

REGULAR COUNCIL MEETING
October 5, 2021
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, Paul Davis, Ben Anderson, Gina Gregory, Dale Kerstetter, Robert Wilson, and Ronald Colbert.

Members Absent: none

Staff Present: Lloyd Newman, Public Safety Director
Neal Owings, Park and Public Building Director
Rodney Eggleston, Public Works Director
Ryan Shrack, Community Development Director
Barry Arbuckle, City Attorney
Josh Golka, City Engineer
Barry Smith, Assistant City Administrator
Matt Koehn, City Treasurer
Kristi Carrithers, City Clerk

Press present: The Ark Valley News

APPROVAL OF AGENDA

Mayor Cicirello requested the agenda be amended to include item 12G-Executive Session to discuss non-elected personnel. Anderson moved to approve the agenda as amended, seconded by Evans. Vote yea: unanimous. Motion carried.

ADMINISTRATION AGENDA –
SEPTEMBER 21, 2021, REGULAR CITY COUNCIL MINUTES-

Evans moved to approve the minutes of the September 21, 2021, regular City Council meeting, seconded by Gregory. Vote yea: unanimous. Motion carried.

PRESENTATIONS/PROCLAMATIONS –
PROCLAMATION IN SUPPORT OF HOME RULE

Mayor Cicirello read a proclamation in support of Home Rule authority for Kansas municipalities, October 11, 2021.

PUBLIC FORUM – None

APPOINTMENTS – None

COMMITTEES, COMMISSIONS – None

OLD BUSINESS –

A. ORDINANCE 1359-21; SMALL CELL ORDINANCE

Asst. City Administrator Smith presented for 2nd reading Ordinance 1359-21. This Ordinance grants a franchise and authorizes Cox Wireless to construct, maintain and operate competitive infrastructure provider in the public right of way

Wilson moved to approve Ordinance 1359-21, establishing small cell agreement with Cox Communications for 2nd. reading. Motion seconded by Stamm. Vote yea: Unanimous Motion carried.

B. ORDINANCE 1360-21; UNIFORM PUBLIC OFFENSE CODE

Public Safety Director Newman presented the updated UPOC to the council for 2nd reading and approval

Evans made a motion to adopt Ordinance 1360-21, amending chapter 9-01 of the Valley Center Municipal Code and amendments thereto for 2nd reading, seconded by Wilson. Vote yea: unanimous. Motion carried.

C. ORDINANCE 1361-21; STANDARD TRAFFIC OFFENSE

Public Safety Director Newman presented the updated Standard Traffic Offense code for 2nd reading and approval.

Stamm made a motion to adopt Ordinance 1361-21, amending Chapter 10.04, section 10 of the Valley Center Municipal Code, seconded by Wilson. Vote yea: unanimous. Motion carried

NEW BUSINESS-

A. REMOVAL OF MARQUEZ HORSE FARM PUD

Community Development Director Shrack addressed council regarding a request from Art Marquez to remove the Marquez Horse Farm PUD (planned unit development) to allow for final plat and rezoning approval for the proposed Hidden Valley Subdivision. The property is currently zoned A-1 agriculture, so property will also be discussed by Planning and Zone Board.

Colbert moved to accept and file Mr. Marquez's request letter formally removing the Marquez Horse Farm PUD from the property currently being platted as the "Hidden Valley" subdivision. Motion seconded by Anderson. Vote yea: Unanimous Motion carried.

B. STREET CLOSURE REQUEST FOR TRICK OR TREAT

Public Safety Director Newman presented to Council a request from Eric Scriven, Chamber Director. The trick or treat Main Street event will be held October 29, 2021. The request for closure of 100-200 W. Main Street will ensure pedestrian safety.

Kerstetter made a motion to approve of closure of 100-200 W. Main St. on October 29, 2021, from 4:00pm to 8:00pm for annual Trick or Treat event. Motion was seconded by Colbert. Vote yea: Unanimous Motion carried.

C. PURCHASING POLICY APPROVAL

Asst. City Administrator Smith presented Purchasing Policy for Valley Center. He explained that we have been using standard procedures, but a formally adopted policy will be more important for grant fundings. Kerstetter and Gregory requested clarification regarding wording.

Wilson moved to approve purchasing policy for the City of Valley Center, seconded by Anderson. Vote yea: unanimous. Motion carried.

D. RESOLUTION 704-21; CEDAR RIDGE – PAVING AUTHORITY

Asst. City Administrator Smith explained that Resolutions 704-21 and 705-21 authorize and provide for the paving and water improvements at Cedar Ridge Estates. Smith stated that financing through temp notes would be obtained, but the assessment of specials to each lot would reimburse the city.

Anderson moved to approve Resolution 704-21 authorizing paving improvements to the Cedar Ridge Estates addition. Motion seconded by Kerstetter. Vote yea: unanimous. Motion carried.

E. RESOLUTION 705-21; CEDAR RIDGE – WATER AUTHORITY

Stamm moved to approve Resolution 705-21 authorizing water improvements to the Cedar Ridge Estates addition. Motion seconded by Evans. Vote yea: unanimous. Motion carried

F. WATER TOWER REHABILITATION BIDS

City Engineer Golka presented bid results for the water tower rehabilitation project. Ten bids were received, with one bid not considered as it didn't fulfill all qualifications. Bids were very competitive, with Cunningham Sandblasting & Painting Co submitting the lowest qualified bid. Golka stated he had learned that bids were competitive because they were wanting to submit project for industry awards. Kerstetter moved to accept and approve low, qualified bid from Cunningham Sandblasting & Painting Co. for the water tower rehabilitation in the amount of \$268,500.00. Motion seconded by Gregory. Vote Yea: Unanimous. Motion carried.

G. EXECUTIVE SESSION TO DISCUSS NON-ELECTED PERSONNEL

Gregory moved to recess into executive session 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 Anderson. Vote yea: unanimous. Motion Carried.

Session started at 7:25pm

Mayor Cicirello called meeting back to order at 7:35 pm.

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

CONSENT AGENDA

A. APPROPRIATION ORDINANCE - OCTOBER 5, 2021

B. DELINQUENT ACCOUNT REPORT – JULY 2021

C. REQUEST FOR USE OF LIONS PARK BY FELLOWSHIP OF CHRISTIAN ATHLETES

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

STAFF REPORTS

PARKS AND PUBLIC BUILDING DIRECTOR OWINGS.

Reported that the butterfly garden north of the Community Building is progressing. Most of the work is being completed by volunteers.

PUBLIC SAFETY DIRECTOR NEWMAN

Firefighters are going to local schools in honor of Fire Prevention Week. They are also holding open house nights at the fire station this week.

CITY ENGINEER GOLKA

Stated that the roundabout at Ford and Broadway is on track to be completed later this month. He also stated that additional funds from WAMPO is anticipated for the Meridian Street project.

GOVERNING BODY REPORTS –

COUNCILMEMBER EVANS

Inquired about the work being done to gutters around town. Eggleston stated that the company is in town and continues work.

COUNCILMEMBER COLBERT

Reminded everyone that the moving wall will be arriving in just a couple of weeks. He stated that they have had a great response from volunteers.

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

ADJOURN -

Meeting adjourned at 7:43 PM.

Kristi Carrithers, City Clerk