

REGULAR COUNCIL MEETING
July 5, 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, Ben Anderson, Gina Gregory, Dale Kerstetter, Robert Wilson, and Ronald Colbert.

Members Absent: Chris Evans and Clint Bass

Staff Present: Gage Scheer, City Engineer
Barry Arbuckle, City Attorney
Neal Owings, Parks and Public Building Director
Rodney Eggleston, Public Works Director
Matt Vogt, Police Captain
Ryan Shrack, Community Development Director
Matt Koehn, City Treasurer
Barry Smith, Assistant City Administrator
Brent Clark, City Administrator
Kristi Carrithers, City Clerk

Press present: The Ark Valley News

APPROVAL OF AGENDA

Mayor Cicirello requested the agenda be amended with the addition of OB item: Approval of change order from UMC for sewer line project. NB items; Approval of sale of property on Ford Street and Ordinance 1378-22; amendment to City Zoning Regulations. Gregory moved to approve the agenda as amended, seconded by Stamm. Vote yea: unanimous. Motion carried.

ADMINISTRATION AGENDA –

JUNE 7, 2022, REGULAR CITY COUNCIL MINUTES-

Gregory moved to approve the minutes of the June 7, 2022, regular City Council meeting as presented, seconded by Colbert. Vote yea: unanimous. Motion carried.

JUNE 21, 2022, REGULAR CITY COUNCIL MINUTES-

Wilson moved to approve the minutes of the June 21, 2022, regular City Council meeting as presented, seconded by Kerstetter. Vote yea: unanimous. Motion carried.

PRESENTATIONS/PROCLAMATIONS –

PUBLIC FORUM –

APPOINTMENTS –

OLD BUSINESS –

A. APPROVAL OF CHANGE ORDER FROM UMC FOR SEWER LINE PROJECT

Public Works Director Eggleston presented a change order received from UMC for sewer main repairs. Eggleston explained a section needed to be replaced before the remainder of the main can be lined. Along with this repair, there are 2 manholes in the easement that need to be raised to grade. This procedure along with the cost of a performance bond, adds \$32,465.68 to the original proposal. This brings total cost of project over \$100,000.00 which is why he is seeking Council approval.

Stamm moved to approve a change order to the quote from Utility Maintenance Contractors (UMC) in the amount of \$32,465.68 bringing the total project amount to \$102,560.68 and authorize the mayor to sign. Motion seconded by Kerstetter. Vote Yea: unanimous. Motion carried

NEW BUSINESS-

A. ACCEPTANCE AND APPROVAL OF CEDAR RIDGE BID AWARD AND CONSTRUCTION CONTRACT

The bid sheet for Cedar Ridge water and paving improvements was reviewed by Caleb Jury with Garver. Four bids received from qualified vendors were listed. The bidder listed in the right-hand column was from Nowak. It was listed as engineer estimate in error. The low bid from Apex was lower than the estimated cost. Administrator Clark reminded Council that Cedar Ridge development is located east of Seneca and south of Fiddlers Creek. Due to size of lots they will have the enhanced septic lines and will not be on City sewer line.

Wilson moved to approve low, qualified bid from Apex Excavating LLC. and approve construction contract for water and paving improvements to Apex Excavating LLC in the amount of \$961,230.00. Motion seconded by Anderson. Vote yea: unanimous. Motion carried.

B. APPROVAL OF AGREEMENT WITH PEC FOR INSPECTION AND TESTING SERVICES FOR CEDAR RIDGE

City Engineer Scheer presented agreement with PEC to provide Construction Inspection and Materials Testing Services during construction of the Cedar Ridge Estates Subdivision.

Wilson moved to approve agreement with PEC for inspection and testing services for Cedar Ridge in the amount of \$140,790.70. Motion seconded by Colbert. Vote Yea: unanimous. Motion carried.

C. APPROVAL OF SALE OF PROPERTY ON FORD STREET

City Administrator Clark requested approval of purchase agreement with Crain Development, LLC. for roughly 20.25 acres of non-platted acres on Ford Street that the city currently owns. He was excited to announce that CC3D is planning a development using 3D technology to build duplexes. The property will be sold in the amount of \$10,000.00 per acre. Once platted, the full legal description will come back to the council for full ratification. Eric Ross, CC3D addressed Council about the project and answered questions from Council. Members of Council were fascinated regarding the process. Kerstetter stated that while he is not a fan of multi-family homes this will be an interesting project. The construction of these homes will only be 2-4 weeks compared to months in traditional construction. The properties will target moderate income households. Kerstetter verified that tonight they are only approving the purchase agreement.

Anderson moved to approve purchase agreement with Crain Development LLC for roughly 20.25 acres of non-platted land on Ford Street in the amount of \$10,000.00 per acre. Motion seconded by Stamm. Vote Yea: unanimous. Motion carried.

D. ORDINANCE 1378-22; AMENDMENT TO CITY ZONING REGULATIONS

Community Development Director Shrack presented for approval Ordinance 1378-22 which will amend the City's zoning regulations to include a new zoning district to be called "R-4 High Density Multiple-Family Residential District." He shared information from other Sedgwick County cities regarding this type of district. Kerstetter inquired about distance between buildings and easements and right of way issues. Shrack explained that the distance between buildings follows fire code of 10 feet, and the easements and ROW will be set during the platting process. This amendment has been discussed and approved by the Planning and Zoning Board. Shrack requests waiving the 1st reading as the Sunflower Valley Development will begin process with the Planning and Zoning Board and will come back to Council for approval in September. Anderson stated that every community needs different levels of housing. He feels this is a great opportunity.

Wilson made a motion to waive 1st reading of Ordinance 1378-22. Motion seconded by Wilson. Vote Yea: Stamm, Anderson, Gregory, Wilson, and Colbert. Opposed: Kerstetter. Motion carried

Wilson made a motion to approve Ordinance 1378-22 authorizing the creation of a new zoning district R-4. Motion seconded by Colbert. Mayor Cicirello stated that he is not in favor of one-offs with multi-family housing, he does support this project and finds it fascinating. Vote Yea: Stamm, Anderson, Gregory, Wilson, and Colbert. Opposed: Kerstetter. Motion carried

E. COMPREHENSIVE BUDGET DISCUSSION

Asst. Administrator Smith led discussion in 2023 proposed budget. He stated that a budget focus will be attracting and retaining personnel. Within the 2023 budget will be addition of 1 FTE parks and public building employee, 1 FTE in Community Development and 2 FTE firefighters. Smith provided clarification on the mil levy and exceeding the Revenue Neutral Rate. Smith presented revenue and expense projections through 2024. He requested approval of setting a public hearing to exceed the Revenue Neutral Rate.

Stamm made a motion to file the intent to exceed the Revenue Neutral Rate with Sedgwick County and set the Revenue Neutral Rate Hearing for September 6, 2022, at 7:00pm located at Valley Center City Hall, 121 S. Meridian, Valley Center, Kansas. Motion was seconded by Anderson. Vote yea: Unanimous Motion carried.

F. APPROVAL OF MOU FOR 2022 FARMERS MARKET

Community Development Director Shrack requested approval a Memorandum of Understanding between the City, Main Street Valley Center, and Dr. Troilo for the 2022 Farmers Market. Shrack did state that the opening date has been postponed to later in July. Kerstetter verified the times listed in MOU vs the hours set for the Farmers Market. Shrack explained that time in MOU allows time for the lot to be marked for vendors and set up time for the vendors.

Anderson moved to approve memoranda of understanding for local Farmers Market and authorize Mayor to sign. Seconded by Kerstetter. Vote yea: Unanimous Motion carried.

G. EXECUTIVE SESSION: DISCUSSION OF NON-ELECTED PERSONNEL

Anderson moved to recess into executive session including mayor and city council to discuss an individual employee's performance pursuant to the non-elected personnel matter exception, K.S.A. 75-4319(b)(1). The open meeting will resume in the City Council Chamber in 10 minutes. Motion seconded by Stamm. Vote yea: unanimous. Motion Carried. Session started at 7:55 pm. Mayor Cicirello called meeting back to order at 8:06 pm.

Anderson stated that no official action was taken during executive session.

Anderson moved to recess into executive session including mayor, city council and City Administrator Clark to discuss an individual employee's performance pursuant to the non-elected personnel matter exception, K.S.A. 75-4319(b)(1). The open meeting will resume in the City Council Chamber in ten minutes. Motion seconded by Stamm. Vote yea: unanimous. Motion Carried. Session started at 8:07pm Mayor Cicirello called meeting back to order at 8:17 pm.

Anderson stated no official action was taken during executive session.

Anderson moved to renew contract with City Administrator Brent Clark. The renewal is for a new 1-year extension to contract ending June 30, 2026. Clark will receive an increase of city contribution to KPERS 457 from 6% to 8% and a six-month Cobra and severance pay for termination. Wilson seconded the motion. Vote Yea: Unanimous. Motion carried.

CONSENT AGENDA

- A. APPROPRIATION ORDINANCE – JULY 5, 2022
- B. DELINQUENT ACCOUNT REPORT – MARCH 2022
- C. DELINQUENT ACCOUNT REPORT – APRIL 2022
- D. REC CENTER/POOL COMMITTEE MINUTES – JUNE 1, 2022
- E. REC CENTER/POOL COMMITTEE MINUTES – JUNE 15, 2022

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

STAFF REPORTS

COMMUNITY DEVELOPMENT DIRECTOR SHRACK

In response to question posed earlier regarding multi-family homes in Valley Center, reported that in 2019 2% of land use in Valley Center was multi-family homes.

POLICE CAPTAIN VOGT

Reported that they have 2 vacancies in the Police Department. They are in process of interviews, background checks and polygraphs.

The citizens academy will begin August 4th. The body cameras have been delivered and staff is working on getting them on-line.

CITY ENGINEER SCHEER

Stated work on Ford Street is scheduled to begin, however Apex will begin with the water line installation first and they will not be closing Ford Street until late August.

CITY ADMINISTRATOR CLARK

Thanked Katie Lechner in Public Works for keeping all the project maps, details and progress updated on the website. Clark showed the Ford Street project and discussed how the sidewalk currently stops at Seneca, but as part of this project it will turn north and run along Seneca all the way to 5th St. The mobile app is another great way to follow what is happening in Valley Center. We now have 946 app users.

Thanked Council for their confidence in his leadership and the staff.

GOVERNING BODY REPORTS –

COUNCILMEMBER ANDERSON

Thanked Smith and Shrack for their enthusiasm in their areas of work. Really glad that we have staff excited about their jobs.

COUNCILMEMBER GREGORY

Reported that on July 9th the Sedgwick County Association of Cities will hold a meeting in Sedgwick beginning at 8:30am.

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

ADJOURN -

Meeting adjourned at 8:31 PM.

Kristi Carrithers, City Clerk

