

A regular meeting of the City Council of the City of Iola was held on March 10, 2014, 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, Becker, Wells, Myrick, Franklin and French were present. Also present were Administrator Slaugh, Assistant Administrator Schinstock, and City Clerk Hutton. Council Member Shaughnessy was absent from the meeting.

REVIEW & APPROVAL OF AGENDA

Motion made by Council Member Franklin and seconded by Council Member Wells to approve the agenda adding 7E Ryan Sell with a separate vote from the consent agenda and item 9E EPA Agreement Letter. All in favor. Motion carried.

Mayor Wicoff presented a proclamation to the Iola Mustangs Basketball Team for their trip to the state tournament and declared March 10 – 14, 2014 Iola Mustang Basketball Week.

Mayor Wicoff presented a certificate to Donald Leapheart for his years of service to the City of Iola. Chief Leapheart will be retiring on Friday, March 14th.

PUBLIC COMMENTS

Donna Houser had concerns about the motion the council made at their meeting on February 24th paying Ryan Sell, EMS Director a stipend. Administrator Slaugh noted at that same meeting that the EMS/FIRE fund would incur a deficit for the year. With that in mind, how can the council justify the extra pay.

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**

E. EMS Director Pay Contract

Motion made by Council Member Becker to approve the consent agenda items A-D. Motion seconded by Council Member Franklin. Council Member Myrick asked about the

cellular phone bill. City Clerk Hutton explained that those are the on call phones for each of the departments. All in favor. Motion carried.

Motion made by Council Member Wells and seconded by Council Member Zornes to approve the contract for the EMS Director, Ryan Sell. Council member Becker wondered how much the EMS fund is going to be short. Council member French stated that he is worried also about the shortfall of the fund. Council Member Ford stated that she doesn't know what the answer is but feels the position deserves extra pay. Administrator Slaugh noted that there is a category on the pay scale for assistant supervisors in each department; they are all less than the department supervisors. With the stipend and his predicted OT the EMS Director will be making more than all the other department supervisors. Council Member Franklin stated that it is not right for this position to be paid more than all other department supervisors. Motion to withdraw the current motion was made by Council Member Wells and seconded by Council Member Zornes.

EXECUTIVE SESSION

Motion made by Council Member French and seconded by Council Member Myrick to adjourn to executive session to discuss non-elected personnel. Voting in favor of the motion were council members French, Franklin, Becker, Myrick, Ford and Zornes. Voting against the motion was council member Wells. Motion carried by a majority vote. Present: Council, and Administrator Slaugh. The meeting to resume at 6:57 p.m.

Fire Chief Leapheart and Deputy Fire Chief Thyer addressed the council stating that Ryan Sell had to leave the meeting for a call. Mr. Sell stated that he would go to an 8:00 a.m. – 5:00 p.m. schedule and become exempt from overtime to prevent such a large difference in pay among city employees. There is currently a paramedic on Mr. Sell's shift; however a position would have to be filled. Motion made by Council Member Wells and seconded by Council Member Zornes to approve the contract for \$800 additional pay per month on a contract basis, contingent on the receipt of Exhibit A. Voting in favor of the motion were council members Zornes, Wells, French and Ford. Voting against the motion were council members Becker, Myrick and Franklin. Motion passed by majority vote.

UNFINISHED BUSINESS

A. Chicken Ordinance – Shonda Jefferis – Shonda Jefferis presented a revised ordinance to the council. She noted that the rodent free food is addressed in another ordinance; therefore there would be no need to add it to this ordinance. Council Member French handed out changes he would like to see in the ordinance which included. (Attached to official minutes) *Added that domesticated fowl not be kept within 50 feet of any dwelling other than that of the owner or tenant of the premises on which such fowl are kept or maintained. Upon inspection day, renters will show proof of property owners consent to house chickens. Feed must be maintained/stored in an air/water tight container.* Motion made by Council Member Wells and seconded by council Member Myrick to add to the ordinance that domesticated fowl not be kept within 50 feet of any dwelling other than that

of the owner or tenant of the premises on which such fowl are kept or maintained. Voting in favor of the motion were council members Wells, Myrick, Ford, Zornes, Becker and French. Voting against the motion was council member Franklin. Motion passed by majority vote. Motion made by Council Member Wells and seconded by Council Member Myrick to add to the ordinance upon inspection day, renters will show proof of property owners consent to house chickens. Voting in favor of the motion were council members Wells, Myrick, Ford, Zornes, Becker and French. Voting against the motion was council member Franklin. Motion passed by majority vote. Motion made by Council Member Wells and seconded by Council Member Myrick to add to the ordinance feed must be maintained/stored in an air/water tight container. Voting in favor of the motion were council members Wells, Myrick, Ford, Zornes, Becker and French. Voting against the motion was council member Franklin. The motion passed by majority vote. Council Member Becker noted that several individuals have contacted him including farmers that are against housing chickens within the city limit. He questioned whether we are changing the ordinance for a small number of people. Council Member Myrick stated that a lot of the safe base kids are talking about getting chickens. Council Member Ford noted that the adults are the ones getting the permits so they will be the ones having to abide by the ordinance. Council Member Franklin stated that many people in her ward have called her opposing chickens within the city limits. Motion made by Council Member Ford and seconded by Council Member Myrick to pass the ordinance with the amendments added previously. Voting in favor of the motion were council members: Ford, Myrick, French and Wells. Voting against the motion were council members: Franklin, Becker and Zornes. Mayor Wicoff indicated that he would not vote for the passing of the ordinance therefore a majority of the members elect did not vote in favor of the motion so the motion failed.

NEW BUSINESS

A. 2014 Swimming Pool Rates & Ticket Options - Brad Yoder, Recreation Director presented two options to the council for ticket rates. Council Member Franklin stated that she is not in favor of a \$2.00 ticket price for those under 18. Council Member Wells stated that the season pass is a good deal and is in favor of it. Council Member French stated that if our rates are higher than surrounding towns people will load up to go to the other towns. Council Member Wells noted that those that purchase the season pass do so to make it easier than having the money each and every time an individual goes to the pool. Brad Yoder noted that they want to start selling the season tickets early to give individuals the option to purchase passes when they get a tax refund or possibly as a gift idea. Motion made by Council Member Myrick to approve option #1 changing the ticket price for ages 6-15 to \$1.00 and 16-64 to \$2.00. Council Member Franklin asked about adding the season pass prices in option #2. The motion was withdrawn by Council Member Myrick. Motion made by Council Member Wells and seconded by Council Member Zornes to change the pricing per option #2 which changes the daily admission for ages 6-64 to \$2.00; 10 tickets for \$15.00 and season pass for family of 4 to \$140.00, \$20.00 for each additional family member. Voting in favor of the motion were Council Members: Zornes, Ford, Wells and

Becker. Voting against the motion were Council Members: Myrick, Franklin and French. Motion passed by majority vote.

B. Annual Tree Trimming Contract – Invitations to bid on the annual tree trimming for electric transmission line clearance were sent to three professional tree trimming companies. The bid requested each entity bid a two man crew with a bucket truck and chipper at an hourly rate to be based on previous years trimming hours of 450-500 hours. The bid was sent out to the following companies with only one bid received. Poor Boy Tree Service from Fair Play, Missouri bid option #1 for a 60' bucket at \$74.90 per hour, Asplundh Tree Experts from Lenexa, Kansas and Davey Tree Service from Kent, Ohio did not submit a bid. Staff is recommending the approval of option #1 of a 60' bucket truck and crew for \$74.90 per hour to perform the annual contract tree trimming and clearing of electric lines not to exceed the budgeted amount of \$55,000 and authorize the mayor to sign the necessary contract documents with Poor Boy Tree Service. Motion made by Council Member Franklin and seconded by Council Member Becker to approve the bid from Poor Boy Tree Service for the annual tree trimming at a rate of \$74.90 per hour not to exceed the \$55,000 budgeted and authorize the mayor to sign the necessary documents. All in favor. Motion carried.

C. Bunker Gear Purchase – Discussions – Bids were requested for bunker gear for the EMS transitional personnel from three fire equipment vendors for 10-12 sets of required bunker gear for firefighting duties and assignments. Bids were received from three companies they are. MES Fire Equipment for \$20,145 for 10 sets, Feld Fire for \$20,594 for 10 sets, and Max Fire Equipment for \$23,307.46 for 10 sets less mask bags. Staff is recommending the bid be awarded to MES Fire Equipment at a rate of \$20,145 for 10 sets of gear. Tim Thyer, Deputy Fire Chief asked that the award include up to 12 sets for those firemen/EMS personnel that have transitioned from the county and those that will be hired to cover the open shifts. Motion made by Council Member French to authorize the purchase of up to 12 sets of bunker gear from the low bidder MES Fire. Motion seconded by Council Member Franklin. All in favor. Motion carried.

D. Missouri Pacific Trail Project – Corey Schinstock – The engineer company hired to complete the project, Schwab-Eaton, has incurred overages in large part to the east end of the property. This is because of the properties not being platted and what originally appeared to be a couple parcels to the consultant ended up being six parcels. Another factor for this contract change is the manner in which KDOT is reviewing these transportation enhancement projects. Motion made by Council Member by Council member French and seconded by Council Member Becker to accept addendum to the contract with Schwab-Eaton as presented. All in favor. Motion carried.

Council Member Franklin asked Mr. Schinstock if the easements on the State Street sidewalk project have been obtained. Mr. Schinstock stated that the easements are in place up to Patterson Avenue where the crew will stop to continue with their normal spring and summer work before completing the project.

E. Letter to EPA for Smelter Site Cleanup – Administrator Slauch presented a letter to the council stating that the EPA is stating that KDHE Brownfields program may be in charge of the cleanup process at the same time KDHE states that the EPA is in charge of the clean up since it is listed on the national priorities list. The letter is addressed to the EPA requesting a cleanup on all the contaminated area including commercial, residential and industrial, especially those “stretching westward from Highway 169 along both sides of Highway 54 included as part of the NPL clean-up. Motion made by Council Member Wells and seconded by Council Member Franklin to authorize the mayor to sign the letter to the EPA. All in favor. Motion carried.

ROUNDTABLE

A. Municipal Code Review – Administrator Slauch reviewed the process that staff is taking to review the Municipal Code Book. Each Employee Task Force Member has been assigned certain chapters. They have been asked to review them with their fellow employees and make recommendations for changes. The department heads will review the changes and then administrative staff will edit and summarize the changes. The attorney will review all the summary of changes and then they will be reviewed by the council. The changes will then be adopted by ordinance by the council.

COUNCIL & ADMINISTRATOR REPORT

A. Mayor Wicoff –

- Congratulated the Mustangs on their sub-state win.

B. Council Member Wells–

- Thanked the council members for their civility on matters they have had to make decisions on. Noted that some public comments have been that they hope some of the council decisions fail just to prove that the council made the wrong choices. The council disagrees in good faith and he thinks that the system is working the way it is meant to.

C. Council Member Ford –

- Thanked the city crews that have helped break ground and prepare for the playground equipment. It has been a successful project and the community has come together to help raise the necessary funds. April 4th and 5th will be construction date for the playground equipment. If anyone would like to volunteer for a four-hour time slot please get with a member of the committee.

D. Council Member Franklin–

- Good to be home!

E. Council Member Shaughnessy –

- Absent

F. Council Member Becker –

- None

G. Council Member Myrick –

- None

H. Council Member Zornes –

- None

I. Council Member French –

- Asked for an update on the wastewater project. Administrator Slaugh noted that camera crew will be finished by midweek. They have already identified some areas that need to be replaced that city crews have been able to take care of; this will help identify other areas that need to be replaced instead of being relined.

J. Administrator Slaugh –

- Noted that EMS Director Ryan Sell will be reporting monthly on the EMS/FIRE Budget.
- The next strategic planning meeting has been scheduled for April 7th at 5:30 p.m.
- Will be looking at options for bidding new computer software which controls the water plant. The current system was put in in August 2005. Estimated cost is around \$75,000. Will also look into obtaining SCADA systems for the lift stations at the same time. These systems will alert crews when there is a failure. The estimated cost of the systems is \$10,000 - \$15,000 per station.
- Asked the council if they want him to pursue an ordinance opposing the use of electronic cigarettes within the city. The council was in favor of pursuing this ordinance.
- The Farmers Market has requested their usual street closures. Police Chief Warner is handling the particulars with the Farmers Market staff.

DATE / TIME OF NEXT MEETING

City Council Meeting 6:00 p.m. Monday, March 24th, 2014

Strategic Planning Meeting 5:30 p.m. Monday April 7th, 2014

City Council Meeting 6:00 p.m. Monday April 14th, 2014

ADJOURNMENT

8:39 p.m. Motion made by Council Member Becker and seconded by Council Member Myrick 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 24th day of March 2014.

Mayor, Joel Wicoff

City Clerk, Roxanne Hutton