

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

**February 10, 2009**

**HELD 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.

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

Council Members absent: None

Also present: City Manager Wieland, Clerk Droste, City Attorney Tetwiler, Public Works Director Bieker, Police Chief Smail, Carol Everhart, and Richard Lentz.

**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 Bell were all present.

**Agenda Item 3 - PETITIONS, REMONSTRANCES, AND COMMUNICATIONS**  
Mayor Stuteville asked the audience if anyone desired to address the Council about any issue that is not an agenda item.

No one addressed the Council.

**Agenda Item 4 - CONSENT AGENDA**

- a. **Approval of minutes of the meetings of January 28, 2009.**
- b. **Approval of Salary Ordinance number 09-02.**
- c. **Approval of Appropriation Ordinance No. 646.**
- d. **Approval of the Journal Entries Report for January, 2009.**
- e. **Approval of a water leak allowance for 605 E Shawnee.**
- f. **Approval of a water leak allowance for 510 W Chippewa.**

Councilmember Bell expressed his disapproval of paying for meals for employees who are members of civic organizations.

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

## **Agenda Item 5 - REPORTS OF OFFICERS, BOARDS AND COMMITTEES**

### **Agenda Item 5a – Consider a request to rezone 240 acres in the area of the intersection of 311<sup>th</sup> Street and Baptiste Drive from Business Park to Thoroughfare Access.**

Manager Wieland reported that the process to rezone this area began a number of months ago. The property included in the proposed zoning change area is generally located in the area of the intersections of 311<sup>th</sup> Street with Hedge Lane and Baptiste Drive and includes multiple property owners.

He explained that the Planning Commission held a Public Hearing on December 16<sup>th</sup> and received no objections to the zoning change request. The Planning Commission went on to approve the rezoning request at that same meeting. Additionally, the Miami County Commission approved the change at their meeting on February 4<sup>th</sup>.

After further discussion, Councilmember Pritchard made a motion to approve AN ORDINANCE CHANGING THE ZONING CLASSIFICATION OF CERTAIN LAND LOCATED IN THE CITY OF PAOLA AND IN THE CITY OF PAOLA'S GROWTH AREA, KANSAS, UNDER THE AUTHORITY GRANTED BY THE LAND DEVELOPMENT ORDINANCE OF THE CITY OF PAOLA, KANSAS AND BY THE AUTHORITY OF INTERLOCAL AGREEMENT A96-01-006. The motion was seconded by Councilmember Dial and all voted aye. The motion passed 4 to 0. Clerk Droste assigned number 2984 to the Ordinance.

### **Agenda Item 5b - Consider approval of a pay request #14 from Altmar, Inc. for the Paola Justice Center.**

Manager Wieland presented pay request #14 from Altmar, Inc. for the Paola Justice Center. He reported that the project was nearly 100% complete as the contractor was working to complete the final few unfinished items. This pay request is in the amount of \$154,188.51 and reduces the retainage from 10% to 5%.

Councilmember Pritchard asked about the landscaping. Manager Wieland reported that the landscaping was not included in the contract with Altmar. The City will be installing the landscaping outside of that contract. Manager Wieland estimated that the cost of the plant materials has been estimated at \$10,000 and City crews would be performing the installation.

After further discussion, Councilmember Dial made a motion to approve pay request #14 in the amount of \$154,188.51 to Altmar, Inc for the Paola Justice Center. The motion was seconded by Councilmember Bell and all voted aye. The motion passed 4 to 0.

**Agenda Item 5c – Consider approval of pay estimate #1 for the Paola Community Center.**

Manager Wieland presented a pay estimate from Legacy Contractors, LLC for the removal, upholstery, assembly and reinstallation of the auditorium seats at the Paola Community Center. He reported that PCC Director Myers is still soliciting donations for the seat renovations.

After additional discussion, Councilmember Pritchard made a motion to approve pay estimate #1 in the amount of \$20,588.00 to Legacy Contractors, LLC. for the auditorium seats at the Paola Community Center. Councilmember Dial seconded the motion and all voted aye. The motion passed 4 to 0.

**Agenda Item 5d – Consider approval of an invoice to be paid from the Goss Donation Fund.**

Clerk Droste presented an invoice for the remaining SCBA equipment that was to be paid from the Goss Donation Funds. He explained that the airline hose was on back order from the supplier. The total cost of the SCBA equipment, including the airline hose, amounted to 37,111.69. The original budget for the equipment was approved by Mr. & Mrs. Goss at \$37,565.15.

Mayor Stuteville asked if the remaining equipment funds would be used for the water fountain renovation. Manager Wieland indicated that it likely could be, but he recommended contacting Mr. & Mrs. Goss for their approval.

Councilmember Pritchard made a motion to approve an invoice from Municipal Emergency Services, Inc. for the purchase of airline hose for the SCBA equipment for the Paola Fire Department in the amount of \$732.21 to be paid from the Goss Donation Fund. Councilmember Dial seconded the motion and all voted aye. The motion passed 4 to 0.

**Agenda Item 6 – NEW BUSINESS.**

Clerk Droste reported that the annual Legislative Breakfast was scheduled for Saturday, February 14<sup>th</sup> at 7:00 am at Holy Trinity School. After the Legislative Breakfast, the Panther Robotics Team has invited the Governing Body to an open house at the robotics shop.

Manager Wieland reported that the Intergovernmental Meeting was held here at the Justice Center earlier this morning and it went very well.

Manager Wieland reported that the grand re-opening event at the Paola Community Center on Saturday evening was a great success.

Manager Wieland reported that planning for the fountain renovation in the Park Square continues and he hopes to present plans at the next Council meeting.

Mayor Stuteville asked about the status of the skate park. Manager Wieland indicated that the Public Works Department was waiting for the weather to break before beginning work on the foundation slab for the skate park.

Recent vandalism to the Firehouse Gym was discussed.

Councilmember Bell asked about expenditures to the Chamber of Commerce for Economic Development activities. He asked Carol Everhart about the \$7,000 expenditures for advertising and \$20,000 for salaries and asked how much of her time was spent on economic development activities. Mrs. Everhart explained that nearly all of her time is spent on economic development. She went on to explain that it was previously agreed that the \$20,000 was to pay for a 1/3 share of all of the office related expenditures for the Chamber of Commerce and not just for salaries. She also explained the advertising programs and activities.

Councilmember Bell commented on the vision of our economic development activities, agri-tourism, and recreational tourism.

Councilmember Bell complimented Chief Smail on the monthly Police Statistics Report and reported that he has not received a complaint for some time.

Councilmember Dial asked about the possibility of the Back to School Bash being held at the Firehouse Gym. Clerk Droste indicated that he did not think that the facility was large enough to hold the event.

Mayor Stuteville made the recommendation that Lisa Sims be appointed to the Tree Board and that Doretha Smith be appointed to the Paola Housing Authority Board. Councilmember Dial made a motion to approve the Mayor's appointments of Lisa Simms to the Tree Board and Doretha Smith to the Paola Housing Authority Board. The motion was seconded by Councilmember Rowlett and all voted aye. The motion passed 4 to 0.

**Agenda Item 7 –ADJOURNMENT.**

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

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Artie Stuteville, Mayor

ATTEST: (seal)

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Daniel G. Droste, City Clerk