

A regular meeting of the City Council of the City of Iola was held on March 9, 2020, at 6:00 p.m., at the Park Community Building, 510 Park Avenue, Iola, Kansas.

CALL MEETING TO ORDER

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

Mayor Wells and Council Members Peters, Kinder, Ford, Peterson, Myrick, Slaugh, and French were present. Also present were Administrator Fleming, Assistant Administrator Schinstock, and City Clerk Hutton. Council Member Ballard via phone.

REVIEW & APPROVAL OF AGENDA

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

PUBLIC COMMENTS

Mayor Wells read the following statement:

Persons who wish to address the City Council regarding items on the agenda may do so as that agenda item is called. Persons who wish to address the City Council regarding items not on the agenda and that are under the jurisdiction of the City Council may do so at this time when called upon by the Mayor. Comments on personnel matters and matters pending in court or with other outside tribunals are not permitted. Speakers are limited to three minutes. Any presentation is for information purposes only. No action will be taken.

Following Mayor Wells's reading of the aforementioned statement, he asked members of the audience if they wished to address the Council.

Donna Houser wished Administrator Fleming good luck on his next endeavor.

CONSENT AGENDA

- A. Minutes Approval**
 - **February 24, 2020**
- B. Appropriations Approval**

Council Member French asked about the payment to the Iola Animal Clinic. The Code Enforcement Officer informed the Council that his department and or the Police Department only take an animal that is injured or one that is a part of an investigation to the Iola Animal Clinic.

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

NEW BUSINESS

A. EMC Insurance Renewal - Administrator Fleming informed the Council that the Insurance policy for Property, Workers Compensation, General Liability, Inland Marine, Auto Linebacker Policy, and the Data Compromise is due for renewal April 1, 2020.

Iola Insurance Agent, Debbie Taiclet stated that EMC insurance is currently the only company in Kansas that offers the dividend payments.

Motion made by Council Member Slaugh and seconded by Council Member Myrick to approve the renewal of the EMC policy in the amount of \$476,856 for the policy period April 1, 2020 to March 31, 2021. All in favor. Motion carried.

ROUNDTABLE

A. Utility Policy Discussion - Administrator Fleming informed the Council that at the February 10, 2020 meeting Council had requested more information on the City of Iola's utility policies.

Mayor Wells stated that each change would be discussed individually.

Modifying the Due Date: Administrator Fleming noted that the City utilizes Tyler Technologies InCode System for its financial and utility billing system. After conversations with Incode representatives it was determined that the software can not offer due date choices. The billing cycle follows the meter reading cycle.

Council Member Slaugh stated that he feels the current policy allows too much time for a customer to pay their bill. By the time shut off occurs the customer owes two full months of utilities and is working on the third bill. He feels giving the customer more time to pay will only create more of a burden on them.

Council Member Kinder stated that he didn't think giving the customer the option to choose their bill date should be there for them.

Council Member Peterson stated that she felt that cutting back the amount of days the customer has to pay the bill would be better.

Tracy Keagle, Humanity House Director, stated that giving them less days to pay will not help the customers.

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Mayor Wells stated that it didn't appear that Council supports changing this policy.

Decreasing Late Fee - Administrator Fleming noted that currently, the City of Iola charges a five percent (5%) late fee on bills not paid by the due date. He noted that over thirty communities that were polled 83.9% of them have a late fee of 5% or higher.

Council Member Slauch noted that he felt the 5% is fair and reasonable.

Council Members Peterson, Myrick, French and Kinder stated that they would be in favor of reducing the late fee.

Council Member Peters stated that if it would help he would be in favor of reducing the fee.

Mayor Wells stated that it looked like Council is wanting staff to bring an Ordinance to a future meeting decreasing the late fee from 5% to 2 ½%,

Decreasing the Reconnection Fee - Administrator Fleming stated that an estimated cost between \$30 and \$40 for staff to complete the functions of disconnecting a customer.

Of the thirty communities that were polled 84.4% of them have a reconnection fee of \$25.00 or greater.

Council Member Myrick asked for clarification on the fee and whether it is charged for disconnect and reconnect. Staff stated that there is only one \$25.00 charge applied to a customers bill.

Council Member Kinder stated that it is not necessary if the customer can't pay their bill already.

Council Member Ballard stated that the City should be run like a business and performing these tasks without a charge to the customer is not good business.

Council Member Myrick stated that he has to pay a connection fee of \$35.00 every year when his water is turned on at his garden. He feels that it is a privilege to have water at the garden for a minimal fee.

Council Member Ford stated that she feels that the \$25.00 fee is minimal considering some municipalities charge a large deposit up front that they hold onto in case a customer doesn't pay their bill.

Council Member French stated that we can extend some compassion. If the shut off and turn on is done during regular work hours.

Council Member Peters stated that it should remain as it is.

Council Member Kinder stated that if the customer wants it on immediately then a \$35.00 charge should apply and if they want it on the next day it could be free.

Ms. Keagle stated that Humanity House is wanting to discuss a promise to pay. Mayor Wells noted that the Council was not in favor of bringing that topic back to the table.

Council Member Ballard stated that the fee should be increased.

Council Member Slauch noted that the city has to run as a profitable business. This fee is a general business practice and it is a good business model. He stated that there are service agencies that are in the community to help individuals pay their utility bills. This allows the city to operate its business model.

Mayor Wells stated that it didn't look like there was enough support to change this.

Ms. Keagle stated that some of the Council Members wanted to hear from the people that are affected by these fees.

Motion was made by Council Member Kinder and seconded by Council Member Myrick to table this agenda item so that the wrestling team could be taken care of. All in favor. Motion carried.

PROCLAMATION

State Wrestling Champion, Logan Brown - Mayor Wells read the proclamation and declared March 9, 2020 Logan Brown Day. The Wrestling team and coaches were congratulated by the Council.

The meeting was resumed per the agenda.

Paige Olson, Humanity House Advocate, stated that some of the Council Members wanted to hear from the public.

Steve Carnahan stated that his mother's utilities were in the Landlord's name and he was out of town and couldn't get them paid. The electricity was disconnected for non-payment. In order for his mother to get the utilities in her name she had to pay the utilities up current and the connect fees. He was upset because a partial payment couldn't be made.

Sophie Alexander, stated that she is a resident and a local business owner. She noted that she had helped individuals with paying their utilities. She feels like the policies for the due date should be changed. We should be a town that helps each other.

Jessica Qualls and Cindy Lucas spoke about being a business owner and knowing that you can't give away everything in order to keep your business healthy. She also thinks you can't run a business if you don't help each other once in a while.

Jessica Qualls stated that her mother has a health condition that forces her to be bed ridden at times. one of those times she neglected to pay the bill for the business. A City employee brought in a disconnect notice and stated that it was too cold to disconnect the utilities, however the \$25.00 fee had been added.

Jackie Evans stated that her and her children live with her mother. They are a household of seven people and they are struggling to pay the bills. She would like to see payment arrangements for individuals like her.

Paige Olson stated that a promise to pay option would be proof that the individual would pay their bill. She stated that Chanute also uses Incode and they stated possibly by adding another route cycle people could pick a different day to pay.

Mayor Wells stated that the Council had already decided not to further the discussion on payment plans.

Motion made by Council Member French and seconded by Council Member Kinder to allow the group to continue to speak on this topic. Voting in favor of the motion were Council Member French, Kinder and Myrick. Voting against the motion was Ballard, Peterson, Peters, Ford, and Slaugh. Motion failed.

Mayor Wells stated that it does look like there was enough interest for the Staff to bring back an Ordinance that would allow a free disconnect fee one time every calendar year and increase the rate to \$35.00 each additional disconnect each calendar year.

NEW BUSINESS

A. 2020 Breaker Project Bid Award - Assistant City Administrator Schinstock, discussed the project at the Power Plant One substation and the Oak Street Substation.

Motion made by Council Member Ford and seconded by Council Member Peterson to accept the bid from Mid-States Energy Works in the amount of \$138,905 for the Electric Breaker Project and authorize staff to execute the necessary documents. All in favor. Motion carried.

B. Contract Mowing Bid Award- A request for mowing bids was published in the Iola Register, Facebook, City of Iola website, and on Channel 6.

One bid was received from D&R Lawncare, LLC.

Council Member Ford asked why there had been a large increase in the price this year.

Council Member Ballard, who owns the lawn care business noted that it takes a lot of equipment to do this project. All that equipment has to be maintained. It also takes a lot of fuel to mow all of these properties.

Council Member Kinder asked why the City can't mow these properties ourselves.

Administrator Fleming stated that between the green space mowing and the Code Violations the City employees could not keep up.

Motion made by Council Member Slaugh and seconded by Council Member Peters to award the annual mowing contract in the amount of \$42.00 per hour for 2020 with the option to extend the contract for two additional years. Voting in favor of the motion were Council Members: Ford, Kinder, Slaugh, Myrick, Peterson, French and Peters. Abstaining from the vote because of a financial benefit was Council Member Ballard. Motion passed by majority vote.

C. Dangerous and Unsafe Structure Removal -

1. 308 N First Street - Mayor Wells opened the public hearing. No public comments were made. Mayor Wells closed the public hearing. Code Enforcement Officer, Gregg Hutton noted that the utilities have been off since December 2009 and no one is currently living in the property. Motion made by Council Member Slaugh and seconded by Council Member Peterson to approve Resolution 2020-06 for 308 N First Street and proceed to condemn property, and order ;the structure to be demolished and removed. Based on Sec. 8-501 of the Unified Development Code. All in favor. Motion carried.
2. 315 N First Street - Mayor Wells opened the public hearing. No public comments were made. Mayor Wells closed the public hearing. Code Enforcement Officer, Gregg Hutton noted that the utilities have been off since September, 2011 and no one is currently living in the property. He noted that the property owner would like to leave the garage on the property. Motion made by Council Member Kinder and seconded by Council Member Peters to approve Resolution 2020-07 for 315 N First Street and proceed to condemn property, and order ;the structure to be demolished and removed. Based on Sec. 8-501 of the Unified Development Code. All in favor. Motion carried.
3. 839 N Washington Avenue - Mayor Wells opened the public hearing. No public comments were made. Mayor Wells closed the public hearing. Code Enforcement Officer, Gregg Hutton noted that the utilities have been off since February 2018 and no one is currently living in the property. Motion made by Council Member Myrick

and seconded by Council Member French to approve Resolution 2020-08 for 839 N Washington and proceed to condemn property, and order ;the structure to be demolished and removed. Based on Sec. 8-501 of the Unified Development Code. All in favor. Motion carried.

4. 1012 N Cottonwood - Mayor Wells opened the public hearing. No public comments were made. Mayor Wells closed the public hearing. Code Enforcement Officer, Gregg Hutton noted that the utilities are currently on, however no one is currently living in the property. Motion made by Council Member Kinder and seconded by Council Member Peterson to approve Resolution 2020-09 for 1012 N Cottonwood Street and proceed to condemn property, and order ;the structure to be demolished and removed. Based on Sec. 8-501 of the Unified Development Code. All in favor. Motion carried.

Council Member Ballard left the meeting.

EXECUTIVE SESSION

Motion made by Council Member Myrick and seconded by Council Member Peters to recess the city council into Executive Session for 20 minutes pursuant to personnel matters of non-elected personnel, K.S.A. 75-4319 (b)(1). The purpose of the executive session is to discuss an individual employee's employment and shall include the Mayor;, Council, City Administrator, Assistant City Administrator, and Human Resources Manager. The regular meeting shall reconvene in the city council chamber at 7:56 p.m. All in favor. Motion carried.

Following the executive session a motion was made by Council Member Myrick and seconded by Council Member Peters to approve an addendum to the agenda adding Interim City Administrator Contract.

D. Interim City Administrator Contract - Motion made by Council Member Slaugh and seconded by Council Member Myrick to approve the contract with Corey Schinstock for Interim City Administrator. All in favor. Motion carried.

COUNCIL & ADMINISTRATOR REPORTS

A. Council Member Peters -

- Noted that the SIMS program is up and running and wanted staff to know that Council fully supports using this program and is anxious to see some reporting from it.

B. Council Member Ford–

- Wondered if an open position is advertised internally prior to advertising it externally. Carla Brown, Human Resource Director, stated that the internal and external advertisement is done at the same time.

C. Council Member French –

- None

D. Council Member Peterson–

- None

E. Council Member Ballard

- No longer on the phone.

F. Council Member Fleming–

- Thanked Administrator Fleming for his service. Noted that Paola is gaining a great Administrator.

G. Council Member Myrick–

- None

H. Council Member Kinder -

- Told Administrator Fleming he appreciated everything he has done for the City and for him.
- Would like to see Utility Policies on a future agenda.

I. Mayor Wells

- Read a Proclamation designating March 13th, 2020 as Sid Fleming Day. He let him know that he appreciated his service and all of the things he has done for the City of Iola.

J. Administrator Fleming–

- Thanked everyone.

DATE / TIME OF NEXT MEETING

City Council Meeting 6:00 p.m. on Monday, March 23, 2020

City Council Meeting 6:00 p.m. on Monday, April 13, 2020

8:04 pm. Motion made by Council Member Myrick and seconded by Council Member Peters to adjourn the meeting. All in favor. Motion carried.


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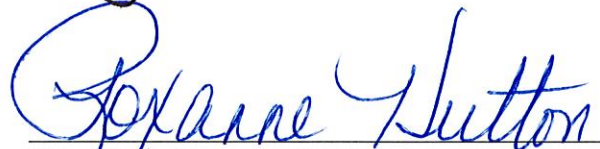
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Approved by the City Council of the City of Iola, Kansas this 23rd day of March 2020.





Mayor Wells



City Clerk, Roxanne Hutton