

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

January 10, 2012

**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, Police Chief Smail, Public Works Director Browning, City Planner Gotfredson, Richard Lentz, Janet McRae, and Brian McCauley with the Miami County Republic.

Agenda Item 1 - CALL TO ORDER: The special 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.

Councilmember Mark Minden addressed the Council and announced that as of January 7th, he has moved out of Ward 4 and is no longer eligible to serve as Ward 4 City Council Member. Mayor Stuteville reluctantly accepted Councilmember Minden’s resignation and thanked him for his service on the City Council. Councilmember Minden was thanked by the City Council and City Staff before he departed from the meeting room.

Agenda Item 4 - CONSENT AGENDA

- a. Approval of minutes of the meeting of December 13, 2011.
- b. Approval of Salary Ordinance 11-25 and 11-26.
- c. Approval of Appropriation Ordinance No 716 and 717.
- d. Approval of the Pledged Securities Report for December, 2011.

Councilmember Wilhoite made a motion to approve the Consent Agenda as presented and authorize the Mayor to sign. The motion was seconded by Councilmember House and all voted aye. The motion passed 3 to 0.

Agenda Item 5 - REPORTS OF OFFICERS, BOARDS AND COMMITTEES

Agenda Item 5a – Consider bids for the renewal of Workers Compensation Insurance.

Manager Wieland presented bids for Workers Compensation Insurance from the Kansas Municipal Insurance Trust (KMIT) and from EMC Insurance Company. The bid from KMIT was in the amount of \$85,408.00 and the bid from EMC was \$101,825.00.

After a discussion, Councilmember Pritchard made a motion to approve the proposal from KMIT in the amount of \$85,408.00 for the renewal of Workers Compensation Insurance for the City of Paola for 2012. The motion was seconded by Councilmember Wilhoite and all voted aye. The motion passed 3 to 0.

Agenda Item 5b – Preliminary Financial Report for Budget Year 2011.

Manager Wieland presented a preliminary budget report for 2011. He reported that the early financial reports indicate that both revenues and expenditures for the year were very close to the amended budget projections. Preliminary revenues for 2011 totaled \$13,405,891 or 101.4% of the amended budget total and preliminary expenditures amounted to \$10,051,616 or 100.4% of the amended budget.

Clerk Droste added that the financial records for 2011 will not be closed out until later this week and that final reports will be provided to the Council at the next regular meeting. He went on to explain various details of the reports including the budgeted cash balance figures which are estimated to be 4.8% higher than anticipated.

Agenda Item 6 – NEW BUSINESS

Manager Wieland reported that the City Attorney is working on a review of the lease agreements with Great Southern Bank for the temporary relocation of City Offices during the remodeling of City Hall and the Library.

Councilmember Pritchard reported that former Councilmember Minden has agreed to continue to serve on the Trails Committee and that they will be meeting again tomorrow evening.

In light of Councilmember Minden's resignation, Clerk Droste presented a copy of the City's Ordinances that address any vacancy on the City Council. He noted that Section 105.040 of the City Code states that "*...and if any Councilmember shall remove himself/herself from the Ward from which he/she was elected, his/her office shall become vacant, ...*" Clerk Droste also noted that Section 105.050 addresses the process for filling vacancies and provides that "*All vacancies occurring in the office of City Councilmembers ... shall be filled by an election held among the remaining members of the City Council of said City, and such election must be held at the next regular meeting of the Governing Body of said City or at a special meeting called therefore for the purpose of filling such vacancy ...*"

Clerk Droste reported that the next regular Council Meeting is January 24th which also happens to be the deadline for filing as a candidate for office for the Ward 4 City Council

Seat. The challenges relating to the timing of filling the vacant seat and the deadline for filing as a candidate for the seat were discussed at length.

Mayor Stuteville requested that the newspaper run an article reporting the vacancy on the City Council and asking any interested persons to contact her for information. Interested persons could also contact the City Manager or the City Clerk at City Hall for information.

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 3 to 0.

Artie Stuteville, Mayor

ATTEST: (seal)

Daniel G. Droste, City Clerk