

REGULAR COUNCIL MEETING

July 7, 2020

CITY HALL

121 S. MERIDIAN

Mayor Cicirello called the swimming pool proposal presentation work session to order at 6:00 p.m. with the following members present: Matt Stamm, Paul Davis, Ben Anderson, Gina Gregory, Dale Kerstetter, Chris Evans, Robert Wilson and Ronald Colbert.

Members Absent: None

Staff Present: Lloyd Newman, Public Safety Director
Rodney Eggleston, Public Works Director
Ryan Shrack, Community Development Director
Barry Smith, Assistant City Administrator
Brent Clark, City Administrator
Josh Golka, City Engineer
Kristi Carrithers, City Clerk

Press present: The Ark Valley News

PRESENTATIONS

Council heard a presentation proposal for the swimming pool/rec center from Lamp Rynearson. Andy Smith, PE would be the project principal with Kyle McCawly, PE serving as project manager. They discussed that planning of such a project includes a focus on the “users” and the “uses”. A large part of that objective is public engagement. Information must be gathered in a short time period which was reflected in their timeline presented. They discuss the many ways of communication that included both on site and technology driven meetings and surveys. Following the presentation, Council inquired about other possible locations mentioned along Ford Street and near the high school. Anderson also appreciated their acknowledgement of future operational costs. They assured him that an analysis of costs would be included. Colbert asked them to elaborate on ADA considerations. Their proposal cost is estimated at \$27,150.00 subject to contract negotiations.

Anderson moved to adjourn the session, seconded by Gregory. Vote yea: unanimous. Motion carried.
Session adjourned at 6:45pm

Kristi Carrithers, City Clerk

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

Members Absent: None

Staff Present: Lloyd Newman, Public Safety Director
Rodney Eggleston, Public Works Director
Ryan Shrack, Community Development Director
Barry Arbuckle, City Attorney
Barry Smith, Assistant City Administrator
Brent Clark, City Administrator

Josh Golka, City Engineer
Kristi Carrithers, City Clerk

Press present: The Ark Valley News

APPROVAL OF THE AGENDA

Mayor Cicirello amended the agenda to place item 7-A the presentation before 6-A administrative agenda. Anderson moved to approve agenda as amended, seconded by Stamm. Vote yea: unanimous. Motion carried.

PRESENTATIONS/PROCLAMATIONS –

A second proposal presentation for the swimming pool/rec center was given by Alloy Architecture. Their team includes JEO Consulting and Integrated Consulting Engineers. David Riffel and other teams members outlined their philosophy for a project approach is “Dream to Realty”. This includes 3 components; Vision, Function and Form. Their proposal fees are divided by into pre-election, post-election and construction. These fees are then based on a percentage of the estimated cost of the project. The pre-election fees cover both the conceptual phase and the public phase of the election campaign. They would continue working with the City, committee and the public using no additional fees for multiple election campaigns. Council clarified about the fee structure, an analysis of operation expenses and ADA knowledge.

ADMINISTRATION AGENDA –

JUNE 16, 2020 CITY COUNCIL MINUTES-

Anderson moved to accept the minutes of the June 16, 2020, regular City Council meeting, seconded by Gregory. Vote yea: unanimous. Motion carried.

PUBLIC FORUM – None

APPOINTMENTS –

Mayor Cicirello appointed Sara Johnson to the Valley Center Library Board, serving until April 2022. Stamm moved to accept the appointment. Motion seconded by Wilson. Vote yea: unanimous. Motion carried.

COMMITTEES, COMMISSIONS –

Anderson moved to accept and file the Planning and Zoning Board minutes from the June 23, 2020 meeting. Motion seconded by Kerstetter. Vote yea: unanimous. Motion carried.

OLD BUSINESS –

A. ORDINANCE 1345-20; WATER SUPPLY DURING EMERGENCY

Golka stood for any questions.

Kerstetter moved to approve Ordinance 1345-20 prohibiting non-essential use of water during an emergency for 2nd reading. Seconded by Wilson. Vote yea: unanimous. Motion carried.

NEW BUSINESS-

A. DISCUSSION AND SELECTION OF FIRM/CONSULTANT FOR DESIGN OF NEW SWIMMING POOL/RECREATION CENTER

Administrator Clark explained the process of evaluation the committee used in ranking the submitted proposals. Both presentations and companies impressed members of the Council. Kerstetter expressed concern over the initial costs, Barry Smith stated that funds are available this year to cover this phase of the project. Councilmembers Evans and Stamm both serve on the committee. They stated that initially based on the submitted proposals, Alloy was ranked higher, but following the presentations they both felt that Lamp Rynearson moved to the top position. They felt that Lamp Rynearson had more creative ways to engage the public. Colbert stated that he'd like to have two or three of the other companies bring presentations. Further discussion was held regarding sales tax revenue and probability of passage of sales tax. Colbert stated that in previous elections, he didn't feel there was the support that there is in the community now.

Stamm moved to select Lamp Rynearson to design a possible new community swimming pool/recreation center and authorize staff to begin contract negotiations. Motion seconded by Evans. Kerstetter expressed his appreciation for the committee and the work they have done and will be doing. Anderson stated that he knows there is momentum within the community. Vote yea: unanimous. Motion carried.

B. ORDINANCE 1346-20: RE-ZONING; 212 S. MERIDIAN AVE.

Mayor Cicirello confirmed that this property was being developed by Spike Anderson and that Councilmember Ben Anderson had no financial interest in the property that would create a conflict of interest. Councilmember Anderson stated that was correct.

Shrack presented the Ordinance that would re-zone the property located at 212 S. Meridian Ave. from MH-1 (manufactured home park district) to R-3 (multi-family residential district). This has been presented to the Planning and Zoning Board and this is their recommendation. Mr. Anderson does plan on construction of three tri-plex and two duplex units. Cicirello inquired whether the address would change from Meridian to Abilene.

Stamm moved motion to approve Ordinance 1346-20; re-zoning land located at 212 S. Meridian Ave., Valley Center, Kansas for 1st. reading. Motion seconded by Colbert. Vote yea: unanimous. Motion carried.

C. COMPREHENSIVE BUDGET DISCUSSION

Smith addressed Council regarding the adjustments made to the 2021 budget. He stated that following his initial presentation showing \$46,000.00 over budget in the general fund. Administration meet with departments to discuss and make necessary changes to balance the budget. Changes included removal of the Lions Park Master Plan, Cost sharing of Library/Community Center window tinting with Library and completing project in 2020, and re-allocating the expense of the 2004 crew cab replacement for the Parks and Public Building department.

Smith discussed the challenges and future expenses regarding the COVID-19. Smith reported on Sales Tax revenues within the state, county and local levels. The needed technology upgrade for the police and fire departments will be a challenge. The active participation in WAMPO by Brent Clark and Ronald Colbert has benefited our community. Smith feels that residential development will continue to be a priority.

Kerstetter asked about the financial health to finish out 2020. Smith stated that we are doing well at this point in time, but a complete mid-year report will be distributed at the next meeting. Gregory inquired about fireworks stands this year. Smith stated that we had an additional stand, so generated more income from those fees.

Smith reminded Council that the meeting held on July 21, 2020 will conclude the budget discussions, with approval of Maximum Ad Valorem Tax Levy and submission of publication for public hearing to be held August 4, 2020.

D. ORDINANCE 1347-20; REQUIRING WEARING OF MASKS IN PUBLIC AREAS

Clark explained that following the State of Kansas Governor's order to wear masks in public areas, and Sedgwick County opting out of the order, Mayor Cicirello, Public Safety Director Newman and himself proposed consideration of Ordinance requiring masks in public areas in Valley Center. A lengthy discussion followed.

Davis requested clarification of Section 3, 2-A. Davis stated that he thought the fines were not needed and 1st option should be education. Newman agreed with Davis and stated that common practice is education and a bit of leeway with any most new ordinances or speed limit changes. Kerstetter stated that he would like to follow Sedgwick County guidance and would be very opposed to the Ordinance. Anderson stated that the use of masks are not about just protecting you but other people. This follows the CDC recommendations and it's a simple thing to do. He is afraid of things being shut down again if masks are not worn. Mayor Cicirello felt this Ordinance was similar to smoking restrictions. The restrictions are not for health of smokers, but those around them. In regards to questions about enforcement, Newman stated that they don't go onto private property unless they are called or requested. Colbert stated that even though he is in a high risk category, he feels each individual must make their own decision.

Public comments all opposed to the ordinance were given by Randy Williams, Jan and Terry Nantkes, Steve Rains and Terrell Smith.

Further discussion was held regarding putting police officers in a bad situation as well as possible confrontation between citizens. Cicirello stated that after listening to discussion and comments he has changed his mind to stay with the Sedgwick County order of just recommending the wearing of masks.

Anderson moved to waive the 1st reading of Ordinance 1347-20, requiring wearing of masks in public areas, motion was seconded by Gregory. Vote Yea: Anderson, Gregory, Evans and Wilson. Opposed: Kerstetter, Colbert, Stamm and Davis. Mayor Cicirello broke tie with opposed vote. Motion failed.

CONSENT AGENDA

A. APPROPRIATION ORDINANCE - JULY 7, 2020

B. LIONS PARK USAGE REQUEST-MINISTERIAL ALLIANCE

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

STAFF REPORTS

COMMUNITY DEVELOPMENT DIRECTOR SHRACK

Shrack stated that the local response rate for the US Census is 74.7%.

Shrack also reminded Council of the Land Bank meeting to be held following tonight's meeting.

PUBLIC SAFETY DIRECTOR NEWMAN

Reported that Sedgwick County is planning another COVID-19 testing opportunity in Valley Center on July 13th from 8:30am-11:30am.

The fire department personnel has been very busy with fires contributed by the heat, wind and dry conditions. Only 1 fire last week last linked to fireworks. Any burn ban put into place is a County decision. He hasn't heard of any plans for one yet.

CITY ENGINEER GOLKA

Reported that the flags running up Meridian from Main to 5th will be needed another week to complete field check plans.

An supplemental update to the Emergency Water Plan has be completed and submitted to KDHE.

CITY ADMINISTRATOR CLARK

Reminded Council that the Governing Body Institute offered by the League of Kansas Municipalities will be held remotely July 30-31st. Please let City Clerk know if you would like to attend.

Thanked everyone for their comments and participation in tonight's meeting.

GOVERNING BODY REPORTS –

COUNCILMEMBER KERSTETTER

Inquired about adding more dog waste centers throughout more of the City.

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

ADJOURN -

Meeting adjourned at 9:31 PM.

Kristi Carrithers, City Clerk