

**MINUTES OF THE COUNCIL MEETING
OF THE CITY OF PAOLA, KANSAS
6:00 O’CLOCK P.M.
September 23, 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, Leigh House and Aaron Nickelson.

Council Members absent: Council Member Gee Gee Wilhoite.

Also present: City Manager Jay Wieland, City Clerk Dan Droste, Public Works Director Craig Browning, Police Chief Dave Smail, Travis Hardwick, 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, House, and Nickelson were all 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 regular meeting of September 9, 2014.
- b. Approval of Salary Ordinance 14-21.
- c. Approval of Appropriation Ordinance No 785.
- d. Approval of the renewal of a Retail Liquor License for DOMMA, LLC, doing business as Park Plaza Liquor.
- e. Approval of the renewal of a Caterers License for MKM Management, LLC, doing business as Town Square.

Council Member House 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 approval of a new Drinking Establishment License for the Paola Country Club.

Clerk Droste presented an application from the Paola Country Club for a new Drinking Establishment License in lieu of renewing their Class B Private Club License. He reported that the Country Club Board is making this change for several reasons. The Country Club would like to host events, including wedding receptions and other gatherings that would not be constrained by the membership regulations of a Class B Private Club License. Also, a Private Club License is the only type of license that allows for smoking inside the licensed premises. Since smoking is no longer allowed in the Clubhouse, this exclusion from the State smoking regulations is no longer needed. Overall, the Board is wanting the Club to be less “exclusive”.

Mayor Stuteville asked if anyone would be able to go to the Country Club without being a member. Travis Hardwick, Manager of the Paola Country Club, indicated that non-members could be served at the Country Club without worrying about the private club regulations. Mr. Hardwick also indicated that the Club would be able to meet the 30% food sales requirement for Drinking Establishments.

After additional discussion, Council Member Pritchard made a motion to approve a new Drinking Establishment License for the Paola Country Club subject to the issuance of a State of Kansas Drinking Establishment License. The motion was seconded by Council Member Nickelson and all voted aye. The motion passed 3 to 0.

Agenda Item 5b – Consider approval of a re-plat of a portion of Indian Hills of Paola Subdivision.

City Planner Gotfredson presented a request for a re-plat of a portion of the Indian Hills of Paola subdivision. He explained that this request includes the vacation of Redbud Circle; the lots surrounding the cul-de-sac of Redbud Circle become a consolidated parcel to be known as “Tract A” which will become a playground owned by the Home Owner’s Association; and the lot along Roseberry Drive would be increased in size resulting in a reduction of one lot on each side of the street.

City Planner Gotfredson reported that the Planning Commission reviewed the request at their meeting on September 16th and unanimously recommended approval subject to the developer meeting all of the engineering comments.

Mayor Stuteville asked if Roseberry Drive would be wider than Redbud Drive. Craig Browning stated that Roseberry Drive would be the standard 28 foot width measured from back of curb to back of curb. He indicated that Redbud Drive is also the standard with of 28 feet, however, it seems narrower because the sidewalk is adjacent to the curb and the building setback is only 20 feet with is closer to the street than in other areas of town. He also indicated that the building setback along Roseberry Drive would be 30 feet instead of 20 feet, and that parking would be only allowed on one side of the street.

Council Member Nickelson asked who would be responsible for removing that portion of Redbud Circle that is already paved. Manager Wieland stated that the cost of the removal would be shared by the City and the developer. The cost of installing a sidewalk from Redbud Drive to the playground on “Tract A” would be paid by the developer.

City Planner Gotfredson stated that the request for re-plat is an improvement over the existing plat because it reduces the overall number of lots and increases width and setbacks of the re-plated lots.

After additional discussion, Council Member House made a motion to approve the Villas of Indian Hills, a re-plat of Lots 1 through 29, Indian Hills of Paola, and Lots 36 through 39, revision to the plat of Indian Hill of Paola, Miami County, Kansas, including the vacation of Redbud Circle. The motion was seconded by Council Member Pritchard and all voted aye. The motion passed 3 to 0.

Agenda Item 5c – Presentation by Piper Jaffray of the final results of the bond offering including the interest rates and savings for refunding the 2007A General Obligation Bonds.

Greg Vahrenberg, with Piper Jaffray, reported that the offering of bonds was completed earlier today. He reported that the offering represents a savings of \$81,871.89 over the existing payment schedule on the Series 2007A Bonds. This savings was slightly lower than previous estimates due to a slight increase in interest rates over the past two weeks. The current 2007A Bonds have an average interest rate of 4.27% compared to an average interest rate of 2.79% on the new 2014 Bonds. The principal amount of the new bonds total \$2,485,000.00. Mr. Vahrenberg stated that the bond offering was enhanced by City’s Standard & Poors bond rating that was recently upgraded from “A” to “A+”.

Greg Vahrenberg reported that including the savings of \$81,871.89 on this bond refinancing, the City of Paola has saved a total of \$234,325.40 by refinancing higher rate bonds at lower rates during the past few years. Mr. Vahrenberg went on to explain other details of the bond refinancing.

Agenda Item 5d – Consider approval of an Ordinance authorizing the issuance of General Obligation Refunding Bonds Series 2012.

Clerk Droste presented an Ordinance authorizing the issuance of General Obligation Refunding Bonds Series 2012.

Pursuant to the previous discussion, Council Member Pritchard made a motion to approve AN ORDINANCE OF THE CITY OF PAOLA, KANSAS, AUTHORIZING ISSUANCE OF THE CITY’S GENERAL OBLIGATION REFUNDING AND IMPROVEMENT BONDS, SERIES 2014, IN THE AGGREGATE PRINCIPAL AMOUNT OF \$2,465,000, FOR THE PURPOSE OF REFUNDING CERTAIN OUTSTANDING GENERAL OBLIGATION BONDS OF THE CITY, PROVIDING FOR THE LEVY AND COLLECTION OF AN ANNUAL TAX TO PAY THE PRINCIPAL OF AND INTEREST ON THE BONDS; AUTHORIZING CERTAIN OTHER DOCUMENTS AND ACTIONS; AND MAKING

CERTAIN COVENANTS WITH RESPECT THERETO. The motion was seconded by Council Member House and all voted aye. The motion passed 3 to 0 and the Ordinance was assigned number 3075.

Agenda Item 5e – Consider approval of a Resolution prescribing the details of General Obligation Bonds, Series 2012.

Clerk Droste presented a Resolution prescribing the details of General Obligation Bonds, Series 2012.

Pursuant to the previous discussion, Council Member Nickelson made a motion to approve A RESOLUTION PRESCRIBING THE FORM AND DETAILS OF GENERAL OBLIGATION REFUNDING BONDS, SERIES 2014, IN THE PRINCIPAL AMOUNT OF \$2,465,000, OF THE CITY OF PAOLA, KANSAS, AS AUTHORIZED BY ORDINANCE NO. 3075 OF THE CITY; MAKING COVENANTS AND AGREEMENTS AND AUTHORIZING CERTAIN OTHER DOCUMENTS REGARDING THE BONDS. The motion was seconded by Council Member Pritchard and all voted aye. The motion passed 3 to 0 and the Resolution was assigned number 2014-006.

Agenda Item 5f – Consider the approval of Payment Request No 13 for the Library Addition and Renovation Project #2013-001 – Part A.

Manager Wieland presented a Payment Request No 13 for the Library Addition and Renovation Project #2013-001 – Part A. This request represents the “final” payment with the exception of the retainage held by the City for the completion of the final “punch list”. Manager Wieland reported that the Library will be moving back into the building on October 6th and will open to the public on October 14th.

After additional discussion, Council Member House made a motion to approve payment request #13 from Legacy Contractors, LLC in the net amount of \$57,788.00 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 5g – Consider the approval of Payment Request No 9 for the Library Addition and Renovation Project #2013-001 – Part B.

Pursuant to the previous discussion, Council Member Nickelson made a motion to approve payment request #9 from Legacy Contractors, LLC in the net amount of \$52,410.00 for the Library addition and renovation project #2013-001-Part B. The motion was seconded by Council Member House and all voted aye. The motion passed 3 to 0.

Agenda Item 6 – NEW BUSINESS

Clerk Droste presented a year-to-date report of revenues from real estate and motor vehicle taxes. All categories were projected to exceed budget estimates for 2014.

Public Works Director Browning reported that the sidewalk on Hospital Drive near Lakemary Center had been repaired and that the drainage “grate” on West Miami has been filled in. Also, the City of

Paola highway promotional signs have been “refreshed” and the Wallace Park entrance is completed. The repair work on Crestview Drive will begin on Thursday.

Manager Wieland thanked the Council for allowing him to attend the ICMA Conference.

Manager Wieland complimented Rob George with Legacy Contractors on the great job that he has done on the Library.

Clerk Droste reported that he and the City Manager gave a tour of City Hall to 15 members of the P.E.O. Sisterhood in Paola. They were very interested in the history of City Hall and were impressed with the preservation of the building.

Agenda Item 7 – 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, and City Planner, for 5 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 7:10 p.m. . The motion was seconded by Council Member House and all voted aye. The motion passed 3 to 0.

At 7:10 p.m. the Council Member House made a motion to reconvene the adjourned meeting. The motion was seconded by Council Member Nickelson 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 House made a motion to adjourn. The motion was seconded by Council Member Nickelson and all voted aye. The motion passed 3 to 0.

Artie Stuteville, Mayor

ATTEST: [seal]

Daniel G. Droste, City Clerk