

AGENDA

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

November 27, 2007 - 5:30 pm

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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.)

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 November 13, 2007.
- b. Approval of Salary Ordinance number 07-21 & 07-22.
- c. Approval of Appropriation Ordinance No. 617.
- d. Approval of the renewal of a Retail Liquor License for County Seat Liquor.

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 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 _____
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 a waiver of the restriction for selling any alcoholic beverage within 500 feet of a park, school or church for Cactus Jack's at 602 N Pearl.

Motion _____ Second _____
Hamilton ____ Rowlett ____ Dial ____ 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 _____
Hamilton ____ Rowlett ____ Dial ____ Pritchard ____ Mayor Stuteville ____

c. Consider approval of a new Drinking Establishment License for Applebee's Restaurants Kansas, LLC doing business as Applebee's Neighborhood Grill & Bar.

Action - Motion to approve/not approve a new Drinking Establishment License for Applebee's Restaurants Kansas, LLC doing business as Applebee's Neighborhood Grill & Bar at 1301 Kansas Drive subject to the receipt of a copy of a State Liquor License and the surrender of the existing Drinking Establishment License.

Motion _____ Second _____
Hamilton ____ Rowlett ____ Dial ____ Pritchard ____ Mayor Stuteville ____

d. Consider bids for asbestos removal from the old KDOT building.

Motion to approve/not approve the bid in the amount of \$6,240.00 from Asbestos Removal and Maintenance, Inc. to remove asbestos from the old KDOT building.

Motion _____ Second _____
Hamilton ____ Rowlett ____ Dial ____ Pritchard ____ Mayor Stuteville ____

e. Consider approval of the K-68 Partnership Agreement.

Motion to approve/not approve the K-68 Partnership Agreement and authorize the Mayor to sign.

Motion _____ Second _____
Hamilton ____ Rowlett ____ Dial ____ Pritchard ____ Mayor Stuteville _____

f. **Consider the renewal of a Conditional Use Permit for 103 N Pearl.**

Motion to approve/not approve CONDITIONAL USE PERMIT 06-CUP-05 AN ORDINANCE RELATING TO ZONING: RENEWING A CONDITIONAL USE PERMIT FOR CERTAIN PROPERTY.

Motion _____ Second _____
Hamilton ____ Rowlett ____ Dial ____ Pritchard ____ Mayor Stuteville _____
(Clerk assigned No. 2961 to the Ordinance)

g. **Consider an amendment to the Zoning Map.**

Motion to approve/not approve AN ORDINANCE CHANGING THE ZONING CLASSIFICATION OF CERTAIN LAND LOCATED IN THE CITY OF PAOLA, KANSAS, UNDER THE AUTHORITY GRANTED BY THE LAND DEVELOPMENT ORDINANCE OF THE CITY OF PAOLA, KANSAS.

Motion _____ Second _____
Hamilton ____ Rowlett ____ Dial ____ Pritchard ____ Mayor Stuteville _____
(Clerk assigned No. 2962 to the Ordinance)

h. **Consider an Ordinance assessing special taxes on properties at Rockwood Estates, Phase III.**

Action - Motion to approve/not approve AN ORDINANCE OF THE CITY OF PAOLA, KANSAS, LEVYING SPECIAL ASSESSMENT TAXES ON CERTAIN REAL PROPERTIES IN THE CITY, TO PAY A PORTION OF THE COSTS OF CERTAIN INTERNAL IMPROVEMENTS BENEFITING THAT PROPERTY; PROVIDING FOR THE GIVING OF NOTICE OF THE SPECIAL ASSESSMENT TAXES; AND PROVIDING FOR THE COLLECTION OF SUCH SPECIAL ASSESSMENT TAXES (ROCKWOOD PHASE III).

Motion _____ Second _____
Hamilton ____ Rowlett ____ Dial ____ Pritchard ____ Mayor Stuteville _____
(Clerk assigned No. 2963 to the Ordinance)

i. **Receive and award bids on General Obligation Bonds.**

Motion to accept/not accept the bid from _____ for _____ % to purchase General Obligation Bonds, Series A, 2007, in the principal amount of \$2,805,000 from the City of Paola.

Motion _____ Second _____
Hamilton ____ Rowlett ____ Dial ____ Pritchard ____ Mayor Stuteville _____

j. Consider an Ordinance authorizing the issuance of General Obligation Bonds.

Motion to approve/not approve AN ORDINANCE AUTHORIZING ISSUANCE OF THE CITY OF PAOLA, KANSAS GENERAL OBLIGATION BONDS, SERIES A, 2007, IN THE PRINCIPAL AMOUNT OF \$2,805,000, FOR THE PURPOSE OF FINANCING COSTS OF CERTAIN CAPITAL IMPROVEMENTS IN THE CITY; PROVIDING FOR THE LEVY AND COLLECTION OF AN ANNUAL TAX TO PAY THE BONDS; AUTHORIZING OTHER DOCUMENTS AND ACTIONS AND MAKING CERTAIN COVENANTS RELATED TO SUCH BONDS.

Motion _____ Second _____
Hamilton ____ Rowlett ____ Dial ____ Pritchard ____ Mayor Stuteville ____
(Clerk assigned No. 2964 to the Ordinance)

k. Consider a Resolution authorizing the issuance of General Obligation Bonds.

Motion to approve/not approve A RESOLUTION PRESCRIBING THE FORM AND DETAILS OF GENERAL OBLIGATION BONDS, SERIES A, 2007, IN THE PRINCIPAL AMOUNT OF \$2,805,000, OF THE CITY OF PAOLA, KANSAS, PREVIOUSLY AUTHORIZED BY ORDINANCE NO. 2964 OF THE CITY; MAKING COVENANTS AND AGREEMENTS TO PROVIDE FOR THE PAYMENT AND SECURITY OF THE BONDS; AUTHORIZING CERTAIN OTHER DOCUMENTS AND ACTIONS CONNECTED TO THE BONDS AND AMENDING RESOLUTION NO. 2005-016.

Motion _____ Second _____
Hamilton ____ Rowlett ____ Dial ____ Pritchard ____ Mayor Stuteville ____
(Clerk assigned No. 2007-017 to the Resolution)

l. Consider an Ordinance authorizing the issuance of Bonds for the Paola, Kansas Public Building Commission and authorizing a lease agreement and other documents related to the new Paola Justice Center.

Action – Motion to approve/not approve AN ORDINANCE OF THE CITY OF PAOLA, KANSAS, APPROVING THE ISSUANCE OF \$3,750,000 AGGREGATE PRINCIPAL AMOUNT OF THE PAOLA, KANSAS PUBLIC BUILDING COMMISSION REVENUE BONDS, SERIES 2007 TO PAY THE COSTS OF CONSTRUCTING, ACQUIRING AND EQUIPPING A POLICE STATION; AUTHORIZING THE EXECUTION OF A LEASE OF THE POLICE STATION BY THE CITY FROM THE PUBLIC BUILDING COMMISSION; AUTHORIZING THE EXECUTION OF A BOND PURCHASE AGREEMENT AND OTHER NECESSARY DOCUMENTS RELATED TO THE TRANSACTIONS AUTHORIZED HEREIN.

Motion _____ Second _____
Hamilton ____ Rowlett ____ Dial ____ Pritchard ____ Mayor Stuteville ____
(Clerk assigned No. 2965 to the Ordinance)

6. NEW BUSINESS

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

7. ADJOURNMENT

Motion _____ Second _____
Hamilton ____ Rowlett ____ Dial ____ Pritchard ____ Mayor Stuteville _____

NOTE: At the conclusion of the Paola City Council Meeting, there will be a meeting of the Paola, Kansas Public Building Commission.

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.