

**MINUTES OF THE GOVERNING BODY OF  
THE CITY OF PARK CITY, KANSAS  
COUNCIL CHAMBERS – 1941 E. 61<sup>st</sup> STREET NORTH  
September 13, 2022**

**ROLL CALL**

The following were present: Council Members: Charley Davidson, George Glover, Ben Saucedo, Kyle Nordick, Tom Jones, Brandi Bailly, George Capps, and Jim Schroeder.

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, and City Attorney Doug Moshier,

**VISITORS**

Ark Valley News  
Roger Spawn  
Matt Vierthaler  
Carlos Muniz  
Jeff Stone  
Joshua Gibbs

Jack Sandberg  
Kimberly Shumate  
Tom Hooker  
October Avalos-Osio  
Bill Donaldson  
Terry Ford

**MEETING CALLED TO ORDER**

The meeting was called to order by Mayor John Lehnerr at 7:00 pm. Council Member Charley Davidson gave the invocation and Council Member Kyle Nordic led the Pledge of Allegiance.

**APPROVAL OF AGENDA**

Mayor John Lehnerr requested agenda item #11 be added to consider a matter related to the existing court order in the lawsuit between Park City and Rural Water District #2.

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

Council Member Charley seconded the motion. Motion carried 8-0.

**AWARDS AND/OR PRESENTATIONS**

Human Resources Manager/Assistant City Administrator Dana Walden read the Blood Cancer Awareness Month Proclamation. Mayor John Lehnerr presented Shanna Smith, the director of the Leukemia Lymphoma Society, a copy of the signed proclamation.

Ms. Walden read the National Senior Center Month proclamation. Senior Center Director, Madison Shriner came forward with members of the Senior Center to take a picture with Council to commemorate the proclamation.

---

Chief of Police Phil Bostian gave a presentation on One Pill Can Kill. The presentation was well received.

### **PUBLIC FORUM**

None.

### **STAFF REPORTS**

City Administrator Sean Fox gave a few infrastructure updates. He stated the project at 61<sup>st</sup> and Broadway Street has an anticipated completion date of March 2023. Mr. Fox stated the paving project between 69<sup>th</sup> Street and Hillside will completely be paved sometime in October. He stated staff has applied for funding for the pedestrian connectivity plan and won't expect a response until late fall.

### **CONSENT AGENDA**

1. Minutes of the August 23, 2022 Regular Meeting.
2. Appropriations 992-2022 with Addendums
3. Approval of Expenditures of Transient Guest Tax as Recommended by the Convention and Tourism Board: (1) Triumph Wrestling Club, \$10,000; (2) Wichita Toy Run, \$2,888.00

Council Member George Glover moved to approve the Consent Agenda as presented.

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

### **NEW BUSINESS**

#### **4. DISCUSS AND CONSIDER TEMPORARY ZONING PERMIT FOR A HAUNTED ATTRACTION EVENT AND CRAFT SHOW.**

City Administrator Sean Fox stated in June, Council approved a temporary zoning permit to allow a haunted house attraction at 6603 N. Hydraulic during certain dates and times in September and October. Since then, the applicant(s) and the property owner have fallen out of favor with each other, causing the applicant(s) to cancel the event and the property owner to make application for a smaller, but similar version of the original event, under the name of Karmageddon.

Mr. Fox stated according to the new applicant, Ms. Charlotte Coleman, the event will have a short bus ride from the entrance of the property to the first building. He stated the roadway will be fenced to keep patrons out of the bus path. Mr. Fox stated a short corn maze will precede the first building. He stated some of the buildings will have typical haunted house thrills, while others will have vendors selling goods. Mr. Fox stated some vendors will setup outdoors using canopies and tables.

Mr. Fox stated there will be two exit/entryways for emergency vehicles, not including the front entrance. He stated they've indicated they will be hiring Elite Security to ensure everyone's safety and will have the fire department inspect after all the construction/set up & design is finalized.

Mr. Fox stated the applicant would like to reserve/rent the community building on the days it is available during hours of operation as well as use Hap McLean park's parking lot for their guests.

He stated unlike the previous applicant, Ms. Coleman does not intend to use any loud instruments such as chainsaws but will be opting for church/school bell and the standard horn on the school bus.

Mr. Fox stated under the City's Zoning Regulations, Article 6, Section 101, Subparagraph A, temporary zoning permits for community celebrations, farmers and arts and crafts markets, carnivals, circuses, musical festivals, religious revival services or similar outdoor events and Halloween or haunted houses may be approved with conditions by the Governing Body or their designated representative. He stated Hap McLean Park hours at set by Ordinance from 6:00 am to midnight.

Ms. Coleman came forward to answer questions by the Council. A discussion ensued over insuring the event and security during the event.

Council Member Ben Saucedo moved to deny a temporary zoning permit for a haunted attraction event and craft show.

Council Member Kyle Nordick seconded the motion. Motion carried 8-0.

#### **5. DISCUSS AND CONSIDER UPDATING THE BYLAWS FOR THE COMMUNITY RELATIONS BOARD**

City Administrator Sean Fox stated the Community Relations Board met and is proposing four amendments to their bylaws. The proposed amendments are as follows:

1. Increase membership from seven (required) to up to ten.
2. Remove residency requirement to serve as a Board Member.
3. Change appointment month from May to January.
4. Change meetings to the third Tuesday of the month.

Council Member Ben Saucedo moved to approve the amended Community Relations Board Bylaws.

Council Member George Capps seconded the motion.

Council Members expressed their concern on removing the residency requirement to serve as a Board member. A discussion ensued.

Council Member Ben Saucedo moved to call the question.

---

Council Member Charley Davidson seconded the motion. Motion failed 4-5 (Council Members Charley Davidson, Ben Saucedo, Brandi Baily, and Jim Schroeder voted yea. Council Members George Glover, Kyle Nordick, Tom Jones, George Capps, and Mayor John Lehnerr voted nay.)

More discussion ensued.

Council Member Ben Saucedo moved to approve the amendments #1, #3, and #4 of the Community Relations Board Bylaws.

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

Council recommended taking the residency requirement back to the Community Relations Board with the residency requirement change of forty percent of the board members can reside outside the City of Park City.

**5. DISCUSS AND CONSIDER APPROVAL CHANGE ORDER FROM MIES CONSTRUCTION FOR WATER IMPROVEMENTS FOR BARR ESTATES ADDITION.**

City Administrator Sean Fox stated in March, Council approved a contract with Mies Construction to complete both water and sanitary sewer improvements at Barr Estates for \$342,110.50.

Mr. Fox stated during construction, it was determined the plans erroneously identified CCUA's line as the connecting main instead of the City's main, which is located on the south side of 53rd Street. He stated a Change Order #1 was included in the packet for \$67,762.50 to repair the connection to the CCUA line and tie in the water lines to the Park City main on the south side of 53rd Street and has already been included in the amended petition approved by the Council as the last meeting.

Council Member Jim Schroeder asked for some clarification on how an error like this could happen. Mr. Fox explained that the line was erroneously identified by the engineers, and no one caught the mistake. He stated the developer is good with cost of the repairs being assessed.

Council Member Jim Schroeder moved to approve Change Order #1 with Mies Construction in the amount of \$67,762.50, to be paid out of the Capital Projects Fund.

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

**7. DISCUSS AND CONSIDER APPROVAL OF BID FROM PEARSON CONSTRUCTION FOR WATER, SANITARY SEWER, AND PAVING IMPROVEMENTS FOR SADDLEBROOK 3RD ADDITION (PHASE II).**

---

City Administrator Sean Fox stated Saddlebrook 3rd Addition (Phase II) is located on Broadway just north of 85th Street. He stated Elite USA LLC presented petitions for water, sanitary sewer and paving improvements in July, 2022 and was approved by Council.

Mr. Fox stated a bid opening was conducted on September 8th and a total of six companies submitted bids. He stated Perason Construction submitted the lowest bid of \$746,529.50, which the combined amount overall was below the Engineer's estimate of \$825,199.60.

Council Member George Glover moved to approve the bid tabulation and authorize the Mayor to finalize and execute a contract with Pearson Construction in an amount not to exceed \$746,529.50, to be paid out of the Capital Projects Fund.

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

**8. RECESS INTO EXECUTIVE SESSION FOR DISCUSSION OF MATTERS RELATING TO SECURITY MEASURES TO PROTECT CITY FACILITIES AND BUILDINGS.**

Council Member Ben Saucedo moved to go into executive session for fifteen minutes at 8:07 pm. to discuss matters relating to security measures to protect City facilities and buildings with the Chief of Police, City Attorney, City Administrator, and Assistant City Administrator.

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

Mayor John Lehnerr reconvened the meeting at 8:24 pm with no binding action taken.

**9. DISCUSS AND APPROVE EXPENDITURE FOR THE PURCHASE AND INSTALLATION OF VIDEO SECURITY CAMERAS AT MCLEAN PARK, SHERWOOD PUBLIC WORKS FACILITY AND THE PARK CITY SENIOR CENTER; AND THE LEASE OF TWO LICENSE PLATE READER CAMERAS FOR MCLEAN PARK.**

Council Member Ben Saucedo moved to approve the purchase of video security cameras and the lease of two additional Flock Safety license plate reader cameras in the amount of \$39,783.24 to be paid out of the General Fund Information Technology Department.

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

Council Member George Capps moved to take a five-minute break at 8:25 pm.

---

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

Mayor John Lehnherr reconvened the meeting at 8:30.

**10. RECESS INTO EXECUTIVE SESSION TO CONSULT WITH THE CITY ATTORNEY ON MATTERS PRIVILEGED IN THE ATTORNEY-CLIENT RELATIONSHIP RELATED TO LITIGATION BETWEEN THE CITY AND RURAL WATER DISTRICT #2**

Council Member Ben Saucedo moved to recess into executive session for fifteen minutes at 8:30 pm minutes to discuss matters privileged in the attorney-client relationship related to litigation between the city and Rural Water District #2 with the City Attorney, City Administrator, and Assistant City Administrator.

Council Member Charley Davidson seconded the motion. Motion carried 8-0.

Mayor John Lehnherr reconvened the meeting at 8:45 with no binding action take.

**11. CONSIDER A MATTER RELATED TO THE EXISTING COURT ORDER IN THE LAWSUIT BETWEEN PARK CITY AND RURAL WATER DISTRICT #2.**

Council Member Charley Davidson moved to authorize the City Attorney to approve an amendment to the existing Journal Entry of Judgment in Sedgwick County District Court Case No. 96 C 3559 removing the obligation of the City to collect a franchise fee or tax on City water customers living within the boundaries of RWD#2; obligating the City to collect and pay to RWD#2 a fee of \$250 for each new City water service for property within the boundaries of RWD#2, and obligating the City to pay the RWD#2 the sum of \$225,000, either in a lump sum or \$15,000 annually in October of each year beginning in 2022 and continuing until the \$225,000 is paid in full.

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

Mayor John Lehnherr thanked Kyle Lang for his work on this project.

**GOVERNING BODY REPORTS**

Council Member Brandi Baily stated the Chisholm Creek Utility Authority conducted interviews for a utility manager and she believes they have a good candidate.

Council Member George Capps stated he hoped he hadn't offended anyone by any comments made at tonight's meeting.

Council Member Tom Jones stated he thought it was a good meeting.

Council Member Kyle Nordick welcomed out new interim Public Works Director.

---

Council Member Ben Saucedo stated his Convos and Coffee is at Leekers September 17, 2022 at 9:00 am. Mr. Saucedo stated a former City Council member passed away two weeks ago. He stated David Robbins served the community well.

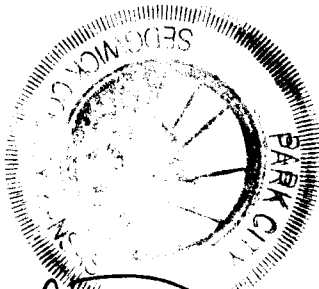
Council Member George Glover gave his condolences to the David Robbins family.

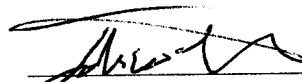
Mayor John Lehnerr stated new home permits issued for this year are at eighteen. Mr. Lehnerr stated Mr. Robbins made an impact on the Council while he served as a Council member.

**ADJOURN**

Council Member Ben Saucedo moved to Adjourn the meeting at 8:53 pm.

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



  
\_\_\_\_\_  
John Lehnerr, Mayor

Attest:

  
\_\_\_\_\_  
Marlo Rugg, City Clerk

The foregoing minutes were considered at the September 27, 2022 meeting and approved with the following amendment None.

The vote to approve the minutes 7-0.