

**MINUTES OF THE GOVERNING BODY OF  
THE CITY OF PARK CITY, KANSAS  
COUNCIL CHAMBERS – 1941 E. 61<sup>st</sup> STREET NORTH  
January 12, 2021**

**ROLL CALL**

The following were present: Council Members, John Lehnherr, George Glover, Ben Saucedo, Melvin Kerr, Tom Jones, George Capps, Brandi Baily, and Jim Schroeder.

Also present: Mayor Ray Mann, City Clerk Marlo Rugg, City Administrator Sean Fox, Assistant City Administrator/Human Resources Manager Dana Walden, Police Chief Phil Bostian, City Attorney Doug Moshier, Finance Director Dee Anne Grunder, Public Works Director Simon Wiley, and Assistant Public Works Director Zach Day.

**VISITORS**

Ark Valley News  
Josh Yeary  
David Selby  
Dustin Karber  
Tonya McGonigle  
Terry Ford

Sarah Steele  
Chantel Rindt  
Joseph Botki  
Jamie Johnson  
Michael McGonigle

**MEETING CALLED TO ORDER**

The meeting was called to order by Mayor Ray Mann at 7:00 pm. Pastor Bill Kuntz gave the invocation and Council Member Ben Saucedo led the Pledge of Allegiance.

**APPROVAL OF AGENDA**

Council Member George Glover moved to approve the agenda as presented.

Council Member John Lehnherr seconded the motion. Motion carried 8-0.

**AWARDS AND/OR PRESENTATIONS**

Michael McGonigle with Park City Pride presented the Christmas Lighting Contest winners: Crystal Martinez, 1<sup>st</sup> Place Ward 1, Melissa Allen, 2<sup>nd</sup> Place Ward 1, Terry Ford, 1<sup>st</sup> Place Ward 2, Tim Horn, 2<sup>nd</sup> Place Ward 2, Jason Lillibridge, 1<sup>st</sup> Place Ward 3, and Renee Andrews, 2<sup>nd</sup> Place Ward 3, Brad Wood, 1<sup>st</sup> Place Ward 4, Ben Zapata, 2<sup>nd</sup> Place Ward 4.

Assistant City Administrator/Human Resources Manager Dana Walden introduced the newest addition to City Staff, Simon Wiley. She stated Mr. Wiley is the new Director of Public Works. Ms. Walden stated Mr. Wiley has a solid background in public works including leadership skills. She stated Mr. Wiley has certifications in different areas that will enhance his position.

**PUBLIC FORUM**

None.

**STAFF REPORTS**

Police Chief Phil Bostian gave a brief report on the activities of the City's Code Enforcement. Mr. Bostian stated he wanted to give a better understanding of the chart that was presented for the 2020 annual cases and incident reports. He also addressed the staffing issues the department encountered throughout the year.

Council Member Ben Saucedo asked about the decline in nuisance cases at the end of the year. Mr. Bostian stated in the warmer months the grass and weeds are what drive nuisance cases up. He stated Code Enforcement dealt with some junk trash debris cases in the month of January and that is why the cases were up in that month.

City Administrator Sean Fox gave updates on various projects around the community. He stated all but one of the necessary right-of-ways and temporary easements for the 61<sup>st</sup> Street project have agreements with the property owners. Mr. Fox stated the bids for the waterline and utility relocates will be presented the next Council meeting. He stated the water work continues on the Broadway Sewer project as well as the 69<sup>th</sup> Street waterline project. Mr. Fox stated the 77<sup>th</sup> Street project is under contract and PEC is finalizing the designs and plans. He stated a Downtown Visioning public engagement event will be held at the next Chamber of Commerce meeting as well as an open house at the City Administration Center later that evening that will allow residents to come and voice their ideas and opinions.

Council Member John Lehnerr stated the water tower at the Greyhound Park is starting to get black mildew at the bottom. Mr. Fox stated the Public Works Director will look into that issue.

**CONSENT AGENDA:**

1. Minutes of December 8, 2020 Regular Meeting.
2. Appropriations 951-2020 and 952-2021 with Addendums.
3. November Monthly Financials
4. Approval of the League of KS Municipalities Invoice – \$4,853.49
5. Approve Expenditures of Transient Guest Tax as Recommended by the Convention & Tourism Board:  
(1) Sponsorship of KCAC in hosting two of the NAIA's Opening Round Basketball Tournaments at Hartman Arena, \$25,000, from the 2021 Budget: (2) Sports Kansas annual membership dues, \$150, from the 2021 Budget.
6. Approve Contract Renewal for BMX Track

Council Member Ben Saucedo moved that the Consent Agenda, as Presented, be Approved.

Council Member Jim Schroeder seconded the motion. Motion carried 8-0.

**7. RECESS**

Council Member Tom Jones moved to recess for five minutes.

Council Member Brandi Baily seconded the motion. Motion carried 8-0.

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**CITY OF PARK CITY, KANSAS, LAND BANK  
COUNCIL CHAMBERS – 1941 E. 61<sup>st</sup> STREET NORTH  
January 12, 2021**

Chairman Ray Mann called the meeting to order at 7:21 pm.

**I. DISCUSS AND CONSIDER ANNUAL SELECTION OF CHAIRPERSON, VICE-CHAIRPERSON, AND TREASURER FROM LAND BANK BOARD OF TRUSTEES MEMBERSHIP PURSUANT TO K.S.A. 12-5904(A)**

Land Bank Treasurer Marlo Rugg stated KSA 12-5904(a) requires the Land Bank to annually select a Chairperson, Vice-Chairperson, and Treasurer from its membership. She stated the bylaws require the Treasurer to be a non-voting member, as well as a City staff member. The Treasurer is appointed by the Mayor and confirmed by the Board.

Board Member Ben Saucedo moved to Appoint Ray Mann to Serve as Chairperson, Tom Jones to Serve as Vice-Chairperson, and City Clerk Marlo Rugg to Serve as Treasurer of the Park City, Kansas, Land Bank for a term of one year.

Board Member John Lehnerr seconded the motion. Motion carried 9-0.

**II. Adjourn**

Board Member Ben Saucedo moved to adjourn the Land Bank meeting.

Board Member John Lehnerr seconded the motion. Motion carried 9-0.

**8. RECONVENE**

Mayor Ray Mann reconvened the Council Meeting at 7:24 pm.

**NEW BUSINESS**

**9. DISCUSS AND RECEIVE ANNUAL PARK CITY BMX REPORT**

Jamie Johnson with the Park City BMX gave the annual report. She stated the past year was very successful. She stated fifty-three single point races were held and Park City BMX placed second for the state of Kansas. Ms. Johnson stated a lot of improvements were made to the track. She stated the asphalt will be replaced in the Spring. Ms. Johnson briefly gave update on the revenues generated for the year.

Council Member Ben Saucedo moved to receive and file the Park City BMX annual report.

Council Member Tom Jones seconded the motion. Motion carried 8-0.

**10. DISCUSS AND CONSIDER A RESOLUTION ISSUING TAXABLE INDUSTRIAL REVENUE BONDS (PRATT PROPERTIES)**

Sarah Steele with Gilmore & Bell stated that Council will consider a resolution of intent for an industrial revenue bond for Pratt Love Box. She stated it is required by state law to hold a public hearing anytime there is consideration by the City granting a property tax exemption.

Council Member Jim Schroeder asked how many jobs Pratt Love Box will bring to the City. Dustin Carver the General Manager of Pratt Industries stated there are approximately two hundred fifteen employees currently employed with the company and the company will employ an additional fifty employees after the building is built.

Mayor Ray Mann opened the public hearing at 7:33 pm. Mr. Mann asked if anyone from the public wished to speak on this item.

Josh Yeary with Miller Valentine Construction gave a brief history on how Pratt Love Box chose Park City as their new home for their business.

Mayor Ray Mann closed the public hearing at 7:37 pm.

Council Member Tom Jones moved to approve Resolution # 1060-2021 determining the advisability of issuing taxable industrial revenue bonds for the purpose of financing the acquisition, construction and equipping of a commercial facility to be located in said city; and authorizing execution of related documents.

Council Member Ben Saucedo seconded the motion. Motion carried 8-0.

**11. DISCUSS AND CONSIDER APPROVAL OF THE FTA PROGRAM APPLICATION WITH ANTICIPATED LOCAL MATCH OF \$9,974.70**

Senior Center Director Madison Shriner stated the Federal Transportation Administration 5310 Program (49 U.S.C. 5310) provides funding in the WAMPO urbanized area to assist with meeting the transportation needs of older adults and people with disabilities when the transportation service provided is unavailable, insufficient, or inappropriate in meeting these needs. She stated funds are apportioned based on population to two groups, either the state Department of Transportation for rural and small urban areas, or a designated recipient for large urban areas. Ms. Shriner stated WAMPO is in charge of the competitive selection process for these funds. She stated the program aims to improve mobility for seniors and individuals with disabilities by removing barriers to transportation service and expanding transportation mobility options. Ms. Shriner stated the senior center van will be used for members of the senior center on scheduled outings and trips including planned necessity shopping and day trips.

Ms. Shriner stated local match requirements for this program is 15% of net project cost when funds are used to purchase a vehicle. She stated the proposed project consists of the purchase of a new paratransit van with upgrades totaling \$66,498.00. Ms. Shriner stated federal funding of this project would total \$56,523.30 with the City's local match responsibility being \$9,974.70. Ms. Shriner stated if accepted, funds should be awarded July 2021.

Council Member Brandi Baily asked if the grant application is not awarded to the City, is there enough money in the budget to cover the entire cost. Ms. Shriner stated the senior center van is part of the vehicle replacement plan for this year. City Administrator Sean Fox stated the replacement cost the City planned on was about \$48,000.

Council Member Melvin Kerr moved to approve and authorize the Mayor to finalize and execute consent of the 5310 application and verification of the local match amount of \$9,974.70.

Council Member Tom Jones seconded the motion. Motion carried 8-0.

## **12. DISCUSS AND RECEIVE LAND BANK TREASURER'S ANNUAL REPORT TO THE GOVERNING BODY AS REQUIRED BY K.S.A. 12-5903**

City Clerk Marlo Rugg stated KSA 12-5903 requires the Land Bank to make an annual report to the Governing Body by January 31st each year, including a report of the audit, receipts, and disbursements from all funds under its control reflecting all property transactions that occurred during the year, and an inventory of all property held by the Land Bank. She stated it also requires the inventory to be published in the official city newspaper on or before January 31<sup>st</sup>. Ms. Rugg stated the only activity for the year of 2020 was the purchase of the Shellenberger property behind City hall.

Council Member Ben Saucedo moved to receive the Land Bank Treasurer's annual report.

Council Member Brandi Baily seconded the motion. Motion carried 8-0.

## **13. CONSIDER SUBSCRIPTION RENEWAL AGREEMENT WITH TYLER TECHNOLOGIES**

Finance Director Dee Anne Grunder stated the City of Park City initially entered into a five-year agreement with Tyler Technologies related to the Incode software in March 2011, with annual subscription fees of \$19,080. She stated in 2016, an Amendment to the Subscription Agreement was approved by Council at an annual cost of \$21,072, renewing the original agreement for an additional five years that will be expiring on February 28, 2021.

Ms. Grunder stated Tyler Technologies has changed their process, and they are no longer renewing contracts for five-year terms. She stated they are now providing amendments for a one-year term that will auto-renew at their then current rate unless they hear from the client, and they are now providing an unlimited number of users. Ms. Grunder stated Park City's renewal fee for the year commencing March 1, 2021 is \$21,370.

Council Member Brandi Baily asked if the software works well for the City or should staff look into another software. Ms. Grunder stated the software is not user friendly, labor intensive, and hard to understand. She stated her concern on the cost of new software and all the training associated with getting a new software. Ms. Grunder also stated her concern of staff time it would take to convert to a new software. Ms. Baily asked staff to look into new software to better serve the City within this next year and possibly in 2022 the City could make the conversion.

Council Member Ben Saucedo stated the process is labor intensive. He stated that it would be a goal for staff to put a request for proposal together to start the process of searching for a new software.

Council Member John Lehnherr moved to approve the one-year amendment to the March 2, 2011 contract with Tyler Technologies, which governs the City's access to the software and services, in the amount of \$21,370 for a term commencing on March 1, 2021 and expiring on February 28, 2022, with subsequent annual automatic renewals at the then current rates.

Council Member Brandi Baily seconded the motion. Motion carried 8-0.

#### **14. DISCUSS AND CONSIDER AGREEMENT WITH KDOT FOR 61<sup>ST</sup> STREET PROJECT**

City Administrator Sean Fox attached is the proposed project agreement between the Kansas Department of Transportation (KDOT) and Park City for Project No. 087-N-0691-01, the improvements of 61st Street from the Broadway intersection west to the Wichita-Valley Center Floodway. He stated the reconstruction of 61st Street consists of a 3-lane curb and gutter section with underground storm sewer, bike path and sidewalk from the Broadway westward to the west city limits.

Mr. Fox stated the agreement outlines general provisions, responsibilities, and funding obligations between our two organizations. He stated currently, the agreement outlines KDOT's construction cost share of just over \$2.7M. Mr. Fox stated on December 8<sup>th</sup>, the WAMPO Projects Selection Committee (PSC), at the direction of the Transportation Policy Board (TPB), discussed transportation projects programmed for TIP for the years 2021 through 2024, for possible year-end plus ups. He stated an additional \$597,418 were recommended to the TPB for their January 12<sup>th</sup> meeting. Mr. Fox stated if approved, an amendment would be forthcoming.

Council Member Brandi Baily moved to approve and authorize the Mayor to execute and agreement between the Secretary of Transportation, Kansas Department of Transportation, and the City.

Council Member John Lehnherr seconded the motion. Motion carried 8-0.

#### **15. DISCUSS AND CONSIDER ELECTION OF COUNCIL PRESIDENT**

Mayor Ray Mann stated January is the time in which Council elects a new Council President. He stated Council Member Tom Jones has been serving as Council President. Mr. Mann asked any nominations.

Council Member Melvin Kerr nominated Council Member Ben Saucedo for Council President. Council Member George Glover seconded the motion.

Council Member Brandi Baily nominated Council Member John Lehnherr for Council President. Council Member Jim Schroeder seconded the motion.

Mayor Ray Mann asked for a show of hands for the nomination of Council Member Ben Saucedo as Council President. Motion carried 4-4.

Mayor Ray Mann asked for a show of hands for the nomination of Council Member John Lehnherr as Council President. Motion carried 4-4.

City Attorney Doug Moshier stated in the event of a tie, the oldest serving member breaks the tie.

Mr. Mann stated based off seniority, Council Member John Lehnherr becomes the new Council President.

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**16. EXECUTIVE SESSION TO DISCUSS PENDING LITIGATION**

Council Member Jim Schroeder moved to recess into executive session at 8:01 pm for consultation with the City Attorney related to pending litigation for ten minutes with the Governing Body, City Attorney, City Administrator, and Assistant City Administrator.

Council Member John Lehnerr seconded the motion. Motion carried 8-0.

Mayor Ray Mann reconvened the meeting at 8:17 pm with no binding action taken.

**GOVERNING BODY REPORTS**

Remarks by Council Members

Council Member George Capps encouraged everyone to stay healthy.

Council Member George Glover stated he was excited for 2021 and the great things the coming year will bring.

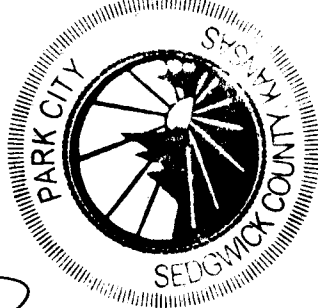
Council Member Ben Saucedo stated the Valley Center school district passed a two-mill levy increase for the purpose of a recreation center. He stated his concern of not being notified of the increase prior to the Valley Center school board meeting.


Mayor Ray Mann stated his frustration over the state our world and country are in. A discussion ensued.

**ADJOURN**


Council Member Ben Saucedo moved to Adjourn the meeting at 8:35 pm.

Council Member Jim Schroeder seconded the motion. Motion carried 8-0.



  
Ray Mann, Mayor

Attest:

  
Marlo Rugg, City Clerk

The foregoing minutes were considered at the January 26, 2021 meeting and approved with the following amendment NONE.

The vote to approve the minutes 8-0.