

**MINUTES OF THE GOVERNING BODY OF  
THE CITY OF PARK CITY, KANSAS  
COUNCIL CHAMBERS – 1941 E. 61<sup>st</sup> STREET NORTH  
March 22, 2022**

**ROLL CALL**

The following were present: Council Members: Charley Davidson, George Glover, Ben Saucedo, Kyle Nordick, Tom Jones, Brandi Baily, and Jim Schroeder. Council member George Capps was 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, City Attorney Doug Moshier, and Public Works Director Simon Wiley.

**VISITORS**

Ark Valley News  
Terry Ford  
Penny Weddle  
Mary Honeck  
Curtis Zerr

**MEETING CALLED TO ORDER**

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

**APPROVAL OF AGENDA**

Mayor John Lehnerr requested item #5 on the consent agenda be added to the end of the agenda as item #18. Mr. Lehnerr also requested items # 6 and #8 be switched on the agenda.

Council Member Ben Saucedo moved to approve the agenda as amended.

Council Member Charley Davidson seconded the motion. Motion carried 7-0.

**PUBLIC FORUM**

Park City resident Penny Weddle expressed her concern with the noise coming from Pratt Industries. Mayor John Lehnerr stated staff would contact her about her concerns.

Park City resident Mary Honeck stated she would like to see sidewalks built from the Village Estates addition north to 61<sup>st</sup> Street. Council Member Ben Saucedo thanked Ms. Honeck for coming to the meeting and stated her request is something he would like Council to address.

**AWARDS AND/OR PRESENTATIONS**

None.

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**STAFF REPORTS**

None.

**CONSENT AGENDA**

- 1. Minutes of the March 8, 2022 Regular Meeting**
- 2. Minutes of the March 8, 2022 Special Meeting.**
- 3. Appropriations 981-2022 with Addendum.**
- 4. February Financial Report**

Council Member Charley Davidson moved to approve the Consent Agenda as amended.

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

**NEW BUSINESS**

- 6. SU-2022-02: DISCUSS AND CONSIDER A PROPOSED SPECIAL USE FOR A GENERAL MANUFACTURING USE IN THE C-2 SERVICE BUSINESS DISTRICT ON PROPERTY LOCATED NORTHWEST OF THE CORNER OF 85TH STREET NORTH AND HYDRAULIC AVENUE.**

Interim Zoning Administrator Russ Ewy stated L&P Properties, LLC, the owner of undeveloped property located north of 85<sup>th</sup> Street North and west of Hydraulic Avenue, is requesting approval of a Special Use to permit the manufacturing of composite materials.

Mr. Ewy stated the applicant is seeking to develop a portion of Lot 1, Block 6, Bearhill Estates Addition along the 85<sup>th</sup> Street frontage for the construction of an approximately 38,000 square foot building to house the proposed manufacturing use. He stated the business will employ approximately 6 to 7 persons, initially, with up to twelve employees planned within the next 10 years. Mr. Ewy stated the composite materials to be produced are non-hazardous with no emissions, and there will be no outdoor storage of materials. He stated the company's production standards require the manufacturing be conducted entirely within the proposed building, and the business estimates approximately three to four trucks accessing the site for deliveries (inbound and outbound) per week.

Mr. Ewy stated the subject property is approximately six acres in size and is currently zoned C-2 Service Business District. He stated the Planning Commission and City Council are authorized by Article 4-107(B.3) to allow other uses not specifically listed as a permitted, special, or conditional use, but which are in keeping with the intent of the zoning district and compatible with the uses permitted in zoning district.

A discussion ensued.

Council Member Ben Saucedo moved to approve Ordinance #1141-2022 an ordinance approving a special use to establish a general manufacturing use in the C-2 Service Business District on certain property located in the City of Park City, Kansas, under the authority granted by the zoning regulations of the City with the amendment of 35 ft in height.

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 Kyle Nordick	Yes	Council Member Jim Schroeder	Yes

**7. SU-2022-01: DISCUSS AND CONSIDER AN AMENDMENT TO A SPECIAL USE FOR AN INDOOR VEHICLE STORAGE USE ON PROPERTY LOCATED NORTHWEST OF THE CORNER OF 61ST STREET NORTH AND HYDRAULIC AVENUE.**

Interim Zoning Administrator Russ Ewy stated JENCO, LLC (Bob Aldrich), the owner of an undeveloped property located north of 61<sup>st</sup> Street North and west of Hydraulic Avenue, and its agent Tim Austin are requesting approval of an amendment to Special Use (SU-2021-01) approved in August 2021 to permit the indoor storage of vehicles for personal use.

Mr. Ewy stated the applicant is seeking to reduce the height of the required screening fence from eight feet to six feet. He stated the staff report for the original application recommended a 6-foot screening fence; however, during the public hearing on the matter the Planning Commission voted to recommend an 8-foot fence. Mr. Ewy stated this recommendation was ultimately approved by the City Council. He stated the applicant also submitted a revised site plan showing the proposed building closer to the west property line of the subject tract to create a more efficient use of the balance of the ownership.

Mr. Ewy stated the subject property is approximately two acres in size and is currently zoned C-1 Central Business District. He stated the Planning Commission and City Council are authorized by Article 4-107(B.3) to allow other uses not specifically listed as a permitted, special, or conditional use, but which are in keeping with the intent of the zoning district and compatible with the uses permitted in zoning district.

Council Member Ben Saucedo moved to approve Ordinance #1140-2022 and ordinance approving an amendment to a special use to establish an indoor vehicle storage use in the C-1 Central Business District on certain property located in the City of Park City, Kansas, under the authority granted by the zoning regulations of the City.

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 Kyle Nordick	Yes	Council Member Jim Schroeder	Yes

**8. DISCUSS AND CONSIDER ECONOMIC INCENTIVE FOR WHISKEY TANGO PROPERTIES LLC.**

City Administrator Sean Fox stated Whiskey Tango Properties LLC has made application for property tax exemption for economic development purposes, with the intention to building and equipping a new facility located on 85th Street, west of Hydraulic Avenue and across from NIAR. He stated it is estimated that twelve new full-time employees (FTEs) with a salary significantly above the county average wage. Mr. Fox stated they have completed the required Tax Abatement Cost-Benefit Analysis, and based on a 100% abatement, projects a positive benefit to cost ratio of 1.3. Mr. Fox stated Whiskey Tang qualifies for a total of 100% exemption.

Mayor John Lehnherr opened the public hearing at 7:38 pm. No one wished to speak on the matter. Mr. Lehnherr closed the public hearing at 7:39 pm.

Council Member Brandi Baily asked if the total exemption was 100% versus the 90.5%. Mr. Fox stated that was correct. Ms. Baily asked for the new numbers for the abatement. Mr. Fox stated the abatement is approximately 1.21 million over a ten-year time period.

Council Member Tom Jones moved to approve Resolution #1114-2022 a resolution of the Governing Body of the City of Park City, Kansas 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 the City; and authorizing execution of related documents.

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

**9. DISCUSS AND CONSIDER PROPERTY/CASUALTY AND WORKER'S COMPENSATION INSURANCE RENEWAL**

City Clerk Marlo Rugg stated the City's insurance policies will expire on April 1, 2022. Ms. Rugg stated the quote for the upcoming year is \$197,720. She stated this is a 6.18% increase from the 2021 quote. Ms. Rugg stated the increase is due to inflation and an increase in valuations of City buildings. She stated the City receives an annual dividend from EMC each year in June. Ms. Rugg stated the average dividend paid to the City for the last three years has been \$29,059.94.

Council Member Brandi Baily asked what staff budgeted for an increase this year. Mr. Fox stated the Finance Director was not in attendance and staff would have to get back with her with the answer. Ms. Baily asked if staff went sought proposals from other insurance companies. Ms. Rugg stated staff did not this year due to the fact staff sought out other insurance companies last year and typically staff does that every three years.

Council Member Jim Schroeder moved to approve the proposal from of Employers Mutual Casualty Company (EMC) for \$197,720 effective April 1, 2022.

Council Member Charley Davidson seconded the motion. Motion carried 7-0.

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

City Administrator Sean Fox stated last year Tyler Technologies changed their Incode software subscriptions from five-year agreements to an amendment of the original March 2, 2011 contract, providing one-year terms that would auto-renew at the then current rate unless the client cancels. He stated they indicated they were also providing the City with an unlimited number of users. Last year Park City's renewal fee was \$21,370, and the amendment was approved by Council on January 12, 2021.

He stated in October 2021, Tyler Technologies indicated they had erroneously failed to include the auto-renewal verbiage and would provide the wording in a 2022 amendment. Mr. Fox stated they also did not include or provide an unlimited number of users. He stated after months of requesting changes to the wording in the proposed amendment that they initially provided in October, we have finally agreed to move forward with the version that is on the agenda. Mr. Fox stated Park City's renewal fee for the year commencing March 1, 2022 is \$22,439.

Council Member Kyle Nordick asked if the renewal would carry the City over until the City gets their new ERP system. Mr. Fox stated it is staff's expectation that the new ERP will be in place before next year's renewal. Mr. Nordick asked if staff was prepared to look into having Tyler Technologies as a non-responsible bidder when it comes to bidding for the ERP software given the fact that staff has had so many issues with the company. Mr. Nordick stated that question could be answered at a later date.

Council Member Kyle Nordick moved to approve the 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 \$22,439 for a term commencing on March 1, 2022 and expiring on February 28, 2023, with subsequent annual automatic renewals at the then current rates.

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

#### **11. CONSIDER ANNUAL REVIEW OF WATER & SEWER RATES**

City Administrator Sean Fox stated Ordinance #1087-2020 states the Governing Body shall conduct an annual review of the financial condition of the City's water and sewer utilities on or before March 31<sup>st</sup> each year to evaluate the need for any adjustments to the current water or sewer charges.

Mr. Fox stated Wilson & Company, Inc. Engineers & Architects has been working on a Rate Study for the water and sewer departments in conjunction with a comprehensive system evaluation of the City's water and wastewater systems. He stated it is anticipated that the rate study, which accounts for both operational costs and capital costs of the utility improvements, will be completed and presented to

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Council next month. Mr. Fox stated Staff recommends awaiting those results prior to making a decision regarding rate increases.

Council Member Jim Schroeder moved to approve no increase in the water and sewer base rates and usage fees at this time, but to address rates again after receiving the results of the rate study.

Council Member Charley Davidson seconded the motion. Motion carried 7-0.

**12. DISCUSS AND CONSIDER CHANGING STREET NAMES.**

City Administrator Sean Fox stated Wild West Drive, Hopalong Cassidy Circle and Roy Rogers Circle have only one business currently, the former Motel 6. He stated now that the motel has been obtained by the Wyandotte Nation, Staff is proposing changing the name of the streets to Wyandotte Way, Turtle Court and Deer Court.

Council Member Ben Saucedo moved to approve the street names of Wild West Drive, Hopalong Cassidy Circle and Roy Rogers Circle to Wyandotte Way, Turtle Court and Deer Court.

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

**13. DISCUSS AND CONSIDER APPROVING A RESOLUTION DETERMINING THE ADVISABILITY OF WATER DISTRIBUTION IMPROVEMENTS FOR BARR ESTATES ADDITION.**

City Administrator Sean Fox stated petitions for water distribution, sanitary sewer and paving improvements were filed with the City Clerk and approved by the Council in June 2021. He stated all were signed by the owners of record of more than one-half of the area liable for assessment for the proposed improvements and therefore, the request was approved without notice and hearing as required by K.S.A. 12-6a01 et seq.

Mr. Fox stated a bid opening was conducted on March 17th, whereas the lowest bid exceeded the engineer's estimate and therefore, the Developer has chosen to re-petition to amend the cost of the work to be completed.

Council Member Brandi Baily moved to accept the amended petition and approve Resolution #1115-2022, 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.

Council Member Kyle Nordick seconded the motion. Motion carried 7-0.

**14. DISCUSS AND CONSIDER APPROVAL OF BID FROM MIES CONSTRUCTION FOR WATER AND SANITARY SEWER IMPROVEMENTS FOR BARR ESTATES ADDITION.**

City Administrator Sean Fox stated BARR Estates is located on 53rd Street between Hydraulic and Hillside. Garver LLC, on behalf of the Developer, presented petitions for water and sanitary sewer improvements in June, 2021 and was approved by Council.

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Mr. Fox stated a bid opening was conducted on March 17th and a total of six companies submitted bids. Mies Construction submitted the lowest bid of \$342,110.50, which the combined amount overall was below the Engineer's estimate of \$493,646.50.

Council Member Charley Davidson moved to approve the bid tabulation and authorize the Mayor to finalize and execute a contract with Mies Construction in an amount not to exceed \$342,110.50, to be paid out of the Capital Projects Fund.

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

**15. DISCUSS AND CONSIDER APPROVAL OF A QUOTE WITH JCI INDUSTRIES, INC - MAIN LIFT STATION SUBMERSIBLE PUMPS.**

Public Works Director Simon Wiley stated on February 28, 2022 one of the two submersible pumps failed at the main lift station. JCI Industries, Inc. performed an inspection of the pump and found that it had a seal and bearing failure. He stated a replacement pump would cost about \$70,000. Mr. Wiley stated JCI Industries, Inc. is a sole source provider as they are the area dealer for Flygt pumps.

Council Member Kyle Nordick moved to approve the quote with JCI Industries, Inc. in the amount of \$29,813.00 to be paid out of the Utility Fund Sewer Department.

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

**16 DISCUSS AND CONSIDER APPROVING A CONTRACT WITH CIRCLE C PAVING - HAP MCLEAN PARK**

Public Works Director Simon Wiley stated during the February 22, 2022 council meeting there were three options presented for the 2022 Road Improvement Plan. He stated one of the selected options was to perform a chip seal and fog seal in Hap McLean park.

Mr. Wiley stated bid documents were created and sent to local contractors. He stated one bid was received from Circle C Paving for a lump sum total of \$96,368.00 which is below our estimated cost of \$121,474.00.

Council Member Charley Davidson moved to approve and authorize the Mayor to finalize and execute a contract with Circle C Paving in amount not to exceed \$96,368.00 to be paid out of the Special Streets and Highway Fund.

Council Member Tom Jones seconded the motion. Motion carried 7-0.

Mayor John Lehnerr requested Public Works put on a presentation at a workshop on the different types of street repairs that staff preforms.

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**17. DISCUSS AND CONSIDER APPROVING A CONTRACT WITH MCCULLOUGH EXCAVATION FOR INSERTA-VALVES - 61ST STREET PROJECT AT NEWCASTLE**

Public Works Director Simon Wiley stated In June, Council approved a change order with Mies Construction to relocate and make improvements to certain waterlines adjacent to and in support of the Newcastle Street realignment.

Mr. Wiley stated Public Works attempted multiple times to isolate the waterline without success. He stated to facilitate isolating the Newcastle Street line for relocation, two Inserta-valves need to be installed.

Mr. Wiley stated a Request for Bids was created, sent to local area contractors as well as published with the Kansas Construction News. He stated two bids were received with McCullough being the low bidder at \$41,650.00.

Council Member George Glover moved to approve and authorize the Mayor to execute a contract with McCullough Excavation in an amount not to exceed \$41,650.00 to be paid out of Capital Projects Fund.

Council Member Kyle Nordick seconded the motion. Motion carried 7-0

**18. DISCUSS AND CONSIDER RESOLUTION 1113-2022 TO SUPPORT A STATE-OWNED AND OPERATED MENTAL HEALTH HOSPITAL IN THE SEDGWICK COUNTY, KANSAS, REGION.**

Mayor John Lehnherr explained to Council how the resolution came about. He stated there is a strong need for a state-owned mental health hospital in this region.

Council Member Ben Saucedo moved to approve Resolution 1113-2022 to support a state-owned and operated mental health hospital in the Sedgwick County, Kansas, Region.

Council Member Charley Davidson seconded the motion. Motion carried 7-0.

**GOVERNING BODY REMARKS**

Council Member Jim Schroeder thanked Whiskey Tango for choosing Park City as the place to operate their business. Mr. Schroeder stated he would Council to discuss design standards as the City continues to grow.

Council Member Brandi Baily stated she would like for Council to set some design standards as well. Mr. Lehnherr stated it is something that staff is in the process of developing.

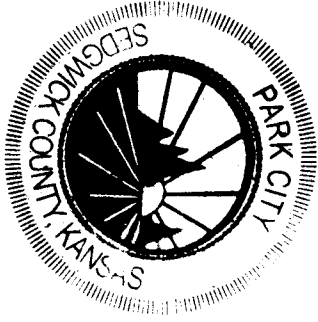
Council Member Ben Saucedo stated he is excited to see growth and change within the City.

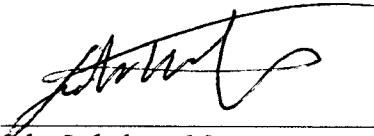
**ADJOURN**

Council Member Ben Saucedo moved to Adjourn the meeting at 8:22 pm.

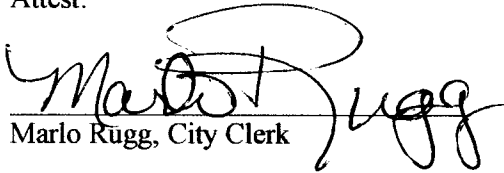
Council Member Tom Jones seconded the motion. Motion carried 7-0.





  
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John Lehnherr, Mayor

Attest:

  
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Marlo Rugg, City Clerk

The foregoing minutes were considered at the April 12, 2022 meeting and approved with the following amendment None.

The vote to approve the minutes 7-0.