

CITY OF VALLEY CENTER

FINAL AGENDA

July 1, 2010

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.

July 6, 2010

1. **CALL TO ORDER**
2. **ROLL CALL**
3. **INVOCATION: MINISTERIAL ALLIANCE**
4. **PLEDGE OF ALLEGIANCE**
5. **APPROVAL OF AGENDA** p 3
6. **CLERKS AGENDA** p 4
 - A. Minutes p 4
 - June 15, 2010 Council Meeting p 5
 - B. Appropriation Ordinance p 8
7. **PRESENTATIONS / PROCLAMATIONS** p 21
8. **PUBLIC FORUM** (*Citizen input and requests*) p 21
9. **APPOINTMENTS** p 21
10. **COMMITTEES, COMMISSIONS** p 21
 - A. Minutes for Council Review p 21
11. **OLD BUSINESS** p 25
 - A. Cell Phone Ordinance 1187-10, 2nd Reading (*Amended*) p 26
12. **NEW BUSINESS** p 29
 - A. Cemetery Board Ordinance 1206-10, 1st Reading p 30
 - B. Smoking Ordinance 1207-10, 2nd Reading p 32
 - C. Employee Smoking Policy p 40
 - D. Unsafe Structure Case p 43
 - E. Request to waive Equity Fees, Valley Creek 2nd Addition Lot 8, Block A p 49
 - F. Zoning Regulations Amendment p 51
 - G. Cash for Kids Request p 69
 - H. Executive Session – Land Acquisition p 72
13. **CONSENT AGENDA** p 73
 - A. Farmers Market Request p 75
14. **STAFF REPORTS** p 78
15. **GOVERNING BODY REPORTS** p 80
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, not-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.org or by phone at (316)755-7310.

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

APPROVAL OF AGENDA

RECOMMENDED ACTION:

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

CLERK'S AGENDA

A. MINUTES:

Attached are the Minutes from the meeting of June 15, 2010 Regular Council Meeting as prepared by the Assistant City Clerk.

RECOMMENDED ACTION:

Staff recommends motion to approve the June 15, 2010 Regular Council Meeting Minutes as presented / amended

REGULAR COUNCIL MEETING
JUNE 15, 2010
CITY HALL
121 S. MERIDIAN

Mayor McNown called the meeting to order at 7:00 p.m. with the following members present: Kate Jackson, Marci Maschino, Bruce Campbell, Lou Cicirello, Harrison Gerling, Al Hobson and Lionel Jackson.

Members absent: Cheryl Nordstedt

Staff Present: Kristine Polian, City Clerk
Richard Dunn, City Superintendent
Lonnie Tormey, Fire Chief
Mark Hephner, Police Chief
Neal Owings, Parks Superintendent
Eldon Miller, Community Development Officer
Mike Kelsey, City Engineer
Barry Arbuckle, City Attorney

Press present: The Ark Valley News

APPROVAL OF THE AGENDA

Cicirello moved, second by L. Jackson, to approve the Agenda as presented. Vote yea: unanimous. Motion carried.

CLERK'S AGENDA

MINUTES- JUNE 1, 2010 REGULAR AND JUNE 8 SPECIAL MEETINGS

K Jackson pointed out that the Minutes did not reflect that the Dingman Addition motion was opposed by K. Jackson and Nordstedt.

Maschino moved, second by K. Jackson, to approve the Minutes from the June 1, 2010 Regular Council Meeting and the June 8, 2010 Special Council Meeting as amended. Vote yea: unanimous. Motion carried.

APPROPRIATION ORDINANCE- 06/15/10

Hobson moved, second by L. Jackson, to approve Appropriation Ordinance No. 06/15/10 as presented. Vote yea: unanimous. Motion carried.

TREASURER'S REPORT, MAY 2010

Hobson moved, second by Maschino, to receive and file the May, 2010 Treasurer's Report. Vote yea: unanimous. Motion carried.

PRESENTATIONS AND PROCLAMATIONS**BUSINESS MERIT AWARD PRESENTATIONS**

Mayor McNown presented the Business Merit Award to Retro-Systems, L.L.C. and All Saints Homecare, Inc.

PUBLIC FORUM

Richard Ranzau, (5171 Harborside Court, Wichita, KS 67204) candidate for Sedgwick County Commissioner, introduced himself to the Governing Body to let them know he is running for said position.

COMMITTEES, COMMISSIONS AND APPOINTMENTS**MINUTES FOR COUNCIL REVIEW**

Site Plan Review Committee, May 10, 2010
Library Board, April 12, 2010

OLD BUSINESS**ORDINANCE 1187-10, CELL PHONE USAGE, 1ST READING**

K. Jackson moved, second by Gerling, to adopt Ordinance 1187-10 prohibiting the use of hand-held mobile telephones and other electronic communication devices while simultaneously operating a motor vehicle or a bicycle on a public roadway for first reading. Vote yea: K. Jackson, Hobson and Gerling. Opposed: Maschino, Campbell, Cicirello and L. Jackson. Motion denied.

Cicirello moved, second by Hobson, to adopt Ordinance 1187-10 with the amendment prohibiting use of all cell phones (both handheld and hands-free) while simultaneously operating a vehicle and making a violation of Ordinance 1187-10 a primary offense, for first reading. Vote yea: K. Jackson, Campbell, Cicirello, Gerling and Hobson. Opposed: Maschino and L. Jackson. Motion carried.

NEW BUSINESS**UNSAFE STRUCTURE CASE- RESOLUTION 574-10**

K. Jackson moved, second by Cicirello, to deem accessory structure (garage) at 500 N. Park an immediate hazard and order its removal. Vote yea: unanimous. Motion carried.

Cicirello moved, second by L. Jackson, to adopt Resolution 574-10. Vote yea: unanimous. Motion carried.

ORDINANCE 1205-10: UPDATED DANGEROUS STRUCTURES ORDINANCE

Maschino moved, second by K. Jackson, to adopt Ordinance 1205-10 empowering the Governing Body of the City of Valley Center, Kansas to cause the repair or removal of unsafe or dangerous structures within the City and waive first reading. Vote yea: unanimous. Motion carried.

CONSIDERATION OF BIDS FOR INDUSTRIAL PARK 2ND ADDITION SANITARY SEWER

Cicirello moved, second by Maschino, to accept Mies Construction as the Contractor for the Industrial Park 2nd Addition Sanitary Sewer Project and authorize a cost not to exceed \$20,862. Vote yea: unanimous. Motion carried.

CONSENT AGENDA

Maschino moved, second by K. Jackson, to approve the Consent Agenda as presented. Vote yea: unanimous. Motion carried.

STAFF REPORTSCITY ENGINEER KELSEY

Said the Meadow Road Sidewalk Project is near completion. Also said the Ford Street Bridge Project is expected to start tentatively in September.

CITY ADMINISTRATOR PILE

Stated the substantial amount of rain in the City has been the cause of several drainage complaints from residents, especially in the Windmill Valley Addition. Staff is looking into possible solutions that will be presented with the 2011 Proposed Budget.

GOVERNING BODY REPORTSCOUNCILMEMBER CAMPBELL

Said he appreciates being able to discuss contentious issues with fellow Council members and remain collegial.

COUNCILMEMBER CICIRELLO

Said he apologizes if any of his statements made in a previous Ark Valley News article offended any of his fellow Council members. Said he in no way meant to offend anyone.

Maschino moved, second by Cicirello, to adjourn the meeting. Vote yea: unanimous. Motion carried.

Meeting adjourned at 7:58 p.m.

Kristine Polian, City Clerk

CLERK'S AGENDA

B. APPROPRIATION ORDINANCE:

Below is the proposed Appropriation Ordinance for July 6, 2010 as prepared by City Staff.

July 6, 2010 Appropriation

Expenses	<u>\$ 386,843.45</u>
Total	\$ 386,846.45

RECOMMENDED ACTION:

Staff recommends motion to approve the July 6, 2010 Appropriation Ordinance as presented / amended.

VENDOR NAME	DESCRIPTION	FUND	DEPARTMENT	AMOUNT
A T & T KANSAS	6/9-7/8/10 PH & DATA SVCS	GENERAL FUND	ADMINISTRATION	328.79
	6/9-7/8/10 PH & DATA SVCS	GENERAL FUND	LEGAL & MUNICIPAL COUR	28.10
	6/9-7/8/10 PH & DATA SVCS	GENERAL FUND	POLICE	102.87
	6/9-7/8/10 PH & DATA SVCS	GENERAL FUND	FIRE	57.41
	6/9-7/8/10 PH & DATA SVCS	GENERAL FUND	EMERGENCY COMMUNICATIO	183.37
	6/9-7/8/10 PH & DATA SVCS	GENERAL FUND	PARKS AND PUBLIC GROUN	85.33
	6/9-7/8/10 922 7	WATER OPERATING	NON-DEPARTMENTAL	40.24
	6/9-7/8/10 040 9	WATER OPERATING	NON-DEPARTMENTAL	35.19
	6/9-7/8/10 PH & DATA SVCS	WATER OPERATING	NON-DEPARTMENTAL	143.02
	6/9-7/8/10 PH & DATA SVCS	SEWER OPERATING	NON-DEPARTMENTAL	198.91
			TOTAL:	1,203.23
AFLAC	JUL 2010-PW002502	GENERAL FUND	NON-DEPARTMENTAL	35.36
	JUL 2010-PV184033	GENERAL FUND	NON-DEPARTMENTAL	43.30
	JUL 2010-P6996294	GENERAL FUND	NON-DEPARTMENTAL	32.20
	JUL 2010-PU215449	GENERAL FUND	NON-DEPARTMENTAL	24.10
	JUL 2010-PV184034	GENERAL FUND	NON-DEPARTMENTAL	39.40
	JUL 2010-PU342670	GENERAL FUND	NON-DEPARTMENTAL	37.96
	JUL 2010-PU215450	GENERAL FUND	NON-DEPARTMENTAL	32.11
	JUL 2010-PJ720568	SPECIAL HIGHWAY	NON-DEPARTMENTAL	24.10
	JUL 2010-PJ720569	SPECIAL HIGHWAY	NON-DEPARTMENTAL	22.70
	JUL 2010 P6996300	WATER OPERATING	NON-DEPARTMENTAL	26.20
		TOTAL:	317.43	
ALEXIS SCOBEE	NAT'L YOUNG LEADRS CONF	GENERAL FUND	ADMINISTRATION	100.00
		TOTAL:	100.00	
ALL AMERICAN ADMINISTRATORS	LY0053572L - CANCER	GENERAL FUND	NON-DEPARTMENTAL	27.94
	LY0053573L - CANCER	GENERAL FUND	NON-DEPARTMENTAL	27.94
	LY0054799L - ACCIDEN	GENERAL FUND	NON-DEPARTMENTAL	12.70
	LY0054783L - ACCIDEN	GENERAL FUND	NON-DEPARTMENTAL	12.70
		TOTAL:	81.28	
ARK VALLEY NEWS	VETERANS APP COMM	GENERAL FUND	ADMINISTRATION	14.50
	ORD NO. 1201-10	GENERAL FUND	ADMINISTRATION	57.60
	ORD NO. 1202-10	GENERAL FUND	ADMINISTRATION	57.60
	ORD NO. 1203-10	GENERAL FUND	ADMINISTRATION	104.96
	OFFICIAL NOTICE	GENERAL FUND	COMMUNITY DEVELOPMENT	55.68
	PUB NOT - OLIVERA	GENERAL FUND	ENVIRONMENTAL SERVICES	21.76
		TOTAL:	312.10	
ATISHWIN	APR 2010 ADSAP FEES	GENERAL FUND	NON-DEPARTMENTAL	135.01
		TOTAL:	135.01	
B & B KLASSEN ENTERPRISES INC	KGE 1-1/2 101/81	SPECIAL HIGHWAY	SPECIAL HIGHWAY	1,682.92
	ROAD GRAVEL	SPECIAL HIGHWAY	SPECIAL HIGHWAY	423.44
	SWB KGE ROCK - 115.87 TON	SPECIAL HIGHWAY	SPECIAL HIGHWAY	1,963.34
	SHREDDED TOP SOIL	WATER OPERATING	NON-DEPARTMENTAL	540.02
		TOTAL:	4,609.72	
BARKLEY CONSTRUCTION	MEADOW ROAD SIDEWALK	CAPITAL PROJECTS F	MEADOW RD SIDEWALK	35,534.75
		TOTAL:	35,534.75	
BEALL & MITCHELL LLC	ATTY SVCS - 090646	GENERAL FUND	LEGAL & MUNICIPAL COUR	150.00
		TOTAL:	150.00	

VENDOR NAME	DESCRIPTION	FUND	DEPARTMENT	AMOUNT_
BOB KELLET INSURANCE AGENCY INC	AUD GL88 8D56452	GENERAL FUND	ADMINISTRATION	18.72_
			TOTAL:	18.72
CINDY PLANT	MILEAGE REIMBURSE	GENERAL FUND	ENVIRONMENTAL SERVICES	96.00_
			TOTAL:	96.00
CITY OF WICHITA	5/3-6/1/10 ICT WATER PURC	WATER OPERATING	NON-DEPARTMENTAL	24,509.70
	MAY 2010 BIOSOLIDS HAULG	SEWER OPERATING	NON-DEPARTMENTAL	3,990.00_
			TOTAL:	28,499.70
CIVIC PLUS	JUL 2010 E-MAIL HOSTG FEE	GENERAL FUND	ADMINISTRATION	89.84
	JUL 2010 E-MAIL HOSTG FEE	GENERAL FUND	LEGAL & MUNICIPAL COUR	10.57
	JUL 2010 E-MAIL HOSTG FEE	GENERAL FUND	COMMUNITY DEVELOPMENT	5.28
	JUL 2010 E-MAIL HOSTG FEE	GENERAL FUND	POLICE	105.68
	JUL 2010 E-MAIL HOSTG FEE	GENERAL FUND	FIRE	137.39
	JUL 2010 E-MAIL HOSTG FEE	GENERAL FUND	EMERGENCY COMMUNICATIO	42.27
	JUL 2010 E-MAIL HOSTG FEE	GENERAL FUND	PARKS AND PUBLIC GROUN	21.14
	JUL 2010 E-MAIL HOSTG FEE	GENERAL FUND	ENVIRONMENTAL SERVICES	5.28
	JUL 2010 E-MAIL HOSTG FEE	SPECIAL HIGHWAY	SPECIAL HIGHWAY	10.57
	JUL 2010 E-MAIL HOSTG FEE	WATER OPERATING	NON-DEPARTMENTAL	26.42
	JUL 2010 E-MAIL HOSTG FEE	STORMWATER UTILITY	INVALID DEPARTMENT	5.28
	JUL 2010 E-MAIL HOSTG FEE	SEWER OPERATING	NON-DEPARTMENTAL	5.28_
			TOTAL:	465.00
CNA SURETY	KS BLKT NOTARY ERR & OMI	GENERAL FUND	ADMINISTRATION	212.50_
			TOTAL:	212.50
CORNEJO & SONS	VALL CRK 2ND - PAVIN	CAPITAL PROJECTS F	V Creek 2nd;Paving/Dra	59,975.19_
			TOTAL:	59,975.19
COX COMMUNICATIONS	6/21-7/20/10 INTERNET SVC	GENERAL FUND	PARKS AND PUBLIC GROUN	19.97
	6/21-7/20/10 INTERNET SVC	SPECIAL HIGHWAY	SPECIAL HIGHWAY	19.99
	6/21-7/20/10 INTERNET SVC	WATER OPERATING	NON-DEPARTMENTAL	20.00
	6/21-7/20/10 INTERNET SVC	SEWER OPERATING	NON-DEPARTMENTAL	19.99_
			TOTAL:	79.95
DEB SWIFT	CANX 7-11 RESERVATION	GENERAL FUND	PARKS AND PUBLIC GROUN	20.00_
			TOTAL:	20.00
DONDLINGER & SONS CONSTRUCTION CO INC	6TH & MERIDIAN LIFTSTA	CAPITAL PROJECTS F	LIFT STATION-6th & Mer	69,898.50_
			TOTAL:	69,898.50
F P R	GO BOND SER 2010-1	CAPITAL PROJECTS F	2010-1 G.O. Bond	592.42
	GO TEMP NOTE 2010-1	CAPITAL PROJECTS F	2010-1 Temp Note	130.04_
			TOTAL:	722.46
GILMORE & BELL PC	# 600910.029	CAPITAL PROJECTS F	2010-1 G.O. Bond	8,700.00
	# 600910.039	CAPITAL PROJECTS F	2010-1 Temp Note	10,000.00_
			TOTAL:	18,700.00
GLEN DAVIDSON	MOWING @ 451 ELM	GENERAL FUND	ENVIRONMENTAL SERVICES	55.00_
			TOTAL:	55.00
HARDMAN BENEFIT PLANS INC	JULY 2010 WELLNESSWORKS	GENERAL FUND	ADMINISTRATION	28.17
	JULY 2010 WELLNESSWORKS	GENERAL FUND	LEGAL & MUNICIPAL COUR	11.60
	JULY 2010 WELLNESSWORKS	GENERAL FUND	COMMUNITY DEVELOPMENT	11.60

VENDOR NAME	DESCRIPTION	FUND	DEPARTMENT	AMOUNT_
	JULY 2010 WELLNESSWORKS	GENERAL FUND	POLICE	57.86
	JULY 2010 WELLNESSWORKS	GENERAL FUND	FIRE	19.88
	JULY 2010 WELLNESSWORKS	GENERAL FUND	EMERGENCY COMMUNICATIO	28.17
	JULY 2010 WELLNESSWORKS	GENERAL FUND	PARKS AND PUBLIC GROUN	28.17
	JULY 2010 WELLNESSWORKS	GENERAL FUND	ENVIRONMENTAL SERVICES	15.74
	JULY 2010 WELLNESSWORKS	SPECIAL HIGHWAY	SPECIAL HIGHWAY	28.17
	JULY 2010 WELLNESSWORKS	WATER OPERATING	NON-DEPARTMENTAL	36.42
	JULY 2010 WELLNESSWORKS	SEWER OPERATING	NON-DEPARTMENTAL	19.88_
			TOTAL:	285.66
ING LIFE INSURANCE & ANNUITY CO	6-18-10 VFG496-0159	GENERAL FUND	NON-DEPARTMENTAL	50.00
	6-18-10 VFG496-7047	GENERAL FUND	NON-DEPARTMENTAL	15.00
	6-18-10 VFG496-9889	GENERAL FUND	NON-DEPARTMENTAL	350.00
	6-18-10 VFG496-1325	GENERAL FUND	NON-DEPARTMENTAL	12.00
	6-18-10 VFG496-2230	GENERAL FUND	NON-DEPARTMENTAL	50.00
	6-18-10 VFG496-9681	GENERAL FUND	NON-DEPARTMENTAL	100.00
	6-18-10 VFG496-5676	GENERAL FUND	NON-DEPARTMENTAL	25.00
	6-18-10 VFG496-8830	GENERAL FUND	NON-DEPARTMENTAL	15.00
	6-18-10 VFG496-1112	GENERAL FUND	NON-DEPARTMENTAL	20.00
	6-18-10 VFG496-2852	WATER OPERATING	NON-DEPARTMENTAL	12.50
	6-18-10 VFG496-0649	WATER OPERATING	NON-DEPARTMENTAL	200.00_
			TOTAL:	849.50
INTRUST BANK N.A.	6-18-10 BW FED TAX W/H	GENERAL FUND	NON-DEPARTMENTAL	3,694.49
	6-18-10 FICA & MEDIC	GENERAL FUND	NON-DEPARTMENTAL	3,621.35
	6-18-10 EMPR MEDIC	EMPLOYEE BENEFITS	NON-DEPARTMENTAL	686.42
	6-18-10 EMPR FICA	EMPLOYEE BENEFITS	NON-DEPARTMENTAL	2,934.93
	6-18-10 BW FED TAX W/H	SPECIAL HIGHWAY	NON-DEPARTMENTAL	306.86
	6-18-10 FICA & MEDIC	SPECIAL HIGHWAY	NON-DEPARTMENTAL	374.42
	6-18-10 EMPR MEDIC	SPECIAL HIGHWAY	SPECIAL HIGHWAY	70.97
	6-18-10 EMPR FICA	SPECIAL HIGHWAY	SPECIAL HIGHWAY	303.45
	6-18-10 BW FED TAX W/H	WATER OPERATING	NON-DEPARTMENTAL	718.20
	6-18-10 FICA & MEDIC	WATER OPERATING	NON-DEPARTMENTAL	686.24
	6-18-10 EMPR MEDIC	WATER OPERATING	NON-DEPARTMENTAL	130.07
	6-18-10 EMPR FICA	WATER OPERATING	NON-DEPARTMENTAL	556.17
	6-18-10 BW FED TAX W/H	SEWER OPERATING	NON-DEPARTMENTAL	320.85
	6-18-10 FICA & MEDIC	SEWER OPERATING	NON-DEPARTMENTAL	288.54
	6-18-10 EMPR MEDIC	SEWER OPERATING	NON-DEPARTMENTAL	54.69
	6-18-10 EMPR FICA	SEWER OPERATING	NON-DEPARTMENTAL	233.85_
			TOTAL:	14,981.50
INTRUST CARD CENTER	BLDG PERMITS-APR '10	GENERAL FUND	NON-DEPARTMENTAL	4,449.10
	LODGING - LKM CONF	GENERAL FUND	ADMINISTRATION	126.14
	LODGING-INCODE TRNG	GENERAL FUND	ADMINISTRATION	627.85
	LKM LEADERSHIP CONF	GENERAL FUND	ADMINISTRATION	135.48
	SHRM MEMBERSHIP	GENERAL FUND	ADMINISTRATION	150.00
	CITY MEMBERSHIP	GENERAL FUND	ADMINISTRATION	439.60
	4/20-5/19/10 MO OVRG	GENERAL FUND	ADMINISTRATION	191.54
	5/20-6/19/10 MO OVRG	GENERAL FUND	ADMINISTRATION	191.54
	CHAMBER BRD MTG	GENERAL FUND	ADMINISTRATION	8.37
	BANKERS BOXES-FILING	GENERAL FUND	ADMINISTRATION	82.39
	RESTOCK - PAPERCLIPS	GENERAL FUND	ADMINISTRATION	194.40
	AA BATT(S) - CITY HA	GENERAL FUND	ADMINISTRATION	6.69
	ADD'L AA BATT(S)	GENERAL FUND	ADMINISTRATION	25.99
	REPLENISH COFF SUPP	GENERAL FUND	ADMINISTRATION	20.47
	BLK TONER - OKI C880	GENERAL FUND	ADMINISTRATION	105.04

VENDOR NAME	DESCRIPTION	FUND	DEPARTMENT	AMOUNT
	WALL PKT FILE-CH	GENERAL FUND	ADMINISTRATION	8.59
	MAGAZINE FILES-4	GENERAL FUND	ADMINISTRATION	14.99
	SELF-INKG A/P STAMP	GENERAL FUND	ADMINISTRATION	28.49
	3/17-4/17/10 COPIER	GENERAL FUND	LEGAL & MUNICIPAL COUR	26.20
	5/17-6/17/10 COPIER	GENERAL FUND	LEGAL & MUNICIPAL COUR	26.20
	BINDERS	GENERAL FUND	LEGAL & MUNICIPAL COUR	68.57
	HP INK & FOLDERS	GENERAL FUND	LEGAL & MUNICIPAL COUR	36.45
	LUNCH W/PLANNER	GENERAL FUND	COMMUNITY DEVELOPMENT	14.35
	PRINTER INK	GENERAL FUND	COMMUNITY DEVELOPMENT	87.44
	SHIP VIEWU CAMERA	GENERAL FUND	POLICE	10.91
	POSTAGE-ICT & TOPEKA	GENERAL FUND	POLICE	6.78
	RETIRE BADGE-HARPER	GENERAL FUND	POLICE	114.25
	TRNR SPKR-LODGING	GENERAL FUND	POLICE	152.64
	TRNG - SCHRAG	GENERAL FUND	POLICE	280.00
	SCH PRGM-CHILD BKS	GENERAL FUND	POLICE	22.30
	TIRES - PD VEH #1	GENERAL FUND	POLICE	149.50
	3/17-4/17/10 COPIER	GENERAL FUND	POLICE	26.20
	5/17-6/17/10 COPIER	GENERAL FUND	POLICE	26.20
	FIX UNIFORM SHIRTS	GENERAL FUND	POLICE	15.00
	LONGHOFER AWARDS	GENERAL FUND	POLICE	91.24
	CSI SUPP(S)	GENERAL FUND	POLICE	59.40
	ADD'L CSI SUPP(S)	GENERAL FUND	POLICE	268.40
	CD-R DISKS - CASES	GENERAL FUND	POLICE	52.04
	HARDWARE-PD VEH	GENERAL FUND	POLICE	0.76
	HARDWARE-PD VEH	GENERAL FUND	POLICE	5.37
	HARDWARE-PD VEH	GENERAL FUND	POLICE	5.79
	TAG - PD VEH #10	GENERAL FUND	POLICE	25.50
	PATROL CAR LIGHTS	GENERAL FUND	POLICE	2,518.45
	DECALS FOR PD VEH(S)	GENERAL FUND	POLICE	314.00
	KEYBOARD LTS - #10	GENERAL FUND	POLICE	8.46
	FUSEBLOCK - VEH #10	GENERAL FUND	POLICE	19.98
	WIRING SUPP(S) - PD	GENERAL FUND	POLICE	59.39
	ADD'L KYBRD LTS-#10	GENERAL FUND	POLICE	1.00
	HRDWR - RIFLE RACKS	GENERAL FUND	POLICE	8.74
	INTERIOR LIGHT-PD VE	GENERAL FUND	POLICE	14.99
	PRISONER TRANS LTS	GENERAL FUND	POLICE	19.99
	FUSES FOR INVENTORY	GENERAL FUND	POLICE	1.78
	UPS SHIPPING	GENERAL FUND	FIRE	6.72
	3/17-4/17/10 COPIER	GENERAL FUND	FIRE	26.20
	5/17-6/17/10 COPIER	GENERAL FUND	FIRE	26.20
	OIL & AIR FILTERS	GENERAL FUND	FIRE	255.00
	UNIFORMS & COATS	GENERAL FUND	FIRE	767.05
	GATORADE	GENERAL FUND	FIRE	30.03
	FLORAL ARR-DEATH	GENERAL FUND	FIRE	72.99
	RECIPROCATING BLADE	GENERAL FUND	FIRE	89.90
	PADLOCKS & KEYS	GENERAL FUND	FIRE	27.94
	AVN 2-YR SUBSCRIPT	GENERAL FUND	EMERGENCY COMMUNICATIO	60.00
	3/17-4/17/10 COPIER	GENERAL FUND	EMERGENCY COMMUNICATIO	26.20
	5/17-6/17/10 COPIER	GENERAL FUND	EMERGENCY COMMUNICATIO	26.20
	PAPER & FOLDERS	GENERAL FUND	EMERGENCY COMMUNICATIO	161.52
	TAPE	GENERAL FUND	EMERGENCY COMMUNICATIO	14.87
	FREIGHT/DELIVERY	GENERAL FUND	PARKS AND PUBLIC GROUN	5.00
	ROUND UP SPRAYS	GENERAL FUND	PARKS AND PUBLIC GROUN	210.00
	PSB - REPLACE SPRING	GENERAL FUND	PARKS AND PUBLIC GROUN	294.50
	SVC REPAIRS-OLD SHP	GENERAL FUND	PARKS AND PUBLIC GROUN	236.80
	SVC REPAIRS-CITY HL	GENERAL FUND	PARKS AND PUBLIC GROUN	265.95

VENDOR NAME	DESCRIPTION	FUND	DEPARTMENT	AMOUNT
	DOOR & LOCK SVC	GENERAL FUND	PARKS AND PUBLIC GROUND	315.00
	CLNG PRODS	GENERAL FUND	PARKS AND PUBLIC GROUND	1,254.10
	ELECT BALLAST - CH	GENERAL FUND	PARKS AND PUBLIC GROUND	33.79
	PIGTAIL & BELT-MOWR	GENERAL FUND	PARKS AND PUBLIC GROUND	111.14
	POOL - NUTS & BOLTS	GENERAL FUND	PARKS AND PUBLIC GROUND	2.32
	ADD'L PIGTAIL & BELT	GENERAL FUND	PARKS AND PUBLIC GROUND	18.74
	REPLACE CLUTCH-MOWER	GENERAL FUND	PARKS AND PUBLIC GROUND	341.03
	LADDER TREAD & HDWR	GENERAL FUND	PARKS AND PUBLIC GROUND	127.22
	PAINT SUPPLIES-POOL	GENERAL FUND	PARKS AND PUBLIC GROUND	10.97
	PAINT SUPPLIES-POOL	GENERAL FUND	PARKS AND PUBLIC GROUND	40.14
	POOL CLEANER	GENERAL FUND	PARKS AND PUBLIC GROUND	6.18
	PAINT SUPPLIES-POOL	GENERAL FUND	PARKS AND PUBLIC GROUND	36.97
	LADDER TREAD-POOL	GENERAL FUND	PARKS AND PUBLIC GROUND	103.77
	PLUG & LUMBER-POOL	GENERAL FUND	PARKS AND PUBLIC GROUND	8.29
	MISC POOL SUPPLIES	GENERAL FUND	PARKS AND PUBLIC GROUND	4.68
	MISC POOL SUPPLIES	GENERAL FUND	PARKS AND PUBLIC GROUND	9.56
	WEED PULLER & GLOVES	GENERAL FUND	PARKS AND PUBLIC GROUND	26.58
	POOL STEPS; HK W/PL	GENERAL FUND	PARKS AND PUBLIC GROUND	181.40
	AHP & SHOP-QUKCRRT	GENERAL FUND	PARKS AND PUBLIC GROUND	38.84
	NUTS & BOLTS; BLDG M	GENERAL FUND	PARKS AND PUBLIC GROUND	10.27
	NUTS & BOLTS; PAINT	GENERAL FUND	PARKS AND PUBLIC GROUND	1.41
	GLOVES	GENERAL FUND	PARKS AND PUBLIC GROUND	9.39
	PHOTO CONTROL-POOL	GENERAL FUND	PARKS AND PUBLIC GROUND	11.49
	BATT(S) - POOL	GENERAL FUND	PARKS AND PUBLIC GROUND	6.79
	BATT CABLE-MOWER	GENERAL FUND	PARKS AND PUBLIC GROUND	4.99
	INSTALL 58 TREES	GENERAL FUND	PARKS AND PUBLIC GROUND	4,687.50
	POOL - PAINT SUPPLIE	GENERAL FUND	PARKS AND PUBLIC GROUND	7.98
	POOL - PAINT	GENERAL FUND	PARKS AND PUBLIC GROUND	10.99
	POOL - PAINT	GENERAL FUND	PARKS AND PUBLIC GROUND	10.99
	FLOOR FAN - CITY HAL	GENERAL FUND	PARKS AND PUBLIC GROUND	26.79
	POOL SIGNS	GENERAL FUND	PARKS AND PUBLIC GROUND	94.71
	POOL - LADDER TREAD	GENERAL FUND	PARKS AND PUBLIC GROUND	55.80
	CASE-ELEC BALLASTS	GENERAL FUND	PARKS AND PUBLIC GROUND	172.50
	HOSE CLAMPS	GENERAL FUND	PARKS AND PUBLIC GROUND	2.78
	MISC POOL SUPP(S)	GENERAL FUND	PARKS AND PUBLIC GROUND	30.15
	UNION FOR POOL	GENERAL FUND	PARKS AND PUBLIC GROUND	7.99
	POOL - PAINT & SUPP	GENERAL FUND	PARKS AND PUBLIC GROUND	10.97
	POOL SIGNS	GENERAL FUND	PARKS AND PUBLIC GROUND	43.20
	GLOVES; MISC TOOLS	GENERAL FUND	PARKS AND PUBLIC GROUND	41.44
	POOL-BATT(S) & TESTE	GENERAL FUND	PARKS AND PUBLIC GROUND	21.16
	BITS - POOL MAINT	GENERAL FUND	PARKS AND PUBLIC GROUND	4.49
	PIPE PLUG - POOL MAI	GENERAL FUND	PARKS AND PUBLIC GROUND	1.29
	DRILL BIT; CMP SLV	GENERAL FUND	PARKS AND PUBLIC GROUND	7.87
	PIPE PLUG; MALE ADPT	GENERAL FUND	PARKS AND PUBLIC GROUND	4.86
	CLAMPS - POOL MAINT	GENERAL FUND	PARKS AND PUBLIC GROUND	2.18
	COUPLINGS - POOL	GENERAL FUND	PARKS AND PUBLIC GROUND	81.34
	BKFLW REBLD KIT-POOL	GENERAL FUND	PARKS AND PUBLIC GROUND	31.50
	POOL CHEMICALS	GENERAL FUND	PARKS AND PUBLIC GROUND	2,119.53
	ADD'L POOL CHEMICALS	GENERAL FUND	PARKS AND PUBLIC GROUND	122.92
	POOL - REFRIGERATOR	GENERAL FUND	PARKS AND PUBLIC GROUND	699.00
	POOL-PUMP: SLIDES	GENERAL FUND	PARKS AND PUBLIC GROUND	395.78
	TREE SPRAYS	GENERAL FUND	PARKS AND PUBLIC GROUND	555.00
	REC SUPP COMP CREDIT	GENERAL FUND	PARKS AND PUBLIC GROUND	24.77-
	ICT ANIMAL SHET SVCS	GENERAL FUND	ENVIRONMENTAL SERVICES	242.00
	3/17-4/17/10 COPIER	GENERAL FUND	ENVIRONMENTAL SERVICES	26.20
	5/17-6/17/10 COPIER	GENERAL FUND	ENVIRONMENTAL SERVICES	26.20

VENDOR NAME	DESCRIPTION	FUND	DEPARTMENT	AMOUNT_
	UNIFORMS	GENERAL FUND	ENVIRONMENTAL SERVICES	79.98
	REPLACE RECIPRO SW	EQUIPMENT RESERVE	NON-DEPARTMENTAL	211.54
	REPAIR SIGNAL LIGHT	SPECIAL HIGHWAY	SPECIAL HIGHWAY	110.00
	BKT TRK-TRAFFIC LT R	SPECIAL HIGHWAY	SPECIAL HIGHWAY	127.50
	BRAKE SUPP(S)-#29	SPECIAL HIGHWAY	SPECIAL HIGHWAY	227.69
	REPLACE TAIL LT-#28	SPECIAL HIGHWAY	SPECIAL HIGHWAY	37.89
	REPLACE CLUTCH #52	SPECIAL HIGHWAY	SPECIAL HIGHWAY	392.70
	REPLACE GLASS - #51	SPECIAL HIGHWAY	SPECIAL HIGHWAY	125.00
	10 MINIATURE LAMPS	SPECIAL HIGHWAY	SPECIAL HIGHWAY	44.10
	REPLACE GLASS	SPECIAL HIGHWAY	SPECIAL HIGHWAY	107.12
	LABOR & MILE #50	SPECIAL HIGHWAY	SPECIAL HIGHWAY	223.88
	REPAIR FLAT #45	SPECIAL HIGHWAY	SPECIAL HIGHWAY	72.32
	STROBE BULB - #41	SPECIAL HIGHWAY	SPECIAL HIGHWAY	11.07
	HAMMER; SOCKETS	SPECIAL HIGHWAY	SPECIAL HIGHWAY	91.93
	WRENCHES; BULBS	SPECIAL HIGHWAY	SPECIAL HIGHWAY	52.90
	GARDEN WEASEL	SPECIAL HIGHWAY	SPECIAL HIGHWAY	25.99
	REPALCE CASE - #6	SPECIAL HIGHWAY	SPECIAL HIGHWAY	47.00
	SAFETY VESTS	SPECIAL HIGHWAY	SPECIAL HIGHWAY	23.00
	WEED SPRAY	SPECIAL HIGHWAY	SPECIAL HIGHWAY	92.67
	WINDOW CLNR; LYSOL	SPECIAL HIGHWAY	SPECIAL HIGHWAY	23.75
	VARIOUS ROAD SIGNS	SPECIAL HIGHWAY	SPECIAL HIGHWAY	1,068.80
	REPAIR ON TRANSIT	SPECIAL HIGHWAY	SPECIAL HIGHWAY	20.00
	REPLACE PULL ROPE	SPECIAL HIGHWAY	SPECIAL HIGHWAY	27.50
	8LBS NUTS; BOLTS; WA	SPECIAL HIGHWAY	SPECIAL HIGHWAY	11.97
	KEY RING; NUTS; BOLT	SPECIAL HIGHWAY	SPECIAL HIGHWAY	15.75
	WEED EATER STRING	SPECIAL HIGHWAY	SPECIAL HIGHWAY	10.99
	4 GAL BKPK SPRAYER	SPECIAL HIGHWAY	SPECIAL HIGHWAY	44.99
	PALLET 2 #2 POTHOLE	SPECIAL HIGHWAY	SPECIAL HIGHWAY	557.20
	WEED CONTROL-FORD	SPECIAL HIGHWAY	SPECIAL HIGHWAY	620.00
	REPLACE TRANSIT STK	SPECIAL HIGHWAY	SPECIAL HIGHWAY	93.95
	REPLACE OLD TRANSIT	SPECIAL HIGHWAY	SPECIAL HIGHWAY	339.00
	NUTS & BOLTS	CAPITAL PROJECTS F	FIRE TRUCK	37.76
	NUTS & BOLTS	CAPITAL PROJECTS F	FIRE TRUCK	7.50
	HAND TOOLS - BRSH TK	CAPITAL PROJECTS F	FIRE TRUCK	98.88
	NUTS & BOLTS	CAPITAL PROJECTS F	FIRE TRUCK	29.26
	BRUSH 41: FIRE EQUIP	CAPITAL PROJECTS F	FIRE TRUCK	1,056.96
	BRUSH 41: FIRE EQUIP	CAPITAL PROJECTS F	FIRE TRUCK	1,275.20
	BRUSH 41: FIRE EQUIP	CAPITAL PROJECTS F	FIRE TRUCK	281.75
	BRUSH 41: FIRE EQUIP	CAPITAL PROJECTS F	FIRE TRUCK	62.94
	BRUSH 41: FIRE EXTIN	CAPITAL PROJECTS F	FIRE TRUCK	264.85
	LTS & FENDER GRDS	CAPITAL PROJECTS F	FIRE TRUCK	382.84
	ON-BRD CHRГ UNIT	CAPITAL PROJECTS F	FIRE TRUCK	339.49
	REFLECT STRIPPING	CAPITAL PROJECTS F	FIRE TRUCK	135.18
	FOR STATE SAMPLES	WATER OPERATING	NON-DEPARTMENTAL	4.90
	FOR STATE SAMPLES	WATER OPERATING	NON-DEPARTMENTAL	5.00
	FOR STATE SAMPLES	WATER OPERATING	NON-DEPARTMENTAL	4.90
	DUTY CELL PHONE	WATER OPERATING	NON-DEPARTMENTAL	27.24
	APR 2010 COPIER MAIN	WATER OPERATING	NON-DEPARTMENTAL	70.84
	CARBONLESS FORMS	WATER OPERATING	NON-DEPARTMENTAL	274.00
	PAST DUE BILL STOCK	WATER OPERATING	NON-DEPARTMENTAL	727.20
	1-2" GALV COUPLING	WATER OPERATING	NON-DEPARTMENTAL	7.79
	REBARD FOR ERTS	WATER OPERATING	NON-DEPARTMENTAL	53.40
	10 PC SET & DUCT TAP	WATER OPERATING	NON-DEPARTMENTAL	16.38
	1"x60' GALV PIPE	WATER OPERATING	NON-DEPARTMENTAL	43.58
	2 1/2" SCH 40 PIPE	WATER OPERATING	NON-DEPARTMENTAL	49.60
	HCKSW BLADE & COTT	WATER OPERATING	NON-DEPARTMENTAL	12.21

VENDOR NAME	DESCRIPTION	FUND	DEPARTMENT	AMOUNT_
	5 PRS OF GLOVES	WATER OPERATING	NON-DEPARTMENTAL	9.99
	WIRE BRUSH; COTTER	WATER OPERATING	NON-DEPARTMENTAL	7.62
	HYDRANT WRENCH	WATER OPERATING	NON-DEPARTMENTAL	82.30
	LEVEL	WATER OPERATING	NON-DEPARTMENTAL	7.99
	FLSHLT; HOSE BIB; BL	WATER OPERATING	NON-DEPARTMENTAL	33.95
	CULTIVATOR; PIPE	WATER OPERATING	NON-DEPARTMENTAL	33.03
	200 MTR WASHERS	WATER OPERATING	NON-DEPARTMENTAL	36.00
	GATORADE; SAFETY GLA	WATER OPERATING	NON-DEPARTMENTAL	216.93
	BKT CADDY; SCRWDV	WATER OPERATING	NON-DEPARTMENTAL	186.11
	CCR REPORT	WATER OPERATING	NON-DEPARTMENTAL	819.00
	MAY 2010 LAB TESTING	SEWER OPERATING	NON-DEPARTMENTAL	453.60
	TRBLSHT BLWN FUSE	SEWER OPERATING	NON-DEPARTMENTAL	110.00
	LABOR & EST-REBUILD	SEWER OPERATING	NON-DEPARTMENTAL	150.00
	3-RED TUBES XADO	SEWER OPERATING	NON-DEPARTMENTAL	99.99
	TRBLSHT LIFTSTA	SEWER OPERATING	NON-DEPARTMENTAL	55.00
	KEYS	SEWER OPERATING	NON-DEPARTMENTAL	3.58
	BAGS-SCRNG UNIT	SEWER OPERATING	NON-DEPARTMENTAL	1,351.16
	SVC & RPR - WASHER	SEWER OPERATING	NON-DEPARTMENTAL	156.09
	CLEVIS & PINS	SEWER OPERATING	NON-DEPARTMENTAL	23.78
	PROPANE BOTTLE	SEWER OPERATING	NON-DEPARTMENTAL	18.95
	GLOVES	SEWER OPERATING	NON-DEPARTMENTAL	12.79_
			TOTAL:	40,259.10
JASON EASLEY	MILEAGE REIMBURSEMEN	GENERAL FUND	POLICE	45.00_
			TOTAL:	45.00
JESSIE CLIFTON	PER DIEM - 6/13 L/D	GENERAL FUND	POLICE	30.00
	PER DIEM-6/14 B/L/D	GENERAL FUND	POLICE	40.00
	PER DIEM-6/15 B/L/D	GENERAL FUND	POLICE	40.00
	PER DIEM-6/16 B/L/D	GENERAL FUND	POLICE	40.00
	PER DIEM-6/17 B/L/D	GENERAL FUND	POLICE	40.00
	PER DIEM-6/18 B/L/D	GENERAL FUND	POLICE	40.00
	PER DIEM-6/19 B/L	GENERAL FUND	POLICE	30.00_
			TOTAL:	260.00
KACM	REG 5 SUMM MTG - HIPPS	GENERAL FUND	LEGAL & MUNICIPAL COUR	15.00_
			TOTAL:	15.00
KANSAS GAS SERVICE	5/3-6/2/2010 CITY GAS	GENERAL FUND	ADMINISTRATION	114.36
	5/3-6/2/2010 CITY GAS	GENERAL FUND	POLICE	19.65
	5/3-6/2/2010 CITY GAS	GENERAL FUND	FIRE	9.83
	5/3-6/2/2010 CITY GAS	GENERAL FUND	EMERGENCY COMMUNICATIO	19.65
	5/3-6/2/2010 CITY GAS	WATER OPERATING	NON-DEPARTMENTAL	29.87
	5/3-6/2/2010 CITY GAS	SEWER OPERATING	NON-DEPARTMENTAL	331.95_
			TOTAL:	525.31
KANSAS OFFICE OF THE ATTORNEY GENERAL	SUPP TRANSCRIPT APPR	CAPITAL PROJECTS F 2010-1	G.O. Bond	270.00
	SUPP TRANSCRIPT APPRV	CAPITAL PROJECTS F 2010-1	Temp Note	450.00_
			TOTAL:	720.00
KANSAS OFFICE OF THE TREASURER	L/E TRNG CEN FUND	GENERAL FUND	NON-DEPARTMENTAL	503.27
	JUDICAL BRAN EDUCA	GENERAL FUND	NON-DEPARTMENTAL	13.26
	REINSTA FEES	GENERAL FUND	NON-DEPARTMENTAL	59.00
	RESTITUTION	GENERAL FUND	NON-DEPARTMENTAL	10.00
	ESCROW AGENT FEE	CAPITAL PROJECTS F 2010-1	G.O. Bond	150.00
	4 BOND FEES - GO 1998-1	BOND & INTEREST	NON-DEPARTMENTAL	5.00

VENDOR NAME	DESCRIPTION	FUND	DEPARTMENT	AMOUNT_
			TOTAL:	740.53
KANSAS PAYMENT CENTER	6-18-10 BW 98D002573	GENERAL FUND	NON-DEPARTMENTAL	110.31
	6-18-10 BW 06DM00096	GENERAL FUND	NON-DEPARTMENTAL	150.00
	6-18-10 BW 06DM00073	GENERAL FUND	NON-DEPARTMENTAL	112.00
	6-18-10 BW 07DM00022	GENERAL FUND	NON-DEPARTMENTAL	221.54
	6-18-10 BW 05DM06422	SPECIAL HIGHWAY	NON-DEPARTMENTAL	204.50
	6-18-10 BW 06DM00651	WATER OPERATING	NON-DEPARTMENTAL	374.39_
			TOTAL:	1,172.74
KPERS	6-18-10 EMP - GEN	GENERAL FUND	NON-DEPARTMENTAL	1,863.07
	6-18-10 EMPR BEN-GEN	EMPLOYEE BENEFITS	NON-DEPARTMENTAL	2,643.37
	6-18-10 EMP - SP STS	SPECIAL HIGHWAY	NON-DEPARTMENTAL	227.91
	6-18-10 EMPR BEN-STG	SPECIAL HIGHWAY	SPECIAL HIGHWAY	293.12
	6-18-10 EMP - WATER	WATER OPERATING	NON-DEPARTMENTAL	411.22
	6-18-10 EMPR BEN-WA	WATER OPERATING	NON-DEPARTMENTAL	532.43
	6-18-10 EMP - SEWER	SEWER OPERATING	NON-DEPARTMENTAL	159.14
	6-18-10 EMPR BEN-SWR	SEWER OPERATING	NON-DEPARTMENTAL	244.28_
			TOTAL:	6,374.54
KRISTINE POLIAN	MILEAGE REIMBURSE	GENERAL FUND	ADMINISTRATION	184.80
	TOLL CHARGES x 2	GENERAL FUND	ADMINISTRATION	13.25
	DINNER ON 6/17/10	GENERAL FUND	ADMINISTRATION	20.00_
			TOTAL:	218.05
LAURIE B. WILLIAMS	6-18-10 BW 0914039	GENERAL FUND	NON-DEPARTMENTAL	55.00
	6-18-10 BW 081223113	WATER OPERATING	NON-DEPARTMENTAL	100.00
	6-18-10 BW 081002813	WATER OPERATING	NON-DEPARTMENTAL	273.04_
			TOTAL:	428.04
LEADERSHIP BUTLER	2010 CITY COUN RETREAT	GENERAL FUND	ADMINISTRATION	500.00_
			TOTAL:	500.00
LKM - LEAGUE OF KANSAS MUNICIPALITIES	2010 LKM LEADERSHIP CONF	GENERAL FUND	ADMINISTRATION	405.00_
			TOTAL:	405.00
LOREN H. HOUK	ATTY SVCS #090526	GENERAL FUND	LEGAL & MUNICIPAL COUR	150.00
	ATTY SVCS - 090188	GENERAL FUND	LEGAL & MUNICIPAL COUR	150.00_
			TOTAL:	300.00
MANSFIELD OIL CO	4/30-5/29/10 FUEL PURCHAS	GENERAL FUND	POLICE	1,725.42
	4/30-5/29/10 FUEL PURCHAS	GENERAL FUND	FIRE	21.67
	4/30-5/29/10 FUEL PURCHAS	GENERAL FUND	PARKS AND PUBLIC GROUN	462.47
	4/30-5/29/10 FUEL PURCHAS	GENERAL FUND	ENVIRONMENTAL SERVICES	132.41
	4/30-5/29/10 FUEL PURCHAS	EQUIPMENT RESERVE	NON-DEPARTMENTAL	1,989.99
	4/30-5/29/10 FUEL PURCHAS	WATER OPERATING	NON-DEPARTMENTAL	1,310.37_
			TOTAL:	5,642.33
MAYER SPECIALTY SERVICES LLC	CLN LIFTSTA(S)	SEWER OPERATING	NON-DEPARTMENTAL	700.00_
			TOTAL:	700.00
MOBILE RADIO SERVICE INC	WPLN4111 (2) SINGLE CHRGR	GENERAL FUND	POLICE	310.50_
			TOTAL:	310.50
MOTOROLA	BRUSH 41 - EQUIPMENT	CAPITAL PROJECTS F	FIRE TRUCK	3,967.90_
			TOTAL:	3,967.90

VENDOR NAME	DESCRIPTION	FUND	DEPARTMENT	AMOUNT
P E C	MAY RETAINER FEE	GENERAL FUND	ADMINISTRATION	620.70
	6TH & MERIDIAN LIFTS	CAPITAL PROJECTS F	LIFT STATION-6th & Mer	7,646.62
	SWS EXT FM 5TH-6TH	CAPITAL PROJECTS F	STORMWATER SWR; 5>6TH	1,902.90
	INDUST 2ND SAN SWR	CAPITAL PROJECTS F	Industr'l Pk Sewer Ext	3,200.00
	MEADOW RD SIDEWALK	CAPITAL PROJECTS F	MEADOW RD SIDEWALK	40.00
			TOTAL:	13,410.22
P S I	TROUBLE W/ARCHIVE	GENERAL FUND	ADMINISTRATION	32.50
	RCPT PRINTER ISSUE	GENERAL FUND	ADMINISTRATION	65.00
	IP ADD CH - REMOTE	GENERAL FUND	ADMINISTRATION	32.50
	5/2010 NETWORK SVCS	GENERAL FUND	ADMINISTRATION	85.00
	5/2010 REMOTE SUPP	GENERAL FUND	ADMINISTRATION	45.00
	REMOTE/COX COMMS	GENERAL FUND	LEGAL & MUNICIPAL COUR	32.50
	FREIGHT CHRGS	GENERAL FUND	LEGAL & MUNICIPAL COUR	10.00
	CHIEF/JC TREND & STO	GENERAL FUND	POLICE	260.00
	CHK PWR SUPP - PC	GENERAL FUND	EMERGENCY COMMUNICATIO	65.00
	PWR SUPP ISSUES	GENERAL FUND	EMERGENCY COMMUNICATIO	195.00
	PC CLN-UP - MALWARE	GENERAL FUND	ENVIRONMENTAL SERVICES	195.00
	PC EMAIL ISSUES-MERT	WATER OPERATING	NON-DEPARTMENTAL	32.50
	PC ISSUES - DUNN	WATER OPERATING	NON-DEPARTMENTAL	32.50
	TROUBLESHOOT-DUNN	WATER OPERATING	NON-DEPARTMENTAL	195.00
	REPLACE HD INSTALL	WATER OPERATING	NON-DEPARTMENTAL	227.50
			TOTAL:	1,505.00
PREFERRED PLUS OF KANSAS	JUL 2010 HEALTH PREMIUM	GENERAL FUND	NON-DEPARTMENTAL	1,921.78
	JUL 2010 HEALTH PREMIUM	EMPLOYEE BENEFITS	NON-DEPARTMENTAL	31,936.90
	JUL 2010 HEALTH PREMIUM	SPECIAL HIGHWAY	NON-DEPARTMENTAL	156.18
	JUL 2010 HEALTH PREMIUM	SPECIAL HIGHWAY	SPECIAL HIGHWAY	2,886.16
	JUL 2010 HEALTH PREMIUM	WATER OPERATING	NON-DEPARTMENTAL	232.57
	JUL 2010 HEALTH PREMIUM	WATER OPERATING	NON-DEPARTMENTAL	3,263.17
	JUL 2010 HEALTH PREMIUM	SEWER OPERATING	NON-DEPARTMENTAL	172.30
	JUL 2010 HEALTH PREMIUM	SEWER OPERATING	NON-DEPARTMENTAL	3,572.83
			TOTAL:	44,141.89
RODNEY T HOLLINGER, III	500 N PARK - MOWING	GENERAL FUND	ENVIRONMENTAL SERVICES	50.00
			TOTAL:	50.00
RURAL WATER DISTRICT #2	RWD #2 FEES - MAY 2010	WATER OPERATING	NON-DEPARTMENTAL	150.00
			TOTAL:	150.00
SECURITY BENEFIT	6-18-10 613042-8913	GENERAL FUND	NON-DEPARTMENTAL	25.00
	6-18-10 613042-5556	GENERAL FUND	NON-DEPARTMENTAL	25.00
	6-18-10 613042-6484	GENERAL FUND	NON-DEPARTMENTAL	25.00
			TOTAL:	75.00
SEDGWICK COUNTY	MAY 2010 SEDG CO COMP USA	GENERAL FUND	ADMINISTRATION	6.01
	5/1-31/10 JAIL HOUSING	GENERAL FUND	LEGAL & MUNICIPAL COUR	1,968.78
	MAY 2010 SEDG CO COMP USA	GENERAL FUND	LEGAL & MUNICIPAL COUR	5.44
	MAY 2010 SEDG CO COMP USA	GENERAL FUND	COMMUNITY DEVELOPMENT	3.00
	MAY 2010 SEDG CO COMP USA	GENERAL FUND	POLICE	38.11
	MAY 2010 SEDG CO COMP USA	GENERAL FUND	EMERGENCY COMMUNICATIO	5.44
			TOTAL:	2,026.78
TERNES LAW FIRM, CHARTERED	CASE# 90535	GENERAL FUND	LEGAL & MUNICIPAL COUR	150.00
			TOTAL:	150.00

VENDOR NAME	DESCRIPTION	FUND	DEPARTMENT	AMOUNT_
THE FIRST SIGNS OF FIRE	3/4" x 2" EQUIP MARK	GENERAL FUND	FIRE	337.92_
			TOTAL:	337.92
TYLER TECHNOLOGIES INC - INCODE DIVISI	MO INSITE FEE SPRT	GENERAL FUND	ADMINISTRATION	50.00
	COURT ON-LINE COMP	GENERAL FUND	LEGAL & MUNICIPAL COUR	75.00
	1/2 UTILITY COMPONEN	WATER OPERATING	NON-DEPARTMENTAL	40.00
	1/2 UTILITY COMPONEN	SEWER OPERATING	NON-DEPARTMENTAL	40.00_
			TOTAL:	205.00
VALLEY CENTER POSTMASTER	PO BOX RENEWAL - CITY	GENERAL FUND	ADMINISTRATION	110.00_
			TOTAL:	110.00
VANTAGEPOINT TRANS AGENTS	6-18-10 BW ICMA-RC DISBUR	GENERAL FUND	NON-DEPARTMENTAL	10.00
	6-18-10 BW ICMA-RC DISBUR	GENERAL FUND	NON-DEPARTMENTAL	50.00
	6-18-10 BW ICMA-RC DISBUR	GENERAL FUND	NON-DEPARTMENTAL	25.00_
			TOTAL:	85.00
VERLIN A. INGRAM	ATTY SVCS - 090611C	GENERAL FUND	LEGAL & MUNICIPAL COUR	150.00_
			TOTAL:	150.00
WASTE MANAGEMENT OF WICHI	SPRING CLN-UP TRASH SVCS	SPECIAL HIGHWAY	SPECIAL HIGHWAY	10,892.63_
			TOTAL:	10,892.63
WESTAR ENERGY	4/29-5/28/10 STREET LTS	GENERAL FUND	ADMINISTRATION	3,201.70
	5/3-6/2/10 CITY ELEC SVCS	GENERAL FUND	ADMINISTRATION	1,783.24
	5/3-6/2/10 CITY ELEC SVCS	GENERAL FUND	ADMINISTRATION	39.62
	5/3-6/2/10 CITY ELEC SVCS	GENERAL FUND	POLICE	470.42
	5/3-6/2/10 CITY ELEC SVCS	GENERAL FUND	FIRE	226.81
	5/3-6/2/10 CITY ELEC SVCS	GENERAL FUND	EMERGENCY COMMUNICATIO	453.62
	5/3-6/2/10 CITY ELEC SVCS	GENERAL FUND	PARKS AND PUBLIC GROUN	542.84
	5/3-6/2/10 CITY ELEC SVCS	SPECIAL HIGHWAY	SPECIAL HIGHWAY	310.62
	5/3-6/2/10 CITY ELEC SVCS	WATER OPERATING	NON-DEPARTMENTAL	2,596.45
	1100 W 61ST N - ELEC SVCS	WATER OPERATING	NON-DEPARTMENTAL	20.57
	5/3-6/2/10 CITY ELEC SVCS	SEWER OPERATING	NON-DEPARTMENTAL	4,020.88_
			TOTAL:	13,666.77

VENDOR NAME	DESCRIPTION	FUND	DEPARTMENT	AMOUNT_
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===== FUND TOTALS =====

010	GENERAL FUND	58,110.14		
110	EMPLOYEE BENEFITS	38,201.62		
127	EQUIPMENT RESERVE	2,201.53		
150	SPECIAL HIGHWAY	24,848.71		
350	CAPITAL PROJECTS FUND	206,430.93		
410	BOND & INTEREST	5.00		
610	WATER OPERATING	40,231.93		
612	STORMWATER UTILITY FUND	5.28		
620	SEWER OPERATING	16,808.31		

	GRAND TOTAL:	386,843.45		
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SELECTION CRITERIA

SELECTION OPTIONS

VENDOR SET: 01-CITY OF VALLEY CENTER
VENDOR: All
CLASSIFICATION: All
BANK CODE: All
ITEM DATE: 0/00/0000 THRU 99/99/9999
ITEM AMOUNT: 9,999,999.00CR THRU 9,999,999.00
GL POST DATE: 6/08/2010 THRU 6/28/2010
CHECK DATE: 0/00/0000 THRU 99/99/9999

PAYROLL SELECTION

PAYROLL EXPENSES: NO
CHECK DATE: 0/00/0000 THRU 99/99/9999

PRINT OPTIONS

PRINT DATE: None
SEQUENCE: By Vendor Name
DESCRIPTION: Distribution
GL ACCTS: NO
REPORT TITLE: COUNCIL REPORT 7-6-10 MTG PKT
SIGNATURE LINES: 0

PACKET OPTIONS

INCLUDE REFUNDS: YES
INCLUDE OPEN ITEM:NO

PRESENTATIONS / PROCLAMATIONS

PUBLIC FORUM

APPOINTMENTS

COMMITTEES, COMMISSIONS

A. MINUTES FOR COUNCIL REVIEW:

- Planning Commission / Board of Zoning Appeals,
May 25, 2010 Meeting
- Edna Buschow Memorial Library, May 10, 2010 Meeting

**VALLEY CENTER PLANNING COMMISSION/BOARD OF ZONING APPEALS
7:00 P.M.
MAY 25, 2010
121 S. MERIDIAN**

Chairman Gary Janzen called the meeting to order at 7:00 p.m. with the following members present: Bart Balthazar, John Dailey, Jaque Davis, Steve Jackson, Kathryn Schroeder and Danny Park.

Members Absent: Ricky Shellenbarger and Bryon Mackey

Staff Present: Eldon G. Miller, AICP, CFM, Secretary

Press:

APPROVAL OF THE AGENDA

Commissioner Balthazar moved, seconded by Dailey to approve the agenda as presented. Vote Yea: Unanimous.

MINUTES OF APRIL 27 2010

Commissioner Jackson stated that changes were made under conditions on Dingman PUD. Chairman Janzen stated that he does not think changes were made under conditions. Commissioner Mackey arrived at 7:06 p.m. Commissioner Dailey moved, seconded by Janzen to approve the minutes as presented. Vote Yea: Janzen, Balthazar, Dailey, Davis, Mackey and Schroeder. Vote Nay: Jackson and Parks.

COMMUNICATIONS

ITEMS BY ZONING ADMINISTRATOR

None

SUBDIVISION COMMITTEE REPORT

None

SITE PLAN REVIEW COMMITTEE REPORT

Received and filed the unapproved minutes.

PUBLIC COMMENT

None

UNFISNISHED BUSINESS

**PUD-2010-002
Dingman Addition Planned Unit Development
Applicant: Craig A & Teresa M. Dingman.
Agent: Baughman Company P.A.
Address: North of 81st Street on West Street
Request: To approve the final PUD**

Commissioner Balthazar moved, seconded by Mackey to approve the PUD with the condition that "Plan and Plat" be on all certificates. Vote Yea: Janzen, Balthazar, Dailey, Davis, Schroeder and Park. Vote: Nay: Jackson.

Commissioner Balthazar moved, seconded by Park for a break until 8:27 p.m. Vote: Yea: Unanimous.

NEW BUSINESS

PROPOSED ZONING REGULATIONS

Eldon G. Miller, AICP, CFM, Zoning Administrator presented the proposed zoning regulation changes.

Commissioner Balthazar moved, seconded by Janzen to set June 22, 2010 as public hearing. Vote: Yea: Unanimous.

2011 BUDGET

Present at the June meeting with work load and suggestions.

The meeting was adjourned at 9:55 p.m.

Respectfully submitted,

Eldon G. Miller, AICP, CFM, Secretary

Approved by the Valley Center Planning Commission on June 22, 2010.

Gary Janzen, Chairman

MINUTES
BOARD MEETING
EDNA BUSCHOW MEMORIAL LIBRARY
May 10, 2010

The meeting was called to order by Jerry Davidson, Board Chair. Those in attendance were Jerry Davidson, Howard Botts, Amy Stamm, Mary Aspenson, Jean Balthazor, Marsha Huebert and Janice Sharp. Julia Francisco also attended.

Howard made a motion to approve the agenda; Amy seconded. Motion carried; vote was unanimous.

Marsha made a motion to approve the minutes from the April 12 meeting; Howard seconded. Motion carried; vote was unanimous.

Howard made a motion to approve the financial report and pay bills; Mary seconded. Motion carried; vote was unanimous.

Janice submitted the librarian's report.

In the Library Development Director's report, Julia shared information and comments from the meeting of the campaign team with Hans Fischer on April 24. The Board requested that emailed information from Hans be forwarded to them. Les Anderson has made arrangements for one of his WSU students to assist with the campaign team.

During Fall Festival it was decided that we will serve snacks and drinks on McLaughlin Park on Sunday afternoon. Leekers will be providing a meal for the first 1,000 at 5 PM and Schwan's will be handing out ice cream treats during the afternoon. We will work with the teens in decorating a float.

In discussion of the upcoming "Granny" Meg roast, it was determined that the \$95 ticket cost is too high for many people to pay. Amy will discuss the issue with Les Anderson.

Janice presented information about the purchase of a Kyocera CS-3050 copier with a fax system included. Marsha made a motion to purchase the machine for \$3,350.00; Mary seconded. Motion carried; vote was unanimous.

Jean made a motion to go into executive session at 9:15 for 45 minutes to discuss personnel issues. No action was taken after coming out of executive session.

Mary made a motion to adjourn the meeting; Jean seconded. Motion carried; vote was unanimous.

OLD BUSINESS

A. ORDINANCE 1187-10, 2nd Reading (Amended)

CELL PHONE USAGE:

Per Council's request Ordinance 1187-10 has been amended to reflect requested changes...

- Ordinance prohibits all use of mobile telephones (both hand-held and hands-free) while operating motor vehicle.
- Allows Law Enforcement Officers to stop persons upon reasonable cause to believe they have violated this act.

Should Council choose to proceed,

RECOMMENDED ACTION:

Staff recommends motion to adopt amended Ordinance 1187-10 Prohibiting the use of hand-held Mobile Telephones and other Electronic Communication Devices while simultaneously operating a Motor Vehicle or a Bicycle on a Public roadway for 2nd reading.

ORDINANCE NO. 1187-10**AN ORDINANCE OF THE VALLEY CENTER CITY COUNCIL AMENDING THE VALLEY CENTER MUNICIPAL CODE TITLE 10, ENTITLED "VECHICLES AND TRAFFIC", CHAPTER 10.40 PROHIBITING THE USE OF MOBILE TELEPHONES AND OTHER ELECTRONIC COMMUNICATION DEVICES WHILE SIMULTANEOUSLY OPERATING A MOTOR VEHICLE OR A BICYCLE ON A PUBLIC ROADWAY.**

BE IT ORDAINED, by the Governing Body of Valley Center, Kansas that Title 10, Chapter 10.040, Section 10.04.065 of the Valley Center Municipal Code be adopted as follows:

Section 1.**10.04.065 Prohibition of mobile telephone and other electronic communication device use while operating a motor vehicle or riding a bicycle on a public roadway.**

- (A) No person operating a motor vehicle or a bicycle on any street or highway within the city limits of Valley Center shall use a mobile telephone or other communication device to engage in a call or create, send, or read a written communication, including, but not limited to, a text message, instant message or electronic mail while such vehicle is in operation.
- (1) For purposes of this subsection the following definitions apply:
- (a) "Engage in a call" shall mean talking into, dialing or listening on a mobile telephone, but shall not include holding a mobile telephone to activate, deactivate or initiate a function of such telephone.
 - (b) "Mobile telephone" shall mean the device used by subscribers and other users of wireless telephone service to access such service and shall include Personal Digital Assistants, commonly referred to as PDAs.
 - (c) "Personal Digital Assistant" shall mean a device operated using a wireless telecommunications service that provides for data communication other than by voice.
 - (d) "Wireless telephone service" shall mean two-way real time voice telecommunications service that is interconnected to a public switched telephone network and commonly referred to as cellular service or personal communication service.
- (B) An operator of a motor vehicle who holds or places a mobile telephone or associated device to, or in the immediate proximity of his or her ear while such vehicle is in operation is presumed to be engaged in a call within the meaning of this section. The presumption established by this subdivision is rebuttable by evidence tending to show that the operator was not engaged in a

call. "Immediate proximity" shall mean that distance as permitted by the operator of a mobile telephone to hear telecommunications transmitted over such mobile telephone, but shall not require physical contact with such operator's ear.

(C) The provisions of this section shall not apply to the following factual circumstances:

- (1) Emergency use of a mobile telephone or other electronic communication devices, including calls to 911, a hospital, an ambulance service provider, a fire department, or a law enforcement agency;
- (2) A motor vehicle stopped off the regular traveled portion of the roadway;
- (3) Use of a mobile telephone or other electronic communication device by law enforcement and emergency personnel or by a driver of an authorized emergency vehicle acting within the scope of official duties; or
- (4) Use of a device that does not support duplex communications such as two way mobile transmitter or receiver.

(D) Law enforcement officers may require a person operating a motor vehicle or bicycle who may be in violation of this section to stop upon reasonable cause to believe the operator is using a mobile telephone to engage in a call or using an electronic communication device to write, send, or read electronic messages.

Section 2. **Severability.** 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. 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 ____ day of _____ 2010.**

First Reading June 15, 2010

Second Reading July 6, 2010

{SEAL}

Michael McNown, Mayor

ATTEST:

Kristine A. Polian, City Clerk

NEW BUSINESS

A. CEMETERY BOARD ORDINANCE, 1206-10, 1st READING:

An Ordinance of the Valley Center City Council Amending Title 12 of the Valley Center, Kansas, Municipal Code by Amending Chapter 12.70 “Cemeteries”

- Changes recommended by Cemetery Board

Should Council choose to proceed,

RECOMMENDED ACTION:

Staff recommends motion to adopt Ordinance 1206-10 amending Chapter 12.70 “Cemeteries” of the Valley Center, Kansas, Municipal Code for 1st reading.

ORDINANCE NO. 1206-10**AN ORDINANCE OF THE VALLEY CENTER CITY COUNCIL
AMENDING TITLE 12 OF THE VALLEY CENTER, KANSAS,
MUNICIPAL CODE BY AMENDING CHAPTER 12.70 "CEMETERIES"**

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

Section 1. The Valley Center Municipal Code, Title 12, "Public Improvements," Chapter 12.60, "Cemeteries," Section 12.70.010, "Supervision," is hereby amended to read as follows:

12.70.010 Supervision

There is created a cemetery board consisting of the mayor, ~~city clerk, park superintendent~~ ~~and~~ a city councilmember *and three (3) members at-large, which shall be qualified residents of the City*, appointed by the mayor with the approval of the city council. *The purpose of the cemetery board is to act in an advisory capacity to the City Council concerning the efficient operation and maintenance of the Valley Center Cemetery and shall make such recommendations to the City Council as it may deem in the best interest of the City.* The cemetery shall be controlled by the board and administered by the city office. The city may hire such personnel as it deems necessary to carry out the purpose and intent of this chapter. The city ~~council~~ parks & public buildings superintendent shall ~~have one person to~~ be designated as the cemetery sexton.

Section 2. Severability. Those sections, paragraphs, and provisions of Chapter 12.70 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 no 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 3. 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 ____ day of _____ 2010.

First Reading _____

Second Reading _____

{SEAL}

Michael McNown, Mayor

ATTEST:

Kristine A. Polian, City Clerk

NEW BUSINESS

B. SMOKING ORDINANCE 1207-10, 2nd READING:

An Ordinance of the Valley Center City Council Amending the Valley Center Municipal Code Title 7, entitled “Health and Sanitation”, creating Chapter 7.16 regulating smoking in public places within the corporate limits of the City of Valley Center, Kansas.

- City Administrator Memo
- Ordinance 1207-10

Should Council choose to proceed,

RECOMMENDED ACTION:

Staff recommends motion to adopt Ordinance 1207-10 amending City Code to coincide with recently enacted state law and waive 1st reading.



MEMO

TO: Honorable Mayor McNown & Valley Center City Council

FROM: Joel Pile, City Administrator

DATE: June 30, 2010

RE: *Amendment to City Code – Smoking Ordinance*

Background:

During the July 6, 2010 City Council meeting we will be discussing Ordinance 1207-10 (Smoking Ordinance). During the 2010 session, the Kansas Legislature enacted HB 2221, which generally prohibits smoking within places of employment and public places throughout the state. The Ordinance will harmonize City Code with state law.

Financial Considerations:

- Law/code enforcement personnel will be responsible for enforcement of the Ordinance.
- Some businesses may be required to modify permitted/designated smoking areas.

Legal Considerations:

Both the proposed Ordinance and state law regulate substantially the same subject or activity, the ordinance may be more restrictive but not less restrictive than state law.

Recommend Motion to:

Adopt Ordinance 1207-10 amending City Code to coincide with recently enacted state law and waive second reading.

ORDINANCE NO. 1207-10

AN ORDINANCE OF THE VALLEY CENTER CITY COUNCIL AMENDING THE VALLEY CENTER MUNICIPAL CODE TITLE 7, ENTITLED "HEALTH AND SANITATION", CREATING CHAPTER 7.16 REGULATING SMOKING IN PUBLIC PLACES WITHIN THE CORPORATE LIMITS OF THE CITY OF VALLEY CENTER, KANSAS.

BE IT ORDAINED, by the Governing Body of Valley Center, Kansas that Title 7, Chapter 7.16, Sections 7.16.010 thru 7.16.017 of the Valley Center Municipal Code be adopted as follows:

Section 1.

7.16.010 Prohibition of smoking in public places. It shall be unlawful to smoke in an Enclosed Area or at a Public Meeting within Public Places within the City.

7.16.011 Definitions. The following words and phrases, whenever used in this Article, shall be construed as defined in this Section 7.16.011 of the Code:

- (A) **"Access point"** means the area within a ten foot radius outside of any doorway, open window or air intake leading into a building or facility that is not exempt pursuant to section 7.16.014 of this Article.
- (B) **"Business(es)"** means any sole proprietorship, partnership, joint venture, corporation or other business entity formed for profit-making purposes, including retail establishments where goods or services are sold as well as professional corporations and other entities where legal, medical, dental, engineering, architectural or other professional services are delivered.
- (C) **"City"** means the City of Valley Center, Kansas.
- (D) **"Employee(s)"** means any person who is employed by an employer in consideration for direct or indirect monetary wages or profit, and any person who volunteers his or her services for a non-profit entity.
- (E) **"Employer"** means any person, partnership, corporation, including a municipal corporation, or a non-profit entity, which employs the service of one (1) or more individual persons.
- (F) **"Enclosed Area"** means all space between the floor and ceiling which is enclosed on all sides by solid Walls or windows (exclusive of doors or passageways) which extend from the floor to the ceiling, including all space therein screened by partitions which do not extend to the ceiling or are not solid, "office landscaping" or similar structure.

For the purpose of this Article, the following shall NOT be considered an **Enclosed Area**:

- (1) Rooms or areas enclosed by Walls or windows having neither a ceiling nor a roof and which are completely open to the elements and weather at all times;
 - (2) Rooms or areas enclosed by Walls or windows and a roof or ceiling, having an opening of at least thirty percent (30%) of the total perimeter of Wall area completely and permanently open to the elements and weather.
- (G) **“Food Service Establishment”** means any place in which food is served or is prepared for sale or service on the premises or elsewhere. Such terms shall include, but not be limited to, fixed or mobile restaurant, coffee shop, cafeteria, short-order café, luncheonette, grill, tea room, sandwich shop, soda fountain, tavern, private club, roadside kitchen, commissary and other private, public or nonprofit organization or institution routinely serving food, or any other eating or drinking establishment or operation where food is served or provided for the public with or without charge.
- (H) **“Licensed Premises”** shall mean any premises where alcoholic liquor or cereal malt beverages, or both, by individual drink as defined by K.S.A. Chapter 41, and amendments thereto, is served or provided for consumption or use on the premises with or without charge. Such term shall include drinking establishment, Class A Private Clubs, Class B Private Clubs, or cereal malt beverage retailers, all as defined by K.S.A. 41, and amendments thereto.
- (I) **“Medical care facility”** means a physician’s office, general hospital, special hospital, ambulatory surgery center or recuperation center, as defined by K.S.A. 65-435, and amendments thereto, and any psychiatric hospital licensed under K.S.A. 75-3307b, and amendments thereto.
- (J) **“Outdoor recreational facility”** means a hunting, fishing, shooting or golf club, business or enterprise operated primarily for the benefit of its owners, members and their guests and not normally open to the general public.
- (K) **“Place(s) of Employment”** means any Enclosed Area under the control of a public or private employer which Employees frequent during the course of employment, including, but not limited to, work areas, Employee lounges and restrooms, conference rooms and classrooms, Employee cafeterias and hallways. A private residence is not a **“Place of Employment”** unless it is used as a childcare, adult day care or health care facility.
- (L) **“Private Club”** means an outdoor recreational facility operated primarily for the use of its owners, members and their guests that in its ordinary course of business is not open to the general public for which use of its facilities has substantial dues or membership fee requirements for its members.
- (M) **“Private Place(s)”** means any Enclosed Area to which the public is not invited or in which the public is not permitted, including, but not limited to, personal residences or personal motor vehicles. A privately owned Business, open to the public, is not a Private Place.
- (N) **“Public meeting”** means any meeting open to the public pursuant to K.S.A. 75-4317 *et seq.*, and amendments thereto, or any other law of the state.
- (O) **“Public Place(s)”** means any Enclosed Area to which the public is invited or in which the public is permitted, including, but not limited to:
- (1) Elevators;
 - (2) Restrooms, lobbies, reception areas, hallways, and any other common use areas;

- (3) Buses, bus terminals, taxicabs, train stations, airports, and other facilities and means of public transit under the authority of the City, as well as ticket, boarding, and waiting areas of public transit depots;
 - (4) Vehicle sales and/or service facilities, including service stations;
 - (5) Retail stores;
 - (6) All areas available to and customarily used by the general public in all Business and non-profit entities patronized by the public, including, but not limited to, attorneys' offices and other offices, banks, Laundromats, hotels, and motels;
 - (7) Food Service Establishments and Licensed Premises, excluding areas of a Food Service Establishment or Licensed Premises that are not enclosed, such as patios, outdoor dining areas, and courtyards;
 - (8) Galleries, libraries, and museums;
 - (9) Any facility which is primarily used for exhibiting any motion picture, stage, drama, lecture, musical recital or other similar performance, except that a performer may smoke when smoking is a part of the stage production;
 - (10) Sports arenas or convention halls, including bowling facilities;
 - (11) Every room, chamber, place of meeting or public assembly, including school buildings under the control of any board, council, commission, committee, including joint committees, or agency of the City or any political subdivision of the state during such time as a public meeting is in progress, to the extent such place is subject to the jurisdiction of the City;
 - (12) Waiting rooms, hallways, wards, private and semi-private rooms of health facilities, including, but not limited to, hospitals, clinics, physical therapy facilities, doctors' offices, and dentists' offices;
 - (13) Lobbies, hallways, and other common areas in apartment buildings, condominiums, trailer parks, retirement facilities, nursing homes, and other multiple-unit residential facilities;
 - (14) Polling places;
 - (15) Private clubs and fraternal organization facilities;
 - (16) Drinking establishments and taverns.
- (P) **“Retail Tobacco Store(s)”** means a retail store utilized primarily for the sale of tobacco products and accessories and which derives not less than 65% of its gross receipts from the sale of tobacco.
- (Q) **“Smoking”** means possession of a cigarette, cigar, or pipe partially or wholly consisting of, or containing burning vegetation, or possession of any other device containing burning vegetation that is used for the introduction of smoke from the burning vegetation into the human body. For the purpose of this definition, the term vegetation includes, but is not limited to, tobacco, but does not include any controlled substance listed in K.S.A. 65-4105 through K.S.A. 65- 4113, inclusive, and amendments thereto.
- (R) **“Sports Arena”** means sports pavilions, gymnasiums, health spas, boxing arenas, swimming pools, roller or ice rinks, bowling alleys or other similar places where members of the general public assemble either to engage in physical exercise, participate in athletic competition, or witness sports events.

- (S) **“Substantial dues or membership fee requirements”** means initiations costs, dues or fees proportional to the cost of membership in similarly-situated outdoor recreational facilities that are not considered nominal and implemented to otherwise avoid or evade restrictions of a statewide ban on smoking.
- (T) **“Wall”** means a side of a room, building or structure connecting the floor and ceiling or foundation and roof, including temporary, moveable, and retractable sides.

7.16.012 PLACES OF EMPLOYMENT.

- (A) Each employer having a place of employment that is an enclosed area shall provide a smoke-free workplace for all employees. Such employer shall also adopt and maintain a written smoking policy which shall prohibit smoking without exception in all areas of the place of employment. Such policy shall be communicated to all current employees within one week of its adoption and shall be communicated to all new employees upon hiring. Each employer shall provide a written copy of the smoking policy upon request to any current or prospective employee.
- (B) Employers will post “no smoking” signs in compliance with Section 7.16.015 of the Code of the City in Enclosed Areas in Places of Employment.
- (C) It shall be unlawful to smoke in an Enclosed Area in a Place of Employment where a sign in compliance with Section 7.16.015 of the Code of the City has been posted.

7.16.013 SMOKING UNLAWFUL ON CITY OWNED PROPERTY OR IN FACILITIES OR IN EQUIPMENT. Unless properly designated, it shall be unlawful to smoke on any property, in any facility or in any equipment owned and/or operated by the City.

7.16.014 WHERE SMOKING IS NOT REGULATED; PRIVATE AND PUBLIC. Notwithstanding any other provision of this Article to the contrary, the following areas shall not be subject to the smoking restrictions of this Article:

- (A) Private residences, except when used as a childcare, as defined in K.S.A. 65-530, and amendments thereto;
- (B) Portion of an adult care home, as defined in K.S.A. 39-923, and amendments thereto, that is expressly designated as a smoking area by the proprietor or other person in charge of such adult care home that is fully enclosed and ventilated; and
- (C) Portion of licensed long-term care unit of a medical care facility that is expressly designated as a smoking area by the proprietor or other person in charge of such adult care home that is fully enclosed and ventilated and to which access is restricted to the residents and their guests; and
- (D) Gaming floors of a lottery gaming facility or racetrack gaming facility, as those terms are defined in K.S.A. 74-8702, and amendments thereto;
- (E) Hotel or motel rooms rented to one or more guests if the total percentage of such hotel or motel rooms in such hotel or motel does not exceed more than twenty percent (20%);
- (F) Retail Tobacco Stores;
- (G) Outdoor areas of any building or facility beyond the access points of such building or facility;

- (H) Private clubs in designated areas where minors are prohibited; and
- (I) Class A or class B clubs defined in K.S.A. 41-2601, and amendments thereto, which:
 - (1) held a license pursuant to K.S.A. 41-2606 *et seq.*, and amendments thereto, as of January 1, 2009; and
 - (2) notifies the Kansas Secretary of Health and Environment and City Clerk in writing, not later than 90 days after the effective date of this Article, that it wishes to continue to allow smoking on its premises; and
- (J) Private Places.

7.16.015 POSTING OF SIGNS.

- (A) The owner, manager or other person having control of a public place, or other area where smoking is prohibited by this Article, shall post or cause to be posted signs, clearly stating that smoking is prohibited, conspicuously posted at each entrance and within the building or other areas where smoking is prohibited.
- (B) “No smoking” signs shall have lettering of not less than one inch (1”) in height. The international “No Smoking” symbol shall be used (consisting of a pictorial representation of a burning cigarette enclosed in a red circle with red bar across it).

7.16.016 ENFORCEMENT. The City Police Department and/or other City officials and/or other authorized inspectors shall inspect Businesses within the City to ensure compliance with this Article.

7.16.017 VIOLATIONS AND PENALTIES.

- (A) It shall be unlawful for any person who owns, manages, operates or otherwise controls the use of any public place, or other area where smoking is prohibited under this Article to allow smoking to occur when such person:
 - (1) has knowledge that smoking is occurring, and;
 - (2) acquiesces to the smoking under the totality of the circumstances.
- (B) It shall be unlawful for any person to smoke in any area where smoking is prohibited by the provisions of this Article.
- (C) Any person who violates any provision of this Article shall be guilty of a cigarette or tobacco infraction as defined in K.S.A. 21-3105, and amendments thereto and punishable by a fine as prescribed in K.S.A. 21-4012, and amendments thereto.

Section 2. Severability. 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. EFFECTIVE DATE. 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 ____ day of _____ 2010.

First Reading _____

Second Reading _____

{SEAL}

Michael McNown, Mayor

ATTEST:

Kristine A. Polian, City Clerk

NEW BUSINESS

C. EMPLOYEE SMOKING POLICY:

Employee Smoking Policy; (Part 3, Chapter 2, Section 10)
State Law Requires...

- Each Employer having a place of employment shall adopt and maintain a written smoking policy which shall prohibit smoking without exception in all areas of the place of employment.
- Such Policy shall be communicated to all employees within one week of its adoption.

Should Council choose to proceed,

RECOMMENDED ACTION:

Staff recommends motion to approve Employee Smoking Policy and direct staff to communicate the newly approved policy to all City Employees

<p>TITLE: Employee Smoking Policy</p>	<p>POLICY NO. Part 3 Chapter 2 Section 10</p>
<p>POLICY CUSTODIAN City Administrator</p>	<p>EFFECTIVE DATE</p>

ADOPTING RESOLUTION(S):

REFERENCES (STATUTES/RESOS/POLICIES): K.S.A. 21-4009, *et seq.*, and amendments thereto.

STATEMENT OF PURPOSE: Smoking of any form of tobacco is a health hazard and may be a cause of material annoyance, inconvenience, and discomfort to those City personnel who may be present in enclosed areas. It is the intent of the City of Valley Center to regulate the smoking of tobacco, plant or processed substance in the City’s buildings, offices, and enclosed spaces through the City.

DEFINITIONS: The following words and phrases, whenever used in this policy shall be construed as hereinafter set out, unless it shall be apparent from the context that they have a different meaning.

- (A) **“Access point”** means the area within a ten foot radius outside of any doorway, open window or air intake leading into a building or facility.
- (B) **“City”** means the City of Valley Center, Kansas.
- (C) **“Employee(s)”** means any person who is employed by an employer (city) in consideration for direct or indirect monetary wages or profit, and any person who volunteers his or her services for the city.
- (D) **“Employer”** means municipal corporation (city) which employs the services of the employee.
- (E) **“Enclosed Area”** means all space between the floor and ceiling which is enclosed on all sides by solid Walls or windows (exclusive of doors or passageways) which extend from the floor to the ceiling, including all space therein screened by partitions which do not extend to the ceiling or are not solid, “office landscaping” or similar structure.
- (F) **“Place(s) of Employment”** means any Enclosed Area under the control of a public or private employer which Employees frequent during the course of employment, including, but not limited to, work areas, Employee lounges and restrooms, conference rooms and classrooms, Employee cafeterias and hallways.
- (G) **“Smoking”** means possession of a cigarette, cigar, or pipe partially or wholly consisting of, or containing burning vegetation, or possession of any other device containing burning vegetation that is used for the introduction of smoke from the burning vegetation into the human body. For the purpose of this definition, the term vegetation includes, but is not limited to, tobacco, but does not include any controlled substance listed in K.S.A. 65-4105 through K.S.A. 65- 4113, inclusive, and amendments thereto.

POLICY: Unless designated and posted by city administration, it shall be unlawful for employees to smoke on any property, in any facility or in any equipment owned and/or operated by the City. This policy applies to all City of Valley Center employees and volunteers.

- It shall be a violation of the City Personnel Policy to smoke in prohibited areas.
- All “NON-SMOKING” areas shall be clearly marked and posted.

Any city employee who knowingly violates this policy will be subject to disciplinary action pursuant to the personnel policies of the City. This policy shall be communicated to all current employees within one week of its adoption and shall be communicated to all new employees upon hiring. The City shall provide a written copy of the smoking policy upon request to any current or prospective employee.

IMPLEMENTATION: The City Administrator shall monitor those provisions of this policy. Disagreement in interpretation shall be resolved by the City Council. The City Administrator shall institute administrative policy to implement this policy. At the time a new Councilmember is seated, the Mayor and City Administrator should review this policy with him/her.

SEVERABILITY: If any provision of this Policy shall be held to be invalid or unenforceable for any reason, the remaining provisions shall continue to be valid and enforceable. No qualifying statement, previously established rules or procedures shall be used to negate the spirit or intent of this statement of policy.

NEW BUSINESS**D. UNSAFE STRUCTURE CASE:**

- Community Development Officer Memo regarding 7055 N Clarence
- Statement of Danger or Unsafe Structure
- Resolution 575-10
- Photos

Should Council choose to proceed,

RECOMMENDED ACTION:

Staff recommends motion to declare the fence at 7055 N. Clarence an immediate hazard and order it to be removed.

OR

Adopt Resolution 575-10 setting the date and time of a Public Hearing to determine if the fence is a dangerous structure and direct City Clerk to publish and mail the Resolution to the property owner.

DATE: June 29, 2010

TO: Honorable Mayor McNown
City Council

FROM: Eldon G. Miller, AICP, CFM, Community Development Officer

RE: 7055 N. Clarence Dangerous Structure

Proposed Agenda Date: June 15, 2010

Background:

- Rebar is sticking up and not covered by the concrete bags.
- Fence has been in this unfinished condition since 2006.
- City staff has been working with the property owner to get the proper engineering drawings and property survey.
- Permit was issued on December 14, 2009 for the fence after receiving the engineering drawings and property survey.
- Permit expired on June 14, 2010 and work was not done on the fence.

Financial Considerations:

14.28.110 Assessment of costs for work by city.

A. The cost to the city of any repairs, alterations, improvements, vacating, removal or demolition by the public officer, including making the site safe, shall be reported to the city clerk.

B. The city shall give notice to the owner of the structure by restricted mail of the cost of removing the structure and making the premises safe and secure. The notice shall also state that payment of the costs is due and payable within thirty days following receipt of the notice.

C. If the costs remain unpaid after thirty days following receipt of the notice, the city clerk may sell any salvage from the structure and apply the proceeds or any necessary portion thereof to pay the cost of removing the structure and making the site safe. Any proceeds in excess of that required to recover the costs shall be paid to the owner of the premises upon which the structure was located.

D. If the proceeds of the sale of salvage are insufficient to recover the cost, or if there is no salvage, the city clerk shall, at the time of certifying other city taxes, certify the unpaid portion of the costs to the county clerk who shall extend the same on the tax roll of the county. (Ord. 786 (part), 1991.)

- **Legal Considerations:**

Per 14.28.070 Procedure - Order to repair or remove.

A. If, after notice and hearing, the governing body determines that the structure under consideration is dangerous, unsafe or unfit for human use or habitation, it shall state in a resolution its findings of fact in support of such determination and shall cause the resolution to be published once in the official city newspaper and a copy mailed to the owners, agents, lien holders of record and occupants in the same manner provided for the notice of hearing. The resolution shall fix a reasonable time within which the repair or removal of such structure shall be commenced and a statement that if the owner of such structure fails to commence the repair or removal of such structure within the time stated or fails to diligently prosecute the same until the work is completed, the governing body will cause the structure to be razed and removed.

B. If the repair, alteration or improvement of the structure can be made at a cost which shall not exceed fifty percent of the fair market value of the structure, the owner of the property shall, within the time specified in the order, repair, alter or improve the structure to render it safe and fit for human use or habitation, or shall vacate and close the structure until such time as he has complied with the order.

C. If the repair, alteration or improvement of the structure cannot be made at a cost of fifty percent or less of its fair market value, the owner shall, within the time specified in the order, remove or demolish the structure. (Ord. 786 (part), 1991.)

Policy Considerations:

14.28.120 Immediate hazard. When in the opinion of the governing body any structure is in such condition as to constitute an immediate hazard requiring immediate action to protect the public, the governing body may direct the public officer to erect barricades or cause the property to be vacated, taken down, repaired, shored or otherwise made safe without delay. Such action may be taken without prior notice to or hearing of the owners, agents, lien holders and occupants. The cost of any action under this section shall be assessed against the property as provided in Section 14.28.110. (Ord. 786 (part), 1991.)

Recommendation:

1. Declare the fence an Immediate hazard and order it to be removed
2. OR
3. Adopt a Resolution stating the date and time of a Public Hearing to determine if the fence is a dangerous structure and direct City Clerk to publish and mail the Resolution to the property owner.

DATE: June 29, 2010

TO: Honorable Mayor McNown
City Council

FROM: Eldon G. Miller, AICP, CFM, Community Development Officer

RE: Statement of Dangerous or Unsafe Structure

Proposed Agenda Date: July 6, 2010

Background:

- a. Description of Structure Including Legal Description: The property located at Beginning 857.2 feet East and 436.3 feet North of the Southwest Corner of the Southwest Quarter of Section 6, Township 26, Range 1 East; thence West 145.6 feet; thence North 200.9 feet; thence East 145.6 feet; thence South to the beginning. The structure is the concrete bag fence with rebar sticking 4+/- feet up.
- b. Street Address: 7055 N. Clarence
- c. Owner and address: Justine Winter 7055 N. Clarence Wichita, KS 67204
- d. Owner's Agent: None
- e. Occupant: Justine Winter
- f. Lienholder of Record: None
- g. Other "Parties of Interest": None

The fence is found to be dangerous and unsafe because of the following conditions:

- 1.) Rebar is sticking up and not covered by the concrete bags.
- 2.) The rebar sticking up is an impaling hazard.
- 3.) Fence has been in this unfinished condition since 2006.
- 4.) City staff has been working with the property owner to get the proper engineering drawings and property survey.
- 5.) Permit was issued on December 14, 2009 for the fence after receiving the engineering drawings and property survey.
- 6.) Permit expired on June 14, 2010 and work was not done on the fence.

Enforcing Officer

Attachment

RESOLUTION NO. 575-10

A RESOLUTION FIXING THE TIME AND PLACE AND PROVIDING FOR A NOTICE OF HEARING BEFORE THE GOVERNING BODY OF THE CITY OF VALLEY CENTER, KANSAS, AT WHICH THE OWNER, HIS OR HER AGENT, LIENHOLDERS OF RECORD, OCCUPANTS AND OTHER PARTIES IN INTEREST OF STRUCTURES LOCATED WITHIN SAID CITY AND DESCRIBED HEREIN MAY APPEAR AND SHOW CAUSE WHY SUCH STRUCTURE SHOULD NOT BE CONDEMNED AND ORDERED REPAIRED OR DEMOLISHED AS AN UNSAFE OR DANGEROUS STRUCTURE.

WHEREAS, the enforcing officer of the City of Valley Center, Kansas, did on the 6th day of July, 2010, file with the governing body of said City a statement in writing that the structures, hereinafter described, are unsafe or dangerous.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNINGT BODY OF THE CITY OF VALLEY CENTER, KANSAS:

That a hearing will be held on the 17th day of August, 2010, before the governing body of the City of Valley Center, Kansas, at 7:00 p.m. in the Valley Center City Hall Council Chambers AT 121 S. Meridian at which the owner, his or her agent, any lienholders of record, any occupant and any other parties in interest, as that term is defined by law, of the structure located at:

**Beginning 857.2 feet East and 436.3 feet North of the Southwest Corner of the Southwest Quarter of Section 6, Township 26, Range 1East; thence West 145.6 feet; thence North 200.9 feet; thence East 145.6 feet; thence South to the beginning.
7055 N. Clarence**

may appear and show cause why such structure should not be condemned as unsafe or dangerous structure and ordered repaired or demolished.

BE IT FURTHER RESOLVED that the City Clerk shall cause this resolution to be published and shall give notice of the aforesaid hearing in the manner provided by law.

ADOPTED this 6th day of July, 2010.

Michael D. McNown, Mayor

ATTEST:

Kristine A. Polian, City Clerk



Fence looking northwest



Fence looking northwest

NEW BUSINESS

**E. REQUEST TO WAIVE EQUITY FEES, VALLEY CREEK 2ND
ADDITION LOT 8, BLOCK A:**

Request from Isham-Alexander, L.L.C. to waive water & sewer equity fees for Valley Creek 2nd Addition Lot 8, Block A.

Should Council choose to proceed,

RECOMMENDED ACTION:

Staff recommends motion to deny request

OR

Approve request and refund Equity fees paid for 820 & 826 Cottonwood Drive to Isham-Alexander, L.L.C.

Isham-Alexander, L.L.C.
4300 Palos Verdes Dr.
Valley Center, Kansas 67147
(316) 755-0640

June 24, 2010

Joel Pile, City Administrator
The City of Valley Center
121 S. Meridian
Valley Center, KS 67147

SUBJECT: WATER & SEWER EQUITY FEES FOR VALLEY CREEK 2ND ADDITION LOT 8, BLOCK A

Dear Mr. Pile:

We request that the City Council waive the equity fees for water and sewer on Lot 8, Block A.

Both 820 Cottonwood Drive and 826 Cottonwood Drive units are sold to current or former long-term Valley Center residents. We have coordinated this with City Staff.

Since we have already paid the water and sewer equity fees for these we request that the amount be transferred to pay the fees for Lot 7, Block A. We plan to start this unit (810 & 816 Cottonwood Drive) in the next two weeks.

The fees paid for Lot 8 were:

Water:	Per Lot:	Cost per Lot:
\$519.00 for equity	x2	\$1,038.00
Sewer:		
\$843.00 for equity	x2	\$1,686.00

Thank you for your valuable time and consideration.



Glenna Isham, Isham-Alexander, LLC

NEW BUSINESS

F. ZONING REGULATION AMENDMENT :

- Ordinance 1208-10
- Community Development Officer Memo
- Proposed Zoning Regulations Amendment
- Downtown Neighborhood Overlay District

Should Council choose to proceed,

RECOMMENDED ACTION:

Staff recommends motion to adopt the amended Zoning Regulations as the model Code for the City.

ORDINANCE NO. 1208-10

AN ORDINANCE ENACTED, APPROVING AND INCORPORATING BY REFERENCE CERTAIN ZONING REGULATIONS GOVERNING THE USE OF LAND AND THE LOCATION OF BUILDINGS WITHIN THE CITY OF VALLEY CENTER, KANSAS, AS PREPARED AND PUBLISHED AS A MODEL CODE IN BOOK FORM BY THE VALLEY CENTER CITY PLANNING COMMISSION PURSUANT TO K.S.A. 12-741, ET. SEQ., AS AMENDED, 12-736, 12-3009 TO 12-3012 INCLUSIVE, 12-3301 AND 12-3302; AND ESTABLISHING ZONING DISTRICT BOUNDARIES AND THE CLASSIFICATIONS OF SUCH DISTRICTS; ADOPTING BY REFERENCE AN OFFICIAL MAP(S) OF ZONING DISTRICTS; DEFINING CERTAIN TERMS USED IN SAID REGULATIONS; REGULATING THE MAXIMUM DIMENSIONS OF BUILDINGS AND OTHER STRUCTURES THROUGH BULK REGULATIONS AND LOT AREAS; REGULATING THE LOCATION AND SIZE OF SIGNS; PROVIDING FOR AND REGULATING VEHICULAR PARKING SPACE; REESTABLISHING THE BOARD OF ZONING APPEALS AND PRESCRIBING ITS DUTIES; PROVIDING FOR THE APPOINTMENT OF A ZONING ADMINISTRATOR AND PRESCRIBING HIS OR HER DUTIES; PROVIDING FOR FEES TO BE CHARGED FOR AMENDMENTS, APPEALS AND PERMITS; ESTABLISHING A MEANS FOR AMENDING SAID REGULATIONS, MAP(S) AND ORDINANCE; PROVIDING FOR PENALTIES FOR VIOLATION OF ITS PROVISIONS AND A MEANS OF ENFORCEMENT; AND REPEALING ALL OTHER ORDINANCES IN CONFLICT HEREWITH.

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

Section 1. **Adoption:** Zoning regulations are hereby approved and adopted by the Governing Body of the City of Valley Center, Kansas, as prepared and published as a model code in book form by the Valley Center City Planning Commission with the technical assistance of Foster & Associates, Planning Consultants of Wichita, Kansas, and the City Zoning Administrator under the date of June 22, 2010 and entitled " Zoning Regulations of the City of Valley Center, Kansas " and the same are hereby incorporated by reference as fully as if set out herein.

Section 2. **Official Map(s):** There are further herein incorporated by reference and adopted an Official Zoning Map(s) including the current Flood Insurance Rate Map(s) (F.I.R.M.) delineating the boundaries of zoning districts and the classifications of such districts, which maps shall be marked "Official copy of zoning district map(s) incorporated into zoning regulations by adoption of Ordinance No. 1208-10 by the Governing Body of the City of Valley Center on the 6th day of July, 2010" and filed with the Zoning Administrator to be open for inspection and available to the public at all reasonable business hours.

Section 3. **Public Hearing:** The advertised public hearing required by Kansas law was duly held on June 22, 2010 by the Valley Center City Planning Commission, and a discussion of said Zoning Regulations and map(s) was had at the hearing; and the Zoning Regulations and map(s) in model code herein adopted are a true and correct copy of those regulations as adopted by the Planning Commission.

Section 4. **Jurisdiction:** From the effective date of this Ordinance, the Zoning Regulations and Official Zoning Map(s) herein incorporated by reference shall govern all use of the land and location of buildings and other structures placed within the City of Valley Center, Kansas.

Section 5. **Official Copies:** Not less than three copies of the Zoning Regulations in book form marked "Official Copy as incorporated by Ordinance No. 1208-10" and to which there shall be a published copy of this Ordinance attached, shall be filed with the City Clerk to be open for inspection and available to the public at all reasonable business hours.

Section 6. **Invalidity of a Part:** Any provisions of this Ordinance which shall be declared by a competent court to be unconstitutional or invalid shall not affect the validity and authority of any other sections of said Ordinance.

Section 7. **Repeal:** Ordinance No. 1151-07 is hereby repealed and any other ordinances or parts of ordinances in conflict with this Ordinance are hereby repealed.

Section 8. **Effective Date:** This Ordinance shall take effect from and after its passage, approval and publication once in the official city newspaper.

PASSED BY THE CITY COUNCIL this 6th day of July, 2010.

APPROVED BY THE MAYOR this 6th day of July, 2010.

(SEAL)

/s/ _____
Michael D. McNown, Mayor

ATTEST:

/s/ _____
Kristine A. Polian, City Clerk

APPROVED AS TO FORM ONLY:

/s/ _____
Barry Arbuckle, City Attorney

DATE: June 29, 2010
TO: Mayor McNown and City Council
FROM: Eldon G. Miller, AICP, CFM, Community Development Officer
RE: Zoning Regulations

Proposed Agenda Date: July 6, 2010

Background:

- Planning Commission recommend to the City Council to adopt the attached proposed Zoning Regulations.
- Planning Commission is to review the Zoning Regulations yearly.
- Planning Commission appointed a committee to review the Zoning Regulations in 2009.
- Included in the Zoning Regulations is a new Zoning District creating the Downtown Overlay District that was recommended by the Central Business District Neighborhood Plan.
- June 22, 2010, the Planning Commission voted 5-2 to include Farmers' Market, Art and Crafts Markets or Combination Thereof to definitions and temporary uses, activity centers to Single-Family Residential and physical fitness to Central Business District to the Public Hearing. These items came up because of the Ark Valley News and a phone call from a developer on June 17, 2010.
- Planning Commission voted 4-3 to exclude Liquor Stores as a Prohibited Use and Clubs and taverns as a Prohibited Special Use in the Downtown Overlay District.
- Planning Commission voted Unanimous to recommend to City Council to approve everything and table Metal Dwellings.

Financial Considerations:

- None

Legal Considerations:

- The City has the authority to adopt the Zoning Regulations

Policy Considerations:

- The City has authority to adopt the Zoning Regulations.
- Attached is the proposed changes to Zoning Regulations

Recommendation:

Recommend to adopt the Zoning Regulations as a Model Code for the City.

PROPOSED ZONING REGULATION AMENDMENTS

ARTICLE 2. INTERPRETATION, CONSTRUCTION AND DEFINITIONS

100 Rules of Interpretation.

- G. Vesting of Development Rights. For the purpose of single-family residential developments according to K.S.A. 12-764, as amended, development rights in such land use shall vest upon recording of a final plat of such land after January 1, 1992. If construction of a principle structure is not commenced on such land within five years of recording a final plat **before July 01, 2009**, the development rights in such land shall expire and, thus, all revisions to zoning or subdivision regulations becoming effective during the period vested shall thereafter apply to such platted land. **For such plats recorded on or after July 01, 2009, such construction must take place within 10 years to be vested.**

102 Definitions. The following definitions shall be used in the interpretation and construction of these regulations:

EARTHWORK: The disturbance of soils on a site associated with clearing, grading, or excavation activities.

FARMERS' MARKETS, ART AND CRAFTS MARKETS OR COMBINATION THEREOF: An outdoor place or market area with a formalized location where more than one Kansas farmer or grower gathers to sell agricultural products they have grown or raised. Other activities and other sellers may be accommodated at the market, but the sale of agricultural products shall be the focal point of the market activity. Other products that may be sold would typically include dried flowers, crafts and handicrafts that are made in the home, original artwork and certain prepared foods, such as baked goods, preserves, pickles and cheese.

FENCE: A free-standing structure of customary materials such as metal, masonry, glass, plastic or wood or any combination thereof, resting on or partially buried in the ground and rising above ground level, and used for confinement, screening or partition purposes, but which does not pose a threat to public safety or health and is designed and constructed in such a manner as to produce an aesthetically pleasing appearance. Fences constructed of metal roofing materials, fork-lift pallets, **concrete bags**, portions of vehicles or appliances and the like are not permitted. (See Section 3-103F 2-5 for fences as Permitted Obstructions.)

FLOOD PLAIN: See Section 4-112 for definitions in the F-P Flood Plain District.

GRADING: See EARTHWORK.

RELIGIOUS INSTITUTION: Any building used for non-profit purposes by an established religious organization holding either tax exempt status under Section 501c(3) of the Internal Revenue Code or under the state property tax law, where such building is primarily intended to be used as a place of worship. The term includes, but is not necessary limited to, a church, temple, synagogue, and mosque.

WIND ENERGY CONVERSION SYSTEMS (WECS): Any device commonly or technically referred to as a wind charger, windmill, wind turbine, or wind generator which converts wind energy to a form of usable energy. These terms shall include all associated support structures.

101 A-1 Agricultural District.

A. Permitted Uses.

2. Religious institutions (See Section 2-102 for definition.)
4. Wind energy conversion systems (See Section 2-102 for definition.)

B. Special Uses.

11. Oil and gas wells

102 RR-1 Suburban Residential District.

A. Permitted Uses.

2. Religious institutions (See Section 2-102 for definition.)
4. Wind energy conversion system (See Section 2-102 for definition.)

B. Special Uses.

3. Oil and gas wells

103 R-1 Single-Family Residential District.

A. Permitted Uses.

2. Religious institutions (See Section 2-102 for definition.)

C. Conditional Uses.

5. Metal dwellings and/or garages

8. Wind energy conversion system (See Section 2-102 for definition.)

104 R-2 Single-Family Residential District.

2. Religious institutions (See Section 2-102 for definition.)

C. Conditional Uses.

5. Swimming, tennis, racquetball and similar recreational club activities and related clubhouses and activity centers.

8. Wind energy conversion system (See Section 2-102 for definition.)

107 MH-1 Manufactured Home Park District.

A. Permitted Uses.

1. Manufactured home parks with all types of manufactured and mobile homes which were built within the last 7 years. All existing manufactured and mobile homes not meeting this standard will become legal, nonconforming structures on their respective spaces at the effective date of these regulations. Related facilities for the residents may include

F. Standards for Parks. Each park shall be designed so as to comply with the following standards:

8. Park owners are encouraged to provide a landscaped buffer area. Unless otherwise buffered, a solid fence not less than six feet high shall be required to provide proper screening for adjacent existing and potential land uses and for privacy and protection in the park.

9. Each park having 10 or more spaces must have an storm shelter that meets Federal Emergency Management Administration (FEMA) standards.

108 C-1 Central Business District.

A. Permitted Uses.

15. Studios: art, music, dance, photographic, **physical fitness** and radio or television broadcasting.

16. Theaters.

C. Conditional Uses.

Deleted: Theaters, except drive-in type.

5. Wind energy conversion systems (See Section 2-102 for definition.)

109 C-2 General Business District.

A. Permitted Uses.

16. Theaters.

C. Conditional Uses.

5. Drive in Theaters

6. Food vending trailers

12. Wind Energy Conversion System (See Section 2-102 for definition.)

F. Use Limitations.

1. No new building shall be constructed for residential purposes.

Deleted: except for the use of the owner or operator of a business located on the premises

110 I-1 Light Industrial District.

B. Special Uses.

2. Oil and gas wells

C. Conditional Uses.

2. Wind energy conversion systems (See Section 2-102 for definition.)

111 I-2 Heavy Industrial District.

C. Special Uses.

4. Oil and gas wells

D. Conditional Uses.

5. Wind energy conversion system (See Section 2-102 for definition.)

113 PUD Planned Unit Development Districts.A. General Provisions.

3. As a convenience for all references and filing purposes, the specific name of the proposed development shall precede all references to it being a "planned unit development district", a "preliminary planned unit development plan" or a "final planned unit development plan". All amendments thereto shall be denoted by adding the word "amended" following the name of the development and before any reference to its status as a district or plan. The letters "PUD" shall serve as an acceptable abbreviation for the words "planned unit development".

F. Final PUD Plan Contents and Approval.

1.
 - a. A detailed **development** plan showing the physical layout and design of all streets, easements, rights-of-way, lots, blocks and common open space including statements, where applicable, on the residential densities, the types and uses of structures, the maximum gross floor area, the percentage of the development to be occupied by structures, the height of structures and signs, the building setback lines, and the units within which construction would be scheduled.
 - d. **All certifications of approval required by the City Subdivision Regulations for a final plat with the modification that the words "final PUD plan and plat" shall be utilized**

wherever the word "plat" appears in the wording.

e. Proof of the establishment and activation of any entity that is to be responsible for the management and maintenance of any common open space **and copy of any restrictive covenants.**

ARTICLE 6. ACCESSORY USES, TEMPORARY USES AND HOME OCCUPATIONS.

D. Use Limitations.

Deleted: No wind energy conversion systems are permitted in the City

101 Temporary Uses Permitted.

A. Temporary permits for community celebrations, carnivals, circuses, musical festivals, religious revival services or similar outdoor events and Halloween or haunted houses approved with conditions by **Zoning Administrator. If the event is using City own facilities, then it must be approved by the Governing Body.** Such uses need not comply with the bulk or lot size requirements; provided, that structures or equipment which might block the view of operators of motor vehicles on the public streets shall meet the requirements of the vision triangle. (See Section 2-102 for definition of VISION TRIANGLE.)

Deleted: may be

Deleted: the Governing Body or their designated representative

E. Home Occupation Authorization by Conditional Use.

Notwithstanding any other provisions of these regulations and, in particular, Section 6-102A through D, an application may be made to the Board of Zoning Appeals for a conditional use as an exception to allow a home occupation in an agricultural **or suburban residential** district which would permit a broader range of home occupations and less restrictions than otherwise required, so long as in the opinion of the Board under stated conditions that the effect upon adjacent areas is minimized to the extent feasible and the public interest served. The intent of such a provision is to provide for a wider range of home occupational activities while at the same time protecting adjacent properties from the intrusion of incompatible uses and uses of too great an intensity. In addition to

the procedures and standards for establishing conditional uses as provided for in Section 10-108, the Board may, using the use limitation restrictions of Section 6-102B as guidelines, permit the following variations:

I. FARMERS' MARKETS, ART AND CRAFTS MARKETS OR COMBINATION THEREOF The markets, as defined by these Regulations, shall be allowed as an temporary use within the R-2 Single-Family Residential District in conjunction with a religious institution as well as C-1 and C-2 Business districts. The Zoning Administrator may authorize such markets only in allowed zoning districts, and subject to the following restrictions and limitations.

- a. A market must be operated by a designated "market operator" who shall obtain a zoning permit.
- b. Prior to issuance of the zoning permit, the market operator shall provide the Zoning Administrator with a plot plan that clearly identifies:
 - (1) the approximate dimensions of the area being used;
 - (2) the proximity to buildings, parking lots, right-of-ways or other such areas; and
 - (3) a description of any structure, implement, stand, display prop, or other such items used for the market, including signs, banners or other attention getting devices.
- c. A market shall not occupy any part of the required off-street parking space(s) for a Principal Use unless such is indicated on the plot plan and approved by the Zoning Administrator.
- d. Vendors whose goods are primarily fresh produce, grains, fruits, garden aquacultural products or other agricultural products, including meat and dairy products, shall account for no less than 50% of the total number of vendors in any single Farmer's Market or a combined market.
- e. Markets are temporary in nature and may operate no more than (five or ten) calendar days per month during the months of April through October and only between the hours of 6 a.m. and 9 p.m.
- f. There shall be no permanent storage allowed upon the site, other than that approved for a Principal Use.
- g. No additional lighting, other than that approved for a Principal Use, shall be allowed.
- h. No additional signage, other than that approved for a Principal Use, shall be allowed; except, as shown in the plot plan approved by the Zoning Administrator.
- i. All electrical connections, erections of temporary structures/tents, etc. shall be in compliance with applicable City codes and regulations and shall be permitted/licensed as applicable.

ARTICLE 7. SIGNS.

B. Structural Types.

3. Monument Sign: A low profile sign mounted directly to the ground and such that all structural braces and poles are encased or covered and shall not be visible.

104 District Regulations.

A. A-1 Agricultural District and RR-1 Suburban Residential District.

2. Structural Types Permitted:

b. Monument signs.

c. Pole signs – only allowed along North Broadway Avenue.

6. Monument sign: maximum width 5 feet, maximum length of 15 feet

B. R-1, R-2, R-3 and R-4 Residential Districts and MH-1 Manufactured Home Park District.

2. Structural Types Permitted:

b. Monument signs **Deleted:** Pole

6. Monument sign: Maximum width of 5 feet, Maximum length of 15 feet.

C. C-1 Central Business District

2. Structural Types Permitted: Any type listed in Section 7-101B except for pole signs.

4. Maximum Gross Surface Area: Three square feet of sign area for each one foot lineal street frontage; provided, no single sign shall exceed a gross surface area of 100 square feet, except for advertising signs that shall not exceed 200 square feet and monument signs with maximum width of 5 feet and maximum length of 15 feet.

5. Maximum Height: 20 feet, except that roof signs may not exceed a height of five feet above the highest point of the roof line. **Deleted:** 30

D. C-2 General Business District.

2. Structural Types Permitted: Any type listed in Section 7-101B **except for pole signs unless located along North Broadway Avenue.**

4. Maximum Gross Surface Area: Two square feet of sign area for each one foot lineal street frontage; provided, no single sign shall exceed a gross surface area of 150 square feet, except for advertising signs that shall not exceed 200 square feet **and monument signs with maximum width of 5 feet and maximum length of 15 feet .**

5. Maximum Height: 20 feet, except that roof signs may not exceed a height of five feet above the highest point of the roof line. **Deleted:** 30

E. I-1 and I-2 Industrial Districts.

2. Structural Types Permitted: Any types listed in Section 7-101B **except for pole signs unless located along North Broadway Avenue.**

4. Maximum Gross Surface Area: Three square feet of sign area for each one foot lineal street frontage; provided, no single sign shall exceed a gross surface area of 200 square feet, except for advertising signs that shall not exceed 672 square feet **and monument signs with maximum width of 5 feet and maximum length of 15 feet.**

5. Maximum Height:

b. All other signs: 20 feet. **Deleted:** 30

ARTICLE 9. ADMINISTRATION AND ENFORCEMENT

4. A zoning permit is required for grading and/or excavating a proposed construction site.

Deleted: not initially

Deleted: unless the site is located in the Flood Plain District and would result in an increase in flood levels. (See Section 4-112 FP Flood Plain District.)

- 115 **D-O Downtown Neighborhood Overlay District** . The Downtown Neighborhood Overlay District (D-O) is intended to preserve, enhance and promote the character of the Downtown Neighborhood as prescribed in the Central Business District Neighborhood Plan. The D-O District is an Overlay District. Property developed within the District shall comply with the **Downtown Design Criteria** provisions of this District and the underlying zoning districts. The design review provisions applicable within the D-O District are intended to recognize the special architectural character and proposed land - use mix of the Downtown Neighborhood, and to protect the private property values and public investments there in. In the case of conflict between the provisions in this District and those of the underlying zoning districts, the provisions in this District shall prevail.

The boundaries of the D-O Downtown Neighborhood Overlay District apply to all property within the following geographic boundaries:

West Boundary - Burlington Northern Santa Fe Railroad Tracks

North Boundary – First (1st) Street

East Boundary – Colby Avenue

South Boundary – Allen Street

A. Prohibited Permitted Uses.

1. Auction houses.
2. Automobile service stations.
3. Automobile, small truck and motorcycle salesrooms, repairs and refinishing services. (See Section 4-109C5 for repair garages and Section 4-109C8 for outside sales lots.)
4. Establishments employing not more than five persons in construction businesses such as plumbing, heating, air conditioning and electrical work, but not woodwork such as millwork. (See Section 4-108F for outdoor storage.)
5. Liquor stores.

6. Rental centers including appliances, furniture, tools and construction equipment. (See Section 4-109F3 for outside storage.)
7. Self-service laundries.
8. Religious Institution
9. Golf courses, including accessory club houses, but not driving ranges and miniature golf courses operated for commercial purposes.
10. Public and private schools: educational buildings for primary, intermediate and secondary schools including transportation centers, recreation areas, spectator sports facilities and the like.

B. Prohibited Special Uses.

1. Assembly places both private and public, and fraternal and service clubs.
2. Religious Institution.
3. *Clubs and taverns.*
4. Mini-storage facilities for inside rental storage only.
5. Sexually oriented businesses as defined by K.S.A. 12-770(a) 2-15.
6. Cemeteries, private or public.
7. Group homes which exceed the number of persons permitted by the definition in Section 2-102.
8. Hospitals.
9. Multiple dwelling units for the elderly and handicapped whereby density and parking requirements may be varied from the standards otherwise required by these regulations.

10. Nonprofit institutions for educational, philanthropic or charitable purposes.
11. Nursing and convalescent homes.
12. Retirement centers and assisted living facilities.
13. Rehabilitation houses

C. Prohibited Conditional Uses.

1. Auction houses.
2. Automobile service stations and sale of gasoline at convenience stores.
3. Theaters, except drive-in type.
4. Wholesale and inventory storage not otherwise related to the principal use of the premises.
5. Contracting shops for plumbing, electrical, heating and air conditioning, wood working and the like with outside storage when permitted. (See Section 4-109F3 for outside operations and storage.)
6. Drive-in establishments.
7. Garages, repair.
8. Large recycling collection centers. (See Section 2-102 for definition of RECYCLING CENTER.)
9. Mini-storage facilities for inside rental storage only.
10. New and used car lots including the sale of vans, small trucks, recreational vehicles, motor homes and boats.
11. Utility substations and water towers. (See Section 3-103G for Lot Size and Bulk Regulations.)
12. Earth-sheltered dwellings.

13. Swimming, tennis, racquetball and similar recreational club activities and related clubhouses.

D. Lot Size Requirements.

1. Minimum lot area: None.
2. Minimum lot width: 20 feet.
3. Minimum lot depth: 50 feet.

E. Bulk Regulations.

1. Maximum structure height: 45 feet.
2. Yard requirements:
 - a. Minimum front yard: None
 - b. Minimum side yard: None, but if there is one provided, it shall not be less than 5 feet.
 - c. Minimum rear yard: None, but if there is one provided, it shall not be less than 5 feet.
3. Maximum lot coverage: A building, structure or use may occupy all that portion of the lot not otherwise required for the yard regulations.

F. Use Limitations.

1. All business, servicing, storage and display of goods; except for small recycling collection centers, shall be conducted within completely enclosed structures or screened from public view, unless approved as a conditional use by the Board of Zoning Appeals or as part of an application for a special or other conditional use.

NEW BUSINESS

G. CASH FOR KIDS REQUEST:

Request from Cash for Kids

Should Council choose to proceed,

RECOMMENDED ACTION:

Staff recommends motion to approve request and authorize use of the City Pool and Facilities for the purpose stated in the request and also extending curfew from 11:00 PM to 12 AM on the nights of July 23 & 24, 2010.

OR

Deny Request

USD 262 Cash for Kids Fund Raising kickoff event

Dear Members,

June 24, 2010

If you are not aware of our organization we are calling ourselves Cash for Kids. We are a parent based volunteer group striving to raise funds for the 2010-2011 USD 262 school year. Our goal is to supply K-12 students with learning tools & events that were eliminated in the recent school budget cuts. Our goal is to raise at least \$50,000, this adds up to \$20.00 per student. Currently we have just under \$200.00 in funds.

Cash for kids would like to hold a fund raising kickoff event. This would take place at the Valley Center pool on Friday the 23rd & 24th of July from 10:00 p.m. till 12:00 p.m. (mid night swim). On the 23rd the pool would be open for K-5 students & parents. On the 24th 6-12 students & parents. A charge for admission & concessions will take place, more important a booth will be set up for information on our cause & future community help from volunteers (a signup). We have total support by the Ark Valley News to publicize our event.

We are asking permission for the pool to wavier fees for the 2 nights suggested. A signup sheet is attached to this request, with V.C. students who are certified as lifeguards and are willing to work those evenings. This cutting pool expenses & showing student support of our efforts. Also we are asking the 11:00 curfew be extended till 12:00p.m. for these 2 nights. We will have plenty of parent supervision for safety & cleanup.

Please consider our requests as this will benefit our entire community! Our group is open to any questions the members may have.

Thanks! Cash for Kids

Name

Phone #

PALLACE SCHWITTKER	755-9944
Sarah McCormick	755-1740
Caicy Messick	218-8890
Madison Wedekind	755-3915
Carson Cruce	640-5741
Andrea Maskrid	213-7322
Bethany Arneson	648-5026
Morgan ^U Wedekind	316-755-3915
Natalie Malone	316-300-9848
Jake Hiltius	755-2857
Warren Baltazar	969-1487
Kira Moravec	516-1989
Caylen Cruce	789-5556

NEW BUSINESS

H. EXECUTIVE SESSION:

- Staff Requests a 20 minute Executive Session to Discuss Land Acquisition

SUGGESTED MOTION:

I move that the City Council recess into Executive Session in order to discuss the acquisition of Real Property for a period of 20 minutes and to include the City Administrator and City Attorney.

CONSENT AGENDA

A. FARMERS MARKET REQUEST:

RECOMMENDED ACTION:

Staff recommends motion to approve the Consent Agenda as presented.

CONSENT AGENDA

B. FARMERS MARKET REQUEST:

From:

07/01/2010 09:32

#286 P. 003/003

Valley Wellness Center Farmers Market Plan

The market operator is Lisa Vermillion owner Valley Wellness Center.

Vendors are responsible for their own stands which generally include tables and an awning –style tent.

Small yard –style signage will be used on the property to advertise the event.

The Market will operate from 4pm-7pm on Thursdays from July- September.

Vendors shall comply with the attached agreement.

The market operator will recruit vendors to help assure at least 50% of the market is fresh produce, grains, fruits, garden aquacultural products or agricultural products.

No permanent signage or additional lighting will be used.

From:

07/01/2010 09:32

#286 P. 002/003

Farmers Market Vendor Agreement

Vendors at the Valley Wellness Center Farmers Market agree to abide by the following rules and regulations.

1. Vendors shall comply with all city laws.
2. No permanent signage is allowed on the property.
3. No storage is allowed on the property.
4. No additional lighting may be used.
5. Signage is limited to your vendor space.
6. Vendors must follow the rules for Kansas Farmers Markets according to their vended item.
7. Vendors are required by the state of KS to obtain a retail sales tax number and be responsible for remitting the proper sales tax to the state.
8. Vendors selling live plants, meat or dairy products, or graded egg products must have the appropriate licensure.
9. Vendor must provide a copy of such licensure to the market operator prior to selling any items.
10. No home –canned preserved products, except jams and jellies, are allowed without appropriate licensure.
11. No tobacco or alcohol may be consumed or sold on the site.

Vendor Signature _____ Date _____

07/01/10 13:30

From:

07/01/2010 09:32

#286 P.001/003

Park St

Valley Wellness Center

Possible overflow vendors

Parking lot

75ft

Empty lot

Primary vendors

X X X X X

45ft

23ft

Handy Sign

70ft

Alley Way Between

Richardson / Richards Building

Main street

50ft

60ft

Tom Tomillo's Empty Lot

Possible overflow vendors

Hand Signs

STAFF REPORTS

A. City Clerk Polian

B. Chief of Police Hephner

C. Fire Chief Tormey

D. Community Development Officer Miller

E. City Superintendent Dunn

F. Environmental Services Officer Plant

- Code Enforcement Department May 2010 Report

G. Parks & Public Buildings Superintendent Owings

H. City Engineer Kelsey

I. City Attorney Arbuckle

J. City Administrator Pile

Code Enforcement Department
May 2010

- I answered one hundred sixteen calls for service during the month of May.
- Twenty two complaints were filed for dogs running loose.
- Fifteen stray dogs were impounded and taken to the Wichita Animal Shelter.
- One barking dog complaints was addressed.
- I disposed of eleven dead animals.
- Two bite reports were filed, and one dog was confined at the Wichita Animal Shelter for rabies quarantine.
- One complaint of a child being scratched by a cat was addressed.
- Five injured animal complaint were received, one raccoon was disposed of.
- One complaint was received for a skunk out in the daytime.
- I spoke with several dog owners regarding their dogs running loose.
- Two cruelty complaints were received and addressed.
- Three traps were set for wildlife.
- One opossum was removed from a window well.
- A complaint was received of an opossum on the playground at Abilene School.
- Sixty nine dog licenses renewal letters were sent to dog owners.
- Addressed a complaint of a neighbor pumping water into his neighbor's yard.
- Twenty three letters were sent to homeowners for trash and debris in their yards. Numerous tires, rims and sofas have been removed from properties around town.
- Thirty four letters were sent for tall grass.
- I attended two meeting with the Valley Center Animal League.

Officer Cindy Plant

GOVERNING BODY REPORTS

- A. Mayor McNown**
- B. Councilmember K. Jackson**
- C. Councilmember Maschino**
- D. Councilmember Nordstedt**
- E. Councilmember Campbell**
- F. Councilmember Cicirello**
- G. Councilmember Gerling**
- H. Councilmember Hobson**
- I. Councilmember L. Jackson**

ADJOURN