

**MINUTES OF THE GOVERNING BODY OF
THE CITY OF PARK CITY, KANSAS
COUNCIL CHAMBERS – 1941 E. 61st STREET NORTH
April 11, 2023**

ROLL CALL

The following were present: Council Members: Charley Davidson, George Glover, Ben Saucedo, Charles Schwanke, 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, Finance Director Dee Anne Grunder, Public Works Director Jeana Estep, and City Attorney Doug Moshier,

VISITORS

Ark Valley News
Jeff Stone
Troy Hill

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 Mayor John Lehnerr led the Pledge of Allegiance.

APPROVAL OF AGENDA

Council Member George Glover moved to approve the agenda as presented

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

AWARDS AND/OR PRESENTATIONS

Police Chief Phil Bostian presented the promotion of Aaron Crouse to Corporal. He stated Mr. Crouse worked for the City of Bel Aire and Kechi before joining the Park City Police department in April of 2022.

Police Chief Phil Bostian presented the promotion of Tracey Prideaux to Sergeant. He stated Ms. Prideaux started with the City in 2015 as a code enforcement officer. Mr. Bostian stated became a police officer in 2016 and was promoted to Corporal in 2018.

PUBLIC FORUM

None.

STAFF REPORTS

City Administrator Sean Fox stated the 61st St. roundabout is open. He stated it is not complete. Mr. Fox stated a consent agenda item pertains to the procurement policy. He stated the policy stated an emergency purchase may be authorized in an amount not to exceed \$10,000 and has to be fully disclosed at the next Council Meeting. He stated the agenda item is for \$12,679. Therefore, it exceeds the policy. Mr. Fox stated staff is in the process of updating the policy and will bring to Council in the next two meetings. He stated staff is aware of the policy and is asking Council to ratify the purchase on the Consent Agenda. Mr. Fox stated April 15th is Brush and Limb Day at Hap McLean Park. He stated Community Serve Day is May 21st. Mr. Fox announced the annual blood drive competition with Valley Center will be on May 22, 2023.

Council Member Ben Saucedo thanked the public works department for their work on the traffic signal issue at 53rd Street and Broadway. He stated he is in favor of updating the procurement policy so that staff has the ability to make necessary purchases in an emergency.

CONSENT AGENDA

- 1. Minutes of March 28, 2023 Regular Meeting.**
- 2. Appropriations 1005-2023 with Addendums**
- 3. Approve invoice from K.E. Miller Engineering in the amount of \$10,460.**
- 4. Approve invoice from Mies Construction in the amount of \$12,679.34.**
- 5. Approve the 2023 Contract for the Municipal Court Public Defender.**

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

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

NEW BUSINESS

- 6. DISCUSS AND CONSIDER APPROVAL OF THE PRAIRIE HILLS 4TH ADDITION- A FINAL PLAT FOR PROPERTY LOCATED ONE-QUARTER MILE SOUTH OF 61ST STREET NORTH AND EAST OF HYDRAULIC AVENUE.**

City Administrator Sean Fox stated Robert D & Bernadine C Shellenberger, owners, and Mike Love, contract purchaser, of the subject property, and their agent, Kirk Miller, K.E. Miller Engineering, P.A., are requesting approval of a final plat entitled "Prairie Hills 4th Addition" to permit the development of residential uses. He stated the subject property is approximately 8.45 acres in size, currently zoned R-3 Multiple-Family Residential District and is unplatted. Mr. Fox stated this plat will create 31 individual lots and a short street segment (Longmont Street) to connect the subdivision to Beaumont Street to the north. He stated the application area is surrounded by single-family and multi-family residential zoning, as well as the city's Downtown District to the northeast.

Council Member Jim Schroeder moved to approve the final plat as presented.

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

7. DISCUSS AND CONSIDER A RESOLUTION DETERMINING THE ADVISABILITY OF THE MAKING OF CERTAIN INTERNAL IMPROVEMENTS IN THE CITY OF PARK CITY, KANSAS (WATER - PRAIRIE HILLS 4th ADDITION).

City Administrator Sean Fox stated a Petition was filed with the City Clerk proposing improvements to the City's water distribution system. He stated the petition was signed by the owners of record of more than one-half of the area liable for assessment for the proposed improvements and therefore, the Petitioners requested that such improvements be made without notice and hearing as required by K.S.A. 12-6a01 et seq.

Mr. Fox stated the "Improvements" include a water distribution system, including necessary water mains, pipes, valves, hydrants, meters, and appurtenances to serve the area described as the Improvement District, all in accordance with City standards and plans and specifications prepared or approved by the City Engineer.

Mr. Fox stated the estimated or probable cost of the proposed Improvements is: \$210,000, 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 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 Ben Saucedo moved to approve Resolution #1148-2023 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 subject to letter of credit (Water – Prairie Hills 4th Addition)

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

8. DISCUSS AND CONSIDER A RESOLUTION DETERMINING THE ADVISABILITY OF THE MAKING OF CERTAIN INTERNAL IMPROVEMENTS IN THE CITY OF PARK CITY, KANSAS (STORMWATER - PRAIRIE HILLS 4th ADDITION).

City Administrator Sean Fox stated a Petition was filed with the City Clerk proposing improvements to the City's stormwater drainage system. He stated the petition was signed by the owners of record of more than one-half of the area liable for assessment for the proposed improvements and therefore, the Petitioners requested that such improvements be made without notice and hearing as required by K.S.A. 12-6a01 et seq.

Mr. Fox stated the "Improvements" include construction of two detention ponds with drainage to be installed where necessary, along with mass grading, to serve the area described as the Improvement District, all in accordance with City standards and plans and specifications prepared or approved by the City Engineer.

Mr. Fox stated the estimated or probable cost of the proposed Improvements is: \$328,000, 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 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 Jim Schroeder moved to approve Resolution #1149-2023 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 subject to letter of credit (Stormwater – Prairie Hills 4th Addition)

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

9. DISCUSS AND CONSIDER A RESOLUTION DETERMINING THE ADVISABILITY OF THE MAKING OF CERTAIN INTERNAL IMPROVEMENTS IN THE CITY OF PARK CITY, KANSAS (SANITARY SEWER - PRAIRIE HILLS 4th ADDITION). (SF)

City Administrator Sean Fox stated a Petition was filed with the City Clerk proposing improvements to the City’s sanitary sewer system. He stated the petition was signed by the owners of record of more than one-half of the area liable for assessment for the proposed improvements and therefore, the Petitioners requested that such improvements be made without notice and hearing as required by K.S.A. 12-6a01 et seq.

Mr. Fox stated the “Improvements” include a sanitary sewer collection system, including the necessary manholes, cleanouts, and appurtances, to serve the area described as the Improvement District, all in accordance with City standards and plans and specifications prepared or approved by the City Engineer.

Mr. Fox stated the estimated or probable cost of the proposed Improvements is: \$145,000, 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 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 Ben Saucedo moved to approve Resolution #1150-2023 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 subject to letter of credit (Sanitary Sewer – Prairie Hills 4th Addition)

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

10. DISCUSS AND CONSIDER A RESOLUTION DETERMINING THE ADVISABILITY OF THE MAKING OF CERTAIN INTERNAL IMPROVEMENTS IN THE CITY OF PARK CITY, KANSAS (PAVING - PRAIRIE HILLS 4th ADDITION).

Mr. Fox stated a Petition was filed with the City Clerk proposing improvements to the City’s streets and roads. He stated the petition was signed by the owners of record of more than one-half of the area

liable for assessment for the proposed improvements and therefore, the Petitioners requested that such improvements be made without notice and hearing as required by K.S.A. 12-6a01 et seq.

Mr. Fox stated the “Improvements” include construction of pavement on a portion of Longmont Street, a portion of Village Estates Drive, and three Village Estates Courts, with drainage to be installed where necessary, to serve the area described as the Improvement District, all in accordance with City standards and plans and specifications prepared or approved by the City Engineer.

Mr. Fox stated the estimated or probable cost of the proposed Improvements is: \$595,000, 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 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 Jim Schroeder moved to approve Resolution #1151-2023 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 subject to letter of credit (Paving – Prairie Hills 4th Addition)

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

11. DISCUSS AND CONSIDER APPROVAL OF BID FROM APEX EXCAVATING LLC FOR WATER, SANITARY SEWER, STORMWATER DRAINAGE AND PAVING IMPROVEMENTS FOR PRAIRIE HILLS PHASE VII.

City Administrator Sean Fox stated Prairie Hills Phase VII is located east of Hydraulic and south of 61st Street N. He stated petitions for paving, sanitary sewer, water, and storm water drainage improvements were presented and approved by the Council last April and November, subject to receiving the required letter of credit.

Mr. Fox stated a bid opening was conducted on April 6th and a total of five companies submitted bids. APEX Excavating LLC submitted the lowest bid of \$934,819, which the combined amount overall was below the Engineer's estimate of \$1,025,482.

Council Member Ben Saucedo moved to approve the bid tabulation and authorize the Mayor to finalize and execute a contract with APEX Excavating LLC in an amount not to exceed \$934,819 to be paid out of the Capital Projects Fund.

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

13. DISCUSS AND CONSIDER PURCHASING NEW PUMP

Public Works Director Jeana Estep stated on February 28, 2022 one of the two submersible pumps failed at the main lift station. She stated JCI Industries, Inc. performed an inspection of the pump and found that it had a seal and bearing failure. Ms. Estep stated Council approved repairs to the

pump in the amount of \$29,813.00. She stated shortly after reinstallation the pump began to experience failures. Ms. Estep stated JCI found there were additional issues with the pump and covered all expenses under warranty. She stated between the two repairs, the main lift station has been operating on one pump for over a year, and Wilson & Co. recommends the City consider the Homa brand (AKX 844-330) based on pricing, the best warranties, and service. She stated the requested pump will create a backup pump for future issues similar to those experienced at the main lift station.

Council Member Charley Davidson asked if the new pump will be a back up or replace an existing pump. Ms. Estep stated the pump that is twelve to thirteen weeks out will replace the pump that has been having issues and that pump will be a backup.

Council Member Jim Schroeder moved to approve a pump from Cogent in the amount of \$42,284.00 to be paid out of the Utility Fund Sewer Department.

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

13. CONSIDER APPROVAL OF TRAFFIC LIGHT CONTROLLER CABINET

Public Works Director Jeana Estep stated on the evening of April 1, 2023 a vehicular accident occurred, causing damage to the controller cabinet at the intersection of 53rd & Broadway. She stated the intersection had been converted to a 4-way stop until a temporary cabinet could be installed. Ms. Estep stated a new controller and cabinet are needed to replace the damaged and temporary cabinets. Staff received quotes from Gades and Iteris. She stated staff requests to purchase a controller with a cosmetically blemished cabinet from Gades Sales Co. Inc. in the amount of \$20,470.00.

Council Member Charley Davidson asked how long it would take to get the cabinet. Mr. Fox stated forty-five to ninety days for the cosmetically blemished cabinet.

Council Member Tom Jones suggested finding a way to protect the cabinet. Ms. Estep stated she would research the possibility of installing extra protection around the cabinet.

Council Member Jim Schroeder moved to approve the quote from Gades Sales Inc. for a traffic new controller and cabinet in the amount of \$20,470. to be paid out of the Special Streets and Highway Fund.

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

14. DISCUSS AND CONSIDER ECONOMIC INCENTIVE FOR GIVING THE BASICS / KICE INDUSTRIES

City Administrator Sean Fox stated Giving the Basics (GTB) is a non-profit that was started four years ago by Megan Kice. He stated that many government assistance programs, such as food stamps, are not allowed to be used to purchase basic hygiene products, the focus of Giving the Basics is to provide these items for those in need. Mr. Fox stated since starting, GTB has grown and now serves all 100+ schools in the USD259. He stated the mission has also grown to serve 50+ other non-profits in the metro area.

Mr. Fox stated GTB has hundreds of volunteers who donate their time each month receiving, sorting, taking inventory and then preparing orders for Distribution Day on the 3rd Thursday of each month. He stated GTB has outgrown their current warehouse and Kice Industries has stepped up and offered to build/sponsor a new 8,000 SF warehouse on their campus. Mr. Fox stated Park City's Incentive Policy outlines levels or percentages of incentives/property tax exemptions based on capital investment and new job creation, but the cost of the warehouse and the fact all their employees are volunteers doesn't lend itself to IRBs. Mr. Fox stated Kice is asking if the Council would consider forgoing either a portion or all of the associated building permit fees. He stated the estimated Building Permit Fees are \$6800.

A discussion ensued. Each Council Member gave their statement of being in support of the request by Kice.

Council Member Charley Davidson moved to waive \$6,800 of the associated Building Permit Fees for the newly constructed warehouse located at 5440 Mill Heights Drive, Park City, Kansas.

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

15. DISCUSS AND CONSIDER PLACING A SALES TAX REFERENDUM ON THE AUGUST 1ST PRIMARY ELECTION BALLOT

City Administrator Sean Fox stated K.S.A. 12-187 authorizes the City to put forth a referendum or question of imposing a city-wide retailer's sales tax to the electors/residents. He stated the amount may not exceed two-percent (2%) for general purposes or in an additional amount not to exceed one percent (1%) for special purposes, provided sales taxes for special purposes shall expire not later than ten (10) years from the initial date of collection.

Mr. Fox stated a draft Resolution included in the packet proposes authorizing and imposing a one-percent (1%) sales tax with a public purpose of providing mill levy support and paying the costs of public improvements of the City, including payment of debt service on financings issued for such purposes. He stated collection of the Sales Tax, if approved by the electors of the City, shall commence on January 1, 2024 as permitted by law.

Mr. Fox stated the estimated 1 % retail sales tax would generate \$2.1 million on an annual basis. Mr. Fox went over a few graphs that captured the City's retail sales.

A discussion ensued. Each Council Member gave their statement of whether they were in favor of putting the question on the ballot as well as where they would like to see the money spent as a result of the revenue generated from the tax. Garth Herrmann with Gilmore & Bell went through the process of getting the question on the ballot.

Council Member Brandi Baily moved to approve Resolution # 1152-2023 a resolution authorizing and providing for the calling of a special question election on August 1, 2023 in the City of Park City, Kansas, for the purpose of submitting to the electors of the City the question of imposing a one percent (1%) citywide retailers' sales tax for general purposes; and providing for the giving of notice of said election.

Council Member Ben Saucedo seconded the motion. Motion carried 5-2. (Council Members Charley Davidson and Jim Schroeder voted nay.)

16. DISCUSS AND CONSIDER APPROVING AN AGREEMENT WITH MAYES MEDIA GROUP

City Administrator Sean Fox stated Council is currently considering placing a one-cent sale tax referendum on the ballot later this year. He stated if approved and in preparation, Staff reached out to Mayes Media Group to solicit a proposal to assist the City and Council educate Park City families and businesses about the referendum. Mr. Fox stated Mayes Media has been in service for nearly a decade, is ranked as a top 15 public relations firm by DBJ and has received numerous public relations awards/honors for their work as a political consultant, campaigns and elections advisor.

Mr. Fox stated a proposal was on each Council Members' dais for their review. He stated the proposal outlined the services Mayes Media would provide.

Brian Mayes with Mayes Media Group addressed Council on the services his company provides and answered any questions they had.

A discussion ensued.

Council Member Ben Saucedo moved to approve and authorize the Mayor to finalize and execute an agreement with Mayes Media Group in an amount not to exceed \$13,250.

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

17. DISCUSS AND CONSIDER APPROVAL OF THE REVISED 2024 BUDGET CALENDAR

Finance Director Dee Anne Grunder stated during the March 28th meeting, Staff presented the 2024 Budget Calendar that complies with the required State submission timeframe. She stated in addition to regular Council Meetings, which may or may not be used to discuss the budget, Staff is proposing a combination of both Special and Regular Council meetings. Ms. Grunder stated a copy of the revised 2024 Budget Calendar was included in the Council packet.

Council Member Ben Saucedo moved to approve the revised 2024 Budget Calendar.

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

18. OFF AGENDA ITEM - EXECUTIVE SESSION

Council Member Tom Jones moved to go into executive session at 8:33pm to discuss the potential purchase of real property by the City in the general vicinity of 61st Street N. and Hydraulic. 2. Consultation with the City Attorney on matters related to the Chisholm Creek Utility Authority and the possibility of an administrative directive from KDHE regarding plan improvements to the sewer treatment plant for twenty minutes with the City Attorney, City Administrator, and Assistant City Administrator.

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

Mayor John Lehnerr reconvened the meeting at 8:53 pm. No action was taken.

GOVERNING BODY REPORTS

Council Member Jim Schroeder stated there was a lot of good discussion this evening and he is looking forward to how the sales tax issue progresses.

Council Member Tom Jones announced that west bound 254 to south bound 135 is open.

Council Member Charles Schwanke commended the Council for being progressive minded.

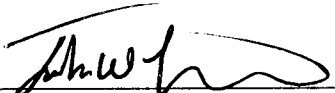
Council Member George Glover congratulated the police officers on their promotions. Mr. Glover stated the Park City Annual Fishing Derby will be June 17, 2023.

ADJOURN

Council Member Charley Davidson moved to Adjourn the meeting at 9:00 pm.

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




John Lehnerr, Mayor

Attest:


Marlo Rugg, City Clerk

The foregoing minutes were considered at the April 25, 2023, meeting and approved with the following amendment none.

The vote to approve the minutes 8-0.