

**MINUTES OF THE GOVERNING BODY OF  
THE CITY OF PARK CITY, KANSAS  
COUNCIL CHAMBERS – 1941 E. 61<sup>st</sup> STREET NORTH  
August 22, 2023  
REGULAR MEETING**

**ROLL CALL**

The following were present: Council Members Charley Davidson, George Glover, Ben Saucedo, Tom Jones, Charles Schwanke, Brandi Bailly, and Jim Schroeder. Council Member George Capps was absent.

Also present: Mayor John Lehnerr, City Administrator Sean Fox, Assistant City Administrator/Human Resources Manager Dana Walden, Chief of Police Phil Bostian, Public Works Director Jeana Estep, and City Attorney Doug Moshier,

**VISITORS**

Ark Valley News  
Terry Ford  
Troy Hill  
Jeff Stone  
Dwight Burford  
Pam Burford  
Michael Smith  
Randal Allen  
Terry Osburn

**MEETING CALLED TO ORDER**

The meeting was called to order by Mayor John Lehnerr at 7:00 pm. Pastor Dwight Burford gave the invocation and Council Member Ben Saucedo led the Pledge of Allegiance.

**APPROVAL OF AGENDA**

Council Member Charley Davidson moved to approve the agenda as presented

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

**AWARDS AND/OR PRESENTATIONS**

Police Chief Phil Bostian presented Officer Jordan Whitfield with his third life-saving award. On March 8, 2023 Officer Whitfield was dispatched to a call regarding a suicide attempt. He was able to save a young girl's life by applying a tourniquet to the victim until EMS arrived.

Council Member Ben Saucedo moved to recess at 7:05 pm for ten minutes in honor of celebrating Council Member George Capps' birthday.

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

Reconvened the meeting at 7:15 pm.

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## **PUBLIC FORUM**

None.

## **STAFF REPORTS**

None.

## **CONSENT AGENDA**

- 1. Minutes of July 25, 2023 Regular Meeting.**
- 2. Minutes of July 25, 2023 Special Meeting.**
- 3. Appropriations 1013-2023 with Addendums**
- 4. July Monthly Financial Report**
- 5. Approve invoice from EMC in the amount of \$8,720.**
- 6. Approve and Authorize the Mayor to sign Greater ASCAP Local Governmental Entities agreement.**

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

Council Member Brandi Baily seconded the motion. Motion carried 6-0-1 (Council Member Ben Saucedo abstained)

## **NEW BUSINESS**

### **7. HOLD PUBLIC HEARING TO EXCEED THE REVENUE NEUTRAL RATE AND CONSIDER APPROVAL OF RESOLUTION**

Finance Director Dee Anne Grunder stated the combined Notice of Tax Rate and Budget Hearings was published in the Ark Valley News on August 3, 2023, providing a proposed estimated mill levy for the 2024 budget of 44.459 mills, which was the same as last year's final mill levy. She stated due to the 1% sales tax referendum being approved by a majority of the voters on August 1, 2023, the Council subsequently voted to lower that proposed levy from 44.459 mills to 43.959 mills, a reduction of .5 mills. Ms. Grunder stated since this proposed levy exceeds the revenue neutral rate of 42.831 mills, which is computed using a formula that was implemented during the 2021 legislative session, some additional steps are required prior to holding the budget hearing.

Ms. Grunder stated Council is required to hold a public hearing on the mill levy to hear public comments, and then before closing the hearing, consider adoption of a resolution to exceed the revenue neutral rate. She stated the law requires that the resolution be approved with a roll call vote. Ms. Grunder stated a copy of the resolution, a certified copy of the Roll Call Vote form, and other budget documents will be placed on the Kansas Department of Administration's website with a conspicuous link on their front page.

Mayor John Lehnherr opened the public hearing at 7:21 pm. No one came forward to speak. Mr. Lehnherr closed the public hearing at 7:22.

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Council Member Ben Saucedo moved to approve Resolution #1166-2023 to exceed the revenue neutral rate for the 2024 budget.

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 Charles Schwanke	Yes	Council Member Jim Schroeder	Yes

**HOLD PUBLIC HEARING AND CONSIDER APPROVAL OF THE 2024 CITY OF PARK CITY BUDGET**

Finance Director Dee Anne Grunder stated the combined Notice of Tax Rate and Budget Hearings was published in the Ark Valley News on August 3, 2023. She stated it was also placed on the City’s website. Ms. Grunder stated the total expenditures published were based on Budget Draft #4 that was distributed to Council via e-mail on July 21, 2023. She stated due to Council reducing the proposed estimated mill levy for the 2024 budget during the August 8, 2023 City Council meeting, the total expenditures were subsequently reduced to \$28,031,209, which is less than the amount published. She stated it was noted in the previous agenda item, the estimated mill levy is 43.959 mills.

Mayor John Lehnerr opened the public hearing at 7:25 pm. No one came forward to speak. Mr. Lehnerr closed the public hearing at 7:26 pm.

Council Member Ben Saucedo moved to approve adoption of the 2024 City of Park City budget in the amount of \$28,031,209, with an estimated mill levy of 43.959 mills.

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

**8. CONSIDER BIDS, ORDINANCE, AND RESOLUTION RELATED TO ISSUANCE OF THE 2023-A GENERAL OBLIGATION BONDS**

Larry Kleeman with Ranson Financial stated the bids were due on the City’s bond issue and temporary note issue on August 22, 2023. He stated the city’s rating went from a double A minus to just a double A. He explained how the bidding process went and who won each bid.

**A. Bids - 2023-A G.O. Bond Issue:**

Council Member Council Member Jim Schroeder moved that the bid from TD Securities be accepted, and that the Mayor and City Clerk be authorized and directed to execute the bid form selling the bonds to the best bidder on the basis of the bid and terms specified in the Notice of Bond Sale.

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

**B. Ordinance Issuing 2023-A G.O. Bonds:**

Council Member Charley Davidson moved to approve Ordinance #1174-2023 authorizing and providing for the issuance of General Obligation Bonds, Series 2023-A, of the City of

Park City, Kansas; providing for the levy and collection of an annual tax for the purpose of paying the principal of and interest on said bonds as they become due; authorizing certain other documents and actions in connection therewith; and making certain covenants with respect thereto.

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 Charles Schwanke	Yes	Council Member Jim Schroeder	Yes

**C. Resolution Authorizing the Sale of the 2023-A G.O. Bonds:**

Council Member Charley Davidson moved to approve Resolution #1167-2023 prescribing the form and details of and authorizing and directing the sale and delivery of General Obligation Bonds, Series 2023-A of the City of Park City, Kansas, previously authorized by Ordinance #1174-2023 of the issuer; making certain covenants and agreements to provide for the payment and security thereof; and authorizing certain other documents and actions connected therewith.

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

**10. CONSIDER BIDS AND RESOLUTION RELATED TO ISSUANCE OF 2023-1 TEMPORARY NOTE**

Larry Kleeman with Ranson Financial stated the bid tab for the temporary note issue was in the second half of his handout. Mr. Kleeman stated Loop Capital Markets was the winning bidder.

**A. Bids - 2023-1 Temporary Note Issue:**

Council Member Ben Saucedo moved that the bid from Loop Capital Markets be accepted, and that the Mayor and City Clerk be authorized and directed to execute the bid form selling the notes to the best bidder on the basis of the bid and terms specified in the Notice of Note Sale.

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

**B. Resolution Authorizing Issuance of the 2023-1 Temporary Note:**

Council Member Charley Davidson moved to approve Resolution #1168-2023 authorizing and directing the issuance, sale and delivery of General Obligation Temporary Notes, Series 2023-1, of the City of Park City, Kansas; providing for the levy and collection of an annual tax, if necessary, for the purpose of paying the principal of and interest on said notes as they become due; making certain covenants and agreements to provide for the payment and security thereof; and authorizing certain other documents and actions connected therewith.

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

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**11. CONSIDER ORDINANCE REPEALING SECTION 14-103 OF THE MUNICIPAL CODE RELATING TO PERSONS UNDER 21 YEARS OF AGE DRIVING UNDER THE INFLUENCE OF INTOXICATING LIQUOR OR DRUGS**

City Attorney Doug Moshier stated this provision is no longer contained in the Standard Traffic Ordinance for cities and recent Supreme Court of Kansas decisions have made it clear that this same provision contained in the Kansas statutes does not create a criminal offense.

Mr. Moshier stated the current ordinance in the City's Municipal Code is framed as a criminal offense and that should be removed.

He stated there still remains an administrative proceeding to deal with persons under the age of 21 years who operate a motor vehicle with a blood alcohol level of more than .02 but less than .08. This is dealt with under the provisions of the Kansas statute K.S.A. 8-1567a.

Council Member Charley Davidson moved to approve Ordinance #1175-2023 an ordinance repealing Section 14 -103 of the Municipal Code of the City of Park City, Kansas, relating to persons under 21 years of age driving under the influence of intoxicating liquor or drugs.

Council Member Ben Saucedo 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 Charles Schwanke	Yes	Council Member Jim Schroeder	Yes

**12. DISCUSS AND CONSIDER AN ORDINANCE AUTHORIZING THE LEVY OF A ONE PERCENT (1%) CITYWIDE RETAILERS' SALES TAX AND RELATED MATTERS.**

City Administrator Sean Fox stated on April 11, 2023, the Governing Body adopted Resolution No. 1152-2023, authorizing and providing for the calling of an election on the imposition of a one percent (1%) Citywide retailers' sales tax for the purposes 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, the collection of such Sales Tax to commence on January 1, 2024, or as soon thereafter as permitted by law. He stated the question of imposing such Sales Tax was submitted to the electors at a special question election on August 1, 2023, with a majority voting in favor. Mr. Fox stated pursuant to the provisions of the Act and the special question election, the Governing Body deems it necessary and advisable to authorize the levy of the Sales Tax for the purposes described above, which constitutes a sales tax imposed for general purposes.

Council Member Charley Davidson moved to approve Ordinance #1176-20223 an ordinance authorizing the levy of a one-percent (1%) citywide retailers' sales tax and related matters.

Council Member Ben Saucedo seconded the motion.

Council Member Ben Saucedo thanked the voters for taking the time to participate in this important event that affects the daily lives of all Park City residents.

**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 Charles Schwanke	Yes	Council Member Jim Schroeder	Yes

**13. DISCUSS AND CONSIDER A RESOLUTION AUTHORIZING A 12" WATERLINE BETWEEN 66TH AND 61ST STREET ALONG THE VALLEY CENTER FLOODWAY**

City Administrator Sean Fox stated construction of a 12" waterline is needed to support existing and future industrial growth on the west side of the City along 61st Street. He stated K.S.A. 65-163d through 65-163u authorizes the City to acquire, construct, reconstruct, improve, equip, rehabilitate or extend all or any part of a public water supply system and to issue general obligation bonds to pay all or part of any costs thereof given adoption/approval of a resolution that specifies the amount and purpose of the temporary notes &/or general obligation bonds to be issued.

Mr. Fox stated the resolution will serve as the authorization for a 12" waterline construction project along the Valley Center floodway between 66th and 61st Streets and appurtenances thereto, with an estimated cost of \$316,360.

Council Member Jim Schroeder moved to approve Resolution #1169-2023, a resolution authorizing improvements to the City's public water supply system and providing for the payment of the cost thereof.

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

**14 DISCUSS AND CONSIDER APPROVAL OF BID FROM MIES CONSTRUCTION FOR A 12" WATERLINE BETWEEN 66TH AND 61ST STREET ALONG THE VALLEY CENTER FLOODWAY.**

City Administrator Sean Fox stated construction of a 12" waterline is needed to support existing and future industrial growth on the west side of the City along 61st Street.

Mr. Fox stated a bid opening was conducted on August 17th and a total of four companies submitted bids. Mies Construction submitted the lowest bid of \$227,203.50, which was below the Engineer's estimate of \$276,360.00. He stated a copy of the bid tabulation and the Mies Construction contract were included in Council's packet.

Council Member Ben Saucedo moved to approve the bid tabulation and authorize the Mayor to finalize and execute a contract with Mies Construction in the amount not to exceed \$227,203.50 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 CONTRACT WITH ENTERPRISE FLEET MANAGEMENT FOR THREE 2023 FORD F-150 PUBLIC WORKS VEHICLES**

Public Works Director Jeana Estep stated Staff is proposing to acquire three 2023 Ford F-150 vehicles to be used by Public Works. She stated these are intended to replace three Public Works vehicles in the fleet. Ms. Estep stated Staff recommends disposal of three Public Works vehicles and approval of three 12-month leases with Enterprise Fleet Management for three 2023 Ford F-150 vehicles, with a monthly lease payment of \$1068.68 per vehicle. She stated there is an additional \$100 per vehicle expense for a total of \$400.00. Expenses of \$38,872.48 will be paid from the Vehicle Replacement Fund.

Council Member Jim Schroeder moved to approve and authorize the Mayor to finalize and execute a contract with Enterprise Fleet Management for 3 Ford F-150 vehicles for a total lease payment of \$1068.68 per vehicle for 12 months and \$400 in other charges, to be paid out of the Vehicle Replacement Fund.

Council Member Charley Davidson seconded the motion. Motion carried 5-2 ( Council Members Tom Jones and Ben Saucedo voting nay.)

**16 DISCUSS AND CONSIDER A RESOLUTION AUTHORIZING MAIN LIFT STATION IMPROVEMENTS.**

City Administrator Sean Fox stated in April 2022, Council approved Wilson and Company to design, bid and provide construction related services for necessary upgrades to the electrical and pumping control systems for the lift station to include relocating the variable frequency drives (VFD). He stated in September, Council approved the advance purchase of the VFDs, given a 20 week lead time, to expedite the planned construction.

Mr. Fox stated K.S.A. 65-163d through 65-163u authorizes the City to acquire, construct, reconstruct, improve, equip, rehabilitate or extend all or any part of a public sewer system and to issue general obligation bonds to pay all or part of any costs thereof given adoption/approval of a resolution that specifies the amount and purpose of the temporary notes &/or general obligation bonds to be issued.

Mr. Fox stated the resolution will serve as the authorization for the main lift station improvements.

Council Member Charley Davidson moved to approve Resolution #1170-2023, a resolution authorizing improvements to the City's public sewer system and providing for the payment of the cost thereof.

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

**17. DISCUSS AND CONSIDER APPROVAL OF MAIN LIFT STATION IMPROVEMENTS**

Public Works Director Jeana Estep 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. As the temperatures exceeded 100 degrees (F), the air conditioning unit could not keep up and the VFDs overheated. She 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.

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Ms. Estep 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. She stated as part of the recent water and wastewater study conducted by Wilson & Co. Engineering, it was 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. She stated additionally, the existing lift station building rests on top of an old concrete basin which still holds water to this day. Ms. Estep stated previous on-site visits showed a considerable amount of standing water within the basin. Demolition of the existing building and filling in the old concrete basin would occur after constructing a new building to hold the components of the lift station.

Ms. Estep stated in April of 2022, Council approved Wilson and Company to design, bid and provide construction related services for necessary upgrades to the electrical and pumping control systems for the lift station and in order to expedite the planned construction, they recommended we proceed with advance purchase of the VFDs, a critical component of the work which had a lead time of approximately 20 weeks. She stated those VFD's were approved for purchase by Council in September of 2022 and have been received. Ms. Estep stated this request is the next step in the overall project process.

Ms. Estep stated Shelley Electric, Inc. was asked to provide costs for two scenarios, one of which included a new generator and the other which consisted of relocating the existing generator. She stated the existing generator shows plenty of reliability and useful life, leading staff to recommend relocating the existing generator. This approach utilizes Shelley Electric's base bid of \$298,700.00 and Alternate #4 in the amount of \$87,520.00. Additionally, staff sees a need for adequate lighting but expressed concern over the cost of Alternate #1 which installs a standalone light pole. Revising Alternate #1 to have lighting installed on the building would reduce the cost to \$500.00 and would provide ample lighting. The total for Shelley Electric, Inc. would be \$386,720.00.

Ms. Estep stated Air Capitol Construction (ACC) provided costs associated with the construction of a 13' x 23' metal building to house the lift station components and concrete pads for the generator, ac unit, and antenna/tower for a total cost of \$43,895.90.

She stated both proposals combined amount to \$430,615.90.

Council Member Tom Jones moved to approve Main Lift Station improvements and authorize staff to make purchases with Shelley Electric, Inc. and Air Capitol Construction not to exceed \$430,615.90 to be paid out of the Capital Projects Fund.

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

## **18. CONSIDER AND APPROVE REPLACEMENT OF PRIMROSE LIFT STATION PUMPS**

Public Works Director Jeana Estep stated on August 16th staff responded to a high wastewater level alert at the Primrose lift station. She stated JCI Inc., was brought in to immediately start a condition assessment of the pumps while city staff and Mayer Specialties began pumping out the lift station and adjacent manholes in an effort to prevent a backup in the line until a bypass could be installed. Ms. Estep stated once the bypass was complete the pumps, control panel, and electrical connections were all tested for functionality and it has been determined that both pumps have served their life expectancy and have worn to the point where they are incapable of pushing out enough liquids to offset the inflow.

Ms. Estep stated quotes were received from JCI, Inc. and Fluid Equipment for Flygt, Homa, and Fairbank Morse pumps. She stated JCI, Inc. is the apparent high quote, their quote includes all of their

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onsite work done to date, installation of both pumps, of which can be received within a couple of weeks, reducing the amount spent on the bypass system. She stated other pumps have a delivery date of 8-12 weeks. Staff is requesting permission to purchase two Flygt pumps with a not to exceed \$49,350.00 to be paid from the Utility Fund.

Ms. Estep stated Staff will continue to work with IronClad on maintenance of a bypass system until pumps can be received. The City will incur additional costs for the rental of this pump for an amount unknown at this time.

Council Member George Glover moved to approve the emergency purchase of two Flygt pumps for an amount not to exceed \$49,350.00 to be paid from the Utility Fund.

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

**GOVERNING BODY REPORTS**

Council Member Brandi Baily stated the Public Works department did a good job on the landscaping around the City Administration Building. She stated that some CCUA board members have received complaints from Kice Industries about an odor around their facility. She stated the issue has been resolved.

Council Member Ben Saucedo stated Officer Whitfield has been with the police department for five years and he is an exceptional officer. Mr. Saucedo thanked public works staff for their work on the landscaping around the City Administration Building.

Council Member George Glover congratulated Officer Whitfield on his life saving efforts.

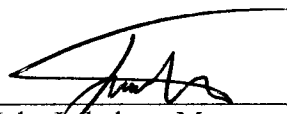
Council Member Charley Davidson thanked citizens for voting on the sales tax referendum. He encouraged them to reach out to their Council Member in regard to projects they would like to have done.

**ADJOURN**

Council Member Ben Saucedo moved to Adjourn the meeting at 9:47 pm.

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



  
John Lehnerr, Mayor

Attest:

  
Marlo Rugg, City Clerk

The foregoing minutes were considered at the September 12, 2023, meeting and approved with the following amendment None.

The vote to approve the minutes 6-0.

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