

**MINUTES OF THE COUNCIL MEETING
OF THE CITY OF PAOLA, KANSAS
PAOLA JUSTICE CENTER 805 N PEARL
6:00 O’CLOCK P.M.
March 12, 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, Kathy Peckman and LeAnne Shields.

Council Members absent: None

Also present: City Manager Randi Shannon, City Clerk Stephanie Marler, Chief of Police Chad Corbin, City Planner Jessica Newton, Public Works Director Kirk Rees, Code Enforcement Officer Mitch Gabbert, Officer Jacob Liles, Tina Thompson, Beth & Curt Waddle, Blake Heid, Gabe Pfefferkorn, Rebecca Sutton and others.

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

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

EMPLOYEE INTRODUCTIONS: Chief Corbin introduced two new employees with the Police Department. Officer Jacob Liles and Tina Thompson, Assistant Court Clerk.

Agenda Item 1 - CONSENT AGENDA

- a. Approval of minutes of the meeting on February 13, 2024.
- b. Approval of Salary Ordinances 24-04 & 24-05.
- c. Approval of Appropriation Ordinance 1020 & 1021.
- d. Approval of the Pledged Collateral Report for February 2024.
- e. Approval of Journal Entries February 2024.
- f. Approval of a liquor license for In Good Spirits, 1001 N Pearl.

Council Member Peckman 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 4 to 0.

Agenda Item 2 - COMMENTS FROM THE PUBLIC: None

Agenda Item 3 – NEW BUSINESS

Agenda Item 3a – 2024 Property, Liability & Auto Insurance Renewal.

Clerk Marler presented the proposed property, liability and auto insurance renewal with EMC Insurance. She said the annual renewal date is April 1st of each year.

Clerk Marler said Jay Hastert with Elliott Ins. informed her early in the year to expect some deductible changes. He said the wind/hail deductible that had increased in 2023 from \$5,000 to \$25,000, is now going up to \$75,000 per occurrence. She discussed some options with Mr. Hastert and decided to reach out to other carriers for quotes. Unfortunately, due to the delayed repairs on the Lake Miola Dam, the companies Elliott Ins. requested quotes from backed out. He was able to get a year extension from EMC on the dam because of expected repairs, state inspection and placement of riprap.

Clerk Marler said Mr. Hastert did present an alternative wind/hail deductible option. The Council could choose to increase the premium approximately \$5,200 to get a \$50,000 deductible and lower the 100% property replacement cost to 90% for the blanket coverage, which saves just over 4%. She said with these changes, the premium would be \$196,122, which is within the budgeted amount.

Council Member Shields made a motion to approve the insurance renewal provided by EMC Insurance Companies through Elliott Insurance Group in the amount of \$196,122 for the coverage year of April 1, 2024 to March 31, 2025. The motion was seconded by Council Member Peckman and all voted aye. The motion passed 4 to 0.

Agenda Item 3b – Tiny Home CUP for 1004 N Pearl – Ordinance No. 3220.

Code Enforcement Officer Gabbert said on February 20, 2024 the Planning Commission voted unanimously to recommend approval of Conditional Use Permit 24-CUP-01 to develop a Tiny Home Cluster Development at 1004 N Pearl St. He said at the public hearing, all who spoke were in support of this development. According to the Land Development Ordinance this type of use requires a CUP in Thoroughfare Access Zoning.

Code Enforcement Officer Gabbert said staff recommends approval with the following listed conditions as discussed at the February Planning Commission meeting:

1. Roads will be maintained at all times by the property owner to allow access for emergency services.
2. Parking shall be limited to off street parking only.
3. No tiny homes will be allowed on wheels.
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. 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 Shields questioned why a site plan was not approved prior to a request for approval of the CUP according to Ordinance No. 3205. Staff assured her a site plan will be provided and require approval within six months of the CUP approval.

Council Member Shields said she would like to see improvements to the private street and parking lot leading to My Father's House added to the CUP conditions. She would like to require My Father's House to add a sidewalk and signal light to cross north Pearl. Manager Shannon assured her all these concerns can be addressed with the site plan review.

Council Member Shields wants to require a stake boundary line survey be done on the property. She does not believe there is room for emergency services to get in there. Mayor House and Manager Shannon said all these concerns will be addressed with the site plan review.

Council Member Hayes said she understands Council Member Shields concerns but said there is a process and the first step is to vote on the CUP then move to the next step. She said there is no point in requiring a site plan before approval of the conditions. Mayor House assured Council Member Shields the City Council will get to review a site plan at the appropriate time.

Council Member McMahon asked Beth Waddle with My Father's House to speak about the project and explain what the goal is with the tiny homes. Council Member McMahon then asked Gabe Pfefferkorn with Pfefferkorn Engineering & Environmental, to speak about the project.

Manager Shannon said Ordinance No. 3205 regarding Tiny Homes can be amended to clarify any confusion in the future.

Council Member Hayes made a motion to adopt Ordinance No. 3220 approving the Conditional Use Permit 24-CUP-01 with conditions, for the Tiny Home Cluster Development at 1004 N Pearl St., My Father's House applicant. The motion was seconded by Council Member McMahon and all voted aye. The motion passed 4 to 0.

Agenda Item 3c – Mural Regulations – Ordinance No. 3221

Manager Shannon said currently Article 7 of the Paola Municipal Code outlines regulations for murals in commercial areas. She said due to a spark of interest in possible murals to be constructed in town, it was staff's recommendation for the current regulations to be reviewed and updated.

Manager Shannon said the main changes to the code included removing the requirement that the mural should represent a significant historical event, feature or iconic personage of the Paola community. Another change made was the designation of the Paola Convention and Tourism Committee as the review board for the proposed murals.

Council Member Peckman made a motion to adopt Ordinance No. 3221 amending Article 7. Murals of the Paola Municipal Code. The motion was seconded by Council Member McMahon and all voted aye. The motion passed 4 to 0.

Agenda Item 3d – Asphalt bids for 2024 Street Improvement Program.

Manager Shannon presented asphalt bids solicited by Director Rees to complete the work for the proposed Paola 2024 Street plan.

Way & Sons Construction	\$396,217.09
Killough Construction	\$414,995.25
McAnany Construction	\$432,148.00
Harbour Construction	\$469,229.14
Paradise Pavement Maintenance	\$552,285.33

Manager Shannon suggested Way & Sons Construction be awarded the project due to the low bid and track record of good work. She said the bid amount comes in under the budgeted amount.

Council Member McMahon made a motion to approve the proposed bid from Way and Sons construction in the amount of \$396,217.09. The motion was seconded by Council Member Hayes and all voted aye. The motion passed 4 to 0.

Agenda Item 3e – New Drinking Establishment License – Sonora Taco

Clerk Marler asked that this item be removed from the agenda at this time. No discussion or vote was considered.

Agenda Item 4. STAFF REPORTS

Code Enforcement Officer Gabbert said there have been 54 permits issued so far this year. He said Lakemary has passed inspection and the new VA clinic is underway.

Chief Corbin said his department has 2 open positions with 2 applicants under review. He said active attack training has been completed at USD 368 with more business scheduled in the future.

Director Rees said curb work is being completed to prepare for the asphalt work. He said his department is looking for summer help and the campgrounds are being worked on.

Planner Newton said the Paola Family Pool is still looking for lifeguards and the HR Department is working on revising the second half of the Employee Manual.

Agenda Item 5. MISCELLANEOUS MATTERS FROM THE COUNCIL

Council Member McMahon wanted to commend the city staff and council members on the long works study meeting on February 6th. He thought it was a great meeting.

Council Member Hayes said she is excited about My Father’s House and their tiny home cluster.

Council Member Peckman said she is hard of hearing and wants to make sure the microphones are on and working at future meetings. She also thanked Code Enforcement Officer Gabbert for his work on the CUP for tiny homes.

Agenda Item 6. MISCELLANEOUS MATTERS FROM THE MAYOR

Consider the appointment of Amanda Martell to fill a two-year term on the Paola Community Center board.

Council Member McMahon made a motion to appoint Amanda Martell to the Paola Community Center board. The motion was seconded by Council Member Peckman and all voted aye. The motion passed 4 to 0

Consider the appointment of Mari Tetwiler to the Paola Community Center board.

Council Member Peckman made a motion to appoint Mari Tetwiler to the Paola Community Center board. The motion was seconded by Council Member McMahon and all voted aye. The motion passed 4 to 0.

Consider the appointment of Janet White to the Paola Community Center board.

Council Member Shields made a motion to appoint Janet White to the Paola Community Center board. The motion was seconded by Council Member Hayes and all voted aye. The motion passed 4 to 0.

Consider the reappointment of Trish Osborn and Lacy Draznik to the Paola Community Center board.

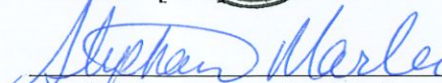
Council Member Peckman made a motion to reappoint Trish Osborn and Lacy Draznik to the Paola Community Center board. The motion was seconded by Council Member McMahon and all voted aye. The motion passed 4 to 0.

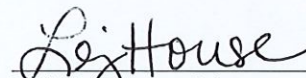
Agenda Item 7- ADJOURNMENT

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



ATTEST: [seal]


Stephanie Marler, City Clerk


Leigh House, Mayor

