

A regular meeting of the City Council of the City of Iola was held on March 28, 2016, 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, Ford, Wells, Sigg, Shaughnessy, Becker, B. Franklin and A. Franklin (via phone) were present. Also present were Administrator Slauch, Assistant Administrator Schinstock, City Attorney Johnson, and City Clerk Hutton.

REVIEW & APPROVAL OF AGENDA

Motion made by Council Member B. Franklin and seconded by Council Member Becker to approve the agenda moving item 10C Economic Development Contract after 8A Cold Weather Rule Policy. All in favor. Motion carried.

PUBLIC COMMENTS

Donita Garner, Hope Unlimited Child Advocate, asked the council if they would approve a proclamation declaring the month of April Child Abuse and Neglect Prevention Month. Motion made by Council Member Ford and seconded by Council Member Zornes to approve the proclamation and declare April Child Abuse and Neglect Prevention Month. Mayor Wicoff read the proclamation. All in favor. Motion carried.

CONSENT AGENDA

A. Minutes Approval

- March 21, 2016

B. Appropriations Approval – 2016-06

C. Personnel Action

- **Kenneth Sampson – Street & Alley – Annual**
- **Travis Knavel – Fire Department – Twelve Month**
- **Cameron Kern – Clerk’s Office- Twelve Month**
- **Ron Ballard – Fire Department – Annual**

D. Relay for Life Boot Block Request – Iola Sisters Relay for Life will be holding a boot block on Saturday, May 28th from 9:00 a.m. – 12:00.

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

ROUNDTABLE

A. Cold Weather Rule Policy – City Clerk Hutton stated that cold weather policies had been received from surrounding cities, Heartland Electric, and Westar. Motion made by

Council Member Wells to institute a policy stating that if the temperature for the next 24 hours following shut-off is predicted to fall below 32 degrees then the electric will not be shut off until the temperature is predicted to be above 32 degrees for 24 hours. No shut offs will be done on Fridays. Motion seconded by Council Member B. Franklin. Angela Murphy, representing the Connectors group, asked if the individual had been turned off and had been off for a couple of days and then the temperature drops will they be turned back on. Council Member Wells stated that would not occur. This is a business decision for the city. Angela Murphy asked if the council would consider the wind chill instead of just the temperature. Council Member Wells stated that they would look at it at a later date. All in favor. Motion carried.

UNFINISHED BUSINESS

C. Economic Development Contract – Renewal – The agreement with THRIVE Allen County, as Economic Development director, is up for renewal. Motion made by Council Member Wells and seconded by Council Member B. Franklin to approve and authorize the mayor to sign the Economic Development Service Agreement that is dated February 16, 2016. David Toland stated the agreement was previously approved by Allen County and Iola Industries. The city would pay \$20,000 per year to THRIVE for this service.

Council Member Sigg asked why it was a joint agreement. Jim Gilpin, Iola Industries Member, stated that in the past Max Snodgrass, Iola Industries Member handled all of the economic development emails and phone calls that came in on a volunteer basis. When his health didn't allow for him to do that any longer Iola Industries approached THRIVE about taking over performing these functions.

Council Member Sigg wondered if this agreement is between the three entities would it be possible for the three entities to also split the cost of Washing D.C. Lobbyists, VanScoyoc.

Virginia Macha asked the council to consider an individual contract for each entity. This would be advantageous to each group involved. She stated that the contract should be reviewed yearly and everything should be done in a public open meeting. She suggested that the council should appoint a representative from a small business and another from an industry to be a part of the economic development board. She had concerns about potential businesses circumventing the council and city staff and going right to THRIVE.

Council Members voting in favor of the motion were: Council Members A. Franklin, B. Franklin, Becker, Shaughnessy, Wells, Zornes and Ford. Voting against the motion was Council Member Sigg.

NEW BUSINESS

A. Farmers Market Street Closure – The Allen County Farmer’s Market is requesting to close Jefferson Street to vehicle traffic from the north side of Madison Avenue to the south side of East Street every Thursday evening from April 14th through October, from 5:05 p.m. to 7:10 p.m. Debbie Bearden, Farmer’s Market Coordinator, stated that the businesses on the east side of the square asked the group to come over to their side of the square. Motion made by Council Member Ford and seconded by Council Member Wicoff to allow the street closure for the Farmer’s Market. All in favor. Motion carried.

B. Contract Mowing Bid Award – Shonda Jefferis – Request for mowing bids was published in the Iola Register. The request was for a one year contract. Bids were accepted until noon on Friday, March 18th. One bid was received and it was from D&R Lawn care, LLC. The bid was \$42.66 per hour when using 1 mower and \$85.32 per hour if using two mowers.

Shonda Jefferis, Code Enforcement Officer stated that the bid request was published in the Iola Register three times and she handed out seven packets to potential bidders. Last year’s rate was \$45.00 per hour. Council Members suggested that other avenues be used to obtain bids, such as social media. Council Members wondered if it would be cheaper to hire a seasonal employee to mow instead of contracting it out. Shonda stated that the equipment would also have to be purchased. Staff will look into it for next year’s mowing.

Motion made by Council Member Wells and seconded by Council Member Zornes to award the mowing bid for the 2016 mowing season to D&R Lawn Care LLC.

Jerad Larkey, All in One Pest Control, stated that he just found out about the mowing bids being solicited. He stated it would have been helpful to have it posted on Face book. He wondered if the council could give him time to bid on it. Council Member Wells stated that since it was done on a sealed bid they could not hold the bid to give him time to bid.

Vote was taken. All in favor Motion carried.

C. Old Hospital Site Improvements – Shonda Jefferis

- **Re-Zoning C-O to R-3** – Allen County and Iola Industries filed an application to rezone properties on S. First and S. Second Streets. The subject properties are currently zoned as C-O Neighborhood Business and were previously used as parking lots for the Allen County Hospital. The proposed rezoning would change all of these lots to R-3 Multi-family Residential. A public hearing was held in front of the Planning Commission on March 16, 2016. The Planning Commission members voted unanimously to permit the rezoning as proposed.

Motion made by Council Member B. Franklin and seconded by Council Member Becker to approve the rezoning of Lots 1-8 Richard's Place and Lots 1-7 Pistor's Addition from C-O Neighborhood Business to R-3 Multi-Family Residential. All in favor. Motion carried.

- **Site Plan Approval** – Iola Industries submitted a site plan for development of Lots 1-8 Richard's Place, 101 S. First Street and Lots 1-2 Pistor's Addition, 101 S. Second Street. The Planning Commission reviewed this site plan during their March 16th meeting. The Planning Commission voted unanimously to approve the site plan contingent upon the granting of variances for a reduction in the front setback requirements and a reduction in the minimum lot size. That variance hearing is scheduled for March 29th.

Motion made by Council Member Wells and seconded by Council Member Sigg to approve the site plan of Lots 1-8 Richard's Place and Lots 1-2 Pistor's Addition contingent upon granting of the variance requests. All in favor. Motion carried.

D. Special Use Permit – Shonda Jefferis - Harvest Baptist Church and Post 15 American Legion made application with the Planning Commission for a Special Use Permit for 401 S Walnut. The American Legion was requesting the Special Use Permit to hold meetings at the subject property. That property is located in an R-3 multi-family district and private clubs are only allowed in an R-3 zone with a special use permit.

Shonda Jefferis stated that no one from either establishment showed up for the meeting, therefore, the Planning Commission members voted unanimously to deny the special use request. Motion made by Council Member Wells and seconded by Council Member Sigg to uphold the decision of the Planning Commission and deny the Special Use Permit. All in favor. Motion carried.

E. CIP List Annual Approval – The Capital Improvement Project (CIP) list is an update of major projects in each of the departments. Funding for most of the recommended projects for 2016 is included in the 2016 budget.

Council Member Sigg stated that he would like the city to make sure that the dollars that are intended to go to the CIP list actually go towards the projects.

Council Member B. Franklin stated that she thinks demolition of houses should be done by city staff as was done in the past.

Council Member Sigg noted that after talking to Street and Alley Superintendent, Dan Leslie, some of the bridges in town are in danger of being condemned and shut down by the state. Administrator Slaugh noted that the state has lost funding for municipal bridge repair.

Council Member Wells wondered if the city could reclassify the commercial areas where the EPA will not clean up the lead contamination in the soil to residential.

Motion made by Council Member Wells and seconded by Council Member B. Franklin to approve the capital improvement list as presented. All in favor. Motion carried.

F. Sewer Cure in Place Lining Project – In 2012 and 2013 with the assistance of an Environmental Protection Agency grant and a Kansas Department of Health and Environment revolving loan the city was able to do a sewer pipe lining project. With this project approximately 12,250 linear feet of existing clay tile 8” sewer main was lined by a process of cured in place pipe lining or CIPP. The project was awarded to SAK of Kansas City in the amount of \$398,716.60.

Staff has been preparing for another project on a smaller scale. With a recent section of 12” pipe failing, staff has been inquiring with the previous contractor for a rough cost to perform a much smaller project than what was done in 2013.

Funding for the project is in place in the wastewater fund with \$100,000 coming out of capital outlay and the remainder of the project coming from equipment reserve.

Motion made by Council Member Wells and seconded by Council Member Sigg to direct staff to send out a request for proposal (RFP) for the lining of approximately 3,400 linear feet of 12” sewer main and 1,050 linear feet of 8” sewer main. All in favor. Motion carried.

UNFINISHED BUSINESS

A. Portland Alley Pedalfest – Resolution – At a previous council meeting council approved an allowance for a temporary beer garden in Riverside Park for the second annual Portland Alley Pedalfest to be held on September 10, 2016. Staff has brought back a resolution to formally approve this request.

Motion made by Council Member Wells and seconded by Council Member B. Franklin to approve Resolution 2016-04 authorizing temporary sale of alcohol for THRIVE at the Portland Alley Pedal Fest. All in favor. Motion carried.

B. Elm Creek Community Garden Funding – Val McLean made a request at the February 22, 2016 council meeting for \$1,000 in free water for the 2016 gardening season. Council Member A. Franklin stated that he would lead a charge to come up with the funding through donations. The desired funds were donated by community members.

Val McLean wanted to thank all of those that donated. He stated that future donations directly to the garden could be sent to his address. If community members want to donate for the water fund for the garden they can take their donation to City Hall.

Council Member A. Franklin thanked everyone for the donations and encouraged council members to thank Mr. Earl Croley for his large donation.

D. Municipal Code Revisions Part II – This is the second part of the Municipal Code Updates. It mainly focuses on changes to chapter 10 animals and updates the language to agree with what courts have found acceptable.

Council Member Wells reminded the community to have their animals tagged through the city to assist with locating owners if the pets are running loose.

Motion made by Council Member Wells and seconded by Council Member Ford to approve Ordinance 3456, part 2 of updates of the Municipal Code for the City of Iola. All in favor. Motion carried.

E. City Council Terms of Office – The Kansas Legislature passed H.B. 2104 in 2015 which moved city elections from April of odd years to November of odd years. Cities must establish by ordinance how they will adjust election terms to comply with the new requirements.

Charter Ordinance 21 will incorporate staggered terms, move the election from April to November, odd years, extending the terms of current elected officials.

Motion made by Council Member Wells and seconded by Council Member B. Franklin to approve Charter Ordinance 21 and authorize the mayor to sign it. Voting in favor of the motion were Mayor Wicoff, Council Members B. Franklin, A. Franklin, Becker, Shaughnessy, Wells, Sigg, Ford and Zornes. All in favor. Motion carried.

EXECUTIVE SESSION

Motion made by Council Member Wells and seconded by Council Member Sigg to adjourn into executive session for the purpose of non-elected personnel. The meeting will reconvene at 7:15 p.m. Attending the executive session will be Mayor Wicoff, Council Members, City Attorney Johnson, and Human Resources Manager, Carla Brown. All in favor. Motion carried.

COUNCIL & ADMINISTRATOR REPORT

A. Mayor Wicoff –

- None

B. Council Member Wells–

- Inquired about the low number for sales tax revenue on the budget forms. City Clerk Hutton stated that it had just not been recorded yet. Will get a report to the council in April for the first quarter revenue.

C. Council Member Ford –

- Shared that her daughter got engaged on Easter.

D. Council Member B. Franklin–

- None

E. Council Member Shaughnessy –

- Happy Easter to everyone.

F. Council Member Becker –

- None

G. Council Member Sigg –

- Encouraged everyone again to stay focused on the CIP list and funding of those items.
- We need to use VanScoyoc if we are going to be paying them. TIGER grant a possibility.

H. Council Member Zornes –

- None

I. Council Member A. Franklin –

- Thanked Mr. Croley again for his donation to the Elm Creek Garden water fund.
Encouraged council members to send him a note of thanks.

J. Administrator Slauch –

- None

DATE / TIME OF NEXT MEETING

City Council Meeting 6:00 p.m. Monday, April 11th, 2016

ADJOURNMENT

7:21 p.m. Motion made by Council Member Becker and seconded by Council Member Wells to adjourn the meeting. All in favor. Motion carried.

Approved by the City Council of the City of Iola, Kansas this 11th day of April, 2016.

Mayor, Joel Wicoff

CITY OF IOLA

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City Clerk, Roxanne Hutton