

REGULAR COUNCIL MEETING  
January 18, 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 and Ronald Colbert.

Members Absent: Robert Wilson

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

Press present: The Ark Valley News

**APPROVAL OF AGENDA**

Mayor Cicirello requested that new business items F-Ordinance 1370-22, G-Resolution 712-22 and H-Creation of Public Power Committee be added to agenda. Anderson moved to approve the agenda as amended, seconded by Stamm. Vote yea: unanimous. Motion carried.

**ADMINISTRATION AGENDA –**  
**JANUARY 4, 2022, REGULAR CITY COUNCIL MINUTES-**

Evans moved to approve the minutes of the January 4, 2022, regular City Council meeting as presented, seconded by Kerstetter. Vote yea: unanimous. Motion carried.

**PRESENTATIONS/PROCLAMATIONS – None**

**PUBLIC FORUM – None**

**APPOINTMENTS –**  
**PUBLIC PROPERTIES AND OUTDOOR SPACES BOARD**

Mayor Cicirello recommended the following persons to serve a two-year term expiring January 2024 to the Public Properties and Outdoor Spaces Board: Andy Quandt, Johnathan Mosler, Jordan Wright and Raymond Ortega. Anderson moved to accept the appointments as recommended, motion seconded by Kerstetter. Vote yea: unanimous. Motion carried.

**COMMITTEES, COMMISSIONS – None**

**OLD BUSINESS – None**

**NEW BUSINESS-**  
**A. PUBLIC HEARING – T.I.F.**

Mayor Cicirello open the public hearing for proposed project plan of T.I.F. for comment at 7:04pm. Mayor Cicirello seeing no one wishing to speak, closed the public hearing at 7:04pm.

**B. ORDINANCE 1369-22; ADOPTION OF REDEVELOPMENT PROJECT PLAN**

Garth Herrmann with Gilmore and Bell reminded Council of the process that began last year to create the T.I.F. district. The public hearing and ordinance to adopt the project plan is the third step of establishment of the T.I.F. Asst. City Administrator Smith presented information regarding the financial considerations and taxing revenue. He also summarized the project plan. Kerstetter inquired about the timeline as well as verified that the T.I. F. would sunset at twenty years. Anderson confirmed that the T.I. F. was created to pull land out of the flood plain by creating the drainage basin. Community Development Director Shrack and Tim Austin with Iron Horse Development LLC spoke of the process to get approval from both the State of Kansas as well as FEMA. Asst. City Administrator Smith reminded Council of the letters of credit from the developer are in place to insulate the City of financial risk if something unforeseen happens. Kerstetter stated that he doesn't want the city to get into a situation similar to Ridgefield and the Land Bank.

Gregory moved to waive 1<sup>st</sup> reading of Ordinance 1369-22 Motion seconded by Anderson. Vote Yea; unanimous. Motion carried.

Anderson moved to approve Ordinance 1369-22; adopting a Redevelopment Project Plan and Development Agreement for the Prairie Lakes redevelopment district within the city, seconded by Kerstetter. Vote Yea: unanimous. Motion carried.

**C. RESOLUTION 711-22; ENDORSING SUPPORT OF MAIN STREET VALLEY CENTER**

Community Development Director Shrack requested approval of Resolution 711-22, which gives formal support to Main Street Valley Center's application to become a designated Main Street organization with the Kansas Main Street Program.

Kerstetter moved to approve Resolution 711-22 in support of Main Street Valley Center, seconded by Stamm. Vote yea: unanimous. Motion carried.

**D. APPROVAL OF ULTRA-VIOLET DISINFECTION EQUIPMENT CONTRACT**

Public Works Director Eggleston presented and requested approval of service contract with Ray Lindsey Company for Ultra-violet disinfection equipment for the wastewater treatment plant. Council had several questions regarding ongoing expense of contract. Eggleston said that this is a fairly new system installed in the final phase of the wastewater treatment plant, and the expense will be included in future budgets.

Stamm moved to approve service contract for Ultra-Violet disinfection equipment with Ray Lindsey Company in the amount of \$22,758.00 and authorize Mayor to sign. Motion seconded by Evans. Vote yea: unanimous. Motion carried.

**E. APPROVAL OF AGREEMENT WITH WAG'EN TAILS RANCH**

City Administrator Clark presented agreement with Wag-en Tails Ranch for boarding and kennel services. He stated that the prior provider had given a 30-day notice to end contract. Staff is exploring future options in consultation with the Valley Center Animal League. Anderson reminded everyone of the history of animal control and thanked the Animal League for their dedication and service.

Kerstetter moved to approve agreement with Wag'en Tails Ranch and authorize Mayor to sign. Motion seconded by Gregory. Vote yea: unanimous. Motion carried.

**F. ORDINANCE 1370-22; ELECTRIC FRANCHISE TO EVERGY**

City Administrator Clark presented Ordinance 1370-22, granting to Evergy Kansas South, Inc., an electric franchise. This shall allow Evergy to sell/furnish electric power to City of Valley Center for a one-year term with automatic renewals for additional one-year terms. Clark explained that approval of this

Ordinance allows an opportunity for exploring the feasibility of moving to a public power electric company. Clark stated that he is very familiar with public power electric and encouraged Council to consider such a move to better serve the residents of Valley Center with better service, cheaper rates, revenues that stay local and a way to attract business. He stated that a virtual meeting was held with Evergy representatives today at 4:00pm. The current contract expires on March 20, 2022, and a 60-day notice is required to end contract. A lengthy discussion was held regarding the benefits of a public power company, the process of getting a feasibility study, a timeline for creation of committee, public input and ultimately a public vote. Clark stated that approval of this Ordinance in no way, commits the City to public power, but gives the opportunity to explore the benefits to our citizens. Clark requested that due to the 60-day deadline, the 1<sup>st</sup> reading of the Ordinance be waived so that notice could be sent to Evergy. Kerstetter moved to waive the first reading of Ordinance 1370-22, seconded by Gregory. Vote yea: unanimous. Motion carried.

Kerstetter moved to approve Ordinance 1370-22, granting to Evergy Kansas South, Inc., a Kansas Corporation, its successors and assigns, an electric franchise prescribing the terms thereof and relating thereto, and amending Valley Center Kansas Ordinance 1143-07. The motion was seconded by Anderson. Vote yea: unanimous. Motion carried.

#### G. RESOLUTION 712-22; RFP FOR STREET LIGHT AND ELECTRICITY TRANSMISSION FACILITY

City Administrator Clark presented Resolution 712-22. He explained that following passage of Ordinance 1370-22, the approval of this Resolution will authorize the City of Valley Center and the city staff to solicit a request for proposal to consider whether the city should take the required authority to acquire by statutory authorization the streetlight and electricity transmission facility located in Valley Center and currently provided by Evergy Kansas South, Inc. There are only a few companies in the United States that have the qualifications to conduct such a study, but the data collected will provide a complete overview of the feasibility of proceeding with public power for Valley Center. Clark stated that he anticipates that the study can be completed in 18-24 months and the public could vote on proposal fall of 2024. Several councilmembers were encouraged by this opportunity to provide better service and cheaper electric rates to the citizens. It was stated that they didn't even know this was an option and just assumed that Evergy had the monopoly on electricity.

Colbert moved to approve Resolution 712-22 authorizing the solicitation of request for proposal (RFP) for acquisition of electricity transmission facility located in Valley Center. Motion seconded by Stamm. Vote yea: unanimous. Motion carried.

#### H. APPROVAL OF CREATION OF PUBLIC POWER STEERING COMMITTEE

City Administrator Clark requested consideration and approval of a steering committee that represents interested organizations and parties. He explained that input from the community will be very important. It is recommended that Council appoint 3 Councilmembers to serve, with other committee members from the school, business, residents at large, news media and City staff. Clark anticipates the proposed steering committee members will be appointed and approved at the February 1, 2022, regular City Council Meeting. The meeting times will be based on committee schedules and availability.

Anderson moved to create a public power steering committee consisting of the proposed representation outlined in the staff memo. Motion seconded by Stamm. Vote yea: unanimous. Motion carried.

#### **CONSENT AGENDA**

- A. APPROPRIATION ORDINANCE – JANUARY 18, 2022
- B. CHECK RECONCILIATION – DECEMBER 2021
- C. TREASURER'S REPORT – DECEMBER 2021
- D. REVENUE AND EXPENSE REPORT-DECEMBER 2021
- E. PUBLIC PROPERTIES AND OUTDOOR SPACES BOARD MINUTES

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

### **STAFF REPORTS**

#### **COMMUNITY DEVELOPMENT DIRECTOR SHRACK**

On Thursday, January 20<sup>th</sup>, Main Street Valley Center will be holding their annual meeting at LeVenue from 6:00pm-8:00pm

The Wichita Area Builders Home will sponsor the Home and Garden Show on February 3-6<sup>th</sup>. Volunteer openings are still available. He has the sign-up sheet.

#### **PUBLIC WORKS DIRECTOR EGGLESTON**

Reported that Kansas Gas has hit rock along Ford Street. That will cause a delay into March.

#### **CITY ADMINISTRATOR CLARK**

Thanked Council for the opportunity to explore public power for our residents. He plans to start a “coffee” hour to visit with residents regularly. Reported that new hours are going well. An increase in resident calls and in person visits has been noted. No complaints about the early closure on Fridays have been received.

### **GOVERNING BODY REPORTS –**

#### **MAYOR CICIRELLO**

Stated that everyone should take a family first approach to their service to Valley Center. Whether it is a family commitment, emergency, or telephone call. Family should always be first.

#### **COUNCILMEMBER STAMM**

Stated he is very excited about public power opportunity. “Let’s get that going then go for our own trash service.”

#### **COUNCILMEMBER EVANS AND KERSTETTER**

Looking forward to this process and options dealing with Evergy.

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

**ADJOURN -**

**Meeting adjourned at 8:39 PM.**

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**Kristi Carrithers, City Clerk**