

A regular meeting of the City Council of the City of Iola was held on March 11, 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 Franklin were present. Also present were Administrator Slaugh, and City Clerk Roxanne Hutton. Council Member Stewart was absent.

REVIEW & APPROVAL OF AGENDA

Motion made by Council Member French and seconded by Council Member Toland to approve the agenda moving item 8D following item 9C. All in favor. Motion carried.

PUBLIC COMMENTS

A. Donna Houser – Requesting permission on behalf of the CITF/PRIDE committee to paint the elephant slide at Riverside Park. Park/Cemetery Superintendent Berkley Kerr has given his ok on the project. The council was in agreement that the committee could paint the elephant slide.

CONSENT AGENDA

A. Minutes Approval - February 25TH , March 4th

B. Appropriations Approval – 2013-05

C. Personnel Action Items –

- **Todd Rowe – Parks & Cemetery – Annual Evaluation**
- **Trevor Shannon – Fire Department – Annual Evaluation**
- **James Snavely – Electric Distribution – Annual Evaluation**

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

NEW BUSINESS

A. MOM's Group Request – The Mothers of Miracles group is going to hold an Annual Stroll and Roll in the Recreation Building at Riverside Park. They are requesting the city waive the fees to reserve the building. Motion made by Council Member Ford to waive the fee for the event. Motion seconded by Council Member Franklin. All in favor. Motion carried. Leslie Skahan member of the group requested that the road within the park be closed to allow for more room than is available at the track. The council was in agreement that the road could be blocked off.

B. AAA Award – Police Department – The AAA Kansas Community Traffic Safety Awards Program is a program for law enforcement agencies and communities of all sizes that serve in the state of Kansas. Its purpose is to encourage communities to address local traffic safety issues in a coordinated and cost effective way. The program is conducted in cooperation with the Kansas Department of Transportation, Law Enforcement Liaisons, Kansas State Sheriff's Association and the Kansas Association of Chiefs of Police. Jim Hanni was present to present a Gold Award to the Iola Police Department.

C. CDBG Request for Payment – The rehabilitation of the house at 310 S Second is complete and SEKRPC has made a request for payment in the amount of \$22,464. Motion made by Council Member French and seconded by Council Member Becker to have the mayor sign the documents for payment on the property at 310 S Second. All in favor. Motion carried. A request is also enclosed to amend the contract moving money on the budget lines to accommodate expenses within the grant. Motion made by Council Member French to make this amendment and seconded by Council Member Toland. All in favor. Motion carried.

D. Water Plant Loan Discussions – Council Member Franklin made a request at the February 11, 2013 council meeting to consider using the disbursement from Syngenta to pay down the water plant loan. The City of Iola received notice January 16, 2013 that the city had been awarded, in City of Greenville v. Syngenta Corp Protection, Inc., Case No, 3-10-cv-00188-JPG-PMF, \$197,242.30 to help reimburse the costs of removing the weed killer atrazine from its community water system. At the beginning of 2012 the cash balance in Fund 46 Water was \$191,199. AT the end of 2012 the balance was \$294,128. The payment from Syngenta was deposited in fund 46 and will be added to the 2012 ending balance. Administrator Slaugh informed the group that the water fund has not reimbursed the waste water fund the \$300,000 that was transferred in 2010 and the \$200,000 that was transferred from the general fund. Council Members French, Ford and Becker would like to see staff concentrate on infrastructure repairs that are needed. Council Member Toland inquired if the city is under agreement to use the money for atrazine cleanup, possibly need to hold onto the money in case the levels are lowered and we have to change treatment procedures in the future. Administrator Slaugh noted that he had distributed information on atrazine levels via email earlier The city's levels are well below the state limits. Council Member French asked if the John Redmond dredging will stir up more atrazine causing our levels to increase.

E. EMS Committee Appointments – At the March 4, 2013 joint city/county session a suggestion was made to have a committee formed to put together proposals for a consolidated county Emergency Medical Service (EMS). It was suggested that this group of 3-4 might propose two or three solutions for a consolidated service that will be presented at the next joint committee for consideration. It would also be good for the committee to report progress at the March 25 city council meeting for further input. The next city/county committee is scheduled for April 1, 2013 at the Bowlus. To meet the rules and intent of the Kansas Open Meetings Act (KOMA) the committee should announce the time and place of their meetings, keep minutes, and report back with recommendations to the governing body. The minutes should be provided to the city clerk. Mayor Shirley appointed Council

Members Stewart and Wicoff to the committee. Motion made by Council Member Ford and seconded by Council Member Toland to approve the appointments of Council Members Stewart and Wicoff to serve on this committee. All in favor. Motion carried.

F. Utility Billing Rules – Ordinance – The City of Iola has been using 4:00 p.m. as the time customers must make payment in order to have utilities reconnected if they have been shut off due to nonpayment. The municipal code was not updated when this time was changed from 1:00 p.m. to 4:00 p.m. The municipal code needs to be changed to reflect current practice. If the customer does not pay by 4:00 p.m. and still wants utilities reconnected the same day, then there is not sufficient time for city crews to reconnect without overtime. It is recommended that the fee for this after-hour service be raised from \$50.00 to \$75.00 to reflect the cost of the overtime. Motion made by Council Member Becker and seconded by Council Member Kilby to approve the change from 1:00 p.m. to 4:00 p.m. and change the after-hours charge from \$50.00 to \$75.00. All in favor. Motion carried.

G. Mill & Overlay Project 2013 Discussions – Enclosed in the packet is a draft of the proposed mill and overlay project for this year. Staff is looking to bring back a bid summary and recommendation to the council for the April 22nd meeting and issue a notice to proceed no later than June 1st to begin the work. This would be a consecutive calendar day project with sixty (60) days to complete the work following issuance of the notice to proceed with a liquidated damage penalty of \$500 per day until the work is completed. Currently \$140,000 is budgeted for this year's mill and overlay project and will most likely need to pare down the listed sections mentioned in the proposal or increase budget allocation to do all of the projects on the list. Northwestern Street was mentioned as a need by a couple of the council members. Council Member French asked that the one block on Broadway to Buckeye be added to the mill and overlay project for this year. Council Member Toland asked if the curb and gutter replacements would be part of this project. Assistant Administrator Schinstock noted that those could only be done with this project; however staff will look into doing some in house as necessary. Motion was made by Council Member Toland and seconded by Council Member Franklin to place the proposal out for bidding and bring back a summary of bids with a staff recommendation no later than April 22nd for the 2013 mill and overlay project adding the additional block on Broadway. All in favor. Motion carried.

ROUNDTABLE

A. Capital Improvement Projects - Discussion – Enclosed in the packet is a listing of future department infrastructure and capital improvement projects for review. Staff would like to get council input on additions or changes to the list of projects. Following discussions at the meeting staff will revise the list with council direction. At the March 25th meeting staff will present the revised Capital Improvement Project and Department Infrastructure list in the way of an ordinance for adoption. Council wanted to move Northwestern higher up on the priority list. Administrator Slaugh stated that sections of Northwestern could be replaced on an as need basis until the funding would be available for total replacement. Council Member French noted that he would like to see more ADA

play equipment at the parks along with ADA accessibility to the bleachers at ball diamonds. Council Member French asked staff to look into the feasibility of using the water pump that is being replaced at the water plant for the football field. Council Member Toland would like staff to look into moving forward with the construction of the infrastructure at Cedarbrook. Council Member Toland would like to see staff set aside \$25,000 per year for five years to make the modest improvements spelled out in the Vision Iola Plan. Wondered if the FEMA buyout land would be a better option for a disk golf area than Riverside due to the limited available space.

B. Prairie Spirit Rail Trail – Trail Head Discussions – This item was placed on the agenda following a request from Council Member Toland to look into the possibility of moving or building a trail head on the Prairie Spirit Rail Trail south of U.S. Highway 54. Mr. Manning from Kansas Department of wildlife and Parks and Trails stated that they have allowed the adding of additional kiosk's in other areas along the trail and also said they probably wouldn't want to remove the current one at Cofachique Park. Council asked staff to look into finding funding possibilities for a shelter area with a restroom.

6:46 p.m. Attorney Robert Johnson arrived at the meeting.

C. Bowlus Fine Arts – Funding Discussions – The Bowlus Fine Arts and Cultural Center has received funding support from the City of Iola for many years. In 2001 the annual payment was \$16,000 and in 2007 the amount was increased to \$25,000. A request has been made to change the allocation and tie the commitment to the mill levy rather than a fixed dollar amount. One mill would equate to approximately \$31,952 for 2013. Council supported the funding change; staff will bring back an ordinance at the next meeting.

COUNCIL & ADMINISTRATOR REPORTS

A. Mayor Shirley –

- Ed Bideau was in town last Saturday he brought up the bridge east of Yates Center that is scheduled to be replaced this summer causing traffic flow to be rerouted around the City of Iola for over a year. Asked the councilmembers to write to their representatives about how this will affect the economy in Iola.

B. Council Member Stewart –

- Absent

C. Council Member Ford –

- None

D. Council Member Wicoff –

- None

E. Council Member Franklin –

- None

F. Council Member Kilby –

- None

G. Council Member Becker –

- Complimented the police department on their award. Mentioned that Jay Kretzmeir was in the hospital wanted to wish him well.

H. Council Member Toland –

- THRIVE received a grant to do a feasibility study on a sidewalk on State Street to Wal-Mart.
- Would like to add to the agenda for next meeting a THRIVE grant for bike lanes stripes and signage.

I. Council Member French –

- Chamber Expo is this weekend.
- Would like to look into getting a crossing light on highway 54 for the rail trail.
- Echoed Council Member Becker's praise for the police department. Would like the council to get behind funding for an aggressive attack on the drugs in the area.
- Council Member Toland noted that Chanute is requiring a prescription for pseudoephedrine wondered if Iola shouldn't follow suit.
- Would like to make the snow removal process more business friendly. City staff pushes snow up on sidewalks where children have to walk around to get to and from school yet we require businesses and residents to clean off the same sidewalks. Council Member Ford noted that possibly the policy would put the cemetery lower on the snow removal priority list.

A. Administrator Slaugh –

- None

EXECUTIVE SESSION – Attorney / Client 7:25 p.m. K.S.A.75-4319

Motion was made by Council Member Wicoff and seconded by Council Member Franklin to recess into "Executive Session" for the purpose of conducting a meeting to discuss Attorney / Client Matters – Pending Litigation. All in favor. Motion carried. Present: Council Members, Administrator Slaugh and Attorney Johnson. The open meeting to resume in the Council Room at 7:45 p.m.

EXECUTIVE SESSION – Attorney / Client 7:45 p.m. K.S.A.75-4319

Motion was made by Council Member French and seconded by Council Member Toland to recess into "Executive Session" for the purpose of conducting a meeting to discuss Attorney / Client Matters – Pending Litigation. Voting in favor of the motion were Council Members Toland, Becker, Kilby, French and Ford. Motion carried. Present: Council Members,

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

DATE / TIME OF NEXT MEETING

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

City Council Meeting 6:00 p.m. Monday, April 8th, 2013

ADJOURNMENT

8:00 p.m. Motion made by Council Member Kilby and seconded by Council Member Toland 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 25th day of March 2013.

Mayor, William A. Shirley

City Clerk, Roxanne Hutton