

**MINUTES OF THE COUNCIL MEETING
OF THE CITY OF PAOLA, KANSAS
5:30 O’CLOCK P.M.**

June 12, 2007

**HELD AT THE PAOLA PUBLIC WORKS BUILDING
29370 Old KC Road in Paola**

The Governing Body of the City of Paola, Kansas, met with Council President Rowlett presiding.

Councilmembers present: Council Members Pritchard, Dial, Rowlett, and Hamilton.

Council Members absent: Mayor Stuteville.

Also present: Manager Newton, Clerk Droste, Attorney Tetwiler, Police Chief Smail, Public Works Director Bieker, Planner Givens, Brian McCauley with the Miami County Republic, Carol Everhart, and others.

Agenda Item 1 - CALL TO ORDER: The regular council meeting was called to order by Council President Rowlett.

Agenda Item 2 - ROLL CALL: Council Members Pritchard, Dial, Rowlett, and Hamilton were all present.

Agenda Item 3 - PETITIONS, REMONSTRANCES, AND COMMUNICATIONS
No one addressed the Council.

Agenda Item 4 - CONSENT AGENDA

- a. Approval of minutes of the meetings of May 22, 2007.
- b. Approval of Salary Ordinance number 07-10.
- c. Approval of Appropriation Ordinance No. 606.

Councilmember Dial made a motion to approve the Consent Agenda, as presented, and authorize the Mayor to sign. Councilmember Hamilton seconded the motion and all voted aye. The motion passed 4 to 0.

Agenda Item 5a – Consider approval of a Temporary Vending Stand Permit application procedure.

Clerk Droste reported that the request to have a temporary vending stand at the sidewalk sale on June 15th had been withdrawn. However, an application procedure needs to be in place to accommodate future requests.

Clerk Droste presented a draft of an application for a Temporary Vending Stand in the area of the Park Square pursuant to Ordinance No 2542. He indicated that the ordinance does not provide for any fee structure for the permit and the draft application only allows for a \$25 daily fee for use of electricity. Droste also reported that it was highly recommended by the City's insurance agent that the vendor provide a certificate of liability insurance as a part of the permit process.

After discussing the permit procedures, Councilmember Pritchard made a motion to approve a Temporary Vending Stand permit application for vendors on the Park Square including a \$25 daily fee for use of electricity. The motion was seconded by Councilmember Dial and all voted aye. The motion passed 4 to 0.

Agenda Item 5b -Consider approval of the selection of a grant writer for a CDBG grant application for ADA improvements to the Paola Community Center.

Manager Newton presented a proposal from Donna Crawford to prepare a grant application for the CDBG program for ADA improvements to the Paola Community Center. He reported that the \$5,650 fee could not be paid from revenues generated from the ½ cent sales tax initiative as the ballot question only allowed for the funds to be used for improvement costs to the facilities.

Given the timing of the grant application process and the potential for success, Manager Newton recommended that the proposal be approved and the fee be paid from the Community Center's regular funds.

After discussing the proposal, Councilmember Pritchard made a motion to approve an agreement with Donna Crawford of Governmental Assistance Services to write a CDBG grant application for ADA improvements for the Paola Community Center. The motion was seconded by Councilmember Hamilton and all voted aye. The motion passed 4 to 0.

Agenda Item 5c - Consider financial assistance to the citizens of the City of Greensburg, Kansas.

Manager Newton presented a listing of donations that other cities have made to the LKM Greensburg relief fund. Generally, the amount of the donation of individual cities varied greatly, from \$50 to \$10,000 and from \$0.13 to \$6.62 per capita.

The website survey that was posted on the City's website produced the following results:

How much should the City of Paola donate to Greensburg?

\$0 / No Opinion	17	19.54%
Up to \$2,500	9	10.34%
Up to \$5,000	17	19.54%
Up to \$10,000	18	20.69%
<u>Up to \$15,000</u>	<u>26</u>	<u>29.89%</u>
Total Votes	87	100%

After discussing the issue, Councilmember Pritchard made a motion to approve a donation of \$5,000 for relief efforts to the City of Greensburg as they recover from the devastation caused by a tornado on May 5th. The motion was seconded by Councilmember Dial and all voted aye. The motion passed 4 to 0.

Agenda Item 5d - Consider an Ordinance creating a Public Building Commission to accommodate the sale of bonds to finance the construction of the new Police and Fire Stations and remodel City Hall, the Community Center, and Library. Funding for the projects previously approved by voters.

Manager Newton introduced Mary Carson, Bond Counsel for the City of Paola. Mrs. Carson explained the purpose of a Public Building Commission and presented calculations relative to the City's bonded debt limitation.

Mrs. Carson explained that the Public Building Commission would actually hold title to the facilities, such as the new Police and Fire Stations, and would actually be the issuer of the bonds to finance the facilities. She indicated that the process is used very frequently in the State of Kansas and that Miami County had used this process to finance the Miami County Administration Building.

After discussing the process, Councilmember Hamilton made a motion to approve AN ORDINANCE OF THE CITY OF PAOLA, KANSAS, CREATING THE PAOLA, KANSAS PUBLIC BUILDING COMMISSION, SPECIFYING THE MEMBERSHIP OF THE GOVERNING BODY OF THE PUBLIC BUILDING COMMISSION AND STATING THE PURPOSE, FUNCTIONS, AND POWERS OF SUCH COMMISSION. The motion was seconded by Councilmember Dial and all voted aye. The motion passed 4 to 0. Clerk Droste assigned No. 2945 to the Ordinance.

Agenda Item 5e - Report from Carol Everhart on Economic Development activities.

Carol Everhart, Director of the Paola Chamber of Commerce, presented a report on economic development efforts. She reported that data collection as part of the Business Retention and Expansion Survey was in process. Volunteers are in the process of contacting the first groups of businesses and results are to be available in August. She also reported that the Kansas Department of Commerce hosted the Eastern Kansas Business Appreciation Awards luncheon at Evergreen Events on June 5th. There were approximately 200 attendees and First Option Bank, Blue Stem Environmental, Citizens State Bank, Doherty Steel, Miller Pharmacy, Paola Senior Citizens Center, and TeamBank all received awards.

Agenda Item 6 - NEW BUSINESS

Clerk Droste reported that the KPERS and KP&F employer costs were changing effective January 1, 2008. The KPERS rates were increasing from 5.31% to 5.93% and KP&F rates were increasing from 13.32% to 13.88%.

Clerk Droste presented a leak allowance in the amount of \$111.26 for 309 N Silver. After discussing the request, Councilmember Pritchard made a motion to approve the request for a leak allowance in the amount of \$111.26 for 309 N Silver as presented. The motion was seconded by Councilmember Dial and all voted aye. The motion passed 4 to 0.

Clerk Droste presented a request from Ed and Stacy Boehm to post a “Deaf Child at Play” sign at the entrances to Heatherwood Estates. After discussing the request, Councilmember Hamilton made a motion to approve the request for a deaf child at play sign as requested. The motion was seconded by Councilmember Dial and all voted aye. The motion passed 4 to 0.

Manager Newton reported that work study sessions are planned for Tuesday, Wednesday, and Thursday of next week. However, Councilmember Pritchard has indicated that he will not be available on Thursday. After discussing the schedule, it was decided that the study sessions would be condensed to just Tuesday and Wednesday. The meeting on Tuesday will be held in the second floor conference room at City Hall and on Wednesday at the Council Meeting Room at the Public Works Building. Both meetings will begin at 5:30 pm.

Councilmember Hamilton asked about the condition of the alley behind the Post Office. He reported that the alley has not had much maintenance and it carries a lot of traffic from the local businesses. He asked if there could be any consideration given to improvement to the alley. After discussing the issue, it was suggested that a comprehensive evaluation of all of the alleys near the Park Square should be done with a policy for handling maintenance issues for all of them. The solution could include shared expenses between the City and the Businesses.

Councilmember Dial reported that she had been contacted by Mary Miller with concerns about the cost of season passes for families. Clerk Droste explained the rate structure for daily admissions, discount coupons, and season passes for the pool. A family season pass has not been offered for several years.

Councilmember Pritchard reported that he has been contacted by Mr. Joel Ahlbrandt regarding the dust caused by the sand blasting at Taylor Forge. After discussing the issues, it was recommended that perhaps it would be best to contact the Kansas Department of Health and Environment to see what should be done.

Councilmember Pritchard mentioned that he has received more phone calls about Crestview Drive.

Councilmember Hamilton asked about the brick street in the 200 to 300 blocks of East Kaskaskia. Public Works Director Bieker reported that the sewer in the 300 block is scheduled to be addressed this year and that the street would be considered at a later date.

Councilmember Rowlett reported that Senator Pat Apple asked in the City Officials would be interested in attending a local dinner to discuss issues important to the area cities. The

purpose of the dinner would be to develop a better working relationship between local and state elected officials. The Council agreed that it would be worthwhile.

Agenda Item 7 - EXECUTIVE SESSION - K.S.A. 75-4319(B)(2) is the authority for this recess.

Councilmember Hamilton made a motion to adjourn to Executive Session, to include the Mayor, Council, City Manager, City Clerk, City Attorney, and Bond Attorney, for 30 minutes for the purpose of a consultation with an attorney for the governing body which is deemed privileged in the attorney-client relationship; the regular meeting to reconvene at 7:15 p.m. The motion was seconded by Councilmember Dial and all voted aye. The motion passed 4 to 0.

At 7:15 pm, Councilmember Pritchard made a motion to reconvene the adjourned meeting. The motion was seconded by Councilmember Hamilton and all voted aye. The motion passed 4 to 0.

Councilmember Hamilton made a motion to adjourn to Executive Session, to include the Mayor, Council, City Manager, City Clerk, City Attorney, and Bond Attorney, for an additional 60 minutes for the purpose of a consultation with an attorney for the governing body which is deemed privileged in the attorney-client relationship; the regular meeting to reconvene at 8:15 p.m. The motion was seconded by Councilmember Dial and all voted aye. The motion passed 4 to 0.

At 8:15 pm, Councilmember Pritchard made a motion to reconvene the adjourned meeting. The motion was seconded by Councilmember Hamilton and all voted aye. The motion passed 4 to 0.

Agenda Item 8 – ADJOURNMENT.

With no additional business to come before the Council, Councilmember Hamilton made a motion to adjourn the meeting. Councilmember Pritchard seconded the motion and all voted aye. The motion passed 4 to 0.

Artie Stuteville, Mayor

ATTEST: (seal)

Daniel G. Droste, City Clerk