

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

July 13, 2010

**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.

Councilmembers present: Mayor Stuteville and Council Members Pritchard, Wilhoite, Rowlett and, Minden.

Council Members absent: None.

Also present: City Manager Wieland, City Clerk Droste, City Attorney Tetwiler, Public Works Director Browning, Police Chief Smail, Community Center Director Myers, Cathy Stallbaumer, Charles Casey, Bettie Ore, Cale Karigan, Ralph Reese, and Jesse Trimble from 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, Rowlett, and Minden were all present. No one 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.

Mayor Stuteville presented a proclamation to Paola High School football player Cale Karigan honoring him for being selected as an all-star player for the 37th annual Shrine Bowl Football Game.

Agenda Item 4 - CONSENT AGENDA

- a. Approval of minutes of the meeting of June 22, 2010.
- b. Approval of Salary Ordinances 10-13 and 10-14.
- c. Approval of Appropriation Ordinance No 681.
- d. Approval of the Journal Entries Report for June 2010.
- e. Approval of the Pledged Securities Report for June 2010.

Councilmember Rowlett made a motion to approve the Consent Agenda as presented and authorize the Mayor to sign. The motion was seconded by Councilmember Wilhoite and all voted aye. The motion passed 4 to 0.

Agenda Item 5 - REPORTS OF OFFICERS, BOARDS AND COMMITTEES

Agenda Item 5a - Presentation of the annual report of the Paola Community Center Director.

Paola Community Center Director Chad Myers presented his annual report to the City Council on activities at the Community Center. In summary, Director Myers reported that programming and rentals at the facility have steadily increased during the past year. In addition to local community programs and plays, the Community Center hosted two major concerts early in 2010 – The Wilders and The Liverpool Legends.

Director Myers reported that event ticket revenues year to date are nearly \$7,000 compared to \$3,600 during the same time period last year. Attendance at events and rentals has increased dramatically and the PCC has average 1,192 per month at all events. Consequently, rental revenue has also increased from \$2,400 at this time last year to just under \$7,000 so far this year.

Director Myers credited the increased activity, attendance and revenue to the recent improvements to the kitchen area and the dedication of the PCC Board and support of the City Council and City Staff.

Director Myers reported that due to the efforts former PCC Board Member Don Pepoon, KTWU Public Television in Topeka is in the process of making a short documentary on the history of the Paola Community Center that will air in October.

After a few questions from the Council and further discussion, Mayor Stuteville thanked Director Myers and the PCC Board for their hard work in helping to make the Paola Community Center a success.

Agenda Item 5b - Consider approval of a new KDOT Five Year Strategic Plan.

Public Works Director Browning presented a summary of the proposed KDOT Five Year Strategic Plan that was recently discussed at a Council Work Study Meeting. The new plan includes the following projects in priority order:

- 1) Osage Street (0.90 miles): This project involves reconstructing and widening an existing 2-lane asphalt road. The new road will incorporate curb and gutter, sidewalk, storm sewer, water main replacement, and sanitary sewer rehabilitation.
- 2) Peoria Street (1.18 miles): This project involves reconstructing and widening an existing 2 lane asphalt road. The new road will incorporate curb and gutter, sidewalk, storm sewer, water main replacement, and sanitary sewer rehabilitation.
- 3) Industrial Park Drive (0.55 miles): This project involves reconstructing a 30 foot wide ditch section type road and ditch grading. Any future development will be able to install a commercial type entrance with a properly sized culvert pipe in the newly graded ditch. Project will include storm sewer improvements at the intersection of Hospital Drive and Industrial Park Drive.

- 4) Other possible projects could include East Street, Hospital Drive, Hedge Lane, or Old KC Road.

Public Works Director Browning reported that the City of Paola has a project scheduled for 2013. This project would be an 80/20 split with a cap of \$1.5 million in Federal funds. This would result in a project totaling \$1.8 million with \$300,000 being funded by the City of Paola.

Councilmember Rowlett asked if the Osage Street project could be completed for \$1.8 million and how the City would fund its share. Public Works Director Browning indicated that the project should be able to be completed for \$1.8 million. Manger Wieland indicated that temporary notes could be used to finance engineering design costs and General Obligation Bonds could be used for permanent financing as there are existing bonds that will payoff in 2013.

After additional discussion, Councilmember Pritchard made a motion to approve the new KDOT Five Year Strategic Plan as presented. The motion was seconded by Councilmember Wilhoite and all voted aye. The motion passed 4 to 0.

Agenda Item 5c - Consider a Resolution amending the Official Traffic Control Device Schedules.

Manager Wieland presented a Resolution amending the Official Traffic Control Device Schedules for the City of Paola. He reported that the amendments include parking restrictions on the following streets:

Kaskaskia Street	From Petroleus Street to Gold Street – north side
Kaskaskia Street	From Gold Street to Walnut Street – south side
Kaskaskia Street	From Walnut Street to Oak Street – north side
Kaskaskia Street	From Oak Street to Paola Street – south side
Kaskaskia Street	From Paola Street to Brayman Street – north and south sides
Kaskaskia Street	From Brayman Street to Hospital Street – south side
Piankishaw Street	From West Street to Paola Street – south side
Piankishaw Street	From Paola Street to Hospital Drive – north and south sides
Miami Street	From Fourth Street to West Street – north and south sides
Miami Street	From West Street to Petroleus Street – south side
Miami Street	From Petroleus Street to Silver Street – north side
Miami Street	From Agate Street to East Street – south side
Shawnee Street	From West Street to Diamond Street – south side
Shawnee Street	From Diamond Street to Gold Street – north and south sides
Shawnee Street	From Gold Street to Silver Street – north side
Shawnee Street	From Silver Street to Agate Street – south side
Shawnee Street	From Agate Street to East Street – south side
Chippewa Street	From Iron Street to Hickory Street – south side
Chippewa Street	From Hickory Street to East Street – south side EXCEPT during church services.

Councilmember Rowlett requested that consideration be given to using the smaller no parking signs with the international no parking symbol versus the larger traditional signs.

Public Works Director Browning indicated that he wanted to reduce the number of signs per block to reduce excess signage, but that there are nine churches that would be impacted by the changes and these signs will require the traditional signs that prohibit parking except during church services. Councilmember Rowlett indicated that if signs need to be purchased anyway, he preferred the smaller sign. Councilmember Minden expressed his opinion that the signs should be uniform throughout town and he preferred to continue using the traditional no parking signs.

Councilmember Minden asked about the nine churches that are impacted by the no parking restrictions. He noted that only one was identified in the Resolution and he suggested that the Resolution be amended to allow parking during church services at all nine churches.

After additional discussion, Councilmember Wilhoite made a motion to approve A RESOLUTION AMENDING THE OFFICIAL TRAFFIC CONTROL DEVICE SCHEDULES FOR THE CITY OF PAOLA, KANSAS, to include an exception to allow parking during services at all nine churches located in the restricted areas. The motion was seconded by Councilmember Rowlett and all voted aye. The motion passed 4 to 0 and the Resolution was assigned number 2010-005.

Agenda Item 5d - Consider approval of an Ordinance amending the text of Article 7 Signs of the Land Development Ordinance.

Planner Gotfredson reported that amendments to the sign regulations in the Land Development Ordinance have been discussed at the last regular meeting and at the last work study meeting. He reported that during those discussions it was suggested that our sign regulations in the growth area should be similar to the County's and that free speech signs have the same size limitations as political signs.

Councilmember Minden asked about the restriction on name plate signs and asked if the rock post name signs would be a violation. Planner Gotfredson indicated that a residential rock name signs would not be considered to be a sign under the LDO.

Councilmember Minden asked how long a contractor's sign should be allowed to be displayed at a residence. Planner Gotfredson indicated that the signs would be allowed during construction only. It was recommended that the signs be allowed to remain for 2 weeks after construction is completed.

Councilmember Minden asked about the exception for temporary banner signs measuring 4 feet by 8 feet. After discussion, it was agreed that the restriction should read "Banners measuring four (4) feet by eight (8) feet, or less, are exempt from the requirements to obtain a sign permit."

After additional discussion, Councilmember Minden made a motion to approve AN ORDINANCE AMENDING ARTICLE 7, SIGNS OF THE LAND DEVELOPMENT ORDINANCE (LDO) OF THE CITY OF PAOLA, KANSAS including the amendments to contractor's signs and banner signs as discussed. The motion was seconded by Councilmember Rowlett and all voted aye. The motion passed 4 to 0 and the Ordinance was assigned number 3018.

Agenda Item 5e - Consider a lease agreement with the Miami County Fair Association for the use of property in Wallace Park for the Miami County Fair from July 24 to August 1, 2010.

Manager Wieland presented the annual lease agreement with the Miami County Fair Board for the use of a portion of Wallace Park for the County Fair. Councilmember Pritchard made a motion to approve the Lease with the Miami County Fair Association. The motion was seconded by Councilmember Wilhoite and all voted aye. The motion passed 4 to 0.

Agenda Item 5f - Consider a request to temporarily close the streets around Lake Miola for the 2nd Annual Midwest Meltdown Triathlon on August 29th.

Manager Wieland presented a request from Bill Marshall of the Midwest Meltdown Triathlon to temporarily close the streets around Lake Miola for the 2nd annual triathlon. The streets would be closed, except to local traffic, beginning at 7:00 am and should be reopened by 10:30 am at the conclusion of the event.

After discussion, Councilmember Pritchard made a motion to approve the request to temporarily close streets around Lake Miola on Sunday, August 29th for the Midwest Meltdown Triathlon. The motion was seconded by Councilmember Wilhoite and all voted aye. The motion passed 4 to 0.

Agenda Item 6 – NEW BUSINESS

Public Works Director Browning reported that the maintenance on the old water tower should be completed by next week. After the tower is disinfected and chlorinated it will be filled and brought back in service.

Police Chief Smail reported that the 4th of July fireworks at Lake Miola was well attended with few incidents.

Clerk Droste reminded the City Council that the Miami County Fair Parade will be held on Wednesday, July 28th. He reported that the Council could ride on the fire trucks again this year.

Manager Wieland reported that discussions are continuing with L&K Services to implement curbside recycling as early as October. There will likely one weekly pick up for regular trash and one weekly pick up for recyclables. The disposal of lawn waste may need to be an optional subscription service for residents. The County may offer a composting site for residents to take lawn waste to for disposal.

Councilmember Wilhoite inquired about the County EMS Service. The locations of current ambulances were discussed.

Mayor Stuteville recommended that Gary Keller be appointed to fill a vacancy on the Paola Community Center Board. Councilmember Rowlett made a motion to approve the Mayor's

appointment of Gary Keller to the Paola Community Center Board. The motion was seconded by Councilmember Pritchard and all voted aye. The motion passed 4 to 0.

Agenda Item 7 – ADJOURNMENT.

With no additional business to come before the Council, Councilmember Wilhoite made a motion to adjourn. 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