

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

October 24, 2006

**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 Stuterville presiding.

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

Council Members absent: Mayor Stuterville

Also present: 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 Stuterville 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 Stuterville.

Agenda Item 2 - ROLL CALL: Mayor Stuterville and Council Members Pritchard, Dial, Rowlett, and Hamilton were all present.

Agenda Item 3 - PETITIONS, REMONSTRANCES, AND COMMUNICATIONS
Floyd Grimes addressed the Council to express appreciation to the City of Paola Parks Department for the great job that they do in maintaining the parks and cemetery. He also expressed thanks to the Public Works Department for relocating the memorial benches from the Park Square to the Wea Creek Mission Site. He encouraged the Mayor and Council to maintain the momentum for developing the Wea Creek Mission Site.

Manager VanderHamm introduced Chad Myers, the new Community Center Director. Director Myers gave a brief presentation on recent and upcoming programs at the Community Center.

Agenda Item 4 - CONSENT AGENDA

- a. **Approval of minutes of the meetings of October 10, 2006**
- b. **Approval of Salary Ordinance number 06-19**
- c. **Approval of Appropriation Ordinance No. 592**

Councilmember Pritchard inquired if the roofing bids for the Lake Miola house and the Wallace Park Shelter House were sent out for bid. Clerk Droste reported that request for bids

were sent to all licensed roofing contractors and six bids were received. Ballou Construction was the low bidder.

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

Agenda Item 5 – REPORTS OF OFFICERS, BOARDS AND COMMITTEES

Agenda Item 5a - Presentation by the Paola Tree Board

Brenda Wrischnik, President of the Paola Tree Board, presented certificates of appreciation to Public Works Director Bieker and Parks Superintendent Kinaman for their support of the Paola Tree Board and their activities.

Agenda Item 5b - Consider a request from Lakemary Center to “Adopt-a-Park”.

Manager VanderHamm presented a request from Theresa Burton at Lakemary Center to begin an “Adopt-a-Park” program. Public Works Director Bieker and Parks Superintendent Kinaman agreed to work with Lakemary Center to implement the program. The Council agreed that the program should be pursued.

Agenda Item 5c - Receive a request to vacate the alley in Block 50 of the Original Plat of the City of Paola from Troy Allen and Fred Green and set the date and time for a Public Hearing to consider said request.

Clerk Droste presented a petition from Troy Allen and Fred Green requesting that the alley in Block 50 of the original plat of the City of Paola be vacated. Droste explained that State Statute requires that the Council set the date and time for a public hearing to consider the petition.

Councilmember Pritchard made a motion to hold a Public Hearing on Tuesday, November 14th, 2006 at 5:30 pm at the Paola Public Works Building at 29370 Old KC Road in Paola, Kansas, to consider the petition of Fred H. Green and Troy Allen, requesting the vacation of a certain alley right-of-way in Block 50 of the original plat of the City of Paola, Kansas. The motion was seconded by Councilmember Dial and all voted aye.

Agenda Item 5d - Receive a request to vacate a portion of the Railroad Street right-of-way from Charles Smith and set the date and time for a Public Hearing to consider said request.

Clerk Droste presented a petition from Charlie Smith requesting that a portion of the right-of-way for Railroad Street in Block 1 of East Heights Addition to the City of Paola be vacated. Droste explained that State Statute requires that the Council set the date and time for a public hearing to consider the petition.

Councilmember Dial made a motion to hold a Public Hearing on Tuesday, November 14th, 2006 at 5:30 pm at the Paola Public Works Building at 29370 Old KC Road in Paola, Kansas, to consider the petition of Charles Smith, requesting the vacation of a portion of the Railroad Street right-of-way in Block 1 of EAST HEIGHTS Addition to the City of Paola, Kansas. The motion was seconded by Councilmember Pritchard and all voted aye.

Agenda Item 5e - Consider approval of the re-plat of 801 W Wea.

Planner Givens presented a request from Chris Stalbaumer to re-plat lots 3 through 10 of Block 8 in the City of Paola. He reported that at their October 17th meeting, the Planning Commission did approve the re-plat without condition.

After discussing the request, Councilmember Rowlett made a motion to approve the preliminary/final re-plat for Lots 3 – 10, Block 8, Snyder's Addition to the City of Paola. The motion was seconded by Councilmember Hamilton and all voted aye.

Agenda Item 5f - Consider approval of the renewal of a Drinking Establishment License for Dock's Landing.

Clerk Droste presented an application for the renewal of a Drinking Establishment License for Dock's Landing. Droste reported that the facility had passed the required fire safety inspection and the required \$250 application fee had been paid.

Councilmember Hamilton made a motion to approve a Drinking Establishment License for Dock's Landing. The motion was seconded by Councilmember Pritchard and all voted aye.

Agenda Item 5g - Consider a resolution authorizing the issuance of \$2,000,000 in General Obligation Bonds and \$2,710,000 in Temporary Notes.

Clerk Droste presented a resolution authorizing the issuance of \$2,000,000 in General Obligation Bonds and \$2,710,000 in Temporary Notes. The uses of these funds are itemized as follows:

GO Bonds:	\$325,000 Best Western Benefit District \$678,000 Lewis Drive \$900,000 Baptiste Drive \$ 68,508 Temp Note Interest \$ 3,352 Accrued Interest <u>\$ 25,140</u> Estimated Costs of Issuance \$2,000,000 Total
Temp Notes:	\$2,000,000 Improvements for the water plant. <u>\$710,000</u> Rockwood Phase III Benefit District \$2,710,000 Total

Manager VanderHamm reported that the General Obligation Bonds would be split into two issues, one for the city-at-large projects and the other for the benefit district.

Councilmember Hamilton made a motion to approve A RESOLUTION OF THE CITY OF PAOLA, KANSAS, AUTHORIZING AND PROVIDING FOR THE PUBLIC SALE OF THE CITY'S GENERAL OBLIGATION BONDS, SERIES 2006 IN THE APPROXIMATE PRINCIPAL AMOUNT OF \$2,000,000 AND THE CITY'S TEMPORARY NOTES, SERIES 2006-B, IN THE APPROXIMATE PRINCIPAL AMOUNT OF APPROXIMATELY \$2,710,000. The motion was seconded by Councilmember Dial and all voted aye. Clerk Droste assigned number 2006-008 to the Resolution.

Agenda Item 5h -Consider a resolution changing the location of the regular meetings of the Paola City Council to the Paola Public Works Building located at 29370 Old KC Road.

Clerk Droste presented a resolution changing the location of regular meetings of the City Council. He reported that the resolution was being presented pursuant to the request of Councilmember Pritchard at the last Council Meeting. Droste stated that there was some discussion among staff regarding the change and the only concern was the ability of the facility to handle an audience of larger than 25 to 30 persons. Councilmember Pritchard stated that it was his opinion that the Public Works Building was more comfortable and less intimidating to visitors.

After discussing the resolution, Councilmember Pritchard made a motion to approve A RESOLUTION CHANGING THE PLACE TO CONDUCT THE PUBLIC MEETINGS OF THE PAOLA CITY COUNCIL. The motion was seconded by Councilmember Dial and all voted aye. Clerk Droste assigned number 2006-009 to the Resolution.

Agenda Item 6 - NEW BUSINESS

Manager VanderHamm reported that John Brann from Ponzer-Yongquist has contacted FEMA regarding the preliminary flood maps. Mr. Brann has estimated a cost of \$1,000 to produce the information that FEMA needs to consider a revision to the flood maps. The work will be completed by February.

Manager VanderHamm reported that he and Public Works Director Bieker and Building Inspector Trout are working with Randy Medlin and John Thomas regarding the storm water detention pond. Outstanding issues will need to be resolved now that the infrastructure improvements are nearing completion.

Manager VanderHamm reported that a complaint has been received regarding the stone "welcome" sign at the Zarco on North Pearl. The Planning Commission will consider this issue at their November 21st meeting.

The City employee Christmas party has been scheduled for Monday, December 11th at the Paola Country Club.

Manager VanderHamm reported that Joe White with Anthony Construction Management sent a written status report on the Baptiste Drive reconstruction project. As of October 14th, the contractor has been charged with 96 of 175 working days. Currently, the contractor is working on the dirt work of the street widening and the entrances. Weather permitting; the asphalt base will be completed next week with curbs and entrances to follow soon after. The curbs, median, and the mill and overlay are anticipated to be completed this year on the section of Baptiste Drive east of Hospital Drive.

Manager VanderHamm discussed the 303rd Street and Industrial Park Drive projects. The Industrial Park Drive office review has been completed and the field check plans have been returned by KDOT along with cost estimates. The project has been scheduled for January of 2008 and is estimated to cost \$1,014,952.00. Public Works Director Bieker met with representatives from McHaffee, Henderson & Strick on the 303rd Street project. This project is on schedule and office check plans should be sent out in the spring. Councilmember Rowlett asked if it would be possible to include information on the 303rd Street project at a work study session as it has been quite some time since the Council has seen any details on this project.

Councilmember Hamilton observed that in the Kansas Government Journal the City of Beattie was recognized as a “Community of Excellence” and they installed pre-fabricated public restrooms in their parks. He suggested that we consider this as an option for our restroom needs in our parks.

Councilmember Rowlett has no additional topics to discuss.

Councilmember Dial asked about the solution to the off road vehicle traffic near the VFW. She suggested posting signs rather than gates. Manager VanderHamm indicated that signs were being considered to address the problem.

Councilmember Pritchard asked about the stop light at Baptiste Drive and Hedge Lane. Public Works Director Bieker reported that the control loops for the lights were cut as part of the construction work and they would be repaired soon. Councilmember Pritchard asked if the construction barricades on the east end of Indian Hills could be moved. Public Works Director Bieker indicated that the barricades were required by KDOT but they might be able to move them to make it less cumbersome.

Mayor Stuterville recommended that Steve Wrischnik be appointed to fill the vacancy on the Planning Commission. Councilmember Rowlett made a motion to approve the Mayor’s appointment of Steve Wrischnik to the Planning Commission. The motion was seconded by Councilmember Dial and all voted aye.

Mayor Stuterville indicated that Luke DeGrande asked if the City would consider opening the area at Lake Miola for ATV use. She recommended that the issue be sent to the Lake Miola Committee prior to the Council considering the request.

Mayor Stuteville reported that she observed some truck drivers measuring the Railroad underpass with a tape measure trying to determine if their load would fit under the structure. She suggested that the bridge height be painted on the bridge or a sign place on it to advise drivers of the height.

Agenda Item 7 - EXECUTIVE SESSION - K.S.A. 75-4319(B)(6) and K.S.A. 75-4319(B)(2) are the authorities for this recess.

Councilmember Hamilton made a motion to adjourn to Executive Session for 30 minutes to include the Mayor, Council, City Manager, and City Attorney for the purpose of preliminary discussions relating to the acquisition of real property 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 7:10 p.m. The motion was seconded by Councilmember Dial and all voted aye.

At 7:10 pm, Councilmember Hamilton made a motion to reconvene the adjourned meeting. The motion was seconded by Councilmember Dial and all voted aye.

Agenda Item 8 – ADJOURNMENT.

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

Artie Stuteville, Mayor

ATTEST: (seal)

Daniel G. Droste, City Clerk