

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

**September 8, 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 and Council Members Pritchard, Dial, Rowlett, and Bell.

Council Members absent: None

Also present: City Manager Wieland, City Clerk Droste, City Planner Gotfredson, Public Works Director Bieker, Deputy Police Chief Poore, Brian McCauley with the Miami County Republic, Richard Lentz, LeAnne Shields, Alan Hire, Harold Achey, David Yarnell, Carol Everhart with the Paola Chamber of Commerce.

**Agenda Item 1 - CALL TO ORDER:** The regular council meeting was called to order by Mayor Artie 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**  
Council 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 meeting of August 25, 2009.**
- b. **Approval of Salary Ordinance number 09-17.**
- c. **Approval of Appropriation Ordinance No. 660.**
- d. **Approval of the Journal Entries Report for August, 2009.**

Councilmember Rowlett made a motion to approve the Consent Agenda including the minutes of the meeting of August 25, 2009, Salary Ordinance No 09-17, and Appropriation Ordinance No 660, and the Journal Entries Report for August, 2009; and authorize the Mayor to sign. Councilmember Dial 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 waive the building permit fee.**

Manager Wieland presented a request from the American Legion to waive the Building Permit Fee for improvements to the Russell Baseball Field. The improvements that are planned for the field include new dugouts.

After additional discussion, Councilmember Pritchard made a motion to approve the request to waive the building permit fee in the amount of \$69.00 for improvements at the Russell Ball Field from the American Legion. The motion was seconded by Councilmember Rowlett. Councilmember Bell stated that he was a member of the American Legion and abstained from voting. Councilmembers Rowlett, Dial, and Pritchard voted aye. Per the Code of Procedure, an abstained vote counts toward the majority, therefore the motion passed 4 to 0.

### **Agenda Item 5b - Consider a request to waive a sign permit fee.**

Manager Wieland presented a request from the Paola Senior Center to waive the sign permit fee for a new sign at the center. He explained that one sign would be located on the front of the building near the entrance door and the other would be placed on the west side of the building.

After additional discussion, Councilmember Rowlett made a motion to approve the request to waive the sign permit fee in the amount of \$50.00 from the Paola Senior Center. The motion was seconded by Councilmember Dial and all voted aye. The motion passed 4 to 0.

### **Agenda Item 5c - Review and consider approval of the operating agreement for the new water plant.**

Manager Wieland presented the operating agreement for the Marais Des Cygnes Public Utility Authority for consideration and approval. He reported that previously the Council had recommended that one agreement be drafted for operation of the plant. However after reviewing the documents, the City Attorney recommended that separate agreements would be preferable given the differing roles that each city plays in the day to day operations of the facility.

Councilmember Pritchard asked about the wages for the plant employees and how issues such as vacations would be handled. Manager Wieland reported the wages listed in the Louisburg agreement includes additional operators and administrative expenses. He also explained that the Management Oversight Committee would resolve any personnel issues. The Management Oversight Committee includes Chairman Artie Stuteville, Paola Manager Wieland, and Louisburg Manager Cantrell.

Councilmember Bell questioned why Louisburg was managing the plant and providing the lead operator. Manager Wieland stated that the agreement to manage the plant was for 5 years and that after that time, the Utility Authority would likely

take over and operate as it's own entity. Based on the By Laws, the City of Paola has the weighted vote on the board governing the Utility Authority.

After additional discussion, Councilmember Dial made a motion to approve the Operating Agreement Between the City of Paola, Kansas and the City of Louisburg, Kansas and the Marais Des Cygnes Public Utility Authority. The motion was seconded by Councilmember Pritchard and all voted aye. The motion passed 4 to 0.

### **Agenda Item 6 – NEW BUSINESS**

Clerk Droste presented a request from the League of Kansas Municipalities for the City of Paola to name its voting delegates at the upcoming LKM Annual Conference. After discussion, Councilmember Rowlett made a motion to name Jim Pritchard and Johna Dial as voting delegates for the LKM 2009 Annual Conference. The motion was seconded by Councilmember Bell and all voted aye. The motion passed 4 to 0.

Clerk Droste reported that sales tax revenues for the month of August amounted to \$139,625. Year to date, sales tax revenues are \$77,147 less than the same time period for 2008. This represents a decrease of 5.6%. He went on to explain variations in the amount collected from month to month during 2009.

Clerk Droste presented a status report of the Amended 2009 Budget through the month of August.

Manager Wieland reported that the operating agreement with Rural Fire District No 1 is being renegotiated.

Manager Wieland reported that Mayor Stuteville, Councilmember Rowlett, Chamber Director Everhart, and he met with the new owners of the former J&J Metals to discuss their plans for the facility. Councilmember Bell asked if they would be retaining existing employees. Manager Wieland indicated that they do plan on keeping the existing employees and may add additional employees in the future.

Manager Wieland reported that the City received a preliminary injunction order regarding the status of one of the docks at Lake Miola.

Councilmember Bell reported that there was a house fire in his neighborhood and he expressed concerns about the water pressure at some of the fire hydrants in town. Public Works Director Bieker indicated that there are several fire hydrants in town that are located on small water mains and pressure is restricted by the diameter of the pipe. Manager Wieland explained that the solution was a long term and potentially expensive. Councilmember Rowlett indicated that there are many issues such as this that might be addressed in a 10 year budget. After additional discussion, the City Manager agreed to inquire about the possibility of the city qualifying for stimulus funds for this type of project.

Councilmember Pritchard asked the Council to complete evaluation forms on the City Manager and asked that they be returned to him at the next City Council Meeting.

Councilmember Pritchard asked for clarification on the meeting regarding the injunction and indicated that he had been contacted by one of the dock owners about being given additional time to comply.

Mayor Stuteville reminded the Council that Manager Wieland will be attending the ICMA Conference and that he will be recognized for 40 years of municipal service.

**Agenda Item 7 - ADJOURNMENT.**

With no additional business to come before the Council, Councilmember Dial made a motion to adjourn. Councilmember Pritchard 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