

CITY OF VALLEY CENTER

FINAL AGENDA

July 27, 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.

August 3, 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
 - July 20, 2010 Council Meeting p
 - B. Appropriation Ordinance p
7. **PRESENTATIONS / PROCLAMATIONS** p
8. **PUBLIC FORUM** (*Citizen input and requests*) p
9. **APPOINTMENTS** p
10. **COMMITTEES, COMMISSIONS** p
 - A. Minutes for Council Review p
11. **OLD BUSINESS** p
 - A. Public Hearing for 500 N Park Structure
 - B. Discussion of 2011 Budget
 - B. Approve Publication of Notice of Hearing; 2011 Budget
12. **NEW BUSINESS** p
 - A. Discussion of Meeting Procedure
13. **CONSENT AGENDA** p
14. **STAFF REPORTS** p
15. **GOVERNING BODY REPORTS** p
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 July 20, 2010 Regular Council Meeting as prepared by the Assistant City Clerk.

RECOMMENDED ACTION:

Staff recommends motion to approve the July 20, 2010 Regular Council Meeting Minutes as presented / amended

REGULAR COUNCIL MEETING
JULY 20, 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, Cheryl Nordstedt, Bruce Campbell, Harrison Gerling, Al Hobson and Lionel Jackson.

Members absent: Lou Cicirello

Staff Present: Joel Pile, City Administrator
Kristine Polian, City Clerk
Robert Tormey, Fire Captain
Neal Owings, Parks Superintendent
Eldon Miller, Community Development Officer
Barry Arbuckle, City Attorney

Press present: The Ark Valley News

APPROVAL OF THE AGENDA

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

CLERK'S AGENDA

MINUTES- JULY 6, 2010 REGULAR COUNCIL MEETING

Nordstedt moved, second by K. Jackson, to approve the Minutes from the July 6, 2010 Regular Council Meeting as presented. Vote yea: unanimous. Motion carried.

APPROPRIATION ORDINANCE- 07/20/10

Hobson moved, second by L. Jackson, to approve Appropriation Ordinance No. 07/20/10 as presented. Vote yea: unanimous. Motion carried.

TREASURER'S REPORT, JUNE 2010

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

PRESENTATIONS AND PROCLAMATIONS

PRESENTATION FROM CHILD ADVOCACY CENTER OF SEDGWICK COUNTY

Michael Stover, Board of Directors of the Child Advocacy Center of Sedgwick County, presented information to the Council regarding the programs the CACSC offers to Wichita and the surrounding communities in the County. Said the CACSC Board of Directors is going around to all communities within the County asking for support and assistance.

PRESENTATION FROM WAMPO- HOUSEHOLD SURVEY

Kim Spielman from the Wichita Area Metropolitan Planning Organization presented information on a household survey WAMPO is conducting. Said the information received from the survey will be used to assist in planning for future transportation improvements. Said she wanted Council and Staff to know that the survey is being conducted and to please advise citizens that the survey is legitimate.

PUBLIC FORUM

Oletha Faust-Goudeau, candidate for Sedgwick County Commissioner in District 4, introduced herself to the Council and stated why she was running. Said she looks forward to working with residents in the community if she is elected.

COMMITTEES, COMMISSIONS AND APPOINTMENTS

MINUTES FOR COUNCIL REVIEW

Site Plan Review Committee, June 2010

Councilmember Campbell asked that titles for each case in the Minutes be included with the case numbers.

Mayor McNow, as a side note, asked Joel to add a discussion into the next Agenda regarding the process for first and second readings of ordinances.

OLD BUSINESS

ORDINANCE 1206-10 CEMETERY BOARD REVISION

Nordstedt moved, second by Hobson, to adopt Ordinance 1206-10 amending Chapter 12.70 "Cemeteries" of the Valley Center, Kansas Municipal Code for 2nd reading. Vote yea: unanimous. Motion carried.

NEW BUSINESS

2009 AUDIT PRESENTATION- LOWENTHAL, WEBB AND ODERMANN

Brian Nyp from Lowenthal, Webb and Odermann presented the 2009 Financials to the Governing Body. He went through all of the recommended items and significant deficiencies he and his team found during the audit.

Maschino moved, second by K. Jackson, to approve the 2009 Audit. Vote yea: unanimous. Motion carried.

2011 BUDGET PRESENTATION

City Administrator Pile presented the 2011 Budget with a 4.5 mill levy increase, with the majority of the increase being capital expenditures in streets and increased debt payments.

Councilmember Gerling said he was frustrated because he does not feel the City has taken a hit like everyone else in the community has.

Councilmember Nordstedt said she wanted to see cuts made so there would be no mill levy increase.

Nordstedt moved, second by Hobson, to take \$80,000 out of the General Fund CIP transfer line item and \$90,000 out of the Bond and Interest Fund Contingency line item. Vote yea: Nordstedt and Hobson. Opposed: K. Jackson, Maschino, Campbell, Gerling and L. Jackson.

Council directed Staff to bring back a proposed 2011 Budget with 0% mill levy increase.

STREET LIGHT POLICY

K. Jackson moved, second by L. Jackson, to approve the streetlight policy. Vote yea: unanimous. Motion carried.

CONSENT AGENDA

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

GOVERNING BODY REPORTS

COUNCILMEMBER K. JACKSON

Thanked Staff for their hard work on the 2011 Budget.

COUNCILMEMBER MASCHINO

Said she thinks the new auditors were a good choice.

COUNCILMEMBER CAMPBELL

Thanked Staff for the 2011 Budget.

COUNCILMEMBER HOBSON

Thanked Staff for the work done on the 2011 Budget.

COUNCILMEMBER L. JACKSON

Thanked Staff for the budget work done.

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

Meeting adjourned at 8:52 p.m.

Kristine Polian, City Clerk

CLERK'S AGENDA

B. APPROPRIATION ORDINANCE:

Below is the proposed Appropriation Ordinance for August 3, 2010 as prepared by City Staff.

August 3, 2010 Appropriation

Expenses	<u>\$ 114,817.30</u>
Total	\$ 114,817.30

RECOMMENDED ACTION:

Staff recommends motion to approve the August 3, 2010 Appropriation Ordinance as presented / amended.

VENDOR NAME	DESCRIPTION	FUND	DEPARTMENT	AMOUNT_	
A T & T KANSAS	7/9-8/2010 DATA/PH SVCS	GENERAL FUND	ADMINISTRATION	319.53	
	7/9-8/2010 DATA/PH SVCS	GENERAL FUND	LEGAL & MUNICIPAL COUR	29.16	
	7/9-8/2010 DATA/PH SVCS	GENERAL FUND	POLICE	93.32	
	7/9-8/2010 DATA/PH SVCS	GENERAL FUND	FIRE	61.15	
	7/9-8/2010 DATA/PH SVCS	GENERAL FUND	EMERGENCY COMMUNICATIO	181.89	
	7/9-8/2010 DATA/PH SVCS	GENERAL FUND	PARKS AND PUBLIC GROUN	112.57	
	7/9-8/2010 DATA/PH SVCS	WATER OPERATING	NON-DEPARTMENTAL	35.03	
	7/9-8/2010 DATA/PH SVCS	WATER OPERATING	NON-DEPARTMENTAL	40.08	
	7/9-8/2010 DATA/PH SVCS	WATER OPERATING	NON-DEPARTMENTAL	143.36	
	7/9-8/2010 DATA/PH SVCS	SEWER OPERATING	NON-DEPARTMENTAL	201.12_	
		TOTAL:		1,217.21	
	AFLAC	PW002502 ACCIDENT	GENERAL FUND	NON-DEPARTMENTAL	35.36
		PV184033 ACCIDENT	GENERAL FUND	NON-DEPARTMENTAL	43.30
P6996294 ACCIDENT		GENERAL FUND	NON-DEPARTMENTAL	32.20	
PU215449 ACCIDENT		GENERAL FUND	NON-DEPARTMENTAL	24.10	
PV1830434 DISABILITY		GENERAL FUND	NON-DEPARTMENTAL	39.40	
PU342670 DISBILITY		GENERAL FUND	NON-DEPARTMENTAL	37.96	
PU215450 CANCER		GENERAL FUND	NON-DEPARTMENTAL	32.11	
PJ720568 ACCIDENT		SPECIAL HIGHWAY	NON-DEPARTMENTAL	24.10	
PJ720569 CANCER		SPECIAL HIGHWAY	NON-DEPARTMENTAL	22.70	
P6996300 ACCIDENT		WATER OPERATING	NON-DEPARTMENTAL	26.20_	
		TOTAL:		317.43	
BRENDA McARTHUR		CANX 8/28/10 RESERVATION	GENERAL FUND	PARKS AND PUBLIC GROUN	40.00_
	TOTAL:		40.00		
CITY OF WICHITA	6/1-7/1/2010 ICT WA SVCS	WATER OPERATING	NON-DEPARTMENTAL	21.60	
	6/1-7/1/2010 ICT WA SVCS	WATER OPERATING	NON-DEPARTMENTAL	48,276.04_	
		TOTAL:		48,297.64	
CIVIC PLUS	6/2010 SPAM FILTERING FEE	GENERAL FUND	ADMINISTRATION	18.35	
	6/2010 SPAM FILTERING FEE	GENERAL FUND	COMMUNITY DEVELOPMENT	2.16	
	6/2010 SPAM FILTERING FEE	GENERAL FUND	COMMUNITY DEVELOPMENT	1.08	
	6/2010 SPAM FILTERING FEE	GENERAL FUND	POLICE	21.59	
	6/2010 SPAM FILTERING FEE	GENERAL FUND	FIRE	28.06	
	6/2010 SPAM FILTERING FEE	GENERAL FUND	EMERGENCY COMMUNICATIO	8.64	
	6/2010 SPAM FILTERING FEE	GENERAL FUND	PARKS AND PUBLIC GROUN	4.32	
	6/2010 SPAM FILTERING FEE	GENERAL FUND	ENVIRONMENTAL SERVICES	1.08	
	6/2010 SPAM FILTERING FEE	SPECIAL HIGHWAY	SPECIAL HIGHWAY	2.16	
	6/2010 SPAM FILTERING FEE	WATER OPERATING	NON-DEPARTMENTAL	5.40	
	6/2010 SPAM FILTERING FEE	STORMWATER UTILITY	INVALID DEPARTMENT	1.08	
	6/2010 SPAM FILTERING FEE	SEWER OPERATING	NON-DEPARTMENTAL	1.08_	
		TOTAL:		95.00	
	COX COMMUNICATIONS	7/21-8/20/10 INTERNET SVC	GENERAL FUND	PARKS AND PUBLIC GROUN	19.99
7/21-8/20/10 INTERNET SVC		SPECIAL HIGHWAY	SPECIAL HIGHWAY	19.98	
7/21-8/20/10 INTERNET SVC		WATER OPERATING	NON-DEPARTMENTAL	20.00	
7/21-8/20/10 INTERNET SVC		SEWER OPERATING	NON-DEPARTMENTAL	19.98_	
		TOTAL:		79.95	
CUSIP GLOBAL SERVICES	NEW CUSIPS-2006 BOND ISS	BOND & INTEREST	NON-DEPARTMENTAL	166.00_	
		TOTAL:		166.00	
DRS CRUMM & TODD, PA	JUNE 2010 RESTITUTION	GENERAL FUND	NON-DEPARTMENTAL	10.00_	
	TOTAL:		10.00		

VENDOR NAME	DESCRIPTION	FUND	DEPARTMENT	AMOUNT_
ELDON MILLER	6/1-30/10 MILEAGE REIMBUR	GENERAL FUND	COMMUNITY DEVELOPMENT	223.00_
			TOTAL:	223.00
FOSTER & ASSOCIATES,	3/30-6/30/10 PLANNING SVC	GENERAL FUND	COMMUNITY DEVELOPMENT	1,733.75_
			TOTAL:	1,733.75
HOMELAND ROOFING & CONSTRUCTION LLC	PSB ROOF REPAIRS	GENERAL FUND	PARKS AND PUBLIC GROUN	1,660.00_
			TOTAL:	1,660.00
ING LIFE INSURANCE & ANNUITY CO	VFG496-0159	GENERAL FUND	NON-DEPARTMENTAL	50.00
	VFG496-7047	GENERAL FUND	NON-DEPARTMENTAL	15.00
	VFG496-9889	GENERAL FUND	NON-DEPARTMENTAL	350.00
	VFG496-1325	GENERAL FUND	NON-DEPARTMENTAL	12.00
	VFG496-2230	GENERAL FUND	NON-DEPARTMENTAL	50.00
	VFG496-9681	GENERAL FUND	NON-DEPARTMENTAL	100.00
	VFG496-5676	GENERAL FUND	NON-DEPARTMENTAL	25.00
	VFG496-1112	GENERAL FUND	NON-DEPARTMENTAL	20.00
	VFG496-8830	SPECIAL HIGHWAY	NON-DEPARTMENTAL	15.00
	VFG496-2852	WATER OPERATING	NON-DEPARTMENTAL	12.50
	VFG496-0649	WATER OPERATING	NON-DEPARTMENTAL	200.00_
			TOTAL:	849.50
INTRUST BANK N.A.	FED TAX W/H - GEN	GENERAL FUND	NON-DEPARTMENTAL	3,887.91
	FICA & MEDICARE-GEN	GENERAL FUND	NON-DEPARTMENTAL	3,695.92
	EMPR BEN MEDIC-GEN	EMPLOYEE BENEFITS	NON-DEPARTMENTAL	700.55
	EMPR BEN FICA - GEN	EMPLOYEE BENEFITS	NON-DEPARTMENTAL	2,995.37
	FED TAX W/H - STS	SPECIAL HIGHWAY	NON-DEPARTMENTAL	374.85
	FICA & MEDICARE-STs	SPECIAL HIGHWAY	NON-DEPARTMENTAL	426.91
	EMPR BEN MEDIC-STs	SPECIAL HIGHWAY	SPECIAL HIGHWAY	80.91
	EMPR BEN FICA - STs	SPECIAL HIGHWAY	SPECIAL HIGHWAY	346.00
	FED TAX W/H - WA	WATER OPERATING	NON-DEPARTMENTAL	694.01
	FICA & MEDICARE-WA	WATER OPERATING	NON-DEPARTMENTAL	674.31
	EMPR BEN MEDIC-WA	WATER OPERATING	NON-DEPARTMENTAL	127.80
	EMPR BEN FICA - WA	WATER OPERATING	NON-DEPARTMENTAL	546.51
	FED TAX W/H - SWR	SEWER OPERATING	NON-DEPARTMENTAL	275.44
	FICA & MEDICARE-SWR	SEWER OPERATING	NON-DEPARTMENTAL	264.43
	EMPR BEN MEDIC-SWR	SEWER OPERATING	NON-DEPARTMENTAL	50.12
	EMPR BEN FICA - SWR	SEWER OPERATING	NON-DEPARTMENTAL	214.31_
			TOTAL:	15,355.35
JACKIE BROWN	6/2010 MILEAGE REIMBURSE	GENERAL FUND	ADMINISTRATION	7.45_
			TOTAL:	7.45
KANSAS OFFICE OF THE TREASURER	JUNE 2010 STATE FEES	GENERAL FUND	NON-DEPARTMENTAL	19.00
	JUNE 2010 STATE FEES	GENERAL FUND	NON-DEPARTMENTAL	0.50
	JUNE 2010 STATE FEES	GENERAL FUND	NON-DEPARTMENTAL	69.00_
			TOTAL:	88.50
KANSAS PAYMENT CENTER	98D002573	GENERAL FUND	NON-DEPARTMENTAL	110.31
	06DM000961	GENERAL FUND	NON-DEPARTMENTAL	150.00
	06EM000734	GENERAL FUND	NON-DEPARTMENTAL	112.00
	07DM000222	GENERAL FUND	NON-DEPARTMENTAL	221.54
	05DM06422	WATER OPERATING	NON-DEPARTMENTAL	204.50
	06DM006517	WATER OPERATING	NON-DEPARTMENTAL	374.39_
			TOTAL:	1,172.74

VENDOR NAME	DESCRIPTION	FUND	DEPARTMENT	AMOUNT_
KDHE-BUREAU OF WATER: INDUSTRIAL PRGMS	S-LA16-0027 PERMIT RENEW	CAPITAL PROJECTS F	FORD STREET BRIDGE	60.00_
			TOTAL:	60.00
KPEERS	EMP DEDUCT - GEN	GENERAL FUND	NON-DEPARTMENTAL	1,887.19
	EMPR BENEFIT - GEN	EMPLOYEE BENEFITS	NON-DEPARTMENTAL	2,402.25
	EMP DEDUCT - STS	SPECIAL HIGHWAY	NON-DEPARTMENTAL	246.21
	EMPR BENEFIT - STS	SPECIAL HIGHWAY	SPECIAL HIGHWAY	291.79
	EMP DEDUCT - WAT	WATER OPERATING	NON-DEPARTMENTAL	393.79
	EMPR BENEFIT - WA	WATER OPERATING	NON-DEPARTMENTAL	477.28
	EMP DEDUCT - SWR	SEWER OPERATING	NON-DEPARTMENTAL	146.52
	EMPR BENEFIT - SWR	SEWER OPERATING	NON-DEPARTMENTAL	209.60_
		TOTAL:	6,054.63	
LAURIE B. WILLIAMS	0914039	GENERAL FUND	NON-DEPARTMENTAL	55.00
	081223113	WATER OPERATING	NON-DEPARTMENTAL	100.00
	081002813	WATER OPERATING	NON-DEPARTMENTAL	273.04_
		TOTAL:	428.04	
LOWENTHAL WEBB & ODERMANN, P.A.	FINAL BILLING-AUDIT	GENERAL FUND	ADMINISTRATION	446.37
	FINAL BILLING-AUDIT	GENERAL FUND	LEGAL & MUNICIPAL COUR	445.36
	FINAL BILLING-AUDIT	GENERAL FUND	COMMUNITY DEVELOPMENT	445.36
	FINAL BILLING-AUDIT	GENERAL FUND	POLICE	445.37
	FINAL BILLING-AUDIT	GENERAL FUND	FIRE	445.37
	FINAL BILLING-AUDIT	GENERAL FUND	EMERGENCY COMMUNICATIO	445.36
	FINAL BILLING-AUDIT	GENERAL FUND	PARKS AND PUBLIC GROUN	445.36
	FINAL BILLING-AUDIT	GENERAL FUND	ENVIRONMENTAL SERVICES	445.35
	FINAL BILLING-AUDIT	SPECIAL HIGHWAY	SPECIAL HIGHWAY	445.36
	FINAL BILLING-AUDIT	WATER OPERATING	NON-DEPARTMENTAL	445.37
	FINAL BILLING-AUDIT	SEWER OPERATING	NON-DEPARTMENTAL	445.37_
			TOTAL:	4,900.00
P E C	JUN 2010 RETAINER	GENERAL FUND	ADMINISTRATION	1,332.02
	6th & MERIDIAN LIFT	CAPITAL PROJECTS F	LIFT STATION-6th & Mer	9,429.96
	MERID SWS EXT 5TH-6	CAPITAL PROJECTS F	STORMWATER SWR; 5>6TH	3,831.90
	VALL CRK EST PAVING	CAPITAL PROJECTS F	V Creek 2nd;Paving/Dra	15,955.68
	VALL CRK EST WATER	CAPITAL PROJECTS F	V Creek 2nd; Water Mai	700.55_
		TOTAL:	31,250.11	
PITNEY BOWES INC	QTRLY METER RENTAL-CH	GENERAL FUND	ADMINISTRATION	82.95
	QTRLY METER RENTAL-CH	GENERAL FUND	LEGAL & MUNICIPAL COUR	11.85
	QTRLY METER RENTAL-CH	GENERAL FUND	COMMUNITY DEVELOPMENT	82.95
	QTRLY METER RENTAL-CH	GENERAL FUND	POLICE	11.85
	QTRLY METER RENTAL-CH	GENERAL FUND	ENVIRONMENTAL SERVICES	47.40_
		TOTAL:	237.00	
SECURITY BENEFIT	613042-8913	GENERAL FUND	NON-DEPARTMENTAL	25.00
	613042-5556	GENERAL FUND	NON-DEPARTMENTAL	25.00
	613042-6484	GENERAL FUND	NON-DEPARTMENTAL	25.00_
		TOTAL:	75.00	
TYLER TECHNOLOGIES INC - INCODE DIVISI	MO INSITE FEE/SPRT	GENERAL FUND	ADMINISTRATION	25.00
	MO INSITE FEE/SPRT	GENERAL FUND	LEGAL & MUNICIPAL COUR	25.00
	MO COURT COMP FEE	GENERAL FUND	LEGAL & MUNICIPAL COUR	75.00
	MO UTILITY COMP 1/3	WATER OPERATING	NON-DEPARTMENTAL	26.67
	MO UTILITY COMP 1/3	STORMWATER UTILITY	INVALID DEPARTMENT	26.66
	MO UTILITY COMP 1/3	SEWER OPERATING	NON-DEPARTMENTAL	26.67

VENDOR NAME	DESCRIPTION	FUND	DEPARTMENT	AMOUNT_
			TOTAL:	205.00
VANESSA NEWMAN	CANX 7/17/10 RESERVATION	GENERAL FUND	PARKS AND PUBLIC GROUN	40.00_
			TOTAL:	40.00
VANTAGEPOINT TRANS AGENTS	7-16-10 BW ICMA DISBURSE	GENERAL FUND	NON-DEPARTMENTAL	50.00
	7-16-10 BW ICMA DISBURSE	GENERAL FUND	NON-DEPARTMENTAL	25.00
	7-16-10 BW ICMA DISBURSE	GENERAL FUND	NON-DEPARTMENTAL	10.00_
			TOTAL:	85.00
VERLIN A. INGRAM	CASE# 090531/10-82C	GENERAL FUND	LEGAL & MUNICIPAL COUR	150.00_
			TOTAL:	150.00
WICHITA EAGLE	MONTHLY SUBSCRIPTION	GENERAL FUND	PARKS AND PUBLIC GROUN	19.00_
			TOTAL:	19.00

===== FUND TOTALS =====

010	GENERAL FUND	21,278.81
110	EMPLOYEE BENEFITS	6,098.17
150	SPECIAL HIGHWAY	2,295.97
350	CAPITAL PROJECTS FUND	29,978.09
410	BOND & INTEREST	166.00
610	WATER OPERATING	53,117.88
612	STORMWATER UTILITY FUND	27.74
620	SEWER OPERATING	1,854.64

 GRAND TOTAL: 114,817.30

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: 7/15/2010 THRU 7/22/2010
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 8-3-10 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,
July 27, 2010 Meeting

VALLEY CENTER PLANNING COMMISSION/BOARD OF ZONING APPEALS
7:00 P.M.
JUNE 22, 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 Ricky Shellenbarger.

Members Absent: Danny Park 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 MAY 25 2010

Commissioner Schroeder moved, seconded by Jackson to approve the minutes. Vote Yea: Unanimous.

COMMUNICATIONS

ITEMS BY ZONING ADMINISTRATOR

None

SUBDIVISION COMMITTEE REPORT

None

SITE PLAN REVIEW COMMITTEE REPORT

Received and filed the unapproved minutes.

PUBLIC COMMENT

None

Commissioner Balthazar moved, seconded by Davis to include Farmer's Market, activity centers and physical fitness to the public hearing. Vote Yea: Janzen, Balthazar, Davis, Schroeder and Shellenbarger. Vote No: Dailey and Jackson.

PUBLIC HEARING -ZONING REGULATION AMENDMENTS

Chairman Janzen opened the public hearing at 7:05 p.m.

Eldon G. Miller, Secretary verified that on May 27, 2010 a notification was published in the Ark Valley News.

No ex prate communication.

Eldon G. Miller, AICP, CFM, Zoning Administrator presented the staff report.

Commissioner Dailey asked if there was a definition for Metal dwellings. Eldon G. Miller, AICP, CFM, stated not at this time.

Lisa Vermillon discussed the Farmer's Market.

The Public Hearing was closed at 8:14 p.m.

The Planning Commission decided to allow Farmer's Market to be open for 10 days a month.

Commissioner Balthazar moved, seconded by Davis to table Metal Dwellings and to approve everything else.

Chairman Janzen moved, seconded by Dailey to amend the motion to allow Liquor Stores as a permitted use and Club and Taverns as a permitted special use in the Downtown Overlay District. Vice-Chairman Davis stated that there is not enough parking. Chairman Janzen stated that he had been to other cities and they allow it with the same parking that we have. Vice-Chairman Davis asked how much more of these do we need. Commissioner Balthazar stated that we are served by the ones we have. Commissioner Dailey stated that we what people together downtown. Vote Yea: Janzen, Dailey, Schroeder and Jackson. Vote No: Davis, Balthazar and Shellenbarger.

Vote to recommend to the City Council to approve the Zoning Regulations amendments: Vote Yea: Unanimous.

Chairman Janzen left at 8:24 p.m.

UNFISNISHED BUSINESS

ADMINISTRATIVE ADJUSTMENT

Commissioner Dailey moved, seconded by Jackson to table until the July 27, 2010 meeting. Vote Yea: Dailey, Balthazar, Jackson, Schroeder and Shellenbarger. Vote No: Davis.

NEW BUSINESS

2011 BUDGET

The Planning Commission priorities for 2011 is:

- 1.) Sidewalk Master Plan
- 2.) 5th and Sheridan Neighborhood Plan
- 3.) South Interurban Neighborhood Plan

Commissioner Dailey moved, seconded by Shellenbarger to recommend to the City Council that they hire a Part Time Assistant for Community Development. Vote Yea: Davis, Dailey, Balthazar and Shellenbarger. Vote No: Jackson and Schroeder.

ITEMS BY PLANNING COMMISSION

Commissioner Shellenbarger stated that when cars are parked on both sides of Colby by Lions Park it was one lane traffic only.

The meeting was adjourned at 9:16 p.m.

Respectfully submitted,

Eldon G. Miller, AICP, CFM, Secretary

Approved by the Valley Center Planning Commission on July 27, 2010.

Gary Janzen, Chairman

OLD BUSINESS

A. PUBLIC HEARING for STRUCTURE at 500 N. PARK:

Background:

- On March 29, 2010; Cindy Plant, Code Compliance Officer sent a letter to the property owner reference the garage and has not received a response.
- On June 4, 2010; 18th Judicial District Court, Sedgwick Court, Sedgwick County, Kansas Civic Department issued an Administrative Search Warrant for this address.
- Cindy Plant, Code Compliance Officer; Jared Truman, Sedgwick County Building Inspector; Bud Lett Sedgwick County Building Inspector/Plans Examiner and I inspected the property on June 4, 2010 at 1:00 p.m.
- Bud Lett has a written report that is enclosed.
- On June 7, 2010 Public Works boarded up the property and notice was posted on the property.
- On July 6, 2010; the detached garage was torn down.
- Dennis Cook, P.E., PEC and I inspected the property on July 27, 2010 at 1:00 p.m.
- Dennis Cook, P.E. will have a written report and will be at the Public Hearing.

Financial Considerations:

- Costs to the city if the city has to demo the property.
- However, per proposed Resolution any costs to the city less salvage shall be collected as provided by K.S.A. 12-1,115 and amendments.

Legal Considerations:

- City has the legal authority to order the property to be repaired or demo per City Code 14.28.

Should Council choose to proceed,

RECOMMENDED ACTION:

Staff recommends:

- Open Public Hearing (allow interested parties to address Council concerning the property)
- Close Public Hearing
- Adopt Resolution 576-10 directing the owner to repair or remove the structure.
- If the owner is to repair the property, direct staff to include in the Resolution what repairs have to be completed and the time frame.
- If owner is to remove the structure include in the Resolution the time frame for removal.
- Direct City Clerk to publish and send to the owner or other parties in interest a copy of the Resolution.

RESOLUTION NO. 576-10

A RESOLUTION FINDING THAT THE STRUCTURE LOCATED AT LOT 12 PARK AVENUE, CARPENTER'S ADDITION IN THE CITY OF VALLEY CENTER, SEDGWICK COUNTY, KANSAS, COMMONLY KNOWN AND REFERRED TO AS 500 N. PARK, VALLEY CENTER, KANSAS, IS UNSAFE OR DANGEROUS AND DIRECTING THAT THE STRUCTURE BE REMOVED [REPAIRED] AND THE PREMISES MADE SAFE AND SECURE.

WHEREAS, the Enforcing Officer of the City of Valley Center, Kansas, did on the 15th day of June, 2010, file with the governing body of said City a statement in writing that the structures, hereinafter described, are unsafe or dangerous; and,

WHEREAS, the governing body did by Resolution No. 547-10 dated the 15th day of June, 2010, fix the time and place of a hearing at which the owner, his or her agent, and lienholders, any occupants and all other parties of interest of such structure could appear and show cause why such structure should not be condemned and ordered repaired or demolished, and provided for giving notice thereof as provided by law; and,

WHEREAS, Resolution No. 547-10 was published in the official city paper on the 17th day of June, 2010, and on the 24th day of June, 2010, and a copy of said resolution was served upon all persons entitled thereto as provided by law; and,

WHEREAS, on this 3rd day of August, 2010, the governing body did conduct the hearing scheduled in Resolution No. 547-10 and took evidence from the following: the enforcing officer on behalf of the city; building inspector on behalf of the city; structural engineer on behalf of the city; *Beneficial Mortgage Corporation 636 Grand Regency Blvd Brandon, Fl. 33510 the owners;* _____ *owner's agent;* and _____ *other parties in interest.* The following parties in interest failed to appear or appeared and did not present evidence _____.

[Adjournment Option]

WHEREAS, on this 3rd day of August, 2010, the governing body did convene the hearing scheduled in Resolution No. 547-10; said hearing was then adjourned until the _____ day of _____, 2010; the governing body received evidence from the following: the enforcing officer on behalf of the city; building inspector on behalf of the city; structural engineer on behalf of the city; *Beneficial Mortgage Corporation 636 Grand Regency Blvd Brandon, Fl. 33510 the owners;* _____ *owner's agent;* and _____ *other parties in interest.* The following parties in interest failed to appear or appeared and did not present evidence _____.

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

[Removal Option]

1. The governing body hereby finds that the structure located at:

Lot 12 Park Avenue Carpenter's Addition

and commonly known and referred to as 500 N. Park, Valley Center, Kansas, is unsafe and dangerous and directs that such structure is to be removed and premises made safe and secured.

2. The owner of such structure is hereby directed to commence the removal of the property within _____ days from the date of publication of this resolution (not later than the _____ day of _____, 2010,) and to have the removal completed within _____ days of the date of commencement (not later than the _____ day of _____, 2010). Provided, that upon due application by the owner and for good cause shown, the governing body, in its sole discretion, may grant the owner additional time to complete the removal of the property.

[Repair Option]

1. The governing body hereby finds that the structure located at:

Lot 12 Park Avenue Carpenter's Addition

and commonly known and referred to as 500 N. Park, Valley Center, Kansas, is unsafe and dangerous and directs that such structure is to be repaired and premises made safe and secured. Repairs are to be made and completed are:

2. The owner of such structure is hereby directed to commence the repair of the property within _____ days from the date of publication of this resolution (not later than the _____ day of _____, 2010,) and to have the repairs completed within _____ days of the date of commencement (not later than the _____ day of _____, 2010). Provided, that upon due application by the owner and for good cause shown, the governing body, in its sole discretion, may grant the owner additional time to complete the repairs to the property.

3. If the owner fails to commence the removal [repair] of the structure within the time stated herein, or any additional time granted by the governing body, or fails to diligently prosecute the same until the work is completed, the governing body will cause the structure to be razed and removed and the costs of razing and removing, less salvage if any, shall be collected in the manner provided by K.S.A. 12-1,1115, and amendments thereto or shall be assessed as a special assessment against the lot or parcel of land upon which the structure is located or by both, as provided by law.

BE IT FURTHER RESOLVED that if the owner fails to commence the repair or removal of the structure within the time provided herein or fails to diligently prosecute the same, the governing body may take further action as it deems necessary to raze and remove the structure without further notice to the owner or other parties in interest.

BE IT FURTHER RESOLVED that City Clerk shall cause this Resolution to be published once in the official city paper and mail a copy to the owners, agents and lienholders, occupants, and other parties in interest.

ADOPTED this 3rd day of August, 2010.

Michael D. McNown, Mayor

ATTEST:

Kristine A. Polian, City Clerk

OLD BUSINESS

B. DISCUSSION of 2011 BUDGET:

General Fund

Revenue	Expenditures	Projected Fund Balance 12/31/11
\$2,169,700	\$2,266,985	\$359,316

Notes:

- \$60,000 transfer to Special Streets & Highway Fund to increase capital for FY 11 Street Enhancement Program
- Salary line items adjusted to provide 1% Cost of Living Adjustment (COLA)
- Removed 1 FTE in Parks & Public Buildings
- Reduced travel and training line items in contractual
- Removed vehicle purchase in Parks & Public Buildings
- \$11,895 to fund Senior Club Coordinator Contract

Debt & CIP Fund

Revenue	Expenditures	Projected Fund Balance 12/31/11
\$1,702,770	\$1,771,700	\$152,420

Notes:

- Fully funds C.I.P. model
- \$125,000 in Capital Outlay earmarked for Cemetery expansion or Stormwater Project

Employee Benefit Fund

Revenue	Expenditures	Projected Fund Balance 12/31/11
\$654,120	\$638,825	\$15,561

Notes:

- Assumes new health insurance plan w/100% employer paid premiums
- Absorbs increases in unemployment insurance & workman's comp insurance
- Funds 2011 Employee Wellness Program

Other:

- Special Streets & Highway Fund is projected to have approx. \$400,000 in Capital Outlay
- Emergency Equipment Fund has \$53,000 earmarked for the purchase of 2 police patrol cars
- Authorizes 1 FTE (Utility Clerk) expenditure spread between water, sewer, stormwater, solid waste & general funds

2008 mill-49.010 2009 mill-48.367 2010 mill-48.516 2011 *proposed* mill-48.516

RECOMMENDED ACTION:

For discussion only.

OLD BUSINESS

C. APPROVE PUBLICATION of NOTICE of HEARING for 2011 BUDGET:

- Budget Summary must be published 10 days prior to hearing
- Once published, Ad Valorem Rates may not be increased without being published.

Should Council choose to proceed,

RECOMMENDED ACTION:

Staff recommends motion to approve the 2011 Budget with total expenditures not to exceed \$7,430,200 with an estimated Ad Valorem tax of \$2,121,666; approve Publication of Notice of Budget Hearing; and to establish August 17, 2010 at 7:00 p.m. at Valley Center City Hall as the date, time and place to hold a public hearing concerning the 2011 Proposed Budget.

NOTICE OF BUDGET HEARING

The governing body of the
City of Valley Center
will meet on August 17, 2010 at 7:00 PM at Valley Center City Hall, 121 S. Meridian for the purpose of
hearing and answering objections of taxpayers relating to the proposed use of all funds and the amount of ad valorem tax.
Detailed budget information is available at City Hall and will be available at this hearing.

BUDGET SUMMARY

Proposed Budget 2011 Expenditures and Amount of 2010 Ad Valorem Tax establish the maximum limits of the 2011 budget.
Estimated Tax Rate is subject to change depending on the final assessed valuation.

FUND	Prior Year Actual for 2009		Current Year Estimate for 2010		Proposed Budget for 2011		
	Expenditures	Actual Tax Rate *	Expenditures	Actual Tax Rate *	Expenditures	Amount of 2010 Ad Valorem Tax	Estimate Tax Rate *
General	2,391,210	24.339	2,073,950	20.208	2,266,985	794,450	18.167
Debt Service	1,401,270	7.509	1,720,050	11.089	1,871,700	524,770	12.000
Employee Benefit	532,320	10.936	591,000	11.702	638,825	561,922	12.849
Emergency Equipment	28,390	1.015	47,500	1.003	119,400	43,720	1.000
Library	213,320	4.568	215,990	4.514	237,790	196,804	4.500
Special Highway	711,330		742,600		824,400		
Equipment Reserve	227,880		50,000		50,000		
ADSAP			2,000		2,000		
Active Aging	4,750		5,000		5,000		
Special Alcohol & Drug	1,170		1,000		1,000		
Special Park & Recreation			1,000		600		
Drug Tax Distribution	1,490		1,500		4,000		
Water Operating	1,033,250		1,222,810		1,222,870		
Sewer Operating	864,770		1,042,640		1,029,700		
Storm Water Operating	13,123		66,400		57,500		
Solid Waste Operating					29,900		
Non-Budgeted Funds-A	301,970						
Non-Budgeted Funds-B	228,400						
Totals	7,954,643	48.367	7,783,440	48.516	8,361,670	2,121,666	48.516
Less: Transfers	548,120		813,600		931,470		
Net Expenditure	7,406,523		6,969,840		7,430,200		
Total Tax Levied	2,039,978		2,054,348		xxxxxxx		
Assessed							
Valuation	42,178,107		42,344,615		43,731,191		

Outstanding Indebtedness,	2008	2009	2010
January 1,			
G.O. Bonds	11,415,000	9,860,000	12,095,000
Revenue Bonds	1,295,000	1,160,000	0
Other	1,765,799	5,887,119	6,110,687
Lease Purchase Principal	161,263	110,624	68,134
Total	14,637,062	17,017,743	18,273,821

*Tax rates are expressed in mills

Michael McNown, Mayor

NEW BUSINESS

A. DISCUSSION OF MEETING PROCEDURE:

A first reading is when an ordinance is introduced to the City Council and made public. The title of the ordinance is read and immediately assigned to a committee or automatically placed on the City Council Agenda for the meeting immediately proceeding for second reading. No vote is held on whether to read/pass the ordinance a first time.

A second reading is the stage of the process in which an ordinance is read with all amendments and voted on by the City Council. During the process, the Council receives ordinance reports/amendments from the committee (if referred to committee), considers comments from the public, debates legislation, proposes amendments and votes on the ordinance.

The vote on an ordinance must be by yeas and nays, which must be entered in the minutes by the city clerk. A majority of all the members-elect of council must vote favorably for an ordinance to pass. This means that since there are eight council members elected, the required vote is five regardless of the number present. If the number of favorable votes is one less than required, the mayor may cast the deciding vote in favor of the ordinance. If the mayor does cast the deciding vote, he or she cannot thereafter veto the ordinance.

K.S.A. 12-3002 requires that a majority of all the members-elect of the council vote in favor of the ordinance's passage. An abstention or refusal to vote cannot be counted as affirmative action when considering the adoption of an ordinance. Council members were elected to cast tough, controversial votes. Abstentions should only be made to avoid a potential or actual conflict of interest. Abstaining for any other reason is not in the interest of the city.

RECOMMENDED ACTION:

For review only.

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 June 2010 Report

G. Parks & Public Buildings Superintendent Owings

H. City Engineer Kelsey

- City Engineer Status Report

I. City Attorney Arbuckle

J. City Administrator Pile

Code Enforcement Department
June 2010

- I answered one hundred four calls for service during the month of June.
 - Fifteen complaints were filed for dogs running loose.
 - Eight stray dogs were impounded and seven were taken to the Wichita Animal Shelter.
 - One injured dog was picked up from the Emergency Vet Clinic and transported to Chisholm Trail Vet Clinic.
 - One lost cat was impounded and returned to the owner.
 - I disposed of seven dead animals.
 - A raccoon was relocated from a property owner's garage.
 - I spoke with several dog owners regarding their dogs running loose.
 - One complaint was received concerning three abandon dogs.
 - Addressed a poison ivy complaint.
 - One cruelty complaints were received and addressed.
 - Four traps were set for wildlife.
 - Five political signs were relocated.
 - A skunk was disposed of from a trap.
 - Four inoperable vehicle letters were sent to property owners.
 - Fifty nine dog licenses renewal letters were sent to dog owners.
 - Severed a subpoena.
 - Nineteen letters were sent to homeowners for trash and debris in their yards.
 - Thirty two letters were sent for tall grass.
- I attended a board meeting the Kansas Animal Control Association.

Officer Cindy Plant



MEMO

TO: City of Valley CenterFROM: Michael D. Kelsey, P.E.PROJECT NO.: 35-89355-2502PROJECT: Valley Center City Engineer

ATTENTION: _____

COPIES TO: Joel Pile-City Administrator,REFERENCE: Project Status UpdateRichard Dunn-City Supt, Kristine Polian-City Clerk,

PLEASE ADVISE IMMEDIATELY OF ANY MISCONCEPTIONS OR OMISSIONS YOU BELIEVE TO BE CONTAINED HEREIN.

Shown below is a list of projects that PEC is working on along with the project status.

Ford Street Bridge: The project has bid through KDOT, with the project awarded to King Construction. Construction has been delayed because of utility relocations and coordination, with tentative construction starting in early September. Kansas Gas Service needs to relocate a gas line prior to construction, which is planned to occur in August.

Prairie Lakes-Phase 4 Grading: Most of the berm work is complete, with the exception of filling in the two field drains (low areas) in the levee. Ruggles and Bohm, P.A. have completed the drainage evaluation, which has been forwarded to the Corp of Engineers and the Division of Water Resources. The study on the levees has been completed by the City of Wichita/Corp of Engineers, and we have submitted additional hydrologic flow information to these agencies.

Unruh Excavating-contractor

6th and Meridian Lift Station Replacement: The preconstruction meeting with the contractor was held on May 12th, and the notice to proceed with construction is May 24th. The project is almost complete, and the contractor plans to perform start up on the lift station on August 2nd, with final completion of the project planned for mid-August.

Dondlinger and Sons-contractor

Sanitary Sewer Rehabilitation: Field surveys have been performed, and we are currently working on the design of the project. We anticipate bidding of the project in October or November of this year.

5th to 6th Street SWS along Meridian: The preconstruction meeting with the contractor was held on May 12th, and the notice to proceed with construction is June 1st. The project is complete, other than clean up items and completion of the pavement patching work.

Utilities Plus-contractor

Ford Street PUD: We have performed layouts of the site, and provided to the City. This was reviewed by Planning Commission on July 27th, and we plan to present it to the Council at one of the meetings in September.

5th Street Bridge: Field surveys are complete, and the base plan has been prepared. We are currently working on the design of the project.

Industrial Park Sanitary Sewer: The final inspection of the construction of the project was held on July 23rd, and the project is complete.

Other Items:

- Mies Construction is currently installing sanitary sewer to the high school property, and have completed the installation of the sewer. There are a couple of punch list items that still remain.
- Performed field survey to evaluate the drainage along the railroad from Main Street to 3rd Street. Will put together an estimate for improvements in this area.
- Have performed inspection of the bridges in the City. Are currently evaluating load ratings and updating the KDOT electronic records. The final inspection reports will be provided to the City upon completion.
- Attended a meeting with Sedgwick County Public Works regarding drainage along north Meridian.
- Surveyors are currently locating/establishing the property corners for the lot that is planned for the public works storage facility.
- Structural engineer has reviewed the condition of a potential unsafe structure, and will provide a report for this.

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