

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

July 23, 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, and Aaron Nickelson.

Council Members absent: Leigh House.

Also present: City Manager Jay Wieland, City Clerk Dan Droste, City Attorney Lee Tetwiler, Police Chief Dave Smail, City Planner Mike Gotfredson, Public Works Director Craig Browning, Human Resources Director Vicki Belt, Michael Hudgeons, Alan Hire, Officer Eric Jenkins, Officer Ryan Rayzor, Officer Jason Frizzell, Brian McCauley with the Miami County Republic, and others.

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, and Nickelson were present. Council Member House 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.

Michael Hudgeons addressed the Council regarding a letter that he presented concerning the placement of storage sheds on his property located at 410 N Silver Street. After a brief discussion, Mayor Stuteville stated that since the Council would review the letter and City Planner Gotfredson will contact him regarding the issue.

Mayor Stuteville presented a letter of commendation to Paola Police Officer Jason Frizzell for honesty and integrity and leadership by example in his efforts in trying to locate the owner of \$250 in cash that he found while on foot patrol in the Park Square.

Mayor Stuteville then presented Paola Police Officers Ryan Rayzor and Eric Jenkins with plaques recognizing them for service above and beyond the call of duty for their efforts in resuscitating a resident who was not breathing and without a pulse. The officers responded with CPR and used an Automatic Exterior Defibrillator to save the life of the resident.

Mayor Stuteville thanked the Officers for their service to Paola and thanked their families and friends for attending the presentations.

Mayor Stuteville announced that the agenda for tonight's meeting has been amended to include the following: "Agenda Item 5d – Consider approval of a 3 year Lease Purchase Agreement with IBM Credit LLC for the purchase of the Enterpol Public Safety Software and Annual Support."

Agenda Item 4 - CONSENT AGENDA:

- a. Approval of minutes of the meeting of July 9, 2013.
- b. Approval of Salary Ordinance 13-15.
- c. Approval of Appropriation Ordinance No 756.

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

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

Agenda Item 5a – Presentation and discussion on the 2013 Public Works Street Program.

Public Works Director Browning presented a summary of the 2013 Street Program. He indicated that the majority of the budget was allocated to the recently completed Grandview Drive and Walnut Street reconstruction. The projects included in the plan for 2013 are as follows:

Miami and Castle Street Intersection	\$8,555.55
Grandview and Walnut rebuild	\$100,466.35
Misc Concrete Curb and Patch Repairs	\$17,478.10
Lakemary Drive Mill and Overlay	\$15,000.00
Patchwork Mill and Overlay	\$10,000.00
Wallace Park Mill and Overlay	\$28,500.00
Lake Miola Mill and Overlay	<u>\$25,000.00</u>
Total	\$205,000.00

He also presented the proposed 2014 Street Program as follows:

Misc Curb Repairs and Patching	\$15,000.00
Dewy Street Reconstruction	\$26,500.00
Hospital Drive Patch, Micropave & Striping	\$75,000.00
East Street Patch and Micropave	\$55,000.00
Pearl Street (Mission to Osage) Patch & Micropave	\$30,000.00
Wea Street (Agate to Hospital) Patch & Micropave	\$50,000.00
Peoria Street (Gold to RR Tracks) Patch & Micropave	\$35,000.00
Wallace Park Asphalt Overlay	\$35,000.00

Bike Route Striping and Sineage	\$12,000.00
Lake Miola Asphalt Overlay	\$41,500.00
Total	\$375,000.00

The different areas and the types of repairs were discussed in detail.

Agenda Item 5b – Consider approval of the final site plan for Lakemary Center.

City Planner Gotfredson presented a final site plan for an addition to the main building at Lakemary Center. He indicated that the plan is consistent with Section 21.6531 of the Land Development Ordinance and will not be detrimental to the health, safety or general welfare of the community. Planner Gotfredson reported that at their July 16th meeting, the Paola Planning Commission unanimously recommended the approval of the final site plan subject to the satisfactory completion of Public Works and Engineering comments.

After discussion, Council Member Nickelson made a motion to approve the final site plan for the addition to the main building at Lakemary Center subject to satisfactory completion of Public Works and Engineering comments. The motion was seconded by Council Member Wilhoite and all voted aye. The motion passed 3 to 0.

Agenda Item 5c – Consider the 2014 Budget Notice of Public Hearing to be set for August 13, 2013.

Manager Wieland presented a summary of the proposed 2014 Budget in the amount of \$14,586,042 including transfers. The proposed mill levy for 2014 is detailed as follows:

<u>Mill Levy Fund</u>	<u>2013</u>	<u>2014</u>	<u>Change</u>
General Fund - Fund 01	25.514	25.404	-0.110
Bond & Interest - Fund 06	4.751	6.928	2.177
Library - Fund 02	4.730	4.702	-0.028
Employee Benefits - Fund 05	<u>6.825</u>	<u>6.282</u>	<u>-0.543</u>
Total	41.820	43.316	1.496

Manager Wieland reported that General Fund, Employee Benefits Fund and Library Funds remained relatively constant but an increase in the Bond and Interest Fund was necessary primarily due to delinquent special assessments.

Clerk Droste reported that an Ordinance Attesting to an Increase in Tax Revenues was not required as the mill levy attributed to the Bond and Interest Fund is excluded from the calculation that determines this requirement.

After additional discussion, Council Member Pritchard made a motion to approve the proposed 2014 Budget for publication at \$14,586,042 and set August 13, 2013 as the date for the budget public hearing. The motion was seconded by Council Member Wilhoite and all voted aye. The motion passed 3 to 0.

Agenda Item 5d – Consider approval of a 3 year Lease Purchase Agreement with IBM Credit LLC for the purchase of the Enterpol Public Safety Software and Annual Support.

Clerk Droste presented a proposal from IBM Credit LLC for the purchase of the Enterpol Public Safety Software and Annual Support for the Police Department. The amount of the lease is \$70,424.00 at 5.05% for a term of 3 years with monthly payments of \$2,103.40. The cost of the lease payments has been included in the amended 2013 Budget and also included in the proposed 2014 Budget.

After discussion, Council Member Wilhoite made a motion to approve the 3 year lease purchase agreement with IBM Credit LLC as presented. The motion was seconded by Council Member Pritchard and all voted aye. The motion passed 3 to 0.

Agenda Item 6 – NEW BUSINESS

Clerk Droste reported that KC Water Sports will be holding a wakeboarding event at Lake Miola from 10 am to 5 pm on Saturday, July 27th.

Clerk Droste reported that tomorrow evening the Miami County Fair Parade sponsored by the Paola Rotary Club will begin at 7:00 pm. Traditionally the Governing Body rides in the lead Fire Truck.

Manager Wieland reported that he met with the current and past Chamber of Commerce Executives to discuss options for economic development activities.

Manager Wieland reported that he would be contacting the County in regard to efforts to collect delinquent real estate taxes and special assessments.

Manager Wieland reported that a substantial amount has been paid to mow grass and weeds on properties in violation of City Code.

Manager Wieland reported that he received a visit from the retired Fire Chief from Sterling, Illinois. After touring City Hall and the Fire Station, he complimented the City of Paola on the wonderful public facilities that it has.

Clerk Droste reported that the Kansas Press Association will host a free meeting on the Kansas Open Records Act and the Kansas Open Meetings Act at the Paola Justice Center from 9 am to Noon on Friday, July 26th. Brian McCauley with the Miami County Republic will be a participant on the presenting panel. Registration for the event is free.

Council Member Nickelson asked about the KC Water Sports event at Lake Miola and reported that he had been contacted by a resident who lives on College Street regarding the potential sewer project in that area. Public Works Director Browning gave a brief summary of the status of the project and noted that discussions with the area residents are ongoing.

Council Member Pritchard announced that he received a donation from Panhandle Eastern Pipeline Company in the amount of \$10,000 to the Paola Pathways project.

Agenda Item 7 – EXECUTIVE SESSION for the purpose of discussing personnel matters of non-elected personnel. K.S.A. 75-4319(B)(1) is the authority for this recess.

Council Member Pritchard made a motion to adjourn to Executive Session, to include the Mayor, Council, City Manager, City Clerk, Human Resources Director, and City Attorney, for 20 minutes for the purpose of discussing personnel matters of non-elected personnel; the regular meeting to reconvene at 8:20 p.m. The motion was seconded by Council Member Wilhoite and all voted aye. The motion passed 3 to 0.

At 8:20 pm, Councilmember Nickelson made a motion to reconvene the adjourned meeting. The motion was seconded by Council Member Wilhoite and all voted aye. The motion passed 3 to 0.

Council Member Pritchard made a motion to adjourn to Executive Session, to include the Mayor, Council, City Manager, City Clerk, Human Resources Director, and City Attorney, for an additional 30 minutes for the purpose of discussing personnel matters of non-elected personnel; the regular meeting to reconvene at 8:50 p.m. The motion was seconded by Council Member Nickelson and all voted aye. The motion passed 3 to 0.

At 8:50 pm, Councilmember Pritchard made a motion to reconvene the adjourned meeting. The motion was seconded by Council Member Wilhoite and all voted aye. The motion passed 3 to 0.

No action was taken pursuant to the Executive Session.

Agenda Item 8 – ADJOURNMENT

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

Artie Stuteville, Mayor

ATTEST: [seal]

Daniel G. Droste, City Clerk