

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

July 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 Artie Stuteville and Council Members, Gee Gee Wilhoite, Leigh House and Kevin Clouse.

Council Members absent: Council Member Jim Pritchard.

Also present: City Manager Jay Wieland, City Clerk Dan Droste, City Attorney Lee Tetwiler, Police Chief Dave Smail, City Planner Mike Gotfredson, Adam Hale, Kristen Gabbert, Paul Argeropoulos, Jason Frizzell, Eric Jenkins, Tim Neal, David Dean, Don Morris, Richard Lentz, 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, Wilhoite, House, and Clouse were all present. Council Member 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.

No one addressed the Council.

Mayor Stuteville presented Police Officer Adam Hale with the Paola Police Department Bronze Award for service above and beyond the call of duty. Officer Hale was being honored for his role in resuscitating an electrocution victim by performing CPR and using an Automatic Electronic Defibrillator on May 17, 2012.

Agenda Item 4 - CONSENT AGENDA

- a. Approval of minutes of the meeting of July 10, 2012.
- b. Approval of Salary Ordinance 12-14.
- c. Approval of Appropriation Ordinance No 731.

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 approval of the preliminary and final site plan for the new senior housing project at Hospital Drive and Lakemary Drive.

City Planner Gotfredson presented the preliminary and final site plan for the new senior housing project to be located at Hospital Drive and Lakemary Drive. He reported that the Planning Commission reviewed the plan at their meeting on July 17th and unanimously recommended approval with the following conditions:

- 1) Lakemary Drive improvements put in escrow.
- 2) Satisfactory completion of engineering comments.
- 3) More detailed landscaping and lighting plans be provided with construction plans.

Mr. David Dean, the developer of the project, addressed the Council and stated that he did agree to install a sidewalk along Lakemary Drive.

After additional discussion, Councilmember Wilhoite made a motion to approve the preliminary and final site plan for Lot 2, Paola Senior Center subject to the conditions as recommended by the Planning Commission including the installation of the sidewalk along Lakemary Drive. The motion was seconded by Councilmember Clouse and all voted aye. The motion passed 3 to 0.

Agenda Item 5b – Consider a Resolution changing the speed limit from 30 mph to 20 mph on Morningside Drive between Brookside Dr and Lewis Dr.

Manager Wieland presented a speed limit traffic study for Morningside Drive. He reported that the report was completed by the Paola Police Department with assistance from the Public Works Department and it concludes that a reduction in the speed limit from 30 mph to 20 mph is warranted.

After a discussion, Councilmember House made a motion to approve A RESOLUTION AMENDING THE OFFICIAL TRAFFIC CONTROL DEVICE SCHEDULES FOR THE CITY OF PAOLA, KANSAS. The motion was seconded by Councilmember Wilhoite and all voted aye. The motion passed 3 to 0 and the Resolution was assigned No 2012-006.

Agenda Item 5c – Consider a Resolution declaring a water watch.

Manager Wieland reported that with the continued hot weather, the Council should consider issuing a Resolution Declaring a Water Watch thereby calling for voluntary water conservation measures. He reported that the City of Louisburg has made a similar request to its residents.

The proposed Resolution calls for water consumers to employ voluntary water conservation

measures to limit or eliminate non-essential water uses including, but not limited to, limitations on the following uses:

1. Water used for outdoor watering, either public or private, for gardens, lawns, trees, shrubs, plants, parks, golf courses, playing fields, swimming pools or other recreational areas; or the washing of motor vehicles, boats, trailers or the exterior of any building or structure.
2. Waste of water.

After additional discussion, Councilmember Wilhoite made a motion to approve A RESOLUTION DELCARING A WATER WATCH. The motion was seconded by Councilmember House and all voted aye. The motion passed 3 to 0 and the Resolution was assigned No 2012-005.

Agenda Item 5d – Consider bids for improvements to the open ditch along Baptiste Drive.

Manager Wieland presented bids for the final phase of improvements to the open ditch along Baptiste Drive as follows:

Harris Excavating	\$22,400.00
Walters Excavating	\$38,230.00
Debrick Excavating	\$42,160.00

Manager Wieland indicated that the bid from Harris Excavating did not meet the specifications in the bid documents and recommended that it not be accepted as insufficient. He recommended that the bid from Walters Excavating be accepted in the amount of \$38,230.00.

After additional discussion, Councilmember House made a motion to approve the bid from Walters Excavating in the amount of \$38,230.00 for improvements to the open ditch along Baptiste Drive. The motion was seconded by Councilmember Wilhoite and all voted aye. The motion passed 3 to 0.

Agenda Item 5e – Consider the 2013 Budget Notice of Public Hearing to be set for August 14, 2012.

Manager Wieland reported that this was one of the final steps in completing the 2013 Budget process. The Council must consider setting the date for the Public Hearing for the 2013 Budget for August 14, 2012.

Manager Wieland stated that the proposed 2013 fiscal year budget as presented including all fund transfers totals \$14,403,714. The proposed budget is \$646,422 higher than the adopted 2012 fiscal year budget of \$13,757,292. This represents a 4.68% increase between the 2013 and 2012 budgets. The majority of this increase is due to the bond refinancing of the wastewater plant State revolving loan fund debt, the issuance of the special revenue bonds for the city hall and library renovation projects, increases in the cash reserves/appropriated reserves in various funds but especially the General Fund, Employee Benefit Fund, and Bond

and Interest Fund, and increased expenditures in the Full Time Salaries line item of most funds to account for the Council approved cost of living adjustment and the contribution to the merit salary pool. Other areas of budgetary increases are the operational costs of the Water Utility Fund due to the purchase of water from the PUA, the purchase of heavy equipment from operational funds rather than MERF accounts, and more accurate reflection of the costs of Fire Department operations particularly personnel expenses.

Manager Wieland emphasized that even with the increase of 4.68% in the proposed 2013 budget, the amount of property taxes needed to fund operations decreased. For the proposed 2013 budget property taxes provide only 13.25% of all budgetary revenues as compared to 13.95% for the 2012 budget. Unfortunately, the mill levy for the 2013 budget reflects a slight increase as the result of the decrease in assessed valuation of \$815,437 or 1.95%. He noted that the decrease in assessed valuation would have resulted in the city seeing a decrease of \$33,685 in property tax revenue for the 2013 budget as compared to the 2012 budgeted amount. The proposed mill levy increase of 0.499 mills only replaces \$10,843 of the revenue lost to the lower assessed valuation.

Manager Wieland reported that a home with an appraised value of \$100,000, the City's portion of real estate taxes for 2013 would be \$480.79, or an increase of \$5.74 when compared to the 2012 mill levy.

After additional discussion, Councilmember Wilhoite made a motion to approve the proposed 2013 Budget for publication at \$14,403,714 and set August 14, 2012 as the date for the budget public hearing. The motion was seconded by Councilmember Clouse and all voted aye. The motion passed 3 to 0.

Agenda Item 6 – NEW BUSINESS

Clerk Droste reported that Sales Tax Revenue for the month of July amounted to \$189,656 making \$1,231,491 in total collections year to date.

Clerk Droste reminded the Council that the County Fair Parade is tomorrow evening.

Manager Wieland reported that the City Hall project is coming along very well. He reported that there will be a change order presented at the next Council Meeting for the geothermal HVAC system and other items.

Manager Wieland reported that the Library Building Committee will meet again in August to move forward on the plans for the Library renovation.

Manager Wieland reported that there have been several water main breaks due to the hot, dry weather.

Mayor Stuteville nominated Maggie Carr and Dean Lovig to serve on the Library Board and Mike Brown to serve on the Paola Community Center Board. Councilmember Wilhoite made a motion to approve the Mayor's appointments to the Library Board and to the Community Center Board. The motion was seconded by Councilmember House and all voted aye. The Motion passed 3 to 0.

Agenda Item 7 – 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