

**MINUTES OF THE COUNCIL MEETING  
OF THE CITY OF PAOLA, KANSAS  
6:00 O’CLOCK P.M.**

**April 12, 2011**

**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, Wilhoite, Rowlett, Minden, and Council Member Elect House.

Council Members absent: None.

Also present: City Manager Wieland, City Clerk Droste, City Planner Gotfredson, Public Works Director Browning, Police Chief Smail, Human Resources Director Belt, Reverend Rusty Railey, Richard Lentz, Rob Roberts, Jason Camis with the Paola Chamber of Commerce, Jesse Kratz from 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, Wilhoite, Rowlett, and Minden 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.

City Manager Wieland introduced Mr. Jason Camis, the new Executive Director of the Paola Chamber of Commerce. Mr. Camis addressed the Council and gave a brief history of his background and interests.

**Agenda Item 4 - CONSENT AGENDA**

- a. Approval of minutes of the meeting of March 22, 2011.
- b. Approval of Salary Ordinance 11-06 and 11-07.
- c. Approval of Appropriation Ordinance No 699.
- d. Approval of the Journal Entries Report for March, 2011.
- e. Approval of the Pledged Securities Report for March, 2011.
- f. Approval of a Leak Allowance for 503 N Pearl.

After a brief discussion, Councilmember Pritchard made a motion to approve the Consent Agenda as presented and authorize the Mayor to sign. The motion was seconded by Councilmember Wilhoite and all voted aye. The motion passed 4 to 0.

### **Agenda Item 5 - CONSIDER CERTIFICATE OF ELECTION RESULTS**

Clerk Droste presented the Certificate of Election Results from Janet White, Miami County Clerk and Election Officer. The official results of the election held on April 5, 2011 for the City of Paola were as follows:

Mayor:	Artie Stuteville	347
	Joe O'Barto (wi)	1
	Rob Roberts (wi)	1
	Derek Zuchowski (wi)	1
City Council Ward 1:	James L. Pritchard	82
City Council Ward 3:	Leigh M. House	81
	Bo "Ryan" Gerken	34
	Joe O'Barto (wi)	1

Councilmember Minden made a motion to accept the certificate of election results naming Artie Stuteville, Mayor at Large; Jim Pritchard, Ward 1; and Leigh House, Ward 3 as the candidates receiving the most votes. The motion was seconded by Councilmember Pritchard and all voted aye. The motion passed 4 to 0.

### **Agenda Item 6 – ADJOURN SINE DIE**

Councilmember Rowlett made a motion to adjourn sine die. The motion was seconded by Councilmember Minden and all voted aye. The motion passed 4 to 0.

Clerk Droste administered the Oath of Office to Mayor Artie Stuteville and to Councilmembers Jim Pritchard and Leigh House.

Mayor Stuteville presented Councilmember Rowlett with a plaque of appreciation and thanked him for his service to the City of Paola.

Reverend Rusty Railey from the Crosspoint Assembly of God Church gave an invocation.

Councilmember Pritchard made a motion to resume the adjourned meeting. The motion was seconded by Councilmember Minden and all voted aye. The motion passed 4 to 0.

Mayor Stuteville called the new Paola City Council to order.

## **Agenda Item 7 – ELECTION OF COUNCIL OFFICERS**

Councilmember Minden made a motion to nominate Councilmember Pritchard as President of the Paola City Council. The motion was seconded by Councilmember Wilhoite and all voted aye. The motion passed 4 to 0.

Councilmember Wilhoite made a motion to nominate Councilmember Minden as Vice President of the Paola City Council. The motion was seconded by Councilmember House and all voted aye. The motion passed 4 to 0.

## **Agenda Item 8 - DESIGNATION OF DEPOSITORIES FOR CITY FUNDS**

Clerk Droste presented a memorandum regarding the deposit accounts for the City of Paola. Councilmember Wilhoite made a motion to designate Citizens State Bank, Great Southern Bank, First Security Bank, First Option Bank and Landmark National Bank as depositories for City funds. The motion was seconded by Councilmember Pritchard and all voted aye. The motion passed 4 to 0.

## **Agenda Item 9 – REPORTS OF OFFICERS, BOARDS AND COMMITTEES**

### **Agenda Item 9a – Consider approval of a new Drinking Establishment License for Los Dorados Mexican Restaurant at 120 W Peoria.**

Clerk Droste presented a request for a new Drinking Establishment License for Los Dorados Mexican Restaurant at 120 W Peoria. He reported that the restaurant is operating under a temporary occupancy permit and will need to pass a final fire safety inspection. The license from the State of Kansas is pending.

Councilmember Minden made a motion to approve a new Drinking Establishment License for Los Dorados Mexican Restaurant at 120 W Peoria subject to a final fire safety inspection and the issuance of a State of Kansas Drinking Establishment License. The motion was seconded by Councilmember Pritchard. Councilmembers Pritchard, House and Minden voted aye and Councilmember Wilhoite voted nay. The motion passed 3 to 1.

### **Agenda Item 9b – Consider a Resolution restricting parking on Dewey Street between Pearl Street and Silver Street.**

Manager Wieland presented a Resolution restricting parking on the north side of Dewey Street between Pearl and Silver Streets. After a discussion, Councilmember Pritchard made a motion to approve A RESOLUTION AMENDING THE OFFICIAL TRAFFIC CONTROL DEVICE SCHEDULES FOR THE CITY OF PAOLA, KANSAS. The motion was seconded by Councilmember House and all voted aye. The motion passed 4 to 0 and the Resolution was assigned No 2011-003.

### **Agenda Item 9c – Consider approval of an Agreement with Petroleum Production Corporation (Blue Valley Technologies) regarding the alley located in Block 50 of the City of Paola.**

Manager Wieland requested that consideration of the Agreement with Petroleum Production Corporation regarding the alley located in Block 50 of the City of Paola be tabled until a later date. Councilmember Pritchard made a motion to table consideration of the agreement until a later date. The motion was seconded by Councilmember Wilhoite and all voted aye. The motion passed 4 to 0.

**Agenda Item 9d – Consider approval of an Arson Investigation Agreement with the Eastern Kansas Multi-County Task Force.**

Manager Wieland presented an agreement with the Eastern Kansas Multi-County Task Force for reciprocal arson investigation services. He reported that Paola Firefighter Wally Ferguson completed his certification to become an arson fire investigator. The proposed agreement provides for our investigator to call on more experienced personnel in other jurisdictions to assist on difficult cases and it allows our investigator to participate in investigations in other jurisdictions to gain additional experience.

After a discussion, Councilmember Pritchard made a motion to approve the Reciprocal Investigation Interlocal Agreement with the Eastern Kansas Multi-County Task Force and authorize the Mayor to sign. The motion was seconded by Councilmember Wilhoite and all voted aye. The motion passed 4 to 0.

**Agenda Item 9e – Consider approval of the 2011 Street Repair Program.**

Public Works Director Browning presented the following projects for the 2011 Street Repair Program:

Parking Lot Maintenance Program: \$22,655.00  
Asphalt Repairs, Crack Seal, Seal Coat, and Restriping

Intersection Rebuilds and Patching: \$50,000.00  
Wea & 5<sup>th</sup> Street, Pankishaw & Oak, Oak Street South of College.

Sidewalk Program: \$30,000.00  
Along Peoria from Angela Drive to Downtown area

Mill and Overlay Program: \$29,511.00  
Kaskaskia from Iron to Silver, and Potawatomie from Peoria to Baptiste Drive

Asphalt Cap Program: \$158,608.00  
West Street, Iron Street, Ottawa Street, Third Street, Agate Street, Oak Street, Chippewa Street, East Terrace, Ottawa and Hickory Intersection, Portions of Lake Miola Drive

The total projected project cost amounts to \$290,774.00 and will be paid from Street Improvement Budget, Special Street Budget, and the Federal Fund Exchange. The plan may be adjusted based on the price of asphalt that is needed to implement the plan.

After discussion, Councilmember Pritchard made a motion to approve the 2011 Street Repair Program as presented. The motion was seconded by Councilmember Minden and all voted aye. The motion passed 4 to 0.

### **Agenda Item 10 – NEW BUSINESS**

City Attorney Tetwiler reported that he would like to have a meeting with the new Council to discuss legal issues pertaining to the City. He suggested that an Executive Session be scheduled during an upcoming meeting.

Planner Gotfredson reported that the results from the 1<sup>st</sup> quarter of the Take Charge Challenge have been released. Initially he thought that Paola would be in first place, but the press release indicates that the competition is “too close to call”.

Police Chief Smail, City Manager Wieland, and the entire Governing Body thanked Jack Rowlett for his service to the City.

Councilmember Pritchard requested that the Parks Department provide more wood chips under the swing sets at Whitaker Park. He also asked about the maintenance of the rock drainage way on the east side of Whitaker Park.

Mayor Stuteville requested that the following board appointments be approved: Barb Dillenbeck and Alan Hire to the Convention and Tourism Committee; and John McLean to the Planning Commission. Councilmember Pritchard made a motion to approve the Mayor’s appointments as requested. The motion was seconded by Councilmember Minden and all voted aye. The motion passed 4 to 0.

Mayor Stuteville reminded everyone that there will be a reception for Carol Everhart on Friday, April 15, 2011 at 4:00 pm at Molly’s Table. She also reported that there will be a tree planting ceremony at Cottonwood Elementary on April 29<sup>th</sup> at 1:30 pm.

### **Agenda Item 11 – ADJOURNMENT.**

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

A reception was held at the conclusion of the meeting to recognize Jack Rowlett, Jr. for his eight years of service to the City of Paola as a member of the City Council and to welcome new City Councilmember Leigh House.

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Artie Stuteville, Mayor

ATTEST: (seal)

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Daniel G. Droste, City Clerk