

# CITY OF VALLEY CENTER

## FINAL AGENDA

September 29, 2011

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

## October 4, 2011

1. **CALL TO ORDER**
2. **ROLL CALL**
3. **INVOCATION: MINISTERIAL ALLIANCE**
4. **PLEDGE OF ALLEGIANCE**
5. **APPROVAL OF AGENDA** p 3
6. **CLERK'S AGENDA** p 4
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*All items listed on this agenda are potential action items unless otherwise noted. The agenda may be modified or changed at the meeting without prior notice.*

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

*This is an open meeting, open to the public, subject to the Kansas Open Meetings Act (KOMA). The City of Valley Center is committed to providing reasonable accommodations for persons with disabilities upon request of the individual. Individuals with disabilities requiring an accommodation to attend the meeting should contact the City Clerk in a timely manner, at [cityclerk@valleycenter-ks.gov](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 September 20, 2011 Regular Council Meeting as prepared by the City Clerk.

### **RECOMMENDED ACTION:**

Staff recommends motion to approve the September 20, 2011 Regular Council Meeting Minutes as presented / amended

REGULAR COUNCIL MEETING  
SEPTEMBER 20, 2011  
CITY HALL  
121 S. MERIDIAN

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

Members Absent:

Staff Present: Joel Pile, City Administrator  
Kristine Polian, City Clerk  
Richard Dunn, City Superintendent  
Lonnie Tormey, Fire Chief  
Mark Hephner, Police Chief  
Neal Owings, Parks and Public Buildings Superintendent  
Warren Utecht, Community Development Director  
Barry Arbuckle, City Attorney

Press present: The Ark Valley News

**APPROVAL OF THE AGENDA**

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

**CLERK'S AGENDA**

MINUTES- SEPTEMBER 6, 2011 REGULAR COUNCIL MEETING

City Clerk Polian pointed out that a mistake on who approved a motion in regards to donating additional money to the Chamber Fall Festival. Lionel Jackson was stated as having both approved and opposed the motion and Kate Jackson not listed in the motion.

Cicirello moved, second by Maschino, to approve the Minutes from the September 6, 2011 Regular Council Meeting as amended. Vote yea: unanimous. Motion carried.

APPROPRIATION ORDINANCE- 09/20/2011

L. Jackson moved, second by Cicirello, to approve Appropriation Ordinance No. 09/20/2011 as presented. Vote yea: unanimous. Motion carried.

AUGUST 2011 TREASURER'S REPORT

Maschino moved, second by Cicirello, to receive and file the August 2011 Treasurer's Report as presented. Vote yea: unanimous. Motion carried.

**PRESENTATIONS AND PROCLAMATIONS**EMPLOYEE SERVICE AWARD

Richard Dunn was presented with a Service Award for 20 years of service with the City of Valley Center.

**PUBLIC FORUM****APPOINTMENTS**

Mayor McNown appointed Warrant Utecht, Community Development Director, as the Valley Center Community Rating System Coordinator.

Maschino moved, second by Cicirello, to approve the Mayor's appointment. Vote yea: unanimous. Motion carried.

**OLD BUSINESS**ORDINANCE 1230-11, ADOPTING CITY POLICY REGARDING RIGHT-OF-WAY MOWING, 1<sup>ST</sup> READING

Cicirello moved, second by L. Jackson, to adopt Ordinance 1230-11, regarding certain policies to guide the various Municipal functions of the City for first reading. Vote yea: Leftoff, Maschino, Cicirello, Gerling, L. Jackson and Smith. Opposed: K. Jackson and Hobson. Motion carried.

**NEW BUSINESS**RESOLUTION 583-11, OPPOSITION OF JAIL SITE AT COLLISEUM COMPLEX

Maschino stated that though she planned to vote in favor of the Resolution because she feels the Coliseum can be better utilized for something other than a jail, she did not think that having a jail would be horrible for the City in terms of added jobs and other economic opportunities that may come with a jail.

Cicirello moved, second by Hobson, to adopt Resolution 583-11, encouraging Sedgwick County Commission to develop a land-use plan for the Kansas Coliseum Complex which does not contain provisions for a satellite jail facility. Vote yea: unanimous. Motion carried.

ORDINANCE 1232-11, STANDARD TRAFFIC ORDINANCE

Cicirello moved, second by K. Jackson, to waive first reading for Ordinance 1232-11. Vote yea: unanimous. Motion carried.

Cicirello moved, second by K. Jackson, to adopt Ordinance 1232-11 amending Chapter 10.04 of the Valley Center Municipal Code and amendments related to the Regulation of Traffic within the corporate limits of the City of Valley Center, Kansas. Vote yea: Unanimous. Motion carried.

ORDINANCE 1233-11, UNIFORM PUBLIC OFFENSE CODE

Cicirello moved, second by Maschino, to waive first reading for Ordinance 1233-11. Vote yea: unanimous. Motion carried.

Cicirello moved, second by Maschino, to adopt Ordinance 1233-11, amending Chapter 9.01 of the Valley Center Municipal Code and amendments related to the regulations of Public Offenses within the corporate limits of the City of Valley Center, Kansas. Vote yea: unanimous. Motion carried.

**CONSENT AGENDA**

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

**STAFF REPORTS**POLICE CHIEF HEPHNER

Said Valley Center had their first bank robbery in the history of the City, and they were able to apprehend the suspect within less than two days.

FIRE CHIEF TORMEY

Thanked the Council and citizens for replacing the City's 30-year old fire truck.

COMMUNITY DEVELOPMENT DIRECTOR UTECHT

Stated the City would have a booth at the Fall Festival this year, for purposes of disseminating flood plain information, which will help earn the City points towards the Community Rating System. Said he will be meeting with a representative from FEMA next Tuesday to go over the steps the City has taken, which will ultimately earn a discount to those who have to buy flood insurance for their homes. Said he expects the discount to be approximately 10 percent for homeowners.

CITY ADMINISTRATOR PILE

Said the Veteran's Day Committee is working on a proclamation and resolution for the Veteran's Day events that will take place in the City. In addition, the Committee has selected a sign that will designate Meridian as Veteran's Memorial Boulevard. Also said if everything goes as planned, he will present the C.I.P. to the Council next meeting, and in the near future he will present a budget amendment for the Solid Waste Fund, since the 2011 budget was completed before the solid waste franchise was adopted.

**GOVERNING BODY REPORTS**MAYOR MCNOWN

Congratulated City Superintendent Dunn for his twenty years of service and thanked Chief Tormey for bringing the new fire truck to City Hall before tonight's Council meeting.

COUNCILMEMBER CICIRELLO

Stated he would like to see the City possibly demolish 500 N. Park in the event the property goes to Sheriff's sale so there will be no concern of someone purchasing the property with the intent of repairing it and failing to do so; said he would hate to see the same issue exist after the Sheriff's sale.

COUNCILMEMBER HOBSON

Thanked the Valley Center Police Department for their hard work on the bank robbery case. Stated he would like City officials schedule a meeting with the residents on Charles Street as soon as possible so the issue can be resolved.

City Administrator Pile explained to Council that the issue Hobson is referring to has to do with maintenance of Charles Street where the residents would like to have the City maintain the road but there is no right-of-way dedication. Said he and Community Development Director Utecht are working on getting a meeting scheduled.

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

**Meeting adjourned at 7:49 p.m.**

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**Kristine A. Polian, City Clerk**

**CLERK'S AGENDA****B. APPROPRIATION ORDINANCE:**

Below is the proposed Appropriation Ordinance for October 4, 2011 as prepared by City Staff.

October 4, 2011 Appropriation

• Packet #1	\$ 72,919.03
• Packet #2	<u>\$ 309.19</u>
Total	\$ 73,228.22

**RECOMMENDED ACTION:**

Staff recommends motion to approve the October 4, 2011 Appropriation Ordinance as presented / amended.

VENDOR NAME	DESCRIPTION	FUND	DEPARTMENT	AMOUNT
A T & T KANSAS	SEP 3, 2011 - OCT 2, 2011	GENERAL FUND	PARKS AND PUBLIC GROUN	65.00
			TOTAL:	65.00
ADMIN PRO	SEPTEMBER 2011	GENERAL FUND	ADMINISTRATION	175.50
			TOTAL:	175.50
ARK VALLEY NEWS	ORDINANCE # 1231-11	GENERAL FUND	ADMINISTRATION	30.72
	ORDINANCE #1229-11	GENERAL FUND	ADMINISTRATION	28.16
			TOTAL:	58.88
ASSESMENT STRATEGIES	PERSONNEL TESTING	GENERAL FUND	POLICE	150.00
			TOTAL:	150.00
BOB KELLET INSURANCE AGENT	SIGN #8C56452	GENERAL FUND	ADMINISTRATION	97.00
	FIRE TRUCK #8E56452	GENERAL FUND	FIRE	548.00
			TOTAL:	645.00
HARDMAN BENEFIT PLANS INC	OCT 2011	GENERAL FUND	ADMINISTRATION	240.12
			TOTAL:	240.12
ING LIFE INSURANCE & ANNUITY	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	SEWER OPERATING	NON-DEPARTMENTAL	200.00
			TOTAL:	849.50
INTRUST BANK NA	FED TAX W/H-GEN	GENERAL FUND	NON-DEPARTMENTAL	5,095.90
	EMP DEDUCT FICA-GEN	GENERAL FUND	NON-DEPARTMENTAL	1,802.85
	EMP DEDUCT MEDI-GEN	GENERAL FUND	NON-DEPARTMENTAL	715.60
	EMPR BENEFITS-MEDIC	EMPLOYEE BENEFITS	NON-DEPARTMENTAL	715.60
	EMPR BENEFITS-FICA	EMPLOYEE BENEFITS	NON-DEPARTMENTAL	3,059.89
	FED TAX W/H-SP STS	SPECIAL HIGHWAY	NON-DEPARTMENTAL	393.66
	EMP DEDUCT FICA-STs	SPECIAL HIGHWAY	NON-DEPARTMENTAL	181.78
	EMP DEDUCT MEDI-STs	SPECIAL HIGHWAY	NON-DEPARTMENTAL	62.75
	EMPR BENEFITS-MEDIC	SPECIAL HIGHWAY	SPECIAL HIGHWAY	62.75
	EMPR BENEFITS-FICA	SPECIAL HIGHWAY	SPECIAL HIGHWAY	268.36
	FED TAX W/H-WATER	WATER OPERATING	NON-DEPARTMENTAL	890.97
	EMP DEDUCT FICA-WTR	WATER OPERATING	NON-DEPARTMENTAL	396.63
	EMP DEDUCT MEDI-WTR	WATER OPERATING	NON-DEPARTMENTAL	136.93
	EMPR BENEFITS-MEDIC	WATER OPERATING	NON-DEPARTMENTAL	136.93
	EMPR BENEFITS-FICA	WATER OPERATING	NON-DEPARTMENTAL	585.51
	FED TAX W/H-SEWER	SEWER OPERATING	NON-DEPARTMENTAL	305.94
	EMP DEDUCT FICA-SWR	SEWER OPERATING	NON-DEPARTMENTAL	141.53
	EMP DEDUCT MEDI-SWR	SEWER OPERATING	NON-DEPARTMENTAL	48.87
	EMPR BENEFITS-MEDIC	SEWER OPERATING	NON-DEPARTMENTAL	48.87
	EMPR BENEFITS-FICA	SEWER OPERATING	NON-DEPARTMENTAL	208.93
			TOTAL:	15,260.25
KANSAS DEPT OF REVENUE	GENERAL FUND	GENERAL FUND	NON-DEPARTMENTAL	2,099.50

VENDOR NAME	DESCRIPTION	FUND	DEPARTMENT	AMOUNT
	SPECIAL HIGHWAY FUND	SPECIAL HIGHWAY	NON-DEPARTMENTAL	156.45
	WATER FUND	WATER OPERATING	NON-DEPARTMENTAL	448.78
	SEWER FUND	SEWER OPERATING	NON-DEPARTMENTAL	124.47
			TOTAL:	2,829.20
KANSAS PAYMENT CENTER	98D002573	GENERAL FUND	NON-DEPARTMENTAL	110.31
	09DM009607	GENERAL FUND	NON-DEPARTMENTAL	217.38
	06DM000961	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
			TOTAL:	1,127.73
KIA	KIA TRAINING CONFERENCE	GENERAL FUND	POLICE	25.00
	KIA TRAINING CONFERENCE	GENERAL FUND	POLICE	25.00
			TOTAL:	50.00
KPERS	EMP DEDUCT-TIER I	GENERAL FUND	NON-DEPARTMENTAL	1,655.55
	EMP DEDUCT-TIER I	GENERAL FUND	NON-DEPARTMENTAL	62.38
	EMP DEDUCT-TIER II	GENERAL FUND	NON-DEPARTMENTAL	422.93
	EMPR DEDUCT-TIER I	EMPLOYEE BENEFITS	NON-DEPARTMENTAL	3,203.49
	EMPR DEDUCT-TIER II	EMPLOYEE BENEFITS	NON-DEPARTMENTAL	545.58
	EMP DEDUCT-TIER I	SPECIAL HIGHWAY	NON-DEPARTMENTAL	132.24
	EMP DEDUCT-TIER II	SPECIAL HIGHWAY	NON-DEPARTMENTAL	72.25
	EMPR DEDUCT-TIER I	SPECIAL HIGHWAY	SPECIAL HIGHWAY	255.89
	EMPR DEDUCT-TIER II	SPECIAL HIGHWAY	SPECIAL HIGHWAY	93.20
	EMP DEDUCT-TIER I	WATER OPERATING	NON-DEPARTMENTAL	224.58
	EMP DEDUCT-TIER II	WATER OPERATING	NON-DEPARTMENTAL	206.96
	EMPR DEDUCT-TIER I	WATER OPERATING	NON-DEPARTMENTAL	434.55
	EMPR DEDUCT-TIER II	WATER OPERATING	NON-DEPARTMENTAL	266.98
	EMP DEDUCT-TIER I	SEWER OPERATING	NON-DEPARTMENTAL	144.42
	EMPR DEDUCT-TIER I	SEWER OPERATING	NON-DEPARTMENTAL	279.46
			TOTAL:	8,000.46
LAURIE B WILLIAMS	09-14039	GENERAL FUND	NON-DEPARTMENTAL	55.00
	08-12231-13	WATER OPERATING	NON-DEPARTMENTAL	100.00
	08-10028-13	WATER OPERATING	NON-DEPARTMENTAL	84.00
			TOTAL:	239.00
LKM - LEAGUE OF KANSAS MU	ATTENDEES	GENERAL FUND	ADMINISTRATION	800.00
	GUESTS	GENERAL FUND	ADMINISTRATION	150.00
	JP LKM 2011 FULL CON	GENERAL FUND	ADMINISTRATION	200.00
	MM LKM 2011 FULL CON	GENERAL FUND	ADMINISTRATION	200.00
	DS LKM 2011 FULL CON	GENERAL FUND	ADMINISTRATION	200.00
	KP LKM 2011 FULL CON	GENERAL FUND	ADMINISTRATION	200.00
			TOTAL:	1,750.00
PREFERRED PLUS OF KANSAS	OCT 2011 DD PREMIUM	GENERAL FUND	NON-DEPARTMENTAL	2,180.78
	OCT 2011 PPK PREMIUM	EMPLOYEE BENEFITS	NON-DEPARTMENTAL	29,435.42
	OCT 2011 DD PREMIUM	SPECIAL HIGHWAY	NON-DEPARTMENTAL	163.08
	OCT 2011 PPK PREMIUM	SPECIAL HIGHWAY	SPECIAL HIGHWAY	2,551.98
	OCT 2011 DD PREMIUM	WATER OPERATING	NON-DEPARTMENTAL	243.30
	OCT 2011 PPK PREMIUM	WATER OPERATING	NON-DEPARTMENTAL	2,885.28
	OCT 2011 DD PREMIUM	SEWER OPERATING	NON-DEPARTMENTAL	181.32
	OCT 2011 PPK PREMIUM	SEWER OPERATING	NON-DEPARTMENTAL	3,158.97
			TOTAL:	40,800.13

VENDOR NAME	DESCRIPTION	FUND	DEPARTMENT	AMOUNT_
SECURITY BENEFIT	613042-5556	GENERAL FUND	NON-DEPARTMENTAL	25.00
	613042-6484	GENERAL FUND	NON-DEPARTMENTAL	25.00
	TOTAL:			50.00
STANDARD & POOR'S FINANCIAL	TEMP NOTES SER 1	CAPITAL PROJECTS F	2011-1 TEMP NOTE COI	156.00
	TOTAL:			156.00
TIM HENSON	MOWING OF 451 ELM	GENERAL FUND	ENVIRONMENTAL SERVICES	100.00
	TOTAL:			100.00
U S DEPT OF EDUCATION	SFF7705160	GENERAL FUND	NON-DEPARTMENTAL	168.72
	TOTAL:			168.72
U S DEPT OF THE TREASURY	15552-5160	GENERAL FUND	NON-DEPARTMENTAL	113.54
	TOTAL:			113.54
VANTAGEPOINT TRANS AGENTS	101347989-9524	GENERAL FUND	NON-DEPARTMENTAL	15.00
	101347989-5676	GENERAL FUND	NON-DEPARTMENTAL	50.00
	101347989-1923	GENERAL FUND	NON-DEPARTMENTAL	25.00
	TOTAL:			90.00

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===== FUND TOTALS =====
010 GENERAL FUND 19,292.48
110 EMPLOYEE BENEFITS 36,959.98
150 SPECIAL HIGHWAY 4,409.39
350 CAPITAL PROJECTS FUND 156.00
610 WATER OPERATING 7,258.40
620 SEWER OPERATING 4,842.78
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GRAND TOTAL: 72,919.03
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SELECTION CRITERIA

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SELECTION OPTIONS

VENDOR SET: 02-CVC - VENDOR ACCOUNTS  
VENDOR: All  
CLASSIFICATION: All  
BANK CODE: All  
ITEM DATE: 9/14/2011 THRU 9/22/2011  
ITEM AMOUNT: 9,999,999.00CR THRU 9,999,999.00  
GL POST DATE: 0/00/0000 THRU 99/99/9999  
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 MTG PKT #1 10/04/11  
SIGNATURE LINES: 0

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PACKET OPTIONS

INCLUDE REFUNDS: YES  
INCLUDE OPEN ITEM:NO  
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VENDOR NAME	DESCRIPTION	FUND	DEPARTMENT	AMOUNT_
CINDY PLANT	TRAVEL REIMBUR	GENERAL FUND	ENVIRONMENTAL SERVICES	105.01_
			TOTAL:	105.01
JACKIE BROWN	MILEAGE FOR AUGUST	GENERAL FUND	ADMINISTRATION	14.36_
			TOTAL:	14.36
KRISTINE POLIAN	HRMAK ANNUAL CONFERENCE	GENERAL FUND	ADMINISTRATION	138.76_
			TOTAL:	138.76
WARREN UTECHT	AUGUST 2011 MILEAGE	GENERAL FUND	COMMUNITY DEVELOPMENT	51.06_
			TOTAL:	51.06

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===== FUND TOTALS =====
010 GENERAL FUND                309.19
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GRAND TOTAL:                    309.19
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SELECTION CRITERIA

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SELECTION OPTIONS

VENDOR SET: 03-CVC - EMPLOYEE A/P ACCOUN  
VENDOR: All  
CLASSIFICATION: All  
BANK CODE: All  
ITEM DATE: 9/14/2011 THRU 9/22/2011  
ITEM AMOUNT: 9,999,999.00CR THRU 9,999,999.00  
GL POST DATE: 0/00/0000 THRU 99/99/9999  
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 MTG PKT #2 10/04/11  
SIGNATURE LINES: 0

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PACKET OPTIONS

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

### **PUBLIC FORUM**

### **APPOINTMENTS**

### **COMMITTEES, COMMISSIONS**

#### **A. MINUTES FOR COUNCIL REVIEW:**

- Planning Commission September 27, 2011 Meeting

**VALLEY CENTER PLANNING COMMISSION****DRAFT MINUTES**

7:00 P.M., Tuesday, September 27, 2011  
Valley Center City Hall at 121 S. Meridian Avenue

Chairman Janzen called the meeting to order at 7:00 p.m. with the following members present: Gary Janzen, Danny Park, Jaque Davis, John Dailey, Kathryn Schroeder, Dee Wretberg, and Ricky Shellenbarger.

Planning Commission member absent: Steve Jackson and Don Bosken  
Staff Present: Warren Utecht, Community Development Director

**MINUTES OF August 23, 2011 REGULAR MEETING**

The minutes of the August 23<sup>rd</sup>. meeting were inadvertently left out of the packet but distributed the night of the meeting. It was generally agreed that the minutes would not be approved until the next Planning Commission meeting. Danny Park noted that the minutes show him present at the meeting but he was not in attendance. Warren will change the attendance record.

**COMMUNICATIONS:****A. ITEMS BY THE COMMUNITY DEVELOPMENT DIRECTOR**

- a. **500 N. Park Property Memo.** It was brought to the Community Director's attention that the mortgage Company that owns the dilapidated structure at 500 N. Park Avenue could not be reached, and that the condition of this home continues to deteriorate. After conducting research on the internet and making a number of phone calls, contact was made with the responsible party. The contact person explained that the mortgage company cannot place the house on the market because of foreclosure laws passed by congress.
- b. A copy of the Planning Commission/Site Plan Committee members was in the packet. Additions and corrections were made at the meeting.

C. Site Plan Review Committee-DRAFT OF August 12, 2011 meeting minutes. Warren recommended that these minutes be discussed in conjunction with the Zoning Ordinance Site Plan discussion.

**PUBLIC COMMENT**

None

**CONSENT AGENDA**

None

**UNFINISHED BUSINESS**

None

**NEW BUSINESS****A. Three Lot Splits on Cottonwood Drive Petitioned by Isham Alexander L.L.C.**

Warren indicated that the zoning setbacks are acceptable (subject to zoning ordinance amendments that clarify lot width). Other Approval Guidelines as specified in Article 9, section 101 (Approval Guidelines) have been reviewed against these three lots and have been found to be consistent with the intent of these guidelines.

Motion was made and seconded that the three lot splits on Cottonwood Drive that involve the division of lots 2 and 3 of Block A, Valley Creek Estates 2<sup>nd</sup>, and Lot 10, Block B, Valley

Creek Estates 2<sup>nd</sup>, as illustrated on the attached maps, be approved. Motion carried unanimously.

**B. Continuation of the discussion of the zoning regulation changes.**

Warren went through the first half of the Zoning Regulations that were previously discussed, covering the issues that were questioned at the previous meeting. They included the following:

1. Definition of Adult Care Home (taken directly from the state statutes) on page 5
2. Definition of Child Care Facilities and Community Based Group Boarding Homes (taken directly from the state statutes) on page 9-10
3. Definition of General Motion Picture Theatre on page 14 (suggested by John Dailey)
4. Deletion of Residential Center definition on bottom of page 20. Some questions were raised regarding the definition of rehabilitation homes (definition just before Residential Center). Locations were given of possible rehabilitation homes. Warren will research them to determine how they are licensed.
5. Vision Triangle regulations on page 37-38 (carried over from Article 11.08 with modifications). This regulation is found elsewhere in the municipal code. This section will now avoid having to find the definition elsewhere. Language was added to address vision corners in areas of the city that have speed limits of 30 miles and hour or less (previously not addressed).
6. New Wind Energy Conversion System regulations on pages 38-42. Warren pointed out some changes that would improve the regulations.

New topics that were discussed were as follows:

1. A minimum rear yard for accessory structures is now 5 feet. It was discussed that this minimum setback be increased to 10 feet for two reasons. Many times utility easements are on the back 6 to 10 feet of a lot. If a utility company had to work in the easement, accessory structures could be in the way. Second reason came from FEMA standards that encourage a 10 feet clearance on the back lot line to allow the unimpeded flow of stormwater runoff. If someone has an existing accessory structure within 5 feet of the rear lot line and wanted to rebuild or add on in the same place, they could apply for a variance. The Planning Commission supported the change.
2. In the new R-2 and R-3 minimum lot width language "If a lot is split with zero lot line, 35 feet" was added to address "duplex units being split under condominium ownership situations. An example is the duplex units being built on Cottonwood.
3. John Dailey raised the issue that the Manufactured Home Park District purpose statement should include manufactured home parks that would be capable of being served with both public sewer and water. Warren concurred and will insert the language.
4. In the Downtown Neighborhood District, the word "Overlay" will be added, the phrase "Prohibited Permitted" uses will be changed to "Permitted uses that are prohibited in the Overlay District", and "Clubs and Taverns" will be removed from the "Special Uses that are Prohibited" in the Overlay District so that they can be allowed.
5. Confusing language in the storage of recreational vehicle section of the ordinance was revised to require no long term recreational vehicle storage within the front yard setback.
6. The sign code was amended to delete wording that would allow nonconforming portable signs to exist without time limitations.
7. With concurrence from the Site Plan Committee, the following items summarize the major changes to the Site Plan chapter of the Zoning Ordinance and the "Additional Site Plan Criteria" policy:
  - a. Both the Zoning Ordinance and the "Additional Site Plan Criteria" had administrative process language that contained inconsistencies. To avoid confusion, the administrative process for making an application for site plan

review was refined and more detail added in the zoning text and eliminated from the "Additional Site Plan Criteria" document.

- b. Most of the original criteria will remain in the "Additional Site Plan Criteria" document, but the two step (preliminary and final) review process was eliminated.
- c. More emphasis is being placed on the city staff working out site plan details with the petitioner.
- d. Once the staff is satisfied that sufficient information has been included on the site plan, a Site Plan Committee would be scheduled.
- e. Once the Site Plan Committee is satisfied, a recommendation would be forwarded to the Plan Commission for their review and action.

A motion was made seconded to recommend to the Council the revised Zoning Regulations and Site Plan Criteria Policy. Motion was unanimously approved.

#### **E. Re-addressing tenant spaces fronting N. Ash Avenue at 226 W. Main Street**

Warren described the situation that involves a commercial building with an address of 226 W. Main Street, located on the northeast corner of W. Main Street and N. Ash Avenue. This one story building has been divided into a number of offices identified as "Suites". The main entrance to the "Suites" is on the northwest corner of the building fronting W. Main Street with a secondary entrance on N. Ash Avenue. Internally, a hallway provides access to all but one of the suites (1AA). Three of the Suites (1AA, 2 and 3AA) have direct access (front door) onto N. Ash Avenue. To avoid confusion, provide a better opportunity for clients to find business tenants in these three suites, and have more success in maintaining businesses that would have an address associated to the street fronting their business, it was recommended that the following address changes be made:

<u>Present Address</u>	<u>New Address</u>
226 W. Main Street, Suite 3AA	102 N. Ash Avenue, Suite 3AA
226 W. Main Street, Suite 2	106 N. Ash Avenue, Suite 2
226 W. Main Street, Suite 1AA	108 N. Ash Avenue, Suite 1AA

Motion was made and seconded that the above address change be approved. Motion was unanimously approved. Warren will contact the Post Office to let them know that these addresses have been changed by the City. The City address map will also be updated to reflect these changes.

#### **ITEMS BY PLANNING COMMISSIONERS**

- a. Gary Janzen - None
- b. Jaque Davis – Noted that W. Main Street has some signs (including a portable sign) that may be illegal. Warren indicated that he would look at the signs and contact the owners.
- c. Danny Park - None
- d. John Dailey – None
- e. Ricky Shellenbarger - None
- f. Kathryn Schroeder - None
- g. Dee Wretberg – None

Motion was made and seconded to adjourn. Vote was unanimous. Adjourned at 8:29 p.m.

Respectfully submitted,

\_\_\_\_\_  
Warren Utecht  
Planning Commission Recording Secretary

Approved by the Valley Center Planning Commission on October 25, 2011.

\_\_\_\_\_  
Gary Janzen, Chairman

**OLD BUSINESS****A. ORDINANCE 1230-11, ADOPTING CITY POLICY  
REGARDING RIGHT-OF-WAY MOWING, 2<sup>nd</sup> READING:**

- Ordinance 1230-11
- Right-of-Way Mowing Policy - [Revised](#)

Should Council choose to proceed,

**RECOMMENDED ACTION:**

Staff recommends motion to adopt Ordinance 1230-11, adopting certain policies to guide the various Municipal Functions of the City, for 2<sup>nd</sup> Reading.

**ORDINANCE NO. 1230-11**

**AN ORDINANCE OF THE CITY OF VALLEY CENTER, KANSAS,  
ADOPTING CERTAIN POLICIES TO GUIDE THE VARIOUS  
MUNICIPAL FUNCTIONS OF THE CITY.**

**WHEREAS,** As the legislative body of the City of Valley Center, the City Council is charged with the responsibility of establishing and updating policies to guide the various municipal functions of the City and, where necessary, to establish procedures by which functions are performed;

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

**Section 1.** Set forth and attached hereto and made part of this Ordinance, commonly known as *Part 6* of the Policy and Procedure Manual.

Part 6, Chapter 2, Section 2 Right-of-Way Mowing Policy

**Section 2.** That policies referenced in Section 1 of this Ordinance shall be incorporated into *Part 6* of the Policy and Procedure Manual of the City of Valley Center, and is hereby adopted.

**Section 3.** This ordinance shall be in full force and effect from and after its passage and adoption.

**PASSED AND APPROVED by the Governing Body of the City of Valley Center, Kansas, this \_\_\_\_ day of \_\_\_\_\_ 2011.**

First Reading: September 20, 2011

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

{SEAL}

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

ATTEST:

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

<b>TITLE:</b> Mowing Grass and Weeds on Street Right-of-Way	<b>POLICY NO.</b> <b>DRAFT</b> Part 6 Chapter 2 Section 2
<b>POLICY CUSTODIAN</b> City Superintendent	<b>EFFECTIVE DATE</b>

**ADOPTING ORDINANCE(S):** VC Ordinance # 1230-11

**REFERENCES (STATUTES/RESOS/POLICIES):**

**STATEMENT OF PURPOSE:** Managing vegetation in the street right-of-way is necessary to provide safe and attractive roadways in our City. Roadside vegetation will be maintained to control erosion, prevent sight distance problems, and discourage growth of undesirable vegetation, including noxious weeds and invasive plants and trees. City mowing practices and regulations will balance the needs for safety, concern for the environment, aesthetics, air and water quality, efficiency, and available funding.

**POLICY:** It is the policy of the Governing Body the City will not cut grass or weeds on street right-of ways (ROW) except as designated within this policy statement. Staff is directed to send letters to residents or property owners when problems are apparent, requesting cooperation in cutting grass and weeds out to the improved street surface. If cooperation is not received, the grass and weeds will be cut or destroyed by the City. Records will be kept of areas mowed and the charges assessed to the property owner.

As a courtesy, the City shall periodically cut weeds and grass in the ROW along arterial and major collector streets where the streets abut AG (Agricultural) zoned property.

The City shall also periodically cut ROW's (1) that are wide as a result of a past city project; (2) that are difficult or dangerous to cut; (3) that lie between two public roads; and, (4) that are areas which have been addressed within past annexation service plans. All locations included in the above four categories must be designated by Council action and recorded in the Policy Statement on Tables 1 through 4. No other ROW will be maintained at the City's expense.

The following locations have been designated by Council action for the City to assume responsibility for cutting grass and weeds:

**Table 1: Wide ROW as a Result of City Project**

Street	Side	From	To
Kessler	west	5 <sup>th</sup> Street	89 <sup>th</sup> North
5 <sup>th</sup> Street	north	Sheridan	Kessler
Clay	south	Sheridan	Ash Circle
Ash Circle	west	Industrial	Clay
5 <sup>th</sup> Street	south	Sheridan	Bridge

**Table 2: Ag or Difficult/Dangerous Areas to Mow**

Street	Side	From	To
North Interurban	west	5 <sup>th</sup> Street	Well #8 gate
North Meridian	east	Residential property	North city limits
5 <sup>th</sup> Street	south	bridge	Seneca
5 <sup>th</sup> Street	south	High Point Road	Broadway
5 <sup>th</sup> Street	north	bridge	Seneca
5 <sup>th</sup> Street	north	High Point Road	Broadway
Seneca	east	Walnut Road	89 <sup>th</sup> North
Main	north/south	Little Ark River	39 <sup>th</sup> West
Main	south	railroad	400' east
Ramsey	north/south	Meridian	Ford
Ford	north/south	Meridian	bridge
Ford	north/south	bridge	Broadway
Meridian	west	railroad	Ford
Seneca	east/west	Ford	5 <sup>th</sup> Street
Seneca	west	5 <sup>th</sup> Street	93 <sup>rd</sup> North

**Table 3: ROW Between Two Roads**

Street	Side	From	To
Emporia	median	Main	5 <sup>th</sup> Street

**Table 4: Annexed Areas**

Street	Side	From	To
93 <sup>rd</sup> North	north	Seneca	Broadway
93 <sup>rd</sup> North	south	Seneca	Broadway
Interurban	east/west	Seward	Seneca
Seward	south	Meridian	Interurban
Seward	north/south	railroad	Floodway
Seneca	east	Seward	61 <sup>st</sup> North
Seneca	west	Seward	200' south
81 <sup>st</sup> North	north	39 <sup>th</sup> West	west city limits
81 <sup>st</sup> North	south	Buena Vista	west city limits
Interurban	east	Seward (north)	end of street

**IMPLEMENTATION:** The City Administrator shall monitor those provisions of this policy. Disagreement in interpretation shall be resolved by the City Council. The City Administrator shall institute administrative policy to implement this policy.

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

**NEW BUSINESS****A. 2010 AUDIT PRESENTATION:**

Lowenthal, Webb and Odermann, P.A. has completed the 2010 Audit for the City of Valley Center. Provided are Management Letters for the Governing Body indicating issues that were found regarding City processes and internal controls. Included additionally are recommendations for possible solutions for said issues.

Brian Nyp from Lowenthal, Webb and Odermann, P.A. will present the Financial Statement to the Governing Body.

[The 2010 Audit is on file at City Hall.](#)

Should Council choose to proceed,

**RECOMMENDED ACTION:**

Staff recommends motion to approve the 2010 Audit.

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**LOWENTHAL, WEBB & ODERMANN, P.A.**

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AUDITOR'S COMMUNICATION TO THOSE CHARGED WITH GOVERNANCE

Mayor and City Council  
City of Valley Center, Kansas

We have audited the financial statements of the City of Valley Center, Kansas for the year ended December 31, 2010, and have issued our report thereon dated August 30, 2011. Professional standards require that we provide you with information about our responsibilities under generally accepted auditing standards, as well as certain information related to the planned scope and timing of our audit. Professional standards also require that we provide you with the following information related to our audit.

Our Responsibility under U.S. Generally Accepted Auditing Standards

As stated in our engagement letter dated, August 31, 2010, our responsibility, as described by professional standards, is to plan and perform our audit to obtain reasonable, but not absolute, assurance that the financial statements are free of material misstatement and to express an opinion about whether the financial statements are fairly presented, in all material respects, in accordance with U.S. generally accepted accounting principles. Our audit of the financial statements does not relieve you or management of your responsibilities.

Planned Scope and Timing of the Audit

An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements; therefore, our audit will involve judgment about the number of transactions to be examined and the areas to be tested.

Our audit will include obtaining an understanding of the entity and its environment, including internal control, sufficient to assess the risks of material misstatement of the financial statements and to design the nature, timing, and extent of further audit procedures. Material misstatements may result from (1) errors, (2) fraudulent financial reporting, (3) misappropriation of assets, or (4) violations of laws or governmental regulations that are attributable to the entity or to acts by management or employees acting on behalf of the entity. We will communicate our significant findings at the conclusion of the audit.

We performed the audit according to the planned scope and timing previously communicated to management in our meeting about planning matters on April 24, 2011.

Significant Accounting Policies

Management has the responsibility for selection and use of appropriate accounting policies. In accordance with the terms of our engagement letter, we will advise management about the appropriateness of accounting policies and their application. The significant accounting policies used by the City of Valley Center, Kansas are described in Note 1 to the financial statements. No new accounting policies were adopted and the application of existing policies was not changed for the year ended December 31, 2010. We noted no transactions entered into by the City of Valley Center, Kansas during the year for which there is a lack of authoritative guidance or consensus. There are no significant transactions that have been recognized in the financial statements in a different period than when the transaction occurred.

Accounting estimates are an integral part of the financial statements prepared by management and are based on management's knowledge and experience about past and current events and assumptions about future events. Certain accounting estimates are particularly sensitive because of their significance to the financial statements and because of the possibility that future events affecting them may differ significantly from those expected. The most sensitive estimate affecting the financial statements was:

Management's estimate of accumulated depreciation is based on the straight-line method of depreciation. We evaluated the key factors and assumptions used to develop the accumulated depreciation in determining that it is reasonable in relation to the financial statements taken as a whole.

#### Corrected Misstatements

Professional standards require us to accumulate all known and likely misstatements identified during the audit, other than those that are trivial, and communicate them to the appropriate level of management. We have been informed that management has corrected all such misstatements. In addition, none of the misstatements detected as a result of audit procedures and corrected by management were material, either individually or in the aggregate, to the financial statements taken as a whole.

#### Disagreements with Management

For purposes of this letter, professional standards define a disagreement with management as a financial accounting, reporting, or auditing matter, whether or not resolved to our satisfaction, that could be significant to the financial statements or the auditor's report. We are pleased to report that no such disagreements arose during the course of our audit.

#### Management Representations

We have requested certain representations from management that are included in the management representation letter dated August 30, 2011.

#### Consultations with Other Independent Accountants

In some cases, management may decide to consult with other accountants about auditing and accounting matters, similar to obtaining a "second opinion" on certain situations. If a consultation involves application of an accounting principle to the governmental unit's financial statements or a determination of the type of auditor's opinion that may be expressed on those statements, our professional standards require the consulting accountant to check with us to determine that the consultant has all the relevant facts. To our knowledge, there were no such consultations with other accountants.

#### Issues Discussed Prior to Retention of Independent Auditors

We generally discuss a variety of matters, including the application of the accounting principles and auditing standards, with management each year prior to retention as the City of Valley Center, Kansas's auditors. However, this discussion occurred in the normal course of our professional relationship and our responses were not a condition to our retention.

#### Difficulties Encountered in Performing the Audit

We encountered no significant difficulties in dealing with management in performing our audit.

This information is intended solely for the use of the mayor, city council and management of the City of Valley Center, Kansas, and is not intended to be and should not be used by anyone other than these specified parties.

*Rowenthal, Wett & Odemann, P.A.*

August 30, 2011

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**LOWENTHAL, WEBB & ODERMANN, P.A.**

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Mayor and City Council  
City of Valley Center, Kansas

In planning and performing our audit of the financial statements of Valley Center, Kansas, as of and for the year ended December 31, 2010, in accordance with auditing standards generally accepted in the United States of America, we considered the City's internal control over financial reporting as a basis for designing our auditing procedures for the purpose of expressing an opinion on the financial statements, but not for the purpose of expressing an opinion on the effectiveness of the City's internal control. Accordingly, we do not express an opinion on the effectiveness of the City's internal control.

Our consideration of internal control was for the limited purpose described in the preceding paragraph and was not designed to identify all deficiencies in internal control that might be significant deficiencies or material weaknesses and, therefore, there can be no assurance that all such deficiencies have been identified. However, as discussed below, we identified certain deficiencies in internal control that we consider to be significant deficiencies.

A deficiency in internal control exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct misstatements on a timely basis. A material weakness is a deficiency, or combination of deficiencies in internal control, such that there is a reasonable possibility that a material misstatement of the entity's financial statements will not be prevented, or detected and corrected on a timely basis. We did not identify any deficiencies in internal control that we consider to be material weaknesses.

A significant deficiency is a deficiency, or a combination of deficiencies, in internal control that is less severe than a material weakness, yet important enough to merit attention by those charged with governance. We consider the following deficiencies in the City's internal control to be significant deficiencies:

1. In the municipal court cash receipt procedures, the same person should not be receipting cash, depositing cash into the bank and recording the receipt into the accounting system. We also recommend that a reconciliation be performed between all tickets issued and the tickets receipted into the accounting system. System cash posting reports should be used to balance deposits instead of the spreadsheets currently used.
2. We recommend the City review its utility billing and receipting procedures and verify there are adequate controls over the following areas: account adjustments and bad debt write off and collections procedures. We also recommend that account adjustment reports that are printed daily be reviewed and approved for reasonableness by an individual independent of the utility billing system. We also recommend that a list of delinquent utility accounts be periodically presented to the governing body for approval before sending the accounts to collections or the State of Kansas set off program.

In addition, we recommend that the City Council periodically review and approve the actual utility billing rates. This will allow for greater transparency for utility billing increases that are passed through from the City's utility supplier.

3. We recommend that the City implement a procedure that includes balancing all balance sheet accounts on a monthly basis. This balancing should include reconciling the balance sheet account balances to a detailed ledger of transactions that constitute the balance of the accounts. Any journal entries required to balance the accounts should be reviewed and approved by an individual independent of the journal entry process. This same individual should review the reconciliations of all balance sheet accounts for clerical accuracy, timeliness of completion and reconciling item reasonableness.
4. During the audit we were informed that the building permit system is not reconciled to the general ledger. We recommend that the building permit system be periodically reconciled to the general ledger. We also recommend that an individual independent of the receipting process review and approve the reconciliation. We also recommend all permit applications should include the receipt number when the permit number is assigned and logged receipt number should also be noted.

This communication is intended solely for the information and use of the Mayor, City Council and other members of management of Valley Center, Kansas and is not intended to be and should not be used by anyone other than these specified parties.

*Rowenthal, Wett & Odemann, P.A.*

August 30, 2011

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**LOWENTHAL, WEBB & ODERMANN, P.A.**

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Mayor and City Council  
City of Valley Center, Kansas

In planning and performing our audit of the financial statements of Valley Center, Kansas, as of and for the year ended December 31, 2010, we considered the City's internal control in order to determine our auditing procedures for the purpose of expressing an opinion on the financial statements and not to provide an opinion on internal control.

However, during our audit, we became aware of several matters that are opportunities for strengthening internal controls and operating efficiency. This letter does not affect our report dated August 30, 2011, on the financial statements of the City of Valley Center, Kansas.

We will review the status of this comment during our next audit engagement. We have already discussed this comment and suggestion with various City personnel, and we will be pleased to discuss this comment in further detail at your convenience, to perform an additional study of this matter, or to assist you in implementing the recommendation. Our comment is summarized as follows:

During the audit we noted four instances where purchase orders were approved and dated after the invoice was received. The totals for each invoice paid where a purchase order was approved and dated after the invoice was received were, \$39,327.32, \$16,406.54, \$20, and \$39.25. We recommend that purchase orders be created and approved prior to receiving the disbursement invoice.

This report is intended for the use of the Mayor, City Council and management of Valley Center, Kansas and should not be used by anyone other than these specified parties.

*Lowenthal, Webb & Odermann, P.A.*

August 30, 2011



## MEMO

TO: Honorable Mayor McNown & Valley Center City Council

FROM: Kristine Polian, City Clerk

DATE: September 29, 2011

RE: *Auditors' Management Letter Response*

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Attention Mayor and City Council Members:

Below is an itemized list of the issues the Auditors discovered during the field audit, along with their recommendations. I have responded to each issue (in blue) as to how Staff is handling each noted item. The majority of the issues were rectified shortly after the field audit was completed. If any issues have not been rectified, it is due to specific limitations Staff cannot overcome at this time.

All findings by the Auditors have been addressed and Staff continues to work diligently in maintaining the financial integrity of the City of Valley Center.

1. In the municipal court cash receipt procedures, the same person should not be receipting cash, depositing cash into the bank and recording the receipt into the accounting system. We also recommend that a reconciliation be performed between all tickets issued and the tickets receipted into the accounting system. System cash posting reports should be used to balance deposits instead of the spreadsheets currently used.

*Per the Auditors' recommendation the Court Clerk has another Staff member initials each receipt when money is received. The City Clerk reconciles Court receipts.*

2. We recommend the City review its utility billing and receipting procedures and verify there are adequate controls over the following areas: account adjustments and bad debt write off and collections procedures. We also recommend that account adjustment reports that are printed daily be reviewed and approved for reasonableness by an individual independent of the utility billing system. We also recommend that a list of delinquent utility accounts be periodically presented to the governing body for approval before sending the accounts to collections or the State of Kansas set off program. In addition, we recommend that the City Council periodically review and approve the actual utility billing rates. This will allow for greater transparency for utility billing increases that are passed through from the City's utility supplier.

*Per the Auditors' recommendation the City Clerk has begun reviewing bad debt accounts in a more extensive capacity. In addition, Staff intends to provide a list of delinquent accounts to the Governing Body, on a monthly basis, prior to submitting said delinquencies to the Kansas Setoff Program. Staff will also provide information to the Governing Body when any rate increase goes into effect, whether the increase is a pass-through from our supplier or authorized by Ordinance.*

3. We recommend that the City implement a procedure that includes balancing all balance sheet accounts on a monthly basis. This balancing should include reconciling the balance sheet account balances to a detailed ledger of transactions that constitute the balance of the accounts. Any journal entries required to balance the accounts should be reviewed and approved by an individual independent of the journal entry process. This same individual should review the reconciliations of all balance sheet accounts for clerical accuracy, timeliness of completion and reconciling item reasonableness.

*Per the Auditor's recommendations all balance sheet accounts are being reconciled on a monthly basis; the City Clerk reviews these reconciliations. In addition, all liability accounts in particular are being reconciled after each payroll to ensure accuracy and consistency.*

4. During the audit we were informed that the building permit system is not reconciled to the general ledger. We recommend that the building permit system be periodically reconciled to the general ledger. We also recommend that an individual independent of the receipting process review and approve the reconciliation. We also recommend all permit applications should include the receipt number when the permit number is assigned and logged receipt number should also be noted.

*As of February 2011, the City implemented building permit software that ties directly to the General Ledger. Thus, allowing greater control and monitoring capabilities. Building permits are numbered and verified on a monthly basis for consistency and internal control purposes.*

5. During the audit we noted four instances where purchase orders were approved and dated after the invoice was received. The totals for each invoice paid where a purchase order was approved and dated after the invoice was received were, \$39,327.32, \$16,406.54, \$20 and \$39.25. We recommend that purchase orders be created and approved prior to receiving the disbursement invoice.

*Currently the City does not have centralized purchasing; creating purchase orders prior to every purchase would unreasonably slow daily operations. Though limitations still exist Staff is looking for a viable way for Department Heads to enter each purchase into the system prior to purchasing.*

Sincerely,  
Kristine Polian  
City Clerk

## **NEW BUSINESS**

### **B. DISCUSSION REGARDING 2012-2013 C.I.P.:**

- Proposed 2012 -2013 Capital Improvement Plan Attached

Should Council choose to proceed,

### **RECOMMENDED ACTION:**

Review and Discuss Proposed 2012 - 2013 C.I.P.



# **Capital Improvement Plan 2012-13**

The capital planning process and capital improvement plan (CIP) was established to provide a routine process and procedure for identifying, evaluating and advocating the current and future capital needs of the City of Valley Center. City Staff is responsible for reviewing and prioritizing capital project requests and creating the draft capital budget and two-year capital improvement plan.

The capital planning process not only provides an orderly and routine method of proposing the planning and financing of capital improvements, but the process also makes capital expenditures more responsive to community needs. By prioritizing projects according to criteria that are grounded in the City's mission and plans, the CIP process also creates a more understandable and defensible investment decision-making process, improves linkages between capital investments and the City's long-term vision and goals, and builds citizen confidence by making more efficient use of City resources.

Through the capital improvement program process, the City strives to realize several goals. Based on Valley Center's mission, values, and vision; and the land-use plan goals, vision and policies; the goals of the CIP are as follows:

- Create a process that enables informed decisions and choices that are consistent with long and short-term goals; identifies short and long-term problems, opportunities and policy issues resulting from the CIP; and gives consideration to public needs and input.
- Assess short and long-term financial impact of capital projects both upon individual departments and the City as a whole, including assessment of the impact on rates, debt, and revenue, as well as operation and maintenance cost.
- Enhance the City's ability to develop, improve, maintain or preserve conditions or level of services in the community; plan for land acquisition and future government or community facilities, establish reserve funds for emergency needs and estimate future bond issues.
- Facilitate implementation of City's Long Range Comprehensive Land Use Plan.
- Ensure coordination between City departments and City Council in the planning and implementing of capital projects.
- Identify and determine future infrastructure needs and establish priorities among projects so the available resources are used to the best advantage to ensure the use of the best financial mechanisms and ensure maximum useful life of capital investments.

In the capital planning process and eventual implementation of the City of Valley Center 2012-2013 Capital Improvement Plan, the City hopes to accomplish the above goals.

### SUMMARY

The City of Valley Center has implemented its capital planning process to create the 2012-2013 Capital Improvement Plan (CIP). This CIP will serve as a financial planning and management tool. It identifies public facilities and positions these requirements in order of priority, and schedules them for funding and implementation. Projects in the two-year capital plan have been prioritized based on the extent to which each addresses the following criteria: external requirements, public health and safety, affect on operating or maintenance costs, level of service, availability of outside financing, and economic development.

Each project meets the City's definition of a capital improvement project: any project or physical public improvement that results in a permanent addition to the City's fixed assets or revitalization/improvement that extends a fixed asset's useful life or increases its usefulness or capacity. In addition, a capital improvement has an estimated service life of at least five years and a value of at least \$50,000.

In addition to the projects detailed in this plan, other proposals which are in the early stages of discussion, and not ranked as a priority for 2012-13, have been added as a supplemental section at the end of this document. These projects may be included in future capital improvement plans as more information is obtained and future needs are assessed.

### FUNDING SOURCES

The Capital Improvement Plan is funded through many different sources at the Federal, State and local levels of government. The following narrative provides descriptions of these funding sources.

General obligation bonds - These bonds are secured by the City's pledge of its full faith, credit and taxing power for the payment of the bonds. Proceeds from bonds are used to finance major projects. By using bonds, the City is able to spread the cost of longer-life assets over their useful life. In doing that, the cost of these assets is shared by those benefiting from that asset over its entire useful life.

Property taxes - This includes amounts levied against all real, public utility and tangible personal property located in the City. Taxes collected on real property (other than public utility) in one calendar year are levied in the preceding calendar year on assessed values as of January 1 of that preceding year, the lien date.

Federal transportation funding - The Federal government allocates funds for transportation improvements to each state who in turn sub-allocates a portion of these funds to the management planning organization. The Wichita Area Metropolitan Planning Organization (WAMPO) is the local MPO to which Valley Center applies to receive federal funds for transportation improvements. Only those highways in Valley Center which have a federal functional classification of at least collector are eligible to receive federal funds.

Utility fund revenue – Revenue derived from utility service fees is transferred for debt service payments to pay debt respective to improvements made for each utility.

### 2012-13 CAPITAL BUDGET

The City of Valley Center has proposed a 2012-13 Capital Plan totaling nearly \$2.3 million, of which more than \$1.5 million is funded from local sources. Projects include facilities and infrastructure for general government, parks and recreation, public safety, transportation systems and utility systems.

2012-13 CAPITAL BUDGET & FUNDING				
Item #	Project Category and Title	Funding Source	Year	Cost
<b>STREETS</b>				
1-12/13	Meridian Avenue – North Phase	G.O. Bond	2012	\$499,000
2-12/13	5 <sup>th</sup> Street Bridge	Federal & G.O. Bond	2012	\$1,200,000
<b>PUBLIC BUILDINGS/FACILITIES/EQUIPMENT</b>				
3-12/13	Public Safety Building Remodel Phase #1 – Parking Lot	G.O. Bond	2013	\$110,000
4-12/13	Public Works Storage Building	G.O. Bond	2012	\$111,000
5-12/13	Public Safety Technology Upgrade	G.O. Bond	2013	\$50,200
<b>SANITARY SEWER IMPROVEMENTS</b>				
6-12/13	Sewer Rehabilitation	Sewer Fund	2012	\$200,000
<b>WATER SYSTEM IMPROVEMENTS</b>				
7-12/13	Meridian Line Replacement	Water Fund	2012	\$125,000
<b>TOTAL FOR 2012-13 CIP PROJECTS</b>				<b>\$2,295,200</b>

City of Valley Center  
**CAPITAL IMPROVEMENT PROJECT DESCRIPTION**

PROJECT CATEGORY: STREETS

<b>PROJECT NUMBER &amp; TITLE:</b>	1-12/13	Meridian Avenue – North Phase
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PROJECT DESCRIPTION	PROJECT LOCATION
Pavement mill & overlay, driveway replacement, pavement marking, sidewalk, grading, seeding	Meridian Avenue from 5 <sup>th</sup> Street North to North city limits (approx. 1,320' south of 93 <sup>rd</sup> Street North).

PROJECT JUSTIFICATION
Replacement of aging facilities and improving sub-grade. The current condition of the street is poor and “spot” patching is not cost effective on the deteriorated street surface. Surface improvements will result in a reduction of maintenance expenditures.



<b>TOTAL PROJECT COST</b>	<b>\$499,000</b>
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City of Valley Center  
CAPITAL IMPROVEMENT PROJECT DESCRIPTION

PROJECT CATEGORY: STREETS

PROJECT NUMBER & TITLE:	2-12/13	5 <sup>th</sup> Street Bridge
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PROJECT DESCRIPTION	PROJECT LOCATION
Replacement of the 5 <sup>th</sup> Street Bridge including roadway improvements for the tie-in from a 3-lane bridge to existing 2-lane facility, pedestrian sidewalk and appurtenances.	5 <sup>th</sup> Street Bridge (bridge crossing Wichita/Valley Center Floodway)

PROJECT JUSTIFICATION
Recent bridge inspections determined this bridge is structurally deficient and functionally obsolete. The new structure will be constructed to allow for improved roadway geometrics and provide adequate hydraulic capacity for the Wichita/Valley Center Floodway. The project has been selected to receive Federal funding (\$744,000) from WAMPO (project #B-10-001) and is included in the 2012 TIP.



North profile of 5th Street Bridge

CATEGORY	FEDERAL	CITY	TOTAL
PE		\$105,000	\$105,000
ROW ACQ.		\$45,000	\$45,000
CE	\$76,000	\$19,000	\$95,000
CONSTRUCTION	\$668,000	\$272,000	\$940,000
<b>TOTAL</b>	<b>\$744,000</b>	<b>\$441,000</b>	<b>\$1,185,000</b>

TOTAL PROJECT COST	\$1,200,000
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City of Valley Center  
**CAPITAL IMPROVEMENT PROJECT DESCRIPTION**

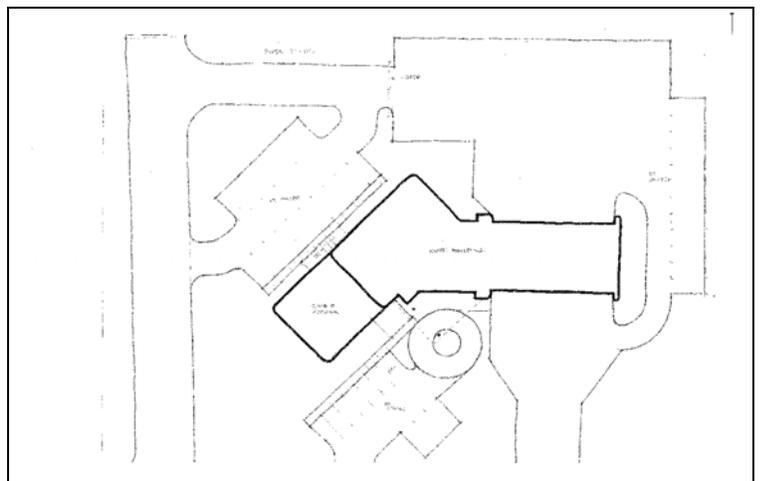
**PROJECT CATEGORY: PUBLIC BUILDINGS/FACILITIES/EQUIPMENT**

<b>PROJECT NUMBER &amp; TITLE:</b>	3-12/13	Public Safety Building Remodel Phase #1 – Parking Lot
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PROJECT DESCRIPTION	PROJECT LOCATION
Reconfigure and add additional parking at the Public Safety Building. 3 new areas (13,180 sf total).	Public Safety Building: 616 E. 5 <sup>th</sup> Street

PROJECT JUSTIFICATION
Will provide additional parking to help accommodate some of the overflow created by the municipal court. The current lot does not sufficiently serve the parking needs of the Public Safety Building.

Northwest (17 spaces + drive) - \$7/sf	\$47,320
South (10 spaces + drive) - \$7/sf	\$28,140
East (12 spaces + drive) - \$7/sf	\$16,800
<b>SUBTOTAL</b>	<b>\$92,260</b>
Contingency / FFE – 10%	\$9,226
Design Fees – 8%	\$8,120
<b>TOTAL</b>	<b>\$109,600</b>



<b>TOTAL PROJECT COST</b>	<b>\$110,000</b>
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City of Valley Center  
**CAPITAL IMPROVEMENT PROJECT DESCRIPTION**

PROJECT CATEGORY: PUBLIC BUILDINGS/FACILITIES/EQUIPMENT

<b>PROJECT NUMBER &amp; TITLE:</b>	5-12/13	Public Safety Technology Upgrade
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PROJECT DESCRIPTION	PROJECT LOCATION
A significant portion of this project is allocated to equipment replacement and upgrades. Equipment to be purchased includes mobile radios, portable radios and mobile data systems.	N/A

Digital Portable Radios-800mrz-p25 compliant	9 @ \$3,227	\$29,043
Portable Radio Ear Pieces	110 @ \$15	\$1,650
Radio Repeater	1 @ \$7,800	\$7,800
Body Cameras	13 @ \$900	\$11,700
<b>TOTAL</b>		<b>\$50,193</b>



PROJECT JUSTIFICATION
This allocation funds essential communications equipment for Police, Fire and non-public safety City operations. The project replaces public safety related communications equipment and systems to ensure reliability and interoperability with neighboring jurisdictions, and compliance with rules of the Federal Communications Commission (FCC).

<b>TOTAL PROJECT COST</b>	<b>\$50,200</b>
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City of Valley Center  
**CAPITAL IMPROVEMENT PROJECT DESCRIPTION**

PROJECT CATEGORY: SANITARY SEWER IMPROVEMENTS

<b>PROJECT NUMBER &amp; TITLE:</b>	6-12/13	Sanitary Sewer Rehabilitation
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PROJECT DESCRIPTION	PROJECT LOCATION
This project provides for minor sanitary sewer projects involving the: reconstruction, cleaning, repair of: relief lines and lateral and interceptor sanitary sewers.	Meridian Avenue from 5 <sup>th</sup> Street North to North city limits (approx. 1,320' south of 93 <sup>rd</sup> Street North).

PROJECT JUSTIFICATION
Funding needs to be provided address repair/replacement needs of the Sanitary Sewer system (pipes, equipment, manholes and other appurtenances) that arise from time to time. The project includes sanitary sewer repairs on a city-wide basis to relieve existing sanitary sewer capacity problems and to replace/repair aging infrastructure.



<b>TOTAL PROJECT COST</b>	<b>\$200,000</b>
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City of Valley Center  
**CAPITAL IMPROVEMENT PROJECT DESCRIPTION**

PROJECT CATEGORY: WATER SYSTEM IMPROVEMENTS

<b>PROJECT NUMBER &amp; TITLE:</b>	7-12/13	Meridian Line Replacement
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PROJECT DESCRIPTION	PROJECT LOCATION
This project provides for the replacement of 800' of existing 10" waterline with 12" PVC waterline along Meridian Avenue between Main Street and 2 <sup>nd</sup> Street.	Meridian Avenue from Main Street to 2 <sup>nd</sup> Street

PROJECT JUSTIFICATION
This project provides for the replacement of an aged and undersized waterline in advance of street reconstruction on Meridian Avenue. The existing line has exceeded its service life and has experienced several failures resulting in increased maintenance costs.



10" waterline break along Meridian Avenue

<b>TOTAL PROJECT COST</b>	<b>\$125,000</b>
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## FUTURE CIP PROJECTS

The following proposals which are in the early stages of discussion, and not ranked as a priority for 2012-13, have been added as a supplemental section. These projects may be included in future capital improvement plans as more information is obtained and future needs are assessed.

Item No.	Item	Cost
<b><u>STREETS</u></b>		
1	Turn Lanes for High Point (5th and Seneca): Option 1	<b>\$700,000</b>
	Turn Lanes for High Point (5th and Seneca): Option 2	\$600,000
	Turn Lanes for High Point (5th and Seneca): Option 3	\$640,000
	Turn Lanes for High Point (5th and Seneca): Option 4	\$550,000
	Turn Lanes for High Point (5th and Seneca): Option 5	\$270,000
	Turn Lanes for High Point (5th and Seneca): Option 6	\$185,000
2	Emporia Ave Paving north of 5th to School Property	\$720,000
3	Quiet Zones for RR	\$375,000
4	Meridian and Ford detention pond/SWS Pump Station (Phase 1)	\$1,300,000
5	Pave (Curb and Gutter) Ford with SWS Box (Phase 2)	\$1,280,000
6	Pave (Curb and Gutter) Ramsey/Meridian with SWS Box (Phase 3)	\$1,100,000
7	Pave (Curb and Gutter) Meridian to Allen Street (Phase 4)	\$400,000
8	Industrial Park SWS and paving of Sheridan south of Main (Ind Phase 2)	\$520,000
9	Curb and Gutter/Pave Clay in Industrial Park	\$330,000
10	Reconstruct Main Street from Abilene to Emporia w/ SWS	\$480,000
11	MUTCD Compliance Project (upgrade all City street signs)	\$50,000
12	SWS from Clay (Industrial Park) to Main and repave Main (Ind Phase 3)	\$480,000
<b><u>STORM WATER SEWER</u></b>		
13	Storm Sewer Extension along Abilene-5th to 6th	\$70,000
14	Replace inlets/12" VCP Allen and Park to Meridian	\$30,000
15	Extend SWS 3rd and Emporia for inlets at intersection	\$95,000
<b><u>SANITARY SEWER IMPROVEMENTS</u></b>		
16	Sewer Rehabilitation (Short Term Need):	\$200,000
17	Manhole Rehabilitation (Short Term ): approx. 50 manholes	\$200,000
18	Sewer Rehabilitation (Long Term Need):	\$200,000
19	WWTP Phase 3 upgrade (based on future flow projections)	\$1,200,000
20	WWTP Phase 4 upgrade (based on future flow projections)	\$1,300,000
<b><u>WATER SYSTEM IMPROVEMENTS</u></b>		
21	Emporia Ave 12" Waterline north of 5th to School Property	\$200,000
22	Well Field Upgrade & Water Treatment	\$1,700,000
23	Chlorine Feed	\$70,000
24	Birch Street Water line replacement from 2nd to 5th	\$220,000
25	Meeds Street Water line replacement from Davis Rd to 5th	\$130,000

	<b><u>SIDEWALK IMPROVEMENTS</u></b>	
26	5' Sidewalk from Main to 5th along Meridian	\$235,000
27	5' Sidewalk from 5th along McLaughlin to 7th	\$76,000
28	5' Sidewalk from 5th Street to 7th Street along Meridian	\$52,000
29	5' Sidewalk from Lions Park to Main/Emporia	\$65,000
	<b><u>PARKS</u></b>	
30	Arrowhead Park Ph 2 (sidewalks)	\$38,000
31	Emporia Greenway Irrigation System	\$50,000
32	Lions Park Replace Picnic Pav and Parking Lot	\$185,000
33	Arrowhead Park Ph 3 Irrigation System	\$55,000
34	Arrowhead Park Splash Park	\$140,000
35	Arrowhead Park Ph 4 Parking Lot	\$55,000
36	VC Cemetery irrigation	\$50,000
37	Lions Park Splash Park	\$150,000
	<b><u>PUBLIC BUILDINGS/FACILITIES/EQUIPMENT</u></b>	
38	Animal Holding Facility	\$160,000
39	Public Safety Remodel - Phase #2 (courtroom addition)	\$640,000
40	Public Safety Remodel - Phase #3 (apparatus bay addition)	\$120,000
41	Public Works Parking Lot	\$100,000
42	Remodel Old City Shop	\$75,000
43	Used Fire Aerial Apparatus	\$200,000
44	Squad for Mini Station	\$130,000
45	Fire Mini Station	\$400,000
46	Replace Apparatus E-41	\$400,000
	<b><u>OTHER</u></b>	
47	Swimming Pool	\$1,200,000

## **CONSENT AGENDA**

**NONE**

## **STAFF REPORTS**

**A. City Clerk Polian**

- Sedgwick County Department on Aging Letter

**B. Chief of Police Hephner**

**C. Fire Chief Tormey**

**D. Community Development Director Utecht**

**E. City Superintendent Dunn**

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

**G. City Engineer Kelsey**

**H. City Attorney Arbuckle**

**I. City Administrator Pile**

# SEDGWICK COUNTY DEPARTMENT ON AGING



Annette Graham, *Director*

2622 W. Central Ave, Suite 500

Phone: (316) 660-7298

Wichita, Kansas 67203-4974

★ FAX: (316) 660-1936

July 21, 2011

Cathy Sexton  
Valley Center Senior Club  
PO BOX 85  
Valley Center, KS 67147

Dear Cathy,

I conducted a mill levy program assessment on July 12, 2011. The purpose of the visit was to monitor the Valley Center Senior Club that is funded by mill levy dollars.

Thank you for doing what you do for the seniors in the community. The enthusiasm that you bring to the center and the changes that have been made are great! There were no corrective actions noted. Keep up the good work!

If you have any questions, please give me a call at 660-5230.

Sincerely,

A handwritten signature in cursive script that reads "Stacy".

Stacy Nilles  
Program Manager

## **GOVERNING BODY REPORTS**

**A. Mayor McNown**

**B. Councilmember Leftoff**

**C. Councilmember Cicirello**

**D. Councilmember Smith**

**E. Councilmember Gerling**

**F. Councilmember Maschino**

**G. Councilmember L. Jackson**

**H. Councilmember K. Jackson**

**I. Councilmember Hobson**

**ADJOURN**