

A regular meeting of the City Council of the City of Iola was held on May 23, 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, Shaughnessy, Wells, Sigg, B. Franklin and A. Franklin were present. Also present were Administrator Slauch, Assistant Administrator Schinstock and Deputy City Clerk Sexton. Council Members Ford and Becker were absent.

### **REVIEW & APPROVAL OF AGENDA**

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

### **PUBLIC COMMENTS**

Donna Houser stated that CITF is looking at the possibility of putting a fishing dock over Elm Creek. Donna congratulated the graduating class of 2016. Reminded the council that See, Hear, Iola is scheduled for this Friday.

### **CONSENT AGENDA**

#### **A. Minutes Approval**

- May 9, 2016
- May 12, 2016
- May 17, 2016

#### **B. Appropriations Approval – 2016-10**

#### **C. Personnel Action**

- **Corey Isbell – Fire Department – Annual**
- **Eve Jefferis – Code Enforcement – New Hire**
- **Deborah Sager – Municipal Court – New Hire**
- **Justin Benton – Fire Department – Resignation**
- **Terry Staggs – Fire Department – Rehire Part Time**
- **Michael Lynch – Fire Department - Rehire**

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

### **ROUNDTABLE**

**A. Smoke Free Parks – Thrive – Bobbi Bonds** – Ms. Bonds read the Rural Health Initiative. Dr. Brian Wolfe stated that the medical community appreciates the city's

involvement in the incentives for citizens to be more responsible. He hopes that the city agrees with the request to make areas of the park smoke free.

Lori Holman took a youth group to pick up cigarette butts in the parks in three hours' time they picked up three gallons of cigarette butts.

Lisse Regher, on behalf of Leslie Skahan and the Mothers of Miracles group stated that so much time and money has been invested in the special needs playground they don't want smokers around there.

Tom Nevans asked how this will be enforced. Ms. Bonds stated that at the time there is no fine so the Parks and Recreation Departments would be the enforcers asking the individuals to refrain from smoking in the designated areas.

Council Member Shaughnessy asked about Columbia Metal and Fairgrounds. Ms. Bonds stated that signs would be installed.

Council Member A. Franklin wondered if the council would be pushing the envelope by taking away citizens freedoms. Will this keep parents from bringing their kids to the park? He thinks the council should take both sides into consideration when making this decision.

Council Member B. Franklin stated that the trails should be excluded, however, she agrees with non-smoking around the kids in the park.

Council Member Shaughnessy stated that it should be common courtesy for individuals not to smoke around areas where the kids are playing. We keep making rules for individuals.

Ms. Bonds stated that rules can make it a greater place to live. We learn from history, for example seat belt laws.

Council Member Zornes stated that there needs to be a compromise. There should be a place designated for smokers and there should be restrictions around children.

Council Member Wells stated that he agrees with Council Member B. Franklin about not restricting smoking on the trails. It makes sense to suggest limiting smoking within 100 feet of playground or city structure but let's use common sense.

Council Member Sigg stated that we should start with designating smoking areas and install receptacles.

Administrator Slaugh stated that city staff should approve the signs prior to purchase.

Mayor Wicoff asked if Thrive could bring back a policy for review.

Donna Houser stated that when she goes into the hospital individuals have been outside smoking. You can smell it. There are signs posted but not enforced. She wondered if the signs would prevent the individuals from smoking.

Motion made by Council Member A. Franklin to approve non-smoking in parks and trails and designate areas where smoking is allowed. Staff will prepare an ordinance. Motion seconded by Council Member Zornes. Voting in favor of the motion were Council Members A. Franklin, B. Franklin, Zornes, Shaughnessy, and Sigg. Voting against the motion was Council Member Wells. Motion passed by a majority vote.

**B. Governing Body Compensation - Discussions** – A discussion took place recently at an Iola Industries meeting regarding the size of the current city council and compensation of the council. A request was made by Council Member B. Franklin to further discuss the issue of compensation at a city council meeting.

Council Member B. Franklin stated that the city cannot afford the previous pay. Pay should be based on attendance at the meeting.

Council Member Wells asked how compensation would be handled for special meetings. He wondered if the money could be used more wisely elsewhere.

Council Member Zornes agreed, stating the council does not need to be paid.

Council Member B. Franklin stated that she didn't need to get paid she just wondered if more individuals would run for office if they were compensated.

Council Members A. Franklin and Sigg asked the audience what they thought about the issues. Tom Nevans stated you are worth what you get paid for.

Council Member A. Franklin stated he would rather see the money go for public services and for city employees.

Council member Shaughnessy stated he is not serving for the money; he does cut his work day short to attend meetings.

Mayor Wicoff stated that it is a hard conversation to have. We do struggle at election time to get people to run. He spends 20 hours a week sometimes on council issues. We are doing this to try to better the city.

Council Member Sigg stated that citizens he spoke with were surprised that they weren't getting paid.

Mayor Wicoff stated he would like to get more public comments and feedback on where the council should go from here. The council should revisit the topic in a few weeks.

Motion was made by Council Member A. Franklin to add the SEK Library 50<sup>th</sup> anniversary proclamation to the agenda. Motion seconded by Council Member Zornes. All in favor. Motion carried. Mayor Wicoff read the proclamation proclaiming June 3<sup>rd</sup> South East Kansas Library Day. Mayor Wicoff commended Roger Carswell and the job he does at the library.

## **NEW BUSINESS**

**A. 711 N Cottonwood – Moore Brothers** – City staff notified Jason and David Moore that the building permit for 711 N. Cottonwood would not be renewed and demolition would be pursued. Several complaints from area residents have been received and there is concern over the safety hazard of a house on blocks with no safety fence. There has been no visible action on the property since September 2015 and no changes to the structure since 2012 except raising it on jacks.

Sometime around May 1, 2016 an orange construction fence was put up around the structure.

It is staff's recommendation that a permit not be renewed without a firm commitment from the owners.

David and Jason Moore spoke about lack of progress. They stated that the house is stable on the blocks and supports they have placed under it. They mentioned the rain and winter and full time jobs as reasons progress hasn't been made. They had a contractor hired and that didn't work out. They stated they got a new contractor and will start on the project on Memorial Day if they can get a new permit. They stated they could have the outside finished and have a safe structure within six months.

Council Member A. Franklin stated he appreciates what they are doing. He stated that a progress timeline should be set. He doesn't want them to over promise and under deliver.

Administrator Slauch noted that he has received calls about the property being an eyesore.

Council Member Sigg asked the council if we want another empty lot or can we give them an extension?

Council Member Wells wondered if we could authorize a year to complete the project. Council Member B. Franklin agreed a year should be ample time to complete the project.

Motion made by Council Member Wells and seconded by Council Member B. Franklin to renew the permit for one year conditioned on their commitment to complete all exterior work as promised. All in favor. Motion carried.

**B. Eminent Danger Structure Removal -1218 N Buckeye** – The house at 1218 N Buckeye was destroyed by a fire on March 10, 2016. The owner of the property perished in the fire. The property poses an imminent danger to the public from the possibility of the roof collapsing under the weight of the HVAC unit that is on the roof. Staff has received complaints from neighbors about debris blowing into their yards as well as the odor coming from the structure. Staff has spoken with the owner's son. He has stated that his father did not have insurance on the property and left no will. He and his siblings have no intentions of cleaning up the property. Administrator Slauch stated that this property needs to be cleared immediately. The city will bid the project out and the cost will be assessed to the property taxes.

Council Member A. Franklin stated that it is blatantly unsafe.

Motion made by Council Member Wells to proceed with obtaining bids to continue the immediate process to demolish the property. Motion seconded by B. Franklin. All in favor. Motion carried.

Milo Kellerman, neighbor to the property stated that the smell is awful. He can't turn fans on in his house because of the smell. He appreciates the city doing what they can to move the process along quickly.

**C. Municipal Band Contract** - For the eighth year in a row the Iola Municipal Band has agreed to perform for \$6,500 for the season. Motion made by Council Member A. Franklin and seconded by Council Member Sigg to approve payment of \$6,500 to the Iola Municipal Band for their continued performances on the Courthouse Square for the 2016 summer season. All in favor. Motion carried.

## **UNFINISHED BUSINESS**

**A. Old Hospital Site Re-Zoning Ordinance** – The council approved the recommendation of the Planning Commission to rezone the property at their March 28, 2016 meeting. The official ordinance is being presented to the council for approval. Motion made to approve Ordinance 3460 by Council Member Wells and seconded by Council Member Sigg. All in favor. Motion carried.

**B. Street & Alley Vacation Request Ordinance** – The council approved the recommendation of the Planning Commission to vacate the street and alley requested by Ryan Sigg at the April 25<sup>th</sup> meeting. The official ordinance is being presented to the council for approval. Motion made by Council Member Wells and seconded by Council Member B. Franklin to approve Ordinance 3461. All in favor. Motion carried.

**C. CDBG Grant Application Discussions** – Staff is recommending proceeding with a CDBG grant application for sewer system improvements. Motion made by Council

Member Wells and seconded by Council Member Sigg to have staff proceed with the CDBG grant application for sewer system improvements. All in favor. Motion carried.

**D. Municipal Code Revisions** – The third part of the Municipal Code updates is presented to the council for approval. The main focus of changes is Chapter 22 Cemetery and Chapter 38 Fire Prevention and Protection. Motion made by Council Member B. Franklin and seconded by Council Member Wells to approve Ordinance 3462 amending the Iola Municipal Code. All in favor. Motion carried.

**EXECUTIVE SESSION - Non-Elected Personnel** – 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 7:33 p.m. Attending the executive session will be Mayor, Council, Human Resource Manager, Carla Brown, and Administrator Slaugh.

**EXECUTIVE SESSION - Non-Elected Personnel** – Motion made by Council Member Wells and seconded by Council Member Zornes to adjourn into executive session for the purpose of non-elected personnel. The meeting will reconvene at 7:44 p.m. Attending the executive session will be Mayor, Council, and Human Resource Manager, Carla Brown.

## **COUNCIL & ADMINISTRATOR REPORT**

### **A. Mayor Wicoff –**

- Congratulated all of the graduates in the area.

### **B. Council Member Wells–**

- Reminded everyone to stay safe this summer. Keep an eye on the streets, more kids will be out and about.

### **C. Council Member Ford –**

- Absent

### **D. Council Member B. Franklin–**

- Asked about the procedure for paying for an attorney for a defendant. Administrator Slaugh stated that the judge has criteria for a court appointed attorney.

### **E. Council Member Shaughnessy –**

- Congratulations to graduates. Noted that his fourth child is graduating.

### **F. Council Member Becker –**

- Absent

**G. Council Member Sigg –**

- Congratulations to the graduates. Proud of his brother going to Butler to play football in the fall.

**H. Council Member Zornes –**

- Congratulations to the 2016 graduates.
- Wished everyone a safe and happy holiday weekend.

**I. Council Member A. Franklin –**

- None

**J. Administrator Slaugh –**

- Received a request from Northern Star Girl Scout Council to hold their survival camp in the park. They need approval to stay overnight in the park. Motion made by Council Member Wells and seconded by Council Member Zornes to approve the overnight stay by the girl scouts in Riverside Park on June 3, 2016. All in favor. Motion carried.
- Would like to have approval to start the advertisement process for a new hire when a position becomes vacant right away instead of waiting for the next council meeting. Motion made by Council Member B. Franklin to allow staff to advertise for open positions as they become available. Motion seconded by Council Member Sigg. All in favor. Motion carried.

**DATE / TIME OF NEXT MEETING**

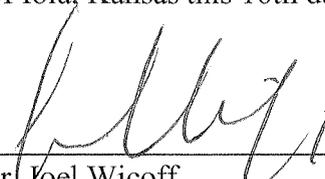
City Council Meeting 6:00 p.m. Monday, June 16<sup>th</sup>, 2016

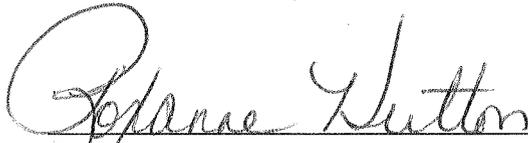
**ADJOURNMENT**

**7:53 p.m.** Motion made by Council Member B. Franklin 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 16th day of June, 2016.



  
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Mayor, Joel Wicoff

  
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City Clerk, Roxanne Hutton