

# CITY OF VALLEY CENTER

## FINAL AGENDA

December 1, 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.*

## December 6, 2011

1. **CALL TO ORDER**
2. **ROLL CALL**
3. **INVOCATION: MINISTERIAL ALLIANCE**
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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 November 15, 2011 Regular Council Meeting as prepared by the City Clerk.

### **RECOMMENDED ACTION:**

Staff recommends motion to approve the November 15, 2011 Regular Council Meeting Minutes as presented / amended

REGULAR COUNCIL MEETING  
NOVEMBER 15, 2011  
CITY HALL  
121 S. MERIDIAN

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

Staff Present: Joel Pile, City Administrator  
Kristine Polian, City Clerk  
Teevie Lea Walker, Assistant 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 made a request to add an item 'E' under New Business to discuss Christmas for city employees.

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

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

##### MINUTES- NOVEMBER 1, 2011 REGULAR COUNCIL MEETING

Cicirello moved, second by Maschino, to approve the Minutes from the November 1, 2011 Regular Council Meeting as presented. Vote yea: unanimous. Motion carried.

##### APPROPRIATION ORDINANCE- 11/15/2011

Gerling voiced displeasure regarding the WellnessWorks gift cards that are distributed to employees as incentives for participation; not understanding how the program benefits the taxpayer. Cicirello asked the City Clerk if the Wellness Committee had surpassed the budget allocated for the employees' Wellness Program. The City Clerk stated that the committee had not exceeded their budget. The Mayor suggested that if the program needed to be further addressed that Council could place it on a future agenda for discussion.

Maschino moved, second by Cicirello, to approve Appropriation Ordinance No. 11/15/2011 as presented. Vote yea: Leftoff, Cicirello, Smith, Maschino, L. Jackson, K. Jackson, and Hobson. Vote nay: Gerling. Motion carried.

TREASURER'S REPORT FOR OCTOBER 2011

Leftoff had questions regarding the city indebtedness, and the legality of same, which were addressed and explained by Pile.

Maschino moved, second by Cicirello, to approve the October 2011 Treasurer's Report as presented. Vote yea: unanimous. Motion carried.

**PRESENTATIONS AND PROCLAMATIONS**EAGLE SCOUT CANDIDATE RECOGNITION

Owings recognized Eagle Scout Candidate Jason Cox, from Troop 494, who spearheaded the construction of benches at Arrowhead Park for a scouting project.

Mayor McNown presented Cox with congratulations and a Certificate of Achievement from the City of Valley Center.

**PUBLIC FORUM****APPOINTMENTS**SITE PLAN COMMITTEE & CEMETERY BOARD

Mayor McNown appointed Brian Maschino to the Valley Center Site Plan Committee, to replace Mark Baker, for the remaining 1-year term expiring 11/2012. McNown re-appointed Jim Detwiler to the Valley Center Site Plan Committee for a 3-year term expiring 10/2014.

McNown then appointed Glen Hawkins to the Cemetery Board.

L. Jackson moved, second by Cicirello, to concur with the Mayor's appointments as stated. Vote yea: Leftoff, Cicirello, Smith, Gerling, L. Jackson, K. Jackson, and Hobson. Abstention: M. Maschino. Motion carried.

**COMMITTEES AND COMMISSIONS**MINUTES FOR COUNCIL REVIEW

Planning Commission Meeting, October 27, 2011

K. Jackson stated that the Veterans Day celebrations went well with the exception of the weather.

**OLD BUSINESS**DISCUSSION REGARDING 2012 / 2013 CIP

Pile addressed the CIP items in the agenda stating that Staff was no longer pursuing the Public Works Storage Building Project. City Engineer Kelsey explained the aforementioned projects in further detail focusing primarily on the Meridian Avenue North Phase and the Meridian Patch and Seal projects.

Council and Staff discussed the monetary and structural options of concrete vs. asphalt for street renovation; while addressing future durability and life expectancy of same. Various members of Council addressed City Superintendent Dunn regarding water and sewer pipes, the age and future need for replacement, under the proposed areas of street repair. Reviewing whether

pipng should or should not be replaced prior to street renovation; while inquiring as to the cost of same and whether provisions should or should not be made.

A brief discussion then ensued between Council and Staff as to the importance and urgency of further parking at the Public Safety Building.

Cicirello stated that he thought that the CIP should stay as presented with the exception of the items discussed. Council consensus was to agree and task Staff to research the aforementioned issues, investigating the cost analyses associated with same, and presenting results to Council at a future date.

ORDINANCE 1230-11, ADOPTING CITY POLICY REGARDING RIGHT-OF-WAY MOWING FOR 2<sup>ND</sup> READING – REVISED

Pile stated that the aforementioned was originally addressed at an August meeting; this is a revised version of the ordinance.

Hobson felt the revised ordinance was too vague to be of assistance to the annexed citizens of the city. McNown addressed section 6 of the ordinance. Leftoff referenced the second sentence in the fourth paragraph of the policy regarding "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)..." Leftoff asked if the same could be held for citizens if they did not have the gas or the funds to mow. Pile stated that City Code addresses property owners and their responsibility for mowing the right-of-way. This ordinance would streamline current City Code.

K. Jackson stated she felt no significant changes had been made to the ordinance and that the City would mow when and where it chose; she had a big objection to this policy.

Leftoff stated objections to the ability for cities to fine residents if the City has to mow property for same. Leftoff voiced her objection to state law allowing cities to collect fines through the debt set-off program administered by the state.

McNown explained the compliance process and what happens when a citizen does not comply with City Code regarding mowing of the right-of-way.

Maschino moved, second by Cicirello to adopt Ordinance 1230-11, adopting certain policies to guide the various Municipal Functions of the City for 2<sup>nd</sup> Reading. Vote yea: Cicirello, Smith, Maschino, L. Jackson. Vote Nay: Leftoff, Gerling, K. Jackson, Hobson. McNown voted 'yea' to break the tie. Motioned carried.

**NEW BUSINESS**

ORDINANCE 1234-11. ZONING REGULATIONS FOR 1<sup>ST</sup> READING

Gerling asked Community Development Director Utecht whether there were any opposition to the aforementioned by the Planning Commission. Utecht said, 'no.'

Maschino moved, second by L. Jackson, to adopt Ordinance 1234-11, approving and incorporating by reference certain Zoning Regulations governing the use of land and the location of buildings within the City of Valley Center, for 1<sup>st</sup> reading. Vote yea: unanimous. Motion carried.

ORDINANCE 1235-11, FLOODPLAIN REGULATIONS, 1<sup>ST</sup> READING

Maschino moved, second by L. Jackson, to adopt Ordinance 1235-11, approving and incorporating by reference certain Floodplain Regulations governing the use of land and the location of buildings within the City of Valley Center, for 1<sup>st</sup> reading. Vote yea: unanimous. Motion carried.

ESTABLISH PUBLIC HEARING TO AMEND 2011 BUDGET

Pile requested to increase the purchase authority for the Water and Solid Waste Operating Utilities: 1) Due to the excessive water purchases made from the City of Wichita for excessive usage by residents in Valley Center due to the extreme heat during the summer; 2) When planning for Solid Waste in 2010 it was still uncertain as to the monthly expenditures for same and we have paid over what was anticipated.

Gerling asked if making changes in 2011 would change the Mill Levy; Pile said, 'no.'

Maschino asked if the proposed increase would be enough for the year; Pile said, 'yes.'

Leftoff inquired into further details for the water usage; Pile responded to same.

Cicirello moved, second by Maschino, to set the Public Hearing regarding amendments to the 2011 Budget for 7:00 p.m. on Tuesday, December 6, 2011 here at City Hall. Vote yea: unanimous. Motion carried.

ORDINANCE 1236-11, 81<sup>ST</sup> STREET SPEED LIMIT, 1<sup>ST</sup> READING

Pile addressed the ordinance and Kelsey's recommendations.

Cicirello moved, second by K. Jackson, to adopt Ordinance 1236-11, reducing the maximum speed limit on 81<sup>st</sup> Street to thirty-five miles per hour for 1<sup>st</sup> Reading. Vote yea: unanimous. Motion carried.

EMPLOYEES CHRISTMAS & END-OF-YEAR PAY ADJUSTMENT

L. Jackson moved, second by Maschino, to the traditional end-of-year pay adjustment: \$100 for full-time employees and \$50 for part-time employees. Vote yea: Cicirello, Smith, Gerling, Maschino, L. Jackson, K. Jackson, and Hobson. Vote nay: Leftoff. Motion carried.

McNown addressed the Council regarding the traditional employee Christmas Party. This year it is recommended that a luncheon be served here at City Hall for employees and council members only. Pursuant to that request, McNown also asked the Council to authorize the closure of City offices at noon on Friday, December 23<sup>rd</sup>, releasing employees for the day after the luncheon.

Hobson asked whether employees would get a day off for Christmas as it was on Sunday this year. Maschino had reservations about authorizing an additional half-day if the employees received the day off on December 26<sup>th</sup> for Christmas. City Clerk Polian made it clear that per the personnel policy employees received nine holidays off and that Christmas was one of those holidays. Therefore, the employees are not getting anything in addition to what they are allowed by City policy.

Cicirello moved, second by Smith, to host a luncheon for City employees and councilmembers to begin at noon on Friday, December 23<sup>rd</sup>, allowing employees to leave for the day, with paid compensation, after; re-opening City offices at 8:00 a.m. Tuesday, December 27<sup>th</sup>. Vote yea: unanimous. Motion carried.

**CONSENT AGENDA**REVENUE AND EXPENSE FINANCIAL SUMMARIES FOR OCTOBER 2011BAD DEBT / DELINQUENT ACCOUNTS REPORT

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

**STAFF REPORTS**COMMUNITY DEVELOPMENT DIRECTOR UTECHT

Addressed questions brought by Cicirello at a previous meeting regarding the Burger-Barn and zoning requirements for same.

Also brought up the ad placed in *Images* magazine for the City.

**GOVERNING BODY REPORTS**MAYOR McNOWN

Council members L. Jackson and Smith attended the SCAC meeting in Kechi last week – it was the REAP listening tour and was informative. A lot of good information was exchanged and the ongoing discussion about Sedgwick County Jail Housing. Utecht was asked to represent SCAC at a long range development committee.

COUNCILMEMBER LEFTOFF

Stated there are citizens that want to know how they can be ‘unannexed.’ McNown suggested Leftoff get with Pile to discuss same as it is a complex process and one in which the County Commission would be involved.

COUNCILMEMBER CICIRELLO

Saturday the City lost Les Anderson, a resident that was heavily involved with Valley Center and Wichita communities. Stated he would like to forward his condolences to Nancy (Anderson) and their family.

COUNCILMEMBER SMITH

Echoed Cicirello’s comments and added his congratulations to K. Jackson for the success of the Veterans Day celebration(s).

COUNCILMEMBER GERLING

Apologized for being unprofessional at the meeting, however, he “speaks for the silent majority in this town that feels they have been disconnected from the local government.” He hears complaints about the roads and other issues from colleagues with whom he works.

COUNCILMEMBER MASCHINO

Echo Smith’s comments about the Veterans Day celebration(s).

COUNCILMEMBER L. JACKSON

Echoed Cicirello’s comments about Les Anderson and his participatory actions within the community. Voiced his appreciation towards K. Jackson for her coordination of the Veterans Day celebration(s).

COUNCILMEMBER HOBSON

Would like to apologize to K. Jackson for not being available to assist during the Veterans Day festivities. Voiced his thanks to the young lady that was the emergency dispatcher here in the City on October 13<sup>th</sup> when he was involved in an automobile accident. Thanked both the fire and police departments of the City as well as the County Emergency Services. Confirming his belief that the money spent on our local emergency services is well spent.

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

**Meeting adjourned at 8:40 p.m.**

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**Teevie Lea Walker, Assistant City Clerk**

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

Below is the proposed Appropriation Ordinance for December 6, 2011 as prepared by City Staff.

**December 6, 2011 Appropriation**

• Packet #1	\$ 94,581.59
• Packet #2	\$ <u>220.00</u>
 Total	 \$ <b>94,801.59</b>

**RECOMMENDED ACTION:**

Staff recommends motion to approve the December 6, 2011 Appropriation Ordinance as presented / amended.

VENDOR NAME	DESCRIPTION	FUND	DEPARTMENT	AMOUNT
ADMIN PRO	11/2011 FSA MO ADMIN/CRD	GENERAL FUND	ADMINISTRATION	175.50
			TOTAL:	175.50
B & B KLASSEN ENTERPRISES	48.15 TONS GRAY CRS	SPECIAL HIGHWAY	SPECIAL HIGHWAY	626.92
			TOTAL:	626.92
CIVIC PLUS	12/2011 WEB SITE SVCS	GENERAL FUND	ADMINISTRATION	35.77
	12/2011 WEB SITE SVCS	GENERAL FUND	LEGAL & MUNICIPAL COUR	35.77
	12/2011 WEB SITE SVCS	GENERAL FUND	COMMUNITY DEVELOPMENT	35.77
	12/2011 WEB SITE SVCS	GENERAL FUND	POLICE	35.77
	12/2011 WEB SITE SVCS	GENERAL FUND	FIRE	35.77
	12/2011 WEB SITE SVCS	GENERAL FUND	EMERGENCY COMMUNICATIO	35.77
	12/2011 WEB SITE SVCS	GENERAL FUND	PARKS AND PUBLIC GROUN	35.77
	12/2011 WEB SITE SVCS	GENERAL FUND	ENVIRONMENTAL SERVICES	35.77
	12/2011 WEB SITE SVCS	SPECIAL HIGHWAY	SPECIAL HIGHWAY	35.77
	12/2011 WEB SITE SVCS	WATER OPERATING	NON-DEPARTMENTAL	35.77
	12/2011 WEB SITE SVCS	STORMWATER UTILITY	INVALID DEPARTMENT	35.77
	12/2011 WEB SITE SVCS	SOLID WASTE UTILIT	INVALID DEPARTMENT	35.76
	12/2011 WEB SITE SVCS	SEWER OPERATING	NON-DEPARTMENTAL	35.77
			TOTAL:	465.00
DR CRUM AND TODD PA	10/2011 RESTITUTION-ADDIS	GENERAL FUND	NON-DEPARTMENTAL	20.00
			TOTAL:	20.00
EDNA BUSCHOW	11-11-11 INTRA-DEPT DISBU	LIBRARY	NON-DEPARTMENTAL	2,757.90
			TOTAL:	2,757.90
ING LIFE INSURANCE & ANNUITY	VFG496-0196	GENERAL FUND	NON-DEPARTMENTAL	50.00
	VFG496-0225	GENERAL FUND	NON-DEPARTMENTAL	15.00
	VFG496-0165	GENERAL FUND	NON-DEPARTMENTAL	350.00
	VFG496-0023	GENERAL FUND	NON-DEPARTMENTAL	12.00
	VFG496-0195	GENERAL FUND	NON-DEPARTMENTAL	50.00
	VFG496-0222	GENERAL FUND	NON-DEPARTMENTAL	100.00
	VFG496-0052	GENERAL FUND	NON-DEPARTMENTAL	25.00
	VFG496-0176	GENERAL FUND	NON-DEPARTMENTAL	20.00
	VFG496-0224	SPECIAL HIGHWAY	NON-DEPARTMENTAL	15.00
	VFG496-0235	WATER OPERATING	NON-DEPARTMENTAL	12.50
	VFG496-0013	SEWER OPERATING	NON-DEPARTMENTAL	200.00
			TOTAL:	849.50
INTRUST BANK NA	EMP DEDUCT-FED TAX	GENERAL FUND	NON-DEPARTMENTAL	1,060.31
	EMP DEDUCT-FICA	GENERAL FUND	NON-DEPARTMENTAL	1,535.49
	EMP DEDUCT-MEDICARE	GENERAL FUND	NON-DEPARTMENTAL	530.10
	EMP FED TAX W/H-GEN	GENERAL FUND	NON-DEPARTMENTAL	4,921.53
	EMP DEDUCT-FICA	GENERAL FUND	NON-DEPARTMENTAL	2,073.48
	EMP DEDUCT-MEDIC	GENERAL FUND	NON-DEPARTMENTAL	715.85
	EMP DEDUCT-FED W/H	GENERAL FUND	NON-DEPARTMENTAL	0.01
	EMP DEDUCT-FICA	GENERAL FUND	NON-DEPARTMENTAL	193.70
	EMP DEDUCT-MEDIC	GENERAL FUND	NON-DEPARTMENTAL	66.99
	EMPR BENEFITS-MEDICA	EMPLOYEE BENEFITS	NON-DEPARTMENTAL	530.10
	EMPR BENEFITS-FICA	EMPLOYEE BENEFITS	NON-DEPARTMENTAL	2,266.67
	EMPR BENEFITS-MEDIC	EMPLOYEE BENEFITS	NON-DEPARTMENTAL	715.85
	EMPR BENEFITS-FICA	EMPLOYEE BENEFITS	NON-DEPARTMENTAL	3,060.79
	EMPR BENEFITS-MEDIC	EMPLOYEE BENEFITS	NON-DEPARTMENTAL	66.99
	EMPR BENEFITS-FICA	EMPLOYEE BENEFITS	NON-DEPARTMENTAL	285.92
	EMP FED TAX W/H-STS	SPECIAL HIGHWAY	NON-DEPARTMENTAL	500.38

VENDOR NAME	DESCRIPTION	FUND	DEPARTMENT	AMOUNT
	EMP DEDUCT-FICA	SPECIAL HIGHWAY	NON-DEPARTMENTAL	225.60
	EMP DEDUCT-MEDIC	SPECIAL HIGHWAY	NON-DEPARTMENTAL	77.88
	EMP DEDUCT-FICA	SPECIAL HIGHWAY	NON-DEPARTMENTAL	17.80
	EMP DEDUCT-MEDIC	SPECIAL HIGHWAY	NON-DEPARTMENTAL	6.16
	EMPR BENEFITS-MEDIC	SPECIAL HIGHWAY	SPECIAL HIGHWAY	77.88
	EMPR BENEFITS-FICA	SPECIAL HIGHWAY	SPECIAL HIGHWAY	333.02
	EMPR BENEFITS-MEDIC	SPECIAL HIGHWAY	SPECIAL HIGHWAY	6.16
	EMPR BENEFITS-FICA	SPECIAL HIGHWAY	SPECIAL HIGHWAY	26.28
	EMP FED TAX W/H-WTR	WATER OPERATING	NON-DEPARTMENTAL	798.74
	EMP DEDUCT-FICA	WATER OPERATING	NON-DEPARTMENTAL	379.21
	EMP DEDUCT-MEDIC	WATER OPERATING	NON-DEPARTMENTAL	130.91
	EMP DEDUCT-FICA	WATER OPERATING	NON-DEPARTMENTAL	28.93
	EMP DEDUCT-MEDIC	WATER OPERATING	NON-DEPARTMENTAL	10.01
	EMPR BENEFITS-MEDIC	WATER OPERATING	NON-DEPARTMENTAL	130.91
	EMPR BENEFITS-FICA	WATER OPERATING	NON-DEPARTMENTAL	559.79
	EMPR BENEFITS-MEDIC	WATER OPERATING	NON-DEPARTMENTAL	10.01
	EMPR BENEFIT-FICA	WATER OPERATING	NON-DEPARTMENTAL	42.71
	EMP FED TAX W/H-SWR	SEWER OPERATING	NON-DEPARTMENTAL	242.59
	EMP DEDUCT-FICA	SEWER OPERATING	NON-DEPARTMENTAL	123.06
	EMP DEDUCT-MEDIC	SEWER OPERATING	NON-DEPARTMENTAL	42.49
	EMP DEDUCT-FICA	SEWER OPERATING	NON-DEPARTMENTAL	8.90
	EMP DEDUCT-MEDIC	SEWER OPERATING	NON-DEPARTMENTAL	3.08
	EMPR BENEFITS-MEDIC	SEWER OPERATING	NON-DEPARTMENTAL	42.49
	EMPR BENEFITS-FICA	SEWER OPERATING	NON-DEPARTMENTAL	181.66
	EMPR BENEFITS-MEDIC	SEWER OPERATING	NON-DEPARTMENTAL	3.08
	EMPR BENEFITS-FICA	SEWER OPERATING	NON-DEPARTMENTAL	13.14
			TOTAL:	22,046.65
KANSAS ANIMAL CONTROL ASS	MEMBER RENEWAL	GENERAL FUND	ENVIRONMENTAL SERVICES	23.50
	ANNUAL TRAINING	GENERAL FUND	ENVIRONMENTAL SERVICES	235.00
			TOTAL:	258.50
KANSAS DEPT OF REVENUE	KS KW-5 TAX W/H	GENERAL FUND	NON-DEPARTMENTAL	333.31
	4712-EMP DEDUCT	GENERAL FUND	NON-DEPARTMENTAL	1,970.89
	4712-EMP DEDUCT	SPECIAL HIGHWAY	NON-DEPARTMENTAL	191.99
	4712-EMP DEDUCT	WATER OPERATING	NON-DEPARTMENTAL	428.03
	4712-EMP DEDUCT	SEWER OPERATING	NON-DEPARTMENTAL	95.41
			TOTAL:	3,019.63
KANSAS OFFICE OF THE TREASURER	10/2011 KS COURT FEES	GENERAL FUND	NON-DEPARTMENTAL	1,477.00
	10/2011 KS COURT FEES	GENERAL FUND	NON-DEPARTMENTAL	37.50
	10/2011 KS COURT FEES	GENERAL FUND	NON-DEPARTMENTAL	128.00
			TOTAL:	1,642.50
KANSAS ONE-CALL SYSTEM IN	10/2011 67 LOCATES @ .70	WATER OPERATING	NON-DEPARTMENTAL	46.90
			TOTAL:	46.90
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 I	GENERAL FUND	NON-DEPARTMENTAL	1,618.75

VENDOR NAME	DESCRIPTION	FUND	DEPARTMENT	AMOUNT
	EMP DEDUCT-MIL BB	GENERAL FUND	NON-DEPARTMENTAL	71.73
	EMP DEDUCT-TIER II	GENERAL FUND	NON-DEPARTMENTAL	433.09
	EMPR DEDUCT-TIER I	EMPLOYEE BENEFITS	NON-DEPARTMENTAL	3,132.30
	EMPR DEDUCT-TIER II	EMPLOYEE BENEFITS	NON-DEPARTMENTAL	558.69
	EMP DEDUCT-TIER I	SPECIAL HIGHWAY	NON-DEPARTMENTAL	123.78
	EMP DEDUCT-TIER II	SPECIAL HIGHWAY	NON-DEPARTMENTAL	120.17
	EMPR DEDUCT-TIER I	SPECIAL HIGHWAY	SPECIAL HIGHWAY	239.51
	EMPR DEDUCT-TIER II	SPECIAL HIGHWAY	SPECIAL HIGHWAY	155.02
	EMP DEDUCT-TIER I	WATER OPERATING	NON-DEPARTMENTAL	224.58
	EMP DEDUCT-TIER II	WATER OPERATING	NON-DEPARTMENTAL	193.35
	EMPR DEDUCT-TIER I	WATER OPERATING	NON-DEPARTMENTAL	434.55
	EMPR DEDUCT-TIER II	WATER OPERATING	NON-DEPARTMENTAL	249.42
	EMP DEDUCT-TIER I	SEWER OPERATING	NON-DEPARTMENTAL	126.82
	EMPR DEDUCT-TIER I	SEWER OPERATING	NON-DEPARTMENTAL	245.41
			TOTAL:	7,927.17
Laurie B Williams	08-12231-13	GENERAL FUND	NON-DEPARTMENTAL	100.00
	09-14039	GENERAL FUND	NON-DEPARTMENTAL	55.00
	08-10028-13	GENERAL FUND	NON-DEPARTMENTAL	84.00
			TOTAL:	239.00
Mel Hamblton Ford	2007 CHEVY TRUCK 110868A	SPECIAL HIGHWAY	SPECIAL HIGHWAY	11,335.50
			TOTAL:	11,335.50
Pitney Bowes	9/11 POSTAGE METER REFILL	GENERAL FUND	ADMINISTRATION	435.60
	9/11 POSTAGE METER REFILL	GENERAL FUND	COMMUNITY DEVELOPMENT	45.60
	9/11 POSTAGE METER REFILL	GENERAL FUND	FIRE	3.60
	9/11 POSTAGE METER REFILL	GENERAL FUND	ENVIRONMENTAL SERVICES	111.60
	9/11 POSTAGE METER REFILL	WATER OPERATING	NON-DEPARTMENTAL	3.60
			TOTAL:	600.00
Richard L Dickson	CASE NO 090605 2909	GENERAL FUND	LEGAL & MUNICIPAL COUR	150.00
			TOTAL:	150.00
Security Benefit	613042-5556	GENERAL FUND	NON-DEPARTMENTAL	25.00
	613042-6484	GENERAL FUND	NON-DEPARTMENTAL	25.00
			TOTAL:	50.00
Sedgwick County	10/1-10/31/2011 JAIL HSG	GENERAL FUND	LEGAL & MUNICIPAL COUR	16.72
			TOTAL:	16.72
Ternes Law Firm, Chartered	CASE NO 0976076	GENERAL FUND	LEGAL & MUNICIPAL COUR	150.00
	CASE NO 097145	GENERAL FUND	LEGAL & MUNICIPAL COUR	150.00
	CASE NO 097065	GENERAL FUND	LEGAL & MUNICIPAL COUR	150.00
			TOTAL:	450.00
U S DEPT OF EDUCATION	S447705160	GENERAL FUND	NON-DEPARTMENTAL	168.72
			TOTAL:	168.72
Underground Vaults & Stor	INPROCESS NW RCPTS	GENERAL FUND	ADMINISTRATION	39.20
			TOTAL:	39.20
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_
WASTE MANAGEMENT OF WICHITA	11/2011 SOLID WASTE	SOLID WASTE UTILIT	INVALID DEPARTMENT	26,453.90_
			TOTAL:	26,453.90
WATERWISE ENTERPRISES LLC	AQUA MAG 15 GAL DRUM	WATER OPERATING	NON-DEPARTMENTAL	250.00_
			TOTAL:	250.00
WESTAR ENERGY	9/28-10/27 ST LT SVCS	GENERAL FUND	ADMINISTRATION	3,334.95
	9/28-10/27 CITY ELEC SVCS	GENERAL FUND	ADMINISTRATION	1,075.89
	9/28-10/27 CITY ELEC SVCS	GENERAL FUND	ADMINISTRATION	39.75
	9/28-10/27 CITY ELEC SVCS	GENERAL FUND	POLICE	432.21
	9/28-10/27 CITY ELEC SVCS	GENERAL FUND	FIRE	207.71
	9/28-10/27 CITY ELEC SVCS	GENERAL FUND	EMERGENCY COMMUNICATIO	415.41
	9/28-10/27 CITY ELEC SVCS	GENERAL FUND	PARKS AND PUBLIC GROUN	585.09
	9/28-10/27 CITY ELEC SVCS	SPECIAL HIGHWAY	SPECIAL HIGHWAY	346.95
	9/28-10/27 CITY ELEC SVCS	WATER OPERATING	NON-DEPARTMENTAL	2,601.56
	9/28-10/27 CITY ELEC SVCS	SEWER OPERATING	NON-DEPARTMENTAL	4,788.59_
TOTAL:			13,828.11	
WICHITA EAGLE	11/2011 COMM BLDG SB	GENERAL FUND	PARKS AND PUBLIC GROUN	19.00_
			TOTAL:	19.00

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

010	GENERAL FUND	27,290.71
110	EMPLOYEE BENEFITS	10,617.31
140	LIBRARY	2,757.90
150	SPECIAL HIGHWAY	14,461.77
610	WATER OPERATING	6,775.98
612	STORMWATER UTILITY FUND	35.77
613	SOLID WASTE UTILITY	26,489.66
620	SEWER OPERATING	6,152.49
-----		
GRAND TOTAL:		94,581.59
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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: 11/05/2011 THRU 11/18/2011  
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 12/06/11  
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_
BARBARA ENDICOTT	REFUND 4 HRS OF 8 - 11/27	GENERAL FUND	PARKS AND PUBLIC GROUN	20.00_
			TOTAL:	20.00
KRIS BRYANT	AUT BLAZE MAPLE	GENERAL FUND	PARKS AND PUBLIC GROUN	100.00
	SUNBURST LOCUST	GENERAL FUND	PARKS AND PUBLIC GROUN	100.00_
			TOTAL:	200.00

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===== FUND TOTALS =====
010 GENERAL FUND                220.00
-----
GRAND TOTAL:                    220.00
-----

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TOTAL PAGES: 1

SELECTION CRITERIA

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SELECTION OPTIONS

VENDOR SET: 04-CVC - REIMBURSEMENTS  
VENDOR: All  
CLASSIFICATION: All  
BANK CODE: All  
ITEM DATE: 11/05/2011 THRU 11/18/2011  
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 #3 12/06/11  
SIGNATURE LINES: 0

-----  
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:**

- Subdivision Committee, November 29, 2011 Meeting
- Planning Commission/BZA, November 29, 2011 Meeting
- Library Board, October 10, 2011 Meeting
- Valley Center Recreation Commission, November 14, 2011 Meeting

## SUBDIVISION COMMITTEE MINUTES

6:45 P.M.

November 29, 2011

121 S. MERIDIAN

Chairman Dailey called the meeting to order at 6:45 p.m., with the following members present: John Dailey, Jaque Davis and Steve Jackson. Others present were Kate Jackson, City Council member.

Members Absent: Gary Janzen

Staff Present: Warren Utecht, Deputy Subdivision Administrator

### **APPROVAL OF THE AGENDA**

Jaque Davis moved, second by Steve Jackson to approve the agenda as presented. Vote Yea: Unanimous.

### **MINUTES OF JANUARY 11, 2011 REGULAR MEETING**

Steve Jackson moved, second by Jaque Davis to approve the minutes. Vote Yea: Unanimous.

### **PLATS**

- a. Southards Final Plat (Small Tract Subdivision). Warren Utecht explained that this is a two lot subdivision that will split out a 4.5 acre parcel for a welding shop was involved in the County rezoning that was reviewed by the Planning Commission at the last meeting. The second lot would remain residential for a future home built by the petitioner. The size and frontage of the two lots meet the City's Subdivision Ordinance. The drainage plan had to be revised several times but the latest version was approved by our engineering consultant.

Steve Jackson moved, seconded by Jaque Davis, to recommend to the Planning Commission approval of the Southards Final Plat. Steve and Jaque voted to approve, John Dailey abstained in that he was in the notification area of the previous rezoning.

### **ADJOURNMENT**

Steve Jackson moved, second by Jaque Davis to adjourn the Subdivision Committee. Vote Yea: Unanimous.

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

7:00 P.M., Tuesday, November 29, 2011  
Valley Center City Hall at 121 S. Meridian Avenue

Vice Chairman Davis called the meeting to order at 7:00 p.m. with the following members present: Danny Park, Jaque Davis, John Dailey, Kathryn Schroeder, Dee Wretberg, Steve Jackson and Don Bosken. Others present were Kate Jackson, City Council member, and Brad Isham, a land developer.

Planning Commission members absent: Ricky Shellenbarger and Gary Janzen  
Staff Present: Warren Utecht, Community Development Director

**SET/AMEND AGENDA**

John Dailey raised the issue that a Recording Secretary be added to the list of nominations. A motion was made by Kathryn Schroeder and seconded by Dee Wretberg to amend the agenda by adding the nomination of a Recording Secretary. Unanimous vote to approve.

**MINUTES OF OCTOBER 27, 2011 REGULAR MEETINGS**

The minutes of the October 27, 2011 meeting were reviewed by members of the Planning Commission. Being no suggested changes, a motion was made by Kathryn Schroeder and seconded by Steve Jackson to approve the October 27, 2011 minutes. Unanimous vote to approve.

**COMMUNICATIONS:** None

**PUBLIC COMMENT:** None

**UNFINISHED BUSINESS:** None

**NEW BUSINESS**

- A. Southards Final Plat (Small Tract Subdivision).** Warren Utecht reiterated his explanation of the background and issues that have been addressed in this two lot extraterritorial plat from the previously held Subdivision Committee meeting.

Motion was made by Danny Park and seconded by Don Bosken to accept the Subdivision Committee's recommendation and approve the Southards Final Plat. Motion was approved by all members except John Dailey, who abstained due to being in the notification area of the previous rezoning. Motion carried.

- B. Lot Split petitioned by Brad Isham.** Warren Utecht explained that Brad was submitting a lot split as previously done for the duplex condominium's that he has been building on Cottonwood Drive. It was questioned whether the 15 foot easement which constitutes the front yard depth on Sheridan Avenue was sufficient setback. Warren explained that a residential zoning category in the Zoning Code does allow a narrower front yard setback if the lot has two frontages on a public right-of-way. Fortunately, Warren pointed out that when the land was subdivided, a greater amount of right-of-way than what was previously dedicated on Sheridan makes the actual green space at least 25 feet to a normal right-of-way.

Motion was made by John Dailey and seconded by Steve Jackson to approve the Lot Split petition for Lot 1, Block A, Valley Creek Estates 2<sup>nd</sup> Subdivision. Motion was unanimous.

- C. Nomination of a Planning Commission member for Site Plan Committee by the Planning Commission Chairman.** Although Gary Janzen could not be present, Warren Utecht relayed to the Planning Commission that Gary recommended nomination of John Dailey for the Site Plan Committee. Motion was made and seconded to nominate John Dailey for a three year term as the Planning Commission member to serve on the Site Plan Committee. All voted in favor except John Dailey who abstained.
- D. Nomination for Planning Commission Chairman.** Motion was made by Danny Park and seconded by Dee Wretberg to nominate Jaque Davis to be the Planning Commission Chairman. Motion carried
- E. Nomination for Planning Commission Vice-Chairman.** Motion was made by Danny Park and seconded by Kathryn Schroeder to nominate Danny Park to be the Planning Commission Vice-Chairman. Motion carried
- F. Nomination for Planning Recording Secretary.** Motion was made by Danny Park and seconded by Don Bosken to nominate Warren Utecht to be the Recording Secretary. Unanimous vote to approve.

**ITEMS BY PLANNING COMMISSIONERS**

- a. Jaque Davis – None
- b. Danny Park - None
- c. John Dailey – Asked about the upcoming meeting schedule. Warren responded by saying that nothing has been filed for Planning Commission action at this point which would mean that the December would likely be cancelled.
- d. Steve Jackson - None
- e. Don Bosken - None
- f. Kathryn Schroeder - None
- g. Dee Wretberg – None

Commissioner Schroeder made a motion to adjourn. Seconded by Commissioner Wretberg. Vote was unanimous. The Planning Commission meeting was adjourned at 7:16 p.m.

Respectfully submitted,

/ Warren Utecht /  
 Warren Utecht  
 Planning Commission Recording Secretary

Approved by the Valley Center Planning Commission on \_\_\_\_\_, 2012.

\_\_\_\_\_  
 Jaque Davis, Chairman

BOARD MINUTES  
EDNA BUSCHOW MEMORIAL LIBRARY  
October 10, 2011

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

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

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

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

In the Director's report, Janice requested input regarding the upgrade of Fortres, our security program for the public Internet stations. One of the staff had tried to upgrade the program online and, in doing so, caused the program to become inactive. There is no security on that computer at the present time. The upgrade for up to 15 computers would cost \$335. Janice also presented information about Clean Slate, a program from the same company that will time a patron's use of an Internet station for an hour, when turned off, any saved files for the day would be deleted. The cost is about \$25. After discussion, the board suggested that we consult Larry or Lee at the SCKLS offices for their input before purchasing either program.

Janice and Nancy Anderson attended an advocacy presentation and dinner at the Derby Public Library. The presentation by Stephanie Vance, was "From Being Heard to Being Agreed With: How to Build Effective Advocacy Efforts for Policy Change." She emphasized the following points:

- Make them think it's their idea

- Educate – make sure they know what you do

- Do your PR – get them to like it

- Identify why you're passionate about the library

- Ask them to make a decision

- Put in the form of a question

- Keep asking!

- Policy "asks" – related to their official capacity

- Relationship "asks" – "Will you come?" Make a statement for the importance of the library

- Get them to make a statement of support publically as often as possible– then hold them to the project

- Be sure you know what you're asking for

- Several types of decision makers

- Champions (usually City & County Commissioners) – will push issues

- Leadership – get them on your side

- Individual decision makers

- Audience is made up of primary (decision makers) and secondary (influencers)

- Decision makers – how to get to them

- Influenced by family, friends, spouse, church

- They got into office by appointment or by other in their work area

- Jurisdiction served? – If they're not in that district, they won't listen

- How connected are they to the city and/or schools

- Personal interests? – what policy do they want to work on; tie library to interests

- Use the SPIT technique for the "ask"

- S – be specific about what you want

- P – Use a personal story connection or communication

- I – Be informative with facts & figures

- T – Be timely; ask before the governing body decides the issue

- Be sure to provide follow-up information

- Look at your audience for interested people/groups – have them join your cause

- Get people in the building

Show how your local resources work  
 Include the staff of legislative people  
 Be persistent in the inviting process  
 Don't invite the media unless you let officials know  
 If you plan to use form letters to communicate, be sure to personalize them  
 Use Utube as a research tool  
 Find your "decision makers" on Facebook; follow them, you'll find what they're interested in  
 Be persistent!

The System will assist the library in drafting an advocacy policy if the board determines it is needed.

Janice shared information about Herb Duncan who provides programs about veterans of World War II. There was discussion about scheduling him for a program on Nov. 10, but the timing is too short to adequately promote the program. It could be tied with other programs next year.

In the Office Manager report, Terry shared information that had been discussed during the weekly staff meetings. There is one staff member out due to medical issues. She finalized the FAQ sheet to be included in the mailing for water bills.

She shared that there had been discussion regarding individual email addresses for the board on the website. It will be set up for messages to come to the library and Terry will forward as needed.

Terry has arranged for a movie license -- cost \$295 for one year. It will allow us to show movies such as the new Harry Potter movie in November.

Our book displays on the display carts have been very successful. The displays are changed for holidays/events. Terry presented stats for patrons coming in last Thanksgiving weekend. The board determined that we would close on Friday, November 25, as well as Thanksgiving Day due to a small amount of patrons last year. We will be open on Saturday, November 26, as usual.

Amy requested an update on our wireless Internet connection. We have WiFi installed but are waiting on an appropriate policy. We are to consult Paul or Larry at SCKLS for their suggestion to have an open connection or a closed connection requiring a password.

The Chamber luncheon will be at the library on Tuesday, October 18. We will be using cookies, chips, and other leftover foods from the steak feed. We will use 50 chairs from the FUMC used for the steak feed.

We have not deposited monies from Fall Festival activities or the steak feed. Totals will be given at next month's meeting. There were 123 tickets sold for the steak feed; about 90 attended.

Janice will have totals of monies transferred from Friends to the Library accounts at the next meeting. The totals will affect the 2011 budget totals as well as planning for 2012. Amy requested a special meeting to plan the 2013 budget.

The board discussed the policy manual after Howard, Marsha and Janice had reviewed the policy for changes. There was discussion on the following points: vacation (2 weeks after one year of employment, 3 weeks after 10 years, and 4 weeks after 15 years), sick leave (considered as "well leave" – 5 days per year, if not used, the employee can get paid or accumulate the time up to two (2) years -- Cannot be taken in less than 1 hr. increments), surgery leave (same well leave), potential continuing education workshops (will schedule two (2) days of CE per year), a recognition program for years of service (Terry will get information from City Hall) and inclusion about the Patriot Act (Janice will get information from Paul @ SCKLS). Suggestions for continuing education include having a "shred" day and an identity theft program – opened to members of the community; and a session on workplace safety – offered through the Chamber.

Marsha made a motion to adjourn; Jenna seconded. Motion carried; vote was unanimous.

# Valley Center Recreation Commission

*November 14, 2011 Meeting*

**VCRC (Steve's) Office**

6:00 p.m.

## Agenda

**ROLL CALL AND RECORD OF ATTENDANCE**

**ADDITIONS OR DELETIONS TO THE AGENDA**

**APPROVAL OF THE MINUTES**

- October 10, 2011 - Regular Meeting

**REPORT OF THE MONTHLY PURCHASES AND EXPENDITURES**

**REPORT OF THE BOOKKEEPER**

**REPORT OF THE DIRECTOR**

**COMMISSION REPORTS**

**UNFINISHED BUSINESS**

- Don Folger – update on the development of land & Recreation/Wellness Center
- 2010-11 audit report from George, Bowerman & Noel, PA
- Accepting credit / debit cards as payment for fees

**NEW BUSINESS**

**AS MAY ARISE**

**ADJOURNMENT**

Next Regular Meeting - Monday - December 12, 2011 @ 6:00 p.m.

# Valley Center Recreation Commission

Minutes from the October 10, 2011 meeting

## **ROLL CALL AND RECORD OF ATTENDANCE**

David Mellinger, Rod Jackson, Barry Hager, Bruce Williams, Jeff Isaacs and Steve Geddes.

Also in attendance was David Darrow from Legends Sports Photography and John Pair from Lifetouch photography.

## **ADDITIONS OR DELETIONS TO THE AGENDA**

### **ADOPTION OF THE AGENDA**

Motion by David Mellinger to accept the agenda. Motion seconded by Rod Jackson. Motion carried 5-0.

### **APPROVAL OF THE MINUTES**

Motion by David Mellinger to approve the minutes from the 12/12/11 regular meeting. Motion seconded by Bruce Williams. Motion carried 5-0.

### **REPORT OF THE MONTHLY PURCHASES AND EXPENDITURES**

Motion by Rod Jackson to approve checks #15141-15148, 15151-15156, 15166-15174 (15149, 15150, 15157-15165 – void), 18759-18761, 18781-18792, 18794-18816 (18793 – void) and (auto-payments) AmericaFunds on 09/2/11, 09/16/11 and 09/30/11, KDOR on 09/2/11, 09/16/11 and 09/30/11 and EFTPS on 09/2/11 and 09/16/11. Motion seconded by Bruce Williams. Motion carried 5-0.

### **REPORT OF THE BOOKKEEPER**

The financial statement for the month was reviewed.

### **REPORT OF THE DIRECTOR**

The report of the Director was reviewed. *(At the September meeting and in a subsequent e-mail, Steve Geddes briefly discussed the reciprocating agreement that was established in 2007 with the Chamber of Commerce. As was outlined on both occasions Mr. Geddes felt that due to economic issues, this arrangement may have outlived its life.)* Motion by David Mellinger to discontinue with the

Reciprocating entry fee agreement with the Valley Center Chamber of Commerce Golf Tournament. Motion seconded by Bruce Williams. Motion carried 5-0.

## **COMMISSION REPORTS**

## **UNFINISHED BUSINESS**

## **NEW BUSINESS**

Both David Darrow (Legends Sports Photography) and John Park (Lifetouch Photography) made a presentation to the Board concerning their youth sports photography proposal.

Motion by Bruce Williams to accept the proposal from Lifetouch to take photo's for our youth sports programs. Motion seconded by David Mellinger. Motion carried 5-0.

Motion by David Mellinger to approve the proposal from George, Bowerman & Noel, PA, to conduct our 2010-11 audit. Motion seconded by Barry Hager. Motion carried 5-0.

Motion by Bruce Williams to approve the proposal from Cheney Door Company to install a 35" x 45" Raynor Aluminum Counter Shutter (window) at a cost of \$1,588.00. Motion seconded by Barry Hager. Motion carried 5-0.

## **AS MAY ARISE**

## **ADJOURNMENT**

Motion by David Mellinger to adjourn the meeting. Motion seconded by Jeff Isaacs. Motion passed 5-0.

## **OLD BUSINESS**

### **A. PUBLIC HEARING – AMEND 2011 BUDGET:**

**Background:** The City Council approved the 2011 City Budget in August of 2010. When the budget was approved the City had not established a solid waste utility fund. Therefore, a specific budget was not created. Since that time, the City has created a solid waste utility and contracted with Waste Management for specific solid waste & recycling services.

Due to the unusually hot and dry summer months, the City purchased record volumes of water from the City of Wichita to serve the needs of City water customers. The 'water purchase' line item of the water utility budget must be increased to provide expenditure authority.

The approved water utility budget had an expenditure of \$330,000 for water purchasing from the City of Wichita. The updated total expenditure estimate is \$587,070, an increase of \$257,070 (78%).

Should Council choose to proceed,

1. Open Public Hearing for the purpose of hearing and answering objections of taxpayers relating to the proposed amended use of funds.
2. Close Public Hearing.

### **RECOMMENDED ACTION:**

Staff recommends motion to approve amendments to the 2011 City Budget as presented.

**OLD BUSINESS****B. ORDINANCE 1234-11, ZONING REGULATIONS, 2<sup>nd</sup>****READING:**

An Ordinance enacted, approving and incorporating by reference certain **ZONING REGULATIONS** governing the use of land and the location of buildings within the City of Valley Center, Kansas, as a model code in book form by the Valley Center City Planning Commission pursuant to K.S.A. 12-741, ET. SEQ., as amended, 12-736, 12-3009 to 12-3012 inclusive, 12-3301 and 12-3302; and establishing Zoning District Boundaries and the classifications of such districts; defining certain terms used in said regulations; regulating the maximum dimensions of buildings and other structures through bulk regulations and lot areas; regulating the location and size of signs; providing for and regulating vehicular parking space; providing for the appointment of a Zoning Administrator and prescribing his or her duties; providing for fees to be charged for Amendments, Site Plans, Special Uses, Conditional Uses, Appeals and Permits; establishing a means for Amending said regulations, Map(s) and Ordinances; providing for penalties for violation of its provisions and a means of enforcement, and repealing all other Ordinances in conflict herewith.

- Ordinance 1234-11

Should Council choose to proceed,

**RECOMMENDED ACTION:**

Staff recommends motion to adopt Ordinance 1234-11, approving and incorporating by reference certain Zoning Regulations governing the use of land and the location of buildings within the City of Valley Center, for 2<sup>nd</sup> Reading.

**ORDINANCE NO. 1234-11**

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

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

Section 1. **Adoption:** Zoning regulations are hereby approved and adopted by the Governing Body of the City of Valley Center, Kansas, as prepared and published as a model code in book form by the Valley Center City Planning Commission and the City Zoning Administrator under the date of October 27, 2011 and entitled " Zoning Regulations of the City of Valley Center, Kansas " and the same are hereby incorporated by reference as fully as if set out herein.

Section 2. **Official Map(s):** There are further herein incorporated by reference and adopted an Official Zoning Map(s) delineating the boundaries of zoning districts and the classifications of such districts, which maps shall be marked "Official copy of zoning district map(s)" incorporated into zoning regulations by adoption of Ordinance No. 1234-11 by the Governing Body of the City of Valley Center on the \_\_\_\_\_ and filed with the Zoning Administrator to be open for inspection and available to the public at all reasonable business hours.

Section 2. **Public Hearing:** The advertised public hearing required by Kansas law was duly held on October 27, 2011 by the Valley Center City Planning Commission, and a discussion of said Zoning Regulations occurred at the hearing; and the Zoning Regulations and map(s) in model code form herein adopted are a true and correct copy of those regulations as adopted by the Planning Commission.

Section 3. **Jurisdiction:** From the effective date of this Ordinance, the Zoning Regulations and Official Zoning Map(s) herein incorporated by reference shall govern all use of the land and location of buildings and other structures placed within the City of Valley Center, Kansas.

Section 4. **Official Copies:** Not less than three copies of the Zoning Regulations in book form marked "Official Copy as incorporated by Ordinance No. 1234-11" and to which there shall be a published copy of this Ordinance attached, shall be filed with the City Clerk to be open for inspection and available to the public at all reasonable business hours.

Section 5. **Invalidity of a Part:** Any provisions of this Ordinance which shall be declared by a competent court to be unconstitutional or invalid shall not affect the validity and authority of any other sections of said Ordinance.

Section 6. **Repeal:** Ordinance No. 1223-11 is hereby repealed and any other ordinances or parts of ordinances in conflict with this Ordinance are hereby repealed.

Section 7. **Effective Date:** This Ordinance shall take effect from and after its passage, approval and publication once in the official city newspaper.

**PASSED BY THE CITY COUNCIL** this \_\_\_\_\_.

**APPROVED BY THE MAYOR** this \_\_\_\_\_.

First Reading                      November 15, 2011  
Second Reading:                      \_\_\_\_\_

(SEAL)

/s/ \_\_\_\_\_  
Michael D. McNown, Mayor

ATTEST:

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

**APPROVED AS TO FORM ONLY:**

/s/ \_\_\_\_\_  
Barry Arbuckle, City Attorney

**OLD BUSINESS****C. ORDINANCE 1235-11, FLOODPLAIN REGULATIONS, 2<sup>nd</sup> READING:**

An Ordinance enacted, approved and incorporating by reference certain **FLOODPLAIN REGULATIONS** governing the use of land and the location of buildings within the City of Valley Center, Kansas Floodplain Regulations (Article 18), adopting by reference Flood Insurance Rate Maps (FIRM) defining the boundaries of the floodplain as determined by the Federal Emergency Management Administration (FEMA), and includes statutory authorization, findings of fact and purpose, general provisions, administration, provision for flood hazard reduction, floodplain management variance procedures, penalties for violation, amendments, definitions, certificate of adoption, and repealing all other Ordinances in conflict herewith.

- Ordinance 1235-11

Should Council choose to proceed,

**RECOMMENDED ACTION:**

Staff recommends motion to adopt Ordinance 1235-11, approving and incorporating by reference certain Floodplain Regulations governing the use of land and the location of buildings within the City of Valley Center, for 2<sup>nd</sup> Reading.

**ORDINANCE NO. 1235-11**

AN ORDINANCE ENACTED, APPROVING AND INCORPORATING BY REFERENCE CERTAIN **FLOODPLAIN REGULATIONS** GOVERNING THE USE OF LAND AND THE LOCATION OF BUILDINGS WITHIN THE CITY OF VALLEY CENTER, KANSAS FLOODPLAIN REGULATIONS (ARTICLE 18), ADOPTING BY REFERENCE FLOOD INSURANCE RATE MAPS (FIRM) DEFINING THE BOUNDARIES OF THE FLOODPLAIN AS DETERMINED BY THE FEDERAL EMERGENCY MANAGEMENT ADMINISTRATION (FEMA), AND INCLUDES STATUTORY AUTHORIZATION, FINDINGS OF FACT AND PURPOSE, GENERAL PROVISIONS, ADMINISTRATION, PROVISION FOR FLOOD HAZARD REDUCTION, FLOODPLAIN MANAGEMENT VARIANCE PROCEDURES, PENALTIES FOR VIOLATION, AMENDMENTS, DEFINITIONS, CERTIFICATE OF ADOPTION, AND REPEALING ALL OTHER ORDINANCES IN CONFLICT HEREWITH.

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

Section 1. **Adoption:** Floodplain regulations are hereby approved and adopted by the Governing Body of the City of Valley Center, Kansas, as prepared and published as a model code by the Valley Center City Planning Commission under the date of October 27, 2011 and entitled "FLOODPLAIN MANAGEMENT REGULATIONS " being Article 18 of the Municipal code and the same are hereby incorporated by reference as fully as if set out herein.

Section 2. **Official Map(s):** There are further herein incorporated by reference and adopted the current Flood Insurance Rate Map(s) (F.I.R.M.) delineating the boundaries of the floodplain which are herewith incorporated into floodplain regulations by adoption of Ordinance No. 1235-11 by the Governing Body of the City of Valley Center on the \_\_\_\_\_ and filed with the Zoning Administrator to be open for inspection and available to the public at all reasonable business hours.

Section 3. **Public Hearing:** The advertised public hearing required by Kansas law was duly held on October 27, 2011 by the Valley Center City Planning Commission, and a discussion of said Floodplain Regulations and map(s) occurred at the hearing; and the Floodplain Regulations and map(s) herein adopted are a true and correct copy of those regulations as recommended by the Planning Commission.

Section 4. **Jurisdiction:** From the effective date of this Ordinance, the Floodplain Regulations and FIRM herein incorporated by reference shall govern all use of the land and location of buildings and other structures within the floodplain of the City of Valley Center, Kansas.

Section 5. **Official Copies:** A copy of the Floodplain Regulations shall be filed with the City Clerk to be open for inspection and available to the public at all reasonable business hours.

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

Section 7. **Effective Date:** This Ordinance shall take effect from and after its passage, approval and publication once in the official city newspaper.

**PASSED BY THE CITY COUNCIL** this \_\_\_\_\_.

**APPROVED BY THE MAYOR** this \_\_\_\_\_.

First Reading: November 15, 2011  
Second Reading: \_\_\_\_\_

(SEAL)

/s/ \_\_\_\_\_  
Michael D. McNown, Mayor

ATTEST:

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

**APPROVED AS TO FORM ONLY:**

/s/ \_\_\_\_\_  
Barry Arbuckle, City Attorney

**OLD BUSINESS****D. ORDINANCE 1236-11, 81<sup>st</sup> STREET SPEED LIMIT, 2<sup>nd</sup>****READING:**

An Ordinance of the City of Valley Center, Kansas, reducing the maximum speed limit on 81<sup>st</sup> Street which is located in Valley Center, Kansas to a maximum speed limit of Thirty-five (35) miles per hour.

- Ordinance 1236-11

Should Council choose to proceed,

**RECOMMENDED ACTION:**

Staff recommends motion to adopt Ordinance 1236-11, reducing the maximum speed limit on 81<sup>st</sup> Street to a maximum of Thirty-five (35) miles per hour, for 2<sup>nd</sup> Reading.

**ORDINANCE NO. 1236-11****AN ORDINANCE OF THE CITY OF VALLEY CENTER, KANSAS,  
REDUCING THE MAXIMUM SPEED LIMIT ON 81ST STREET WHICH  
IS LOCATED IN VALLEY CENTER, KANSAS TO A MAXIMUM SPEED  
LIMIT OF THIRTY-FIVE (35) MILES PER HOUR.**

**WHEREAS**, the City of Valley Center regulates speed limits within the City of Valley Center, pursuant to K.S.A. 8-1560; and

**WHEREAS**, the Valley Center City Council has recommended, in the interest of public safety and general welfare, to reduce the speed limit on 81<sup>st</sup> Street, from west of West Street to the west city limits, to a maximum speed limit of thirty-five (35) miles per hour.

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

**Section 1.**

Pursuant to K.S.A. 8-1560, the City Council finds the current maximum speed limit of fifty-five (55) miles per hour applicable to 81<sup>st</sup> Street, from west of West Street to the west city limits, is a greater limit than is reasonable under the existing conditions on the above described street, and therefore the maximum speed limit should be reduced to thirty-five (35) miles per hour on the street as described above.

City officials and employees including the City Engineer and the Department of Public Works are hereby authorized and directed to take such actions as are necessary to effectuate this ordinance including but not limited to the installation and erection of signs within 81<sup>st</sup> Street as described above which alert the public as to the speed limit.

**Section 2.**

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

**Section 3.**

This ordinance shall be in full force and effect from and after its passage and after publication according to law.

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

First Reading: November 15, 2011  
Second Reading:

{SEAL}

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

ATTEST:

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

**NEW BUSINESS****A. RESOLUTION 587-11, CEMETERY FEES SCHEDULE:**

Resolution of the City Council of the City of Valley Center, Kansas amending the fee schedule for fees related to the Valley Center Municipal Cemetery

- Resolution 587-11

Should Council choose to proceed,

**RECOMMENDED ACTION:**

Staff recommends motion to approve Resolution 587-11 amending the fee schedule for fees related to the Valley Center Municipal Cemetery.

**RESOLUTION NO. 587-11**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF VALLEY CENTER, KANSAS AMENDING THE FEE SCHEDULE FOR FEES RELATED TO THE VALLEY CENTER MUNICIPAL CEMETERY.**

**WHEREAS**, on May 18, 2004, the Governing Body of Valley Center, KS passed and approved Resolution No. 459-04, and;

**WHEREAS**, Resolution No. 459-04 established a fee schedule for charges for established fees identified in the cemetery regulations of the City of Valley Center, KS, and;

**WHEREAS**, the Cemetery Board met on November 21, 2011 to review the current fee schedule in comparison to the cost associated with providing the various services, and;

**WHEREAS**, the Cemetery Board has recommended the City Council consider a modest increase to the cemetery fee schedule to wholly or partially defray the costs for administration and operation of the Valley Center Cemetery, and;

**WHEREAS**, the City is authorized pursuant to K.S.A. 12-1402 and shall have full power to make and enforce all necessary rules and regulations pertaining to the custody, control and care of the cemetery by them, and to determine and collect the price to be paid for lots therein.

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

**Section 1:** The following fees are hereby established for the purpose of wholly or partially defraying costs for operations and maintenance of a municipal cemetery:

Burial Permit	\$100.00
Stone Setting Permit Fee	100.00
Exhumation Permit Fee	250.00
Excavation License	50.00

**Section 2:** The fees for purchase of burial lots within the Valley Center Municipal Cemetery shall be as follows:

Lot purchase for resident of Valley Center	\$400.00
All others	1,000.00

**Section 3:** The foregoing fees shall become effective January 1, 2012 after adoption by the Governing Body of the City of Valley Center, KS.

**PASSED AND APPROVED by the Governing Body of the City of Valley Center, Kansas,  
this 6<sup>th</sup> day of December 2011.**

{SEAL}

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Michael McNown, Mayor

ATTEST:

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Kristine A. Polian, City Clerk

## **CONSENT AGENDA**

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

#### **RECOMMENDED ACTION:**

Staff recommends motion to approve the Consent Agenda as presented.

## **CONSENT AGENDA**

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

The following businesses have made application for a Cereal Malt Beverage License for the year 2012. Applications were received by the City Clerk and recommended for approval by the Chief of Police, Mark Hephner.

#### Package Sales:

Pizza Hut, 344 S Meridian, Valley Center, KS

Leeker's Valley Center, INC, 801 S Meridian, Valley Center, KS

Kwik Shop, 110 E. 5<sup>th</sup>, Valley Center, KS

D & H Enterprise L.L.C., 100 S Meridian, Valley Center, KS

## **STAFF REPORTS**

**A. City Clerk Polian**

**B. Chief of Police Hephner**

- Police Department October 2011 Report
- Municipal Court October 2011 Report

**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**

Officer's Report                      November 14, 2011                      Chief Mark V. Hephner #1

Attention:        Joel Pile  
                          City Administrator  
                          Valley Center Kansas

Subject:            Valley Center Police October Monthly Report

The Police Department answered 269 calls for service during October 2011. Of those calls, 51 generated police cases. Emergency Communications/Records recorded 45 Fire Department calls for service, 73 records dissemination requests, 986 telephone calls and 252 citizen contacts. The following is a break down of the police department cases:

**Calls for Service:** Two 911 hang up call; one aggravated assault; fifteen alarm calls; ten animal calls; eleven assist citizen/motorist calls; nine assist EMS calls; four assist fire; forty-three assist other agency calls; two burglary reports; two criminal damage to property cases; eight check business/residence calls; one check shots fired calls; eight check the welfare calls; three child custody calls; one child in need of care cases; two criminal trespass cases; twelve disorderly conduct/disturbance calls; seven driving/parking complaints; one drug violation; one DUI case; three domestic violence cases; one fireworks complaint; three found property cases; one fraud report; two funeral escorts; two harassment/phone call complaints; one indecent liberties case; two injury accidents; one lost adult; two lost property reports; eight loud music/noise calls; twenty-two misc reports; eight non injury accidents; four open door/gate reports; one runaway report; one sexual assault report; three calls on door to door solicitors; one suicide attempt; twelve suspicious activity/persons/vehicle calls; ten theft cases; one threats report; four traffic hazard calls; and one warrant arrest. Officers wrote forty-one citations with forty-nine violations during the month.

During the month of October, Sedgwick County Emergency 911 Dispatch covered for the City of Valley Center 64 hours.

The chief attended the monthly WALES meeting on October 7. He attended a Technology Seminar at the Wichita/Sedgwick County LE Training Center on Oct 11. The chief attended the monthly area chief's meeting in Wichita on Oct 20.

During the month, Detective Sergeant Lloyd Newman II along with Sgt Vogt supervised Municipal Court sessions during the month. He worked much of the moth with city IT on new computer equipment. He attended KIA Conference in Salina. He worked on an aggravated assault case.

Sgt Vogt attended an Operation Impact meeting on October 5, he was elected to be secretary for the next year. He worked on four DUI cases to be presented for prosecution in state court. He assisted in putting in a setting up the new MDT's in the police vehicles.

Detective Grayson attended the KIA Conference in Salina. He had district court on one of his cases, the suspect was convicted on battery charges. He interviewed three juveniles on auto burglary cases.

**Training:** The monthly safety training was on Oct 26, on cold weather safety. Detective Grayson attended an Asset Forfeiture class at KLETC.

**Community Outreach Programs:** Detective Grayson worked with a podiatrist to speak to the residences at Sunflower Garden. He also handed out glow necklaces to trick or treaters on Main Street.

Detective Grayson spoke at the Union Rescue Mission trying to set up a working relationship with the organization and Valley Center Police Department. We have several families in need of food, clothes, etc and individuals who have drug or alcohol problems and URM are willing to help. He suggested a citizen go there earlier this year and this person has been drug free for 7 months.

**Response Times Average:**

Priority calls-4 minutes

Non-priority calls (Report calls)-10 minutes

**Miscellaneous items:** The department has spent a considerable amount of time implementing some of the new technology purchases with the grant money. We have, along with the city IT person, installed new MDT's in all of the police vehicles, installed several other stand-alone computers in the building and have been working towards getting dispatch working on Sedgwick Co's CAD system.

Officer Allen Adams is gone for three months of training as a part of his National Guard Training.

Chief Mark Hephner  
Valley Center Police Chief  
November 14, 2011

**MUNICIPAL COURT**

10-12-2011

64 TOTAL CASES  
39 TOTAL PERSONS

6 CASES WITH NO STATUS CHG.  
1 TRIAL  
16 INITIAL APPEARANCE TO NEW DATE  
4 CONTINUED TO NEW DATE  
2 CONTINUED  
3 PAYMENT PLAN  
12 DISMISSED WITHOUT PREJUDICE  
1 REVIEW HEARING  
2 EXTENSION OF TIME TO PAY  
8 FINALIZED - FOUND GUILTY  
4 DISMISSED/PRESENTED INSURANCE  
5 LATE NOTICE

10-26-2011

86 TOTAL CASES  
50 TOTAL PERSONS

22 CASES WITH NO STATUS CHG.  
2 DISMISSED/PRESENTED INSURANCE  
6 FINALIZED - FOUND GUILTY  
20 CONTINUED TO NEW DATE  
9 CONTINUED  
10 DISMISSED WITHOUT PREJUDICE  
4 PAYMENT PLAN  
2 TRANSFER TO FELONY COURT  
2 WARRANT ISSUED TO NEW DATE  
4 REVIEW HEARING  
2 INITIAL APPEARANCE TO NEW DATE  
1 NOTICE OF SUSPENSION SENT TO NEW DATE  
1 DISMISSED HAD DL  
1 TRIAL

## **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**