

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

January 24, 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, and House.

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, Kevin Clouse, Amy Clouse, Wes Steiner, Stacy Steiner, and Brian McCauley with 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, and House 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.

Boy Scout Wes Steiner from Troop 100 was in attendance and introduced his mother, Stacy Steiner.

Manager Wieland presented correspondence from the Kansas Employer Support of the Guard and Reserve. After a discussion, Councilmember Pritchard made a motion to adopt the Statement of Support for the Guard and Reserve 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 4 - CONSENT AGENDA

- a. Approval of minutes of the meeting of January 10, 2012.
- b. Approval of Salary Ordinance 12-01.
- c. Approval of Appropriation Ordinance No 718 and 719.
- d. Approval of the Journal Entries Report for December, 2011.

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

Agenda Item 5 - REPORTS OF OFFICERS, BOARDS AND COMMITTEES

Agenda Item 5a – Report by the City Clerk on Candidates who have filed for City Offices to be placed on the ballot on April 3, 2012.

Clerk Droste reported that the deadline for filing for the positions of City Council Member for Wards 2 and 4 was at 12:00 Noon today, January 24, 2012. The individuals who have filed the appropriate documentation to have their names placed on the ballot are Gee Gee Wilhoite for Ward 2 and Kevin Clouse for Ward 4.

Since there is only one candidate for each office, there will not be a need for a primary election. The general election will be held on Tuesday, April 3, 2012. Persons interested in advance voting can do so at the Miami County Clerk's Office beginning March 14, 2012 through noon on April 2, 2012. Mail in ballots are also available by contacting the County Clerk's Office at 913-294-3976.

Agenda Item 5b – Council Election to fill the vacated City Council seat for Ward 4.

Clerk Droste reviewed the procedures for a council election to fill a vacated seat on the City Council. After the explanation, Mayor Stuteville asked the Council if there was a motion for a nomination to fill the vacated Ward 4 City Council Seat.

Councilmember House made a motion to nominate Kevin Clouse who resides at 21773 Bur Oak Circle in Ward 4 to fill the vacated City Council Seat. The motion was seconded by Councilmember Pritchard and all voted aye. The motion passed 3 to 0 and Mayor Stuteville declared Kevin Clouse to be duly elected.

Agenda Item 5c – Administration of Oath of Office to the newly appointed Councilmember.

City Clerk Droste administered the Oath of Office to Kevin Clouse to serve as Ward 4 City Council Member. Councilmember Clouse was welcomed and took his seat on the Council.

Agenda Item 5d – Consider approval of a new Caterer License for Somerset Ridge Vineyard and Winery.

Clerk Droste presented an application for a new Caterer License for Somerset Ridge Vineyard and Winery. After explanation and discussion, Councilmember Pritchard made a motion to approve a new Caterer License for Dennis Reynolds doing business as Somerset Ridge Vineyard and Winery. The motion was seconded by Councilmember House. Councilmembers Pritchard, House and Clouse voted aye and Councilmember Wilhoite voted nay. The motion passed 3 to 1.

Agenda Item 5e – Consider approval of a Resolution of Support for a new lower income senior housing development.

Manager Wieland presented a draft of a Resolution of Support for a potential lower income senior housing development project on property behind the Fort Scott Community College campus. He reported that the developers are seeking investment tax credits through the Kansas Housing Resource Corporation. The proposed Resolution of Support would not obligate the City of Paola in any way.

Manager Wieland went on to describe the proposed development which would include 32 individual units in two 6-plex units and five 4-plex units. One of the 4-plex units would also have a community room available for the use of tenants. After discussing the proposed development, Councilmember Pritchard made a motion to approve A RESOLUTION OF SUPPORT FOR DEAN DEVELOPMENT, LLC TO CONSTRUCT THIRTY-TWO HANDICAP ACCESSIBLE LIVING UNITS FOR LOWER INCOME ELDERLY CITIZENS OF PAOLA AND THE SURROUNDING AREA. The motion was seconded by Councilmember Wilhoite and all voted aye. The motion passed 4 to 0 and the Resolution was assigned number 2012-001.

Agenda Item 5f – Consider bids to replace the roofs on the Caretaker’s House, Garage, Open Shed, and Comfort Station at Wallace Park.

Manager Wieland reported that the roofs on the caretaker’s house, garage, open shed and comfort station at Wallace Park were damaged during a wind storm last fall. A claim for the damages has been submitted to the City’s insurance carrier and EMC has paid the claim in the amount of \$10,698.19 with an additional amount of \$2,213.21 for recoverable depreciation.

Public Works Director Browning presented the following bids to replace the damaged roofs:

- Pyramid roofing Company Inc: \$17,504.00
- RL Keaton Construction: \$17,496.00
- Mark Slyter: \$17,000.00
- Four Corners Roofing: \$15,761.31

Public Works Director Browning reported that the open shed also suffered some structural damage in a previous storm and he recommended that it be demolished rather than replacing the roof. He reported that each bid included an itemized amount for each structure and after deducting the amount for the open shed, the low bid was submitted by Four Corners Roofing in the amount of \$12,470.27.

After a discussion, Councilmember Wilhoite made a motion to approve the bid from Four Corners Roofing in the amount of \$12,470.27 to replace the roofs on the Caretaker’s House, Garage and Comfort Station at Wallace Park. The motion was seconded by Councilmember House and all voted aye. The motion passed 4 to 0.

Agenda Item 6 – NEW BUSINESS

Manager Wieland reported that he and Public Works Director Browning have been discussing options for keeping the yard waste collection site open for extended hours. He indicated that for at least the next couple of months, the collection site would remain open on weekends. Manager Wieland cautioned the Council that due to the cost of operating the facility, limited hours and some procedure to restrict access only to city residents may need to be considered. Funding would also need to be allocated in the 2013 budget.

Manager Wieland invited Councilmember Clouse to meet with City Staff to tour facilities.

Manager Wieland reported that the former Shipman Liquor Store building has sold and the new owner plans to renovate the property for a commercial tenant on the first floor level and residential apartments on the second floor.

Manager Wieland reported that progress is being made on the clean up of the property located at 401 E Kaskaskia.

Manager Wieland reported that the owners of Town Square held a Sunday Brunch Buffet this past weekend. The event was well attended and it is planned that the buffet will be held monthly on the third Sunday. Town Square is located in the former Evergreen Events building.

Manager Wieland reported that Chamber Director Camis will be presenting monthly reports to the Council on Chamber activities.

Councilmember Pritchard thanked staff for considering weekend hours for the yard waste collection site. He indicated that he had received a number of telephone calls on the issue.

Councilmember Wilhoite welcomed Councilmember Clouse to the Governing Body.

Councilmember Clouse stated that he was looking forward to learning and working with the Council.

Mayor Stuteville reported that Splashtacular located at 102 W Kaskaskia will host the Chamber of Commerce After Hours Open House on Thursday, January 26th from 5:00 pm to 7:00 pm.

Agenda Item 7 – EXECUTIVE SESSION: K.S.A. 75-4319(B)(4) is the authority for this recess.

Councilmember Wilhoite made a motion to adjourn to Executive Session, to include the Mayor, Council, City Manager, City Clerk, City Planner, Public Works Director, and City Attorney, for 20 minutes for the purpose of for the purpose of discussing confidential data relating to financial affairs or trade secrets of corporations, partnerships, trusts and individual proprietorships; the regular meeting to reconvene at 7:00 p.m. The motion was seconded by Councilmember Pritchard and all voted aye. The motion passed 4 to 0.

At 7:00 pm, Councilmember Pritchard made a motion to reconvene the adjourned meeting. The motion was seconded by Councilmember House and all voted aye. The motion passed 4 to 0.

Councilmember Pritchard made a motion to adjourn to Executive Session, to include the Mayor, Council, City Manager, City Clerk, City Planner, Public Works Director, and City Attorney, for an additional 30 minutes for the purpose of for the purpose of discussing confidential data relating to financial affairs or trade secrets of corporations, partnerships, trusts and individual proprietorships; the regular meeting to reconvene at 7:30 p.m. The motion was seconded by Councilmember Clouse and all voted aye. The motion passed 4 to 0.

At 7:30 pm, Councilmember House made a motion to reconvene the adjourned meeting. The motion was seconded by Councilmember Wilhoite 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 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