

**MINUTES OF THE COUNCIL MEETING
OF THE CITY OF PAOLA, KANSAS
PAOLA JUSTICE CENTER 805 N PEARL
6:00 O'CLOCK P.M.
April 8, 2025**

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, Joshua Brown and LeAnne Shields.

Council Members absent: None (Ward 2 seat to be filled at this meeting)

Also present: City Manager Randi Shannon, City Clerk Stephanie Marler, Police Chief Chad Corbin, Planning and Zoning Administrator Mitch Gabbert, Interim Public Works Director Brett Marler, Brett Waggoner, Anthony Hugo, Jacob Walker, Raymond Steele and Dennis Steele.

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

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

Agenda Item 1 - CONSENT AGENDA

- a. Approval of minutes of the meeting on February 11, 2025 & March 11, 2025
- b. Approval of Salary Ordinances 25-04, 25-05, 25-06 & 25-07
- c. Approval of Appropriation Ordinance 1045, 1046, 1047 & 1048
- d. Approval of the Pledged Collateral Report for January 2025
- e. Approval of Journal Entries for February 2025 & March 2025
- f. Approval of Journal Entries for February 2025 & march 2025
- g. Approve a leak allowance for 404 E Miami
- h. Approve a leak allowance for 1016 N Pearl

Council Member McMahon made a motion to approve the Consent Agenda as presented and authorize the mayor to sign. The motion was seconded by Council Member Brown and all voted aye. The motion passed 3 to 0.

Agenda Item 2 - COMMENTS FROM THE PUBLIC: None

Agenda Item 3 – UNFINISHED BUSINESS

Agenda Item 3a - Public Hearing for Dangerous Structure at 610 E Kaskaskia St.

Council Member McMahon made a motion to open the public hearing regarding the dangerous structure at 610 E Kaskaskia. The motion was seconded by Council Member Brown and all voted aye. The motion passed 3 to 0.

Zoning Administrator Gabbert said on February 11, 2025, the City Council passed a resolution to set a public hearing to determine if the barn located at 610 E Kaskaskia St. shall be deemed dangerous and ordered repaired or demolished. He said the proper notifications were sent and Building Inspector Buckles has conducted the preliminary investigation and prepared a formal report.

Zoning Administrator Gabbert said the City Council may pass a resolution, ordering the structure to be repaired, or a resolution to order the structure to be demolished. If the Council decides to order the structure to be repaired, staff recommends allowing 6 months for the repairs to take place and structure be made safe. If the Council orders the structure to be demolished, staff recommends allowing 60 days for the demolition to take place. He said these recommendations are based on the time period building permits and demolition permits are valid.

Mayor House asked if anyone in attendance would like to speak on the matter of the dangerous structure.

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 3ai - Consider a Resolution of Findings - Resolution #2025-004

Council Member McMahon made a motion to approve Resolution #2025-004 finding that the barn structure located at 610 E Kaskaskia is unsafe or dangerous and directing the structure to be removed in 60 days and the premises made safe and secure. The motion was seconded by Council Member Shields and all voted aye. The motion passed 3 to 0.

Agenda Item 3b - Public Hearing for Dangerous Structure at 209 N Pearl

Council Member Shields made a motion to open the public hearing regarding the dangerous structure at 209 N Pearl. The motion was seconded by Council Member McMahon and all voted aye. The motion passed 3 to 0.

Zoning Administrator Gabbert said on February 11, 2025, the City Council passed a resolution to set a public hearing, to determine if the house located at 209 N Pearl St. shall be deemed dangerous and ordered repaired or demolished. He said the proper notifications were sent and Building Inspector Buckles has conducted the preliminary investigation and prepared a formal report.

Zoning Administrator Gabbert said the City Council may pass a resolution, ordering the structure to be repaired, or a resolution to order the structure to be demolished. If the Council decides to order the structure to be repaired, staff recommends allowing 6 months for the repairs to take place and structure be made safe. If the Council decides to order the structure to be demolished, staff recommends allowing 60 days for the demolition to take place. He said these recommendations are based on the time period building permits and demolition permits are valid.

Mayor House asked if anyone in attendance would like to speak on the matter of the dangerous structure.

Dennis Steele, son of property owner Raymond Steele, said he has made some progress on the property. He received and accepted an offer from Sunflower Real Estate to purchase the property. Mr. Steele said the contract will be completed in 30 days.

Council Member McMahon asked for any assurances that the property will be cleaned up in the 30 days prior to Sunflower Real Estate taking possession. Mr. Steele said he has been working on getting rid of the visible trash.

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

Agenda Item 3bi - Consider a Resolution of Findings - Resolution #2025-005

Council Member McMahon made a motion to table the matter until the next meeting on May 13, 2025. The motion was seconded by Council Member Brown and all voted aye. The motion passed 3 to 0.

Agenda Item 4 - COUNCIL ELECTION

Clerk Marler said the Ward 2 Council Seat became vacant after Deborah Hayes moved and was no longer eligible. She said residents were notified by an ad in the newspaper, Facebook and the City of Paola website. Interested qualified electors of Ward 2 were asked to submit a letter stating their qualifications for serving on the council, prior experience and why they believe they should be selected.

Clerk Marler said 3 letters were received by the 4:00 pm, March 31st deadline and all were determined to be eligible for the council seat. She did say however that Aaron Foreman withdrew his letter of interest prior to the meeting.

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

Council Member McMahon made a motion to nominate Jacob Walker to fill the Ward 2 City Council position. With no second the motion died.

Council Member Brown made a motion to nominate Anthony Hugo to fill the Ward 2 City Council position. The motion was seconded by Council Member Shields and all voted aye. The motion passed 3 to 0. Anthony Hugo took his oath of office and joined the council for the remainder of the meeting.

Agenda Item 5 - NEW BUSINESS

Agenda Item 5a - CDBG Commercial Rehabilitation - Resolution #2025-006

Manager Shannon introduced Brett Waggoner with Governmental Assistant Services. Mr. Waggoner discussed the Community Development Block Grant allowing business owners to apply for a grant to rehabilitate a building for their business.

Mr. Waggoner said this type of grant requires the City to apply for the grant on behalf of the private property owner. He noted the City is only permitted to file one CDBG Commercial Rehabilitation application per year. He asked the governing body to consider approving a resolution of support so the property owner at 110 E. Peoria can move forward with the grant application.

Council Member McMahon made a motion to approve Resolution #2025-006 showing the City has committed to working on the CDBG application for 110 E Peoria. The motion was seconded by Council Member Shields and all voted aye. The motion passed 4 to 0.

Agenda Item 5b - Personnel Policy Changes - Resolution #2025-007

Manager Shannon said in 2024, part-time employees in KPERS covered positions were granted vacation hours. She said the vacation hours for the part time positions were never intended to be paid out upon termination of employment. She presented changes that would clarify the intent in the Employee Handbook.

Council Member Shields made a motion to approve Resolution #2025-007 amending the Personnel Manual effective April 9, 2025. The motion was seconded by Council Member Brown and all vote aye. The motion passed 4 to 0.

Agenda Item 5c - MFH Tiny Homes Final Site Plan - 1004 N Pearl

Zoning Administrator Gabbert said at the March 25, 2025 Planning Commission meeting, commissioners voted unanimously to recommend approval of the final 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, and all comments have been satisfied. The applicant has submitted a notice of intent to KDHE, which has also been approved.

Zoning Administrator Gabbert said zoning regulations for the project have been met and he asked the City Council to consider approval of Phase 1.

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

Agenda Item 5d - 2025 Property, Liability & Auto Insurance Renewal

Clerk Marler said the City's liability, property, and auto insurance package renews annually on April 1st. Elliott Group works each year to make sure the City is getting the best price for insurance coverage. She said Elliott Group presented a property, liability and auto insurance renewal from EMC Insurance in the amount of \$214,824 for 2025-2026 coverage. The overall expected premium increase is 5.4%.

Council Member Brown made a motion to approve the insurance renewal provided by EMC Insurance Companies through Elliott Insurance Group in the amount of \$214,824 for the coverage year of April 1, 2025 to March 31, 2026. The motion was seconded by Council Member Shields and all voted aye.

Agenda Item 5e - Sewer Connection Rates - Ordinance #3230

Manager Shannon said the City of Paola charges a connection fee for all private connections to the public sewer line. She said these fees are set by the Governing Body, per Ordinance in Paola Municipal Code. The established fee schedule was set in 2006, with set fee increases every five years. The fee schedule expired March 31st of 2025.

Manager Shannon said due to the current health of the sewer fund, staff is proposing the current fee of \$3,750 remain the same until 2030, or when an assessment of the fund is deemed necessary by the Governing Body.

Council Member McMahon made a motion to approve Ordinance #3230 amending the Connection and System Fees in the Paola Municipal Code. The motion was seconded by Council Member Hugo and all voted aye. The motion passed 4 to 0.

Agenda Item 5f - Asphalt Bids for 2025 Street Improvement Program

Interim Director Marler presented the street improvement plan for 2025. He said 3 proposals were received for 2" mill and overlay work. He noted an additional project for the Miola Lake Dam road extension was solicited from Killough Construction to extend the work already being completed on the dam. The following bids were received:

2" Mill & Overlay

Killough Construction \$214,628.24

MCAmany Construction \$225,430.00

Way & Sons Construction \$252,032.00

6" Miola Lake Dam road extension

Killough Construction \$68,193.00

Interim Director Marler suggested both bids from Killough Construction in the amount of \$282,821.24 be accepted.

Council Member Shields made a motion to approve the proposed bids from Killough Construction totaling \$282,821.24. The motion was seconded by Council Member McMahon and all voted aye. The motion passed 4 to 0.

Agenda Item 5g - 2025 Sewer Lining Plan

Interim Director Marler said Public Works has used CIPP (cured in place pipe) for several years to rehab the aging infrastructure in the sewer system. The CIPP process is trenchless so it has allowed less disruption of traffic and residents' yards are not disturbed. He said completion of the process leaves a new, very durable pipe.

Interim Director Marler said Insituform has performed this service for the City of Paola for a number of years with great success. Their bids have been consistently lower than competitors and he has no reservations about recommending their bid be accepted.

Council Member McMahon made a motion to approve the bid from Insituform in the amount of \$67,344.00 for the installation of 1,403 linear feet of CIPP sanitary sewer pipe lining. The motion was seconded by Council Member Shields and all voted aye. The motion passed 4 to 0.

Agenda Item 5h - Transient Guest Tax Funding Recommendations

The Paola Convention and Tourism Committee met on March 10, 2025. Mayor House, who is part of the committee, said they reviewed 10 grant submissions for the 2025 TGT grants. The committee received grant requests totaling \$47,050. Mayor House said they were able to cut the distributions down to the budgeted amount of \$35,000.

Council Member Brown made a motion to approve the disbursements from the Transient Guest Tax Fund as presented. The motion was seconded by Council Member Shields and all voted aye. The motion passed 4 to 0.

Agenda Item 5i - ADA Ramp at 117 W Peoria ramp

Zoning Administrator Gabbert said Curtis Long, the owner of 117 W. Peoria, would like to add an ADA ramp for the front entrance of the building. He said in order to do this, the ramp would have to be constructed on the sidewalk owned by the city. Patton Structural Solutions is currently remodeling and updating the building, and has submitted plans for the ramp. The plans have been reviewed and approved for compliance with ADA regulations.

Council Member Shields made a motion to approve the ramp construction on the city sidewalk at 117 W Peoria St. The motion was seconded by Council Member Hugo and all voted aye. The motion passed 4 to 0.

Agenda Item 5j - Emergency Management Plan - Resolution #2025-008

Manager Shannon said in 2021 the City of Paola adopted The Region J Hazard Mitigation Plan (Resolution number 2021-015) that looks at long term risks to people and property from potential natural and man-made hazards. She said this plan, developed in cooperation with local, state, and federal agencies, assures Miami County receives the resources needed to recover from an event. It is required by organizations such as FEMA so that residents have access to the long-term tangible benefits they may be eligible to receive after a disaster declaration is made.

Manager Shannon said a resolution to officially adopt the Kansas Homeland Security Region J Hazard Mitigation Plan as an official plan has been prepared for Council's consideration. Adopting the plan ensures that Paola residents are eligible for FEMA and KDEM programs and benefits.

Council Member McMahon made a motion to approve Resolution #2025-008 adopting the Kansas Homeland Security Region J Hazard Mitigation Plan. The motion was seconded by Council Member Hugo and all voted aye. The motion passed 4 to 0.

Agenda Item 5k - 115 W Wea

Manager Shannon said in March of 2023, following K.S.A. 12-1750 et seq., the City of Paola began the lengthy process of requiring the repair or removal of the property located at 115 W Wea due to it being a dangerous structure. She said in May of 2023, by passing Resolution #2023-010 the City Council directed the property owners to commence repair of the property within 30 days, and to have the repair completed within 60 days. The property owners did not commence any repairs of the property within the timeline set out in Resolution #2023-010. In August of 2023, the Paola City Council made the decision to accept the Quit Claim Deed from Thomas and Jennifer Wright for the property located at 115 W Wea, and pay the back taxes in the amount of \$13,965.15.

Manager Shannon said the City contracted with Zingre and Associates for the architectural plans, and with Norton and Schmidt Consulting Engineers for structural drawings, calculations and inspections. On May 14, 2024 the City approved a bid from Legacy Contractors for the 115 W Wea Rehabilitation and Modernizations. In total, the payment of back taxes, architectural plans, engineering expenses, and the building construction cost the City approximately \$400,000 paid by ARPA funds.

Manager Shannon said staff recommends that the property be advertised for sale by sealed bid with a minimum bid amount. Staff obtained a commercial appraisal for the property from Walter Appraisal. She said the property as it sits today is valued at \$255,000.00. Before the City can sell the property, it will need to be claimed as surplus property by approving Resolution #2025-009. Then the City Council shall set a minimum sale value by motion to be published with the advertisement for the sale of property.

Agenda Item 5ki - Surplus Property - Resolution #2025-009

Council Member McMahon made a motion to approve Resolution #2025-009 claiming 115 W Wea as surplus property. The motion was seconded by Council Member Hugo and all voted aye. The motion passed 4 to 0.

Agenda Item 5kii - Set Minimum Sale Amount

Council Member McMahon said he did not want to set a minimum below appraised amount then see the building up for sale soon after. The rest of the Council agreed with his reasoning. Manager Shannon suggested leaving the bid request open until June to give some time to publish the sale.

Council Member McMahon made a motion to set the minimum sale value for the 115 W Wea property at the appraised value of \$255,000 and advertise the sale of the property in accordance with the City Managers recommendation. The motion was seconded by Council Member Shields and all voted aye. The motion passed 4 to 0.

Agenda Item 5l - Paola Alumni Festival Event - Resolution #2025-010

Clerk Marler said Jana Harrington Barcus with the Paola Alumni Festival, has submitted a request to host an event on the Paola Park Square that would include alcohol consumption. She said Mrs. Harrington Barcus reached out with the idea of having a Paola Alumni gathering in the square on June 7, 2025. The festival planners suggest that attendees bring lawn chairs and coolers to relax and enjoy the square and socialize from 1:30 - 5:30 that evening. The festival planners think the ability for attendees to bring their own alcoholic beverages will encourage more participation.

Council Member Shields made a motion to approve Resolution #2025-010 allowing the consumption of alcoholic beverages in the Park Square on June 7, 2025 from 1:30pm to 5:30pm. The motion was seconded by Council Member Brown and all voted aye. The motion passed 4 to 0.

Agenda Item 6 - STAFF REPORTS

Chief Corbin said the department's IT change over will be completed Thursday. He said all of the staff in the Police Department will have new email addresses. He mentioned that county wide training will take place on their shared software.

Council Member Brown asked for an update on the new vehicles. Chief Corbin said the new vehicles are not expected until June and will need another month for upfitting.

Interim Director Marler said the fiber installation is coming to an end. He also said the progress on the dam is moving along and crews expect to start working on the road construction in the coming week.

Zoning Administrator Gabbert said there are 114 permits so far in 2025. He did a sweep of the town and will be addressing approximately 100 nuisance cases.

Zoning Administrator Gabbert said he submitted a grant to Firehouse Subs for new AEDs and blood stop kits in several of the City of Paola facilities.

Zoning Administrator Gabbert said for the Planning Commission there is a potential new home to consider. The new Mexican Restaurant San Jose has received their building permit and a probable new business will be opening up in 23 W Wea.

Agenda Item 7 - MISCELLANEOUS MATTERS FROM THE COUNCIL

Council Member McMahon said after the discussion at Work Study he drove around the square and counted approximately 50 businesses operating. He said there are empty buildings but was impressed with how many are occupied.

Council Member McMahon also noted that since Deborah Hayes was the Council Vice President, a new one should be nominated.

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

Agenda Item 8 - MISCELLANEOUS MATTERS FROM THE MAYOR

Mayor House asked the Council to consider the appointment of David Hayes to the Paola Planning Commission.

Council Member Brown made a motion to appoint David Hayes to the Paola Planning Commission. The motion was seconded by Council Member Hugo and all voted aye. The motion passed 4 to 0.

Mayor House mentioned the Chamber Coffee at Lola's Now and Then and how beautiful the building restoration is. She said the owner has purchased Mac's Garage building and she is excited to see what they do with it. She also said there is a group of people meeting to discuss some ideas for the Park Square.

Mayor House thanked City Staff for all the work done behind the scenes.

Agenda Item 9 - ADJOURNMENT


Council Member Hugo made a motion to adjourn. The motion was seconded by Council Member Brown and all voted aye. The motion passed 4 to 0.



ATTEST: [seal]



Leigh House, Mayor



Stephanie Marler, City Clerk