

**MINUTES OF THE COUNCIL MEETING
OF THE CITY OF PAOLA, KANSAS
PAOLA JUSTICE CENTER 805 N PEARL
6:00 O'CLOCK P.M.
September 9, 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, Anthony Hugo, Joshua Brown and LeAnne Shields.

Council Members absent: None

Also present: City Manager Randi Shannon, City Clerk Stephanie Marler, Police Chief Chad Corbin, Planning and Zoning Administrator Mitch Gabbert, Public Works Director Brett Marler, Officer Colby Garretson, Karen Geehan, Judy Rauber and Joan Vaughn.

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

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

INTRODUCTION: Chief Corbin introduced the newest member of the Police Department, Officer Colby Garretson.

Agenda Item 1 - CONSENT AGENDA

- a. Approval of minutes of the meeting on August 12, 2025
- b. Approval of Salary Ordinances 25-17 & 25-18
- c. Approval of Appropriation Ordinance 1057 & 1058
- d. Approval of the Pledged Collateral Report for August 2025
- e. Approval of Journal Entries for August 2025
- f. Approve the renewal of a liquor license for Paola Liquor, 701 S Silver.
- g. Approve the renewal of a liquor license for Pearl Street Liquor, 1001 N Pearl.
- h. Approve the renewal of a drinking establishment license for Paola Country Club, 29651 Old KC Rd.
- i. Approve a leak allowance for USD 368, account #0303-000000-0000-01.

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 Hugo and all voted aye. The motion passed 4 to 0.

Agenda Item 2 - COMMENTS FROM THE PUBLIC: None

Agenda Item 3 – RNR & BUDGET

Public Hearing to exceed the Revenue Neutral Rate (RNR)

Council Member Hugo made a motion to open the public hearing regarding the RNR. The motion was seconded by Council Member McMahon and all voted aye. The motion passed 4 to 0.

Clerk Marler said the City of Paola received the RNR of 40.621 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 42.242, which will exceed the RNR provided. On July 8th the Council set the RNR public hearing and budget public hearing for September 9th and approved a notification to the county clerk to exceed the RNR. She said the county clerk was notified prior to the July 20th deadline. The hearing notice was published in the Miami County Republic newspaper on August 20th and on the City of Paola website on August 18th.

Mayor House asked if anyone would like to speak regarding the revenue neutral rate. No one spoke on the topic.

Agenda Item 3a - Consider Resolution No 2025-017: Exceeding the Revenue Neutral Rate.

Council Member Hugo made a motion to approve Resolution #2025-017 to levy a property tax rate exceeding the revenue neutral rate for the City of Paola. The motion was seconded by Council Member Shields and all voted aye. The motion passed 4 to 0.

With no further comments Council Member Shields made a motion to close the public hearing regarding the RNR. The motion was seconded by Council Member Hugo and all voted aye. The motion passed 4 to 0.

Public Hearing for the proposed 2026 Paola City Budget

Clerk Marler said after multiple discussions the proposed expenditure for the 2026 budget is \$17,692,635 with a mill levy of 42.242. She said the proposed mill will provide \$3,795,750 with the remaining revenue coming from other sources.

Council Member Brown discussed the \$145,700 expected revenue over the RNR. He said although it is an increase, it seems minimal due to the increased cost of things.

Mayor House emphasized the significant portion of the budget allocated to employee salaries and training, noting the importance of retaining quality staff.

Council Member Hugo made a motion to open the public hearing regarding the 2026 budget. The motion was seconded by Council Member McMahon and all voted aye. The motion passed 4 to 0.

With no public comments Council Member Hugo made a motion to close the public hearing regarding the 2026 budget. The motion was seconded by Council Member McMahon and all voted aye. The motion passed 4 to 0.

Council Member Hugo noted that the Police Department is now fully staffed.

Council Member McMahon stated that property taxes account for approximately 28% of the budget, with additional revenue sourced from enterprise funds. He believes in order to keep good staff and run the city it is sometimes necessary to increase expenditures. He also addressed the inclusion of a \$75,000 expenditure in the budget specifically allocated for a Downtown Revitalization Plan.

Agenda Item 3b - Consider adoption of the 2026 Paola City budget.

Council Member McMahon made a motion to adopt the 2026 Paola City Budget in the amount of \$17,692,635 and authorize the necessary signatures. The motion was seconded by Council Member Hugo and all voted aye. The motion passed 4 to 0.

Agenda Item 4 - NEW BUSINESS

Agenda Item 4a - Emergency Response Plan Annual Review

Clerk Marler said the city annually reviews the Emergency Response Plan and the Water System Emergency Response Plan. She said staff updated the contact information but no other changes were necessary.

Council Member Shields made a motion approve Resolution #2025-018 City of Paola Emergency Response Plan and Water System Emergency Response Plan. The motion was seconded by Council Member Hugo and all voted aye. The motion passed 4 to 0.

Agenda Item 4b - 25-CUP-03, 610 N Silver, Refrigerated Warehousing

Zoning Administrator Gabbert received a request for a conditional use permit from Fransisco De la Torre, El Potro restaurants, to have refrigerated storage at 610 N Silver. He said the use falls under Heavy Retail and Service and requires a CUP. The Planning Commission recommended approval unanimously and staff recommends approval with the following conditions:

1. No overnight parking is permitted.
2. Deliveries shall be made off street and not block any part of Silver St.
3. A decorative fence or screening shall be installed to screen the units from view.
4. If the intensity of the use changes, the owner shall request an amendment to the CUP.
5. A review of compliance shall be made by the Zoning Officer to the Planning Commission one year after issuance. If deemed necessary, subsequent annual reviews may be requested by the Planning Commission. Such reviews are not subject to publication, notification and public hearing requirements. If the applicant is requesting an amendment to the CUP, the notification shall follow the same procedures as the original CUP request.

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 (LDO). The City shall provide notice to the landowner and public in the same manner as was provided for the establishment of the Conditional Use Permit.

Council Member McMahon made a motion to adopt Ordinance #3237 for Conditional Use Permit, with conditions, for the Heavy Retail and Service at 610 N Silver. The motion was seconded by Council Member Brown and all voted aye. The motion passed 4 to 0.

Agenda Item 4c - 25-CUP-03, 125 W Peoria St, Automotive Sales

Zoning Administrator Gabbert received a request from Daniel Chadwick, owner of JDC Motor Group, LLC, for automotive sales at 125 W Peoria. He said this business is primarily online auto sales and transportation services. Mr. Chadwick will temporarily house vehicles before being transported to another location. The Planning Commission recommended approval unanimously and staff recommends approval with the following conditions:

1. On-site temporary vehicle storage/parking shall be limited to 4 vehicles.
2. All vehicles kept on the property must be in operable condition at all times.
3. A review of compliance shall be made by the Zoning Officer to the Planning Commission one year after issuance. If deemed necessary, subsequent annual reviews may be requested by the Planning Commission. Such reviews are not subject to publication, notification and public hearing requirements. If the applicant is requesting an amendment to the CUP, the notification shall follow the same procedures as the original CUP request.
4. 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 (LDO). The City shall provide notice to the landowner and public in the same manner as was provided for the establishment of the Conditional Use Permit.

Council Member Hugo made a motion to adopt Ordinance #3238 for Conditional Use Permit with condition for the Heavy Retail and Service at 125 W Peoria. The motion was seconded by Council Member McMahon and all voted aye. The motion passed 4 to 0.

Agenda Item 4d - Housing Incentive Program Renewal

Zoning Administrator Gabbert presented a renewal for the New Housing Incentive Program. He said the plan allows for a reduced price in fees on a sliding scale based on construction value. The renewal also allows for developers constructing new single family homes constructed on infill lots to be eligible for a reduction of permit, plan review, water and sewer connection fees.

Zoning Administrator Gabbert said utilization of the plan has saved contractors just over \$18,000 and brought a mixture of infill and new subdivision homes.

Council Member Hugo asked if the plan could be used for any multi family homes. Zoning Administrator Gabbert said there can be exceptions as long as the project is not for commercial use.

Council Member Shields made a motion to adopt Ordinance #3239 renewing the new housing construction incentive program. The motion was seconded by Council Member Brown and all voted aye. The motion passed 4 to 0.

Agenda Item 4e - Playground Equipment Upgrade

Manager Shannon said Director Marler was able to get a playground equipment grant through Cunningham Recreation. The grant is a 50% matching fund for new playground structures. She said the grant allowed the City to pick from a number of approved selected Game Time structures for the application. The intention of the grant was to upgrade the existing playground area at Wallace Park.

Manager Shannon said the Public Works Department will be disassembling the existing play structure, with plans to repurpose, as well as doing a Supervised Installation with the company for the new structure. With city crews doing the work, the cost was significantly cut down.

GameTime Duo Spinner: \$2,751.00	Grant Amount: \$1,238.00
GameTime Six Mile: \$79,806.86	\$39,857.75
Materials/Freight: \$5,984.75	

Total for Structures: \$47,171.84
Supervised Installation: \$3,206.00
Proposed Project Total: \$50,377.84

Council Member Hugo made a motion to approve the playground proposal and authorizes the necessary signatures. The motion was seconded by Council Member Brown and all voted aye. The motion passed 4 to 0.

Agenda Item 4f - KORA fee changes

Clerk Marler said the Kansas Open Records Act, passed in 1984, provides for openness of records maintained by public entities. She said previously it was presumed that a flat fee of \$.25 per page was a reasonable charge for a record copy but that will no longer be the case. The new language states the city's actual cost must be charged.

Clerk Marler said the city code should be updated to reflect the hourly rate per employee and actual cost of furnishing copies, including staff time.

Council Member Hugo made a motion to adopt Ordinance #3240 amending inspection fees and copying fees related to the Kansas Open Records Act. The motion was seconded by Council Member Shields and all voted aye. The motion passed 4 to 0.

Agenda Item 4g - 115 W Wea Agreement Authorization

Manager Shannon presented an agreement to officially close on the sale of 115 W Wea to Loman Realty & Investments, LLC. She asked the City Council to authorize the Mayor to sign the agreement.

Council Member Shields made a motion to approve the Land Purchase Agreement with Lowman Realty & Investments, LLC in the amount of \$52,000 and authorizing the Mayor to sign. The motion was seconded by Council Member McMahon and all voted aye. The motion passed 4 to 0.

5. STAFF REPORTS

Director Marler said once the Lake Miola Dam grows grass the project will be complete. He also stated the traffic signals on Silver St at Peoria and Wea intersections are getting upgraded. He said he has requested signal detection and pedestrian crossing additions from Evergy.

Zoning Administrator Gabbert said the dangerous barn at 610 E Kaskaskia has been demolished and the structure at 209 N Pearl should be demolished in the near future. He said there have been 400 permits so far for the year.

Zoning Administrator Gabbert said there are 2 new businesses opening on the square, Talk of the Town and Beautifully Redeemed Antique & Thrift. He said there will not be a Planning Commission meeting in September.

Zoning Administrator Gabbert addressed the citizen complaint the Council received regarding nuisance concerns around town.

Manager Shannon said the Neighborhood Revitalization Plan interlocal agreement was approved by both the Board of County Commissioners and the USD 368 School Board.

Clerk Marler said the Paola Chamber of Commerce annual dinner is coming up on October 16th.

Agenda Item 6 - MISCELLANEOUS MATTERS FROM THE COUNCIL

Council Member Hugo asked for an update on the fountain in the park square. Director Marler said the leak is under the fountain and will be discussed at the October Work Study meeting. He commended Zoning Administrator Gabbert for addressing the citizen complaint. He also liked the potential for pedestrian crossing for the traffic signals.

Council Member Shields thanked Public Works for cutting down some of the dead trees.

Council Member McMahon said the performance evaluation for the City Manager is coming up in October. He said the evaluation form has been redone and asked that the form be completed and returned on October 7th.

Agenda Item 7 - MISCELLANEOUS MATTERS FROM THE MAYOR

Mayor House thanked Manager Shannon and Zoning Administrator Gabbert for presenting the NRP to the School Board.

Mayor House said the city budget has several revenue streams, noting that property taxes constitute a minimal percentage of the budget.

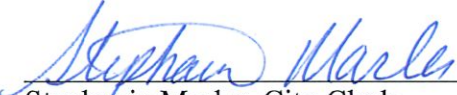
Agenda Item 8 - ADJOURNMENT

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

ATTEST: [seal]




Leigh House, Mayor


Stephanie Marler, City Clerk

