

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

March 13, 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 Stuterville presiding.

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

Council Members absent: None.

Also present: Manager VanderHamm, Clerk Droste, City Attorney Tettwiler, 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, and Rowlett were all present.

Agenda Item 3 - PETITIONS, REMONSTRANCES, AND COMMUNICATIONS
Justin Aude of 705 Redbud addressed the Council regarding traffic control in Indian Hills Subdivision. He reported that the homeowners association in Indian Hills surveyed the residents and 84% agreed that removable speed bumps should be installed Redbud Drive. The homeowners association is willing to pay for the cost of the speed bumps if the Public Works Department would do the installation. The request was taken under advisement.

Agenda Item 4 - CONSENT AGENDA

- a. **Approval of minutes of the meetings of February 27, 2007**
- b. **Approval of Salary Ordinance number 07-04**
- c. **Approval of Appropriation Ordinance No. 600**

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

Clerk Droste presented a change to the agenda. He reported that Item 5g was amended to include a request for a leak allowance for 1708 Industrial Park Drive.

Agenda Item 5 – REPORTS OF OFFICERS, BOARDS AND COMMITTEES

Agenda Item 5a - Public Hearing to consider the petition to vacate a portion of Oak Street the City of Paola.

Councilmember Hamilton made a motion to open the Public Hearing to consider the petition of Mr. & Mrs. Donald Bogard, requesting the vacation of the easterly 4.37 feet of Oak Street adjacent to Lot 6, Block 6 in the City of Paola. The motion was seconded by Councilmember Pritchard and all voted aye.

Clerk Droste advised that the petition had been withdrawn by the Mr. & Mrs. Bogard.

Councilmember Hamilton made a motion to close the Public Hearing. The motion was seconded by Councilmember Dial and all voted aye.

Councilmember made a motion to Hamilton accept the withdrawal of the petition of Donald E. Bogard, Jr. and Rhonda D. Bogard, requesting the vacation of all of the easterly 4.37 feet of Oak Street lying along and adjacent to the westerly line of Lot 6, Block 6, in the City of Paola, Kansas. The motion was seconded by Councilmember Pritchard and all voted aye.

Agenda Item 5b - Presentation on the new Fire Station by Treanor Architects.

Andy Pitts representing Treanor Architects presented a report on the status of the design of the new fire station. Mr. Pitts presented a preliminary site plan for the facility on the existing Municipal Parking Lot No. 1 at the southwest corner of Silver and Piankishaw. He discussed the functionality of the facility and reviewed the floor plan of the design.

Mr. Pitts reviewed the cost, scope, and quality of the project. Not including “soft” costs, the facility budget is approximately \$2.2 million. At current costs of approximately \$200 per square foot, a facility of 11,000 square feet could be built within budget. The preliminary design of the facility contains approximately 15,000 square feet.

Fire Chief Andy Martin reported that they have looked at cutting one of the equipment bays and the third stairwell to get the facility down to 15,000 square feet. The quality of finish materials was discussed as a means to reduce the cost of the project. Another option is to bid areas on the second floor as unfinished space with alternate bids to finish the space. Then if the bids come in lower than anticipated, the space can be finished and still remain within budget.

Chief Martin explained that the Fire Department is giving presentations to community groups about the proposed project. Mark Farmer presented a schedule of the presentations and discussed some of the comments that have been fielded at these presentations. Councilmember Hamilton addressed some of these comments and suggested that the Council should be

informed in advance about the presentations so that they would be better prepared to answer questions from citizens.

Agenda Item 5c - Consider changes to fees charged at the Aquatic Center.

Manager VanderHamm reported that the last time that the rates at the Aquatic Center were adjusted was in March of 2004. The rates are important as the sales tax revenue is no longer available to subsidize the operations of the pool. In 2005, the pool lost \$68,133 from operations and in 2006, the pool ended the year with a \$70,493 deficit.

Manager VanderHamm reported that he met with Pool Manager Sherry Ball and they were recommending the following adjustments to pool fees:

	<u>Current</u>	<u>Proposed</u>
Daily Admission	\$3.00	\$4.00
Senior Citizen Daily	\$1.50	\$1.50
Season Pass	\$50.00	\$60.00
Coupons (10)	\$25.00	\$35.00
Party Rental	\$300.00	\$300.00
Swimming Lessons	\$32 - \$37	\$32 - \$37
Aerobic Lessons	\$33.00	\$33.00

Manager VanderHamm also reported that concession prices would be reviewed to make sure that adequate profit margins are maintained. Pool Manager Ball indicated that she surveyed area pools and the proposed fees are about mid range compared to other municipal pools.

After discussing the proposal, Councilmember Rowlett made a motion to approve changes to the fee schedule for the Aquatics Center as presented. The motion was seconded by Councilmember Hamilton and all voted aye.

Agenda Item 5d - Consider changes to the Lake Miola Rules and Regulations.

Clerk Droste presented a “marked up” draft of the Lake Miola Rules and Regulations which shows the recommended changes proposed by the Lake Miola Committee. A clean draft of the regulations was also presented in the form of an Ordinance.

Public Works Director Bieker reviewed some of the changes recommended by the Lake Miola Committee such as changes in camping regulations, fee schedules, parking, and boating regulations.

Councilmember Hamilton asked if any campground improvements were planned in conjunction with the increase in camping fees. He indicated that several persons had complained that the campsites were not level. Public Works Director Bieker indicated that the sites were not designed for many of the larger campers, but there will be some improvements made to the campsites.

After discussing the regulations, Councilmember Hamilton made a motion to approve the Lake Miola Rules and Regulations as presented in AN ORDINANCE TO AMEND ARTICLE II – MIOLA LAKE – IN GENERAL, ARTICLE III – BOATING, ARTICLE IV – FISHING, AND ARTICLE V - PENALTY OF TITLE II OF THE CODE OF THE CITY OF PAOLA and instructed the City Clerk to publish said Ordinance. The motion was seconded by Councilmember Dial and all voted aye. Clerk Droste assigned No. 2936 to the Ordinance.

Agenda Item 5e - Consider and agreement with Ponzer Younquist to provide a flood plain study at 304 E Osage and FEMA's Letter of Map Revision.

Manager VanderHamm reported that an additional proposal from Allenbrand Drews has been solicited for the flood plain study at 304 E Osage and that proposal has not yet been received. He recommended that this issue be tabled for two weeks until the additional bid has been received.

The issue was tabled and no action was taken.

Agenda Item 5f - Community Center report presented by Chad Myers, Community Center Director.

Chad Myers, Community Center Director, presented a report on the activities that have been held at the Community Center during the past two months.

January events:

- Movie Night – Jan. 20
- Increased building rentals
- ELOI weekly church service began using the facility
- Fire training – Jan. 17
- Building custodian hired and started work Jan. 13
- Kansas Day celebration at the PCC – Jan. 27
- Hootin’ Annies bluegrass concert – Jan. 27

February events:

- City staff training – Feb. 1
- Holy Trinity talent practice – Feb. 2
- Alcoholics Anonymous started meeting at the PCC 3 days /week – Feb 2
- Miami County Quilters Guild continues to meet on Saturdays
- Wal-Mart staff training – Feb. 15
- First PCC Summer Enrichment program meeting – Feb. 22
- Free movie night – Feb. 24

Total 2 month attendance: 1846

Events planned for March:

- Irishfest – March 3 – approximately 450 people in attendance
- Continue to increase number of building rental groups.
- 60 person birthday party – March 10
- Wedding – March 17
- Winter Wow Variety Show – March 24
- Smithsonian Program “Between Fences” – March 31

Director Myers reported that the Community Center Board Committees have continued to meet and have accomplished the original six-month objectives set in October. Work is now being done to create new objectives through 2008.

Many meetings have been held with Doug Loyd, the building architect, as well as other contractors and the PCC building committee to finalize the renovation plans.

Work is being done for the Summer Enrichment program to have a structured, well-managed program in the summer of 2007. This will include instructors with lesson plans, program outcomes, classes working together, and a graduation program at the end for all students.

Plans are underway for a PCC Membership Dinner to occur on Sat. April 14. The Americana Music Academy will begin offering music lessons in April at the PCC. Grants are being sought for future programs and scholarships for program participants.

Agenda Item. 5g - Consider a request for a water leak allowance at 702 E Piankishaw and for 1708 Industrial Park Drive.

Clerk Droste presented two requests for water leak allowances. A leak at 702 E Piankishaw was repaired and the appropriate documentation was provided to qualify for a leak allowance of \$207.68. Additionally, the property at 1708 Industrial Park Drive experienced a leak and was repaired and also qualifies for a leak allowance in the amount of \$192.87.

Councilmember Dial made a motion to approve a leak allowance for 702 E Piankishaw in the amount of \$207.68 and for 1708 Industrial Park Drive in the amount of \$192.87. The motion was seconded by Councilmember Pritchard and all voted aye.

Agenda Item 5h - Consider bids for new mowers for the Public Works Department.

Brad Kinaman, Grounds Superintendent in the Public Works Department presented bids for two new mowers to replace the two oldest mowers currently in use. Bids were received from Smith Sales & Service, Wiseman Lawn, Blue Valley Tractor, The Family Center, and Heritage Tractor and ranged from a low of \$10,780 to \$13,600. The low bid was submitted by Heritage Tractor for Exmark Frontrunner mowers at \$10,780.00 each.

After discussing the bids, Councilmember Pritchard made a motion to approve the bid from Heritage Tractor for two Exmark Frontrunner mowers in the amount of \$21,560.00. The motion was seconded by Councilmember Dial and all voted aye.

Agenda Item 6 - NEW BUSINESS

Manager VanderHamm reported than an anonymous letter was sent to approximately 300 area residents regarding low flying aircraft near Paola.

Manager VanderHamm reported that City Staff has been in contact with KDOT regarding the blue service information signs that are placed near highway exit ramps. KDOT contracts with Kansas Logos Inc. for these signs and we have been advised that information has been sent to area businesses and a site plan has been completed for our interchange.

Two of the four new patrol cars have been delivered and are being prepared for service. The other two cars are in transit.

Manager VanderHamm reported that the March 27th Council Agenda will include a presentation of the Comprehensive Plan and continued discussion on the closing of 295th Street.

A copy of the minutes from the K68/MO2 Corridor Coalition meeting on March 1st was presented and discussed.

Financial Reports for the month of February were presented.

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

Mayor Stuterville asked about the date for the city wide clean up. April 28th has been scheduled for the pick up date for the clean up. Mayor Stuterville also asked about signs for community groups or churches. There was some discussion about these types of signs and if they were allowed under the sign regulations

Denis Hinman asked for confirmation of the budget for the new fire department. **Manager VanderHamm indicated that the total project budget is \$2.8 million which is the total principal amount of the bonds that will be serviced by the ¼ cent sales tax.**

Jason Frizzell asked if an additional apparatus was still planned in the financing for the new fire station. Councilmember Hamilton indicated that with the anticipated shortage for the fire facility, there will not be sufficient cash up front to purchase additional apparatus. The question is timing and how do we pay for it.

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 Hamilton made a motion to adjourn to Executive Session, to include the Mayor, Council, City Manager, and City Attorney, for 60 minutes 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 8:30 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.

Councilmember Rowlett made a motion to adopt Resolution No 2007-004 referring to Rural Water District No. 2 and their application for a USDA Rural Development loan, Section 1926(b). The motion was seconded by Councilmember Dial and all voted aye.

Councilmember Pritchard made a motion to adjourn to Executive Session, to include the Mayor, Council, City Manager, and City Attorney, for 60 minutes for the purpose of discussing personnel matters of non-elected personnel, the regular meeting to reconvene at 9:30 p.m. The motion was seconded by Councilmember Dial and all voted aye.

Councilmember Rowlett made a motion to reconvene the adjourned meeting. The motion was seconded by Councilmember Hamilton 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.

Artie Stuterville, Mayor

ATTEST: (seal)

Daniel G. Droste, City Clerk