

CITY OF IOLA

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12/09/2013

A regular meeting of the City Council of the City of Iola was held on December 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 Zornes, Shaughnessy, Franklin, Becker, Wells, Ford, French and Myrick were present. Also present were Administrator Slaugh, Assistant Administrator Schinstock, and City Clerk Hutton.

REVIEW & APPROVAL OF AGENDA

Motion made by Council Member Franklin and seconded by Council Member Becker to approve the agenda adding an invoice from Miratech to item 7 B, a comprehensive study list to item 8B, and a lease agreement for the EMS building on North State with the county to item 9 F.. All in favor. Motion carried.

PUBLIC COMMENTS

No public comments.

CONSENT AGENDA

A. Minutes Approval - November 25, 2013

B. Appropriations Approval – 2013-23

C. Personnel Action

- **Brandon Thomas – Water Production – Six Month Promotion Evaluation**
- **Michael Burnett – Fire & EMS – Merger from County**
- **Michael Huston – Fire & EMS – Merger from County**
- **Eric Sanders - Fire & EMS – Merger from County**
- **Elizabeth Drake - Fire & EMS – Merger from County**
- **Randy Holtz - Fire & EMS – Merger from County**
- **Grady Ratliff - Fire & EMS – Merger from County**
- **Sara McDaniel - Fire & EMS – Merger from County**
- **Ashley Robb - Fire & EMS – Merger from County**
- **Jordan Thurman - Fire & EMS – Merger from County**
- **Andrew Fournell - Fire & EMS – Six Month Evaluation**

Council Member French inquired about the invoice for Advantage Computers for a hard drive. Motion made by Council Member Wells to approve the consent agenda. Motion seconded by Council Member Zornes. All in favor. Motion carried.

ROUNDTABLE

A. Low Speed Vehicles – Registration Leo Meadows came to City Hall to register a Low Speed Vehicle (LSV) after he was informed by the county that there was no licensing requirement. The Standard Traffic Ordinance (STO) allows operation of a LSV on a street or highway where the posted speed is 40mph or less. The definition of a LSV is found in the STO: Any four-wheeled electric vehicle whose top speed is greater than 20 miles per hour but not greater than 25 miles per hour and is manufactured in compliance with the national highway and traffic safety administration standards for low-speed vehicles in 49 C.F.R. 571-500. Staff would prefer to require the owners of these vehicles to go through the permit process as stated in Ordinance 3424 for a Micro Utility Truck, this would include a permit fee of \$50.00 and would require the owner to make a trip to City Hall to have the police inspect the vehicle. Council members were in favor of treating them just like the Micro Utility Truck making sure the owner has current insurance and acknowledges that they have read and received a copy of the regulations. Administrator Slauch will revise the municipal code and bring it back to the council for approval.

B. Wage & Compensation Study – The city is using a pay scale that was developed during the time Richard Chesney was serving as interim city administrator, April 2004-January 2005. The plan has functioned well, gives structure to the hiring process, establishes relative parity between departments and gives fair consideration of the knowledge, skills and abilities among the various departments. The city council granted approval at the October 28, 2013 meeting to solicit for a compensation study. The request for proposal is being prepared for distribution December 10 with an expected return date of January 15 and consideration at the January 20, 2014 council meeting. Council Member French noted that the employees need to be informed as to why the study is being done. Council Member Wells noted that if the list was in priority order #8 needs to be moved ahead of #6 and 7.

NEW BUSINESS

A. Snow Removal Policy - Discussions – At the November 12, 2013 city council meeting an updated administrative policy on snow removal was presented for discussion. The policy contains the following statements:

“In residential areas of town snow material should not be plowed into the streets or alleyways. This material should be piled on site or hauled away.”

“Snow removal in the central business district and in commercial business areas should not be plowed into the on street parking area or roadway. In the downtown business district there is limited area to place this material, however the sidewalks are very wide allowing ample room for material to be piled in various spots and still allow pedestrians adequate access to the sidewalks and businesses. This material may also be hauled off site if the owner or contractor so desires.”

After the notices were distributed to area business owners, a few of them called to complain about the policy. They apparently have a problem with not being allowed to push snow from sidewalks into the street.

Street department crews begin to plow the snow after a substantial accumulation has fallen. In the downtown area streets are plowed in the middle of the night when few cars are parked in front of businesses. The snow is moved to the middle of the street for later removal.

Some of the challenges in the past occur when snow is pushed from sidewalks into the street and then some call City Hall and complain that city crews are not doing an adequate job of cleaning the streets.

In order to clear snow from all priority roads, it is not feasible to make multiple passes in one area. In the downtown area cars are parked in parking stalls so just the driving lanes are cleared as snow continues to fall.

The problem gets bigger as more snow falls and the piles at the edge of sidewalks gets higher.

City crews do their best with the equipment available to clear the priority residential areas and business streets as quickly as possible. There also needs to be understanding and cooperation from business owners to work together in the snow removal process.

Council Member Zornes stated she had spoken with some business owners and they would have liked to have some input in the decision; however none showed up for the meeting this evening to voice their concerns.

Administrator Slauch noted that if it is a small snow it wouldn't be a problem to be pushed into the street, however for larger snows pushing the snow to one area of the sidewalk every so many feet would be the best option. If a contractor wants to push it into the large piles in the middle of the street where the city crews have piled the snow that would work also.

B. 2014 Fuel Purchases – Bids were solicited for gasoline and diesel. Two bids were received. The bids reflect delivery charges and profit per gallon. The successful vendor will be required to use these prices to figure the fuel cost over and above the rack sheet price when figuring the total cost per gallon of fuel. Bids exclude any state and federal taxes. The bid from Hampel Oil for gasoline was \$.075 and diesel \$.089. The bid from Lybarger Oil for gasoline was \$.35 and for diesel \$.35. Staff's recommendation is to accept the lower bid from Hampel Oil. Motion made by Council Member Becker to award the bid to Hampel Oil for purchase of gasoline and diesel for the 2014 calendar year. Motion seconded by Council Member Franklin. All in favor. Motion carried.

C. Wastewater Improvement Project – Resolution –

The wastewater improvement project is now planned in three parts: 1) Main Lift Station, 2) Vine, Kentucky and Ohio Lift Stations; and 3) sewer pipe lining, cured in place pipe lining (CIPP).

The Phase III project consists of approximately 12,550 linear feet of 8-21" existing sewer pipe using a cured-in-place pipe (CIPP).

Phase 1 Crossland Contractors \$194,000 – substantially complete Aug. 1.

Phase 2 Slattery Construction \$680,930 – preconstruction conference August 22, 2013.

Work on Vine Street lift station underway

Phase 3 awarded to SAK of Kansas City, \$398,716.60, engineer's estimate was \$432,364.

Motion made by Council Member Wells and seconded by Council Member Myrick to approve Resolution 2013-13 designating Joel Wicoff, Mayor, as authorized representative to sign documents for the wastewater improvement project and KDHE loan. All in favor. Motion carried.

D. 2013 Budget Amendments – A brief overview of where the city stands on the 2013 budget was presented to the council. Four funds will need to be amended to cover expenses above and beyond approved budget figures. City Clerk Hutton reviewed the budget amendments noting that the fire department is the only general fund department to go over the budget. Part of the reason for the overage is the Safer Grant and the Air Pack grant. All of the departments have done well at managing their budgets. Administrator Slaugh noted that he is going to advise the departments that they should be underspending their budgets in order to maintain a cash reserve in the fund. Motion made by Council Member Franklin and seconded by Council Member Wells to hold a public hearing for the 2013 budget amendments on December 23, 2013 at 6:00 p.m. All in favor. Motion carried.

E. Cereal Malt Beverage License Renewals – The following businesses were presented to the council for approval of a cereal malt beverage license for the 2014 calendar year:

For sale in unopened containers not for consumption on premises:

Ray's Mini Mart

Pump N Pete's

Jump Start Travel Center

Wal-Mart

Casey's

For Sale for consumption on premises:

Cedarbrook Golf Course

Country Lanes

Denny's Sports Center

El Jimador

Pizza Hut

Five O'clock Somewhere
China Palace
Coronado's

All of the above businesses have passed inspection from the fire department and the police have given their approval on all of the applicants. None of the applicants have had any underage sales in the 2013 calendar year.

China Palace and Coronado's had not passed fire inspection prior to distribution of the council packets. Monday China Palace complied with correction of the violations. Five O'clock Somewhere brought their application in late on Friday afternoon so they would need to be approved for sale for consumption on premises

Motion made by Council Member Wells and seconded by Council Member Zornes to approve the applicants for their CMB license with the exclusion of Coronado's. All in favor. Motion carried.

F. Rental of County Owned Facility – Administrator Slauch handed out a lease agreement between the city and the county for the building located at 412 N State. Discussion centered on the possibility that building was included in the original contract with the city. Council Member Myrick was concerned about the rental that Humboldt and Moran would charge now that the county was charging us for this building. Council Member Ford stated that she wanted to have Attorney Johnson look over the initial agreement to see if buildings were included and have him look over this contract. Motion made by Council Member Wells and seconded by Council Member Myrick to table this item until the next meeting following review of both agreements by the city attorney. All in favor. Motion carried.

UNFINISHED BUSINESS

A. Faith House Funding Request – Linda Stange, The Faith House in Chanute, made a request Nov. 25 for \$6,000 in funding to support their effort to provide shelter for individuals or families. There is not a similar facility in Iola.

The Convention and Tourism fund which is funded by a bed tax commonly referred to as CVB (convention and tourism bureau) has been used in the past to provide some funding for this type of request. The Faith House did not submit a request for funds in 2013 for their operation. If funds were authorized they would have to be taken from another fund and would be an unbudgeted item.

CVB funds are appropriately used as follows:

K.S.A. 12-1696

(e) "Convention and tourism promotion" means: (1) Activities to attract visitors into the community through marketing efforts, including advertising, directed to at least one of the five basic convention and tourism market segments consisting of group tours, pleasure travelers, association meetings and

conventions, trade shows and corporate meetings and travel; and (2) support of those activities and organizations which encourage increased lodging facility occupancy; and

During the year 2013 the Faith House served 184 guests, 54 from Allen County.

Should the council decide to fund the Faith House for \$3,000, staff suggests it come from the city council special projects fund 522-2600.

Administrator Slauch noted that most cities do not fund homeless shelters. They are generally funded by church groups. Council Member Ford noted that it would be a good thing to help them. Motion made by Council Member Franklin and seconded by Council Member Ford to fund the Faith House \$3,000. Council Member Shaughnessy noted that it would be nice to see the community get involved in fundraisers for these organizations instead of using city funds. All in favor of the motion. Motion carried.

COUNCIL & ADMINISTRATOR REPORT

A. Mayor Wicoff –

- None

B. Council Member Wells–

- Stacy Talkington commended the street and alley crew for promptly filling in a pot hole.
- Wanted to make sure the city council followed the Supreme Court Ruling concerning city donations to religious organizations like the Faith House and also praying before Council Meetings.

C. Council Member Ford –

- Gave an update on the MOMS playground project. Two grants were received one for the Health Care Foundation for \$25,000 and one for \$15,000 from KABOOM bringing the total raised to date \$130,000 of the \$160,000 goal.

D. Council Member Franklin–

- Have attended several open houses for businesses lately.
- If the council is not going to have a holiday party for the employees this year maybe we could pool our money for a fundraiser.

E. Council Member Shaughnessy –

- Would like to see the city sponsor a benefit dinner for the organizations that are in need like the Faith House.

F. Council Member Becker –

- Sidewalk on State Street looking great.

G. Council Member Myrick –

- Asked for a status on Catalyst. Assistant Administrator Schinstock has been emailing them. They are getting some new equipment ordered and working out the details on plant layouts.

H. Council Member Zornes –

- Commended the Street and Alley Department for the progress on the sidewalk.

I. Council Member French –

- Would like staff to stay on top of the neighborhood revitalization plan with the county. This is a good thing to attract people to the city.
- Noted that the traditional lighting ceremony did not take place this year in part due to lack of participation. Would like to see everyone get excited about these events.
- Spoke with the company that moved the house that was located by the Bowlus. The company representative commended Kent Tomson and his crew. Said he can't wait to return to our city to work with the great city crew again.

J. Administrator Slaugh –

- Corps of Engineers is willing to pay \$100,000 to do a study for the first phase of certifying the levy around the park.
- USDA willing to perform feasibility study to look into possibility of making Iola a fiber optic city.
- County has invited Carl and Shonda to a commission meeting to defend the neighborhood revitalization plan. Council Member French noted that he would like to have Attorney Johnson attend also, due to the fact that the county keeps referring to how the plan violates the intent of the law.

EXECUTIVE SESSION – Non- Elected Personnel/ EMS Director Pay scale

7:45p.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 – EMS Director Pay. All in Favor. Motion carried. Present: Council Members and Administrator Slaugh. The open meeting to resume in the Commission Room at 8:00 p.m.

8:15 p.m. Council entered regular session. Motion made by Council Member Wells to increase the EMS Directors pay from \$16.15 per hour to \$19.15 per hour. All in favor. Motion carried.

DATE / TIME OF NEXT MEETING

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

City Council Meeting 6:00 p.m. Monday, January 13th, 2014

ADJOURNMENT

8:17 p.m. Motion made by Council Member Becker and seconded by Council Member Zornes 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 December 2013.

Mayor, Joel Wicoff

City Clerk, Roxanne Hutton