

**MINUTES OF THE COUNCIL MEETING
OF THE CITY OF PAOLA, KANSAS
6:00 O'CLOCK P.M.
September 12, 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 Tettwiler, Chief of Police Paul Jokerst, Public Works Director Kirk Rees, Human Resources Director Vicki Belt, Marc Miller, John Johnson, Luke Hornbacher, Renee Slinkard, Dave Smail, Richard Lentz, Sheila Jacobs, Patrick Reeder, 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, House, and Nickelson were all present. No one was absent.

INTRODUCTION AND PRESENTATION: Chief of Police Paul Jokerst made the following introductions and presentations:

- Introduced new Police Officer Marc Miller to the City Council.
- Recognized DARE/SRO Officer John Johnson for being named the “outstanding student” at the DARE School in Oklahoma City in July.
- Presentation of the *Life Saving Award* to Officer Luke Hornbacher who saved a person from drowning at Lake Miola on July 19th.

PROCLAMATION: Renee Slinkard with the Daughters of the American Revolution made comments regarding the importance of Constitution Week. Mayor Stuteville read and presented a Proclamation naming the week of September 17th through the 23rd as Constitution Week and presented it to Ms. Slinkard.

AMENDED AGENDA: Mayor Stuteville presented an amended Agenda to add a new Agenda Item 9 - Executive Session for the purpose of discussing personnel matters of non-elected personnel. K.S.A. 75-4319(b)(1) is the authority for this recess.

Agenda Item 1 - CONSENT AGENDA

- a. Approval of minutes of the meeting of August 8, 2017.
- b. Approval of Salary Ordinances 17-17 and 17-18.

- c. Approval of Appropriation Ordinances 859 and 860.
- d. Approval of the Journal Entries Report for August, 2017.
- e. Approval of the Pledged Collateral Report for August, 2017.
- f. Approval of the renewal of a Drinking Establishment License for Applebee's at 1301 Kansas Drive.
- g. Approval of the renewal of a Retail Liquor License for Park Plaza Liquor at 1403-B Baptiste Drive, subject to complete documentation, fee, and inspection.
- h. Approval of the renewal of a Caterer's License for Town Square at 15 W Wea, subject to complete documentation, fee, and inspection.
- i. Approval of the renewal of a Drinking Establishment License for the Paola Country Club at 29651 Old KC Road, subject to complete documentation, fee, and inspection.

Council Member Nickelson made a motion to approve the Consent Agenda as presented and authorize the Mayor to sign. The motion was seconded by Council Member House and all voted aye. The motion passed 4 to 0.

Agenda Item 2 - COMMENTS FROM THE PUBLIC – Boy Scout Patrick Reeder from Troop 100 introduced himself and indicated that he was in attendance as part of a requirement for a merit badge. His father, Jeff Reeder, was also in attendance.

Agenda Item 3 - UNFINISHED BUSINESS

Agenda Item 3a – Consider an Ordinance adopting a new Residential Construction Incentive Program.

Manager Wieland presented an Ordinance extending the new residential construction incentive program that was adopted on March 14th. He reported that the maximum number of building permits under the original plan have been issued and the proposed ordinance would extend the program through December 31, 2017 without a limit on the number of building permits.

After additional discussion, Council Member Wilhoite made a motion to approve AN ORDINANCE ADOPTING A RESIDENTIAL CONSTRUCTION INCENTIVE PROGRAM, AND REPEALING ORDINANCE NO. 3109. The motion was seconded by Council Member Nickelson and all voted aye. The motion passed 4 to 0 and the Ordinance was assigned number 3120.

Agenda Item 4 – NEW BUSINESS

Agenda Item 4a - Consider a Resolution amending the Traffic Control Device Schedules.

Manager Wieland reported that the City received a request from Taylor Forge to replace the “yield” signs with “stop” signs at Kaskaskia and First Streets where they intersect with Iron Street. This request was based on a number of near accidents at these intersections.

The Public Works Department coordinated with the Miami County Road & Bridge Department to perform a traffic count at these intersections. Additionally, the Paola Police Department conducted a door-to-door survey of area residents about these intersections. Area residents

were overwhelmingly in favor of the installation of the “stop” signs. Additionally, in anticipation of improvements to Iron Street as a part of the Baptiste Drive extension, these intersections will likely become busier. Staff recommends that these be replaced with “stop” signs.

Manager Wieland also reported that with the completion of the new traffic lights at 303rd and Hedge Lane, the Traffic Control Device Schedule needs to be amended to delete the “stop” signs and add the “stop lights” at this intersection.

After additional discussion, Council Member House made a motion to approve A RESOLUTION AMENDING THE OFFICIAL TRAFFIC CONTROL DEVICE SCHEDULES FOR THE CITY OF PAOLA, KANSAS. The motion was seconded by Council Member Nickelson and all voted aye. The motion passed 4 to 0 and the Resolution was assigned number 2017-009.

Agenda Item 4b - Consider a bid to replace the east ramp at the Paola Community Center.

Manager Wieland presented a bid from Legacy Contractors to remove the ramp, repair the waterproofing to the foundation on the east side of the building, and replace the ramp with a metal stairway. The total cost for these repairs and improvements is \$24,921.00. Funding for this project will come from the Historic Tax Credit funds that were obtained from the Paola City Hall remodeling project. A lease agreement is proposed for the Community Center to repay the funds over a 5 year period.

After additional discussion, Council Member Wilhoite made a motion to approve the bid from Legacy Contractors, LLC in the amount of \$24,921.00 to remove the existing ramp, furnish and install steel stairs, and waterproof the east foundation of the Paola Community Center. The motion was seconded by Council Member Pritchard and all voted aye. The motion passed 4 to 0.

Agenda Item 4c - Consider a Lease Agreement to finance improvements at the Paola Community Center.

Manager Wieland presented a lease agreement to finance the cost of the repairs to the Paola Community Center by “borrowing” from the CIP-City Hall Tax Credit Funds. The City would actually be “lending” the funds for the PCC improvements at a rate of 1.50% for 5 years. This interest rate is slightly above the rate that the City is receiving for invested funds at this time. Annual payments for the lease amount to \$5,210.72. Manager Wieland noted that this is the same type of transaction that the City used to finance the acquisition of property to expand Whitaker Park in 2003.

After additional discussion, Council Member Nickelson made a motion to approve a Lease Purchase Agreement in the amount of \$24,921.00 to finance improvements at the Paola Community Center for 5 years at an interest rate of 1.50% with annual payments of \$5,210.72, and authorize the Mayor to execute lease documents. 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

Public Works Director announced that a new Water/Waste Water Superintendent has been hired. Mr. Kevin Richardson started on the job yesterday and comes to the City of Paola with 13 years of experience.

Manager Wieland reported that the City's Land Development Ordinance (LDO) is in need of updating. He noted that there are a number of sections that are outdated. Also, the Comprehensive Plan also needs to be updated, primarily due to the fact that there is no longer a defined "growth area" adjacent to the city limits.

Manager Wieland reported that there has been some progress in getting caught up on code enforcement issues.

Manager Wieland reported that the recent flooding in Paola and Miami County did not qualify for FEMA relief funds. He thanked the Public Works Department for the outstanding job that they did in repairing flood damage to the Paola Pathways Trail System.

Agenda Item 7 - MISCELLANEOUS MATTERS FROM THE COUNCIL

Council Member Pritchard also thanked the Public Works Department for all of the extra work that they had to deal with in the recent flooding.

Council Member Pritchard also thanked the Police Department for all that they do, and specifically mentioned the *Life Saving Award* to Officer Luke Hornbacher.

Agenda Item 8 - MISCELLANEOUS MATTERS FROM THE MAYOR

Mayor Stuterville reported that she and Council Member Wilhoite attended the ribbon cutting ceremony at the new Prairie Place Apartments, there was a very nice turn out for the event.

Mayor Stuterville commented on how nice the new Public Works trucks look.

Agenda Item 9 – EXECUTIVE SESSION for the purpose of discussing personnel matters of non-elected personnel. K.S.A. 75-4319(b)(1) is the authority for this recess.

Council Member Wilhoite made a motion to adjourn to Executive Session, to include the Mayor, Council, City Manager, City Attorney, Chief of Police, Human Resources Director, and City Clerk to discuss the status of an individual employee pursuant to the non-elected personnel matter exemption, KSA 75-4319(b)(1); the regular meeting to reconvene here at the Municipal Court Room at 6:50 p.m. The motion was seconded by Council Member Nickelson and all voted aye. The motion passed 4 to 0.

At 6:50 pm, the Governing Body came out of Executive Session and Council Member Nickelson made a motion to reconvene the adjourned meeting. The motion was seconded by Council Member Pritchard and all voted aye. The motion passed 4 to 0.

After additional discussion, no action was taken pursuant to the Executive Session.

Agenda Item 10 – ADJOURNMENT

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

Artie Stuteville, Mayor

ATTEST: [seal]

Daniel G. Droste, City Clerk