

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

**Council Members absent:** Council Member Aaron Nickelson was absent.

**Also present:** City Manager Jay Wieland, City Clerk Dan Droste, City Planner Mike Gotfredson, Chief of Police Paul Jokerst, Interim Public Works Director Kirk Rees, Michael Oldfield, Jackson Craig, Christian Barnum, Noah Stringham, Conner Barnum, Jennifer Barnum, Sue Badgett, Steve Stringham, and Brian McCauley with the Miami County Republic.

**CALL TO ORDER:** The regular council meeting was called to order by Mayor Stuteville.

**ROLL CALL:** Mayor Stuteville and Council Members Pritchard, Wilhoite, and House were present. Council Member Nickelson was absent.

**Agenda Item 1 - CONSENT AGENDA**

- a. Approval of minutes of the meetings of September 13, 2016
- b. Approval of Salary Ordinance 16-19.
- c. Approval of Appropriation Ordinance No 836.
- d. Approval of the renewal of the Retail Liquor License for Park Plaza Liquor.
- e. Approval of the renewal of the Caterer’s License for Town Square.
- f. Approval of the renewal of the Drinking Establishment License for Paola Country Club.

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 3 to 0.

**Agenda Item 2 - COMMENTS FROM THE PUBLIC**

Michael Oldfield addressed the Council to inform them of the 2<sup>nd</sup> annual memorial ride for Michael Everhart will be Sunday, October 2<sup>nd</sup>. The motorcycle ride will benefit the Heads Up Brain Injury Support Group and will begin at Shawnee Cycle Plaza and end at the American Legion in Paola.

Cub Scouts Jackson Craig, Conner Barnum, Christian Barnum, and Noah Stringham from Cub Scout Pack 3100 introduced themselves to the Council. They were in attendance working on their Citizenship requirements.

No one else addressed the Council.

**Agenda Item 3 - UNFINISHED BUSINESS** – None.

**Agenda Item 4 - NEW BUSINESS**

**Agenda Item 4a - Consider approval of a new Retail Liquor License to Eric Todd Emery doing business as Third Base Liquor located at 701 S Silver Street.**

Clerk Droste reported that he received an application for a new Retail Liquor License from Eric Todd Emery who is in the process of purchasing County Seat Liquor at 701 S Silver. He plans on re-opening the liquor store under the business name “Third Base Liquor”. He noted that as this is a new license, City Council approval is required before the City Clerk can sign the applicant’s State license application. Approval of this license would be subject to the completion of a satisfactory fire safety inspection and the issuance of a State of Kansas Retail Liquor License.

After additional discussion, Council Member Pritchard made a motion to approve a new Retail Liquor License for Eric Todd Emery doing business as Third Base Liquor at 701 S Silver Street, subject to the issuance of the State of Kansas Retail Liquor License and the satisfactory completion of the Fire Safety Inspection. The motion was seconded by Council Member House and all voted aye. Council Members Pritchard and House voted aye and Council Member Wilhoite voted nay. The motion passed 2 to 1.

**Agenda Item 4b - Consider a request for the waiver of a Building Permit Fee from USD 368.**

Council Member House made a motion to approve the request from USD 368 to waive a building permit fee for the construction of a sidewalk in the amount of \$237.25 per Resolution No. 2011-005. The motion was seconded by Council Member Wilhoite and all voted aye. The motion passed 3 to 0.

**Agenda Item 4c - Consider the approval of temporary streets closure for the Paola High School Homecoming Parade on October 7th.**

Council Member Wilhoite made a motion to approve the closure of a portion of Panther Drive and 303<sup>rd</sup> Street adjacent to the USD 368 Campus on October 7 from 1:15 pm to 2:15 pm for the Paola High School Homecoming Parade. The motion was seconded by Council Member House and all voted aye. The motion passed 3 to 0.

**Agenda Item 4d - Consider a Lease Agreement with the Kansas Department of Revenue.**

Manager Wieland presented a lease agreement with the Kansas Department of Revenue (KDOR) for the use of two rooms on the second floor of the Paola Community Center. The local KDOR field agent will use the space for meetings with area clients. The City will be providing the space at no cost to KDOR as having their local representative’s office located in Paola provides a potential benefit to the community and fosters goodwill with the State.

After additional discussion, Council Member Pritchard made a motion to approve a Real Estate Lease Agreement with the State of Kansas Department of Administration for an office space in the Paola Community Center to be used by the Kansas Department of Revenue. The motion was seconded by Council Member Wilhoite and all voted aye. The motion passed 3 to 0.

**Agenda Item 4e - Consider an Ordinance amending fees and charges and cremation burial regulations in the Paola Cemetery.**

Clerk Droste reported that the last time that there were any substantive changes for cemetery fees was in 1996. He noted that City Staff recently completed a survey of cemetery fees charged by neighboring communities to make sure that our cemetery fees are comparable. Droste noted that it is the recommendation that the fees for Headstone Permits, Disinterment, and the opening and closing of graves be increase across the board to bring these fees in line with what other communities are charging. Additionally, it is recommended that the fees for each plot or position in the cemetery be increase by \$50.00 each. He noted that even with this increase in price, the cost of a cemetery position in the Paola Cemetery is very affordable compared to other communities. The changes in the cemetery fees is as follows:

<u>Cemetery Fees and Charges</u>	<u>Current Price</u>	<u>Proposed Price</u>
1. Permit for Monuments and Headstones:		
Monument:	\$25.00	\$25.00
Headstone:	\$15.00	\$25.00
Government Issued Marker:	\$0.00	\$0.00
2. Disinterment Fees:		
Disinterment Permit:	\$75.00	\$100.00
Open and Close:	\$650.00	\$750.00
Relocation in Paola cemetery:	\$200.00	\$300.00
(Disinterment services ONLY during regular business hours, Monday thru Friday.)		
3. Open and Close – Mausoleum:		
Weekdays 8 am to 4 pm:	\$100.00	\$200.00
Saturday and weekdays after 4:00 pm:	\$150.00	\$300.00
Sunday & Holidays:	\$150.00	\$330.00
4. Open and Close – Casket and Vault:		
Weekdays 8 am to 4 pm:	\$375.00	\$500.00
Saturday and weekdays after 4:00 pm:	\$460.00	\$600.00
Sunday & Holidays:	\$460.00	\$650.00
5. Open and Close – Cremation:		
Weekdays 8 am to 4 pm:	\$100.00	\$250.00
Saturday and weekdays after 4:00 pm:	\$150.00	\$350.00
Sunday & Holidays:	\$150.00	\$400.00
6. Open and Close – Infant Grave:		
Weekdays 8 am to 4 pm:	\$75.00	\$100.00
Saturday and weekdays after 4:00 pm:	\$125.00	\$200.00
Sunday & Holidays:	\$125.00	\$250.00

Price for purchasing cemetery positions in the Paola Cemetery: (Price per position)

<u>Cemetery Addition</u>	<u>Current Price</u>	<u>Proposed Price</u>
Elmwood	\$50.00	\$100.00
East Elmwood	\$50.00	\$100.00
East	\$75.00	\$125.00
East Chippewa	\$75.00	\$125.00
Oak Grove	\$75.00	\$125.00
North #1	\$125.00	\$175.00
North #2	\$125.00	\$175.00
Sanders #1 (must purchase in pairs)	\$175.00	\$225.00
Sanders #2 (must purchase in pairs)	\$200.00	\$250.00

Clerk Droste also reported that currently, Paola has allowed up to 3 cremations to be buried on a single position or on top of a vault that is already buried on a position. This creates significant challenges in recordkeeping and in properly identifying the deceased on a monument or head stone. It is proposed that the following regulations pertaining to cremations be officially adopted:

- A. No more than two (2) individual cremains may be buried on any one position in the Paola Cemetery.
- B. On a position that a casket and vault has previously been buried, up to two (2) cremains may be buried on top of the vault on that position.
- C. Cremains buried in the Paola Cemetery must be buried in an urn. The urn must be durable and sufficient for burial or buried in a vault specifically designed for urns. Cardboard boxes or other containers that easily decompose are not allowed.
- D. Cremains may not be scattered or sprinkled on any position in the Paola Cemetery.

After additional discussion, Council Member Wilhoite made a motion to approve AN ORDINANCE AMENDING SECTION 125.030, FEES AND CHARGES, AND ADDING SECTION 125.035, CREMATION BURIAL REGULATIONS, IN CHAPTER 125, CEMETERY PROVISIONS, OF THE CODE OF THE CITY OF PAOLA, KANSAS, 2009. The motion was seconded by Council Member House and all voted aye. The motion passed 3 to 0 and the Ordinance was assigned number 3103.

#### **Agenda Item 5 - COMMITTEE REPORTS**

There were no Committee Reports presented.

#### **Agenda Item 6 - STAFF REPORTS**

Clerk Droste reminded everyone that the October 11<sup>th</sup> City Council meeting would be held in the Second Floor Training Room and the Paola Fire Station at 6:00 pm. The Fire Station is located at 202 E Wea Street.

Clerk Droste reported that sales tax revenues for September amounted to \$207,123 bringing the year-to-date total to \$1,809,744 which is \$15,530 less than the same time period last year.

Clerk Droste reported that property tax revenues for 2016 have exceeded budget estimates by a total of \$28,202 and that motor vehicle tax revenues were at approximately 96% of budget estimates with one final distribution to be received in December. Special assessment receipts were also better than expected.

Chief of Police Jokerst reported that on Saturday, October 1<sup>st</sup>, the Police Department is hosting a Children's Fall Festival with many activities and giveaways for the kids. The event is from 12:30 to 2:30 pm at the Paola Justice Center.

Interim Public Works Director Rees reported that Public Works is working hard to get caught up with mowing and the exterior of the MDCPUA water tower is being painted. He also noted that progress continues on the sidewalk at the new County Jail.

Manager Wieland thanked the City Council for giving him the opportunity to attend the International City Managers Association annual conference in Kansas City.

Manager Wieland indicated that the 2017 Budget Books would be completed by Friday of next week. He indicated that he is still working on some of the graphs for the Budget Summary.

**Agenda Item 7 - MISCELLANEOUS MATTERS FROM THE COUNCIL**

Council Member Pritchard reported that the meeting with the Sunflower Foundation regarding the Paola Pathways project. Over the past 3 years, the project has been the beneficiary of just over \$60,000 in grant funds from the Foundation.

**Agenda Item 8 - MISCELLANEOUS MATTERS FROM THE MAYOR**

Mayor Stuteville asked if the "driveway issue" in Rockwood Estate had been resolved. Manager Wieland reported that the issue was very close to being resolved.

**Agenda Item 9 – ADJOURNMENT**

With no additional business to come before the Council, Council Member Pritchard made a motion to adjourn. The motion was seconded by Council Member Wilhoite 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