in dollars would be if the city adopted the option where preventative health services would be provided and a catastrophic illness was caught early versus an employee not discovering a catastrophic illness until symptoms appeared. Mr. Dillon did not have those numbers available.
- Council Member Ford noted that most of those preventative services are covered in the city health fair that is conducted every year.
- Council Member Toland wondered if a wellness type program were to be adopted by the city would this cut premium cost down enough to cover the costs of the program. Mr. Dillon noted that Neosho Regional Medical Center has adopted a wellness program and it is very costly, however they are tracking savings and it will be determined what if any cost savings they obtained.
- Council Member French noted that it is rare to find an employer today that covers 100% of the employee's share of the premium. His employer allows cost savings to the employee on their premium if they attend wellness programs. Administrator Slaugh noted that the high deductible cost for the employee saves the plan money.
- A motion was made by Council Member Stewart to renew the medical policy for the City of Iola with Blue Cross Blue Shield for the period of 11/01/2012 to 10/31/2013 using option #1 and make adjustments to the retirement rates for the 2012-2013 year for single \$380.37 and family \$838.98. Change the contribution the city makes to the fund to reflect the single rate of \$380.37 and the remaining \$588.98 family rate which is the \$838.98 premium minus the \$250.00 the employee pays. Change the personnel policy manual to reflect provisions for annual rates as approved by the council. Motion seconded by Council Member Becker. All in favor. Motion carried.

**F. Bill Farmer Incident –Settlement – Tonya Shaugnessy made a claim** for reimbursement of expenses to her and potential damages to her father, Bill Farmer, associated with his arrest on April 14, 2012. A settlement agreement was reached with Tonya and Bill and needs to be formally approved by the city council. A motion was made by Council Member Stewart to approve the settlement agreement with Tonya Shaugnessy and William O. Farmer. Motion seconded by Council Member Becker. All in favor. Motion carried.

**G. FEMA PW –847 Payment** – The pump stations were flooded in 2007 and later engineers determined that two pumps and associated wiring and controls needed to be replaced. FEMA officials authorized a payment of \$40,000 and the funding was paid to the city. Later a consulting engineer under contract with FEMA made a recommendation that the pumps could be repaired rather than be replaced. The pumps were repaired, but failed shortly thereafter. Part of the proposal under a pending wastewater improvement project is to abandon the auxiliary lift station. Appeals were made to FEMA to retain the \$40,000 to contribute towards the cost of improvements to the main lift station. The two appeals to FEMA have been denied and a request for return of the remaining funds has been made. Council Member Toland requested that staff consult with Van Scoyoc to see if they could assist the city in appealing the decision before paying back the money.

**H. Collective Bargaining – Iola Fire Department** – A resolution was presented to the council for consideration. Robert Wing, President, IAFF Local 64 and Kansas State Council of Fire Fighters from Kansas City, Kansas informed the group that it is not a collective bargaining agreement; it is a Meet and Confer agreement.

- Council Member French stated that if we value the fire department employees we should be willing to adopt the agreement. Motion made by Council Member French to adopt the meet and confer agreement. Motion seconded by Council Member Kilby with the correction of the word commission changed to council.
- Council Member Wicoff stated that he felt there would be a lot of paperwork involved, which would cut down efficiency. He also noted that the closed door meetings described in the agreement would not be good due to prior issues this council has had with closed door meetings.
- Council Member Wicoff noted that he has always voiced to the fire department employees that if they had any issues they could speak to him at any time. He is not aware of any unsafe environment or of firemen not being adequately trained. Mr. Wing stated that the employees are not stating that these issues exist now, however they want to have effective and meaningful input from the employees and believe it is in their best interest to have this kind of representation.
- Council Member Wicoff wondered what affect this might have on the future with the county on the ambulance issue.
- Council Member Becker wondered what would happen to the other departments if the fire department were to be represented by the union. He also stated that he felt the firemen felt free to come to him with any issue and have in the past.
- Administrator Slauch noted that he feels the current system in place with every department having representation at the employee task force is a good system. If this agreement were to be adopted the city would be forced to lose control of benefits, safety issues, wages etc. It would be best to continue with the task force.
- Council Member Toland commended the fire department and noted he is also open for comments from the employees, however he is concerned that the timing is

not good since the ambulance issue is on the table with proposed city/county discussions.

- Voting in favor of the motion were Council Members: Ford, Kilby and French. Voting against the motion were Council Members: Toland, Stewart, Becker, Wicoff and Franklin. Motion failed.

**7:31 p.m. Mayor Shirley declared a five-minute break.**

## **ROUNDTABLE**

**A. Bid Opening – Iola fire Department** – Sealed bids were received for the purchase of thermal imaging cameras for the fire department. The purchase of this equipment is funded by an Assistance to Firefighters Grant from FEMA for the purpose of purchasing equipment. In accordance with the city purchasing policy staff is requesting the opening of the bids and review by council. No action is requested at this time. City Clerk Hutton opened the sealed bids. Two bids were received one from Jerry Ingram Fire and Rescue in the amount of \$14,256 and one from Feld Fire in the amount of \$18,990. Staff will review all bids ensuring they meet the request for bid specifications. Fire Chief, Donald Leapheart asked the council to approve the higher bid from Feld Fire due to the quality of the equipment. Motion made by Council Member Becker to accept the bid from Feld Fire in the amount of \$18,990. Motion seconded by Council Member Stewart. Council Member Toland noted that he would like to see the purchasing policy modified so that staff can open sealed bids and review them prior to coming to council for approval to save time in the process. All in favor of the motion. Motion carried.

**B. Fire/EMS Discussion** – EMS Director Ron Conaway handed out a new plan to have the City of Iola run the EMS services for the entire county. Putting into place a board of medical staff to oversee the operations of the department. Staff is looking for feedback from council for further consideration. Council Member Stewart asked about long distance transfers. Mr. Conaway noted that in his plan Moran would be first in line to handle long distance transfers since their call numbers are the lowest of the service areas with Humboldt being the second units to be called out for a long distance transfer.

- Council Member French asked how many EMS employees the county currently has. No firm answer could be given. The plan calls for 12 employees to be added. The Safer Grant employees are not counted within the twelve.
- Council Member French would like staff to look into possibly hiring an outside agency to perform collections.
- Council Member Franklin inquired as to whether the Moran and Humboldt stations would be manned 24 hours. Ron noted that they would be a full 24-hour service. The plan currently calls for those employees to have some fire training also and they would be able to assist the volunteer fire services in the county.
- Council member Wicoff asked what portions of the calls are in rural areas. It was noted that there are about 2000 calls county wide with 800 of them being within the city.

- Council Member Toland asked Ron to explain what benefit the FLSA exemption would provide to the service. With this exemption overtime is not paid to employees until they reach over 56 hours of time per week.
- Council Member Toland noted that the size of the board may need to be increased to have proper representation from all involved. The plan would supplement the volunteer fire service provided in the county with support of training and grant availability. The council was in favor of Mr. Conaway presenting the plan to the EMS committee.

## **COUNCIL & ADMINISTRATOR REPORTS**

### **A. Mayor Shirley –**

- Congratulated Iola High School Football team for becoming League Champions.

### **B. Council Member Stewart –**

- None

### **C. Council Member Ford –**

- Encouraged everyone to attend the See Hear, Iola meetings.
- Loves the name Happy Tails for the dog park.

### **D. Council Member Wicoff –**

- None

### **E. Council Member Franklin –**

- Asked for names of new comers to Iola so they could be invited to the Coterie Club Meeting that will be held on October 29<sup>th</sup> at the Country Club. Was a great meeting last year.

### **F. Council Member Kilby –**

- Will be getting a new email and will send out to all contacts.

### **G. Council Member Becker –**

- Went to Okalahoma this past week and the Recreation Department had extra aluminum bats so he brought back 22 of them for the city.

### **H. Council Member Toland –**

- Asked where we were on an annexation study. Administrator Slaugh stated that the goal is to have Code Enforcement bring to the council after the first of the year.
- Asked if leads were obtained from the door-to-door campaign done by Code Services and Administrator Slaugh for the CDBG grant.

Administrator Slaugh noted that some leads were received, not sure how many of those would be approved.

- Commended Council Member Franklin on the Coterie Club. He was a speaker last year and it is a beneficial group to welcome newcomers.
- Would like city entrance signs placed on the agenda for the next meeting.

**I. Council Member French –**

- Commended council Member Toland for helping with the door-to-door campaign for the CDBG Grant program.

**J. Administrator Slaugh –**

- Gave a report on the citywide cleanup that was done last week by the Street and Alley Crew. 79 loads were hauled to the landfill, \$644.28 spent in fuel cost, 1596 miles driven, 270 manpower hours used. Total cost of the clean up \$14,925.76.
- Oak Street substation was repaired by the electric crew and is up and running.

Donna Houser informed the group that a new Executive Director has been hired for the Allen County Historical Center, her name is Elyssa Jackson. She is from California and has family in the area.

**DATE / TIME OF NEXT MEETING**

City Council Meeting 6:00 p.m. Monday October 22<sup>nd</sup> 2012

City Council Meeting 6:00 p.m. Monday, November 13<sup>th</sup> 2012

**ADJOURNMENT**

**8:12 p.m.** Motion made by Council Member Stewart and seconded by Council Member Kilby 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 22<sup>nd</sup> day of October 2012.

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Mayor, William A. Shirley

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City Clerk, Roxanne Hutton