

**MINUTES OF THE COUNCIL MEETING
OF THE CITY OF PAOLA, KANSAS
6:00 O'CLOCK P.M.
May 9, 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 Attorney Lee Tetwiler, City Planner Mike Gotfredson, Chief of Police Paul Jokerst, Interim Public Works Director Kirk Rees, Brandi Lopez, and Charity Keitel 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.

AMENDMENT TO AGENDA: Mayor Stuteville announced that there was an amendment to the agenda to add Agenda Item 4-d to consider bids for 2 new pickup trucks for Public Works.

PROCLAMATION: Mayor Stuteville presented a proclamation naming the month of May as "Community Action Month" to Brandi Lopez, Human Services Coordinator for ECKAN in Miami and Anderson Counties.

Agenda Item 1 - CONSENT AGENDA

- a. Approval of minutes of the meeting of April 11, 2017.
- b. Approval of Salary Ordinance 17-08 and 17-09.
- c. Approval of Appropriation Ordinance No 851 and 852.
- d. Approval of the Journal Entries Report for April, 2017.
- e. Approval of the Pledged Collateral Report for April, 2017.

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 4 to 0.

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

Agenda Item 3 - UNFINISHED BUSINESS

Agenda Item 3a – Consider an Ordinance pertaining to the parking of vehicles in front yards and on street right-of-way.

Manager Wieland presented an amended draft of a proposed Ordinance pertaining to the parking of vehicles in front yards and on street right-of-way. He reported that the previous version was amended to correct punctuation errors and language in Paragraph A was amended from "...on unpaved, grassy surfaces..." to "...on unpaved surfaces...". He also reported that he did receive a call supporting the ordinance after the last City Council Meeting. The final amended draft of the ordinance reads as follows:

"Section 310.030. Vehicle Parking on Private Property.

- A. No person or operator shall park any vehicle, including a motor vehicle as defined by the Standard Traffic Ordinance as adopted from time to time, on unpaved surfaces within the area defined as the street yard of a residential property, as such terms are defined in the Paola Land Development Ordinance, except temporarily to load or unload property, temporarily by a licensed contractor actively engaged in work on the property, or as otherwise provided for within this section.
- B. In residential areas, all vehicles, except major recreational equipment such as boats, camping or house trailers, motor homes, horse trailers or utility trailers, shall be parked in the following areas in accordance with the Land Development Ordinance of the City of Paola, Kansas:
 - 1. On the designated paved hard surface (concrete or asphalt) parking area or driveway relating to the garage or carport;
 - 2. On the designated paved hard surface (concrete or asphalt) parking area in the rear of the property, where the area is in compliance with the City's zoning regulations and ingress/egress to the rear yard is by a paved driveway or through an alleyway;
 - 3. On the designated paved hard surface (concrete or asphalt) parking area for multi-family dwellings;
 - 4. On the designated paved hard surface (concrete or asphalt) circular parking area or driveway, where the area is in compliance with the City's zoning regulations and the circular driveway is constructed in relation to two (2) designated street curb cuts extending perpendicular from the street right-of-way, and contained within the bounds of the subject property;
 - 5. On residential property developed before November 18, 1997, on unpaved parking areas in the front yard within the width of an existing street curb cut extending perpendicular from the street right-of-way to at least three (3) feet from the residence or the building setback;

6. On residential property developed before November 19, 1997, on designated parking areas in the rear of the property where ingress/egress to the rear yard is by an unpaved driveway perpendicular from the street right-of-way or through an alleyway.
- C. No person or operator shall stop, stand or park any vehicle between the sidewalk and the curb, over the curb, or over a water meter. No person shall access private property by driving any vehicle over an existing standard street curb or by utilizing a public sidewalk ramp as a means of ingress or egress.
- D. In all other private property use (non-residential) areas, all vehicles shall be parked in parking areas designated, installed and provided in accordance with the Land Development Ordinance of the City of Paola, Kansas.
- E. All new private property parking areas, including drives with street access, shall be of hard surface (concrete or asphalt).
- F. A person convicted of a violation of this section shall pay a fine of up to \$100.00 plus court costs for the first offense within a calendar year; up to \$250.00 plus court costs for a second offense within a calendar year; and up to \$500.00 plus court costs for a third or any subsequent offense within a calendar year."

After additional discussion, Council Member House made a motion to approve AN ORDINANCE ADDING A NEW SECTION 310.030, VEHICLE PARKING ON PRIVATE PROPERTY, IN CHAPTER 310 PARKING REGULATIONS, OF THE CODE OF THE CITY OF PAOLA, KANSAS, 2009. The motion was seconded by Council Member Nickelson and all voted aye. The motion passed 4 to 0 and the Ordinance was assigned number 3113.

Agenda Item 4 – NEW BUSINESS

Agenda Item 4a - Consider approval of the site plan for the new Senior Housing Complex at 900 N Hospital Drive.

City Planner Gotfredson presented the site plan for a new 42 unit senior housing complex at 900 N Hospital Dr. He noted that the Planning Commission unanimously recommended approval of the site plan at their meeting on April 18th, subject to the following conditions: 1) satisfactorily address engineering comments, and 2) provide landscaping plan in compliance with the Land Development Ordinance.

City Planner Gotfredson reviewed the details of the plan which include seven buildings with residential units and a separate community building. 102 parking spaces have been provided and are adequate for the proposed use. The dumpster will be screened in compliance with City code. The existing house on the property will remain with the developing occurring to the north and west of the structure. The property drains to the west to the large open area and existing drainage ditches.

After additional discussion, Council Member Nickelson made a motion to approve the site plan for the new Senior Housing Complex at 900 N Hospital Drive subject to satisfactorily addressing any engineering comments and subject to the submission of a landscaping plan that complies with Land Development Ordinance. The motion was seconded by Council Member House and all voted aye. The motion passed 4 to 0.

Agenda Item 4b - Consider an Ordinance approving the Marais Des Cygnes Public Utility Authority Bond Refunding Series 2017.

Manager Wieland presented an Ordinance approving the Marais Des Cygnes Public Utility Authority Bond Refunding Series 2017. He reported that at a special meeting on March 27th, the Marais Des Cygnes Public Utility Authority Board approved a Resolution approving the refunding of the remaining portion of the original 2007 Bonds. The bonds were offered on the market earlier that same day and resulted in a net total interest savings of \$856,119.74 over the remaining 22 year term of the bond issue. This amounts to an annual average savings of \$38,914.53.

After additional discussion, Council Member Prichard made a motion to approve AN ORDINANCE OF THE CITY OF PAOLA, KANSAS, APPROVING THE ISSUANCE OF \$9,800,000 AGGREGATE PRINCIPAL AMOUNT OF THE MARAIS DES CYGNES PUBLIC UTILITY AUTHORITY, MIAMI COUNTY, KANSAS (“AUTHORITY”), WATER FACILITIES REFUNDING REVENUE BONDS, SERIES 2017 TO REFUND A PORTION OF THE AUTHORITY’S WATER FACILITIES REVENUE BONDS, SERIES 2007; AUTHORIZING THE EXECUTION OF ANY NECESSARY DOCUMENTS RELATED TO THE TRANSACTIONS AUTHORIZED HEREIN; AND AMENDING, RATIFYING AND CONFIRMING THE CITY’S ORDINANCE NO. 2949. The motion was seconded by Council Member Wilhoite and all voted aye. The motion passed 4 to 0 and the Ordinance was assigned number 3114.

Agenda Item 4c - Report by the City Clerk on City Offices to be placed on the ballot on November 7, 2017.

City Clerk Droste reported that in the General Election on November 7, 2017, the following offices will be placed on the ballot: Mayor – At Large; City Council Member – Ward 1; and City Council Member – Ward 3. An individual seeking elected city office must be a “qualified elector”, this means that the individual must be a registered voter within the City (and within the particular ward) at the time of the election.

The “Candidates Declaration of Intention” and other forms along with the \$20 filing fee must be delivered to the Miami County Clerk by 12:00 Noon on Thursday, June 1, 2017 to qualify as a candidate. Should more than three individuals file for the same position, a primary election would be held on August 1, 2017 to reduce the number of candidates to three.

Informational packets for candidates with all of the required forms are available at the Office of the City Clerk at Paola City Hall. Information has also been posted on the City’s website at www.cityofpaola.com.

Agenda Item 4d - Consider bids for two new pickup trucks for Public Works.

Interim Public Works Director Rees reported that the Public Works Department liquidated surplus vehicles and equipment through the online bidding website, Purple Wave, netting \$52,035.00. The proceeds from the sale was deposited into the Municipal Equipment Reserve Fund (MERF) for Public Works with the intent that these funds would be used to purchase new vehicles and/or equipment. He recommended that some of the funds be used to purchase two new pickup trucks. Minimum specifications for the new trucks were distributed to the three area auto dealers and the following bids were received:

Louisburg Ford	Ford F-150	\$22,247 each
New Century Dodge	Dodge pickup	\$25,208 each
Lang Chevrolet	Chevy 1500 Silverado	\$29,455 each

After additional discussion, Council Member Pritchard made a motion to accept the bid from Louisburg Ford in the amount of \$22,247.00 each for two 2017 Ford F-150 pickup trucks for a total of \$44,494.00. 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

Clerk Droste reported that sales tax revenue for the month of April amounted to \$192,957 bringing the year-to-date total to \$841,824, which is 9.63% more than the same time period last year.

Interim Public Works Director Rees reported that the asphalt mill and overlay on North Pearl / Old Kansas City Road has been completed and the pavement marking will be finished by the end of the week. The paving crews will move to Industrial Park Drive and then the crews will leave town for a short period before returning to complete the remainder of the project.

Interim Public Works Director Rees reported that the Water Department has been working on numerous leaks throughout town and the painting of the swimming pool is completed and the pool will be filled on Thursday. Temporary summer help will be starting next week and will help with getting caught up on mowing.

Manager Wieland reported that he and Interim Public Works Director Rees will be meeting with an individual to discuss the new signalization at 303rd Street and Hedge Lane. He also reported that he will be meeting with the City Attorney to begin the legal process to transfer the ownership of the American Legion ball fields to the City.

Manager Wieland reported that the budget process will be gearing up very soon. The new tax lid regulations will present some unique challenges this year.

Manager Wieland reminded everyone about the special election on June 20th for the renewal of the 0.25% sales tax for the Fire Department.

Manager Wieland reported that at the next Council Meeting he will be proposing that a new chip and seal repair process be used on two non-residential areas in Paola. The aggregate that will be used is dustless and is much less expensive than micro-paving or mill and overlay.

Agenda Item 7 - MISCELLANEOUS MATTERS FROM THE COUNCIL

Council Member Pritchard reported that Harold Mayes, the City's external auditor, was recently hospitalized.

Council Member Wilhoite thanked everyone for the outpouring of care and concern for her and her family with the recent passing of her husband. She complimented the first responders and commented on how professional and compassionate that they were.

Agenda Item 8 - MISCELLANEOUS MATTERS FROM THE MAYOR

Mayor Stuteville nominated Donna McMahon to serve on the Paola Housing Authority Board. Council Member Pritchard made a motion to approve the Mayor's nomination. The motion was seconded by Council Member Wilhoite and all voted aye. The nomination was approved 4 to 0.

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