

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

September 25, 2007

**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 Hamilton.

Council Members absent: None.

Also present: Manager Newton, Clerk Droste, Attorney Tetwiler, Police Chief Smail, Public Works Director Bieker, Planner Givens, Brian McCauley with the Miami County Republic, Carol Everhart, 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 Hamilton were all present.

Agenda Item 3 - PETITIONS, REMONSTRANCES, AND COMMUNICATIONS

Carol Everhart with the Chamber of Commerce presented a request to fund new billboards on US 169 Highway and on K-68 Highway from Transient Guest Tax Funds. Total cost of the project would be \$10,300.

Carol Everhart also reported that she met with representatives from KDOT regarding services signs for US 169 Highway and a new larger “Paola” sign. The services signs should be installed by the end of October. Additional meetings will be needed for the Paola sign.

Wayne Johnson reported that the Annual Dinner for the Swan River Museum will be held at Evergreen Events at October 13 at 6:00 pm and the Harvest Festival will be held on the Park Square on October 27th.

Agenda Item 4 - CONSENT AGENDA

- a. Approval of minutes of the meetings of September 11, 2007.
- b. Approval of Salary Ordinance number 07-17.
- c. Approval of Appropriation Ordinance No. 613.
- d. Renewal of a Retail Liquor License for Park Plaza Liquor at 1403-B Baptiste Dr.

Councilmember Hamilton made a motion to approve the Consent Agenda and authorize the Mayor to sign. Councilmember Pritchard seconded the motion and all voted aye. The motion passed 4 to 0.

Agenda Item 5a – Request for financial support for the Baptiste Peoria and Mary Ann Isaacs Memorial at the Park Square.

Wayne Johnson presented an update on the fund raising efforts for the Baptiste Peoria and Mary Ann Isaacs Memorial. He reported that \$10,700 has been pledged for the completion of the project and presented a request for \$4,000 from the City for the memorial. He thanked the Council for the support that City Staff has provided in preparing the Park Square for the memorial.

Mr. Johnson also shared a letter from the family of Mary Ann Isaacs that expressed their gratitude for recognizing her contributions in founding the City of Paola. The dedication ceremony is scheduled for 1:00 pm on Saturday, October 6th.

After discussing the memorial, Councilmember Dial made a motion to approve a request for financial support in the amount of \$4,000 for the Baptiste Peoria and Mary Ann Isaacs Memorial at the Park Square. The motion was seconded by Councilmember Pritchard and all voted aye. The motion passes 4 to 0.

Agenda Item 5b - Consider a Policy regarding Construction Inspection Services.

Manager Newton presented a proposed policy regarding construction inspection services provided by the City. The inspection services would be applicable for new residential and commercial development in the City. The City would charge the developer 10% of the cost of the infrastructure improvements or actual costs.

Councilmember Pritchard questioned the need to state that the fee is 10% and recommended that actual costs be billed for the service. The Council agreed that Section 1 D should read “The City shall charge the developer actual costs for inspection and observation service.”

Councilmember Rowlett questioned the language pertaining to the letter of credit requirements. After discussing the issue, the Council agreed that Section 1 F should read “The City shall require a letter of credit, surety, or submit a payment of one-half the estimated construction costs prior to the start of construction.”

Councilmember Hamilton made a motion to approve the Council Policy regarding Construction Inspection Services provided by the City of Paola, as amended. The motion was seconded by Councilmember Dial and all voted aye. The motion passes 4 to 0.

Agenda Item 5c - Consider approval of the renewal of a Drinking Establishment License for Applebee’s International dba Applebee’s Bar & Grill.

Clerk Droste reported that at the August 28th meeting, the City Council approved a Drinking Establishment License for the new corporate owners of the Applebee’s Neighborhood Grill & Bar at 1301 Kansas Drive subject to the receipt of a copy the State of Kansas Liquor License. Since that time, Applebee’s International has advised that the transfer of ownership will not be completed until sometime in December. The existing Drinking Establishment License for Applebee’s International expires on September 26th and this license will need to be renewed until the ownership change is completed. Clerk Droste reported that he has received the appropriate application, fee, and the facility has passed the required fire safety inspection.

Clerk Droste advised that the Drinking Establishment License is not transferable and once the new corporate ownership is finalized, the new owners will be required to apply for a new license.

Councilmember Dial made a motion to approve the renewal of a Drinking Establishment License for Applebee's International dba Applebee's Bar & Grill at 1301 Kansas Drive. The motion was seconded by Councilmember Pritchard and all voted aye. The motion passes 4 to 0.

Agenda Item 5d - Consider approval of a letter to the Paola Country Club regarding the sale of untreated water from Lake Miola.

City Attorney Tetwiler reported on the negotiations with the Paola Country Club for a water line easement. The Country Club has asked for a letter of understanding that the City will continue to sell untreated water from Lake Miola to the Country Club in exchange for the easement. He presented the letter to the Paola Country Club for the Council's approval and the Mayor's signature.

After discussing the letter, Councilmember Hamilton made a motion to approve a letter to the Paola Country Club regarding the sale of untreated water from Lake Miola and authorize the Mayor to sign. The motion was seconded by Councilmember Dial and all voted aye. The motion passes 4 to 0.

Agenda Item 5e - Discussion of new requirements from the Kansas Water Office regarding Municipal Water Conservation Plans.

Clerk Droste presented correspondence from the Kansas Water Office (KWO) regarding the City's water conservation plan. Droste reported that he received a phone call from the KWO after submitting the water conservation plan for the Marais Des Cygnes Public Utility Authority (MDCPUA). The KWO advised that the requirements for conservation plans have changed and that all municipalities in Kansas are being required to update their plans.

Clerk Droste reported that in order to qualify for financing and grant programs with the State of Kansas, an approved water conservation plan is required. This would include any potential financing for the MDCPUA's new water plant. A revised water conservation plan will be presented to the Council for consideration at the next meeting.

Agenda Item 5f - Approve the fee for a 2" water meter for Paola Crossings.

Planner Givens presented a request from the developers of Paola Crossings for a new 2" water meter. Pursuant to City Code, the Council must establish the price for water meters that are 2 inches or larger. The charge for other 2" meters in recent months has been \$3,000.

After discussing the request, Councilmember Pritchard made a motion to approve a 2" water meter installation fee of \$3,000 for Paola Crossings. The motion was seconded by Councilmember Dial and all voted aye. The motion passes 4 to 0.

Agenda Item 5g - Consider a Resolution amending Resolution No 2005-010.

Clerk Droste reported that at the August 28th meeting, the Council approved an amendment to the benefit district for Rockwood Estates, Phase III to include the cost of water line improvements. He presented a Resolution amending the benefit district.

Councilmember Hamilton made a motion to approve A RESOLUTION AMENDING RESOLUTION NO. 2005-010 DETERMINING THE ADVISABILITY OF AND AUTHORIZING THE MAKING OF CERTAIN IMPROVEMENTS IN THE CITY OF PAOLA, KANSAS, AND THE CREATION OF AN IMPROVEMENT DISTRICT ACCORDING TO THE FINDINGS OF THE GOVERNING BODY (ROCKWOOD ESTATES III). The motion was seconded by Councilmember Pritchard and all voted aye. The motion passes 4 to 0. Clerk Droste assigned No. 2007-010 to the Resolution.

Agenda Item 6 - NEW BUSINESS.

Manager Newton presented copies of the 2008 Budget Book to the Mayor and Council.

Manager Newton reported that the Mediation Team will be meeting with representatives from Rural Water District No 2 on Thursday, September 27th at 9:00 am.

Councilmember Hamilton, Dial, and Pritchard had no additional topics to discuss.

Councilmember Rowlett reported that Carol Everhart has completed the Economic Development presentation for the LKM Annual Conference and it will be presented at the conclusion of the meeting. He also reported that he has placed his name on the ballot for Vice President of League of Kansas Municipalities and asked for the support of the Council.

Mayor Stuteville asked if the Council would like to take action on Carol Everhart's request for funding for the Visit Paola Billboard. After discussing the request, Councilmember Hamilton made a motion to approve the payment of \$10,300 for the new billboards to be paid out of the Transient Guest Tax Fund. The motion was seconded by Councilmember Dial and all voted aye. The motion passes 4 to 0.

City Attorney Tetwiler reported that the City was successful in collecting a little over \$19,000 for past due special assessments.

Councilmember Rowlett and Carol Everhart Presented the economic development slide presentation.

Agenda Item 7 – ADJOURNMENT.

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

Artie Stuteville, Mayor

ATTEST: (seal)

Daniel G. Droste, City Clerk