

**MINUTES OF THE COUNCIL MEETING  
OF THE CITY OF PAOLA, KANSAS  
6:00 O'CLOCK P.M.  
April 10, 2018**

**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 Stuterville presiding.

**Council Members present:** Mayor Artie Stuterville and Council Members Dave Smail, Gee Gee Wilhoite, Leigh House and Aaron Nickelson.

**Council Members absent:** None

**Also present:** City Manager Jay Wieland, City Clerk Dan Droste, Assistant City Clerk Stephanie Marler, City Attorney Lee Tetwiler, Chief of Police Don Poore, Public Works Director Kirk Rees, Brian McCauley with the Miami County Republic, Conner Walker, Sherry & Joel Ahlbrandt, Sheila Jacobs, members of Public Works, members of the Police Department, members of the Fire Department and others.

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

**ROLL CALL:** Mayor Stuterville and Council Members Smail, House, Wilhoite, and Nickelson were all present.

**PRESENTATION:**

Police Chief Don Poore presented Conner Walker with the Good Citizen Award for returning valuable personal property to the rightful owner. Police Chief Don Poore also presented Dustin Hawkins with the Medal of Merit for alerting some homeowners that their residence was on fire.

The State of Kansas presented AAA Traffic Safety Award to the Police Department.

Human Resources Director Belt presented 5 Year Service Awards to: Richard Rayzor, Nicholas Gazzano and Aaron Nickelson; 10 Year Service Awards to: Woodrow Farmer, Eric Jenkins, Brett Marler, Jay Wieland and Jeff VanDonsel; 15 Year Service Awards to: Amanda VanVlack, Mike Tinker, and Christopher Courtney; 20 Year Service Award to: Don Poore; and 25 Year Service Awards to: Andrew Martin and John Hinman.

**Agenda Item 1 - CONSENT AGENDA**

- a. **Approval of minutes of the meeting of March 13, 2018 and April 3, 2018.**
- b. **Approval of Salary Ordinances 18-06 and 18-07.**
- c. **Approval of Appropriation Ordinances 875 and 876.**
- d. **Approval of the Pledged Collateral Report for March, 2018.**
- e. **Approval of the Journal Entries Reports for March, 2018.**
- f. **Renewal of the Retail Liquor License for In Good Spirits**
- g. **Renewal of the Drinking Establishment License for Beethoven's.**

Council Member Smail 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 –**

Sheila Jacobs addressed the council regarding her property tax, Mayor Stuteville directed her to the county for that issue.

Shannon and Eric Czepcinski addressed the Council regarding the Pit Bull ban, Mayor Stuteville agreed to discuss the matter further at the next work study meeting,

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

**Agenda Item 4 - NEW BUSINESS**

**Agenda Item 4a – Consider bid for the 2018 Street Improvement Program.**

Public Works Director Kirk Rees presented to the Council plans for the repairs of various streets as part of our regular street maintenance program. The program for 2018 includes the mill and overlay, curb replacement, and striping of various streets.

The curb replacement will be completed by the City's Street Department and the other repairs will be performed by independent contractors.

Bids for the work performed by outside contractors are as follows:

<u>Mill &amp; Overlay Bids</u>	
Killough Construction	\$177,655.90
O'Donnell & Sons	\$209,333.20
McAnany Construction	\$213,485.50
<u>Chip &amp; Seal Bids</u>	
Vance Brothers	\$103,858.23
<u>Striping Bids</u>	
Street Wise	\$12,326.90
K&G Striping	\$13,033.00

After additional discussion, Council Member Wilhoite made a motion to approve the bids from Killough Construction in the amount of \$177,655.90 for Mill and Overlay; and the bid from Vance Brothers in the amount of \$103,858.23 for Chip and Seal; and the bid from Street Wise in the amount of \$12,326.90 for Striping for the 2018 Street Improvement Program. The motion was seconded by Council Member Nickelson and all voted aye. The motion passed 4 to 0.

**Agenda Item 4b -Consider approval of disbursements from the Transient Guest Tax Fund.**

Manager Wieland reported that the Paola Convention and Tourism Committee met on Monday, March 26, 2018 to review several grant applications for fiscal year 2018. Please note that formal action has already been taken on the applications from the Lil Red Hen and Paola Pathways.

Grant Applicant	Request	Approved
Lil Red Hen Heartland Quilt Shop Hop	\$500	\$500
Paola Chamber Fireworks Show	\$2,500	\$2,500
Roots Festival	\$10,000	\$10,000
Frontier Agricultural Connections (brochure)	\$2,000	\$750
Hearlant Art Guild Marketing	\$3,000	\$3,000
Miami County Arts Coalition	\$2,500	\$2,500
Paola Chamber -Travel Industry of KS Conference	\$500	\$500
Paola Farmers Market	\$750	\$750
Paola Chamber Car Show	\$4,000	\$4,000
Paola Chamber Kansas Day Celebration	\$1,000	\$1,000
Paola Pathways 5K	\$1,000	\$1,000
Paola Chamber Visitors Center	\$1,920	\$1,920
Paola Chamber Wine and Brew Rendezvous	\$1,000	\$1,000

The total of the approved funding for grants as recommended is \$29,420.

After additional discussion, Council Member Smail made a motion to approve disbursements from the Transient Guest Tax Fund as presented. The motion was seconded by Council Member House and all voted aye. The motion passed 4 to 0.

**Agenda Item 4c - Consider an Ordinance establishing a Franchise Agreement with JMZ Corporation.**

Manager Wieland reported that the JMZ Corporation would like to install fiber optic in the community to provide internet service. In the future this will help promote the Industrial Park in Paola. He presented a draft of an Ordinance establishing a Franchise Agreement between JMZ Corporation and the City of Paola.

After discussion, Council Member Wilhoite made a motion to approve AN ORDINANCE OF THE CITY OF PAOLA, KANSAS, GRANTING JMZ CORPORATION DOING BUSINESS AS KWIKOM COMMUNICATIONS, A KANSAS CORPORATION, ITS SUCCESSORS

AND ASSIGNS, A TELECOMMUNICATIONS FRANCHISE AND PRESCRIBING THE TERMS OF SAID GRANT AND RELATING THERETO. The motion was seconded by Council Member Nickelson and all voted aye. The motion passed 4 to 0 and the Ordinance was assigned number 3123.

**Agenda Item 4d - Consider an Ordinance amending Section 03.210 of the Land Development Ordinance.**

Manager Jay Wieland reported that the Planning Commission has addressed some concerns regarding the accessory building section of the Land Development Ordinance. Manager Wieland presented the amendments to Section 03.210 of the Land Development Ordinance.

After discussion, Council Member Nickelson made a motion to approve AN ORDINANCE AMENDING SECTION 03.210 ACCESSORY USES, RESIDENTIAL OF ARTICLE 03, USE REGULATIONS, OF THE LAND DEVELOPMENT ORDINANCE FOR THE CITY OF PAOLA, KANSAS. The motion was seconded by Council Member Wilhoite and all voted aye. The motion passed 4 to 0 and the Ordinance was assigned number 3124.

**Agenda Item 5 - COMMITTEE REPORTS – None.**

**Agenda Item 6 - STAFF REPORTS**

Police Chief Poore reported that Troy Allen's property has been cleaned up and looks really good.

Public Works Director Rees reported that the water plant is switching back to total chlorine.

City Manager Wieland reported that he will be out of the office from April 11<sup>th</sup> through April 18th.

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

**Agenda Item 8 - MISCELLANEOUS MATTERS FROM THE MAYOR** – The Mayor announced board appointments. For the Community Center board; Mike Brown. Library board; Dean Loving, Larry Ward, and Sandy Armbruster; Planning Commission board; Steve Cowman, Gabe Pfefferkorn, and John McLean.

Council Member Wilhoite made a motion to approve board appointments for the Community Center, Library, and Planning Commission Boards. The motion was seconded by Council Member House and all voted aye. The motion passed 4 to 0.

Mayor Stuterville reminded everyone that the Community Center has a program coming up in the next week or two from Branson.

## **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 Nickelson and all voted aye. The motion passed 4 to 0.

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Artie Stuteville, Mayor

ATTEST: [seal]

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Daniel G. Droste, City Clerk