

**MINUTES OF THE GOVERNING BODY OF  
THE CITY OF PARK CITY, KANSAS  
COUNCIL CHAMBERS – 1941 E. 61<sup>st</sup> STREET NORTH  
April 12, 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, Finance Director Dee Anne Grunder, Chief of Police Phil Bostian, City Attorney Doug Moshier, and Public Works Director Simon Wiley.

**VISITORS**

Ark Valley News

**MEETING CALLED TO ORDER**

The meeting was called to order by Mayor John Lehnerr at 7:00 pm. Pastor Ron Rhodes gave the invocation and Council Member Kyle Nodick 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 AND/OR PRESENTATIONS**

Assistant City Administrator/Human Resources Manager Dana Walden introduced the City's newest police officer Amanda Smith. Ms. Walden stated Ms. Smith comes to the City with great experience.

Police Chief Phil Bostian promoted Officer Jeff Melton to Corporal. He presented him with a badge.

**PUBLIC FORUM**

None.

**STAFF REPORTS**

Senior Center Director Madison Shriner gave an update on the activities taking place at the Senior Center. Ms. Shriner stated there was no update on the Senior Center van. She stated the AARP tax aid assistance program was not available this year due to lack of volunteers. Ms. Shriner asked if anyone would like to volunteer for that type of service to contact her.

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Council Member Charley Davidson stated he appreciated all of Ms. Shriners hard work. Mayor John Lehnherr thanked Ms. Shriners for her work at the Senior Center.

Police Chief Bostian gave brief report on the City's cyber security. He stated a cyber security and firewall test was performed in March on the City's computer network. He stated the results show that the City is secure from all outside threats. Mr. Bostian stated the testing did reveal one specific type of risk that remains outstanding. He commended IT manager Steve Hubeli for all his work done on the network.

### **CONSENT AGENDA**

- 1. Minutes of the March 22, 2022 regular meeting.**
- 2. Appropriations 982-2022 with Addendum.**
- 3. Approve Grant from the Kansas Department of Transportation for overtime expenses for police officers who work during special traffic enforcement events.**

Council Member Ben Saucedo requested that changes made to documents on the consent agenda be highlighted in red.

Council Member Charley Davidson had some questions on consent agenda items #3 and #4. He requested they be moved to the end of the agenda.

Council Member Ben Saucedo moved to approve items #1, #2, and #5 on the Consent Agenda and move items #3 and #4 to the end of the regular agenda.

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

### **NEW BUSINESS**

#### **6. RECEIVE UPDATE ON BUDGET LAW CHANGES AND DISCUSS, CONSIDER, AND APPROVE BUDGET CALENDAR**

Finance Director Dee Anne Grunder stated last year's enactment of SB 13 and Senate Substitute for HB 2104 repealed the Tax Lid effective with the 2022 budget and implemented a Revenue Neutral Rate (RNR). She stated the RNR is the mill levy, computed using the current estimated assessed valuation, that exactly equals the amount of ad valorem taxes levied in the previous year, and it is provided to entities each year by the County Clerk with the June 15th budget estimates. Ms. Grunder stated entities that plan to exceed the RNR must inform the County Clerk by July 20th of the amount of ad valorem tax to be levied, and subsequently publish a notice, hold a Tax Rate Hearing, and approve a resolution to exceed the RNR prior to holding the budget hearing and adoption. She stated beginning this year (2022 for the 2023 budget), the County Clerk will notify taxpayers via mail/e-mail of all the taxing subdivisions that are planning to exceed RNR. Ms. Grunder stated this is the first of two years in which the State pays for the cost of the notifications. She stated in subsequent years, the costs shall be shared proportionately

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by the taxing entities that are planning to exceed the RNR, based on the amount of property taxes levied by each of those entities.

Council Member Charley Davidson moved to approve the 2023 Budget Calendar.

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

**7. CONSIDER ORDINANCE REPEALING ORD. NO. 782-2007 ESTABLISHING AN EMPLOYEE BENEFITS CONTRIBUTION FUND FOR THE PARK CITY PUBLIC LIBRARY**

City Attorney Doug Moshier stated in past budget meetings, the City Council has expressed a desire to discontinue funding employee benefits for employees of the Park City Public Library. He stated the authority to fund these benefits is found at K.S.A. 12-16,102. Funding is accomplished through a property tax levy. Mr. Moshier stated the repeal of this ordinance reflects the past stated desire of the City Council to discontinue the funding of employee benefits for the Library. He stated this will decrease the City's annual property tax levy in the amount that the City has contributed to this fund in past years.

Council Member Ben Saucedo moved to approve Ordinance #1142-2022 an ordinance repealing Ordinance No. 782-2007 establishing an employee benefits contribution fund for the Park City Library.

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 Kyle Nordick	Yes	Council Member Jim Schroeder	Yes

**8. DISCUSS AND CONSIDER APPROVING UPDATED GUIDELINES FOR THE FY22 EXTERIOR GRANT PROGRAM.**

City Administrator Sean Fox stated in December, Council appointed a sub-committee to review the Exterior Grant Program and make recommendations for amending the guidelines to better address the needs of the community.

Mr. Fox stated the sub-committee recommended adding roofing, foundation repairs, privacy fencing and a whole-house generator as eligible items and removing landscaping and construction of a new home. They also recommended the program only apply to those houses/properties that are 30 years or older. He stated last year, the Exterior Grant Program received and processed eighteen applications totaling \$107,720.39 in improvements with the City contributing \$20,514.99.

A discussion ensued.

Council Member Tom Jones moved to approve of the updated 2022 Exterior Grant Program guidelines and allocating \$50,000 to the program to be paid out of the General Fund Governing Body Department as submitted.

Council Member Jim Schroeder seconded the motion. Motion carried 4-3 (Council Members Brandi Baily, George Glover, and Charley Davidson voting nay.)

**9. DISCUSS AND CONSIDER A RESOLUTION FOR GRANTING AD VALOREM TAX ABATEMENTS AS AN INCENTIVE FOR BUSINESS DEVELOPMENT AND EXPANSION IN PARK CITY, KANSAS.**

City Administrator Sean Fox stated Section 13 of Article 11 of the Kansas Constitution authorizes the governing body of any city to grant property tax exemptions for certain economic development purposes (EDX exemptions) and K.S.A. 79-201 authorizes the governing body of any city to grant property tax exemptions for any property, which is constructed or purchased with the proceeds of industrial revenue bonds (IRB exemptions).

Mr. Fox stated the State requires governing bodies to develop and adopt official policies and procedures prior to granting such exemptions and in 2013, Council passed Resolution 870-2013 which authorized and established the official policies and procedures of the City of Park City for the granting of EDX and IRB property tax exemptions for real and tangible personal property used for qualified economic development purposes.

Mr. Fox stated the Resolution amends the existing policy by 1) requiring submittal of architectural rendering of the proposed building project or improvements, 2) outlines that Staff may recommend certain design features or characteristics be included in the application for Council's consideration in approving and 3) limits the maximum exemption allowed for exports outside the State of Kansas to 25%.

A discussion ensued.

Council Member Jim Schroeder moved to approve Resolution #1116-2022 a resolution for granting ad valorem tax abatements as an incentive for business development and expansion in Park City, Kansas.

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

**10. DISCUSS AND CONSIDER OPTIONS FOR THE 2022 SIDEWALK CONNECTIVITY PLAN**

Public Works Director Simon Wiley in March 2019, Council adopted the Pedestrian Connectivity Plan; a phased approach to connect existing sidewalks and add hike and bike trails when future development occurs. In 2021, Public Works began work on sidewalk improvements around the basketball court at the

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intersection of Grove and Fairchild streets. Mr. Wiley went through several different options for the Councils consideration.

A discussion ensued. There was concern that there was lack of funding for any of the options.

Council Member Ben Saucedo moved to take no action.

Council Member Kyle Nordick seconded the motion. Motion carried 4-3 (Council Members George Glover, Brandi Baily, and Jim Schroeder voting nay.)

#### **11. DISCUSS AND CONSIDER OPTIONS FOR 2022 PARK IMPROVEMENTS**

Public Works Director Simon Wiley stated during the April 4, 2022 Parks Committee meeting, various options were discussed as to how to upgrade our parks. He stated during the 2002 calendar year, it was their hope to replace the aging playground equipment in Jardine Park, to replace three shelters in Hap McLean and Jardine Park. Mr. Wiley stated with the recent and increasing rate of inflation Staff is seeking Councils' direction as to what they would like to see accomplished. Mr. Wiley gave three options for Council to consider.

A discussion ensued.

Council Member Kyle Nordick moved to approve Option #1, establishing a master plan, an RFP for a master plan for parks, open spaces, and recreation.

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

#### **12. DISCUSS AND CONSIDER AN AGREEMENT WITH PROFESSIONAL ENGINEERING CONSULTANTS (PEC) TO CREATE AN ARCGIS ACCOUNT AND PROVIDE TRAINING**

Public Works Director Simon Wiley stated on April 4, 2022, Wilson & Co Engineering presented their reports for the water and wastewater study. He stated one of the recommendations discussed was establishing a GIS account/database and populating it with the City's infrastructure. Mr. Wiley stated the agreement outlines creating an ARCGIS account, populating it with the map created by Wilson & Company and providing training for staff. ARCGIS is the same programming Sedgwick County uses.

Mr. Wiley stated utilizing the software that Sedgwick County utilizes will reduce the cost and time necessary to create the base mapping of the city and all of the rights of way and easements. He stated this mapping software can also be updated in real time the public as new utility lines are added, modified, or removed from the system.

Council Member Jim Schroeder moved to approve and authorize the Mayor to execute and agreement with PEC to create an ARCGIS account and provide training in the amount of \$4,500.00 to be paid out of the Utility Fund Sewer Department and Water Department.

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

**13. DISCUSS AND CONSIDER A CONTRACT WITH WILSON & CO ENGINEERING TO DESIGN THE MAIN LIFT STATION VARIABLE FREQUENCY DRIVE (VFD) RELOCATION**

Public Works Director Simon Wiley stated during the summer of 2021 it became abundantly clear that the building where the variable frequency drives (VFD) could not be adequately temperature controlled, nor could the humidity be controlled. He stated as the temperatures exceeded 100 degrees (F), the air conditioning unit could not keep up and the VFDs overheated. Mr. Wiley stated Public Works staff installed a larger air conditioning unit and fans to try to prolong the relocation of the VFDs, but the temperature and humidity conditions persist.

Mr. Wiley stated local contractors were contacted to try to find a viable and long-term solution and to create specifications as to how to resolve this issue. He stated as part of the recent water and wastewater study conducted by Wilson & Co. Engineering, we looked over the situation and have determined the best alternative for long-term and cost-effective means of correction is to install new VFDs at a location next to the main lift station wet well.

Council Member Ben Saucedo moved to approve and authorize the Mayor to execute an agreement with Wilson & Company Engineering to design the main lift station variable frequency drive relocation in the amount of \$27,500 to be paid out of the Utility Fund Sewer Department.

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

**14. CONSIDER AGREEMENT WITH THE CITY OF WICHITA REGARDING THE DE-ANNEXATION FROM WICHITA AND ANNEXATION BY PARK CITY OF CERTAIN INDUSTRIAL PROPERTY LOCATED SOUTH OF 61ST STREET AND WEST OF THE WICHITA FLOOD CONTROL CANAL.**

City Attorney Doug Moshier stated there are two tracts of industrial zoned property located south of 53rd Street and west of the Wichita Flood Control Canal that are part of the City of Wichita and are totally surrounded by property annexed into the City of Park City. He stated the tracts total 21.359 acres. Mr. Moshier stated at present, Wichita is not able to provide the extension of municipal services to the property that would enable it to be developed. He stated Wichita does not offer development incentives such as Industrial Revenue Bonds and tax abatement for the intended development of the property.

Mr. Moshier stated since this property is an island surrounded by the city limits of Park City, it makes sense for Park City to annex it. He stated Park City is able to offer the extension of all the municipal services necessary in connection with planned development of the property.

Mr. Moshier stated Wichita is under no legal obligation to de-annex this property. He stated however, it has offered to do so in exchange for the receipt of annual payments equal to 20% of the ad valorem taxes collected and received by Park City from the property.

A discussion ensued. Council was not in favor of giving up 20% of the ad valorem taxes with no end date.

Council Member Ben Saucedo moved to approve the Mayor and City Administrator to renegotiate the agreement with the City of Wichita.

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

**14a APPROVE CITY ADMINISTRATOR'S REVISED JOB DESCRIPTION.**

Mayor John Lehnerr stated the revision made to the job description was in the third bullet point to read appointed officers instead of employees.

Council Member Charley Davidson moved to approve the City Administrator's revised job description with the change on bullet point number three to say the termination of appointed officers which includes the Chief of Police, City Clerk, City Attorney, and City Treasurer.

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

**14b. APPROVE AND AUTHORIZE THE MAYOR TO EXECUTE A CONTRACT WITH VICTORY PYROTECHNICS FOR CRB FOURTH OF JULY CELEBRATION.**

Council Member Charley Davidson asked if \$20,000 was an average cost for a fireworks display. Mr. Fox confirmed it was.

Council Member Ben Saucedo moved to approve and authorize the Mayor to execute a contract with Victory Pyrotechnics for the Community Relations Board 4<sup>th</sup> of July celebration.

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

**15. EXECUTIVE SESSION - CONSULTATION WITH THE CITY ATTORNEY ON MATTERS PRIVILEGED UNDER THE ATTORNEY-CLIENT RELATIONSHIP RELATED TO CONTRACT NEGOTIATIONS.**

Council Member Ben Saucedo moved to recess into executive session at 9:19 pm for fifteen minutes to consult with the City Attorney related to matters privileged under the attorney-client relationship related to contract negotiations with the City Administrator, Assistant City Administrator, and the City Attorney.

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

Mayor John Lehnerr reconvened the meeting at 9:34 pm. No action was taken.

**GOVERNING BODY REMARKS**

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Council Member Kyle Nordick wished his son a happy birthday. Mr. Nordick requested staff discuss connectivity within the CIP discussion. He stated he would like to have a discussion regarding final rule and how the City is going to deal with that with ARPA funds.

Council Member Ben Saucedo stated he too would like to see the connectivity plan addressed within the CIP. He encouraged everyone to take advantage of the time we have with family and friends.

Council Member George Glover stated the Park City Fishing Derby is June 18, 2022 from 9:00 am to 11:00am.

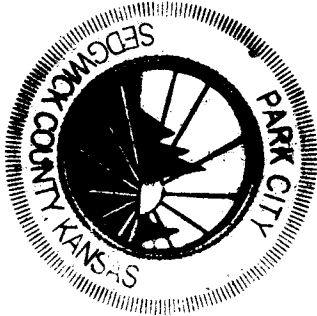
Council Member Charley Davidson wished everyone a Happy Easter.

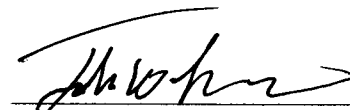
Mayor John Lehnerr reminded everyone of the Brush and Limb day on April 16<sup>th</sup>. He stated the City will have a blood drive on May 31, 2022 from 12:00 pm to 6:00 pm at the City Administration building.

**ADJOURN**

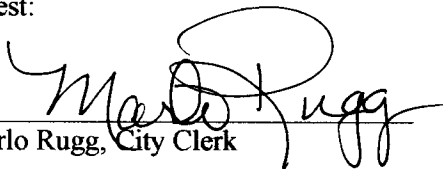
Council Member Ben Saucedo moved to Adjourn the meeting at 9:39 pm.

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



  
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John Lehnerr, Mayor

Attest:

  
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Marlo Rugg, City Clerk



The foregoing minutes were considered at the May 10, 2022 meeting and approved with the following amendment None.

The vote to approve the minutes 6-0.

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