

**MINUTES OF THE COUNCIL MEETING
OF THE CITY OF PAOLA, KANSAS
6:00 O’CLOCK P.M.
November 8, 2016**

**Held in the Municipal Court Room at the Paola Justice Center
806 N 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 Aaron Nickelson.

Council Members absent: Council Member Leigh House was absent.

Also present: City Manager Jay Wieland, City Clerk Dan Droste, City Planner Mike Gotfredson, Chief of Police Paul Jokerst, Pamela Thompson, William Thompson, Richard Lentz, Rob Heise, Police Sergeant Nate Schmidt, Kelly Schmidt, Command Staff and Officers of the Paola Police Department, Brian McCauley with the Miami County Republic and others.

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

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

POLICE DEPARTMENT PRESENTATION

Chief of Police Paul Jokerst introduced Nate Schmidt who was recently promoted from Master Patrol Officer to Sergeant. Chief of Police Jokerst presented Sergeant Schmidt’s badge to his wife, Kelly, who pinned it on his uniform.

Agenda Item 1 - CONSENT AGENDA

- a. Approval of minutes of the meetings of October 25, 2016
- b. Approval of Salary Ordinance 16-22.
- c. Approval of Appropriation Ordinance No 839.
- d. Approval of the Pledged Security Report for October, 2016.
- e. Approval of the Journal Entries Report for October, 2016.
- f. Approval of a leak allowance in the amount of \$534.36 for 810 E Kaskaskia.

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 Nickelson and all voted aye. The motion passed 3 to 0.

Agenda Item 2 - COMMENTS FROM THE PUBLIC

No one addressed the Council.

Agenda Item 3 - UNFINISHED BUSINESS

Agenda Item 3a - Consider an Ordinance condemning the property located at 401 E Kaskaskia Street.

City Planner Gotfredson reported that the owners have a new prospective buyer who is willing to purchase and renovate the property. Details on the sale are in negotiation, however a contract is expected to be finalized in the near future.

Clerk Droste recommended that the Council table action on the Ordinance to an unspecified date to give the parties time to complete the sale of the property. If the sale is not consummated, the Ordinance can be returned to the Council for consideration.

Council Member Pritchard made a motion to table consideration of an Ordinance condemning the property located at 401 E Kaskaskia Street. The motion was seconded by Council Member Wilhoite and all voted aye. The motion passed 3 to 0.

Agenda Item 4 – NEW BUSINESS

Agenda Item 4a - Consider approval of a site plan for Olathe Medical Services at 1308 Kansas Drive.

City Planner Gotfredson presented a request for site plan approval for a new 11,150 square foot primary care facility for Olathe Medical Services at 1308 Kansas Drive. Olathe Medical Services owns both this vacant property and the developed property to the west. With these new properties some services currently offered at their existing campus will be relocated to these properties which will allow Miami County Medical Center to use that space for other purposes.

The use of this property for a primary care facility is permitted. 56 parking stalls are required for this use and 68 have been provided. The 8 foot fence and landscaping that exist along the northern edge to the west of this property will be continued along the residential properties to provide screening. The dumpster will be screened in compliance with City code. A landscaping plan has been provided that complies with bufferyard and screening requirements.

Planner Gotfredson noted that the architects have made an effort to design the exterior with complimentary colors and materials to existing development in the area. As shown on the elevations, the building will be constructed of a mix of masonry, glass, stucco and wood look metal panels in earth tones. A lighting plan for the site has been provided and shows that spillover lighting is within City regulations (§12.525(D) provides that illumination spillover cannot exceed 0.5 foot candles at the property line and the photometrics provided show the average is 0.04 and the maximum is 0.2.

Planner Gotfredson also noted that a storm water detention area is provided between the existing parking to the west and the proposed new parking area. Calculations verifying proper design of this will be provided later and is included as part of “satisfactorily address engineering comments” required by the Planning Commission which approved the site plan at its meeting on November 1st.

Rob Heise with Meyer Brothers Building Company addressed questions from the City Council about the project.

After a discussion, Council Member Pritchard made a motion to approve the site plan for Olathe Medical Services, as presented, subject to satisfactorily addressing the engineering comments. The motion was seconded by Council Member Nickelson and all voted aye. The motion passed 3 to 0.

Agenda Item 4b - Consider an Ordinance amending fees for residential reroofing permits.

City Planner Gotfredson presented an ordinance amending fees for residential reroofing permits based on total valuation with a maximum fee of \$100.00.

After additional discussion, Council Member Nickelson made a motion to approve AN ORDINANCE AMENDING TABLE 1-A IN SECTION 500.310, FEES, OF THE CODE OF THE CITY OF PAOLA, KANSAS, 2009. The motion was seconded by Council Member Pritchard and all voted aye. The motion passed 3 to 0 and the Ordinance was assigned number 3105.

Agenda Item 4c - Consider approval of the purchase of a used bucket truck for Public Works.

Manager Wieland reported that as was discussed at the City Council Works Study meeting on November 1st, the 1995 GMC bucket truck failed to pass the required KDOL dielectric test due to the fact that the vehicle has a metal boom. As the 1995 bucket truck is in poor condition, the decision was made to remove the vehicle from service and look for a replacement.

The Public Works Director was able to locate a used 2002 Ford F-550 Diesel with a 42 foot fiberglass boom at B&K Ventures, Inc. in Knoxville, Iowa for \$17,500.00. Clerk Droste reported that the truck did pass the required dielectric test.

Council Member Wilhoite made a motion to approve the purchase of a 2002 Ford F-550 Bucket Truck in the amount of \$17,500.00 from B&K Ventures. The motion was seconded by Council Member Nickelson and all voted aye. The motion passed 3 to 0.

Agenda Item 5 - COMMITTEE REPORTS

There were no Committee Reports presented.

Agenda Item 6 - STAFF REPORTS

Clerk Droste reported that he has been contacted by the owner of 104 E Miami who advised that she has entered into a contract to sell the property. The sale is scheduled to close on December 5, 2016.

Chief of Police Jokerst complimented the Library on their "Trivia Night" fundraiser and also complimented the City on the annual Halloween Parade.

City Manager Wieland reminded the Council about the "First Impressions" program presentation at 8:00 am on Thursday, November 10th at the Paola Fire Station in the 2nd Floor Training Room.

Agenda Item 7 - MISCELLANEOUS MATTERS FROM THE COUNCIL

Council Member Pritchard commented on a property on Brookside Drive with a large pile of brush in the front yard. Manager Wieland indicated that the owner has been contacted and that they are in the process of trimming all of the trees and the brush would be hauled off.

Council Member Nickelson asked if pumpkins could be disposed of at the City's yard waste collection site. Manager Wieland indicated that they could be disposed of at the site or included in the regular household trash collection.

Councilmember Nickelson inquired about future joint meetings with the USD 368 Board and with the County Commissioners. Manager Wieland indicated that he would visit with the Superintendent of School about another meeting and that the meeting with the County Commissioners was scheduled for December.

Agenda Item 8 - MISCELLANEOUS MATTERS FROM THE MAYOR

Mayor Stuteville commented on the number of properties with junk piled at the curb. She was especially concerned at the property on North Silver Street as it is on a main traffic way. City Planner Gotfredson indicated that they have been making personal contact with owners and following up with nuisance letters.

Agenda Item 9 – EXECUTIVE SESSION for preliminary discussions relating to the acquisition of real property. K.S.A. 75-4319(B)(6) is the authority for this recess.

Council Member Nickelson made a motion to adjourn to Executive Session, to include the Mayor, Council, City Manager, City Clerk, and City Planner, for 15 minutes for the purpose of preliminary discussions relating to the acquisition of real property; the regular meeting to reconvene at 6:50 p.m. The motion was seconded by Council Member Wilhoite and all voted aye. The motion passed 3 to 0.

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

No action was taken pursuant to the Executive Session.

Agenda Item 10 – 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 Wilhoite and all voted aye. The motion passed 3 to 0.

Artie Stuteville, Mayor

ATTEST: [seal]

Daniel G. Droste, City Clerk