

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

November 29, 2011

**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, House, and Minden.

Council Members absent: None.

Also present: City Manager Wieland, City Clerk Droste, City Attorney Tetwiler, City Planner Gotfredson, Jayme Morris, and Joe Sinnett.

Agenda Item 1 - CALL TO ORDER: The special council meeting was called to order by Mayor Stuteville.

Agenda Item 2 - ROLL CALL: Mayor Stuteville and Council Members Pritchard, Wilhoite, House, and Minden were all present. No one was absent.

Agenda Item 3 - Consider an Ordinance approving a Conditional Use Permit for Design 4 Sports at 10 S Silver Street.

Planner Gotfredson presented an Ordinance for a Conditional Use Permit for a screen printing business at 10 S Silver Street. He reported that Design 4 Sports has outgrown its current location and needs the additional space that the new location provides.

Planner Gotfredson reported that a Public Hearing was held by the Planning Commission at 5:00 pm on November 29th for the Conditional Use Permit. No objections were raised at the hearing. The Planning Commission recommends approval of the Conditional Use Permit with the following stipulations:

- 1) All work shall be completed within an enclosed structure.
- 2) Hours of operation shall be limited to 8am – 12am, Sunday through Saturday.
- 3) The maximum decibel level shall not exceed 70 decibels at the property line.
- 4) All printing and embroidery products not bio-degradable to be disposed of by approved methods and shall not enter the sanitary sewer system.
- 5) Proper venting of production area to be provided that would not impact surrounding properties.
- 6) At any time, the City may institute revocation of the conditional use permit for violations of the conditions of approval, expiration, or the reasons specified in Section 21.225 of the Land Development Ordinance.

After a discussion, Councilmember Minden made a motion to approve AN ORDINANCE APPROVING CONDITIONAL USE PERMIT 11-CUP-03. Councilmember House seconded the motion and all voted aye. The motion passed 4 to 0 and the Ordinance was assigned number 3039.

Agenda Item 4 - Consider an Ordinance amending the franchise agreement with Kansas Gas Service.

Manager Wieland presented an ordinance amending the franchise agreement with Kansas Gas Service. He explained that Ordinance No 3038 that was passed on November 8, 2011 contained a typographical error and a new ordinance was required to correct the mistake.

After a discussion, Councilmember Wilhoite made a motion to approve AN ORDINANCE, GRANTING TO KANSAS GAS SERVICE, A DIVISION OF ONEOK, INC., ITS SUCCESSORS AND ASSIGNS, A NATURAL GAS FRANCHISE, PRESCRIBING THE TERMS THEREOF AND RELATING THERETO, AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT WITH OR IN CONFLICT WITH THE TERMS HEREOF. Councilmember Pritchard seconded the motion and all voted aye. The motion passed 4 to 0 and the Ordinance was assigned number 3040.

Agenda Item 5 - ADJOURNMENT.

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

Artie Stuteville, Mayor

ATTEST: (seal)

Daniel G. Droste, City Clerk