

**MINUTES OF THE COUNCIL MEETING  
OF THE CITY OF PAOLA, KANSAS  
6:00 O'CLOCK P.M.  
July 26, 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 Gee Gee Wilhoite, Leigh House, and Aaron Nickelson.

**Council Members absent:** Council Member Jim Pritchard.

**Also present:** City Manager Jay Wieland, City Clerk Dan Droste, City Attorney Lee Tetwiler, City Planner Mike Gotfredson, Public works Director Craig Browning, Deputy Chief of Police Don Poore, and John Van Pelt with the Miami County Republic.

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

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

**Agenda Item 1 - CONSENT AGENDA**

- a. **Approval of minutes of the meeting of July 12, 2016**
- b. **Approval of Salary Ordinance 16-15.**
- c. **Approval of Appropriation Ordinance No 832.**

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.

City Attorney Tetwiler introduced Alexandru Taranu who is a law student from the Country of Moldova of the former Soviet Union. Alex addressed the City Council and explained that he was in Paola to learn about the United States legal system. He shared his personal background and also provided some historical information about the country of Moldova. Mayor Stuteville and the Council welcomed Alex to Paola.

**Agenda Item 3 - UNFINISHED BUSINESS - None.**

## **Agenda Item 4 - NEW BUSINESS**

### **Agenda Item 4a - Consider approval for a site plan for the new Prairie Place Apartments.**

City Planner Gotfredson presented a new site plan for two six-plex and one five-plex apartment buildings and a new community building at the Prairie Place Apartment Complex. He reviewed the site plan and elevations of the proposed buildings. He also noted that at their meeting on July 19<sup>th</sup>, the Paola Planning Commission unanimously recommended approval of the site plan with the following conditions:

#### Engineer's Comments

##### General Comments:

1. The width and grades of all driveways should be called out and checked to meet ADA requirements.

##### Site Plan – Sheet C1:

1. Minimum setbacks from a utility easement or lot line: Both units O and P are adjacent or on the utility easement line.
2. The sanitary sewer lines running to both unit N and P are outside the existing utility easement. Will additional easements need to be purchased?
3. The call out note for 210 L.F. of 6" sanitary sewer is pointing to the underground power not the proposed sanitary sewer line.
4. There is no call out not for the sanitary sewer connection to the community building. There also doesn't appear to have a clean out at the end of the line.

##### Erosion Control Plan – Sheet C3:

1. Remove Sanitary Sewer note.

##### Water Line 1 – Sheet C5:

1. In the plan section, the note at Sta. 2+12 is not properly called out.
2. On the profile at Sta. 0+00, the inches tick marks are missing. It should read Connect to Exist. 8" Main.
3. There are no ties to the water main bends to locate during construction, there needs to be northing-easting information.

#### Public Works Comments

1. Concerned about accessibility to each unit with shared driveway space.
2. Slopes of some driveways based on FF Elevations appear to be too steep to meet ADA.
3. Grading and drainage to the south. I would like to have all that water to be picked up by area inlets instead of the water flowing across Hidden Meadows. Prairie Place already discharges onto other private property. All junction boxes need to be area inlets and graded accordingly.
4. 2" water line does not seem large enough to serve 17 units with both domestic water as well as fire protection.
5. Have all off site utility easements been secured?

#### Fire Department Comments

1. Provide report that the water main for the project is capable of producing at least 1500 gpm and meets the City specs fit is a private main.

2. Fire line for each building to be separate waterline and cannot be shared with the domestic service line.

City Planner Gotfredson noted that the developers will be required to address each of the comments and concerns. Council Member Wilhoite asked if this issue will come back before that Council once these items are addressed. Planner Gotfredson stated that these issues would be approved by staff, but he would report back to the Council.

After additional discussion, Council Member House made a motion to approve the site plan for the new Prairie Place Apartments subject to satisfactorily addressing engineering comments; Public Works Department comments, and Fire Department comments. The motion was seconded by Council Member Wilhoite and all voted aye. The motion passed 3 to 0.

#### **Agenda Item 4c - Consider amendments to the City's Continuing Disclosure Policy.**

City Clerk Droste reported that a couple of years ago, the Securities Exchange Commission (SEC) changed the regulations pertaining to the continuing disclosure of financial information for issuers of debt instruments, including municipal bonds. In compliance with these regulatory changes, the Governing Body adopted a formal Continuing Disclosure Policy on December 9, 2014. He reported that the City's Continuing Disclosure policy contains certain notification deadlines that are critical in maintaining compliance with the SEC regulations. In working under this policy over the past 18 months, there are two specific notification deadlines that are determined by different measures. He recommended that these measures identified in Section II, Paragraph 2 and in Section III, Paragraph 2, be modified to "*not more than 5 business days*" to make the policy easier to follow and administer. In addition, the policy needs to be updated to include recent bond issues on the Master Obligation List on Schedule II.

After additional discussion, Council Member Nickelson made a motion to amend and adopt the Continuing Disclosure Policy as presented. The motion was seconded by Council Member House and all voted aye. The motion passed 3 to 0.

#### **Agenda Item 4c - Consider the approval of a Street Closure Application for a portion of Holly Lane on August 5th.**

Clerk Droste presented a request from the Holly Lake Block Committee to close a portion of the street for their annual block party on August 5<sup>th</sup>.

After a discussion, Council Member Nickelson made a motion to approve Street Closure Application from the Holly Lane Block Party Committee to close a portion of Holly Lane on August 5, 2016 from 5:00 pm to Midnight. The motion was seconded by Council Member House and all voted aye. The motion passed 3 to 0.

#### **Agenda Item 4d - Consider setting the 2017 Budget Notice of Public Hearing for August 16, 2016.**

Manager Wieland presented a draft copy of the proposed 2017 Budget including the Budget Summary and the Notice of Budget Hearing. He noted that once the Budget Public Hearing

Notice is approved and published, the total amount of the budget and mill levy cannot be increased.

After additional discussion, Council Member Wilhoite made a motion to approve the proposed 2017 Budget for publication at \$14,860,332 and set August 16, 2016 as the date for the budget public hearing. 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 July amounted to \$196,744 bringing the year-to-date total to \$1,383,913.

Clerk Droste reminded the Council that the County Fair Parade is tomorrow evening at 7:00 p.m.

Public Works Director Browning reported that the slides at the swimming pool should be operating again on Friday.

Deputy Chief Don Poore reported that the support from the residents of Paola for the Police Department has been overwhelming. They have been receiving cards, telephone calls, and baked goods daily from city residents.

City Manager Wieland reported that the Secretary of the Department of Commerce will be in Paola tomorrow for his annual visit. There will be luncheon at noon tomorrow along with some visits to some local businesses.

City Manager Wieland reported that he attended a meeting with the Acting Secretary of Transportation. The Secretary discussed the financial difficulties that the State of Kansas and KDOT are experiencing and that most projects in our district have been delayed indefinitely.

#### **Agenda Item 7 - MISCELLANEOUS MATTERS FROM THE COUNCIL**

The Council had nothing additional to discuss.

#### **Agenda Item 8 - MISCELLANEOUS MATTERS FROM THE MAYOR**

Mayor Stuteville had nothing additional to discuss.

**Agenda Item 9 - EXECUTIVE SESSION** - K.S.A. 75-4319(B)(4) is the authority for this recess.

Council Member House made a motion to adjourn to Executive Session, to include the Mayor, Council, City Manager, City Clerk, and City Planner, for 15 minutes 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 6:45 p.m. The motion was seconded by Council Member Nickelson and all voted aye. The motion passed 3 to 0.

At 6:45 p.m. the City Council came out of Executive Session and Council Member Wilhoite made a motion to reconvene the adjourned meeting. The motion was seconded by Council Member Nickelson and all voted aye. The motion passed 3 to 0.

There was no action taken pursuant to the Executive Session.

### **Agenda Item 10 - ADJOURNMENT**

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

ATTEST: [seal]

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Artie Stuteville, Mayor

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Daniel G. Droste, City Clerk