

A special called meeting of the City Council of the City of Iola was held on January 14, 2014, at 6:00 p.m., at the Dr. John Silas Bass North Community Building, 505 North Buckeye Street, 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, Ford, French, Franklin, Wells, Becker, Shaughnessy and Myrick were present. Also present were Administrator Slaugh, Attorney Johnson, Assistant Administrator Schinstock, and City Clerk Hutton.

NEW BUSINESS

A. Country Estates Annexation- Administrator Slaugh reviewed the procedures of the annexation plan. Noting that all of the statutory requirements have been met by the city for the annexation. Administrator Slaugh noted that the increase in taxes will be offset by the decrease in utility costs.

PUBLIC COMMENTS

Mayor Wicoff opened the public comments to those in attendance.

- Barbara Sherwood – 3006 Dodge Drive – Wondered about homes that are not up to code, would they have to get that way. Homes will come in as non-conforming structures.
- Asked about the lights in the neighborhood, currently homeowners are paying for these. Who will pay for them? The lights are at the homeowners request and are in the “alleyway” paid for by the homeowner.
- When will the trash pickup start? As soon as the annexation ordinance is published.
- Will they have a benefit district on the sewer? The council is hopeful that the funds will cover the cost of the improvements and a benefit district will not have to be done.
- Don Erbert, 220 Holiday Lane – Talked to homeowners at 34 homes – 26 didn’t want to come into the City of Iola. Four of them wanted to come in and of those four two wanted something from the city and two didn’t care one way or the other.
- Wanted to know what the benefit is for the City of Iola Citizens? Orderly growth of a city is the main reason for an annexation. It is customary when a subdivision is built, before services are extended, the subdivision is annexed into the city; however this was not done on this subdivision over thirty years ago.
- Duane McGraw – 1389 Oregon Road – Is in favor of the annexation so that the city can take over the sewer problems.

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- Rick Muhl – 701 Osage – How is this going to help me? The city doesn't clean off residential streets like the county does. There is a definite drainage problem.
- Tim Emmons – 17 North Holiday Lane – Who will be responsible for moving my fence so that the water meter can be read? Meter Reader goes inside of fences to read meters in town.
- Tim Osborn – 16 N Holiday Lane – What about the future expenses for the subdivision? The streets will need work, the drainage issue, water lines, lift station. Will the city maintain all of these?
- There are no lights on the streets only in backyards.
- Barbara Culbertson – 212 N Holiday Lane – What is the rationale for the annexation? There will be no difference in services.
- Has a 2 ½ inch sewer line that runs from her house to the main. Whom is responsible for this line? The homeowner is responsible for the sewer line from the house to the main.
- There is a definite drainage problem.
- Are chickens allowed?
- Ed Wilkerson – 116 Holiday Lane – What is the value to the city? The Iola citizens will be bearing the cost of the repairs and maintenance to the subdivision. This is not a step forward for us.
- Robert Wayne – 115 N Holiday Lane – Annexation gives us no improvements. The county treats us fair. The streets are cleared by the county. What about the money we have in the CD's? The money from the water district will be tracked separately from current city funds and spent on the subdivision improvements.
- David Donovan – 19 S Holiday Lane – He is the secretary / treasurer for the water district and would like the city to take over the water district; it is too much work.
- Will the trash service be mandatory? Trash service will be charged on the bill.
- The pole lights will remain the homeowner's responsibility.
- Need dog leash laws.
- Welcome Wayne – 115 N Holiday Lane – Asked for Council Member French's opinion since he used to live in the subdivision.
- Council Member French stated that he could see both sides of the issue. The council has been diligent in cost savings, noting that the current EMS merger will have a county wide cost savings.

Mayor Wicoff thanked everyone for their comments. We are listening. He closed the public hearing. He noted that at no time was this annexation to gain taxes. It is for growth.

B. Annexation of Land— Administrator Slauch reviewed the sixteen points (attached) in determining the advisability of annexation.

Mayor Wicoff noted that it was time to have a discussion between the council members to answer their questions and concerns about the annexation.

Council Member Ford stated that at no time was the conversation about raising taxes. Some residents had come to the council asking for help with issues in the subdivision. This annexation will actually cost the city more money.

Council Member Myrick stated that taxes were never the issue. If the property is annexed the residents will not be treated differently. He represents the entire city and what is best overall not just his ward.

Council Member Wells asked what the benefit is to the residents in the subdivision. You are already receiving the benefits the swimming pools, the parks, the utilities and have had these benefits for over thirty years. It is now time to become part of the community and help support the services you have received over time. This is not a financial issue. When there is a water break on Christmas Eve the city employees will be there to fix it. The city has the resources in place to take care of the development. It is time for the subdivision to participate in supporting the community.

Council Member Ford noted that the higher taxes are on everyone's mind.

Mayor Wicoff stated that feedback from the community has been heard the council is just trying to do what is best for the community. The council needs to move forward with the annexation or not move forward. A decision needs to be made. The additional cost to the city won't be covered by the taxes received by the subdivision.

Council Member Shaughnessy is not in favor of the annexation because of the cost to the city. There are a lot of benefits to being part of the city that the council is trying to offer to the subdivision.

Council Member Becker stated that the city will spend a lot more money than the residents realize to upgrade and maintain the subdivision.

Council Member Franklin stated that they do not have street lights in her subdivision and it is nice to not have the heavy traffic. The city needs to grow and this is the first step in that process. Taxes were not part of the discussions; it was all about population growth.

Council Member French noted that while half of the people had spoken, half of them didn't speak. How do we know what they want? The city employees are doing jobs to improve the city, such as the sidewalk on State Street. The council is diligent in cutting costs and addressing issues that are needed.

Council Member Zornes stated that the council was trying to help the citizens in the subdivision. The council was trying to be a good neighbor by annexing them into the city.

Motion made by Council Member Wells and seconded by Council Member Franklin to adopt Ordinance 3428 annexing Country Estates addition and other listed land into the corporate limits of the City of Iola. Voting in favor of the motion were council members: Wells, Franklin, French and Zornes. Voting against the motion were council members: Becker, Ford and Shaughnessy. Council Member Myrick stated he was abstaining because he hadn't made up his mind yet. All abstentions in ordinance votes count as a no vote which would make it a four in favor and four against vote. City Clerk Hutton stated that this was not a valid reason to abstain, however the motion did not pass due to the fact that ordinances must be passed by a majority of the members elect which would require a five member vote in favor of the motion. Mayor Wicoff could have voted in favor of the motion to give it the five votes needed to pass the ordinance; however Mayor Wicoff voted against the motion; therefore the motion failed.

DATE / TIME OF NEXT MEETING

City Council Meeting 6:00 p.m. Monday, January 27th 2014

City Council Meeting 6:00 p.m. Monday, February 10th, 2014

ADJOURNMENT

7:50 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 27th day of January 2014.

Mayor, Joel Wicoff

City Clerk, Roxanne Hutton