

**MINUTES OF THE COUNCIL MEETING
OF THE CITY OF PAOLA, KANSAS
6:00 O'CLOCK P.M.
November 13, 2018**

**Held in the Municipal Court Room at the Paola Justice Center
805 N 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 Dave Smail, Gee Gee Wilhoite, and Leigh House.

Council Members absent: Aaron Nickelson

Also present: City Manager Jay Wieland, City Clerk Dan Droste, City Attorney Lee Tetwiler, Police Chief Don Poore, Public Works Director Kirk Rees, Trent Upshaw, Brian McCauley, HR Director Vicki Belt, Assistant to the City Manager Randi Shannon, Janelle Sanders, and Richard Lentz.

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

ROLL CALL: Mayor Stuteville and Council Members Smail, Wilhoite, and House were all present. Council Member Nickelson was absent.

Agenda Item 1 - CONSENT AGENDA

- a. **Approval of minutes of the meeting of October 9, 2018.**
- b. **Approval of Salary Ordinances 18-22 and 18-23.**
- c. **Approval of Appropriation Ordinances 889 and 890.**
- d. **Approval of the Pledged Collateral Report for October, 2018.**
- e. **Approval of the Journal Entries Reports for October, 2018.**

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 House and all voted aye. The motion passed 3 to 0.

Agenda Item 2 - COMMENTS FROM THE PUBLIC: No one addressed the City Council.

Agenda Item 3 - UNFINISHED BUSINESS: None.

Agenda Item 4 - NEW BUSINESS

Agenda Item 4a - Report on Election Results.

City Clerk Droste reported that the general election was held on November 6, 2018 to elect Council Members from Ward 2 and Ward 4. The unofficial results of the election are as follows:

Ward 2:	Trent Upshaw	326 votes	96.74%
	Write In	11 votes	3.26%
Ward 4:	Aaron Nickelson	485 votes	98.18%
	Write In	9 votes	1.82%

He also reported that the Miami County Commissioners will certify the official election results at their meeting on November 15th and the City Council will take formal action to accept the results at their December 11th meeting. The installation of the new Council will take place at the first meeting in 2019 which will be on January 14th, which is the second Monday of the month, pursuant to State Statute.

Agenda Item 4b - Consider approval of a Resolution amending Section 2.4(b) Social Media and Social Networking; adding Section 2.9 Workplace Bullying Policy; amending Section 3.6 Initial Training Period; amending Section 3.7 Promotions and Transfers; amending Section 3.11 Residency Requirement; amending Section 6.8 Personal Leave; amending Section 7.5 Disciplinary Actions; amending Section 8.4 Layoffs; amending Chapter 15 Dispute Resolution; updating Definitions; of the City of Paola Personnel Manual.

Human Resources Director Vicki Belt presented a Resolution making some necessary changes to the City of Paola Personnel Manual. The changes include substituting the term “initial training”, “training”, or “re-training” for the term “probationary” throughout the Personnel Manual; amending the Social Media and Social Networking policy; and adding a Workplace Bullying Policy.

After some discussion, Council Member Wilhoite made a motion to approve A RESOLUTION AMENDING THE CITY OF PAOLA PERSONNEL MANUAL, EFFECTIVE NOVEMBER 14, 2018. The motion was seconded by Council Member House and all voted aye. The motion passed 3-0 and the Resolution was assigned number 2018-012.

Agenda Item 4c - Consider amendments to the Land Development Ordinance related to Article 11.250 Residential Access Drives.

Manager Wieland reported that the Planning Commission voted at their August 21st meeting to recommend that the limitations be increased to allow residential access drives to be a minimum of 10 feet and a maximum of 32 feet or 35% of lot frontage, whichever is less at the right of way line. The current maximum width is 20 feet at the right of way line. He reported that City Staff does not support this recommendation as the increased drive widths could dramatically reduce curb lines and on street parking.

Assistant to the City Manager Shannon explained the process that the Planning Commission followed in arriving at their recommendation. She indicated that they wanted to provide some additional flexibility for homes with 3 car garages on larger lots while still limiting the size of drives on smaller lots.

Public Works Director Rees reported that a 32 foot wide drive is wider than most residential streets in Paola and that with 3 foot “wings” the drive way would be nearly 40 feet wide at the curb.

The City Council and the Mayor all expressed concerns with increasing the maximum width from 20 feet to 32 feet. They agreed that consideration might be given to a smaller increase but that 32

feet was excessive. After additional discussion, Council Member Wilhoite made a motion to refer the issue back to the Planning Commission for re-consideration. The motion was seconded by Council Member House and all voted aye. The motion passed 3 to 0.

Agenda Item 4d - Consider a Resolution amending the Traffic Control Device Schedules to add a stop sign on Baptiste Drive at Iron Street.

City Clerk Droste reported that the extension of Baptiste Drive was chip sealed and Iron Street was overlaid as part of the street improvement program this past summer. Because of these improvements, the intersection of Baptiste Dr. and Iron St. will likely become busier and may be more prone to accidents. Staff recommends that a stop sign be placed on Baptiste Drive at Iron Street.

After additional discussion, Council Member Wilhoite made a motion to approve A RESOLUTION AMENDING THE OFFICIAL TRAFFIC CONTROL DEVICE SCHEDULES FOR THE CITY OF PAOLA, KANSAS. The motion was seconded by Council Member House and all voted aye. The motion passed 3-0 and the Resolution was assigned number 2018-011.

Agenda Item 4e - Consider a bid to replace the roof on the Firehouse Gym.

City Manager Wieland reported that the roof on the Firehouse Gym at the Fire Station is beginning to leak and is in need of replacement. The existing roof has two layers of roofing material and no insulation. Per the City's Building Code, a third layer of roofing material cannot be installed, therefore both of the existing layers must be removed and replaced. He presented a bid from Hensley Coating, Inc. to remove the existing layers of roofing material and install 2 inches of rigid insulation and a 2 inch thickness of foam roofing with a white top coat. The bid includes a 5 year workmanship warranty and a 15 year non-prorated warranty for materials. This bid is in the amount of \$85,687.50. He noted that Hensley Coating, Inc. is the same company that has installed this same roofing system on the remodeled part of the Fire Station, City Hall, Library and at Public Works. The City has had very good experience with both the roofing system and the contractor.

After discussion, Council Member Wilhoite made a motion to accept the bid from Hensley Coating, Inc. in the amount of \$85,687.50 to remove and replace the existing roof on the Firehouse Gym. The motion was seconded by Council Member House and all voted aye. The motion passed 3-0.

Agenda Item 5 - COMMITTEE REPORTS: None.

Agenda Item 6 - STAFF REPORTS: None.

Agenda Item 7 - MISCELLANEOUS MATTERS FROM THE COUNCIL

Council Member Wilhoite thanked Chief of Police Poore for assisting her daughter when her car recently broke down.

Agenda Item 8 - MISCELLANEOUS MATTERS FROM THE MAYOR

Mayor Stuteville commented on a thank you note from Public Works Director Rees that was in a recent issue of the Kansas Lifeline Magazine.

Mayor Stuteville thanked the Public Works Department for contacting Lois Metcalf in regard to input on the signage at the cemetery.

Agenda Item 9 - EXECUTIVE SESSION for the purpose of discussing personnel matters of non-elected personnel. K.S.A. 75-4319(b)(1) is the authority for this recess.

Council Member House made a motion to adjourn to Executive Session, to include the Mayor, Council, Trent Upshaw Councilmember Elect and City Manager for 20 minutes to discuss contractual matters related to the City Manager's employment agreement pursuant to the non-elected personnel matter exemption, KSA 75-4319(b)(1); the regular meeting to reconvene here at the Municipal Court Room at 6:45 p.m. The motion was seconded by Council Member Wilhoite and all voted aye. The motion passed 3 to 0.

At 6:45 pm the Council came out of Executive Session and Council Member Smail made a motion to reconvene the adjourned meeting. The motion was seconded by Council Member Wilhoite and all voted aye. The motion passed 3 to 0.

Council Member Smail made a motion to adjourn to an additional Executive Session, to include the Mayor, Council, Trent Upshaw Councilmember Elect and City Manager for 45 minutes to discuss contractual matters related to the City Manager's employment agreement pursuant to the non-elected personnel matter exemption, KSA 75-4319(b)(1); the regular meeting to reconvene here at the Municipal Court Room at 7:30 p.m. The motion was seconded by Council Member Wilhoite and all voted aye. The motion passed 3 to 0.

At 7:30 pm the Council came out of Executive Session and Council Member House made a motion to reconvene the adjourned meeting. The motion was seconded by Council Member Wilhoite and all voted aye. The motion passed 3 to 0.

No action was taken pursuant to the Executive Sessions.

Agenda Item 10 – ADJOURNMENT

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

Artie Stuteville, Mayor

ATTEST: [seal]

Daniel G. Droste, City Clerk