

**MINUTES OF THE COUNCIL MEETING
OF THE CITY OF PAOLA, KANSAS
PAOLA JUSTICE CENTER 805 N PEARL
6:00 O'CLOCK P.M.
December 13, 2022**

The Governing Body of the City of Paola, Kansas, met with Mayor House presiding.

Council Members present: Mayor Leigh House and Council Members Dave Smail, Deborah Hayes, Kathy Peckman and LeAnne Shields.

Council Members absent: None

Also present: City Manager Randi Shannon, City Clerk Stephanie Marler, Police Chief Eric Jenkins, Public Works Director Kirk Rees, City Planner Jessica Newton, City Attorney Lee Tetwiler, Brian McCauley with the Miami County Republic, Trent Upshaw, Jennifer Dees, and others.

CALL TO ORDER: The regular council meeting was called to order by Mayor House.

ROLL CALL: Mayor House and Council Members Smail, Hayes, Peckman and Shields were all present.

Agenda Item 1 - CONSENT AGENDA

- a. Approval of minutes of the meeting of November 8, 2022.
- b. Approval of Salary Ordinances 22-23, 22-24, 22-25 & 22-26.
- c. Approval of Appropriation Ordinance 987 & 988.
- d. Approval of the Pledged Collateral Report for November 2022.
- e. Approval of Journal Entries report for November 2022
- f. Renewal of a liquor license for Papa C's, 807 S Silver, contingent upon receipt of application and fee.
- g. Approval of the renewal of Cereal Malt Beverage Licenses for 2023 contingent upon return of application and fee and completed safety inspection:
 - Price Chopper at 309 N Hospital Drive – Off Premises
 - Casey's General Store #1237 at 119 N Hospital Drive – Off Premises
 - Casey's General Store #1337 at 404 S Silver Street – Off Premises
 - Milo's Steak House at 16 W Peoria Street – On Premises
 - Walmart at 310 Hedge Lane – Off Premises
 - Fuel Expresso #15 at 1005 N Pearl Street – Off Premises
 - Pizza Hut at 1613 E Peoria – On Premises
 - One Stop Convenience – Off Premises
- h. Leak allowance for Kim Coons at 405 W Wea for \$506.76

Council Member Shields made a motion to approve the Consent Agenda as presented and authorize the mayor to sign. The motion was seconded by Council Member Smail and all voted aye. The motion passed 4 to 0.

Agenda Item 2 - COMMENTS FROM THE PUBLIC:

No one addressed the Council.

Agenda Item 3 – ELECTION RESULTS

Agenda Item 3a – Consider Certificate of Election Results

Clerk Marler said the general election held on November 8th showed Trent Upshaw Ward 2 with the most votes and LeAnne Shields Ward 4 with the most votes. She said the votes were canvassed on November 17th and the certificate of election results needed to be accepted.

Council Member Hayes made a motion to accept the certificate of election results naming Trent Upshaw - City Council Ward 2 and LeAnne Shields - City Council Ward 4 as the candidates receiving the most votes. The motion was seconded by Council Member Peckman and all voted aye. The motion passed 4 to 0.

With Trent Upshaw receiving the most votes, Deborah Hayes, who was elected by the Council in October to fill his vacancy, left the Ward 2 Council Seat. Mr. Upshaw moved from Ward 2 and is ineligible for the council seat.

Agenda Item 4 –RECESS SINE DIE - Installation of newly elected City Council

Council Member Peckman made a motion to recess sine die. The motion was seconded by Council Member Smail and all voted aye. The motion passed 3 to 0.

Agenda Item 5 – ADMINISTRATION OF OATH OF OFFICE

Clerk Marler administered the Oath of Office to Council Member LeAnne Shields.

Agenda Item 6 – INVOCATION

Mayor Leigh House presented an invocation for the new City Council.

Agenda Item 7 – RESUME COUNCIL MEETING

Council Member Peckman made a motion to resume the recessed meeting. The motion was seconded by Council Member Smail and all voted aye. The motion passed 3 to 0. Mayor House called the new City Council to order and resumed the recessed meeting.

Agenda Item 8 - COUNCIL ELECTION

Clerk Marler said since Trent Upshaw is not able to fill the Ward 2 council seat, the City Council is tasked with electing a new Council Member. She said 2 letters of interest were submitted to the City Clerk's office by Deborah Hayes and Jennifer Dees.

Council Member Peckman made a motion to nominate Deborah Hayes to fill the position of Ward 2 City Council member. The motion was seconded by Council Member Shields and all voted aye. The motion passed 3 to 0. Council Member Hayes took the Oath of Office and joined the City Council.

Agenda Item 9 – ELECTION OF COUNCIL OFFICERS

Council Member Peckman made a motion to nominate Council Member Smail as President of the Paola City Council. The motion was seconded by Council Member Hayes and all voted aye. The motion passed 4 to 0.

Council Member Smail made a motion to nominate Council Member Peckman as Vice President of the Paola City Council. The motion was seconded by Council Member Shields and all voted aye. The motion passed 4 to 0.

Agenda Item 10 - NEW BUSINESS

Agenda Item 10a – Landworks Studio Contract

Manager Shannon said the City of Paola approved the proposal from Landworks Studios, in response to the Paola Family Pool Improvements Request for Qualification at the October 11, 2022 Council meeting. After the selection, City staff met with Landworks Studios to establish the scope and enhancements for the firm to establish the total fee for the engineering services, design work, and construction administration.

Manager Shannon said from discussion with Landworks Studios and their sub-consultant, Water Technology, Inc. the plan is to update the safety concerns in the mechanical room before the start of the 2023 pool season. Then after the close of the 2023 season, construction will begin on the enhancements for the 2024 season. She said the items that are to be done prior to the opening of the 2023 season are as follows.

1. Removing the sand from the existing sand filters and replacing the media
2. Remove the existing pool heater and install a new high efficiency pool heater
3. Renovate the pool chemical storage rooms to properly isolate the storage of liquid chlorine from the muriatic acid.

Council Member Peckman made a motion to approve the contract with Landworks Studio in the form substantially presented and authorize the necessary signatures and pay the contract amount of \$201,950.00. The motion was seconded by Council Member Hayes and all voted aye. The motion passed 4 to 0.

Agenda Item 10b – Hedge Ln. & Baptiste Dr. Traffic Light & Cabinet Upgrade

Director Rees said there has been problems with the traffic backing up at Hedge Lane and Baptiste Drive. The light controls were adjusted and he was told the cabinet is outdated and needs upgraded. He received 2 bids to include the removal of existing cameras (4) and signal heads (2), installation of Miovision video detection system, controller cabinet switch out and install 4 head signal heads. The bids are as follows:

J. Warren Company Inc. \$39,744.00
Capital Electric \$43,635.00

After further comments Council Member Shields made a motion to approve the quote from J. Warren Company Inc. for improvements to the traffic lights and control cabinet at Hedge Ln. & Baptiste Dr. in the amount of \$39,744.00. The motion was seconded by Council Member Smail and all voted aye. The motion passed 4 to 0.

Agenda Item 10c – Fire Engine Purchase Approval

Manager Shannon said the Fire Department's Engine #3 was scheduled to be replaced in 2024, at the end of the standard 15-year replacement cycle. Due to the extended lead times of a new engine, coupled with the fact that the resale value of the current Engine #3 will drop exponentially after the 15-year mark, Chief Martin and staff thought it was prudent to push the purchase of a new engine up to the end of 2022.

Manager Shannon said Chief Martin worked with three manufacturers to develop specifications for the new engine. All three manufacturers offered almost identical units, as well as offering Brindlee Mountain as a trade-in company with an estimated \$80,000 for the current Engine #3. A summary of the three bids that were reviewed at the City Council Work Study and are outlined below.

Pierce Mfg Appleton Wisconsin est. 1913

Dealer: Conrad Fire Equipment, Olathe, KS.
Engine Name: Arrow XT #1125
Lead time: 36 months
Cost: **\$678,641.08** with 100% prepay

Sparton ER Brandon SD est. 2003.

Dealer: Feld Fire, Grain Valley, MO.
Engine Name: Spartan Metro Star
Lead time: 24 months
Cost: **\$664,579.00** with 100% prepay

Sutphen Crop. Amlin OH est. 1892

Dealer: Flint Hills Fire, Saline, KS.
Engine Name: Monarch S1
Lead time: 24 months
Cost: **\$606,537.85** with 100% prepay

Council Member Smail made a motion to approve the purchasing of the Sutphen Monarch S1, from the Sutphen Corporation in the amount of \$606,537.85. The motion was seconded by Council Member Peckman and all voted aye. The motion passed 4 to 0.

Agenda Item 10d – Traffic Control Device Schedule – Resolution 2022-011 – Parking Restriction by the Miami County Administration Building.

Clerk Marler said Miami County is working to facilitate an additional district court judge. The short-term plan is to use the commission chamber within the Administration Building each Monday, Tuesday, Thursday and Friday. She said County Administrator, Shane Krull, has requested a restricted parking space during these court hours. This would allow for the inmate transport staff to have direct access to the exterior doors of the commission chambers. The requested space is the southernmost space on the east side of Pearl St. in front of the County Administration building.

Clerk Marler presented Resolution 2022-011 to add the restricted space to the Traffic Control Device Schedule and to reevaluate in January 2026 to determine if the parking restriction should continue. The resolution will also remove the restricted parking at 105 E Wea, which was a former Bed and Breakfast.

Council Member Peckman made a motion to approve Resolution 2022-011 amending the Traffic Control Device Schedule. The motion was seconded by Council Member Shields and all voted aye. The motion passed 4 to 0.

Agenda Item 10e – Approval of an Employment Agreement

Council Member Smail made a motion to approve an Employment Agreement with Randi Shannon to serve as City Manager for the City of Paola and authorize the necessary signatures. The motion was seconded by Council Member Hayes and all voted aye. The motion passed 4 to 0.

Agenda Item 11 - STAFF REPORTS

Planner Newton:

1. There is a new Taco Truck on Baptiste Drive.
2. Due to lack of a quorum, there will not be a Planning Commission Meeting in December.
3. Rausch Coleman Homes, who have been building several new homes, are getting ready to start on 2 more and the department is getting close to approving 500 permits for the year.

Director Rees:

1. A new employee has been hired at Public Works.
2. Crews are working on getting the leaves cleaned up with the street sweeper.

Chief Jenkins:

1. A conditional offer has been made for a new officer.
2. Shop with a Cop event will take place on Monday, December 19th.

Manager Shannon thanked the Council on behalf of the employees for the Christmas gift.

Agenda Item 12 - MISCELLANEOUS MATTERS FROM THE COUNCIL:

All Council Members wished everyone a Merry Christmas and Happy New Year.

Council Member Hayes thanked the Council for electing her to fill the Ward 2 seat.

Agenda Item 13 - MISCELLANEOUS MATTERS FROM THE MAYOR:

Mayor House said Merry Christmas and Happy New Year.

Agenda Item 14 – EXECUTIVE SESSION

Agenda Item 14b - (Moved ahead of agenda item a)

Council Member Peckman moved city council recess into Executive Session to consult with the City Attorney regarding information deemed privileged in the attorney-client relationship, pursuant to exception, K.S.A. 75-4319(b)(2). The meeting shall include the Mayor and Council, City Attorney, City Manager, and City Clerk. The regular meeting shall reconvene in the Municipal Court Room at 6:35. The motion was seconded by Council Member Smail and all voted aye. The motion passed 4 to 0.

At 6:35 PM Council came out of executive session. Council Member Smail made a motion to reconvene the recessed meeting. The motion was seconded by Council Member Hayes and all voted aye. The motion passed 4 to 0.

Agenda Item 14a -

Council Member Peckman moved city council recess into Executive Session for the preliminary discussion of the acquisition of real property, pursuant to exception, K.S.A. 75-4319(b)(6). The meeting shall include the Mayor and Council, City Manager, and City Clerk. The regular meeting shall reconvene in the Municipal Court Room at 6:48 PM. The motion was seconded by Council Member Hayes and all voted aye. The motion passed 4 to 0.

At 6:48 PM Council came out of executive session. Council Member Smail made a motion to reconvene the recessed meeting. The motion was seconded by Council Member Shields and all voted aye. The motion passed 4 to 0.

Agenda Item 15– ADJOURNMENT

With no additional business to come before the Council, Council Member Hayes made a motion to adjourn. The motion was seconded by Council Member Shields and all voted aye. The motion passed 4 to 0.

Leigh House, Mayor

ATTEST: [seal]

Stephanie Marler, City Clerk