

**MINUTES OF THE REGULAR COUNCIL MEETING
OF THE CITY OF PAOLA, KANSAS
6:00 O’CLOCK P.M.
July 14, 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, Deputy Police Chief Don Poore, City Planner Mike Gotfredson, Public Works Director Craig Browning, Paola Building Inspector William Trout, Richard Lentz, Derek Weaver, members of the Shriners, and Brian McCauley with the Miami County Republic.

Agenda Item 1 - CALL TO ORDER: A regular meeting of the City Council 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.

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 else addressed the Council.

Mayor Stuteville presented a Proclamation to Derek Weaver recognizing him for being selected to participate in the 42nd Annual Kansas All-Star Shrine Bowl Football Game.

Agenda Item 4 - CONSENT AGENDA:

- a. Approval of minutes of the regular meeting of June 23, 2015.
- b. Approval of Salary Ordinances 15-13 and 15-14.
- c. Approval of Appropriation Ordinance No 806.
- d. Approval of the Pledged Securities Report for June, 2015.
- e. Approval of the Journal Entries Report for June, 2015.

Council Member Nickelson made a motion to approve the Consent Agenda as amended 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 a report from the Paola Building Inspector regarding dangerous structures located at 808 South Silver pursuant to KSA 12-1752.

Paola Building Inspector William Trout presented the following statement in regard to the condition of the structures located at 808 South Silver Street pursuant to KSA 12-1852:

COMES NOW William J. Trout, Sr., Paola Building Inspector, and in order to comply with the requirements set forth in K.S.A. 12-1752, stating that the following described structures are in a dangerous and unsafe condition:

- A) Legal Description: Lot Three (3) in Block 4 of Angier's Addition to the City of Paola, Miami County, Kansas, except that part taken therefrom for highway purpose and also excepting therefrom the following tract Beginning at the Southeast corner of Lot 3, running thence North along the East line of lot 3 to a point 18 feet and 6 inches South of the Northeast corner of said Lot, thence in a Southwesterly direction along the center line of an ornamental fence to a point on the South line of said Lot 3, thence East 44.7 feet to the point of beginning, all in Block 4, Angier's Addition to the City of Paola, Miami County, Kansas.
- B) Street Address: 808 South Silver, Paola, KS 66071
- C) Owner: James Lee Mills, Jr., 808 South Silver Paola, KS 66071
- D) Owner's Agent: None known.
- E) Occupant(s): None known – property vacant.
- F) Lienholder(s): None known.
- G) Other Parties in Interest: None known.

The property is found to be dangerous and unsafe because of the following conditions:

1. House is abandoned and has existing fire damages;
2. Roof of the house is deteriorated and falling;
3. Front porch deck of the house is deteriorated;
4. House is open to all the weather elements and wildlife due to the fire damages;
5. Interior walls of the house have existing fire damage and water damage due to being open to the weather elements;
6. Plumbing and water lines of the house have existing fire damage and are no longer up to code or operable;
7. Electrical system of the house has existing fire damage and is no longer up to code or operable;
8. Shed located on the property has existing fire damages to the roof and walls of the structure making it unsafe;

The undersigned hereby respectfully requests that the Governing Body of the City of Paola pass a Resolution fixing a time and place permitting the owner and any other interested parties in the afore described land and real estate an opportunity to show cause why these structures should not be condemned and ordered repaired or demolished.

RESPECTFULLY SUBMITTED, William J. Trout, Sr., Paola Building Inspector

Inspector Trout answered questions from the Council in regard to the condition of the structures and after additional discussion, Council Member Pritchard made a motion to accept the report from Paola Building Inspector, William Trout, Sr., declaring 808 South Silver as

unsafe and dangerous structures pursuant to KSA 12-1752. The motion was seconded by Council Member Wilhoite and all voted aye. The motion passed 4 to 0.

Agenda Item 5b – Consider a Resolution Fixing the Time and Place of Condemnation Hearing for the property located at 808 South Silver, Paola, Kansas, pursuant to KSA 12-1752.

City Clerk Droste presented a draft resolution that would establish a public hearing for the potential condemnation of the structures located at 808 South Silver in Paola, KS. He explained that the Resolution must be published once each week for two consecutive weeks on the same day of each week. The public hearing shall be at least 30 days after the date of the last publication. A copy of the resolution must be to each party in interest within 3 days after the first date of publication.

Clerk Droste reported that, if approved, the resolution would be published on Wednesday, July 22nd and on Wednesday, July 29th and the Public Hearing would be scheduled for September 8th at 6:00 pm during the regular City Council Meeting scheduled for that date. Copies of the resolution will be mailed in compliance with State Statutes.

After additional discussion, Council Member Wilhoite made a motion to adopt A RESOLUTION FIXING A TIME AND PLACE AND PROVIDING FOR NOTICE OF A HEARING BEFORE THE GOVERNING BODY OF THE CITY OF PAOLA, KANSAS, AT WHICH THE OWNER, HIS OR HER AGENT, LIENHOLDERS OF RECORD, OCCUPANTS, AND OTHER PARTIES IN INTEREST OF STRUCTURES LOCATED WITHIN SAID CITY AND DESCRIBED HEREIN MAY APPEAR AND SHOW CAUSE WHY SUCH STRUCTURES SHOULD NOT BE CONDEMNED AND ORDERED REPAIRED OR DEMOLISHED AS UNSAFE OR DANGEROUS STRUCTURES. The motion was seconded by Council Member Pritchard and all voted aye. The motion passed 4 to 0 and the Resolution was assigned number 2015-005.

Agenda Item 5c – Consider acknowledgement of the submission of audited financial statements for 2014 to the Electronic Municipal Market Access (EMMA) system.

City Clerk Droste presented copies of the confirmation for the filing of the 2014 independent audit by Agler & Gaddert that was electronically filed on the Electronic Municipal Market Access (EMMA) system on June 25, 2015 and an e-mail notification of the filing that was sent to all members of the governing body on that same date. Clerk Droste reported that in compliance with the City's Continuing Disclosure Policy, the Council should take action to acknowledge the confirmation and notification.

After a discussion, Council Member Nickelson made a motion to acknowledge that in compliance with Section II (2) of the Continuing Disclosure Policy for the City of Paola, the City Clerk did provide to the Governing Body written confirmation from EMMA that the audited Financial Statements for 2014 for the City of Paola has been submitted and filed properly with the Municipal Securities Rulemaking Board through EMMA on June 25, 2015. The motion was seconded by Council Member Wilhoite and all voted aye. The motion passed 4 to 0.

Agenda Item 5d – Consider a lease agreement with the Miami County Fair Association for the use of property in Wallace Park for the Miami County Fair from July 18 to July 26, 2015.

Council Member Pritchard made a motion to approve the Lease with the Miami County Fair Association 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 5e – Discuss the 2016 Budget.

Manager Wieland presented completed draft copies of the 2016 Budget and his summary budget memorandum.

Manager Wieland reported that after 5 years of assessed valuation decreases, from 2010 through 2014, the City of Paola had an increase in its fiscal year 2015 valuation of 0.046%. For the 2016 fiscal year, the assessed valuation again reflects a modest increase of \$1.27% and totals \$46,063,275. He noted that the 2016 assessed valuation is still \$2,775,016 less than the City’s assessed valuation for 2009.

Manager Wieland reported that the proposed 2016 Budget totals \$14,688,985, including transfers and reserves. The proposed 2016 Budget is \$127,851 less than the 2015 budget total of \$14,816,836. Appropriated reserves for nine of the fourteen budgeted funds will increase slightly from their 2015 levels while five show slight decreases.

He went on to note that the proposed mill levy for 2016 is 43.523 mills which is the same as the 2015 mill levy. The distribution of the proposed mill levy is as follows:

	<u>Actual 2015</u>	<u>Proposed 2016</u>	<u>Difference</u>
General Operating Fund	25.435	25.230	-0.205
Library Fund	4.848	4.787	-0.061
Employee Benefits Fund	6.279	6.200	-0.079
Bond & Interest Fund	<u>6.961</u>	<u>7.306</u>	<u>0.345</u>
Total Mill Levy	43.523	43.523	0.000

Manager Wieland went on to present summary highlights for each of the funds in the 2016 budget. He stated that the proposed budget is a solid work plan that provides financial integrity while continuing vital services and programs. It provides little discretionary funding and very little margin for error or flexibility.

He noted that due to the publication requirements, a special City Council meeting will be necessary next week to set the amount of the 2016 Budget and set the time and date for the 2016 Budget public hearing. The public hearing is anticipated to be on August 11, 2015.

Agenda Item 6 - NEW BUSINESS

Clerk Droste reported that sales tax revenues for June amounted to \$204,404 bringing the year-to-date total to \$1,188,899 or 3.26% higher than the same time period in 2014.

City Planner Gotfredson reported that the City of Paola was successful in obtaining a new grant in the amount of \$64,000 from the Kansas Department of Wildlife, Parks and Tourism for the Paola Pathways Trail at Lake Miola.

Public Works Director Browning reported that his staff was busy preparing for the Garden Tractor Pull and Show this coming weekend and for the Miami County Fair next week.

Council Member Wilhoite thanked the Public Works Department for the new curbs that were installed on Iron and Gold Streets.

Mayor Stuteville reminded everyone about the Miami County Fair Parade on Wednesday, July 22nd.

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