

**MINUTES OF THE GOVERNING BODY OF
THE CITY OF PARK CITY, KANSAS
COUNCIL CHAMBERS – 1941 E. 61st STREET NORTH
January 14, 2020**

ROLL CALL

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

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

VISITORS

Taylor Messick, Ark Valley News
Terry Ford
Kay Word
Mary Ondrejko
Kari Miner
Nick Thomas
Jan McGonigle
Dean Frankenberry
Jewel Frankenberry
Raymond Reiss

Mike McGonigle
Tonya McGonigle
Bob Darnell
Stephanie Hiss
J.O. Powell
Ben Staley
Ted Jillson
Denise Staley
Cynthia Summers

MEETING CALLED TO ORDER

The meeting was called to order by Mayor Ray Mann at 7:00 pm. Pastor Bob Darnell gave the invocation, and Council Member Melvin Kerr led the Pledge of Allegiance.

APPROVAL OF AGENDA

Council Member George Glover moved to approve the agenda as presented. Council Member Jim Schroeder seconded the motion. Motion carried 7-0.

AWARDS & PRESENTATIONS

Jan McGonigle with Park City Pride and Dean Frankenberry with the Chamber of Commerce presented the Christmas Lighting Contest winners: Mike and Tonya McGonigle, 1st Place Ward 1, Jeff Cherne, 2nd Place Ward 1, Tom and Jessica Nelson, 1st Place Ward 2, Ben and Denise Staley, 2nd Place Ward 2, Martha Daugherty, 1st Place Ward 3, and Rick Patterson, 2nd Place Ward 3.

Assistant City Administrator/Human Resource Manager Dana Walden introduced the new Assistant Public Works Director, Zach Day. Ms. Walden stated Mr. Day is a lifelong resident of Park City, and previously worked for Sedgwick County. She stated Mr. Day had outstanding references as well as extensive knowledge in road maintenance. Ms. Walden stated Mr. Day will be a great asset to the City. Mr. Day stated he was thankful for the opportunity to serve in a community he has lived in his whole life.

Assistant City Administrator/Human Resource Manager Dana Walden recognized the first Mayor of Park City, Mayor Raymond Reiss. Ms. Walden gave some brief history on Mr. Reiss and his term as Mayor. Ms. Walden thanked Mr. Reiss for his service and leadership as Mayor of Park City. She stated the City is naming two streets in Mr. Reiss' honor in recognition for his service and leadership, Raymond Reiss Street and Raymond Reiss Ct.

PUBLIC FORUM

Kay Ward stated her concern with a business on Hydraulic Street that in her opinion is a public nuisance. Ms. Ward stated there is loud noise coming from the business in the evenings and wanted to address the issue.

City Administrator Sean Fox stated at the Planning and Zoning meeting a couple weeks ago, there was a permit request to build a storage shed on the residential portion of the property. He stated the applicant was unable to attend the meeting, so the request was tabled until the next Planning and Zoning meeting.

Mary Ondrako stated her concern about squealing tires and loud music coming from the business on Hydraulic Street.

Stephanie Hiss stated her concern about the loud music at the property on Hydraulic Street. She stated the parties, music, and parking are becoming a big problem.

Mayor Ray Mann stated the City is working on some solutions to help address some of the issues.

STAFF REPORTS

None.

CONSENT AGENDA:

1. Minutes of December 10, 2019 Regular Meeting.
2. Appropriations 927-2019 and 928-2020 with Addendums.
3. Approval of the League of KS Municipalities Invoice – \$4,528.75
4. Approve Expenditures of Transient Guest Tax as Recommended by the Convention & Tourism Board: (1) Sponsorship of 2020 KSHSAA Class 6A-5A State Wrestling Championship Tournament, \$15,000, from the 2020 Budget; (2) Sponsorship of the NAIA Men's Wrestling National Championship at Hartman Arena, \$15,000, from the 2020 Budget.
5. Annual Report on Police Federal Forfeiture Funds
6. Contract for Services for Municipal Court Judge.
7. Contract for Services for Municipal Court Prosecutor.
8. Contract for Services for the Municipal Court Public Defender
9. Approve CMB License for DG Retail, LLC dba Dollar General Store, 6227 N. Broadway St.

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

Council Member Jim Schroeder seconded the motion. Motion carried 7-0.

10. RECESS

Council Member Brandi Baily moved to recess for ten minutes at 7:24 pm.

Council Member Ben Saucedo seconded the motion. Motion carried 7-0.

**CITY OF PARK CITY, KANSAS, LAND BANK
COUNCIL CHAMBERS – 1941 E. 61st STREET NORTH
January 14, 2020**

The City of Park City, Kansas Land Bank meeting was called to order at 7:24 pm.

I. DISCUSS AND CONSIDER PURCHASE OF SHELLENBERGER PROPERTY GENERALLY LOCATED SOUTH OF EAST 61ST STREET NORTH AND EAST OF HYDRAULIC AVENUE, PARK CITY, KANSAS

City Administrator Sean Fox stated staff negotiated a Real Estate Purchase Contract with the owners of two parcels of land, totaling 48.05 acres, located generally south of East 61st Street North and east of Hydraulic Avenue. He stated Tract #1 is to be purchased by the City of Park City for \$504,600 and Tract #2 is to be purchased by the Park City Land Bank for \$72,000. Mr. Fox stated this is an unbudgeted expenditure and the Land Bank fund currently has a balance of \$78,842.71.

Board Member Ben Saucedo moved to approve the purchase agreement and authorize the Chairman to execute a contract between Robert D. Shellenberger and Bernadine C. Shellenberger Living Trust and the City of Park City and the Land Bank whereas the Land Bank buys the .35 acre commercial tract for \$72,000.

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

II. 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 Dee Anne Grunder 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. Ms. Grunder stated 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, Melvin Kerr 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 George Glover seconded the motion. Motion carried 8-0.

III. Adjourn

Board Member Jim Schroeder moved to adjourn the Land Bank meeting.

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

11. RECONVENE

Mayor Ray Mann reconvened the meeting at 7:28 pm.

NEW BUSINESS

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

Finance Director Dee Ann Grunder 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 31st. Ms. Grunder stated the first report is the audited financial statement. She stated the schedule is as of December 31, 2018. Ms. Grunder stated the 2019 books have not been closed yet. Ms. Grunder stated the receipts and disbursements register reflects all cash transactions through the end of 2019. She stated the balance before interest is posted is \$72,846.63 at December 31, 2019.

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

Council Member Melvin Kerr seconded the motion. Motion carried 7-0.

13. DISCUSS AND CONSIDER A RESOLUTION FOR THE SALE OF LAND TO DERBY LAND INVESTMENT, GP

City Attorney Doug Moshier stated in 2009 the City authorized the issuance of Industrial Revenue Bonds to finance the Express Inn and Suites Project in the City. He stated those bonds have been paid off and the existing tenant under the IRB lease, Derby Land Investment, GP, has tendered \$100 as required by the lease in order to exercise its option to reacquire the project. Mr. Moshier stated the City is required, under the IRB lease agreement, to reconvey the project to the tenant. He stated the adoption of the Resolution will authorize the Mayor to execute a Special Warranty Deed, Bill of Sale and Release of Lease to consummate the transaction.

Council Member Jim Schroeder moved to approve Resolution #1040-2020 of the Governing Body of the City of Park City, Kansas authorizing the sale and conveyance of certain property to Derby Land Investment, GP.

Council Member Brandi Baily seconded the motion. Motion carried 7-0

14. DISCUSS AND CONSIDER ECONOMIC INCENTIVE FOR CUTTING EDGE LAWN CARE, INC.

City Administrator Sean Fox stated Nick Thomas of Cutting Edge Lawn Care, Inc. has made application for property tax exemption for economic development purposes, with the intention to purchase land (\$300,000) and construct a building (\$350,000) located in the 6300 block of Armstrong Circle. He stated Mr. Thomas has completed the required Tax Abatement Cost-Benefit Analysis, and based on a 100% abatement, projects a positive benefit to cost ratio of 3.75. Mr. Fox stated the business has been incorporated since 2009 and the applicant has provided a favorable Profit & Loss Statement and Balance Sheet. Mr. Fox stated Resolution 870-2013, establishes Park City's Incentive Policy,

outlines levels or percentages of incentive exemptions based on capital investment, new job creation and export sales. He stated pursuant to the City's policy, Cutting Edge qualifies for Capital Investment abatement of 5%, and new job creation of 17.5% for a total exemption of 22.5%. Mr. Fox stated Industrial Revenue Bonds are normally issued only based on the value of the capital investment but can include any increased value in the land. He stated two different scenarios 1.) Consider capital investment only, 10-year projection of property taxes for all taxing entities of \$129,583, a 22.5% abatement equates to \$29,156, absent administrative and issuance costs of an IRB. He stated those costs are approximately \$20,000. 2.) A capital investment and increased land value 10-year projection of taxes for all taxing entities is \$240,657, and a 22.5% abatement equates to \$54,148, absent administrative and issuance costs of an IRB. Mr. Fox stated all the appropriate information was included in the packet.

Nick Thomas thanked the Mayor and Council for the opportunity to discuss the abatement. Mr. Thomas stated he has 29 employees. He stated he is requesting 100% of the building or 50% of the increase in land value and 50% of the building. He stated the benefits of the City would be a higher tax base, more school funding, better public infrastructure, employee local spending, and creation of more local jobs. Mr. Thomas stated his abatement request would bring a fiscally responsible and ethical company to Park City.

Council Member Ben Saucedo stated he likes that a new business would come to Park City. He stated he supports the 22.5%.

Council Member George Capps and Council Member Tom Jones stated if Council considered Mr. Thomas' request, all Cutting Edge Lawn paperwork needs to have Park City as the company address.

Mayor Ray Mann encouraged Council to follow the current policy.

A discussion ensued.

Council Member Jim Schroeder moved to approve a 22.5% Tax Abatement based on the value of the construction for Cutting Edge Lawn Care, Inc.

Council Member George Glover seconded the motion. Motion carried 7-0.

15. DISCUSS AND CONSIDER APPROVING EXTERIOR GRANT PROGRAM FOR 2020. (SF)

City Administrator Sean Fox stated since 2014, the City has offered a Homebuyers Incentive Plan that has been successful in facilitating and promoting new residential construction in Park City. Mr. Fox stated staff is proposing Council create and adopt a complimentary program, that targets or addresses existing residential neighborhoods by facilitating and promoting of exterior improvements. He stated the proposed program would provide a 20 percent reimbursement for exterior improvements upon completion of the work. Mr. Fox stated homeowners would be required to have a minimum of \$2,500 in combined repairs/renovations in order to apply. He stated residents would be reimbursed anywhere from \$500 up to a maximum of \$2,500. Mr. Fox outlined the application and reimbursement process. He stated apartment units would not be eligible. Mr. Fox stated eligible projects/improvements would include, but not limited to painting, siding, door/window replacement, masonry repair, awnings, building additions, landscaping (must be on the same property/lot as the residence), and new construction of a residence. He stated ineligible items would include, but not limited to playsets, play equipment, swimming pools, spas, sump pumps, foundation repair, and lawn care or maintenance.

Mayor Ray Mann stated he is very excited about this program. He stated one of the biggest issues is code enforcement dealing with issues of homeowners not taking care of their properties. Mr. Mann stated this program will make the City a more desirable and welcoming community.

Council Member Brandi Baily suggested taking the \$95,000 for the Homebuyers Incentive and divide it between the two programs for the first year.

Mayor Ray Mann reminded Council that the City has a development that will be building thirty basements in the next year. He suggested implementing 60/40 ratio in the beginning due to the new development.

Council Member Ben Saucedo asked if duplexes qualify and do repairs that have been turned in for an insurance claim qualify. Mr. Fox stated duplexes do qualify under the proposed program. He stated staff would need to research that the application for improvement was not covered by something else. Mr. Mann suggested eliminating duplexes for the first year being that most of the duplexes in the City are fairly new.

A discussion ensued.

Council Member Jim Schroeder moved to approve creating an Exterior Grant Program with an allocation of \$25,000 to be put towards the program, and excluding duplexes.

Council Member George Capps seconded the motion.

Council Member George Capps stated he proposed a similar program to Council in a prior meeting to encourage citizens to improve their homes. He stated it was not well received. Mr. Capps stated he supported the proposed program.

Motion carried 7-0.

16. DISCUSS AND CONSIDER WAIVER OF GENERALLY ACCEPTED ACCOUNTING PRINCIPLES (GAAP) FOR 2020 FINANCIAL STATEMENTS.

Finance Director Dee Anne Grunder stated under Kansas Statutes, cities are required to prepare their financial statements under Generally Accepted Accounting Principles. She stated the statutes also allow cities to waive that requirement by resolution if they have no other resolutions or ordinances that require GAAP-basis financial statements, and the City of Park City does not.

Council Member Tom Jones moved to approve Resolution No.1041-2020 Waiving the Requirements of K.S.A. 75-1120a(a) for the City's 2020 Financial Statements.

Council Member George Glover seconded the motion. Motion carried 7-0.

17. DISCUSS AND CONSIDER APPROVING FEDERAL HIGHWAY ADMINISTRATION AND KANSAS DEPARTMENT OF TRANSPORTATION PRIMROSE PARK DE MINIMIS IMPACT FINDING IN SUPPORT OF THE WICHITA NORTH JUNCTION PROJECT.

City Administrator Sean Fox stated last October, Council received a briefing on the Wichita North Junction Project and the planned phases. He stated the Kansas Department of Transportation (KDOT) representatives stated that due to additional funding being available, their intent was to acquire the

necessary Right-of-Way for all phases at this time, including the eastern portion of Park City’s Primrose Park. Mr. Fox stated because the property is designated as park land, KDOT and the Federal Highway Administration (FHWA) are required to allow public comments on the proposed acquisition for thirty days. He stated the public comment period was between November 12 and December 13, 2019, and neither the City nor KDOT received any comments. Mr. Fox stated it is the intent for KDOT to seek concurrence on a de minimis finding from the FHWA KS Division Office. He stated if Council concurs with that finding and the project’s proposed ROW acquisition will not adversely affect the activities, features and attributes of Primrose Park, the FHWA and KDOT is requesting the City provide a letter to that fact.

Council Member Tom Jones moved to concur with KDOT’s intent to have a de minimis finding and authorize the Mayor to send a letter to that fact.

Council Member Melvin Kerr seconded the motion. Motion carried 7-0.

18. DISCUSS AND CONSIDER ORDINANCE TO RESPREAD HIGH RIDGE 2ND ADDITION SPECIAL ASSESSMENTS.

Finance Director Dee Anne Grunder stated on October 22, 2019, Council approved Ordinance #1080-2019 to evenly respread the future drainage special assessments on the High Ridge 2nd Addition properties in the Land Bank. She stated staff has since been made aware that specials from the year the Land Bank acquired the properties (2017) can be respread to future years. Ms. Grunder stated delinquent years 2013 through 2016 cannot be respread, since those are years prior to the 2017 acquisition. She stated the proposed ordinance will evenly respread the 2017 through 2028 special assessments to years 2020 through 2028. Ms. Grunder stated a more even distribution of specials will impact the amount of funds that can be transferred from the Land Bank to the Bond & Interest Fund when properties are sold in the future, because only the amount of the specials on each of the specific lots sold can be transferred. Sale proceeds in excess of those specials must remain in the Land Bank Fund and are not available to assist in making the bond payments related to the drainage improvements previously made on those properties. Ms. Grunder stated the City cannot respread to properties that were not previously assessed drainage because they were not in the improvement district.

Council Member George Glover moved to approve Ordinance #1086-2020 respreading special assessments against properties in High Ridge 2nd Addition to the City of Park City and repealing Ordinance #1080-2019.

Council Member Tom Jones seconded the motion.

Roll Call

Council Member John Lehnerr	Absent	Council Member Tom Jones	Yes
Council Member George Glover	Yes	Council Member George Capps	Yes
Council Member Ben Saucedo	Yes	Council Member Brandi Baily	Yes
Council Member Melvin Kerr	Yes	Council Member Jim Schroeder	Yes

19. DISCUSS AND CONSIDER A SPECIAL WORKSHOP TO EVALUATE ALTERNATIVES FOR THE CONSTRUCTION OF THE 61ST STREET AND BROADWAY INTERSECTION.

City Administrator Sean Fox stated WSP recently completed an Intersection Control Evaluation (ICE) related to KDOT Project No. 087 N-0691-01. He stated the study evaluated various intersection configurations and traffic control alternatives, based on review of existing conditions, traffic operations,

safety, and total costs. Mr. Fox stated staff was directed to get additional information and bring it back to Council. He stated staff is proposing to hold a Special Meeting on January 21, 2020 at 6:00 pm.

Council Member Ben Saucedo moved to approve scheduling a Special Workshop to discuss alternatives for the construction of the 61st Street North and Broadway intersection on January 21, 2020 at 6:00 pm.

Council Member Jim Schroeder seconded the motion. Motion carried 7-0.

GOVERNING BODY REPORTS

Mayor's Remarks

None.

Remarks by Council Members

Council Member Tom Jones stated there would be no impact to the City on north junction project.

Council Member Ben Saucedo welcomed Mr. Day to the City. He thanked the citizens for coming to the meeting to voice their concerns.

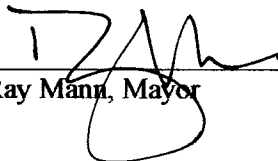
Council Member George Glover thanked the citizens for coming to the meeting to voice their concerns. He also welcome Mr. Day to the City.

ADJOURN

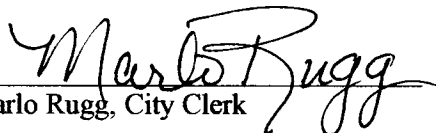
Council Member Ben Saucedo moved to adjourn the meeting at 8:33 pm.

Council Member George Glover seconded the motion. Motion carried 7-0.




Ray Mann, Mayor

Attest:


Marlo Rugg, City Clerk

The foregoing minutes were considered at the January 28, 2020 meeting and approved with the following amendment None.

The vote to approve the minutes 8-0.