

A regular meeting of the City Council of the City of Iola was held on September 9, 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, French, Ford and Wells were present. Also present were Administrator Slaugh, Assistant Administrator Schinstock, and City Clerk Hutton. Council Member Myrick was absent.

REVIEW & APPROVAL OF AGENDA

Administrator Slaugh stated that he has invited Attorney Bob Johnson, County Commissioner Tom Williams and County Counselor Alan Weber to the meeting at approximately 6:45 p.m. to discuss EMS contract. Motion made by Council Member Franklin and seconded by Council Member Wells to approve the agenda as presented. All in favor. Motion carried.

PUBLIC COMMENTS

Donna Houser commented on how many of her friends and family visiting from other towns notice how beautiful the town looks, the parks are mowed and look nice. Reminded the council that the Buster Keaton Festival will be held on September 27th and 28th asked everyone to welcome the visitors to town. The new signs along the square are going up.

CONSENT AGENDA

A. Minutes Approval - August 26, 2013

B. Appropriations Approval – 2013-17

C. Personnel Action

- **Joe Bonczkowski –Gas, Water & Sewer – Annual Evaluation**
- **Kendall West – Sanitation – New Hire**

Council Member Franklin inquired about the Stanion bill. Staff will look into this and get back with them. Council Member Franklin inquired about the bill to the individual that had a fire. City Clerk Hutton stated that the city has a policy when someone has a fire 5% or \$5,000 whichever is smaller is retained by the city to assure clearance or rebuild of the property is completed at that time the money is refunded. Motion made by Council Member French to approve the consent agenda as presented. Motion seconded by Council Member Becker. All in favor. Motion carried.

NEW BUSINESS

A. Iola High School Student Council Request

Dianne Kauth, Iola High School Student Council Advisor, is requesting the student council be allowed to paint on Jackson Street south of the high school on October 2nd for homecoming. This tradition has been done for many years, however staff has some concerns due to the paint used the last two years has not worn off over time. Motion made by Council Member French and seconded by Council Member Franklin to allow the student council to shut down Jackson Street south of the high school for one hour on October 2nd to paint on the street for homecoming. All in favor. Motion carried.

B. Disposal of Obsolete, Scrap or Surplus Property – The city owns three electric power generator sets commonly referred to as gensets. They were built around 1969, purchased used in 1988 to provide backup electrical power for the city. Estimated value of the generators is \$10,000-\$20,000.

Staff has been looking at options for selling the generators and engines. Purple Wave has options for an auction, but once they are placed for sell, they must be sold to the highest bidder. A 10% buyer's premium is added to the winning bid. Big Iron assesses the 12% premium fee to the seller. In addition to an auction; they have an option to place an item for sale. The seller sets the minimum fee and lists the item for 30 days.

Two offers have been made for the generators, one from an Iola citizen, \$10,000 for all three units. The water plant also has a 200 horse power electric motor that needs to be disposed of which they will list on Craigs List and other sites. Staff would like to list the items for 30 days with Big Iron and see if any offers are received. If no other higher offers are received, then sell them to the local individual. Motion made by Council Member French and seconded by Council Member Zornes to place the items for sale on Big Iron for 30 days and if the items are not sold for the determined amount they will be sold to a local bidder. All in favor. Motion carried. Council Member French wanted the city to advertise locally so that everyone interested has a chance to purchase the items if they do not sell on Big Iron.

C. Utility Connection Ordinance – To maintain an orderly growth policy and provide for the revenue to operate utility systems, it is desirable to require annexation as a prerequisite for any who want to connect to city sanitary sewer system. Council members asked how many sewers are on houses outside of the city limits, staff will look into this matter and report back. Council Member Becker wanted to assure that if we annexed property that it was up to our city codes. Administrator Slaugh stated that if the county does not have zoning enforcement then the city can control the three mile radius around the town, however since the county does have zoning the city cannot enforce outside of the city limits. Motion made by Council Member Becker to have staff visit with county officials about the possibility of taking over control of the zoning within a three mile radius of the city limits. Motion seconded by Council Member Franklin. All in favor. Motion carried. Motion made by Council Member Wells and seconded by Council Member Ford to approve a change to the Iola Municipal Code to require annexation prior to connecting to the sanitary sewer system. All in favor. Motion carried.

D. Annual Employee Health Insurance – Renewal- The City of Iola is self-insured with BCBS of Kansas administering the policy. The premium for 2013 – 2014 has decreased, down approximately 13% from 2012 -2013, from \$380.37 down to \$329.63 for single coverage and \$838.98 to \$730.01 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 on claims history over the previous 32 months and 5% on statewide averages.

The reserve balance in the fund remains strong. The balance in the fund is currently \$459,802. According to city financial policies the reserve for enterprise funds should be maintained between three and six months of operating capital, about \$350,000.

Administrator Slauch stated that Human Resource Manager, Carla Brown, will be visiting with the employee task force about options. They will consider reduction in the amount of the premium the city pays to the health insurance fund, increase benefits for employees or leave everything as it is currently. Council Member Ford stated that the city should thank the employees for keeping the costs down by contributing to their H.S.A. accounts or lower amounts they pay for premiums, while this option would only affect those paying for family insurance, it could be an option. Council member French stated that with the possible merger of the EMS, there is uncertainty of the medical claims that the new employees might entail therefore. He is recommending to leave the balance alone for a while until we see how many of these employees will be on the family plan and the amount of claims with the additional employees. Motion made by Council Member French and seconded by Council Member Becker to approve renewal of the employee health insurance policy as presented. All in favor. Motion carried.

ROUNDTABLE

A. Economic Development Discussions - David Toland, representing the Allen County Economic Development Advisory Committee, presented the goals the committee has set. Increase Allen County's population to 14,000 by 2020, improve business climate, with goal of 400 net new jobs by 2020, increase overall attractiveness of Allen County/local cities as a place to live and work.

David noted that code enforcement needs to be hit hard, recommending a two year life safety inspection on rental properties to keep landowners from allowing property to fall in disrepair, more frequent tax sales on vacant properties to allow someone to purchase the properties and bring them up to code.

Council Member Franklin inquired about recruiting alumni to either come back home to live and or support local needs of the community through monetary donations.

Council Member Wells stated that he has students that obtain an associate's degree and they have to leave the area due to the lack of jobs at their education level. He encouraged the council to work on construction of infrastructure so that businesses and homebuilders would be more apt to build.

Council Member Shaughnessy stated that the problem with improvements on homes and businesses is the fact that taxes increase when those changes are made. It is a punishment

for making your homes and businesses better; he suggested a tax based on square footage instead of the value of the property.

Council Member Becker stated that we need to really enforce those that litter up their yards making properties look bad.

Council Member French asked how we can attract employees that work in local businesses to live within our town. David Toland stated that the group is going to do a survey to see what it would take for these individuals to move to the area and / or why they are living where they are. Council Member Franklin stated this would be a good thing to do with alumni also. The council was in agreement with the goals of the committee.

6:58 p.m. City Attorney Johnson arrived at the meeting.

B. Annexation Discussion- Country Estates – Staff solicited the support of AMEC engineer, Brad Johnson, to provide an estimate of replacement costs for the water and sewer lines. Duane McGraw stated that they are here to listen to discussions by the city council. They are in favor of annexation. David Toland stated that from economic perspective retail businesses look at the population prior to coming to an area.

Administrator Slauch stated that the water lines are a mix of 6, 4, and 2 inch connected by glue joint, not snap joint. These will be changed as leaks are located and repaired. Council Member French asked if we knew the current state of the pump on the lift station.

Administrator Slauch stated that we will not know the current condition until we annex at which time we will run the sewer jet and camera through the lines and install flow meters to determine needs, all of which is costly.

Council Member Wells asked if the money that is currently in the Sewer District #2 would be given to the city to maintain the sewer lines. This money would be given to the city upon annexation.

Motion made by Council Member French to move forward with the annexation process of Country Estates. Motion seconded by Council Member Franklin. All in favor. Motion carried.

C. EMS Merger Discussions – This agenda item was moved above item B. to accommodate the guests in attendance. Motion made by Council Member French to go into executive session for 15 minutes to discuss contract negotiations. Motion seconded by Council Member Franklin. Voting in favor of the motion were Council Members French, Franklin and Shaughnessy. Voting against the motion were Council Members Becker, Wells, Ford and Zornes. Motion failed.

Mayor Wicoff stated that he had visited with Commissioner Williams, County Counselor Weber and members of the Iola Fire Department earlier today and asked them to attend tonight's meeting and since it would be a good thing for the entire county we need to get this contract worked out and move forward. No public comments were made on this agenda topic.

Council Member Wells stated he has some concerns with the section of the contract that states the city is responsible for the accrued sick and vacation time of current employees. What happens if an employee works for the city for two months and then decided to leave.

The city is responsible for paying out this accrued time and the employee worked very little time for the city.

Administrator Slaugh stated that City Clerk Hutton had obtained figures from Sherrie Riebel, Allen County Clerk, for the current liability for sick and vacation of the current EMS employees combined. Vacation liability is \$11,474.90 and sick liability is \$39,595.63. Administrator Slaugh stated that when the county took over the dispatch department from the city the city paid the county over \$11,000 for accrued time off benefits. Commissioner Williams stated that he didn't see a problem with the county paying the city for the vacation liability. Counselor Weber noted that employees have to work for the county for a minimum of five years prior to receiving ½ of their accrued sick time. The city's current policy is that it has to be a qualifying retirement with KPERS then ½ of the sick pay is paid out. Council Member French stated that we should have a clause where the employee has to work for the city for one year prior to paying out leave.

The section of the contract that states the city billing clerk shall perform his/her duties under the supervision and control of county's billing person was questioned. The council felt like this section is stating that this person is indeed the city's billing person's boss.

Commissioner Williams stated that that section could be revised, however he noted the more changes within the contract and with the limited amount of time the contract may not be able to be agreed upon.

Council members would like to be able to require new employees to live within the county. Commissioner Williams reminded the city that once the contract is in effect the employees are city employees.

Council members had concerns with the statement that if the city fails to make the county wide service work, the county has control of the service forever. Could a clause be made that the county also has five years to make the service work under their control.

Commissioner Williams stated that when talks began on the EMS service both the city council and the county commission agreed that one service was best for the entire county. The county commission is confident that the city will make it work. The commissioners want it to work.

EXECUTIVE SESSION – Attorney Client Matters/ Contract Negotiations 7:37 p.m. K.S.A. 75-4319

Motion was made by Council Member French and seconded by Council Member Zornes to recess into "Executive Session" for the purpose of conducting a meeting to discuss Attorney Client Matters/Contract Negotiations- All in Favor. Motion carried. Present: Mayor Wicoff, Council Members, Administrator Slaugh and City Attorney Johnson. The meeting to resume at 7:52 p.m.

EXECUTIVE SESSION – Attorney Client Matters/ Contract Negotiations 7:52 p.m. K.S.A. 75-4319

Motion was made by Council Member Ford and seconded by Council Member Zornes to recess into "Executive Session" for the purpose of conducting a meeting to discuss Attorney Client Matters/Contract Negotiations. Council Members in favor of the motion were Ford, Wells, Zornes, French and Shaughnessy. Motion carried. Present: Mayor Wicoff, Council

Members, Administrator Slaugh and City Attorney Johnson. The meeting to resume at 8:17 p.m.

Motion made by Council Member French to move forward with the EMS agreement with the following changes:

1. Paragraph (7) supervision and control changed to "guidance and direction"
2. Paragraph (9) transferred employees grandfathered in as far as the 15-minute response time requirement. The City does not have a residency requirement, only a 15-minute response time requirement. County shall reimburse to the City the cost of the accrued sick, vacation and personal leave.
3. Paragraph (14) City to have an option to compete for service after the Counties 5-year term ends.
4. Paragraph (15) City to have an option to compete for service after the Counties 5-year term ends.

Motion seconded by Council Member Becker. All in favor. Motion carried. Mayor Wicoff asked that Administrator Slaugh email these requests to the county commissioners and city council in the morning.

COUNCIL & ADMINISTRATOR REPORT

A. Mayor Wicoff –

- Would like the city to look into the cost of running a sidewalk to Wal-Mart. There is a lot of foot, and bicycle traffic on this route he does not want to see anyone hurt. Administrator Slaugh will prepare a proposal.

B. Council Member Wells–

- Attended the Iola Industries meeting noting that housing and infrastructure were the only way to grow. Wondered about the possibility of special improvement district low cost loans to fix downtown buildings improving the housing available in the buildings. Council Member French stated that Code Enforcement Officer Shonda Jefferies had stated that she was going to apply for a CDBG that will target downtown buildings.

C. Council Member Ford –

- The parking lot at the library needs to be striped. Administrator Slaugh noted this is not a city parking lot, but is owned by the Bowlus/School district. He will look into getting this done.

D. Council Member Franklin–

- Congratulated the water department employees that earned first place in the water top-ops contest for the State of Kansas.
- Weeds south of hospital need to be cut down.
- Attended the Dewayne West talks at the Bowlus; he was the attorney on the Clutter Case and one of the things he spoke about was the four T's: Take Time To Think.

Would like to see the council approach agenda items this way; take our time to make a decision not acting too fast.

E. Council Member Shaughnessy –

- Cindy Anderson was pleased that the ditch mowing was done behind her property.

F. Council Member Becker –

- None

G. Council Member Myrick –

- Absent

H. Council Member Zornes –

- Noted that the new restaurant by Wal-Mart is coming along well.

I. Council Member French –

- Where are we on the new entry signs, mentioned in weekly report that reusing the structure may not be feasible? Administrator Slaugh stated that Berkley's crew is starting work on the signs this week and will have to replace more of the old sign than previously thought.

Attorney Johnson stated that they had a water leak in front of their building today and the staff that responded was very respectable and professional. They kept the area clean and made the repair quickly so as not to impede his clients.

J. Administrator Slaugh –

- Reminded council members that a tour of Herff Jones will be on September 25th at 3:00 p.m.; if planning on attending please let him know.
- League Conference deadline is September 27th. Please register by then if you are planning on attending.
- If anyone has a good candidate that would serve on the zoning appeals board please let him know.

EXECUTIVE SESSION – Attorney Client Matters 8:52 p.m. K.S.A. 75-4319

Motion was made by Council Member French and seconded by Council Member Ford to recess into "Executive Session" for the purpose of conducting a meeting to discuss Attorney Client Matters - All in Favor. Motion carried. Present: Mayor Wicoff, Council Members, Administrator Slaugh and City Attorney Johnson. The meeting to resume at 8:57 p.m.

DATE / TIME OF NEXT MEETING

City Council Meeting 6:00 p.m. Monday, September 23rd 2013

City Council Meeting 6:00 p.m. Monday, October 15th, 2013

ADJOURNMENT

8:57 p.m. Motion made by Council Member Becker and seconded by Council Member Franklin 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 23rd day of September 2013.

Mayor, Joel Wicoff

City Clerk, Roxanne Hutton