

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

Council Members absent: Jim Pritchard.

Also present: City Manager Jay Wieland, City Clerk Dan Droste, City Attorney Lee Tetwiler, Acting Police Chief Don Poore, City Planner Mike Gotfredson, Public Works Director Craig Browning, Richard Lentz, 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 Wilhoite, House, and Nickelson were all present. Council Member Pritchard 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 meeting of September 8 and September 22, 2015.
- b. Approval of Salary Ordinance 15-19 & 15-20.
- c. Approval of Appropriation Ordinance No 811 & 812.
- d. Approval of the Journal Entries Report for September, 2015.
- e. Approval of the Pledged Securities Report for September, 2015.
- f. Approval of the renewal of Drinking Establishment Licensee for Paola Country Club.
- g. Approval of the renewal of Caterer’s License for Town Square.

Council Member Wilhoite made a motion to approve the Consent Agenda and authorize the Mayor to sign. The motion was seconded by Council Member Nickelson and all voted aye. The motion passed 3 to 0.

Agenda Item 5 – REPORTS OF OFFICERS, BOARDS AND COMMITTEES

Agenda Item 5a – Conduct an application for street closure for the Miami County 4-H Foundation “Clover Run 5K” on November 7th.

Clerk Droste presented a request from the Miami County 4-H Foundation to close Wallace Park drive for their annual “Clover Run” scheduled for Saturday, November 7th at Wallace Park.

After additional discussion, Council Member House made a motion to approve the street closure request to close a portion of Wallace Park Drive on November 7th to accommodate the Miami County 4-H Foundation “Clover Run 5K” as presented. The motion was seconded by Council Member Nickelson and all voted aye. The motion passed 3 to 0.

Agenda Item 5a – Consider and agreement with Midwest Connections to place equipment on the City’s water tower.

Manager Wieland presented an agreement with Midwest Connection to place communications equipment on the City’s water tower. The agreement provides for \$500 in monthly compensation to the City plus \$17.50 monthly for electrical usage. Each subsequent renewal of the lease provides for an additional \$25 in monthly compensation to the City.

After a discussion, Council Member Nickelson made a motion to approve the Water Tower Attachment Communication Site Agreement with Midwest Connections and authorize the Mayor to sign. The motion was seconded by Council Member Wilhoite and all voted aye. The motion passed 3 to 0.

Agenda Item 5a – Consider a Franchise Agreement with Kansas Fiber Network.

Manager Wieland presented a Franchise Agreement with Kansas Fiber Network. The agreement provides for a 5% Franchise Fee for all gross revenues, a one-time permit and license fee of \$1,000, and a one-time application fee of \$2,500 to cover the City’s costs associated with the agreement. Manager Wieland went on to discuss the route for the installation of the fiber optic cable.

After additional discussion, Council Member Wilhoite made a motion to approve AN ORDINANCE OF THE CITY OF PAOLA, KANSAS, GRANTING TO KANSAS FIBER NETWORK, A KANSAS LIMITED LIABILITY COMPANY (KSFIBERNET), ITS SUCCESSORS AND ASSIGNS, A TELECOMMUNICATIONS FRANCHISE AND PRESCRIBING THE TERMS OF SAID GRANT AND RELATING THERETO. The motion was seconded by Council Member Nickelson and all voted aye. The motion passed 3 to 0 and the Ordinance was assigned number 3088.

Agenda Item 6 - NEW BUSINESS

Clerk Droste reported that sales tax revenues for September amounted to \$202,495 bringing the year-to-date total to \$1,825,273 or 4.09% higher than the same time period in 2014.

Clerk Droste reported on upcoming meetings: The League of Kansas Municipalities Regional Supper in Olathe on November 10th; a joint dinner meeting with the USD 360 Board at the Paola County Club on November 17th, and the Miami County Elected Officials and Leadership Dinner in Osawatomie on November 18th.

Clerk Droste noted that the LKM Regional Supper on November 10th falls on a regular City Council meeting night. At the October Works Study meeting the Council discussed moving the Council Meeting from Tuesday, November 10th to Monday, November 9th so that the Council could attend the Regional Supper. Clerk Droste indicated that the Council would need to vote to move the date of that meeting at their October 27th meeting.

Manager Wieland reported that he had received a complaint regarding the overgrowth of trees at the exit off of 169 Highway at Baptiste Drive. He indicated that he was able to make contact with the property owners about the issue.

Agenda Item 7 – ADJOURNMENT

With no additional business to come before the Council, Council Member Nickelson made a motion to adjourn. The motion was seconded by Council Member House and all voted aye. The motion passed 3 to 0.

Artie Stuteville, Mayor

ATTEST: [seal]

Daniel G. Droste, City Clerk