

REGULAR COUNCIL MEETING
April 19, 2022
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, Chris Evans, Clint Bass, Ben Anderson, Gina Gregory, Dale Kerstetter, Robert Wilson, and Ronald Colbert.

Members Absent: None

Staff Present: Matt Koehn, City Treasurer
Barry Arbuckle, City Attorney
Neal Owings, Parks and Public Building Director
Rodney Eggleston, Public Works Director
Lloyd Newman, Public Safety Director
Barry Smith, Assistant City Administrator
Brent Clark, City Administrator
Kristi Carrithers, City Clerk

Press present: The Ark Valley News

APPROVAL OF AGENDA

Mayor Cicirello stated that NB item H needs to be added to the agenda. Gregory moved to approve the agenda as amended, seconded by Stamm. Vote yea: unanimous. Motion carried.

ADMINISTRATION AGENDA –

APRIL 5, 2022, REGULAR CITY COUNCIL MINUTES-

Anderson moved to approve the minutes of the April 5, 2022, regular City Council meeting as presented, seconded by Kerstetter. Vote yea: unanimous. Motion carried.

PRESENTATIONS/PROCLAMATIONS –

RECOGNITION OF PEOPLE SAVING PEOPLE AWARD TO MATT VOGT

Public Safety Director Newman announced that Matt Vogt received the KDOT People Saving People Award for his work with Kansas Operation Lifesaver. Vogt has been involved in railroad safety for years and is a railroad accident investigator. It has been estimated that he has led 493 individual events and remote programs serving almost 12,000 Kansans. In his time serving as officer on the Kansas Operation Lifesaver Board, Sedgwick County, the number of crossing/collisions dropped roughly 75%. Mayor Cicirello expressed his appreciation for the work and commitment Captain Vogt has displayed.

ARBOR DAY PROCLAMATION

Mayor Cicirello read an Arbor Day proclamation for April 29, 2022

WAMPO TRANSPORTATION UPDATES

Chad Parasa and Ashley Bowers address Council regarding WAMPO. Ms. Bowers explained what WAMPO does and goals and funding approaches they use. She encouraged public input to better serve the citizens of Sedgwick County.

Mr. Parasa updated Council regarding possible passenger rail service from Newton to Wichita and on to Oklahoma City. No plans have been formalized.

PUBLIC FORUM – None

APPOINTMENTS – None

OLD BUSINESS –

A. AUTHORIZATION TO APPROVE HVAC CONTRACT

Parks and Public Buildings Director Owings requested approval of new vendor for the HVAC contract. He stated that he had received email notification that Aire Serve of North Wichita was unable to fulfill the contract approved last month. He said that when he received that notice, he reached out to the next qualified bidder, Bryan's Heating and Air Conditioning to confirm they were available and would honor the price quote. Kerstetter confirmed that we could accept next vendor without having to go back out for bids.

Stamm moved to accept the bid proposal from Bryan's Heating and Air Conditioning for amount not to exceed \$30,714.50 for 4 years of service and authorize Mayor to sign. Motion seconded by Evans. . Vote yea: unanimous. Motion carried.

B. ORDINANCE 1374-22; ANNEX LAND ON CORNER OF 93RD AND MERIDIAN

City Administrator Clark stood for any questions regarding the 2nd reading of Ordinance No 1374-22. He stated that the developer is very excited to get the process started and has already contacted a firm to begin the platting process.

Wilson moved to approve for 2nd reading, Ordinance 1374-22, authorizing the annexation of land at 93rd and Meridian. Motion seconded by Colbert. Vote Yea: unanimous. Motion carried.

C. QUIET ZONE UPDATE

City Administrator Clark addressed Council regarding the quiet zone project in Valley Center. He reminded them that PEC presented cost options for different crossings. A meeting with BNSF has been requested to discuss the options. As of now, they have not responded. Clark also stated that possible funding was requested by President Biden for rail projects, but no action has been taken on that.

Justin Downing, 415 W. 3rd. addressed Council. He thanked them for their consideration of this project and encouraged them to continue. He feels that a quiet zone in Valley Center would greatly enhance the quality of life for residents and increase property value.

Clark reminded everyone to check the website for updates and the engineer report.

NEW BUSINESS-

A. 1ST QUARTER FINANCIAL REVIEW

City Treasurer Koehn presented the 1st quarter financial report. He stated that the report focuses on outcomes more than the actual numbers. All the financial numbers and reports are available on the City website.

Wilson moved to accept and file the 1st quarter financial report, seconded by Stamm. Vote yea: unanimous. Motion carried.

B. ARPA FUNDING PROPOSAL

Asst. City Administrator Smith presented information regarding the American Rescue Plan Act (ARPA). He reviewed the process and criteria As directed by Council at last meeting, he reviewed the CIP for projects. Smith commented that the city has been very busy with beginning the process or completion of many projects. He stated that the need of radios and body cameras been identified for many years, but funding has been an issue. He recommended authorization to use ARPA funds for the purchase of body and car cameras for the police department as well as purchase of portable and mobile radios for the fire department. Smith explained that AXON is a state contractor, and these cameras will seamlessly integrate into Sedgwick County's new system. The purchase of the cameras will provide replacement of all cameras in 2 ½ years and then again in 5 years, which is basically guarantees service for 7 ½ years.

Public Safety Director stated that while he would like to sell the current equipment being used, acknowledged it is outdated so probably won't find a buyer. Newman also said that the AXON camera can be set up with a trigger feature that will activate recording if an officer uses a tazer or exceeds a set speed in patrol car.

The second project Smith identified was purchase of radios for the fire department. He explained that Sedgwick County had negotiated with Motorola Solutions a 44% discount on radio purchases, but that discount will end in August. Councilmembers Anderson and Kerstetter both spoke in favor of this project.

Evans moved to approve purchase of body and car cameras from AXON Enterprises, Inc. in an amount not to exceed \$190,000 using ARP-SLFRF Funds and to authorize purchase 25 portable and 7 mobile radios plus additional fitting, attachments, and chargers from Motorola Solutions Inc. for an amount not to exceed \$230,000 using ARP-SLFRF Funds. Motion seconded by Bass. Vote Yea: unanimous. Motion carried.

C. APPROVE PURCHASE OF MOTOROLA RADIOS FOR POLICE DEPARTMENT

Asst. City Administrator Smith continued with request to purchase portable and mobile radios for the Valley Center Police Department. He explained that we could purchase these and take advantage of the 44% discount from Motorola Solutions. Public Safety Director Newman explained that funding for these radios has been earmarked for the City of Valley Center by Senator Moran's office as part of the 2022 Appropriation Act.

Kerstetter moved to approve purchase of twenty-two portable and fourteen mobile radios from Motorola Solutions in amount not to exceed \$137,600.00. Motion seconded by Colbert. Vote Yea: unanimous. Motion carried.

D. ORDINANCE 1375-22; ACCEPTANCE OF LAND FROM SEDGWICK CO.

City Administrator Clark explained that a small section along Seneca belonged to Sedgwick County and was not included in the TIF district. Sedgwick County passed a resolution to grant ownership of the approximately 300 feet of northbound Seneca Street to the City of Valley Center. Ordinance 1375-22 approves the annexation of this property into the City limits.

Wilson moved to approve for 1st reading Ordinance 1375-22 to annex a portion of North Seneca Street. Motion seconded by Colbert. Vote Yea: unanimous. Motion carried

E. APPROVAL OF PLATTING AGREEMENT WITH SEH

City Administrator Clark presented an agreement with SEH for platting roughly 70 acres of city owned property along Ford Street. He explained that platting is needed to begin the development of property, especially as portion has been sold for development. He explained that the cost of the platting agreement will be divided per acre once platting is completed and paid for by the developers who purchase land from the city. The City would share the cost for the property held in easements.

Stamm moved to approve platting agreement with SEH Inc. for parcel of land along Ford Street in an amount not to exceed \$26,150.00 and authorize Mayor to sign, seconded by Evans. Vote Yea: Unanimous. Motion carried.

F. APPROVAL OF SALE OF FRONTAGE PROPERTY ON FORD STREET

City Administrator Clark presented a purchase agreement with Casado/McKay LLC for approximately .75 acres of non-platted frontage on Ford Street. Clark reported that the developer is moving forward to get commercial development underway.

Stamm moved to approve the purchase agreement for the .75 acre of non-platted lot on Ford Street in the amount of \$10,000.00. Seconded by Evans. Anderson clarified areas of development on map included in agenda packet. Clark stated this was preliminary drawings created earlier to promote the real estate. Vote Yea: unanimous. Motion carried.

G. EXECUTIVE SESSION TO DISCUSS POSSIBLE LAND ACQUISITION

Gregory moved, seconded by Anderson to recess into executive session to discuss possible acquisition of real estate, K.S.A. 75-4319(b)(1). The open meeting will resume in the City Council chamber in 7 minutes. Included in executive session in addition to City Council/Mayor are City Administrator Clark and City Attorney Arbuckle. Vote Yea: Unanimous. Motion carried.

Session started at 8:09pm

Mayor Cicirello called meeting back to order at 8:16 pm.

Gregory stated no official action was taken by Council while in executive session.

Mayor Cicirello called for motion to recess for 5 minutes. Wilson moved to recess the meeting for a period of 5 minutes. Colbert seconded the motion. Vote Yea: unanimous. Motion carried. Meeting was recessed from 8:16pm to 8:21pm.

H. ORDINANCE 1376-22; ACQUISITION OF EASEMENT ALONG FORD AND SENECA STREETS

City Attorney Arbuckle presented Ordinance 1376-22 regarding the acquisition of easement along Ford and Seneca Streets. He explained that Resolution 716-22 started the process of condemnation of property and allowed appraisers access to property. The Ordinance grants the authority of condemnation process. Arbuckle requested Council waive 1st reading and give approval of the Ordinance due to the time sensitive process.

Anderson moved to approve waiver of 1st reading of Ordinance 1376-22, seconded by Wilson. Vote Yea: unanimous. Motion carried.

Bass moved to approve Ordinance 1376-22 authorizing the acquisition of temporary and permanent easements along a portion of North Seneca and Ford Streets that adjoin Valley Center, Kansas. Seconded by Wilson. Vote Yea: unanimous. Motion carried.

CONSENT AGENDA

- A. APPROPRIATION ORDINANCE – APRIL 19, 2022
- B. CHECK RECONCILIATION – MARCH 2022
- C. TREASURER’S REPORT – MARCH 2022
- D. REVENUE AND EXPENSE SUMMARY – MARCH 2022
- E. APPROVAL OF EASEMENT – DUCEY
- F. APPROVAL OF EASEMENT – DAHLING
- G. APPROVAL OF EASEMENT – STEINKIRCHNER
- H. PARKS AND PUBLIC SPACES BOARD MINUTES – APRIL 7, 2022
- I. PUBLIC LIBRARY STATS AND FINANCIAL REPORTS

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

STAFF REPORTS

PUBLIC WORKS DIRECTOR EGGLESTON

Reported that the city has been placed under a boil water advisory by KDHE due to a loss of water pressure earlier today. City staff were preparing to transfer water pressures in anticipation of the water tower project. The system experienced a brief loss of pressure. Staff contacted KDHE and the boil water advisory was issued. Testing will be completed on water with results expected Thursday. Administrator Clark addressed Council accepting responsibility for the issue and apologized to them and the community effected.

Mayor Cicirello stated he was upset and disappointed that the city was placed under a boil water advisory due to loss of pressure as staff was working on transferring water pressure in anticipation of water tower work. Kerstetter commented that he hopes it will be used as a learning experience. Colbert asked how

the public has been notified. Clark stated that notice was sent via emails, cell phone push notifications, television, Facebook, and other social media.

GOVERNING BODY REPORTS – None

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

ADJOURN -

Meeting adjourned at 8:33 PM.

Kristi Carrithers, City Clerk