

**MINUTES OF THE COUNCIL MEETING
OF THE CITY OF PAOLA, KANSAS
6:00 O’CLOCK P.M.**

December 11, 2012

**HELD AT THE PAOLA JUSTICE CENTER
805 North Pearl Street in Paola**

The Governing Body of the City of Paola, Kansas, met with Mayor Stuteville presiding.

Council Members present: Mayor Artie Stuteville and Council Members Jim Pritchard, Gee Gee Wilhoite, Leigh House, and Aaron Nickelson.

Council Members absent: None.

Also present: City Manager Jay Wieland, City Clerk Dan Droste, City Attorney Lee Tetwiler, Police Chief Dave Smail, Public Works Director Browning, City Planner Gotfredson, Brian McCauley with the Miami County Republic.

Agenda Item 1 - CALL TO ORDER: The regular council meeting was called to order by Mayor Stuteville.

Agenda Item 2 - ROLL CALL: Mayor Stuteville and Council Members Pritchard, Wilhoite, House, and Nickelson were all present.

Agenda Item 3 - PETITIONS, REMONSTRANCES, AND COMMUNICATIONS
Mayor Stuteville asked the audience if anyone desired to address the Council about any issue that is not an agenda item.

No one addressed the Council.

Agenda Item 4 - CONSENT AGENDA

- a. Approval of minutes of the meeting of November 27, 2012.
- b. Approval of Salary Ordinance 12-24.
- c. Approval of Appropriation Ordinance No 740.
- d. Approval of the Journal Entries Report for November, 2012.
- e. Approval of the Pledged Securities Report for November, 2012.
- f. Approval of the renewal of a Drinking Establishment License for Spudley’s at 2 Morningside Drive.
- g. Approval of the renewal of Cereal Malt Beverage Licenses for 2013:
 - 1) Price Chopper at 309 N Hospital Drive – Off Premises
 - 2) Casey’s General Store #1 at 119 N Hospital Drive – Off Premises
 - 3) Casey’s General Store #2 at 404 S Silver Street – Off Premises
 - 4) Darrel’s Last Resort at 807 S Silver Street – Off Premises and On Premises
 - 5) BBQ Shack at 1613 E Peoria Street – On Premises
 - 6) Emery’s Steak House at 16 W Peoria Street – On Premises
 - 7) Pizza Hut at 816 N Pearl Street – On Premises
 - 8) Walmart at 310 Hedge Lane – Off Premises

9) Zarco 66 at 1005 N Pearl Street – Off Premises

Councilmember Pritchard made a motion to approve the Consent Agenda as presented and authorize the Mayor to sign. The motion was seconded by Council Member House and all voted aye. The motion passed 4 to 0.

Agenda Item 5 - REPORTS OF OFFICERS, BOARDS AND COMMITTEES

Agenda Item 5a – Consider the approval of Change Order No 2 and 3 for the City Hall Renovation Project.

Manager Wieland presented two change orders for the City Hall renovation project.

Change Order #2: In the original scope of the project, there were no provisions for work inside the City’s Records Vault. As the project evolved, it was determined that a more efficient layout and updated lighting and electrical outlets were needed. The cost of the work on the inside of the vault is detailed as follows:

Demolition of cabinetry, shelving and trim:	no charge
Patch walls and ceiling in preparation for paint:	\$ 300
Painting walls, doors, ceilings, and finish of cabinets:	\$1,395
Cabinets, countertops, fillers & installation:	\$2,326
New lighting, receptacles, phone lines, and demo:	<u>\$1,538</u>
Total Change Order #2:	\$5,559

Change Order #3: In the original scope of the project, allowances were included for interior signage and for fire extinguishers. Existing fire extinguishers from City Hall will be utilized and more limited interior signage will be purchased directly by the City. The contractor is issuing a credit for these two items as follows:

Allowance for interior signage:	-\$ 500
Credit for fire extinguishers and cabinets:	<u>-\$ 845</u>
Total Change Order #3:	-\$1,345

The net amount of these change orders is \$4,214 and increases the contract with Legacy Contractors from \$1,012,565 to \$1,016,779.

After a discussion, Councilmember Pritchard made a motion to approve Change Order #2 in the amount of +\$5,559.00 and Change Order #3 in the amount of -\$1,345.00 from Legacy Contractors, LLC making the new total contract amount \$1,016,779.00 for the City Hall renovation project. The motion was seconded by Council Member Wilhoite and all vote aye. The motion passed 4 to 0.

Agenda Item 5b – Consider the approval of Payment Request No 7 for the City Hall Renovation Project.

Manager Wieland presented payment request number 7 from Legacy Contractors, LLC in the amount of \$67,977 for consideration. Retainage in the amount of \$10,000 is being withheld. He reported that the building is nearly complete with the exception of a few final details including touch up painting, adjusting doors and drawers, final cleaning and other minor items. He

indicated that there was a delay in the final inspection of the elevator due to a problem with one of the elevator electrical components. Otis Elevator is replacing that component at no cost to the City or the contractor. A retainage of \$10,000 is being withheld until the building is totally completed.

After a discussion, Councilmember Wilhoite made a motion to approve payment request #7 from Legacy Contractors, LLC in the net amount of \$67,977.00 for the City Hall renovation project. The motion was seconded by Council Member Nickelson and all vote aye. The motion passed 4 to 0.

Agenda Item 5c – Consider a Resolution Amending the Traffic Control Device Schedules to include additional stop signs on Chippewa, Miami, Ottawa, and Shawnee Streets at East Street and to delete yield signs at Chippewa, Ottawa, and Shawnee Streets at East Street.

Manager Wieland presented a Resolution amending the Traffic Control Device Schedules. He reported that the changes were in addition to recently approved changes to the traffic regulations on Osage Street including the reduction of the speed limit to 25 mph, limiting parking, and installing 4 way stop signs at Wallace Park Drive and at East Street.

Manager Wieland noted that East Street is evolving into a pedestrian route to the schools and it also serves as a major north-south route through the center of town. In reviewing the Traffic Control Device Schedules, staff noticed that the East Street intersections at Chippewa, Ottawa, and Shawnee Streets have yield signs and Miami Street has neither a yield sign nor a stop sign. Given the amount of vehicular and pedestrian traffic on East Street, it seems prudent to install stop signs at each of these four intersections for eastbound and westbound traffic. With the installation of these signs, every east-west intersection along East Street will be stopped with the exception of Wea Street, Peoria Street, and Baptiste Drive.

After a discussion, Action Councilmember House made a motion to approve A RESOLUTION AMENDING THE OFFICIAL TRAFFIC CONTROL DEVICE SCHEDULES FOR THE CITY OF PAOLA, KANSAS. The motion was seconded by Council Member Wilhoite and all vote aye. The motion passed 4 to 0 and the Resolution was assigned No 2012-014.

Agenda Item 5d – Report on City Offices to be placed on the April 2, 2013 ballot.

Clerk Droste reported that a General Election will be held on April 2, 2013 for the City Offices of Mayor – At Large, City Council Member – Ward 1, and City Council Member – Ward 3.

He also reported that the “Candidates Declaration of Intention” and \$10 filing fee must be paid to the City Clerk by 12:00 Noon on Tuesday, January 22, 2013 to qualify as a candidate.

Should more than three individuals file for the same position, a primary election would be held on February 26, 2013 to reduce the number of candidates to three. Informational packets for candidates with all of the required forms are available at the Office of the City Clerk at Paola City Hall. Information will also be made available on the City’s website at www.cityofpaola.com.

Agenda Item 5e – Year-to-date Budget Report.

Clerk Droste presented a summary report of revenues and expenditures for budgeted funds through November 31st. He reported that total revenues for all budgeted funds amounted to

\$13,568,581 or 97.2% of the amended budget, and total expenditures for all budgeted funds amounted to \$9,811,200 or 92.2% of the amended budget.

Agenda Item 6 – NEW BUSINESS

Manager Wieland reported that annually the City has been giving gift cards to employees for Christmas bonuses. He requested that the Council consider approval to give \$50 gift cards to full time and part time employees in the total amount of \$5,300. After a discussion, Councilmember Nickelson made a motion to approve the \$50 gift cards to all City Employees in the total amount of \$5,300 as requested. The motion was seconded by Councilmember House and all voted aye. The motion passed 4 to 0.

Public Works Director Browning reported that work on the intersection of Crestview Drive and Old Kansas City Road should be completed and open to traffic by next Monday.

Manager Wieland reported that the landscaping on the west side of City Hall was nearly completed and looks very nice. He indicated that an open house is planned for mid-January depending on the completion of the project. The move back into the building is scheduled for Friday, January 18th.

Manager Wieland reported that there will be no Council Work Study Meeting on the first Tuesday of January which happens to fall on January 1st.

Councilmember House inquired about how the public was responding to the new speed limit and stop signs on Osage Street. Police Chief Smail reported that the first few days a large number of warnings were issued, but now everyone is accustomed to the changes.

Councilmember Nickelson asked about the status of the grant application for the trail at Wallace Park. Planner Gotfredson reported that it will likely be mid-January before the City is notified about the grant. The City was able to include “in-kind” labor from the Public Works Department as matching funds for the grant, however there is substantial competition for the grant funds.

The Council and staff exchanged holiday greetings.

Agenda Item 8 – ADJOURNMENT

With no additional business to come before the Council, Council Member Wilhoite made a motion to adjourn. Council Member House seconded the motion and all voted aye. The motion passed 4 to 0.

Artie Stuteville, Mayor

ATTEST: [seal]

Daniel G. Droste, City Clerk