

**MINUTES OF THE COUNCIL MEETING
OF THE CITY OF PAOLA, KANSAS
6:00 O'CLOCK P.M.
March 14, 2017**

**Held in the Municipal Court Room at the Paola Justice Center
806 N 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, Leigh House, and Aaron Nickelson.

Council Members absent: None.

Also present: City Manager Jay Wieland, City Clerk Dan Droste, City Planner Mike Gotfredson, Chief of Police Paul Jokerst, Interim Public Works Director Kirk Rees, Richard Lentz, Sherri Nicholson, Frank Nicholson, and Brian McCauley 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 Pritchard, Wilhoite, House, and Nickelson were all present. No one was absent.

Agenda Item 1 - CONSENT AGENDA

- a) Approval of minutes of the meetings of February 28, 2017.
- b) Approval of Salary Ordinance 17-05.
- c) Approval of Appropriation Ordinance No 848.
- d) Approval of the Journal Entries Report for February, 2017.
- e) Approval of the Pledged Collateral Report for February, 2017.

Council Member Pritchard 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 4 to 0.

Agenda Item 2 - COMMENTS FROM THE PUBLIC – No one addressed the Council.

Agenda Item 3 - UNFINISHED BUSINESS – None.

Agenda Item 4 – NEW BUSINESS

Agenda Item 4a - Consider a street closure request from Living Proof Church for their Biker Sunday Event: “Thunder on the Square”.

Clerk Droste presented a request from the Living Proof Church for a street closure to accommodate a fund raising event. Church members are planning their 3rd annual Biker Sunday event and would like to move it to the Park Square and are promoting it as "Thunder on the Square". The event is a fundraiser for the Church and will benefit the youth desperation camp and their Haiti missionary project. The event is being promoted as a family oriented event and no alcohol will be sold or consumed at the event.

Mr. Frank Nicholson, the event organizer with Living Proof Church, requested that Pearl Street on the east side of the Park Square be closed from Wea to Peoria Streets to accommodate the event. They plan on staging "bike games" in this area which include: Road Kill Pick Up, Biker Basketball, T-Ball Jousting, and Parking Lot Pool. Additionally, he requested the use of that portion of Pearl Street for a professional motorcycle stunt demonstration.

Council Member Pritchard raised concerns about noise and liability for the event. Mr. Nicholson explained that the motorcycles would be arriving at the Park Square at about 11:00 am and that the majority of the time they would be parked while the guest speaker presents his message, which is similar to a regular church service. Mr. Nicholson emphasized that the event is family oriented.

Chief of Police Jokerst inquired about the motorcycle stunt demonstration. He indicated that he checked the group's FaceBook page and expressed concerns about tire burnouts that would leave tire marks all over the street. He also expressed concerns about participants obeying traffic laws outside of the event. Mr. Nickelson indicated that he would contact the stunt group and make sure that the burn outs would not be performed at the event.

Mayor Stuterville expressed concerns about security for the event. Chief of Police Jokerst indicated that he would assign some officers to the event.

After additional discussion, Council Member Pritchard made a motion to approve the closure of Pearl Street between Wea and Peoria Streets on Sunday, May 7th from 10:00 am to 2:00 pm for the "Thunder on the Square" event. The motion was seconded by Council Member Wilhoite and all voted aye. The motion passed 4 to 0.

INTRODUCTION OF NEW POLICE OFFICER – Chief of Police Paul Jokerst introduced the Police Department's new Officer, Zachary Mathies. Officer Mathies previously served as a part-time Police Officer at Wamego. Chief Jokerst also introduced Officer Mathies' fiancé, Kaylee, and his father, Mark, who serves as the Chief of Police at the City of Edwardsville.

Agenda Item 4b - Consider an Ordinance adopting a new Residential Construction Incentive Program.

City Planner Gotfredson reported that new housing incentive program that was adopted last year has expired. It resulted in 10 new homes being constructed. By comparison, during the two years that we previously offered the incentive, 11 new homes in total were constructed. Given the remaining concerns of increasing the housing stock in Paola, encouraging continued new home construction and broadening the City's tax base, he recommend giving consideration to renewing the program.

City Planner Gotfredson presented a proposed ordinance would extend the program through March 31st of 2018 OR ten permits are issued, whichever occurs first. In a departure from previous years, the incentive will be consistent through the city as follows: 65% build permit fee, 65% plan review fee, 50% sewer fee, 50% water fee.

After additional discussion, Council Member Wilhoite made a motion to approve AN ORDINANCE ADOPTING A RESIDENTIAL CONSTRUCTION INCENTIVE PROGRAM. The motion was seconded by Council Member House and all voted aye. The motion passed 4 to 0 and the Ordinance was assigned number 3109.

Agenda Item 4c - Consider an Ordinance amending Sewer Utility Rates effective with the utility billing dated 03/31/2017.

City Manager Wieland reported that at the City Council Work Study Meeting on March 7th, options were presented for rate adjustments to sewer rates. Based on discussion in that meeting, he presented an Ordinance that would implement an increase from \$0.38 to \$0.40 in the volume charge per 100 gallons of billed volume. On a typical sewer bill for a residential unit using 6,000 gallons of water per month the increase would amount to \$1.20 per month. Including the base sewer charge, the new total monthly charge for a residence with 6,000 gallons usage would go from \$45.80 to \$47.00. It should be noted that residential sewer billings for residential units are calculated using the average water usage billed for the two month period from December 15th through February 15th. Commercial and industrial users are billed on their actual monthly water consumption.

After additional discussion, Council Member Nickelson made a motion to approve AN ORDINANCE AMENDING TITLE VII. UTILITIES, CHAPTER 715: SEWERS, ARTICLE IV. RATES AND CHARGES FOR WASTEWATER TREATMENT USERS, SECTION 715.240: SCHEDULE OF CHARGES, OF THE MUNICIPAL CODE OF THE CITY OF PAOLA, KANSAS. The motion was seconded by Council Member House and all voted aye. The motion passed 4 to 0 and the Ordinance was assigned number 3110.

Agenda Item 4d - Consider bids to replace light poles and fixtures at the swimming pool.

Manager Wieland reported that on February 11th, a light pole at the swimming pool in Wallace Park fell over, damaging both the pole and the light fixtures attached to the pole. This situation was thought to be caused by the wind, however on further investigation, it was determined that the interior of base of the pole was severely damaged by rust. After inspecting the remaining 6 light poles, it was determined that all of the poles should be replaced. Bids for the replacement were obtained and are as follows:

| | |
|-----------------------|--------------------------------------|
| GK Smith & Sons, Inc. | \$26,671.00 + \$2,920.00 contingency |
| Mr. Electric | \$49,950.00 |

After additional discussion, Council Member Wilhoite made a motion to approve the bid from GK Smith & Sons, Inc. in the amount of \$26,671.00 plus a contingency of \$2,920.00 to replace 7 light poles and fixtures at the swimming pool. The motion was seconded by Council Member Pritchard and all voted aye. The motion passed 4 to 0.

Agenda Item 4e - Designation of Depositories for City Funds.

Clerk Droste reported that annually, the City must officially designate the depository institutions for City funds. Currently the City's operating account is at Security Bank of Kansas City (formerly Citizens State Bank) and the payroll account is at First Option Bank. Additionally, the City has Certificates of Deposit at Security Bank of Kansas City and First Option Bank. The City solicits bids for Certificates of Deposit from all five of the financial institutions in Paola, including First Security Bank, Great Southern Bank and Landmark National Bank.

After additional discussion, Council Member House made a motion to designate Security Bank of Kansas City (formerly Citizens State Bank), Great Southern Bank, First Security Bank, First Option Bank and Landmark National Bank as depositories for City funds. The motion was seconded by Council Member Wilhoite and all voted aye. The motion passed 4 to 0.

Agenda Item 5 - COMMITTEE REPORTS – There were no Committee Reports presented.

Agenda Item 6 - STAFF REPORTS

Interim Public Works Director Rees reported that the Public Works Department has completed the process of picking up tree limbs from last week's storm. He thanked the City of Osawatomie for sending over a crew to assist in the clean-up.

Manager Wieland reported on the Kansas Legislature and urged the City Council to contact our Representatives urging them to support Senate Bill 167 which would amend and repeal existing property tax lid provisions that are applicable to cities and counties.

Manager Wieland reported that he will be meeting next Monday with the American Legion in regard to the ball fields next to Wallace Park.

Manager Wieland reported that he met with the owner of the "Camp Miola" property at the corner of 299th Street and East Lake Miola Drive. The City owns the majority of the front yard area of the property and the owners would like to enter into a lease agreement for its use.

Manager Wieland reported that he should be receiving the cost estimates for the extension of Baptiste Drive from Wilson & Company later this week.

Manager Wieland Congratulated the Fire Department on the great job that they did in containing the fire at 4 W Kaskaskia.

Manager Wieland reported that he met with Larry Cole who serves on the Rural Fire Board to discuss the County Commissioner's proposal to dissolve the board and take over their duties. He went on to discuss potential changes in the way that the County reimburses the cities for rural fire protection.

Agenda Item 7 - MISCELLANEOUS MATTERS FROM THE COUNCIL

Council Member Pritchard complimented the Fire Department on the job that they did in fighting the fire at 4 W Kaskaskia.

Council Member Wilhoite, House, and Nickelson commented on what a great job the Public Works Department did on the storm clean-up.

Agenda Item 8 - MISCELLANEOUS MATTERS FROM THE MAYOR

Mayor Stuteville asked if the Public Works Department was able to fill their vacant positions. Interim Public Works Director Rees reported that he did make offers to three individuals and that all of the vacant positions are now filled.

Agenda Item 9 – ADJOURNMENT

With no additional business to come before the Council, Council Member Wilhoite made a motion to adjourn. The motion was seconded by Council Member Pritchard and all voted aye. The motion passed 4 to 0.

Artie Stuteville, Mayor

ATTEST: [seal]

Daniel G. Droste, City Clerk