

REGULAR COUNCIL MEETING
May 3, 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: Gage Scheer, City Engineer
Barry Arbuckle, City Attorney
Neal Owings, Parks and Public Building Director
Rodney Eggleston, Public Works Director
Lloyd Newman, Public Safety Director
Ryan Shrack, Community Development Director
Barry Smith, Assistant City Administrator
Brent Clark, City Administrator
Kristi Carrithers, City Clerk

Press present: The Ark Valley News

APPROVAL OF AGENDA

Evans moved to approve the agenda as presented, seconded by Kerstetter. Vote yea: unanimous. Motion carried.

ADMINISTRATION AGENDA –

APRIL 19, 2022, REGULAR CITY COUNCIL MINUTES-

Anderson moved to approve the minutes of the April 19, 2022, regular City Council meeting as presented, seconded by Colbert. Vote yea: unanimous. Motion carried.

PRESENTATIONS/PROCLAMATIONS –

LAW ENFORCEMENT MEMORIAL DAY PROCLAMATION

Mayor Cicirello read a proclamation for observation of Law Enforcement Memorial Day, May 15, 2022.

PRESENTATION TO SERGEANT JC KIRK

Park City Police Chief Phil Bostian explained the background of an incident that occurred on February 28, 2022. Sergeant Kirk responded to a call of assistance for a suicidal individual. Sergeant Kirk worked with a Park City Officer to talk the individual off the ledge on a bridge. They were then able to transport individual to Wichita hospital for treatment and mental evaluation. For these heroic efforts Chief Bostian awarded the Park City *Life Saving Medal* to Sergeant JC Kirk.

PUBLIC FORUM –

Justin Downing, 415 W. 3rd, addressed council regarding information he had gathered from the City of Shawnee. They had recently implemented quiet zones and he shared their success.

Al Hobson, 531 W. 3rd, also commented on the trains going through Valley Center, He lives very close to the railroad tracks, but stated that anyone moving to Valley Center can see the tracks and must realize that train traffic is the normal. He did state that he is aware of plans that many trains will be diverted to another route in approximately 1 year, so hopefully that will ease some of the noise.

APPOINTMENTS – None

OLD BUSINESS –

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

Stamm moved to approve for 2nd reading Ordinance 1375-22 to annex a portion of North Seneca Street. Motion seconded by Evans. Anderson confirmed that this was the small section along Seneca. Vote Yea: unanimous. Motion carried

NEW BUSINESS-

A. 2021 FINANCIAL AUDIT

Auditor Sean Gordon, CPA presented the audit of the city's 2021 financial statements. He stated the audit is divided into sections which include the independent audit report, the summary statement, notes to the financial statement and a detail breakdown with comparison to 2020. He reported that Asst. City Administrator Smith and staff were very helpful and cooperative. He noted only one issue was found. Wilson moved to accept and file the audit report. Motion seconded by Colbert. Vote yea: unanimous. Motion carried.

B. SMALL TRACT PLAT-FINAL APPROVAL VALLEY CREEK ESTATES

Comm. Dev. Director Shrack stated that Jim Goentzel has petitioned the city to approve a small tract final plat for the land northwest of the intersection of Main Street and Sheridan Ave. Plans are to create five new lots on which to construct multi-family residential development. Shrack stated that if Council approves this plat, Council will then vote on Ordinance 1377-22 to re-zone property.

Anderson moved to approve the Valley Creek Estates 4th Addition Small Tract Final Plat. Motion seconded by Bass. Vote Yea: unanimous. Motion carried.

C. ORDINANCE 1377-22; RE-ZONING OF PROPERTY LOCATED NORTHWEST OF MAIN ST. AND SERIDAN AVE.

Comm. Dev. Director Shrack presented Ordinance No. 1377-22, which rezones property from C-2 to R-1B/R-3 for 1st reading. The re-zoning of this property will allow development of housing units northwest of the intersection of Main Street and Sheridan Avenue. Shrack stated this request for re-zoning has been presented and approved by the Planning and Zoning Board

Wilson moved to approve for 1st reading Ordinance 1377-22 which rezones property from C-2 to R-1B/R-3. Motion seconded by Colbert. Kerstetter stated that he is not generally in favor of multi-family housing, this does seem appropriate in this area. Vote Yea: Stamm, Evans, Bass, Anderson, Kerstetter, Wilson and Colbert. Opposed: Gregory. Motion carried.

D. APPROVAL OF RFP FOR MIL AND OVERLAY.

Public Works Director Eggleston presented for approval an RFP for Mil and Overlay project in Valley Center. He explained that this part of the overall street rehabilitation strategy. Gregory questioned discrepancy between memo and RFP for Fieldstone St. Eggleston stated that the RFP is correct. Colbert asked about life expectancy. Eggleston stated 6-10 years and it is a 2" mil and overlay like South Meridian a few years back. Anderson would like a street rehab plan posted on website and Stamm requested that the contractor notify all residents effected prior to work beginning. Administrator Clark reminded everyone that the city does have an app that residents could be notified as well

Evans made a motion to approve RFP for mil and overlay of portion of streets in Valley Center, Kansas. Motion seconded by Kerstetter. Vote Yea: unanimous. Motion carried

E. APPROVAL OF CONTRACT FOR PUBLIC SAFETY BUILDING ROOF

Parks and Public Buildings Director Owings presented the bids received from two companies. He explained that the Polyurethane Elastomeric Coating Process was the best choice. It has a 10-year

warranty and is under the budgeted amount of \$45,000.00. Gail Melton addressed Council. He explained that the warranty is for 10 years, but typically they last 12-15 years and then the coating can be reapplied several times

Stamm moved to accept Bid Option 2 for Waterproofing Services for the Public Safety Building Roof from Melton Industries LLC in the amount of \$42,900 and authorize Mayor to sign., seconded by Anderson. Vote Yea: Unanimous. Motion carried.

F. DISCUSSION REGARDING THE REPEAL AND REPLACE OF GOLF CART ORDINANCE

Public Safety Director Newman and City Administrator Clark lead discussion of current ordinance regarding the use of golf carts on city streets within the city limits. Councilmember Bass stated that he had heard from several residents and that is why he requested discussion. A lengthy discussion was held. All Council agreed that safety is the main priority Newman stated that the small stickers currently being used were hard for officers to see. A larger tag similar to a vehicle would make identification easier. Colbert was concerned how this Ordinance would affect motorized wheelchairs or personal scooters. Newman assured him; this Ordinance only applies to golf carts. Safety features such as brake and headlights, turn signals, seat belts were discussed as well as the hazard traveling on Meridian could cause. Anderson and Bass spoke in favor of less restrictive Ordinance that allows residents to travel on all side streets (only crossing Meridian) with lower speed limits and on wide sidewalks. They would also like use to be allowed after dark if the golf cart is properly lighted. Cicirello stated he was not in favor of after dark usage and did not see a need to make changes. Bass stated that he didn't think that the city would see a huge increase of golf carts being driven around town, if the ordinance was changed. As no formal action was requested, Mayor Cicirello questioned Council whether they would like staff to proceed with drafting a new ordinance for consideration. Bass, Anderson, and Colbert were in favor of proceeding, but majority of Council did not feel a change was necessary at this time.

CONSENT AGENDA

- A. APPROPRIATION ORDINANCE – MAY 3, 2022
- B. DELINQUENT ACCOUNT REPORT – FEBRUARY 2022
- C. PUBLIC POWER COMMITTEE MINUTES – FEBRUARY 23, 2022
- D. PLANNING AND ZONING BOARD MINUTES – APRIL 26, 2022

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

STAFF REPORTS

COMMUNITY DEVELOPMENT DIRECTOR SHRACK

Was proud to report that Main Street Valley Center did receive the distinction of a Kansas Main Street City.

The owners of the burned house located at 145 N. Meridian have obtained a permit to demolish the house. They will construct a fence and bring in a dumpster. In response to having city employees supervise the process, Attorney Arbuckle stated that it would be a liability to the city. It is better to leave all of that to the owners.

PARKS AND PUBLIC BUILDING DIRECTOR OWINGS

Announced that both his newest employees have received an aquatic facilities certification.

Kerstetter asked Owings to explore replacement of AC on roof of Public Safety Building prior to the water seal of the roof.

PUBLIC SAFETY DIRECTOR NEWMAN

Stated he is so proud of Sergeant Kirk and all officers. The department has a great working relationship with cities and agencies in the area. He also reported that he received a letter of appreciation for the mutual aid in assisting Reno County during the Cottonwood Complex Fire.

PUBLIC WORKS DIRECTOR EGGLESTON

Was pleased to report that the city will open the brush pile on Saturdays and Sundays from 7:00am to 8:00pm. Areas will be blocked off under the water tower to prevent injury.

Aaron Kirchert started with the public works department. He brings a great deal of knowledge as a wastewater III certification.

ASST. CITY ADMINISTRATOR SMITH

Next Council meeting will begin the budget process with a financing meeting.

For sake of transparency, Smith also clarified the recommendation from the auditors. Smith stated it was from July 2021 when a bond form wasn't completed from Pearson Mil and Overlay. With the purchasing policy approved by Council last October, it clearly stated that the bond form is required for all projects over \$100,000.00, so that will ensure we stay in compliance.

CITY ADMINISTRATOR CLARK

Thanked Barry Smith and Matt Koehn for all their work and with the finances and assisting the auditors.

Also reminded everyone about the upcoming event and award presentation to Councilmember Colbert on May 14, 2022. The local DAR chapter will present Ronald Colbert the Kansas DAR Outstanding Veteran Volunteer Award. The presentation will begin at 11:00am at the Community Building.

GOVERNING BODY REPORTS –

COUNCILMEMBER STAMM

Stated that he appreciated Mr. Downing's comments on a quiet zone, the City of Shawnee is a large city with a much larger budget.

COUNCILMEMBER ANDERSON

Thanked Smith and Koehn for their hard work with the audit and all the city finances.

COUNCILMEMBER GREGORY

Reported that on May 14th the Sedgwick County Association of Cities will hold a meeting in Maize beginning at 8:30am.

COUNCILMEMBER COLBERT

Congratulated Kirk on his award and thanked him for his service.

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

ADJOURN -

Meeting adjourned at 8:32 PM.

Kristi Carrithers, City Clerk