

**MINUTES OF THE COUNCIL MEETING  
OF THE CITY OF PAOLA, KANSAS  
PAOLA JUSTICE CENTER 805 N PEARL  
6:00 O'CLOCK P.M.  
September 10, 2024**

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

**Council Members present:** Mayor Leigh House and Council Members J.R. McMahon, Deborah Hayes and LeAnne Shields.

**Council Members absent:**

**Also present:** City Manager Randi Shannon, City Clerk Stephanie Marler, Captain Jenkins, Public Works Director Kirk Rees, Planning and Zoning Director Mitch Gabbert, City Attorney Lee Tetwiler, Renee Slinkard, Jennifer Damron, Meghan Shea, Derek Haber, Pat Lindholt, Will Troman, Joshua Brown, Amanda Martell, Karen Geehan, Donnie Jones and Helen and Danny Jacque

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

**ROLL CALL:** Mayor House and Council Members McMahon, Hayes and Shields.

**PROCLAMATION:** Mayor House signed a proclamation recognizing September 17th - 23rd as Constitution Week.

**Agenda Item 1 - CONSENT AGENDA**

- a. Approval of minutes of the meeting on August 13, 2024.
- b. Approval of Salary Ordinances 24-17 & 24-18.
- c. Approval of Appropriation Ordinance 1032 & 1033.
- d. Approval of the Pledged Collateral Report for August 2024.
- e. Approval of Journal Entries August 2024.
- f. Approval of the Drinking Establishment License for Paola Country Club and Retail Liquor License for Park Plaza Liquor.
- g. Approve the leak allowance for Paola Housing Authority, 310 S Iron #4.

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 Hayes and all voted aye. The motion passed 3 to 0.

## **Agenda Item 2 - COMMENTS FROM THE PUBLIC:**

Meghan Shea with Comcast Communications gave an update on the fiber project they are currently working on in Paola.

Pat Lindholt, 203 W Piankishaw, discussed city services and would like to see a quicker response to his concerns.

## **Agenda Item 3 – RNR & BUDGET**

### **RNR Public Hearing**

Council Member Hayes made a motion to open the public hearing regarding the revenue neutral rate (RNR). The motion was seconded by Council Member McMahon and all voted aye. The motion passed 3 to 0.

Clerk Marler said the City of Paola received the RNR of 39.943 mills from the county clerk. She said staff prepared a budget according to anticipated revenues and expenditures and determined the needed mill levy to be 42.059, which will exceed the RNR provided. On July 9th the Council set the RNR public hearing and budget public hearing for September 10th and approved a notification to the county clerk to exceed the RNR. The county clerk was notified prior to the July 20th deadline. The hearing notice was published in the Miami County Republic newspaper on August 21st and on the City of Paola website on August 28th. She said if after the hearing the governing body still intends to exceed the RNR, a resolution must be passed to that effect.

Dan and Helen Jacques, 1216 Cottonwood Ct, asked for an explanation of the process and how the county appraisal affects the taxes.

Karen Feehan, 502 S East St, asked the City Council what extra services she receives with the money needed above the revenue neutral rate.

With no further comments, Council Member Shields made a motion to close the public hearing. The motion was seconded by Council Member McMahon and all voted aye. The motion passed 3 to 0.

### **Agenda Item 3a. Consider Resolution No 2024-007, Exceeding the Revenue Neutral Rate.**

Council Member McMahon made a motion to exceed the revenue neutral rate, Resolution No 2024-007. The motion was seconded by Council Member Hayes and all voted aye. The motion passed 3 to 0.

### **Budget Public Hearing**

Council Member Hayes made a motion to open the public hearing regarding the 2025 budget. The motion was seconded by Council Member Shields and all voted aye. The motion passed 3 to 0.

With no comments, Council Member Shields made a motion to close the public hearing. The motion was seconded by Council Member Hayes and all voted aye. The motion passed 3 to 0.

#### **Agenda Item 3b. Consider adoption of the 2025 Paola City Budget.**

Manager Shannon said the expected expenditures for the 2025 budget totals \$17,022,007. She said the mil levy for 2024 was 41.894 and the proposed mil for 2025 is 42.059, a difference of .165 mills. She said one of the council's priorities was to recruit new employees and maintain current staff.

Council Member McMahon said the state of Kansas makes changes every few years on how municipalities must prepare a budget. He discussed the notice to taxpayers and appreciates how it informs residents. He said it is difficult to be revenue neutral and provide quality service.

Mayor House said she realized trying to be revenue neutral meant having to lose employees and the council was not willing to do that.

Council Member Hayes said supplies have gone up and Paola is competing with surrounding communities for employees.

Council Member Shields said she understands people of all ages are struggling but she believes staff has done the best they can and is comfortable with the proposed budget.

After some discussion, Council Member McMahon made a motion to adopt the 2025 Paola City Budget in the amount of \$17,022,007 pursuant to the Notice of Budget Hearing published in the Miami County Republic, and authorize the necessary signatures. The motion was seconded by Council Member Hayes and all voted aye. The motion passed 3 to 0.

#### **Agenda Item 4. COUNCIL ELECTION**

##### **Agenda Item 4a. Council Election to fill Ward 3 Council Seat.**

Mayor House said Ward 3 Council Seat became vacant after the resignation of Kathy Peckman. She said residents were notified by an ad in the newspaper, Facebook and the City of Paola website. Interested qualified electors of Ward 3 were asked to submit a letter stating their qualifications for serving on the council, prior experience and why they believe they should be selected. She said residents in that ward were asked to submit their letter to the City Clerk's office by 4:00 pm on September 4th if they would like to fill the seat for the remainder of the term.

Mayor House said the Council is free to nominate any qualified candidate they desire. She said 5 individuals expressed interest in serving on the city council and submitted letters by the deadline. Any Councilmember can make a motion to nominate an individual, if the motion receives a second and the majority approves, the nominee is elected. She said the new

council member will take their oath of office and join the City Council. The election procedures are being followed per City Code 1-207. *Vacancies on the governing body; how filled* and gave a summary of the code.

Mayor House asked each candidate to introduce themselves and allowed time for questions. She then asked the council members if there was a nominee.

Council Member Hayes made a motion to nominate Joshua Brown to fill the position of Ward 3 City Council member. The motion was seconded by Council Member Shields and all voted aye. The motion passed 3 to 0. Joshua Brown took his oath of office and joined the council for the remainder of the meeting.

#### **Agenda Item 5. NEW BUSINESS**

##### **Agenda Item 5a – Emergency Response Plan Annual Review - Resolution No. 2024-008**

Clerk Marler said in 2019, the City Council adopted an Emergency Response Plan (ERP) and Emergency Water Supply Plan. She said as part of the City of Paola Water System's ongoing compliance with the Kansas Department of Health and Environment (KDHE), the plans must be updated and reviewed by Council on an annual basis. Clerk Marler said the only necessary changes were to personnel and contact information.

Council Member McMahon made a motion to approve Resolution No. 2024-008 City of Paola Water System Emergency Response Plan 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 5b – Housing Incentive Program - Ordinance No. 3225**

Zoning Administrator Gabbert said Ordinance No. 3214 Housing Construction Incentive Program was adopted on September 12, 2023 and is set to expire September 30th, 2024. The Program was utilized to construct 14 new homes. He said staff is proposing adoption of Ordinance No 3225 which would be renewing the New Housing Construction Incentive Program with no changes.

Zoning Administrator Gabbert said the proposed renewal outlines projects that are eligible for the permit and plan review reduction on the sliding scale based on construction valuation. He said the renewal also allows for developers constructing new single family homes on infill lots to be eligible for reduction of permit, plan review, water and sewer connection fees.

Council Member Shields made a motion to adopt Ordinance No. 3225 renewing the new housing construction incentive program. The motion was seconded by Council Member McMahon and all voted aye. The motion passed 4 to 0.

##### **Agenda Item 5c – Tiny Homes Site Plan, 1004 N Pearl St.**

Zoning Administrator Gabbert said at the August 20, 2024 Planning Commission meeting, commissioners voted unanimously to recommend approval of the preliminary site plan for

phase 1 of the Tiny Home Cluster at 1004 N Pearl St. He said the site plan was completed by Pfefferkorn Engineering & Environmental. Plans were reviewed by staff, as well as Wilson & Company, with minimal comments. Commissioner McLean had requested the site plan be sent out for fire review. All fire review comments will be met before final site plan approval.

Zoning Administrator Gabbert said the plan meets or exceeds the minimum requirements for the zoning regulations.

Council Member Shields said she would like to see an ingress and egress road around the building.

Council Member Hayes made a motion to approve the Preliminary Site Plan for Phase 1 of the Tiny Homes Cluster at 1004 N Pearl. The motion was seconded by Council Member McMahon and all voted aye. The motion passed 4 to 0.

#### **Agenda Item 5d – 24-PLAT-02, JD Condominium Final Plat**

Zoning Administrator Gabbert said at the August 20, 2024 Planning Commission meeting, commissioners voted unanimously to recommend approval of the Final Plat for the JD Condominiums, located at 1102 Durham Dr. He said these units are currently apartments, and the applicant would like to plat them as condominiums. The JD Condominium Association will maintain the common areas, and Aspen Grove Durham will initially own the condos until they are sold. He said the plat was reviewed by the Public Works Director and staff, and all review comments have been satisfied.

Council Member McMahon made a motion to approve the Final Plat for the JD Condominiums at 1102 Durham Dr. The motion was seconded by Council Member Hayes and all voted aye. The motion passed 4 to 0.

#### **Agenda Item 5e – New Drinking Establishment License, Sonora Tacos.**

Clerk Marler said Sonora Tacos, LLC has submitted all required paperwork and paid all fees to obtain a Drinking Establishment License at 1011 Baptiste Dr.

Council Member Shields made a motion to approve the Drinking Establishment License for Sonora Tacos, LLC, 1011 Baptiste Dr. The motion was seconded by Council Member Hayes and all voted aye. The motion passed 4 to 0.

#### **Agenda Item 5f - Wallace park Upgrade Discussion**

Manager Shannon said as discussed at the Sept 3rd Work Study meeting, her intentions were to apply for a grant to help with the Phase II Wallace Park improvements. She discovered that the grant would require all overhead power lines be buried as well as the area in and around the grant funded location be ADA compliant. She said at this time it would not be feasible to move forward with the grant submission.

Manager Shannon did say there are enough funds in the sales tax distribution to cover the project proposed by Wilson & Company.

Council Member Hayes asked if the grant could be applied for in the future for other recreation projects. Manager Shannon said there is a broad scope of projects that can be applied for.

#### **Agenda Item 6. STAFF REPORTS**

Zoning Administrator Gabbert said there are 300 permits for the year. He said Lakemary & Taylor Forge have finals coming up and gave a dangerous structure update. He noted the Planning Commission will be looking at chicken and bee regulations.

Manager Shannon informed the Council of the Lakemary Grand Opening on September 18th from 9am - 11am.

Clerk Marler said the annual Paola Chamber of Commerce dinner is on October 17th starting at 5:30 pm.

#### **Agenda Item 7. MISCELLANEOUS MATTERS FROM THE COUNCIL**

Council Member McMahon congratulated Joshua Brown on his nomination. He mentioned attending the K68 information meeting. He also asked how many other fiber companies were working in Paola besides Comcast.

Council Member Hayes thanked the Paola Police Department for their assistance in a family matter.

Council Member Brown thanked the Council for the opportunity to be on the City Council. Attorney Tetwiler noted he discussed any potential conflicts of interest that could arise from Council Member Brown being on the Miami County Planning Commission board.

#### **Agenda Item 8. MISCELLANEOUS MATTERS FROM THE MAYOR**

Mayor House welcomed Council Member Brown.

Mayor House gave an update on the mural going on 11 S. Pearl.

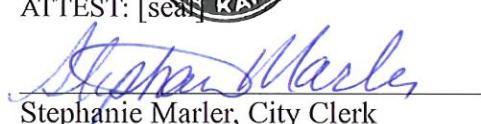
#### **Agenda Item 9. ADJOURNMENT**

With no additional business to come before the Council, Council Member Brown made a motion to adjourn. The motion was seconded by Council Member Shields and all voted aye. The motion passed 3 to 0.



ATTEST: [seal]

  
Leigh House, Mayor

  
Stephanie Marler, City Clerk