

A regular meeting of the City Council of the City of Iola was held on February 24, 2014, at 6:00 p.m., at the Riverside Park Community Building, 510 Park Avenue, Iola, Kansas.

## **CALL MEETING TO ORDER**

Council President Becker called the meeting to order at 6:00 p.m.

## **ROLL CALL**

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

## **REVIEW & APPROVAL OF AGENDA**

Motion made by Council Member Myrick and seconded by Council Member Zornes to approve the agenda moving item 9B to 10D to accommodate an executive session. All in favor. Motion carried.

## **PUBLIC COMMENTS**

Donna Houser informed the group that the historic signs should all be up around the square by the end of March with help from city employees. She has been communicating with businesses around town about putting historic plaques on businesses. Disk golf park committee is requesting a \$30,000 grant. She asked the councilmembers to monitor the fluoride bill that is before the legislature. As a retired dental hygienist she knows how important it is to have fluoride in the water.

## **CONSENT AGENDA**

**A. Minutes Approval** - February 10, 2014

**B. Appropriations Approval** – 2014-04

**C. Personnel Action**

- **Patrick Wilson – Parks & Cemetery – Annual Evaluation**
- **Sarah McDaniel – Fire/EMS – Annual Evaluation**
- **Jessica Fosdick – Clerk’s Office – Six Month Evaluation**

**D. Board Appointments**

- **Jean Anderson – Board of Zoning Appeals - Reappointment**

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

## **NEW BUSINESS**

**A. ACARF Contract Renewal – Shonda Jefferis** – The contract with Allen County Animal Rescue Facility (ACARF) expires on March 1, 2014. ACARF is proposing an increase in shelter fees from \$85 per animal to \$90 per animal. The fee for

puppies and kittens delivered at the shelter within the gestation period will remain at \$50/puppy or kitten. Currently we have had some pet owners waiting the required three day waiting period and then going to the shelter and “adopting” their pet. These individuals are saving \$5 and their pets are being spayed or neutered before being returned; unfortunately, the City is not receiving any payment from the owners in this case. Therefore, the city has proposed that an owner must pay the City the impoundment/release fee for a period of 10 working days from the date of impoundment. In addition, ACARF has proposed to install microchips in animals being claimed by their owners for a \$10 charge; they would like to make this a requirement; with the owner pay this fee directly to ACARF Council Member French inquired if the city could require micro chipping making it easier for the city to know who the animal belongs too. This may be helpful in closing the gap between the number of animals impounded and the number of animals claimed. Council Member Wells thinks it is a good idea, however; this should be on the owner. Shonda informed the council that the city makes every effort to track down the owner if the dog is registered through the city and we have contact information. Motion made by Council Member Wells and seconded by Council Member Zornes to approve the ACARF contract as presented. All in favor. Motion carried.

**B. Unit #22 Bucket Truck Replacement – Electric** Distribution Superintendent, Kent Tomson solicited bids for replacement of Unit #22 a 2002 Ford F-550 with ETS Ariel bucket truck mount. This truck is used daily as the electric distribution department’s service truck. At the current time it has 79,466 miles on the truck with probably double that in hours of operation. Bids were open on February 19<sup>th</sup> at 10:00 a.m. with the following three sealed bids received. From Electric Technology, LLC (E.T.I.) \$95,175.39 with delivery in 180 days and a two year parts, labor and travel warranty, Altec Industries, Inc. \$95,071.14 with delivery in 270-300 days and a one year parts and labor warranty and a ninety day travel warranty, Foley Utility Equipment \$117,843.57 with a January 2015 delivery date, no warranty information provided. The bids do not include a trade-in value for the existing truck as the intent is to advertise and sell the truck in-house in accordance with city policy with the thought that it would bring more than trade in value. Staff is recommending the purchase of the E.T.I. vehicle which is \$104.25 higher than the lowest bid; however it provides a better warranty. In the 2014 budget there is \$115,000 earmarked for the purchase of this vehicle. Mr. Tomson informed the group that the two-year warranty on travel has a potential to save the city a lot of money. Motion made by Council Member Wells and seconded by Council Member Myrick to approve the purchase of the bucket truck from E.T.I. at a cost of \$95,175.39 to replace unit #22 and sell the current vehicle as per the purchasing policy. All in favor. Motion carried.

**C. Unit #E-22 Backhoe Replacement – Gas/Water/Wastewater** Superintendent, Mitch Phillips solicited bids for replacement of backhoe Unit #E-22. Bids were opened on February 19<sup>th</sup> at 2:00 p.m. with the following three sealed bids received. From Victor L Phillips Co in the amount of \$62,500, from Scott Equipment in the amount of \$64,000 and from Rex Spencer Equipment Co in the amount of \$63,700. All of these bids include

the trade in of the current 1997 Case Backhoe Model 580, review of similar purple wave auctions on backhoes comparable to what we are replacing are selling anywhere from \$5,000 to \$25,000. All three bids included trade in from \$20,000 to \$22,000. There is \$94,998 in the 2014 budget earmarked for the purchase of this equipment. Mitch Phillips stated that since they were all the same brand and had the same warranty he recommends going with the lowest bid. Motion made by Council Member French and seconded by Council Member Zornes to approve purchasing the backhoe from the lowest bidder Victor L. Phillips Co in the amount of \$62,500 and trading in the current model. All in favor. Motion carried.

**D. Municipal Investment Pool – Resolution** – Staff is currently soliciting bids on a 180-day CD for excess funds in the amount of \$4 million. If the interest rate bid is below the current rate of the Municipal Investment Pool staff would like to invest with them. In order to do this a resolution must be approved designating staff authorized to execute documents and make deposits and withdrawals according to city policy. Motion made by Council Member Wells and second by Council Member Zornes to approve Resolution 2014-04 designating Roxanne Hutton, City Clerk and Debra Troxel, City Treasurer as designated staff to execute documents and make deposits and withdrawals in the MIP for excess cash. All in favor. Motion carried.

## UNFINISHED BUSINESS

**A. Chickens Inside City Limits – Shonda Jefferis** - The council directed staff at their meeting held on February 10<sup>th</sup> to draft an ordinance with a permit fee and an annual inspection. The new proposed ordinance would restrict chickens to one hen per 1500 square foot lot or parcel, up to a maximum of five hens regardless of lot size. The ordinance also requires an inspection of the chicken coop or shelter before a permit will be issued and payment of fees, \$15 per year per chicken, a prohibition of keeping animals within 200 ft. of the residence of others is also included in the ordinance. Motion made by Council Member Wells and seconded by Council Member Myrick to table this item until the next meeting. Council Member Becker stated that he had received calls from former farmers that have moved to town stating they do not want chickens in town due to the rodents that they attract. Council Member Myrick commented that individuals have open dog food containers didn't know how chicken food would be any different. Council Member French would like to see something in the ordinance about fecal matter disposal, dead bird disposal and a lower fee each year after the first year, no free range and allow prefab plastic coops. Council Member Zornes stated she is not against chickens; just don't think they belong in town. She doesn't think that it is fair to employees to ask them to add on enforcement of chickens to their duties they already have. She would like to clean up the city making it attractive as possible before adding something that has the potential to create more nuisance issues. Angela Henry, USD 257 Safe Base Director, has not approached the school board about Safe Base raising chickens, but thinks it

would be a good idea and an opportunity to educate the children. A vote was taken. All in favor. Motion carried.

**C. Boundary Ordinance – Adoption** – At the January 27<sup>th</sup> council meeting the council approved a boundary ordinance that repealed all previous ordinances. It was discovered following the meeting that at some point a resolution was passed adopting the city boundary. The new ordinance repeals all previous ordinances and resolutions in conflict with the new ordinance. Motion made by Council Member Wells and seconded by Council Member Myrick to approve Ordinance 3430 designating the boundaries of the city and authorize the mayor to sign. All in favor. Motion carried.

## **ROUNDTABLE**

**A. 2013 Utility Funds Budget Review – Administrator** Slaugh reviewed the documents with the council. Council Members French and Wells stated that they would like to look at outside city limits utility rates at a future meeting.

**B. Fire/Ems Budget Review – Will** continue to monitor the fund and report back to the council on a regular basis. Council Member Wells would like Carl to pressure the county for the money they levied this year for the EMS. Administrator Slaugh informed the council that the city had received over \$74,000 in compensating tax this month, which is approximately \$72,000 over normal receipts.

**C. Legislative and Policy Issues – Discussions** - The legislature is considering a bill to move municipal elections to the fall of the year the same as general elections and possibly make them partisan. The legislature is also considering a bill that would prevent local governments and schools from using taxpayer funds to pay a lobbyist. Motion made by Council Member Wells and seconded by Council member French to pass the resolution opposing HB 2227 and authorize the Mayor to sign the resolution. All in favor. Motion carried. Motion made by Council Member Wells and seconded by Council Member French to approve a resolution opposing SB 343 restricting local government from using public funds for lobbying purposes and authorize the Mayor to sign the resolution. All in favor. Motion carried.

**D. EMS Director Pay** – Administrator Slaugh stated that currently in the pay scale there is a designation for the EMS Director and the Deputy Chiefs and a separate one for Fire Chief. The city needs to know who to deal with the EMS Director pay in the short term basis until the pay study is complete. A proposed agreement was drawn up by the City attorney. In the agreement there is no termination date. Staff would like to see a cap until the pay study is completed. All department heads are exempt from overtime pay whereas the EMS director is currently non-exempt.

**EXECUTIVE SESSION**

Motion made by Council Member Wells and seconded by Council Member French to adjourn to executive session to discuss non-elected personnel. All in favor. Motion carried. Present: Council, and Administrator Slaugh. The meeting to resume at 7:45 p.m.

Following the executive session, motion made by Council Member Wells and seconded by Council Member Myrick to approve a supplemental temporary employment agreement with Ryan Sell, contingent on receiving the completed Exhibit A and having the city attorney add a termination clause for the agreement, and authorize the mayor to sign the agreement. The Agreement would make the extra work outside of regularly scheduled shift work as contract labor as described in Exhibit A, and paying the EMS Director, Ryan Sell \$800.00 per month. All in favor. Motion carried. Draft contract attached.

**COUNCIL & ADMINISTRATOR REPORT**

**A. Mayor Wicoff – Absent**

**B. Council Member Wells– None**

**C. Council Member Ford – Absent**

**D. Council Member Franklin– Absent**

**E. Council Member Shaughnessy – Absent**

**F. Council Member Becker –**

- Thanked everyone for their kind words about his wife and support since her passing.

**G. Council Member Myrick –**

- Asked when Vine Street will be reopened. Administrator Slaugh stated that they have ordered the new manhole and cover and will be installing in the near future. Council Member French noted that it is currently open.

**H. Council Member Zornes – None**

**I. Council Member French – None**

**J. Administrator Slaugh –**

- Reminded the council that the Strategic Planning Session is at the College Board Room. Dinner and social will begin at 5:30 p.m. with the meeting starting at 6:00 p.m. Bruce Cochran will facilitate the meeting.

- Enclosed in the packet is the swimming pool report with a recommendation to increase pool rates. Council Member Wells would like to see the rates increased to \$2.00 and move forward with the season pass tickets. He would also like to see a possible early sign up for swimming lessons for Iola residents.
- Administrator Slaugh presented the letter of understanding for pay compensation study to the council for approval. Motion made by Council member French and seconded by Council member Myrick to approve the letter of understanding and authorize the mayor to sign the necessary documents. All in favor. Motion carried.

**DATE / TIME OF NEXT MEETING**

Strategic Planning Session 6:00 p.m. Monday, March 3<sup>rd</sup>, 2014

City Council Meeting 6:00 p.m. Monday, March 10<sup>th</sup>, 2014

**ADJOURNMENT**

**7:55 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 10<sup>th</sup> day of March 2014.

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Mayor, Joel Wicoff

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City Clerk, Roxanne Hutton