

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

**April 9, 2013**

**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, Richard Lentz, Pastor Jim Hopwood, Keaton Farmer, Mark Farmer, and 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 present. No one was absent.

**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.

Keaton Farmer introduced himself and his father, Mark Farmer. Keaton indicated that he was a member of Boy Scout Troop 100 and was working on his Citizenship Merit Badge.

**Agenda Item 4 - CONSENT AGENDA:**

- a. Approval of minutes of the meeting of March 26, 2013.
- b. Approval of Salary Ordinance 13-7.
- c. Approval of Appropriation Ordinance No 749.
- d. Approval of the Journal Entries Report for March, 2013.
- e. Approval of the Pledged Securities Report for March, 2013.

Council Member Wilhoite 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 - CONSIDER CERTIFICATE OF ELECTION RESULTS**

Clerk Droste presented a letter from the Miami County Clerk certifying the final results of the general election held on April 2, 2013 as follows:

<u>Paola City Council – Mayor</u>	
Artie Stuteville	497
Write In	9
<u>Paola City Council – Ward 1</u>	
Jim Pritchard	150
Write-In	3
<u>Paola City Council – Ward 3</u>	
Leigh House	122
Write-In	1

Council Member Pritchard made a motion to accept the certificate of election results naming Artie Stuteville, Mayor; Jim Pritchard, Ward 1; and Leigh House, Ward 3 as the candidates receiving the most votes. The motion was seconded by Council Member Wilhoite and all voted aye. The motion passed 4 to 0.

## **Agenda Item 6 – ADJOURN SINE DIE**

Council Member Wilhoite made a motion to adjourn sine die. The motion was seconded by Council Member Pritchard and all voted aye. The motion passed 4 to 0.

Clerk Droste administered the Oath of Office to Mayor Artie Stuteville and Council Members Jim Pritchard and Leigh House.

Pastor Jim Hopwood presented an invocation for the new City Council.

Council Member Pritchard made a motion to resume the adjourned meeting. The motion was seconded by Council Member Wilhoite and all voted aye. The motion passed 4 to 0.

Mayor Stuteville called the new City Council to order and resumed the adjourned meeting.

## **Agenda Item 7 – ELECTION OF COUNCIL OFFICERS**

Council Member Wilhoite made a motion to nominate Council Member Jim Pritchard as President of the Paola City Council. The motion was seconded by Council Member House and all voted aye. The motion passed 4 to 0.

Council Member House made a motion to nominate Council Member Gee Gee Wilhoite as Vice President of the Paola City Council. The motion was seconded by Council Member Nickelson and all voted aye. The motion passed 4 to 0.

## **Agenda Item 8 – DESIGNATION OF DEPOSITORIES FOR CITY FUNDS**

Council Member Pritchard made a motion to designate Citizens State Bank, Great Southern Bank, First Security Bank, First Option Bank and Landmark National Bank as depositories for City funds. The motion was seconded by Council Member Wilhoite and all voted aye. The motion passed 4 to 0.

## **Agenda Item 9 - REPORTS OF OFFICERS, BOARDS AND COMMITTEES:**

### **Agenda Item 9a – Consider an Ordinance authorizing the execution of a lease purchase agreement by the City to provide for the acquisition of a 2013 Case 580 Super N Backhoe with two buckets.**

Clerk Droste reported that at the January 8<sup>th</sup> meeting, the City Council approved the purchase of the backhoe and accepted the bid from Citizens State Bank to finance the balance of the purchase price with a 2 year lease at a rate of 1.86%. Clerk Droste presented an Ordinance authorizing the execution of the lease documents which is required to complete this transaction. He reported that to insure that the City meets all statutory requirements, including non-appropriation, and IRS requirements concerning non-arbitrage and tax exemption, the lease documents and the Ordinance were prepared by the City's Bond Counsel.

After additional discussion, Council Member Wilhoite made a motion to approve AN ORDINANCE OF THE CITY OF PAOLA, KANSAS, AUTHORIZING THE EXECUTION OF A LEASE PURCHASE AGREEMENT BY THE CITY TO PROVIDE FOR THE ACQUISITION OF EQUIPMENT. The motion was seconded by Council Member Pritchard and all voted aye. The motion passed 4 to 0 and the Ordinance was assigned number 3055.

### **Agenda Item 9b – Consider participation in the U.S. 169 Highway Corridor Association**

Manager Wieland reported that at the April 2<sup>nd</sup> Work Study Meeting, the City Council discussed the merits of joining the US 169 Highway Corridor Association. The purpose of the Association, as stated in the Articles of Incorporation, is "to organize and maintain a coalition of communities, businesses and individuals to promote the development, construction and maintenance of a modern transportation system of public highways to serve the motoring public and promote economic development in Southeast Kansas along the US 169 Highway corridor from Montgomery County, Kansas on the south to Johnson County on the north." As the City of Paola will benefit economically from an expanded and improved US 169 Highway corridor, Manager Wieland recommended that the City join the Association as a Full-Municipality Member to promote the highway's continued development and maintenance. The cost for the City to join the Association will be \$0.10 per capita or \$560.00.

After additional discussion, Council Member Wilhoite made a motion to approve the City's participation in the U.S. 169 Highway Corridor Association as a Full-Municipality Member.

The motion was seconded by Council Member Pritchard and all voted aye. The motion passed 4 to 0.

**Agenda Item 9c – Consider approval of the purchase of a new mower for the Public Works Dept.**

Public Works Director Browning reported that the Public Works Department has a program to replace the front and mid mount mowers when they near 850 – 1000 hours of operation. He reported that in March the City Council approved the sale of the 2009 X-Mark Mower with 857 hours, this machine had a 52” front mount deck was used primarily in the cemetery. Bids were solicited to replace that mower as follows:

Blue Valley Tractor and Supply – Grasshopper 725 DT - \$13,540.00  
Norris Equipment Formerly Wiseman Lawn Equip. – Grasshopper 725 DT - \$13,626.59  
Heritage Tractor – No Bid

Public Works Director Browning recommended that the bid from Blue Valley Tractor and Supply be accepted.

After additional discussion, Council Member Wilhoite made a motion to approve the bid from Blue Valley Tractor and Supply in the amount of \$13,540.00 for a 2013 Grasshopper 725 DT mower. The motion was seconded by Council Member Pritchard and all voted aye. The motion passed 4 to 0.

**Agenda Item 9d – Consider approval of a proposal for the relining of sewer lines on Grandview, Walnut and Delaware Streets.**

Public Works Director Browning reported that as the Sewer Department implements our sanitary sewer cleaning and maintenance program, sections of pipe are found that are in very bad condition. These sections of sewer pipe create issues such as broken pieces of pipe causing a back up in the system and breaks in the pipe increase the amount of storm water infiltration in the system.

Public Works Director Browning reported that with the Water Main Replacement and Street Reconstruction along Grandview and Walnut Street, it is an opportune time to ensure the sanitary sewer along this project is in good condition before the street is re-constructed. Additionally, a 600 foot section of sewer pipe on Delaware street is in need of repair. He presented two proposals to line these sewer line segments. These proposals include pipeline cleaning, bypass pumping as needed for dry weather flow, CIPP Installation, Service line connection reinstatement, CCTV Acceptance Inspection, all Traffic Control as per MUTCD.

SAK Construction	\$37,818.00
Insituform Technologies	\$33,396.00

After additional discussion, Council Member Wilhoite made a motion to approve the proposal from Insituform Technologies in the amount of \$33,396.00 to reline sewer lines as

presented. The motion was seconded by Council Member Pritchard and all voted aye. The motion passed 4 to 0.

**Agenda Item 9e – Consider approval of disbursements from the Transient Guest Tax Fund.**

Manager Wieland reported that the Paola Convention and Tourism Committee met on April 4<sup>th</sup> to review requests for grants from the Transient Guest Tax Fund. The following grants were recommended for approval by the Committee:

Miami County Antique Tractor Assn	\$500	Antique Tractor Show
Paola Chamber of Commerce	\$600	Kansas Sampler Festival
Miami County Arts Coalition	\$1,750	Music on the Square
Miami County Master Gardeners	\$350	Garden Tour
City of Paola Public Works Dept	\$1,900	Seasonal Banners
Paola Tourism Inc	\$2,000	Art & Wine Stroll
Paola Tourism Inc	\$2,000	Harvest Festival
Paola Heartland Car Show	<u>\$2,000</u>	Car Show
Total	\$11,000	

After additional discussion, Council Member Wilhoite made a motion to approve disbursements from the Transient Guest Tax Fund as presented. The motion was seconded by Council Member Pritchard and all voted aye. The motion passed 4 to 0.

**Agenda Item 10 – NEW BUSINESS**

Clerk Droste congratulated Council Member Nickelson and his wife on the birth of their new daughter, Lilyan.

City Attorney Tetwiler advised the Council that on April 11<sup>th</sup>, Paola Municipal Court will be hearing the claim for damages and restitution in the Bassett Case.

Planner Gotfredson reported that the Paola Pathways received a Baher Grant in the amount of \$10,000 and that the responses from individuals and businesses in town have been very generous. The group will be applying for the Sunflower Grant in hopes of obtaining an additional \$20,000 for the project.

Public Works Director Browning reported that the installation of the water line on Grandview and Walnut streets has been going very well. He also reported that next week, repairs to the street at the east entrance to Walmart will begin.

Council Member Nickelson asked about the Senior Housing project and when it would be completed. Mayor Stuteville also asked how residents could apply to rent one of the units. Manager Wieland indicated that he would check on these issues and report back. The status of the construction of the units was discussed by Public Works Director Browning.

**Agenda Item 11 – ADJOURNMENT**

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

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Artie Stuteville, Mayor

ATTEST: [seal]

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Daniel G. Droste, City Clerk