

CITY OF VALLEY CENTER

FINAL AGENDA

SEPTEMBER 1, 2016

THE CITY COUNCIL SHALL HOLD ITS REGULAR MEETINGS IN THE COUNCIL CHAMBER IN THE CITY HALL, LOCATED AT 121 S. MERIDIAN, BEGINNING AT 7:00 P.M.

SEPTEMBER 6, 2016

**6:00PM - OPEN WORK SESSION
RE: ECONOMIC DEVELOPMENT OPPORTUNITIES
7:00PM – REGULAR COUNCIL MEETING**

- 1. CALL TO ORDER**
- 2. ROLL CALL**
- 3. INVOCATION: MINISTERIAL ALLIANCE**
- 4. PLEDGE OF ALLEGIANCE**
- 5. APPROVAL OF AGENDA p 3**
- 6. ADMINISTRATION AGENDA p 4**
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- 7. PRESENTATIONS / PROCLAMATIONS p 10**
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 - B. Eagle Scout presentations – Derek Dunn and Chase Lemastres
- 8. PUBLIC FORUM (*Citizen input and requests*) p 10**
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- 12. NEW BUSINESS p 18**
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- 15 GOVERNING BODY REPORTS p 41**
- 16. ADJOURN**

All items listed on this agenda are potential action items unless otherwise noted. The agenda may be modified or changed at the meeting without prior notice.

At anytime during the regular City Council meeting, the City Council may meet in executive session for consultation concerning several matters (real estate, litigation, non-elected personnel and security).

This is an open meeting, open to the public, subject to the Kansas Open Meetings Act (KOMA). The City of Valley Center is committed to providing reasonable accommodations for persons with disabilities upon request of the individual. Individuals with disabilities requiring an accommodation to attend the meeting should contact the City Clerk in a timely manner, at cityclerk@valleycenter-ks.gov or by phone at (316)755-7310.

For additional information on any item on the agenda, please visit www.valleycenter-ks.gov or call (316) 755-7310.

APPROVAL OF AGENDA

RECOMMENDED ACTION:

Staff recommends motion to approve the agenda as presented / amended.

ADMINISTRATION AGENDA

A. MINUTES:

Attached are the Minutes from the August 16, 2016 Regular City Council Meeting as prepared by the City Clerk.

REGULAR COUNCIL MEETING
August 16, 2016
CITY HALL
121 S. MERIDIAN

Mayor Laurie Dove called the meeting to order at 7:00 p.m. with the following members present: Dale Kerstetter, Gina Gregory, Marci Maschino, Lionel Jackson, Ben Anderson and Al Hobson. Lou Cicirello arrived at 7:05 p.m.

Members Absent: Brendan McGettigan

Staff Present: Kristine Polian, Finance and Admin Director
Mark Hephner, Police Chief
Lonnie Tormey, Fire Chief
Brent Holper, City Superintendent
Neal Owing, Parks and Public Buildings Superintendent
Ryan Shrack, Community Development Director
Joshua Golka, City Engineer
Barry Arbuckle, City Attorney
Scott Hildebrand, City Administrator
Kristi Carrithers, City Clerk
Barry Smith, Asst. Treasurer

Press present: The Ark Valley News

APPROVAL OF THE AGENDA

Maschino moved to approve the Agenda as presented, seconded by Hobson. Vote yea: unanimous. Motion carried.

ADMINISTRATION AGENDA

MINUTES – AUGUST 2, 2016 REGULAR CITY COUNCIL MEETING

Gregory moved to accept the minutes of the August 2, 2016, regular City Council meeting, seconded by Kerstetter. Vote yea: unanimous. Motion carried.

PRESENTATIONS/PROCLAMATIONS – None

PUBLIC FORUM –

Janice Sharp, Library Director, reported that pledges in the current campaign total \$265,275.00. The total of funds raised for the Community Building is \$884,488.00.

APPOINTMENTS –

Mayor Dove appointed Helen LeBlanc and Stacy Alexander to the Library Board. Maschino moved to approve the appointments, seconded by Hobson. Vote yea: unanimous. Motion carried.

COMMITTEES, COMMISSIONS –

Hildebrand reported that the Strategic Planning Committee met on August 15, 2016. They briefly discussed the mission of the Strategic Plan, but most of the time was spent discussing specific goals, objectives and

strategies. A booth will be set up at the Main Street Valley Center Food Truck Event on August 26, 2016, to present information and gather input from the community.

OLD BUSINESS

A. RESOLUTION 657-16; ANNEXATION OF ROAD RIGHT OF WAY

Arbuckle presented Resolution 657-16 and explained it is a pro-active measure to a recommendation by the Sedgwick County Planning Commission regarding our request to annex into the City the USD 262 High School. Council requested more information regarding which portions of Meridian and 93rd St. North are effected and how the annexation of the full road impacts City responsibilities. Hildebrand feels that annexation of the full width of the road will eliminate confusion regarding law enforcement and also aid in future annexation. Holper reported that with limited patching, maintenance of the current pavement will be minimal.

Cicirello moved to adopt Resolution 657-16, to pursue annexation of certain portions of the road rights of way of Meridian Street and 93rd Street North. Jackson seconded the motion. Vote Yea: Cicirello, Gregory, Maschino, Jackson, Anderson and Hobson. Opposed: Kerstetter.

B. RESOLUTION 656-16; PROPERTY TAXATION POLICY

Polian presented to Council the official 2017 Budget Certificate and Resolution for final approval of the 2017 Budget for the City. Following approval it will be published in the official county newspaper, The Wichita Eagle.

Cicirello moved to adopt Resolution 656-16 expressing the property taxation policy of the Governing Body of the City of Valley Center. Hobson seconded the motion. Vote yea: unanimous. Motion carried.

C. 2017 STATE OF KANSAS BUDGET CERTIFICATE

Cicirello moved to approve the 2017 Budget, with the Maximum Budget Authority not to exceed \$12,034,998.00, with a total Ad Valorem Tax of \$2,577,277.00. Seconded by Gregory. Vote yea: Kerstetter, Cicirello, Gregory, Jackson, Anderson and Hobson. Opposed: Maschino. Motion carried.

NEW BUSINESS

A. CHARTER ORDINANCE 29-2016; ELECTION OF COUNCIL MEMBERS

Following Kansas Legislative changes regarding the timing of elections, Arbuckle drafted a Charter Ordinance to move the elections to November and adjust the remaining terms of Council members effected. Maschino questioned Section 3 in regards to the expiration of terms occurring on the second Monday. Staff were directed to inquire if the timing of the expiration could be changed to Tuesday prior to the 2nd reading of the Ordinance.

Maschino moved to adopt Charter Ordinance 29-2016, exempting the City of Valley Center, Kansas from the provision of K.S.A. 14-201 relating to the election of officers, their terms of office and transition to November elections and amending Charter Ordinance 23-06 with respect to the timing of election of Council and Mayor, for 1st Reading. Jackson seconded the motion. Vote Yea: Unanimous. Motion carried.

B. EXECUTIVE SESSION TO DISCUSS LAND ACQUISITION

Maschino moved, seconded by Jackson to recess into Executive Session for a period of 15 minutes to discuss land acquisition to include Administrator Hildebrand and Finance and Admin Director Polian. Vote Yea: Unanimous. Motion carried.

Recess started at 7:40pm
 Recess ended at 7:55pm

Maschino reported no action was taken during Executive Session.

C. EXECUTIVE SESSION TO DISCUSS NON-ELECTED PERSONNEL

Maschino moved, seconded by Cicirello to recess into Executive Session for a period of 10 minutes to discuss non-elected personnel to include Administrator Hildebrand and Finance and Admin Director Polian .
 Vote Yea: Unanimous. Motion carried.

Recess started at 7:56pm
 Recess ended at 8:06pm

Maschino reported no action was taken during Executive Session.

CONSENT AGENDA

- A. APPROPRIATION ORDINANCE**
- B. TREASURER'S REPORT**
- C. REVENUE AND EXPENSE SUMMARIES**
- D. CHECK RECONCILIATION**
- E. DELINQUENT ACCOUNTS FOR COLLECTION**

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

STAFF REPORTS

COMMUNITY DEVELOPMENT DIRECTOR SHRACK.

The Main Street Valley Center will host a "Food Trucks on Main Street" event on August 26th, from 5-9 pm.

CITY SUPERINTENDENT HOLPER

His department was called to fix a 6" water main break 8/15/16 near the Intermediate school. They will work to repair the sidewalk as quickly as possible with school starting this week. 240 new water meters have been ordered and the water department will make replacement of meters a priority.

PARKS AND PUBLIC BUILDING SUPERINTENDENT OWINGS

Owings reported that all of the recommended corrections identified from our Kansas Department of Labor inspection have been addressed and completed. McLaughlin lake has also been removed from the KDHE list of Blue/green algae warnings. He will remove the warning signs.

GOVERNING BODY REPORTS –

MAYOR DOVE

Encouraged all of the community to attend the Main Street Valley Center Food Truck rally and give input to the Strategic Plan.

COUNCIL MEMBER KERSTETTER

Inquired about the status of repair work being done on the bridge on West Main.

COUNCIL MEMBER CICIRELLO

Asked Golka why the 2 sidewalk projects weren't bid together, to possibly get a lower bid for both. Golka explained that KDOT doesn't allow it.

COUNCIL MEMBER ANDERSON

Urged everyone to attend the community BBQ this Saturday, August 20th.

COUNCIL MEMBER HOBSON

Thanked Ownings and his department for their work in keeping the parks in such good shape throughout this summer..

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

ADJOURN -

Meeting adjourned at 8:16 PM.

Kristi Carrithers, City Clerk

ADMINISTRATION AGENDA
RECOMMENDED ACTION

A. MINUTES:

RECOMMENDED ACTION:

Staff recommends motion to approve the minutes of the August 16, 2016 Regular Council Meeting as presented / amended.

PRESENTATIONS / PROCLAMATIONS

A. PROCLAMATION FOR CONSTITUTION WEEK:

B. EAGLE SCOUT PRESENTATIONS:

Derek Dunn

Chase Lemastres

PUBLIC FORUM

APPOINTMENTS

A. TREASURER POSITION

B. L.K.M. VOTING DELEGATES

- 2 Delegates
- 2 Alternates

COMMITTEES, COMMISSIONS



300 SW 8th Avenue, Ste. 100
 Topeka, KS 66603-3951
 P: (785) 354-9565
 F: (785) 354-4186
 www.lkm.org

August 19, 2016

Dear City Clerks or City Managers/City Administrators:

We are pleased the League's Annual Conference in Overland Park, October 8-10, 2016, is shaping up to be an exciting experience. We have an outstanding program of speakers, panel discussions and workshops planned which were highlighted in the July issue of the *Kansas Government Journal*.

I am writing to invite your city governing body to register its League voting delegates. State law provides that the governing body of each member city of the League may elect city delegates from among the city's officers to represent the city in the conduct and management of the affairs of the League. League bylaws provide that a city voting delegate or alternate delegate qualifies by having his or her name, city title and address registered with the executive director.

Each member city needs to file new registration forms with the League of Kansas Municipalities. You may send them one of three ways: by mail to League of Kansas Municipalities, 300 SW 8th Avenue, Topeka, KS 66603; scanning the form and emailing adebusk@lkm.org; or via FAX to 785-354-4186. **Please send forms by Friday, September 16th to the attention of Anna DeBusk.**

Article 4, Sec. 5 of the League Bylaws prescribes the total number of votes provided to each member city based on population. The number of delegate registration forms enclosed is based on the following table.

City Population	No. Votes	No. Delegate Forms	No. Alternate Forms
1 - 2,500	1	1	1
2,501 - 7,500	2	2	2
7,501 - 17,500	3	3	3
17,501 - 37,500	4	4	4
37,501 - 77,500	5	5	5
77,501 - 117,500	6	6	6
117,501 - 157,500	7	7	7
157,501 - 197,500	8	8	8
197,501 - 237,500	9	9	9
237,501 - 277,500	10	10	10
277,501 - 355,500	11	11	11
355,501 - 395,500	12	12	12

A business and policy session of city voting delegates will be held on Monday afternoon, October 10th, at the conference in Overland Park.

I look forward to hearing from you.

Sincerely,

Erik A. Sartorius
 Executive Director

Enclosures

CITY VOTING DELEGATE REGISTRATION
League of Kansas Municipalities

The Governing Body of the City of _____

has elected: Name _____

Title _____

Address _____

E-Mail Address _____

to be (circle one)

voting delegate 1 2

alternate voting delegate 1 2

to represent the city in the conduct and management of the affairs of the League of Kansas Municipalities.

Signed: _____

City Clerk

Date: _____

INSTRUCTIONS

Four voting delegate registration forms are enclosed. Based on its current population, your city may have two voting delegates. A separate form should be filed for your voting delegate and for any alternate delegate you elect.

Actions taken at the League's annual business session are taken by vote of the individual voting delegates present unless the weighted voting system is triggered by the request of ten or more delegates.

If the weighted voting system is used, a roll call vote of member cities will be held. Under a roll call by city, your city will have one vote.

State Law Authorizing City Delegates

K.S.A. Supp. 12-1601f. "The governing body of each member city may elect city delegates from among the city's officers to represent the city in the conduct and management of the affairs of the League of Kansas Municipalities."

League Bylaw on Election and Qualifying of Delegates

Article 2, Section 2. "When a city is a member of the League, any elected or appointed officers of such city may be elected by the city governing body as voting delegates and alternate voting delegates in accordance with the provisions of Article 4 of these bylaws, to represent the city in any meeting of the voting delegates and in the conduct of any other affairs of the instrumentality requiring action of the member cities. Alternate voting delegates may vote on matters before a meeting of the voting delegates in the absence of the regular delegate. A voting delegate or alternate shall qualify by having his or her name, city, title and address registered with the executive director and shall hold such position while qualified and until a successor is elected and qualified."

OLD BUSINESS**A. CHARTER ORDINANCE 29-2016; REGARDING ELECTION OF COUNCIL MEMBERS AND MAYOR:**

A Charter Ordinance exempting the City of Valley Center, Kansas, from the provision of K.S.A. 14-201 relating to the election of officers, their terms of office, transition to November elections and amending Charter Ordinance 23-06 with respect to the timing of election of Council and Mayor.

- Charter Ordinance 29-2016

CHARTER ORDINANCE NO. _____

A CHARTER ORDINANCE EXEMPTING THE CITY OF VALLEY CENTER, KANSAS, FROM THE PROVISIONS K.S.A. 14-201 AND K.S.A 25-21a-01(b) RELATING TO THE ELECTION OF OFFICERS, AND THEIR TERMS OF OFFICE, TRANSITION TO NOVEMBER ELECTIONS, THE APPOINTMENT OF OFFICERS, AND NOMINATION PETITIONS; AND, PROVIDING SUBSTITUTE AND ADDITIONAL PROVISIONS ON THE SAME SUBJECT AND AMENDING CHARTER ORDINANCE NO. 23-06 WITH RESPECT TO THE TIMING OF THE ELECTION OF COUNCILMEN AND THE MAYOR.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF VALLEY CENTER, KANSAS:

Section 1. The City of Valley Center, Kansas, by the power vested in it by Article 12, Section 5 of the Kansas Constitution hereby elects to and does exempt itself and make inapplicable to it the provisions of **K.S.A. 14-201** and **K.S.A. 25-21a-01(b)** that apply to this city, but are parts of enactments that do not apply uniformly to all cities and hereby provides substitute and additional provisions as hereinafter set forth.

Section 2. (a) The governing body shall consist of a mayor and 8 council members to be elected to terms as set forth herein. The mayor and council members shall be residents and qualified electors of the City of Valley Center, Kansas.

(b) The governing body of the city may, by ordinance, divide the city into wards and precincts, establish the boundaries thereof, and number the same. No ordinance redefining wards and precincts shall become effective less than 30 days prior to the next regular city election.

Section 3. Those governing body positions with terms expiring in April 2017, shall expire on the first Tuesday in January of 2018, when the city officials elected in the November 2017 general election take office. Those governing body positions with terms expiring in April 2019, shall expire on the first Tuesday in January of 2020, when the city officials elected in the November 2019 general election take office.

Section 4. A general election of city officers shall take place on the Tuesday succeeding the first Monday in November 2017. Succeeding elections will be held every two years for all such governing body positions whose terms have expired. One council member from each ward shall be elected at one election, and the other council member from that ward shall be elected at the succeeding election. The council members shall have four year terms. The Mayor shall have a four year term.

Section 5. In accordance with K.S.A. 25-205, and amendments thereto, any person may become a candidate for city office elected at large by having had filed on their behalf, a nomination petition or a

declaration of candidacy, accompanied by any fee required by law. The nomination petition must be signed by five percent of the qualified electors of the City of Valley Center, Kansas.

Section 6. All elections for the City of Valley Center, Kansas shall be nonpartisan.

Section 7. This Charter Ordinance shall be published once each week for two consecutive weeks in the official city newspaper.

Section 8. This Charter Ordinance shall take effect 61 days after the final publication unless a sufficient petition for a referendum is filed, requiring a referendum to be held on the ordinance as provided by Article 12, Section 5, Subsection (c) (3) of the Constitution of the State of Kansas, in which case this charter Ordinance shall become effective upon approval by the majority of the electors voting thereon.

Passed by the Governing Body, not less than two-thirds of the members elect voting in favor thereof, this ____ day of _____, 20__.

Laurie Dove, Mayor

Attest:

Kristi Carrithers, City Clerk
[SEAL]

OLD BUSINESS
RECOMMENDED ACTION

A. CHARTER ORDINANCE 29-2016; REGARDING ELECTION OF COUNCIL MEMBERS:

Should Council choose to proceed,

RECOMMENDED ACTION:

Staff recommends motion to adopt Charter Ordinance 29-2016, exempting the City of Valley Center, Kansas, from the provision of K.S.A. 14-201 relating to the election of officers, their terms of office and transition to November elections and amending Charter Ordinance 23-06 with respect to the timing of election of Council and Mayor, for 2nd reading.

OLD BUSINESS

B. APPOINTMENT OF CITY TREASURER POSITION:

Should Council choose to proceed,

RECOMMENDED ACTION:

Staff recommends Mayor appoint the City Treasurer position for an indefinite term per state statute.

And

Motion to approve Mayor's appointment of City Treasurer position

NEW BUSINESS

**A. ORDINANCE 1295-16; REGARDING FLOOD PLAIN
MAPS, 1ST READING**

An Ordinance to adopt new flood maps for the City of Valley Center, Kansas and amending Chapter 18 of City Municipal Code.

- Ordinance 1295-16

ORDINANCE NUMBER 1295-16

**AN ORDINANCE TO ADOPT NEW FLOOD MAPS
FOR VALLEY CENTER, KANSAS AND AMENDING CHAPTER 18 OF CITY
MUNICIPAL CODE**

Be it resolved by the City Council of Valley Center, Kansas:

Section 1.

Approval of Draft Resolution by Kansas Chief Engineer Prior to Adoption.

The following floodplain management, as written, was approved in draft form by the Chief Engineer of the Division of Water Resources of the Kansas Department of Agriculture on 25th, July, 2016.

Section 2.

Strike from Section 18.02.A. the Index Map date of "*February 2, 2007*" and **replace with** new date of "December 22, 2016".

Strike from Section 18.04.A.4.f.4. "*All proposals for development, including proposals for manufactured home parks and subdivisions, of five (5) acres or fifty (50) lots, whichever is lesser, include within such proposed base flood elevation data.*" and **replace with** "*All proposals for development, including proposals for manufactured home parks and subdivisions, of greater than five (5) acres or fifty (50) lots, whichever is lesser, include within such proposed base flood elevation data.*"

Add to Section 18.08 the following: "*Base Flood Elevation (BFE)*" means the computed elevation to which floodwater is anticipated to rise during the base flood."

Section 3.

This resolution shall take effect upon publication in the Ark Valley News.

The aforesaid passed and approved this ____ day of _____, 20__.

Chief Engineer Draft Approval

APPROVED

This 25th day of July, 2016

Ferry Murray for

DAVID W. BARFIELD, P.E.

Chief Engineer

Division of Water Resources
Kansas Department of Agriculture

MAYOR

Topeka Field Office

Attest: _____
CITY CLERK

JUL 25 2016

NEW BUSINESS
RECOMMENDED ACTION

A. ORDINANCE 1295-16; REGARDING FLOOD PLAIN
MAPS, 1ST READING

Should Council choose to proceed.

RECOMMENDED ACTION:

Staff recommends motion to adopt Ordinance 1295-16, regarding new flood maps for Valley Center, Kansas and amend Chapter 18 of City Municipal Code for 1st reading.

NEW BUSINESS

B. APPROVAL OF BID FOR GOFF ST. PEDESTRIAN AND BICYCLE PATHS;

Authority to award contract for Goff St. Sidewalk Project.

- KDOT recommendation



Phone: 785-296-3861

Fax: 785-296-2079

Hearing Impaired - 711

publicinfo@ksdot.org

http://www.ksdot.org

Sam Brownback, Governor

Dwight D. Eisenhower State Office Building
700 S.W. Harrison Street
Topeka, KS 66603-3745

Richard Carlson, Interim Secretary
Michael J. Stringer, P.E., Chief

August 17, 2016

**Project Number: 87 TE-0607-01
TA-T060(701)**

City of Valley Center
Brenton Holper, - Public Works Director
545 W. Clay
Valley Center, Kansas 67147

Dear Mr. Holper:

We are listing below the bidder and the low bid received at Topeka, Kansas on 8/17/2016 for the above numbered project.

CONTRACTOR	TYPE OF WORK	AMOUNT
<p>PEARSON CONSTRUCTION LLC 821 E 25TH ST N WICHITA, KS 67219-4433</p>	<p>Pedestrian and Bicycle Paths</p>	<p>\$ 277,744.75</p>

This is considered satisfactory when compared with the engineer's estimate, and we believe that contracts should be awarded to the low bidder. If this bid is considered acceptable to the City, please sign the enclosed resolution and return it to this office. In order to guarantee the low bid, we must receive the expected resolution on or before **9/9/2016**. Upon receipt of the signed resolution and approval by the Secretary of Transportation the contract will be awarded.

A combination of bid items and construction engineering and contingencies less \$260,000.00 Maximum Federal funds will require City matching funds in the amount of **\$74,000.00**. The City remittance should be made on or before **10/6/2016**.

Sincerely,

A handwritten signature in black ink that reads "Micheal J. Stringer II".

FOR:

Micheal J. Stringer, P.E.
Chief of Local Projects

MJS:TLS:dlm

Enclosures

c: Mayor/City Manager, w/a
Ms. Rhonda Seitz, Chief of Fiscal Services
District Engineer

**AUTHORITY TO AWARD CONTRACT
COMMITMENT OF CITY FUNDS**

August 17, 2016

2 Copies to City

Project Number: 87 TE-0607-01
TA-T060(701)

WHEREAS bids were received at Topeka, Kansas on 8/17/2016 for the performance of work covered by plans on the above numbered project, and

WHEREAS the bidder and the low bid or bids on work covered by this project were:

CONTRACTOR	TYPE OF WORK	AMOUNT
PEARSON CONSTRUCTION LLC 821 E 25TH ST N WICHITA, KS 67219-4433	Pedestrian and Bicycle Paths	\$ 277,744.75

WHEREAS bids are considered satisfactory and have been recommended by the Secretary of Transportation of the State of Kansas, hereinafter referred to as the SECRETARY, for consideration and acceptance of the work on this project as covered by such bid or bids.

A combination of the bid plus an estimated \$55,548.95 for construction engineering less \$260,000.00 of Maximum Federal Funds = \$74,000.00 matching City Funds.

BE IT FURTHER RESOLVED that City funds in the amount of **\$74,000.00** which are required for the matching of Maximum Federal Funds are hereby pledged by the City to be remitted to the Chief of Fiscal Services of the Department of Transportation of the State of Kansas on or before **10/6/2016** for use by the SECRETARY in making payments for construction work and engineering on the above designated project with final cost being determined upon completion and audit of the project.

The City certifies that no known or foreseeable legal impediments exist that would prohibit completion of the project and that the project complies with all applicable codes, standards and or/regulations required for completion.

Adopted this ____ day of _____, _____, at _____, Kansas.

Recommended for Approval:

_____, Mayor
 _____ City Engineer

Attest: _____, Member

(Seal) _____, Member

 City Clerk

INVOICE***Keep for your Records*****Due On Or Before 10/6/2016**

PRELIMINARY STATEMENT OF COST

87 TE-0607-01

TA-T060(701)

Valley Center: Goff from Meridian to Meadow (Split1)

Construction and CE Breakdown	
Actual Bid	\$277,745
Water (for grading)	\$0
Sub-Total Actual Bid Amount	\$277,745
LPA CE Contract	\$55,549
Sub-Total Construction and CE	\$333,294
Federal-aid Non-Participating Const. Costs	\$0
Federal-aid Non-Participating CE	\$0
PE Costs	\$0
Railroad Costs	\$0
ROW Costs	\$0
Utility Costs	\$0
Federal Participating Costs	\$333,294
Total Project Costs	\$333,294

CE Breakdown	
Total LPA CE	\$55,549
Federal Non-Participating CE	\$0
Federal Participating CE	\$55,549

Maximum Participating Funds 80/20	\$260,000
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Federal/City Participation Summary	
Federal Participating Costs	\$333,294
Sub-Total Participating Costs or Max.	\$325,000
80% Federal Funds	\$260,000
20% City Funds	\$65,000
100% City Funds Due to Max.	\$8,294
100% City Funds Due to Non-part.	\$0
Total Project Costs	\$333,294

Totals			
	City Funds	Federal Funds	Total Funds
Federal-aid Non-Participating Const. Costs	\$ -	\$ -	\$ -
Federal-aid Non-Participating CE	\$ -	\$ -	\$ -
80% Federal Funds	\$ -	\$ 260,000	\$ 260,000
20% City Funds	\$ 65,000	\$ -	\$ 65,000
100% City Funds Due to Max.	\$ 8,294	\$ -	\$ 8,294
Total	\$ 73,294	\$ 260,000	\$ 333,294

Amount to Bill City (Rounded up)	\$74,000
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Key
KDOT - Kansas Department of Transportation
LPA - Local Public Authority
CE- Construction Engineering (Inspection)
Const. - Construction

NEW BUSINESS
RECOMMENDED ACTION

B. APPROVAL OF BID FOR GOFF ST. PEDESTRIAN AND BICYCLE PATHS;

Should Council choose to proceed.

RECOMMENDED ACTION:

Staff recommends motion to accept bid from Pearson Construction LLC for the Goff Street Sidewalk Project and authorize Mayor to sign.

NEW BUSINESS

C. EXECUTIVE SESSION TO DISCUSS NON-ELECTED PERSONNEL:

Should Council choose to proceed,

RECOMMENDED ACTION:

Staff recommends motion that Council recess into executive session to discuss non-elected personnel.

CONSENT AGENDA

- A. **APPROPRIATION ORDINANCE – SEPTEMBER 6, 2016**
- B. **SUPPLEMENTAL AGREEMENT WITH KDOT
REGARDING SHARED USE TRAIL**

RECOMMENDED ACTION:

Staff recommends motion to approve the Consent Agenda as presented.

8/31/2016 3:07 PM
 VENDOR SET: 02 City of Valley Center
 BANK: APBK INTRUST CHECKING
 DATE RANGE: 0/00/0000 THRU 99/99/9999

A/P HISTORY CHECK REPORT

PAGE: 1

VENDOR I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
0009	I-201608097865	VERIZON WIRELESS SERVICES, LLC VERIZON WIRELESS SERVICES, LLC	R	8/12/2016	70.88	046694		70.88
0051	I-201608107875	KACM KACM	R	8/12/2016	50.00	046695		50.00
0079	I-201608117877	KDHE-DIV OF H & E LABORATORIES STORMWATER & WATER LAB TESTS	R	8/12/2016	1,156.00	046696		1,156.00
0110	I-201608097863	LKM - LEAGUE OF KANSAS MUNICIPAL LKM - LEAGUE OF KANSAS MUNICIPAL	R	8/12/2016	100.00	046697		100.00
0183	I-201608117879	KANSAS ONE-CALL SYSTEM, INC 93 LOCATES - JULY	R	8/12/2016	93.00	046698		93.00
0198	I-201608097861 I-201608097867	P S I P S I P S I	R R	8/12/2016 8/12/2016	530.00 455.00	046699 046699		985.00
0234	I-201608107876	KACM KACM	R	8/12/2016	65.00	046700		65.00
0288	I-201608117880	LAYNE CHRISTENSEN COMPANY WELL #10 REHAB	R	8/12/2016	5,253.30	046701		5,253.30
0306	I-201608097862	SEDGWICK COUNTY SEDGWICK COUNTY	R	8/12/2016	5,382.27	046702		5,382.27
0315	I-201608097866	WASTE MANAGEMENT OF WICHITA WASTE MANAGEMENT OF WICHITA	R	8/12/2016	31,682.80	046703		31,682.80
0530	I-201608107873 I-201608107874	GALLAGHER BENEFIT SERVICES, IN GALLAGHER BENEFIT SERVICES, IN GALLAGHER BENEFIT SERVICES, IN	R R	8/12/2016 8/12/2016	301.50 284.00	046704 046704		585.50
0662	I-201608107870	QUALITY TURF MANAGEMENT LLC QUALITY TURF MANAGEMENT LLC	R	8/12/2016	145.00	046705		145.00
0685	I-201608107869	EPP'S SERVICE INC. EPP'S SERVICE INC.	R	8/12/2016	5,435.57	046706		5,435.57
0688	I-201608117878	SALINA SUPPLY COMPANY 50 ITRON ERTS	R	8/12/2016	4,308.37	046707		4,308.37

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 VENDOR SET: 02 City of Valley Center
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VENDOR I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
0755	I-201608097864	BRADBURN WRECKING COMPANY BRADBURN WRECKING COMPANY	R	8/12/2016	11,300.00		046708	11,300.00
0756	I-201608107872	OFFICE OF THE CHIEF FINANCIAL OFFICE OF THE CHIEF FINANCIAL	R	8/12/2016	150.00		046709	150.00
0757	I-201608117881	RANSON FINANCIAL CONSULTANTS, SEWER RATE REVIEW	R	8/12/2016	637.50		046710	
	I-201608117882	SEWER RATE REVIEW	R	8/12/2016	318.75		046710	956.25
0077	I-201608177909	KANSAS OFFICE OF THE TREASURER KANSAS OFFICE OF THE TREASURER	R	8/19/2016	803.39		046712	803.39
0085	I-REB201608167905	LAURIE B WILLIAMS CASE # 13-12943	R	8/19/2016	200.00		046713	200.00
0210	I-SCB201608167905	SECURITY BENEFIT DEFERRED COMPENSATION	R	8/19/2016	50.00		046714	50.00
0144	I-201608167904	TASER INTERNATIONAL TASER INTERNATIONAL	R	8/19/2016	2,236.68		046715	2,236.68
0204	I-201608167903	PITNEY BOWES PITNEY BOWES	R	8/19/2016	604.50		046716	604.50
0285	I-201608187912	KDHE -- ATTN.: TERESA SCHUYLER ANNUAL STORMWATER PERMIT	R	8/19/2016	60.00		046717	60.00
0623	I-201608187911	HD SUPPLY WATERWORKS, LTD. 50 IPERL METERS	R	8/19/2016	7,250.00		046718	7,250.00
0662	I-201608157896	QUALITY TURF MANAGEMENT LLC	R	8/19/2016	90.00		046719	
	I-201608157897	QUALITY TURF MANAGEMENT LLC	R	8/19/2016	120.00		046719	
	I-201608157898	QUALITY TURF MANAGEMENT LLC	R	8/19/2016	70.00		046719	
	I-201608157899	QUALITY TURF MANAGEMENT LLC	R	8/19/2016	150.00		046719	
	I-201608157900	QUALITY TURF MANAGEMENT LLC	R	8/19/2016	90.00		046719	520.00
0734	I-201608187913	INSTALL CONNECTION SURVEILLANCE SYSTEM INSTALL	R	8/19/2016	2,500.00		046720	2,500.00
0270	I-201608107871	INTRUST CARD CENTER INTRUST CARD CENTER	R	8/19/2016	33,568.01		046721	33,568.01

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 VENDOR SET: 02 City of Valley Center
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VENDOR I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
0032	AFLAC							
	I-AF 201608027820	R	8/19/2016	35.99		046728		
	I-AF 201608167905	R	8/19/2016	36.01		046728		
	I-AFC201608027820	R	8/19/2016	21.71		046728		
	I-AFC201608167905	R	8/19/2016	21.71		046728		
	I-AFD201608027820	R	8/19/2016	69.82		046728		
	I-AFD201608167905	R	8/19/2016	69.82		046728		
	I-AFO201608027820	R	8/19/2016	12.35		046728		
	I-AFO201608167905	R	8/19/2016	12.35		046728		279.76
0445	DELTA DENTAL OF KANSAS, INC.							
	I-DDS201608027820	R	8/19/2016	267.60		046729		
	I-DDS201608167905	R	8/19/2016	206.05		046729		
	I-DEC201608027820	R	8/19/2016	216.44		046729		
	I-DEC201608167905	R	8/19/2016	216.44		046729		
	I-DES201608027820	R	8/19/2016	188.22		046729		
	I-DES201608167905	R	8/19/2016	188.22		046729		
	I-DFM201608027820	R	8/19/2016	420.48		046729		
	I-DFM201608167905	R	8/19/2016	420.48		046729		2,123.93
0566	SURENCY LIFE AND HEALTH							
	I-VES201608027820	R	8/19/2016	8.84		046730		
	I-VES201608167905	R	8/19/2016	8.84		046730		
	I-VMC201608027820	R	8/19/2016	33.24		046730		
	I-VMC201608167905	R	8/19/2016	33.24		046730		
	I-VME201608027820	R	8/19/2016	32.23		046730		
	I-VME201608167905	R	8/19/2016	32.34		046730		
	I-VMF201608027820	R	8/19/2016	80.70		046730		
	I-VMF201608167905	R	8/19/2016	80.70		046730		
	I-VMS201608027820	R	8/19/2016	19.36		046730		
	I-VMS201608167905	R	8/19/2016	19.36		046730		348.85
0705	UNITED HEALTHCARE							
	I-M1C201608027820	R	8/19/2016	28,226.02		046731		
	I-M1C201608167905	R	8/19/2016	56.29		046731		
	I-M1E201608027820	R	8/19/2016	56.28		046731		
	I-M1E201608167905	R	8/19/2016	56.28		046731		
	I-M1F201608027820	R	8/19/2016	354.60		046731		
	I-M1F201608167905	R	8/19/2016	354.60		046731		
	I-M1S201608027820	R	8/19/2016	60.51		046731		
	I-M1S201608167905	R	8/19/2016	60.51		046731		29,225.09
0059	CITY OF WICHITA							
	I-201608247923	R	8/26/2016	3,120.00		046732		3,120.00

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 VENDOR SET: 02 City of Valley Center
 BANK: APBK INTRUST CHECKING
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VENDOR I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
0162	CIVIC PLUS	R	8/26/2016	2,005.00		046733		2,005.00
I-201608237919	CIVIC PLUS							
0228	SEDGWICK COUNTY ASSOCIATION OF	R	8/26/2016	100.00		046734		100.00
I-201608237920	SEDGWICK COUNTY ASSOCIATION OF							
0239	A T & T KANSAS	R	8/26/2016	1,360.48		046735		
I-201608237917	A T & T KANSAS					046735		
I-201608247921	VALLEY CREEK PUMP STATION	R	8/26/2016	135.90		046735		
I-201608247922	DES SUBSTATION	R	8/26/2016	135.90		046735		1,632.28
0530	GALLAGHER BENEFIT SERVICES, IN	R	8/26/2016	11,750.00		046736		11,750.00
I-201608247927	GALLAGHER BENEFIT SERVICES, IN							
0661	DOUBLE CHECK COMPANY	R	8/26/2016	163.20		046737		163.20
I-201608237918	DOUBLE CHECK COMPANY							
0688	SALINA SUPPLY COMPANY	R	8/26/2016	16,063.56		046738		
I-201608247924	188 ERTS	R	8/26/2016	2,335.55		046738		18,399.11
I-201608247925	215 ERTS	R	8/26/2016					
0758	MAIN STREET VALLEY CENTER	R	8/26/2016	5,000.00		046739		5,000.00
I-201608247926	MAIN STREET VALLEY CENTER							

* * T O T A L S * *	NO	INVOICE AMOUNT	DISCOUNTS	CHECK AMOUNT
REGULAR CHECKS:	39	189,658.74	0.00	189,658.74
HAND CHECKS:	0	0.00	0.00	0.00
DRAFTS:	0	0.00	0.00	0.00
EFT:	0	0.00	0.00	0.00
NON CHECKS:	0	0.00	0.00	0.00
VOID CHECKS:	0	VOID DEBITS 0.00		
		VOID CREDITS 0.00	0.00	

TOTAL ERRORS: 0

VENDOR SET: 02	BANK: APBK	TOTALS:	NO	INVOICE AMOUNT	DISCOUNTS	CHECK AMOUNT
			39	189,658.74	0.00	189,658.74

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 VENDOR SET: 03 City of Valley Center
 BANK: APBK INTRUST CHECKING
 DATE RANGE: 0/00/0000 THRU 99/99/9999

A/P HISTORY CHECK REPORT

VENDOR I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
0012	JASON EASLEY I-201608157895	R	8/19/2016	253.80		046722		253.80
0017	KRISTINE POLIAN I-201608157893	R	8/19/2016	424.47		046723		424.47
0024	MICHAEL GORDON I-201608157901	R	8/19/2016	100.00		046724		100.00
0050	LLOYD C. NEWMAN I-201608157902	R	8/19/2016	100.00		046725		100.00
0052	LEE A LUDLUM I-201608167906	R	8/19/2016	200.00		046726		200.00
0057	ROBERT L. TORMEY I-201608177908	R	8/19/2016	85.50		046727		85.50
0085	STACY SHAY I-201608237915	R	8/26/2016	15.00		046740		15.00
0086	JOSH OREBAUGH I-201608237916	R	8/26/2016	9.13		046741		9.13

* * T O T A L S * *	NO	INVOICE AMOUNT	DISCOUNTS	CHECK AMOUNT
REGULAR CHECKS:	8	1,187.90	0.00	1,187.90
HAND CHECKS:	0	0.00	0.00	0.00
DRAFTS:	0	0.00	0.00	0.00
EFT:	0	0.00	0.00	0.00
NON CHECKS:	0	0.00	0.00	0.00
VOID CHECKS:	0	VOID DEBITS	0.00	
		VOID CREDITS	0.00	0.00

TOTAL ERRORS: 0

VENDOR SET: 03	BANK: APBK	TOTALS:	NO	INVOICE AMOUNT	DISCOUNTS	CHECK AMOUNT
			8	1,187.90	0.00	1,187.90
BANK: APBK		TOTALS:	47	190,846.64	0.00	190,846.64
REPORT TOTALS:			47	190,846.64	0.00	190,846.64

SELECTION CRITERIA

VENDOR SET: * - All
VENDOR: ALL
BANK CODES: All
FUNDS: All

CHECK SELECTION

CHECK RANGE: 046694 THRU 046741
DATE RANGE: 0/00/0000 THRU 99/99/9999
CHECK AMOUNT RANGE: 0.00 THRU 999,999,999.99
INCLUDE ALL VOIDS: YES

PRINT OPTIONS

SEQUENCE: CHECK NUMBER

PRINT TRANSACTIONS: YES
PRINT G/L: NO
UNPOSTED ONLY: NO
EXCLUDE UNPOSTED: NO
MANUAL ONLY: NO
STUB COMMENTS: NO
REPORT FOOTER: NO
CHECK STATUS: NO
PRINT STATUS: * - All

CONSENT AGENDA

**B.SUPPLEMENTAL AGREEMENT WITH KDOT REGARDING
SHARED USE TRAIL**

Supplemental No. 2 to
Agreement No. 37-14

PROJECT NO. 87 TE-0598-01
TEA-T059(801)
TRANSPORTATION ENHANCEMENT PROJECT
SHARED USE TRAIL
CITY OF VALLEY CENTER, KANSAS

S U P P L E M E N T A L A G R E E M E N T N o . 2

This Agreement, made and entered into effective the date signed by the Secretary or designee, is by and between **MICHAEL S. KING, Secretary of Transportation**, Kansas Department of Transportation (KDOT) (the “Secretary”) and the **City of Valley Center, Kansas** (“City”), **collectively**, the “Parties.”

RECITALS:

- A. The Parties entered into an Agreement dated April 4, 2014 for a shared use trail on the east side of McLaughlin Street, from 5th Street to N Meridian Avenue, in Valley Center, Kansas (the “Original Agreement”).
- B. The Parties entered into a supplemental agreement dated December 10, 2014 (“Supplemental No. 1”) to reflect an increase in the maximum federal funding allowed for the Project; and to remove federal audit provisions that do not apply to the Project.
- C. The Parties mutually desire to supplement the Original Agreement to reflect an additional increase in the maximum federal funds allowed for the Project.

NOW, THEREFORE, the Parties agree as follows:

1. On page 4 of the Original Agreement, Article II, paragraph 4, be replaced in its entirety to read as follows:

4. **Payment of Costs.** The Secretary agrees to be responsible for seventy-four percent (74%) of the total actual costs of Construction (which includes the costs of all Construction Contingency Items) and Construction Engineering, but not to exceed \$125,176.00 for the Project. The Secretary shall not be responsible for the total actual costs of Construction (which includes the costs of all Construction Contingency Items) and Construction Engineering that exceed \$169,157.00 for the Project. The Secretary shall not be responsible for the total actual costs of Preliminary Engineering, Right of Way, and Utility adjustments for the Project.

2. On page 11 of the Original Agreement, Article III, paragraph 19, be replaced in its entirety to read as follows:

19. **Financial Obligation.** The City will be responsible for twenty-six percent (26%) of the total actual costs of Construction (which includes the costs of all Construction Contingency Items) and Construction Engineering, up to \$169,157.00 for the Project. In addition, the City agrees to be responsible for one hundred percent (100%) of the total actual costs of Construction (which includes the costs of all Construction Contingency Items) and Construction Engineering that exceed \$169,157.00 for the Project. Further, the City agrees to

Supplemental No. 2 to
Agreement No. 37-14

be responsible for one hundred percent (100%) of the total actual costs of Preliminary Engineering, Right of Way, and Utility adjustments for the Project. The City shall also pay for any Non-Participating Costs incurred for the Project along with the associated Non-Participating Construction Engineering costs.

THIS SUPPLEMENTAL AGREEMENT shall not be construed to alter, modify, or void the terms, provisions or conditions of the Original Agreement, incorporated herein by reference, except as herein specifically provided.

IN WITNESS WHEREOF, the Parties have caused this Supplemental Agreement to be signed by their duly authorized officers.

ATTEST:

THE CITY OF VALLEY CENTER, KANSAS

CITY CLERK (Date)

MAYOR

(SEAL)

ATTEST:

Kansas Department of Transportation
Michael S. King, Secretary of Transportation

By: _____
Jerome T. Younger, P.E. (Date)
Deputy Secretary and
State Transportation Engineer

STAFF REPORTS

- A. Finance and Administration Director Polian**
- B. Chief of Police Hephner**
- C. Fire Chief Tormey**
- D. Community Development Director Ryan Shrack**
- E. City Superintendent Holper**
- F. Parks & Public Buildings Superintendent Owings**
- G. City Engineer Golka**
- H. City Attorney Arbuckle**
- I. City Administrator Hildebrand**

MEMO



TO: City of Valley Center

DATE: September 6, 2016

PROJECT NO.: 35-13208-2502

PROJECT: Valley Center – City Engineer

ATTENTION: Mayor Dove and Members of Council

FROM: Josh Golka, P.E.

REFERENCE: Project Status Update

COPIES TO: Scott Hildebrand, Brent Holper, MDK

Please advise immediately of any misconceptions or omissions you believe to be contained herein.

Shown below is a list of current PEC projects with status updates:

Projects:

93rd Street Paving Improvements (13208-005)

- Contractor to begin paving construction after Labor Day.

Butler and High Point Paving Improvements (160447)

- Butler Street Improvement advertised for bid on August 19, 2016.
- Butler Street bid opening September 2, 2016.
- High Point contractor site meeting September 2, 2016. Bids due September 7, 2016.

Goff, Fieldstone, and Clover Safe Routes to School (13692)

- Pearson Construction low bidder.
- Awaiting KDOT to execute construction agreement.

Emporia Bicycle and Pedestrian Path (13800)

- Final plans submitted to KDOT, awaiting authorization to advertise.

5th Street Paving Improvements (14323)

- PEC provided Phase 2 construction estimate for amendment to WAMPO TIP.
- PEC developing Field Check plans for submittal to KDOT.

Raw Water Well Replacement (15454-002)

- Response issued to City of Wichita on water contract negotiations. Determine responsible party for draft agreement.
- Existing well house building assessments to be provided to staff with recommended improvements.

Master Drainage Plan (15665)

- Final draft provided to staff for review. After receiving review comments, the plan will be updated and presented to Council.

Bicycle and Pedestrian Master Plan Update (13208-004)

- Updated mapping based on staff comments provided on April 26, 2016.

Windmill Valley Drainage Assessment (13208-006)

- Survey completed, meeting scheduled with staff to review options September 7, 2016.

Warranty Dates for Construction Projects:

August 26, 2016 Industrial Park Paving and Drainage (13436)

May 8, 2017 Valley Creek Waterline and Sanitary Sewer (14899-001/002)

July 8, 2017 Valley Creek Paving and Drainage (14899-000)

February 12, 2018 Waterline Improvements along Emporia Avenue (14122-005)

November 9, 2017 Ford and Meridian Paving, Storm Sewer, and Pond Grading (12486-002)

February 4, 2018 Ford Street Pond Pump Station (12486-003)

GOVERNING BODY REPORTS

A. Mayor Dove

B. Councilmember Kerstetter

C. Councilmember Cicirello

D. Councilmember Gregory

E. Councilmember McGettigan

F. Councilmember Maschino

G. Councilmember L. Jackson

H. Councilmember Anderson

I. Councilmember Hobson

ADJOURN