

CITY OF VALLEY CENTER

FINAL AGENDA

SEPTEMBER 29, 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.

OCTOBER 4, 2016

- 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**
 - A. Minutes p 4
 - September 20, 2016 Regular Council Meeting p 5
- 7. PRESENTATIONS / PROCLAMATIONS p 10**
 - A. Safewise City Safety Award
- 8. PUBLIC FORUM (*Citizen input and requests*) p 10**
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- 10. COMMITTEES, COMMISSIONS p 10**
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 - September 27, 2016
- 11. OLD BUSINESS p 19**
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- 14. **STAFF REPORTS p 58**
- 15. **GOVERNING BODY REPORTS p 61**
- 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 any time 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 September 20, 2016 Regular City Council Meeting as prepared by the Court Clerk.

REGULAR COUNCIL MEETING
September 20, 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, Lou Cicirello, Gina Gregory, Brendan McGettigan, Marci Maschino, Lionel Jackson, Ben Anderson and Al Hobson.

Members Absent: None

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

Press present: The Ark Valley News

APPROVAL OF THE AGENDA -

Mayor Dove requested that Item 9-A appointments be removed and Item 12-F Ordinance 1300-16 also be removed from the agenda. Cicirello moved to approve the Agenda as amended, seconded by McGettigan. Vote Yea: Unanimous. Motion carried.

ADMINISTRATION AGENDA -

MINUTES – SEPTEMBER 6, 2016 REGULAR CITY COUNCIL MEETING

Hobson moved to accept the minutes of the September 6, 2016, regular City Council meeting, seconded by Gregory. Vote Yea: Unanimous. Motion carried.

PRESENTATIONS/PROCLAMATIONS – None

PUBLIC FORUM –

Janice Sharp presented an update regarding the pledge drive in June. They have raised \$301, 005.00 and the total available monies to date are \$943,099.00

APPOINTMENTS – None

COMMITTEES, COMMISSIONS – None

OLD BUSINESS -

A. ORDINANCE 1295-16; FLOOD PLAN MAPS 2ND READING:

Cicirello moved to adopt Ordinance 1295-16, regarding new flood plain maps for Valley Center, Kansas and amend Chapter 18 of City Municipal Code for 2nd reading. Hobson seconded the motion. Vote Yea: Unanimous. Motion carried.

NEW BUSINESS -

A. SPT - FORD STREET DEVELOPMENT

Brad Teeter and Ron Spangenberg presented options regarding development along Ford Street with the intention of gaining feedback. The presentation was complete with four (4) potential layouts for development. Possible development to include retail space, restaurants, office space, residential, including duplexes, patio homes, and apartments, a smaller assisted living community and light industrial space. Layouts also included a bike/walking path, and a park. Several questions were raised by the council, such as having enough space for a 55,000-60,000 square foot building, concerns with the railroad tracks, the true demand for office space, the number of developers interested in the project, acreage, and entrances/exits. It was determined that more information is needed, as the council members saw this for the first time this evening. Cicirello requested copies of the layouts. Polian and Hildebrand will obtain these to send to the Council. Another working session and discussion were requested. No action was taken.

B. ORDINANCE 1296-16; FORMATION OF LAND BANK, 1ST READING

Hildebrand explained the formation of the land bank and proposed ordinance is modeled after the one in Haysville, which has been successful and Bel Aire's, which is similar. He believes it is comprehensive. Arbuckle stated that it does follow statute.

Maschino moved to adopt Ordinance 1296-16, regarding the formation of land bank for Valley Center, Kansas for 1st reading.. Gregory seconded the motion. Vote Yea: Cicirello, Gregory, McGettigan, Maschino, Jackson, Anderson, and Hobson. Opposed: Kerstetter. Motion carried.

C. ORDINANCE 1297-16; STANDARD TRAFFIC ORDINANCE, 1ST READING

Hildebrand presented the Standard Traffic Ordinance (STO) for Kansas Cities. He requested it be adopted for immediate use.

Cicirello moved to adopt Ordinance 1297-16, amending Chapter 9.01 of the Valley Center Municipal Code and amendments thereto, for 1st reading. Maschino seconded the motion. Vote Yea: Unanimous. Motion carried.

D. ORDINANCE 1298-16; UNIFORM PUBLIC OFFENSE CODE, 1ST READING

Hildebrand presented the Uniform Public Offense Code (UPOC) for Kansas Cities. He requested it be adopted for immediate use.

Maschino moved to adopt Ordinance 1298-16, 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 1st reading. Cicirello seconded the motion. Vote Yea: Unanimous. Motion carried.

E. ORDINANCE 1299-16; REPEAL OF ORDINANCE 1226-11, 1ST READING

Hildebrand requested Council approve this "clean up" Ordinance to repeal Ordinance 1226-11. It has been in place since April 2011 and has been filed with the County. The original PUD contained plans for an apartment complex and a lake area, which does not seem to be the route the city wants to go. Cicirello has concerns the entire design and the layout do not match anymore.

Cicirello moved to adopt Ordinance 1297-16 repealing Ordinance 1226-11 and de-establishing the Chisholm Lake PUD, for 1st reading, Maschino seconded the motion. Vote Yea: Unanimous. Motion carried.

G. K-9 SQUAD REPLACEMENT

Chief Hephner presented the need for the replacement of two (2) police vehicles. One vehicle has issues and one is nearing 100,000 miles. He reported the vehicle involved in the accident has been fixed. He stated one vehicle is within the budget and the second one, if approved, would come from the drug and alcohol fund, which has a balance of \$30,000 Polian reported there are certain restrictions on how these monies are used, but a purchase of said vehicle falls within the guidelines. Chief presented/reviewed the fleet mileage of each vehicle and the number of cars purchased since 2008. His goal is to have two (2) cars replaced each year for the next several years. He reported the school board has agreed to pay \$2,000.00 required for the dog cage. Several questions were raised by the council, such as if certain monies can be used on regular units or only on K9 units; the use/non-use of the city car; parked at City Hall and as to why a new officer is not using it and using police vehicles instead. Other questions raised were regarding mileage vs hours; what happens to the drug and alcohol fund if not used; what type of cars will be purchased and when. Maschino stated she appreciated Chief and his request.

Jackson moved to adopt the request for K-9 squad car replacement, McGettigan seconded the motion. Vote Yea: Unanimous. Motion carried.

H. LAND ACQUISITION

Hildebrand presented the possible acquisition of land from Medical Lodges. He has been in numerous discussions regarding it and the plans for development, including a dog park, parking lot, and bus turn-around. The School Board has agreed to share cost and are ready to start development. Hildebrand reported that if development starts, the road would need to be rededicated as a public road. Several questions were raised by the council, such as time frame, cost, and how maintained. Hobson had concerns with this project starting before others. Anderson stated more info was needed.

Cicirello moved to accept the land from Medical Lodges, Anderson seconded the motion. Vote Yea: Unanimous. Motion carried.

I. EXECUTIVE SESSION TO DISCUSS LAND ACQUISITION

Cicirello moved, seconded by Anderson to recess into Executive Session for a period of 15 minutes to discuss land acquisition, personnel to include Polian and Hildebrand. Vote Yea: Unanimous. Motion carried.

Recess began at 8:15pm

Recess ended at 8:30pm

Cicirello reported no official action was taken during Executive Session.

CONSENT AGENDA -

- A. APPROPRIATION ORDINANCE**
- B. TREASURER'S REPORT, AUGUST 2016**
- C. REVENUE AND EXPENSE SUMMARIES, AUGUST 2016**
- D. CHECK RECONCILIATION, AUGUST 2016**
- E. DELINQUENT ACCOUNTS FOR COLLECTION, JUNE 2016**

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

STAFF REPORTS -ADMIN AND FINANCE DIRECTOR POLIAN

Polian reported the server at Public Safety needs replaced. Storing video has taken a toll on the storage. If videos/dash cams/body cams want to be utilized, this is necessary. Polian's plan was to prepare the council, not shock them with the cost, which would be around \$14,000-\$20,000.

CITY SUPERINTENDENT HOLPER

Holper reported the contractors have installed four (4) culvert pipes along 93rd Street. It was delayed one (1) week due to the rain. The project will continue west and occur within the next week or two.

The sidewalk work along Goff Street will begin October 3, 2016 with a public meeting to be held on September 27, 2016 from 5pm-7pm at the Community Building.

Holper also reports the water department continues to switch out water meters. Fifty-five (55) have been changed out as of recent. One hundred twenty-five (125) within the last month.

CITY DIRECTER OF PARKS AND BUILDINGS OWING

Owing reports he has gotten a solid bid, but plans to get more for the painting of the old Public Works building.

CITY ENGINEER GOLKA

Golka reports a Geotech analysis was done on the industrial park and report there are no issues and it is in fine condition. It is believed to be a construction workmanship issue and is being looked into further.

CITY ADMINISTRATOR HILDEBRAND

Hildebrand reports there will be a Strategic Planning meeting on September 29, 2016 and that the Public Safety Study has had some delays.

GOVERNING BODY REPORTS –COUNCIL MEMBER GREGORY

Inquired as to the council's involvement with a booth at the Fall Festival. Chief Hephner reported that the Police Department is planning on having a booth downtown. Mayor stated that members of Council are more than welcome to help out at the Police Department booth, but they wouldn't need to this year.

COUNCIL MEMBER HOBSON

Expressed gratitude toward John Wright, Compliance Officer and Frank Miller, Animal Control Officer and stated they have been doing a super job.

Hobson moved to adjourn, seconded by Maschino. Vote Yea: Unanimous.

ADJOURN -

Meeting adjourned at 9:00 PM.

Stacy Shay, Court Clerk

ADMINISTRATION AGENDA
RECOMMENDED ACTION

A. MINUTES:

RECOMMENDED ACTION:

Staff recommends motion to approve the minutes of the September 20, 2016 Regular Council Meeting as presented / amended.

PRESENTATIONS / PROCLAMATIONS

A

PUBLIC FORUM

APPOINTMENTS

C

B

C

COMMITTEES, COMMISSIONS

Planning Commission\Zoning Board of Appeals Minutes

PLANNING COMMISSION/ZONING BOARD OF APPEALS
CITY OF VALLEY CENTER

Tuesday, September 27, 2016, 7:00 P.M.
CITY HALL, 121 S. MERIDIAN

CALL TO ORDER: Commissioner Park called the meeting to order at 7:00 P.M. with the following members present: Ronald Colbert, Matt Stamm, Scot Phillips, Don Bosken, Ben Neaderhiser, and Terry Nantkes.

Members absent: Del James and Gary Janzen

Staff Present: Ryan Shrack

Audience: Larry Henning, Scott Servis, and Brad Isham

Meeting started with the Pledge of Allegiance to the American Flag.

AGENDA: A motion was made by Terry Nantkes and seconded by Commissioner Colbert to set the agenda. Motion passed unanimously.

APPROVAL OF DRAFT MINUTES:

A motion was made by Commissioner Stamm to approve the August 23, 2016 minutes. The motion was seconded by Commissioner Colbert. Motion passed unanimously.

COMMUNICATIONS: None

PUBLIC HEARING BEFORE PLANNING COMMISSION

Review of SP-2016-04, construction of a 4,125 sq. ft. office building to be built on the lot located at 7945 N. Broadway Avenue, Valley Center, KS.

Ryan presented the following:

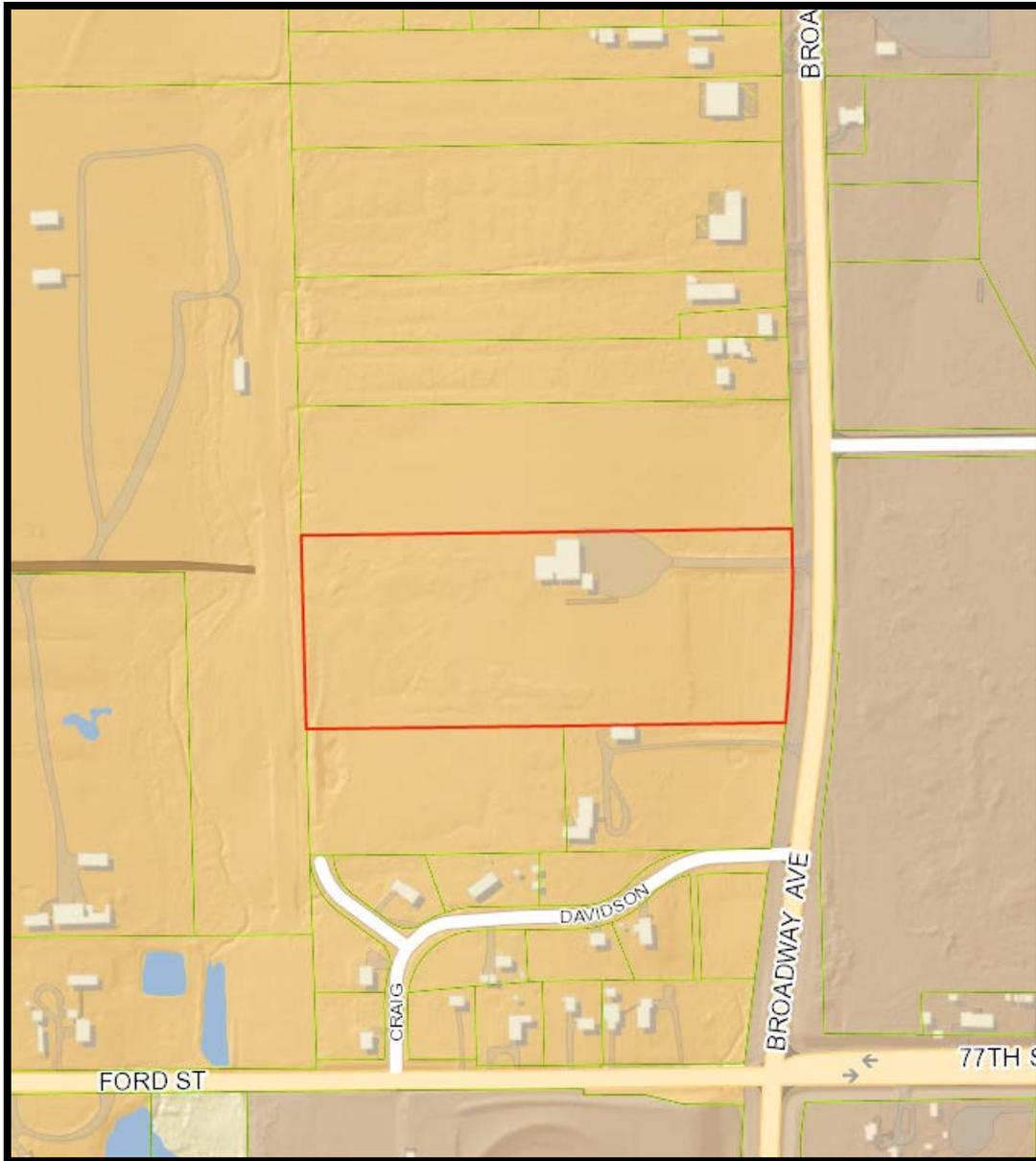
Date: September 12, 2016

To: Valley Center Planning Commission

From: Ryan W. Shrack, Community Development Director

Applicant: SKM Enterprises, LLC

Location of Site Plan: This lot is located at 7945 N. Broadway Avenue. The lot contains one building. The proposed building will be constructed on the east side of the property. The following image shows the lot in relation to the surrounding neighborhood:



Existing Zoning: I-Industrial District

Size of Parcel: 14.21 acres (618,784.64 sq. ft.). It has 498 feet of frontage along Broadway Ave. on the east side of the property. The lot has a depth of 1,254 feet. The I-Industrial District requires a minimum of 10,000 sq. ft. Site plan meets all bulk regulations required of the zoning district.

Purpose of Site Plan Application:

17.12.05 Site Plan Requirements:

Projects which are subject to review by the Site Plan Committee generally are required to meet the following standards:

- A. *Show the location and dimensions of all right-of-way, easements and setback lines either required by these regulations or by platting or separate instruments.*
- The proposed building is on one plat and does show the location of all right-of-way, easements and setback lines.
- B. *The site plan map generally should be oriented to the north with north arrow and scale plus dimensions and property boundary lines for the zoning lot.*
- Dimensions are on the Site Plan and the site plan is generally oriented to the north and a scale is present.
- C. *Topography by contour lines may be required if slopes exceed 5%, buffer berms are used, or a drainage plan is required.*
- Drainage is indicated on the site plan and has been reviewed by the City Engineer and Public Works Director. Revisions have been made to the proposed plan per the request of the City Engineer.
- D. *Show existing and proposed structures by bulk dimensions plus number of stories, gross floor area and entrances.*
- The developer is showing a building footprint. The structure is single story and will have 4,125 square feet. The building will be used as an office facility for the company. The existing building that is on the lot will be used as a warehouse to store equipment.
- E. *Existing and proposed curb cuts, aisles, off-street parking, loading spaces and walkways, including type of surfacing and number of parking spaces. Delineate the traffic flow with directional arrows and indicate the location of direction signs and other motorist's aids (if any).*
- The site plan shows the proposed parking lot to be located to the north and east of the proposed building. It will contain 35 parking spaces. Walkways conform to given standards and traffic flow has been indicated throughout the site plan and curb cuts are noted. No directional signage will be posted.
- F. *Location, direction and intensity of proposed lighting. All exterior lighting must be "full-cut-off" light fixtures when located near adjacent residential properties (no light should spill over on adjacent residential parcels)*
- No exterior light fixtures are shown on the site plan. At the Site Plan Committee meeting, it was determined that any exterior lighting will conform to all City standards.

- G. *Location and height of all existing (to remain) and proposed signs on the site, the setback dimensions from any sign to property lines, location and routing of electrical supply, surface area of the sign in square feet, size of letters and graphics, description of sign, frame materials and colors.*
- Signs indicated on the site plan are in conformity with city standards.
- H. *If disposal containers will be on the site, indicate how such areas will be fully screened from public view by means of a structure (including swinging doors) constructed with either solid treated lumber walls, cement block (with or without brick), or other materials deemed acceptable. The enclosure must also have the capability of latching the doors in a closed position, or when trash is being picked up, in an open position. Outdoor storage areas may also need to be screened if required by these zoning regulations.*
- The site plan does not show disposal containers as planned. At the Site Plan Committee meeting, the applicant stated that any disposal containers will be located on the west side of the proposed new building and, if needed, appropriate screening will be erected.
- I. *Vehicular ingress and egress to and from the site and circulation within the site to provide safe, efficient and convenient movement of traffic, not only within the site but on adjacent roadways.*
- Vehicular ingress and egress to and from the site and circulation with the site will be safe, efficient, and convenient.
- J. *Site plan provides for the safe movement of pedestrians within the site.*
- Proposed building provides for the safe movement of pedestrians around the site.

STAFF RECOMMENDATION: Approve site plan application.

At 7:04 P.M., Chairperson Parks opened hearing for comments from the public. There were none. At 7:05 P.M., Chairperson Parks closed public hearing. Chairperson Parks asked the commissioners if they had any comments.

Commissioner Bosken asked if there would be any stockpiling of materials on the site. Larry Henning stated that no stockpiling of materials would take place on this site and that the pile of millings that is currently on site will be used for the new parking area.

Commissioner Colbert asked if there is an entrance off of Broadway that will connect with the new building and Larry Henning stated that there is an entrance off of Broadway. Commissioner Colbert also asked about the number of parking spaces in the new parking lot and how many specifically are ADA-designated spaces? Scott

Servis stated that there will be 35 parking spaces, with two being designated as handicapped parking spaces.

Based on the City Staff recommendations, public comments, and discussion by the Planning Commission, Commissioner Stamm made a motion to approve SP-2016-04. Commissioner Colbert seconded the motion. Vote was unanimous to approve the plan.

PUBLIC HEARING BEFORE PLANNING COMMISSION

Review of SD-2016-01, application of Isham-Alexander, LLC, pursuant to Section 16.04.15, who petitioned the City of Valley Center Planning Commission to approve a small tract replat of Lot 1, Block 2 in the Valley Creek Estates 2nd Addition Replat to change this lot from containing one lot to three lots. This property contains the addresses of 131-157 N. Sheridan Avenue,

Ryan presented the following:

Date: September 23, 2016

To: City of Valley Center Planning Commission

From: Ryan W. Shrack, Community Development Director

RE: Small Tract Subdivision: Replat of Lot 1, Block 2 of Valley Creek Estates 2nd Addition Replat

Petition:

Isham-Alexander, LLC, pursuant to Section 16.04.15, has petitioned the City of Valley Center Planning Commission to approve a small tract replat of Lot 1, Block 2 in the Valley Creek Estates 2nd Addition Replat to change this lot from containing one lot to three lots. The replat will facilitate future lot splits, which will be handled under the direction of City Municipal Code 16.09.02, Condominium Exception, which states:

“An exception to the Lot Split procedure is when a platted lot, zoned R-2 Two-Family Residential or R-3 Multi-Family Residential, is resurveyed to create separate legally described parcels for each dwelling having common walls, to facilitate condominium ownership. City Administration will be responsible to review this type of lot split to assure zoning setback and area regulations are being met.”

Once the replat is approved, it is the intent of Isham-Alexander, LLC to submit lot split applications as each of the residences within the three buildings in Lot 1, Block 2 are sold to individuals. The City of Valley Center Community Development Department will oversee the approval of these future lot splits, which conforms to the regulations stated above.



Comparison of Small Tract Subdivision Requirements with this petition (16.04.15.B):

A. **Requirements.** *In order to qualify for approval in the manner provided in Section 16.04.15.A, a proposed plat of subdivision shall comply with the following requirements:*

1. *The proposed plat of subdivision shall include not more than five acres if a residential plat, nor more than five acres for any other type of plat, unless approved for a larger acreage by the Planning Commission.*

The proposed plat contains roughly 1.67 acres.

2. *The proposed plat of subdivision shall create not more than five lots, tracts or parcels of land, unless approved for a larger number by the Planning Commission.*

The proposed plat will create three separate lots.

3. *No public street or easement of access, e.g., a utility or drainage easement, is sought to be dedicated or is contemplated or projected through (as opposed to adjacent to) the lot, tract or parcel proposed to be subdivided or re-subdivided.*

The proposed plat does not contain any public streets. The proposed plat does indicate a public access and utility easement associated with a fire hydrant located on the eastern part of the plat, just north of the private drive. The City's Public Works Department has agreed to this dedication of the fire hydrant. The private drive will be maintained by the local homeowner's association. As indicated on the plat map, drainage and utility easements have already been granted per the original plat and remain unchanged in the replat.

- 4. The proposed plat of subdivision shall be in the form required by Section 16.05.02 and shall contain all the data, information and certificates required on final plats as well as the supplemental information.*

Ruggles and Bohm, P.A., are certified land surveyors and have worked with the applicant to prepare all of the required items as identified in Section 16.05.02. This information has been reviewed and approved by the Community Development Department, Public Works Department, and Josh Golka from PEC (Valley Center's City Engineer). All departments have given approval for this replat.

City staff recommends approval of this application.

At 7:14 P.M., Chairperson Parks opened hearing for comments from the public. There were none. At 7:15 P.M., Chairperson Parks closed public hearing. Chairperson Parks asked the commissioners if they had any comments.

Commissioner Colbert asked about the sewer line and ditch work that is adjacent to the new fourplex housing units. Brad Isham stated that the sewer line is in place and that the area has experienced no significant flooding this season. Brad Isham went on to say that the drainage on the site has worked very well and, even with all of the rain this summer, they have had no flooding on site. Commissioner Colbert asked if there will be any issues with firetrucks having access to all of the buildings. Ryan Shrack stated that all requirements have been met per the original plat approval. Brad Isham said that road is a concrete road and will be able to handle the heavy firetrucks. Brad Isham said there are no cracks in the road, even after the recent earthquakes

Commissioner Bosken asked if there was any off-street parking since vehicles can't be parked in the fire lane. Ryan Shrack stated that there are four parking spots at the end of the lane, two on the north end and two on the south end, that are outside of the fire lane restriction area.

Commissioner Colbert asked if any of the new housing units are designated for the disabled or those with handicaps. Brad Isham said that they are not completely designated to meet the necessary requirements for that type of designation, but there are individuals living in some of the units that are disabled. He said all of the units have wide hallways and doors, which help with accessibility. Brad Isham stated that most of the residents that now occupy the housing units on this property are senior citizens.

Based on the City Staff recommendations, public comments, and discussion by the Planning Commission, Commissioner Colbert made a motion to approve SD-2016-01.

Commissioner Nantkes seconded the motion. Vote was unanimous to approve the plan.

NEW BUSINESS-None

OLD OR UNFINISHED BUSINESS-None

COMMITTEE AND STAFF REPORTS Ryan stated there will be a meeting in October. Ryan also let the Planning Commission know that the new Community Development Assistant, Katrina Rubenich, will start working on Monday, October 3rd.

ITEMS BY PLANNING COMMISSION/ZONING BOARD OF APPEALS MEMBERS:

Ron Colbert- Nothing

Gary Janzen – Absent

Matt Stamm- Nothing

Danny Park- Chairperson Park apologized for not attending August's meeting.

Del James- Absent

Don Bosken- Nothing

Terry Nantkes- Nothing

Scot Phillips- Nothing

Ben Neaderhiser- Announced the annual car show will take place on Friday, Sept. 30.

ADJOURNMENT OF THE PLANNING COMMISSION/ZONING BOARD OF APPEALS

At 7:23 P.M., a motion was made by Commissioner Colbert to adjourn and seconded by Commissioner Bosken. Vote was unanimous.

Time of adjournment was 7:23 P.M.

Respectfully submitted,

Ryan Shrack
Community Development Director

Minutes to be reviewed and approved by the Valley Center Planning Commission at the next meeting.

Danny Park, Chairperson

OLD BUSINESS

**A. ORDINANCE 1296-16; FORMATION OF LAND BANK, 2nd
READING:**

An Ordinance for the creation of a Land Bank for the City of Valley Center, Kansas

➤ Ordinance 1296-16

ORDINANCE NO. 1296-16

AN ORDINANCE CONCERNING ADOPTION OF CHAPTER 19, ARTICLE 1
OF THE MUNICIPAL CODE OF VALLEY CENTER, KANSAS, ESTABLISHING A
LAND BANK IN CONFORMANCE WITH K.S.A. 12-5901 ET SEQ., WITHIN
THE CITY OF VALLEY CENTER, KANSAS.

WHEREAS, Pursuant to K.S.A. 12-5901 et seq., the Governing Body may establish a city land bank by adoption of an ordinance, into which any property acquired by the city, the county, another city or other taxing subdivision within the county may be transferred; and

WHEREAS, Pursuant to K.S.A. 12-5907 the Board of such land bank may manage, maintain and protect or temporarily use for a public purpose such property in the manner the board deems appropriate, and plan for and use the board's best efforts to consummate the sale or other disposition of such property at such times and upon such terms and conditions deemed appropriate.

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

Section 1. Chapter 19, Article 1 shall be adopted into the Municipal Code of the City of Valley Center, Kansas, as follows:

19.01.010. Purpose. The purpose of creating the City of Valley Center, Kansas, Land Bank is to implement the authority granted through K.S.A. 12-5901 et seq., to establish or dissolve a City Land Bank. The City Land Bank will be a quasi-governmental entity with the primary responsibility and authority for acquiring, maintaining and selling abandoned, foreclosed, or similarly distressed property to help achieve the elimination of blight, the enhancement of neighborhood viability and stability, the creation of opportunities for affordable and mixed income home ownership and rental, maintenance of property values throughout the City, conformance with the goals of the City's Comprehensive Plan, and the encouragement of economic development. The Land Bank is intended to assist in the elimination of barriers to returning properties to productive use, and to help facilitate the strategic conveyance of property.

19.01.020. Definitions. As used in this Article:

- A. "City" means the City of Valley Center, Kansas, unless otherwise specifically stated.
- B. "Board" means the Board of Trustees of the City Land Bank.
- C. "Bank" means the City of Valley Center, Kansas, Land Bank.
- D. "Governing body" means the Governing Body of the City.

19.01.030. Land Bank Board of Trustees; Appointment, Terms and Dissolution.

A. There is hereby established a Land Bank Board of Trustees. The Board shall be composed of the entire membership of the Governing Body of the City, ex officio, who shall be the voting members, and one additional member appointed by the Mayor who shall be a non-voting member and who shall be a City staff member.

B. The term of office of each voting member of the Board of Trustees shall be

coterminous with that member's term of office on the Governing Body of the City. The non-voting member of the Board of Trustees shall serve at the pleasure of the City Governing Body.

C. The Bank may be dissolved by ordinance of the Governing Body. In such case, all property of the Bank shall be transferred to and held by the City and may be disposed of as otherwise provided by law.

19.01.040. Land Bank Board of Trustees; Powers and Duties.

A. To sue and be sued.

B. To enter into contracts.

C. To appoint and remove staff and provide for the compensation thereof.

D. To acquire, by purchase, gift or devise, and convey any real property, including easements and reversionary interests, and any personal property, subject to the provisions of this Ordinance and state law. Any property acquired by the City, Sedgwick County or any other city or taxing subdivision within Sedgwick County may be transferred to the Bank. The Board may accept or refuse to accept any property authorized to be transferred pursuant to this Ordinance or state law. The transfer of any property pursuant to this Subsection shall not be subject to any bidding requirements and shall be exempt from any provisions of law requiring a public sale.

E. The fee simple title to any real estate which is sold to Sedgwick County in accordance with the provisions of K.S.A. 79-2803 and 79-2804, and amendments thereto, and upon acceptance by the Board may be transferred to the Bank by a good and sufficient deed by the County Clerk upon a written order from the Board of County Commissioners.

F. To rebate all, or any portion thereof, the taxes on any property sold or conveyed by the Bank.

G. The Board shall assume possession and control of any property acquired by it under this Ordinance or state law and shall hold and administer such property. In the administration of property, the Board shall:

1. Manage, maintain and protect or temporarily use for a public purpose such property in the manner the Board deems appropriate;
2. Compile and maintain a written inventory of all such property. The inventory shall be available for public inspection and distribution at all times;
3. Study, analyze and evaluate potential, present and future uses for such property which would provide for the effective reutilization of such property;
4. Plan for and use the Board's best efforts to consummate the sale or other disposition of such property at such times and upon such terms and conditions deemed appropriate;
5. Establish and maintain records and accounts reflecting all transactions, expenditures and revenues in relation to the Bank's activities, including separate itemizations of all transactions, expenditures and revenues concerning each individual parcel of property acquired; and
6. Thirty days prior to the sale of any property owned by the Bank, publish a notice in the official City newspaper announcing such sale.

H. To exercise any other power which may be delegated to the Bank by the Governing Body, by Ordinance, Resolution, or regular motion.

I. To exercise any other incidental power which is necessary to carry out the purposes

of the Land Bank, this Article and state law.

J. The Board may establish separate neighborhood or City advisory committees consisting of persons living or owning property within the City, Sedgwick County or the neighborhood, and determine the boundaries of each neighborhood committee. In the absence of a Resolution by the Board providing otherwise, each advisory committee shall consist of not less than five and no more than nine persons, to be appointed by the Board for two-year overlapping terms. The Board shall consult with each advisory committee as needed to review the operations and activities of the bank and to receive the advice of the members of the advisory committee concerning any matter which comes before the committees.

19.01.050. Land Bank Board; Organization.

A. The Board officers shall consist of: 1) a chairperson who shall be the Mayor, 2) a vice-chairperson who shall be the President of the Council, and 3) a treasurer who shall be the non-voting appointee. Each officer shall be appointed annually, but may serve in such office for less than one year as the term of office of the chairman and vice-chairperson shall be coterminous with that member's term as Mayor or President of the Council of the Governing Body of the City. The treasurer shall be removed from membership of the Land Bank if no longer serving as a member of City Staff. The treasurer shall be bonded in such amounts as the Governing Body may require.

B. The Board may appoint such officers, agents and employees as it may require for the performance of its duties, and shall determine the qualifications and duties and fix the compensation of such officers, agents and employees.

C. The Board shall fix the time and place at which its meetings shall be held. Meetings shall be held within the City and shall be subject to the Kansas Open Meeting Act, K.S.A. 754317 et seq., and amendments thereto.

D. A majority of the Board shall constitute a quorum for the transaction of business. No action of the Board shall be binding unless taken at a meeting at which at least a quorum is present.

E. The members of the Board shall be subject to the provisions of the laws of the State of Kansas which relate to conflicts of interest of county officers and employees, including, but not limited to, K.S.A. 75-4301 et seq., and amendments thereto.

F. Subject to the provisions of the Kansas Tort Claims Act, K.S.A. 75-6101 et seq., and amendments thereto, if any action at law or equity, or other legal proceeding, shall be brought against any member of the Board for any act or omission arising out of the performance of duties as a member of the Board, such member shall be indemnified in whole and held harmless by the Board for any judgment or decree entered against such member and, further, shall be defended at the cost and expense of the Bank in any such proceeding.

19.01.060. Land Bank; Operational Requirements.

The Land Bank shall be subject to the following requirements:

A. The Bank shall be subject to the provisions of the Cash Basis Law, K.S.A. 10-1101 et seq., and amendments thereto.

B. The budget of the Bank shall be prepared, adopted and published as provided by law for other political subdivisions of the State of Kansas. No budget shall be adopted by the Board until it has been submitted to, reviewed and approved by the Governing Body. If the Governing

Body elects not to ratify the budget, it must reject the plan in its entirety and remand it back to the Board with specific recommendations for reconsideration.

C. The Board shall keep accurate accounts of all receipts and disbursements. The receipts and disbursements of the Board shall be audited yearly by a certified or licensed public accountant and the report of the audit shall be included in and become part of the annual report of the Board.

D. All records and accounts shall be subject to public inspection pursuant to K.S.A. 45-216 et seq., and amendments thereto.

E. Any moneys of the Bank which are not immediately required for the purposes of the Bank, such requirements including but not limited to paying debt associated with the acquisition of such land, shall be invested in the manner prescribed by K.S.A. 12-1675, and amendments thereto.

F. The Bank shall make an annual report to the Governing Body on or before January 31 of each year, showing receipts and disbursements from all funds under its control and showing all property transactions occurring in each year. Such report shall include an inventory of all property held by the Bank. A copy of such inventory shall also be published in the official City newspaper on or before January 31 of each year.

G. The Bank shall be subject to the statutory requirements for the deposit of public money as provided in K.S.A. 9-1401 et seq., and amendments thereto.

H. The Board, without competitive bidding, may sell any property acquired by the Board at such times, to such persons, and upon such terms and conditions, and subject to such restrictions and covenants deemed necessary or appropriate to assure the property's effective reutilization.

I. The sale of any real property by the Board, under the provisions of this ordinance or state law, on which there are delinquent special assessments to finance public improvements shall be conditioned upon the approval of the Governing Body.

J. The Board, for the purpose of land disposition, may consolidate, assemble or subdivide individual parcels of property acquired by the Bank.

K. Until sold or otherwise disposed of by the Bank, and except for special assessments levied by the City to finance public improvements, any property acquired by the Bank shall be exempt from the payment of ad valorem taxes levied by the State of Kansas and any other political or taxing subdivision of the state.

L. Except for special assessments levied by the City to finance public improvements, when the Board acquires property pursuant to this Ordinance and state law, the Sedgwick County Treasurer shall be notified by the Board to remove from the tax rolls all taxes, assessments, charges, penalties and interest that are due and payable on the property at the time of acquisition by the Board.

M. Property held by the Bank shall remain liable for special assessments levied by the City for public improvements, but no payment thereof shall be required until such property is sold or otherwise conveyed by the Bank. The Bank and the City may enter into any such Agreements regarding collection of special assessments which are lawful.

N. The Governing Body may abate part or all of any special assessments which it has levied on property acquired by the Bank, and the Bank and the Governing Body may enter into agreements related thereto. Any special assessments that are abated shall be removed from the tax rolls by the Sedgwick County Treasurer as of the effective date of the abatement.

O. Any moneys derived from the sale of property by the Bank shall be retained by the Bank for the purposes and operations thereof; provided, however, that the Board may use all or part of the proceeds from such sale to reimburse the City for delinquent special assessments due on such property, or to pay off any debt associated with the acquisition of the property by either the City or the Bank.

**PASSED AND APPROVED by the Governing Body of the City of Valley Center, Kansas, this
4th day of October, 2016.**

First Reading: September 20, 2016

Second Reading: October 4, 2016

[SEAL]

Laurie Dove, Mayor

ATTEST:

Kristi Carrithers, City Clerk

OLD BUSINESS
RECOMMENDED ACTION

A. ORDINANCE 1296-16; FORMATION OF LAND BANK, 2nd.
READING

Should Council choose to proceed,

RECOMMENDED ACTION:

Staff recommends motion to adopt Ordinance 1296-16, regarding formation of Land Bank for Valley Center, Kansas for 2nd reading.

OLD BUSINESS

**B. ORDINANCE 1297-16; UNIFORM PUBLIC OFFENSE CODE
ORDINANCE, 2nd READING:**

- Ordinance 1297-16

ORDINANCE NO. 1297-16

AN ORDINANCE RELATED TO THE REGULATION OF PUBLIC OFFENSES WITHIN THE CORPORATE LIMITS OF THE CITY OF VALLEY CENTER, KANSAS, INCORPORATING BY REFERENCE THE “2016 UNIFORM PUBLIC OFFENSE CODE,” 32nd EDITION, AMENDING CHAPTER 9.01 OF THE VALLEY CENTER MUNICIPAL CODE AND AMENDMENTS THERETO; AMENDING THE PROVISIONS THEREOF THAT REGULATE.

BE IT ORDAINED, by the Governing Body of Valley Center, Kansas:

Section 1. The Valley Center Municipal Code, Title 9, “Public Peace, Safety and Morals,” Chapter 9.01, “Uniform Public Offense Code,” Section 10, “Adopted by Reference,” is hereby amended to read as follows:

9.01.010 Incorporating Uniform Public Offense Code

There is hereby incorporated by reference for the purpose of regulating public offenses within the corporate limits of the City of Valley Center, Kansas, that certain code known as the 2016 "Uniform Public Offense Code for Kansas Cities," 32nd Edition, prepared and published in book form by the League of Kansas Municipalities, Topeka, Kansas, with certain additions as are provided in Section 2 of this Ordinance. At least one copy of said Uniform Public Offense Code shall be marked or stamped "Official Copy as Adopted by Ordinance No. 1297-16," and to which shall be attached a copy of this Ordinance, and filed with the City Clerk, to be open for inspection and available to the public at all reasonable hours. The police department, municipal judge and all administrative departments of the City charged with the enforcement of this ordinance shall be supplied, at the cost of the City, such number of official copies of the ordinance similarly marked, as may be deemed expedient.

Section 2. Severability. Those sections, paragraphs, and provisions of Title 9 of the City of Valley Center Municipal Code which are not expressly amended or repealed by this Ordinance are hereby reenacted, and it is expressly declared to be the intention of this Ordinance not to repeal or amend any portions of the City of Valley Center Municipal Code other than those expressly amended or repealed in Sections 1 and 2 of this Ordinance.

If any section, subsection, sentence, clause, phrase or word of this ordinance is for any reason held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The council hereby declares that it would have passed this ordinance and each section subsection, sentence, clause, phrase, and words thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases or words have been declared invalid or unconstitutional, and if for any reason this ordinance should be declared invalid or unconstitutional, then the remaining ordinance provisions will be in full force and effect.

Section 3. Savings Clause. Neither the adoption of the Ordinance, nor the future repeal or amendment of any section or part or portion thereof, shall in any manner affect the prosecution for violation of this Ordinance or future amendments thereto, nor be construed as a waiver of any license, fee or penalty at said effective date and unpaid under either this Ordinance or future amendments thereto, nor be construed as affecting any of the provisions of this Ordinance relating to the collection of any such license, fee or penalty, or the penal provisions applicable to any violation thereof, nor to affect the validity of any bond or cash deposit in lieu thereof required to be posted, filed or deposited pursuant to any ordinance, all rights and obligations thereunder shall continue in full force and effect.

Section 4. Applicability and Effective Date All portions of former ordinances in conflict herewith are hereby repealed or superseded. This ordinance shall be in full force and effect from and after its passage and after publication according to law.

PASSED AND APPROVED by the Governing Body of the City of Valley Center, Kansas, this 4th day of October, 2016.

First Reading: September 20, 2016

Second Reading: October 4, 2016

{SEAL}

Laurie Dove, Mayor

ATTEST:

Kristi Carrithers, City Clerk

OLD BUSINESS
RECOMMENDED ACTION

**B. ORDINANCE 1297-16; UNIFORM PUBLIC OFFENSE CODE
ORDINANCE, 2ND READING:**

Should Council choose to proceed,

RECOMMENDED ACTION:

Staff recommends motion to adopt Ordinance 1297-16, amending Chapter 9.01 of the Valley Center Municipal Code and amendments thereto, for 2nd reading.

OLD BUSINESS

**C. ORDINANCE 1298-16; STANDARD TRAFFIC ORDINANCE,
2ND READING:**

- Ordinance 1298-16

ORDINANCE NO. 1298-16

AN ORDINANCE RELATED TO THE REGULATION OF TRAFFIC WITHIN THE CORPORATE LIMITS OF THE CITY OF VALLEY CENTER, KANSAS, INCORPORATING BY REFERENCE THE 2016 "STANDARD TRAFFIC ORDINANCE FOR KANSAS CITIES," 44TH EDITION, AMENDING CHAPTER 10.04 OF THE VALLEY CENTER MUNICIPAL CODE AND AMENDMENTS THERETO.

BE IT ORDAINED, by the Governing Body of Valley Center, Kansas:

Section 1. The Valley Center Municipal Code, Title 10, "Vehicles and Traffic," Chapter 10.04, "Standard Traffic Ordinance," Section 10, "Incorporating Standard Traffic Ordinance," is hereby amended to read as follows:

10.04.010. Incorporating Standard Traffic Ordinance

There is hereby incorporated by reference for the purpose of regulating traffic within the corporate limits of the City of Valley Center, Kansas, the 2016 "Standard Traffic Ordinance for Kansas Cities, 44th Edition, prepared and published in book form by the League of Kansas Municipalities, Topeka, Kansas, save and except such articles, sections, parts or portions as are omitted, deleted, modified or changed by Chapter 10 of the Valley Center Municipal Code, and amendments thereto. At least one copy of the Standard Traffic Ordinance shall be marked or stamped "Official Copy as Adopted by Ordinance No. 1298-16," with all sections or portions thereof intended to be omitted or changed clearly marked to show any such omission or change, and to which shall be attached a copy of the incorporating ordinance, and filed with the City Clerk to be open to inspection and available to the public at all reasonable hours. The police department, municipal judge and all administrative departments of the City charged with enforcement of the chapter shall be supplied, at the cost of the City, such number of official copies of such Standard Traffic Ordinance similarly marked, as may be deemed expedient.

Section 2. Amendment to Sec. 29 of the 2016 Standard Traffic Ordinance for Kansas Cities, 44th Edition, Section 29 of the 2016 Standard Traffic Ordinance for Kansas Cities is hereby amended to provide for and describe the offense of careless driving by addition to this Standard Traffic Ordinance for Kansas Cities as Section "29a" which will provide as follows:

Section 29a. Careless Driving; Penalties

Any person who upon a public street or highway drives a vehicle in a manner as to indicate a careless or heedless disregard for the safety of persons or property is guilty of careless driving. A careless driving conviction is to be punished by a fine

of not to exceed \$500.

Section 3. Amendment to Section 85 of the 2016 Standard Traffic Ordinance for Kansas Cities, 44th Edition, Section 85 of the 2016 Standard Traffic Ordinance for Kansas Cities is amended to provide for and describe the offense of overtime parking by the addition to Section 85 of the 44th Edition of the 2016 Standard Traffic Ordinance for Kansas Cities, a subsection (f) which shall state as follows:

(f) Stand or park a vehicle for a continuous period in excess of 72 hours without driving said vehicle from its parked position.

Section 4. Severability. Those sections, paragraphs, and provisions of Title 10 of the City of Valley Center Municipal Code which are not expressly amended or repealed by this Ordinance are hereby reenacted, and it is expressly declared to be the intention of this Ordinance not to repeal or amend any portions of the City of Valley Center Municipal Code other than those expressly amended or repealed in Section 1 of this Ordinance.

If any section, subsection, sentence, clause, phrase or word of this ordinance is for any reason held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The council hereby declares that it would have passed this ordinance and each section, subsection, sentence, clause, phrase, and words thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases or words have been declared invalid or unconstitutional, and if for any reason this ordinance should be declared invalid or unconstitutional, then the remaining ordinance provisions will be in full force and effect.

Section 5. Savings Clause. Neither the adoption of the Ordinance, nor the future repeal or amendment of any section or part or portion thereof, shall in any manner affect the prosecution for violation of this Ordinance or future amendments thereto, nor be construed as a waiver of any license, fee or penalty at said effective date and unpaid under either this Ordinance

or future amendments thereto, nor be construed as affecting any of the provisions of this Ordinance relating to the collection of any such license, fee or penalty, or the penal provisions applicable to any violation thereof, nor to affect the validity of any bond or cash deposit in lieu thereof required to be posted, filed or deposited pursuant to any ordinance, all rights and obligations thereunder shall continue in full force and effect.

Section 6. Applicability and Effective Date. All portions of former ordinances in conflict herewith are hereby repealed or superseded. This Ordinance shall be in full force and effect from and after its passage and after publication according to law.

PASSED AND APPROVED by the Governing Body of the City of Valley Center, Kansas, this 4th day of October, 2016.

First Reading: September 20, 2016

Second Reading: October 4, 2016

[SEAL]

Laurie Dove, Mayor

ATTEST:

Kristi Carrithers, City Clerk

OLD BUSINESS

RECOMMENDED ACTION

**C. ORDINANCE 1298-16; STANDARD TRAFFIC ORDINANCE,
2ND READING:**

Should Council choose to proceed,

RECOMMENDED ACTION:

Staff recommends motion to adopt Ordinance 1298-16, 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 2nd reading.

OLD BUSINESS

**D. ORDINANCE 1299-16; REPEAL OF ORDINANCE 1226-11,
2ND READING;**

Ordinance 1226-11 was adopted on 4/5/11, which pertains to the Ford Street Development as part of the discussion with SPT, this ordinance should be repealed.

- Ordinance 1299-16

ORDINANCE NO. 1299-16

AN ORDINANCE REPLACING VALLEY CENTER KANSAS ORDINANCE NO. 1226-11 AND DEESTABLISHING THE CHISHOLM LAKE PLANNED UNIT DEVELOPMENT DISTRICT SAID DISTRICT TO BE RECONSTITUTED IN LATER ZONING ORDINANCE.

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

SECTION 1. REPEALER. Valley Center Kansas Ordinance No. 1226-11 is hereby repealed in its entirety and will be replaced by a later ordinance to govern the affected lands.

SECTION 2. This ordinance shall take effect and be in force from and after its passage, approval and publication once in the official city newspaper.

PASSED by the Governing Body and approved by the Mayor of the City of Valley Center, Kansas, on this 4th day of October, 2016.

September 20, 2016, 1st Reading

October 4, 2016, 2nd Reading

Laurie Dove, Mayor

ATTEST:

Kristi Carrithers, City Clerk

OLD BUSINESS
RECOMMENDED ACTION

D. ORDINANCE 1299-16; REPEAL OF ORDINANCE 1226-11,
2ND READING:

Should Council choose to proceed,

RECOMMENDED ACTION:

Staff recommends motion to adopt Ordinance 1299-16, repealing Ordinance 1226-11 and de-establishing the Chisholm Lake PUD, for 2nd reading.

NEW BUSINESS

A. ORDINANCE 1300-16; ANNEXATION OF ROAD RIGHTS OF WAY OF MERIDIAN AND 93RD STREET NORTH, 1ST READING;

An Ordinance annexing certain tract of land and portions of the road rights of way of North Meridian and 93rd St. North.

➤ Ordinance 1300-16

ORDINANCE NO. 1300-16

**AN ORDINANCE OF THE CITY OF VALLEY CENTER, KANSAS,
ANNEXING BY PETITION, PURSUANT TO K.S.A. 12-520 c AND
SEDGWICK COUNTY, KANSAS, RESOLUTION, NO. 121-2016, A
CERTAIN TRACT OF LAND AND PORTIONS OF THE ROAD RIGHTS
OF WAY OF NORTH MERIDIAN AND 93RD ST. NORTH IN SEDGWICK
COUNTY, KANSAS.**

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

SECTION ONE. ANNEXATION OF LAND

Pursuant to the authority of K.S.A. 12-520 c and Sedgwick County Resolution No. 121-2016, these two tracts of land legally described as:

TRACT ONE: Government Lots 1 and 2 in the Southwest Quarter of Section 19, Township 25 South, Range 1 East of the Sixth Principal Meridian, Sedgwick County, Kansas, EXCEPT therefrom a tract described as the North 30 acres of said Southwest Quarter, AND EXCEPT that part of Government Lots 1 and 2 in said Southwest Quarter platted as Valley Center Cemetery Addition, an Addition to the City of Valley Center, Sedgwick County, Kansas, AND EXCEPT that part of Government Lot 1 in said Southwest Quarter described as follows: A tract described as beginning at the Southeast Corner of said Southwest Quarter; thence north along the East line of said Southwest Quarter, 732.02 feet; thence west parallel with the South line of said Southwest Quarter, 450 feet; thence south parallel with the East line of said Southwest Quarter, 430.27 feet; thence southeasterly 351.81 feet, more or less, to a point on the South line of said Southwest Quarter, said point being 280 feet west of the Southeast corner of said Southwest Quarter; thence east 280 feet to the point of beginning.

TRACT TWO: Portions of the following quarter sections in Sedgwick County, Kansas; the Southeast Quarter of Section 24, Township 25 South, Range 1 West of the 6th P.M. AND the Northeast Quarter of Section 25, Township 25 South, Range 1 West of the 6th P.M. AND the Northwest Quarter of Section 30, Township 25 South, Range 1 East of the 6th P.M., said annexation being more particularly described as follows:

Beginning at the Southeast corner of the Southeast Quarter of Section 24, Township 25 South, Range 1 West of the 6th P.M.; Thence Bearing North 00°00'00" East, along the East line of said Southeast Quarter, a distance of 1,651.36 feet; Thence Bearing North 87°50'15" West, a distance of 50.04 feet; Thence Bearing South 00°00'00" East, parallel with and 50.00 feet West of the East line of said Southeast Quarter, a distance of 1,503.43 feet; Thence Bearing South 89°47'18"

West, parallel with the South line of said Southeast Quarter, a distance of 10.00 feet; Thence Bearing South 00°00'00" East, parallel with and 60.00 feet West of the East line of said Southeast Quarter, a distance of 85.00 feet; Thence Bearing South 44°53'38" West, a distance of 21.25 feet; Thence Bearing South 89°47'18" West, parallel with and 50.00 feet North of the South line of said Southeast Quarter, a distance of 75.00 feet; Thence Bearing South 00°00'00" East, a distance of 50.00 feet to a point on the South line of said Southeast Quarter, said point being 150.00 feet West of the Southeast corner of said Southeast Quarter; Thence Bearing South 89°47'18" West, along the South line of said Southeast Quarter, also being the North line of the Northeast Quarter of Section 25, Township 25 South, Range 1 West of the 6th P.M., a distance of 0.21 feet; Thence Bearing South 00°12'42" East, a distance of 50.00 feet; Thence bearing North 89°47'18" East, parallel with and 50.00 feet South of the North line of said Northeast Quarter, a distance of 75.00 feet; Thence Bearing South 45°05'34" East, a distance of 35.28 feet; Thence Bearing South 89°58'27" East, a distance of 50.00 feet to a point on the East line of said Northeast Quarter, also being the West line of the Northwest Quarter of Section 30, Township 25 South, Range 1 East of the 6th P.M., said point being 75.20 feet South of the Northwest corner of said Northwest Quarter; Thence continuing Bearing South 89°58'27" East, a distance of 75.00 feet; Thence Bearing North 00°01'33" East, parallel with and 75.00 feet East of the West line of said Northwest Quarter, a distance of 22.43 feet; Thence Bearing South 87°52'53" East, parallel with and 50.00 feet South of the North line of said Northwest Quarter, a distance of 725.48 feet; Thence Bearing North 02°07'07" East, a distance of 20.00 feet; Thence Bearing South 87°52'53" East, parallel with and 30.00 feet South of the North line of said Northwest Quarter a distance of 1,490.25 feet; Thence Bearing North 28°53'29" West, a distance of 35.00 feet to a point on the North line of said Northwest Quarter; Thence Bearing North 87°52'53" West, along the North line of said Northwest Quarter, a distance of 2,274.57 feet to the **POINT OF BEGINNING**. (containing 4.226 acres, more or less)

are hereby annexed to the City of Valley Center, Kansas.

SECTION TWO. EFFECTIVE DATE

This ordinance shall take effect on and from its publication once in the official city newspaper.

PASSED AND APPROVED by the Governing Body of Valley Center, Kansas, this _____

Day of _____, 2016.

1st. Reading - October 4, 2016

2nd. Reading - October 18, 2016

Kristi Carrithers
City Clerk of Valley Center, Kansas

Laurie Dove
Mayor of Valley Center, Kansas

NEW BUSINESS
RECOMMENDED ACTION

A. ORDINANCE 1300-16; ANNEXATION OF ROAD RIGHTS OF WAY OF MERIDIAN AND 93RD STREET NORTH, 1ST READING;

Should Council choose to proceed,

RECOMMENDED ACTION:

Staff recommends motion to adopt Ordinance 1300-16, annexing road rights of way, for 1st reading.

NEW BUSINESS

B. OLD PUBLIC WORKS BUILDING;

- Owings will discuss estimates for painting and installing a fence at the old public works building.
- Hildebrand will discuss the possible sale of the property.

JOE TUCKER

PROFESSIONAL PAINTING

P. 316-992-4500

ProJoeTucker101@Yahoo.com

PO BOX 12615 Wichita KS 67277

Proposal # 0760769 09/16/2016

Project: City of Valley Center, Ks 545 W. Clay 67147, Neal Owings Parks & Building Superintendent.

Scope of work: Repaint metal storage building – 512 W 2nd Valley Center, Ks

Bid Proposal: We propose to power wash, hand tool clean, caulking where needed, spot prime and apply Sherwin Willams - A100 Satin 2 coats – color off white .

Total Bid \$ 4,500.00

Contractor shall furnish all labor and supervision, insurance, materials, equipment, supplies and other incidentals required to complete work.

This bid proposal expires in 30 days from 9-16-2016

NEW BUSINESS
RECOMMENDED ACTION

B. OLD PUBLIC WORKS BUILDING;

Should Council choose to proceed,

RECOMMENDED ACTION:

Staff recommends Council move to approve repairs to old public works building.

or

Council move to approve sale of old public works building.

NEW BUSINESS

C. COUNCIL CHAMBER SOUND SYSTEM;

- Gary Park with Ashton Corporate Audio and Video and will present 2 recommendations for fixing the audio issues in the council chambers.

- Staff has identified funds for the unbudgeted project from the Equipment Reserve and recommends that Council make a motion to move forward with the recommendation they feel appropriate.



System Quote

10805 W. 11th – Wichita KS 67212

9/27/16

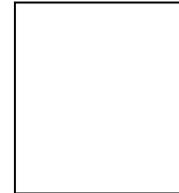
TEL(316)755-1123 – FAX(316)755-2627

Ship to

Project location

City of Valley Center
121 S. Meridian
Valley Center, KS 67147

Same



From the desk of
Gary Park

PROJECT NAME **Option 1 repair/replacement**

QTY.	EQUIPMENT DESCRIPTION			
2	Shure Microflex	Microphone	\$299.00	\$598.00
2	18/3 OAS	Shielded wire	\$180.00	\$180.00
1	Labor	Pull (2) new wire	\$600.00	\$600.00

Sub Total	\$1378.00
Ship UPS	\$95.00
Tax	\$117.07
Total	\$1590.07

PROJECT NAME **Option 2- Wireless upgrade (8 mics – Expandable)**

QTY.	EQUIPMENT DESCRIPTION			
1	Shure MXWANI8	8 Channel Network Interface	\$1290.00	\$1290.00
2	Shure MXWAPT8	8 Channel Access Point Transceiver	\$3497.00	\$3497.00
1	Shure MXWNCS8	Networked Charging Station	\$1829.00	\$1829.00
8	MXW8	Wireless Microflex mic	\$876.00	\$7008.00
9	Labor		\$900.00	\$900.00

Sub Total	\$14524.00
Ship UPS	\$195.00
Tax	\$1089.21
Total	\$17398.28

NEW BUSINESS
RECOMMENDED ACTION

C. COUNCIL CHAMBER SOUND SYSTEM;

Should Council choose to proceed,

RECOMMENDED ACTION:

Staff recommends Council discuss the options presented and move for the approval of option deemed most appropriate.

NEW BUSINESS

D. RECOMMENDATION FOR WASTEWATER TREATMENT REPAIRS;

- Recommendation for the replacement of the gear box which runs the South half of the aeration basin.

September 29, 2016

To: Laurie Dove, Mayor & Members of City Council

From: Brenton Holper, Public Works Director

Subject: Recommendation for Wastewater Treatment Plant Repairs – South End of Aeration Basin Gear Box

RECOMMENDATION

The Public Works Department recommends that the City Council authorizes the repairs to the Wastewater Treatment Plant aeration basin. The estimated total for this replacement and freight is \$24,500.

BACKGROUND

The aeration basin is the main hub of the entire Wastewater Treatment Plant (WWTP). Simply stated, this is the area where the sewage is separated from the water. This portion of the WWTP is where the majority of the sewage treatment process occurs.

Valley Center Public Works (VCPW) staff is recommending the replacement of the gear box which runs the South half of the aeration basin. This is a preventative repair, as it has shown signs of significant repairs being necessary in the near future and to mitigate costly expenses tied to down time.

If the gear box was to fail, as we experienced in the Fall of 2015, we can expect significant problems with our abilities to perform the treatment process. When this type of failure last occurred, the costs associated with this were close to \$75,000 (due to the purchase of an air compressor, cost of fuel to run the air compressor 24/7 for approximately 4 months, and additional hours in staff time to refuel the air compressor every 6 hours).

VCPW staff has found that the most feasible option is a complete replacement of the gear box with a new unit as the current unit is approximately 30 years old and has exceeded its useful life. Once ordered, this unit is expected to take 3-4 months for this unit to be delivered. The anticipated down time associated with replacing this unit is expected to 1-2 days for install, when the contractor would be on site.

FINANCIAL CONSIDERATION

Public Works is anticipating the costs for this replacement and freight to be approximately \$24,500. This price is based on estimate received from Midwest Electric & Machine (MEM) and is the same cost paid for the gear box for the North half of the aeration basin in 2015. It is recommended that expenses associated with the proposed replacement be paid for with Sewer Department Operating budget, as VCPW staff expects to end the year significantly under budget.

NEW BUSINESS
RECOMMENDED ACTION

D. RECOMMENDATION FOR WASTEWATER TREATMENT REPAIRS;

Should Council choose to proceed,

RECOMMENDED ACTION:

Staff recommends motion to approve the replacement of the gear box for the aeration basin.

CONSENT AGENDA

A. APPROPRIATION ORDINANCE – OCTOBER 4, 2016

RECOMMENDED ACTION:

Staff recommends motion to approve the Consent Agenda as presented.

9/27/2016 9:24 AM
 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
0085	I-REB201609148010 LAURIE B WILLIAMS CASE # 13-12943	R	9/16/2016	200.00		046768		200.00
0210	I-SCB201609148010 SECURITY BENEFIT DEFERRED COMPENSATION	R	9/16/2016	50.00		046769		50.00
0077	I-201609127991 KANSAS OFFICE OF THE TREASURER KANSAS OFFICE OF THE TREASURER	R	9/16/2016	493.72		046770		493.72
0082	I-201609128008 KDOT BUREAU OF TRANSPORTATION KDOT BUREAU OF TRANSPORTATION	R	9/16/2016	74,000.00		046771		74,000.00
0092	I-201609127995 TYLER TECHNOLOGIES INC I-201609127996 TYLER TECHNOLOGIES INC	R R	9/16/2016 9/16/2016	205.00 4,487.23		046772 046772		4,692.23
0110	I-201609158012 LKM - LEAGUE OF KANSAS MUNICIP I-201609158013 LKM - LEAGUE OF KANSAS MUNICIP I-201609158014 LKM - LEAGUE OF KANSAS MUNICIP	R R R	9/16/2016 9/16/2016 9/16/2016	225.00 100.00 100.00		046773 046773 046773		425.00
0174	I-201609127994 GILMORE & BELL PC GILMORE & BELL PC	R	9/16/2016	1,220.00		046774		1,220.00
0371	I-201609158016 M & M REPAIR, INC. 20 PIECES HOT ROLL ROD	R	9/16/2016	100.00		046775		100.00
0530	I-201609138009 GALLAGHER BENEFIT SERVICES, IN GALLAGHER BENEFIT SERVICES, IN	R	9/16/2016	301.50		046776		301.50
0587	I-201609158011 DELL BUSINESS CREDIT AKA FINAN DELL BUSINESS CREDIT AKA FINAN	R	9/16/2016	8,513.36		046777		8,513.36
0685	I-201609158015 EPP'S SERVICE INC. EPP'S SERVICE INC.	R	9/16/2016	3,066.66		046778		3,066.66
0032	I-AF 201608307938 AFLAC I-AF 201609148010 SUPPLEMENTAL INSURANCE I-AFC201608307938 SUPPLEMENTAL INSURANCE I-AFC201609148010 SUPPLEMENTAL INSURANCE I-AFD201608307938 SUPPLEMENTAL INSURANCE I-AFD201609148010 SUPPLEMENTAL INSURANCE I-AFO201608307938 SUPPLEMENTAL INSURANCE I-AFO201609148010 SUPPLEMENTAL INSURANCE	R R R R R R R R	9/23/2016 9/23/2016 9/23/2016 9/23/2016 9/23/2016 9/23/2016 9/23/2016 9/23/2016	36.01 36.01 21.71 21.71 69.80 69.82 12.35 12.35		046782 046782 046782 046782 046782 046782 046782 046782		279.76

9/27/2016 9:24 AM
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A/P HISTORY CHECK REPORT

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0445	DELTA DENTAL OF KANSAS, INC.							
	I-DDS201608307938 DENTAL INSURANCE	R	9/23/2016	237.47		046783		
	I-DDS201609148010 DENTAL INSURANCE	R	9/23/2016	206.05		046783		
	I-DEC201608307938 DENTAL INSURANCE	R	9/23/2016	185.52		046783		
	I-DEC201609148010 DENTAL INSURANCE	R	9/23/2016	185.52		046783		
	I-DES201608307938 DENTAL INSURANCE	R	9/23/2016	188.22		046783		
	I-DES201609148010 DENTAL INSURANCE	R	9/23/2016	188.22		046783		
	I-DFM201608307938 DENTAL INSURANCE	R	9/23/2016	420.48		046783		
	I-DFM201609148010 DENTAL INSURANCE	R	9/23/2016	420.48		046783		2,031.96
0566	SURENCY LIFE AND HEALTH							
	I-VES201608307938 VISION INSURANCE	R	9/23/2016	8.84		046784		
	I-VES201609148010 VISION INSURANCE	R	9/23/2016	8.84		046784		
	I-VMC201608307938 VISION INSURANCE	R	9/23/2016	33.24		046784		
	I-VMC201609148010 VISION INSURANCE	R	9/23/2016	33.24		046784		
	I-VME201608307938 VISION INSURANCE	R	9/23/2016	32.23		046784		
	I-VME201609148010 VISION INSURANCE	R	9/23/2016	32.34		046784		
	I-VMF201608307938 VISION INSURANCE	R	9/23/2016	80.70		046784		
	I-VMF201609148010 VISION INSURANCE	R	9/23/2016	80.70		046784		
	I-VMS201608307938 VISION INSURANCE	R	9/23/2016	19.36		046784		
	I-VMS201609148010 VISION INSURANCE	R	9/23/2016	19.36		046784		348.85
0705	UNITED HEALTHCARE							
	I-M1C201608307938 MEDICAL INSURANCE- EMP COST	R	9/23/2016	25,384.15		046785		
	I-M1C201609148010 MEDICAL INSURANCE- EMP COST	R	9/23/2016	56.29		046785		
	I-M1E201608307938 MEDICAL INSURANCE- EMP COST	R	9/23/2016	56.28		046785		
	I-M1E201609148010 MEDICAL INSURANCE- EMP COST	R	9/23/2016	56.28		046785		
	I-M1F201608307938 MEDICAL INSURANCE- EMP COST	R	9/23/2016	354.60		046785		
	I-M1F201609148010 MEDICAL INSURANCE- EMP COST	R	9/23/2016	354.60		046785		
	I-M1S201608307938 MEDICAL INSURANCE- EMP COST	R	9/23/2016	60.51		046785		
	I-M1S201609148010 MEDICAL INSURANCE- EMP COST	R	9/23/2016	60.51		046785		26,383.22
0270	INTRUST CARD CENTER							
	I-201609158017 INTRUST CARD CENTER	R	9/23/2016	54,199.44		046786		54,199.44
0087	BARKLEY CONSTRUCTION							
	I-201609218031 4 SIDEWALK PANELS	R	9/23/2016	1,400.00		046787		1,400.00
0129	JCI INDRUSTRIES INC							
	I-201609218032 PUMP 10 REPLACEMENT	R	9/23/2016	7,920.00		046788		7,920.00
0239	A T & T KANSAS							
	I-201609208023 A T & T KANSAS	R	9/23/2016	1,344.20		046789		
	I-201609218027 DES SUBSTATION	R	9/23/2016	134.20		046789		
	I-201609218028 VALLEY CREEK PUMP STN	R	9/23/2016	134.20		046789		1,612.60

9/27/2016 9:24 AM
 VENDOR SET: 02 City of Valley Center
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A/P HISTORY CHECK REPORT

VENDOR I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
0254	I-201609218030							
	CITY OF WICHITA WICHITA WATER BILL	R	9/23/2016	16,969.47		046790		16,969.47
0286	I-201609208021							
	KIA (KANSAS INTELLIGENCE ASSOC KIA (KANSAS INTELLIGENCE ASSOC	R	9/23/2016	50.00		046791		50.00
0328	I-201609228033							
	UCI - UTILITY CONSULTANTS ERIC WESTERFIELD & TOBY CLARK	R	9/23/2016	180.00		046792		
	I-201609228034							
	GEORGIA TURNER PRE-EMPLOYMENT	R	9/23/2016	35.00		046792		215.00
0451	I-201609208018							
	GERETY, INC GERETY, INC	R	9/23/2016	415.00		046793		
	I-201609208019							
	GERETY, INC	R	9/23/2016	220.00		046793		635.00
0578	I-201609208020							
	PHILIP L. WEISER, J.D. PHILIP L. WEISER, J.D.	R	9/23/2016	150.00		046794		150.00
0648	I-201609218024							
	SPANGENBERG PHILLIPS TICE ARCH SPANGENBERG PHILLIPS TICE ARCH	R	9/23/2016	2,625.00		046795		2,625.00
0662	I-201609218025							
	QUALITY TURF MANAGEMENT LLC QUALITY TURF MANAGEMENT LLC	R	9/23/2016	800.00		046796		800.00
0753	I-201609218026							
	VOGTS-PARGA CONSTRUCTION, LLC CONCRETE FLUME - PW BUILDING	R	9/23/2016	18,618.90		046797		18,618.90

* * T O T A L S * *	NO	INVOICE AMOUNT	DISCOUNTS	CHECK AMOUNT
REGULAR CHECKS:	27	227,301.67	0.00	227,301.67
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	0.00

TOTAL ERRORS: 0

VENDOR SET: 02	BANK: APBK	TOTALS:	NO	INVOICE AMOUNT	DISCOUNTS	CHECK AMOUNT
			27	227,301.67	0.00	227,301.67

9/27/2016 9:24 AM
 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
0074	I-201609127990							
	KRISTI CARRITHERS KRISTI CARRITHERS	R	9/16/2016	80.00		046779		80.00
0082	I-201609127993							
	SHELLEY JOHNSON SHELLEY JOHNSON	R	9/16/2016	21.06		046780		21.06
0087	I-201609127992							
	BARRY SMITH BARRY SMITH	R	9/16/2016	90.00		046781		90.00
0017	I-201609218029							
	KRISTINE POLIAN KRISTINE POLIAN	R	9/23/2016	341.28		046798		341.28
0074	I-201609228035							
	KRISTI CARRITHERS KRISTI CARRITHERS	R	9/23/2016	205.20		046799		205.20
0079	I-201609208022							
	RYAN SHRACK RYAN SHRACK	R	9/23/2016	36.72		046800		36.72

* * T O T A L S * *

	NO	INVOICE AMOUNT	DISCOUNTS	CHECK AMOUNT
REGULAR CHECKS:	6	774.26	0.00	774.26
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

	NO	INVOICE AMOUNT	DISCOUNTS	CHECK AMOUNT
VENDOR SET: 03 BANK: APBK TOTALS:	6	774.26	0.00	774.26
BANK: APBK TOTALS:	33	228,075.93	0.00	228,075.93
REPORT TOTALS:	33	228,075.93	0.00	228,075.93

SELECTION CRITERIA

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

CHECK SELECTION

CHECK RANGE: 046768 THRU 046801
 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

STAFF REPORTS

A. City Administrator Hildebrand

B. Finance and Administration Director Polian

C. Chief of Police Hephner

D. Fire Chief Tormey

E. Community Development Director Ryan Shrack

F. City Superintendent Holper

G. Parks & Public Buildings Superintendent Owings

H. City Engineer Golka

I. City Attorney Arbuckle

MEMO



TO: City of Valley Center

DATE: October 4, 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 nearing completion of installing culvert pipes throughout project.
- Paving construction to follow starting at Seneca intersection.

Butler and High Point Paving Improvements (160447)

- Butler Street Improvement contracts executed with Kansas Paving. Late start date October 27, 2016.
- High Point contracts executed with Cornejo and Sons. Tentative October 17, 2016 start date.

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

- Open house meeting held September 27, 2016.
- Construction to begin October 3, 2016.

Emporia Bicycle and Pedestrian Path (13800)

- Final plans to advertise submitted September 30, 2016.
- Late November bid letting.

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)

- Awaiting response from City of Wichita.
- City to execute agreement for test well and pumping. Pending results, design to be finalized and bid.
- Conference call with staff on September 29, 2016 to discuss WTP and WWTP next steps.

Master Drainage Plan (15665)

- Final review comments received from staff on September 19, 2016.

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)

- Review options and budget with staff on October 5, 2016.

Miscellaneous Items:

- Provided additional review comments for Fremar development along north Broadway.
- Warranty work along Clay street has been completed.

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