

**MINUTES OF THE GOVERNING BODY OF
THE CITY OF PARK CITY, KANSAS
COUNCIL CHAMBERS – 1941 E. 61st STREET NORTH
February 14, 2023**

ROLL CALL

The following were present: Council Members: Charley Davidson, George Glover, Ben Saucedo, , Tom Jones, Brandi Baily, and Jim Schroeder. Council Members Charles Schwanke and George Capps were absent.

Also present: Mayor John Lehnerr, City Clerk Marlo Rugg, City Administrator Sean Fox, Assistant City Administrator/Human Resources Manager Dana Walden, Chief of Police Phil Bostian, Finance Director Dee Anne Grunder, and City Attorney Doug Moshier,

VISITORS

Ark Valley News
Terry Ford
Jeff Stone
John Prather
Tymber & Brody Lee
Matt Baty

MEETING CALLED TO ORDER

The meeting was called to order by Mayor John Lehnerr at 7:00 pm Pastor Bob Darnell gave the invocation and Council Member Brandi Baily led the Pledge of Allegiance.

APPROVAL OF AGENDA

Council Member Charley Davidson moved to approve the agenda as presented.

Council Member Ben Saucedo seconded the motion. Motion carried 6-0.

AWARDS AND/OR PRESENTATIONS

None.

PUBLIC FORUM

None.

STAFF REPORTS

Finance Director Dee Anne Grunder stated the 2023 Budget Book was complete. Ms. Grunder went through the process of creating the budget book. She thanked her staff for their hard work.

Ms. Grunder stated that during the 2022 budget process Council authorized budgeting a transfer to the Capital Equipment Fund and the amount was not to exceed \$500,000. She stated after all the entries for the year of 2022 were posted, staff was able to transfer \$500,000 to the Capital Equipment Fund.

Len Warren with the Park City Public Library gave the library's annual report. Mr. Warren also stated the library added new outside lockers so that patrons can check out a book anytime and pick it up after hours.

CONSENT AGENDA

1. Minutes of January 24, 2023 Regular Meeting.
2. Appropriations 1001-2023 with Addendum.
3. Approve Change Order #2 from Andale for Barr Estates paving.
4. Approve Gilmore & Bell Disclosure Compliance Services Proposal.
5. Approve the 2023 contracts for the Municipal Court Judge, Prosecutor, and Court Services Officer.

Council Member Jim Schroeder moved to approve the Consent Agenda as presented.

Council Member Ben Saucedo seconded the motion. Motion carried 6-0.

NEW BUSINESS**6. DISCUSS AND CONSIDER ORDINANCE CREATING STAR BOND DISTRICT**

Garth Herrmann with Gilmore & Bell addressed the Council on the Star Bond District. He stated the process in which the City is pursuing to acquire a Star Bond. He stated it is a multi-step process and currently the City is waiting on an approval letter from the Department of Commerce on behalf of the State of Kansas. Mr. Herrmann briefly went through the steps to be taken after the approval letter is received.

Todd LaSala with Stinson Law firm addressed the Council in detail on the process of the Star Bond project. He stated there are four steps to establish a Star Bond. Mr. LaSala explained each step so that Council had a better understanding of the process.

Ryan Mills with Lange Realty gave a few of the highlights and main attractions that will be a part of the Star Bond District. He stated an aquarium is in the plans as part of the Star Bond District. Mr. Miss stated the aquarium will draw national, state and regional visitation. Mr. Mills stated 40,000 square foot flex convention space is planned to serve a multitude of purposes. He stated a 192 key hotel is part of the proposal as well. Mr. Mills stated a proposed main event venue will serve for concerts and a wide variety of different events.

Mr. LaSala stated that the developers intend to deliver a softball and baseball complex. He stated it has not been decided as to where the complex will be, but it is not inside the Star Bond District itself.

Mayor John Lehnherr opened the public meeting at 7:29 pm.

Mr. Ryan Peck, City Attorney for the City of Goddard, spoke on behalf of the City of Goddard about the concerns they have with Park City's Star Bond project. Mr. Peck stated if a baseball facility is to be situated immediately adjacent to the district in such a way that would allow Star Bond dollars and the State's investment in the project to be used for the direct benefit of a baseball or softball complex, it would make the complex a de facto part of the Star Bond District.

Mayor John Lehnherr closed the public hearing at 7:34 pm.

7. Z-2022-02 - DISCUSS AND CONSIDER APPROVAL OF A PROPOSED CHANGE OF ZONING DISTRICT CLASSIFICATION FROM THE LI LIMITED INDUSTRIAL DISTRICT TO THE I-1 LIGHT INDUSTRIAL DISTRICT, LOCATED SOUTH OF 61ST STREET NORTH AND APPROXIMATELY 1,700 FEET EAST OF SENECA STREET.

Interim Zoning Administrator stated Air Capitol Industrial Park LLC, the owner of the subject property, is requesting approval of a change of zoning, as required by the Zoning Regulations following annexation. He stated the subject property was annexed into Park City in July 2022, and currently maintain its "LI" Limited Industrial zoning classification from the time it was part of the City of Wichita. Mr. Ewy stated this request will maintain a relative equality in zoning intensity if approved.

Mr. Ewy stated the site is currently being developed for industrial-type uses after previously being used for agricultural purposes. He stated properties to the west are also zoned "LI" Limited Industrial and developed with a vehicle repair business and large-lot residential uses. Mr. Ewy stated the property to the north is a developing industrial park, zoned "I-1" Light Industrial. He stated land across the drainage canal to the east is developed with several industrial uses, while land to the south is zoned "I-1" but currently remains in agricultural production.

Council Member Ben Saucedo moved to approve as presented Ordinance # 1160-2023 an ordinance changing the zoning district classification of certain lands located in the City of Park City, Kansas under the authority granted by the zoning regulations of the City as originally approved by Ordinance No.922-2013.

Council Member Jim Schroeder seconded the motion.

Roll Call

Council Member Charley Davidson	Yes	Council Member Tom Jones	Yes
Council Member George Glover	Yes	Council Member George Capps	Absent
Council Member Ben Saucedo	Yes	Council Member Brandi Baily	Yes
Council Member Charles Schwanke	Absent	Council Member Jim Schroeder	Yes

8. SD FP 2022-04: DISCUSS AND CONSIDER APPROVAL OF THE AIR CAPITOL INDUSTRIAL PARK 5TH ADDITION- A FINAL PLAT FOR PROPERTY LOCATED SOUTH OF 61ST STREET NORTH AND APPROXIMATELY 1,700 FEET EAST OF SENECA STREET.

Interim Zoning Administrator Russ Ewy stated Air Capitol Industrial Park LLC, the owner of the subject property, and its agent, Chris Meinen of Smith and Oakes, are requesting approval of a final plat entitled “Air Capitol Industrial Park 5th Addition” to permit the development of industrial uses (note - the applicant has been advised plats titled “Air Capitol Industrial Park 3rd Addition” and “Air Capitol Industrial Park 4th Addition” have already been recorded).

Mr. Ewy stated the subject property is approximately 23 acres in size, currently zoned LI Limited Industrial (Wichita zoning) and under consideration for Park City’s I-1 Light Industrial District. He stated the application area is surrounded by industrial zoning and uses to the south, east and north, with existing residential uses on industrially-zoned land to the west. Mr. Ewy stated there are several items the applicant needs to address prior to scheduling the final plat for City Council review; such as providing a turnaround at the south end of Biggs Street, per Fire Department standards, additional easements along Biggs Street, and consideration of a second point of access to 61st Street N along the proposed Lot 1.

Council Member Brandi Baily moved to the final plat as presented.

Council Member Tom Jones seconded the motion. Motion carried 6-0.

9. Z-2022-03 - DISCUSS AND CONSIDER APPROVAL OF A PROPOSED CHANGE OF ZONING DISTRICT CLASSIFICATION FROM THE R-2 SINGLE-FAMILY RESIDENTIAL DISTRICT TO THE C-1 CENTRAL BUSINESS DISTRICT, LOCATED NORTH OF 61ST STREET NORTH BETWEEN KERMAN AND LONGMONT STREETS.

Interim Zoning Administrator Russ Ewy stated Park City Assembly of God, the owner of the subject property, and O’Reilly Auto Enterprise, LLC, contract purchaser, are requesting approval of a change of zoning. He stated this request will extend the commercial zoning pattern to the east one block to permit the development of an auto parts store.

Mr. Ewy stated the site is currently undeveloped under its residential zoning after being planned for residential uses since the mid-1950s. He stated properties to the east are also zoned “R-2” Single-Family Residential and developed with residential uses, as is the neighborhood north of the church facility. Mr. Ewy stated properties to the west are zoned “C-1” Central Business District and developed with an animal clinic, a liquor store, a retail business, and a car wash. He stated there is a multi-family

residential unit to the northwest of the subject property zoned “R-3” Multiple-Family Residential. Mr. Ewy stated land across 61st Street is developed with several commercial and public uses on land zoned “C-1.”

Council Member Jim Schroeder moved to approve as presented Ordinance #1161-2023 an ordinance changing the zoning district classification of certain lands located in the City of Park City, Kansas, under the authority granted by the zoning regulations of the City as originally approved by ordinance No.922-2013.

Council Member Tom Jones seconded the motion.

Roll Call

Council Member Charley Davidson	Yes	Council Member Tom Jones	Yes
Council Member George Glover	Yes	Council Member George Capps	Absent
Council Member Ben Saucedo	Yes	Council Member Brandi Baily	Yes
Council Member Charles Schwanke	Absent	Council Member Jim Schroeder	Yes

10. VAC 2022-04: DISCUSS AND CONSIDER APPROVAL OF THE VACATION OF A PORTION OF THE PLATTED UTILITY EASEMENTS WITHIN A PORTION OF OWENS FIRST ADDITION, LOCATED NORTH OF 61ST STREET NORTH BETWEEN KERMAN AND LONGMONT STREETS.

Interim Zoning Administrator Russ Ewy stated Park City Assembly of God, the owner of the subject property, and O’Reilly Auto Enterprise, LLC, contract purchaser, are requesting to vacate the majority of utility easements located along the platted lot lines within the subject property. He stated the applicants are requesting this vacation to allow the development of an auto parts store.

Mr. Ewy stated the subject property is currently zoned “R-2” Single-Family Residential with an associated request for “C-1” Central Business District zoning. He stated there were no issues from utility companies regarding this request.

Council Member Ben Saucedo moved to approve vacation as presented.

Council Member Brandi Baily seconded the motion. Motion carried 6-0.

11. VAC 2022-03: DISCUSS AND CONSIDER APPROVAL OF THE VACATION OF PLATTORS TEXT FOR RESERVE A, PARK CITY VILLAGE 3RD ADDITION, PARK CITY, SEDGWICK COUNTY, KANSAS.

Interim Zoning Administrator Russ Ewy stated Robert D Shellenberger, owner of the subject property, is requesting to vacate and reestablish the plattor’s text for Reserve A. He stated the applicant is requesting this vacation to permit the expansion of senior living apartments currently located adjacent to the west of the reserve.

Council Member Tom Jones moved to approve the vacation request as presented.

Council Member Charley Davidson seconded the motion. Motion carried 6-0.

12. SD FP 2023-01 DISCUSS AND CONSIDER APPROVAL OF THE FINAL PLAT FOR SADDLEBROOK 4TH ADDITION LOCATED ONE-HALF MILE NORTH OF 85TH STREET NORTH AND EAST OF BROADWAY AVENUE.

Interim Zoning Administrator Russ Ewy stated Elite USA Construction, LLC, owner of the subject property, and its agent, Kirk Miller, K.E. Miller Engineering, P.A., are requesting approval of a one-step final plat entitled "Saddlebrook 4th Addition" to permit the development of residential uses. He stated the subject property is approximately 1.75 acres in size, currently zoned R-2 Single-Family Residential District, and platted as part of the Saddlebrook 3rd Addition. Mr. Ewy stated the application area is surrounded by existing Saddlebrook neighborhood to the east and south, with undeveloped agricultural property to the north and west.

Council Member Charley Davidson moved to approve the final plat as presented.

Council Member Jim Schroeder seconded the motion. Motion carried 6-0.

13. DISCUSS AND CONSIDER THE VACATION OF A PORTION OF AN ALLEY, AS DEDICATED BY THE REPLAT OF A PART OF LOT 2, RESERVE A, PARK CITY ADDITION, LOCATED NORTH OF 61ST STREET NORTH AND WEST OF HYDRAULIC AVENUE.

Interim Zoning Administrator Russ Ewy stated the City was approached by an adjoining property owner to eliminate a portion of alley right-of-way to facilitate the redevelopment of this commercial area. He stated as a condition of approving the vacation, staff recommends requiring the retention of the east 10-foot and the south 22 feet of the area to be vacated as a utility easement to protect existing utilities.

Council Member George Glover moved to approve Ordinance #1162-2023 an ordinance vacating street right-of-way within the City of Park City, Kansas.

Council Member Charley Davidson seconded the motion.

Roll Call

Council Member Charley Davidson	Yes	Council Member Tom Jones	Yes
Council Member George Glover	Yes	Council Member George Capps	Absent
Council Member Ben Saucedo	Yes	Council Member Brandi Baily	Yes
Council Member Charles Schwanke	Absent	Council Member Jim Schroeder	Yes

14. DISCUSS AND CONSIDER APPROVAL OF TEXT AMENDMENTS TO THE CITY OF PARK CITYS ZONING REGULATIONS TO CREATE DESIGN STANDARDS FOR NON-RESIDENTIAL DEVELOPMENT; TO ADD RETAIL AS A PERMITTED USE IN THE I-1 LIGHT INDUSTRIAL DISTRICT; TO ALLOW A FRONT PORCH TO EXTEND UP TO 8 FEET INTO THE FRONT SETBACK; AND TO REDUCE THE MINIMUM LOT SIZE IN THE R-3 MULTIPLE-FAMILY RESIDENTIAL DISTRICT.

Interim Zoning Administrator Russ Ewy stated the proposed amendments under consideration are intended to address several minor issues with the current regulations, as well as introduce new design standards for non-residential development.

Mr. Ewy stated the Planning Commission discussed creating a higher-level of standards to address non-residential development over the past several months, and the proposed section for these new standards were included in Council’s agenda packet.

A discussion ensued

Council Member Jim Schroeder moved to approve the amendments as presented in Ordinance #1163-2023 an ordinance establishing Appendix B; amending Article 3-103, Article 4-104, and Article 4-111 of the Zoning Regulations of the City of Park City, Kansas.

Council Member Tom Jones seconded the motion.

Roll Call

Council Member Charley Davidson	Yes	Council Member Tom Jones	Yes
Council Member George Glover	Yes	Council Member George Capps	Absent
Council Member Ben Saucedo	Yes	Council Member Brandi Baily	Yes
Council Member Charles Schwanke	Absent	Council Member Jim Schroeder	Yes

15. DISCUSS AND CONSIDER APPROVING LINELAZER 130HS HYDRAULIC AIRLESS LINE STRIPER FOR THE PUBLIC WORKS DEPARTMENT

Assistant Public Works Director Zach Day stated due to concerns about safety and appearance expressed by the Mayor and City Council of the temporary traffic striping at the 61st and Hattan/Jacksonville intersection, city staff has researched options for re-striping of said intersection. He stated as a result of the research city staff received quotes for a Linelazer 130HD Hydraulic airless line striper from McConnell & Associates for \$8458 and Craftco Inc. for \$10590.

Council Member Ben Saucedo moved to approve the purchase of a Craftco 130HD Hydraulic Airless Striper in the amount of \$8,458 from McConnell & Associates to paid out of the Special Streets and Highways Fund.

Council Member Charley Davidson seconded the motion. Motion carried 6-0.

16. DISCUSS AND CONSIDER AN AMENDED RESOLUTION DETERMINING THE ADVISABILITY FOR A TURNING LANE (PRATHER ADDITION).

City Administrator Sean Fox stated in November last year, Council approved a Resolution for improvements (turning lane) on 77th Street North, with drainage to be installed where necessary.

Mr. Fox stated an updated Resolution with increased costs to cover the construction, engineering, financing and administrative fee was included in the Council packet.

Mr. Fox stated the estimated or probable cost of the proposed Improvements is: \$92,800, with said estimated cost to be increased at the pro rata rate of 1 percent per month from and after the date of adoption of this resolution authorizing the “Improvements.” Mr. Fox listed the improvement district to be assessed for the costs. He stated the apportionment of the cost of the “Improvements” between the “Improvement District” and the City is 100% to be assessed against the “Improvement District” and 0% to be paid by the City.

Council Member Brandi Baily moved to approve Resolution #1145-2023 a resolution determining the advisability of the making of certain internal improvements in the City of Park City, Kansas; making certain findings with respect thereto; and authorizing and providing for the making of the improvements in accordance with such findings, and repealing Resolution 1134-2022.

Council Member Ben Saucedo seconded the motion. Motion carried 6-0.

17. DISCUSS AND CONSIDER APPROVAL OF PETITION FOR AND CONSENT TO ANNEXATION OF PROPERTY LOCATED AT 9056 N. BROADWAY AVE, SEDGWICK COUNTY, KS 67147.

City Administrator Sean Fox stated Staff received a Petition For and Consent to Annexation Form from the property owners of two tracts of land located at 9056 N. Broadway. He stated the property is owned by Lou Robelli and is approximately 2.15 acres. Mr. Fox stated the property is completely surrounded by Park City and the owner is requesting it become a part of Park City.

Council Member Ben Saucedo moved to approve Ordinance #1164-2023 an ordinance including and incorporating certain land within the limits and boundaries of the City of Park City, Kansas

Council Member Jim Schroeder seconded the motion.

Roll Call

Council Member Charley Davidson	Yes	Council Member Tom Jones	Yes
Council Member George Glover	Yes	Council Member George Capps	Absent
Council Member Ben Saucedo	Yes	Council Member Brandi Baily	Yes
Council Member Charles Schwanke	Absent	Council Member Jim Schroeder	Yes

18. DISCUSS AND CONSIDER APPROVAL OF BID FROM PEARSON CONSTRUCTION LLC FOR ROAD IMPROVEMENTS BETWEEN NEWPORT AND BEAUMONT STREETS.

City Administrator Sean Fox stated included in the Council packet is a bid tabulation for road improvements connecting Newport and Beaumont Streets. He stated a bid opening was conducted on

February 9th and a total of three companies submitted bids. Mr. Fox stated Pearson Construction LLC submitted the lowest bid of \$120,381 which was below the Engineer's estimate of \$123,095.

Council Member Ben Saucedo moved to approve the bid tabulation and authorize the Mayor to finalize and execute a contract with Pearson Construction LLC in an amount not to exceed \$120,381 to be paid out of the Capital Projects Fund.

Council Member Brandi Baily seconded the motion. Motion carried 6-0.

19. EXECUTIVE SESSION - CONSULTATION WITH THE CITY ATTORNEY RELATED TO MATTERS PRIVILEGED UNDER THE ATTORNEY-CLIENT RELATIONSHIP RELATED TO LETTERS OF CREDIT SECURING THE PAYMENT OF SPECIAL ASSESSMENTS ON LAND NEAR 53RD ST. AND I-135

City Attorney Doug Moshier requested Council go into executive session for five minutes to discuss matters privileged under the attorney-client relationship related to letters of credit securing the payment of special assessments on land near 53rd Street and I-135.

Council Member Charley Davidson moved to recess into executive session for five minutes at 8:30 pm for Consultation with the City Attorney on Matters Privileged in the Attorney-Client Relationship related to letters of credit securing the payment of Special Assessments on land near 53rd St. and I-135 with the Governing Body, City Administrator, Assistant City Administrator, and City Attorney.

Council Member Tom Jones seconded the motion. Motion carried 6-0.

Mayor John Lehnerr reconvened the meeting at 8:35 pm. No binding action was taken.

20. EXECUTIVE SESSION - DISCUSSION PERTAINING TO PERSONNEL MATTERS OF NON-ELECTED PERSONNEL.

City Attorney Doug Moshier requested Council go into executive session for fifteen minutes to discuss personnel matters of non-elected personnel.

Council Member Jim Schroeder moved to recess into executive session for fifteen minutes at 8:38 pm to discuss non-elected personnel with the Governing Body, City Administrator, Assistant City Administrator, and City Attorney.

Council Member Charley Davidson seconded the motion. Motion carried 6-0.

Mayor John Lehnerr reconvened the meeting at 8:52 pm.

21. DISCUSS AND CONSIDER AUTHORIZATION PUBLIC WORKS ADMINISTRATIVE ASSISTANT POSITION.

City Administrator Sean Fox stated during the 2023 budget process, Council tentatively approved three new positions for Administrative Assistants for the Finance Department, the Public Works Department and City Administration.

Mr. Fox stated Staff is requesting Council's approval of the attached job description and authorization to hire the Public Works Administrative Assistant.

Council Member Ben Saucedo moved to approve the job description and hiring the Public Works Administrative position, to be paid equally between water, sewer, parks and special streets funds.

Council Member Charley Davidson seconded the motion. Motion carried 6-0.

GOVERNING BODY REPORTS

Council Member Tom Jones stated he attended the Parks Master Plan meeting last week and was disappointed in the public turnout. Mr. Fox stated that nearly three hundred people did respond to the City's online survey about the City's parks. Mr. Jones stated the southbound lane off of 254 onto 135 will be opening soon.

Council Member Ben Saucedo invited everyone to his Convos over coffee at Leekers on Saturday February 18, 2023 at 9:00 am.

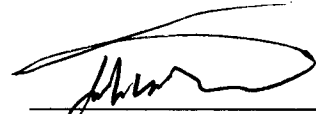
Council Member George Glover thanked those who attended the meeting on the Star Bond issue. Mr. Glover stated the Park City Fishing Derby is set for June 17, 2023.

Mayor John Lehnherr stated the City of Kechi passed a percent sales tax. He stated that Kechi plans on doing some Community improvements with the sales tax money. Mr. Lehnherr stated he will bring an appointment recommendation to the Sedgwick County Fire District Council to next meeting.. He asked about the driveway rehab assistance project. Mr. Fox stated he would have something at the next meeting. Mr. Lehnherr thanked Ms. Grunder and staff for their work on the budget book. He stated there was \$150,000 in the budget for sidewalks and wanted to know when that would be brought to Council. Mr. Fox stated that staff wanted to put together a street rehabilitation program together first and then bring some sidewalk options to Council after that was established.

ADJOURN

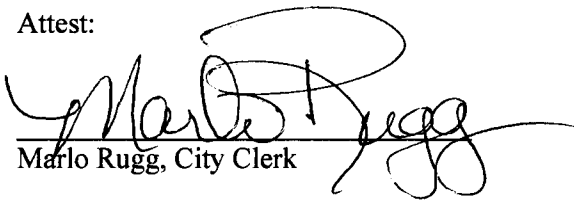
Council Member Ben Saucedo moved to Adjourn the meeting at 9:00 pm.

Council Member Jim Schroeder seconded the motion. Motion carried 6-0.



John Lehnherr, Mayor

Attest:



Marlo Rugg, City Clerk

The foregoing minutes were considered at the February 28, 2023, meeting and approved with the following amendment None.

The vote to approve the minutes 7-0.