

**MINUTES OF THE COUNCIL MEETING
OF THE CITY OF PAOLA, KANSAS
6:00 O’CLOCK P.M.
May 13, 2014**

**HELD AT THE PAOLA JUSTICE CENTER
805 North 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 Jim Pritchard, Gee Gee Wilhoite, and Aaron Nickelson.

Council Members absent: Council Member Leigh House

Also present: City Manager Jay Wieland, City Clerk Dan Droste, City Attorney Lee Tetwiler, Public Works Director Craig Browning, Police Chief Dave Smail, City Planner Mike Gotfredson, Carol Everhart, and Brian McCauley with the Miami County Republic.

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, Wilhoite, and Nickelson were all present. Council Member House was absent.

Agenda Item 3 - PETITIONS, REMONSTRANCES, AND COMMUNICATIONS: Mayor Stuteville asked the audience if anyone desired to address the Council about any issue that is not an agenda item. No one addressed the Council.

Agenda Item 4 - CONSENT AGENDA:

- a. Approval of minutes of the regular meeting of April 22, 2014.
- b. Approval of Salary Ordinance 14-10.
- c. Approval of Appropriation Ordinance No 776.
- d. Approval of the Journal Entries Report for April, 2014.
- e. Approval of the Pledged Securities Report for April, 2014.
- f. Approval of a Leak Allowance for 209 Second Street in the amount of \$209.95.

Council Member Wilhoite made a motion to approve the Consent Agenda as presented and authorize the Mayor to sign. The motion was seconded by Council Member Nickelson and all voted aye. The motion passed 3 to 0.

Agenda Item 5 – REPORTS OF OFFICERS, BOARDS AND COMMITTEES:

Agenda Item 5a – Consider the approval of a Community Event Permit and Temporary Alcohol License for sale/consumption of alcohol in the Park Square for the Art & Wine Stroll on July12.

Carol Everhart with Paola Tourism, Inc. reported to the City Council that the 5th annual Art and Wine Stroll is scheduled for July 12th. This year the group is requesting that the Temporary Alcohol Permit be expanded to allow for the purchase of bottles of wine that could be consumed in the Park Square during the event. Mrs. Everhart reported that this request is being made based on recommendations from the wineries to improve the event.

Clerk Droste provided background on the City's ordinances that provide for Temporary Entertainment Districts where alcohol can be sold and consumed. Among other items, the ordinance requires that the applicant provide a "description of the signage, barriers or maps which will be used to designate the area in which alcoholic liquor or cereal malt beverages may be consumed. He noted that the ordinance provides options for designating this area. However, without some visual boundary, it would be very easy for a participant to unintentionally violate open container laws while walking to and from the Park Square during the event.

Clerk Droste reported that he, the City Manager and the City Attorney had discussed this issue and they all agreed that an economical solution would be to use "caution tape" to define the perimeter of the Park Square. This would provide an easily identifiable area for participants to consume wine while listening to the bands. This would also provide visual identification for non-participants to let them know that a special event is taking place in the Park Square. Additionally, partially consumed bottles would have to be re-corked and placed in a sealed container before they can legally be transported from the event. Volunteers located at the entrances to the Park Square could provide "security" to avoid the unintentional violation of open container laws.

It was noted that the application from Paola Tourism, Inc. does not indicate the manner in which the event area is identified, the manner of addressing partially consumed bottles of wine, and details on security for the event. It was recommended that these issues be addressed before action is taken on the application.

After additional discussion, Council Member Pritchard made a motion to table action on the Community Event Permit and Temporary Alcohol License for the Art & Wine Stroll until the next City Council meeting. The motion was seconded by Council Member Nickelson and all voted aye. The motion passed 3 to 0.

Agenda Item 5b – Consider the approval of a Community Event Permit and Street Closure Application for the annual Heartland Car Show on June 14th.

Manager Wieland presented a Street Closure application for the annual Heartland Car Show on June 14th at the Park Square. Clerk Droste reviewed changes in the Silver Street traffic detour and the boundaries for the Car Show. He noted that the signature sheet of the downtown businesses has not yet been completed and approval should be conditional upon the receipt of those signatures.

After a discussion, Council Member Pritchard made a motion to approve Community Event Permit and Street Closure Application for the annual Heartland Car Show on June 14th as presented. The motion was seconded by Council Member Nickelson and all voted aye. The motion passed 3 to 0.

Agenda Item 5c – Consider the approval of Street Closure Application for the First Lutheran Church Vacation Bible School from June 9th to the 13th.

Clerk Droste presented an application from First Lutheran Church requesting a street closure to accommodate the activities for their Vacation Bible School in June.

After a discussion, Council Member Pritchard made a motion to approve the application from the First Lutheran Church to temporarily close the 400 block of East Piankishaw from 8:00 am until Noon from June 9th to the 13th. The motion was seconded by Council Member Wilhoite and all voted aye. The motion passed 3 to 0.

Agenda Item 5d – Consider an Ordinance adopting a construction incentive program for new residential housing.

Manager Wieland reported that as discussed previously, staff has prepared a new home construction incentive program for consideration. The program as proposed would be a reduction of the building permit cost. For most properties, the fees would be reduced as follows: 65% build permit fee, 65% plan review fee, 50% sewer fee, 50% water fee. For properties in special assessment districts that expire after 2016 the fees would be reduced as follows: 100% build permit fee, 100% plan review fee, 100% sewer fee, 50% water fee. This program would be limited to the first 10 applicants or six months, except in special assessment districts where the time limit is nine months. Properties included in the Neighborhood Revitalization Plan would not be eligible for this incentive program.

After additional discussion, Council Member Wilhoite made a motion to approve AN ORDINANCE ADOPTING A RESIDENTIAL CONSTRUCTION INCENTIVE PROGRAM. The motion was seconded by Council Member Nickelson and all voted aye. The motion passed 3 to 0 and the Ordinance was assigned number 3670.

Agenda Item 5e – Consider the approval of bids for the repair the roof of the main building and the roof of the west shed at Public Works.

Manager Wieland recommended that action on this item be tabled until the next City Council meeting. Council Member Wilhoite made a motion to table action on the roof bids for the Main Public Works building and the West Shed Building until the next City Council meeting. The motion was seconded by Council Member Pritchard and all voted aye. The motion passed 3 to 0.

Agenda Item 5f – Discussion regarding notification of residents during emergencies.

Manager Wieland reported that in the aftermath of the recent Boil Water Advisory that was issued by the City on May 6th, it is probably a good idea to reflect upon and review the procedures and tools used to notify the public of the advisory.

Clerk Droste reported that the City does have some very effective resources that are provide instant or near-instant communication with our residents. The only limitation to these tools is that residents must know about the resources, and sign up to receive communications through these resources. He went on to explain the details of “Notify Me”, “News Center”, “Calendar

of Events”, “Facebook”, “Twitter”, and “CodeRED”, all of which are accessible from the home page of the City’s website: www.cityofpaola.com.

In reflecting on the totality of the process of disseminating information about the advisory, it appears that the City needs to redouble efforts to educate the public about the communication tools that the City provides to residents. Some ideas that were discussed include:

- Creating a brochure to promote the communication tools on the website.
- Working with the local newspaper to provide informational articles.
- Public Service announcements on Cable TV Channel 6 and KWJP Radio.
- Informational messages on utility bills.

Agenda Item 5g – Discussion regarding 2015 Budget.

Manager Wieland presented and discussed the Capital Improvement Plan (CIP) Fund and Municipal Equipment Replacement Fund (MERF) for budget years 2014 through 2018. He presented prioritized department requests from Administrative Services, Police Department, Fire Department, Community Development, Library, and Community Center. The individual projects and proposals were presented for discussion only, no action was taken.

Agenda Item 6 – NEW BUSINESS

Public Works Director Browning reported that the engineer’s report on the drainage ditch near Baptiste Drive was completed and will be shared with interested parties. He also reported that the repairs to the swimming pool were completed and the pool will be filled tomorrow.

Clerk Droste reported that City Hall offered extended hours on Friday, May 9th from 5:30 pm to 7:00 pm and on Saturday, May 10th from 7:00 am to 9:00 am for swimming lesson signups and pool passes.

Mayor Stuteville nominated John McLean to be reappointed to serve on the Paola Planning Commission. Council Member Pritchard made a motion to approve the Mayor’s appointment to the Planning Commission. The motion was seconded by Council Member Wilhoite and all voted aye. The motion passed 3 to 0.

Agenda Item 9 – ADJOURNMENT

With no additional business to come before the Council, Council Member Wilhoite made a motion to adjourn. The motion was seconded by Council Member Pritchard and all voted aye. The motion passed 3 to 0.

Artie Stuteville, Mayor

ATTEST: [seal]

Daniel G. Droste, City Clerk