

# CITY OF VALLEY CENTER

## FINAL AGENDA

October 27, 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.*

## November 1, 2011

1. **CALL TO ORDER**
2. **ROLL CALL**
3. **INVOCATION: MINISTERIAL ALLIANCE**
4. **PLEDGE OF ALLEGIANCE**
5. **APPROVAL OF AGENDA** p 3
6. **CLERKS AGENDA** p 4
  - A. Minutes p 4
    - October 18, 2011 Council Meeting p 5
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9. **APPOINTMENTS** p 19
10. **COMMITTEES, COMMISSIONS** p 19
  - A. Minutes for Council review p 19
    - Veterans Committee Minutes p 20
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11. **OLD BUSINESS** p 24
  - A (Amend) Resolution 584-11; Public Hearing Date for 500 N Park p 25
  - B. Presentation and Discussion on 2<sup>nd</sup> Draft Right of Way Mowing Policy p 26
12. **NEW BUSINESS** p 29
  - A. Resolution 586-11; Dedicating Meridian as Veterans Memorial Drive p 30
13. **CONSENT AGENDA** p 31
14. **STAFF REPORTS** p 31
15. **GOVERNING BODY REPORTS** p 34
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, 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 October 18, 2011 Regular Council Meeting as prepared by the City Clerk.

### **RECOMMENDED ACTION:**

Staff recommends motion to approve the October 18, 2011 Regular Council Meeting Minutes as presented / amended

REGULAR COUNCIL MEETING  
OCTOBER 18, 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, Lionel Jackson and Dan Smith.

Members Absent: Harrison Gerling, Al Hobson

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

Press present: The Ark Valley News

#### **APPROVAL OF THE AGENDA**

Mayor McNown added an update on the Exchange Server implementation under Old Business and Resolution 585-11 regarding post annexation review under New Business.

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

#### **CLERK'S AGENDA**

##### MINUTES- OCTOBER 4, 2011 REGULAR COUNCIL MEETING

Cicirello moved, second by Smith, to approve the Minutes from the October 4, 2011 Regular Council Meeting as presented. Vote yea: unanimous. Motion carried.

##### APPROPRIATION ORDINANCE- 10/18/2011

L. Jackson moved, second by Cicirello, to approve Appropriation Ordinance No. 10/18/2011 as presented. Vote yea: unanimous. Motion carried.

##### SEPTEMBER 2011 TREASURER'S REPORT

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

#### **PUBLIC FORUM**

Sam Herr, 8147 Buena Vista, asked Council to decrease the speed limit in the area of his home, as the road is extremely dusty and the current speed limit is a safety hazard.

City Engineer Kelsey stated there has been a study done in the area; of which he will provide at the next Council meeting.

## **COMMITTEES AND COMMISSIONS**

### VETERAN'S DAY COMMITTEE

Councilmember K. Jackson stated the Veteran's Day Committee met October 11, 2011 and that everything is on schedule for the November 5, 2011 Veteran's Day events. Said the Open House starts at 8:30 a.m. and the Veteran's Park events begin at 11:00 a.m.

## **OLD BUSINESS**

### EXCHANGE SERVER UPDATE

John Douglass, Professional Software, Inc., provided a brief update of the progress of the Exchange Server implementation. Per Douglass, given the extent of the project, there were very few problems.

## **NEW BUSINESS**

### RESOLUTION 584-11 ESTABLISHING PUBLIC HEARING- 500 N. PARK

L. Jackson moved, second by Cicirello, to adopt Resolution 584-11, fixing the date, time and place and providing for notice of hearing before the Governing Body of the City of Valley Center, Kansas, at which the owner, his or her agent(s), lien holders of record, occupants and other parties in interest of the structure located at 500 N. Park may appear and show cause why such structure should not be condemned and ordered repaired or demolished as an unsafe or dangerous structure. Vote yea: unanimous. Motion carried.

### RESOLUTION 585-11 POST-ANNEXATION REVIEW

City Administrator Pile stated there would be a post-annexation review of Annexation Phase 6 tomorrow morning and has presented the Governing Body with information pertaining to the Phase 6 Service Plan per the Mayor's request.

Mayor McNown said he believed the Council has an obligation to review the service plan and hopes the Council will consider the Resolution for adoption if it is believe the service plan has been met.

K. Jackson stated that fire ratings have changed since the Phase 6 Annexation therefore, the information presented is misleading.

Cicirello moved, second by Smith, to adopt Resolution 585-11, determining the City of Valley Center has complied with the Phase 6 annexation service plan and urging the Sedgwick County Commissioners to find the City has provided said services. Vote yea: Leftoff, Maschino, Cicirello, L. Jackson and Smith. Opposed: K. Jackson. 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

Stated the technology grant the City was awarded was initially for a records management system, but since it looked like the State of Kansas may be providing a records management system for free, he decided to switch it to laptops for the patrol cars. Said the grant will include laptops for all patrol cars, air cards for internet connection and a router to connect the City with Sedgwick County. Said in total the amount of equipment purchased was \$38,000.

### CITY SUPERINTENDENT DUNN

Said due to the transition to Exchange Server the monthly report will have to be provided to Council next month.

### CITY ENGINEER KELSEY

Said they held the field check for the 5<sup>th</sup> Street bridge replacement project with Kansas Department of Transportation; the inspection went well and the bid date for the project is still scheduled for September 2012. Also said he hopes to have the sewer lines that are included in the Sewer Rehabilitation project lined within a month; the contractor has had a myriad of problems on the project.

## **GOVERNING BODY REPORTS**

### MAYOR MCNOWN

Asked Council to remember November 5, 2011 is the Veteran's Day events as planned by the Veteran's Day Committee; hopes they can attend. Stated the League of Kansas Municipalities Annual Conference was last weekend in which he and Councilmember Smith and some Staff members attended; said there was a lot of good information presented. Said members of Grace Connections Church have invited the Governing Body to attend church service and partake in refreshments on October 23, 2011, as they want to celebrate public officials. Stated he and Council member Smith attended the S.C.A.C. meeting last Saturday, which was held at the new library in Park City; suggested people go and see the new building as it was a nice library. Said at the S.C.A.C. meeting he ran into a gentleman from Gatekeeper, which holds trainings about assisting the elderly. Said he thought it would be a good training for City employees that see the elderly on a daily basis. Also stated he volunteered to hold a S.C.A.C. meeting in the City in April.

### COUNCILMEMBER CICIRELLO

Asked by what means the City goes about collecting for bad debt.

City Administrator Pile indicated the City uses the State Setoff program.

### COUNCILMEMBER SMITH

Stated he attended the League of Kansas Municipalities Annual Conference and thought it was a good use of his time. Also said he found the S.C.A.C. very useful to attend; said he was most impressed by the new Park City library because though it was not an overly impressive building, it was very functional and it was very busy.

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

**Meeting adjourned at 7:50 p.m.**

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**Kristine A. Polian, City Clerk**

## CLERK'S AGENDA

### B. APPROPRIATION ORDINANCE:

Below is the proposed Appropriation Ordinance for November 1, 2011 as prepared by City Staff.

#### November 1, 2011 Appropriation

• Packet #1	\$ 196,106.17
• Packet #2	<u>\$ 599.65</u>
Total	<b>\$ 196,705.82</b>

#### RECOMMENDED ACTION:

Staff recommends motion to approve the November 1, 2011 Appropriation Ordinance as presented / amended.

10-26-2011 02:16 PM

COUNCIL MTG PACKET # 1 11/01/11

PAGE: 1

VENDOR NAME	DESCRIPTION	FUND	DEPARTMENT	AMOUNT_
A T & T KANSAS	VALLEY CREEK PUMP	WATER OPERATING	NON-DEPARTMENTAL	35.11_
			TOTAL:	35.11
ADMIN PRO	AUGUST	GENERAL FUND	ADMINISTRATION	182.00
	OCTOBER	GENERAL FUND	ADMINISTRATION	175.50_
			TOTAL:	357.50
AFLAC	CS PV184034 STD	GENERAL FUND	NON-DEPARTMENTAL	39.40
	PT PU342670 STD	GENERAL FUND	NON-DEPARTMENTAL	37.96
	DR PJ720568 ACC	SPECIAL HIGHWAY	NON-DEPARTMENTAL	24.10
	DR PJ720569 CAN	SPECIAL HIGHWAY	NON-DEPARTMENTAL	22.70
	RD P6996300 ACC	WATER OPERATING	NON-DEPARTMENTAL	26.20_
			TOTAL:	150.36
ALEXANDER OPEN SYSTEMS	SMART NET	EQUIPMENT RESERVE	NON-DEPARTMENTAL	1,162.45_
			TOTAL:	1,162.45
APAC INC SHEARS	PATCHING	SPECIAL HIGHWAY	SPECIAL HIGHWAY	69,848.00_
			TOTAL:	69,848.00
CITY OF WICHITA	SEPT BIO SOLIDS	SEWER OPERATING	NON-DEPARTMENTAL	4,410.00_
			TOTAL:	4,410.00
DELL MARKETING L.P.	2 WIRELESS DESKTOP	EQUIPMENT RESERVE	NON-DEPARTMENTAL	150.00
	11 COMPUTERS	EQUIPMENT RESERVE	NON-DEPARTMENTAL	8,228.00
	2 COMPUTERS	EQUIPMENT RESERVE	NON-DEPARTMENTAL	1,818.00_
			TOTAL:	10,196.00
DR CRUM AND TODD PA	ADDISON RESTITUTION	GENERAL FUND	NON-DEPARTMENTAL	20.00_
			TOTAL:	20.00
HI-PLAINS SAND INC	MULTIPLE STREETS	SPECIAL HIGHWAY	SPECIAL HIGHWAY	66,726.80_
			TOTAL:	66,726.80
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
	INTERLINGUAL SERVICE	SOSA & ALVAREZ	GENERAL FUND	LEGAL & MUNICIPAL COUR
			TOTAL:	45.00
INTRUST BANK NA	EMP FED TAX W/H	GENERAL FUND	NON-DEPARTMENTAL	4,804.61
	EMP DEDUCT-FICA	GENERAL FUND	NON-DEPARTMENTAL	1,970.32
	EMP DEDUCT-MEDIC	GENERAL FUND	NON-DEPARTMENTAL	686.33
	EMPR DEDUCT-MEDIC	EMPLOYEE BENEFITS	NON-DEPARTMENTAL	686.33
	EMPR DEDUCT-FICA	EMPLOYEE BENEFITS	NON-DEPARTMENTAL	2,902.44
	EMP FED TAX W/H	SPECIAL HIGHWAY	NON-DEPARTMENTAL	473.81

VENDOR NAME	DESCRIPTION	FUND	DEPARTMENT	AMOUNT
	EMP DEDUCT-FICA	SPECIAL HIGHWAY	NON-DEPARTMENTAL	208.05
	EMP DEDUCT-MEDIC	SPECIAL HIGHWAY	NON-DEPARTMENTAL	71.83
	EMPR DEDUCT-MEDIC	SPECIAL HIGHWAY	SPECIAL HIGHWAY	71.83
	EMPR DEDUCT-FICA	SPECIAL HIGHWAY	SPECIAL HIGHWAY	307.13
	EMP FED TAX W/H	WATER OPERATING	NON-DEPARTMENTAL	828.56
	EMP DEDUCT-FICA	WATER OPERATING	NON-DEPARTMENTAL	362.82
	EMP DEDUCT-MEDIC	WATER OPERATING	NON-DEPARTMENTAL	125.25
	EMPR DEDUCT-MEDIC	WATER OPERATING	NON-DEPARTMENTAL	125.25
	EMPR DEDUCT-FICA	WATER OPERATING	NON-DEPARTMENTAL	535.59
	EMP FED TAX W/H	SEWER OPERATING	NON-DEPARTMENTAL	232.64
	EMP DEDUCT-FICA	SEWER OPERATING	NON-DEPARTMENTAL	120.16
	EMP DEDUCT-MEDIC	SEWER OPERATING	NON-DEPARTMENTAL	41.49
	EMPR DEDUCT-MEDIC	SEWER OPERATING	NON-DEPARTMENTAL	41.49
	EMPR DEDUCT-FICA	SEWER OPERATING	NON-DEPARTMENTAL	177.38
			TOTAL:	14,773.31
KANSAS DEPT OF REVENUE	10-21-10 BW KS KW-5 TAX W	GENERAL FUND	NON-DEPARTMENTAL	1,978.93
	10-21-10 BW KS KW-5 TAX W	SPECIAL HIGHWAY	NON-DEPARTMENTAL	182.47
	10-21-10 BW KS KW-5 TAX W	WATER OPERATING	NON-DEPARTMENTAL	418.99
	10-21-10 BW KS KW-5 TAX W	SEWER OPERATING	NON-DEPARTMENTAL	92.66
			TOTAL:	2,673.05
KANSAS OFFICE OF THE TREASURER	LAE ENFORCEMENT TRAI	GENERAL FUND	NON-DEPARTMENTAL	898.51
	JUDICIAL BRANCH	GENERAL FUND	NON-DEPARTMENTAL	22.49
	REINSTATEMENT FEE	GENERAL FUND	NON-DEPARTMENTAL	162.00
			TOTAL:	1,083.00
KANSAS PAYMENT CENTER	98D002573	GENERAL FUND	NON-DEPARTMENTAL	110.31
	09DM009607	GENERAL FUND	NON-DEPARTMENTAL	144.92
	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:	1,055.27
KPERS	EMP DEDUCT-TIER 1	GENERAL FUND	NON-DEPARTMENTAL	1,575.36
	EMP DEDUCT-MIL BYBK	GENERAL FUND	NON-DEPARTMENTAL	12.49
	EMP DEDUCT-TIER II	GENERAL FUND	NON-DEPARTMENTAL	419.12
	EMPR DEDUCT-TIER I	EMPLOYEE BENEFITS	NON-DEPARTMENTAL	3,051.95
	EMPR DEDUCT-TIER II	EMPLOYEE BENEFITS	NON-DEPARTMENTAL	540.67
	EMP DEDUCT-TIER I	SPECIAL HIGHWAY	NON-DEPARTMENTAL	133.34
	EMP DEDUCT-TIER II	SPECIAL HIGHWAY	NON-DEPARTMENTAL	108.12
	EMPR DEDUCT-TIER I	SPECIAL HIGHWAY	SPECIAL HIGHWAY	258.02
	EMPR DEDUCT-TIER II	SPECIAL HIGHWAY	SPECIAL HIGHWAY	139.47
	EMP DEDUCT-TIER I	WATER OPERATING	NON-DEPARTMENTAL	224.58
	EMP DEDUCT-TIER II	WATER OPERATING	NON-DEPARTMENTAL	191.30
	EMPR DEDUCT-TIER I	WATER OPERATING	NON-DEPARTMENTAL	434.55
	EMPR DEDUCT-TIER II	WATER OPERATING	NON-DEPARTMENTAL	246.77
	EMP DEDUCT-TIER I	SEWER OPERATING	NON-DEPARTMENTAL	124.06
	EMPR DEDUCT-TIER I	SEWER OPERATING	NON-DEPARTMENTAL	240.06
			TOTAL:	7,699.86
LAFARGE NORTH AMERICA INC	BEUNO VISTA ROAD PROJECT	SPECIAL HIGHWAY	SPECIAL HIGHWAY	8,116.23
			TOTAL:	8,116.23
LAURIE B WILLIAMS	0914039	GENERAL FUND	NON-DEPARTMENTAL	55.00

VENDOR NAME	DESCRIPTION	FUND	DEPARTMENT	AMOUNT_
	081223113	WATER OPERATING	NON-DEPARTMENTAL	100.00
	081002813	WATER OPERATING	NON-DEPARTMENTAL	84.00_
		TOTAL:		239.00
LEEKERS	KENNEY RESTITUTION	GENERAL FUND	NON-DEPARTMENTAL	40.00
	MAUPIN RESISITION	GENERAL FUND	NON-DEPARTMENTAL	367.60_
		TOTAL:		407.60
LKM - LEAGUE OF KANSAS MU	REGIONAL 11-3-2010	GENERAL FUND	ADMINISTRATION	25.00_
		TOTAL:		25.00
MUNICIPAL CODE CORPORATION	ANNUAL CODE INTERNET	GENERAL FUND	ADMINISTRATION	400.00_
		TOTAL:		400.00
PETTY CASH - CITY HALL	WELLNESS LUNCH	GENERAL FUND	ADMINISTRATION	15.92
	SED CO MEETING	GENERAL FUND	ADMINISTRATION	5.00
	JOURNAL NOTETAKING	GENERAL FUND	ADMINISTRATION	12.97
	OVERAGE ON NEW CUST	WATER OPERATING	NON-DEPARTMENTAL	10.00_
		TOTAL:		43.89
SECURITY BENEFIT	613042-5556	GENERAL FUND	NON-DEPARTMENTAL	25.00
	613042-6484	GENERAL FUND	NON-DEPARTMENTAL	25.00_
		TOTAL:		50.00
SEDGWICK COUNTY	SEPT 2011 HOUSING FEES	GENERAL FUND	LEGAL & MUNICIPAL COUR	1,730.52_
		TOTAL:		1,730.52
TYLER TECHNOLOGIES INCODE	11-16 & 17TH 2011	GENERAL FUND	LEGAL & MUNICIPAL COUR	250.00_
		TOTAL:		250.00
U S DEPT OF EDUCATION	S447705160	GENERAL FUND	NON-DEPARTMENTAL	168.72_
		TOTAL:		168.72
VALLEY CENTER CHAMBER OF COMMERCE	FALL FEST SPONSOR	GENERAL FUND	ADMINISTRATION	3,500.00_
		TOTAL:		3,500.00
VANTAGEPOINT TRANS AGENTS	302196-9524	GENERAL FUND	NON-DEPARTMENTAL	15.00
	302196-5676	GENERAL FUND	NON-DEPARTMENTAL	50.00
	302196-1923	GENERAL FUND	NON-DEPARTMENTAL	25.00_
		TOTAL:		90.00

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

010	GENERAL FUND	21,213.52		
110	EMPLOYEE BENEFITS	7,181.39		
127	EQUIPMENT RESERVE	11,358.45		
150	SPECIAL HIGHWAY	146,706.90		
610	WATER OPERATING	3,965.97		
620	SEWER OPERATING	5,679.94		

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 GRAND TOTAL: 196,106.17  
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TOTAL PAGES: 4

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COUNCIL MTG PACKET # 1 11/01/11

PAGE: 5

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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: 10/15/2011 THRU 10/21/2011  
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 PACKET # 1 11/01/11  
SIGNATURE LINES: 0

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PACKET OPTIONS

INCLUDE REFUNDS: YES  
INCLUDE OPEN ITEM:NO

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VENDOR NAME	DESCRIPTION	FUND	FUND	DEPARTMENT	AMOUNT_
JOEL D FILE	AUGUST 2011	GENERAL	FUND	ADMINISTRATION	114.33
	SEPT 2011 REIMBUR	GENERAL	FUND	ADMINISTRATION	106.01_
	TOTAL:				220.34
KRISTINE POLIAN	MILEAGE	GENERAL	FUND	ADMINISTRATION	309.31
	LUNCH PERDIEM	GENERAL	FUND	ADMINISTRATION	10.00
	DINNER PERDIEM	GENERAL	FUND	ADMINISTRATION	20.00_
	TOTAL:				339.31

===== FUND TOTALS =====  
010 GENERAL FUND 559.65  
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GRAND TOTAL: 559.65  
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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: 10/15/2011 THRU 10/21/2011  
 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 PACKET #2 11/01/11  
 SIGNATURE LINES: 0

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PACKET OPTIONS

INCLUDE REFUNDS: YES  
 INCLUDE OPEN ITEM:NO

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## **PRESENTATIONS / PROCLAMATIONS**

### **A. VETERANS DAY PROCLAMATION:**

# *City of Valley Center*

## **Proclamation**

**WHEREAS**, in 1954, President Dwight D. Eisenhower signed the first Veterans Day proclamation calling on our nation to “pay appropriate homage to the veterans of all its wars who have contributed so much to the preservation of this nation”; and,

**WHEREAS**, the words of that first proclamation still ring true: “Let us solemnly remember the sacrifices of all those who fought so valiantly, on the seas, in the air, and on foreign shores, to preserve our heritage of freedom, and let us reconsecrate ourselves to the task of promoting an enduring peace so that their efforts shall not have been in vain”; and,

**WHEREAS**, in times of war and of peace, our men and women in uniform stepped forward to defend their fellow citizens and the country they love. They ensured that America remained what our founders meant her to be: a light to the nations, spreading the good news of human freedom to the darkest corners of the earth; and,

**WHEREAS**, we remember with somber and grateful hearts those men and women who have served the United States of America with distinction and valor as sailors, soldiers, airmen and Marines, and offer our sincere prayers for those who continue to defend the principles on which our nation was founded.

**NOW, THEREFORE, I**, Michael D. McNown, Mayor of the City of Valley Center, Kansas, do hereby proclaim the week of **November 5<sup>th</sup> – 12<sup>th</sup>**, as **Veterans Appreciation Week** in Valley Center and encourage all citizens to observe and appreciate the sacrifices and contributions of our veterans who fought for peace and defended democracy in our land and abroad.

**IN WITNESS WHEREOF**, I have hereunto set my hand and caused the seal of the City of Valley Center, Kansas, to be affixed this 1<sup>st</sup> day of November, 2011.

{SEAL}

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Michael D. McNown, Mayor

ATTEST:

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Kristine Polian, City Clerk

## **PUBLIC FORUM**

## **APPOINTMENTS**

## **COMMITTEES, COMMISSIONS**

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

- Veterans Committee October 11, 2011 Meeting
- Library Board September 12, 2011 Meeting

VETERANS COMMITTEE  
OCTOBER 11<sup>TH</sup>, 2011  
MEETING MINUTES

Called to Order at 7:02 with Committee Members, Harry Gerling, Kim Wimmer and Kate Jackson present. Absent: Phil Tennissen and Mary Aspenson

Also present: Sub committee members Kathryn Schroeder, Keith Harimon and Steve Jackson, absent Mike McNown and Mike Lechner

Introductions were made and a review of the program along with cancellations by Jenny Stover Brown, vocalist; Charles Liles, Bagpiper, American Legion Riders.

Budget was reviewed with an update from Mr. Pile that the Veterans Signs that we were told would be \$900 in actuality were \$210. Committee determined that because the actual cost was not provided with enough time they would not attempt to use the savings for additional programming.

Committee Members ask to present information at the meeting:

Kim Wimmer: Update on DAR presentation and list of names of participants. Vickie Kingsley will be the guest book attendant all other members will be part of the Pledge of Allegiance Program. Kim will act as coordinator at the Memorial Service.

Harry Gerling: American Legion Riders will not be participating. Harry will be coordinator for Balloon Release and Procession.

Mary Aspenson: (by phone) Kevin Bogle, LifePoint Church and member of Ministerial Alliance will present the invocation at both the Tribute and Memorial Service as well as the benediction at the Memorial Service.

Steve Jackson: Displays are being worked on with items being provided from private collections and from Alpha Drop.

Keith Harimon: The Lions Club will sponsor the Balloon Release with Lions Club Member Larry Cross officiating. Lions club will also assist individuals at Veterans Park as needed.

Kathryn Schroeder: Wayne Borman will provide the sound system for Veterans Park and coordinate the Fly Over with the Valley Center Air Force.

Mike McNown: did not attend. Was to provide list of names of greeters and servers for the Open House.

Kate Jackson: Due to cancellations and lack of information the printed information will have to be delayed. Information is needed by the end of the week to go to press or materials will not be available for distribution in time. Advertising for AVN will be out on October 27 and Nov 3<sup>rd</sup>. All local TV networks have been advised as has the Wichita Eagle.

Meeting Adjourned 7:40.

# VALLEY CENTER KANSAS VETERANS PROGRAM NOVEMBER 5 2011

**OPEN HOUSE:** 8:30-9:30 am LifePoint Church 400 S Abilene Valley Center KS  
Continental Breakfast, local veteran video histories, memorabilia and history displays.

**TRIBUTE TO ARMED FORCES:** 9:30-10:30 am LifePoint Church 400 S Abilene Valley Center KS.

9:30 Welcome by Mayor McNown  
 9:32 "Proudly They Served" video Tribute to Valley Center Veterans  
 9:36 Invocation  
 9:38 Presentation of Colors by Valley Center Boy Scouts to "Boy Scout March", John Phillip Sousa  
 9:40 Little Arkansas Chapter DAR "I Pledge Allegiance"  
 9:50 MC Introduction of Guest Speaker, Commissioner and Gulf War Veteran Richard Ranzau  
 9:50 Speaker, Commissioner Richard Ranzau  
 9:55 MC Introduction of Wichita Chorus Sweet Adelines  
 9:55 Salute to Armed Forces-Wichita Chorus Sweet Adelines  
 10:10 MC Introduction of Valley Center High School Dance Team  
 10:10 VCHS Dance Team  
 10:20 MC Reminder of Balloon Release and Memorial Service; Intro of Wheatland Students  
 10:22 Wheatland Students Thank You Veterans  
 10:28 Retiring of Colors by Valley Center Boy Scouts to "Boy Scout March", John Phillip Sousa

**BALLOON RELEASE:** 10:45 am Clay Street North of LifePoint Church 400 S Abilene

10:45 Greetings and opening remarks by Lion Larry Cross  
 Prayer in recognition of those who have and continue to serve  
 Release of Balloons

**PROCESSIONAL TO VETERANS PARK:** 10:50 am Clay Street North of LifePoint Church  
 400 S Abilene

10:50 Walking Processional to Veterans Park led by Tornado Alley Young Marines  
 VCPD Escort

**MEMORIAL SERVICE:** 11:00 am Veterans Park

11:00 Invocation  
 11:02 "I Vow to Thee My Country" by Julie Brin  
 11:05 Dedication of Veterans Memorial Drive by Mayor McNown  
 11:10 Reading "In Flanders Field" by Mary Aspenson  
 11:13 Flag Honors by Valley Center American Legion Smith Phipps Post 73  
 Taps-Sedgwick American Legion Post  
 11:16 Presentation of Memorial Wreath by Veteran, Paul Carey  
 11:18 Flag Folding Ceremony by Tornado Alley Young Marines  
 11:25 "Requiem for a Soldier" by Julie Brin  
 11:28 Benediction  
 11:29 21 Gun Salute by Sedgwick Kansas American Legion Post  
 11:30 Fly Over by Valley Center Air Force

## Minutes of September 12, 2011 board meeting

## Edna Buschow Memorial Library

The meeting was called to order by Howard Botts, Vice President. Those in attendance were Marsha Huebert, Spencer Percival, Jenna Sauber, Carrie Tiemeyer, Terry Foster, Janice Sharp and Amy Stamm.

Marsha made the motion to approve the agenda, Spencer seconded. Motion carried, vote unanimous.

Marsha made the motion to approve the minutes, Spencer seconded, motion carried, vote unanimous.

Marsha made the motion to approve the financial report, Spencer seconded, motion carried, vote unanimous

Julia was at the meeting to give the Library Development Director report. She is stepping down as director effective immediately. She has been working on the grant from BNSF and had a phone call from a representative of BNSF foundation who made several suggestions as how to apply for the grant in the most favorable manner. She suggested that we apply for \$200,000 a year for 5 years instead of the total 1 million upfront. She also said that the grant letter should be no more then 2-3 pages long and suggested some other information be presented with the grant. Julia would like to continue to work on the grant and see it through to submission and has asked the board to keep her on as grant writer until at least November. We also discussed the tax credit program and it was explained to members that the program is a 2 year grant and must be applied for just 2 years before the project is shovel ready. We will have to hold off on requesting that program.

In the Directors report Janice shared that she had a bid for a new micro film reader unit that would cost anywhere from \$7,900 to 9,600. It would be much smaller and lighter than the current one we have. We can wait until next year and apply for a \$1,000 grant from SCKLS to help pay for it. It was decided to hold off until next year. Stall will research other potential grants and bids. There is a one day event planning workshop on 10/21/11 that Terry will attend and several of the board members expressed an interest in attending also. Flyers for the workshop were handed out. Cost is \$179 each.

Terry presented the office managers report and had the monthly usage numbers for the board. There were new membership cards issued for 52 clients. Check out of materials for the month was stable. The one point she thought was interesting was that Internet users were up to 260 clients for the month which was the highest for the year. Discussion was had as to possible reasons including more families not having Internet service at home and more folks being out of jobs needing apply online.

The Library will host the Chamber Luncheon in October. The staff has been doing housekeeping in preparation. We are working on a new art display and finding a new brochure box for the materials in the foyer to get them organized.

Amy made the motion and Carrie seconded to begin the search for a new grant writer to work with Julia through November 15<sup>th</sup> to bring them up to snuff on what research has already been completed and to get a professional on the team to work on getting grants submitted. We would especially like to get

someone on board to finish the BNSF grant if necessary after Julia goes back to Florida in November. Janice will work on getting some names together.

Amy had a sign-up sheet for workers at the Fall Festival

It was discussed that all monies paid for the new Library facility should come out of the Friends accounts. We had been paying some of the costs from the Library account and Janice will work with Pam to get everything transferred and balanced out. Per Paul Hawkins at SCKLS, we can pay from either account but the board felt that it would be easier to account for all monies if they all came from one account.

Marsha, Carrie and Janice will meet on 10/3 at 1:00 to look over the policy manual and make recommendations to the board for any changes.

The next board meeting will be held on Oct. 10, 2011 at the Library, 7:00 p.m.

## **OLD BUSINESS**

### **A. (AMEND) RESOLUTION 584-11; PUBLIC HEARING DATE FOR 500 N PARK:**

- Resolution 584-11 (Amended)
- City Code (14.28.060) requires Resolutions to be published once each week for two (2) consecutive weeks, at least Thirty (30) days must elapse between the last publication and the date set for the hearing.
- The initial date of the hearing was November 15, 2011 in order to comply with City Code and K.S.A. 12-1752 the hearing date needs to be rescheduled for December 20, 2011, allowing forty (40) days to elapse from the last publication.

Should Council choose to proceed,

### **RECOMMENDED ACTION:**

Staff recommends motion to Amend Resolution # 584-11 establishing the hearing date for December 20, 2011.

**RESOLUTION NO. 584-11**

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

**WHEREAS, the enforcing officer of the City of Valley Center, Kansas, did on the 4<sup>th</sup> day of October, 2011, file with the governing body of said City a statement in writing that the structures, hereinafter described, are unsafe or dangerous.**

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

**That a hearing will be held on the 20<sup>th</sup> day of December, 2011, before the governing body of the City of Valley Center, Kansas, at 7:00 p.m. in the Valley Center City Hall Council Chambers At 121 S. Meridian at which the owner, his or her agent, any lienholders of record, any occupant and any other parties in interest, as that term is defined by law, of the structure located at:**

**Lot 12 Park Ave. Carpenter's Addition  
500 N. Park**

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

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

**ADOPTED this 1<sup>st</sup> day of November, 2011.**

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**Michael D. McNown, Mayor**

**ATTEST:**

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**Kristine A. Polian, City Clerk**

## **OLD BUSINESS**

### **B. PRESENTATION and DISCUSSION ON 2<sup>ND</sup> DRAFT RIGHT of WAY MOWING POLICY:**

- Revised Right-of-Way Mowing Policy

Should Council choose to proceed,

### **RECOMMENDED ACTION:**

Discuss revised draft of Right-of-Way Mowing Policy

<b>TITLE:</b> Mowing Grass and Weeds on Street Right-of-Way	<b>POLICY NO.</b> <b>2<sup>nd</sup> 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 that the City will not cut grass or weeds on street right-of-ways (ROW) except as designated within this policy statement. It shall be the responsibility of the adjacent property owner(s) to maintain the abutting right-of-way and/or any easements located within their property boundaries in order to comply with City Code. 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 in the manner prescribed within City Code.

As resources permit, the City may periodically cut weeds and grass in the ROW along arterial and major collector streets where one or more of the following conditions exist:

1. Area lies between ROW pavements.
2. Railroad right-of-way abutting street ROW.
3. Unique ROW situation created by a City Improvement Project(s).
4. Portions of ROWs on non-curbed roads that abut Agricultural zoned property where excessive growth of vegetation creates sight distance or other traffic concerns.
5. Area deemed difficult or dangerous to cut due to land characteristics such as significant changes in elevation, heavy vegetative growth, or other unique conditions.
6. Area which has been identified to receive city maintenance within an active annexation service plan.

No other ROW will be maintained at the City's expense. If the City is unable to maintain the ROW's specified in the above six categories, the responsibility shall remain with the adjacent property owner(s), who shall be required to maintain ROW vegetation in order to meet City Code.

**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. RESOLUTION 586-11; DEDICATING MERIDIAN as VETERANS MEMORIAL DRIVE:**

- Resolution 586-11

Should Council choose to proceed,

### **RECOMMENDED ACTION:**

Staff recommends motion to adopt Resolution 586-11, officially dedicating Meridian Street as Veterans Memorial Drive.

**RESOLUTION NO. 586-11****RESOLUTION OF THE CITY COUNCIL OF THE CITY OF VALLEY CENTER, KANSAS OFFICIALLY DEDICATING MERIDIAN STREET AS VETERAN'S MEMORIAL DRIVE.**

**WHEREAS**, the City Council of Valley Center, Kansas has requested the portion of Meridian Street located within the city be officially dedicated as Veteran's Memorial Drive, and;

**WHEREAS**, the City Council honors and appreciates the dedication of the many veterans in the community and feels it appropriate to officially dedicate a street after those who have sacrificed and given so much for the community.

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

**Section 1:** The City Council of Valley Center, Kansas hereby dedicates the portion of Meridian Street within the city limits of Valley Center as: **Veteran's Memorial Drive**.

**Section 2:** The City Council of Valley Center, Kansas would like to acknowledge and thank the many Veterans, both past and present, for their commitment to the citizens of Valley Center. .

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

{SEAL}

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Michael McNown, Mayor

ATTEST:

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Kristine A. Polian, City Clerk

## **CONSENT AGENDA**

### **A. NONE:**

## **STAFF REPORTS**

**A. City Clerk Polian**

**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**

- Cost Estimates

**H. City Attorney Arbuckle**

**I. City Administrator Pile**

<b>Professional Engineering Consultants, P.A.</b> 303 S. Topeka Wichita, Kansas 67202 Phone (316)262-2691		<b>VALLEY CENTER INDUSTRIAL PARK VALLEY CENTER, KS</b>  <b>PEC PROJECT NO. 35-89355-2502</b>  Prepared by: PEC Estimate Date: 10/05/2011 (updated)			
<b>CLAY STREET IMPROVEMENTS - FROM SHERIDAN TO ASH CIRCLE 41' BK-BK STREET WIDTH, C&amp;G W/ SWS</b>					
ITEM	DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	COST
	8" A.C. Pavement (6" Bit. Base)	7250	SY	\$ 28.00	\$ 203,000.00
	6" Reinf. Crushed Rock Base	8700	SY	\$ 8.00	\$ 69,600.00
	7" Concrete Driveway Pavement	100	SY	\$ 45.00	\$ 4,500.00
	7" R.C. Valley Gutter Pavement	300	SY	\$ 50.00	\$ 15,000.00
	Comb. Curb & Gutter (6 5/8" & 1 1/2" Std.)	3500	LF	\$ 10.00	\$ 35,000.00
	Monolithic Edge Curb	200	LF	\$ 5.00	\$ 1,000.00
	24" RCP	650	LF	\$ 50.00	\$ 32,500.00
	36" RCP	350	LF	\$ 75.00	\$ 26,250.00
	Curb Inlet Type 1A (L=5', W=3')	4	EA	\$ 3,000.00	\$ 12,000.00
	Double Curb Inlet Type 1A (L=10', W=3')	4	EA	\$ 5,000.00	\$ 20,000.00
	Erosion Control	1	LS	\$ 10,000.00	\$ 10,000.00
	Curb Inlet Protection	8	EA	\$ 100.00	\$ 800.00
	Temporary Project Seeding	2	AC	\$ 900.00	\$ 1,800.00
	Permanent Project Seeding	2	AC	\$ 1,200.00	\$ 2,400.00
	Flowable Fill	120	LF	\$ 100.00	\$ 12,000.00
	Light Stone Rip Rap	250	SY	\$ 40.00	\$ 10,000.00
	Unclassified Excavation	4680	CY	\$ 4.00	\$ 18,720.00
	Signing	1	LS	\$ 3,000.00	\$ 3,000.00
	Site Preparation & Restoration	1	LS	\$ 20,000.00	\$ 20,000.00
				Total Construction Estimate	\$ 497,570.00
				30% Project Costs	\$149,271.00
				<b>Total Project Costs</b>	<b>\$646,841.00</b>

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ITEM	DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	COST
	8" A.C. Pavement (6" Bit. Base)	4800	SY	\$ 28.00	\$ 134,400.00
	6" Reinf. Crushed Rock Base	5500	SY	\$ 8.00	\$ 44,000.00
	7" Concrete Driveway Pavement	350	SY	\$ 45.00	\$ 15,750.00
	7" R.C. Valley Gutter Pavement	300	SY	\$ 50.00	\$ 15,000.00
	Comb. Curb & Gutter (6 5/8" & 1 1/2" Std.)	2500	LF	\$ 10.00	\$ 25,000.00
	Monolithic Edge Curb	200	LF	\$ 5.00	\$ 1,000.00
	24" RCP	250	LF	\$ 50.00	\$ 12,500.00
	36" RCP	200	LF	\$ 75.00	\$ 15,000.00
	Curb Inlet Type 1A (L=5', W=3')	6	EA	\$ 3,000.00	\$ 18,000.00
	Double Curb Inlet Type 1A (L=10', W=3')	2	EA	\$ 5,000.00	\$ 10,000.00
	Erosion Control	1	LS	\$ 7,500.00	\$ 7,500.00
	Curb Inlet Protection	8	EA	\$ 100.00	\$ 800.00
	Temporary Project Seeding	2	AC	\$ 900.00	\$ 1,800.00
	Permanent Project Seeding	2	AC	\$ 1,200.00	\$ 2,400.00
	Flowable Fill	120	LF	\$ 100.00	\$ 12,000.00
	Light Stone Rip Rap	250	SY	\$ 40.00	\$ 10,000.00
	Unclassified Excavation	4680	CY	\$ 4.00	\$ 18,720.00
	Signing	1	LS	\$ 2,500.00	\$ 2,500.00
	Site Preparation & Restoration	1	LS	\$ 15,000.00	\$ 15,000.00
				Total Construction Estimate	\$ 361,370.00
				30% Project Costs	\$108,411.00
				<b>Total Project Costs</b>	<b>\$469,781.00</b>

**Grand Total Project Costs \$1,116,622.00**

## **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**