

**MINUTES OF THE GOVERNING BODY OF  
THE CITY OF PARK CITY, KANSAS  
COUNCIL CHAMBERS – 1941 E. 61<sup>st</sup> STREET NORTH  
September 28, 2021**

**ROLL CALL**

The following were present: Council Members: John Lehnerr, 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, Chief of Police Phil Bostian, City Attorney Doug Moshier, Public Works Director Simon Wiley, and Finance Director Dee Anne Grunder.

**VISITORS**

Ark Valley News  
Jeff Stone  
Kimberly Simon

**MEETING CALLED TO ORDER**

The meeting was called to order by Mayor Ray Mann at 7:00 pm. Pastor Bob Darnell gave the invocation and Council Member Tom Jones led the Pledge of Allegiance.

**APPROVAL OF AGENDA**

Council Member John Lehnerr requested adding agenda item #9B, Discuss and Consider approval of change order for the 77<sup>th</sup> street project. Council Member George Glover moved to approve the agenda with the amendment.

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

**AWARDS AND/OR PRESENTATIONS**

Assistant City Administrator/Human Resources Manager Dana Walden recognized Renee Manriquez the assistant court clerk. Ms. Walden stated Ms. Manriquez is retiring and her last day will be September 30, 2021.

Ms. Walden introduced the new assistant court clerk, Lorie Deane. She stated Ms. Deane comes to the City with experience and great references.

**PUBLIC FORUM**

Jeff Stone with the High Ridge HOA stated his concerns with contractors being held accountable for keeping their worksites clean and maintained. Mr. Stone stated there is a lot of trash in the construction areas as well as the weeds have grown very tall. He stated residents' sprinkler lines have been

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unintentionally cut by the contractors doing the construction and have cost the residents close to \$12,000 for repairs. Mr. Stone requested the Council and City do a better job holding the contractors accountable for maintaining their sites.

Council Member George Capps asked if Mr. Stone had filed a complaint with code enforcement. Mr. Stone stated he did. Council Member Tom Jones suggested Mr. Stone go to the Park City website and file a complaint there. He stated staff may get to the issue quicker. Council Member Saucedo asked what the process was when a complaint comes in to code enforcement. Police Chief Bostian stated the process and procedures.

Mayor Ray Mann stated the area being discussed was not the only area not maintained. He stated he would like staff to come up with a requirement for contractors to keep their construction sites maintained.

### **STAFF REPORTS**

City Administrator Sean Fox stated Father Kapaun's funeral services will take place on September 29, 2021 at Hartman Arena. Mr. Fox stated all arrangements and escort responsibilities were coordinated through the Catholic Diocese of Wichita, Wichita Police Department and Sedgwick County's Sheriff's Department.

Mr. Fox stated a pre-submittal conference was held for the downtown district. He stated there was a total of twelve participants. Mr. Fox went briefly through submittal process and timeline.

He stated the Senior Center restrooms are in full working order. Mr. Fox stated the City's Brush and Limb day is October 2, 2021 from 8:00 am to 1:00 pm.

Council Member Ben Saucedo asked if the funeral procession would affect the City in any way with road closures. Mr. Fox stated there are no anticipated road closures.

Council Member John Lehnerr asked for the status of the pickle ball courts. Assistant Public Works Director Zach Day stated the original contractor, Versa Sports, has stopped communicating with staff. Mr. Day stated he has contacted Multicon to see if they will do the work for the same price. He stated Multicon indicated they could get the work completed within this calendar year.

### **CONSENT AGENDA**

1. Minutes of the September 14, 2021 Regular Meeting
2. Appropriations 969-2021 with Addendums
3. August Monthly Financials
4. Approve Sedgwick County Election Agreements for 2022
5. Approve Final Statement of Project Costs for road improvements on 53rd Street in the amount of \$29,720.78 to be paid out of the General Fund Administration Department.

Council Member John Lehnerr moved to approve the consent agenda as presented.

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

### **NEW BUSINESS**

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**6. DISCUSS AND CONSIDER APPOINTMENT TO THE COMMUNITY RELATIONS BOARD.**

Mayor Ray Mann stated he recommended the appointment of Taylor Freeman to the Community Relations Board.

Council Member Tom Jones moves to approve the appointment of Taylor Freeman as a member of the Community Relations Board with a term expiring in 2023.

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

**7. DISCUSS AND CONSIDER A RESOLUTION AUTHORIZING THE SALE AND CONVEYANCE OF CERTAIN PROPERTY TO MURDOCK PROPERTIES, LLC.**

City Administrator Sean Fox stated the resolution is for the transfer of "Reserve A" from the City to Murdock Properties, LLC for the sale to Sealy entity.

Council Member Brandi Baily moved to approve Resolution #1093-2021 a resolution of the Governing Body of the City of Park City, Kansas authorizing the sale and conveyance of certain property to Murdock Properties, LLC.

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

**8. DISCUSS AND CONSIDER FOUR (4) RESOLUTIONS AUTHORIZING CONSENT OF THE ASSIGNMENT OF CERTAIN DOCUMENTS RELATING TO THE SALE BY AIR CAPITOL INDUSTRIAL PARK, LLC, AIR CAPITOL INVESTMENTS, LLC, AND MURDOCK PROPERTIES, LLC TO SEALY AND COMPANY, THE PROPERTIES LOCATED AT 7250 N. HAYES DRIVE, 7200 N. AIR CAPITOL DRIVE, 7051 N. AIR CAPITOL DRIVE AND 7050 N. AIR CAPITOL DRIVE AND AUTHORIZING THE ASSIGNMENT OF BOND REGISTRAR, FISCAL AND PAYING AGENT; AND ALL ACTION RELATED THERETO.**

City Administrator Sean Fox stated the four resolutions before Council are for the assignment of certain documents related to the sale of properties between Air Capitol Industrial Park, LLC and Sealy & Company, LLC; Resolution 1094-2021 authorizes the assignment of documents related to the sale, pertaining to the Series 2016 Bonds, between Air Capitol Industrial Park, LLC and Sealy N. Hayes Drive, LLC, a Georgia Limited Liability Company for 7250 N. Hayes Drive; Resolution 1095-2021 authorizes the assignment of documents related to the sale, pertaining to the Series 2017 Bonds, between Air Capitol Investments, LLC and Sealy N. Air Capitol Drive III, LLC, a Georgia Limited Liability Company for 7200 N. Air Capitol Drive; Resolution 1096-2021 authorizes the assignment of documents related to the sale, pertaining to the Series 2020 Bonds, between Murdock Properties, LLC and Sealy N. Air Capitol Drive II, LLC, a Georgia Limited Liability Company for 7051 N. Air Capitol Drive; and Resolution 1097-2021 authorizes the assignment of documents related to the sale, pertaining to the Series 2021 Bonds, between Murdock Properties, LLC and Sealy N. Air Capitol Drive I, LLC, a Georgia Limited Liability Company for 7050 N. Air Capitol Drive.

Mr. Fox stated each resolution also authorizes the assignment of Bond Registrar, Fiscal and Paying Agents and all actions related thereto.

Council Member Ben Saucedo moved to approve Resolution #1094-2021, #1095-2021, #1096-2021 and #1097-2021, resolutions of the Governing Body of the City of Park City, Kansas authorizing the sale and

conveyance of certain properties from Air Capitol Industrial Park, LLC, Air Capitol Investments, LLC, and Murdock Properties, LLC to Sealy & Company.

Council Member Tom Jones seconded the motion.

Council Member John Lehnerr asked if the new owners will still be held accountable for the requirements on the abatements the previous owner had. Ms. Steele confirmed the new owners of the properties will have the same requirements.

Motion carried 7-1.

**9. DISCUSS AND CONSIDER APPROVAL OF THE JUNKPRO ADDITION - A FINAL PLAT FOR PROPERTY LOCATED AT THE NORTHWEST CORNER OF 45TH STREET NORTH AND INTERSTATE I-135.**

City Administrator Sean Fox stated Better Hauling Company, the owner of the subject property, and its agent, Will Clevenger of Garver, L.L.C., are requesting approval of a final plat entitled "Junkpro Addition" to permit the development of commercial and industrial uses.

Mr. Fox stated the subject property is approximately 20 acres in size, currently zoned I-1 Light Industrial District, and platted as the Interstate Industrial Park Addition. He stated this replat will eliminate the bulk of an undeveloped public street (Park City Drive) and reduce the number of lots from twelve to one. Mr. Fox stated over half the area of the plat is within Reserve B, which is intended to provide borrow material for the construction of the new KDOT interchange system to the south. He stated the application area is surrounded by heavy industrial zoning and uses to the west and southwest, and the Primrose Park and residential neighborhood to the north. He stated the preliminary plat was approved (4-0) by the Planning Commission during its July 26, 2021, meeting, and on September 20, 2021, the Planning Commission approved the final plat (6-0).

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

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

**9B. DISCUSS AND CONSIDER APPROVAL OF CHANGE ORDER FOR THE 77<sup>TH</sup> STREET PROJECT.**

City Administrator Sean Fox stated Dondlinger Construction is currently in the process of installing the roundabout at 77<sup>th</sup> and Broadway. He stated the specification for the inner ring, also known as the truck apron, in the original contract, was to be colored darker/contrasting graphite gray color, yet the same smooth/brushed surface as the outer drive ring. Mr. Fox stated Dondlinger has provided a quote to incorporate a herringbone stamped effect to the truck apron, to further delineate it from the other drive pavement. He stated the cost of the change order would be \$16,068.40.

Mr. Fox stated the cost of the Park City phase of this joint project is approximately \$1.5M with 70% paid by KDOT under an economic Development grant and 30% local match. To date, the total for the original contract and all change orders previously approved is approximately \$1.439M. He stated approving this change order leaves approximately \$92,000 remaining unassigned.

A discussion ensued.

Council Member John Lehnerr moved to take no action.

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

**10. EXECUTIVE SESSION - CONSULTATION WITH THE CITY ATTORNEY RELATED TO MATTERS PRIVILEGED UNDER THE ATTORNEY-CLIENT RELATIONSHIP**

Council Member John Lehnherr moved to recess into executive session for ten minutes minutes for consultation with the City Attorney related to matters privileged under the attorney-client relationship.

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

Mayor Ray Mann reconvened the meeting at 7:55 pm. No action was taken.

**11. EXECUTIVE SESSION - DISCUSSION PERTAINING TO PERSONNEL MATTERS OF NON-ELECTED PERSONNEL.**

Council Member Ben Sauced moved to recess into executive session for thirty minutes to discuss non-elected personnel.

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

Mayor Ray Mann reconvened the meeting at 8:34 pm. No action was taken.

**GOVERNING BODY REPORTS**

Council Member Tom Jones stated he attended a meeting that toured the Kansas Health Science Center. He stated the organization is in the process of creating a training hospital for doctors.

Council Member Ben Saucedo stated it is National Blood Cancer and Mental Health Awareness Month.


Council Member George Glover stated the annual Fall Fest will be held October 23, 2021 from 4:00 pm to 7:00 pm. Mr. Glover encouraged everyone to attend. He stated Towne East Mall will have a job fair on October 27, 2021 from 3:00 pm to 7:00 pm.

**ADJOURN**

Council Member John Lehnherr moved to Adjourn the meeting at 8:37 pm.

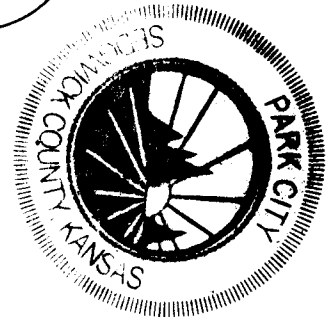
Council Member Ben Saucedo seconded the motion. Motion carried 8-0.

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Ray Mann, Mayor

Attest:

  
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Marlo Rugg, City Clerk



The foregoing minutes were considered at the October 12, 2021 meeting and approved with the following amendment NONE.

The vote to approve the minutes 8-0.