

**MINUTES OF THE COUNCIL MEETING
OF THE CITY OF PAOLA, KANSAS
6:00 O'CLOCK P.M.
June 28, 2016**

**Held in the Municipal Court Room 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.

Council Members present: Mayor Artie Stuteville and Council Members Jim Pritchard, Gee Gee Wilhoite, and Aaron Nickelson.

Council Members absent: Leigh House.

Also present: City Manager Jay Wieland, City Clerk Dan Droste, City Planner Mike Gotfredson, Public works Director Craig Browning, Chief of Police Paul Jokerst, City Attorney Lee Tetwiler, Police Lieutenant Eric Jenkins, Sergeant Nick Gazzano, Sergeant Ryan Razor, members of the Paola Police Department and their families, Eric Schabery, David Baldrige, Bill Thompson, Pam Thompson, Brian McCauley with the Miami County Republic, and others.

CALL TO ORDER: The regular council meeting was called to order by Mayor Stuteville.

ROLL CALL: Mayor Stuteville and Council Members Pritchard, Wilhoite, and Nickelson were present. Council Member House was absent.

CEREMONY

Chief of Police Paul Jokerst introduced Lieutenant Eric Jenkins, Sergeant Nick Gazzano and Sergeant Ryan Razor who were recently promoted within the ranks of the Paola Police Department. Their badges and collar rank emblems were pinned by family members and by Chief of Police Jokerst and Deputy Chief of Police Poore.

Agenda Item 1 - CONSENT AGENDA

- a. **Approval of minutes of the meeting of June 14, 2016**
- b. **Approval of Salary Ordinance 16-13.**
- c. **Approval of Appropriation Ordinance No 830.**

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

Agenda Item 2 - COMMENTS FROM THE PUBLIC

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 3 - UNFINISHED BUSINESS

Agenda Item 3a - Consider a Conditional Use Permit for Lakemary Center for a garden and animal therapy center.

Council Member Pritchard made a motion to table discussion and action on AN ORDINANCE APPROVING CONDITIONAL USE PERMIT 16-CUP-02 until the July 12th Paola City Council Meeting. The motion was seconded by Council Member Wilhoite and all voted aye. The motion passed 3 to 0.

Agenda Item 3b - Update on the status of repairs and improvement to 401 E Kaskaskia pursuant to Resolution No 2016-006.

City Planner Gotfredson presented an update on the status of repairs to 401 E Kaskaskia. He reported that a substantial amount of progress has been made in making the property safe. However, the property has not been completely cleaned up and all of the repairs have not been completed. He recommend that the owners be granted a 2 month extension to complete the project.

Mr. Thomson reported that all of the rooms have been cleared with the exception of one and one half of the rooms upstairs, one room downstairs, one room in the basement and the yard to clean up. He also stated that 14 trailer loads have been hauled off but the project is just taking longer than expected.

Mayor Stuteville asked Mr. Thompson if a two month extension was acceptable to him. Mr. Thompson agreed.

Council Member Pritchard made a motion to grant the owner of 401 E Kaskaskia additional time to complete repairs or removal of the property, said repairs or removal to be completed on or before August 23, 2016. The motion was seconded by Council Member Wilhoite and all voted aye. The motion passed 3 to 0.

Agenda Item 4 - NEW BUSINESS

Agenda Item 4a - Public Hearing to hear public comment on a Neighborhood Revitalization Plan.

Council Member Wilhoite made a motion to open the Public Hearing. The motion was seconded by Council Member Pritchard and all voted aye. The motion passed 3 to 0.

City Planner Gotfredson reported that the approval for Dean Development, LLC's 42 senior housing unit project by the Kansas Housing Resource Corporation required that the project area be included in a Neighborhood Revitalization Area. As part of their review criteria, inclusion in a Neighborhood Revitalization Area is intended to focus the state incentive on areas in Kansas municipalities that have been identified as needing improvement. Dean Development, LLC has stated that they are not interested in the tax rebate related to inclusion in a Neighborhood Revitalization Plan and they have provided a letter stating the same. They are only interested in having this status to meet the approval requirement.

City Planner Gotfredson presented a new Neighborhood Revitalization Plan for this specific project. As the rebate is not a consideration for this, Miami County and USD 368 will not be asked to review or adopt this plan. Additionally, the rebate in this plan is only available for commercial or single family remodeling. New construction of any kind is excluded.

At the conclusion of the presentation, Council Member Pritchard made a motion to close the Public Hearing. The motion was seconded by Council Member Wilhoite and all voted aye. The motion passed 3 to 0.

Agenda Item 4b - Consider an Ordinance adopting a Neighborhood Revitalization Plan.

Pursuant to the discussion during the Public Hearing, Council Member Pritchard made a motion to approve AN ORDINANCE ADOPTING A NEIGHBORHOOD REVITALIZATION PLAN AND DESIGNATING A NEIGHBORHOOD REVITALIZATION AREA. The motion was seconded by Council Member Nickelson and all voted aye. The motion passed 3 to 0 and the Ordinance was assigned number 3097.

Agenda Item 4c - Consider a lease agreement with the Miami County Fair Association for the use of property in Wallace Park for the Miami County Fair from July 17 to July 24, 2016.

Clerk Droste presented a lease agreement with the Miami County Fair Association for the use of a portion of Wallace Park for the Miami County Fair from July 17th to the 24th.

Council Member Wilhoite made a motion to approve the Lease with the Miami County Fair Association and authorize the Mayor to sign. The motion was seconded by Council Member Nickelson and all voted aye. The motion passed 3 to 0.

Agenda Item 5 - COMMITTEE REPORTS

There were no Committee Reports presented.

Agenda Item 6 - STAFF REPORTS

Clerk Droste reported that sales tax revenue for the month of June totaled \$212,722 bringing the year-to-date total to \$1,187,169.

City Planner Gotfredson reported that Paola Pathways was awarded a new grant from the Sunflower Foundation in the amount of \$10,000.00.

Manager Wieland commented on how nice the promotion ceremony for the Police Department was and he thanked Chief of Police Jokerst for implementing these ceremonies.

Manager Wieland reported that there have been reports of unruly behavior at the swimming beach at Lake Miola. The Police Department has increased patrols at the beach and the situation has improved.

Manager Wieland noted that the Public Works Department has been very busy collecting tree limbs from all of the recent storms.

Manager Wieland reported that there will not be a work study after this meeting.

Agenda Item 7 - MISCELLANEOUS MATTERS FROM THE COUNCIL

Council Member Pritchard commented on how nice the slides at the pool look since they have been refinished.

Council Member Pritchard asked about the construction of the sidewalks at the Miami County Detention Center. Public Works Director Browning reported that a final decision will be made at a meeting tomorrow. If the contractor does not proceed with the construction of the ADA ramp, then the City will begin immediately with the sidewalk reconstruction. Otherwise, the ramp will need to be completed before the sidewalks are constructed. Browning went on to update the Council on other matters related to the construction at the Detention Center.

Council Member Nickelson asked if there was a “lake patrol” at Lake Miola. Public Works Director Browning indicated that there is no “lake patrol” but the Lake Rules and Regulations state that boating and swimming hours end when the dusk to dawn light at the caretaker’s house is on.

Council Member Nickelson asked about the meetings with the residents on Holly Lane regarding the traffic concerns. Public Works Director Browning stated that the group met on Friday and one of the suggestions was to close the round-a-bout and make the street a cul-de-sac. However, this would be a very expensive option. City Attorney Tetwiler noted that Holly Lane is a public street and it does serve more than just the residents that live there. He noted that many more people drive past his home than live on his block. Concerns were expressed about response times for emergency vehicles if the street were to be closed to through traffic.

Agenda Item 8 - MISCELLANEOUS MATTERS FROM THE MAYOR

Mayor Stuteville asked about the traffic counters that she has noticed throughout town. Public Works Director Browning reported that KDOT is updating their annual traffic count maps for Paola.

Agenda Item 9 - ADJOURNMENT

With no additional business to come before the Council, Council Member Pritchard made a motion to adjourn. The motion was seconded by Council Member House and all voted aye. The motion passed 3 to 0.

Artie Stuteville, Mayor

ATTEST: [seal]

Daniel G. Droste, City Clerk