

**MINUTES OF THE COUNCIL MEETING
OF THE CITY OF PAOLA, KANSAS
PAOLA JUSTICE CENTER 805 N PEARL
6:00 O'CLOCK P.M.
December 14, 2021**

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

Council Members present: Mayor Artie Stuteville and Council Members Dave Smail, Trent Upshaw, Leigh House and LeAnne Shields.

Council Members absent: None

Also present: Acting Interim City Manager Randi Shannon, City Clerk Stephanie Marler, Police Chief Eric Jenkins, City Attorney Lee Tetwiler, Brian McCauley with Miami County Republic, County Commissioner Rob Roberts, HR Director Vicki Belt, Jay & Peg Wieland, Dan & Ruthie Droste, Don and Janet Poore, several members of Leigh House's family and others.

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

ROLL CALL: Mayor Stuteville and Council Members Smail, Upshaw, House and Shields were all present.

Agenda Item 1 - CONSENT AGENDA

- a. Approval of minutes of the meeting of November 9, 2021.
- b. Approval of Salary Ordinances 21-22, 21-23 & 21-24.
- c. Approval of Appropriation Ordinances 963 and 964.
- d. Approval of the Pledged Collateral Report for November 2021.
- e. Approval of the Journal Entries Reports for November 2021.
- f. Renewal of a Drinking Establishment License for Papa C's BBQ Bar & Grill at 807 S Silver contingent on passing a safety inspection.
- g. Approval of the renewal of Cereal Malt Beverage Licenses for 2021:
 1. Price Chopper at 309 N Hospital Drive – Off Premises
 2. Casey's General Store #1237 at 119 N Hospital Drive – Off Premises
 3. Casey's General Store #1337 at 404 S Silver Street – Off Premises
 4. Milo's Steak House at 16 W Peoria Street – On Premises
 5. Walmart at 310 Hedge Lane – Off Premises
 6. Fuel Espresso #15 at 1005 N Pearl Street – Off Premises
 7. Pizza Hut at 1613 E Peoria – On Premises

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

Agenda Item 2 - COMMENTS FROM THE PUBLIC: None

Agenda Item 3 – CONSIDER CERTIFICATE OF ELECTION RESULTS.

Clerk Marler informed the Council the votes from the November 2, 2021 election were canvassed on November 10, 2021 by the Miami County Board of Canvassers. The final results are as follows:

Paola Mayor

Leigh House	555
Write-In	28
Total	583

Paola City Council – Ward 1

Dave Smail	96
Luke DeGrande	81
Write-Ins	1
Total	178

Paola City Council – Ward 3

Kathy Peckman	85
Kim Boehm	64
Write-Ins	1
Total	150

Council Member Upshaw made a motion to accept the certificate of election results naming Leigh House - Mayor, Dave Smail - City Council Ward 1 and Kathy Peckman - City Council Ward 3 as the candidates receiving the most votes. The motion was seconded by Council Member Smail and all voted aye. The motion passed 4 to 0.

Agenda Item 4 - RECESS SINE DIE

Council Member House made a motion to recess sine die. The motion was seconded by Council Member Shields and all voted aye. The motion passed 4 to 0.

Agenda Item 5 – ADMINISTRATION OF OATH OF OFFICE

Clerk Marler administered the Oath of Office to Council Members Dave Smail and Kathy Peckman and Mayor Leigh House.

Agenda Item 6 – INVOCATION

Mayor Leigh House presented an invocation for the new City Council.

Agenda Item 7 – RESUME COUNCIL MEETING

Council Member Peckman made a motion to resume the recessed meeting. The motion was seconded by Council Member Upshaw and all voted aye. The motion passed 4 to 0. Mayor House called the new City Council to order and resumed the recessed meeting.

Agenda Item 8 – ANNUAL ELECTION OF COUNCIL OFFICERS

Council Member Smail made a motion to nominate Council Member Upshaw as President of the Paola City Council. The motion was seconded by Council Member Peckman and all voted aye. The motion passed 4 to 0.

Council Member Upshaw made a motion to nominate Council Member Smail as Vice President of the Paola City Council. The motion was seconded by Council Member Peckman and all voted aye. The motion passed 4 to 0.

Agenda Item 9 – NEW BUSINESS

Agenda Item 9a – Paola Crossings Preliminary Plat

Interim Manager Shannon reviewed the information discussed at the December 7th work study meeting. She said the applicant, Highlands Paola, LLC and Engineer, Sublime Engineering, have proposed several lot sizes within the TA zoning district to allow for a variety of uses. She said parcel sizes in the proposed development range from 1.10 to 4.70 acres.

Interim Manager Shannon also noted the open space and density requirements are dependent upon land use and will be evaluated in the site plan process. She said as each parcel develops the sidewalks and street specifications and dimensions will be part of the final plat. A stormwater study has been submitted and is being reviewed by Wilson and Company.

Council Member Shields made a motion to approve the preliminary plat of Paola Crossings. The motion was seconded by Council Member Smail and all voted aye. The motion passed 4 to 0.

Agenda Item 9b – GO Temporary Notes, Series 2022 – Resolution No 2021-020

Interim Manager Shannon said at the November 9th meeting, the City Council approved Resolution No 2021-019 authorizing the firm Raymond James & Associates, Inc. to underwrite approximately \$3,000,000 of temporary notes to be designated General Obligation Temporary Notes, Series 2021. She said the City is issuing the notes to pay a portion of the project costs related to the renewed half cent sales tax, eventually being converted to a long-term bond issue.

Interim Manager Shannon presented Resolution No 2021-020 that will finalize the interest rate of 2% and allow for the sale of the notes. The note amount will be \$3,110,000 with net

proceeds of \$3,106,672.30. She noted the closing date has now been moved from December 28, 2021 to January 6, 2022 which changed the note from Series 2021 to Series 2022.

Council Upshaw made a motion to approve Resolution No 2021-020 – Note Resolution and authorize the necessary signatures. The motion was seconded by Council Member Peckman and all voted aye. The motion passed 4 to 0.

Agenda Item 9c – Consider Resolution 2021-021 – Repealing Resolution 2021-009 Budget Transfer.

Clerk Marler said at the Council Meeting on July 13, 2021, Council voted to approve Resolution 2021-009, transferring money from the Water Utility CIP (15) to fund 90.308-Pressure Reducing Valves (PRV). This transfer was to eliminate the negative balance of a PRV project. She said although the transfer from fund 15 is an appropriate fix, this item was not included in the 2021 budget and will cause a budget violation. After discussing this with the auditor, Harold Mayes, he said instead of doing a budget amendment the transfer can be reversed and budgeted another year.

Council Member Smail made a motion to approve Resolution No 2021-021 – Repealing Resolution No 2021-009. The motion was seconded by Council Member Shields and all voted aye. The motion passed 4 to 0.

Agenda Item 10 - COMMITTEE REPORTS – None.

Agenda Item 11 - STAFF REPORTS

Police Chief Jenkins said the event “Shop with a Cop” is on December 17th. He said 10 kids were chosen to spend a \$1,500 grant from Walmart.

City Attorney Tetwiler gave some updates on court proceedings.

Agenda Item 12 - MISCELLANEOUS MATTERS FROM THE COUNCIL:

Council Member Smail congratulated new Police Chief Jenkins on his promotion.

Council Member Peckman said it was hard to hear the Council in the audience and wanted microphones.

Council Member Upshaw congratulated Chief Jenkins on his promotion and Mayor House and Council Members Smail and Peckman on winning the election. He also thanked City Staff for their hard work.

Agenda Item 13 - MISCELLANEOUS MATTERS FROM THE MAYOR:

Mayor House congratulated Chief Jenkins and Council Members Smail and Peckman.

Agenda Item 14 – ADJOURNMENT

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

Leigh House, Mayor

ATTEST: [seal]

Stephanie Marler, City Clerk