

A regular meeting of the City Council of the City of Iola was held on January 28, 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, Franklin, Toland, Ford, and Stewart were present. Also present were Administrator Slaugh, Attorney Robert Johnson III and City Clerk Roxanne Hutton.

REVIEW & APPROVAL OF AGENDA

Administrator Slaugh requested adding an executive session after 6A. Motion made by Council Member Franklin and seconded by Council Member Becker to approve the agenda with the request of executive session. All in favor. Motion carried.

PUBLIC COMMENTS

Donna Houser spoke on behalf of CITE/PRIDE – The group is looking at making historic signs that will be mounted to the decorative light fixtures around the square. The signs will create a “walking tour” of the square. The group is trying to obtain a \$4,000 (50/50) partner grant; they have secured the matching \$2,000. They are asking permission to do the signage project. The signs will be four-color vinyl with digital print. They are also requesting if the county will give permission to put berms on the south side of the square if the city would be willing to put in approximately 750 foot of water line and a frost free hydrant. Motion made by Council Member French and seconded by Council Member Franklin to allow the banners to be put on the existing light poles. All in favor. Motion carried. Council Member French commended the group for stepping up and promoting pride in the community. Council Members asked staff to come up with a cost analysis on running the water line and present back to the council.

Becky Nilges inquired about statements read at council meetings and become part of the official record, why can't they be available on the website with the minutes. City Clerk Hutton and Attorney Johnson noted that the document is part of the official record, however it is not a part of the minutes, therefore it would need to be requested through an open records request.

EXECUTIVE SESSION – Attorney / Client 6:19 p.m. K.S.A.75-4319

Motion was made by Council Member Stewart and seconded by Council Member Becker to recess into “Executive Session” for the purpose of conducting a meeting to discuss Attorney / Client Matters – Potential Litigation. All in favor. Motion carried. Present: Council Members, Administrator Slaugh and Attorney Johnson. The open meeting to resume in the Council Room at 6:29 p.m.

Council Member Wicoff stated that since a claim letter has been received from Ken Hunt he made a motion to authorize the mayor to sign the settlement agreement with Ken Hunt

settling all of his claims against the city with the facts surrounding his termination. Motion seconded by Council Member Becker. All in favor. Motion carried.

Council Member Wicoff then read a formal apology. "We apologize for the circumstances surrounding your termination and we hope this settlement helps everyone to move forward."

CONSENT AGENDA

A. Minutes Approval - January 14, 2013

B. Appropriations Approval – 2013-02

C. Personnel Action Items –

- **Shonda Jefferis – 6 Month Evaluation – Code Services**

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

UNFINISHED BUSINESS

A. Entryway Signage - New price quotes were received from Hawk Business Specialties, Tri-Mark Signworks, SS Graphics and Signs by Tomorrow for the HDU product and price quotes were also received from Diebolt Lumber and Klein Lumber for replacing the weathered lumber in the existing signs. Quotes were as follows Hawk: \$22,084.76 for all four signs, SS Graphics \$12,095.80 for two signs, TriMark \$28,732.00 for four signs, Diebolt Lumber \$1,817.08 for material to replace lumber in the four signs in yellow pine, Klein Lumber \$3,201.68 for material to replace lumber in four signs in cedar. There was a consensus from the council to obtain comparative bids on the same product from Klein and Diebolt and table until the next meeting.

NEW BUSINESS

A. Tax Rebate Request - T&R Foods LLC is requesting incentives to build a Sam & Louie's Pizzeria in Iola. The planned new construction is to be located at 2200 N State Street. They are requesting a ten year property tax rebate program identical to the one offered in the neighborhood revitalization plan. The area in question is not in the neighborhood revitalization and area and would not meet the definition of a blighted area if it was. This request would only be for the rebate of city property taxes as they will need to petition to the other taxing agencies for rebate of the county, school and college. The second request is for waiving of all city permit fees, inspection fees and utility connection fees. The lot has immediate access to all utilities. Administrator Slauch noted that this did not fall within the Neighborhood Revitalization Program because it was out of the area and not in a blighted neighborhood. Motion made by Council Member Stewart to grant the tax abatement as requested on the property. Motion seconded by Council Member Toland. All in favor. Motion carried. Motion made by Council Member Ford and seconded by Council Member Stewart to waive the city permit fees, utility connection fees and inspection fees for the property. All in favor. Motion carried.

B. CDBG Housing Grant- Staff is seeking approval of payment for demolition of the house at 202 S Third in the amount of \$3,500. Motion made by Council Member Toland and seconded by Council Member Kilby to approve payment for the demolition of the house at 202 S Third and authorize the Mayor to sign the payment request. All in favor. Motion carried. Staff is also looking for acceptance on a bid for demolition for a house located at 409 S Third the low bid that was received was from LB Dirtworks from Humboldt for \$3,400. Motion made by Council Member Toland and seconded by Council Member Ford to approve the lowest bid from LB Dirtworks to demolish the property at 409 S Third. All in favor. Motion carried. Bids were also received to rehabilitate homes at 205 S Fourth and 311 S First. Low bid for 205 S Fourth was \$18,900 from Ewing Construction from Erie and for 311 S First \$19,150 from Nance Construction from Galesburg. Motion made by Council Member Toland and seconded by Council Member Ford to approve the low bids for rehabilitation on the properties. All in favor. Motion carried.

C. T- Works Funding Disbursement –At the January 14, 2013 meeting with the council staff was directed to try to piggyback with the current project on U.S. Highway 54. Staff sent a letter of request to KDOT to consider including approximately 800 feet of US 54 Highway to the old city limits. KDOT officials contacted staff to discuss the request and see what we can do to help with the project from a monetary standpoint. Staff is seeking council approval to allow staff to formally offer to pay twenty-five percent of the entire project within the incorporated city limits of Iola from the federal fund exchange monies. This will include the road construction and any temporary drives or access needed that is directly associated with the project. Council Member Toland inquired if it would be possible to look at getting a sidewalk on the north side of the street with this project. Assistant Administrator Schinstock noted that it would not be something KDOT would participate in, but will have staff look into. Council Member Toland inquired about the storm water issues in that area. Staff will review the drainage study. Motion made by Council Member Toland and seconded by Council Member French to send a letter requesting the T-Works money for this project and to use the T- Works Funding money to contribute 25% of the project within the city limits of Iola. All in favor. Motion carried.

D. Mo Pac Trail Project – In November of 2012 the council approved staff to apply for a Kansas Department of Wildlife Parks and Tourism trail grant. This is to build a trail from the existing Prairie Spirit Rail Trail along the old Missouri Pacific Railroad east to the west side of Cottonwood Street. Council also approved staff to start the bidding or selection process for hiring an engineer to design the project. On January 9, 2013 requests for bids were sent out to various engineering firms to design the proposed trail, with the cutoff date to have bids back in for review on January 23, 2013. Only one bid was received for the project from Schwab-Eaton of Manhattan, Kansas. Council Member French asked about the possibility of extending the trail on to the practice fields on Oak Street. Staff will look into the possibility. Motion made by Council Member Toland and seconded by Council Member Kilby to approve the contract with Schwab-Eaton in the design of the proposed trail project for not to exceed amount of \$32,200 to design the proposed trail project. All in favor. Motion carried.

E. Employee Wage Adjustment - Discussion – At the January 14, 2013 council meeting Council Member Becker proposed a discussion to consider an increase in the pay scales for employees of .8% due to the social security increase of 2%. The 2013 budgeted salaries has a 2.5% cola built into the chart. The .8% increase would be an estimated \$32,119.78. Motion made by Council Member Becker and seconded by Council Member Stewart to increase the pay scale by .8%. Voting in favor of the motion were council members: Becker, Stewart, Ford, and Kilby. Voting against the motion were council members: Wicoff, Toland, French and Franklin. The Mayor cast a no vote to break the tie. Motion failed.

F. Allen County Animal Rescue Foundation Contract - Code Enforcement Officer Shonda Jefferis presented a revised contract for the 2013 year to the council. The contract shows an increase to \$85.00 per animal taken to the shelter and a new charge of \$50.00 for each puppy or kitten born to animals that the city takes to ACARF. A statement was also added to the contract that animals would be taken if “space were available”. Council would like to table until the next meeting after City Attorney Johnson can review the contract. Council would like some numbers on how much is spent every year at ACARF.

ROUNDTABLE

A. Annexation of Country Estates – The annexation of Country Estates to the City of Iola was discussed briefly at the planning commission meeting on January 23, 2013. The Planning Commission will be following Kansas Statue 12-520a which addresses 16 items to be used as a guide in determining the advisability of annexation. The schedule to move forward with the process was presented to the council. Barbara Sherwood, a resident of the area had some concerns with what was published in paper stating that some of the properties would have to be brought up to code. She also addressed whether or not sidewalks would be installed and what would be the cost to the residents for all of this plus the taxes. Duane McGraw stated that he was in favor of the annexation due to the issues with the current sewer in the area. Administrator Slauch noted that the city would have to have a plan in place, although they would not be required to update or implement changes to the infrastructure unless the property owners petitioned it and the cost would be assessed against the landowners. Council Member French noted that the landowners need to be aware of what the annexation will cost them. Administrator Slauch noted that it would be best to hire an engineer to assess cost of improvements needed. Council Member Toland noted that annexing the area would reflect a true population of those served by the city.

B. Prairie Spirit Rail Trail – Signage Discussions – Advocates and THRIVE Allen County is proposing an archway sign for the Prairie Spirit Rail Trail on the south side of US Highway 54. Jeff Livingston and David Toland informed the group that THRIVE had received a grant to place an arch sign over the rail trail south of 54 highway. All they are asking from council is for their acceptance of the gift and help excavating the area for the pillars. Motion made by Council Member French and seconded by Council Member Ford to accept the gift and offer help from staff to erect the pillars. All in favor. Motion

carried. THRIVE also received a grant from the Kansas Health Care Foundation for two directional signs on the trail they need support from city crews for installation. Motion made by Council Member French to have city crew help in the installation of the directional signs. Motion seconded by Council Member Ford. All in favor. Motion carried.

COUNCIL & ADMINISTRATOR REPORTS

A. Mayor Shirley –

- Commended Council Member Toland on his Martin Luther King Jr. presentation.
- Commended department heads on the State of City Address that is being aired on Channel 6.

B. Council Member Stewart –

- None.

C. Council Member Ford –

- Asked about the status on the repair of the curve on Northwestern. Staff will look into.

D. Council Member Wicoff –

- Was approached by a citizen about naming the community buildings. CITF is also looking into this.

E. Council Member Franklin –

- None

F. Council Member Kilby –

- None

G. Council Member Becker –

- Complimented the Police Department. Noting that we have a first class operation.

H. Council Member Toland –

- Noted that the street light at Colborn and East Street is out.
- Trees are in the power lines at Elm Creek Park South.
- What would it take to have a restroom facility at Elm Creek Park South? (report back at the last meeting in February.)

I. Council Member French –

- Would also like to have the buildings named.

J. Administrator Slauch –

- Applications were solicited from 45 firms for a prosecuting attorney none were received other than the one prior application.

CITY OF IOLA

Page 6

01/28/2013

- The year in review insert will cost \$1,775.00 for a 16 page insert. Council Member Ford wondered why we couldn't put it on channel six and the website. Consensus of comments reflected little support for the effort.
- Met with schools concerning the sidewalks. They would be interested in obtaining the safe routes to school grant.

DATE / TIME OF NEXT MEETING

Joint City/County Meeting – 6:00 p.m., Monday, February 4th, 2013 (Creitz Recital Hall – Bowlus)

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

ADJOURNMENT

7:56 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 11th day of February 2013.

Mayor, William A. Shirley

City Clerk, Roxanne Hutton