

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

**March 24, 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, City Clerk Droste, City Attorney Tetwiler, City Planner Gotfredson, Public Works Director Bieker, and Police Chief Smail.

**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. No one was absent.

**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.

Mayor Stuteville stated that the agenda for the meeting has been amended to include the correct motion for action on Item 5c – Consider bids for the City’s liability/property/auto insurance coverages.

**Agenda Item 4 - CONSENT AGENDA**

- a. **Approval of minutes of the meetings of March 10, 2009.**
- b. **Approval of Salary Ordinance number 09-05.**
- c. **Approval of Appropriation Ordinance No. 649.**
- d. **Approval of the renewal of a Retail Liquor License for In Good Spirits.**

Councilmember Dial made a motion to approve the Consent Agenda including the minutes of March 10, 2009, Salary Ordinance No 09-05, and Appropriation Ordinance No 649, and the renewal of a Retail Liquor License for In Good Spirits at 1001 N Pearl Street, 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 approval of Change Order No 2 for the Paola Community Center project.**

Manager Wieland presented Change Order No 2 for the Paola Community Center project. He reported that the change order included items that were required as a result of the life safety inspection. He indicated that these items were not included in the original architectural plans. The details of the change order are as follows:

1) Door hardware on south exit doors in auditorium	\$871.39
2) Door hardware at basement mechanical & storage rooms	\$307.72
3) New fire extinguishers & recharge existing	\$724.55
4) Add bracing to fire sprinkler line above stage	\$220.00
5) Add strobe devices at stairwells	<u>\$501.02</u>
Total	\$3,274.88

After further discussion, Councilmember Pritchard made a motion to approve Change Order No 2 in the amount of \$3,274.68 for the Paola Community Center Project with Legacy Contractors, LLC. The motion was seconded by Councilmember Dial and all voted aye. The motion passed 4 to 0.

**Agenda Item 5b - Consider approval of the final pay request for the Paola Community Center project.**

Manager Wieland presented the final pay request for the Paola Community Center project from Legacy Contractors, LLC. He reported that various contractors donated materials and labor in the amount of approximately \$30,000.00 on the project.

After further discussion, Councilmember Dial made a motion to approve pay request number 7 in the amount of \$11,897.17 to Legacy Contractors, LLC for the Paola Community Center project. The motion was seconded by Councilmember Bell and all voted aye. The motion passed 4 to 0.

**Agenda Item 5c – Consider bids for the City’s liability/property/auto insurance coverages.**

Clerk Droste reported that bids were solicited from Elliott Insurance Group and from Gliem and Associates for the City’s liability and property insurance coverage that renews on April 1<sup>st</sup>. He indicated that Elliott Insurance Group presented quotes from EMC Insurance Companies and from Continental Western Insurance Company. Gliem and Associates solicited coverage from Travelers Insurance Company who declined to present a quote.

The bids from EMC and Continental Western are as follows:

<u>Description</u>	<u>Current EMC</u>	<u>EMC Renewal</u>	<u>Continental Western</u>
Property	\$50,643.00	\$38,620.00	\$44,981.00
Equipment	\$6,061.00	\$5,817.00	\$2,232.00
Crime	n/a	n/a	n/a
General Liability	\$15,308.00	\$8,915.00	\$31,543.00
Employee Benefit	\$229.00	\$229.00	incl.
Business Auto	\$12,913.00	\$10,687.00	\$15,768.00
Line Backer Liab	\$9,652.00	\$4,846.00	incl.
Law Enforcement	incl.	\$4,828.00	incl.
Umbrella	<u>\$8,603.00</u>	<u>\$7,659.00</u>	<u>\$3,123.00</u>
Total Premium	\$103,409.00	\$81,601.00	\$97,647.00

Clerk Droste explained that Elliott Insurance advised that due to the City’s low claims experience over the past three years, the City qualifies for EMC’s lowest premium structure which resulted in a premium decrease of \$22,808.00 or 22.06%. Additionally, Droste reported that last year, the City received a dividend premium refund of \$15,486.58 from EMC.

Councilmember Rowlett asked if the City could experience additional savings if it increased deductibles to “self insure” a portion of the exposure. Clerk Droste indicated that he would discuss that issue with the agent to determine if it would be beneficial.

Councilmember Bell questioned the procedures that were used to solicit bids. Clerk Droste explained the process that he used in contacting the agencies for bids.

After further discussion, Councilmember Dial made a motion to approve the bid from EMC Insurance Companies in the amount of \$81,601.00 through Elliott Insurance Group. The motion was seconded by Councilmember Pritchard and all voted aye. The motion passed 4 to 0.

**Agenda Item 6 – NEW BUSINESS.**

Planner Gotfredson reported that there were four Planning Commission appointments that expire in May. Mayor Stuteville indicated that she has contacted some of the individuals about a reappointment and would be contacting the others soon.

Planner Gotfredson reported that the Farmers Market sponsored by My Father’s House has requested that the market be relocated from the Park Square to the Municipal Parking Lot at the corner of Piankishaw and Silver. He indicated that the Land Development Ordinance restricts the location of the Farmers Market to the Park Square and any change would require a change in the LDO. Manager Wieland reported that merchants on the Park Square were in favor of the new location. The Council agreed that the new locations should be considered.

Clerk Droste reported that the Panther Robotics Team won the Chairman’s Award at the FIRST Regional Competition at St. Louis last weekend. The team now qualifies for the International Competition in Atlanta, Georgia next month.

Public Works Director Bieker reported that the Parks Department has been working hard on the installation of the landscaping at the Justice Center. Police Chief Smail and Manager Wieland both complimented the Parks Department on the great job that they have done.

Manager Wieland presented an invitation from Osawatomi City Manager Brett Glendenning to attend a movie titled "I.O.U.S.A" which is about governmental finance. The movie will be viewed on Thursday, March 26<sup>th</sup> at 7:00 pm in Osawatomi.

Manager Wieland requested permission to attend the Kansas Rural Water Association Conference in Wichita tomorrow to participate in a panel discussion on the mediation process on the Territorial Agreement with Rural Water District No 2. The Council agreed that the City Manager should participate in the event.

Manager Wieland indicated that details for the Triathlon at Lake Miola would be worked out soon. Individuals are beginning to contact the City requesting additional information about the event. He and Carol Everhart with the Chamber of Commerce will be meeting with the event organizers soon.

Councilmember Bell asked about recycling service in Paola. Manager Wieland reported that he met with the County recently about the services at the County's transfer station. Our trash provider, L&K Services, has indicated that if they continue to use the County facility, it will need to increase collection fees by at least \$1.00 per month. L&K has indicated that it would be less expensive to haul to Olathe's facility in Johnson County. Trash collection, including recycling services, will be discussed with L&K Services to determine the best options for the City. Additional issues regarding trash services and recycling were discussed.

Councilmember Bell asked if the City's deposits at TeamBank were safe. Manager Wieland indicated that the City has pledged collateral and letters of credit to cover deposits in excess of the FDIC insurance.

Councilmember Bell asked about the status utility rate study. Manager Wieland indicated that Wilson and Company was waiting on final numbers from the MDCPUA to complete the study. The study should be completed within the next month.

Councilmember Rowlett reported that the League of Kansas Municipalities would be holding the September board meeting in Paola. He would like to find a new location for the meeting to provide some variety to the attendees.

Mayor Stuteville recommended that Steve Stecker be appointed to the Paola Library Board to replace Betty Ventura. Councilmember Dial made a motion to approve the Mayor's appointment of Mr. Steve Stecker to the Paola Library Board. The motion was seconded by Councilmember Rowlett and all voted aye. The motion passed 4 to 0.

Mayor Stuteville reported that Carol Everhart with the Chamber of Commerce is trying to organize groups to pick up trash along Baptiste Drive. She asked if the Council and City Staff could volunteer to pick up the block between Angela and Potawatomi Streets. The work day will take place on Saturday, depending on the weather. Mayor Stuteville agreed to confirm the date and contact everyone.

Mayor Stuteville asked when construction on the Skate Board Park was scheduled to begin. Manager Wieland indicated that he was waiting on the grant funds from the Baehr Foundation.

**Agenda Item 7 - EXECUTIVE SESSION - K.S.A. 75-4319(B)(4) is the authority for this recess.**

Councilmember Dial made a motion to adjourn to Executive Session, to include the Mayor, Council, City Manager, City Clerk, and City Attorney, for 30 minutes for the purpose of discussing confidential data relating to financial affairs or trade secrets of corporations, partnerships, trusts and individual proprietorships; the regular meeting to reconvene at 7:00 p.m. The motion was seconded by Councilmember Bell and all voted aye. The motion passed 4 to 0.

At 7:00 p.m. Councilmember Pritchard made a motion to reconvene the adjourned meeting. The motion was seconded by Councilmember Dial 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 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