

REGULAR COUNCIL MEETING
May 19, 2020
CITY HALL/ZOOM REMOTE MEETING
121 S. MERIDIAN

Via zoom remote meetings, Mayor Cicirello called the meeting to order at 7:00 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
Neal Owings, Parks and Public Buildings 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

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

ADMINISTRATION AGENDA –

MAY 5, 2020 CITY COUNCIL MINUTES-

Gregory moved to accept the minutes of the May 5, 2020, regular City Council meeting, seconded by Wilson. Vote yea: unanimous. Motion carried.

PRESENTATIONS/PROCLAMATIONS – None

PUBLIC FORUM –

Written Comments submitted in advance by Toby Carver, Amy Fellows Cline and Melissa Fehrenbach. Motion to accept and file written comments by Stamm. Motion seconded by Gregory. Vote yea: unanimous. Motion carried.

APPOINTMENTS –

Based on recommendation from the Economic Development Board, Mayor Cicirello appointed Randy Jackson and Brian Haight to two year terms on the board. Anderson moved to accept the appointments. Motion seconded by Evans. Vote yea: unanimous. Motion carried.

COMMITTEES, COMMISSIONS –

Anderson moved to accept and filed the Planning and Zoning Board minutes from the April 18, 2020 meeting. Motion seconded by Kerstetter. Vote yea: unanimous. Motion carried.

OLD BUSINESS - None

NEW BUSINESS-

A. CHANGE ORDER-WATERLINE REPLACEMENT PROJECT

Golka requested approval of a change order on the waterline replacement project. Of the two options presented, Golka recommended approval of option 1, installing approximately 333 feet of 8” line. He stated that the past 10-15 years there has been an assumption that a water line existed in that area. Golka stated no

additional labor cost would be incurred from Nowak. Council inquired about the location of the current 6” line in the middle of 5th Street, whether installation on new line would conflict with other utilities, water pressure and how this would impede traffic along 5th Street. Golka stated that his option 1 recommendation was due to the probability of the old 6” cast iron line is in very poor condition. Kerstetter inquired about funding. Smith reported that this project has been in the works with funding from the USDA. The City has bonded for this project and it’s still under budget. Colbert expressed his displeasure that this wasn’t known at the time of the bid. Anderson pointed out that although the original bid did not have this, had it been known then it would have been added to the original bid.

Kerstetter moved to approve the Option 1 change order on the waterline replacement project in the amount of \$27,068.50. Motion seconded by Anderson. Vote yea: unanimous. Motion carried.

B. WASTE MANAGEMENT DISCUSSION

Ammon Taylor with Waste Management addressed Council. The current agreement ends December 31, 2020. Taylor stated that Waste Management has been losing money under the current contract due the China restrictions on recycling materials. He requested Council authorize Administrator Clark to negotiate a new agreement. When asked about re-cycling options, Taylor there are many options available, depending on the direction the city chooses. Gregory inquired whether one of the options to explore would require residents to take care of their own trash. Kerstetter and Stamm both expressed their desire to go out for bids. Taylor stated that the negotiation process won’t stop the city from going forward for a bid process, but negotiations allow a look at the overall picture and explore all options. An RFP would tie their bid to “specific” items or terms outlined. Clark stated that he does have rates from surrounding cities so he wouldn’t be going into these talks without information.

Colbert moved to authorize Clark to begin agreement negotiations with Waste Management, seconded by Anderson. Vote yea: unanimous. Motion carried.

C. DRIVEWAY VARIANCE REQUEST

Shrack presented the variance request from Dallas and Tiffany Temple to install a driveway at 233 S. Sheridan Ave. This need for an addition driveway is because of a lot split. Shrack stated that City Codes require a new driveway is constructed with a hard surface, the width should be 20’ with a vertical clearance of 13’. Temples have also requested to install a gate, which would need to be 30’ back from Sheridan. A lengthy discussion was held. Public Safety Director Newman stated that the 13’ width as well as the area in front of the house is an issue for firetrucks. Trying to back a 37’ long firetruck out would be very difficult. Temples stated that all the other driveways in their area are gravel. They also want to narrow the driveway to the 13’ to keep the trees that line the area. They would be willing to create a circle drive in front of the house for trucks to turn around, but to make the driveway a hard surface would make it cost prohibitive. Council expressed the desire to work out a comprise with Temples. More discussion was held with Temples and Newman and members of Council.

Kerstetter moved to approve the variance request with the following stipulations. Driveway must have a minimum width of 15’ for the entire length of the driveway and can be gravel, except for the section of the driveway over the culvert/entire right-of-way area, which must be a hard surface. All trees will be trimmed and maintained to allow the 15’ width and 13’6” vertical height clearance requirement. The house placement will be moved 15’ north to allow more area for fire trucks or other equipment room to maneuver. Motion seconded by Anderson. Vote Yea: Unanimous. Motion carried.

CONSENT AGENDA

- A. APPROPRIATION ORDINANCE - MAY 19, 2020
- B. CHECK RECONCILLIATION – APRIL 2020
- C. TREASURER’S REPORT – APRIL 2020
- D. REVENUE AND EXPENSE SUMMARY – APRIL 2020

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

STAFF REPORTS

COMMUNITY DEVELOPMENT DIRECTOR SHRACK

Shrack stated that the response rate for the US Census is: State response 63.9% and City of Valley Center 73.7%.

A funding program through the CARES act is available for businesses effected by the pandemic. The program (CDBG-CV) is administered by the Ks. Department of Commerce. It is income based for employees. More information is on the City website or Facebook.

CITY ENGINEER GOLKA

Reported that final walk troughs have begun on the Wastewater treatment plant. Golka also reported that the waterline replacement project is at the half way point. It is ahead of schedule with a possible September/October completion date.

CITY ATTORNEY ARBUCKLE

Reported that based on Governor Kelly's announcement, the swimming pool cannot open at this time.

CITY ADMINISTRATOR CLARK

Based on the Governor recommendation and the lowering of the number of persons that can gather, the June 2, 2020 City Council meeting will again be held via zoom. Hopefully the June 16th meeting will be able to be held in the Council chamber.

Playgrounds and splash pad are scheduled to open on June 8th.

All staff is back to working in buildings, but social distancing. Public buildings remain closed until June 1st.

GOVERNING BODY REPORTS –

MAYOR CICIRELLO

Stated that he appreciated the comments sent in by residents. He then reported that this COVID-19 crisis sucks. We all hate it. He is thankful that we haven't been hit as hard as other areas in the nation, but he personally know 4 individuals that have fought the virus. He stated that the closing of the pool for the 2020 season was one of the hardest decisions that he has ever been a part of, but the safety and health of our residents is the number one priority. The financial impact was a secondary issue. He also stated that despite rumors that he has heard. The pool is not going to close permanently. It will re-open in 2021. Urged the community to join forces to again envision and plan a new pool for Valley Center.

COUNCILMEMBER DAVIS

Asked staff to look at street repairs needed at the corner or 2nd and Elm. Thanked Arbuckle and Mayor Cicirello for their comments regarding the pool.

COUNCILMEMBER KERSTETTER

Asked whether maintenance could be done on pool during this time of closure. Owings stated he would look at the pool, but most routine maintenance must be done seasonally right before filling with water at the beginning of the season. Repairs often won't last from one season to the next.

COUNCILMEMBER COLBERT

Attended a TEAP meeting with WAMPO, the north junction was discussed.

Stated that during a recent League meeting, it was reported that collections of May property taxes remained high.

It is hard to plan with the ever changing announcements to opening of State. Colbert admitted that he doesn't have all the information he needs, but makes the best decisions he can under the circumstances.

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

ADJOURN -

Meeting adjourned at 8:46 PM.

Kristi Carrithers, City Clerk