

**MINUTES OF THE COUNCIL MEETING  
OF THE CITY OF PAOLA, KANSAS  
6:00 O’CLOCK P.M.  
January 27, 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, and Leigh House.

**Council Members absent:** Aaron Nickelson.

**Also present:** City Manager Jay Wieland, City Clerk Dan Droste, City Attorney Lee Tetwiler, Police Chief Dave Smail, City Planner Mike Gotfredson, Mark Fuchs with the Paola Pathways Task Force, Lorelei Crum with the Paola Chamber of Commerce, 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 House were all present. Council Member Nickelson 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 January 13, 2015.
- b. Approval of Salary Ordinance 15-02.
- c. Approval of Appropriation Ordinance No 794 and 795.
- d. Approval of the Journal Entries Report for December, 2014.

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 – Report by the City Clerk on Candidates who have filed for City Offices to be placed on the ballot on April 7, 2015.**

Clerk Droste reported that the deadline for filing for the positions of Mayor and City Council Member for Wards 1 and 3 was at 12:00 Noon today, January 27, 2015. The following have filed the appropriate paperwork to have their names placed on the ballot: for Mayor: Artie Stuteville; for Ward 1 City Council Member: Jim Pritchard; and for Ward 3 City Council Member: Leigh House. He reported that there will be no primary election and the general election will be held on April 7, 2015.

**Agenda Item 5b – Consider an Ordinance establishing rules and regulations for the Paola Pathways Recreation Trails.**

Manager Wieland presented a final draft of an Ordinance that would establish rules and regulations for the Paola Pathways Recreation Trail. The ordinance addresses the following issues: Trail hours; Trails for public use, at its own risk; Use of the Trails; Domestic Animals on the Trails; Public Safety; Environmental Protection; Peddling and Soliciting Prohibited; Permits; and Penalties and Enforcement.

After a discussion, Council Member Pritchard made a motion to approve AN ORDINANCE AMENDING ARTICLE V: PENALTIES, CHAPTER 220: PARKS AND PUBLIC PROPERTY, TITLE II: PUBLIC HEALTH SAFETY AND WELFARE, OF THE CODE OF THE CITY OF PAOLA, KANSAS, 2009, BY REPLACING IT WITH A NEW ARTICLE V: PAOLA PATHWAYS RECREATION TRAIL, AND ADDING A NEW ARTICLE VI: PENALTIES. The motion was seconded by Council Member House and all voted aye. The motion passed 3 to 0 and the Ordinance was assigned number 3080.

**Agenda Item 5c – Consider a Resolution designating an identifying the Paola Pathways Recreation Trails.**

Clerk Droste reported that the Ordinance establishing rules and regulations for the Paola Pathways Recreation Trail that was just adopted, requires that the City Council adopt a Resolution that designates and identifies the Trail. He presented a Resolution that designates and identifies the Paola Pathways Recreation Trail.

After a discussion, Council Member House made a motion to approve A RESOLUTION DESIGNATING AND IDENTIFYING THE PAOLA PATHWAYS RECREATION TRAIL. The motion was seconded by Council Member Wilhoite and all voted aye. The motion passed 3 to 0 and the Resolution was assigned number 2015-001.

**Agenda Item 5d – Report from the Paola Pathways Task Force and request for approval of a 5K Run on the trail at Wallace Park.**

Mark Fuchs with the Paola Pathways Task Force, reported that construction on the Trail at Lake Miola is underway. Over 1.5 miles of trails have been completed on the west side of the lake, and construction is now underway on that portion of the trail on the east side of the lake. He also reported that the Task Force has raised over \$174,000 with over \$100,000 from local

businesses and residents and \$63,000 in grants. The current fund raising goal is \$60,000 for the completion of the trail at Lake Miola over the next three years.

Mr. Fuchs presented the Task Force's request to hold their annual 5K Run/Walk fund raising event at Wallace Park on Saturday, March 28<sup>th</sup>.

Council Member Pritchard complimented Mr. Fuchs and stated that the Paola Pathways Task Force was one of the best committees that he has ever worked with. All of the members are committed and dedicated to completing their task. He also complimented the Public Works Department for their assistance in constructing the trails.

After additional discussion, Council Member Wilhoite made a motion to approve the Paola Pathways Task Force 5K Run on March 28, 2015 on the trails at Wallace Park and approve the closure of Wallace Park Drive to accommodate the event. The motion was seconded by Council Member House and all voted aye. The motion passed 3 to 0.

#### **Agenda Item 5e – Preliminary Financial Report for Budget Year 2014.**

Manager Wieland reported that the preliminary financial reports for the 2014 Budget Year are very encouraging. He reported that total revenues for all budgeted funds totaled \$14,789,192 or 99.6% of the amended budget. Expenditures for the same funds amounted to \$11,304,251 or 96.3% of the amended budget. Specifically, the General Fund exceeded revenue estimates by \$129,685, or 102.9%. Likewise, expenditures in the General Fund were below budget estimates by \$57,560, or 98.5%.

Clerk Droste added that with revenues at or exceeding budget estimates and expenditures below budget estimates, the City overall cash balances for all budgeted funds increased by a total of \$372,295 to \$3,484,941, an increase of 10.7%. The General Fund cash balance increased 187,246 to a total of \$793,448, an increase of 23.6%.

The preliminary financial reports were discussed in further detail. City Manager Wieland thanked all of the City's Department Heads who watch their budgets very closely and have worked through some very challenging years.

#### **Agenda Item 6 – NEW BUSINESS**

Clerk Droste reported that sales tax revenue for the month of January amounted to \$204,659 which is 4.64% more than in January of 2014.

Public Works Director Browning reported on the status of the construction of the new Trails at Lake Miola.

Loralei Crum with the Paola Chamber of Commerce reported that they have moved into their new office at 6 W Peoria Street and the City of Paola Visitors Center is now open. The Visitors Center is being staffed part-time by community volunteers. She also reported that the Kansas Day Expo is Saturday, January 31<sup>st</sup>.

Manager Wieland complimented Mayor Stuteville on her presentation at the State of the City Breakfast that was held earlier today.

Manager Wieland reported that Jeff Cantrell has submitted his resignation as City Administrator for the City of Louisburg. He has accepted the City Manager's position for the City of Chanute. It is likely that he will be replaced on the Marais Des Cygnes Public Utility Authority Board by the City's Public Works Director Rita Cassida.

The Council congratulated Lorelei Crum on her recent appointment a Director of the Paola Chamber of Commerce and thanked City Staff for all of their work and leadership with the Budget.

**Agenda Item 7 – EXECUTIVE SESSION:** K.S.A. 75-4319(B)(4) is the authority for this recess.

Council Member Wilhoite made a motion to adjourn to an Executive Session, to include the Mayor, Council, City Manager, City Attorney, City Clerk, and City Planner for 15 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 6:50 p.m. The motion was seconded by Council Member Pritchard and all voted aye. The motion passed 3 to 0.

At 6:50 p.m., the Council came out of Executive Session and Council Member House made a motion to reconvene the adjourned meeting. The motion was seconded by Council Member Wilhoite and all voted aye. The motion passed 3 to 0.

No action was taken pursuant to the Executive Session.

### **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