

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

October 25, 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, Planner Gotfredson, Police Chief Smail.

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. 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.

No one addressed the Council.

Agenda Item 4 - CONSENT AGENDA

- a. Approval of minutes of the meeting of October 11, 2011.
- b. Approval of Salary Ordinance 11-21.
- c. Approval of Appropriation Ordinance No 712.

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 Wilhoite and all voted aye. The motion passed 4 to 0.

Agenda Item 5 - REPORTS OF OFFICERS, BOARDS AND COMMITTEES

Agenda Item 5a - Consider changes to the Land Development Ordinance related to the Community Growth Area.

Planner Gotfredson reported that pursuant to the elimination of the Community Growth Area by the Miami County Commissioners, the Planning Commission has discussed amending the Land Development Ordinance to remove references to the Growth Area.

Planner Gotfredson reported that references within the Land Development Ordinance are numerous and pervasive. He indicated that when the text talked generally about future areas of growth, the noun was just changed (e.g. Community Growth Areas to future areas of growth). Additionally, some regulations were left that while not currently able to be used by land now within City limits, could be of benefit to landowners that may wish to be annexed in the future.

Planner Gotfredson indicated that there was no rush for implementing the changes and that he was open to discussion on these changes. Given the breadth of changes considered, a tabling of this issue is not unreasonable.

After a discussion about several issues, the Council suggested that staff review the proposed changes further with the City Attorney for clarification. Councilmember Pritchard made a motion to table action on the changes to the Land Development Ordinance. The motion was seconded by Councilmember Wilhoite and all voted aye. The motion passed 4 to 0.

Agenda Item 5b – Consider approval of disbursements from the Transient Guest Tax Fund.

Manager Wieland presented recommendations from the Paola Convention and Tourism Committee for grants from the Transient Guest Tax Fund as follows:

- \$1,000 to Paola Heartland and Tourism Committee for the Harvest Festival.
- \$750 to the Paola Chamber of Commerce for promotional materials.
- \$1,400 to the Miami County Historical Museum for marketing and programming.

After a discussion, Councilmember Minden made a motion to approve disbursements from the Transient Guest Tax Fund as presented. The motion was seconded by Councilmember House and all voted aye. The motion passed 4 to 0.

Agenda Item 6 – NEW BUSINESS

Clerk Droste reported that sales tax revenue for the month of October amounted to \$178,466.

Clerk Droste presented a letter from Suddenlink notifying the City of an increase in rates for cable TV service in Paola.

Clerk Droste reminded the Council about the Elected Officials and Leadership Dinner on November 1st and the League of Kansas Municipalities Regional Supper on November 17th.

Planner Gotfredson reported that Paola did not win the Take Charge Challenge. Baldwin City was the winner of our region. The Mayor, Council and City Manager all thanked Planner Gotfredson for his hard work on this project.

Manager Wieland reported that the City has been contacted by a couple of different developers regarding new senior housing developments that involve the tax credit program.

Manager Wieland reported that the water purchased by the City from the Marais Des Cygnes Public Utility Authority exceeded the take-or-pay amount for the third month in a row. It was also discussed that the City of Louisburg exceeded its take-or-pay amount in two of the last three months.

Manager Wieland reported that the old Police Station attached to City Hall has been cleaned out and the base structure is in fairly good condition. The old building may be included in the City Hall renovation plans rather than being raised.

Councilmember Minden asked about the alley behind Osage Street near Maple. The phone lines are exposed on the surface of the alleyway.

Councilmember Minden reported that he would be meeting with Councilmember Pritchard and Peg Wieland to organize the task force for the hiking and biking trail.

Councilmember Wilhoite thanked Public Works Director Browning for the job that was done sweeping Mulberry and Petroleus Streets.

Mayor Stuteville reported that at the Take Charge Challenge Luncheon it was interesting to see all of the innovative strategies that different cities employed in trying to win the competition.

Agenda Item 7 – Executive Session for the purpose of a consultation with an attorney for the governing body which is deemed privileged in the attorney-client relationship. K.S.A. 75-4319(B)(2) is the authority for this recess.

Councilmember Wilhoite made a motion to adjourn to Executive Session, to include the Mayor and Council, City Manager, City Clerk, and City Attorney, for 15 minutes for the purpose of a consultation with an attorney for the governing body which is deemed privileged in the attorney-client relationship; the regular meeting to reconvene at 6:50 p.m. The motion was seconded by Councilmember Minden and all voted aye. The motion passed 4 to 0.

At 6:50 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 4 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 Pritchard made a motion to adjourn. Councilmember House seconded the motion and all voted aye. The motion passed 4 to 0.

Artie Stuteville, Mayor

ATTEST: (seal)

Daniel G. Droste, City Clerk