

# ***AGENDA***

## **REGULAR COUNCIL MEETING OF THE CITY OF PAOLA, KANSAS HELD AT THE CITY OF PAOLA PUBLIC WORKS BUILDING**

**April 24, 2007 - 5:30 pm**

*~ Thank you for turning off your cell phone or pager. Council Meetings are tape recorded. ~*

### **PLEDGE OF ALLEGIANCE**

#### **1. CALL TO ORDER**

#### **2. ROLL CALL - Pritchard \_\_\_ Dial \_\_\_ Rowlett \_\_\_ Hamilton \_\_\_ Mayor Stuteville \_\_\_**

(Note: The Mayor only votes in the event of a tie)

#### **3. PETITIONS, REMONSTRANCES, AND COMMUNICATIONS**

**Oral Communications from the audience** (When addressing the Council, please step to the podium and state your name and address so that it can be recorded in the minutes of the meeting. Please limit your comments to 5 minutes or less and to items NOT on the agenda. Thank you.)

Mayor's Proclamation – National Volunteer Week

#### **4. CONSENT AGENDA**

The items on the Consent Agenda are considered by the Governing Body to be routine business items. Agenda items may be approved by a single motion, second and a majority vote with no separate discussion of any item listed. Should a member of the Governing Body desire to discuss any item, at his/her request it will be removed from the Consent Agenda and considered separately.

- a. Approval of minutes of the meetings of April 10, 2007.
- b. Approval of Salary Ordinance number 07-07.
- c. Approval of Appropriation Ordinance No. 603.

Action–Motion to approve/not approve the Consent Agenda, authorize the Mayor to sign.

Motion \_\_\_\_\_ Second \_\_\_\_\_  
Hamilton \_\_\_ Rowlett \_\_\_ Dial \_\_\_ Pritchard \_\_\_ Mayor Stuteville \_\_\_\_\_

#### **5. REPORTS OF OFFICERS, BOARDS AND COMMITTEES**

- a. **Public Hearing to consider the petition to vacate a portion of Diamond and Iron Streets in Block 58 in the City of Paola.**

Action – Motion to open the Public Hearing to consider the petition of Mr. Robert Zoller, requesting the vacation of the easterly 34 feet of Diamond Street and the westerly 34 feet of Iron Street adjacent to Block 58 in the City of Paola.

Motion \_\_\_\_\_ Second \_\_\_\_\_  
Hamilton \_\_\_ Rowlett \_\_\_ Dial \_\_\_ Pritchard \_\_\_ Mayor Stuteville \_\_\_\_\_

Action – Motion to close the Public Hearing.

Motion \_\_\_\_\_ Second \_\_\_\_\_  
Hamilton \_\_\_ Rowlett \_\_\_ Dial \_\_\_ Pritchard \_\_\_ Mayor Stuteville \_\_\_\_\_

Action – Motion to approve/not approve the petition of Robert Zoller, requesting the vacation of the easterly 34 feet of Diamond Street and the westerly 34 feet of Iron Street adjacent to Block 58 in the City of Paola, Kansas, as identified in the petition, provided however, that the City of Paola, reserves for itself, and its assigns, the right to erect, install, operate, replace, repair and maintain any and all water lines, sewer lines, gas lines, telephone lines, electrical utility lines, and cable TV lines presently located, if any under, through, over, along and across the described portion of the street so vacated; and that all costs associated with this action be paid by the petitioners.

Motion \_\_\_\_\_ Second \_\_\_\_\_  
Hamilton \_\_\_ Rowlett \_\_\_ Dial \_\_\_ Pritchard \_\_\_ Mayor Stuteville \_\_\_\_\_

**b. Consider an Ordinance vacating a portion of the right-of-way of Diamond and Iron Streets in Block 58 of the City of Paola.**

Action - Motion to approve/not approve AN ORDINANCE VACATING A PORTION OF THE RIGHT-OF-WAY OF DIAMOND STREET AND IRON STREET IN BLOCK 58, IN THE CITY OF PAOLA, KANSAS. (Clerk assigned No. 2942 to the Ordinance.)

Motion \_\_\_\_\_ Second \_\_\_\_\_  
Hamilton \_\_\_ Rowlett \_\_\_ Dial \_\_\_ Pritchard \_\_\_ Mayor Stuteville \_\_\_\_\_

**c. Consider approval of the preliminary and final plat for Block 58 in the City of Paola.**

Action - Motion to approve/not approve the preliminary and final plat for Block 58 in the City of Paola.

Motion \_\_\_\_\_ Second \_\_\_\_\_  
Hamilton \_\_\_ Rowlett \_\_\_ Dial \_\_\_ Pritchard \_\_\_ Mayor Stuteville \_\_\_\_\_

**d. Consider approval of the preliminary and final plat for Hidden Meadows.**

Action - Motion to approve/not approve the preliminary and final plat for Hidden Meadows.

Motion \_\_\_\_\_ Second \_\_\_\_\_  
Hamilton \_\_\_\_ Rowlett \_\_\_\_ Dial \_\_\_\_ Pritchard \_\_\_\_ Mayor Stuteville \_\_\_\_

**e. Consider approval of a Conditional Use Permit for Longhorn Trailer Sales.**

Action - Motion to approve/not approve CONDITIONAL USE PERMIT 07-CUP-03 - AN ORDINANCE RELATING TO ZONING: AUTHORIZING A CONDITIONAL USE PERMIT FOR CERTAIN PROPERTY. (Clerk assigned No. 2943 to the Ordinance)

Motion \_\_\_\_\_ Second \_\_\_\_\_  
Hamilton \_\_\_\_ Rowlett \_\_\_\_ Dial \_\_\_\_ Pritchard \_\_\_\_ Mayor Stuteville \_\_\_\_

**f. Consider a correcting Ordinance levying the ¼ % sales tax that was approved by the electors on April 3<sup>rd</sup>.**

Action - Motion to approve/not approve AN ORDINANCE LEVYING A CITY RETAILERS' SALES TAX IN THE AMOUNT OF ONE-QUARTER OF ONE PERCENT (.25%) WITHIN THE CITY OF PAOLA AND REPEALING ORDINANCE NO. 2491. (Clerk assigned No. 2944 to the Ordinance)

Motion \_\_\_\_\_ Second \_\_\_\_\_  
Hamilton \_\_\_\_ Rowlett \_\_\_\_ Dial \_\_\_\_ Pritchard \_\_\_\_ Mayor Stuteville \_\_\_\_

**g. Consider amendments to the fee schedule for Lake Miola.**

Action - Motion to approve/not approve the amended fee schedule for Lake Miola as presented.

Motion \_\_\_\_\_ Second \_\_\_\_\_  
Hamilton \_\_\_\_ Rowlett \_\_\_\_ Dial \_\_\_\_ Pritchard \_\_\_\_ Mayor Stuteville \_\_\_\_

**h. Consider a request to temporarily close First Street between Silver and Gold Streets at Ray's Power Sports.**

Action - Motion to approve/not approve the temporary closing of First Street between Silver and Gold Streets from 9:00 am and Noon on Saturday, May 19th.

Motion \_\_\_\_\_ Second \_\_\_\_\_  
Hamilton \_\_\_\_ Rowlett \_\_\_\_ Dial \_\_\_\_ Pritchard \_\_\_\_ Mayor Stuteville \_\_\_\_

**i. Report from Carol Everhart, Executive Director of the Paola Chamber of Commerce on economic development activities.**

**6. NEW BUSINESS**

- a. City Manager
- b. Council
- c. Mayor

**7. EXECUTIVE SESSION - K.S.A. 75-4319(B)(1) and K.S.A. 75-4319(B)(2) are the authorities for this recess.**

Action – Motion to adjourn to Executive Session, to include the Mayor, Council, City Manager, City Clerk, and City Attorney, for \_\_\_\_ minutes for the purpose of discussing personnel matters of non-elected personnel 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 \_\_\_\_\_ p.m.

Motion \_\_\_\_\_ Second \_\_\_\_\_  
Hamilton \_\_\_\_ Rowlett \_\_\_\_ Dial \_\_\_\_ Pritchard \_\_\_\_ Mayor Stuteville \_\_\_\_\_

Action – Motion to reconvene the adjourned meeting.

Motion \_\_\_\_\_ Second \_\_\_\_\_  
Hamilton \_\_\_\_ Rowlett \_\_\_\_ Dial \_\_\_\_ Pritchard \_\_\_\_ Mayor Stuteville \_\_\_\_\_

**8. ADJOURNMENT**

Motion \_\_\_\_\_ Second \_\_\_\_\_  
Hamilton \_\_\_\_ Rowlett \_\_\_\_ Dial \_\_\_\_ Pritchard \_\_\_\_ Mayor Stuteville \_\_\_\_\_

Notice: It is possible that sometime between 5:00 p.m. and 5:30 p.m. immediately prior to this meeting, during breaks, and directly after the meeting, that a majority of the Governing Body may be present in the meeting room, hallway, or parking lot. No one is excluded from these areas at any time.