

REGULAR COUNCIL MEETING
December 5, 2023
CITY HALL
121 S. MERIDIAN

Mayor Cicirello called the council meeting to order at 7:10 p.m. with the following members present: Matt Stamm, Chris Evans, Clint Bass, Gina Gregory, Dale Kerstetter, Robert Wilson and via team remote Ronald Colbert. Meeting was delayed due to technical issues.

Members Absent: Ben Anderson

Staff Present: Lloyd Newman, Public Safety Director
Neal Owings, Parks and Public Building Director
Ryan Shrack, Community Development Director
Barry Arbuckle, City Attorney
Barry Smith, Assistant City Administrator
Brent Clark, City Administrator
Kristi Carrithers, City Clerk
Desirae Womack, City Treasurer

Press present: Ark Valley News

APPROVAL OF AGENDA

Mayor Cicirello requested that the agenda be amended to add New Business, item D “Support of Multi-Agency Center” Stamm moved to approve the agenda as amended, seconded by Kerstetter. Roll Call Vote Aye: unanimous. Motion carried.

ADMINISTRATION AGENDA –

NOVEMBER 21, 2023, CITY COUNCIL MINUTES-

Bass moved to approve the minutes of the November 21, 2023, City Council meeting as presented, seconded by Evans. Roll Call Vote Aye: Unanimous Motion Carried.

PRESENTATIONS/PROCLAMATIONS – None

PUBLIC FORUM –

Gary Lee, 5335 W. 81st N had questions regarding the water treatment plan. Mayor Cicirello stated that the plant has been approved and is in the design phase. It will reach all developments and can be expanded if needed in the future.

APPOINTMENTS –

ECONOMIC DEVELOPMENT BOARD

Mayor Cicirello requested approval of Ivan Gomez and Casey Carlson to serve on the Economic Development Board until December 2025. Kerstetter moved to approve the appointments, seconded by Wilson. Roll Call Vote yea: Unanimous Motion carried.

MAIN STREET VALLY CENTER BOARD OF DIRECTORS

Councilmember Gregory is willing to continue to serve as the Council Representative unless another Councilmember is wanting to serve of the Board.

Mayor Cicirello requested approval of Gina Gregory to serve on the Main Street Valley Center Board of Directors until December 2026. Kerstetter moved to approve the appointment, seconded by Wilson. Roll Call Vote yea: Unanimous Motion carried.

OLD BUSINESS –

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

Kerstetter moved to remove Ordinance 1400-23 from the table for further discussion. Motion seconded by Wilson. Roll Call Vote Aye: unanimous. Motion carried.

Mayor Cicirello stated that Council had received legal guidance on the petition and the 1st vote on Ordinance 1400-23 on November 7th. Council does not need to have a super majority vote approving the second reading of Ordinance.

A large group opposed to the re-zoning of the property were in attendance. Mayor requested comments be limited to 3 minutes. The following individuals voiced their opposition to re-zoning and the possible sand pit operation.

Deana Bushell, 8020 N 63rd. St W

David Sanders, 4021 W. Rio Grand

Gary Lee, 5335 W. 81st. N

Wayne Iverson, 8355 N Ridge Rd.

Jennifer Lee, 5335 W. 81st N.

Rebecca Spivey, 8050 N. 63rd. St W

Ruth Ann Herman, 8325 N. Ridge Rd.

Denise Spivey, 8050 N. 63rd.St. W

Chris McElgunn, 301N. Main St.

Lengthy discussion was held which included possible acquisition of future water rights. Kerstetter stated that he has looked at this annexation and re-zoning as growth for the city. He pointed out that growth can only happen to the west and north. Phil Meyer with Baughman Co. spoke as an agent for the applicant. He reminded Council and those in attendance that this vote is only for re-zoning. It would then go to the Planning and Zoning Board to discuss the special use application. If approved by that board it would then come back to Council for approval. After that permits issued from the state would need to be filed and approved.

Kerstetter moved to approve Ordinance 1400-23 which re-zones land southeast of the intersection of Ridge Road and 85th. St. Based on the Planning and Zoning Board findings and recommendation we adopted them as our findings herein. In addition, we adopt as our findings the statements put forth by City Administrator Clark as supportive of the decision to rezone this land Seconded by Wilson.

Bill Arick, 400 N. Meridian asked if the city would be responsible for maintaining the roads. Mayor stated that the roads were not included in the annexation. Dean Bushell asked about the language in the motion regarding adoption of statements made by Administrator Clark. Clark and Attorney Arbuckle used that language based on the absence of Community Development Director Shrack at the November 21st meeting, when Clark addressed Council regarding Mr. Shrack's staff report.

Kerstetter amended his motion to adopt as our findings the statements put forth by Community Development Director Shrack. Amended motion seconded by Wilson. Roll call vote: Aye. Unanimous Motion carried.

NEW BUSINESS-

A. RESOLUTION 742-23; RENEWAL OF HOUSING INCENTIVE PROGRAM/COMMERCIAL HOUSING INCENTIVE PROGRAM:

Community Development Director Shrack requested approval of Resolution 742-23. This will extend the HIP/CHIP programs through 2025. Shrack reported there are 52 active properties in the HIP and 2 in the CHIP. Tom Bartel, 226 W. Main stated that these programs are critical to the real estate market in Valley Center. This program gives new homeowners an incentive to offset the high cost of special assessments in new developments. Asst. City Administrator Smith reminded Council that the refund of the city

portion of taxes is only for the first occupant. Mike Miller, 650 Scott St. stated that he and his wife plan to build multi-family housing, but they are not in favor of the CHIP. Bill Arick, 400 N Meridian addressed council on the loss of taxes. More discussion was held. Smith reminded Council that this incentive is not cutting into our budget as these dollars have never been figured into the budget. Clark also stated that the city does not live on taxes, but we are also in the utility business. New housing and utilities for these are just another tool in the toolbox.

Gregory moved to approve Resolution 742-23: renewal of the HIP/CHIP. Motion seconded by Bass. Roll Call Vote Aye: Stamm, Evans, Bass, Gregory and Wilson. Opposed; Kerstetter and Colbert Motion carried.

B. RESOLUTION 743:23; G.A.A.P.

Asst. City Administrator Smith requested approval of Resolution 743-23 for year 2024.

Stamm moved to approve Resolution 743-23: G.A.A.P. waiver. Motion seconded by Evans. Roll Call Vote Aye: unanimous. Motion carried.

C. 2024 WATER /SEWER RATE APPROVAL

Asst. City Administrator Smith requested approval of water and sewer rates for 2024. He reminded Council that in 2020 the governing body approved to hold water rates to 4% and absorb the remaining increases from the City of Wichita. The city has been able to absorb those increases. He requested increasing sewer rates and water rates but keep all base rates the same as 2023. Kerstetter thanked Smith for trying to mitigate the increases, (wished that citizens were more aware of the ways that the city is trying to keep future increases in check). Wilson inquired about the tiers. Smith stated that 88% of residents are in tier I.

Evans moved to approve proposed 2024 water/sewer rates for the City of Valley Center.

- Increase sewer rates by the standard 2.5%
- Increase water rates for tier 1, 2, and 3 by 7.54% (Wichita increase)
- Keep all base rates the same as 2023

Bass seconded the motion. Roll Call Vote Aye: Unanimous. Motion carried.

D. SUPPORT OF MULTI-AGENCY CENTER

Mayor Cicirello stated that at the recent SCAC meeting, County Commissioners Howell and Beaty requested support of letter to Governor Kelly to request matching state funds for creation of Multi-Agency Center to serve people in Sedgwick County. Council discussion was in favor of support. Wilson reported that while Valley Center doesn't have a large homeless population, he has witnessed Chief Newman, and the police staff deal with dignity and respect persons that would benefit from such a center.

Wilson moved to support the request for additional state funding to address local homelessness infrastructure in Sedgwick County. Motion seconded by Stamm. Roll Call Vote Aye: unanimous. Motion carried.

CONSENT AGENDA

- A. APPROPRIATION ORDINANCE – DECEMBER 5, 2023
- B. DELINQUENT ACCOUNT REPORT – SEPTEMBER 2023
- C. TREASURER'S REPORT – OCTOBER 2023
- D. REVENUE AND EXPENSE REPORT – OCTOBER 2023
- E. CHECK RECONCILIATION – OCTOBER 2023

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

STAFF REPORTS

PARKS AND PUBLIC BUILDINGS DIRECTOR OWINGS

Reminded everyone of the D.A.R. wreath laying ceremony in the Valley Center Cemetery on December 16th beginning at 10:00am Sedgwick County will also set up the recycling center and mulch site for Christmas trees in Veteran's Park. It will be available December 22nd through January 22nd.

PUBLIC SAFETY DIRECTOR NEWMAN

Newman reported that the Fire engine was purchased by the City of Thayer. The winning bid was \$25,001.00.

CITY ADMINISTRATOR CLARK

Recognized upcoming councilmembers birthdays.

GOVERNING BODY REPORTS-

COUNCILMEMBER STAMM

Thanked the city staff for the recent snow removal on streets and sidewalks.

COUNCILMEMBER EVANS

Attended the PBS fundraising telethon. Had a great time.

COUNCILMEMBER GREGORY

Also helped with the telethon. She also thanked everyone for appointment to VCMS. It's a great organization and does good things.

COUNCILMEMBER COLBERT

Reminded everyone that the State Legislature will begin sessions in January. If you have something that you'd like him to watch for, please let him know.

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

ADJOURN -

The meeting adjourned at 8:58 PM.

Kristi Carrithers, City Clerk