

**AGENDA**  
**REGULAR COUNCIL MEETING OF THE CITY OF PAOLA, KANSAS**  
**HELD AT THE COUNTY COMMISSIONERS CHAMBERS IN**  
**THE MIAMI COUNTY ADMINISTRATION BUILDING**

**March 28, 2006**

**5:30 pm**

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- 1. ROLL CALL** - Pritchard \_\_\_\_ Moulder \_\_\_\_ Rowlett \_\_\_\_ Shields \_\_\_\_ Mayor Stuteville \_\_\_\_  
(Note: The Mayor only votes in the event of a tie)

**2. PLEDGE OF ALLEGIANCE**

**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.)

Presentation from the Paola Sesquicentennial Committee.

**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 March 14, 2006.
- b. Approval of Salary Ordinance number 06-05.
- c. Approval of Appropriation Ordinance No. 578.

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

Motion \_\_\_\_\_ Second \_\_\_\_\_  
Shields \_\_\_\_ Rowlett \_\_\_\_ Moulder \_\_\_\_ Pritchard \_\_\_\_ Mayor Stuteville \_\_\_\_

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

- a. **Public Hearing for the purpose of considering a request to waive the restriction for selling any alcoholic beverage within 500 feet of a park, school or church for Cactus Jack's at 602 N Pearl.**

Action – Motion to open the public hearing.

Motion \_\_\_\_\_ Second \_\_\_\_\_  
Shields \_\_\_\_ Rowlett \_\_\_\_ Moulder \_\_\_\_ Pritchard \_\_\_\_ Mayor Stuteville \_\_\_\_

Action – Motion to close the public hearing.

Motion \_\_\_\_\_ Second \_\_\_\_\_  
Shields \_\_\_\_ Rowlett \_\_\_\_ Moulder \_\_\_\_ Pritchard \_\_\_\_ Mayor Stuteville \_\_\_\_

Action - Motion to approve/not approve a waiver of the restriction for selling any alcoholic beverage within 500 feet of a park, school or church for Zarco 66, Inc. at 1005 N Pearl.

Motion \_\_\_\_\_ Second \_\_\_\_\_  
Shields \_\_\_\_ Rowlett \_\_\_\_ Moulder \_\_\_\_ Pritchard \_\_\_\_ Mayor Stuteville \_\_\_\_

**b. Consider approval of a new Drinking Establishment License for Cactus Jack's.**

Action - Motion to approve/not approve a new Drinking Establishment License for Cactus Jack's subject to the receipt of a copy of a State Liquor License and the surrender of the existing Cereal Malt Beverage License.

Motion \_\_\_\_\_ Second \_\_\_\_\_  
Shields \_\_\_\_ Rowlett \_\_\_\_ Moulder \_\_\_\_ Pritchard \_\_\_\_ Mayor Stuteville \_\_\_\_

**c. Consider a request for waiver of a water connection fee from the Master Gardeners.**

Action – Motion to approve/not approve the waiver of the \$2,000 connection fee for a 1” water meter to be installed just east of Monica Hall on the Ursuline Convent grounds for the Master Gardeners.

Motion \_\_\_\_\_ Second \_\_\_\_\_  
Shields \_\_\_\_ Rowlett \_\_\_\_ Moulder \_\_\_\_ Pritchard \_\_\_\_ Mayor Stuteville \_\_\_\_

**d. Presentation / request from Larry Smith of L&K Services, Inc.**

**e. Consider the preliminary and final development plan for Lot 2 of Oliver's Addition.**

Action - Motion to approve/not approve the preliminary and final development plan for Lot 2 of Oliver's Addition, 607 Baptiste Drive, contingent upon staff's approval of a landscaping plan.

Motion \_\_\_\_\_ Second \_\_\_\_\_  
Shields \_\_\_\_ Rowlett \_\_\_\_ Moulder \_\_\_\_ Pritchard \_\_\_\_ Mayor Stuteville \_\_\_\_

**f. Consider an Ordinance granting a Conditional Use Permit for a Day Care Center at 29300 W 303<sup>rd</sup> Street.**

Action - Motion to approve/not approve ORDINANCE NO. \_\_\_\_\_ CONDITIONAL  
USE PERMIT 06-CUP-01.

Motion \_\_\_\_\_ Second \_\_\_\_\_  
Shields \_\_\_\_\_ Rowlett \_\_\_\_\_ Moulder \_\_\_\_\_ Pritchard \_\_\_\_\_ Mayor Stuteville \_\_\_\_\_

- g. **Consider an Ordinance granting a Conditional Use Permit for Light Automobile Service Usage at 1121 E Kaskaskia.**

Action - Motion to approve/not approve ORDINANCE NO. \_\_\_\_\_ CONDITIONAL  
USE PERMIT 06-CUP-02.

Motion \_\_\_\_\_ Second \_\_\_\_\_  
Shields \_\_\_\_\_ Rowlett \_\_\_\_\_ Moulder \_\_\_\_\_ Pritchard \_\_\_\_\_ Mayor Stuteville \_\_\_\_\_

- h. **Consider an Ordinance establishing rates for utility services for Low Income Senior Citizens.**

Action - Motion to approve/not approve ORDINANCE NO. \_\_\_\_\_ REPEALING  
TITLE II, CHAPTER 225 REFUSE TRASH AND SOLID WASTE, SECTION 225.170 B  
5; AND AMENDING TITLE VII UTILITIES, CHAPTER 720 UTILITY BILLING  
POLICIES, BY ADDING SECTION 720.090 RATES FOR UTILITY SERVICES FOR  
LOW INCOME SENIOR CITIZENS; OF THE MUNICIPAL CODE OF THE CITY OF  
PAOLA, KANSAS.

Motion \_\_\_\_\_ Second \_\_\_\_\_  
Shields \_\_\_\_\_ Rowlett \_\_\_\_\_ Moulder \_\_\_\_\_ Pritchard \_\_\_\_\_ Mayor Stuteville \_\_\_\_\_

- i. **Consider Automatic Aid and Tender Aid Agreements with the Miami County Rural Fire Board.**

Action - Motion to approve/not approve Automatic Aid and Tender Aid Agreements with  
the Miami County Rural Fire Board.

Motion \_\_\_\_\_ Second \_\_\_\_\_  
Shields \_\_\_\_\_ Rowlett \_\_\_\_\_ Moulder \_\_\_\_\_ Pritchard \_\_\_\_\_ Mayor Stuteville \_\_\_\_\_

- j. **Consider a 2% merit pay increase for the City Manager.**

Action - Motion to approve/not approve a 2% merit pay increase for City Manager Ross  
VanderHamm effective \_\_\_\_\_.

Motion \_\_\_\_\_ Second \_\_\_\_\_  
Shields \_\_\_\_\_ Rowlett \_\_\_\_\_ Moulder \_\_\_\_\_ Pritchard \_\_\_\_\_ Mayor Stuteville \_\_\_\_\_

## 6. NEW BUSINESS

- a. City Manager

- b. Council
- c. Mayor

## **7. ADJOURNMENT**

Motion \_\_\_\_\_ Second \_\_\_\_\_  
Shields \_\_\_\_ Rowlett \_\_\_\_ Moulder \_\_\_\_ Pritchard \_\_\_\_ Mayor Stuteville \_\_\_\_\_

Notice: It is possible that sometime between 5:00 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 chambers, hallway or lobby. No one is excluded from these areas at any time.