

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

April 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, House, and Clouse.

Council Members absent: None.

Also present: City Manager Wieland, City Clerk Droste, City Attorney Tetwiler, Police Chief Smail, City Planner Gotfredson, Richard Lentz, Mary Carson, Greg Vahrenberg, Rob George, 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, House, and Clouse 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 April 10, 2012.
- b. Approval of Salary Ordinance 12-08.
- c. Approval of Appropriation Ordinance No 725.

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 an Ordinance amending the rate for bulk water sold by the tank.

Clerk Droste presented an Ordinance amending the rate for bulk water sold by the tank from \$0.30 per 50 gallons to \$0.35 per 50 gallons.

After a discussion, Councilmember Pritchard made a motion to approve AN ORDINANCE AMENDING TITLE VII UTILITIES, CHAPTER 700 WATER DEPARTMENT, ARTICLE II WATER RATES, SECTION 700.270 WATER SOLD BY TANK, TO THE MUNICIPAL CODE OF THE CITY OF PAOLA, KANSAS. The motion was seconded by Councilmember House and all voted aye. The motion passed 4 to 0 and the Ordinance was assigned number 3045.

Agenda Item 5b – Consider an application for a new Cereal Malt Beverage License for Casa Grande Paola, LLC.

Clerk Droste presented an application for a new Cereal Malt Beverage License for Casa Grande Paola Mexican Restaurant at 120 W Peoria. He indicated that since the owners are still in the process of renovating the restaurant, the approval would be contingent on passing a final fire safety inspection and the issuance of an occupancy permit. The owners plan to open in early May.

After a discussion, Councilmember Pritchard made a motion to approve a new Cereal Malt Beverage License for Casa Grande Paola Mexican Restaurant at 120 W Peoria subject to a final fire safety inspection and the issuance of an occupancy permit. 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 5c – Consider an Ordinance approving the Paola, Kansas Public Building Commission Revenue Bonds Series 2012

Manager Wieland reported that staff has been working with the City’s financial advisor and bond counsel to issue revenue bonds to finance the renovations of City Hall and of the Library. The bond payments will be paid from the sales tax revenue that was passed specifically to fund these projects.

Greg Vahrenberg with Piper Jaffary presented the results of the sale of the revenue bonds for the Paola, Kansas Public Building Commission which were offered on April 24th for final settlement on May 10th. The results of the offering resulted in a “true interest cost” of 1.88%. Mr. Vahrenberg went on to explain the costs associated with the issue and net proceeds from the sale of the bonds.

After a discussion, Councilmember Wilhoite made a motion to approve AN ORDINANCE OF THE CITY OF PAOLA, KANSAS, APPROVING THE ISSUANCE OF \$2,075,000 AGGREGATE PRINCIPAL AMOUNT OF THE PAOLA, KANSAS PUBLIC BUILDING COMMISSION REVENUE BONDS, SERIES 2012 TO PAY THE COSTS OF RECONSTRUCTING, RENOVATING, REPAIRING AND EQUIPPING CITY HALL AND THE PAOLA FREE LIBRARY; AUTHORIZING THE EXECUTION OF A LEASE OF THE FACILITIES BY THE CITY FROM THE PUBLIC BUILDING COMMISSION; AUTHORIZING THE EXECUTION OF A BOND PURCHASE AGREEMENT AND OTHER NECESSARY DOCUMENTS RELATED TO THE TRANSACTIONS AUTHORIZED HEREIN. The motion was seconded by Councilmember Clouse and all voted aye. The motion passed 4 to 0 and the Ordinance was assigned number 3046.

Agenda Item 6 – NEW BUSINESS

Clerk Droste reported that Harold Mayes with Agler & Gaeddert will be at the next City Council meeting to present the 2011 Audited Financial Statements.

Public Works Director Browning reported that the contractor will begin laying asphalt tomorrow as a part of the 2012 Street Maintenance Program.

Police Chief Smail reported that approximately 50 persons attended a drug recognition program that was sponsored by the Paola Police Department and presented by the Kansas Bureau of Investigation.

Manager Wieland reported that 67.8 tons of refuse was picked up as part of the annual spring clean up.

Manager Wieland reported that the City is very close to negotiating a final agreement with the Miami County Rural Fire Board.

Manager Wieland presented a copy of his response to Terry Courtney regarding her letter to the City Council relating to the yard waste collection site and City staff.

Manager Wieland presented a draft of a lease agreement with Great Southern Bank for the temporary relocation of City offices to 10 W Peoria street during the remodeling of City Hall. After a discussion, Councilmember Wilhoite made a motion to approve the lease agreement, subject to final review by the City Attorney, and authorized the Mayor to sign. The motion was seconded by Councilmember Pritchard and all voted aye. The motion passed 4 to 0.

Councilmember Pritchard reported that he has received comments and concerns about no longer accepting brush at the yard waste collection site. The issue was discussed and Public Works Director Browning pointed out that on their website, L&K Services indicates that they will still pick up small amounts of brush clippings and yard waste as long as it is properly bagged.

Mayor Stuteville nominated Cathy Stallbaumer to serve on the Paola Community Center Board. Councilmember Wilhoite made a motion to approve the Mayor's nomination. The motion was seconded by Councilmember House and all voted aye. The motion passed 4 to 0.

Agenda Item 7 – ADJOURNMENT

With no additional business to come before the Council, Councilmember Clouse 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