

**MINUTES OF THE COUNCIL MEETING
OF THE CITY OF PAOLA, KANSAS
6:00 O'CLOCK P.M.
October 9, 2018**

**Held in the Municipal Court Room at the Paola Justice Center
805 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 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, Police Chief Don Poore, Public Works Director Kirk Rees, Trent Upshaw, Brian McCauley, HR Director Vicki Belt, Assistant to the City Manager Randi Shannon, Keith Myers, Mitchell Gabbert, Sheena Simon, and Richard Lentz.

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

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

INTRODUCTION:

Police Chief Poore introduced two new members of the Police Department, Keith Myer and Mitchell Gabbert. Both are local residents and will attend the academy in the next 6-8 months.

Agenda Item 1 - CONSENT AGENDA

- a. **Approval of minutes of the meeting of September 11, 2018.**
- b. **Approval of Salary Ordinances 18-20 and 18-21.**
- c. **Approval of Appropriation Ordinances 887 and 888.**
- d. **Approval of the Pledged Collateral Report for September, 2018.**
- e. **Approval of the Journal Entries Reports for September, 2018.**
- f. **Approval of the renewal of a Drinking Establishment License for the Paola Country Club at 29651 Old KC Road, subject to completion of inspection.**
- g. **Approval of the renewal of a Retail Liquor License for Third Base Liquor at 701 S Silver, 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

Sheena Simon, who owns Liberty Tax located at 508 Baptiste Dr, asked that the council allow her to use “wind feathers” as advertisement for her business.

Agenda Item 3 - UNFINISHED BUSINESS

Agenda Item 4 - NEW BUSINESS

Agenda Item 4a - Request approval for a domestic violence display to be placed in the right-of-way at Baptiste Dr. and Hedge Ln.

Manager Wieland reported that he was contacted by Erin Lyon with SAFEHOME requesting the Mayor proclaim October 2018 as Domestic Violence Awareness Month. To bring awareness to the citizens of Paola she requested permission to display 200 purple shoes and a few signs to explain the cause. With council consent she would place her display at the Northwest corner of Baptiste Dr. and Hedge Ln. The display would remain there for the week of October 14th -21st.

The council agreed it was for a good cause and Council Member Wilhoite made a motion the approve the placement of a domestic violence awareness display at the Northwest corner of Baptiste Dr. and Hedge Ln. from October 14th to the 21st. The motion was seconded by Council Member House and all voted aye. The motion passed 4-0.

Agenda Item 4b - Consider a Resolution of Support for the County’s K68 Expansion Project.

Manager Wieland stated that he had been contacted by Miami County with a request to provide a letter of support from the City Council to continue efforts on the K68 Expansion Project. Manager Wieland also thought it would be appropriate to adopt a Resolution of Support for the K-68 Expansion to encourage Elected Officials to maintain the funding for the proposed phases.

The improvement and upgrade of this major traffic corridor would provide for greater safety of travelers, enhance economic development and enhance important intra and interstate transportation system.

After some discussion Council Member Smail made a motion to approve A RESOLUTION OF SUPPORT FOR THE K68 EXPANSION PROJECT. The motion was seconded by Council Member Wilhoite and all voted aye. The motion passed 4 to 0. The Resolution was given number 2018-009.

Agenda Item 4c- Consider approval of the construction of an ADA ramp to be located at 1 S. Pearl St.

Manager Wieland presented a request from Great Southern Bank located at 1 S Pearl to add an ADA ramp onto the west entrance of the building. In order to do this the ramp would have to be constructed on the sidewalk owned by the city.

As discussed in the work study session the concept drawing shows the ramp extending width wise 3'-10'' onto the existing sidewalk, leaving a 6'-5'' clear walkway from the ramp to the edge of the sidewalk. The landing will be 6'-5'' long and will have only one rise. To allow for multiple access there will be one step down on both the north and west side, with the ramp extending 6'-6'' to the south.

The ramp will follow ADA regulations and Council requested that the railing be decorative as to fit with the theme on the square. Assistant to the City Manager Shannon reported that the architect agreed the railing would be decorative.

Council Member Wilhoite made a motion to approve the ramp construction at 1 S. Pearl St. with the condition that the existing sidewalk where the ramp shall be located be replaced. The motion was seconded by Council Member Smail and all voted aye. The motion passed 4 to 0.

Agenda Item 4d - Consider a Resolution Adopting the revised Tax Incremental Financing Policy.

Manager Wieland explained that the City's current Development Incentives include a Tax Incremental Financing Policy (TIF) that was adopted in 2004. Therefore, there are many sections that are out of date that do not comply with current state statutes. In order to update these sections, Assistant to the City Manager Shannon researched policies from surrounding communities to get a better idea of what will work best for our community.

Updating the current TIF policy will allow for this community to be more competitive on the economic development front and will help to bring our Development Incentives up to the same level as surrounding communities. Doing this will not only help make current up and coming projects possible, but will hopefully help spark more development throughout our community.

After additional discussion Council Member Nickelson made a motion to approve A RESOLUTION ADOPTING A REVISED TAX INCREMENTAL POLICY. The motion was seconded by Council Member Wilhoite and all voted aye. The motion passed 4 to 0. The Resolution was given number 2018-008.

Agenda Item 4e - Consider a report from the Paola Building Inspector regarding a dangerous structure located at 115 W. Wea pursuant to KSA 12-1752.

Manager Wieland asked the City Council to consider reports from William J. Trout, Building Inspector, Andy Martin, Paola Fire Chief and Warren Schwabauer with Norton & Schmidt

Consulting Engineers, LLC on the condition of the structure at 115 W Wea. This structure has been vacant for some time and has become unsafe causing a nuisance and danger to the community.

If the governing body agrees and accepts the statements of the Building Inspector, Fire Chief, and Mr. Schwabauer of Norton & Schmidt that the property is unsafe and dangerous, the next step in the dangerous structure process is to adopt a resolution setting the date, time and place for a public hearing at which time all interested parties may appear and present evidence why the structures should not be condemned and ordered repaired or demolished.

The proposed resolution will be published and mailed to all parties of interest according to KSA 12-1752.

Council Member House made a motion to accept the report from Paola Building Inspector, William Trout, Sr., declaring 115 W. Wea as unsafe and dangerous structure pursuant to KSA 12-1752. The motion was seconded by Council Member Nickelson and all voted aye. The motion passed 4 to 0.

Agenda Item 4f - Consider a Resolution Fixing the Time and Place of a Condemnation Hearing for the property located at 115 W Wea, Paola, Kansas, pursuant to KSA 12-1752.

Manager Wieland requested the Council adopt Resolution 2018-010, pursuant to K.S.A. 12-1752. This resolution will set a Public Hearing to be scheduled for December 11th, 2018 at 6:00 pm at the Paola Justice Center during the regularly scheduled City Council meeting. The public hearing will allow for any owner, agent, lienholders of record or occupants or other interested parties in the structure to appear and show cause why such structure should not be condemned and ordered repaired or demolished as an unsafe or dangerous structure.

Council Member Nickelson made a motion to adopt A RESOLUTION FIXING A TIME AND PLACE AND PROVIDING FOR NOTICE OF A HEARING BEFORE THE GOVERNING BODY OF THE CITY OF PAOLA, KANSAS, AT WHICH THE OWNER, HIS OR HER AGENT, LIENHOLDERS OF RECORD, OCCUPANTS, AND OTHER PARTIES IN INTEREST OF STRUCTURES LOCATED WITHIN SAID CITY AND DESCRIBED HEREIN MAY APPEAR AND SHOW CAUSE WHY SUCH STRUCTURES SHOULD NOT BE CONDEMNED AND ORDERED REPAIRED OR DEMOLISHED AS UNSAFE OR DANGEROUS STRUCTURES. The motion was seconded by Council Member House and all voted aye. The motion passed 4 to 0. The resolution was given number 2018-010 and will be posted two consecutive weeks in the Miami County Republic.

Agenda Item 4g - Consider the renewal of the City's group health insurance policy with Blue Cross Blue Shield of Kansas, dental coverage with Delta Dental, life insurance with Met Life, and eye insurance with Surency.

HR Director Belt presented to the Council the City's Group Insurance Plan renewal set for January 1st. Blue Cross has offered to renew our existing policies with an overall .4% premium increase. The City's Group Dental Plan with Delta Dental increase is .9%. Met Life and optional vision coverage through Surency have no change in premium. The Staff recommends accepting these very minimal increases and keeping our existing plans.

After some discussion Council Member Smail made a motion to approve the renewal of the City's group health insurance policy with Blue Cross Blue Shield of Kansas, Delta Dental, Met Life, and Surency as presented. The motion was seconded by Council Member Wilhoite and all voted aye. The motion passed 4 to 0.

Agenda Item 5 - COMMITTEE REPORTS – None.

Agenda Item 6 - STAFF REPORTS

Assistant City Clerk Marler discussed the League Regional Supper coming up on October 30th in Overland Park. There will be an overview of Home Rule at 4:00 and dinner registration at 5:30.

Manager Wieland reported that Assistant City Clerk Marler will have a draft of a new policy for review to raise the purchase age of tobacco to 21.

Manager Wieland also discussed that he and Assistant to the City Manager Shannon presented a new sign idea to the Paola Pathways Task Force. They would like to install signs reminding people to keep their dogs on a leash while in all public areas and be aware of the penalty for non-compliance.

Manager Wieland would like to look at relocating the port-a-pot placement in Wallace Park in the future. When the park floods it causes a problem with the facilities floating around the park.

Agenda Item 7 - MISCELLANEOUS MATTERS FROM THE COUNCIL

Council Member Smail thanked everyone for their thoughts, prayers, meals, and plants during his unexpected medical emergency.

Council Member Wilhoite expressed her gratitude for being able to serve on the council since 2002. She will not be running for another term.

Council Member House explained that she is doing 40 good deeds for 40 days leading up to her 40th birthday. She brought treats for the meeting because she appreciates everyone and wanted to say thank you.

Council Member Nickelson wanted to comment on how impressed he was with the Police and Fire Department on responding to a house fire of a City Employee that lives in his

neighborhood. It was raining and miserable but they worked together to get it out and help their co-worker. He also mentioned that he will be out of town for the November Council Meeting.

Agenda Item 8 - MISCELLANEOUS MATTERS FROM THE MAYOR

Mayor Stuteville asked if something could be done about the geese at Lake Miola.

Mayor Stuteville also mentioned that she has been questioned about food trucks.

Agenda Item 9 – ADJOURNMENT

With no additional business to come before the Council, Council Member Smail 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