

CITY OF IOLA

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A regular meeting of the City Council of the City of Iola was held on July 27, 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, Peterson, Kinder, Ballard, Slaugh, and French were present. Also present Interim City Administrator Schinstock, and City Clerk Hutton. Absent was Council Member Ford. Present via telephone was Council Member Myrick.

REVIEW & APPROVAL OF AGENDA

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

PUBLIC COMMENTS

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.

The Mayor read the above information and asked if there were any public comments;

Jason Barnett addressed the Council concerning the home he purchased from his father a few months ago. His father purchased it at a "Foreclosure Sale" done by the Allen County Sheriff. Mr. Barnett stated that he didn't feel like he should be held responsible for a previous owner's utility bill. He stated that as long as the utilities are still off due to this outstanding bill the City is losing income. He stated that the Council should look into changing this Ordinance in the future.

Mr. Barnett stated that he didn't feel like the Ordinance pertained to his situation.

The Mayor stated that Mr. Barnett was out of time and asked the Council if they wanted to suspend the rules and add this item to the agenda for tonight.

Council Member Slaugh noted that he would like to see the item on a future agenda.

Motion made by Council Member French and seconded by Council Member Ballard to sustain the rules and add Jason Barnett utility issue to New Business Item A. Voting in favor

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of the motion was Council Members Peterson, French, Myrick, Slaugh and Ballard. Voting no on the motion was Council Members Peters and Kinder. Motion carried.

David Cavazos at 215 S. Buckeye was in attendance to complain about the neighboring apartment building that has an infestation of cockroaches. He noted that the owner of the building had begun having it sprayed, however, the cockroaches are still outside and crawling into other yards including his during the night. He feels that the property should be condemned due to this problem as well as other issues with the property.

Interim Administrator Schinstock noted that Code Enforcement is currently working on the problem with the building owner and making attempts to rectify the situation. He noted that it will take a while to alleviate the infestation.

Chad Reeves at 219 S Buckeye stated that it has become a nuisance. He noted that along with him and other neighbors they spray at night just to attempt to keep them from their homes.

Council Member Ballard asked for a Code Enforcement Officer to give an update on the situation.

Code Enforcement Officer, Gregg Hutton stated that once he received a complaint from the neighbors he sent a letter to the owner, as the Ordinance for nuisance states. He has been in contact with the owner. The owner contacted Jarid Larkey of All in One to spray every two weeks. Mr. Larkey told Mr. Hutton and the owner of the building, that it takes a while to alleviate the cockroaches due to the fact that the spray does not kill the larvae it only kills the live cockroaches. Once the eggs hatch every seven days they can spray and kill the live ones. He noted that it is a long process.

Code Enforcement Officer Hutton stated that he can not just condemn property due to the current problem. The building is not in bad shape and if the building was condemned it would force the current tenants out of their homes.

Mayor Wells noted that he would talk with Mr. Hutton about this situation and then add it to the next agenda.

Council Member Slaugh noted that he wasn't in favor of kicking the people out of their homes. He would like to give the owner more time to fix the problem.

Bill Maness, at 220 S Buckeye stated that the apartment building has been poorly managed for years. He noted that the police have been called to the property numerous times over the years. Mr. Maness noted that this is the perfect time for the Council to consider an ordinance that would allow the City to inspect rentals once a year and empower the Code Office to force the owner to fix the problems.

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Council Member French noted that he knew of a house in Topeka that had to have bug bombs put under the house and wrapped for several months in order to get the problem under control.

Mr. Maness noted that everyone around this building is having to pay several dollars to spray around their property to protect their property from the cockroaches.

Chad Reeves stated that it seems like the City is stalling. Mayor Wells stated that the City has to follow the correct legal procedures and allow the owner due process.

At the next meeting, Code Enforcement Officer Hutton will have the building owner and a representative from the spray company to discuss how they are trying to alleviate the infestation.

Laura Cavazos, 215 S Buckeye, noted that this is not just the residents on Cottonwood Street that are affecting the homes across the alley from the property also have to spray to fight the bugs from entering their homes. She also worries that the building will not be safe because of the dead bugs within the home. She noted that they have their house on the market and having this property down the street makes it harder for them to sell the house.

CONSENT AGENDA

A. Minutes Approval

- **July 13, 2020, Council Meeting**

B. Appropriations Approval

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

PROCLAMATION

A. American Wind Week- Mayor Wells read the proclamation and declared August 9-15 as American Wind Week in Iola, Kansas.

NEW BUSINESS

A. Jason Barnett - Utilities - Interim Administrator Schinstock noted that the current amount owed on the property in question without penalties and disconnect fees is \$376.36. It was noted that the bills owed are the December 2019 and the January 2020 bills. The property was sold in February which wouldn't allow enough time to add the outstanding bill to the taxes and/or lien on the property.

Interim Administrator, Schinstock noted that staff will visit with the Sheriff's office to possibly work out a way that he can notify those bidding on the property that a possible outstanding bill is due at the City Of Iola.

Interim Administrator Schinstock stated that there had been previous times this exact situation had come up. The purchaser was not happy about the outstanding bill and fought it all of the ways to the Kansas Attorney General. The Attorney General noted it was a legal ordinance.

Interim Administrator Schinstock noted that this is not an uncommon practice. Many cities in Kansas have the same type of Ordinance.

Council Member Ballard stated that he would like to have the ordinance in front of us.

Council Member Myrick noted that he works for a property owner in other cities and they have run into this same situation.

Mr. Barnett noted that he didn't think the current ordinance attaches him? legally.

Mayor Wells asked if the Council wanted to allow Mr. Barnett to turn on the electric to enable him to work on the house until the council has more time to review the data. Noting that he could possibly owe the entire previous bill.

Council Member Slaugh noted that he would like to obtain a legal opinion from the City Attorney. He noted that a lot of contractors will work on a home with a generator. Mr. Barnett stated that he is doing that currently.

Interim Administrator Schinstock urged the council to use caution about setting a precedent for this particular item.

B. 2021 Budget Hearing and Adoption - Mayor Wells opened the Hearing for the 2021 Budget at 6:45 p.m. Hearing no comments or questions. Mayor Wells closed the public hearing.

Mayor Wells noted that he would like to see the IT position come back to the Council as well as the COLA increase prior to action taken.

Motion made by Council Member Slaugh and seconded by Council Member Kinder to adopt the 2021 Budget for the City of Iola. All in favor. Motion carried.

Council Member Peters thanked the department heads for their work to keep the budget down.

Council Member Slaugh wanted to recognize some of the employees for their longevity with the City of Iola. He noted that Jason Ellis had 22 Years of employment, Dan Leslie had 25 years, Mike Phillips had 30 years, Pam Coons 32 years and Chuck Heffern 33 years. He noted this was quite an accomplishment for these individuals.

C. Work Order & Asset Management Agreement - Interim Administrator Schinstock noted that the Department Heads and their second in command demoed several different fleet management software companies. Staff decided that Sems was the best for the city.

During the training period, it was determined that the fleet side of the Sems program was not exactly going to work for the City of Iola. In the meantime, Cartegraph merged with SEMS.

Following extensive communication with Cartegraph and a webinar with the Department Heads and their designees, Mr. Schinstock is presenting the contract with Cartegraph for Council approval.

Interim Administrator Schinstock noted that this is a more cloud-based service, which will allow more individuals to access the program without kicking someone else off. It will cost approximately \$550 - \$580 per year more for maintenance. Additionally training on the Cartegraph module will cost an additional \$8,700 to \$9,000. He noted either way more onsite training will be necessary.

Council Member Peterson stated that as far as communication she has heard none of the staff like either program. Interim Administrator Schinstock noted that the program will include uniform documentation for all of the fleet which will allow the Council to see current vehicles in need of replacement across the board.

Mayor Wells noted that the Council has to back the program that is decided upon and expects employees to use the program.

Council Member Peters asked how much would one TB of storage cost if that was necessary. Council Member Slaugh noted that it is approximately \$150.00.

Interim Administrator Schinstock noted that all of the data for the equipment and the assets will be transferred over to the Cartegraph system.

Interim Administrator Schinstock stated that the corporate knowledge that each of the department heads has this is a great place to store all of it in a central location.

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Council Member French asked if the City was sold a bill of goods with the SEMS system and now they are offering Cartegraph to make up for it.

Interim Administrator Schinstock noted that he wasn't involved in the initial purchase of SEMS, however, it was the option chosen by the Departments. SEMS does part of what we are wanting to do. It's just not user friendly and doesn't do what we need on the fleet side.

Interim Administrator Schinstock stated that SEMS is a good product this is just a step-up program.

Council Member Slauch stated that it is important to the City to be able to account for and track the assets.

Mayor Wells noted that it doesn't have to be the Department Head that is running the program. They can choose someone from their department to run it.

Police Chief Warner noted that his department will only use the fleet side. He noted that the Cartegraph will be better, especially the fact that it won't kick the user out when another user gets onto the system.

Council Member Kinder asked what we want it for. Chief Warner stated that he feels that the City needs a fleet system that is Citywide.

Council Member Ballard asked if we will be outfitting all of the vehicles with IPAD's? Interim Administrator Schinstock stated that he had purchased 2 IPAD's for the two service trucks. This will get the program jump-started. The department heads will be able to do work orders and fleet maintenance from their office computers. Eventually, more IPAD's will be put in the vehicles. This will also give the employees out in the field access to not only the Cartegraph system but also the GIS system.

Council Member Ballard asked what happens when a work order is entered. Interim Administrator Schinstock noted that it would send an email to the department head.

Council Member Myrick appreciates all of the work that has been done to get to this point. He would still like to hear from the Department Heads.

Council Member Kinder asked if this would be something to put off until an IT Person is hired.

Interim Administrator Schinstock noted that the City is currently locked into a four-year contract.

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Motion made by Council Member Slaugh and seconded by Council Member Peters to approve the agreement with Cartegraph Systems LLC to provide work order and asset management software for the City of Iola and authorize the necessary signatures. Voting in favor of the motion were Council Members: Slaugh, Peters, and French. Voting against the motion were Council Members Myrick, Ballard, Peterson, and Kinder. Motion failed.

Interim Administrator Schinstock asked if the Council wanted the contract to be brought back for consideration. The consensus was yes because some of the members wanted to ask questions of Department Heads.

D. Dangerous and Unsafe Structures - Code Enforcement Officer, Gregg Hutton noted that following the public hearing was held for the four structures. No property owners were at the meeting. Bid sheets were sent to three different contractors in the area, as well as advertised in the local newspaper as well as the City's Facebook site and channel six.

One bid was received from Ray's Metal Depot in the amount of \$12,195 for all four properties.

A motion was made by Council Member Ballard and seconded by Council Member Kinder to approve the bids submitted by Ray's Metal Depot for a total project cost of \$12,195 and proceed to demolish the structures and clear the properties based on Sec 8-501 of the Unified Development Code. All in favor. Motion carried.

E. Franchise & Pole Attachment Agreement - Interim Administrator Shinstock presented the Franchise Agreement and the Pole Attachment Agreement for Kansas Fiber Network. He noted that Attorney Johnson had approved the agreements.

Council Member French noted that on Page 9 Wilson County should be changed to Allen County.

Motion made by Council Member Myrick and seconded by Council Member Peterson to approve Ordinance 3494 Franchise Agreement with Kansas Fiber Network. All in favor. Motion carried.

Motion made by Council Member Slaugh and seconded by Council Member Kinder to approve the pole attachment agreement with Kansas Fiber Network and authorize the necessary signatures. All in favor. Motion carried.

Council Member Myrick was disconnected from the meeting.

EXECUTIVE SESSION

A. Non-Elected Personnel - Motion made by Council Member Ballard and seconded by Council Member Peters to recess into Executive Session for twenty minutes for 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's employment and shall include the Mayor, Council, and the Interim City Administrator. The regular meeting shall reconvene in the city council chamber at 7:47 p.m.

COUNCIL & ADMINISTRATOR REPORTS

A. Council Member Peters -

- None

B. Council Member Ford—

- Absent

C. Council Member French –

- Inquired about the fire truck that has been in the shop several times. The City needs to be applying for grants. Some insurance companies will give grants for new fire trucks, it's possible grants from different insurance companies could be combined for the purchase.
- Has been approached about the pool being open longer. Interim Administrator Schinstock stated that Recreation Director Jason Bauer is checking into the availability of employees to stay open longer.

D. Council Member Peterson—

- None

E. Council Member Ballard

- None

F. Council Member Slauch—

- Noted again the longevity of the employees and how great that is for an organization.

G. Council Member Myrick—

- None

H. Council Member Kinder -

- Apologized for missing the last meeting due to illness.
- Congratulate those employees with longevity.

I. Mayor Wells

- Thanked the Council Members for serving on the Council. It was noted that having Council Member Myrick call in for the meeting was dedication. He noted that while Council Member Ford was out of town she also offered to call in if a quorum was not met by those attending. He appreciates the flexibility of the members.

J. Interim City Administrator Schinstock–

- Informed the Council that the Zinc Statue that was in the Cemetery and has since been moved to the Historical Society Building has been requested by another organization in exchange for them taking a mold of our statue they will make the necessary repairs. He will bring this back to another meeting for consideration.
- Mitch Phillips and his crew had a KCC audit and everything was good in the Gas Department.
- The May 3rd storm had about \$105,000 in damages and labor costs. The insurance will reimburse up to \$50,000 of those expenses.
- Scott Shreve, City of Iola Energy Consultant, has another Solar Project the city may be interested in. Looking for members that are interested in hearing about the project. The consensus was to have Scott either in person or via a zoom meeting for a 30 minute rundown of the project.

DATE / TIME OF NEXT MEETING

City Council Meeting 6:00 p.m. on Monday, August 10, 2020

City Council Meeting 6:00 p.m. on Monday, August 24, 2020

8:01 p.m. Motion made by Council Member Ballard and seconded by Council Member Peters to adjourn the meeting. All in favor. Motion carried.

Approved by the City Council of the City of Iola, Kansas this 10th day of August 2020.





Mayor Wells



City Clerk, Roxanne Hutton