

CITY OF IOLA

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A regular meeting of the City Council of the City of Iola was held on March 12, 2018, 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, Council Members, Ford, Martin, Ballard, Franklin, Peters and Myrick, were present. Also present were Administrator Fleming, Assistant Administrator Schinstock, Attorney Johnson and City Clerk Hutton. Absent was Council Members Middleton and Shaughnessy.

REVIEW & APPROVAL OF AGENDA

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

PUBLIC COMMENTS

Donna Houser informed Council Members that the Iola Reads Take Flight Program will be at the Recreation Building Tuesday from 1:00 p.m. - 7:00 p.m.

Larry Walden passed out a picture of a 3D crosswalk that is currently being used in Iceland that he thinks would be beneficial to use in Iola.

Larry Walden stated that he was under the impression that the City would be changing a Charter Ordinance with the Personnel Policy changes. Administrator Fleming informed him that a change in the Personnel Policy only requires a Resolution.

Larry Walden referred to the Governing Body Handbook when there are vacancies on boards. Stating that according to State Statute the Council cannot go into Executive Session to discuss the candidates. Mayor Wells assured Mr. Walden that when the open Council Seat was appointed it was done in open session.

Larry Walden stated that he thought all residents of Iola that were over the age of 65 that owned their own home and lived in that home should receive a discounted rate on their utilities.

Larry Walden stated that all employees of the City of Iola should be subjected to drug testing at anytime 24 -7.

CONSENT AGENDA

A. Minutes Approval

- February 26, 2018

B. Appropriations Approval – 2018-05

C. Personnel Action

- Todd Rowe - Parks & Cemetery - Annual
- James Snavely - Electric Distribution - Annual

D. KMEA Board of Directors Appointments

- Mike Phillips - Director #1
- Chuck Heffern - Director #2
- Sid Fleming - Alternate Member

E. Allen County Relay For Life - Boot Block

- The Iola Sisters Relay for Life Boot Block on May 26th 9:00 a.m. - to 12:00 p.m. on Madison and Washington.

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

PROCLAMATION

A. National Service Recognition Day– Mayor Wells read the Proclamation and declared April 3, 2018 as National Service Recognition Day.

UNFINISHED BUSINESS

A. Personnel Policy Adoption - Resolution 2018-05 – Administrator Fleming stated that the policy had been reviewed with Department Managers, and he believes their questions have been answered. Administrator Fleming noted that the progressive plan for discipline has been spelled out in the policy. Under the grievance section of the Policy it was added that if an individual is terminated their grievance would go straight to the Council.

Mayor Wells asked the Council Members to go around the room and state if there concerns have been addressed and where they are with the Policy.

Council Member Franklin stated that he is comfortable with the policy as it is. He would like to revisit it in a year.

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Council Member Martin stated he is comfortable with the policy. He feels like the Council hires the Administrator, and they should feel comfortable trusting him to make personnel decisions.

Council Member Myrick stated that he is uncomfortable with some parts of the policy. He stated that he trusts Administrator Fleming, Assistant Administrator Schinstock, and City Clerk Hutton. He just doesn't feel comfortable with parts of the policy.

Council Member Ballard stated that he understands why changes are being made in the policy. He is not sure why the change in authority is being made at this time. He is not comfortable giving up the power of hiring and firing to the Administrator. It will be harder to get back.

Council Member Ford stated that she had given this a lot of thought and on average a City Administrator stays with the City for three years. She has concerns handing over the responsibility of hiring and firing to someone that has a short time with the City. She feels that it would have been beneficial to have had a discussion between Council Members and Department Heads to discuss their concerns and the process.

Council Member Peters stated that all of his concerns had been addressed, and he was ready to move on.

Council Member Franklin stated that he was in favor of the way that the grievance process will now be handled with the Council. The current process with the Council being part of the termination process and the grievance process doesn't seem to be a fair process.

Mayor Wells stated that Department Heads work for the City. The Council works for the citizens. He doesn't feel that a sit down between the two groups was necessary to discuss the policy. The Department Heads sometimes need to understand that as the Council sets policy it is their jobs to follow the policy popular or not. He stated that the current grievance process is for the Council to serve as the Judge and Jury for terminations, and it would be better the new way.

Council Member Myrick stated he trusted Department Heads to terminate employees when necessary and know they will follow the correct process.

Administrator Fleming stated the current policy we have in place is the relatively the same as the proposed. The difference is that we currently have to wait for Council approval. Otherwise, the Administrator currently signs off on all hires, terminations, and pay increases.

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Donna Houser stated that an Administrator ought to be paid to do the hiring and firing. If the Council doesn't trust the people that are in place they shouldn't have them in the positions. The individuals are not going to fire people without due process the policy keeps that from happening.

Larry Walden stated that Administrator Fleming is full time working at the City everyday. The Council is paying the people everyday to do the job. You might as well give him the authority to do the job you are paying him to do.

Attorney Johnson stated that the new policy does not change the form of government. Administrator Fleming is not going to fire someone without a Department Head's recommendation. He is not going to fire a Department Head without cause.

Council Member Ford stated that she isn't worried about the current Administrator she is looking out for the future of the City.

Motion made by Council Member Franklin and seconded by Council Member Martin to approve Resolution 2018-05, updating the City of Iola Personnel Policy, and authorize the necessary signatures with a review in six months. Voting in favor of the motion was Council Members Franklin, Martin, and Peters. Voting against the motion was Council Members Ford, Ballard, and Myrick. Mayor Wells broke the tie with a vote in favor of the motion. Motion passed with a majority vote.

NEW BUSINESS

A.EMC Insurance Renewal - City Clerk Hutton reviewed the policy renewal with Council and stated that an approximate 5% increase occurred this year due to some claims on Workman's Compensation, Auto, and the LineBacker coverage. The addition of newer vehicles and the increased property value coverage impacted the cost increase.

City Clerk Hutton reminded Council that EMC has given \$246,790 in dividends to the City in the last five years.

City Clerk Hutton asked the Council if they were in favor of dropping the bonds on the Council Members. This process began when the City of Iola was a Commission form of government and was statutorily required to bond the Commissioners. The statues do not require the Council to be bonded. The Mayor will have to be bonded since he is a signer on checks. Council Members are covered under the Umbrella policy of the City Policy for anything that might arise due to a monetary vote that might arise during a Council decision.

Motion made by Council Member Ford and seconded by Council Member Myrick to approve the renewal of the EMC policy in the amount of \$434,714 for the policy period April 1, 2018 to March 31, 2019 and remove Council Members from the General Bond Insurance. All in favor. Motion carried.

B. Health Care Foundation of Greater Kansas City - Grant Agreement

Assistant Administrator Shinstock informed the Council Members that in order to receive grant funding for the Washington Avenue Pedestrian Bridge Project the attached documents to The Health Care Foundation must be executed and sent and the Resolution approved and sent. Motion made by Council Member Martin and seconded by Council Member Ballard to approve resolution #2018-09 authorizing Assistant city Administrator Schinstock to execute and submit documents to HCF for the Washington Avenue Pedestrian Bridge Project and approve the grant award agreement 634-FY17-5290 and authorize staff to sign the necessary documents. All in favor. Motion carried.

COUNCIL & ADMINISTRATOR REPORTS

A. Council Member Franklin –

- None

B. Council Member Myrick–

- None

C. Council Member Shaughnessy –

- Absent

D. Mayor Wells–

- Thanked everyone for their willingness to work together on the issue tonight. It is time to move forward. The Council will not always agree but we are willing to seek a compromise and do what is best for the City as a whole.
- Reminded everyone of Citywide Cleanup coming in April.
- Noted that the Elks obtained a \$1,500 grant to replace the netting at the softball and baseball fields in the park

E. Council Member Ballard –

- None

F. Council Member Middleton –

- Absent

G. Council Member Ford–

- Noted that the construction at the college is going as planned. Citizens can follow the progress on the Facebook page.

H. Council Member Peters –

- The new bleachers on the baseball field look nice.

I. Council Member Martin-

- Noted that the Council may not always agree. He was glad that everyone could have open communication this evening and do what is best for the City.

J. Administrator Fleming–

- Reminded the Council of the Strategic Planning Session is on Thursday at 5:30 p.m.
- Spring Cleanup is April 9th -13th. Must call in no later than noon April 6th.
- Brush pickup is complete.
- If anyone wants to attend the Governing Body Institute let him know.

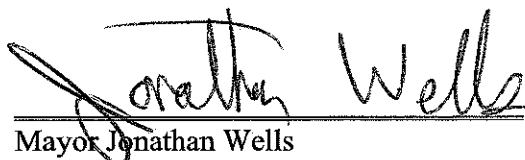
DATE / TIME OF NEXT MEETING

City Council Meeting 6:00 p.m. on Monday, March 26, 2018

ADJOURNMENT

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

Approved by the City Council of the City of Iola, Kansas this 26th day of March, 2018.



Mayor Jonathan Wells



City Clerk Roxanne Hutton