

A regular meeting of the City Council of the City of Iola was held on August 12, 2013, at 6:00 p.m., at the Riverside Park Community Building, 510 Park Avenue, Iola, Kansas.

CALL MEETING TO ORDER

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

ROLL CALL

Mayor Wicoff, Council Members Becker, Zornes, Shaughnessy, Franklin, Myrick, French, Ford and Wells were present. Also present were Administrator Slaugh, Assistant Administrator Schinstock, and City Clerk Roxanne Hutton.

REVIEW & APPROVAL OF AGENDA

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

PUBLIC COMMENTS

Donna Houser thanked the city for the pool. She commented how nice it was to swim laps during the adult only swim time.

CONSENT AGENDA

A. Minutes Approval - July 22nd & July 25th

B. Appropriations Approval – 2013-15

C. Personnel Action

- **Dustin Stone – Solid Waste – Termination – Position to be filled**
- **Tammy Womelsdorf – City Clerk – Annual Evaluation**
- **Angela Huff – City Clerk- Annual Evaluation**
- **Ryan Chapman – Fire Department – Promotion**
- **Bo Becker – Gas, Water, Waste Water – Annual Evaluation**
- **Jason Bauer – Recreation – Twelve Month Evaluation**
- **Brian Fees – Police Department – Twelve Month Evaluation**
- **Brian Plumlee – Police Department – Twelve Month Evaluation**
- **James Boeken – Street & Alley – Transfer to Solid Waste**
- **Robert Droessler Jr. – Solid Waste – Transfer to Street & Alley**

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

NEW BUSINESS

A. Public Hearing 2014 Budget – Mayor Wicoff declared the public hearing open at 6:09 p.m. No comments were made by the public. Mayor Wicoff closed the public hearing

at 6:11 p.m. Administrator Slaugh stated that he did not recommend any changes to the electric and gas cost adjustment, since the current ordinance already takes the rate into consideration. Some of the questions in regards to the budget were: Why the water fund salaries increased at such a large amount. City Clerk Hutton will check into this. Why delinquent fees are not listed on gas and electric funds but are listed on the water funds. Administrator Slaugh noted that sometimes line items are combined on the state budget due to limited space. How long has the city been contributing to the K.B.I. This is to participate in the drug task force. What will happen if the EMS city/county merger takes place? Administrator Slaugh noted that if the merger takes place then an amendment will be made to the 2014 budget.

B. 2014 Budget Approvals

- **General Fund Mill Levy – Ordinance 3421** – The mill levy had to be increased to adjust for the lower assessed valuation. Motion made by Council Member Wells and seconded by Council Member Myrick to approve Ordinance 3421 to increase tax revenues for the budget year 2014. All in favor. Motion carried.
- **Iola Public Library Mill Levy – Ordinance 3422** – The council voted at the last meeting to increase the mill levy for the 2014 budget for the library to adjust for the lower valuation. The increased mill levy will provide for the same dollar amount as the 2013 budget. Motion made by Council Member Ford and seconded by Council Member Becker to approve ordinance 3422 establishing the maximum mill levy rate for the library at 5.938. All in favor. Motion carried.
- **Gas & Electric Fuel Cost Adjustment** – Not necessary due to the current ordinance addressing this issue.
- **Formal Adoption of the 2014 Budget** – Motion made by Council Member Franklin and seconded by Council Member Wells to adopt the 2014 budget as presented. All in favor. Motion carried.

C. Neighborhood Revitalization – American Self Storage Request –

American Self Storage requested exceptions to the City of Iola Neighborhood Revitalization Plan on September 11, 2011 because they failed to submit application prior to the deadline specified. The city council granted an exception in 2011 and approved the application. In 2013 American Self Storage was removed from the program by Allen County for failure to pay taxes on their property for the 2012 year. They stated that they misunderstood the requirement that they had to pay the taxes first and would then receive a rebate. Staff recommends denial of the request to be reinstated into the neighborhood revitalization program. Donna Houser stated that the company should have known about the rules and therefore should not be granted an exception. Dana Watson and Benny Beurskens stated they felt being removed from the

program was a harsh penalty for one mistake. Council Member French stated that it seemed like there was a lot of confusion on the plan and that the county has stated that the city has allowed exceptions when they should not have. County Commissioner Talkington stated that it is the city's program not the counties; however they have to take the interpretation by their county counselor when they make a determination on an exception. Motion made by Council Member Myrick and seconded by Council Member French to table this item until a legal interpretation of the policy can be made. All in favor. Motion carried.

D. 2013 Audit Contract – A proposal from Jared, Gilmore and Phillips was received for the 2013 audit including a single audit, for the amount of \$10,700. Motion made by Council Member Becker and seconded by Council Member Franklin to approve the contract for the 2013 audit for the City of Iola in the amount of \$8,800, plus \$1,900 for the single audit if required and authorize the mayor to sign the letter of engagement. All in favor. Motion carried.

E. Federal Fund Exchange Program – The council was given information regarding the federal funds distribution/federal fund exchange program that is administered by the Kansas Department of Transportation. This program is one that was used for the first time since its transformation from what was previously known as the KDOT- 5 Year project funding. This program provides cities the opportunity to exchange federal funds into state funds, in turn allowing more flexibility in the use of the funds. The exchange rate is for every \$1.00 of local federal obligation the city will get \$.99 of state funds for our projects. Current allocation of federal obligation funds for April 2013 to September 2013 that could be applied for either federal aid project or exchange project is \$30,209.37. Banking the money will not cost the city the .10. It just puts the money away until they decide what project they want to use the money on. Motion made by Council Member French and seconded by Council Member Becker to allow staff to send the appropriate paperwork back to KDOT for banking of the funds in the amount of \$32,209.37 for future use on transportation projects. All in favor. Motion carried.

ROUNDTABLE

A. Economic Development Discussions – The City of Iola recently agreed to use the services of Thrive to handle economic development efforts to cooperate in a coordinated effort in Allen County along with Iola Industries and other cities that may desire to participate. David Toland attended the July 22nd meeting to give council members an opportunity to think about what type of development is desired in the community. Jim Talkington, a member of the Economic Development Committee, informed the council that they are trying to speak with all entities involved in the county to see what the needs and desires are. The council would like a month to decide on some goals and needs.

B. Country Estates - Annexation Discussion – The annexation of Country Estates to the City of Iola has been discussed at previous council meetings. Staff presented challenges to the council concerning annexation of the area. Staff is looking for direction before moving ahead with the annexation. Donna Houser asked if the residents would have to bring their property up to the current city codes. Administrator Slaugh stated that they would be considered preexisting non-conforming property. Council Member Wells stated he would like to see a city wide comprehensive plan for annexation. Administrator Slaugh stated that the council had previously decided to start with this area first. Council Member Ford asked what it would cost to pay an engineer to get actual costs. Administrator Slaugh stated that he would look into it, however it could be quite costly. Mayor Wicoff asked who will pay for the sewer repairs with or without the annexation. A benefit district might be developed and the costs put back onto the property owners. Council Member Wells would like to move forward with obtaining costs. Council Member Ford stated that if things needed to be repaired they should be repaired right at the beginning. The council decided they would like to see proposed engineer costs and cost estimates on repairs that need to be made to the area along with property tax revenue the city would gain from the property.

C. Missouri Pacific Trail Project – Corey Schinstock – Over the past few days this project has hit a few snags in the design and building of the Missouri Pacific Recreational Trail. At the current time we are at the field check stage of the planning or design of the project or so we thought. In the process of visiting with adjacent land owners it was discovered that the south twenty (20) feet of Benton Street right-of-way was vacated in 1995 for some reason. With these finding an already tight area of the project became even more difficult. At this point one land owner in this area doesn't seem to want to allow an easement along their property which could be critical to the trail design. Staff is seeking approval to contact the engineer to move forward with the additional work to explore alternatives to the right-of-way dilemma with maximum expenditures not to exceed \$1,000. Council Members would like to see overlays of the area with the different options. Motion made by Council Member French and seconded by Council Member Zornes to approve a maximum expenditure of \$1,000 to the engineer to explore the options for the rail trail. All in favor. Motion carried.

UNFINISHED BUSINESS

A. Re-zoning Ordinance - 1002 N. Kentucky – At the July 22nd meeting the council approved rezoning the property at 1002 N. Kentucky from R-1 single –family to R-3 multi-family to allow for the development of a senior assisted living facility in this location. Ken Hunt stated that this is spot zoning and that other locations could be used. Mary Ann Dvorachek stated that she and her husband had visited five of the homes owned by this company in north central Kansas. She handed out pictures and stated that all of them seem to be in areas away from general residential except for the dementia unit. She noted strong smells of urine around the dementia unit and a minimal staff at all of the locations. Angie Linn stated she had spoken to residents that did not live in this area and they are against it also. Dorothy White stated that the residents do want Iola to grow. If this

home is built in their neighborhood some of the residents may move from the City of Iola. Council Member Wells stated that he wished more citizens were engaged with the community as they are with this issue. Motion made by Council Member Wells to approve the Ordinance to re-zone the property of 1002 N. Kentucky. Motion seconded by Council Member Ford. Council Member French stated that he hears the concerns of the residents, however he has researched the issue and there is no evidence that this will devalue the properties. He will do his part to keep his word to make sure that the project is completed to city specifications. Council Member French stated that an assisted living facility does not require the same number of employees as a nursing home. The company has filed with the state so that there will be some jurisdiction by the state. Council Member Becker stated that he would be voting no for the same reasons he had voted no the first time. Council Member Shaughnessy stated that he had some property south of his home that he had mowed for years for free the property owners donated the property to Tri Valley so they could build a home for their clients to reside in. At first he was angry and resented them in his neighborhood. There were problems at the beginning, but then he realized it was petty of him not to accept someone in his neighborhood just because they had special needs. Voting in favor of the motion were Council Members: Zornes, Ford, Myrick, Wells, Shaughnessy, and French. Voting against the motion was Council Member Becker. Council Member Franklin abstained from the vote. The motion passed by majority vote 7-1.

8:14 p.m. Mayor Wicoff declared a ten-minute break.

COUNCIL & ADMINISTRATOR REPORT

A. Mayor Wicoff –

- The Catalyst project is an exciting venture for the city.

B. Council Member Wells–

- Wondered if the EPA could be sped up at all. Being listed as a superfund site doesn't entice builders to the area. Administrator Slauch informed them that the area east of town is not an area they are looking to remediate, however he will visit with the EPA.

C. Council Member Ford –

- Inquired about the cracking on the rail trail. Staff is aware and is looking at ways to repair the cracks.

D. Council Member Franklin–

- Has heard that Cameron is laying employees off. Would like for the council to look at building a shell building for a potential company annexing property to do so if necessary.

E. Council Member Shaughnessy –

- Asked if the ditch on Ohio could be rip rapped to control weed growth. It is a steep incline and therefore hard to mow.

F. Council Member Becker –

- Noted that with the discussion tonight about the Country Estates annexation it is apparent that preplanning is important for the growth of the city.

G. Council Member Myrick –

- Asked about the progress of the electric crew on the Catalyst project. Staff is getting started on the exterior part of the project.
- When will lines be painted on the streets around the schools. Administrator Slaugh noted that the rain has hindered this project.

H. Council Member Zornes –

- The catalyst project is awesome news for the city.

I. Council Member French –

- Reminded staff to review the ordinances on trash and weeds.
- Wondered if the council could receive a list of the top 100 homes that need demolished and possible the tax value of those properties.
- There was a lot of water around the building during the fair. Would it be possible to lay concrete to prevent having to walk through mud.

J. Administrator Slaugh –

- EMS merger will be discussed at the next meeting. County Commissioners want city council specifics on contract modifications. The council would like to see the revised contract before the next meeting to allow time to review the document.
- Reminded the council that the city picnic is tomorrow at 5:00 p.m.
- Making arrangements with local industries for the council to do tours.

EXECUTIVE SESSION – Non- Elected Personnel 8:39 p.m. K.S.A.75-4319

Motion was made by Council Member Myrick and seconded by Council Member French to recess into “Executive Session” for the purpose of conducting a meeting to discuss Non-Elected Personnel – Administrator evaluation. All in Favor. Motion carried. Present: Mayor Wicoff, Council Members, and Administrator Slaugh. The open meeting to resume in the Commission Room at 8:59.m.

EXECUTIVE SESSION – Non- Elected Personnel 8:59 p.m. K.S.A.75-4319

Motion was made by Council Member Wells and seconded by Council Member Myrick to recess into “Executive Session” for the purpose of conducting a meeting to discuss Non-Elected Personnel – Administrator evaluation. Council Members Ford, Wells, French, Myrick and Shaughnessy voted in favor. Motion carried. Present: Mayor Wicoff, Council Members. The open meeting to resume in the Commission Room at 9:15.m.

EXECUTIVE SESSION – Non- Elected Personnel 9:15 p.m. K.S.A.75-4319

Motion was made by Council Member Wells and seconded by Council Member Shaughnessy to recess into “Executive Session” for the purpose of conducting a meeting to discuss Non-Elected Personnel – Administrator evaluation. Council Members Ford, Wells, French, Myrick and Shaughnessy voted in favor. Motion carried. Present: Mayor Wicoff, Council Members. The open meeting to resume in the Commission Room at 9:30.m.

EXECUTIVE SESSION – Non- Elected Personnel 9:32 p.m. K.S.A.75-4319

Motion was made by Council Member Wells and seconded by Council Member Myrick to recess into “Executive Session” for the purpose of conducting a meeting to discuss Non-Elected Personnel – Administrator evaluation. Council Members Ford, Wells, French, Myrick and Shaughnessy voted in favor. Motion carried. Present: Mayor Wicoff, Council Members and Administrator Slaugh. The open meeting to resume in the Commission Room at 9:37.m.

Motion made by Council Member Wells and seconded by Council Member Myrick to extend Administrator Slaugh’s contract for three years, increasing his vacation time to 18 days for the first year, 19 days for the second year and 20 days for the third year. Increasing his salary by 3% for the first year, 1 ½ % for the second year and 1 ½ % for the third year on top of the COLA increase given to all employees. Increasing the city match for retirement from \$20 per month to \$70 per month. All in favor. Motion carried.

DATE / TIME OF NEXT MEETING

City Council Meeting 6:00 p.m. Monday, August 26th 2013

City Council Meeting 6:00 p.m. Monday, September 9th, 2013

ADJOURNMENT

10:19 p.m. Motion made by Council Member Becker and seconded by Council Member Ford 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 26th day of August 2013.

Mayor, Joel Wicoff

City Clerk, Roxanne Hutton