

**MINUTES OF THE COUNCIL MEETING  
OF THE CITY OF PAOLA, KANSAS  
PAOLA JUSTICE CENTER 805 N PEARL  
6:00 O’CLOCK P.M.  
August 13, 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:** Council Member Kathy Peckman resigned her position July 31, 2024.

**Also present:** City Manager Randi Shannon, City Clerk Stephanie Marler, Chief of Police Chad Corbin, Public Works Director Kirk Rees, Planning and Zoning Director Mitch Gabbert, HR Director Jessica Newton, Vicki Belt, Elena Super, Lynn Cutsforth, Dennis Hinman and Family along with the Paola Fire Department.

**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.

**INTRODUCTION:** Chief Corbin introduced the newest member of the Police Department, Officer Evan Weir. Officer Weir is certified and will be a great asset to the department.

**EMPLOYEE SERVICE AWARDS:**

HR Director Newton recognized employees that reached milestones for service to the City of Paola and it’s residents:

5 years: Mitch Gabbert, Jacob Hinman, Billy Sanders and Jacob Maynard

10 years: Eric Barnum

15 years: Chad Corbin and Stephanie Marler

50 years: Dennis Hinman

Mr. Hinman received an appreciation plaque for his 50 years of dedicated service to the Fire Department.

**Agenda Item 1 - CONSENT AGENDA**

- a. Approval of minutes of the meeting on July 9, 2024.
  - i. Mayor House suggested a correction for Agenda Item 5.
- b. Approval of Salary Ordinances 24-15 & 24-16.

- c. Approval of Appropriation Ordinance 1030 & 1031.
- d. Approval of the Pledged Collateral Report for July 2024.
- e. Approval of Journal Entries July 2024.
- f. Approval of Applebees, 1301 Kansas Dr., drinking establishment license.

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: None**

**Agenda Item 3 – NEW BUSINESS**

**Agenda Item 3a – Jefferson Highway Sign #2**

Manager Shannon said Ruby Brewer approached the City Council at the August 6th work study meeting to request an additional Jefferson Highway sign be located along the route. She said at the April 11, 2023 Paola City Council meeting, Miss Brewer, a student with the Paola School District, presented the history of the Jefferson Highway going through Paola. At that meeting Miss Brewer asked if the City would be interested in posting signs that are obtained from the Jefferson Highway Association to help mark the historical highway in Paola. In February of 2024, a Jefferson Highway sign was placed in the City right-of-way in front of the Paola Middle School to mark its path.

Manager Shannon said staff is proposing placing one more additional Jefferson Highway sign in the City right-of-way along the 500 block of South Silver. She said with this proposed location the City will have one sign marking the historical highway north of town by the Paola Middle School, and one south of town.

Council Member Hayes made a motion to approve a Jefferson Highway sign to be placed on the west side of the 500 block of South Silver. The motion was seconded by Council Member McMahon and all voted aye. The motion passed 3 to 0.

**Agenda Item 3b – 2024 Standard Traffic Ordinance - Ordinance No. 3222**

Clerk Marler said the City has adopted the Standard Traffic Ordinance (STO) since 1993. She said the proposed ordinance addresses certain omissions and amendments adopted annually. The League of Kansas provides the guidelines to follow to incorporate the STO into the municipal code. She stated Chief Corbin has reviewed the changes.

Council Member McMahon made a motion to adopt Ordinance No 3222 incorporating by reference the 51st edition of the STO with certain omissions and amendments. The motion was seconded by Council Member Hayes and all voted aye. The motion passed 3 to 0.

**Agenda Item 3c – 2024 Uniform Public Offense Code - Ordinance No. 3223**

Clerk Marler said the City has adopted the Uniform Public Offense Code (UPOC) since 2004. She said the proposed ordinance addresses certain omissions and amendments adopted

annually. The League of Kansas provides the guidelines to follow to incorporate the UPOC into the municipal code. She stated Chief Corbin has reviewed the changes.

Council Member Shields made a motion to adopt Ordinance No 3223 incorporating by reference the 40th edition of the UPOC with certain omissions and amendments. The motion was seconded by Council Member Hayes and all voted aye. The motion passed 3 to 0.

**Agenda Item 3d – Lake Miola Dam Rehab Notice of Award**

Director Rees said as discussed at work study on August 6th, there were 2 bids received for the Lake Miola Dam Rehab project.

Killough Construction, Inc.	\$2,176,019.25
Leavenworth Excavating & Equipment Co., Inc	\$2,338,493.90

Director Rees suggested the bid be awarded to Killough Construction.

Council Member McMahon acknowledged the \$500,000 grant that was awarded to the City of Paola to help pay for this project. He said he also believes the City Council is being good stewards of the half cent sales tax that will allow the project to be funded without borrowing money.

Council Member McMahon made a motion to award the contract to Killough Construction, Inc the amount of \$2,176,019.25 for the Lake Miola Dam Rehab Project and authorizing the necessary signatures. The motion was seconded by Council Member Hayes and all voted aye. The motion passed 3 to 0.

**Agenda Item 3e – New Retail Liquor License - JPS Brothers LLC**

Clerk Marler said Third Base Liquor at 701 S. Silver is under contract for purchase. She said the new owner intends to continue to run a liquor store at that location. Although there is no change of use, the liquor license is non transferable.

Clerk Marler said she spoke with the new owner about the process to obtain a city retail liquor license. She said the application and payment have been received. A fire safety inspection will be conducted by the fire department once the sale is final and the State of Kansas liquor license will need to be submitted before the City license can be issued.

Council Member Shields made a motion to approve the Retail Liquor license for JPS Brothers, LLC contingent on receipt of the state license and passing a safety inspection. The motion was seconded by Council Member Hayes and all voted aye. The motion passed 3 to 0.

**Agenda Item 3f - New CMB License Sonora Taco**

Clerk Marler said Mr. Juan Fuentes, owner of Sonora Tacos, LLC at 1011 Baptiste Dr., has submitted everything necessary to obtain a Cereal Malt Beverage (CMB) license in the City

of Paola. She said the business has passed the fire safety inspection and just needs Council's consideration for approval of the new CMB license.

Council Member Hayes made a motion to approve the Cereal Malt Beverage license for Sonora tacos, LLC, 1011 Baptiste Dr. The motion was seconded by Council Member Shields and all voted aye. The motion passed 3 to 0.

### **Agenda Item 3g - Community Center Fee Schedule**

Clerk Marler said Brooks Damron started as Community Center Director in March of 2024. At the time Mr. Damron took over as director, some rental fees had been negotiated with the previous director and this made it difficult to be fair with new renters. Mr. Damron worked with the Community Center board to come up with a proposed fee schedule that is easy to follow.

Clerk Marler said Mr. Damron added a "not for profit" discounted fee, he merged the separate kitchen fee with the basement room rentals and gave the director the ability to consider partial day rental charges.

Council Member Shields made a motion to approve the Paola Community Center Fee Schedule. The motion was seconded by Council Member McMahon and all voted aye. The motion passed 3 to 0.

### **Agenda Item 3h - Memorandum of Understanding with Paola Country Club (PCC)**

Manager Shannon said there is currently a Memorandum of Understanding (MOU) between the City and the Paola Country Club (PCC) dated September, 2007 that outlines the rates for sale of untreated water from Lake Miola to the PCC. She said the current MOU allows for a varied rate structure based on the cost of wholesale treated water. City staff suggests modifying the PCC previous varied rate structure, to a set \$0.59 per 1,000 gallons, which is the current rate being charged.

Manager Shannon said in lieu of a transportation fee that is included in the 2007 MOU, the City has agreed to purchase equipment to allow PCC remote access to the Lake Miola raw water pumps in the amount of \$7,106.00 from Nuco Pump Sales and Services. The PCC will reimburse the City 100% of the total cost of the invoice prior to the installation of the equipment.

Manager Shannon also noted the current rate of \$0.59 per 1,000 gallons covers the costs the City has for the electricity to run the pumps to transport the water to PCC, as well as enough to transfer money to the Water CIP for unknown future maintenance costs of the pump and equipment. The new remote access will free up staff time, eliminating the need for a city employee to manually turn on and off the pumps.

Council Member McMahon made a motion to authorize City Manager Shannon to execute the MOU between the City of Paola and the Paola Country Club. The motion was seconded by Council Member Hayes and all voted aye. The motion passed 3 to 0.

### **Agenda Item 3i - Memorandum of Understanding with Paola Recreation Commission (PRC)**

Manager Shannon said the Paola Recreation Commission (PRC) office is currently located on the second floor of Paola City Hall. She said the City owns the stone house at Wallace Park (Wallace Park Caretaker House) where historically a City employee resided. Staff thought it would be more appropriately served by allowing the Paola Recreation Commission to utilize the house for their office.

Manager Shannon said the proposed Memorandum of Understanding (MOU) outlines the expectations of the City of Paola and the Paola Recreation Commission during the utilization of the property. The City will not be charging the PRC any rent, but will require the entity to put all the utilities in their name and pay for them. The MOU will be effective for one year commencing on the date of execution, and will automatically renew for subsequent one year terms on August 1st of each calendar year. The MOU may be terminated at any time by either party upon thirty (30) days written notice. The City Attorney has reviewed the MOU and all comments have been satisfied.

Council Member McMahon made a motion to authorize City Manager Shannon to execute the MOU between the City of Paola and the Paola Recreation Commission. The motion was seconded by Council Member Shields and all voted aye. The motion passed 3 to 0.

### **Agenda Item 3j - Wallace Park Athletic Facility Guidelines - Ordinance No. 3224**

Manager Shannon said in April of 2023, Ordinance No. 3202 was adopted by the Paola City Council outlining the rules and guidelines for the athletic field usage and rental. PRC Director, Wesley Joy is requesting minor changes to the definitions.

Manager Shannon said the current guidelines have teams defined and broken out into two categories that dictate rental rates, and priority of field usage. The two categories include “Local Teams” and “Out-of-Town Teams”. The PRC is requesting for these categories to be changed to “PRC Rec Teams” and “Non PRC Rec Teams”.

Manager Shannon said the facility rental guidelines also suggest emailing the Facility Request form back to paolarec@paolagov.org. This email is no longer valid so the language will be changed to reflect that.

Council Member Shields made a motion to adopt Ordinance No. 3224 amending the Wallace Park Athletic Facility Guidelines. The motion was seconded by Council Member Hayes and all voted aye. The motion passed 3 to 0.

### **Agenda Item 3k. - USD #368 Flag Project Acknowledgement**

Manager Shannon said Mayor House was contacted by Dylan Dolisi, a teacher for the Paola School District, asking if the City Council would be interested in helping out with a class project. The students in the class were tasked with designing a flag that represented the City

of Paola as their end of the year project. The project required them to follow the five principles of flag design which includes the usage of meaningful symbolism, be distinctive, use 2 - 3 basic colors, no lettering or seals, and keep the design simple so it can be recognizable from a distance. The USD 368 staff members voted on the top three designs to be submitted to the Paola City Council. The City Council will be sending letters of recognition to each finalist for their hard work and participation in the project.

#### **Agenda Item 31 - Confirmation of notification of EMMA filing.**

Clerk Marler said the filing on the Electronic Municipal Market Access (EMMA) as required by the Continuing Disclosure Policy was completed on August 8th. She said the policy requires the City Clerk to notify the City Council within five days of filing so the memo received on August 8th served as that notice. The policy provides a framework for compliance with the Securities Exchange Commission disclosure regulations.

Clerk Marler said the Council needed to acknowledge the confirmation of 2023 Audit and financial document submission to be in compliance.

Council Member McMahon made a motion to acknowledge that in compliance with Section II (2) of the Continuing Disclosure Policy for the City of Paola, the City Clerk did provide to the Governing Body written confirmation that the 2023 Audit Report and 2023 Operating Data for the City of Paola were electronically filed on the Electronic Municipal Market Access (EMMA) system on August 9, 2024. The motion was seconded by Council Member Hayes and all voted aye. The motion passed 3 to 0.

#### **Agenda Item 4. STAFF REPORTS**

HR Director Newton said an offer has been made to fill the Library Director position.

Chief Corbin said the department is getting ready for Roots Festival the weekend of August 23th & 24th.

Director Rees said with all the fiber company trouble he has put a stop work order on all companies.

Zoning Administrator Gabbert said 268 permits have been issued so far in 2024 with several new homes. He received a condo plat for the JD Apartments on Jeff Circle. He said the Planning Commission will review the preliminary site plan for My Fathers House. He said the Community Development department is working on two dangerous structures. He also noted the new Miami County Historical Museum ramps are installed and waiting on handrails.

Clerk Marler said Council Member Peckman resigned her position July 31, 2024 due to health reasons, leaving Ward 3 vacant. She said a notice to interested persons in Ward 3 was posted in the newspaper, on the City website and on facebook. Letters of interest need to be submitted to Clerk Marler by 4:00 pm on September 4th.

**Agenda Item 5. MISCELLANEOUS MATTERS FROM THE COUNCIL**

Council Member McMahon attended training that he thought was good and will share a summary with the council at the next meeting.

Council Member Hayes thanked Council Member Shields for the article about a “sister city” and will share it with USD 368 staff. She also thanked the emergency responders for making her feel safe during an incident near her house.

Council Member Shields had attended the training with Council Member McMahon and thought it was interesting. She also said she has received several calls regarding weeds in a playground at the vacant property located at 302 N. Oak.

**Agenda Item 6. MISCELLANEOUS MATTERS FROM THE MAYOR**

Mayor House said tomorrow is the first day of school. She hopes people drive safely and things will calm down in a week.

**Agenda Item 7- ADJOURNMENT**

With no additional business to come before the Council, Council Member McMahon 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]

*L House*  
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Leigh House, Mayor

*Stephanie Marler*  
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Stephanie Marler, City Clerk

