

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

July 8, 2008

**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 Stuteville presiding.

Councilmembers present: Mayor Stuteville, Council Members Pritchard, Dial, Rowlett, and Bell.

Council Members absent: None

Also present: Manager Wieland, Clerk Droste, Attorney Tetwiler, Police Chief Smail, Planner Givens, Public Works Director Bieker, Carol Everhart with the Paola Chamber of Commerce, Brian McCauley with the Miami County Republic, and others.

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, Dial, Rowlett, and Bell were all present.

Agenda Item 3 - PETITIONS, REMONSTRANCES, AND COMMUNICATIONS
No one addressed the Council.

Agenda Item 4 - CONSENT AGENDA

- a. **Approval of minutes of the meetings of June 24, 2008 and July 1, 2008.**
- b. **Approval of Salary Ordinance number 08-13.**
- c. **Approval of Appropriation Ordinance No. 632.**
- d. **Journal Entries Report for the month of June 2008.**

Councilmember Rowlett made a motion to approve the Consent Agenda including the minutes of the June 24, 2008 and July 1, 2008 meetings, Salary Ordinance No. 08-13, and Appropriation Ordinance No. 632, and the Journal Entries Report for June 2008, and authorize the Mayor to sign. Councilmember Pritchard seconded the motion and all voted aye. The motion passed 4 to 0.

Agenda Item 5 - REPORTS OF OFFICERS, BOARDS AND COMMITTEES

Agenda Item 5a - Consider acceptance of a right of way dedication for a portion of Angela Street from USD 368.

Manager Wieland reported that approximately one year ago, USD 368 offered to dedicate to the City that portion of Angela Street that is on their property. For consideration in accepting the street, the School District agreed to pay for the cost of a new asphalt surface and the removal of the speed bumps. These improvements have been completed.

Clerk Droste reported to the Council that a resolution would be necessary to establish a speed limit less than 30 miles per hour. The current limit is posted at 15 mph. Councilmember Rowlett suggested that stop signs at the crosswalks may be necessary to keep speeds down. Clerk Droste agreed to contact School officials for their opinion on the speed limit and the stop signs.

After discussing the issues, Councilmember Dial made a motion to approve the dedication of the right of way of a portion of Angela Street from USD 368 and authorize the Mayor to sign. The motion was seconded by Councilmember Pritchard and all voted aye. The motion passed 4 to 0.

Agenda Item 5b - Consider an Ordinance pertaining to noise.

Manager Wieland recommended that the noise ordinance issue be tabled until a later meeting as the City Attorney has requested that additional consideration be given for special circumstances.

Councilmember Rowlett made a motion to table action on the Noise Ordinance. The motion was seconded by Councilmember Bell and all voted aye. The motion passed 4 to 0.

Agenda Item 6 – NEW BUSINESS.

Carol Everhart of the Paola Chamber of Commerce reported that the fireworks display on July 3rd was very successful. Gate donations were approximately \$1,000 higher than last year and the fireworks display was very good. She thanked the Police Department for their help and assistance with the event.

City Manager reported that he has received a request from the organizers of the Midwest Meltdown Triathlon to hold their annual event at Lake Miola. The event will involve 350 to 450 athletes and would take place in early September. After discussing the issue, the Council agreed that there was interest in having the event at Lake Miola and asked the City Manager to obtain additional information about the proposed event.

Councilmember Rowlett reported that he attended a meeting at Topeka earlier today where the State Treasurer discussed the drop in state revenues. The withholding for state income tax is considerably lower and state sales tax is also lower. State Departments have been asked to trim 1% to 2% from current budgets.

Councilmember Rowlett presented information about an upcoming seminar entitled “The Other Side of Economic Development”. The event is scheduled for August 21-22 in Kansas City.

Mayor Stuteville asked about the property on South Silver Street that was to be the home of a used car dealership. She inquired about the status of the building permit and the CUP. Planner Givens reported that few improvements have been completed and the CUP will expire in September or October. The building permit is also nearing its expiration.

Mayor Stuteville made a recommendation to appoint Karen Ulanski to the Paola Housing Authority Board to fill the position vacated by Terry Watson. Councilmember Dial made a motion to approve the Mayor’s appointment of Karen Ulanski to the Paola Housing Authority Board. The motion was seconded by Councilmember Pritchard and all voted aye. The motion passed 4 to 0.

Councilmember Pritchard asked about the mobile sign trailer that is parked at the old Apple Market parking lot. Planner Givens reported that he is looking into the situation to determine the applicability of the circumstances with the Land Development Ordinance.

City Attorney Tetwiler advised the Council that he and City officials will meet tomorrow with the plaintiff and legal counsel regarding the appeal in District Court over a Paola Planning Commission decision to deny a variance on a setback for a utility building. The original issue occurred in 2005.

Agenda Item 7 – ADJOURNMENT.

With no additional business to come before the Council, Councilmember Dial made a motion to adjourn to a work study meeting. Councilmember Pritchard seconded the motion and all voted aye. The motion passed 4 to 0.

Artie Stuteville, Mayor

ATTEST: (seal)

Daniel G. Droste, City Clerk