

REGULAR COUNCIL MEETING  
December 6, 2022  
CITY HALL  
121 S. MERIDIAN

Council President Anderson 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, Robert Wilson, and Ronald Colbert.

Members Absent: Mayor Cicirello

Staff Present: Barry Arbuckle, City Attorney  
Lloyd Newman, Public Safety Director  
Ryan Shrack, Community Development Director  
Neal Ownings, Parks and Public Buildings Director  
Rodney Eggleston, Public Works Director  
Gage Scheer, City Engineer  
Barry Smith, Asst. City Administrator  
Brent Clark, City Administrator  
Kristi Carrithers, City Clerk

Press present: Ark Valley News

**APPROVAL OF AGENDA**

Anderson requested that the agenda be amended to remove the Committee appointments to the December 20<sup>th</sup> council meeting. Kerstetter requested that the item for the Lions Club annual car show be removed from the Consent Agenda and be placed as a New Business item for discussion.

Kerstetter moved to approve the agenda as amended, seconded by Wilson. Vote yea: unanimous. Motion carried.

**ADMINISTRATION AGENDA –**

**NOVEMBER 15, 2022, REGULAR CITY COUNCIL MINUTES-**

Kerstetter to approve the minutes of the November 15, 2022, regular City Council meeting as presented, seconded by Wilson. Vote yea: Unanimous Motion carried.

**NOVEMBER 29, 2022, SPECIAL CALLED CITY COUNCIL MINUTES-**

Kerstetter to approve the minutes of the November 29, 2022, special called City Council meeting as presented, seconded by Wilson. Vote yea: Stamm, Evans, Bass, Gregory, Kerstetter, Wilson and Colbert  
Abstain: Anderson Motion carried.

**PRESENTATIONS/PROCLAMATIONS –**

**LONGEVITY EMPLOYEE AWARDS**

The League of Kansas Municipalities recognizes long term city employees each year at the annual meeting. Public Safety Director Lloyd Newman presented 45-year award for service to Fire Chief Lonnie Tormey, 20-year award to Fire Captain Nicholas Banning and 10-year award to Animal Control/Evidence Custodian, Frank Miller. Public Works Director also recognized Ronald Ekstrom, Infrastructure Manager for 20-years of service to the City of Valley Center

**PUBLIC FORUM – None.**

**APPOINTMENTS – None**

**OLD BUSINESS –**

**A. PUBLIC HEARING AND 2022 BUDGET AMENDMENT APPROVAL**

Asst. City Administrator Smith reminded Council that a budget for the city is set 18 months in advance. The notice and budget amendment summary was published in the Ark Valley News. Public Hearing should be held prior to approval of budget amendment.

Anderson opened public hearing at 7:13pm. No public comments were heard. Anderson closed public hearing at 7:13pm

Wilson moved to approve amendments to the 2022 budget as presented. Motion seconded by Kerstetter. Vote Yea: Unanimous. Motion carried.

**NEW BUSINESS-**

**A. RESOLUTION 724-22 G.A.A.P WAIVER**

Asst. City Administrator Smith requested approval of Resolution 724-22 for the G.A.A.P. Waiver. Approved is needed on annual basis.

Kerstetter moved to approve Resolution 724-22, G.A.A.P. waiver. Motion seconded by Stamm. Vote yea: Unanimous Motion carried.

**B. APPROVAL OF MOU WITH VALLEY CENTER ANIMAL LEAGUE**

Animal Control Officer Frank Miller presented MOU between the City and the Valley Center Animal League. Miller works closely with the volunteers. He explained that when a dog is picked up for running at large, the owner has 3 days to claim. The Animal League has secured a 14X32 shed type building that would have heat and a/c with 3 outdoor runs. It would be located by the old City shop on 2<sup>nd</sup> Street. In response to inquiry by Colbert, Miller explained it would not be open to the public but appointments can be scheduled. Dawn Taylor, president of the Animal League was in attendance to answer any questions.

Kerstetter moved to approve MOU with the Valley Center Animal League and authorize Mayor to sign. Motion seconded by Stamm. Vote Yea: unanimous. Motion carried.

**C. RESOLUTION 725-22; SUNFLOWER VALLEY DRAINAGE IMPROVEMENTS AUTHORITY**

City Administrator Clark announced that the purchase of land by Air Capital Industrial Park LLC in Sunflower Valley closed last week. Gilmore and Bell have drafted four resolutions authorizing the improvements.

Wilson made motion to approve Resolution 725-22 authorizing construction and financing drainage improvements to the Sunflower Valley Subdivision. Motion seconded by Colbert. Vote Yea: unanimous. Motion carried.

**D. RESOLUTION 726-22 SUNFLOWER VALLEY SANITARY SEWER AUTHORITY**

Stamm moved to approve Resolution 726-22 authorizing construction and financing sanitary sewer improvements to the Sunflower Valley Subdivision, seconded by Evans. Vote Yea: Unanimous. Motion carried.

**E. RESOLUTION 727-22 SUNFLOWER VALLEY PAVING AUTHORITY**

City Administrator Clark stated that the city will pave with concrete due to high cost of asphalt. Kerstetter confirmed that a change in paving material does not change the authority of the resolution. Gregory was told it will have curb and gutter in the sub-division.

Wilson moved to approve Resolution 727-22 authorizing construction and financing paving improvements to the Sunflower Valley Subdivision. Motion seconded by Colbert. Vote Yea: Unanimous. Motion carried.

F. RESOLUTION 728-22 SUNFLOWER VALLEY WATER AUTHORITY

Stamm moved to approve Resolution 728-22 authorizing construction and financing water improvements to the Sunflower Valley Subdivision. Motion seconded by Bass. Vote Yea: Unanimous. Motion carried.

G. NOTICE OF AWARD TO MIES CONSTRUCTION-SUNFLOWER VALLEY

Jake Vasa, SEH, stated that bids for the project were very competitive and were lower than estimated. Kerstetter questioned why only one bid was included in agenda packet for review. Administrator Clark stated that bids were received from Mies Construction and Wildcat Construction. He apologized for not including both. Staff recommended approval of the alternate bid submitted for the project in the amount of \$3,369,766.52.

Wilson moved to award for the construction contract for the Sunflower Valley Public Improvement to Mies Construction and authorize Mayor to sign. Motion seconded by Kerstetter. Vote Yea: Unanimous. Motion carried.

H. APPROVAL OF CONSTRUCTION AGREEMENT WITH MIES CONSTRUCTION-SUNFLOWER VALLEY

Jake Vasa presented for approval Construction Agreement with Mies Construction for the Sunflower Valley Subdivision Improvements. Kerstetter confirmed that completion of the project is scheduled for next fall.

Bass moved to approve Sunflower Valley Construction Agreement with Mies Construction in the amount of \$3,369,766.52 and authorize Mayor to sign. Seconded by Evans. Vote Yea: Unanimous. Motion carried.

I. APPROVAL OF CONSTRUCTION ADMINISTRATION AND MATERIAL TESTING WITH SEH-SUNFLOWER VALLEY

Jake Vasa presented an agreement with SEH for Construction Administration and Material Testing Services for Sunflower Valley Addition. The total fee is estimated to be \$258,995.00

Evans moved to approve SEH Agreement for Construction Administration, Resident-Project-Representative and Material Testing Services for Sunflower Valley Addition in the amount of \$258,995.00 and authorize Mayor to sign. Motion seconded by Bass. Vote Yea: Unanimous. Motion carried.

J. APPROVAL OF MOU FOR 2023 FARMERS MARKET

City Administrator Clark requested approval of MOU between the City of Valley Center, the Valley Center Main Street Organization and Mr. Tom Troilo to operate local Farmer's Market at 225 W. Main Street.

Wilson moved to approve MOU between City of Valley Center, Main Street Valley Center, and Tom Troilo, and authorize Mayor to sign. Motion seconded by Kerstetter. Vote Yea: Unanimous. Motion carried.

K. REQUEST TO SOLICIT BIDS FOR SALE OF CITY VEHICLE

Parks and Public Buildings Director Ownings requested approval to seek bids to sell a 1999 GMC 1-ton truck. The listing will be posted on social media and the website.

Stamm moved to authorize solicitation of bids for the sale of a 1999 GMC 1-ton truck, seconded by Kerstetter. Vote Yea: Unanimous. Motion carried.

L. VALLEY CENTER LIONS CLUB CAR SHOW

Councilmember Kerstetter stated that he is not opposed to the Lions Club Car Show, he just has concerns about shutting down Main Street 2 weekends in a row. Anderson stated that he felt that communication to businesses effected is the key. Chris Strunk with Main Street Valley Center agreed. He also stated that

the car show does bring in many people outside of the community. Colbert excused himself from discussion and vote as he has conflict of interest as past president of Lions Club. Stamm noted that car shows compete for dates and if some organization changes their date it affects others. Police Chief Newman reported that last year's event had record number of entries and barriers might have been put up earlier. Newman agreed that communication is key.

Kerstetter moved to approve the Valley Center Lions Club Car Show for September 13, 2023. Motion seconded by Gregory. Vote Yea: Stamm, Evans, Bass, Anderson, Gregory, Kerstetter and Wilson. Abstain: Colbert. Motion carried.

#### **CONSENT AGENDA**

- A. APPROPRIATION ORDINANCE – DECEMBER 6, 2022
- B. CHECK RECONCILIATION- OCTOBER 2022
- C. TREASURER REPORT – OCTOBER 2022
- D. REVENUE AND EXPENSE SUMMARY – OCTOBER 2022
- E. POOL/RECREATION CENTER STEERING COMMITTEE MINUTES – AUG 10, 2022
- F. POOL/RECREATION CENTER STEERING COMMITTEE MINUTES – SEPT 7, 2022
- G. REQUEST FOR ALCOHOL WAIVER
- H. CEREAL MALT BEVERAGE APPROVAL

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

#### **STAFF REPORTS**

##### COMMUNITY DEVELOPMENT DIRECTOR SHRACK

A lighting contest hosted by the Chamber of Commerce and Main Street Valley Center will be held again this year. It is for business and residential decorations; registration is required by December 15<sup>th</sup>.

##### CITY ADMINISTRATOR CLARK

Clark announced that Ford Street is open both directions from Meridian to Brookfield Apts. Construction is continuing east on Ford with curbs being poured east of Seneca.

#### **GOVERNING BODY REPORTS –**

##### COUNCILMEMBER GREGORY

Volunteered at the KPTS phone banks and had a fun time.

##### COUNCILMEMBER WILSON

Thanked the employees for their years of service and recognition is well deserved

##### COUNCILMEMBER COLBERT

Reminded everyone that if they have any questions or concerns to share prior to the Kansas legislative session, please contact him.

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

#### **ADJOURN -**

**Meeting adjourned at 7:59pm.**

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**Kristi Carrithers, City Clerk**

