

**MINUTES OF THE GOVERNING BODY OF  
THE CITY OF PARK CITY, KANSAS  
COUNCIL CHAMBERS – 1941 E. 61<sup>st</sup> STREET NORTH  
October 11, 2022**

**ROLL CALL**

The following were present: Council Members: Charley Davidson, George Glover, Ben Saucedo, Kyle Nordick, Tom Jones, Brandi Baily, 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  
Terry Ford  
Harold Bowser  
Kimberly Simon

**MEETING CALLED TO ORDER**

The meeting was called to order by Mayor John Lehnerr at 7:00 pm. State Representative Emil Bergquist gave the invocation and Council Member George Capps led the Pledge of Allegiance.

**APPROVAL OF AGENDA**

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

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

**AWARDS AND/OR PRESENTATIONS**

None.

**PUBLIC FORUM**

Harold Bowser stated he had decided to discontinue his disagreement with the City on the flooding issue in Wyndham Creek. Mr. Bowser led a prayer.

**STAFF REPORTS**

City Administrator Sean Fox gave an update on the 69<sup>th</sup> Street project. He stated the speed limit on 69<sup>th</sup> Street will be reviewed once the project is complete. Mr. Fox gave the following dates for upcoming events:

October 15<sup>th</sup> – Shred Day  
October 15<sup>th</sup> – Hazardous Waste  
October 21<sup>st</sup> – Trunk or Treat  
October 22<sup>nd</sup> – Fall Fest

**CONSENT AGENDA**

- 1. Minutes of the September 27, 2022 Regular Meeting.**
- 2. Appropriations 994-2022 with Addendums.**

Council Member Ben Saucedo moved to approve items #1 and #2 on the Consent Agenda and move item #3 to #9 under New Business.

Council Member Charley Davidson seconded the motion.

**NEW BUSINESS**

**3. DISCUSS AND CONSIDER PURCHASING CLEARGOV**

Finance Director Dee Anne Grunder stated this past February, Council requested Staff set a goal of producing a budget document worthy of submission for the GFOA Distinguished Budget Presentation Award; an award established in 1984 to encourage and assist state and local governments to prepare budget documents of the highest quality that reflect both the guidelines established by the National Advisory Council on State and Local Budgeting and the GFOA's best practices on budgeting.

Ms. Grunder stated at the time, Staff conveyed achieving this award would require us to alter the current layout of the budget book to include key sections identified within the evaluation criteria, and although time consuming, this alteration would enhance the overall presentation and readability of the document. She stated one suggestion was possibly hiring an intern to assist in the process, but that has been unsuccessful.

Ms. Grunder stated Staff received an invitation last month for a demonstration from ClearGov, a cloud-based budget and performance management software company specializing in helping local governments. She stated their demonstration included creation of a digital budget book, a website-based solution that has all the GFOA Distinguished Budget Presentation Award requirements (fund summary pages, charts, graphs, tables, and department pages, etc.). Ms. Grunder stated it also included operational budgeting, personnel budgeting, and capital budgeting....all in a format that promotes transparency and will allow the City to tell our financial story in a way residents can understand with pre-populated data and dynamic infographics.

Ms. Grunder stated the cost of the software is broken down into two elements, a one-time setup fee whereas they upload, onboard, and map our financials to match our chart of accounts as well as provide training and then an annual subscription. She stated the contract term can be up to five years, locking in current-year pricing, with a non-appropriations clause. Ms. Grunder stated the cost would include a one-

time set up fee of \$3,600 and a reoccurring/annual subscription fee of \$17,400. She stated the total first year cost would be \$21,000.

Council presented questions to Staff about implementation, cost, and benefits of the software. Mr. Fox answered the questions on behalf of the Staff.

A discussion ensued.

Council Member Kyle Nordick moved to approve budgeting software from ClearGov with a one-time fee of \$3,600.00 and an annual fee of \$17,400.00 in the total amount of \$21,000.00 to be paid out of the General Fund Administration Department.

Council Member Ben Saucedo seconded the motion. Motion carried 7-1. (Council Member Charley Davidson voted nay)

**4. DISCUSS AND CONSIDER A REAL ESTATE PURCHASE AGREEMENT FOR PROPERTY LOCATED ADJACENT TO 6110 N. HYDRAULIC AVE.**

City Administrator Sean Fox stated back in August 2019, Council considered and approved the sale of the land adjacent to 6110 N. Hydraulic for additional senior apartments, yet the purchased contract was never executed. He stated the potential buyer is asking again to buy the land and has offered to cover all closing costs and to partner (50/50) with the City on replatting the property, which includes the property the City Administration Center sits on.

Mr. Fox stated Staff consulted with both local area real estate agents and appraisers to determine an appropriate value for the land and the offer is still consistent with recent comparables.

Council Member Jim Schroeder moved to approve and authorize the Mayor to finalize and execute a contract for the sale of property located adjacent to 6110 N. Hydraulic Ave, Park City, KS.

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

**5. CONSIDER ORDINANCE AMENDING SECTION 15-208 OF THE MUNICIPAL CODE PERTAINING TO ADDITIONAL FEES FOR PROPERTIES WITHIN SEDGWICK COUNTY RURAL WATER DISTRICT NO. 2**

City Attorney Doug Moshier stated on September 29, 2022, the City and Rural Water District No. 2 agreed to amend the court order in Sedgwick County District Court Case No. 96-C-3559 which previously required the City to assess and collect franchise fees on gross water sales and a hook-up fee for new water connections on all properties within the City which were also within the boundaries of Rural Water District No. 2.

Mr. Moshier stated the amendment did away with the City's obligation to collect and pay to the Rural Water District the franchise fees on gross water sales. He stated in return, the City agreed to make

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fifteen yearly payments of \$15,000 per year to the Rural Water District. Mr. Moshier stated the court order obligation on the City to collect a \$250 hook up fee remained.

Council Member Charley Davidson moved to approve Ordinance #1151-2022 an ordinance amending Section 15-208 of the Municipal Code of the City of Park City, Kansas, pertaining to additional fees for properties within the boundaries of Rural Water District No. 2 and repealing the original of said Section 15-208.

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	Yes
Council Member Ben Saucedo	Yes	Council Member Brandi Baily	Yes
Council Member Kyle Nordick	Yes	Council Member Jim Schroeder	Yes

#### **6. DISCUSS AND CONSIDER APPROVAL OF THE PURCHASE OF RIFLE RESISTANT BODY ARMOR FOR THE POLICE DEPARTMENT**

Police Chief Phil Bostian stated in 2017, the police department purchased rifle-resistant body armor (or “rifle plates”) for each officer. This type of body armor is designed to stop rifle bullets, because the regular soft body armor that officers normally wear is generally rated only to stop handgun bullets. He stated the need for rifle resistant body armor has become greater as the use of rifles in crimes such as active-shooter events and school shootings has become more frequent.

Mr. Bostian stated our officers can wear the rifle plates in conjunction with their regular body armor, or they also have the option to wear a separate rifle-armor vest that goes over the uniform and can be donned in an emergency. He stated rifle armor tends to be very heavy, which makes it difficult to wear on an everyday basis.

Mr. Bostian stated regular soft body armor comes with an expiration date of 5 years following its manufacture date. Because our current plates are made from a ceramic material and covered by plastic, you cannot see whether small cracks have developed over time as the rifle plates are moved around. Even small cracks can compromise the performance of the rifle plates, according to manufacturers. Cracks can only be detected by having the armor X-rayed, which is expensive. For this reason, the manufacturers of our current rifle plates have established an expiration date of 5 years following date of manufacture, which is the most common warranty in the industry. All of our current rifle plates expired in July 2022.

Mr. Bostian stated we have worked with several rifle plate manufacturers to determine the best replacement products for our needs, and we have done some independent testing in which our officers have actually shot the plates to observe their performance. He stated Protector Capital, LLC, the parent company of ShotStop Ballistics, manufactures rifle plates that are made from a proprietary polyethylene material that is thinner and lighter than most rifle plates. He stated this will enable more officers to wear

them on a regular basis. Mr. Bostian stated these rifle plates also come with a 15-year manufacturer's warranty, which is three times longer than most rifle body armor. The cost is similar to or less than most comparable rifle plates.

Mr. Bostian stated the police department currently has eighteen full-time officers, and two reserve officers who have been with us for almost 10 years. To outfit each officer, we need to purchase 40 rifle plates (2 per officer---front and rear).

Council Member Ben Saucedo moved to approve the purchase of 20 sets of rifle-resistant body armor plates from Protector Capital, LLC in the amount of \$15,836.25 to be paid out of the General Fund Law Enforcement Department.

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

#### **7. DISCUSS AND CONSIDER APPROVAL OF AN ENTERPRISE FLEET MANAGEMENT (EFM) MASTER EQUITY LEASE AGREEMENT**

City Administrator Sean Fox stated on August 9th, Council discussed the potential benefits of fleet management in a special workshop. He stated in the regular meeting following, Council elected to table further discussion pending additional information. Mr. Fox stated since that meeting, both staff and Councilmembers have met with the Enterprise representative several times to receive further clarification and/or have questions answered.

Mr. Fox stated the Master Equity Lease Agreement with Enterprise Fleet Management was included in Council's packet. He stated it outlined the general terms (insurance, maintenance, warranties, etc.) which governs the relationship with our City. He stated any and all subsequent leases will be covered under individual agreements specific to the year, make, model, term, and lease rate.

Ken Olsen with Enterprise addressed the Council pertaining to the lease agreement and the benefits of the program. Mr. Olsen answered questions from Council.

A discussion ensued.

Council Member Ben Saucedo moved to take no action.

Council Member Kyle Nordick seconded the motion. Motion failed 3-5 (Council Members Ben Saucedo, Kyle Nordick, and Jim Schroeder voting yay.)

Council Member Tom Jones moved to approve and authorize the Mayor to finalize and execute a Master Equity Lease Agreement and subsequent lease quotes with Enterprise Fleet Management.

Council Member Charley Davidson seconded the motion. Motion carried 5-3. (Council Members Kyle Nordick, Ben Saucedo, and Jim Schroeder voting nay.)

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**8. APPROVE A MEMORANDUM OF UNDERSTANDING WITH SEDGWICK COUNTY EMERGENCY MEDICAL SERVICES INTERIM DIRECTOR DR. KEVIN BRINKER TO SERVE AS PHYSICIAN MEDICAL DIRECTOR FOR THE PARK CITY POLICE DEPARTMENT**

Police Chief Phil Bostian stated the police department has been working for several months to meet the legal requirements to issue “Narcan” (or naloxone) to our officers. He stated Narcan is a nasal spray medication which reverses the effects of opiate drugs such as heroin or fentanyl, and it can be lifesaving. Mr. Bostian stated to proceed with providing our officers with Narcan for use on the general public, the city needs to enter into a Memorandum of Understanding with a “physician medical director.”

Mr. Bostian stated the 2017 Kansas Legislature enacted House Bill No. 2217, which provided for the administration of an emergency opioid antagonist (such as “Narcan” or naloxone”) by a first responder. He stated an employee or contractor of a first responder agency who administers an emergency opioid antagonist in good faith and with reasonable care is held not subject to civil liability or criminal prosecution or other disciplinary or adverse action. He stated H.B. 2217 requires that a first responder agency shall utilize the services of a “physician medical director” or a licensed pharmacist.

Mr. Bostian stated he contacted Dr. Kevin Brinker, Interim Medical Director for Sedgwick County Emergency Medical Services. He stated Dr. Brinker has graciously agreed to serve in the volunteer role as medical director for our police department, for the purposes of meeting the legal requirements of H.B. 2217.

Council Member Ben Saucedo moved to approve a memorandum of understanding with Sedgwick County Emergency Medical Services interim director Dr. Kevin Brinker to serve as physician medical director for the Park City Police Department.

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

**GOVERNING BODY REPORTS**

Council Member George Capps extended prayers to the Sedgwick County Sheriff’s Department for the passing of one of their officers.

Council Member Ben Saucedo offered condolences to the Sedgwick County Sheriff’s Department.

Council Member George Glover stated the Kansas Emergency Rental Assistance program would end soon and encouraged anyone needing assistance to apply quickly.

Council Member Charley Davidson offered condolences to the Sedgwick County Sheriff’s Department.

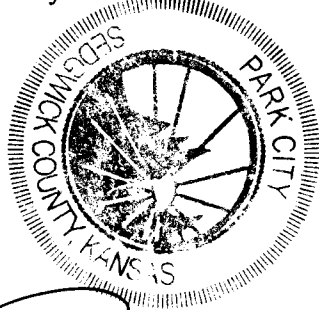
Mayor John Lehnerr stated brush and limb day was busy. He stated the Chamber of Commerce will have a Trunk or Treat on October 21, 2022 at the Park City Library parking lot.

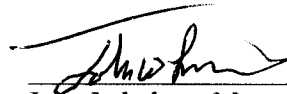
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**ADJOURN**

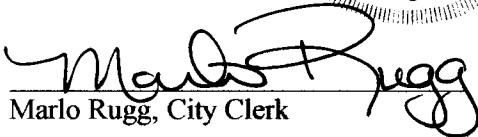
Council Member Ben Saucedo moved to Adjourn the meeting at 9:00 pm.

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



  
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John Lehnerr, Mayor

Attest:

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

The foregoing minutes were considered at the October 25, 2022 meeting and approved with the following amendment None.

The vote to approve the minutes 8-0.