

**MINUTES OF THE COUNCIL MEETING  
OF THE CITY OF PAOLA, KANSAS  
6:00 O’CLOCK P.M.  
April 22, 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, Leigh House, and Aaron Nickelson.

**Council Members absent:** None.

**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 Mayor Stuteville.

Mayor Stuteville announced that there were two amendments to the original agenda as follows:

Agenda Item 5d – Consider approval of a Street Closure Application from Cottonwood Elementary School (USD 368) for the “Night at the Museum 5K Run/Walk”; and

Agenda Item 8 – EXECUTIVE SESSION for the purpose of discussing confidential data relating to financial affairs or trade secrets of corporations, partnerships, trusts and individual proprietorships. K.S.A. 75-4319(B)(4) is the authority for this recess.

**Agenda Item 2 - ROLL CALL:** Mayor Stuteville and Council Members Pritchard, Wilhoite, House, and Nickelson were all 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. No one addressed the Council.

**Agenda Item 4 - CONSENT AGENDA:**

- a. Approval of minutes of the regular meeting of April 8, 2014.
- b. Approval of Salary Ordinance 14-9.
- c. Approval of Appropriation Ordinance No 775.

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 the approval of Payment Request No 8 for the Library Addition and Renovation Project #2013-001 – Part A.**

Manager Wieland reported that the Library project is moving along quite well. However, he noted that the contractor reported that the elevator and door manufacturers were reporting that the delivery of those items have been delayed 6 to 9 weeks. The projected completion date is late July.

Manager Wieland presented payment request number 8 for the Library Addition and Renovation Project #2013-001 – Part A, in the amount of \$192,743.00. He reported that this request is for Part A and is mostly comprised of expenditures related to rough carpentry, masonry, drywall, doors, frames, windows, HVAC including geothermal, and stored materials.

After a discussion, Council Member House made a motion to approve payment request #8 from Legacy Contractors, LLC in the net amount of \$192,743.00 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 4 to 0.

**Agenda Item 5b – Consider the approval of Payment Request No 4 for the Library Addition and Renovation Project #2013-001 – Part B.**

Manager Wieland presented payment request number 4 for the Library Addition and Renovation Project #2013-001 – Part B, in the amount of \$92,017.00. He reported that this request is for Part B and is comprised mostly of expenses related to masonry and tuck pointing, HVAC including geothermal and electrical work, and stored materials.

After a discussion, Council Member Pritchard made a motion to approve payment request #4 from Legacy Contractors, LLC in the net amount of \$92,017.00 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 4 to 0.

**Agenda Item 5c – Discussion regarding potential housing development incentives.**

Manager Wieland presented a proposal for potential housing development incentives for new single family housing in Paola. He reported that this latest proposal does not involve rebates and the construction of multiple homes, but instead offers a reduction of building permit and utility connection fees for new single family homes.

The program as proposed would simply be a reduction of the building permit cost. For most properties, the fees would be reduced as follows: 65% build permit fee, 65% plan review fee, 50% sewer fee, 50% water fee. For properties in special assessment districts that expire after 2016 the fees would be reduced as follows: 100% build permit fee, 100% plan review fee, 100% sewer fee, 100% water fee. This program would be limited to the first 10 applicants (or six months), except in special assessment districts where the time limit is nine months.

Manager Wieland went on to explain the need to provide additional incentive to those properties with special assessments due to the marketing disadvantage that these properties have compared to properties without special assessments.

After discussing the proposed incentive program in detail, Manager Wieland recommended that the program should not apply to properties that would also qualify for the Neighborhood Revitalization Program where a portion of the real estate taxes could be rebated over a 10 year period.

After additional discussion, staff was instructed to amend the proposed incentive program to add the exclusion for properties that also qualify for the Neighborhood Revitalization Program. The amended program will be brought back to the City Council for additional discussion and consideration.

**Agenda Item 5d – Consider approval of a Street Closure Application from Cottonwood Elementary School (USD 368) for the “Night at the Museum 5K Run/Walk”.**

Clerk Droste reported that Janis Grandon, Principal at Cottonwood Elementary School is organizing the first annual “Night at the Museum” 5k Run/Walk. The event is being planned to take place at Wallace Park on the same route used for the Paola Pathways 5K event. The event is planned for Thursday, May 22<sup>nd</sup> at 6:30 pm. It is estimated that 100 participants will take part. After discussing the request, it was recommended that the event organizers place yard signs along the trail to advise the public when the 5K event will be held.

Council Member Pritchard made a motion to approve the Street Closure Application for the “Night at the Museum 5K Run/Walk” at Wallace Park on Thursday, May 22<sup>nd</sup>. The motion was seconded by Council Member Wilhoite and all voted aye. The motion passed 4 to 0.

**Agenda Item 6 – NEW BUSINESS**

Council Member Wilhoite asked about the brown water issue at Friendship Faith Ministries. Public Works Director Browning reported that they will need to increase the flushing schedule until the water filter can be installed.

Council Member Nickelson asked about the status of the repairs on the swimming pool. Public Works Director Browning reported that the contractor is behind schedule but they have been notified that everything needs to be completed by May 12<sup>th</sup>.

Mayor Stuteville requested that Rick Schoenberger be reappointed to serve on the Convention and Tourism Committee. Council Member Wilhoite made a motion to approve the Mayor’s appointment to the Convention and Tourism Committee. The motion was seconded by Council Member House and all voted aye. The motion passed 4 to 0.

**Agenda Item 7 – EXECUTIVE SESSION for preliminary discussions relating to the acquisition of real property. K.S.A. 75-4319(B)(6) is the authority for this recess.**

Council Member Wilhoite made a motion to adjourn to Executive Session, to include the Mayor, Council, City Manager, City Clerk, City Planner, and City Attorney, for 20 minutes for the purpose of preliminary discussions relating to the acquisition of real property; the

regular meeting to reconvene at 7:10 p.m. The motion was seconded by Council Member House and all voted aye. The motion passed 4 to 0.

Council Member Nickelson made a motion to reconvene the adjourned meeting. The motion was seconded by Council Member House and all voted aye. The motion passed 4 to 0.

No action was taken pursuant to the Executive Session.

**Agenda Item 8 – EXECUTIVE SESSION for the purpose of discussing confidential data relating to financial affairs or trade secrets of corporations, partnerships, trusts and individual proprietorships. K.S.A. 75-4319(B)(4) 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, City Planner, and City Attorney, for 20 minutes for the purpose of discussing confidential data relating to financial affairs or trade secrets of corporations, partnerships, trusts and individual proprietorships; the regular meeting to reconvene at 7:30 p.m. . The motion was seconded by Council Member House and all voted aye. The motion passed 4 to 0.

Council Member Wilhoite made a motion to reconvene the adjourned meeting. . The motion was seconded by Council Member Pritchard and all voted aye. The motion passed 4 to 0.

Pursuant to the discussion in Executive Session, Council Member Wilhoite made a motion to authorize City staff to negotiate with a party interested relocating their business to the Paola Industrial Park. . The motion was seconded by Council Member House and all voted aye. The motion passed 4 to 0.

**Agenda Item 9 – 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 House and all voted aye. The motion passed 4 to 0.

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Artie Stuteville, Mayor

ATTEST: [seal]

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Daniel G. Droste, City Clerk