

REGULAR COUNCIL MEETING  
September 17, 2024  
CITY HALL  
121 S. MERIDIAN

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

Members Absent: Ronald Colbert, Dale Kerstetter

Staff Present: Lloyd Newman, Public Safety Director  
Neal Owings, Parks and Public Building Director  
Rodney Eggleston, Public Works Director  
Kyle Fiedler, Community Development Director  
Clint Miller, Finance Director  
Barry Arbuckle, City Attorney  
Kristi Carrithers, City Clerk/HR Director

Press present: Ark Valley News

**APPROVAL OF AGENDA**

Gregory made a motion to approve the agenda as presented. Evans seconded the motion. Vote: Aye  
Unanimous Motion carried.

**ADMINISTRATION AGENDA –**

**SEPTEMBER 3, 2024, CITY COUNCIL MINUTES-**

Evans moved to approve the minutes of the September 3, 2024, City Council meeting as presented, seconded by Stamm. Vote Aye: Unanimous Motion Carried.

**PRESENTATIONS/PROCLAMATIONS –**

**PUBLIC FORUM –**

Jeremy Johnson, 248 N. Wakefield Ave. addressed Council with concerns regarding stormwater easements and fencing in his neighborhood. He stated this has been before Council in previous meetings but would like it to be reviewed again regarding the safety concerns regarding the fences and lack of consistency.

**APPOINTMENTS –**

**OLD BUSINESS –**

A. ORDINANCE 1412-24: LOAN AGREEMENT FROM KDHE-WATER TREATMENT PLANT  
Finance Director Miller presented for 2<sup>nd</sup> reading and final approval Ordinance 1412-24 regarding approval of loan agreement from KDHE for the water treatment plant.

Stamm moved to approve Ordinance 1412-24 entering into loan agreement with KDHR for water treatment plant for 2<sup>nd</sup> reading. Motion seconded by Evans. Vote Yea: Unanimous. Motion carried.

**NEW BUSINESS-**

A. RESOLUTION 761-24: G.O. TEMPORARY NOTES, SERIES 2024-1:  
Clayton Kelley, Piper Sandler, presented bids received September 10, 2024. He stated that the interest on three bids came in lower than anticipated. A low bid of 3.509% was received from Robert W. Baird & Co., Inc. The closing date for the Notes is October 10, 2024. Notes, Series 2024-1. He requested

approval of Resolution 761-24 to authorize and direct the issuance, sale and delivery of G.O. Temp notes, Series 2024-1

Wilson made motion that the bid be accepted, and that the City's execution of the bid form be ratified and confirmed and Resolution 761-24 regarding G.O. Temporary Notes, series 2024-1 be adopted. Motion seconded by Bass. Vote Aye: unanimous. Motion carried

**B. ACCEPTANCE OF MIES CONSTRUCTION BID FOR OVERLOT GRADING AND EROSION CONTROL – HARVEST PLACE:**

Samantha Ghareeb, SEH, requested acceptance of proposal for overlot grading and erosion control for Harvest Place sub-division from Mies Construction. The bid in an amount of \$4,467,688.43 is for base and alternate 1.

Stamm moved to accept bid and alternate 1 for overlot grading and erosion control for Harvest Place from Mies in the amount of \$3,367,688.43. Motion seconded by Anderson. Vote Aye: unanimous. Motion carried

**C. APPROVAL OF AGREEMENT WITH MIES CONSTRUCTION-HARVEST PLACE:**

Following acceptance of bid from Mies, Samantha Ghareeb, presented agreement with Mies Construction for Council approval.

Bass moved to approve agreement with Mies for improvements in Harvest Place in the amount of \$3,367,688.43 and authorize Mayor or City Administrator to sign. Motion seconded by Evans. Vote Yea: unanimous. Motion carried.

**D. APPROVAL OF AGREEMENT WITH SEH-HARVEST PLACE:**

Samantha Ghareeb, SEH presented for approval agreement for professional service for Harvest Place Development. Services will include Construction Administration, On-Site Resident Project Representative and Material Testing.

Stamm moved to approve agreement with SEH for professional services in Harvest Place in the amount of \$368,300.00 and authorize Mayor or City Administrator to sign. Seconded by Evans. Vote Yea: unanimous. Motion carried.

**E. RESOLUTION 762-24: TRAILS END DRAINAGE PETITION:**

Community Development Director Fiedler explained that the next three Resolutions are for improvements in the Trails End subdivision. The first petition requests drainage improvements for Trails End. Resolution 762-24 authorizes and provides for the construction and financing of these drainage improvements.

Anderson moved to approve Resolution 762-24 authorizing construction and financing drainage improvements to the Trails End subdivision. Motion seconded by Stamm. Vote Yea: unanimous. Motion carried.

**F. RESOLUTION 763-24: TRAILS END PAVING PETITION:**

The next petition requests paving improvements for Trails End. Resolution 763-24 authorizes and provides for the construction and financing of these paving improvements.

Bass moved to approve Resolution 763-24 authorizing construction and financing paving improvements to the Trails End subdivision. Motion seconded by Anderson. Vote Yea: unanimous. Motion carried.

**G. RESOLUTION 764-24: TRAILS END WATER PETITION:**

Kyle Fiedler presented the final petition requesting water improvements for Trails End. Resolution 764-24 authorizes and provides for the construction and financing of these water improvements.

Bass moved to approve Resolution 764-24 authorizing construction and financing water improvements to the Trails End subdivision, seconded by Stamm. Vote Yea: unanimous. Motion carried.

**H. APPROVAL OF ENGINEER AGREEMENT WITH SEH – TRAILS END:**

Samantha Ghareeb, SEH presented for approval agreement to provide construction documents for Trails End subdivision.

Evans moved to approve agreement with SEH for Trails End Development in an amount \$191,200.00 and authorize Mayor or City Administrator to sign. Motion seconded by Stamm. Vote Yea: Unanimous. Motion carried.

**I. TRAFFIC STUDY FOR SENECA STREET – PEC**

Public Works Director Eggleston presented for Council approval agreement with PEC for traffic study for roundabout located at Seneca and Tanner Trail. Anderson inquired whether funding for this study will be included in TIF. Gregory noted that the intersection was listed incorrectly in exhibit A. 3. Conceptual Design Services c) Should be North Seneca and Tanner Trail, not 5<sup>th</sup> Street. City Attorney Arbuckle stated that we could strike through the incorrect wording and update the agreement to proceed with approval. Bass moved to approve contract with PEC for traffic study and design at Seneca Street and Tanner Trail in an amount not to exceed \$66,000.00 with the correction made to the street authorize Mayor or City Administrator to sign. Motion seconded by Wilson. Vote Yea: Unanimous. Motion carried.

**J. APPROVAL OF AGREEMENT WITH SEDGWICK COUNTY REGARDING BALLOT DROP BOX**

Parks and Public Building Director Ownings requested Council approve 5-year agreement with the Sedgwick County Election Office to place a ballot drop box at City Hall. He stated that the box will be moved from the current location to a space by the handicap accessible spot for easier access.

Stamm move to approve Agreement with Sedgwick County for the placement of ballot drop boxes and authorize City Administrator to sign. Motion seconded by Evans. Vote Yea: Unanimous. Motion carried.

**K. REQUEST FOR ORDINANCE 17.06-01 WAIVER**

Staff received a request from Wayne Bormann, 800 E Allen to waive timeframe associated with Chapter 17.06.01 6c for a period longer than 14 days but not to exceed 60 days. He completed construction of living quarters in his hanger; however, the remodeling did not meet the necessary code requirements. He requested 60 days to complete the renovations. Wilson moved motion to approve waiver of Ordinance 17.06-01 for Wayne Bormann for a period not to exceed sixty days beginning September 17, 2024. Motion seconded by Anderson. Vote Yea: Unanimous. Motion carried.

**L. APPROVAL OF REQUEST FOR PROPOSAL (RFP) FOR AUDIT SERVICE:**

Finance Director Miller requested approval of RFP for independent Financial Audit Services. Proposals will be due by October 15, 2024, with recommendation for approval by Council at the November 5, 2024, Council Meeting. The current contract ends December 31<sup>st</sup>.

Wilson moved to authorize RFP for independent Financial Audit Services. Seconded by Evans. Vote Yea: Unanimous. Motion carried.

**M. FINANCE REVIEW – REVENUE AND EXPENSE REPORT**

Finance Director Miller stated that the revenue and expense report is listed in the consent agenda on a monthly basis, but he wanted to place it as an agenda item periodically to give council an opportunity to review and ask questions. Miller noted that yearly revenue is above projections. Some expenditures might seem high or close to the yearly budget, but that can be due to timing of contracts or budgeted projects completed early in the year.

Wilson moved to accept and file the August revenue and expense report. Seconded by Stamm. Vote Yea: unanimous. Motion carried.

## **N. COUNCIL DISCUSSION- VALLEY CENTER CEMETERY**

Council requested opportunity to discuss the Valley Center Cemetery. Mayor Truman allowed comments from the public prior to Council discussion. Steven Hipps, 446 Meeds Drive, recounted his recent experience with the burial of his father in a lot, he had purchased in 2011. As his father was not a Valley Center resident, Mr. Hipps was required to pay the difference in price from resident to non-resident. Nikki Hipps, 446 Meeds Drive, also expressed her frustration with the burial of her father-in-law. Both Mr. and Mrs. Hipps would like to be reimbursed the \$800.00 they paid for the transfer from resident to non-resident. Mary Steinkirchner, 1050 W. 77<sup>th</sup> St. N. requested a grandfather clause for early plot purchases. Mayor Truman reminded everyone that the Valley Center Cemetery is a city cemetery not private or regional. City Attorney Arbuckle stated that he will need to look at the original documents and Ordinances before he can give an opinion regarding language of transfer. Councilmember Bass said that he does feel sympathy for the family, but the city is not out to make money from families in their time of grief. Wilson reminded those at the meeting that Ordinances and Resolutions can be changed and updated. Anderson stated that staff is following the current Ordinance passed in 2022. It was updated to clear up procedures and process for plot transfers. The city cemetery is funded by taxes that city residents are assessed. While, many people claim to be from Valley Center, if they live outside of the city limits, they are not funding the cemetery. There is no intent of malice to grieving family members. He also apologized to family for the grief they felt. Mayor Truman remarked that the issue got out of hand because of Facebook and social media posts. He reminded everyone that City staff is able to provide services but are not here to be verbally abused by the public. He asked that further discussion be tabled.

No official action was taken by Council.

## **CONSENT AGENDA**

- A. APPROPRIATION ORDINANCE – SEPTEMBER 17, 2024
- B. TREASURER’S REPORT – AUGUST 2024
- C. CHECK RECONCILIATION – AUGUST 2024
- D. PLANNING AND ZONING BOARD MINUTES – AUGUST 27, 2024

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

## **STAFF REPORTS**

### **PARKS AND PUBLIC BUILDINGS DIRECTOR OWINGS**

Between 1/3 and 1/2 of North Meridian St. residents have been contacted regarding the replacement of trees. A huge thank you was also given to those that have begun the process of beautifying their lawns.

### **PUBLIC WORKS DIRECTOR EGGLESTON**

East side pour is finishing up on South Meridian. Alternate plans are still being investigated when the center lanes poured as it will be difficult for residents. Anderson requested that all citizens that travel on S. Meridian be made aware of traffic adjustments or closures, not just the residents along Meridian.

Water restrictions remain in place. Cheney Reservoir is stands at 57.7%. Thanked residents for doing their part in conservation of water.

Eggleston announced that the flashing beacon signs for school zones have been shipped. The banners and streetlights are still 6-8 weeks out.

### **FINANCE DIRECTOR MILLER**

Announced that the city will begin a transition from a .org domain to .gov domain. He is also working on an analysis of vendors. Are they providing the best rates with the best services.

He is currently meeting with banks regarding bonds and investments. He is pursuing intrafi accounts that funds deposited into our bank can be sent out to other banks to ensure FDIC coverage. He also wants to open account at Fidelity Bank to be able to get rate bids from them.

**CITY CLERK/HR DIRECTOR CARRITHERS**

Reminded attendees going to the League of Kansas Municipalities conference in October of the KMIT annual meeting as well as KACM social event. Both will be October 10<sup>th</sup>.

**GOVERNING BODY REPORTS-**

**COUNCILMEMBER BASS**

Thanked Director Miller for his reports and diligent work.

He also requested that staff investigate the issues raised by Jeremy Johnson during his public comments.

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

**ADJOURN -**

**The meeting adjourned at 8:33 PM.**

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