

REGULAR COUNCIL MEETING  
June 16, 2020  
VALLEY CENTER CITY HALL  
121 S. MERIDIAN

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  
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  
Matt Koehn, City Treasurer

Press present: The Ark Valley News

**APPROVAL OF THE AGENDA**

Anderson moved to approve the agenda, amended to move new business item F. to follow the governing body reports, seconded by Evans. Vote yea: unanimous. Motion carried.

**ADMINISTRATION AGENDA –**  
JUNE 2ND, 2020 CITY COUNCIL MINUTES-

Evans moved to accept the minutes of the June 2nd, 2020, regular City Council meeting, seconded by Kerstetter. Vote yea: unanimous. Motion carried.

**PRESENTATIONS/PROCLAMATIONS –**

Auditor Sean Gordon, CPA presented the audit of the city's 2019 financial statements. He reported sound financial policies and no budgetary discrepancies.

**PUBLIC FORUM –**

No written comments were received in advance of meeting.

**APPOINTMENTS –**

Mayor Cicirello appointed Barbara Jarman to the Valley Center Library Board, serving until April 2024. Gregory moved to accept the appointment. Motion seconded by Davis. Vote yea: unanimous. Motion carried.

Mayor Cicirello made three appointments to the Valley Center swimming pool/recreation center steering committee. Danny Park to represent the Valley Center Recreation Commission, Sean Miller and Jason Reffner to represent USD 262. Kerstetter moved to accept the appointments. Motion seconded by Evans. Vote yea: unanimous. Motion carried.

**COMMITTEES, COMMISSIONS –**

Council reviewed the Economic Development Board minutes from the June 3, 2020 meeting.

**OLD BUSINESS**

A. A. ORDINANCE 1345-20; WATER USES DURING EMERGENCIES

City engineer Golka reported on questions from the previous council meeting about the city's ability to restrict the use of private wells. He found that the city does have the authority to do so, however, given the current water usage figures compared to the city's well capabilities and water rights, there is no need to include any restrictions to private wells in this ordinance.

Kerstetter moved to approve the ordinance. Motion second by Gregory. Vote yea: unanimous. Motion carried.

## **NEW BUSINESS-**

### **A. DRIVEWAY VARIANCE REQUEST**

Jared West requested a variance for a new driveway on his property at 104 Northwind Dr. Mr. West requested the council allow him to use a non-solid surface for the driveway to his new garage due to the reoccurring drainage issues in his area. He states that he was told the concrete would not last because the soil is too wet.

Council agreed to allow a driveway using large rock in place of the typical solid surface due to the drainage issues in the area surrounding Mr. West's property. The council and Mr. West also agreed that when the drainage issues surrounding his property are resolved, Mr. West would replace the gravel driveway with a solid surface.

Kerstetter moved to approve the variance. Motion seconded by Anderson. Vote yea: unanimous. Motion carried.

### **B. EXTENSION REQUEST FOR HOUSING INCENTIVE PROGRAM: 744 WAKEFIELD**

Ryan Shrack presented a request from Nicholas Bender to extend the housing incentive. Mr. Bender's letter to the city states that he was not aware of the six month timeframe to begin construction on the property in order to be eligible for the incentive. Mr. Bender's concern was that losing the incentive on this project would make the house harder to sell when completed.

Councilmember Anderson asked if there is a deadline to complete the project, Mr. Shrack clarified that there is not a deadline to complete the project, only that the permit must be obtained to begin construction within six months of the purchase of the property. Based on that information, Anderson Moved to approve the extension. Motion seconded by Colbert. Vote Yea: Stamm, Evans, Anderson, Gregory, Wilson, Colbert. Against: Kerstetter, Davis. Motion Carried.

### **C. CHANGE ORDER WWTP**

City Engineer Golka presented the need for a pipe support for the overhead valve between the two sludge tanks at the waste water treatment plant. The valve was replaced as part of the project, the original was supported by the walkway, but after installation it was apparent that a ground support would be needed. The cost of the support is \$1405.00.

Kerstetter moved to approve the change order. Motion seconded by Davis. Vote yea: unanimous. Motion carried.

### **D. BOND REFINANCE PROPOSAL**

Barry Smith presented a proposal to issue a new bond, series 2020-2 to refinance the following existing bonds, Series 2010-1, 2012-1, 2012-2, and 2013. By refinancing these bonds to a lower interest rate the city will realize savings of \$549,262.75

This item was for discussion only. There were no questions from the council.

### **E. 2021 BUDGET DRAFT PRESENTATION**

Barry Smith presented a draft of the 2021 budget. In his presentation some significant points were a stagnant mill levy, a restructuring of mill amounts to different funds over the next few years to allow to future debt service payments, a valuation increase of 6% resulting in a total net levy increase of \$195,232.

The complete budget will be presented to the council on July 7<sup>th</sup> for comprehensive budget discussion. Public hearing and approval of the 2021 budget is scheduled for the regular city council meeting on August 4<sup>th</sup>.

This item was for discussion only. There were no questions from the council.

**E. EXECUTIVE SESSION: DISCUSSION OF NON-ELECTED PERSONNEL**

The Executive session took place after staff reports and governing body reports

**CONSENT AGENDA**

- A. APPROPRIATION ORDINANCE - JUNE 16, 2020
- B. CHECK RECONCILIATION – MAY 2020
- C. TREASURER’S REPORT – MAY 2020
- D. REVENUE AND EXPENSE SUMMARIES – MAY 2020

Kerstetter moved, seconded by Anderson 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: Federal response-60%, State response 64% and City of Valley Center 74.3%.

**PUBLIC SAFETY DIRECTOR NEWMAN**

Reported that Sedgwick County would be providing COVID-19 testing at the community building on June 22<sup>nd</sup>. Newman also discussed the recent threats of riots in the city due to the national movement to end police brutality. Valley Center Police, other city employees, and other law enforcement agencies were all present and patrolling the streets of Valley Center. Newman expressed gratitude for all those who came together to keep our community safe.

**CITY ADMINISTRATOR CLARK**

Clark echoed Newman with thanks to staff and other agencies for their swift action to keep protect our community. He also thanked Newman for setting up the COVID-19 testing site in Valley Center.

**GOVERNING BODY REPORTS –**

**COUNCILMEMBER EVANS**

Thanked city staff for their preparedness and response to the riot threats and for keeping Valley Center safe.

**COUNCILMEMBER DAVIS**

Reported that 85<sup>th</sup> Street between Broadway and I-135 is quickly deteriorating and asked about dead trees on Emporia, Neal Owings stated that those trees are on the list to be taken care of.

**COUNCILMEMBER COLBERT**

Stated he will be attending a meeting about the north junction.

**EXECUTIVE SESSION –**

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 15 minutes. Motion seconded by Colbert. Vote yea: unanimous. Motion Carried. Session started at 8:15pm Mayor Cicirello called meeting back to order at 8:30 pm.

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

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 five minutes. Motion seconded by Colbert. Vote yea: unanimous. Motion Carried. Session started at 8:31pm Mayor Cicirello called meeting back to order at 8:36 pm.

Anderson stated no official action was taken during executive session.

Anderson moved to recess into executive session including mayor, city council, and City Administrator Brent 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 15 minutes. Motion seconded by Kerstetter. Vote yea: unanimous. Motion Carried. Session started at 8:37pm Mayor Cicirello called meeting back to order at 8:52 pm.

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

Mayor Cicirello stated that City Administrator Brent Clark is being renewed for a new 4 year contract ending June 30, 2024. Clark will receive a 3% pay increase, 5 additional days of vacation, a 5 day increase to the amount of vacation that is allowed to be rolled over to the following year, an increase to his cell phone stipend from \$60 to \$100 per month, and an increase from 3% to 5% city contribution to KPERS 457.

Gregory moved to accept the changes to Mr. Clark's employment agreement. Davis seconded the motion. Vote Yea: Unanimous. Motion carried.

#### **ADJOURN -**

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

**Meeting adjourned at 8:54 PM.**

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**Matt Koehn, City Treasurer**