

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

**June 11, 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, Leigh House, and Aaron Nickelson.

**Council Members absent:** Council Member Gee Gee Wilhoite

**Also present:** City Manager Jay Wieland, City Clerk Dan Droste, City Attorney Lee Tetwiler, Deputy Police Chief Don Poore, Richard Lentz, Alan Hire, and Dylan Lysen 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, House, and Nickelson were present. Council Member Wilhoite 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. No one addressed the Council.

**Agenda Item 4 - CONSENT AGENDA:**

- a. Approval of minutes of the meeting of May 28, 2013.
- b. Approval of Salary Ordinance 13-11.
- c. Approval of Appropriation Ordinance No 753.
- d. Approval of the Journal Entries Report for May, 2013.
- e. Approval of the Pledged Securities Report for May, 2013.
- f. Approval of the renewal of a Class A Private Club License for the American Legion.
- g. Approval of the renewal of a Drinking Establishment License for El Potro Mexican Restaurant.

Mayor Stuteville announced the following addition to the Consent Agenda:

- h. Approval of a request from Miami County for the waiver of the \$64 Building Permit Fee for sidewalk repairs at the Courthouse.

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 Nickelson and all voted aye. The motion passed 3 to 0.

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

**Agenda Item 5a – Consider a lease agreement with the Miami County Fair Association for the use of property in Wallace Park for the Miami County Fair from July 19 to July 28, 2013.**

Manager Wieland presented a lease agreement with the Miami County Fair Association for the use of a portion of Wallace Park for the annual Miami County Fair. He reported that in light of a lawsuit over an incident at the Fair, the City Attorney reviewed the lease and recommended some changes to the hold harmless section of the document.

After additional discussion, Council Member Pritchard made a motion to approve the Lease with the Miami County Fair Association as presented. The motion was seconded by Council Member House and all voted aye. The motion passed 3 to 0.

**Agenda Item 5b – Consider authorizing a letter requesting an exemption for all City buildings from the requirements of Senate Substitute for House Bill 2052.**

Manager Wieland presented a letter requesting an exemption for all City buildings from the requirements of Senate Substitute for House Bill 2052 which allows for concealed carry in public buildings. He reported that the temporary exemption will expire on January 1, 2014 giving the City 6 months to develop security plans for the buildings being exempted which meet the requirements of the new law.

After discussion, Council Member Nickelson made a motion to approve and authorize the Mayor to sign a letter requesting an exemption from the requirements of Senate Substitute for House Bill 2052 for the Paola City Hall, Paola Justice Center, Paola Fire Station and Firehouse Gym, Paola Public Works Facility, Paola Free Library, Paola Community Center, and the Paola Wastewater Treatment Plant. The motion was seconded by Council Member House and all voted aye. The motion passed 3 to 0.

**Agenda Item 5c – Consider a Resolution amending Section 12.2 Workplace Violence and Weapons in the City of Paola Personnel Manual.**

Manager Wieland reported that Section 9(b)(1) of Senate Substitute for House Bill 2052 makes an allowance for employers to restrict employees from carrying concealed firearms while engaged in the duties of employment. Currently the City's Personnel Manual does prohibit weapons in the workplace under Section 12.2 Workplace Violence and Weapons. He reported that in reviewing Section 12.2, he recommended a text revision to remove references to "persons" and replace them with references to "employees".

After discussion, Council Member House made a motion to approve A RESOLUTION AMENDING SECTION 12.2 OF THE CITY OF PAOLA PERSONNEL MANUAL,

EFFECTIVE JUNE 11, 2013. The motion was seconded by Council Member Nickelson and all voted aye. The motion passed 3 to 0 and the Resolution was assigned number 2013-007.

**Agenda Item 6 – NEW BUSINESS**

Clerk Droste reported that the Chamber of Commerce Annual Chamber will be held on Thursday, June 27<sup>th</sup> at Town Square beginning at 5:30 pm. He asked for an indication of who would be attending.

Mayor Stuteville nominated Steve Stoecker to be reappointed to the Paola Free Library Board. Council Member Pritchard made a motion to approve the Mayor's nomination of Steve Stoecker to the Paola Free Library Board. The motion was seconded by Council Member House and all voted aye. The motion passed 3 to 0.

**Agenda Item 7 – ADJOURNMENT**

With no additional business to come before the Council, Council Member Nickelson made a motion to adjourn. Council Member House seconded the motion and all voted aye. The motion passed 3 to 0.

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Artie Stuteville, Mayor

ATTEST: [seal]

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Daniel G. Droste, City Clerk