

A regular meeting of the City Council of the City of Iola was held on February 25, 2013, 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, French, Wicoff, Ford, Toland and Stewart were present. Also present were Administrator Slaugh, and City Clerk Roxanne Hutton. Council Member Franklin was absent.

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

A. Barbara Anderson- Community Building Names – Jennifer Bass – McKenzie read a letter (attached to packet) from her mother Rosemary Bass, who was unable to attend the meeting due to the weather, in support of naming the community building Dr. John Silas Bass. Barbara Anderson read the obituary for Dr. Bass along with two letters that she had received from family members of Dr. Bass. Barbara attended services at the AME Ward Chapel last Sunday and visited with the members concerning the renaming of the building. Part of the renaming of the building would be to designate a historical wall within the building that would show not only the history of Dr. Bass but other African American citizens that have had an impact on the history of Iola as well. Donna Houser stated that at the last meeting she asked the council to get input from the city residents before renaming the building, she is not against renaming it for Dr. Bass she just wants the council to get public input. Mayor Shirley encouraged everyone to visit the Richard Allen Cultural Center in Leavenworth which has a lot of history about Dr. Bass. Angela Eyster, Safe base Coordinator, informed the council that she is supportive of preserving the history of Dr. Bass and plans to incorporate it within her safe base curriculum. Motion made by Council Member Toland and seconded by Council Member Stewart to rename the North Community Building located at 505 N Buckeye Dr. John Silas Bass North Community Center requesting staff come back to the council with new signage that is in conjunction with the Vision Iola scheme, dedicating a wall inside of the building as a historical wall to Dr. Bass. Council Member Becker stated that having the sign out front depict the history of Dr. Bass would be beneficial to those that do not enter the building. All in favor. Motion carried.

Donna Houser asked to read a statement that concerned a later agenda item because she had to leave the meeting early. The council had no objections. Mrs. Houser read a statement (attached to the packet) in support of working in conjunction with KDOT to redo US Highway 54 east of town.

Jim Talkington asked why he is not able to remove snow from the front of his office with a Kubota located at 20 N Washington. Administrator Slaugh will check into this and get back with him.

CONSENT AGENDA

A. Minutes Approval - February 11th, February 13th

B. Appropriations Approval – 2013-04

C. Personnel Action Items –

- **David Harrison – Sanitation – Six Month Evaluation**
- **Lance Barnes – Fire Department – Promotion**
- **Kenny Thompson – Fire Department – Promotion**
- **Andy Hill – Fire Department – Six Month Evaluation**
- **Charles Ecton – Fire Department – Six Month Evaluation**
- **Chi Wiggin – Clerk’s Office – Annual Evaluation**

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

NEW BUSINESS

A. Neighborhood Revitalization – Shaughnessy Request – T&R Foods LLC is requesting an exception to the adopted Neighborhood Revitalization Plan. Mayor Shirley opened the public hearing for comments. Mr. Robert Shaughnessy stated that they are waiting to break ground until they have a decision on this matter. USD 257 School Board stated they would approve the request if the council would approve it they have not gone to the college with their request yet. The public hearing was closed. Motion made by Council Member French and seconded by Council Member Kilby to approve the neighborhood revitalization exception for T&R Foods LLC. All in favor. Motion carried.

B. Farmers Market Request – Debbie Beardon, Secretary of the Allen County Farmers’ Market sent a letter requesting the closure of Washington Avenue from the north side of Madison Avenue to the south side of West Street every Thursday evening from April 11th to October 10th from 5:00 - 7:00 p.m. This request has been granted in years past. The group will place adequate signage warning the traveling public of the street closure. Motion made by Council Member Stewart to approve the request to close the street each Thursday to accommodate the farmers market. Motion seconded by Council Member Ford. All in favor. Motion carried. Council Member French requested that the group block the left turn lane further west so that drivers would know that the left turn lane is closed for use.

C. KDHE Wastewater Improvement – Loan Discussion – At the April 23, 2012 council meeting the council reviewed and approved an application to the Kansas Department of Health and Environment (KDHE) for a Kansas Water Pollution Control Revolving Loan Fund in the amount of \$732,000. The loan amount was adjusted to up to \$785,000 based on the final scope of the project as prepared by the engineer. The city has secured two EPA grants totaling \$768,000 that will be used to partially fund the collection system rehabilitation program. The EPA requires a 45% match by the City which is \$628,000. The total estimated cost of the proposed improvements is \$1,500,000. The EPA deadline for completing the project is October 31, 2013. Administrator Slaugh stated that the loan amount will be determined at the end of the project and could be adjusted

depending on the cost of the lift stations. Motion made by Council Member Stewart and seconded by Council Member Becker to approve an ordinance authorizing the execution of a loan agreement between Iola, Kansas and the State of Kansas, acting by and through the Kansas Department of Health and Environment for the purpose of financing a wastewater treatment project; establishing a dedicated source of revenue for repayment of such loan; authorizing and approving certain documents in connection therewith; and authorizing certain other actions in connection with the loan agreement. Council Member Wicoff asked about the length of the loan, to which Administrator Slauch stated it is a twenty year loan. All in favor. Motion carried.

D. CHUBB Insurance Renewal – The policy for the boiler and machinery is due for renewal on April 1, 2013. Mike Phillips and Iola Insurance representatives have agreed to a 3% increase in the value to cover replacement value. This policy covers all generators, switchgears, transformers and substations throughout the city. Council Member French asked if the coverage would include cyber-attack. Staff will look into this and report back to the council. Motion made by Council Member Becker and seconded by Council Member Toland to approve the renewal of the CHUBB Insurance policy for the period of April 1, 2013 to March 31, 2014 at a cost of \$72,912. All in favor. Motion carried.

E. CDBG Request for Payment – The demolition of the house at 409 S Third is complete and the contractor has submitted his invoice for payment in the amount of \$3,400. Motion made by Council Member Stewart and seconded by Council Member Toland to approve the mayor signing the request for payment of the invoice for the demolition of the house at 409 S Third. All in favor. Motion carried.

UNFINISHED BUSINESS

A. Allen County Animal Rescue Foundation Contract – Shonda Jefferis - Ms. Jefferis was unable to attend the meeting due to the weather. ACARF was not willing to drop the \$50.00 fee for each puppy or kitten born at the shelter. Larry Macha, ACARF Board Member was at the meeting to discuss the contract. He stated that ACARF felt lowering the fee from \$85.00 to \$50.00 was a good faith effort to help the city with the costs, noting that the center still has to clean up after the animals and provide the shots and medication required. It is cheaper to take the animals to ACARF then to take them to Iola Animal Clinic as shown by the enclosed prices and the animal would be euthanized at the end of the three day waiting period. Motion made by Council Member Toland to approve the contract with ACARF as presented. Motion seconded by Council Member Becker. All in favor. Motion carried. Council Member French asked that staff look into possible grants that would pay for spay and neuter of non-domesticated cats to help with the feral cat population.

B. U.S. Highway Project Agreement– Since the last council meeting staff has received a number of concerns from residents and a local business owner stating that the city should not pass up on this opportunity for this project. The business owner stated that they are located on State Street and was there when the last road project was done and had access to their business and didn't see a negative impact on their business. During the water

leak last weekend staff had the opportunity to observe a cross section of what the concrete is like under the asphalt overlay. KDOT Engineer, Darin Petrowsky gave an overview of the project stating the timeline for the section in front of the businesses within the city limits is short a \$2,500 per day penalty will be assessed for overages. The core samples showed that the road needs a full depth restoration. The actual contractor will have to come up with access routes, visiting with landowners and discussing their needs. KDOT has full authority to shut down the project if the contractor is not providing and maintaining access roads. Council Member Toland asked wouldn't the contractor make an access road the quickest and cheapest way. Would like the business owners to have an opportunity to discuss their concerns with the contractor at the preconstruction meeting. Storrer Implement owner Robbie Storrer was concerned about who he would contact when he needed to get an oversized vehicle in or out of his property. Jarod Kelly will be the engineer for the project and could be contacted at any time. Administrator Slauch noted that the concerns are if the business owners would have access to their property and the dollar impact on the business, noting that with the construction crew on site they will be trading at the businesses. Larry Macha stated that asphalt is faster and that going with the concrete would make a greater economic impact on the businesses. Council Member French stated that if the council chose to go with the concrete Assistant Administrator Schinstock would need to have his workload shifted to be free to be on top of the project and visit with business owners ongoing during the construction to assure their needs are met. Council Member Wicoff noted that with the core samples and the pictures from the recent water leak it is obvious that the road is not in the best condition. Council Member Kilby had some concerns that there were still unanswered questions concerning the cities portion of the project. Motion made by Council Member Becker and seconded by Council Member Wicoff to continue with the project with a full depth restoration using the concrete product. Voting in favor of the motion were council members: Wicoff, Becker and Stewart. Voting against the motion were council members: French, Kilby, Ford and Toland. Motion failed.

C. High Service Pump – Bid Acceptance – In coordination with Ponzer-Youngquist engineer John Brann, bids were solicited for a high service pump at the water plant. This project, to replace the 200 horse power high service pump at the water plant, was proposed as a supplemental environmental project (SEP) in order to reduce the penalty imposed by the EPA for violations of the wastewater treatment permit for the City of Iola. The project was envisioned to be a total of \$40,000. At the bid opening on January 8, 2013 two bids was received one from Fluid Equipment for \$118,500 and one from Douglas Pump Service for \$139,964. Staff discussed the options of dealing with the project with the EPA point of contact, Chris Simmons, and in order to combine the high service pump project with another project to get a more competitive bid, both projects would have to be rebid. A reduced price, in the amount of \$97,700 from the January 9 bid was obtained after discussing some of the proposed elements with both electrical engineers. City staff will contract directly with MicroComm for installation or modifications of SCADA controls for a net savings of approximately \$1,000. Motion made by Council Member Stewart and seconded by Council Member Toland to approve the revised bid from Fluid Equipment for replacement of a high service pump at the water plant in the amount of \$97,700. All in favor. Motion carried.

D. City Attorney Contract Approval – The city conducted interviews for a city attorney November 1, 2012 and elected to continue the discussions after regular session on November 13, 2012. The city council selected Robert Johnson II to be the new city attorney. The city council agreed to divide the responsibilities of city attorney and city prosecutor with a separate contract for each. County Attorney Wade Bowie has been filling in temporarily as the city prosecutor pending completion of the KOMA investigation. A contract was presented to the council for Wade Bowie to continue as the City Prosecutor. Motion made by Council Member Toland and seconded by Council Member Stewart to appoint Wade Bowie as City Prosecutor per the presented contract. Voting in favor of the motion were Council Members: Toland, Ford, Kilby, Stewart, Wicoff and Becker. Voting against the motion was Council Member French.

Mayor Shirley declared a five-minute break.

ROUNDTABLE

A. Fire / EMS Discussions – In an effort to reach a resolution on a possible merger of city and county EMS services, a review of the basics of the city service are provided. Iola EMS Director Ron Conaway gave a brief overview of the difference between Type I and Type IIA Service. Council Member Toland told County Commissioners Works and Talkington that he appreciated them coming to the meeting and showing an interest in the open discussion between the two governing bodies.

COUNCIL & ADMINISTRATOR REPORTS

A. Mayor Shirley –

- Noted that the mayor can cancel a council meeting due to weather if necessary.

B. Council Member Stewart –

- None.

C. Council Member Ford –

- Possible chance to clean up the river bank while the river is low.
- Sidewalk being torn up by semi-trucks across from Rivertree Church.

D. Council Member Wicoff –

- Some of his colleagues attended the Bowlus event last Saturday and dined in a local restaurant and was very impressed with the town. It was noted at the Bowlus event that 32 cities were represented in the audience.

E. Council Member Franklin –

- Absent

F. Council Member Kilby –

- None

G. Council Member Becker –

- None

A. Council Member Toland –

- Asked if the tree limbs had been trimmed out of the power lines at Elm Creek Park South. Assistant Administrator Schinstock noted they had been trimmed and they were actually in the cable lines.

B. Council Member French –

- Would like the council to receive a quarterly report on sales tax received by the city and the amount sent to the county for the hospital.

C. Administrator Slauch –

- Informed the council that a public comment period has been opened for the dredging of John Redmond.

DATE / TIME OF NEXT MEETING

Joint City / County Meeting 6:00 p.m. Monday, March 4th, 2013

City Council Meeting 6:00 p.m. Monday, March 11th, 2013

City Council Meeting 6:00 p.m. Monday, March 25th, 2013

ADJOURNMENT

8:15 p.m. Motion made by Council Member Becker and 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 11th day of March 2013.

Mayor, William A. Shirley

City Clerk, Roxanne Hutton