

**MINUTES OF THE COUNCIL MEETING  
OF THE CITY OF PAOLA, KANSAS  
6:00 O’CLOCK P.M.  
February 9, 2016**

**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 Planner Mike Gotfredson, Interim Police Chief Don Poore, Public Works Director Craig Browning, Michael Oldfield, Lorelei Crum, Richard Lentz 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.

**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.

Michael Oldfield addressed the Council in regard to building and zoning regulations concerning residential garages and carports. He stated that in 2013 he purchased the former St. James Chapel with the intent to convert it to a home. The building code required the construction of either a carport or a garage. Since then, noted that there were three homes in the area who either converted garages to living space or removed them. None of these properties were required to replace the garages. City Planner Gotfredson indicated that he would look into the situation.

**Agenda Item 4 - CONSENT AGENDA:**

- a. Approval of minutes of the meeting of January 26, 2017
- b. Approval of Salary Ordinance 16-03.
- c. Approval of Appropriation Ordinance No 821.
- d. Approval of the Pledged Securities Report for January, 2016.
- e. Approval of the Journal Entries Report for January, 2016.

Council Member Nickelson made a motion to approve the Consent Agenda as presented and authorize the Mayor to sign. The motion was seconded by Council Member House. Council Member Pritchard abstained from voting and Council Members Wilhoite, House and Nickelson voted aye. As an abstention is counted with the majority, the motion passed 4 to 0.

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

**Agenda Item 5a – Consider bids for the 2016 sanitary sewer cleaning and maintenance program.**

Public Works Director Browning reported that the 2016 sanitary sewer maintenance program includes the rehabilitation of sewer mains. The plan includes 3,036 linear feet of sewer main near the new Miami County Detention Center, including a portion along Pearl Street and Shawnee Street as well as a section south of Crestview Drive. He presented bids for the repairs as follows:

SAK Construction:	\$23.00/linear ft. - \$69,828.00
Insituform Technologies:	\$22.95/linear ft. - \$69,676.20

After additional discussion, Council Member Pritchard made a motion to accept the bid from Insituform Technologies for the rehabilitation of 3,036 linear feet of sanitary sewer main in the amount of \$69,676.20. The motion was seconded by Council Member Wilhoite and all voted aye. The motion passed 4 to 0.

**Agenda Item 5b – Consider bids for materials and supplies for the 2016 water main replacement program.**

Public Works Director Browning presented bids for pipe, fittings, and supplies for the 2016 water main replacement program as follows:

Ferguson Water Works:	\$33,602.90
Olathe Winwater	\$33,221.40
Schulte Supply:	\$32,648.10
HD Supply:	\$32,522.25

After additional discussion, Council Member House made a motion to accept the bid from HD Supply for water main parts and supplies for the 2016 water main replacement program. The motion was seconded by Council Member Wilhoite and all voted aye. The motion passed 4 to 0.

**Agenda Item 5c – Consider approval of disbursements from the Transient Guest Tax Fund.**

City Manager Wieland reported that the Paola Convention and Tourism Committee met this afternoon to review 15 grant applications for transient guest tax funding. The grant requests and recommendations by the committee are as follows:

<b><u>Grant Applicant</u></b>	<b><u>Request</u></b>	<b><u>Approved</u></b>	<b><u>Comments</u></b>
Miami County Antique Tractor Show	\$500	\$500	Miami County event but draws a number of people to our area.
Miami County Garden Tractor Pull	\$500	\$500	Second year event and has other sponsorship.
Paola Car Show	\$4,000	\$3,000	Probably the second largest community event.
Harvest Festival	\$1,000	\$1,000	Good community event that has been well attended the last couple of years.
Miami County Arts Coalition/Music in the Park	\$2,500	\$1,500	Concerns were expressed on attendance and the need to find more sponsors.
Paola Pathways/5K	\$750	\$750	Continuation of support for the 5K run/walk.
Paola Tourism/PCofC Kansas Sampler Festival	\$900	\$900	The Chamber's involvement in the Kansas Sampler Festival is a very important component of the promotion of Paola.
Paola Chamber of Commerce Fireworks Show.	\$2,500	\$2,500	This community event draws a number of visitors to town.
Lil Red Hen Heartland Quilt Shop Hop	\$500	\$500	Brings a number of visitors to Paola.
Miami County Historical Museum Building Renovation	\$5,000	\$0	Grant request does not meet eligibility criteria.
Paola Tourism/Frontier Agricultural Connections (brochure update).	\$750	\$750	Solid promotional piece for providing information about Paola and Miami County.
Heartland Art Guild	\$3,220	\$1,000	Good event which draws from broad area.
Paola Tourism Promotional brochure revisions.	\$1,500	\$1,500	Badly needs updated.
City of Paola Street Banners	\$2,000	\$1,000	Replacements for existing.

Manager Wieland reported that the Committee did recommend grants in amounts different than requested for several applications. For the Car Show, the committee didn't believe the additional money requested for advertising was warranted at this time but left the door open to a second request. For the Miami County Arts Coalition/Music in the Park, the committee continues to believe that more sponsorship funding from the private sector is needed and that attendance which is mostly local doesn't significantly increase the generation of revenue or out of the area visitors. For the Miami County Historical Museum Building Renovation, the committee based on legal considerations did not believe the request met the criteria for the use of transient guest tax monies. The use of Transient Guest Tax monies for building projects has been held invalid in court. For the Heartland Art Guild, the committee did not believe that it should be the sole source of funding for advertising and that some of the proposed advertising dollars could be better spent using other media. The total of the approved funding for grants as recommended is \$15,400.

After additional discussion, Council Member Pritchard made a motion to approve disbursements from the Transient Guest Tax Fund as presented. The motion was seconded by Council Member Nickelson and all voted aye. The motion passed 4 to 0.

**Agenda Item 5d – Consider approval of a request from Miami County for the waiver of building permit fees associated with the construction of the Miami County Detention Center.**

Manager Wieland presented a request from Miami County for the waiver of building permit fees associated with the construction of the Miami County Detention Center.

After additional discussion, Council Member Pritchard made a motion to approve the request to waive the building permit fees in the amount of \$55,993.46 for the Miami County Detention Center. The motion was seconded by Council Member Wilhoite and all voted aye. The motion passed 4 to 0.

**Agenda Item 6 – NEW BUSINESS**

Clerk Droste reminded everyone about the upcoming Legislative Breakfast on Saturday, February 20<sup>th</sup> at Holy Trinity School Cafeteria at 7:00 am and the Paola Chamber of Commerce Annual Dinner on Monday, February 29<sup>th</sup> at Town Square at 5:30 pm.

Public Works Director Browning reported that he would be going to Ft. Scott on Friday to pick up the disc golf goals that have been donated to the City of Paola.

City Planner Gotfredson presented a response to the Kansas Tax Lid Legislation that was passed in the 2015 Legislative Session. In summary, the response provided statistical data specific to the City of Paola which emphasizes the importance of property taxes to cities, legislative history, historical context for property tax revenue, and details the City of Paola's concerns with the existing legislation and proposed changes. Manager Wieland discussed additional information pertaining to the City of Paola's historical budgetary actions and the state's legislative history. After additional discussion, Council Member Wilhoite made a motion to authorize the City Manager to send copies of the "*City of Paola Response to Tax*

*Lid Legislation*” to our State Representatives. The motion was seconded by Council Member Pritchard and all voted aye. The motion passed 4 to 0.

Manager Wieland presented a request from Miami County to sign a joint letter from the County, the school districts and the cities expressing opposition to the new tax lid legislation. After additional discussion, Council Member House made a motion to authorize the Mayor to sign the joint letter in opposition to the new tax lid legislation. The motion was seconded by Council Member Nickelson and all voted aye. The motion passed 4 to 0.

Council Member House reported that there has been recent discussion on social media in regard to forming a recreation commission in Paola. She indicated that she has the names of approximately 10 persons who have volunteered to work toward the establishment of a recreation commission. Manager Wieland indicated that he would contact USD 368 with that information.

Mayor Stuteville suggested that the alley between Wea and Miami Streets just east of the Post Office be added to the 2016 Street Maintenance Program.

#### **Agenda Item 7 – 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 Wilhoite and all voted aye. The motion passed 4 to 0.

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Artie Stuteville, Mayor

ATTEST: [seal]

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Daniel G. Droste, City Clerk