

REGULAR COUNCIL MEETING
September 3, 2024
CITY HALL
121 S. MERIDIAN

Mayor Truman called the council meeting to order at 7:00 p.m. with the following members present: Ronald Colbert, Robert Wilson, Clint Bass, Ben Anderson, Gina Gregory, Dale Kerstetter, Chris Evans and Matt Stamm.

Members Absent: None

Staff Present: Lloyd Newman, Public Safety Director
 Neal Owings, Parks and Public Building Director
 Rodney Eggleston, Public Works Director
 Kyle Fiedler, Community Development Director
 Clint Miller, Finance Director
 Barry Arbuckle, City Attorney
 Gage Scheer, City Engineer
 Kristi Carrithers, City Clerk/HR Director
 Brent Clark, City Administrator

Press present: Ark Valley News

APPROVAL OF AGENDA

Anderson made a motion to approve the agenda as presented. Bass seconded the motion. Vote: Aye Unanimous Motion carried.

ADMINISTRATION AGENDA –

AUGUST 20, 2024, CITY COUNCIL MINUTES-

Wilson moved to approve the minutes of the August 20, 2024, City Council meeting as presented, seconded by Colbert. Vote Aye: Unanimous Motion Carried.

PRESENTATIONS/PROCLAMATIONS –

PUBLIC FORUM –

Tammy Miller, 701 Dover, addressed Council regarding Ordinance and rules surrounding the Valley Center Cemetery. Miller also stated that she felt the agenda for the Tuesday City Council meeting should be available by 8:00am of the preceding Wednesday or by 8:00am Thursday at the latest.

APPOINTMENTS –

OLD BUSINESS –

A. ORDINANCE 1409-24: UPOC

Public Safety Director Newman presented Ordinance 1409-24 for 2nd reading. This adopts the 2024 Uniform Public Offense Code, 40th Edition.

Stamm moved to adopt Ordinance 1409-24, amending Chapter 9.01 of the Valley Center Municipal Code and amendments thereto, for 2nd reading. Motion seconded by Evans. Vote: Aye Unanimous Motion carried.

B. ORDINANCE 1410-24: STO

Public Safety Director Newman presented Ordinance 1410-24 adopting the 2024 Standard Traffic Ordinance for 2nd reading.

Bass moved to adopt Ordinance 1410-24 amending Chapter 10.04, section 10 of the Valley Center Municipal Code and amendments thereto related to the Regulation of Traffic within the corporate limits of the City of Valley Center, Kansas for second reading. Motion seconded by Anderson. Vote: Aye Unanimous Motion carried.

C. ORDINANCE 1411-24: UTILITY AND GOLF CARTS

Public Safety Director Newman presented Ordinance 1411-24 regarding the use of Utility Vehicles, Micro trucks and golf carts within the city limits. He stated that pending counsel opinion regarding sidewalks that language has been removed from the Ordinance. Passengers are limited by factory installed seats.

Colbert moved to approve Ordinance 1411-24 which would repeal and replace Ordinance 1245-12 and Ordinance 1302-17 regarding the use of utility vehicles and golf carts in City of Valley Center. For 2nd reading. Motion seconded by Wilson. Vote Yea: Unanimous. Motion carried.

NEW BUSINESS-

A. PUBLIC HEARING REGARDING THE 2025 VALLEY CENTER PROPOSED PROPERTY TAX LEVY IN EXCESS OF THE REVENUE NEUTRAL RATE AND ADOPTION OF RESOLUTION 758-24:

City Treasurer Womack presented information regarding the Revenue Neutral Rate and the steps in the budget process. Womack explained that the mil will remain the same, however, due to increased property values, the City would see an increase of \$342,119.00 over 2024. These funds are only used for General Funds, Employee benefits, Bond & Interest, Library and Emergency Equipment. Womack stated the only thing changed from when this was presented earlier is removal of TIF funds

Mayor Truman opened the public hearing regarding the proposed tax levy in excess of the revenue neutral rate at 7:16pm. No public comments. Mayor Truman closed the public hearing at 7:16pm.

Anderson moved to approve Resolution 758-24 to levy a property tax rate exceeding the revenue neutral rate. The motion was seconded by Bass. Roll Call Vote yea: Colbert, Wilson, Bass, Anderson, Gregory, Kerstetter, Evans and Stamm. Opposed: none. Motion carried.

B. PUBLIC HEARING REGARDING THE 2025 VALLEY CENTER BUDGET AND ADOPTION OF THE 2025 BUDGET:

Finance Director Miller reported the city has been notified of receipt of AA- rating from S & P. This rating showed the city has very strong reserves with good policies and procedures. Miller presented information regarding financial overview for all departments moving forward. He recommended council approve the 2025 budget as presented with the recommendation of 54.856 mils.

Mayor Truman opened the public hearing regarding the 2025 budget at 7:33pm. Mike Miller, 701 Dover, addressed Council with his frustrations with the budget process. He raised his concerns regarding any cuts previously presented only were made to the parks department. He also had different comparisons to surrounding cities in how Valley Center taxes compare. Mayor Truman closed the public hearing at 7:38pm.

Kerstetter stated that he preferred the budget mil levy be 54.575 which was presented on July 2, 2024. Finance Director Miller noted that mil levy comparisons to other cities can change dramatically due to fire departments or other funds being included. Anderson agreed that comparisons should compare apples to apples, not pick and choose which mil levy to choose. Wilson stated that as a Council they work with budgets throughout the process. Great consideration was given to this budget and feels this budget is workable.

Stamm moved to approve the 2025 budget as presented. Motion seconded by Evans. Vote yea: Colbert, Wilson, Bass, Anderson, Gregory, Evans and Stamm. Opposed: Kerstetter. Motion carried.

C. VALLEY CENTER CHAMBER MAIN STREET CLOSURE REQUEST:

Allison Clubb, Chamber Director requested the closure of section of Main Street and other surrounding Streets. She also asked that public fishing at McLaughlin Park be prohibited beginning September 18 until the fall fest fishing derby is held.

Kerstetter moved to approval of requested downtown street closures for the Fall Fest in addition to prohibit fishing at McLaughlin Park prior to Fall Fest. Motion seconded by Anderson. Vote Yea: unanimous. Motion carried.

D. RESOLUTION 759-24: RIO BELLA PAVING AUTHORITY:

Dominique Eck, Gilmore and Bell presented petition for paving improvements and Resolution 759-24 to authorize the construction and financing of paving improvements located in the Rio Bella subdivision. This subdivision is located west of river, south of Ford Street. Eric Glover, Graver, stated that the farmhouse located in here, is for sale. Easements will remain until developed. Mayor Truman again stated that he is not a fan of ditches for drainage. Glover stated that the cost of flumes is prohibitive, but drainage studies show there is a 1% drainage flow. Gregory questioned sentence in the petition refer to no notice or hearing.

Clark stated that no notice or hearing is needed since it is the landowners requesting the improvements. Anderson moved to adopt Resolution 759-24, authorizing construction and financing paving improvements to the Rio Bella Subdivision. Seconded by Bass. Vote yea: Colbert, Wilson, Bass, Anderson, Gregory, Evans and Stamm. Opposed: Kerstetter. Motion carried

E. RESOLUTION 760-24: AMEND RES. 757-24 TEMP NOTES 2024-1

Dominique Eck, Gilmore and Bell presented Resolution 760-24. This resolution amends Resolution 757-24 which authorized the offering for sale of General Obligation Temporary Notes, Series 2024-1. The paving improvements included in Resolution 759-24 for Rio Bella will now be included.

Bass moved to approve Resolution 760-24 authorizing the amendment of Resolution 757-24; sale of General Obligation Temporary Notes, Series 2024-1 to include Rio Bella paving improvements. Motion seconded by Stamm. Vote yea: Colbert, Wilson, Bass, Anderson, Gregory, Evans and Stamm. Opposed: Kerstetter. Motion carried.

F. ORDINANCE 1412-24: LOAN AGREEMENT FROM KDHE-WATER TREATMENT PLANT

Finance Director Miller presented Ordinance 1412-24. This 30-year contract with KDHE will be a Buy American, Build American loan with an estimated principal forgiveness of \$1,500,000.00. The rate will be 2.78%, with city maintaining a level A credit rating. He distributed the full agreement to Council but gave details regarding the repayment schedule.

Evans moved to approve Ordinance 1412-24 authorizing loan agreement with KDHE for water treatment plant for 1st reading. Motion seconded by Kerstetter. Vote Yea: unanimous. Motion carried.

G. VALLEY CENTER ELEMENTARY SCHOOL PROPOSAL

City Administrator Clark presented proposal for USD 262 Elementary School. The school district is the largest employer in Valley Center with a rich history and partnership with the city. The proposal includes 18 acres located along Tanner Trail and Seneca St. without any specials. He stated this location is adjacent to many neighborhoods and all utilities are located onsite and are shovel ready.

Wilson moved to approve proposal for USD 262 Elementary School, seconded by Stamm. Vote Yea: Colbert, Wilson, Bass, Anderson, Gregory, Evans and Stamm. Opposed: Kerstetter. Motion carried.

H. APPROVAL OF AGREEMENT WITH SEDGWICK COUNTY FOR TREECYCLE PROGRAM

Parks and Public Buildings Director Ownings requested approval of agreement with Sedgwick County for the Treecycle program. This five-year agreement provides for the site access, set-up, maintenance and grinding of Christmas Tree recycling. Site location will continue to be at Veteran's Park, 337 S. Meridian Ave.

Kerstetter moved to approve agreement with Sedgwick County for the Treecycle program and authorize Mayor or City Administrator to sign. Motion seconded by Evans. Vote Yea: Unanimous. Motion carried.

CONSENT AGENDA

- A. APPROPRIATION ORDINANCE – SEPTEMBER 3, 2024
- B. ECONOMIC DEVELOPMENT BOARD MINUTES – AUGUST 7, 2024
- C. LIONS PARK SPECIAL USE REQUEST- LIFEPOINT CHURCH-KIDSFEST – SEPTEMBER 21, 2024
- D. VALLEY CENTER CEMETERY SPECIAL USE REQUEST – DAR – DECEMBER 14, 2024
- E. DELINQUENT ACCOUNT REPORT – JUNE 2024

Wilson moved, seconded by Anderson to approve the Consent Agenda as presented. Vote Aye: Unanimous. Motion carried.

STAFF REPORTS

PARKS AND PUBLIC BUILDINGS DIRECTOR OWINGS

His department will begin contacting property owners along North Meridian regarding the planting of trees. Colbert inquired about low spots along North Meridian that seems to hold water. Eggleston stood to address that concern that concrete will be ground down for better drainage, or repoured if necessary. Eggleston stated that school zone issues should be fixed next week. There is no timeline for banners and lights.

PUBLIC WORKS DIRECTOR EGGLESTON

Worked continues on the south Meridian project. Approximately ½ of the east side of Meridian was poured and new concrete will be poured again tonight.

COMMUNITY DEVELOPMENT DIRECTOR FIEDLER

The farmer's market will be held this Thursday evening. There will be a Comprehensive Plan Steering Committee meeting on September 12.

CITY CLERK/HR DIRECTOR CARRITHERS

Stated that she is at a conference next week, so there will be an earlier deadline for the agenda.

CITY ADMINISTRATOR CLARK

Blood Drive Challenge between Park City and Valley Center has been scheduled for September 30th. He urged everyone to schedule a time to give blood and win the challenge.

GOVERNING BODY REPORTS-

MAYOR TRUMAN

Urges everyone to sign up for the Blood Drive Challenge with Park City.

COUNCILMEMBER GREGORY

There will be a Sedgwick County Association of Cities meeting on September 14th.

Stamm moved to adjourn, second by Kerstetter. Vote Aye: Unanimous.

ADJOURN -

The meeting adjourned at 8:37 PM.

Kristi Carrithers, City Clerk/HR Director