

A regular meeting of the City Council of the City of Iola was held on August 25, 2014, at 6:00 p.m., at the Riverside Park Community Building, 510 Park Avenue, Iola, Kansas.

CALL MEETING TO ORDER

Mayor Joel Wicoff called the meeting to order at 6:00 p.m.

ROLL CALL

Mayor Wicoff, Council Members Zornes, Becker, Franklin, Myrick, Ford, Shaughnessy, Wells and French were present. Also present were Administrator Slaugh, Assistant Administrator Schinstock, and City Clerk Hutton. City Attorney Johnson arrived at 6:30 p.m.

REVIEW & APPROVAL OF AGENDA

Motion made by Council Member Franklin and seconded by Council Member Becker to approve the agenda as presented. All in favor. Motion carried.

PUBLIC COMMENTS

Donna Houser stated that about 100 people were in town last weekend for the Kansas Dialog. Several of them took the trolley tour. They raved about the beautiful town square, the parks and the cleanliness of the town.

Mark Kauth, on behalf of the booster club, asked the council for permission to shoot fireworks at all Iola High School Mustang home football games this season. He has spoken with Fire Chief Thyer and has obtained liability insurance. Motion made by Council Member Myrick and seconded by Council Member Ford to allow the shooting of fireworks at all of the 2014 Iola Mustang football home games. All in favor. Motion carried.

Mark Kauth asked for help from the council with his infestation of starlings. He has visited with the State of Kansas Fish and Wildlife and they have referred him back to the city. He has researched bangers, a type of gun that shoots off a high powered firecracker that scatters the birds. Council Member Wells wanted to make sure that we wouldn't just be creating another problem by scattering the birds. Administrator Slaugh stated he will visit with Shonda Jefferies, Code Enforcement Officer and the area wildlife and game officer about options.

CONSENT AGENDA

A. Minutes Approval - August 11, 2014

B. Appropriations Approval – 2014-16

C. Personnel Action

- **Ron Knavel – Gas, Water & Sewer – Annual Evaluation**
- **David Harrison – Sanitation – Annual Evaluation**

- **Robert Droessler Jr. – Street & Alley – Twelve Month Evaluation**
- **Angela Huff – Clerk/Utility – Resignation**
- **Dana Nauertc – Purchasing/Stores – Classification from Salaried to Hourly**
- **Ryan Latta – Recreation – Classification from Salaried to Hourly**
- **Carla Brown – Administration – Classification from Hourly to Salaried**

Council Member Franklin asked about the appropriation from Lickteig. Administrator Slaugh explained that it was part of the playground project. Council Member French asked about the employees that are being reclassified and if this should be discussed in executive session due to supervision authority. Administrator Slaugh stated that it is only reclassifying them per FLSA standards that are a result of the pay plan study. Motion made by Council Member Wells to approve the consent agenda as presented. Motion seconded by Council Member Franklin. All in favor. Motion carried.

NEW BUSINESS

A. Dangerous / Unsafe Structures – Public Hearings - Mayor Wicoff opened the public hearing for the structure located at 119 W. Vine. No public comments were made concerning the property. Mayor Wicoff closed the public hearing. Motion made by Council Member Wells and seconded by Council Member Myrick to approve Resolution 2014-15 ordering the structure be removed and the premises made safe and secure. All in favor. Motion carried. Mayor Wicoff opened the public hearing for the structure located at 309 S Kentucky. No public comments were made concerning the property. Mayor Wicoff closed the public hearing. Motion made by Council Member Wells and seconded by Council Member Zornes to approve Resolution 2014-16 ordering the structure be removed and the premises made safe and secure. All in favor. Motion carried. Code Enforcement Officer, Shonda Jefferies informed the council that resolutions had been previously approved on the properties at 423 S Kentucky and 432 S Fourth that have both expired without the property owner taking the appropriate actions. The property at 423 S Kentucky was ordered demolished; although the property owner was issued a demolition permit, the permit has expired and the structure still stands. The property at 432 S Fourth was ordered repaired; the permit for remodel has expired and the structure has not been repaired. The resolutions for each of these properties stated that if the orders were not complied with in the required time, the governing body may take further action to raze and remove the structures without further notice to the owners. Motion made by Council Member Wells and seconded by Council Member Franklin to have the properties at 423 S Kentucky and 432 S Fourth removed and the premises made safe and secure. All in favor. Motion carried.

B. Water Tower Usage Agreement - Over the past few months city staff have been visiting with David and Harry Lee of LaHarpe Communications about their new business venture of providing wireless internet to the Iola area and beyond. Harry Lee is in attendance tonight to request to enter into an agreement with the city to place an

antenna on top of the city's water tower. Harry Lee explained that he is starting a new company called Newwave that will offer broad band internet service to customers in LaHarpe, Moran, Gas, Iola and the surrounding area. Their company has purchased the tower in Gas and has a contract with the City of Moran to use their water tower. Council Member French wondered if the contract shouldn't include a clause that if the city needs to do routine maintenance on the tower that removal of the company's equipment would be at their expense. Motion made by Council Member Wells and seconded by Council Member Myrick to have city staff move forward with drafting a contract with Mr. Lee's company and bringing it back to the council for final approval. All in favor. Motion carried.

C. Municipal Pool Season Review – Jason Bauer - Recreation Director, Jason Bauer was present to review the municipal pool season with the council. In recent weeks the recreation staff has gone to area pools to review their operations with the possibility of operating the Iola pool more efficiently. When they visited the other municipal pools they looked at rates, hours of operation, staff, cleaning and other daily operations. Jason Bauer, Recreation Director, and Ryan Latta, Assistant Recreation Director, presented a slide show showing statistics from area pools. They would like to change the pool closing time to 7:00 p.m. to allow for lifeguards 14 and under to work through the pool parties. The adult swim would take place between 7:00 and 8:00 p.m. They would like to change it to three and under get in free instead of six and under to be in line with the area pools. For the 2014 season revenue was up by \$10,000 from last year and attendance was down by 200 people. Council member Wells asked the department to collect data from the City of Humboldt since they are the closest competition. They would like to raise wages \$1.00 per hour since Iola is the only pool that doesn't pay minimum wage to cashiers and concession workers, which would prompt them to increase pay for the lifeguards. Council Member Wells asked if they had any certified instructors so that lifeguards wouldn't have to go elsewhere to be trained. Jason Bauer stated that they are working on that and also working on getting the managers lifeguard trained. The pair will work on obtaining some more information and report back to the council.

Council Member Myrick asked about the policy on field usage. He had someone ask why they were not being allowed to use the fields for a ball tournament when they are charging so that they can pay the umpires. Jason Bauer stated that it is a city policy if it is not for a non-profit group. Council Member Myrick asked about field lights being on after 9:00 p.m. when only a couple of people are out hitting balls or standing in the parking lot talking. There needs be a policy about the usage of lights after hours.

D. 2014 Audit Contract – The public accounting firm Jared, Gilmore and Phillips has performed the audit for the City of Iola for the last two years. They are proposing to perform the audit for the 2014 calendar year for the amount of \$8,800. Plus an additional \$1,900 for a single audit that will be required. This is the same fee that was charged for the 2013 audit. Motion made by Council Member Wells and seconded by Council Member French to approve an audit contract with Jarred, Gilmore and Phillips for the

2014 audit for the City of Iola in the amount of \$8,800, plus \$1,900 for the single audit and authorize the mayor to sign the letter of engagement. The council commended the firm for not increasing their rates. All in favor. Motion carried.

E. Bowlus Fine Arts Center – Proclamation – In honor of the Bowlus Fine Arts Center’s fiftieth anniversary Mayor Wicoff read the proclamation declaring the month of September 2014 “Thomas H. Bowlus Fine Arts and Cultural Center Month”. Susan Raines, Bowlus Director thanked the council for taking the time to do the proclamation.

UNFINISHED BUSINESS

A. 2015 Budget – Final Review – The budget for 2015 was revised at the August 11, 2014 city council meeting to decrease the mill levy from 44.692 down to 40.866. The adjusted budget is in the packet with the revised numbers. Since the budget was approved at the August 11, 2014 meeting all that is needed is the governing body signatures on the certificate page. Administrator Slauch reminded the council that during the refinance of the loan for the water plant the bond agency downgraded our rating due to our reliance on the enterprise funds. Relying on these funds in turn allows the city to keep the mill levy low. The council members and the mayor signed the 2015 budget documents.

B. EMS Joint Agreement – Contract Amendments – The city council made a decision at the August 11, 2014 meeting to give a six-month notice to terminate the EMS joint agreement. The notice must be made in writing. Council Member Zornes read a statement that after the last council meeting she felt embarrassed that we cancelled the contract and forced the county to come up with funds or take over the service. A lot has been accomplished in eight months but there is still more that can be accomplished. Council Member Zornes made a motion to not send notice to the county to terminate the EMS contract, to continue with the current contract, and to continue negotiations with the county. Motion seconded by Council Member Wells. Council Member Wells stated that we need to continue to negotiate. The county has learned it takes more funding to run the service. There was a question on whether the new motion could be made since the council voted to end the contract at the last meeting. Council Member Zornes stated that she had called the League of Kansas Municipalities and she was told she was allowed to make a new motion. Council Member Franklin asked where the money would be coming from. Council Member French stated that we have been negotiating all along with the county knowing it was going to take more than a million dollars to run the service. The city cannot move forward with the current contract financially. There needs to be a joint meeting between the two governmental bodies to try to come to an agreement. Council Member Wells stated that using the termination of the contract as leverage is not in the best interest of either party. Council Member Myrick stated that the citizens of Iola are paying for a countywide service when every citizen of the county should be supporting it. The fact remains that the city still wants to run the service and the county doesn’t want to run the service. We need to not give

up, but continue to fight for what we believe is the right decision. The staff is looking elsewhere and it was too hard to get them hired on. We need to assure them that we are willing to work this out. Mayor Wicoff stated that we don't want the county to feel like they are being forced into a corner. The county understands the issues and they want to talk. Everyone involved wants to be respected. We need to remove the stress from the employees and let them know we are willing to work on this. We received the separation of expenses between the fire and the EMS late today. Let's get with the county and show them they are not supporting the fire department and see where we can come together. Council Member French stated that it is sad that it took this to get the information out. The city shouldn't be losing any more of our infrastructure money on a service that should be supported by money that the county is levying county wide. Council Member Becker asked about the shortage we have this year. How are we going to take care of that. Council Member Wells stated that as long as both sides are still moving on the issue and negotiating the issue let's not put undue stress on the negotiations by ending the contract. Voting in favor of the motion were council members: Zornes, Wells, Myrick and Shaughnessy. Voting against the motion were council members: French, Franklin, Becker and Ford. Mayor Wicoff broke the tie by voting in favor of the motion. Motion passed by a majority vote.

Executive Session – Attorney/Client Privilege - Motion made by Council Member French and seconded by Council Member Becker to adjourn into executive session to discuss attorney/client privileged information. All in favor. Motion carried. Present Mayor, Council, Attorney Johnson and Administrator Slaugh. The regular meeting will resume at 7:44 p.m.

Motion made by Council Member Franklin and seconded by Council Member Becker to approve General Ordinance 3435 which will add a \$5.00 surcharge on all electric customers' utility bills for county wide ambulance service with a begin date of September 1 and termination December 31, 2014. All in favor. Motion carried.

ROUNDTABLE

A. Municipal Code Review – Update – Administrator Slaugh reviewed the process of revising the municipal code with the council. After revisions have been made they will have to go through attorney reviews and then be brought back to the council for final approval.

8:03 p.m. Attorney Johnson left the meeting.

B. Enterprise Funds - Review – Administrator Slaugh gave an overview of the water fund. Rainfall and temperature play a large roll in actual water usage. A complete analysis on production costs and maintenance on the current lines and replacement of old

lines has not been completed. Council Member French appreciated the graphs and the information provided by Toby Ross, Water Plant supervisor.

COUNCIL & ADMINISTRATOR REPORT

A. Mayor Wicoff –

- None

B. Council Member Wells–

- Has some concerns about the vote to budget \$2,000 for trapping of fur animals. Wants to assure that some qualifications are put in the ordinance on when and how to capture animals. Would like to see some conversations with the Kansas wildlife fish and game to assure we will not be creating another problem by eliminating one.
- Has received concerns about the leash and tether policy and would like to see possibly an hourly limit and /or requiring the owner to be home while the animal is tethered. Insisting on a 10x10 pen limits the area an animal has to move.
- Has had some employees approach him about a wellness program. Would like for the employee task force to look into the possibility of the interest in the city supporting part of a membership to a local gym with proof of attendance paid for out of the employee health fund.

C. Council Member Ford –

- None

D. Council Member Franklin–

- None

E. Council Member Shaughnessy –

- None

F. Council Member Becker –

- None

G. Council Member Myrick –

- None

H. Council Member Zornes –

- Thanked employees for fixing lights on the welcome signs and the trail.
- Thanked staff for getting council packets out by Thursday.

I. Council Member French –

- None

J. Administrator Slauch –

- Asked council if they are interested in attending the annual League of Kansas Municipalities Conference. A voting delegate needs to be appointed for the conference. Motion made by Council Member Wells and seconded by Council Member Zornes to appoint Administrator Slauch as the voting delegate. All in favor. Motion carried.
- Motion made by Council Member Myrick and seconded by Council Member Franklin to allow the Iola Fire Department to hold a boot block to benefit MDA on Saturday, August 30th at the intersection of Washington and Madison from 8:00 a.m. – 12:00 p.m. All in favor. Motion carried.

Executive Session – Non-Elected Personnel - Motion made by Council Member Wells and seconded by Council Member Myrick to adjourn into executive session to discuss Non-Elected Personnel/Employee issue. All in favor. Motion carried. Present Mayor, Council, and Administrator Slauch. The regular meeting will resume at 8:22 p.m.

Executive Session – Non-Elected Personnel - Motion made by Council Member Wells and seconded by Council Member Zornes to adjourn into executive session to discuss Non-Elected Personnel/Administrator Evaluation. All in favor. Motion carried. Present Mayor, and Council. The regular meeting will resume at 8:22 p.m.

Motion made by Council Member Wells and seconded by Council Member Zornes to allow ACARF to hold a fundraiser in the north Community Building on November 15th and waive the building fee. All in favor. Motion carried.

DATE / TIME OF NEXT MEETING

City Council Meeting 6:00 p.m. Monday September 8th, 2014

City Council Meeting 6:00 p.m. Monday September 22nd, 2014

ADJOURNMENT

8:40 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 8th day of
September 2014.

Mayor, Joel Wicoff

City Clerk, Roxanne Hutton