

**MINUTES OF THE REGULAR COUNCIL MEETING  
OF THE CITY OF PAOLA, KANSAS  
5:30 O'CLOCK P.M.**

**February 27, 2007**

**HELD AT THE PAOLA PUBLIC WORKS BUILDING  
29370 Old KC Road in Paola**

The Governing Body of the City of Paola, Kansas, met with Mayor Stuteville presiding.

Councilmembers present: Mayor Stuteville and Council Members Pritchard, Dial, Rowlett, and Hamilton.

Council Members absent: None.

Also present: Manager VanderHamm, Clerk Droste, City Attorney Tetwiler, Public Works Director Bieker, Planner Givens, Police Chief Smail, Brian McCauley from the Miami County Republic, and others.

**PLEDGE OF ALLEGIANCE:** Mayor Stuteville invited everyone in attendance to join in the Pledge of Allegiance.

**Agenda Item 1 - CALL TO ORDER:** The regular council meeting was called to order by Mayor Stuteville.

**Agenda Item 2 - ROLL CALL:** Mayor Stuteville and Council Members Pritchard, Dial, and Rowlett were all present. Councilmember Hamilton was absent at the beginning of the meeting.

**Agenda Item 3 - PETITIONS, REMONSTRANCES, AND COMMUNICATIONS**  
No one addressed the Council.

**Agenda Item 4 - CONSENT AGENDA**

- a. **Approval of minutes of the meetings of February 13, 2007**
- b. **Approval of Salary Ordinance number 07-03**
- c. **Approval of Appropriation Ordinance No. 599**

Councilmember Pritchard made a motion to approve the Consent Agenda and authorize the Mayor to sign. Councilmember Dial seconded the motion and all voted aye.

Councilmember Hamilton arrived and took his seat with the Council.

## **Agenda Item 5 – REPORTS OF OFFICERS, BOARDS AND COMMITTEES**

### **Agenda Item 5a - Consider a change order with URS for design services for the 303<sup>rd</sup> Street and Hedge Lane projects.**

Public Works Director Bieker introduced Mike Brown with URS who presented details on Change Order No. 2 for the 303<sup>rd</sup> Street and Hedge Lane projects. Mr. Brown indicated that the change order resulted in requested services that were “out of scope” of the original contract.

The change order included \$16,920.00 for breaking out the sanitary sewer portion of the project and having a separate bid letting from the street project, and \$26,320.00 for modifying the plans with respect to roundabouts, sidewalks, and sewer force main. The total amount of the change order amounted to \$43,240.00. The details of the additional services were discussed.

Manager VanderHamm reported that the original contract with URS in 2003 was for \$208,000 and to date just over \$125,000 has been billed. Miami County committed to pay up to \$200,000 from sales tax revenues and the City has been reimbursed for all of the \$125,000 that has been billed. The \$80,000 balance of the contract is yet to be billed. Manager VanderHamm indicated that the County will be contacted to let them know that additional reimbursement requests would be coming.

Councilmember Dial made a motion to approve a change order with URS in the amount of \$43,240.00. The motion was seconded by Councilmember Hamilton and all voted aye.

### **Agenda Item 5b - Consider approval of the preliminary site plan for Charlie Smith for 308 N Hospital Drive.**

Planner Givens presented the preliminary site plan for 308 N Hospital Drive. He explained that there were several deficiencies with the plan and that a variance was necessary because the lot was platted before the Land Development Ordinance was drafted. The site contains 7,895 square feet, more than 50% less than the 20,000 required in the Thoroughfare Access district. Additionally, the final site plan would be required to address sidewalks, signs, parking, landscaping, and exterior building colors.

Details of the plan were discussed. Mayor Stuteville questioned the number of curb cuts along Hospital Drive so close to the Baptiste Drive intersection. Clerk Droste reported that in researching the title to the property, Miami County Title discovered a copy of a recorded agreement between the City and the property owners to provide for a curb cut on this property for future development. Apparently the agreement came about as a result of improvements to the nearby intersection or as a result of the passing of the Land Development Ordinance in the 1980s.

Councilmember Pritchard made a motion to approve the preliminary site plan for 308 N Hospital Drive. The motion was seconded by Councilmember Dial and all voted aye.

**Agenda Item 5c - Consider approval of the preliminary site plan for BOW Properties for Brewer Commons located at the northeast corner of Peoria and Silver Streets.**

Planner Givens presented the preliminary site plan for Brewer Commons to be located at the northeast corner of Peoria and Silver Streets on the Square. This mixed use facility will have residential units on the second floor and retail on the first floor. Parking for the residential units will be on the lower level of the facility with access off of the alley to the north. Access to the parking garage will be controlled with a gated entry.

The commercial units on the street level will be restricted to exclude restaurants and hours of operation will be limited so that the upper floor residents will not be disturbed by the business activities.

Councilmember Dial made a motion to approve the preliminary site plan for Brewer Commons. The motion was seconded by Councilmember Hamilton and all voted aye.

**Agenda Item 5d - Request from Wayne Johnson of the Miami County Historical Museum to name an existing or new street honoring Lou & Dolphia Baehr.**

Mr. Wayne Johnson presented a request to rename an existing street or name a new street after Lou and Dolphia Baehr. He indicated that in March of 2002, a similar request was made and no action has been taken to date.

Mr. Johnson reported that the charitable foundation that was founded by Mr. & Mrs. Baehr has donated over \$4 million dollars for local groups and causes. The Baehr Foundation is the 3<sup>rd</sup> largest charitable foundation in the State of Kansas.

The request was discussed and the Council was receptive to further consideration.

**Agenda Item 5e - Request from the Miami County Historical Museum to waive the sign permit fees for banners for the Smithsonian Exhibit banners.**

Mr. Wayne Johnson presented a plan for placing banners promoting the Smithsonian traveling exhibition "Between the Fences". He requested that the City Council waive the sign permit fees and requested assistance from the Public Works Department in putting up the banners.

Councilmember Rowlett made a motion to waive the sign permit fee and any potential off site advertising restrictions for the Miami County Historical Museum. The motion was seconded by Councilmember Dial and all voted aye.

**Agenda Item 5f - Consider a Resolution authorizing improvements to Hedge Lane from 303<sup>rd</sup> Street to 299<sup>th</sup> Street.**

Mayor Stuteville indicated that this resolution was discussed at the previous Council Meeting and at that last work study session.

Councilmember Dial made a motion to approve A RESOLUTION RELATING TO BENEFITS OBTAINABLE BY CITIES UNDER PROGRAM FOR FEDERAL AID ON HIGHWAY CONSTRUCTION. The motion was seconded by Councilmember Pritchard and all voted aye. Clerk Droste assigned No. 2007-003 to the Resolution.

**Agenda Item 5g - Report from Carol Everhart on Economic Development activities.**

Mrs. Carol Everhart, Executive Director of the Paola Chamber of Commerce reported that the Chamber has been working diligently since July 2006 to be prepared to begin the process of developing a plan for Economic Development for the City of Paola. Mary Birch, former Chamber Director and Economic Development Coordinator for Overland Park has been hired as a consultant to help in the planning process. An Economic Development Focus group comprised of business leaders, community representatives, Paola City government representatives and Paola Chamber of Commerce representatives has been organized to assist in the process.

Planning meetings have produced the following information regarding the development of an Economic Development Plan:

1. Identified the positive characteristics of Paola – the marketable characteristics.
2. Identified the characteristics or areas needing improvement in Paola.
3. Prioritized long-term and short-term goals for getting ready for ED and community growth.
4. Created a list of ideas to help create a plan for Business Retention & Expansion.
5. Discussed Business Recruitment and target businesses – what do we want in Paola?
6. Listed the data that needs to be collected prior to putting the ED plan in motion.
7. Decided to use the Kansas BREES (Kansas Business Retention & Expansion E-Survey) to survey our local businesses. The surveys, training, data analysis and reporting is provided free through the Kansas Department of Commerce. Our Regional Business Development is Susan NeuPoth Cadoret: (785) 296-7198. The contact for the BREES is Ed Serrano (785-296-5298).
8. Discussed the need for a public/private Ed partnership.

The next two meetings will be held with Mary Birch, Ross VanderHamm, Carol Everhart, Eric Bunell and Council members wishing to be involved. The structure of the ED plan will be set up.

Mary Birch and Carol Everhart will create a report (whitepaper) that establishes the needs, the plan and accountability. The report should be completed by April 1, 2007.

The Economic Development Plan should be presented at the Paola Chamber of Commerce Annual Dinner on June 18, 2007

Paola Economic Development joined Location One a national site location company. Carol Everhart reported that she has been working on updating the information on the web site regarding available buildings and sites for business development in Paola and will also be adding demographics data.

Mrs. Everhart reported that she has attended the Kansas City Area Development Council meetings each month since November; Fall and spring Kansas Economic Development Council conferences; Ingram's Magazine Round Table discussion in Ottawa regarding ED in Miami and Franklin Counties; and she will be attending the Heartland Economic Development Course in Blue Springs, Mo April 15-19, 2007.

Mrs. Everhart presented a "Contact Report" which detailed the business development contacts and activities that she has been involved in. The report was discussed including ideas for reporting follow up activity.

Mrs. Everhart has been meeting with Planner Givens and Building Inspector Trout to become familiar with the planning, zoning, and building processes in the City. They will be working together to coordinate economic development opportunities for Paola.

Manager VanderHamm and Mrs. Everhart attended the Miami County meeting to discuss the direction that the County will take regarding economic development. The general consensus of the group was that the County should hire a new economic development director.

Mrs. Everhart presented a report of economic development expenditures from July 1, 2006 through February 22, 2007.

#### **Agenda Item 5h - Information on the 2010 US Census.**

Clerk Droste presented initial information that was sent by the US Department of Commerce Economics and Statistics Administration about the 2010 US Census.

#### **Agenda Item 6 - NEW BUSINESS**

Public Works Director Bieker introduced Alan Daniels who was recently hired as the Project Manager for the City. Mr. Daniels provided some background on his qualifications and presented a summary of the status of the new water tower and Baptiste Drive. The Council requested that Project Manager Daniels present updates on City projects at the monthly work study meetings.

Manager VanderHamm presented a budget timeline for the 2008 budget process. He estimated that Capital Improvement Projects would be reviewed by the Council on April 3<sup>rd</sup>. The Council would then meet with Department Managers from June 11<sup>th</sup>

through the 29<sup>th</sup>. The final date for budget approval and a public hearing is August 21<sup>st</sup>.

Manager VanderHamm reported that crews have been very busy patching pot holes. Mayor Stuteville reported that she had observed crews installing patch mix in pot holes filled with water on Peoria Street. Public Works Director Bieker indicated that he would check into the issue.

Manager VanderHamm reported that USD 368 is providing a utility easement for the sanitary sewer on 303<sup>rd</sup> Street. This will allow the City to connect to that sewer line rather than running a parallel line in an existing right of way.

The Community Development staff met with the softball group that is planning a new restroom and concession stand at the ball fields. The facility will actually be located on the property owned by the American Legion and not on City property. There are challenges to be resolved including flood plane and elevation issues.

The agenda for the March 6<sup>th</sup> work study meeting will include the 2007 street repair plans and the Osage Street flood zone issue.

Manager VanderHamm reported that he, Planner Givens and Public Works Director Bieker will be attending a K-68 Highway meeting at Louisburg on March 1<sup>st</sup>.

The new Storm Siren has been installed at the north end of Lake Miola.

Design work continues on the new Fire and Police Stations. Preliminary designs for the Fire Station will be presented at the March 13<sup>th</sup> Council meeting.

Manager VanderHamm reported that Don Bogard has made a request to vacate a portion of Oak Street at 302 E Ottawa. A public hearing will be held on March 13<sup>th</sup> to discuss the request.

Manager VanderHamm presented a report on sales tax revenues for February. Total sales tax revenue amounted to \$170,095 which represents an increase of 7.23% over the same month last year.

Councilmembers Hamilton, Rowlett, Dial, and Pritchard had no new business to discuss.

Mayor Stuteville reported that the City of Paola was named a Tree City USA again this year. She presented the letter and certificate to Councilmember Rowlett. Mayor Stuteville asked if the median at Pearl and Baptiste Drive, the circle median on Holly Lane, and the crosswalk on Hospital Drive could be painted.

Police Chief Smail reported that the Police Department will be working with the newspaper to spotlight “high profile” crimes and offer a reward for tips that help to solve the crimes.

Public Works Director Bieker reported that he is still waiting on information from the engineers regarding changes to the roundabout on Industrial Park Drive and on the potential use of stop lights at the intersection of Baptiste Drive and Silver Street.

**Agenda Item 7 -EXECUTIVE SESSION - K.S.A. 75-4319(B)(1) and K.S.A. 75-4319(B)(2) are the authorities for this recess.**

Councilmember Dial made a motion to adjourn to Executive Session, to include the Mayor, Council, City Manager, and City Attorney, for 45 minutes for the purpose of discussing personnel matters of non-elected personnel and for the purpose of a consultation with an attorney for the governing body which is deemed privileged in the attorney-client relationship; the regular meeting to reconvene at 8:00 p.m. The motion was seconded by Councilmember Pritchard and all voted aye.

Councilmember Dial made a motion to reconvene the adjourned meeting. The motion was seconded by Councilmember Pritchard and all voted aye.

**Agenda Item 9 – ADJOURNMENT.**

With no additional business to come before the Council, Councilmember Rowlett made a motion to adjourn the meeting. Councilmember Dial seconded the motion and all voted aye.

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Artie Stuteville, Mayor

ATTEST: (seal)

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Daniel G. Droste, City Clerk