

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

December 11, 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 Mayor Stuteville presiding.

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

Council Members absent: None.

Also present: Manager Wieland, Clerk Droste, Attorney Tetwiler, Police Chief Smail, Public Works Director Bieker, Planner Givens, Human Resources Director Belt, and Carol Everhart.

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, 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 November 27, 2007.**
- b. **Approval of Salary Ordinance number 07-22 & 07-23.**
- c. **Approval of Appropriation Ordinance No. 618.**
- d. **Approval of CMB License renewals for:**
 - 1) **Price Chopper**
 - 2) **Casey’s General Store #1**
 - 3) **Casey’s General Store #2**
 - 4) **Darrel’s Last Resort**
 - 5) **BBQ Shack**
 - 6) **Emery’s Steak House**
 - 7) **Pizza Hut**
 - 8) **Walmart**
 - 9) **Zarco 66, subject to final fire safety inspection**
- e. **Approval of Pool Table License renewals for:**
 - 1) **Rounder’s**
 - 2) **Darrel’s Last Resort**

3) Veterans of Foreign Wars

- f. **Approval of Liquor License renewal for Shipman Retail Liquor subject to final fire safety inspection.**
- g. **Approval of a leak allowance in the amount of \$363.48 for 307 N Gold.**

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

Agenda Item 5a – Consider approval of an application for a new Cereal Malt Beverage License for Wheat State Pizza at 410 N Silver.

Clerk Droste presented an application for a new Cereal Malt Beverage License for Wheat State Pizza at 410 N Silver. He reported that the appropriate fee has been paid, the facility has passed the required fire safety inspection, and the facility is not within 500 feet of a church, school or park.

Councilmember Pritchard made a motion to approve a new Cereal Malt Beverage License for Wheat State Pizza at 410 N Silver. The motion was seconded by Councilmember Dial and all voted aye. The motion passed 4 to 0.

Agenda Item 5b - Consider a Resolution amending and adopting the Personnel Manual, Position Classification Pay Plan and Human Resources Administrative Policies.

Manager Wieland presented a Resolution amending and adopting the Personnel Manual, Position Classification Pay Plan and Human Resources Administrative Policies. He reported that the changes to the Personnel Manual that were discussed in the Work Study Meeting have been incorporated into the document. He also reported that a draft of a Grievance Policy has been received from the attorney, however staff has not had an opportunity to review it. The Grievance Policy will be presented separately to the Council at a future date and added to the Personnel Manual once approved.

Councilmember Dial made a motion to approve A RESOLUTION AMENDING AND ADOPTING THE PERSONNEL MANUAL, POSITION CLASSIFICATION PAY PLAN, AND HUMAN RESOURCES ADMINISTRATIVE POLICIES, EFFECTIVE JANUARY 1, 2008. The motion was seconded by Councilmember Hamilton and all voted aye. The motion passed 4 to 0. Clerk Droste assigned number 2007-018 to the Resolution.

Agenda Item 5c - Consider an amended Water Drought / Emergency Ordinance.

Clerk Droste presented an Ordinance amending the City's water emergency procedures and Public Works Director Bieker presented a draft of the Municipal Water Conservation Plan. Bieker reported that the conservation plan has been modified to reflect the new requirements of the Kansas Water Office.

After discussing the Water Conservation Plan and the Ordinance, Councilmember Pritchard made a motion to approve AN ORDINANCE TO AMEND CHAPTER 710 OF TITLE VII OF THE CODE OF THE CITY OF PAOLA AUTHORIZING THE DECLARATION OF

ONE OF THREE PROGRESSIVE STAGES OF A WATER SUPPLY CONSERVATION AND / OR WATER SUPPLY SHORTAGE WHICH SHALL CONSERVE OR CURTAIL THE USE OF WATER WITHIN THE CITY OF PAOLA (“THE CITY”); ESTABLISHING THREE STAGES OF WATER CONSERVATION MEASURES FOR THE CITY; A WATER WATCH, WARNING OR EMERGENCY; ESTABLISHING PROCEDURES AND VOLUNTARY AND MANDATORY CONSERVATION MEASURES; AUTHORIZING THE ISSUANCE OF ADMINISTRATIVE REGULATIONS; AND PRESCRIBING CERTAIN PENALTIES. The motion was seconded by Councilmember Rowlett and all voted aye. The motion passed 4 to 0. Clerk Droste assigned number 2966 to the Ordinance.

Agenda Item 5d - Consider approval of pay estimate 2 for the Community Center and Library roof projects.

Manager Wieland presented pay estimate number 2 for the Community Center and Library roof projects. He reported that some of the materials that were included in the pay request were not on site, therefore the check would be held until the materials are delivered. Additionally, there is \$8,443.30 remaining to complete the project over and above this pay estimate.

Councilmember Pritchard made a motion to approve pay estimate 2 in the amount of \$56,107.45 to TR Management Inc. The motion was seconded by Councilmember Dial and all voted aye. The motion passed 4 to 0.

Agenda Item 5e - Report on elected offices that are to be placed on the April 2008 ballot.

Clerk Droste reported that the following positions on the Governing Body for the City of Paola will be voted on at the general election on April 1, 2008:

- City Council Member Ward 2
- City Council Member Ward 4

The deadline for filing a Candidates Declaration of Intention for these positions is Tuesday, January 22, 2008 at 12:00 Noon. If more than two candidates file for any one position, a primary election would be held on Tuesday, February 26, 2008. The top two candidates would then be included on the ballot for the general election on April 1, 2008.

Agenda Item 5f - Report from Carol Everhart on the BREES Survey.

Carol Everhart presented a summary of the Kansas Business Retention and Expansion E-Survey (BREES Survey). Included in the summary of the survey was the following information:

- 23 businesses reported adding 186 new jobs during the last 2 years.
- 7 businesses reported a decrease of 29 jobs during the last 2 years.
- 29 businesses expect an increase of 152 jobs during the next 2 years.
- 24 businesses expect no increase or decrease in jobs during the next 2 years.
- 40% of respondents agreed that the available labor force has low skills.
- 30% of respondents agreed that there is a shortage of labor for entry level jobs.

- 28% of respondents agree that the labor force has a poor work attitude.
- 23% of respondents increased plant or location size over the past 2 years.
- 51 of 53 respondents believe that the City Government has a positive or very positive attitude toward their business.\
- On a scale of 1 (poor) to 3 (good) respondents rated the following:
 - Schools = 2.88
 - Quality of Life = 2.87
 - Medical = 2.76
 - Police = 2.73
 - Fire = 2.61
 - Water = 2.38
 - Recreation = 2.37
 - Quality of Available Housing = 2.32
 - Available Housing = 2.18
 - Training Service = 1.92
 - Labor Pool = 1.88
- 63% of respondents thought that local government should increase marketing efforts to promote the city.

Agenda Item 6 - NEW BUSINESS

Clerk Droste presented the Workers Compensation quote for 2008. He noted that the efforts of the Safety Committee and the City Employees have reduced the experience modifier from 1.49 to 1.23 and the City qualified for a 5% premium discount for 2008.

Manager Wieland reported that the asbestos contractor started the abatement process at the former KDOT building. The general contractor for the new Justice Center will begin as soon as the abatement process is complete.

Councilmember Rowlett reported that LKM Board discussed making a policy position on the Holcomb Power Plant issue. Other cities are considering resolutions of support for the project and/or to encourage the Governor to research the issue further. It was suggested that perhaps the issue could be discussed at a work study session and a potential resolution might encourage the development of an overall energy policy for the State of Kansas versus addressing the Holcomb power plant application.

Mayor Stuteville asked about the property at 107 W Miami that was partially destroyed in a fire. Planner Givens indicated that he would inquire about the status of the property and report back to the Mayor.

Agenda Item 7 - EXECUTIVE SESSION - K.S.A. 75-4319(B)(6) and K.S.A. 75-4319(B)(2) are the authorities for this recess.

Councilmember Dial made a motion to adjourn to Executive Session for 15 minutes for the purpose of preliminary discussions relating to the acquisition of real property and 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 6:45 p.m.

The motion was seconded by Councilmember Pritchard and all voted aye. The motion passed 4 to 0.

At the conclusion of the Executive Session, Councilmember Pritchard made a motion to reconvene the adjourned meeting. The motion was seconded by Councilmember Rowlett and all voted aye. The motion passed 4 to 0.

No action was taken pursuant to the Executive Session

Agenda Item 7 – 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