

**MINUTES OF THE COUNCIL MEETING  
OF THE CITY OF PAOLA, KANSAS  
6:00 O'CLOCK P.M.  
January 24, 2017**

**Held in the Municipal Court Room at the Paola Justice Center  
806 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 Jim Pritchard, Leigh House, and Aaron Nickelson.

**Council Members absent:** Gee Gee Wilhoite.

**Also present:** City Manager Jay Wieland, City Clerk Dan Droste, City Attorney Lee Tetwiler, City Planner Mike Gotfredson, Chief of Police Paul Jokerst, Interim Public Works Director Kirk Rees, Richard Lentz, Mark Fuchs, Michael Oldfield, Ben Bray, Joshua Blann, Don Schweer, Ethan Preston, Tracy Petersen, and Brian McCauley from the Miami County Republic.

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

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

**Agenda Item 1 - CONSENT AGENDA**

- a) Approval of minutes of the meetings of January 10, 2017.
- b) Approval of Salary Ordinance 17-02.
- c) Approval of Appropriation Ordinance No 844 and 845.
- d) Approval of the Journal Entries Report for December, 2016.

Council Member Pritchard 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 2 - COMMENTS FROM THE PUBLIC**

Mr. Ben Bray addressed the Council in regard to a pile of construction trash and brush that has accumulated in Hidden Meadows Subdivision. He was concerned that the trash pile is a health and safety hazard and he was also concerned that the pile would be burned by the contractor. He noted that the trash was being hauled in from construction sites outside of Hidden Meadows.

Mr. Tracy Petersen addressed the Council in regard to the proposed ordinance regulating the parking of vehicles, recreational vehicles and trailers on residential properties. He noted circumstances in his neighborhood where undesirable situations would be in compliance with the proposed regulation and others that he does not consider to be undesirable that would not comply. He recommended that the regulations regarding the parking of RVs and trailers be reconsidered.

Mr. Michael Oldfield addressed the Council in regard to the proposed ordinance regulating the parking of vehicles, recreational vehicles and trailers on residential properties. He explained that his trailer exceeds the 12 foot limit due to the "V" nose on the front of the trailer. He asked that the size limit for trailers be reconsidered. He also expressed concerns about inoperable vehicles parked on the street in his neighborhood and concerns about parking on both sides of East Peoria Street and RVs being parked on the street.

Mr. Don Schweer addressed the Council in regard to his previous request to install a driveway in excess of the maximum width allowed. City Planner Gotfredson agreed to meet with Mr. Schweer at the property to discuss the situation.

Mr. Ethan Preston addressed the Council in regard to the proposed ordinance regulating the parking of vehicles, recreational vehicles and trailers on residential properties. He admitted that he was one of those who parks in his front yard, but it is because his mother is handicapped and because he operates an upholstery business in his home and he needs the rear drive to park vehicles that he is working on.

**Agenda Item 3 - UNFINISHED BUSINESS – None.**

**Agenda Item 4 – NEW BUSINESS**

**Agenda Item 4a - Report from the Paola Pathways Task Force and request for approval of a street closure to accommodate a 5K Run on the trail at Lake Miola.**

Mr. Mark Fuchs with the Paola Pathways Task Force reported that the committee has collected over \$340,000 which includes \$175,000 from local individuals and businesses and \$165,000 from outside grants. The trail around the north end of Lake Miola is now completed and construction is beginning on the trail at the south end of Lake Miola around the dam. The annual 5K event is planned for April 1<sup>st</sup> and will utilize the trail at the north end of Lake Miola for the race course.

After additional discussion, Council Member Nickelson made a motion to approve the Paola Pathways Task Force 5K Run on April 1, 2017 on the trails at Lake Miola and approve the closure of a portion of Lake Miola Drive to accommodate the event. The motion was seconded by Council Member House and all voted aye. The motion passed 3 to 0.

**Agenda Item 4b - Acknowledgement of Certification of Annual Disclosure Training pursuant to the City's Continuing Disclosure Policy.**

Clerk Droste presented a certification that he completed the required Annual Disclosure Training on January 20<sup>th</sup> as required by the City's Continuing Disclosure Policy.

Council Member House made a motion to acknowledge receipt of the Certification of Annual Disclosure Training pursuant to Section V.2 of the City of Paola's Continuing Disclosure Policy. The motion was seconded by Council Member Nickelson and all voted aye. The motion passed 3 to 0.

**Agenda Item 4c - Acknowledgement of filing of an Event Notice Pursuant to SEC Rule 15c2-12(b)(5)(C) pursuant to the City's Continuing Disclosure Policy.**

City Clerk Droste reported that Assured Guarantee announced on January 13, 2017 that S&P Global Ratings has applied a rating of stable (AA) to certain bonds insured by Assured Guarantee Corporation that had not been previously rated by S&P and where the bonds had a rating by Moody's below Aa or no rating by Moody's. Assured Guarantee has also requested that Moody's withdraw Assured's financial strength rating. The MDCPUA Series 2007 Bonds are insured by Assured Guarantee with an underlying rating of the insurer by Moody's. Upon the advice of Bond Council Mary Carson of Triplet, Wolfe and Garretson, and Financial Advisor Greg Vahrenberg of Piper Jaffray, an Event Notice pursuant to SEC Rule 15c2-12(b)(5)(C) was prepared and filed with the Electronic Municipal Market Access system (EMMA) on January 18, 2018.

City Clerk Droste reported that pursuant to Section III.2 of the City of Paola Continuing Disclosure Policy, copies of both the Event Notice and the EMMA Submission Receipt are being provided to the Council.

Council Member Pritchard made a motion to acknowledge the filing of an Event Notice Pursuant to SEC Rule 15c2-12(b)(5)(C) related to the Marais Des Cygnes Public Utility Authority Series 2007 Water Facilities Revenue Bonds pursuant to Section III.2 of the City of Paola's Continuing Disclosure Policy. The motion was seconded by Council Member Nickelson and all voted aye. The motion passed 3 to 0.

**Agenda Item 4d - Preliminary Financial Report for Budget Year 2016.**

City Clerk Droste presented the preliminary financial reports for the 2016 Budget Year. He reported that total revenues for all budgeted funds totaled \$14,627,834 or 99.3% of the amended budget. Expenditures for the same funds amounted to \$11,229,387 or 96.3% of the amended budget. Clerk Droste added that the end of year cash balances for all budgeted funds amounted to \$3,398,447 which exceeded the amended budget estimate by \$319,511 or 9.4%. The preliminary financial report was discussed in further detail. City Manager Wieland thanked all of the City's Department Heads for doing such a good job managing their budgets.

**Agenda Item 4e - Presentation and review of the City's 2017 Legislative Policy Statement.**

Manager Wieland reported that discussion on the 2017 Legislative Policy Statement will be presented a later meeting.

## **Agenda Item 5 - COMMITTEE REPORTS**

There were no Committee Reports presented.

## **Agenda Item 6 - STAFF REPORTS**

Manager Wieland reported that many positive comments were received on the Mayor's address that was presented at the annual State of the City Breakfast this morning.

Manager Wieland reported that the Kansas Department of Revenue will be moving into an office at the Paola Community Center in the near future.

Manager Wieland reported that the Kansas Department of Commerce has indicated that there may be grant funds available for the Baptiste Drive extension project.

## **Agenda Item 7 - MISCELLANEOUS MATTERS FROM THE COUNCIL**

Council Member Pritchard indicated that he received several calls from residents on the proposed ordinance regulating the parking of vehicles, recreational vehicles and trailers on residential properties. He also complimented the Mayor and the City Manager on their participation in the annual State of the City Breakfast.

Council Member House reported that she received only one email from a resident on the proposed ordinance regulating the parking of vehicles, recreational vehicles and trailers on residential properties. The resident had a misunderstanding of the proposal and she recommended that staff consider drafting a comprehensive question and answer information sheets to explain the ordinance. Manager Wieland stated that the Council may want to consider an ordinance that addresses parking in front yards and then later consider a separate ordinance that addresses the other parking issues.

## **Agenda Item 8 - MISCELLANEOUS MATTERS FROM THE MAYOR**

There were no issues discussed by the Mayor.

## **Agenda Item 9 – ADJOURNMENT**

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

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Artie Stuteville, Mayor

ATTEST: [seal]

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Daniel G. Droste, City Clerk