

REGULAR COUNCIL MEETING  
February 21, 2023  
CITY HALL  
121 S. MERIDIAN

Mayor Cicirello called the regular council meeting to order at 7:00 p.m. with the following members present: Matt Stamm, Clint Bass, Gina Gregory, Dale Kerstetter, Robert Wilson, and Ronald Colbert.

Members Absent: Chris Evans and Ben Anderson

Staff Present: Barry Arbuckle, City Attorney  
Lloyd Newman, Public Safety Director  
Ryan Shrack, Community Development Director  
Rodney Eggleston, Public Works Director  
Neal Owings, Parks and Public Building Director  
Gage Scheer, City Engineer  
Barry Smith, Asst. City Administrator  
Brent Clark, City Administrator  
Kristi Carrithers, City Clerk

Press present: Ark Valley News

**APPROVAL OF AGENDA**

Wilson moved to approve the agenda as presented, seconded by Colbert. Vote yea: unanimous. Motion carried.

**ADMINISTRATION AGENDA –**

**FEBRUARY 7, 2023, REGULAR CITY COUNCIL MINUTES-**

Wilson moved to approve the minutes of the February 7, 2023, regular City Council meeting as presented, seconded by Kerstetter. Vote yea: Unanimous Motion carried.

**PRESENTATIONS/PROCLAMATIONS** – None

**PUBLIC FORUM** – None.

**APPOINTMENTS** – None

**OLD BUSINESS –**

**A. ORDINANCE 1385-23: RE-ZONING IN ARBOR VALLEY ADDITION**

Shrack stood for any questions regarding the 2<sup>nd</sup> reading of re-zoning Ordinances. The re-zoning of the properties from RR-1 to R-1B

Kerstetter moved to approve Ordinance 1385-23, re-zoning property in the Arbor Valley Addition for 2<sup>nd</sup> . reading. Motion seconded by Stamm. Vote Yea: unanimous. Motion carried.

**B. ORDINANCE 1386-23: RE-ZONING IN MARQUEZ ACRES ADDITION**

Kerstetter moved to approve Ordinance 1386-23, re-zoning property in the Marquez Acres Addition for 2<sup>nd</sup> . Reading. Motion seconded by Gregory. Vote Yea: unanimous. Motion carried

**NEW BUSINESS-**

**A. APPROVAL OF UPGRADE TO TRAFFIC CONTROLS; 5<sup>TH</sup> AND MERIDIAN**

Public Works Director Eggleston requested approval to upgrade the traffic control system at 5th and Meridian. The system is outdated and has been worked on numerous times. Staff has had to place temporary 4 way stop signs which at that intersection is not ideal. Three quotes were obtained for control software and installation. Eggleston recommended acceptance of software quote from Gades Sales and installation by Phillips Southern Electric Co. During Council discussions, it was noted that the system dated back to 2000, so it's definitely outdated.

Stamm moved to approve upgrade to traffic signals at 5<sup>th</sup> and Meridian and accept quote from Gades Sales Co. Inc. for \$14,992.00 along with the installation by Phillips Southern Electric Co. for \$6995.00 for a total project cost not to exceed \$21,987.00. Motion seconded by Wilson. Vote yea: unanimous. Motion carried.

#### **B. APPROVAL OF PURCHASE OF CUB CADET SLOPE MOWER**

Public Works Director Eggleston reminded Council that a slope mower was purchased 2021, Funds for an additional mower are in the 2023 budget. Staff recommended purchase of an addition slope mower. This mower would not replace the original but be an additional piece of equipment. Kerstetter asked for estimate on how long these mowers should last. Eggleston stated they hope to get at least 8-10 years from each mower. This mower is almost exact model as current so no outside vendor specialized training would be needed as staff is familiar with mower.

Wilson moved to approve purchase of a Cub Cadet Pro Z 972 SDL mower from Trailers N More for the not to exceed price of \$19,694. Motion seconded by Stamm. Vote Yea: unanimous. Motion carried.

#### **C. APPROVAL OF MAIN STREET VALLEY CENTER ALLOCATION**

Chris Struck, president of Main Street Valley Center addressed City Council. He thanked Council for their financial and staff support. He reviewed the 2022 accomplishments and stated the goals for 2023. They received for designation with KS Main St. Program in 2022. He estimates that for every \$1 the city invested in Main Street Valley Center the private sector invested another \$10.

Kerstetter moved to approve the fiscal year 2023 allocation for Main Street Valley Center in the amount of \$10,000.00. Motion seconded by Gregory. Vote yea: unanimous. Motion carried.

#### **D. APPROVAL OF FORD STREET IMPROVEMENTS CHANGE ORDER**

PEC Engineer Scheer introduced Riley Schmitz, the lead engineer on Ford and Meridian projects. Schmitz requested approval of change order for Ford Street improvements. This change order is requested for additional driveway widening and additional 41 days for completion. Change order will increase contract price \$1,175.20. He stated that the additional days will push the completion date to late July.

Wilson moved to approve the Ford Street change order #3 in an amount of \$1175.20, seconded by Bass. Vote Yea: unanimous. Motion carried.

#### **E. APPROVAL OF AGREEMENT WITH PEC: MERIDIAN AVE.**

Riley Schmitz also presented agreement with PEC for design services for existing utilities and waterline replacement along Meridian Ave. Kerstetter questioned whether this supplemental design agreement would still be needed if the planned round-about at 69<sup>th</sup> was removed and stoplight was installed. Schmitz stated it would not change scope of the agreement and design services would still be necessary. Administrator Clark reminded Council that the intersection is County property and the county is working with Valley Center on the design.

Stamm asked about a right-hand turn installed for the Magellan property. Schmitz reported that have met with the company but they expressed concern regarding existing pipelines.

Gregory confirmed that this design will change the north entrance for Builders 1<sup>st</sup> Source. Schmitz also stated that citizens will be seeing more utility workers throughout the city doing locates.

Stamm moved to approve agreement with PEC for design and survey services on Meridian in an amount not to exceed \$84,000.00 and authorize Mayor to sign. Motion seconded by Bass. Vote yea: unanimous. Motion carried

**E. YEAR END 2022 FINANCIAL REVIEW**

Asst. City Administrator Smith presented a financial review of the 2022 4<sup>th</sup> quarter as well as an unaudited year-end review. He was pleased with the finances and expenditures at year end. He reported that the city phone app now has 1373 downloads. Gregory thanked Mr. Smith for the hard work and professionalism he brings to the position.

Wilson moved to accept and file 2022 year-end financial review report. Motion seconded by Kerstetter. Vote Yea: unanimous. Motion carried.

**G. RESOLUTION 730-23; CLEARWAVE FIBER RIGHT OF WAY AGREEMENT**

Community Development Shrack addressed council with installation and development of utilities. He urged council to approve Resolution 730-23 which authorizes Clearwave Fiber access to the City's right-of-way to install new fiber internet service line throughout the community. He then introduced Kala Maxfield with Clearwave Fiber to present information on the company and their intended plan to build new fiber internet service in Valley Center. Maxfield reported that the company is not requesting any funds from the City, only permission to lay fiber optic for residents. Council members expressed their frustration with slow connections and how important reliable internet is to Valley Center. Discussion was held regarding costs and speed of service as well as when service would be available to residents. Maxfield stated that permits could be pulled as early as March with service to initial areas in May. Kerstetter moved to approve Resolution 730-23, regarding ROW access to Clearwave Fiber. Motion seconded by Bass. Vote Yea: unanimous. Motion carried.

**CONSENT AGENDA**

- A. APPROPRIATION ORDINANCE – FEBRUARY 21, 2023
- B. CHECK RECONCILIATION – JANUARY 2023
- C. TREASURER'S REPORT – JANUARY 2023
- D. REVENUE AND EXPENSE REPORT – JANUARY 2023
- E. ECONOMIC DEVELOPMENT BOARD MINUTES – FEBRUARY 1, 2023
- F. VALLEY CENTER PUBLIC LIBRARY FINANCIAL AND BUDGET REPORT

Wilson moved, seconded by Stamm to approve the Consent Agenda as presented. Vote Yea: Unanimous. Motion carried.

**STAFF REPORTS**

**COMMUNITY DEVELOPMENT DIRECTOR SHRACK**

Announced the Home Show in Wichita will be March 2-5<sup>th</sup>. Valley Center will once again have a booth to promote Valley Center and housing developments, schools, etc. A gift basket will be given away following the show and thanked those who have donated items.

**PARKS AND PUBLIC BUILDINGS DIRECTOR OWINGS**

Reported that work continues on the pool in Lions Park. They have been sandblasting and making repairs.

Landscaping continues around the welcome sign at 85<sup>th</sup> and Broadway. Trees are being planted and lighting for the sign has been ordered.

**PUBLIC SAFETY DIRECTOR NEWMAN**

Newman reported that the department has begun an accreditation program offered to departments across the State of Kansas. Departments must go through a process highlighting effective policing policy,

consisting of 165 set of standards. It will be a challenge for his department, but he is excited for the program which must be completed in two years.

**PUBLIC WORKS DIRECTOR EGGLESTON**

Eggleston stood for questions regarding his staff report. He also stated that the recent water inspection was completed with one small issue found. He recognized Ron Ekstrom Wade Gaylord and Katie Lechner for their hard work.

**GOVERNING BODY REPORTS –**

**MAYOR CICIRELLO**

Urged everyone to contact Senator McGinn regarding SB210. SB 210 upends longstanding election law throughout Kansas by turning nonpartisan local elections into partisan races. This disqualifies active military members and many federal employees from serving our communities while infringing on Article 12, Section 5 of the Kansas Constitution granting Home Rule. Cicirello stated if one individual decides to put party affiliation next to their name on the ballot in a nonpartisan race, under Code of Federal Regulation 734.101, that election becomes a partisan race. This is also clearly outlined by the U.S. Office of Special Counsel, which states: “An election is partisan even if only one candidate represents a political party and others do not.”

**COUNCILMEMBER GREGORY**

Thanked all the Valley Center employees for their hard work.

Colbert moved to adjourn, second by Wilson. Vote Yea: Unanimous.

**ADJOURN -**

**Meeting adjourned at 8:10pm.**

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**Kristi Carrithers, City Clerk**