

**MINUTES OF THE COUNCIL MEETING
OF THE CITY OF PAOLA, KANSAS
6:00 O'CLOCK P.M.
July 11, 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, Public Works Director Kirk Rees, Dave Smail, Richard Lentz, Wes Moore, Claudia Moore, Dakota Lloyd, Conner Barnes, 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 meeting of June 13, 2017.
- b. Approval of Salary Ordinances 17-13 and 17-14.
- c. Approval of Appropriation Ordinances 855 and 856.
- d. Approval of the Journal Entries Report for June, 2017.
- e. Approval of the Pledged Collateral Report for June, 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 Wilhoite and all voted aye. The motion passed 4 to 0.

Agenda Item 2 - COMMENTS FROM THE PUBLIC – Boy Scouts Conner Barnes and Dakota Lloyd with Troop 105 introduced themselves and indicated that they were in attendance as part of a requirement for a merit badge. Scoutmaster Wes Moore and Assistant Scoutmaster Claudia Moore also introduced themselves.

Agenda Item 3 - UNFINISHED BUSINESS – None.

Agenda Item 4 – NEW BUSINESS

Agenda Item 4a - Consider approval of the Final Plat of Klaasmeyer, LLC.

City Planner Gotfredson presented the final plat for Klaasmeyer, LLC. for an 8 lot subdivision for the property at 702 N Pearl, formerly known as the old J&J Metal or Kahn Steel property. Of note,

the subdivision of this property will allow for the extension of Baptiste Road. The City is actively working with State agencies to secure matching funding to complete improvements to this street. These improvements will be a major aid to not only this property, but also other industrial businesses in town like Taylor Forge as they transport large shipments into and out of their facilities. City Planner Gotfredson noted that at its meeting on July 5, 2017, the Planning Commission unanimously recommended approval of this final plat with the conditions that the signature blocks be corrected and the inclusion of new addresses.

Council Member Pritchard asked if Taylor Forge had been contacted in regard to the layout of the Iron Street and Baptiste Drive intersection to insure that their vehicles would be able to navigate the intersection. Manager Wieland reported that the design engineers worked very closely with Taylor Forge and their transportation company to insure that the intersection design would accommodate their vehicles.

After additional discussion, Council Member Wilhoite made a motion to approve the Final Plat of Klaasmeyer, LLC, a replat of Perry's Addition, a subdivision in the City of Paola, Part of Sections 9 and 16, Township 17 South, Range 23 East, Miami County, Kansas; subject to the correction of the signature blocks and the inclusion of new addresses. The motion was seconded by Council Member Nickelson and all voted aye. The motion passed 4 to 0.

Agenda Item 4b -Consider an Ordinance levying the ¼ cent sales tax approved by voters in a special election held on June 20, 2017.

City Clerk Droste reported that on April 11th, the City Council adopted Ordinance No 3112 entitled AN ORDINANCE TO SUBMIT TO THE QUALIFIED ELECTORS OF THE CITY OF PAOLA, KANSAS THE PROPOSITION OF LEVYING A ONE QUARTER CENT (.25%) RETAILERS' SALES TAX IN THE CITY OF PAOLA TO PAY COSTS OF OPERATING, MAINTAINING AND EQUIPPING THE CITY'S FIRE STATION AND RELATED FACILITIES. Pursuant to that Ordinance, a special election was held for the electors in the City of Paola on June 20th to decide whether or not the ¼ cent sales tax should be renewed for the Fire Department. The question passed by a margin of 76.2% in favor to 23.8% opposed. For the final step in this process, the City Council needs to adopt an Ordinance levying the renewal of the ¼ cent sales tax. Once adopted and published, the City Clerk must file a certified copy of the Ordinance with the Kansas Department of Revenue.

After additional discussion, Council Member House made a motion to approve AN ORDINANCE LEVYING A CITY RETAILERS' SALES TAX IN THE AMOUNT OF ONE-QUARTER OF ONE PERCENT (.25%) WITHIN THE CITY OF PAOLA. The motion was seconded by Council Member Nickelson and all voted aye. The motion passed 4 to 0 and the Ordinance was assigned number 3115.

Manager Wieland thanked the voters of the City of Paola for supporting this very important funding issue for the Paola Fire Department.

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 23 to July 30, 2017.

City Clerk Droste presented a lease agreement with the Miami County Fair Association for the use of a portion of Wallace Park for the County Fair. He reported that new legislation was signed into law effective on July 1st that regulates amusement rides. As the Fair's carnival is set up on City

owned property, the lease agreement has been amended by the City Attorney to require compliance with this new legislation. Additionally, during last year's fair, we received a complaint that the carnival was giving away baby chicks as prizes for some of the games. This is a violation of KSA 21-6413. As a result of these two issues, the following paragraph has been added to the lease document:

"The Miami County Fair Association shall comply with all of the laws of the State of Kansas, specifically including both K.S.A. 21-6413 and Senate Bill 70, 2017, copies of which are attached hereto and by this reference thereto made a part hereof the same as if fully set forth herein."

After additional discussion, Council Member Pritchard made a motion to approve the Lease with the Miami County Fair Association, as presented, and authorize the Mayor to sign. The motion was seconded by Council Member Wilhoite and all voted aye. The motion passed 4 to 0.

Agenda Item 4d -Consider acknowledgement of the submission of the 2016 Operating Data and Financial Statement to the Electronic Municipal Market Access (EMMA) system.

Clerk Droste reported that in compliance with that the City's Continuing Disclosure Policy, the 2016 Independent Audit Report was electronically filed on the Electronic Municipal Market Access (EMMA) system on July 26, 2016. This information was filed with EMMA by Piper Jaffray. He noted that also in compliance with the policy, the City Council was notified via a written memorandum on July 29th that the filing had been completed. The Continuing Disclosure policy requires that this confirmation shall be acknowledged by the City Council at the next regular meeting.

After additional discussion, Council Member Nickelson made a motion to acknowledge that in compliance with Section II (2) of the Continuing Disclosure Policy for the City of Paola, the City Clerk did provide to the Governing Body written confirmation from EMMA that the 2016 Operating Data and Financial Statement for the City of Paola has been submitted and filed properly with the Municipal Securities Rulemaking Board through EMMA on June 26, 2017. The motion was seconded by Council Member Wilhoite and all voted aye. The motion passed 4 to 0.

Agenda Item 4e -Consider setting the 2018 Budget Notice of Public Hearing for August 8, 2017.

Manager Wieland presented a draft copy of the proposed 2018 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. He noted that no Ordinance or public vote will be required as the ad valorem tax revenue in the 2018 Budget is below the new tax lid calculation required by HB 2088. The proposed 2018 Budget totals \$15,322,976 with a mill levy of 45.754 which is an increase of 0.294 mills over the 2017 levy.

After additional discussion, Council Member Pritchard made a motion to approve the proposed 2018 Budget for publication at \$15,322,976 and set August 8, 2017 as the date for the budget public hearing. The motion was seconded by Council Member House 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 Boy Scout Garrett Rausch has been working with the Public Works Department and the Miami County Veterans Memorial Committee to install benches at the Veterans Memorial as part of his Eagle Scout Project.

Clerk Droste reported that sales tax revenue for the month of June amounted to \$206,339 bringing the year-to-date total to \$1,255,156, which is 5.73% more than the same time period last year.

City Attorney Tetwiler reported that the new 2017 editions of the Standard Traffic Ordinance and Uniform Public Offense Code have been received and will be presented at the next Council Meeting for adoption.

Agenda Item 7 - MISCELLANEOUS MATTERS FROM THE COUNCIL

Agenda Item 8 - MISCELLANEOUS MATTERS FROM THE MAYOR

Mayor Stuteville inquired about the new striping on North Silver Street. Public Works Director reported that the center stripe was moved to the west due to the parking on the east side of the roadway.

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