

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

March 11, 2008

**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, and Hamilton.

Council Members absent: Councilmember Rowlett.

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

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, and Hamilton were all present. Councilmember Rowlett was absent.

Agenda Item 3 - PETITIONS, REMONSTRANCES, AND COMMUNICATIONS

Gene Hirt from Williamsburg addressed the Council regarding the Franklin County decision on the K-68 Corridor Study.

Agenda Item 4 - CONSENT AGENDA

- a. **Approval of minutes of the meetings of February 26, 2008.**
- b. **Approval of Salary Ordinance number 08-04.**
- c. **Approval of Appropriation Ordinance No. 624.**

Councilmember Pritchard asked for clarification on several items on the Appropriation Ordinance.

Councilmember Dial made a motion to approve the Consent Agenda and authorize the Mayor to sign. Councilmember Pritchard seconded the motion and all voted aye. The motion passed 3 to 0.

Agenda Item 5a – Consider approval of agreements with Outpost Pictures to film “Last Ounce of Courage” in Paola.

Clerk Droste reported that representatives from Outpost Pictures have met with City Staff to discuss the possibility of using some City facilities and temporarily closing some City streets in the filming of “Last Ounce of Courage”. Droste reported that they have requested the use of the Park Square, Community Center, 18 E Wea, and the Paola Cemetery for scenes in the movie as well as the closing of several streets to accommodate filming.

Heidi Bacon introduced Michael Wunsch, President of Outpost Pictures. Mr. Wunsch explained that the picture will be a family film based on the true meaning of Christmas. He also discussed the history of Outpost Pictures and some of the logistics of the filming of the movie.

After discussing the issues relating to the film, Councilmember Pritchard made a motion to approve a Location Agreement and a Location Release with Outpost Pictures for the use of the Park Square, Paola Community Center, Paola Cemetery, 18 E Wea, and some City Streets. The motion was seconded by Councilmember Dial and all vote aye. The motion passed 3 to 0.

Agenda Item 5b - Consider an appeal of the denial of an application for the Neighborhood Revitalization Plan.

Clerk Droste presented an appeal from Mr. Chris Stallbaumer on the denial of his application for real estate tax rebates under the Neighborhood Revitalization Plan (NRP) for his property at 809 W Wea. Droste explained that according to the County Appraiser, the applicant met all of the conditions of the NRP with the exception of meeting a 15 day notification requirement upon completion of the improvements. Droste indicated that modifying the NRP to specifically define the “completion date” of the improvements should be considered.

After discussing the appeal, Councilmember Hamilton made a motion to approve the appeal from Chris Stallbaumer for real estate tax rebates under the Neighborhood Revitalization Plan for a property at 809 W Wea. The motion was seconded by Councilmember Dial and all vote aye. The motion passed 3 to 0.

Agenda Item 5c - Consider approval of pay estimate #3 for the Paola Justice Center.

Manager Wieland presented pay estimate number 3 from ALtmar, Inc. for construction on the new Paola Justice Center. Manager Wieland explained that the pay request was for work that was completed in January and February.

After discussing the pay estimate, Councilmember Dial made a motion to approve pay estimate #3 in the amount of \$100,082.70 to Altmar, Inc. The motion was seconded by Councilmember Pritchard and all vote aye. The motion passed 3 to 0.

Agenda Item 5d - Consider bids for the codification/update of the Paola Municipal Code Book.

Manager Wieland presented information on the bids for the update of the Paola Municipal Code Book. He recommended that the Council approve the proposal from Sullivan Publications as follows:

Update existing Code Book @C \$16 per page	\$3,200.00 (estimate 200)
Statutory and editorial review @ \$95 per hour	\$3,250.00 (not to exceed)
Editorial Conference @\$85 per hour	\$340.00 (minimum 4 hrs)
Updates pursuant to review @ \$16 per page	<u>\$400.00</u> (estimate 25)
Total	\$7,190.00

Councilmember Pritchard asked that the City Attorney review the agreement with Sullivan Publications prior to the Mayor signing.

Councilmember Hamilton made a motion to approve an agreement with Sullivan Publications to update the Paola Municipal Code Book, perform a statutory review of the updated Code Book, and complete an editorial review and update of the update Code Book. The motion was seconded by Councilmember Pritchard and all vote aye. The motion passed 3 to 0.

Agenda Item 5e - Consider changes to fees charged at the Aquatic Center.

Manager Wieland presented a proposal to change the fees charged at the Aquatic Center as follows:

Children 3 and older:	\$4	(Previously 2 and older)
Children under 3:	Free	(Previously under 2)
Senior Citizens (62+)	\$2	(Previously \$1.50)
10 Pass Coupon Book	\$25	(Previously \$35)
Private Party Rental	\$400	(Previously \$300)
All other fees unchanged		

Manager Wieland indicated that the reduction of the cost of coupon books was in response to making the Aquatic Center more affordable to families.

Councilmember Pritchard stated that he did not like increasing the entrance fee for Senior Citizens.

After discussing the new fee schedule, Councilmember Pritchard made a motion to approve changes to the fee schedule for the Aquatics Center as presented with the exception of the senior citizen rate which will remain at \$1.50. The motion was seconded by Councilmember Dial and all vote aye. The motion passed 3 to 0.

Agenda Item 5f - Consider approval of the K-68 Corridor Study Agreement.

Manager Wieland presented the K-68 Corridor Study Agreement for final approval. He reported that the agreement has been discussed at length at previous regular and work study meetings. The City's share of the cost of the study will be \$9,000.00.

After discussing the agreement, Councilmember Dial made a motion to approve the K-68 Corridor Study Agreement with the Kansas Department of Transportation and authorize the Mayor to sign. The motion was seconded by Councilmember Hamilton and all vote aye. The motion passed 3 to 0.

Agenda Item 5g - Consider renewal of the City's liability insurance through EMC.

Clerk Droste presented renewal premiums for the City's liability insurance through EMC. The current total premium for the 2007-2008 policy year was \$88,741 and the renewal premium for 2008-2009 will be \$87,355. Droste explained that the reduction was due to the Business Auto policy and the competitive nature of that line of business at the current time.

Mayor Stuteville asked about the Lake Miola Dam liability. Clerk Droste reported that EMC has accepted the dam in its present condition and that the dam is next scheduled for a detailed inspection in the spring of 2009.

Councilmember Pritchard made a motion to approve the renewal of the City's liability insurance through EMC with an annual premium amount of \$87,355.00. The motion was seconded by Councilmember Hamilton and all vote aye. The motion passed 3 to 0.

Agenda Item 5h - Consider approval of a "Notification of Change of Relationship from Financial Advisor to Underwriter" for Piper Jaffray.

Manager Weiland presented "Notification of Change of Relationship from Financial Advisor to Underwriter" for Piper Jaffray.

After discussing the document, Councilmember Hamilton made a motion to approve a "Notification of Change of Relationship from Financial Advisor to Underwriter" for Piper Jaffray for the Paola Kansas Public Building Commission Revenue Bonds, Series 2008. The motion was seconded by Councilmember Pritchard and all vote aye. The motion passed 3 to 0.

Agenda Item 6 – NEW BUSINESS.

City Attorney Tetwiler reported that there was a 41 page decision issued by the District Court Judge on the lawsuit by Rural Water District No 2 against the City of Louisburg. The decision upheld the original decision by the appraisers in the 12-527 statutory process for acquiring water service territory.

Clerk Droste presented a report on sales tax collections for the month of February, 2008 which represents sales activities that occurred in December of 2007. The total sales tax collected was \$190,015 as compared to \$194,641 for January of 2008. This is the second month in a row of very strong sales tax revenues for the City.

Manager Wieland reported that the wet winter weather has created some challenges for the construction of the new Justice Center and for the pot holes in the streets. Work on 303rd Street was progressing nicely.

Manager Wieland reported that he and the City Attorney met with the Ursuline Sisters regarding the marketing of the Ursuline Campus. The site for the Paola Community Center and potential future parking lot was discussed with the Sisters.

Manager Wieland reported that he met with Mr. Adam Heron regarding the skate board park and discussed the status of the project, including potential private fund raising for the project.

The annual Spring Clean Up is scheduled for Saturday, April 26th.

Councilmember Pritchard asked about the standing pipes on 303rd. Public Works Director Bieker indicated that the pipes would become surface area drains and will be at ground level.

Mayor Stuteville reported that Councilmember Rowlett was in Washington DC attending the National League of Cities Congressional City Conference.

Mayor Stuteville congratulated the Chamber of Commerce for a very successful Business Expo.

Agenda Item 7 – ADJOURNMENT.

With no additional business to come before the Council, Councilmember Dial made a motion to adjourn the meeting. Councilmember Pritchard seconded the motion and all voted aye. The motion passed 3 to 0.

Artie Stuteville, Mayor

ATTEST: (seal)

Daniel G. Droste, City Clerk