

REGULAR COUNCIL MEETING

April 2, 2024

CITY HALL

121 S. MERIDIAN

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

Members Absent: Clint Bass

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

Press present: Ark Valley News

**APPROVAL OF AGENDA**

Stamm made a motion to approve the agenda as presented. Motion seconded by Kerstetter. Vote: Aye Unanimous Motion carried.

**ADMINISTRATION AGENDA –**

**MARCH 19, 2024, CITY COUNCIL MINUTES-**

Kerstetter moved to approve the minutes of the March 19, 2024, City Council meeting as presented, seconded by Gregory. Vote Aye: Unanimous Motion Carried.

**PRESENTATIONS/PROCLAMATIONS –**

**A. Jacob Culver- Utilities Manager**

Rodney Eggleston, Public Works Director, introduced Jacob Culver as the Utilities Manager for the water and sewer departments. He began January 31, 2024.

**B. McCown Gordon Recreation Center Update**

Todd Dumber, Jaris Hye and Beau Berry, McCown Gordon, updated the progress on the Recreation Center. Due to great weather, a great deal of progress has been made. They showed photographs of the work being done.

**C. PEC Water Master Plan Update**

Trevor Kaufman and Lansten Yew, PEC presented information regarding the water master plan. They reminded Council that the plan is designed to look twenty years down the road. The developments being built now will need services. A second water tower for the higher developments of the east edge of Valley Center is one of their future recommendations.

**PUBLIC FORUM – None**

**APPOINTMENTS –**

A. Valley Center Public Library

Anderson made a motion to appoint Amy Heilman to the Valley Center Public Library board. Her four-year term will end April 2028. Motion seconded by Evans. Vote: Aye Unanimous Motion carried.

B. Valley Center Planning and Zoning Board

Anderson moved to re-appoint Paul Spranger and Rick Shellenbarger to the Planning and Zoning Board through April 2027. Motion seconded by Kerstetter Vote: Aye Unanimous Motion carried.

**OLD BUSINESS – None**

**NEW BUSINESS-**

A. RESOLUTION 750-24; OVERALL DRAINAGE IMPROVEMENTS-HARVEST PLACE:

Jake Vasa, SEH, explained that a petition for infrastructure improvements has been received. If approved, Resolutions 750-24 through 754-24 will authorize the construction and financing of the improvements located in the Harvest Place subdivision.

Wilson moved to approve Resolution 750-24, authorizing construction and financing overall drainage improvements to the Harvest Place Subdivision. Motion seconded by Evans. Vote Aye: unanimous. Motion carried.

B. RESOLUTION 751-24; DRAINAGE IMPROVEMENTS-HARVEST PLACE:

Stamm moved to approve Resolution 751-24, authorizing construction and financing drainage improvements to the Harvest Place Subdivision. Motion seconded by Kerstetter. Vote Aye: unanimous. Motion carried.

C. RESOLUTION 752-24; PAVING IMPROVMENTS-HARVEST PLACE:

Evans moved to approve Resolution 752-24, authorizing construction and financing paving improvements to the Harvest Place Subdivision. Motion seconded by Kerstetter. Vote Aye: unanimous. Motion carried.

D. RESOLUTION 753-24; SANITARY SEWER IMPROVEMENTS-HARVEST PLACE:

Anderson moved to approve Resolution 753-24, authorizing construction and financing sanitary sewer improvements to the Harvest Place Subdivision. Motion seconded by Stamm. Vote Aye: unanimous. Motion carried.

E. RESOLUTION 754-24; WATER IMPROVEMENTS-HARVEST PLACE:

Stamm moved to approve Resolution 754-24, authorizing construction and financing water improvements to the Harvest Place Subdivision. Motion seconded by Evans. Vote Aye: unanimous. Motion carried.

F. APPROVE INFRASTRUCTURE AGREEMENT WITH McCULLOUGH FOR PRAIRIE LAKES PHASE IV:

Jake Vasa-SEH presented infrastructure agreement with McCullough Excavation, Inc. for improvements to Prairie Lakes Phase IV. The improvement includes final grading of a single-family residential development with sanitary sewer, storm sewer, water main, paving, sidewalks, and erosion control, and final stabilization. Vasa explained that the price difference in the bid vs the agreement is alternate rolling compact concrete. Council discussed the quality of rolling compact concrete as well as the life span of concrete in residential areas. Vasa stated that while nothing is certain, the life span should be 30+ years. Kerstetter moved to approve infrastructure agreement with McCullough for Prairie Lakes Phase IV in an amount not to exceed \$1,277,594.90 and authorize Mayor or City Administrator to sign. Seconded by Evans. Vote Aye: unanimous. Motion carried.

G. SELECTION OF CONTRACTOR FOR 2024 MOWING/DEBRIS ABATEMENT SERVICES:

Building Inspector/Code Enforcement Officer Bill Andrews presented the bid tab for 2024 mowing/debris abatement services. Done Right Lawn Care, LLC and Handy Heart Home Services, LLC submitted bids by the March 22, 2024, deadline. Staff recommends award to Done Right Lawn Care. Anderson inquired how many properties need the mowing/debris abatement services. Andrews stated that there are 8-10 properties each year and 1-2 properties need the services each month.

Stamm moved to approve bid from Done Right Lawn Care and authorize staff to sign contract with selected contractor. Motion seconded by Kerstetter. Vote Aye: unanimous. Motion carried.

**H. APPROVAL OF FOSTER DESIGN ASSOCIATES' CONTRACT FOR 2024 COMPREHENSIVE PLAN:**

Community Development Director Shrack stated that based on City Council's scoring, Foster Design Associates was chosen to help the City create a new ten-year comprehensive plan. Shrack requested approval of contract with compensation not to exceed \$28,000.00.

Gregory moved to approve contract with Foster Design Associates to help the City create a new ten-year comprehensive plan in 2024. The amount not to exceed \$28,000.00 and authorize Mayor to sign. Motion was seconded by Kerstetter. Vote Aye: unanimous. Motion carried.

**I. ESTABLISHMENT OF 2024 COMPREHENSIVE PLAN STEERING COMMITTEE AND APPOINTMENT OF COMMITTEE MEMBERS:**

Community Development Director Shrack requested Council establish a 2024 comprehensive plan steering committee and appoint committee members. He asked for approval of representation from the City Council and approval of citizens at large appointments. Ronald Colbert volunteered to serve on the committee.

Kerstetter moved to create a comprehensive plan committee and appoint up to 10 members to serve. Motion seconded by Gregory. Vote Aye: unanimous. Motion carried.

Kerstetter moved to appoint the following members to the committee: Ronald Colbert, Paul Spranger, Dalton Wilson, Tim Hoffman, Ray Ortega, Allison Clubb, Jason Reffner, Tawny Johnes, Andy Quandt and Michael Miller. Motion seconded by Anderson. Vote Aye: unanimous. Motion carried.

**J. FOOD 4 FINES:**

Public Safety Director requested approval of the Food for Fines program. All food collected between May 1<sup>st</sup> through June 28<sup>th</sup> will be donated to the Ministerial Alliance. For each item donated to the food drive the court will forgive \$5.00 of the individual's fine. Maximum amount to be forgiven is \$50.00 per person.

Stamm moved to approve Food for Fines program and set the amount per can/food item at \$5.00 with a maximum amount of \$50.00. Motion seconded by Anderson. Vote Aye: unanimous. Motion carried.

**K. APPROVAL OF WATER WELL #10 REPAIRS**

Public Works Director Eggleston requested approval of needed repairs to the pump at well #10. He explained that during the cleaning and conditioning the need for repairs was discovered. The \$15,690.40 cost of the repair will be paid from the well maintenance line item.

Kerstetter moved to approve the repair quote from Sargent Drilling in the amount of \$15,69.40 for pump in well #10 and authorize the mayor to sign. Motion seconded by Stamm. Vote Aye: unanimous. Motion carried.

**L. ORDINANCE 1404-24; ANNEXATION REQUEST-SE CORNER OF 77<sup>TH</sup> AND WEST ST.**

Administrator Clark presented Douglas Kirkland's request for annexation of property located southeast of 77<sup>th</sup> and West Streets. It includes approximately 40 acres and they have requested approval of plat at the April Planning and Zoning Board meeting. Clark asked for waiver of 1<sup>st</sup> reading. Anderson inquired whether water and sewer service from the City will be needed. Clark stated they have indicated sewer

systems. But development plans have not been before Planning and Zoning Board. Kerstetter stated that he is not in favor of waiving the first reading.

Wilson moved to waive 1st reading of Ordinance 1404-24 and approve annexation of property located southeast of 77th St and West St. Motion seconded by Stamm. Request to amend motion to split waive of 1<sup>st</sup> reading and approval of annexation was made. Wilson amended motion to waive 1<sup>st</sup> reading of Ordinance 1404-24. Seconded by Stamm. Anderson inquired whether neighbors have been contacted. Clark stated that notification is not needed for the annexation process but will be notified for any zoning changes. Vote Aye: Wilson, Anderson, Gregory, Evans and Stamm. Opposed: Colbert and Kerstetter. Motion carried.

Wilson moved to approve Ordinance 1404-24 to annex property located southeast of 77<sup>th</sup> St. and West St. Motion seconded by Stamm. Vote Aye: Wilson, Anderson, Gregory, Evans and Stamm. Opposed: Colbert and Kerstetter. Motion carried.

#### **M. FINAL PAY APPLICATION PRAIRIE LAKES PHASE III**

Jake Vasa presented the final pay application for Prairie Lakes Phase III. The final amount of \$145,847.98 included adjustment of change orders and liquidated damages. He also stated the SEH made adjustment for incorrect plans they took responsibility for.

Anderson moved to approve the final pay app for Prairie Lakes Phase III in the amount of \$145,847.98. Motion seconded by Colbert. Vote Aye: unanimous. Motion carried.

#### **CONSENT AGENDA**

##### **A. APPROPRIATION ORDINANCE – APRIL 2, 2024**

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

#### **STAFF REPORTS**

##### **PARKS AND PUBLIC BUILDING DIRECTOR OWINGS**

Reported on clearing of overgrown trees and growth around the recreation center site.

##### **PUBLIC WORKS DIRECTOR EGGLESTON**

Reported on progress along Meridian. Also updated Council regarding the mil and overlay projects. Explained that the wires coming up from the blue lines are tracer wires that will allow staff to locate where the lines are for future repairs or locates. Installations of sewer lines are active once they are installed. Crews are working from the south to the north. Eggleston stated the project is still on schedule and should be completed in August, prior to Fall Fest.

##### **CITY CLERK/HR DIRECTOR CARRITHERS**

Katie Crook began with the City on April 1<sup>st</sup> as the Utility Billing Specialist. The Finance Director position has been posted.

#### **GOVERNING BODY REPORTS-**

##### **COUNCILMEMBER COLBERT**

Gave a State legislative update. SP542 is being discussed which relates to unauthorized camping or sleeping. This could impact the city's ability to regulate this issue for their municipality.

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

#### **ADJOURN -**

**The meeting adjourned at 8:42 PM.**

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**Kristi Carrithers, City Clerk/HR Director**