

**MINUTES OF THE GOVERNING BODY OF
THE CITY OF PARK CITY, KANSAS
COUNCIL CHAMBERS – 1941 E. 61st STREET NORTH
June 14, 2022**

ROLL CALL

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

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 Public Works Director Simon Wiley.

VISITORS

Ark Valley News
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 Mayor John Lehnerr led the Pledge of Allegiance.

APPROVAL OF AGENDA

Council Member Jim Schroeder moved to amend the agenda by moving item #7 to New Business at 9A.

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

AWARDS AND/OR PRESENTATIONS

PUBLIC FORUM

None.

STAFF REPORTS

City Administrator Sean Fox stated the advertisement for the Parks Master Plan is scheduled for June 15, 2022. He stated the respondents have until July 29, 2022 to submit their proposals. Mr. Fox stated the open positions available with the City. He gave an update on the status on the Capital Improvement Plan. Mr. Fox also gave an update on the marquee sign on 61st Street.

Council Member Kyle Nordick requested staff send Council a draft copy of RFP's for master plans and big items for review.

Council Member Tom Jones stated his concern with the new construction and existing properties not draining properly due to improper grading.

CONSENT AGENDA

- 1. Minutes of the May 24, 2022 Special Meeting.**
- 2. Minutes of the May 24, 2022 Regular Meeting.**
- 3. Appropriations 986-2022 with Addendum.**
- 4. Approve invoice from Employers Mutual Casualty Company.**
- 5. Approve renewal of agreement for social media marketing and communications services with Helmick Media & Logistics, LLC.**
- 6. Approve expenditure for cloud storage, license fees, and extended warranty for police video cameras.**

Council Member Tom Jones moved to amend the Consent Agenda by removing item number four.

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

Council Member Tom Jones moved to approve the Consent agenda.

Council Member Ben Saucedo seconded the motion. Motion carried 6-1 (Council Member George Capps voted nay.)

NEW BUSINESS

9A. AUTHORIZE MAYOR TO SIGN AGREEMENT WITH LEXISNEXIS TO ALLOW POLICE DEPARTMENT TO SHARE CRIME DATABASE INFORMATION.

City Attorney Doug Moshier explained to Council that there was concern from two Council Members that this was a contract involving the City of Wichita. He stated the contract is with LexisNexis and there is no conflict of interest. Mr. Moshier stated Council Member Kyle Nordick and Council Member Charley Davidson are free to vote on the item.

Council Member Ben Saucedo moved to authorize the Mayor to sign an agreement with LexisNexis and to allow the Police Department to share crime database information.

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

9. DISCUSS AND CONSIDER THE USE OF HAP MCLEAN PARK FOR PARKING FOR A HAUNTED ATTRACTION EVENT.

City Clerk Marlo Rugg stated Matt Vierthaler and Jack Sandberg have obtained permission from the property owner at 6800 N Hydraulic to have a haunted attraction event in October. She stated the City requires a Sound Amplification Permit for this event. Ms. Rugg stated the application for permit for sound amplification has been received by the City Clerk.

Ms. Rugg stated Mr. Vierthaler and Mr. Sandberg are requesting the use of the parking lots at Hap McLean park for parking during the event. Park hours set by ordinance are from 6:00 am to midnight.

Jack Sandberg stated the intensions of the Haunted event and answered questions from the Council.

City Attorney Doug Moshier stated the event would require a temporary zoning permit.

Council Member Ben Saucedo stated his concern with the lack of information provided in the packet for Council and to the public.

A discussion ensued.

Council Member Kyle Nordick moved to call the question.

Council Member Ben Saucedo seconded the motion. Motion carried 6-1 (Council Member

Council Member Ben Saucedo moved to table this agenda item until the June 28, 2022 meeting.

Council Member Kyle Nordick seconded the motion. Motion carried 4-3 (Council Members Jim Schroeder, Charley Davidson, and Tom Jones voted nay.)

10. CONSIDER FRANCHISE ORDINANCE FOR MCIMETRO ACCESS TRANSMISSION SERVICES LLC PERMITTING THE CONSTRUCTION, OPERATION AND MAINTENANCE OF A TELECOMMUNICATIONS SYSTEM IN THE CITY.

City Attorney Doug Moshier stated MCIMetro Access Transmission Services LLC has requested that it be granted a franchise within the City to construct, operate and maintain a telecommunications system.

Mr. Moshier stated over the past several years the Kansas Legislature has adopted statutes that limit the terms of franchise agreements that City's can set for the granting of telecommunications franchises. The proposed franchise ordinance is consistent with the statutory limitations and is one that the franchisee is willing to enter into.

Council Member Ben Saucedo moved to approve Ordinance # 1145-2022 an ordinance granting to MCIMetro Access Transmission Services LLC, a Delaware Limited Liability Company, d/b/a Verizon Access Transmission Services, a contract franchise to construct, operate and maintain a telecommunications system in the City of Park City, Kansas, and prescribing the terms of said contract franchise.

Council Member 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	Absent
Council Member Kyle Nordick	Yes	Council Member Jim Schroeder	Yes

11. CONDUCT PUBLIC HEARING TO DETERMINE WHETHER THE STRUCTURE AT 1915 EAST FAIRCHILD IS DANGEROUS AND UNSAFE.

City Attorney Doug Moshier stated after receiving evidence relating the present condition of the structure at 1915 East Fairchild, make findings as to whether the structure is dangerous and unsafe.

Mr. Moshier stated if it is determined that the structure is dangerous and unsafe, adopt Resolution 1145-2022 which sets out the findings that support such a determination and sets a date by which the owner or other interested persons must commence either repair or removal of the structure.

Mayor John Lehnerr opened the public hearing at 7:48 pm.

Kevin Strebel stated he was contacted by the family of 1915 East Fairchild to speak on their behalf. He stated the family was working with an attorney and that the property is in probate. Mr. Strebel requested on behalf of the family for a ninety-day extension.

City Building Inspector Bob Walker stated since the notice was sent to 1915 East Fairchild, the windows and doors have been boarded up. Mr. Walker stated he still felt the property was unsafe. He stated he requested Evergy to pull the electrical service. Mr. Walker stated he had no issue with giving the extension.

A discussion ensued.

Mr. Lehnerr closed the public hearing at 8:03 pm.

Council Member Charley Davidson moved to approve Resolution #1121-2022 a resolution finding the structure at 1915 East Fairchild to be dangerous and unsafe and, pursuant to K.S.A. 12-1753, directing the owner and any other persons having an interest in said structure to either repair or remove the structure with such work to commence no later than 90 days from the date of this resolution.

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

12. CONSIDER THE VACATION OF A PORTION OF KECHI ROAD (NOW 61ST STREET NORTH) LOCATED NORTH OF 61ST STREET NORTH AND WEST OF HYDRAULIC AVENUE.

Interim Zoning Administrator Russ Ewy stated the vacation of the Kechi Road frontage road is requested to support the redevelopment of the adjacent commercial property. He stated if vacated, the right-of-way will revert to the adjacent property owners as private property. Mr. Ewy stated this segment of right-of-way under consideration may contain utilities and drainageways which will need to be protected by easements dedicated by separate instrument.

Council Member Ben Saucedo moved to approve Ordinance #1146-2022 an ordinance vacating street right-of-way within the City of Park City, Kansas.

Council Member George Capps 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	Absent
Council Member Kyle Nordick	Yes	Council Member Jim Schroeder	Yes

10. Z-2022-01 - DISCUSS AND CONSIDER APPROVAL OF A PROPOSED CHANGE OF ZONING DISTRICT CLASSIFICATION FROM THE R-2 SINGLE-FAMILY RESIDENTIAL DISTRICT TO THE A-1 AGRICULTURAL DISTRICT, LOCATED NORTH OF 101ST STREET NORTH AND WEST OF INTERSTATE I-135 HIGHWAY (600 E. 101st STREET NORTH, PARK CITY, KANSAS).

Interim Zoning Administrator Russ Ewy stated Brenda Adams, the owner of the subject property, is requesting approval of a change of zoning on the subject property. He stated the subject property is currently zoned “R-2” Single-Family Residential and received approval from the Board of Zoning Appeals in late 2020 for a Conditional Use to allow an accessory dwelling unit.

Mr. Ewy stated the site is currently developed with a single-family home, and properties adjacent to the east and west are also zoned “R-2” Single-Family Residential and developed with large-lot residential uses on multiple tracts. He stated the property to the north is in the unincorporated portion of Sedgwick County, zoned “RR” Rural residential, and used for agricultural purposes. Land across 101st Street to the

south is the Jeeps Motorcycle Club facility and zoned “E-1” Entertainment District, while land to the southeast is zoned “R-2” and in agricultural production.

Council Member Ben Saucedo moved to approve the zone change as presented.

Council Member Kyle Nordick seconded the motion. Motion carried 7-0.

11. DISCUSS AND CONSIDER APPROVAL OF ENGAGEMENT LETTER AGREEMENT FOR CONSULTING SERVICES RELATED TO THE ARPA GRANT

Finance Director Dee Anne Grunder stated the City of Park City was allocated ARPA funds in the amount of \$1,184,857. She stated there are many requirements’ entities must follow when spending federal funds. Ms. Grunder stated if an entity spends federal funding of \$750,000 or more in a year, an auditor must review how the funds were managed to make sure there was compliance with all the rules and regulations of the grant award, as well as the Uniform Grant Guidance (UGG). She stated the UGG is a set of uniform rules and regulations about federal grants from the Office of Management and Budget.

Ms. Grunder stated the City of Park City has not historically received federal grants of this size, and City staff does not have expertise with federal grant regulations or the UGG. She stated if the rules and regulations are not followed closely, the federal government could potentially require repayment of the funds after the money has already been spent.

Ms. Grunder stated because there are many small cities without federal grant expertise, the State of Kansas made available a master services contract with five prequalified contractors to assist Kansas government entities with the administration of ARPA funds. She stated paying for these services is an allowable use of the ARPA funds. Ms. Grunder stated staff has attempted to contact all five of those entities. She stated three of the entities did not respond, even after a follow-up attempt was made. Ms. Grunder stated the fifth entity, Virchow Krause & Company (aka Baker Tilly), did respond. After discussing Park City’s needs and tentative plans for spending the funds (i.e., one large project for street improvements, sewer infrastructure, or water infrastructure), Baker Tilly provided an engagement letter agreement for hourly services in an amount not to exceed \$10,000.

Council Member Kyle Nordick moved to approve the engagement letter agreement with Baker Tilly for ARPA consulting services in an amount not to exceed \$10,000, to be paid from the ARPA grant funds.

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

12. DISCUSS AND CONSIDER PREPURCHASING MATERIALS FOR 53RD AND AIR CAP TRAFFIC SIGNAL

City Administrator Sean Fox stated in January, Council approved a contract with Professional Engineering Consultants (PEC) to design traffic signalization for the intersection of 53rd and Air Cap Drive.

Mr. Fox stated as part of the due diligence, PEC reached out to Gades Traffic Control Specialists to confirm availability/lead times of necessary components (poles and controllers).

He stated the current lead time for aluminum pedestal and mast poles is 13-15 weeks and 180 days for the controller backup battery system. Staff recommends repurchasing these items as soon as possible.

Council Member Kyle Nordick moved to approve the purchase of aluminum pedestal and mast poles, EPAC Controller and Alpha Battery Backup System from Gades Sales Co. Inc. for an amount not to exceed \$118,879 to be paid out of the Capital Projects Fund.

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

15. EXECUTIVE SESSION - PRELIMINARY DISCUSSIONS RELATED TO THE ACQUISITION OF REAL PROPERTY IN THE GENERAL AREA OF 77TH STREET AND BROADWAY.

Council Member Ben Saucedo moved to recess into executive session for fifteen minutes for preliminary discussions related to the acquisition of real property in the general area of 77th Street and Broadway with the Governing Body, City Attorney, City Administrator, and Assistant City Administrator.

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

Recess into executive session at 8:24 pm.

Mayor John Lehnerr reconvened the meeting at 8:42 pm with no binding action taken.

GOVERNING BODY REMARKS

Council Member Tom Jones stated his concern with the traffic being backed up at 53rd Street and I-135.

Council Member Kyle Nordick gave an update on the Wyndham drainage issue. Mr. Nordick also asked to be on the selection committee for the parks master plan.

Council Member Ben Saucedo stated the U.S. Army 247 years old on June 14, 2022. Mr. Saucedo invited everyone to attend his Convos and Coffee event on June 18, 2022 at 9:00 am.

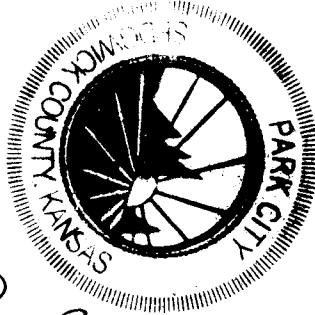
Council Member George Glover invited everyone to the Fishing Derby on June 18, 2022 from 9:00 am to 11:00 am. Mr. Glover wished everyone a Happy Father's Day.

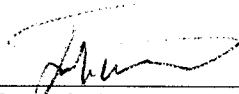
Mayor John Lehnerr stated there were no new home permits issued in May. He requested staff to bring back to Council at the first meeting in July what surrounding cities are offering as incentives. Mr. Lehnerr stated the City of Valley Center won the blood donation challenge and the City of Park City was flying their flag today.

ADJOURN

Council Member Ben Saucedo moved to Adjourn the meeting at 8:50 pm.

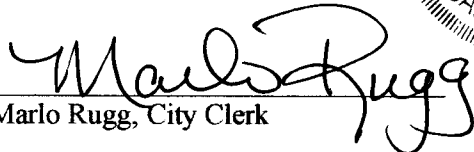
Council Member George Capps seconded the motion. Motion carried 7-0.





John Lehnherr, Mayor

Attest:



Marlo Rugg, City Clerk

The foregoing minutes were considered at the June 28, 2022 meeting and approved with the following amendment None.

The vote to approve the minutes 7-0.