

**MINUTES OF THE COUNCIL MEETING
OF THE CITY OF PAOLA, KANSAS
PAOLA JUSTICE CENTER 805 N PEARL
6:00 O'CLOCK P.M.
November 10, 2020**

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, Trent Upshaw, Leigh House and Aaron Nickelson.

Council Members absent: None

Also present: City Manager Sid Fleming, Assistant City Manager Randi Shannon, City Clerk Stephanie Marler, Police Chief Don Poore, City Attorney Lee Tettwiler, Brian McCauley with Miami County Republic, Human Resources Director Vicki Belt and Matt Wicherham.

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

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

Agenda Item 1 - CONSENT AGENDA

- a. Approval of minutes of the meeting of October 13, 2020.
- b. Approval of Salary Ordinances 20-21 and 20-22
- c. Approval of Appropriation Ordinances 937 and 938.
- d. Approval of the Pledged Collateral Report for October 2020.
- e. Approval of the Journal Entries Reports for October 2020.

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 Upshaw and all voted aye. The motion passed 4 to 0.

Agenda Item 2 - COMMENTS FROM THE PUBLIC: None

Agenda Item 3 – UNFINISHED BUSINESS

Agenda Item 3a- Consider approval of a bid award for roofing services.

Manager Fleming reminded the Council that Public Works had asked a local contractor to inspect a leaking roof on the Chemical Building at the Pool. Upon inspection, hail damage was discovered and staff contacted EMC Insurance to investigate. During the process, EMC discovered several City facilities had hail damage.

Manager Fleming stated a bid solicitation was advertised on the City website and published for 2 weeks in the Miami County Republic. Several potential contractors were also contacted directly. The bids received were:

CONTRACTOR	TOTAL BID
McCool Roofing	\$61,697.16
Construction Management Services, Inc.	\$69,520.28

Manager Fleming said staff reviewed the two bids and both met the specifications. Based on the review of the submittals, McCool Roofing offered the lowest, qualified bid that best serves the City's interest.

Council Member Upshaw made a motion to approve the bid award for roofing services to McCool Roofing for the amount of \$61,697.16 and authorize the necessary signatures. The motion was seconded by Council Member House and all voted aye. The motion passed 4 to 0.

Agenda Item 4 - NEW BUSINESS

Agenda Item 4a i – Consider Rezoning Tract 3 of the Paola Industrial Park.

Assistant Manager Shannon stated the Paola Planning Commission held a public hearing on October 20, 2020 to discuss the proposed rezoning of Tract 3, currently zoned Business Park (BP), of the Paola Industrial Park. The City has a proposed Indoor Recreation development that is looking to build in the Industrial Park and is only allowed in the Thoroughfare Access (TA) zoning district.

Assistant Manager Shannon said for this development to be located on any lot in the Industrial Park, a rezoning would have to be done. Tract 3 is the best option due to the fact the adjoining lot directly to the west is currently TA and this would prevent "spot zoning" which is discouraged and not consistent with the Paola Comprehensive Plan.

After some discussion Council Member Nickelson made a motion to adopt Ordinance 3167 rezoning Tract 3 of the Industrial Park from Business Park to Thoroughfare Access. The motion was seconded by Council Member House and all voted aye. The motion passed 4 to 0.

Agenda Item 4a ii – Consider a Land Development Agreement for Tract 3 of the Paola Industrial Park.

Assistant Manager Shannon stated Wick Sports, LLC is proposing to construct an 8,000 square foot building to be used as an indoor baseball and softball batting facility. The intended purpose is for local players of all ages to be able to rent cages for hitting and pitching practices year-round as well as attract teams and players from outside the community to Paola.

Assistant Manager Shannon said the proposed site is approximately 3.2 acres. An initial investment into this development is expected to be \$300,000 minimum to cover the start-up costs. Personnel will initially consist of the two owners working full time, as well as hiring 3 part-time employees, which includes one seasonal worker.

Assistant Manager Shannon said although the developer will purchase the land for \$1.00 and other considerations, they will be responsible for other fees and installation of curb and gutters on the subject property along Industrial Park Drive. The agreement also states that the developers will have twenty-four (24) months from the date of closing to construct a commercial building, if the developer sells the land before a building is constructed, or within twenty-four (24) months of closing, then the developer will have to split any profits equally with the City.

Council Member Smail made a motion to authorize the Mayor to execute the Development Agreement on behalf of the City with Wick Sports, LLC., on Tract 3 in the Industrial Park, in substantially the form presented, and authorize the necessary signatures. The motion was seconded by Council Member Upshaw and all voted aye. The motion passed 4 to 0.

Agenda Item 4b – Consider renewal of the City’s group insurance plans with Blue Cross and Blue Shield of Kansas, Delta Dental, Surency and MetLife.

Manager Fleming presented the renewal of the City’s group insurance plans. He stated the City’s Benefit Consultant from Gallagher recently presented the 2021 renewals to staff. The health insurance renewal with Blue Cross Blue Shield basically maintains the existing policies with an overall 6.0% premium decrease. The City’s Group Dental Plan with Delta Dental remains unchanged. The optional vision coverage through Surency will have a slight premium increase, but the pricing change is part of a three-year contract. MetLife Basic Life will have no change in premium.

Council Member House made a motion to approve the 2021 renewals of the City’s Group Insurance Plans with Blue Cross Blue Shield of Kansas, Delta Dental, Surency and MetLife as presented. The motion was seconded by Council Member Nickelson and all voted aye. The motion passed 4 to 0.

Agenda Item 4c - Consider approval of Employee Christmas gifts.

Council Member Nickelson made a motion to approve the processing of \$150 gift cards as a Christmas gift to City Employees. The motion was seconded by Council Member Upshaw and all voted aye. The motion passed 4 to 0.

Agenda Item 4d - Consider an Ordinance amending Chapter 725 of the Paola Municipal Code.

Manager Fleming stated the City contracts with Waste Management for its residential sanitation service. Their services provide residents with weekly trash and recycling collection, and monthly bulky item pickup. He said due to global recycling changes, Waste Management’s processes and costs have been impacted.

Manager Fleming reminded the Council of the discussion at the September Work Study meeting regarding the three options from Waste Management to move forward.

1. One option would be an additional charge to cover the increased costs for Waste Management to process recycled material and provide the recycling service.
2. Option two would push recycling to every other week pickup.
3. Option three allows the City to make no changes, but Waste Management would be more proactive at “rejecting” loads that appear contaminated. With option three, future contracts would likely see significant increases to offset the increased recycling costs.

Along with these options, Waste Management also recommended an educational initiative to help drive down the contamination levels in Paola’s recycling stream.

Manager Fleming said to maintain the existing level of recycling service, Waste Management will charge an additional \$0.88 per customer per month, starting January 1, 2021. Additionally, the existing contract with Waste Management includes a two percent (2.0%) annual increase, and the City has been absorbing these annual increases in recent years. These factors warranted a rate review and potential adjustment.

Manager Fleming noted the rate review revealed the 2021 fee from Waste Management would be more than the City’s current rate for residents. Staff reviewed several rate options with Council at the October Work Session and prepared a rate ordinance to reflect that discussion. Starting January 1, 2021, the ordinance would take the residential sanitation service rate from \$17.00 per month to \$18.25 per month. The rate for qualified senior, low-income residents will remain \$5.00 per month.

Council Member Upshaw made a motion to adopt Ordinance No. 3166 amending Chapter 725 – Refuse, Trash and Solid Waste of the Paola Municipal Code, and authorize the necessary signatures. The motion was seconded by Council Member Smail and all voted aye. The motion passed 4 to 0.

Agenda Item 5 - COMMITTEE REPORTS – None.

Agenda Item 6 - STAFF REPORTS

Manager Fleming discussed the increase in COVID 19 cases in Miami County and suggested the continuance of the mask ordinance.

Manager Fleming updated the Council on CARES ACT funding.

Manager Fleming updated the Council on the progress of several projects including KDOT Baptiste & Hedge project, RFP for Baptiste Dr Extension and RFP for Comp Plan.

Clerk Marler reported on the **unofficial** election results from the November 3rd Election.

Ward 2

Trent Upshaw	98.6%	493 votes
Write-in	1.4%	7 votes

Ward 4

Aaron Nickelson	42.94%	310 votes
LeAnne Shields	56.23%	406 votes
Write-in	.83%	6 votes

Agenda Item 7 - MISCELLANEOUS MATTERS FROM THE COUNCIL:

Council Member House thanked the Council for understanding her absence during the work study session to work the election.

Agenda Item 8 - MISCELLANEOUS MATTERS FROM THE MAYOR:

Mayor Stuterville relayed a concern she received regarding a right of way on Lewis Dr. that needs some attention.

Agenda Item 9 – ADJOURNMENT

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

Artie Stuterville, Mayor

ATTEST: [seal]

Stephanie Marler, City Clerk