

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

February 9, 2010

**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: Council Members Pritchard, Dial, Rowlett, and Bell.

Council Members absent: Mayor Stuteville.

Also present: City Manager Wieland, City Clerk Droste, City Planner Gotfredson, Public Works Director Browning, Police Chief Smail, Richard Lentz, Carol Everhart from the Paola Chamber of Commerce, and Jesse Trimble from the Miami County Republic.

Agenda Item 1 - CALL TO ORDER: The regular council meeting was called to order by Council President Pritchard.

Agenda Item 2 - ROLL CALL: Council Members Pritchard, Dial, Rowlett, and Bell were all present. Mayor Stuteville was absent.

Agenda Item 3 - PETITIONS, REMONSTRANCES, AND COMMUNICATIONS
Council President Pritchard 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 January 26, 2010.
 - b. Approval of Salary Ordinance number 10-02.
 - c. Approval of Journal Entries Report for January, 2010.

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

Agenda Item – APPROPRIATION ORDINANCE 671.

Councilmember Bell questioned the “Liverpool Legends” concert at the Paola Community Center. He indicated that he would prefer that the same money could be spent to offer multiple less costly events. Councilmember Bell asked the other Council Members if they agreed with the programming decisions of the Community Center Board. Councilmembers Pritchard, Rowlett, and Dial agreed that the role of the PCC Board is to direct programming decisions. Councilmember Bell asked for a profit and loss analysis of the concert and asked that his concerns be communicated to the PCC

Board. After discussion, Councilmember Dial made a motion to approve Appropriation Ordinances 670 as presented, and authorize the Mayor to sign. The motion was seconded by Councilmember Rowlett. Councilmembers Rowlett, Dial and Pritchard voted aye and Councilmember Bell voted nay. The motion passed 3 to 1.

Agenda Item 6 - REPORTS OF OFFICERS, BOARDS AND COMMITTEES

Agenda Item 6a – Public Hearing to consider revisions to the Neighborhood Revitalization Plan for the City of Paola.

Councilmember Rowlett made a motion to open the Public Hearing to consider revisions to the Neighborhood Revitalization Plan for the City of Paola including an expansion of the plan area and the inclusion of vacant lots within the plan area. The motion was seconded by Councilmember Dial and all voted aye. The motion passed 4 to 0.

Planner Gotfredson reported that the Neighborhood Revitalization Plan (NRP) document has been updated to include the changes that have been previously discussed with the City Council. The changes include expanding the NRP area to include a majority of the older portion of the east side of town and to include vacant lots located within the NRP area.

Planner Gotfredson reported that he met with the Miami County Commissioners at a work study to discuss the changes and that the Commission had concerns with the larger area and the fact that the rebates offered were over a 10 year period. Of those two issues, the Commission was most concerned over the 10 year rebate period.

Clerk Droste reported that the plan was also presented to the USD 368 School Board and that they did not express any concerns over the proposed changes.

Manager Wieland indicated that the County Commissioners indicated that a 5 year rebate period would be preferred over the existing 10 year term.

After discussing these and other issues related to the NRP, the Council agreed that the proposed plan area, including the area on the east side of town, was preferred. They instructed staff to come up with recommendations to change the rebate period to address the County Commission's concerns.

Councilmember Dial made a motion to close the Public Hearing. The motion was seconded by Councilmember Rowlett and all voted aye. The motion passed 4 to 0.

Agenda Item 6b – Discuss possible revisions to the Neighborhood Revitalization Plan for the City of Paola.

No additional discussion or action was taken.

Agenda Item 6c – Consider approval of the purchase of a new Sutphen Shield Series Pumper for the Fire Department

Manager Wieland presented a request to purchase a 2009 Sutphen Pumper Truck for the Fire Department. The price of the unit has been reduced to \$300,000 including modifications to the

truck requested by our Fire Department. The truck would be paid from funds in the Equipment Reserve Fund (\$113,000) and from the Sales Tax Bond Funds (\$187,000).

Councilmember Bell questioned current sales tax revenues and meeting the bond payments. After additional discussion, Councilmember Dial made a motion to approve the purchase of a Sutphen Shield Series Pumper for the Fire Department in the amount of \$300,000 and authorize the City Manager to execute necessary documents. The motion was seconded by Councilmember Rowlett and all voted aye. The motion passed 4 to 0.

Agenda Item 6d – Consider the sale of surplus equipment from the Public Works Department.

Public Works Director Browning presented the high bids for surplus equipment as follows:

2004 Grasshopper Mower	\$3,160.00
2006 Exmark Mower	\$2,500.00
1984 Mercedes Benz Truck	\$1,500.00
1991 Ford Bus	\$611.11

Public Works Director Browning recommended accepting the bids for all of the equipment except the 2006 Exmark Mower. After discussion, Councilmember Dial made a motion to approve the sale surplus Public Works equipment, with the exception of the 2006 Exmark mower, as presented. The motion was seconded by Councilmember Rowlett and all voted aye. The motion passed 4 to 0.

Agenda Item 6e – Review and discuss a recommendation from city staff for “on street” parking restrictions for various roadways.

Public Works Director presented a recommendation for restricting parking on various streets in town. The proposal would prohibit parking on the south side of east-west streets and the east side of north-south streets. The proposal includes Kaskaskia, Piankishaw, Miami, Shawnee, Chippewa, Peoria, Wea, Ottawa, Osage, Iron, Gold, Silver, Overhill, Crestview, Brookside, Morningside, Lewis, Redbud, Holly, College, Petroleum, Mulberry, Diamond, Walnut, Oak, Paola, and Miller streets.

After discussion, Councilmember Rowlett made a motion to authorize city staff to proceed with notifications and the preparation of a Resolution setting forth “on street” parking restrictions for various roadways. The motion was seconded by Councilmember Dial and all voted aye. The motion passed 4 to 0.

Agenda Item 6f – Consider a Resolution adopting a policy for Park Square Wedding Reservations.

Manager Wieland presented a Resolution adopting a policy for reserving the Park Square Gazebo for weddings. He reported that the policy includes a reservation fee of \$50 with no damage or cleaning deposit.

After Discussion, Councilmember Dial made a motion to approve A RESOLUTION ESTABLISHING RULES AND REGULATIONS FOR PARK SQUARE GAZEBO WEDDING RESERVATIONS. The motion was seconded by Councilmember Rowlett and all voted aye. The motion passed 4 to 0. The Resolution was assigned No. 2010-001.

Agenda Item 7 – NEW BUSINESS

Clerk Droste reported a Legislative Breakfast is scheduled for Saturday, February 13th at 7:00 am at Holy Trinity School. After the Legislative Breakfast, the Panther Robotics Team has invited the Governing Body to attend an open house at the Robotics Workshop at 18 E Wea, across the street from the Post Office.

Planner Gotfredson reported that the Land Development Ordinance does not allow for farm animals in the Thoroughfare Access zone. He has been contacted by a landowner with 8 to 9 acres who desires to rent his property to another individual who would like to have horses on the property that is located in the Thoroughfare Access zone. After discussing the issue, two of the Councilmember did not have concerns with the request, the other two Councilmembers agreed that farm animals should not be allowed inside the city limits.

Manager Wieland reported that a request for reimbursement of \$38,000 in snow removal costs has been submitted to FEMA.

Manager Wieland reported that a grant application has been submitted to the Baehr Foundation for the Firehouse Gym to refinish the gym floor and to remove asbestos flooring. The gym could be opened to the public by the end of next week. No response has been received on the energy efficient grant for the gym.

Councilmember Bell thanked the Public Works Department for the job that they did on snow removal last week. Councilmember Bell requested that the Historical Society be consulted before improvement projects remove potential historical materials such as the concrete at the shelter house at Wallace Park.

Councilmember Rowlett reported that at City Hall Day at Topeka, Governor Parkinson is proposing an increase of 1% in the State sales tax. If the sales tax is not increased, the Governor has indicated that cuts could include the elimination of the payments to the cities for the gasoline tax. Councilmember Rowlett suggested that if the gasoline tax is eliminated, the City Hall project could be scaled back and the excess funds would fall to the street program.

Councilmember Pritchard encouraged everyone to attend the Legislative Breakfast on Saturday.

Agenda Item 8 - ADJOURNMENT.

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

Artie Stuteville, Mayor

ATTEST: (seal)

Daniel G. Droste, City Clerk