

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

**May 14, 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 Mike Gotfredson, Richard Lentz, 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.

Richard Lentz thanked the Public Works Department for their role in the speedy removal of the pipeline on North Pearl Street.

Mayor Stuteville read a proclamation declaring the week of May 19 to 25 as “National Public Works Week” in Paola. The proclamation was presented to Public Works Director Craig Browning.

**Agenda Item 4 - CONSENT AGENDA:**

- a. Approval of minutes of the meeting of April 23, 2013.
- b. Approval of Salary Ordinance 13-9.
- c. Approval of Appropriation Ordinance No 751.
- d. Approval of the Journal Entries Report for April, 2013.
- e. Approval of the Pledged Securities Report for April, 2013.
- f. Approval of a leak allowance in the amount of \$46.74 for 504 N Walnut.

Council Member House noted a correction to the Minutes of April 23<sup>rd</sup>. After a discussion, Council Member Pritchard made a motion to approve the Consent Agenda as presented and authorize the Mayor to sign. The motion was seconded by Council Member Wilhoite and all voted aye. The motion passed 4 to 0.

#### **Agenda Item 5 - REPORTS OF OFFICERS, BOARDS AND COMMITTEES:**

##### **Agenda Item 5a – Consider Resolution restricting traffic in the alley on the east side of the Park Square for a pedestrian walkway to the City Hall Public Restrooms.**

Manager Wieland reported that plans are beginning to develop for a pedestrian walkway between the Park Square and the new public restrooms at City Hall. In order to proceed with those plans, the alley that will become the pedestrian walkway needs to be closed to vehicular traffic. He presented a Resolution closing the west half of the alley in Block 31 to traffic.

After discussion, Council Member Pritchard 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 House and all voted aye. The motion passed 4 to 0 and the Resolution was assigned number 2013-005.

##### **Agenda Item 5b – Consider an Ordinance amending Chapter 610 of the Paola Municipal Code pertaining to Solicitors Licenses.**

Clerk Droste reported that in a recent review of the Municipal Code Book, staff noticed a few operational issues related to the processing and issuance of Solicitors Licenses. He explained that as these licenses have been issued on a very infrequent basis, there has been little need to review the process.

Clerk Droste reviewed the need and procedure for issuing Solicitors Licenses and presented an Ordinance changing Chapter 610 of the Municipal Code as follows:

- o Section 610.050: Change the duration of the license to be 90 days from date of issue.
- o Section 610.060: Add the requirement to include a photocopy of a driver's license with the application to aid in the completion of the background check. Also, delete the option of providing a set of fingerprints in lieu of a 2"x2" photograph. The photograph is needed for the photo ID.
- o Section 610.070: Increase the Investigation fee from \$100 to \$150.
- o Section 610.100: Delete the entire section on renewal. In reality, no one ever renews this type of license.
- o Section 610.020 and 610.110: Change the penalty from "up to one hundred dollars (\$100.00) or imprisoned for not to exceed three (3) months", to "up to five hundred dollars (\$500.00) or be imprisoned not to exceed thirty (30) days", that the fee for a violation is not less than the cost of the license.

After additional discussion, Council Member Wilhoite made a motion to approve AN ORDINANCE AMENDING TITLE VI, BUSINESS AND OCCUPATION, CHAPTER 610: PEDDLERS, SOLICITORS, CANVASSERS, SECTION 610.020: VIOLATIONS;

SECTION 610.050: SOLICITORS LICENSE – FEE- DURATION; SECTION 610.060: APPLICATION REQUIRED – CONTENTS; SECTION 610.070: INVESTIGATION FEE – DUTY OF OFFICERS; SECTION 610.100: RENEWAL OF LICENSE; AND SECTION 610.110: UNLAWFUL ACTS - PENALTY, OF THE MUNICIPAL CODE OF THE CITY OF PAOLA, KANSAS. The motion was seconded by Council Member Pritchard and all voted aye. The motion passed 4 to 0 and the Ordinance was assigned number 3057.

**Agenda Item 5c – Consider a lease agreement with KC Bobcat for an E35 ZTS Bobcat Compact Excavator for the Public Works Department.**

Manager Wieland reported that from time to time the Public Works Department needs to rent a mini-excavator to meet specific needs. The cost of purchasing this equipment has been an obstacle in the past.

Public Works Director Browning explained that the equipment would be used in all of his departments, but it would be especially useful for opening and closing graves at the cemetery. The small profile of the mini-excavator makes it much more efficient and safer to manage in tight spaces than the full size backhoe.

Public Works Director Browning explained that there has been a need to rent this piece of equipment in the past. The rental fee for a similar machine is \$1,200 to \$1,300 per week. He reported that the lease program offered by KC Bobcat provides a new E35 ZTS Bobcat Compact Excavator for \$6,000 per year.

After additional discussion, Council Member Wilhoite made a motion to approve the lease with KC Bobcat in the amount of \$6,000 per year for an E35 ZTS Bobcat Compact Excavator for the Public Works Department. The motion was seconded by Council Member Pritchard and all voted aye. The motion passed 4 to 0.

**Agenda Item 5d – Consider bids to rebuild two 14” Valves and replace one 14” Spool at the main lift station.**

Public Works Director Browning reported that the City’s Main Lift Station on South East Street that takes 100% of the sanitary sewer flow to the Wastewater Treatment Plant, and also handles the additional runoff of heavy rain events and pumps that water to the Sewer Lagoons by way of two high service pumps. Over the past few weeks we have noticed a small crack on a 14” spool on one of the 14” DeZurik valves, we have also noticed that the valves themselves are in need of a rebuild. Both valves are showing signs that a rebuild is needed while only one of the valves is shown to have a structure crack in the spool. Cost estimates and options were solicited from Douglas Pump, Tedrow Construction, L.L.C. and Alliance Pump & Mechanical Services, Inc. to complete the valve rebuilds as well as replace the cracked spool which has to be custom made. Alliance Pump has the best and most cost effective proposal with a total of \$26,284.04. Once they get the valve apart and the rebuild of the valves begins, this price could go down if we do not need to replace the 14” plug CXX004 with a cost of \$3,697.14 each.

After additional discussion, Council Member Wilhoite made a motion to approve the bid from Alliance Pump & Mechanical Services, Inc for the amount of \$26,284.04 to rebuild two 14” Valves and replace one 14” Spool at the main lift station. The motion was seconded by Council Member Pritchard and all voted aye. The motion passed 4 to 0.

### **Agenda Item 6 – NEW BUSINESS**

Clerk Droste reported that the Farmers Market will begin this coming Saturday at the Park Square at 7:30 am.

Police Chief Smail reported that the annual “Click It or Ticket” program will begin next week.

Public Works Director Browning reported that the final utility connection has been completed on Grandview Drive and the road replacement phase of the project is underway. Preparations are nearly complete at the swimming pool for opening day on May 25<sup>th</sup>.

Manager Wieland reported that thank you letters have been sent to the Shamrock Club and to the Paola Tourism Group for their donations to the pedestrian parkway project. He also reported that staff had a meeting with representatives from the Heartland Car Show group, Farmers Market and Paola Tourism about improvements to the public address sound system at the Gazebo in the Park Square.

Manager Wieland reported that a thank you letter would be sent to Sinclair Pipeline Company for the fine job that was done in removing the pipeline earlier today.

Council Member Pritchard reported that the Paola Pathways Committee will be meeting on Thursday evening.

Mayor Stuteville nominated Callie Benton to serve on the Paola Planning Commission. Council Member Nickelson made a motion to approve the Mayor’s nomination of Callie Benton to the Planning Commission. The motion was seconded by Council Member Wilhoite and all voted aye. The motion passed 4 to 0.

### **Agenda Item 7 – 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.

---

Artie Stuteville, Mayor

ATTEST: [seal]

---

Daniel G. Droste, City Clerk