

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

August 23, 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, House, and Minden.

Council Members absent: None.

Also present: City Manager Wieland, City Clerk Droste, City Attorney Tetwiler, Public Works Director Browning, Police Chief Smail, Richard Lentz, and Jesse Kratz from the Miami County Republic.

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, House, and Minden 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 meeting of August 9, 2011.
- b. Approval of Salary Ordinance 11-16.
- c. Approval of Appropriation Ordinance No 708.
- d. Approval of a building permit fee waiver from the American Legion.
- e. Approval of a leak allowance for 409 E Peoria Street.

After a 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 Minden and all voted aye. The motion passed 4 to 0.

Agenda Item 5 - REPORTS OF OFFICERS, BOARDS AND COMMITTEES

Agenda Item 5a - Consider an Ordinance amending the monthly fee for solid waste collection.

Manager Wieland presented an Ordinance that would amend the monthly fee for solid waste collection from \$14.00 to \$14.50 per month. He stated that during the recent budget meetings, the Council was advised that the City's contract with L&K Services includes a 3% increase in September and that an increase would be required to keep the Health and Sanitation Fund with a positive balance. The council discussed details pertaining to the curbside recycling program.

After a discussion, Councilmember House made a motion to adopt AN ORDINANCE AMENDING SECTION 725.170 B ITEM 1, TITLE VII: UTILITIES, CHAPTER 725: REFUSE, TRASH AND SOLID WASTE, OF THE CODE OF THE CITY OF PAOLA, KANSAS. The motion was seconded by Councilmember Wilhoite and all voted aye. The motion passed 4 to 0 and the Ordinance was assigned number 3035.

Agenda Item 5b - Consider an Ordinance providing for Special Event Cereal Malt Beverage Permits.

Clerk Droste presented an ordinance providing for special event cereal malt beverage permits. He reported that on July 1st of this year, new State Statutes became effective that provide for temporary or special event cereal malt beverage (CMB) permits. The proposed ordinance provides for a \$25/per day fee for a maximum of 4 days plus \$25 for the State CMB Stamp.

After a discussion, Councilmember Minden made a motion to adopt AN ORDINANCE ADDING TITLE VI BUSINESS OCCUPATION, CHAPTER 600 ALCOHOLIC BEVERAGES, ARTICLE VII PERMITS, SECTION 600.397 SPECIAL EVENT CEREAL MALT BEVERAGE PERMITS TO THE MUNICIPAL CODE OF THE CITY OF PAOLA, KANSAS. The motion was seconded by Councilmember Pritchard and all voted aye. Councilmembers Pritchard, House and Minden vote aye and Councilmember Wilhoite voted nay. The motion passed 3 to 1 and the Ordinance was assigned number 3036.

Agenda Item 6 – NEW BUSINESS

Clerk Droste reminded the Council that the League of Kansas Municipalities Annual Conference will be held from October 8th through the 10th. The Council would need to appoint two voting delegates and 2 alternate voting delegates for the business session of the conference.

Public Works Director Browning reported that the skate board park was completed last Friday and that the park has been in constant use.

Manager Wieland asked for volunteers for a "task force" for the proposed hiking/biking trail. Councilmembers Minden and Pritchard volunteered to serve on the committee. He also reported that the issue would be discussed further at the Council Work Study meeting in September.

Manager Wieland reported that the Library was forming a Building Committee to discuss the Library expansion and will meet on Thursday evening at 7:00 pm at City Hall. A Council volunteer was requested to serve on this committee. Councilmember Pritchard stated that he could not attend the first meeting but would be willing to attend future meetings.

Manager Wieland also asked for a volunteer to serve on a committee for the City Hall remodeling project. Councilmember House agreed to serve on this committee.

Manager Wieland asked if the Council had any revisions to the draft of the City's newsletter. None were discussed.

Manager Wieland reported that the Community Development Department has identified at least 10 properties as "dangerous structures" for formal action. Additional information would be forthcoming.

Manager Wieland reported that the City's water purchase exceeded the minimum "take or pay" amount from the Marais Des Cygnes Public Utility Authority in August. This is a reflection of the very hot and dry weather this summer.

Manager Wieland handed out an agenda for the Miami County Intergovernmental Meeting on August 30th at 7:45 am at Memorial Hall in Osawatomie. The Miami County Jail Task Force will make a presentation at this meeting.

Councilmember Minden asked about the fees from Lake Miola. Manager Wieland reported that these fees are deposited into the General Fund and all of the expenditures are paid from that fund as well. Councilmember Minden asked about the weeds along the bank on the east side of the lake. Public Works Director Browning indicated that a representative from the State of Kansas was working with staff to spray weeds so that fishing would be easier from the banks.

Councilmember Minden asked if there was a requirement to have a tarp covering a truck bed when transporting brush to the City's collection site. Staff agreed that there is no City ordinance requiring that loads be covered while transporting them to the site.

Councilmember House commented on how nice the new skate park is.

Mayor Stuteville requested approval of her nomination of Debra Burroughs Dameron to serve on the Paola Community Center Board. Councilmember Wilhoite made a motion to approve the Mayor's nomination as requested. The motion was seconded by Councilmember Pritchard and all voted aye. The motion passed 4 to 0.

Manager Wieland presented a request on behalf of Planner Gotfredson for volunteers to work the "Take Charge Challenge" table at the Roots Festival this coming weekend.

Agenda Item 7 – ADJOURNMENT.

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

Artie Stuteville, Mayor

ATTEST: (seal)

Daniel G. Droste, City Clerk