

# AGENDA

**REGULAR COUNCIL MEETING OF THE CITY OF PAOLA, KANSAS  
TO BE HELD AT THE PAOLA JUSTICE CENTER  
805 N Pearl Street Paola, KS 66071  
May 26, 2009 - 5:30 pm**

*~ Thank you for turning off your cell phone. Council Meetings are tape recorded. ~*

## PLEDGE OF ALLEGIANCE

### 1. CALL TO ORDER

2. **ROLL CALL** - Pritchard \_\_\_ Dial \_\_\_ Rowlett \_\_\_ Bell \_\_\_ 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 May 12, 2009.**
- b. **Approval of Salary Ordinance number 09-10.**
- c. **Approval of Appropriation Ordinance No. 653.**

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

Motion \_\_\_\_\_ Second \_\_\_\_\_  
Bell \_\_\_ Rowlett \_\_\_ Dial \_\_\_ Pritchard \_\_\_ Mayor Stuteville \_\_\_\_\_

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

- a. **Presentation by the Roots Festival Committee on the 2009 Roots Festival.**
- b. **Consider a request to waive the fees for the use of the Park Square for the Heartland Car Show and the Roots Festival.**

Action – Motion to approve/not approve the requests to waive the fees for the use of the Park Square for the Heartland Car Show on July 18<sup>th</sup> and the Roots Festival on August 28<sup>th</sup> and 29<sup>th</sup>.

Motion \_\_\_\_\_ Second \_\_\_\_\_  
Bell \_\_\_ Rowlett \_\_\_ Dial \_\_\_ Pritchard \_\_\_ Mayor Stuteville \_\_\_\_\_

c. **Consider the renewal of a Conditional Use Permit for 7 S Agate (Design 4 Sports, Inc.)**

Action – Motion to approve/not approve ORDINANCE NO 2987 RENEWAL OF CONDITIONAL USE PERMIT 06-CUP-07.

Motion \_\_\_\_\_ Second \_\_\_\_\_  
Bell \_\_\_\_ Rowlett \_\_\_\_ Dial \_\_\_\_ Pritchard \_\_\_\_ Mayor Stuteville \_\_\_\_\_

d. **Consider the approval of a Conditional Use Permit for 1121 E Kaskaskia (Panther Lube & Tire).**

Action – Motion to approve/not approve ORDINANCE NO 2988 APPROVAL OF CONDITIONAL USE PERMIT 09-CUP-05.

Motion \_\_\_\_\_ Second \_\_\_\_\_  
Bell \_\_\_\_ Rowlett \_\_\_\_ Dial \_\_\_\_ Pritchard \_\_\_\_ Mayor Stuteville \_\_\_\_\_

e. **Consider the approval of the development plan for 1121 E Kaskaskia (Panther Lube & Tire).**

Action – Motion to approve/not approve the development plan for Panther Lube & Tire at 1121 E Kaskaskia.

Motion \_\_\_\_\_ Second \_\_\_\_\_  
Bell \_\_\_\_ Rowlett \_\_\_\_ Dial \_\_\_\_ Pritchard \_\_\_\_ Mayor Stuteville \_\_\_\_\_

f. **Consider a text amendment to the Land Development Ordinance related to the location of the Farmer’s Market.**

Action - Motion to approve/not approve ORDINANCE NO 2989 AMENDMENTS TO THE LAND DEVELOPMENT ORDINANCE (LDO) RELATED TO FARMSTANDS.

Motion \_\_\_\_\_ Second \_\_\_\_\_  
Bell \_\_\_\_ Rowlett \_\_\_\_ Dial \_\_\_\_ Pritchard \_\_\_\_ Mayor Stuteville \_\_\_\_\_

g. **Consider a text amendment to the Land Development Ordinance related to special use permits at the Miami County Fairgrounds.**

Action - Motion to approve/not approve ORDINANCE NO 2990 AMENDMENTS TO THE LAND DEVELOPMENT ORDINANCE (LDO) RELATED TO FAIRGROUNDS.

Motion \_\_\_\_\_ Second \_\_\_\_\_  
Bell \_\_\_\_ Rowlett \_\_\_\_ Dial \_\_\_\_ Pritchard \_\_\_\_ Mayor Stuteville \_\_\_\_\_

**h. Consider the approval of a Quit Claim Deed to WF Real Estate Holdings, LLC and WW Paola, LLC.**

Action – Motion to approve/not approve a Quit Claim Deed for a 1.53 acre tract located in the Southeast Quarter of Section 15, Township 17 South, Range 23 East, in Miami County Kansas to WF Real Estate Holdings, LLC and WW Paola, LLC, and authorize the Mayor to sign.

Motion \_\_\_\_\_ Second \_\_\_\_\_  
Bell \_\_\_\_ Rowlett \_\_\_\_ Dial \_\_\_\_ Pritchard \_\_\_\_ Mayor Stuteville \_\_\_\_\_

**i. Consider approval of a pay request for the Fire Station project.**

Action – Motion to approve/not approve a pay request #2 in the amount of \$133,222.00 to Legacy Contractors, LLC for the Fire Station project.

Motion \_\_\_\_\_ Second \_\_\_\_\_  
Bell \_\_\_\_ Rowlett \_\_\_\_ Dial \_\_\_\_ Pritchard \_\_\_\_ Mayor Stuteville \_\_\_\_\_

**6. NEW BUSINESS**

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

**7. ADJOURNMENT**

Action – Motion to adjourn.

Motion \_\_\_\_\_ Second \_\_\_\_\_  
Bell \_\_\_\_ Rowlett \_\_\_\_ Dial \_\_\_\_ Pritchard \_\_\_\_ Mayor Stuteville \_\_\_\_\_

**NOTE: At the conclusion of their regular meeting, the City Council will have a work study meeting. There is a separate agenda for this meeting.**

**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.

**REQUEST FOR SPECIAL MEETING**

TO THE HONORABLE MAYOR, ARTIE STUTEVILLE, OF THE CITY OF PAOLA, KANSAS:

We, the undersigned being duly elected, qualified, and acting Councilmembers of the City of Paola, Kansas, hereby respectfully request you to call a Work Study Meeting of the Governing Body of the City of Paola, Kansas to be held at the Municipal Court Room at the Paola Justice Center located at 805 N Pearl Street on Tuesday, May 26, 2009. This Work Study Meeting will begin at the conclusion of the Paola City Council Meeting which will begin at 5:30 pm. The starting time for this meeting will be dictated by the conclusion of the previous meeting. The agenda for the Work Study Meeting is as follows:

- **Discussion of the 2010 Budget process.**
- **Other.**

(This is a work study meeting, no action will be taken on any discussion item.)

\_\_\_\_\_  
Jim Pritchard, Council member Ward 1

\_\_\_\_\_  
Johna Dial, Councilmember Ward 2

\_\_\_\_\_  
Jack Rowlett, Councilmember Ward 3

\_\_\_\_\_  
Pete Bell, Councilmember Ward 4

\*\*\*\*\*

**CALL OF SPECIAL COUNCIL MEETING**

I, the undersigned Mayor of the City of Paola, Kansas having received a request for a special meeting of the Governing Body of said city, do by these presents call a special council meeting of the City of Paola, Kansas for the purpose set forth in the foregoing request.

\_\_\_\_\_  
Artie Stuteville, Mayor