

AGENDA

**REGULAR COUNCIL MEETING OF THE CITY OF PAOLA, KANSAS
TO BE HELD IN THE MUNICIPAL COURTROOM AT THE PAOLA JUSTICE CENTER
805 N Pearl Street Paola, KS 66071
September 22, 2009 - 5:30 pm**

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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 meeting of September 8, 2009.**
- b. **Approval of Salary Ordinance number 09-18.**
- c. **Approval of Appropriation Ordinance No. 661.**
- d. **Approval of the renewal of a Retail Liquor License for Park Plaza Liquor.**
- e. **Approval of the renewal of Class A Private Club Licenses for the VFW and American Legion.**

Action–Motion to 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. **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 Neighbors, LLC doing business as Neighbors Bar and Grill at 2 W Piankishaw.**

Action – Motion to open the public hearing.

Motion _____ Second _____
Bell _____ Rowlett _____ Dial _____ Pritchard _____ Mayor Stuteville _____

Action – Motion to close the public hearing.

Motion _____ Second _____
Bell _____ Rowlett _____ Dial _____ Pritchard _____ Mayor Stuteville _____

b. Consider waiving the restriction for selling or consuming any alcoholic beverage within 500 feet of a park, school, or church.

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 Neighbors, LLC doing business as Neighbors Bar and Grill at 2 W Piankishaw.

Motion _____ Second _____
Bell _____ Rowlett _____ Dial _____ Pritchard _____ Mayor Stuteville _____

c. Consider approval of a new Drinking Establishment License for Neighbors, LLC doing business as Neighbors Bar and Grill at 2 W Piankishaw. (Action item only if Agenda Item 5-b is approved.)

Action - Motion to approve/not approve a new Drinking Establishment License for Neighbors, LLC doing business as Neighbors Bar and Grill at 2 W Piankishaw subject to the issuance of a satisfactory fire safety inspection, a certificate of occupancy, and a State of Kansas Drinking Establishment License.

Motion _____ Second _____
Bell _____ Rowlett _____ Dial _____ Pritchard _____ Mayor Stuteville _____

d. Consider a Conditional Use Permit for a heavy retail business at property commonly known as 410 North Silver.

Action – Motion to approve/not approve AN ORDINANCE APPROVING
CONDITIONAL USE PERMIT 09-CUP-10. (Ordinance No. 3000)

Motion _____ Second _____
Bell _____ Rowlett _____ Dial _____ Pritchard _____ Mayor Stuteville _____

e. Consider approval of the site plan for the Lighthouse Presbyterian Church.

Action – Motion to approve/not approve the preliminary and final site plan for the Lighthouse Presbyterian Church as presented.

Motion _____ Second _____
Bell _____ Rowlett _____ Dial _____ Pritchard _____ Mayor Stuteville _____

f. Consider a request for a water leak allowance.

Action – Motion to approve/not approve the request for a water leak allowance in the amount of \$ _____ for Glenn Evans at 29449 Palmer Drive.

Motion _____ Second _____
Bell _____ Rowlett _____ Dial _____ Pritchard _____ Mayor Stuteville _____

g. Adoption of the 2009 Uniform Public Offense Code.

Action – Motion to approve/not approve AN ORDINANCE AMENDING SECTION 205.005 OF THE CODE OF THE CITY OF PAOLA, KANSAS, 1997, REGULATING PUBLIC OFFENSES WITHIN THE CORPORATE LIMITS OF THE CITY OF PAOLA, KANSAS; INCORPORATING BY REFERENCE THE “UNIFORM PUBLIC OFFENSE CODE FOR KANSAS CITIES,” EDITION OF 2009, WITH CERTAIN OMISSIONS AND AMENDMENTS. (Ordinance No. 3001)

Motion _____ Second _____
Bell _____ Rowlett _____ Dial _____ Pritchard _____ Mayor Stuteville _____

h. Consider Adoption of the 2009 Standard Traffic Ordinance.

Action – Motion to approve/not approve AN ORDINANCE AMENDING SECTION 300.010 OF THE CODE OF THE CITY OF PAOLA, KANSAS, 1997, INCORPORATING BY REFERENCE THE “STANDARD TRAFFIC ORDINANCE FOR KANSAS CITIES”, EDITION OF 2009, WITH CERTAIN OMISSIONS. (Ordinance No. 3002)

Motion _____ Second _____
Bell _____ Rowlett _____ Dial _____ Pritchard _____ Mayor Stuteville _____

i. Consider an Ordinance authorizing the operation of golf carts and micro utility trucks in the City of Paola.

Action – Motion to approve/not approve AN ORDINANCE ADDING SECTION 305.070 OF THE CODE OF THE CITY OF PAOLA, KANSAS, 1997, AUTHORIZING THE OPERATION OF GOLF CARTS ON THE STREETS WITHIN THE CORPORATE LIMITS OF THE CITY OF PAOLA; AND ADDING SECTION 305.080 OF THE CODE OF THE CITY OF PAOLA, KANSAS, 1997, AUTHORIZING THE OPERATION OF MICRO UTILITY TRUCKS ON THE STREETS WITHIN THE CORPORATE LIMITS OF THE CITY OF PAOLA; AND PROVIDING FOR RELATED MATTERS, INCLUDING PENALTIES FOR VIOLATION THEREOF. (Ordinance No. 3003)

Motion _____ Second _____
Bell _____ Rowlett _____ Dial _____ Pritchard _____ Mayor Stuteville _____

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

Action – Motion to approve/not approve a pay request #7 in the amount of \$237,395.00 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 _____

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.