

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

August 27, 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: Council Members Jim Pritchard, Gee Gee Wilhoite, Leigh House and Aaron Nickelson.

Council Members absent: Mayor Artie Stuteville.

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

Agenda Item 1 - CALL TO ORDER: The regular council meeting was called to order by Council President Pritchard.

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

Agenda Item 3 - PETITIONS, REMONSTRANCES, AND COMMUNICATIONS: Council President Pritchard 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 August 13, 2013.
- b. Approval of Salary Ordinance 13-18.
- c. Approval of Appropriation Ordinance No 758.

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 - REPORTS OF OFFICERS, BOARDS AND COMMITTEES:

Agenda Item 5a – Consider an Ordinance adopting new FEMA Flood Plain Maps effective January 16, 2014.

City Planner Gotfredson reported that at its meeting on August 20th, the Paola Planning Commission unanimously recommended approval of a text amendment to the Land Development Ordinance (LDO) to adopt the revised FEMA Flood Maps as of January 16, 2014. He presented an Ordinance which would amend the text of Article 16 of the LDO which would accomplish this goal. He reported that the amended text had been reviewed and approved by the Division of Water Resources at the Kansas Department of Agriculture.

City Planner Gotfredson explained that the current FEMA Flood Maps that were adopted on May 16, 2008, will continue to be used until the effective date of the new maps on January 16, 2014.

After additional discussion, Council Member House made a motion to approve AN ORDINANCE AMENDING ARTICLE 16, FLOODPLAINS MANAGEMENT REGULATIONS, OF THE PAOLA LAND DEVELOPMENT ORDINANCE TO ADOPT REVISED FEMA FLOOD MAPS AS OF JANUARY 16, 2014 FOR THE CITY OF PAOLA, KANSAS. The motion was seconded by Council Member Wilhoite and all voted aye. The motion passed 4 to 0 and the Ordinance was assigned number 3058.

Agenda Item 5b – Consider Adoption of the 2013 Uniform Public Offense Code.

Manager Wieland presented an Ordinance adopting the 2013 Uniform Public Offense Code (UPOC) which is published annually by the League of Kansas Municipalities. He reported that staff is recommending that the 2013 edition of the UPOC be adopted in the identical manner as the 2012 edition.

After additional discussion, Council Member Nickelson made a motion to approve AN ORDINANCE AMENDING SECTION 205.005 OF THE CODE OF THE CITY OF PAOLA, KANSAS, 2009, REGULATING PUBLIC OFFENSES WITHIN THE CORPORATE LIMITS OF THE CITY OF PAOLA, KANSAS; INCORPORATING BY REFERENCE THE “UNIFORM PUBLIC OFFENSE CODE FOR KANSAS CITIES, EDITION OF 2013”, WITH CERTAIN OMISSIONS; AND AFFIRMING THAT SECTION 205.240 CRIMINAL USE OF WEAPONS OF THE CODE OF THE CITY OF PAOLA, KANSAS, 2009 IS NOT AMENDED, MODIFIED OR REPEALED. . The motion was seconded by Council Member Wilhoite and all voted aye. The motion passed 4 to 0 and the Ordinance was assigned number 3059.

Agenda Item 5c – Consider Adoption of the 2013 Standard Traffic Ordinance.

Manager Wieland presented an Ordinance adopting the 2013 Standard Traffic Ordinance (STO) which is published annually by the League of Kansas Municipalities. He reported that staff is recommending that the 2013 edition of the STO be adopted in the identical manner as the 2012 edition.

Council Member Pritchard made a motion to approve AN ORDINANCE AMENDING SECTION 300.010 OF THE CODE OF THE CITY OF PAOLA, KANSAS, 2009, INCORPORATING BY REFERENCE THE "STANDARD TRAFFIC ORDINANCE FOR KANSAS CITIES, EDITION OF 2013", WITH CERTAIN OMISSIONS AND AMENDMENTS; AND AFFIRMING THAT SECTION 305.060 UNLAWFUL OPERATION OF ALL-TERRAIN AND UNREGISTERED VEHICLES AND SECTION 305.070 OPERATION OF GOLF CARTS OF THE CODE OF THE CITY OF PAOLA, KANSAS, 2009, ARE NOT AMENDED, MODIFIED OR REPEALED. . The motion was seconded by Council Member Wilhoite and all voted aye. The motion passed 4 to 0 and the Ordinance was assigned number 3060.

Agenda Item 5d – Consider a lease agreement for the temporary location for the Paola Free Library.

Manager Wieland presented a lease agreement with Great Southern Bank for the use of the building located at 10 W Peoria Street to be used as the temporary location of the Paola Free Library while the library building is being renovated. He indicated that the Bank has very generously offered to donate the rental income for the building as charitable contribution to the City. The City will be paying for utilities, taxes and insurance for the building.

After additional discussion, Council Member Wilhoite made a motion to approve the Lease Agreement with Great Southern Bank for the office space located at 10 W Peoria for the temporary location for the Paola Free Library and authorize the Mayor to sign. . 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 sales tax revenues for the month of August totaled \$195,217 bringing the year to date total to \$1,503,129 which is \$67,603 more than the same time period last year.

Police Chief Smail reported that the 2013 Roots Festival and the Midwest Meltdown Triathlon went very well over the past weekend. Both events were held without incident.

Manager Wieland reported that the Miami County Cycling Club had approximately 60 participants in a cycling event that was held in conjunction with the Roots Festival.

Manager Wieland reported that the health insurance enrollment for City employees was completed with approximately the same amount of participation as last year. He also reported that participation in the Flexible Spending Account program was up substantially.

Manager Wieland reported that the Community Development Department was busy with codes enforcement issues. He indicated that there are approximately 75 properties with violations for trash, trees and tall grass.

Manager Wieland reported that L&K Services has notified the City of the annual 3% increase in trash & recycling collection fees effective in October. He reported that there will likely be a recommended increase of between \$0.45 and \$0.50 in residential collection fees to cover this increase.

Manager Wieland reported that he is meeting with a promising economic development contact tomorrow.

Council Member Nickelson reported that he has been contacted by Andrew Chapman who is requesting that the City provide a link from the City's website to the Miola Disc Golf Association website to assist in fundraising efforts for a new disc golf course in Paola. Manager Wieland indicated that the Council should take official action on the disc golf course before it is linked to the website, and to date no such action has occurred..

Agenda Item 7 – 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