

**MINUTES OF THE GOVERNING BODY OF
THE CITY OF PARK CITY, KANSAS
COUNCIL CHAMBERS – 1941 E. 61st STREET NORTH
April 27, 2021**

ROLL CALL

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

Also present: Mayor Ray Mann, City Administrator Sean Fox, Assistant City Administrator/Human Resources Manager Dana Walden, Police Chief Phil Bostian, City Attorney Doug Moshier, Finance Director Dee Anne Grunder, Public Works Director Simon Wiley, and Assistant Public Works Director Zach Day.

VISITORS

Ark Valley News
Terry Ford
Mike Loveland
Gib Compton
Will Clevenger

MEETING CALLED TO ORDER

The meeting was called to order by Mayor Ray Mann at 7:00 pm. Emil Bergquist gave the invocation and Council Member George Glover led the Pledge of Allegiance.

APPROVAL OF AGENDA

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

Council Member George Glover seconded the motion. Motion carried 8-0.

AWARDS AND/OR PRESENTATIONS

None.

PUBLIC FORUM

None.

STAFF REPORTS

Finance Director Dee Anne Grunder provided the Council with a financial update. She stated she expects increases in the City's revenues as the year progresses due to businesses reopening. Ms. Grunder reported on sales tax, County tax distribution, gas tax, interest income, transient guest tax, and liquor tax revenues. She stated the approved year end transfer of \$500,000 was made to the Equipment Reserve Fund.

Ms. Grunder reported the City will be receiving American Rescue Plan grant funds. She stated the funds will pass through the State first which will add a delay of up to thirty days. Ms. Grunder stated funds must be spent by the end of 2024. She stated the City is estimated to receive slightly over one million dollars. Ms. Grunder explained the four areas in which the funds are eligible to be used.

CONSENT AGENDA:

1. Minutes of April 13, 2021 Regular Meeting.
2. Minutes of April 13, 2021 Special Meeting.
3. Appropriations 959-2021 with Addendums.
4. Approve Intergovernmental Service Agreement with Bel Aire
5. Approve Reappointments of Harry Woodson, T. Michael Smith, and Kris Lewis to the Planning Commission/Board of Zoning Appeals with a term ending May 2024.
6. Approve Reappointments of Terry Ford and Richard Stadtherr to the Storm Water Management Advisory Board with a term ending in May 2023,
7. Approve Reappointments of Jason Brabander, David Potter and Mitchell Gaede to the Park and Recreation and Tree Advisory Board with a term ending May 2023.

Council Member Jim Schroeder moved that the Consent Agenda, as Presented, be Approved.

Council Member Ben Saucedo seconded the motion. Motion carried 8-0.

NEW BUSINESS

8. **DISCUSS AND CONSIDER AN ORDINANCE CHANGING THE ZONING ON PROPERTY LOCATED NORTH OF 53RD STREET NORTH AND EAST OF HYDRAULIC AVENUE (PRATT INDUSTRIAL PARK ADDITION)**

City Attorney Doug Moshier stated Council had already approved the zone change in August of 2020. He stated an ordinance was not included in the packet at the time for adoption which has to be done for a change in the zoning district classification. Mr. Moshier stated this ordinance will take care of that matter.

Council Member Ben Saucedo moved to approve Ordinance #1119-2021 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 Melvin Kerr seconded the motion.

Roll Call

Council Member John Lehnerr	Yes	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

9. **DISCUSS AND CONSIDER PROPOSED CHANGE OF ZONING DISTRICT CLASSIFICATION FROM THE R-2 SINGLE-FAMILY RESIDENTIAL DISTRICT TO THE R-3 MULTIPLE-FAMILY RESIDENTIAL DISTRICT FOR PROPERTY LOCATED NORTH OF 53RD STREET NORTH, APPROXIMATELY ONE-HALF MILE EAST OF HYDRAULIC AVENUE.**

City Administrator Sean Fox stated Elizabeth Franklin, the owner of property located north of 53rd Street North and approximately one-half mile east of Hydraulic Avenue, BARR, L.L.C. (contract purchaser), and their agent, Garver, L.L.C., are requesting approval of a zone change to the R-3 Multiple-Family District for the development of duplexes.

He stated the subject property is approximately 15 acres in size and is currently zoned R-2 Single-Family Residential District. Mr. Fox stated the application area is surrounded by a mix of large-lot residential uses (east and south), agricultural uses (west and northeast), Heights High School (southeast), and warehousing and distribution uses (north and west at the intersection of 53rd Street North and Hydraulic).

Mr. Fox stated on April 12, 2021, the Planning Commission recommended approval of the zone change (6-0) subject to the submission of a landscape/screening plan showing the landscaping of off-street parking areas and the and screening of the 53rd Street frontage. He stated this plan shall be in approved by the Planning Commission prior to obtaining building permits. Mr. Fox stated during the proceeding, two area property owners spoke in general opposition to the request citing property devaluation and concerns over the proposed sanitary sewer lift station to be located within Reserve A.

Council Member Tom Jones moved to approve ordinance #1120-2021 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 John Lehnerr seconded the motion.

Roll Call

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

10. DISCUSS AND CONSIDER APPROVAL OF THE “BARR ESTATES ADDITION” - A FINAL PLAT FOR PROPERTY LOCATED NORTH OF 53 RD STREET NORTH, APPROXIMATELY ONE-HALF MILE EAST OF HYDRAULIC AVENUE.

City Administrator Sean Fox stated the background information for this agenda item is similar to the previous agenda item. He stated staff recommends approval subject to the conditions presented.

Council Member Ben Sauced moved to approve the final plat as presented.

Council Member Jim Schroeder seconded the motion.

Council Member Brandi Baily stated her concern about one of the street names. She stated Echo Hills is commonly known as being on the west side of the highway. Ms. Baily stated having an Echo Hills Street on the east side of the highway would be confusing to some people. She requested the street name be changed. Mr. Fox stated explained why that street name was given. He stated if the Council wants to make the street name change, they can do so prior to finalizing the plat.

Motion carried 8-0.

Council Member Ben Sauced moved to recess for five minutes.

Council Member John Lehnherr seconded the motion. Motion carried 8-0.

**CITY OF PARK CITY, KANSAS, LAND BANK
COUNCIL CHAMBERS – 1941 E. 61st STREET NORTH
April 27, 2021**

MEETING CALLED TO ORDER.

I. DISCUSS AND CONSIDER AUTHORIZING DISTRIBUTION OF FUNDS TO THE CITY OF PARK CITY FOR SPECIAL ASSESSMENTS RELATED TO THE SALE OF LAND IN THE HIGH RIDGE 2ND ADDITION.

Board Member Ben Saucedo moved to authorize distribution of \$55,757.57 to the City of Park City for delinquent special assessments related to the sale of land, and to authorize distribution of \$453,905.02 to the City for abatement of future special assessments, pursuant to the agreement with Elite USA Construction, LLC.

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

I. Adjourn

Board Member Tom Jones moved to adjourn the Land Bank meeting.

Board Member Jim Schroeder seconded the motion. Motion carried 8-0

11. RECONVENE

Mayor Ray Mann reconvened the Council Meeting at 7:24 pm.

12. DISCUSS AND CONSIDER ACCEPTANCE OF LAND BANK FUNDS AND ABATEMENT OF SPECIAL ASSESSMENTS ON LOTS SOLD BY THE LAND BANK

City Attorney Doug Moshier stated this action is just a formality. The Land Bank directed money to be paid to the City. He stated Council will accept the money in an amount of \$509,662.59 to be deposited in the bond and interest fund and all existing specials against those properties be abated.

Council Member John Lehnherr moved to approve to accept \$509,662,59 from the Park City Land Bank, to direct the City Clerk to deposit proceeds to the Bond & Interest Fund, and to abate special assessments on the sold property.

Council Member Jim Schroeder seconded the motion. Motion carried 8-0.

13. DISCUSS AND CONSIDER ECONOMIC INCENTIVE FOR ECHO HILLS

Mike Loveland stated he was requesting economic development bonds for the Echo Hills project. He stated he was going to address the bonds that were issued in 2016 for the Echo Hills project and the unpaid property taxes on Echo Hills. Mr. Loveland spoke about his intension to build an apartment complex in

Echo Hills. He stated there are many factors that are important in getting a project like this started. Mr. Loveland addressed the need for more housing like the apartment complex he is wanting to build. He stated his explanation for the delay in the project.

City Administrator Sean Fox stated Section 13 of Article 11 of the Kansas Constitution authorizes the governing body to grant tax exemptions for certain economic development purposes, known as EDX exemptions. He stated Mike Loveland has made application for such property tax exemptions to construct a 192-unit apartment complex located in Echo Hills. Mr. Fox stated the anticipated construction costs of the project are approximately \$27M. He stated Mr. Loveland has completed the required Tax Abatement Cost-Benefit Analysis, and based on a 100% abatement, projects a positive benefit to cost ratio of 1.69.

Mr. Fox stated the applicant is requesting 100% exemption, Resolution 870-2013, establishing Park City's Incentive Policy, outlines levels or percentages of incentive exemptions based on capital investment, new job creation and export sales. Pursuant to that policy, the project qualifies for eighty eight percent total exemption.

Mr. Fox stated assuming appraised value is equal to construction costs and based on current mill levy rates, a ten-year projection for all taxing entities is of \$4,545,099. He stated the project would qualify for a Sales Tax exemption of approximately \$1M based on 50% of construction costs being taxable.

A discussion ensued. No action was taken.

14. DISCUSS AND CONSIDER A RESOLUTION FOR THE SALE AND CONVEYANCE OF CERTAIN PROPERTY TO FMI

City Attorney Doug Moshier stated this resolution authorizes the conveyance of property that has been titled to the City during the time the industrial revenue bonds have existed for FMI. He stated FMI wishes to pay off the bonds and the City is obligated to convey the property back to them.

Council Member Jim Schroeder moved to approve Resolution #-1068-2021 a resolution of the Governing Body of the City of Park City, Kansas authorizing the sale and conveyance of certain property to FMI.

Council Member John Lehnerr seconded the motion. Motion carried 8-0.

15. DISCUSS AND CONSIDER APPROVAL OF PURCHASING PUMPS AND CONTROL PANEL IN SUPPORT OF THE 53RD STREET LIFT STATION.

City Administrator Sean Fox stated Council approved a contract with Wilson & Company to design, bid and provide construction related services for the new lift station along 53rd Street. He stated the timing of this project is crucial as the development of the Pratt Industrial Park Addition has already begun and the new lift stations need to be operational by September 1, 2021. Mr. Fox stated Wilson & Company solicited competitive bids from three companies for the required pumps and control panel; as they customarily have the longest lead time. Mr. Fox stated the three bids came from Fluid Equipment for \$49,491.98, JCI for \$67,625.00 and Haynes Equipment for \$65,570.00.

Council Member Ben Saucedo moved to approve and authorize the Mayor to finalize the purchase of pumps and controls from Fluid Company for an amount not to exceed \$49,491.98, to be paid from the Capital Projects Fund.

Council Member John Lehnerr seconded the motion. Motion carried 8-0.

16. DISCUSS AND CONSIDER APPROVAL OF MASTER SERVICE AGREEMENT WITH TERRACON CONSULTANTS, INC. IN SUPPORT OF THE 53RD STREET LIFT STATION.

City Administrator Sean Fox stated Council approved a contract with Wilson & Company to design, bid and provide construction related services for the new lift station along 53rd Street. He stated the timing of this project is crucial as the development of the Pratt Industrial Park Addition has already begun and the new lift stations need to be operational by September 1, 2021. Mr. Fox stated Wilson & Company solicited a proposal from Terracon to provide for subsurface exploration, laboratory testing, and a geotechnical report of the site. He stated the final report will identify the type of soils present, water level depths as well as recommendations for the design structure of the lift station. Mr. Fox stated the total cost of the proposal is \$3,350.00.

Council Member George Glover moved to approve and authorize the Mayor to finalize and execute an agreement with Terracon Consultants, Inc. for an amount not to exceed \$3,350.00, to be paid from the Capital Projects Fund.

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

17. DISCUSS AND CONSIDER APPROVING THE ADDITION OF A FULL-TIME DETECTIVE POSITION TO THE POLICE DEPARTMENT.

Police Chief Phil Bostian stated the Police Department currently has one investigator position, which is covered by Corporals who rotate through the position every few months. He stated the rotation has been beneficial for several reasons. Mr. Bostian stated the Corporals have received training in investigations, which has helped them be better first-responders at crime scenes when they return to the streets. Mr. Bostian stated it has also increased their leadership ability, and they have been able to substitute as investigators when the Corporal assigned to the investigator position is on leave or otherwise unavailable. He stated the police department has no back-up for the investigator at present. Mr. Bostian stated the City needs to create a full-time Detective position in addition to the rotating position. He stated the current caseload is too large to be effectively handled by one person. Mr. Bostian stated it takes a long period of time, experience, and training to become a highly competent investigator, and our Corporals do not serve in this position long enough to fully hone the necessary skills. He stated a full-time Detective would also be better able to mentor the Corporals who serve in the rotating position.

Mr. Bostian stated the Police Department is also experiencing and increasing workload of cases that require investigator follow-up. From January 1 - April 13, 2021, Park City police officers responded to 1,144 calls for service. He stated of that number, 589 calls resulted in officers creating a "case" with an official police report. Of those 589 cases, 136 cases have required additional investigation to be conducted by an investigator. Mr. Bostian stated there is also a backlog of cases from the past that are awaiting investigation by a Detective. He stated sixty-three (63) cases need to be present to the Juvenile D.A.'s Office for charging; (87) adult cases need to be presented to the adult D.A. for charging; (44) cases need to be presented to the city prosecutor for charging; and (9) other cases are pending, awaiting the results of testing to be returned from the crime lab.

Mr. Bostian stated based on the current trend, we estimate that in 2021 we will have approximately 500 cases that will need to be reviewed by a Detective, and well over 200 cases that will require additional follow-up. He stated many of these cases will need to be presented to the District Attorney's Office for charging, and these charging appointments are set many weeks and even months ahead.

Mayor Mann stated he feels this is a need that needs to be filled. He asked if this position would be rotated out in twenty-four months. Mr. Bostian feels this position should be long term for someone to make this career move.

A discussion ensued.

Council Member George Capps moved to approve the Detective position.

Council Member Ben Saucedo seconded the motion. Motion carried 8-0

Governing Body Reports

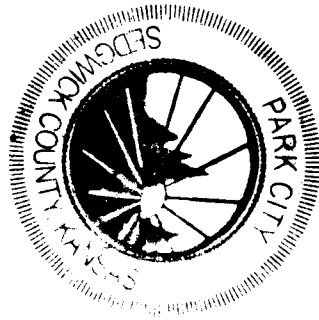
Council Member Jim Schroeder stated the meeting invited some interesting discussion.


Council Member George Glover stated the Fishing Derby will be held on June 19, 2021 from 9:00 am to 11:00 am at Chisholm Point Pond. He stated the assistance program through LEAP has been extended to May 28, 2021 for those needing assistance with their gas or electric bills.

ADJOURN


Council Member John Lehnerr moved to Adjourn the meeting at 8:28 pm.

Council Member Ben Saucedo seconded the motion. Motion carried 8-0.




Ray Mann, Mayor

Attest:


Marlo Rugg, City Clerk

The foregoing minutes were considered at the May 11, 2021 meeting and approved with the following amendment None.

The vote to approve the minutes 6-0.