

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

September 13, 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 Wilhoite, House, and Minden.

Council Members absent: Councilmember Pritchard.

Also present: City Manager Wieland, City Clerk Droste, City Attorney Tetwiler, Public Works Director Browning, Planner Gotfredson, Police Chief Smail, Ulrike Poetter, Patrick Poetter, and Brian McCauley 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 Wilhoite, House, and Minden were present. Councilmember Pritchard 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.

Ulrike Poetter, owner of Beethoven’s Restaurant, addressed the Council about water and sewer rates. She requested that the Council consider lower rates for high volume water users. She also suggested that not all water used by restaurants finds its way into the sewer system and that there should be consideration given by not charging a sewer rate on all of the water used by restaurants. Mayor Stuteville stated that if the Council considered lower rates for high volume users, residents and other low volume users would be forced to pay higher rates to make up the difference. Manager Wieland indicated that he would evaluate the merits of charging a lower volume for sewer rates for high volume users.

Agenda Item 4 - CONSENT AGENDA

- a. Approval of minutes of the meeting of August 23, 2011.
- b. Approval of Salary Ordinance 11-17.
- c. Approval of Appropriation Ordinance No 709.
- d. Approval of the Journal Entries Report for August, 2011.
- e. Approval of the Pledged Securities Report for August, 2011.

- f. Approval of a leak allowance for 24012 St. Andrews Court.
- g. Approval of the renewal of a Class A Private Club License for the VFW.
- h. Approval of the renewal of a Class A Private Club License for the American Legion.

Councilmember Minden 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 3 to 0.

Agenda Item 5 - REPORTS OF OFFICERS, BOARDS AND COMMITTEES

Agenda Item 5a - Consider a Resolution amending the Lake Miola Dock Ownership Policy.

Manager Wieland presented a Resolution that would eliminate the “waiting list” for the sales of private docks at Lake Miola. He indicated that the issue was discussed by the Council at their work study meeting where staff supported the recommendation by the Lake Miola Planning Committee to make the change. The proposed policy eliminates the “waiting list” but it requires Owners to contact Paola Public Works and let them know they plan to sell their dock. At that time, the owner must run an ad in the Miami County Republic for no less than one week. This will serve as the required “public notice”. Once an agreement is made, the owner shall notify the Paola Public Works of the new owner’s information required for a new water space rental agreement.

After a discussion, Councilmember Wilhoite made a motion to approve A RESOLUTION REPEALING RESOLUTION 2009-002 AND ADOPTING AN AMENDED LAKE MIOLA DOCK OWNERSHIP POLICY. The motion was seconded by Councilmember Minden and all voted aye. The motion passed 3 to 0 and the Resolution was assigned number 2011-011.

Agenda Item 6 – NEW BUSINESS

Clerk Droste reminded the Council that the 2011 League of Kansas Municipalities Annual Conference is being held in Wichita from October 8th through the 10th. He reminded them to let him know if they would be attending the conference so that he could make the appropriate reservations.

Planner Gotfredson reported that Paola and Baldwin are still battling for first place in the *Take Charge Challenge*. He encouraged everyone to continue promoting participation in the program.

Police Chief Smail reported that the Roots Festival and the Midwest Meltdown Triathlon events both went well. He indicated that there were only a few minor incidents during the Roots Festival.

Manager Wieland reported that he would be out of the office from September 17th through the 21st to attend the ICMA Conference and for a short vacation afterwards.

Councilmember Minden inquired about the hay bales that are at Lake Miola and asked if they could be moved.

Councilmember Minden also asked about the business parking for 105 E Wea. He stated that if the business is no longer in operation, the signs should be removed. Manager Wieland noted that he would like for the signs to remain. He said he would speak to the owner of the property concerning the status of the business and its future reopening.

Councilmember House commented on the Fire Department Training School that was held last weekend. She stated that it was good to see that the school was so well attended. Clerk Droste indicated that there were approximately 75 participants at the training school.

Agenda Item 7 – EXECUTIVE SESSION for the purpose of discussing personnel matters of non-elected personnel. K.S.A. 75-4319(B)(1) is the authority for this recess.

Councilmember Minden made a motion to adjourn to Executive Session, to include the Mayor and Council, for 15 minutes for the purpose of discussing personnel matters of non-elected personnel; the regular meeting to reconvene at 6:35 p.m. The motion was seconded by Councilmember Wilhoite and all voted aye. The motion passed 3 to 0.

At 6:35 pm, Councilmember House made a motion to reconvene the adjourned meeting. The motion was seconded by Councilmember Minden and all voted aye. The motion passed 3 to 0.

No action was taken pursuant to the Executive Session.

Agenda Item 8 – ADJOURNMENT.

With no additional business to come before the Council, Councilmember Wilhoite made a motion to adjourn. Councilmember House seconded the motion and all voted aye. The motion passed 3 to 0.

Artie Stuteville, Mayor

ATTEST: (seal)

Daniel G. Droste, City Clerk