

REGULAR COUNCIL MEETING
November 7, 2023
CITY HALL
121 S. MERIDIAN

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

Members Absent: Ronald Colbert

Staff Present: Ryan Shrack, Community Development Director
Lloyd Newman, Public Safety Director
Rodney Eggleston, Public Works Director
Barry Arbuckle, City Attorney
Gage Scheer, City Engineer
Barry Smith, Assistant City Administrator
Brent Clark, City Administrator
Kristi Carrithers, City Clerk

Press present: Ark Valley News

APPROVAL OF AGENDA

Anderson moved to approve the agenda as presented, seconded by Gregory. Vote Aye: unanimous. Motion carried.

ADMINISTRATION AGENDA –

OCTOBER 12, 2023, SPECIAL CITY COUNCIL MINUTES-

Gregory moved to approve the minutes of the October 12, 2023, Special City Council meeting as presented, seconded by Kerstetter. Vote Aye: Unanimous Motion Carried.

OCTOBER 17, 2023, CITY COUNCIL MINUTES-

Wilson moved to approve the minutes of the October 17, 2023, City Council meeting as presented, seconded by Kerstetter. Vote Aye: Unanimous Motion Carried.

PRESENTATIONS/PROCLAMATIONS –

LONGEVITY EMPLOYEE AWARDS

The League of Kansas Municipalities recognizes long term city employees each year at the annual meeting. Administrator Clark recognized Neal Owings, Parks and Public Building Director, for his 25 years of service. Public Safety Director Lloyd Newman recognized 25-years of service to Police Sargeant JC Kirk, Public Works Director Eggleston presented award to Katherine Lechner for 10-years of service to the City of Valley Center.

MILITARY APPRECIATION MONTH PROCLAMATION

Mayor Cicirello read a proclamation declaring November as Military Appreciation Month and recognizing November 11th as Veterans Day

NATIONAL AMERICAN INDIAN HERIAGE MONTH PROCLAMATION

Mayor Cicirello read a proclamation for National American Indian Heritage Month to be observed in the month of November.

FROM THE GROUND UP PRESENTATION

Robin Scriven, presented information about the non-profit organization "From the Gound Up" She talked about the great need for children and families in the Valley Center school district. They plan to serve 80 families this Christmas. Donations for clothing and toys are a minimum of \$50-\$100 for each child. More information regarding donations can be found at fromthegroundupvc.com. Council directed staff to add this to the November 21st agenda for further discussion.

PUBLIC FORUM –

Mike Miller, 650 Scott St. addressed Council with many concerns on his perception of citizen distrust with City Officials. Mayor Cicirello did stop his comments when references to Facebook postings were made. After a short period, Miller continued and finished with his public comments.

Jerry Hawkins, 401 N Fiddlers Creek, thanked the council for the continued development of sidewalks in Valley Center. He sees many residents running, jogging and using the sidewalks throughout the day.

Tim Mullen and Leroy Bosch, Colwich residents, addressed Council regarding solar panel development in Sedgwick County. They are opposed to the development of large-scale solar facilities and urged council members to educate themselves regarding utility scale solar in Sedgwick County. They stated that the Metropolitan Area Planning Commission is looking at regulations within the county.

APPOINTMENTS –

VALLEY CENTER PUBLIC LIBRARY

The Public Library Board requested appointment of Michael Vo to serve until April 2026. Mayor Cicirello recommended Council approve the appointment.

Anderson moved to approve the appointment of Michael Vo to the Library Board. Motion seconded by Kerstetter. Vote Aye: unanimous. Motion carried.

OLD BUSINESS – None

NEW BUSINESS-

A. GOLD STAR AWARD

The Gold Star award is received from the Kansas Municipal Trust for safety procedures and low workman's comp claims. City Administrator Clark recommended Mayor and Council recognize the hard work employees have done to earn the Gold Award by granting one additional paid day off on December 26, 2023, and a \$100.00 after tax bonus be paid to full time employees and a \$50.00 bonus be paid to less than full-time employees who have worked at least 100 hours. Kerstetter requested that staff explore funding in the 2025 budget to increase the bonus amount to \$150.00.

Kerstetter moved to approve granting one additional paid day off on December 26, 2023, and a \$100.00 after tax bonus be paid to full time employees and a \$50.00 bonus be paid to less than full-time employees who have worked at least 100 hours, seconded by Evans. Vote Aye: unanimous. Motion carried.

B. APPROVAL TO AWARD CONTRACT AND COMMITMENT OF FUNDS FOR MERIDIAN STREET

City Administrator Clark presented bid and contractor information received from the Kansas Department of Transportation regarding the Meridian Street Project. He reminded Council that this is a joint project with funding from KDOT and Sedgwick County. The lowest bid received by KDOT was from Pearson Construction LLC in the amount of \$9,382,058. The City of Valley Center matching funds for the project is \$2,437,000.

Wilson moved to approve Resolution for contract and commitment of matching funds in the amount of \$2,437,000. for the Meridian Street Project and authorize Mayor to sign. Motion seconded by Stamm. Vote Aye: unanimous. Motion carried.

C. APPROVAL OF BID FROM SARGENT DRILLING FOR WELL #10 MAINTENANCE

Public Works Director Eggleston stated that his department will only be able to complete cleaning and maintenance on one well per year based on budgeted dollars. He requested approval of bid from Sargent Drilling for maintenance and cleaning of well #10. Funds for this project are included in the well maintenance line item within the water budget. Kerstetter verified that the number of City owned wells is three.

Stamm moved to approve bid from Sargent Drilling in the amount of \$16,390.00 for well #10 rehabilitation and cleaning. Seconded by Evans. Vote Aye: unanimous. Motion carried.

D. REQUEST TO SOLICIT BIDS FOR SALE OF CITY FIRE ENGINE

Public Safety Director Newman stated that the new fire engine has been fully equipped. It will be in the parking lot after the meeting for inspection. He is now requesting authorization to solicit bids for the sale and disposal of the City's 1995 fire engine. He would like to limit bids to political subdivisions (cities, municipalities or fire districts) in the State of Kansas. This will keep a private individual or company from purchasing and reselling it for profit.

Kerstetter made a motion to authorize solicitation of bids from political subdivisions in the State of Kansas for the sale of 1995 Fire Engine. Motion seconded by Wilson. Vote Aye: unanimous. Motion carried.

E. MAIN STREET CLOSURE FOR CHRISTMAS EVENTS REQUEST

Main Street Valley Center President Chris Strunk requested Council approval to close the 100 block of West Main Street on December 1, 2023, for the annual Hometown Christmas tree-lighting ceremony. It will be from 6:00-9:00pm.

Evans moved to approve request for street closure of the 100 block of West Main Street on December 1, 2023, between 6:00-9:00pm for Hometown Christmas tree-lighting ceremony. Seconded by Bass. Vote Aye: unanimous. Motion carried.

F. DISCUSSION OF SPEED HUMPS/BUMPS

City Engineer Scheer presented information gathered regarding the installation of speed humps/bumps in a residential area. He explained that while they do reduce vehicle speeds, he doesn't recommend their use in the Ridgefield area. The close spacing of driveways would not allow the minimum 15-foot distance from the speed hump. Also, the curve of streets in the neighborhood is not recommended for humps. Scheer stated that cities that have humps were planned and installed in areas during the development stage. Anderson commented that speed humps in the Old Town area in Wichita is not always effective and he has observed vehicles take it at high rates of speed. Eggleston stated that quick research of cost of "speed indicators" was approximately \$2,000.00 per signal. No action taken.

G. ORDINANCE 1398-23; AMENDING ORDINANCE 1396-23

City Attorney Arbuckle requested approval of Ordinance 1398-23. Ordinance 1396-23 was approved on October 3, 2023. It was determined that an error in the legal description on Ordinance 1396-23 was made in the final approval process. As Ordinance 1396-23 was previously passed, Mr. Arbuckle requests waiver of 1st reading and final approval.

Bass moved to waive 1st reading of Ordinance 1398-23, seconded by Evans. Vote Aye: unanimous. Motion carried.

Bass moved to approve Ordinance 1398-23 amending Ordinance 1396-23, seconded by Kerstetter. Vote Aye: unanimous. Motion carried.

H. ORDINANCE 1399-23; RE-ZONING LAND SE OF 93RD ST. AND MERIDIAN AVE

Comm. Dev. Director Shrack presented Ordinance No. 1399-23, which rezones property from RR-1 (suburban residential district) to C-2 (general business district) / R-2 (two-family residential district). This property is located south of the Valley Center High School and north of the Middle School and Valley

Point Golf Course. Schrack stated that the Valley Center Planning and Zoning Board approved this request at the October 25, 2023, meeting.

Stamm moved to approve Ordinance 1399-23 for 1st reading. Motion seconded by Evans. Vote Aye: unanimous. Motion carried.

I. ORDINANCE 1400-23; RE-ZONING LAND SE OF 85TH ST. AND RIDGE ROAD

Comm. Dev. Director Shrack requested approval of Ordinance No. 1400-23, which rezones property from RR-1 (suburban residential district) to A-1 (agricultural district) for 1st reading. At the request of the property owners the Valley Center Planning and Zoning Board approved this request at the October 25, 2023, meeting. This property is located southeast of the intersection of Ridge Road and 85th St. Shrack explained that this Ordinance only re-zones the property, any changes to land use must have a site plan reviewed and approved by the Planning and Zoning Board.

A large group opposed to the re-zoning of the property were in attendance. Mayor Cicirello reminded those wishing to speak please remember that the Council is only considering the Ordinance which will re-zone the property, not possible future land use. Mayor requested comments be limited to 3 minutes. The following individuals voiced their opposition to re-zoning and the possible sand pit operation.

Gary Lee, 5335 W 81st St.

Deana Bushell, 8020 N 63rd. St W

Jon Freund, 3901 Palos Verdes Cir.

Jerri Truman 8959 Ross St.

Chris McElgunn, 301N. Main St.

Tammy Miller, 650 Scott St.

Jerry Hawkins, 401 N Fiddlers Creek

A petition from those living in the notification area was submitted with 22 signatures. With this petition, Council will be required to approve Ordinance with super majority of 6 person.

Many of those opposed expressed frustration that land use isn't considered as the owners have already submitted a site plan to be considered at the next Planning and Zoning Meeting. Discussion was also held regarding maintenance of roads and right of way. Administrator Clark stated in response to inquiries that road maintenance does not cost 2 million per mile, and that water and sewer infrastructure is not requested. However, at such a time it might be needed, the developers would be responsible for the biggest share. It is possible a new water well with a line directly to the proposed water treatment plant can be installed.

Phil Meyer, Baughman & Co. encouraged Council to proceed with approval of 1st reading.

Gregory moved to approve Ordinance 1400-23 for 1st reading. Motion seconded by Kerstetter. Vote Aye: unanimous. Motion carried.

CONSENT AGENDA

- A. APPROPRIATION ORDINANCE – NOVEMBER 7, 2023
- B. DELINQUENT ACCOUNT REPORT-AUGUST 2023
- C. PLANNING AND ZONING BOARD MINUTES – OCTOBER 25, 2023
- D. STORMWATER CITIZENS ADVISORY COMMITTEE MINUTES – OCTOBER 25, 2023
- E. PUBLIC LIBRARY 3RD QUARTER REPORTS
- F. ALCOHOL WAIVER REQUEST – DECEMBER 8, 2023, CITY HOLIDAY PARTY

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

STAFF REPORTS

PUBLIC WORKS DIRECTOR EGGLESTON

Reported that a leak at a fire hydrant caused a water outage on October 26th. Staff installed an isolation line to the hydrant. In response to question from Stamm regarding a cement slab at 69th and Meridian. This work is in anticipation of utility work needed prior to the roundabout installation on Meridian.

CITY ADMINISTRATOR CLARK

Announced an open house regarding the Meridian project will be held Thursday, November 9, 2023. He encouraged residents to install the city app for updates and notifications.

The foundations are installed for the rec center.

The Community Pie Auction will be held November 21st.

GOVERNING BODY REPORTS-

COUNCILMEMBERS EVANS, KERSTETTER AND WILSON

Thanked citizens for coming to meeting and sharing their concerns. They encouraged citizens to consider serving on boards. Also get facts, not just rumors.

COUNCILMEMBER BASS

Encouraged everyone to support the Pie Auction. The Rent a Chef will be preparing food for the event, in addition to the pies.

Thanked City staff for their tremendous job securing grants for projects and saving taxpayer dollars. The Meridian Street project is an excellent example.

Bass also pushed back against people who say that the city is not transparent.

COUNCILMEMBER GREGORY

Thanks for the lights installed on 5th Street. She also announced a local emergency planning meeting will be held November 16th. On November 18th, Valley Center will host the Sedgwick County Association of Cities.

Wilson moved to adjourn, second by Kerstetter. Vote Aye: Unanimous.

ADJOURN -

The meeting adjourned at 9:31 PM.

Kristi Carrithers, City Clerk