

**MINUTES OF THE GOVERNING BODY OF
THE CITY OF PARK CITY, KANSAS
COUNCIL CHAMBERS – 1941 E. 61st STREET NORTH
July 13, 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 Clerk Marlo Rugg, City Administrator Sean Fox, Assistant City Administrator/Human Resources Manager Dana Walden, Police Chief Phil Bostian, City Attorney Doug Moshier, and Finance Director Dee Anne Grunder.

VISITORS

Ark Valley News
Terry Ford
Matt Stillwell
Gary Aldrich

MEETING CALLED TO ORDER

The meeting was called to order by Mayor Ray Mann at 7:00 pm. Pastor Ronald Rhodes gave the invocation and Council Member Ben Saucedo led the Pledge of Allegiance.

APPROVAL OF AGENDA

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

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

AWARDS AND/OR PRESENTATIONS

Introduction of New Employee

Assistant City Administrator/Human Resources Manager Dana Walden introduced Kristie Montgomery as the new Utility Billing Clerk. Ms. Walden stated will be a great asset to staff and that she came with incredible references. Ms. Montgomery thanked Council for the opportunity to serve in the position.

Life Saving Awards

Police Chief Phil Bostian recognized four police officers for their role in life saving in April of this year. Mr. Bostian gave a brief description of the incident that happened. Body camera video was also shown. Mr. Bostian presented the awards to Corporal Tracey Prideaux, Park City Police Department, Police Officer Joseph Gosch, Park City Police Department, Master Patrol Officer Victor Heiar, Kechi Police Department, and Patrol Officer Thomas Oldenettel, Kechi Police Department.

PUBLIC FORUM

None.

STAFF REPORTS

None.

CONSENT AGENDA

1. Minutes of the June 8, 2021 Regular Meeting
2. Minutes of the June 15, 2021 Special Meeting
3. Minutes of the June 22, 2021 Regular Meeting
4. Appropriations 964-2021 with Addendums
5. Approve Agreement with Aging Projects, Inc., Meals on Wheels/Friendship Meals, and the Park City Senior Center.
6. Approve Ratifying the Design and Construction Engineering Contracts for Prairie Hills, Phase Six and Ironstone Village Additions.
7. Approve Expenditures of Transient Guest Tax as Recommended by the Convention and Tourism Board:(1) Sponsorship of Hartman Arena Summer Concert Series, \$15,000.
8. Approve Revised Budget Calendar

Council Member John Lehnerr moved to approve the Consent Agenda as presented.

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

NEW BUSINESS

9. DISCUSS AND CONSIDER AN ORDINANCE AUTHORIZING TAXABLE INDUSTRIAL REVENUE BONDS TO MURDOCK PROPERTIES LLC

Dominic Eck with Gilmore & Bell stated the bond issue would be pursuant to a resolution of intent previously adopted in 2018 and includes a property tax exemption for 10 yrs. He stated the bond is similar the previous IRB's that Gilmore & Bell has presented in the past.

Council Member John Lehnerr asked if the property tax exemption would be one hundred percent for ten years. Mr. Eck stated that was correct subject to the pilot agreement for the value of the land.

Council Member Ben Saucedo moved to approve Ordinance #1124-2021 and ordinance authorizing the City of Park City Kansas to issue its Taxable Industrial Revenue Bonds, Series 2021 (Murdock Properties, LLC Project) for the purpose of paying the costs of the acquisition, construction and equipping a commercial facility: and authorizing certain other documents and actions in connection therewith.

Council Member Tom Jones 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

10. DISCUSS AND CONSIDER APPROVAL OF THE "CAMBRIDGE VALLEY 2ND ADDITION" - A FINAL PLAT FOR PROPERTY LOCATED APPROXIMATELY ONE-HALF MILE SOUTH OF 69TH STREET NORTH AND WEST OF HILLSIDE AVENUE.

Interim Subdivision Administrator Russ Ewy stated Cambridge Valley PC, LLC, the owner of the subject property located approximately one-half mile south of 69th Street North and west of Hillside Avenue, and their agent, KE Miller Engineering, PA, are requesting approval of a one-step final plat. He stated the applicants are replatting a portion of Cambridge Valley Addition to continue developing the area with residential uses.

Mr. Ewy stated the subject property is approximately 13.8 acres in size and zoned "R-2" Single-Family Residential. He stated this portion of the Cambridge Valley Addition, and a small number of lots in the area, remain undeveloped. Mr. Ewy stated the replat shows a total of 46 lots – a loss of one lot from the existing subdivision – and seeks only to eliminate two short utility easements and widen a number of lots. He stated this request was approved by the Planning Commission on June 21, 2021 (4-0).

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

Council Member Tom Jones seconded the motion. Motion carried 8-0.

11. DISCUSS AND CONSIDER PROPOSED CHANGE OF ZONING DISTRICT CLASSIFICATION FROM R-1 SINGLE-FAMILY RESIDENTIAL DISTRICT TO THE I-1 LIGHT INDUSTRIAL DISTRICT FOR PROPERTY LOCATED AT THE SOUTHEAST CORNER OF 77TH STREET NORTH AND BROADWAY AVENUE.

Interim Subdivision Administrator Russ Ewy stated J & J Investment Group and Triple J-LLC, the owners of two properties located at 329 and 401 E. 77th Street North (southeast corner of 77th Street North and Broadway Avenue), and their agent, KE Miller Engineering, PA, are requesting approval of a zone change to the I-1 Light Industrial District for the development of commercial and industrial uses.

Mr. Ewy stated the subject property is approximately 17 acres in size and is currently zoned R-1 Single-Family Residential. He stated although there is no stated intention for the subject property at this time, the application area is surrounded by rapidly developing warehousing and distribution uses, and similar uses could develop at this location.

Mr. Ewy stated on June 21, 2021, the Planning Commission recommended approval of the zone change (4-0) subject to the conditions of a protective overlay intended to protect the single-family residence to the south. He stated there were no objections to the request from the public, with one area homeowner expressing concerns over road improvements to the 77th Street and Broadway intersection.

Council Member Tom Jones moved to approve the zone change and protective overlay as recommended.

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

12. DISCUSS AND CONSIDER APPROVING THE PURCHASE OF FOUR VEHICLES FOR PUBLIC WORKS.

Public Works Director Simon Wiley stated during the May 5, 2020 City Council meeting, Council approved a vehicle replacement plan. He stated the plan is to replace two of the Public Works pickups in 2020 and

two of the pickups in 2021. Mr. Wiley stated the purchases were not made in 2020 due to the COVID pandemic.

Mr. Wiley stated during the recovery phase of the pandemic, we have noticed that supplies, equipment, labor, and vehicles are becoming more and more difficult to obtain. He stated Ford has recently stopped allowing orders for new F-150's due to a shortage in vehicle components and are not taking orders until the 2022 year.

Mr. Wiley stated Staff have reached out to all of the Wichita dealers in attempts to receive bids and the only dealer that responded was Rusty Eck Ford. He stated working with the Park City Police Department and their vehicle procedures, I reached out to Shawnee Mission Ford and received a bid from them as well.

Mr. Wiley stated although the City is not purchasing half ton trucks to replace our existing inventory, these F-250's will be more durable due to the increase towing capacity, the resale value will be higher in the future, but they are also cheaper than the F-150's that we received bids on.

A discussion ensued about the price difference between the single cab and crew cab and the functionality of the two.

Council Member John Lehnerr moved to approve the purchase of one regular cap F-250 and three crew cab F-250's from Rusty Eck Ford in the amount not to exceed \$127,000.00 to be paid out of the Capital Equipment Fund.

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

13. DISCUSS AND CONSIDER APPROVING THE PURCHASE OF A BRUSH CUTTER SKID STEER ATTACHMENT.

Public Works Director Simon Wiley stated on May 11, 2021 Council approved the purchase of a tracked skid steer. He stated the skid steer purchase is to make it safer to mow and maintain the City's dedicated drainage easements.

Mr. Wiley stated the City has a variety of skid steer attachments that will be used on the new skid steer. He stated the City does not have a mowing attachment. Mr. Wiley stated the new mowing attachment will allow Public Works to brush hog and clear small trees from the drainage easements with relative ease.

Council Member Ben Saucedo asked if the new attachment would help staff clear ditches along the Evanston and Denver area. Mr. Wiley stated the attachment is a heavy-duty piece of equipment that will serve the City well.

Council Member Ben Saucedo moved to approve the purchase of a brush cutter skid steer attachment from Foley Equipment in the amount of \$11,217.00 to be paid out of the Special Streets and Highway Fund.

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

14. DISCUSS AND CONSIDER APPROVAL OF A LETTER OF AGREEMENT WITH WILSON AND COMPANY TO CONDUCT A DRAINAGE STUDY OF THE PARK CITY ADDITION, OWEN'S ADDITION, AND A PORTION OF ZONGKER'S ADDITION.

Public Works Director Simon Wiley stated Staff is recommending approval of a Letter of Agreement with Wilson & Company to conduct a comprehensive assessment of both our water and wastewater systems.

Mr. Wiley stated the assessment would be comprised of two primary tasks: 1) Existing Condition Review and 2) Alternative Analysis. He stated at the conclusion of the evaluations, recommendations for improvements will be provided as well as preliminary cost estimates that can serve as the basis of a long-term Capital Improvement Plan.

Council Member Tom Jones moved to approve and authorize the Mayor to execute a Letter of Agreement with Wilson & Company in the amount not to exceed \$39,850.00 to be paid out of the Stormwater Utility Fund.

Council Member Melvin Kerr seconded the motion. Motion carried 8-0.

15. DISCUSS AND CONSIDER THE SEDGWICK COUNTY INDICATION OF REVENUE NEUTRAL RATE FORM FOR THE 2022 BUDGET PROCESS

Finance Director Dee Anne Grunder stated the enactment of SB 13 and Senate Substitute for HB 2104 repealed the Tax Lid for 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. Ms. Grunder stated entities that are planning to exceed the RNR must inform the County Clerk by July 20th of their intent to do so, the proposed mill levy, and the date, time, and location of the tax rate hearing. She stated beginning in 2022, the County Clerk will utilize the information that is submitted to notify taxpayers via mail/e-mail of all the taxing subdivisions that are planning to exceed RNR.

Ms. Grunder stated she attached the Indication of Revenue Neutral Rate form, as it is currently completed in Council packets, reflects that the City of Park City intends to exceed the RNR for the 2022 budget, that the proposed mill levy is the same as last year's final mill levy (44.643 mills), and that the Tax Rate Hearing will be held in the City Administration building at 7:00pm on August 24, 2021.

Council Member Ben Saucedo moved to approve the completed Indication of Revenue Neutral Rate form and to authorize the Finance Director to submit the form to the Sedgwick County Clerk.

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

16. ORDINANCE AMENDING SECTION 1-213 OF THE MUNICIPAL CODE RELATING TO THE CODE OF ETHICS.

City Attorney Doug Moshier stated the City is scheduled to receive ARPA funds this summer. He stated a condition of expending these Federal funds is compliance with the Federal Government's conflict of interest regulations.

Mr. Moshier stated the City has an existing Code of Ethics that addresses conflicts of interest at Section 1-213 of the Municipal Code. He stated however, out of an abundance of caution in anticipation of the City expending the ARPA funds for goods and services, our Finance Director and our Auditors believe that this section should be amended in two regards: first, the amending ordinance adds a reference to the Code of Federal Regulations relating to Conflicts of Interest in purchasing and procurement as a way of stressing that the City will not only abide by its Code but also any more stringent regulations imposed by the Federal Government. And second, a provision has been added that establishes a penalty for any violation of the

Code of Ethics. He stated this would include disciplinary action with respect to officials and employees and removal from office for appointed and elected officials.

Council Member John Lehnerr moved to approved Ordinance #1125-2021 an ordinance amending Section 1-213 of the code of the City of Park City, Kansas relating to the code of ethics for public officials and employees and repealing the original of said Section 1-213.

Council Member Tom Jones 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

17. CONSIDER ORDINANCE AMENDING ARTICLE 6, SECTION 100 OF THE ZONING REGULATIONS OF THE CITY OF PARK CITY, KANSAS.

City Attorney Doug Moshier stated the Council has previously discussed and received public input with respect to regulation of the storage and temporary occupancy of Recreational Vehicles.

Mr. Moshier stated the Planning Commission has also reviewed the current regulations and the suggested changes that the Council discussed several meetings ago.

He stated the proposed amending ordinance, adopts several of the suggestions made by the Council and most of the recommendations of the Planning Commission.

Significant changes are:

1. Clarifying the definition of Recreational Vehicle;
2. Establishing a permit to allow limited occupancy of Recreational Vehicles stored as an accessory use to a principal structure or structures;
3. Directing that a fee be charged for the issuance of such a permit and that the permit be location specific and prominently displayed on the Recreational Vehicle when occupied;
4. Allowing for exceptions to the 2 permit per year limit; the 15 continuous day limit and permit fees to be charged when emergency or unusual circumstances exist.

Matt Stillwell at 6209 Northwest Parkview Street apologized to Council and stated he was the guilty party in the original complaint made in January. Mr. Stillwell expressed his frustration on how the issue of the complaint was handled.

Mayor Ray Mann clarified that Council requested that extenuating circumstances would be put back on Staff and not the Council. Mr. Moshier stated he would make that change as long as it is in the motion.

Council Member Ben Saucedo moved to approve Ordinance #1126-2021 amending Article 6, Section 100 of the Zoning Regulations of the City of Park City, Kansas, pertaining to permitted accessory uses; and repealing the original of said Article 6, Section 100 and in paragraph five in the second to the last paragraph substitute the words City Council for City Administrator or designee.

Council Member John Lehnherr seconded the motion.

Council Member George Capps stated he was not in support of this ordinance. He stated he did not agree with having to pay a fee for a guest of his to sleep in a legally parked recreational vehicle.

Roll Call

Council Member John Lehnherr	Yes	Council Member Tom Jones	Yes
Council Member George Glover	Yes	Council Member George Capps	No
Council Member Ben Saucedo	Yes	Council Member Brandi Baily	Yes
Council Member Melvin Kerr	No	Council Member Jim Schroeder	Yes

Governing Body Reports

Council Member Brandi Baily stated the Community Relations Board met to discuss what worked and didn't work for the Board their first year organizing the 4th of July event. She thanked all those that helped make the day a success.

Council Member George Capps stated he has noticed a lot of improvements on homes within the City.

Council Member Tom Jones stated he went to a presentation about employment in Park City and the surrounding area. He stated some of the information he gathered from that presentation.

Council Member Ben Saucedo thanked the Community Relations Board and all those who helped make the 4th of July event a big success. Mr. Saucedo thanked Mr. Stillwell for attending the meeting and his input. He states his vote pertaining to the last ordinance was not an indication of that particular instance, but rather the need for some clarification on the City ordinance.

Council Member George Capps thanked the Community Relations Board for a great 4th of July event. He stated he was excited to see all the people who came out to enjoy the day.

ADJOURN

Council Member John Lehnherr moved to Adjourn the meeting at 7:54 pm.

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



Attest:

Marlo Rugg

 Marlo Rugg, City Clerk

Ray Mann

 Ray Mann, Mayor

The foregoing minutes were considered at the July 27, 2021 meeting and approved with the following amendment None.

The vote to approve the minutes 6-0.