

**MINUTES OF THE COUNCIL MEETING
OF THE CITY OF PAOLA, KANSAS
6:00 O’CLOCK P.M.
January 13, 2015**

**Held in the Municipal Court Room 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, Police Chief Dave Smail, City Planner Mike Gotfredson, Richard Lentz, Matt Meek with USD 368, Andy Anderson with Sullivan Palmer Architects, 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, House, and Nickelson were all present. No one was absent.

Mayor Stuteville presented an amended agenda to include the addition of an Executive Session for the purpose of discussing personnel matters of non-elected personnel as Agenda Item 7.

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 December 9, 2014.
- b. Approval of Salary Ordinance 14-28, 14-29, and 15-01.
- c. Approval of Appropriation Ordinance No 791, 792, and 793.
- d. Approval of the Pledged Securities Report for December, 2014.
- e. Approval of a leak allowance for 712 S Silver in the amount of \$75.40

Council Member Pritchard made a motion to approve the Consent Agenda as presented and authorize the Mayor to sign. The motion was seconded by Council Member Wilhoite and all voted aye. The motion passed 4 to 0.

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

Agenda Item 5a – Consider approval of the site plan for improvements on the USD 368 Campus.

City Planner Gotfredson reported that at their December 17th meeting, the Planning Commission reviewed and approved the site plan for several improvements to the USD 368 campus. The approval was subject to satisfactory compliance with Public Works comments and satisfactory compliance with the Parking Lot Landscaping requirements in Section 13.130 of the Land Development Ordinance (LDO).

City Planner Gotfredson then introduced Andy Anderson with Sullivan Palmer Architects and Matt Meek with USD 368 who gave a slide presentation of the proposed improvements at Cottonwood Elementary, Sunflower Elementary, Paola Middle School, Paola High School and the new baseball and softball fields.

During the presentation the Council inquired about the occupancy capacities of the tornado shelter areas. It was reported that each shelter area in each building was sufficient to hold the current student and staff populations of each school with additional room for some growth. Council Member Nickelson asked about the capacity of the new High School Gym and if the tornado shelter would hold everyone during an event. The capacity of the gym is 2,000 but the tornado shelter will only hold 1,000 as it is designed for the students and staff during the school day.

Mayor Stuteville asked if the plans would be coming back to the Council for final approval once the parking lot landscaping and Public Works requirements were completed. City Planner Gotfredson indicated that City Staff would review the submissions to insure that they are meeting all requirements and that the Council would not be asked approve the plans a second time.

After additional discussion, Council Member House made a motion to approve the site plan for improvements on the USD 368 Campus, subject to satisfactory compliance with Public Works comments and satisfactory compliance with the Parking Lot Landscaping requirements in Section 13.130 of the LDO. The motion was seconded by Council Member Nickelson and all voted aye. The motion passed 4 to 0.

Agenda Item 5b – Acknowledgement of Certification of Annual Disclosure Training pursuant to the City’s Continuing Disclosure Policy.

Manager Wieland presented a certification from City Clerk Droste stating that he completed the required Annual Disclosure Training on December 18th as required by the City’s Continuing Disclosure Policy.

After a discussion, Council Member Wilhoite made a motion to acknowledge receipt of the Certification of Annual Disclosure Training pursuant to Section V.2 of the City of Paola’s Continuing Disclosure Policy. The motion was seconded by Council Member Pritchard and all voted aye. The motion passed 4 to 0.

Agenda Item 5c – Consider adoption of the City’s 2015 Legislative Policy Statement.

Manager Wieland presented a draft of the 2015 Legislative Policy Statement pursuant to the priorities identified by the City Council during their work study meeting on January 6th. The issues identified in the statement are:

1. State finances and fiscal crisis and its’ effect on local government.
2. Local elections especially the need to retain the current system and not move to fall elections or partisan elections.
3. Need to restrict the addition of property tax and sales tax exemptions and to restrict the legislature’s desire to be involved in property reclassification and reappraisal decisions.
4. Oppose the implementation of a property tax lid on cities.
5. Oppose the redirecting of state transfer funds (MFT and Special Alcohol Tax) to balance the state general fund.
6. Revise state law to restrict the carrying of firearms in public buildings such as city hall, the public library, and community center.
7. Oppose state and federal unfunded mandates.
8. Support continuation of the T-Works program, the Highway 68 improvement plan and oppose further transfer of monies from the KDOT budget to balance the general fund. Also oppose the transfer of the state sales tax money for transportation projects to the state general fund as a means of addressing the state’s financial problems.
9. Continue the current initiative to fully fund KPERS and KP&F and oppose the blending of KPERS funds as a way to strengthen the soundness of the teachers and state employees KPERS system that has been under funded by the state.
10. Work to improve the quality of life in Kansas for all citizens of the state and to improve the image of Kansas so as to make it attractive to people wanting to move to the state. Also, work to make Kansas a place that our young people want to live rather than flee.
11. Protect the current Tort Claims Act protections enjoyed by local governments.
12. Fully fund, as required by the Kansas Constitution, public schools and public education. Increase funding to our colleges and universities.

Council Member Nickelson stated that the statement is lengthy but concise and he thought that it was well written.

After additional discussion, Council Member Pritchard made a motion to adopt the City of Paola 2015 Legislative Policy Statement as presented. The motion was seconded by Council Member Nickelson and all voted aye. The motion passed 4 to 0.

Agenda Item 5d – Discussion regarding the need for an Ordinance pertaining to the Paola Pathways Trails System.

Manager Wieland reported that there is a need for an ordinance governing the use of the Paola Pathways Trails System. City staff prepared a draft ordinance modeled after other communities. The ordinance was presented to the Paola Pathways Committee and their comments and suggestions have been incorporated into the draft.

The proposed ordinance addresses trail hours, public use, the purpose and allowed usage of the trail, animals, public safety, environmental protection, peddling and soliciting, permits, and penalties and enforcement.

After a discussion, Clerk Droste reported that a final draft of the ordinance would be presented at the next Council meeting along with a resolution that identifies and defines the trail system.

Agenda Item 6 – NEW BUSINESS

Clerk Droste reported that sales tax revenue for the month of November amounted to \$197,758 bringing the total collections for 2014 to \$2,351,830 which is 6.19% more than in 2013. Clerk Droste also reported that City Hall staff are working on closing the books for calendar year 2014 and he should have 2014 budget reports to present at the next City Council meeting.

Mayor Stuteville nominated Jana Pfefferkorn to serve on the Paola Community Center 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 4 to 0.

Agenda Item 7 – EXECUTIVE SESSION

Council Member Pritchard made a motion to adjourn to Executive Session, to include the Mayor, Council, and City Manager, for 15 minutes for the purpose of discussing personnel matters of non-elected personnel; 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.

At 7:10 p.m., the Council came out of Executive Session and Council Member Pritchard made a motion to reconvene the adjourned meeting. The motion was seconded by Council Member Wilhoite and all voted aye. The motion passed 4 to 0.

Pursuant to discussion held in the Executive Session, Council Member Pritchard made a motion to renew the contract with City Manager Jay Wieland for 1 year to expire on December 31, 2015. The motion was seconded by Council Member House and all voted aye. The motion passed 4 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 Nickelson and all voted aye. The motion passed 4 to 0.

Artie Stuteville, Mayor

ATTEST: [seal]

Daniel G. Droste, City Clerk