

**MINUTES OF THE COUNCIL MEETING  
OF THE CITY OF PAOLA, KANSAS  
6:00 O’CLOCK P.M.  
February 25, 2014**

**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:** Council Member Leigh House.

**Also present:** City Manager Jay Wieland, City Clerk Dan Droste, City Attorney Lee Tetwiler, Police Chief Dave Smail, Michael Oldfield, Richard Lentz, Marla Dilliner, 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, and Nickelson were all 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.

Marla Dilliner addressed the Council regarding the storm water drainage ditch in the back yard of her property at 605 Baptiste Drive. She reported that the ditch is constructed of railroad ties that are crumbling and she requested that the City replace the open ditch with a culvert and cover it with dirt. After a discussion, Manager Wieland reported that City Staff would examine the drainage ditch and put together an estimate for consideration.

**Agenda Item 4 - CONSENT AGENDA:**

- a. Approval of minutes of the regular meeting of February 11, 2014.
- b. Approval of Salary Ordinance 14-4.
- c. Approval of Appropriation Ordinance No 771.
- d. Approval of Water Leak Allowance in the amount of \$461.25 for 607 W Piankishaw.
- e. Approval of Water Leak Allowance in the amount of \$374.54 for 406 E Chippewa.

After a discussion, 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 Pritchard and all voted aye. The motion passed 3 to 0.

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

### **Agenda Item 5a – Consider the approval of Payment Request No 6 for the Library Addition and Renovation Project #2013-001 – Part A.**

Manager Wieland reported that the Library renovation project is progressing very well and that the walls of new addition are completed and the roofing deck is in place. The HVAC air handling units are scheduled for delivery next week and the installation of the sprinkler system has begun.

After the discussion, Council Member Pritchard made a motion to approve payment request #6 from Legacy Contractors, LLC in the net amount of \$146,493.00 for the Library addition and renovation project #2013-001-Part A. The motion was seconded by Council Member Nickelson and all voted aye. The motion passed 3 to 0.

### **Agenda Item 5b – Consider the approval of Payment Request No 2 for the Library Addition and Renovation Project #2013-001 – Part B.**

Manager Wieland reported that the renovation of the original historic Library structure is also moving along very well. This request is for Part B and is comprised of expenses related to rough carpentry, framing, HVAC system, and stored materials.

After the discussion, Council Member Nickelson made a motion to approve payment request #2 from Legacy Contractors, LLC in the net amount of \$26,194.00 for the Library addition and renovation project #2013-001-Part B. The motion was seconded by Council Member Wilhoite and all voted aye. The motion passed 3 to 0.

### **Agenda Item 5c – Consider approval of a Street Closure Application for the “Strides for a Find 5K Run/Walk”.**

Clerk Droste reported that the third annual “Strides for a Find” 5k Run/Walk to benefit research on Sudden Infant Death Syndrome (SIDS) is scheduled to take place at Lake Miola on Saturday, April 26th. Last year, this event attracted 125 participants. In order to facilitate the event, West Lake Miola Drive need to be closed for the protection and safety of the athletes. Traffic will be restricted to residents and campers only from 7:00 am until Noon on the day of the event.

After the discussion, Council Member Pritchard made a motion to approve the Street Closure Application for the “Strides for a Find 5K Run/Walk” at Lake Miola on Saturday, April 26th. The motion was seconded by Council Member Nickelson and all voted aye. The motion passed 3 to 0.

### **Agenda Item 5d – Consider a Resolution opposing legislation to move municipal elections from April to November.**

Manager Wieland reported that House Bill 2227 was passed out of the House Committee by a 6 to 5 vote and could now be considered by the State House of Representatives. He

indicated that efforts need to continue to express our opposition to HB 2227 as well as Senate Bill 211 to our State Representatives. He encouraged the Council to take official action opposing these two Bills by adopting the proposed Resolution.

After the discussion, Council Member Wilhoite made a motion to approve A RESOLUTION OF THE CITY OF PAOLA, KANSAS, OPPOSING THE KANSAS STATE LEGISLATURE'S CONSIDERATION OF HB 2227 AND SB 211 REGARDING MOVING MUNICIPAL ELECTIONS TO THE FALL. The motion was seconded by Council Member Nickelson and all voted aye. The motion passed 3 to 0 and the Resolution was assigned number 2014-002.

**Agenda Item 5e – Consider approval of disbursements from the Transient Guest Tax Fund.**

Mayor Stuteville reported that the Tourism Committee was unable to meet earlier this week and this agenda item will need to be tabled until the next City Council meeting.

**Agenda Item 6 – NEW BUSINESS**

Clerk Droste reported that sales tax revenues for the month of February amounted to \$204,574 bringing the year to date total to \$400,166 which is an increase of 2.18% or \$8,553 over the same time period last year.

Police Chief Smail reported that the Police Department is participating in the SAFE Program by increasing enforcement of seat belt and cell phone texting laws for younger drivers.

Manager Wieland reported that Public Works has been working to complete the trails at Wallace Park prior to the 5K event on March 29<sup>th</sup>. He also reported that the Community Development Department has been busy consulting with potential new businesses and working with residents on Redbud Drive who were notified of FEMA Flood Map revisions that affect their properties. Manager Wieland also noted that City Staff has been working with the Home Owners Association on the parking issue in Indian Hills Subdivision.

Manager Wieland reported that the State Legislative Bill that would require a 2 year prior residency requirement in order to run for elected office will not make it out of Committee this year. He also noted that the Bill that would ban all cell phone texting while driving is out of Committee and should be considered by the State Legislature later this session.

Mayor Stuteville asked about the utility work in the alley near Hickory Street. Manager Wieland reported that the Gas Service Company is still in the process of replacing old lines throughout the City.

Mayor Stuteville asked about the Paola Pathways 5K Run. After discussing the event, she reported that she has submitted her entry form and is looking forward to the event.

Council Member Pritchard reported that he had been contacted by Marla Dilliner in advance of tonight's meeting and he encouraged her to address the Council with her concerns about the drainage ditch behind her property.

Council Member Wilhoite reported that at the last meeting, she presented some concerns from a resident on Overhill Drive. She did confirm that her concerns about snow removal in her neighborhood and the potholes at the intersection of Overhill Drive with Crestview Drive. Manager Wieland indicated that he would have the Public Works Department evaluate the intersection.

Council Member Nickelson asked if the trail kiosks would be installed before the 5K event at the end of March. Council Member Pritchard indicated that it is the goal to have them installed prior to the event.

Mayor Stuteville nominated Leanna Stanchfield to fill the vacant position on the Paola Housing Authority Board. Council Member Pritchard made a motion to approve the Mayor's nomination. The motion was seconded by Council Member Wilhoite 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 Wilhoite made a motion to adjourn. The motion was seconded by Council Member Pritchard 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