

CITY OF IOLA

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A regular meeting of the City Council of Iola was held on April 10, 2023, at 6:00 p.m., at the Park Community Building, 510 Park Avenue, Iola, Kansas.

**CALL MEETING TO ORDER**

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

Mayor French and Council Members Peters, Shallah, Peterson, D’Albini, Wicoff, Kinder, and Lohman were present. Also present were City Administrator Rehder, Assistant Administrator Schinstock, Attorney Johnson, and City Clerk Hutton. Absent was Council Member Slaugh.

**REVIEW & APPROVAL OF AGENDA**

Motion made by Council Member D’Albini, seconded by Council Member Kinder, approves the agenda as presented. All in favor. Motion carried.

**PUBLIC COMMENTS**

*Persons wishing to address the City Council regarding items on the agenda may do so as they are called. Persons wishing to address the City Council regarding items not on the agenda may do so when called upon. Comments on personnel matters and matters pending in court or outside tribunals are not permitted. Speakers are limited to three minutes. No action will be taken.*

Stephen Thomas, 315 N Buckeye, stated he would like the city to address the stray cat population. He has had cats around his neighborhood and is concerned that he will have to deal with kittens when one of the cats has a litter.

He has spoken to ACARF, and they do not have room to take the cats in. They did give him a voucher to have a cat spayed or neutered if he wanted to catch one and take it to the veterinarian.

Mayor French stated that staff would look into what, if anything, could be done.

**CONSENT AGENDA**

- A. Minutes Approval**
  - **March 27, 2023, Council Meeting**
- B. Appropriations Approval**

**C. Allen County Farmers Market - Request**

Council Member Peters noted an error on page 2 of the minutes. City Clerk Hutton stated that the official copy had been changed before the meeting and presented to the Mayor for signature.

Council Member Peterson motioned to approve the consent agenda with the correction. Motion seconded by Council Member Kinder. All in favor. Motion carried.

**PROCLAMATION**

**A. Iola Mustang Powerlifting Team - Proclamation** - Members of the Powerlifting Team were present at the meeting.

Mayor French read the proclamation and declared April 11, 2023, Iola High School Mustang Powerlifting Team Day. Members of the Council congratulated the coach and the team members. Each team member was given a copy of the proclamation.

**NEW BUSINESS**

**A. Dangerous/Unsafe Structure - Set Public Hearing 617 S 4th Street-** Mayor French opened the public hearing. No comments from the public were made. Mayor French closed the public hearing.

Code Enforcement Officer Gregg Hutton stated that the owner had begun to tear down the property. However, a large pile of debris remains on the property. With the last wind storm in town, the debris blew into other yards adjacent to the property. The enclosed Resolution will allow the city to proceed with condemnation and cleanup of the property if the owner does not complete the process within the time limit.

Motion made by Council Member Kinder and seconded by Council Member Peters to approve Resolution 2023-14 for 617 S Fourth, condemn the property, and order the structure to be demolished and removed. Based on Section 8-501 of the Unified Development Code. All in Favor. Motion carried.

**UNFINISHED BUSINESS**

**A. EV Charging Station - Franchise Agreement - Paul Porter** - Administrator Rehder stated that staff had prepared the enclosed Franchise Agreement. The agreement is developed from another area utility provider franchise agreement with facilities within Iola's right-of-way.

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Attorney Johnson stated that this a unique situation however, he can not recommend something different than what is in place for other providers in the right of way.

Paul Porter asked the difference between his request and a gas station. Assistant Administrator Schinstock noted that all gas stations are on private property, not the city's right-of-way.

Paul Porter stated that his water line runs through the area already, and there is a room under the sidewalk connected to his property. Assistant Administrator Schinstock noted that he is responsible for his water line from the meter; the electricity running under the sidewalk will be dangerous if cut by another utility provider, including the City of Iola. Mr. Schinstock noted that the room is a coal shoot, and several are around town. One of which a business owner had to deal with when it collapsed.

Attorney Johnson asked Mr. Porter which parts of the agreement he had concerns with. Mr. Porter stated that he did not like the idea that he had to pay 5% of any revenues collected off the sale of power to an individual, the \$500.00 annual fee, and the initial \$1,000 fee.

Mr. Johnson asked Mr. Porter if he intended to charge for the service. Mr. Porter stated that this was a possibility.

Council Member Lohman stated that he is not against EV Charging stations. However, he prefers that they are located on private property. Several other Council Members felt the same way.

Council Member Wicoff stated that he has been observing the stations in other communities. He has noted that most of them are in parking lots.

Council Member Peterson stated that she is not in favor of designating parking spaces that are open to the public for only individuals charging cars.

Council Member Shallah stated that the need for charging stations is getting here. She also stated that she has to agree with the City Attorney and continue with the agreement that is in place for all current Franchisees, especially with Mr. Porter's comment that he would like to charge in the future.

Administrator Rehder noted that he had received information from KDOT that some financing may be available to cities to place EV chargers in public parking lots.

Mayor French noted that it was not cost-effective for the City to put EV Chargers on the square in the past. He encouraged staff to continue to research the idea and bring back possibilities to the Council.

Motion made by Council Member Lohman and seconded by Council Member Wicoff to allow Mr. Porter to install electric charging stations within the right-of-way. Council Members Wicoff, Peters, and Lohman voted in favor of the motion. Voting against the motion were Council Members Kinder, D'Albini, Peterson, and Shallah. The motion failed for lack of a majority vote.

## **COUNCIL & ADMINISTRATOR REPORTS**

### **A. Council Member Peters -**

- Council Member Peters stated that he appreciated all of the crews that helped Chanute during the storm as well as the crews that worked on city-wide clean up.

### **B. Council Member Lohman—**

- Council Member Lohman had nothing to report.

### **C. Council Member D'Albini—**

- Council Member D'Albini noted that he had received a letter from the Recreation Department about sponsoring a day at the pool this summer. He challenged the Council to join him in sponsoring a day at the pool.
- Council Member D'Albini encouraged the Council to be aware of legislative action in Topeka and to communicate with legislatures if something affects the cities.

### **D. Council Member Peterson—**

- Council Member Peterson feels like Iola is welcoming to people. She noted that the Council sometimes has to make decisions for the betterment of the entire community, not just a few individuals.

### **E. Council Member Wicoff-**

- Council Member Wicoff informed the Council that there would be an open house next Tuesday, April 18th, from 1-6 p.m. at the Rural Technology center in Laharpe.

### **F. Council Member Slaugh—**

- Council Member Slaugh was absent.

### **G. Council Member Shallah –**

- Council Member Shallah had nothing to report.

### **H. Council Member Kinder -**

- Council Member Kinder asked about whose responsibility it was to clean up the edge of the curb on an individual's property. Assistant Administrator Schinstock stated that it is the residents responsibility to keep the right of way clean and debris-free.

**I. Mayor French**

- Mayor French thanked the city crews who provided mutual aid to the City of Chanute after the storm. He hopes that we never are in need but knows that those cities will respond to help Iola.
- Mayor French has asked Council Member Shallah to lead a committee to discuss a city flag, whether there is a need or want, and how to design it.

**J. Administrator Rehder**

- Administrator Rehder informed everyone that the spring cleanup went well. Electric Crews and Street and Alley crews were sent to aid Chanute in the storm.

**K. Assistant Administrator Schinstock -**

- Assistant Administrator Schinstock reminded the Council to email him when they could attend budget meetings.

**DATE / TIME OF NEXT MEETING**

City Council Meeting 6:00 p.m. on Monday, April 24, 2023

City Council Meeting 6:00 p.m. on Monday, May 8, 2023

6:55 p.m. Motion made by Council Member Peterson and seconded by Council Member Shallah to adjourn the meeting. All in favor. Motion carried

It was approved by the City Council of Iola, Kansas, on the 24th day of April 2023.



  
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Mayor Steven French

  
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City Clerk, Roxanne Hutton