

# CITY OF VALLEY CENTER

## FINAL AGENDA

December 2, 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.

## December 7, 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
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    - November 16, 2010 Council Meeting p 5
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  - Emergency Food Assistance Program (Commodities) [Tabled - December 21,2010](#)
8. **PUBLIC FORUM** (*Citizen input and requests*) p 17
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  - B. Dangerous Structure, Fence at 7055 N Clarence, J. Winter p 22
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15. **GOVERNING BODY REPORTS** p 40
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.gov](mailto:cityclerk@valleycenter-ks.gov) or by phone at (316)755-7310.*

*For Additional information on any item on the agenda, please visit [www.valleycenter-ks.gov](http://www.valleycenter-ks.gov) 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 November 16, 2010 Regular Council Meeting as prepared by the City Clerk.

### **RECOMMENDED ACTION:**

Staff recommends motion to approve the November 16, 2010 Regular Council Meeting Minutes as presented / amended.

REGULAR COUNCIL MEETING  
NOVEMBER 16, 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, Lou Cicirello, Harrison Gerling, Al Hobson and Lionel Jackson.

Members absent: None

Staff Present: Joel Pile, City Administrator  
Kristine Polian, City Clerk  
Steve Mertins, Assistant City Superintendent  
Lonnie Tormey, Fire Chief  
Mark Hephner, Police Chief  
Neal Owings, Parks Superintendent  
Eldon Miller, Community Development Officer  
Mike Kelsey, City Engineer

Press present: The Ark Valley News

**APPROVAL OF THE AGENDA**

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

**CLERK'S AGENDA**

MINUTES- NOVEMBER 2, 2010 REGULAR COUNCIL MEETING

Nordstedt moved, second by Cicirello, to approve the Minutes from the November 2, 2010 Regular Council Meeting as presented. Vote yea: unanimous. Motion carried.

APPROPRIATION ORDINANCE- 11/16/10

Maschino moved, second by K. Jackson, to approve Appropriation Ordinance No. 11/16/10 as presented. Vote yea: unanimous. Motion carried.

TREASURER'S REPORT OCTOBER 2010

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

**PRESENTATIONS AND PROCLAMATIONS**

**PUBLIC FORUM**

**APPOINTMENTS**

## **COMMITTEES AND COMMISSIONS**

### MINUTES FOR COUNCIL REVIEW

#### **Site Plan Review Committee, October 12, 2010**

Councilmember Campbell asked about the residents' concerns regarding the drainage pipe and rip rap which was not reflected on the plans of the new ball field.

Community Development Officer Miller stated that he and the City Engineer were still working on addressing those concerns.

#### **Planning Commission/ Board of Zoning Appeals Minutes, October 26, 2010**

### **OLD BUSINESS**

### **NEW BUSINESS**

#### PRESENTATION BY THE VALLEY CENTER LIBRARY BOARD RE: NEW FACILITY CAMPAIGN UPDATE

Mary Aspenson, Valley Center Library Board representative, presented information regarding the New Facility Campaign. She stated the new facility will be 21,000 square feet at a cost of \$3.8 million. Said the Architect chosen by the Board has built several libraries across the State of Kansas. Current funds raised through the Campaign are approximately \$407,000 in cash and \$260,000 in land valuation. This does not include grant proceeds the Board plans to acquire.

#### ORDINANCE 1217-10, AMENDMENT TO CITY CODE RE: WATER RATES

Maschino moved, second by Cicirello, to adopt Ordinance 1217-10, amending Title 12 of the Valley Center, Kansas Municipal City Code by amending Chapter 12.08 "Water Rates", for 1<sup>st</sup> Reading. Vote yea: unanimous. Motion carried.

#### ORDINANCE 1220-10, RIDGEFIELD ADDITION SPECIAL ASSESSMENTS

Cicirello moved, second by L. Jackson, to waive first reading of Ordinance 1220-10, for purposes of getting documentation to the State in a timely manner, and within deadline, to proceed with the Call for Partial Redemption of said Temporary Notes. Vote yea: unanimous. Motion carried.

Cicirello moved, second by L. Jackson, to approve Statement of Final Costs, Assessment Roll Certification and Waivers of Assessment Proceedings; file each of said documents of record in the office of the City Clerk; and adopt Ordinance 1220-10, levying Special Assessments of certain property to pay the cost of internal improvements in the City of Valley Center, Kansas. Vote yea: unanimous. Motion carried.

### **CONSENT AGENDA**

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

## **STAFF REPORTS**

### CITY CLERK POLIAN

Reminded everyone of the Council/Employee Holiday Party on December 10, 2010 at 7:00 p.m.

### CITY ADMINISTRATOR PILE

Stated the new inserter machine has been delivered which will make processing utility bills, as well as getting information out to the residents, easier and less time consuming. Also went through the current financial status of the Utility and Tax Funds.

## **GOVERNING BODY REPORTS**

### MAYOR MCNOWN

Congratulated the Veteran's Day Event Committee for an excellent event this year. Also stated the Council had provided a retroactive pay adjustment to the employees around this time of year as a way of showing their appreciation and asked if there was a motion to do the same this year. Said the adjustment is \$100 for full-time employees, after taxes, and \$50 for part-time employees, that had worked at least 100 hours, after taxes.

Nordstedt moved, second by K. Jackson, to approve the said adjustment of \$100 and \$50 for employees. Vote yea: K. Jackson, Maschino, Nordstedt, Campbell, Cicirello, Hobson and L. Jackson. Opposed: Gerling. Motion carried.

### COUNCILMEMBER HOBSON

Stated he received a call from a resident who wanted to purchase lots in the Valley Center Cemetery but was unable to due to unavailability. Said finishing the road is no longer a want but a need; the road does not need to be nice, just functioning.

Campbell stated the road is more expensive than most would think due to the culverts that need to be installed. Said regardless of appearance, the road will still be expensive.

Cicirello expressed his frustration at the fact that this issue had been longstanding. Time and time again the Council has voted to remove the expenditure from the budget. Said the City is in its current position because of these delays year after year.

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

**Meeting adjourned at 7:52 p.m.**

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**Kristine Polian, City Clerk**

## **CLERK'S AGENDA**

### **B. APPROPRIATION ORDINANCE:**

Below is the proposed Appropriation Ordinance for December 7, 2010 as prepared by City Staff.

#### December 7, 2010 Appropriation

Expenses	<u>\$ 406,240.45</u>
Total	<b>\$ 406,240.45</b>

#### *RECOMMENDED ACTION:*

Staff recommends motion to approve the December 7, 2010 Appropriation Ordinance as presented / amended.

VENDOR NAME	DESCRIPTION	FUND	DEPARTMENT	AMOUNT_
APEX LAWN IRRIGATION INC	SPRINKLER REPAIR-USD 262	WATER OPERATING	NON-DEPARTMENTAL	142.57_
			TOTAL:	142.57
BUSINESS PROTECTION EQUIP CORP	FORMAX 6202 ADV 2-INSERTR	GENERAL FUND	ADMINISTRATION	2,351.75
	FORMAX 6202 ADV 2-INSERTR	WATER OPERATING	NON-DEPARTMENTAL	2,351.75
	FORMAX 6202 ADV 2-INSERTR	STORMWATER UTILITY	INVALID DEPARTMENT	2,351.75
	FORMAX 6202 ADV 2-INSERTR	SEWER OPERATING	NON-DEPARTMENTAL	2,351.75_
			TOTAL:	9,407.00
CITY OF WICHITA	10/2010 BIOSOLIDS HAULING	SEWER OPERATING	NON-DEPARTMENTAL	4,410.00_
			TOTAL:	4,410.00
CITY OF WICHITA-WATER UTILITIES	BACKFLOW TESTING CERT	WATER OPERATING	NON-DEPARTMENTAL	5.00_
			TOTAL:	5.00
CIVIC PLUS	DEC 2010 MONTHLY FEE	GENERAL FUND	ADMINISTRATION	91.92
	DEC 2010 MONTHLY FEE	GENERAL FUND	LEGAL & MUNICIPAL COUR	10.81
	DEC 2010 MONTHLY FEE	GENERAL FUND	COMMUNITY DEVELOPMENT	5.41
	DEC 2010 MONTHLY FEE	GENERAL FUND	POLICE	108.14
	DEC 2010 MONTHLY FEE	GENERAL FUND	FIRE	129.76
	DEC 2010 MONTHLY FEE	GENERAL FUND	EMERGENCY COMMUNICATIO	43.26
	DEC 2010 MONTHLY FEE	GENERAL FUND	PARKS AND PUBLIC GROUN	21.63
	DEC 2010 MONTHLY FEE	GENERAL FUND	ENVIRONMENTAL SERVICES	5.41
	DEC 2010 MONTHLY FEE	SPECIAL HIGHWAY	SPECIAL HIGHWAY	10.81
	DEC 2010 MONTHLY FEE	WATER OPERATING	NON-DEPARTMENTAL	27.03
	DEC 2010 MONTHLY FEE	STORMWATER UTILITY	INVALID DEPARTMENT	5.41
	DEC 2010 MONTHLY FEE	SEWER OPERATING	NON-DEPARTMENTAL	5.41_
			TOTAL:	465.00
CRIMSON FIRE	FIRE TENDER #41	CAPITAL PROJECTS F	FIRE TRUCK	306,124.00_
			TOTAL:	306,124.00
FLEET TESTING SERVICES INC	ANNUAL INSPECTION	GENERAL FUND	FIRE	200.00_
			TOTAL:	200.00
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.	EMP FED TAX W/H	GENERAL FUND	NON-DEPARTMENTAL	694.10
	EMP FICA & MEDICARE	GENERAL FUND	NON-DEPARTMENTAL	2,899.34
	EMP FED TAX W/H	GENERAL FUND	NON-DEPARTMENTAL	3,816.86
	EMP FICA & MEDICARE	GENERAL FUND	NON-DEPARTMENTAL	3,619.48
	EMPR BENEFITS-MEDI	EMPLOYEE BENEFITS	NON-DEPARTMENTAL	549.54
	EMPR BENEFITS-FICA	EMPLOYEE BENEFITS	NON-DEPARTMENTAL	2,349.80
	EMPR BENEFITS-MEDIC	EMPLOYEE BENEFITS	NON-DEPARTMENTAL	686.06
	EMPR BENEFITS-FICA	EMPLOYEE BENEFITS	NON-DEPARTMENTAL	2,933.42

VENDOR NAME	DESCRIPTION	FUND	DEPARTMENT	AMOUNT_
	EMP FED TAX W/H	SPECIAL HIGHWAY	NON-DEPARTMENTAL	338.14
	EMP FICA & MEDICARE	SPECIAL HIGHWAY	NON-DEPARTMENTAL	369.13
	EMPR BENEFITS-MEDIC	SPECIAL HIGHWAY	SPECIAL HIGHWAY	69.97
	EMPR BENEFITS-FICA	SPECIAL HIGHWAY	SPECIAL HIGHWAY	299.16
	EMP FED TAX W/H	WATER OPERATING	NON-DEPARTMENTAL	663.36
	EMP FICA & MEDICARE	WATER OPERATING	NON-DEPARTMENTAL	684.45
	EMPR BENEFITS-MEDIC	WATER OPERATING	NON-DEPARTMENTAL	129.73
	EMPR BENEFITS-FICA	WATER OPERATING	NON-DEPARTMENTAL	554.72
	EMP FED TAX W/H	SEWER OPERATING	NON-DEPARTMENTAL	269.00
	EMP FICA & MEDICARE	SEWER OPERATING	NON-DEPARTMENTAL	261.00
	EMPR BENEFITS-MEDIC	SEWER OPERATING	NON-DEPARTMENTAL	49.47
	EMPR BENEFITS-FICA	SEWER OPERATING	NON-DEPARTMENTAL	211.53
			TOTAL:	21,448.26
INTRUST CARD CENTER	BLDG PERMITS 9/2010	GENERAL FUND	NON-DEPARTMENTAL	758.38
	LODGING-LKM CONF	GENERAL FUND	ADMINISTRATION	408.24
	AIRPORT PKG: ICMA	GENERAL FUND	ADMINISTRATION	45.00
	LODGING-ICMA CONF	GENERAL FUND	ADMINISTRATION	780.32
	ICT BUS JOURNAL-SUB	GENERAL FUND	ADMINISTRATION	167.39
	1K SM MTR BK PAGES	GENERAL FUND	ADMINISTRATION	88.00
	9/20-10/19 OVERAGES	GENERAL FUND	ADMINISTRATION	187.49
	LUNCH MTG-10/13	GENERAL FUND	ADMINISTRATION	23.13
	DINNER: ICMA 10/19	GENERAL FUND	ADMINISTRATION	125.00
	1 BX LASER LABELS	GENERAL FUND	ADMINISTRATION	48.20
	ENCASED BOARD-CH	GENERAL FUND	ADMINISTRATION	214.26
	ADOBE UPGRADES	GENERAL FUND	ADMINISTRATION	996.00
	LODGING-LKM CONF	GENERAL FUND	ADMINISTRATION	331.77
	LODGING-LKM CONF	GENERAL FUND	ADMINISTRATION	146.06
	LUGGAGE FEE-ICMA	GENERAL FUND	ADMINISTRATION	25.00
	LUGGAGE FEE-ICMA	GENERAL FUND	ADMINISTRATION	25.00
	LODGING-ICMA: POLIAN	GENERAL FUND	ADMINISTRATION	811.54
	ICMA MEMBERSHIP-KP	GENERAL FUND	ADMINISTRATION	735.00
	TAPE REFILLS; BINDER	GENERAL FUND	LEGAL & MUNICIPAL COUR	22.26
	LODGING-KS APA CONF	GENERAL FUND	COMMUNITY DEVELOPMENT	211.90
	ENGRAVING-NAME TG	GENERAL FUND	COMMUNITY DEVELOPMENT	13.60
	LUNCH W/B FOSTER	GENERAL FUND	COMMUNITY DEVELOPMENT	13.41
	PRINTER INK	GENERAL FUND	COMMUNITY DEVELOPMENT	13.99
	PRINTER INK	GENERAL FUND	COMMUNITY DEVELOPMENT	13.94
	REFRESHMENTS-SCAC	GENERAL FUND	COMMUNITY DEVELOPMENT	34.65
	ITEMS-VETERANS PRG	GENERAL FUND	COMMUNITY DEVELOPMENT	2.00
	REFRESH-VETERANS PRO	GENERAL FUND	COMMUNITY DEVELOPMENT	48.01
	EVIDENCE TO KBI	GENERAL FUND	POLICE	8.10
	POSTAGE-POLICE DEPT	GENERAL FUND	POLICE	4.24
	POSTAGE-COURT	GENERAL FUND	POLICE	1.73
	POSTAGE-TO TOPEKA	GENERAL FUND	POLICE	5.83
	LODGING-IACP CONF	GENERAL FUND	POLICE	561.90
	IACP MEMBER RENEW	GENERAL FUND	POLICE	350.00
	CUST SVC TRNG-LT	GENERAL FUND	POLICE	75.00
	SVC PD VEH-GORDON	GENERAL FUND	POLICE	192.21
	REPLACE ALTERNA-#4	GENERAL FUND	POLICE	437.32
	CHK FLUIDS; ROT TIRE	GENERAL FUND	POLICE	44.20
	PD VEH #2-OIL CHNG	GENERAL FUND	POLICE	30.14
	PD VEH RPRS-# 11&2&8	GENERAL FUND	POLICE	350.45
	WORK BOOTS-CLIFTON	GENERAL FUND	POLICE	101.92
	BADGE - GRAYSON	GENERAL FUND	POLICE	49.98
	BADGE HOLDER-GRAYSON	GENERAL FUND	POLICE	37.50

VENDOR NAME	DESCRIPTION	FUND	DEPARTMENT	AMOUNT_
	3 PD POLO SHIRTS	GENERAL FUND	POLICE	104.97
	2 COMPLETE DUTY BLTS	GENERAL FUND	POLICE	257.71
	3 - PD POLO SHRTS XL	GENERAL FUND	POLICE	134.97
	1 - PD POLO SHRT L	GENERAL FUND	POLICE	44.99
	EMBROIDERY UNIFORMS	GENERAL FUND	POLICE	120.00
	1-SHIRT/2-PANTS	GENERAL FUND	POLICE	144.97
	2 - REMOTE SPK MICS	GENERAL FUND	POLICE	194.00
	SUV KIT/DEPLOY BAG	GENERAL FUND	POLICE	434.95
	MEASURING WHEEL	GENERAL FUND	POLICE	80.98
	CAMERA-PD VEH #11	GENERAL FUND	POLICE	138.41
	CAMERA CASE-#11	GENERAL FUND	POLICE	9.00
	UPS SHIPPING CHRG	GENERAL FUND	FIRE	77.44
	UPS SHIPPING CHRG	GENERAL FUND	FIRE	6.52
	TRAINING PROPS	GENERAL FUND	FIRE	77.90
	TRAINING MATERIALS	GENERAL FUND	FIRE	20.97
	TIRES-SQUAD 41	GENERAL FUND	FIRE	1,740.00
	HOSE FOR SQ-41	GENERAL FUND	FIRE	51.68
	LEATHER FRONTS	GENERAL FUND	FIRE	168.00
	UNIFORM BELTS	GENERAL FUND	FIRE	77.70
	EMT PATCHES	GENERAL FUND	FIRE	100.00
	AA BATT; TRASH BAGS	GENERAL FUND	FIRE	14.68
	FIT-TESTER CALIBRA	GENERAL FUND	FIRE	590.00
	RETIREM GIFT-HOBSON	GENERAL FUND	FIRE	370.00
	AXES; SLEDGE; CUTTER	GENERAL FUND	FIRE	726.00
	CO2 MONITOR; GAS CNS	GENERAL FUND	FIRE	346.10
	REFRESH & SUPPLIES	GENERAL FUND	FIRE	68.15
	DINNER FOR CREW	GENERAL FUND	FIRE	29.98
	DINNER FOR CREW	GENERAL FUND	FIRE	38.54
	CALL-FOR-SVC CARDS	GENERAL FUND	EMERGENCY COMMUNICATIO	210.00
	1ST AID ANNUAL INSPE	GENERAL FUND	PARKS AND PUBLIC GROUN	130.61
	REPAIR VEH TIRE	GENERAL FUND	PARKS AND PUBLIC GROUN	6.00
	CLUTCH REPLACE; BRK	GENERAL FUND	PARKS AND PUBLIC GROUN	661.61
	REPLACE COOLER FAN	GENERAL FUND	PARKS AND PUBLIC GROUN	173.30
	SVC/RPR DISPATCH AC	GENERAL FUND	PARKS AND PUBLIC GROUN	325.47
	BLDG SPRNKL R SYS	GENERAL FUND	PARKS AND PUBLIC GROUN	1,159.00
	SVC/RPRS MLP WELL	GENERAL FUND	PARKS AND PUBLIC GROUN	454.00
	ANNUAL SVC/RPRS	GENERAL FUND	PARKS AND PUBLIC GROUN	307.50
	8/2010 UNIFORM CLNG	GENERAL FUND	PARKS AND PUBLIC GROUN	82.61
	9/2010 UNIFORM CLNG	GENERAL FUND	PARKS AND PUBLIC GROUN	84.90
	SAFETY GLASSES	GENERAL FUND	PARKS AND PUBLIC GROUN	8.99
	INK CARTRIDGES	GENERAL FUND	PARKS AND PUBLIC GROUN	21.98
	FUNNEL; NUTS; BOLTS	GENERAL FUND	PARKS AND PUBLIC GROUN	1.51
	SNAPPER MWR PARTS	GENERAL FUND	PARKS AND PUBLIC GROUN	27.94
	SCALP WHL; BLD WSHR	GENERAL FUND	PARKS AND PUBLIC GROUN	53.52
	REPLACE GEAR HEAD	GENERAL FUND	PARKS AND PUBLIC GROUN	259.55
	FLUSH LEVER	GENERAL FUND	PARKS AND PUBLIC GROUN	12.99
	PLIERS (W/CR APPLIED	GENERAL FUND	PARKS AND PUBLIC GROUN	16.21
	ELEC CONDUIT PARTS	GENERAL FUND	PARKS AND PUBLIC GROUN	5.37
	ELEC SUPP/PARTS	GENERAL FUND	PARKS AND PUBLIC GROUN	10.10
	PWR WASHER PARTS	GENERAL FUND	PARKS AND PUBLIC GROUN	12.65
	POOL-TARP	GENERAL FUND	PARKS AND PUBLIC GROUN	9.18
	SAW CHAINS	GENERAL FUND	PARKS AND PUBLIC GROUN	33.24
	CLEANING SUPPLIES	GENERAL FUND	PARKS AND PUBLIC GROUN	1,477.44
	EGG ROCK-VET PARK	GENERAL FUND	PARKS AND PUBLIC GROUN	154.80
	EGG ROCK-VET PARK	GENERAL FUND	PARKS AND PUBLIC GROUN	154.80
	EGG ROCK-VET PARK	GENERAL FUND	PARKS AND PUBLIC GROUN	154.80

VENDOR NAME	DESCRIPTION	FUND	DEPARTMENT	AMOUNT_
	WEED BARRIER; PLNTS	GENERAL FUND	PARKS AND PUBLIC GROUN	159.00
	REF PO# 10-1337	GENERAL FUND	PARKS AND PUBLIC GROUN	78.43-
	ICT ANIMAL SHELTER	GENERAL FUND	ENVIRONMENTAL SERVICES	332.00
	2011 DOG TAGS	GENERAL FUND	ENVIRONMENTAL SERVICES	115.15
	FIRST AID RESTOCK	SPECIAL HIGHWAY	SPECIAL HIGHWAY	37.79
	DRAIN PLUG	SPECIAL HIGHWAY	SPECIAL HIGHWAY	5.92
	FITTINGS; HYDR; STR	SPECIAL HIGHWAY	SPECIAL HIGHWAY	43.35
	FLASHLIGHT/DRILL	SPECIAL HIGHWAY	SPECIAL HIGHWAY	21.53
	ASSORTED FILTERS	SPECIAL HIGHWAY	SPECIAL HIGHWAY	311.78
	4 - T-HANDLES; 16 RI	SPECIAL HIGHWAY	SPECIAL HIGHWAY	99.35
	JNJECTOR REPAIRS	SPECIAL HIGHWAY	SPECIAL HIGHWAY	1,285.77
	8/2010 UNIFORM CLNG	SPECIAL HIGHWAY	SPECIAL HIGHWAY	136.16
	9/2010 UNIFORM CLNG	SPECIAL HIGHWAY	SPECIAL HIGHWAY	141.67
	2 - WINTER JACKETS	SPECIAL HIGHWAY	SPECIAL HIGHWAY	113.72
	2-ROUGH SERV BULBS	SPECIAL HIGHWAY	SPECIAL HIGHWAY	37.97
	KEYS & SOLVENT	SPECIAL HIGHWAY	SPECIAL HIGHWAY	20.58
	RELEASE VALVE	SPECIAL HIGHWAY	SPECIAL HIGHWAY	26.84
	5 FIRST AID KITS	SPECIAL HIGHWAY	SPECIAL HIGHWAY	250.00
	4 CANS WINDOW CLNR	SPECIAL HIGHWAY	SPECIAL HIGHWAY	19.96
	BOLTS-STREET SIGNS	SPECIAL HIGHWAY	SPECIAL HIGHWAY	9.23
	BOLTS & SNAPS	SPECIAL HIGHWAY	SPECIAL HIGHWAY	32.14
	NUTS; BOLTS;RID ZN	SPECIAL HIGHWAY	SPECIAL HIGHWAY	58.17
	RUBBER STRAPS;TARPS	SPECIAL HIGHWAY	SPECIAL HIGHWAY	53.90
	2-STOP/SLOW SIGNS	SPECIAL HIGHWAY	SPECIAL HIGHWAY	86.00
	VARIOUS STR SIGNS	SPECIAL HIGHWAY	SPECIAL HIGHWAY	1,143.13
	BLACK LINER	SPECIAL HIGHWAY	SPECIAL HIGHWAY	22.78
	REPLACEMENT CLIPS	SPECIAL HIGHWAY	SPECIAL HIGHWAY	11.96
	8 KEYS	SPECIAL HIGHWAY	SPECIAL HIGHWAY	14.32
	2 PACKS OF KEY TAGS	SPECIAL HIGHWAY	SPECIAL HIGHWAY	6.98
	2 WD BEAMS-SALT SPR	SPECIAL HIGHWAY	SPECIAL HIGHWAY	234.74
	1 DRUM 5W30 OIL	SPECIAL HIGHWAY	SPECIAL HIGHWAY	683.22
	FUEL #36	SPECIAL HIGHWAY	SPECIAL HIGHWAY	75.00
	FUEL #36	SPECIAL HIGHWAY	SPECIAL HIGHWAY	53.70
	TIRE REPAIR-ST VEH	SPECIAL HIGHWAY	SPECIAL HIGHWAY	94.03
	DRAG BOOM	SPECIAL HIGHWAY	SPECIAL HIGHWAY	721.50
	TIRE REPAIR #41	SPECIAL HIGHWAY	SPECIAL HIGHWAY	145.60
	316502 HP PATCH	SPECIAL HIGHWAY	SPECIAL HIGHWAY	537.00
	26.7 TONS RD GRAVEL	SPECIAL HIGHWAY	SPECIAL HIGHWAY	90.80
	SEALANT-RDSVR CRK	SPECIAL HIGHWAY	SPECIAL HIGHWAY	1,506.00
	POST KS SAMPLES	WATER OPERATING	NON-DEPARTMENTAL	4.90
	POST KS SAMPLES	WATER OPERATING	NON-DEPARTMENTAL	4.90
	POST KS SAMPLES	WATER OPERATING	NON-DEPARTMENTAL	5.00
	DUTY CELL PHONE	WATER OPERATING	NON-DEPARTMENTAL	27.26
	PORTABLE UNITS	WATER OPERATING	NON-DEPARTMENTAL	774.09
	COPIER OVERAGES	WATER OPERATING	NON-DEPARTMENTAL	85.24
	TRENCH & EXCAVA TRNG	WATER OPERATING	NON-DEPARTMENTAL	180.00
	WATER PUMP; BELT	WATER OPERATING	NON-DEPARTMENTAL	69.78
	RADIATOR HOSE; THERM	WATER OPERATING	NON-DEPARTMENTAL	16.49
	REPAIRS - VEH #33	WATER OPERATING	NON-DEPARTMENTAL	46.80
	8/2010 UNIFORM CLNG	WATER OPERATING	NON-DEPARTMENTAL	136.16
	9/2010 UNIFORM CLNG	WATER OPERATING	NON-DEPARTMENTAL	141.67
	50 3/8 REBAR WO PLAT	WATER OPERATING	NON-DEPARTMENTAL	37.50
	ASSORT TOOLS-#29	WATER OPERATING	NON-DEPARTMENTAL	43.82
	NUTS & BOLTS	WATER OPERATING	NON-DEPARTMENTAL	35.91
	TAGS; TAPE; CALENDAR	WATER OPERATING	NON-DEPARTMENTAL	88.47
	TAGS; CALCULATOR	WATER OPERATING	NON-DEPARTMENTAL	7.76

VENDOR NAME	DESCRIPTION	FUND	DEPARTMENT	AMOUNT_
	DESK DOCK	WATER OPERATING	NON-DEPARTMENTAL	230.00
	S2- 18'x30" MTR BOX	WATER OPERATING	NON-DEPARTMENTAL	89.04
	MISC REPAIR PARTS	WATER OPERATING	NON-DEPARTMENTAL	551.81
	'NO STORAGE' SIGNS	WATER OPERATING	NON-DEPARTMENTAL	22.00
	3 18"x6" MTR BX EXT	WATER OPERATING	NON-DEPARTMENTAL	20.15
	3 18"x30" MTR BOX-SL	WATER OPERATING	NON-DEPARTMENTAL	164.58
	TIRE REPAIR #27	WATER OPERATING	NON-DEPARTMENTAL	9.00
	85TH ST STMWTR PUMP	STORMWATER UTILITY	INVALID DEPARTMENT	447.00
	FALL FEST FLYERS	STORMWATER UTILITY	INVALID DEPARTMENT	163.00
	9/2010 LAB TESTING	SEWER OPERATING	NON-DEPARTMENTAL	473.60
	170KW WWTP TRTMNT	SEWER OPERATING	NON-DEPARTMENTAL	1,221.12
	PORT RADIO REPAIR	SEWER OPERATING	NON-DEPARTMENTAL	193.00
	WW ADMIN REPAIRS	SEWER OPERATING	NON-DEPARTMENTAL	864.68
	3 - MINERAL OILS	SEWER OPERATING	NON-DEPARTMENTAL	9.27
	5 GAL PAIL PAT WHT M	SEWER OPERATING	NON-DEPARTMENTAL	54.61
	LUBRICANTS; CLNRS	SEWER OPERATING	NON-DEPARTMENTAL	330.20
	23'4" SUCTION HOSE &	SEWER OPERATING	NON-DEPARTMENTAL	394.55
	LIFTSTA REPAIRS	SEWER OPERATING	NON-DEPARTMENTAL	984.09
	8/2010 UNIFORM CLNG	SEWER OPERATING	NON-DEPARTMENTAL	136.16
	9/2010 UNIFORM CLNG	SEWER OPERATING	NON-DEPARTMENTAL	141.67
	CAULK; RACHET GUN	SEWER OPERATING	NON-DEPARTMENTAL	9.48
	CABLE CLMP; WSHRS	SEWER OPERATING	NON-DEPARTMENTAL	863.63
	'C' BATTERIES	SEWER OPERATING	NON-DEPARTMENTAL	6.99
	CEMENT	SEWER OPERATING	NON-DEPARTMENTAL	4.29
	5 GAL GEAR OIL	SEWER OPERATING	NON-DEPARTMENTAL	100.39_
			TOTAL:	38,569.11
KANSAS DEPT OF REVENUE	WATER PROTECT FEE	WATER OPERATING	NON-DEPARTMENTAL	1,358.77
	CLN DRINKING WATER	WATER OPERATING	NON-DEPARTMENTAL	1,277.47_
			TOTAL:	2,636.24
KANSAS GAS SERVICE	9/30-10/29/10 GAS SVCS	GENERAL FUND	ADMINISTRATION	106.85
	9/30-10/29/10 GAS SVCS	GENERAL FUND	POLICE	11.62
	9/30-10/29/10 GAS SVCS	GENERAL FUND	FIRE	11.62
	9/30-10/29/10 GAS SVCS	GENERAL FUND	EMERGENCY COMMUNICATIO	11.62
	9/30-10/29/10 GAS SVCS	WATER OPERATING	NON-DEPARTMENTAL	30.92
	9/30-10/29/10 GAS SVCS	SEWER OPERATING	NON-DEPARTMENTAL	673.07_
			TOTAL:	845.70
KANSAS OFFICE OF THE TREASURER	SEPTEMBER 2010	GENERAL FUND	NON-DEPARTMENTAL	724.27
	SEPTEMBER 2010	GENERAL FUND	NON-DEPARTMENTAL	18.86
	SEPTEMBER 2010	GENERAL FUND	NON-DEPARTMENTAL	76.50
	OCTOBER 2010 COURT FEES	GENERAL FUND	NON-DEPARTMENTAL	1,273.02
	OCTOBER 2010 COURT FEES	GENERAL FUND	NON-DEPARTMENTAL	31.98_
			TOTAL:	2,124.63
KANSAS PAYMENT CENTER	98D002573	GENERAL FUND	NON-DEPARTMENTAL	110.31
	09DM009607	GENERAL FUND	NON-DEPARTMENTAL	144.97
	09DM000961	GENERAL FUND	NON-DEPARTMENTAL	150.00
	06DM000734	GENERAL FUND	NON-DEPARTMENTAL	224.00
	07DM000222	GENERAL FUND	NON-DEPARTMENTAL	221.54
	05DM06422	WATER OPERATING	NON-DEPARTMENTAL	204.50
	06DM006517	WATER OPERATING	NON-DEPARTMENTAL	374.39_
			TOTAL:	1,429.71
KDHE - TECHNICAL SVCS SECTION	CERTIFICATES - 5 EMP	SEWER OPERATING	NON-DEPARTMENTAL	185.00

VENDOR NAME	DESCRIPTION	FUND	DEPARTMENT	AMOUNT_
			TOTAL:	185.00
KPERS	EMP DEDUCTION	GENERAL FUND	NON-DEPARTMENTAL	1,966.03
	EMPR BENEFITS	EMPLOYEE BENEFITS	NON-DEPARTMENTAL	3,314.30
	EMP DEDUCTION	SPECIAL HIGHWAY	NON-DEPARTMENTAL	238.53
	EMPR BENEFITS	SPECIAL HIGHWAY	SPECIAL HIGHWAY	355.90
	EMP DEDUCTION	WATER OPERATING	NON-DEPARTMENTAL	400.93
	EMPR BENEFITS	WATER OPERATING	NON-DEPARTMENTAL	611.35
	EMP DEDUCTION	SEWER OPERATING	NON-DEPARTMENTAL	144.73
	EMPR BENEFITS	SEWER OPERATING	NON-DEPARTMENTAL	258.34_
			TOTAL:	7,290.11
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
LEE OWENS	CANX 11/28 RESERVATION	GENERAL FUND	PARKS AND PUBLIC GROUN	20.00_
			TOTAL:	20.00
PAINE LAW FIRM, LCC	ATTY SVCS-CS# 100415C	GENERAL FUND	LEGAL & MUNICIPAL COUR	150.00_
			TOTAL:	150.00
RODNEY T HOLLINGER, III	MOWING: 500 N PARK	GENERAL FUND	ENVIRONMENTAL SERVICES	65.00_
			TOTAL:	65.00
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
SEDGWICK COUNTY	FALL 2010 EMP FLU SHOTS	GENERAL FUND	ADMINISTRATION	480.00_
			TOTAL:	480.00
VALLEY OFFSET PRINTING	VETERANS PRGMS-11/2010	GENERAL FUND	COMMUNITY DEVELOPMENT	266.00_
			TOTAL:	266.00
VANTAGEPOINT TRANS AGENTS	101214070-E	GENERAL FUND	NON-DEPARTMENTAL	10.00
	101214070-K	GENERAL FUND	NON-DEPARTMENTAL	50.00
	101214070-P	GENERAL FUND	NON-DEPARTMENTAL	25.00_
			TOTAL:	85.00
WESTAR ENERGY	9/30-10/29/10 ELEC SVCS	GENERAL FUND	ADMINISTRATION	1,071.86
	9/30-10/29/10 ELEC SVCS	GENERAL FUND	ADMINISTRATION	39.47
	9/30-10/29/10 ELEC SVCS	GENERAL FUND	POLICE	432.08
	9/30-10/29/10 ELEC SVCS	GENERAL FUND	FIRE	207.56
	9/30-10/29/10 ELEC SVCS	GENERAL FUND	EMERGENCY COMMUNICATIO	415.12
	9/30-10/29/10 ELEC SVCS	GENERAL FUND	PARKS AND PUBLIC GROUN	475.38
	9/30-10/29/10 ELEC SVCS	SPECIAL HIGHWAY	SPECIAL HIGHWAY	315.08
	9/30-10/29/10 ELEC SVCS	WATER OPERATING	NON-DEPARTMENTAL	1,691.40
	9/30-10/29/10 ELEC SVCS	SEWER OPERATING	NON-DEPARTMENTAL	3,871.17_
			TOTAL:	8,519.12
WICHITA EAGLE	11-16-10 ICT EAGLE SUBSCR	GENERAL FUND	PARKS AND PUBLIC GROUN	20.46_
			TOTAL:	20.46

VENDOR NAME	DESCRIPTION	FUND	DEPARTMENT	AMOUNT_
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===== FUND TOTALS =====
010 GENERAL FUND 44,807.45
110 EMPLOYEE BENEFITS 9,833.12
150 SPECIAL HIGHWAY 10,144.31
350 CAPITAL PROJECTS FUND 306,124.00
610 WATER OPERATING 13,886.21
612 STORMWATER UTILITY FUND 2,967.16
620 SEWER OPERATING 18,478.20
-----
GRAND TOTAL: 406,240.45
-----

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TOTAL PAGES: 7

SELECTION CRITERIA

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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: 11/09/2010 THRU 11/23/2010  
CHECK DATE: 0/00/0000 THRU 99/99/9999

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PAYROLL SELECTION

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

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PRINT OPTIONS

PRINT DATE: None  
SEQUENCE: By Vendor Name  
DESCRIPTION: Distribution  
GL ACCTS: NO  
REPORT TITLE: COUNCIL REPORT 12-7-10 MTG PKT  
SIGNATURE LINES: 0

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PACKET OPTIONS

INCLUDE REFUNDS: YES  
INCLUDE OPEN ITEM:NO  
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## **PRESENTATIONS / PROCLAMATIONS**

**A. WELLNESS COMMITTEE**      [Tabled - December 21,2010 Meeting](#)

**B. EMERGENCY FOOD ASSISTANCE PROGRAM**  
**(COMMODITIES)**      [Tabled - December 21,2010 Meeting](#)

## **PUBLIC FORUM**

## **APPOINTMENTS**

## **COMMITTEES, COMMISSIONS**

**OLD BUSINESS****A. ORDINANCE 1217-10, AMENDMENT TO CITY CODE RE:  
WATER RATES, 2<sup>nd</sup> READING:**

An Ordinance of the Valley Center City Council amending Title 12 of the Valley Center, Kansas Municipal Code by amending Chapter 12.08, "Water Rates"

- Ordinance 1217-10
- Financing Plan, Valley Center Water

Should Council choose to proceed,

**RECOMMENDED ACTION:**

Staff recommends motion to adopt Ordinance 1217-10, amending Title 12 of the Valley Center, Kansas Municipal Code by amending Chapter 12.08, "Water Rates", for 2<sup>nd</sup> Reading

**ORDINANCE NO. 1217-10**

**AN ORDINANCE OF THE VALLEY CENTER CITY COUNCIL AMENDING TITLE 12 OF THE VALLEY CENTER, KANSAS, MUNICIPAL CODE BY AMENDING CHAPTER 12.08 “WATER RATES”**

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

**Section 1.** The Valley Center Municipal Code, Title 12, “Public Improvements,” Chapter 12.08, “Water Rates,” Section 12.08.010, “Schedule of rates,” Subsection A and Subsection B, is hereby amended to read as follows:

**12.08.010 Schedule of rates.**

Beginning with the billing for the reading in January 2011, every person, firm and organization whose premises are connected or may hereafter be connected to the city water system, shall pay to the city the following sums for the purchase and use of such water:

**A. Monthly Service Demand Charge Table:**

Meter Size	Within City Limits	Outside City Limits
5/8” to 3/4”	\$20.92	\$30.83
1”	\$34.48	\$50.99
1.5”	\$68.95	\$101.92
2”	\$110.75	\$163.69
3”	\$482.70	\$713.35
4”	\$1,372.53	\$2,068.69

**B.**

1. Metered consumption through one hundred ten (110) percent of average winter consumption: three dollars and two cents (\$3.02) per thousand (1,000) gallons. Any future increase from city supplier for the water commodity shall be automatically added to the price stated herein.
2. Metered consumption from one hundred eleven (111) percent through three hundred ten (310) percent of average winter consumption: nine dollars and twelve cents (\$9.12) per thousand (1,000) gallons. Any future increase from city supplier for the water commodity shall be automatically added to the price stated herein.
3. Metered consumption above three hundred eleven (311) percent of average winter consumption: thirteen and sixty-two cents (\$13.62) per thousand (1,000) gallons. Any future increase from city supplier for the water commodity shall be automatically added to the price stated herein.

**C. Annual increase.** The rates identified in subsections A and B of this section shall increase annually by four (4) percent each year beginning with the billing for the reading in January 2012 and in addition to any other increase made under other sections of this code.

**Section 2. Severability.** Those sections, paragraphs, and provisions of Chapter 12.08 of the City of Valley Center Municipal Code which are not expressly amended or repealed by this Ordinance are hereby reenacted, and it is expressly declared to be the intention of this Ordinance not to repeal or amend any portions of the City of Valley Center Municipal Code other than those expressly amended or repealed in Section 1 of this Ordinance.

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

**Section 3. Applicability and Effective Date** This ordinance shall apply to all customers requesting a new service connection, regardless of their location, of the city’s treatment works.

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: November 16, 2010

Second Reading: \_\_\_\_\_

{SEAL}

\_\_\_\_\_  
Michael McNown, Mayor

ATTEST:

\_\_\_\_\_  
Kristine A. Polian, City Clerk

**Financing Plan**  
Valley Center  
Financing Plan  
Water

	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019
<b>Revenue under Existing Rates</b>										
Base Charge	\$ 447,111	\$ 451,501	\$ 455,935	\$ 460,413	\$ 464,936	\$ 469,505	\$ 474,119	\$ 478,779	\$ 483,486	\$ 488,240
Volume Charge	\$ 385,437	\$ 389,292	\$ 393,185	\$ 397,116	\$ 401,088	\$ 405,098	\$ 409,149	\$ 413,241	\$ 417,373	\$ 421,547
<b>Additional Revenue</b>										
	\$ 54,116	\$ 278,512	\$ 326,486	\$ 377,210	\$ 430,825	\$ 487,481	\$ 547,334	\$ 610,548	\$ 677,297	\$ 747,760
	\$ 73,496	\$ 74,231	\$ 74,973	\$ 75,723	\$ 76,480	\$ 77,245	\$ 78,017	\$ 78,797	\$ 79,585	\$ 80,381
<b>Wichita/Raw Water</b>										
Total Revenue from Rates	\$ 960,159	\$ 1,193,535	\$ 1,250,579	\$ 1,310,462	\$ 1,373,329	\$ 1,439,329	\$ 1,508,619	\$ 1,581,365	\$ 1,657,741	\$ 1,737,928
Equity Fee	\$ 17,000	\$ 17,000	\$ 17,000	\$ 17,000	\$ 17,000	\$ 17,000	\$ 17,000	\$ 17,000	\$ 17,000	\$ 17,000
Miscellaneous Revenues	\$ 44,415	\$ 44,569	\$ 44,569	\$ 44,569	\$ 44,569	\$ 44,569	\$ 44,569	\$ 44,569	\$ 44,569	\$ 44,569
Interest Income	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
<b>Total Revenues</b>	\$ 1,021,574	\$ 1,255,105	\$ 1,312,148	\$ 1,372,031	\$ 1,434,898	\$ 1,500,898	\$ 1,570,188	\$ 1,642,934	\$ 1,719,310	\$ 1,799,497
<b>Operating and Maintenance Expense</b>										
Net Revenues Available	\$ 855,260	\$ 892,286	\$ 932,481	\$ 976,143	\$ 1,023,599	\$ 1,075,208	\$ 1,131,363	\$ 1,192,498	\$ 1,259,087	\$ 1,331,651
Existing Debt Service	\$ 166,314	\$ 362,818	\$ 379,666	\$ 395,888	\$ 411,299	\$ 425,690	\$ 438,825	\$ 450,437	\$ 460,223	\$ 467,847
Proposed Debt Service	\$ 275,090	\$ 265,700	\$ 266,334	\$ 266,994	\$ 267,680	\$ 268,393	\$ 269,136	\$ 269,908	\$ 270,711	\$ 271,546
Debt Service Coverage	\$ -	\$ -	\$ -	\$ 24,086	\$ 43,354	\$ 43,354	\$ 43,354	\$ 43,354	\$ 43,354	\$ 43,354
<b>Revenue Financed Capital</b>	\$ 84,135	\$ 59,000	\$ 65,770	\$ 66,593	\$ 64,471	\$ 136,405	\$ 68,397	\$ 70,449	\$ 72,563	\$ 204,739
<b>Net Surplus / (Deficit)</b>	\$ (192,911)	\$ 38,118	\$ 47,562	\$ 38,216	\$ 35,795	\$ (22,462)	\$ 57,939	\$ 66,726	\$ 73,595	\$ (51,793)
Beginning of Year Fund Balance	\$ 346,100	\$ 153,189	\$ 191,307	\$ 238,870	\$ 277,086	\$ 312,881	\$ 290,419	\$ 348,357	\$ 415,083	\$ 488,678
End of Year Fund Balance	\$ 153,189	\$ 191,307	\$ 238,870	\$ 277,086	\$ 312,881	\$ 290,419	\$ 348,357	\$ 415,083	\$ 488,678	\$ 436,885
Minimum Fund Balance (90 days O&M and debt service)	\$ 278,717	\$ 285,531	\$ 295,598	\$ 312,466	\$ 329,088	\$ 341,989	\$ 356,018	\$ 371,283	\$ 387,900	\$ 405,999

## **OLD BUSINESS**

### **B. PUBLIC HEARING, DANGEROUS STRUCTURE, FENCE AT 7055 N CLARENCE, J. WINTER:**

*At the August 17, 2010 Meeting, Council extended Mr. Winter's permit 90 days to allow additional time to repair the unsafe fence.*

- Community Development Officer Memo
- Ordinance 1221-10

Should Council choose to proceed,

#### **RECOMMENDED ACTION:**

Staff recommends motion to adopt Ordinance 1221-10, directing staff to cause the structure to be razed and removed and the premises made safe and secure;

OR

Adopt a finding that the owner has completed the fence and it is safe;

OR

Allow the owner to complete any other repairs that the Council feels is necessary to make the fence safe;

OR

Instruct Staff to continue to monitor the fence at 7055 N Clarence for 6 months.

**DATE:** November 29, 2010

**TO:** Honorable Mayor McNown  
City Council

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

**RE:** 7055 N. Clarence Dangerous Structure

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**Proposed Agenda Date:** December 7, 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.
- On August 3, 2010, Bud Lett, Sedgwick County Building Inspector, inspected the fence. He has supplied a written report.
- On August 17, 2010 City Council passed Resolution No. 577-10 giving the property owner 90 days to make necessary repairs.
- Property owner has made repairs.
- The owner's engineer is supplying a written report on the fence.
- Rebar is not sticking up when viewed from the road.

**Financial Considerations:**

- Costs to the city if the city has to demo the property.
- However, per proposed Ordinance 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 demolished per City Code 14.28.

**Policy Considerations:**

- City will have to assess whether the costs of leaving the structure as is (i.e. the safety of the public) outweighs the costs of repair or removing the structure.

**Recommendation:**

1. Adopt Ordinance No. 1221-10 and direct staff to cause structure to be razed and removed and the premises made safe and secure.
2. Adopt a finding that the owner has completed the fence and it is safe.
3. Allow the owner to complete any other repairs that the Council feels is necessary to make the fence safe.
4. Instruct staff to continue to monitor the property for 6 months.

**ORDINANCE NO. 1221-10**

**A ORDINANCE AUTHORIZING AND DIRECTING THE REMOVAL OF CERTAIN UNSAFE AND DANGEROUS STRUCTURES 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, AS KNOWN AND REFERRED TO AS 7055 N. CLARENCE, VALLEY CENTER, KANSAS, SEDGWICK COUNTY, KANSAS; AUTHORIZING THE FINANCING OF THE COSTS OF SUCH REMOVAL BY THE SALE OF SALVAGE FROM SUCH STRUCTURE, IF ANY, AND/OR FROM THE GENERAL FUND OF THE CITY; AND LEVYING OF SPECIAL ASSESSMENTS AGAINST THE LOTS OR PACELS OF LAND ON WHICH SUCH STRUCURES ARE LOCATED.**

**WHEREAS, the governing body did after proper notice and hearing as provided by law make findings by Resolution No. 577-10, dated August 17, 2010, that the structures hereinafter described are unsafe and dangerous and did direct the owner of such structures to repair or remove the same and make the premises safe and secure, together with a statement that if the owner failed to commence the repair or removal within the time fixed by such resolution or failed to diligently prosecute the same until the work was completed, the city would cause the structures to be razed and removed; and,**

**WHEREAS, such resolution was published in the official city newspaper and copies of such resolution was mailed to each owner, agent, lienholder of record and occupant of such structures and all other parties having any legal or equitable interest in the property, or was otherwise served as required by law; and,**

**WHEREAS, the owner has wholly failed to commence the repair or removal of said structures;**

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

**Section 1. The enforcing officer is hereby authorized and directed to cause the structure located on 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, as known and referred to as 7055 n. Clarence of said city to be razed and removed and the premises made safe and secured, and for this purpose is authorized to invite bids, negotiate a contract, or cause the work to be dome by city employees.**

**Section 2. The enforcing officer shall keep an account of the costs of the work and may sell salvage from such structures and shall keep an account of the receipts therefrom as provided by law.**

**Section 3. All cost incurred by the city in the razing and removal of such structures and the making of the premises safe and secured shall be paid from moneys received from the sale of salvage therefrom and all moneys in excess of that necessary to pay such cost shall, after the payment of all costs, be paid to the owner and the premises upon which said structures were located; PROVIDED, that if there is no salvage or if the proceeds received from the sale of salvage is insufficient to pay the costs of such work, such costs or any portion thereof in excess of the amount received from the sale of salvage shall be assessed as a special assessment against the lots or parcels of land on which the structures were located and may be financed until the assessment is paid out of the general fund of the city and/or may be pursued as a personal debt pursuant to the procedure allowed under K.S.A. 12-1,115 and any amendments thereto.**

**Section 4. This ordinance shall be in full force and effect from and after its adoption and publication in the official city newspaper.**

**ADOPTED AND APPROVED by the Governing Body, this 7<sup>th</sup> day of December, 2010.**

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**Michael D. McNown, Mayor**

**ATTEST:**

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**Kristine A. Polian, City Clerk**

## **NEW BUSINESS**

### **A. CONSENT ANNEXATION ORDINANCE:**

- Community Development Officer Memo
- Consent for Annexation
- Ordinance 1222-10

Should Council choose to proceed,

### **RECOMMENDED ACTION:**

Staff recommends motion to adopt Ordinance 1222-10, annexing certain property into the City of Valley Center, for 1<sup>st</sup> Reading.

**DATE:** November 29, 2010  
**TO:** Mayor McNown and City Council  
**FROM:** Eldon G. Miller, AICP, CFM, Community Development Officer  
**RE:** Consent Annexation of the property

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**Proposed Agenda Date:** December 7, 2010

**Background:**

- The property owner has requested and received water service from the city.
- As a condition of receiving city water a consent for annexation is required.

**Financial Considerations:**

- There will be no immediate financial impact on the city as the result of annexation of subject property. The property will increase the taxable valuation of the city will increase incrementally.

**Legal Considerations:**

- Because the property owner has requested annexation, the City may annex the subject property without notice and hearing.
- Because the subject property is adjacent to the existing City boundary, and because the owner is consenting to the annexation, only City Council approval is necessary.

**Policy Considerations:**

- The Council has historically granted requests for annexation in anticipation of development of the property.
- The subject property is within the City's primary growth area.

**Recommendation:**

Staff recommends to City Council to approve the annexation of the property.

## CONSENT FOR ANNEXATION

TO: The Governing Body of the City of Valley Center, Kansas.

The undersigned owners of record of the following described land hereby petition the Governing Body of the City of Valley Center, Kansas, to annex such land to the City. The land to be annexed is described as follows:

Such land lies upon or touches the City boundary line.

The undersigned further warrant and guarantee that they are the only owners of record of the land.

  
\_\_\_\_\_

A portion of the Northeast Quarter of Section 6, Township 26 South, Range 1 East of the 6th Principal Meridian, Sedgwick County, Kansas described as follows:

Commencing at the Northwest Corner of the Northeast Quarter of Section 6, Township 26 South, Range 1 East of the 6th Principal Meridian; thence with an assumed bearing of North 89° 15' 58" East along the North line of said Northeast Quarter 823.47 feet for the point of beginning; thence continuing North 89° 15' 58" East along the Northline of said Northeast Quarter 178.38 feet; thence South 02° 31' 03" West 260.95 feet; thence North 82° 10' 21" West 139.75 feet; thence North 06° 46' 43" West 241.06 feet to the point of beginning; containing 0.908 Acre, subject to a road right-of-way easement across the North 30.00 feet thereof and any other easements of record.

## ORDINANCE NO. 1222-10

AN ORDINANCE ANNEXING LAND TO THE CITY OF  
VALLEY CENTER, KANSAS.

WHEREAS, the following described land is located in Sedgwick County, Kansas; and

WHEREAS, the following described land meets one or more of the conditions prescribed by K.S.A. 12-520(a)(1)-(6); and

WHEREAS, the governing body of the City of Valley Center, Kansas, finds it advisable to annex such land.

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

Section 1. That the following described land, meeting the conditions for annexation prescribed in K.S.A. 12-520, is hereby annexed and made a part of the City of Valley Center, Kansas:

A portion of the Northeast Quarter of Section 6, Township 26 South, Range 1 East of the 6th Principal Meridian, Sedgwick County, Kansas described as follows:

Commencing at the Northwest Corner of the Northeast Quarter of Section 6, Township 26 South, Range 1 East of the 6th Principal Meridian; thence with an assumed bearing of North 89° 15' 58" East along the North line of said Northeast Quarter 823.47 feet for the point of beginning; thence continuing North 89° 15' 58" East along the Northline of said Northeast Quarter 178.38 feet; thence South 02° 31' 03" West 260.95 feet; thence North 82° 10' 21" West 139.75 feet; thence North 06° 46' 43" West 241.06 feet to the point of beginning; containing 0.908 Acre, subject to a road right-of-way easement across the North 30.00 feet thereof and any other easements of record.

Section 2. That this ordinance shall be effective from and after its passage, approval, and publication in the official city newspaper.

PASSED AND APPROVED by the Governing Body of the City of Valley Center, Kansas, this 21<sup>st</sup> day of December 2010.

First Reading:  
Second Reading:

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MICHAEL D. MCNOWN, MAYOR

ATTEST:

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KRISTINE A. POLIAN, CITY CLERK

## **CONSENT AGENDA**

### **A. CEREAL MALT BEVERAGE LICENSES:**

#### **RECOMMENDED ACTION:**

Staff recommends motion to approve the Consent Agenda as presented.

## **CONSENT AGENDA**

### **A. CEREAL MALT BEVERAGE LICENSES:**

The following businesses have made application for a Cereal Malt Beverage License for the year 2011. Applications were received by the City Clerk and recommended for approval by the Chief of Police, Mark Hephner.

#### Package Sales:

D & H Enterprise L.L.C., 100 S Meridian, Valley Center, Ks  
Kwik Shop, Inc., Store #771, 110 E. 5<sup>th</sup>, Valley Center, Ks  
Leeker's Valley Center, INC, 801 S. Meridian, Valley Center, Ks  
Pizza Hut, 344 S Meridian, Valley Center, Ks

## **STAFF REPORTS**

**A. City Clerk Polian**

**B. Chief of Police Hephner**

**C. Fire Chief Tormey**

- Fire Department November 2010 Report

**D. Community Development Officer Miller**

- Reply to Council Concern

**E. City Superintendent Dunn**

**F. Environmental Services Officer Plant**

- Code Enforcement Department October 2010 Report

**G. Parks & Public Buildings Superintendent Owings**

**H. City Engineer Kelsey**

**I. City Attorney Arbuckle**

**J. City Administrator Pile**

**November2010 Activity Report**

The Fire Department responded to 67 calls for service in November; these are broken down as follows.

<b><u>Calls For Service</u></b>	<b><u>City</u></b>	<b><u>Townships</u></b>
Grass Fire	1	2
Brush and Grass Mixture Fire	0	1
Outside Rubbish, Trash, or Waste Fire	0	1
Unauthorized Burning	2	0
Building or Structure Weakened or Collapsed	1	0
Motor Vehicle Accident with Injuries	0	1
Medical Assist, Assist EMS Crew	9	0
EMS Call	6	0
Gas Leak (Natural Gas or LPG)	1	0
Assist Invalid	2	0
Assist Police or Other Government Agency	1	0
Lock In	1	0
Lines Down	1	0
Good Intent Call, Other	1	0
Dispatched & Cancelled En Route	8	3
Burn Permit	25	0

Fire Prevention Activity at the Pre-School; 145 Children  
Attended (November 3<sup>rd</sup>, 4<sup>th</sup>, and 5<sup>th</sup> 2010)

17 Firefighters Attended Training in Valley Center  
Training Consisted of the Air Pack Consumption Drill and  
Cleaning Hose (November 8<sup>th</sup> 2010).

2 Firefighters Attended West and Abilene Elementary with  
Sedgwick County Fire District #1 and Participated in a Fire  
Prevention Class (November 18<sup>th</sup> 2010).

1 Officer Attended the Quarterly Chiefs Meeting (November  
20<sup>th</sup> 2010).

13 Firefighters Attended Training in Valley Center  
Training Consisted of a Knot Tying Class and Hoisting  
Equipment to the Roof Class (November 29<sup>th</sup> 2010).

**CHIEF TORMEY**

**DATE:** November 30, 2010  
**TO:** Honorable Mayor McNown  
City Council  
**FROM:** Eldon G. Miller, AICP, CFM, Community Development Officer  
**RE:** USD #262 Ball field Drainage

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Mike Kelsey and myself will meet with the School District engineers' at the site on December 8, 2010 at 8:30 a.m.

November 29, 2010:

From: Mike Kelsey [Mike.Kelsey@pec1.com]  
Sent: Monday, November 29, 2010 6:24 PM  
To: dlohmann@baughmanco.com; pmeyer@baughmanco.com; rayp@coonrod.com; Mike Kelsey; egmiller@valleycenterks.org  
Subject: RE: School Drainage

Works for me

Powered by Intellisync

From: Dustin Lohmann <dlohmann@baughmanco.com>  
Date: 11/29/2010 4:43 PM  
To: Mike Kelsey <Mike.Kelsey@pec1.com>; pmeyer@baughmanco.com <pmeyer@baughmanco.com>; Ray Penner <rayp@coonrod.com>; Eldon G. Miller <egmiller@valleycenterks.org>  
Subject: RE: School Drainage

Its looking like next week will have to be the time to meet on site instead of this Wednesday. Would next Wednesday at 8:30 be better for everyone?

-----Original Message-----

From: Eldon G. Miller [mailto:egmiller@valleycenterks.org]  
Sent: Monday, November 29, 2010 3:19 PM  
To: 'Mike Kelsey'; dlohmann@baughmanco.com; pmeyer@baughmanco.com  
Subject: RE: School Drainage

That will work for me.

Eldon G. Miller, AICP, CFM  
Community Development Officer  
City of Valley Center

PO Box 188  
121 S. Meridian  
Valley Center, KS 67147  
316.755.7310  
316.755.7319 Fax  
WEB SITE VC LOGO.JPG

-----Original Message-----

From: Mike Kelsey [mailto:Mike.Kelsey@pec1.com]  
Sent: Monday, November 29, 2010 3:17 PM  
To: dlohmann@baughmanco.com; pmeyer@baughmanco.com; Mike Kelsey;  
egmiller@valleycenterks.org  
Subject: RE: School Drainage

Probably need to be 8 or 8:30 wed morning, or next week for me.

Powered by Intellisync

From: Dustin Lohmann <dlohmann@baughmanco.com>  
Date: 11/29/2010 1:39 PM  
To: Mike Kelsey <Mike.Kelsey@pec1.com>; Phil  
<pmeyer@baughmanco.com>; egmiller@valleycenterks.org  
<egmiller@valleycenterks.org>  
Subject: School Drainage

Eldon and Mike,

Is there a time this week that we could meet you two at the new baseball field behind Valley Center Middle School to discuss the rip rap drainage problem and solution?

Dustin Lohmann

Baughman Company PA  
315 Ellis  
Wichita, KS 67211  
P 316.262.7271  
F 316.262.0149

November 17, 2010:

From: Eldon G. Miller [egmiller@valleycenterks.org]  
Sent: Wednesday, November 17, 2010 3:07 PM  
To: 'Rick White'  
Subject: RE: School drainage

Silt fence.

Eldon G. Miller, AICP, CFM  
Community Development Officer  
City of Valley Center  
PO Box 188  
121 S. Meridian  
Valley Center, KS 67147  
316.755.7310  
316.755.7319 Fax  
WEB SITE VC LOGO.JPG

-----Original Message-----

From: Rick White [mailto:rick.white@usd262.net]  
Sent: Wednesday, November 17, 2010 12:35 PM  
To: Eldon G. Miller  
Subject: RE: School drainage

Eldon,  
I will follow up on this and get back to you. I don't want to sound ignorant but what is a "BMP".

Thanks,  
Rick

-----Original Message-----

From: Eldon G. Miller [mailto:egmiller@valleycenterks.org]  
Sent: Wednesday, November 17, 2010 11:26 AM  
To: Rick White  
Cc: 'Mike Kelsey'  
Subject: FW: School drainage

Rick,

The homeowner has talked to the city about this, so we reviewed it. Attached are the engineers comments. If the school district wants to proceed with this then they will have to submit a new drainage plan. The approved plan did not have a pipe for drainage from the ball field behind the Middle School. Also need to get your BMP's replaced along the drainage ditch behind the softball fields.

Eldon G. Miller, AICP, CFM  
Community Development Officer  
City of Valley Center  
PO Box 188  
121 S. Meridian  
Valley Center, KS 67147  
316.755.7310

316.755.7319 Fax

WEB SITE VC LOGO.JPG

-----Original Message-----

From: Mike Kelsey [mailto:Mike.Kelsey@pec1.com]

Sent: Wednesday, November 17, 2010 9:06 AM

To: egmiller@valleycenterks.org

Subject: School drainage

We reviewed the rip rap at the end of the drainage pipe that extends to the drainage way north of the new ballfield by the middle school. The placement of the rip rap in this location does not appear to be acceptable, and should be replaced with either concrete or a prefabricated end section made for this type of pipe, and then the disturbed areas should be re-graded, seeded, and mulched. Rip rap in this area is a maintenance issue, and erosion protection can be accomplished with a concrete "slab" where the pipe discharges to the ditch.

Code Enforcement Department  
October 2010

- I answered seventy two calls for service during the month of October.
  - Twelve complaints were filed for dogs running loose.
  - Twelve dogs were impounded and taken to the Wag'en Tail Ranch.
  - Owners reclaimed eleven dogs.
  - One dog was adopted.
  - Two barking dog complaints were received and addressed.
  - Five horse complaints were addressed.
  - I disposed of twelve dead animals.
  - One animal traps was set.
  - One dangerous structure was addressed and corrected.
  - Two storm water pollution complaints were addressed.
  - I spoke with several dog owners regarding their dogs running loose.
  - One cruelty complaints were received and addressed.
  - Two inoperable vehicles letters was sent to the property owner.
  - Thirty dog licenses renewal letters were sent to dog owners.
  - Twenty seven letters were sent to homeowners for trash and debris in their yards.
  - Five letters were sent for tall grass.
- I attended a board 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**