

**MINUTES OF THE GOVERNING BODY OF  
THE CITY OF PARK CITY, KANSAS  
COUNCIL CHAMBERS – 1941 E. 61<sup>st</sup> STREET NORTH  
September 24, 2019**

**ROLL CALL**

The following were present: Council Members John Lehnherr, George Glover, Melvin Kerr, Tom Jones, George Capps, Brandi Baily, and Jim Schroeder. Council Member Ben Saucedo was absent.

Also present: Mayor Ray Mann, City Administrator Sean Fox, Assistant City Administrator/Human Resources Manager Dana Walden, Finance Director/City Clerk Dee Anne Grunder, Police Chief Phil Bostian, City Attorney Doug Moshier, and Public Works Director Eric Miner.

**VISITORS**

Taylor Messick, Ark Valley News  
Terry Ford  
Bob Darnell  
Jerry Winkley  
Larry Kleeman  
Garth Herrmann

**MEETING CALLED TO ORDER**

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

**APPROVAL OF AGENDA**

Council Member Jim Schroeder moved to approve the agenda as presented. Council Member George Glover seconded the motion. Motion carried 7-0.

**AWARDS & PRESENTATIONS**

None.

**PUBLIC FORUM**

None.

**STAFF REPORTS**

City Administrator Sean Fox stated the City had two water main breaks within the last thirty-six hours. He stated the first one was a twelve-inch break on the north side of Broadway west of 61<sup>st</sup> Street. Mr. Fox stated it affected three business, but no residential homes were affected. Mr. Fox stated the second water main break was a cross connection break that occurred at the intersection of Millsboro, Randall, and Denver. Mr. Fox stated the multi-sized cross connection break would be fixed later in the evening.

Mr. Fox stated the 61<sup>st</sup> Street Bridge Project will require the closure of east-bound traffic on October 8<sup>th</sup>, 9<sup>th</sup>, and 10<sup>th</sup>. He stated it will be safer and more efficient to close the east-bound traffic, so the contractors can set the beams.

Mr. Fox stated staff received a draft codification of the Municipal Code from Ranson Financial. He stated staff will review the draft Code, and final codification will be in November.

Mr. Fox stated the new website was revealed to staff and should be open to the public around November 1, 2019. He stated the City-Wide Garage Sales will be September 28, 2019. He stated Brush and Limb Day at Hap McLean Park and Household Hazardous Waste Day at the library parking lot will be October 5, 2019. Mr. Fox stated Shred Day will be on October 12, 2019 at the City Administration building. He stated Fall Fest will take place at Hap McLean Park on October 26, 2019 from 4:00pm to 7:00pm.

Mr. Fox announced the retirement of Senior Accountant Toni Moorman. He stated Ms. Moorman has worked for the City for six years and her last day will be October 4, 2019. Mr. Fox stated staff wishes Ms. Moorman the best.

Council Member George Capps asked if there will be a boil water advisory. Mr. Fox stated he does not anticipate it at this time.

Mayor Ray Mann asked Mr. Fox to discuss the rating call. Mr. Fox stated the City had a rating call with S&P a few weeks ago on the 2019-B G.O. Bond, and the City maintained an AA- rating.

#### **CONSENT AGENDA:**

1. Minutes of September 10, 2019 Regular Meeting.
2. Appropriations 921-2019 with Addendum.
3. Approve Expenditure of Transient Guest Tax Funds as Recommended by the Convention & Tourism Board: (1) Sponsorship of Wichita Toy Run, \$2,888 from the 2019 Budget; (2) Sponsorship of Kansas Youth Ministries, 10,000 from the 2019 Budget; (3) Sponsorship of Wichita State Shooting Sports, \$5,000 from the 2019 Budget; (4) Sponsorship of Wichita Wings Indoor Soccer, \$30,000 maximum, \$2,500 per game with the residual for a playoff game(s), with a contingency that opposing team stay in Park City, and they use the name Park City in all marketing advertisements, from the 2019 Budget; (5) Sponsorship of Jehovah's Witnesses at Hartman Arena, \$6,000 from the 2019 Budget; (6) Sponsorship of Heartland of America Chisholm Trail Showdown, \$8,000 from the 2019 Budget; (7) Sponsorship of Southwestern College Tennis, \$1,000 from the 2019 Budget.
4. Approve Park and Recreation Advisory Board Bylaws.
5. Approve Tree Board Advisory Board Bylaws.
6. August Financial Report.

Council Member John Lehnerr moved that the Consent Agenda, as presented, be approved.

Council Member Jim Schroeder seconded the motion. Motion carried 6-1 (Council Member George Glover opposed).

#### **NEW BUSINESS**

#### **7. CONSIDER BIDS, ORDINANCE, AND RESOLUTION RELATED TO ISSUANCE OF 2019-B GENERAL OBLIGATION BONDS**

The City's Financial Advisor, Larry Kleeman with Ranson Financial, stated bonds and temporary notes were sold today. Mr. Kleeman stated seven bids were received on the bonds, and the winning

bid was Robert W. Baird & Co. with a 2.296% interest rate. Mr. Kleeman stated the bonds will be paid for with special assessments, and the bonds will pay off Temporary Notes 2017-1 and 2018-1. Mr. Kleeman stated the bonds are scheduled to close in two weeks.

**A. Bids - 2019-B G.O. Bond Issue:**

Council Member Jim Schroeder moved that the bid from Robert W. Baird & Co., Inc. 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 Tom Jones seconded the motion. Motion carried 7-0.

**B. Ordinance Issuing 2019-B G.O. Bonds:**

Council Member Jim Schroeder moved to approve Ordinance #1075-2019 authorizing and providing for the issuance of General Obligation Bonds, Series 2019-B, 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 Brandi Baily seconded the motion.

**Roll Call**

Council Member John Lehnherr	Yes	Council Member Tom Jones	Yes
Council Member George Glover	Yes	Council Member George Capps	Yes
Council Member Ben Saucedo	Absent	Council Member Brandi Baily	Yes
Council Member Melvin Kerr	Yes	Council Member Jim Schroeder	Yes

**C. Resolution Authorizing the Sale of the 2019-B G.O. Bonds:**

Council Member Jim Schroeder moved to approve Resolution #1034-2019 prescribing the form and details of and authorizing and directing the sale and delivery of General Obligation Bonds, Series 2019-B of the City of Park City, Kansas, previously authorized by Ordinance #1075-2019 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 John Lehnherr seconded the motion. Motion carried 7-0.

**8. CONSIDER BIDS AND RESOLUTION RELATED TO ISSUANCE OF 2019-1 TEMPORARY NOTE**

Larry Kleeman with Ranson Financial stated bids were accepted on the temporary notes today. He stated one bid was received from Oppenheimer & Co, Inc., and the rate on the winning bid is 2.25%. He stated he had included an underwriter profit in the amount of the temporary note, but this bidder did not utilize all of it, so the temporary note has been downsized by \$25,000. Mr. Kleeman stated the interest was capitalized into the temporary note issue, so it will not affect the budget. He stated the temporary note will close on October 15, 2019.

**A. Bids – 2019-1 Temporary Note Issue:**

Council Member Brandi Baily moved that the bid from Oppenheimer & Co. Inc. 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 John Lehnherr seconded the motion. Motion carried 7-0.

**B. Resolution Authorizing Issuance of the 2019-1 Temporary Note:**

Council Member John Lehnherr moved to approve Resolution #1035-2019 authorizing and directing the issuance, sale and delivery of General Obligation Temporary Notes, Series 2019-1, 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 Tom Jones seconded the motion. Motion carried 7-0.

**9. DISCUSS AND CONSIDER APPROVAL OF THE “WINKLEY ADDITION” FINAL PLAT (LOCATED AT 4709 N HYDRAULIC)**

City Administrator Sean Fox stated Winkley Property LLC and Kirk Miller Engineering requested approval of a one-step final plat. Mr. Fox stated the plat creates a single lot and an additional right of way along Hydraulic Avenue. He stated there is no cost to the City.

Council Member Brandi Baily moved to approve the Winkley Addition-A One-Step final plat for property located at 4709 N. Hydraulic, subject to the following conditions:

1. The applicant shall submit a Title Report per Article 5-101(R.1) to the City.
2. The applicant shall submit a Drainage Plan per Article 5-101(R.2) to the City.
3. The plat shall provide a 35-foot Building Setback line along Hydraulic Ave.
4. The plat shall provide a 20-foot Drainage and Utility Easement along Hydraulic Ave.
5. The plat shall show the dedication of complete access control along Hydraulic Ave., except for two openings.
6. The quarter section/section/township/range designation needs to be added under the title of the plat.
7. A certificate for the City Attorney needs to be added to the final plat.
8. Within the Planning Commission Certificate, the name of the subdivision needs to be corrected.
9. City Clerk’s name needs revised to read Dee Anne Grunder.
10. Any utility relocation required as part of the development of the subject property shall be the responsibility of the landowner.

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

**10. DISCUSS AND CONSIDER ORDINANCE PROHIBITING CONSTRUCTION ACTIVITIES DURING CERTAIN HOURS**

City Attorney Doug Moshier stated Council had questions and concerns about the ordinance at the last meeting. Mr. Moshier stated he believes this revised ordinance addresses all the concerns. He

stated subsection (a) addresses the limitation of construction activities conducted for compensation. Mr. Moshier stated in subsection (b), the definition of construction activities has been expanded, and it also exempts construction activities done within an indoor space. He stated subsection (f) exempts an owner/occupant of a structure who is performing construction on that structure.

Council Member Brandi Baily asked how the contractors will be notified. Mr. Fox stated each time a permit is issued, the contractor will be provided with the ordinance. They will also be informed when they obtain a City license.

Council Member George Capps stated any ordinance such as this one will discriminate against someone. He stated the City has lots of shift workers, and the ordinance is not going to help them. Mr. Capps stated the ordinance benefits retirees and those who work during the day.

Council Member Jim Schroeder stated he does not know how the City could cater to everyone. He stated he was satisfied with the ordinance revisions.

Council Member John Lehnherr asked if he understood correctly that work is prohibited on Sunday or any government-recognized holiday and anytime other than during the hours of 7am to sunset on Monday through Saturday. Mr. Moshier stated that is correct. Mr. Lehnherr stated he is concerned about the days and times work is prohibited. He asked that the 4<sup>th</sup> of July holiday be removed. Mr. Moshier stated the focus is on the residents rather than on the construction trade. He stated the ordinance protects the citizens.

Mayor Ray Mann stated the reason the ordinance was created was because the Administration office receives calls on this topic on a regular basis.

Council Member Brandi Baily suggested removing the summer holidays.

Council Member Tom Jones stated roofers make noise early in the morning during the summer, but the City will also be restricting them from catching up when they are behind on their work. Mayor Mann stated the calls received in the office are not typically about house roofers. He stated another aspect related to restricting work on holidays is that roofers often work on weekends without a permit, so this could be an avenue for enforcing permits.

Council Member John Lehnherr moved to approve Ordinance #1076-2019 creating Section 5-1101 of the Municipal Code of the City of Park City, Kansas, pertaining to limitations on construction activities during certain hours when in close proximity to residential areas.

Council Member Brandi Baily seconded the motion.

**Roll Call**

Council Member John Lehnherr	Yes	Council Member Tom Jones	Yes
Council Member George Glover	No	Council Member George Capps	Yes
Council Member Ben Saucedo	Absent	Council Member Brandi Baily	Yes
Council Member Melvin Kerr	No	Council Member Jim Schroeder	Yes

**GOVERNING BODY REPORTS**

**Mayor's Remarks**

None.

**Remarks by Council Members**

Council Member Jim Schroeder stated he would like Council to explore a noise ordinance. Mayor Mann asked Mr. Moshier if the City had a noise ordinance already in place. Mr. Moshier stated yes, but there are changes currently in process. He stated the changes may not address Mr. Schroeder’s concerns, but will be more comprehensive and objective in addressing decibel levels.

Council Member Tom Jones asked if the ordinance will apply if there is a construction area in a new development with no houses. Mr. Moshier stated the ordinance only applies if the construction is within 100 feet of a residential area.

Council Member George Capps stated Council needs to be very careful about banning certain things. He stated government can get too involved in citizens’ lives.

Council Member Tom Jones stated, on November 9, 2019 the Sedgwick County Association of Cities will have a meeting at the City Administration building. He stated the topic will be mental health.

Council Member George Glover stated he appreciated the update on the water issues. He stated Fall Fest will be held on October 26, 2019 at Hap McLean Park from 4:00pm to 7:00pm.

**ADJOURN**

Council Member John Lehnerr moved to adjourn the meeting at 7:42 pm.

Council Member Brandi Baily seconded the motion. Motion carried 7-0.

\_\_\_\_\_  
Ray Mann, Mayor

Attest:

\_\_\_\_\_  
Dee Anne Grunder, City Clerk

The foregoing minutes were considered at the October 8, 2019 meeting and approved with the following amendment\_\_\_\_\_.

The vote to approve the minutes\_\_\_\_\_.