

CITY OF VALLEY CENTER

FINAL AGENDA

January 12, 2012

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.

January 17, 2012

1. **CALL TO ORDER**
2. **ROLL CALL**
3. **INVOCATION: MINISTERIAL ALLIANCE**
4. **PLEDGE OF ALLEGIANCE**
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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 or by phone at (316)755-7310.

For additional information on any item on the agenda, please visit 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 January 3, 2012 Regular Council Meeting as prepared by the City Clerk.

RECOMMENDED ACTION:

Staff recommends motion to approve the January 3, 2012 Regular Council Meeting Minutes as presented / amended

REGULAR COUNCIL MEETING
JANUARY 3, 2012
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 (arrived at 7:05), Lionel Jackson, Kate Jackson, Al Hobson.

Members Absent:

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

Press present: The Ark Valley News

APPROVAL OF THE AGENDA

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

CLERK'S AGENDA

MINUTES- DECEMBER 20, 2011 REGULAR COUNCIL MEETING

L. Jackson moved, second by Cicirello, to approve the Minutes from the December 20, 2011 Regular Council Meeting as presented. Vote yea: unanimous. Motion carried.

APPROPRIATION ORDINANCE- 1/03/2012

Hobson moved, second by Maschino, to approve Appropriation Ordinance No. 1/03/2012 as presented. Vote yea: unanimous. Motion carried.

PUBLIC FORUM

Gene Miller, 134 Norrthwind Drive, had concerns about the drainage north of his street on Meridian.

Mayor McNown stated that the area with which he had issues was in the county but Staff will contact him about it regardless.

COMMITTEES AND COMMISSIONS

Mayor McNown asked City Clerk Polian approximately how many cemetery lots had been sold since the cemetery expansion.

Polian indicated that since the expansion and the announcement that lot prices would be increasing the City has sold over 40 lots.

NEW BUSINESS

CONSIDERATION OF BID TO PURCHASE FIRE TRUCK

Cicirello moved, second by Hobson, to accept the City of Cunningham bid for the 1981 IHC PayStar 5000 tanker for \$5,500. Vote yea: unanimous. Motion carried.

ECONOMIC DEVELOPMENT COMMITTEE WORK PROGRAM AND DRAFT TIMELINE

Community Development Director Utecht stated his focus for the first half of the year is on this Board and hopes they can meet twice a month to get goals accomplished. Said he also plans to create a directory of businesses within the City, and will be conducting a survey with the businesses immediately.

GOVERNING BODY REPORTS

MAYOR MCNOWN

Reminded everyone of the SCAC meeting on January 14 in Mulvane.

COUNCILMEMBER LEFTOFF

Asked if there had been any more consideration on listing employees salaries in the paper.

Mayor McNown stated this information is open record that anyone can request same from City Hall.

COUNCILMEMBER SMITH

Stated he is interested in having a wage analysis done to get a comparison of the City's Staff and other cities in the State, as he believes there is a general belief that the City's Staff is underpaid. Said the information may not be well received but obtaining the information would be good governance.

Mayor McNown asked Pile what the previous cost estimates were for a wage analysis when the Employee Issues Committee requested this information.

Pile said less than a year prior the Committee received 2 bids that he believed were approximately \$3,500 by the League of Kansas Municipalities, and \$5,000 from Austin Peters Group; the \$5,000 analysis would provide a more apples-to-apples comparison than the \$3,500 analysis. He stated again these figures were only an approximation, as he did not have the figures on hand.

Smith said before making a motion for the wage analysis he would like to see more information regarding cost.

Councilmember L. Jackson asked the status of employee evaluations.

Pile said they were 80% complete.

Councilmember Gerling asked if it was possible to publish the employees' wages on the website, as there would be no cost to anyone.

Councilmember Leftoff stated she has been told by several people that the City is losing employees because they are underpaid; she doesn't know this because she does not have the information.

Mayor McNown said publishing the wages will not give a comparison, it will only show what the employees' wages are; the survey will provide the comparison. Said he has his own personal beliefs about publishing the salaries; just because you are a City employee does not mean you should give up your rights of privacy. Reminded Council that the wages could be put on the website but it did come with a cost; for Administration to gather the information requires several man-hours.

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

Meeting adjourned at 7:23 p.m.

Kristine A. Polian, City Clerk

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

Below is the proposed Appropriation Ordinance for January 17, 2012 as prepared by City Staff.

January 17, 2012 Appropriation

• Packet #1	\$ 193,530.94
• Packet #2	<u>\$ 54.09</u>
Total	\$ 193,585.03

RECOMMENDED ACTION:

Staff recommends motion to approve the January 17, 2012 Appropriation Ordinance as presented / amended.

VENDOR NAME	DESCRIPTION	FUND	DEPARTMENT	AMOUNT	
A T & T KANSAS	12/9/11-1/8/12 MULT PH SV	GENERAL FUND	ADMINISTRATION	320.21	
	12/9/11-1/8/12 MULT PH SV	GENERAL FUND	LEGAL & MUNICIPAL COUR	36.72	
	12/9/11-1/8/12 MULT PH SV	GENERAL FUND	POLICE	216.10	
	12/9/11-1/8/12 MULT PH SV	GENERAL FUND	FIRE	35.53	
	12/9/11-1/8/12 MULT PH SV	GENERAL FUND	EMERGENCY COMMUNICATIO	184.65	
	12/3/11-1/3/12 INTERNET S	GENERAL FUND	PARKS AND PUBLIC GROUN	65.00	
	12/9/11-1/8/12 MULT PH SV	GENERAL FUND	PARKS AND PUBLIC GROUN	54.30	
	12/9/11-1/8/12 MULT PH SV	WATER OPERATING	NON-DEPARTMENTAL	137.46	
	12/9/11-1/8/12 DES SUBSTA	SEWER OPERATING	NON-DEPARTMENTAL	43.15	
	12/9/11-1/8/12 VALL CRK P	SEWER OPERATING	NON-DEPARTMENTAL	42.15	
	12/9/11-1/8/12 MULT PH SV	SEWER OPERATING	NON-DEPARTMENTAL	194.99	
		TOTAL:		1,330.26	
	ARK VALLEY NEWS	12/2011 PRINT LEGALS	GENERAL FUND	ADMINISTRATION	259.42
				TOTAL:	259.42
	AT&T	1-545 W CLAY	SEWER OPERATING	NON-DEPARTMENTAL	319.02
2-545 W CLAY		SEWER OPERATING	NON-DEPARTMENTAL	148.66	
MULTIPLE ADDRESSES		SEWER OPERATING	NON-DEPARTMENTAL	298.37	
1-616 E FIFTH		SEWER OPERATING	NON-DEPARTMENTAL	74.33	
1-119 N PARK; 2-616		SEWER OPERATING	NON-DEPARTMENTAL	74.33	
		TOTAL:		914.71	
CITY OF WICHITA	11/14-12/12 ICT WTR PURCH	WATER OPERATING	NON-DEPARTMENTAL	19,700.79	
			TOTAL:	19,700.79	
E S R I	ARCVIEW SINGLE USE-MAINT	GENERAL FUND	COMMUNITY DEVELOPMENT	800.00	
			TOTAL:	800.00	
FAMILY SUPPORT PAYMENT CENTER	81330713	SPECIAL HIGHWAY	NON-DEPARTMENTAL	83.75	
			TOTAL:	83.75	
H & H ADMINISTRATORS	11/2011 WELLNESS WORKS FE	GENERAL FUND	ADMINISTRATION	240.12	
			TOTAL:	240.12	
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	WATER OPERATING	NON-DEPARTMENTAL	200.00	
		TOTAL:		849.50	
INTRUST BANK NA	EMP FED TAX W/H	GENERAL FUND	NON-DEPARTMENTAL	163.79	
	EMP DEDUCT-FICA	GENERAL FUND	NON-DEPARTMENTAL	148.17	
	EMP DEDUCT-MEDICARE	GENERAL FUND	NON-DEPARTMENTAL	51.20	
	EMP DEDUCT-FED W/H	GENERAL FUND	NON-DEPARTMENTAL	4,410.25	
	EMP DEDUCT-FICA	GENERAL FUND	NON-DEPARTMENTAL	1,855.90	
	EMP DEDUCT-MEDICAR	GENERAL FUND	NON-DEPARTMENTAL	640.73	
	EMPR BENEFITS-MEDICA	EMPLOYEE BENEFITS	NON-DEPARTMENTAL	51.20	
	EMPR BENEFITIS-FICA	EMPLOYEE BENEFITS	NON-DEPARTMENTAL	218.72	

VENDOR NAME	DESCRIPTION	FUND	DEPARTMENT	AMOUNT
	EMPR BENEFITS-MEDICA	EMPLOYEE BENEFITS	NON-DEPARTMENTAL	640.73
	EMPR BENEFITS-FICA	EMPLOYEE BENEFITS	NON-DEPARTMENTAL	2,739.67
	EMP DEDUCT-FED W/H	SPECIAL HIGHWAY	NON-DEPARTMENTAL	607.70
	EMP DEDUCT-FICA	SPECIAL HIGHWAY	NON-DEPARTMENTAL	285.08
	EMP DEDUCT-MEDICAR	SPECIAL HIGHWAY	NON-DEPARTMENTAL	98.42
	EMPR BENEFITS-MEDICA	SPECIAL HIGHWAY	SPECIAL HIGHWAY	98.42
	EMPR BENEFITS-FICA	SPECIAL HIGHWAY	SPECIAL HIGHWAY	420.82
	EMP DEDUCT-FED W/H	WATER OPERATING	NON-DEPARTMENTAL	859.99
	EMP DEDUCT-FICA	WATER OPERATING	NON-DEPARTMENTAL	389.87
	EMP DEDUCT-MEDICAR	WATER OPERATING	NON-DEPARTMENTAL	134.60
	EMPR BENEFITS-MEDICA	WATER OPERATING	NON-DEPARTMENTAL	134.60
	EMPR BENEFITS-FICA	WATER OPERATING	NON-DEPARTMENTAL	575.53
	EMP DEDUCT-FED W/H	SEWER OPERATING	NON-DEPARTMENTAL	232.04
	EMP DEDUCT-FICA	SEWER OPERATING	NON-DEPARTMENTAL	119.99
	EMP DEDUCT-MEDICAR	SEWER OPERATING	NON-DEPARTMENTAL	41.43
	EMPR BENEFITS-MEDICA	SEWER OPERATING	NON-DEPARTMENTAL	41.43
	EMPR BENEFITS-FICA	SEWER OPERATING	NON-DEPARTMENTAL	177.13
			TOTAL:	15,137.41
KANSAS DEPT OF REVENUE	12/2011 MONTHLY FED TAX W	GENERAL FUND	NON-DEPARTMENTAL	91.10
	12/30 BW KS KW-5 TAX W/H	GENERAL FUND	NON-DEPARTMENTAL	1,882.14
	12/30 BW KS KW-5 TAX W/H	SPECIAL HIGHWAY	NON-DEPARTMENTAL	245.74
	12/30 BW KS KW-5 TAX W/H	WATER OPERATING	NON-DEPARTMENTAL	448.00
	12/30 BW KS KW-5 TAX W/H	SEWER OPERATING	NON-DEPARTMENTAL	92.46
			TOTAL:	2,759.44
KPERS	EMP DEDUCT-TIER I	GENERAL FUND	NON-DEPARTMENTAL	1,495.57
	EMP DEDUCT-MILT BB	GENERAL FUND	NON-DEPARTMENTAL	62.38
	EMP DEDUCT-TIER II	GENERAL FUND	NON-DEPARTMENTAL	346.70
	EMPR DEDUCT-TIER I	EMPLOYEE BENEFITS	NON-DEPARTMENTAL	3,031.58
	EMPR DEDUCT-TIER II	EMPLOYEE BENEFITS	NON-DEPARTMENTAL	447.23
	EMP DEDUCT-TIER I	SPECIAL HIGHWAY	NON-DEPARTMENTAL	131.11
	EMP DEDUCT-TIER II	SPECIAL HIGHWAY	NON-DEPARTMENTAL	146.19
	EMPR DEDUCT-TIER I	SPECIAL HIGHWAY	SPECIAL HIGHWAY	253.69
	EMPR DEDUCT-TIER II	SPECIAL HIGHWAY	SPECIAL HIGHWAY	188.59
	EMP DEDUCT-TIER I	WATER OPERATING	NON-DEPARTMENTAL	229.64
	EMP DEDUCT-TIER II	WATER OPERATING	NON-DEPARTMENTAL	213.10
	EMPR DEDUCT-TIER I	WATER OPERATING	NON-DEPARTMENTAL	444.34
	EMPR DEDUCT-TIER II	WATER OPERATING	NON-DEPARTMENTAL	274.91
	EMP DEDUCT-TIER I	SEWER OPERATING	NON-DEPARTMENTAL	124.06
	EMPR DEDUCT-TIER I	SEWER OPERATING	NON-DEPARTMENTAL	240.06
			TOTAL:	7,629.15
LAURIE B WILLIAMS	0914039	GENERAL FUND	NON-DEPARTMENTAL	55.00
	1113654	GENERAL FUND	NON-DEPARTMENTAL	172.00
	081223113	WATER OPERATING	NON-DEPARTMENTAL	100.00
	081002813	WATER OPERATING	NON-DEPARTMENTAL	84.00
			TOTAL:	411.00
LOGO DEPOT	UNIFORM SHIRTS-ADMINISTRA	GENERAL FUND	ADMINISTRATION	448.84
			TOTAL:	448.84
MAYER SPECIALTY SERVICES	12/19 COMBINA UNIT VACUUM	SPECIAL HIGHWAY	SPECIAL HIGHWAY	960.00
	9/20 COMBINA UNIT HIGH PR	CAPITAL PROJECTS F	SEWER REHAB-2010 CIP	3,081.25
	10/26 EMER SVC-VACUUM TRK	CAPITAL PROJECTS F	SEWER REHAB-2010 CIP	475.00
	10/24 CLN LIFT STA @ 5TH	CAPITAL PROJECTS F	SEWER REHAB-2010 CIP	647.50

VENDOR NAME	DESCRIPTION	FUND	DEPARTMENT	AMOUNT
	6/8 EMERG SVC-UNPLUG/CLN	SEWER OPERATING	NON-DEPARTMENTAL	562.50
	12/14 REHAB INTERIOR-MANH	SEWER OPERATING	NON-DEPARTMENTAL	3,750.00
			TOTAL:	9,476.25
MIDWEST ENERGY EFFICIENCY ALLIANCE	LEVEL 1 COURSE SERIE	GENERAL FUND	PARKS AND PUBLIC GROUN	575.00
			TOTAL:	575.00
MIRACLE SIGNS	CONTROLLER REBOOT	GENERAL FUND	ADMINISTRATION	114.45
			TOTAL:	114.45
P E C	ENG SERVICES	CAPITAL PROJECTS F	5th ST BRIDGE REPLACEM	82,150.00
			TOTAL:	82,150.00
R.E. PEDROTTI CO. INC	BLDG COMMS REPAIR	SEWER OPERATING	NON-DEPARTMENTAL	1,392.00
	USB ETHERNET ADAPTOR	SEWER OPERATING	NON-DEPARTMENTAL	59.10
			TOTAL:	1,451.10
REYNOLDS INLINER LLC	PAYMENT NO. 2 - WWTP REHA	CAPITAL PROJECTS F	SEWER REHAB-2010 CIP	46,349.59
			TOTAL:	46,349.59
RICHARD L DICKSON	12/14 ATTY SVCS-#090480	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
TYLER TECHNOLOGIES INC	EPSON THERMAL RCPT PRNTR	GENERAL FUND	ADMINISTRATION	1,050.00
			TOTAL:	1,050.00
UCI - UTILITY CONSULTANTS	ANNUAL ADMIN & EMP FEE(S)	GENERAL FUND	PARKS AND PUBLIC GROUN	80.00
	ANNUAL ADMIN & EMP FEE(S)	SPECIAL HIGHWAY	SPECIAL HIGHWAY	320.00
	ANNUAL ADMIN & EMP FEE(S)	WATER OPERATING	NON-DEPARTMENTAL	240.00
	ANNUAL ADMIN & EMP FEE(S)	SEWER OPERATING	NON-DEPARTMENTAL	160.00
			TOTAL:	800.00
VANTAGEPOINT TRANS AGENTS	528160-9524	GENERAL FUND	NON-DEPARTMENTAL	15.00
	528160-5676	GENERAL FUND	NON-DEPARTMENTAL	50.00
	528160-1923	GENERAL FUND	NON-DEPARTMENTAL	25.00
			TOTAL:	90.00
VERIZON WIRELESS	11/23-12/22 BRDBND	GENERAL FUND	ADMINISTRATION	40.01
	11/23-12/22 BRDBND SVCS	GENERAL FUND	ADMINISTRATION	40.03
	11/23-12/22 BRDBND SVCS	GENERAL FUND	COMMUNITY DEVELOPMENT	40.01
	11/23-12/22 BRDBND SVCS	GENERAL FUND	POLICE	40.01
	11/23-12/22 BRDBND SVCS	GENERAL FUND	POLICE	40.01
	11/23-12/22 BRDBND SVCS	GENERAL FUND	POLICE	40.01
	11/23-12/22 BRDBND SVCS	GENERAL FUND	POLICE	40.01
	11/23-12/22 BRDBND SVCS	GENERAL FUND	POLICE	40.01
	11/23-12/22 BRDBND SVCS	GENERAL FUND	POLICE	40.01
	11/23-12/22 BRDBND SVCS	GENERAL FUND	POLICE	40.01
	11/23-12/22 BRDBND SVCS	GENERAL FUND	POLICE	40.01
	11/23-12/22 BRDBND SVCS	GENERAL FUND	POLICE	40.01
	11/23-12/22 BRDBND SVCS	GENERAL FUND	POLICE	40.01
	11/23-12/22 BRDBND SVCS	GENERAL FUND	POLICE	40.01
	11/23-12/22 BRDBND SVCS	GENERAL FUND	POLICE	40.01
	11/23-12/22 BRDBND SVCS	GENERAL FUND	POLICE	40.01
			TOTAL:	560.16

VENDOR NAME	DESCRIPTION	FUND	DEPARTMENT	AMOUNT_
VERLIN A INGRAM	ATTY SVCS #11-514C/090703	GENERAL FUND	LEGAL & MUNICIPAL COUR	150.00_
			TOTAL:	150.00

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

010	GENERAL FUND	17,477.43
110	EMPLOYEE BENEFITS	7,129.13
150	SPECIAL HIGHWAY	3,854.51
350	CAPITAL PROJECTS FUND	132,703.34
610	WATER OPERATING	24,179.33
620	SEWER OPERATING	8,187.20

	GRAND TOTAL:	193,530.94

SELECTION CRITERIA

SELECTION OPTIONS

VENDOR SET: 02-CVC - VENDOR ACCOUNTS
VENDOR: All
CLASSIFICATION: All
BANK CODE: All
ITEM DATE: 12/24/2011 THRU 12/31/2011
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

PAYROLL SELECTION

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

PRINT OPTIONS

PRINT DATE: None
SEQUENCE: By Vendor Name
DESCRIPTION: Distribution
GL ACCTS: NO
REPORT TITLE: COUNCIL MTG PACKET #1 1/17/11
SIGNATURE LINES: 0

PACKET OPTIONS

INCLUDE REFUNDS: YES
INCLUDE OPEN ITEM:NO

VENDOR NAME	DESCRIPTION	FUND	DEPARTMENT	AMOUNT_
CONNIE J OWINGS	10/2011 MILEAGE	GENERAL FUND	ADMINISTRATION	0.56
	11/2011 MILEAGE	GENERAL FUND	ADMINISTRATION	2.22
	12/2011 MILEAGE	GENERAL FUND	ADMINISTRATION	0.56_
	TOTAL:			3.34
HOLLY A COE	11/2011 MILEAGE	GENERAL FUND	ADMINISTRATION	5.44
	12/2011 MILEAGE	GENERAL FUND	ADMINISTRATION	31.03_
	TOTAL:			36.47
RON EKSTROM	JURY DUTY MILEAGE	GENERAL FUND	ADMINISTRATION	14.28_
	TOTAL:			14.28

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===== FUND TOTALS =====
010 GENERAL FUND                54.09
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GRAND TOTAL:                    54.09
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SELECTION CRITERIA

SELECTION OPTIONS

VENDOR SET: 03-CVC - EMPLOYEE A/P ACCOUN
VENDOR: All
CLASSIFICATION: All
BANK CODE: All
ITEM DATE: 12/24/2011 THRU 12/31/2011
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

PAYROLL SELECTION

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

PRINT OPTIONS

PRINT DATE: None
SEQUENCE: By Vendor Name
DESCRIPTION: Distribution
GL ACCTS: NO
REPORT TITLE: COUNCIL MTG PACKET #2 1/17/11
SIGNATURE LINES: 0

PACKET OPTIONS

INCLUDE REFUNDS: YES
INCLUDE OPEN ITEM:NO

PRESENTATIONS / PROCLAMATIONS

PUBLIC FORUM

APPOINTMENTS

A. APPOINTMENTS TO ECONOMIC DEVELOPMENT BOARD:

B. RECOMMENDATION TO NOMINATE REPRESENTATIVE TO SEDGWICK COUNTY STORMWATER MANAGEMENT ADVISORY BOARD:

Warren Utecht, Community Development Director

COMMITTEES, COMMISSIONS

A. MINUTES FOR COUNCIL REVIEW:

- Library Board, November 14, 2011 Meeting

Board Minutes from November 14, 2011
Edna Buschow Memorial Library

The meeting was called to order by Amy Stamm, President. Those in attendance were Amy Stamm, Howard Botts, Marsha Huebert, Jenna Sauber, Mary Aspensen, Janice Sharp, and Terry Foster. Nancy Anderson from the Friends Group was also in attendance.

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

Howard made the motion to approve the October minutes and Marsha seconded, Motion carried, vote was unanimous

Howard reported that he and Jeff Pritchard had approached a few businesses on Library fundraising issues. Suggested we have a combination meeting with the Friends Group to review the written materials before going full force on presentations. The Railroad grant has been submitted and patron has applied for a grant with her employer on our behalf. * Terry will make 3 CD's of the power point presentation that has been prepared for presentations. Nancy reported that Mary Paul has agreed to help write grants and Nancy will also try to find a 2nd grant writer to help out. Amy will address the Chamber at the luncheon to see if there is anyone else willing to help with fundraising presentations.

Howard made the motion to approve the financials and Mary seconded. Motion carried and the vote was unanimous.

Janice reported that the security software is installed as well as time limit software for a cost of \$33 per year. There have been some minor changes to our internet policy. The board can read the updated report and suggest any changes they would like to see. Policy will be reviewed at the December meeting. Due to a change of the Library account name at Sam's Club our Discover card will no longer be accepted by Sam's so the bank has suggested we get a debit card to use instead of the Discover card. There were 2,935 items purchased last year (books, CD's, audio, etc) Had discussion about cutting back on the purchase of books and using some of that money to increase our DVD and audio collections.

Terry reported that there were 1,133 weeded materials last month which help improve our shelf space. One staff member has reduced their hours from 30 per week to 24 hours. The community events bulletin board is now in the foyer. Our movie licenses are now active and our first movie night was held on 11/11/11 with a viewing of the new Harry Potter release. There were 35 kids and 9 adults in attendance. Terry wrote a summary review of the event and was awarded a free DVD for doing a good job. We will also be featured in the Check It Out Magazine, produced by Movie Licensing USA giving details about our successful Movie Party event. Discussion was also had about a possible award program for staff that has been with the Library for 10-15-20-25 years. We looked at the City program to get ideas. Terry is now set up for Google alerts on Library grant information. Pages pal's is donating left over items to Christmas Kids and the Library will also be a drop off point for the Christmas Kids program. Terry is meeting with State Farm Insurance about a possible grant for the new facility on Thursday. The new kid's movie time will begin on Dec. 1st at 4:15. This is a free movie with popcorn for all kids. Parents will be given a list of titles in advance so they can approve which movies their kids can view.

We raised a total of \$6,711.88 for the new library from the Fall Festival and the Steak Feed. The Friends Group has transferred \$20,571.20 to the Library account to pay for all library fundraising, materials, etc that the library has paid for so far. We should now be able to have the Friends group pay the costs directly as the events occur.

A final review of the Policy Manual will be completed at the Dec. meeting.

The board went into executive session at 8:30 for 10 minutes to discuss personnel. It was decided to give the staff a Christmas bonus again this year in the same value as last year. A Christmas party will be held right after the next board meeting on December 12, 2011 for all staff and their spouses and Friends.

The Library will be closed on Saturday November 19th, in honor of Les Anderson.

Marsha made the motion to adjourn the meeting and Mary 2nd. Vote was unanimous.

OLD BUSINESS

A. CONSIDERATION OF COMPENSATION ANALYSIS QUOTES:

- City Administrator Memo

Should Council choose to proceed,

RECOMMENDED ACTION:

Staff recommends motion to contract with either The Austin Peters Group or LKM to perform compensation analysis for City Employees.



MEMO

TO: Honorable Mayor McNown & Valley Center City Council

FROM: Joel Pile, City Administrator

DATE: January 11, 2012

RE: *Wage/Compensation Analysis*

As requested during the January 3, 2012 City Council Meeting, staff has requested and received two quotes from firms to provide the City with a comparative wage analysis.

The first quote is from The Austin Peters Group, Inc. (Marla Flentje) and is for \$2,500 to conduct a basic market survey. If Council desires to revise the whole pay plan where employees are classified internally based on a point system for internal equity, the cost is \$180 for each position in addition to the initial \$2,500 for the collection and analysis of market data. The total estimated cost for this service would be \$10,240.

The second quote is from the League of Kansas Municipalities (LKM) and is for \$950 to conduct a basic market survey. The survey will be based upon results obtained from the annual wage survey conducted by the League with salary comparisons tailored for each position in the City. The \$950 quote is dependent upon the City fully participating in the annual wage survey, the quote increases to \$2,000 if the City does not participate.

NEW BUSINESS**A. RESOLUTION 589-12; RETRO SYSTEMS NOMINATION:**

Resolution in support of Retro Systems nomination for the 2012 Kansas Governors Exporter of the Year Award.

- Resolution 589-12

Should Council choose to proceed,

RECOMMENDED ACTION:

Staff recommends motion to adopt Resolution 589-12, supporting the nomination of Retro Systems for the 2012 Kansas Governors Exporter of the Year Award.

RESOLUTION NO. 589-12**RESOLUTION IN SUPPORT OF RETRO SYSTEMS NOMINATION FOR THE 2012 KANSAS GOVERNOR'S EXPORTER OF THE YEAR AWARD**

WHEREAS, each year, the Kansas Governor's Exporter of the Year program brings statewide recognition to Kansas companies committed to expanding sales in international markets and showcases those exporters as role models to other Kansas companies seeking similar success; and,

WHEREAS, the Exporter of the Year Award is dedicated to thanking employers for helping to put Kansas on the world map; and,

WHEREAS, Retro Systems, which is a home-grown company in the City of Valley Center, employs 31 highly skilled workers who build very specialized Plasma, Oxy-fuel and Waterjet Cutting Machines, with anticipation their employment numbers will grow in the coming years; and,

WHEREAS, Retro Systems aggressively exports nearly 30 percent of their Plasma, Oxy-fuel and Waterjet Cutting Machines to clients all over the world, with clients being in Canada, Mexico, Bahrain, Qatar, Saudi Arabia, United Arab Emirates and Russia.

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

Section 1: The City of Valley Center considers Retro Systems to be one of the City's premier manufacturing facilities and recommends their nomination for the "Kansas Governor's Exporter of the Year Award".

PASSED AND APPROVED by the Governing Body of the City of Valley Center, Kansas, this ____ day of _____ 2012.

{SEAL}

Michael McNown, Mayor

ATTEST:

Kristine A. Polian, City Clerk

NEW BUSINESS**B. ORDINANCE 1237-12, SCRAP METAL DEALERS, 1st READING:**

- K.S.A. 2012 Supplement. 50-6,109-50-6,112 requires Scrap Metal Dealers to be licensed.
- Ordinance 1237-12 would amend City Code and create a provision requiring individuals or firms engaged in the business of buying or dealing scrap metal to be licensed.

Should Council choose to proceed,

RECOMMENDED ACTION:

Staff recommends motion to approve Ordinance 1237-12, amending Title 5 of the Valley Center, Kansas, Municipal Code by adding Chapter 5.36 "Scrap Metal Dealers", for 1st reading.

ORDINANCE NO. 1237-12**AN ORDINANCE OF THE VALLEY CENTER CITY COUNCIL AMENDING TITLE 5 OF THE VALLEY CENTER, KANSAS, MUNICIPAL CODE BY ADDING CHAPTER 5.36 "SCRAP METAL DEALERS"**

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

Section 1 The following Chapter shall be added to the Municipal Code of the City of Valley Center, Kansas

CHAPTER 5.36 "SCRAP METAL DEALERS"**Sections:**

- 5.36.010 Definitions
- 5.36.020 Application
- 5.36.030 Qualifications
- 5.36.040 Suspension, Revocation, Appeals
- 5.36.050 Unlawful Acts, Scrap Metal Dealer Register
- 5.36.060 Unlawful Acts, Purchase and Sale of Scrap, Mandatory Hold
- 5.36.070 Penalties

5.36.010 Definitions As used in this section the following definitions shall apply:

- A. "Scrap metal dealer" means any person that operates a business out of a fixed location, and that is also either:
 1. Engaged in the business of buying and dealing in regulated scrap metal;
 2. purchasing, gathering, collecting, soliciting or procuring regulated scrap metal; or
 3. operating, carrying on, conducting or maintaining a regulated scrap metal yard or place where regulated scrap metal is gathered together and stored or kept for shipment sale or transfer.
- B. "Public Officer" means the Chief of Police of the Valley Center Police Department, or his designee.
- C. "Regulated scrap metal yard" means any yard plot, space, enclosure, building or any other place where regulated scrap metal is collected, gathered together and stored or kept for shipment, sale or transfer.
- D. "Regulated scrap metal" shall mean wire, cable, bars, ingots, wire scraps, pieces, pellets, clamps, aircraft parts, junk vehicles, vehicle parts, pipes or connectors made from aluminum; catalytic converters containing platinum palladium or rhodium; and copper, titanium, tungsten, stainless steel and nickel in any form; for which the purchase price described in K.S.A. 50.6,110 and 50-6,111, and amendments thereto, was primarily based on the content therein of aluminum, copper, titanium, tungsten nickel, platinum, palladium, stainless steel or rhodium; any item composed in whole or in part of any nonferrous metal other than an item composed of tin, that is purchased or otherwise

Scrap Metal Dealers Ordinance

acquired for the purpose of recycling or storage for later recycling. Aluminum shall not include food or beverage containers.

- E. "Bales of regulated metal" means regulated scrap metal property processed with professional recycling equipment by compression, shearing or shredding, to a form in which it may be sold by a scrap metal dealer consistent with industry standards.
- F. "Ferrous metal" means a metal that contains iron or steel.
- G. "Junk vehicle" means a vehicle not requiring a title as provided in chapter 8 of the Kansas Statutes Annotated, and amendments thereto, aircraft, boat, farming implement, industrial equipment, trailer or any other conveyance used on the highways and roadways, which has no use or resale value except as scrap.
- H. "Nonferrous metal" means a metal that does not contain iron or steel, including but not limited to, copper, brass, aluminum bronze, lead, zinc, nickel and their alloys.
- I. "Tin" means a metal consisting predominantly of light sheet metal ferrous scrap, including large and small household appliances, construction siding and construction roofing.
- J. "Vehicle part" means the front clip consisting of the two front fenders, hood, grill and front bumper of an automobile assembled as one unit; or the rear clip consisting of those body parts behind the rear edge of the back doors, including both rear quarter panels, the rear window, trunk lid, trunk floor panel and rear bumper, assembled as one unit; or any other vehicle part.

5.36.020 Application

- A. No business shall purchase any regulated scrap metal without having first registered each place of business with the designated Public Officer.
- B. The Public Officer shall provide the City of Valley Center Police Department with written notice of the filing of registration by a scrap metal dealer within 10 days of registration or renewal.
- C. A registration for a scrap metal dealer shall be verified upon a form approved by the Kansas attorney general and shall contain:
 - 1. The name and residence of the applicant;
 - 2. The length of time that the applicant has resided within the State of Kansas and a list of all residences outside the State of Kansas during the previous 10 years;
 - 3. The particular place of business for which a registration is desired;
 - 4. The name of the owner of the premises upon which the place of business is located; and
 - 5. The applicant shall disclose any prior convictions within 10 years immediately preceding the date of making the registration for theft; theft of property lost, mislaid or delivered by mistake; theft of services; criminal deprivation of property; or any

Draft Scrap Metal Dealers Ordinance

- other crime involving possession of stolen property, as defined under Kansas law, or comparable crimes as defined under the laws of any other State.
- D. Each registration for a scrap metal dealer to purchase regulated scrap metal shall be accompanied by a fee of \$100.
 - E. The Public Officer shall accept a registration for a scrap metal dealer from any scrap metal dealer engaged in business in the city and qualified to file such registration to purchase regulated scrap metals. Such registration shall be issued for a period of 10 years.
 - F. If an original registration is accepted, the Public Officer shall grant and issue annual renewals thereof upon application of the registration holder, if the registration holder is qualified to receive the same and the registration has not been revoked as provided by law. The fee for such renewal, which shall be in addition to the fee provided by section D., shall be \$25.
 - G. No registration issued under this act shall be transferable.
 - H. Violation of section A. is a Class C misdemeanor.
 - I. This section shall not apply to a business licensed under the provisions of K.S.A. 8-2404, and amendments thereto, unless such business buys or recycles regulated scrap metal that are not motor vehicle components.

5.36.030 Qualifications

- A. After examining the information contained in a filing for a scrap metal dealer registration, and determining the registration meets the statutory requirements for such registration the Public Officer shall accept such filing and the scrap metal dealer shall be deemed to be properly registered.
- B. No scrap metal registration shall be accepted for:
 1. A person who is under 18 years of age and whose parents or legal guardians have been convicted of a felony or other crime which would disqualify a person from registration under this section and such crime was committed during the time that such parents or legal guardians held a registration under this act.
 2. A person, within five years immediately preceding the date of filing, has pled guilty to, been convicted of, released from incarceration for or released from probation or parole for committing, attempting to commit, or conspiring to commit a violation of article 37 of chapter 21 of the Kansas Statutes Annotated, prior to their repeal, or K.S.A. 21-5801 through K.S.A. 21-5839 and subsection (a)(6) of K.S.A 21-6412, perjury, K.S.A. 21-3805, prior to its repeal, or K.S.A. 21-5903, compounding a crime, K.S.A. 21-3807, prior to its repeal, obstructing legal process or official duty, K.S.A. 2-3808, prior to its repeal, falsely reporting a crime, K.S.A. 21-3818, prior to its repeal, interference with law enforcement, falsely reporting of a crime, K.S.A. 2-3818, prior to its repeal, interference with law enforcement, K.S.A. 21-5904, interference with judicial process, K.S.A. 21-5905, or any crime involving moral turpitude.

Scrap Metal Dealers Ordinance

3. A person who, within the five years immediately preceding the date of registration has pled guilty to, been found guilty of, or entered a diversion agreement for violating the provisions of section 1, and amendments thereto, K.S.A, 50-6,109 et seq., and amendments thereto, the laws of another state comparable to such provisions or laws of any county or city regulating the sale or purchase of regulated scrap metal three or more times.
4. A person who within the three years immediately preceding the date of registration held a scrap metal dealer registration which was revoked, or managed a facility for a scrap metal dealer whose registration was revoked, or was an employee whose conduct led to or contributed to the revocation of such registration.
5. A person who makes a materially false statement on the registration application or has made a materially false statement on a registration or similar filing within the last three years.
6. A partnership or limited liability company, unless all members of the partnership or limited liability company are otherwise qualified to file a registration.
7. A corporation, if any manager, officer or director thereof, or any stockholder owning in the aggregate more than 25% of the stock of such corporation, would be ineligible to receive a license hereunder for any reason.
8. A person whose place of business is conducted by a manager or agent unless the manager or agent possesses all of the qualifications for registration.
9. A person whose spouse has been convicted of a felony or other crime which would disqualify a person from registration under this section and such crime was committed during the time that the spouse held a registration under this act.

5.36.40 Suspension, Revocation, Appeals

- A. The Public Officer, upon five days notice to the persons holding a registration, may suspend the scrap metal dealer's registration for up to 30 days for any one of the following reasons:
 1. The registrant has been convicted of violating any of the provisions of K.S.A. 50-6,109 et seq., and amendments thereto, or any similar ordinance, resolution or rules or regulations made by the City Council, as the case may be;
 2. the employment or continuation in employment of a person if the registered scrap metal dealer knows such person has, within the 24 months prior to the notice of suspension or revocation action, been convicted of violating any of the provisions of this Section, or K.S.A. 50-6,109 et seq., and amendments thereto, or the laws of another state comparable to such provisions, or any city or county ordinance or resolution, or regulation controlling scrap metal sale or purchase in Kansas or any other state; or
 3. Permitting any criminal activity under the Kansas criminal code or city ordinance in or upon the registrant's place of business.

Draft Scrap Metal Dealers Ordinance

- B. The Public Officer may revoke the registration of a scrap metal dealer who has had its registration suspended three or more times within a 24-month period.
- C. The Public Officer, upon five days' notice to the person holding the registration, shall revoke or suspend the registration for any one of the following reasons:
 - 1. The registrant has fraudulently registered by knowingly giving materially false information on the registration form;
 - 2. The registrant has become ineligible to obtain a registration under this act;
 - 3. The nonpayment of any registration fees after receiving written notice that such registration fees are more than 30 days past due; or
 - 4. Within 20 days after the order of the Public Officer denying, revoking or suspending any registration, the registrant may appeal to the district court and the district court shall proceed to hear such appeal as though the court had original jurisdiction of the matter. Upon request by the registrant the district court may enjoin the revocation or suspension of a registration until final disposition of any action brought under this act.
- D. Any action brought under sections A., B. ,or C. shall be brought individually against a single registrant's site and not against any other scrap metal sites or locations registered by the same individual, company or business entity.

5.36.050 Unlawful Acts, Scrap Metal Dealer Register.

- A. Except as provided in section D., it shall be unlawful for any person to sell any item or items of regulated scrap metal to a scrap metal dealer, or employee or agent of a dealer, unless such person presents to such scrap metal dealer, or employee or agent of such dealer, at or before the time of sale, the following information: The seller's name, address, sex, date of birth and the identifying number from the seller's driver's license, military identification card, passport or personal identification license. The identifying number from an official governmental document for a country other than the United States may be used to meet this requirement provided that a legible fingerprint is also obtained from the seller.
- B. Every scrap metal dealer shall keep a register in which the dealer, or employee or agent of the dealer, shall at the time of purchase or receipt of any item for which such information is required to be presented, cross-reference to previously received information, or accurately and legibly record at the time of sale the following information:
 - 1. The time, date and place of transaction;
 - 2. The seller's name, address, sex, date of birth and the identifying number from the seller's driver's license, military identification card, passport or personal identification license; the identifying number from an official governmental document for a country other than the United States may be used to meet this requirement provided that a legible fingerprint is also obtained from the seller;
 - 3. A copy of the identification card or document containing such identifying number;

Scrap Metal Dealers Ordinance

4. The license number, color and style or make of any motor vehicle in which the junk vehicle or other regulated scrap metal property is delivered in a purchase transaction;
 5. A general description, made in accordance with the custom of the trade, of the predominant types of junk vehicle or other regulated scrap metal property purchased in the transaction;
 6. The weight quantity or volume, made in accordance with the custom of the trade, of the regulated scrap metal property purchased;
 7. If a junk vehicle or vehicle part is being bought or sold, a description of the junk vehicle or vehicle part, including the make, model, color, vehicle identification number and serial number if applicable;
 8. The amount of consideration given in a purchase transaction for the junk vehicle or other regulated scrap metal property; and
 9. The name of the individual acting on behalf of the regulated scrap metal dealer in making the purchase.
- C. The scrap metal dealer's register, including copies of identification cards, may be kept in electronic format.
- D. Notwithstanding the foregoing, this section shall not apply to:
1. Transactions involving regulated scrap metal, except for catalytic converters, for which the total sale price for all regulated scrap metal is \$50.00 or less;
 2. Transactions involving only catalytic converters for which the total sale price is \$30.00 or less;
 3. Transactions in which the seller is also a scrap metal dealer; or
 4. Transactions for which the seller is known to the purchasing scrap metal dealer to be an established business that operates out of a fixed business location and that can reasonably be expected to generate regulated scrap metal.
- E. The exceptions contained in sections D. 1. and D. 2. shall not apply to any purchase from any seller of the following materials:
1. Catalytic converters purchased separate from a vehicle;
 2. Coated or insulated wire or stripped wire or burnt wire;
 3. Refrigeration condensing units or air conditioning coils of any type; or
 4. Copper tubing, bars, plate, buss bar and sheet copper.

Draft Scrap Metal Dealers Ordinance

- F. It shall be unlawful for any scrap metal dealer, or employee or agent of the dealer, to pay for any of the items described in sections E.1. through E. 4. by any means other than:
1. A pre-numbered check drawn on a regular bank account in the name of the scrap metal dealer and with such check made payable to the person documented as the seller in accordance with section B.; or
 2. A system for automated cash or electronic payment distribution which photographs or videotapes the payment recipient and identifies the payment with a distinct transaction in the register maintained in accordance with section B.

5.36.060 Unlawful Acts, Purchase and Sale of Scrap, Mandatory Hold

- A. It shall be unlawful for any such scrap metal dealer, or employee or agent of the dealer, to purchase any item or items of regulated scrap metal in a transaction for which K.S.A. 50-6,110, and amendments thereto, requires information to be presented by the seller, without demanding and receiving from the seller that information. Every scrap metal dealer shall file and maintain a record of information obtained in compliance with the requirements in K.S.A. 50-6,110, and amendments thereto. All records kept in accordance with the provisions of this act shall be open at all times to peace or law enforcement officers and shall be kept for two years. If the required information is maintained in electronic format, the scrap metal dealer shall provide a printout of the information to peace or law enforcement officers upon request.
- B. It shall be unlawful for any scrap metal dealer, or employee or agent of the dealer, to purchase any item or items of regulated scrap metal in a transaction for which K.S.A. 50-6,110, and amendments thereto, requires information to be presented by the seller, without obtaining from the seller a signed statement that: (1) each item is the seller's own personal property, is free of encumbrances and is not stolen; or (2) that the seller is acting for the owner and has permission to sell each item.
- C. It shall be unlawful for any scrap metal dealer, or employee or agent of the dealer, to purchase any junk vehicle in a transaction for which K.S.A. 50-6,110, and amendments thereto, requires information to be presented by the seller, without:
1. Inspecting the vehicle offered for sale and recording the vehicle identification number; and
 2. Obtaining an appropriate vehicle title or bill of sale issued by a governmentally operated vehicle impound facility if the vehicle purchased has been impounded by such facility or agency.
- D. It shall be unlawful for any scrap metal dealer, or employee or agent of the dealer, to purchase or receive any regulated scrap metal from a minor unless such minor is accompanied by a parent or guardian or such minor is a licensed scrap metal dealer.

Scrap Metal Dealers Ordinance

- E. It shall be unlawful for any scrap metal dealer, or employee or agent of the dealer, to purchase any of the following items of regulated scrap metal property without obtaining proof that the seller is an employee, agent or person who is authorized to sell the item of regulated scrap metal property on behalf of the governmental entity, utility provider, railroad, cemetery, civic organization or scrap metal dealer:
1. Utility access cover;
 2. Street light poles or fixtures;
 3. Road or bridge guard rails;
 4. Highway or street sign;
 5. Water meter cover;
 6. Traffic directional or traffic control signs;
 7. Traffic light signals;
 8. Any metal marked with any form of the name or initials of a governmental entity;
 9. Property owned and marked by a telephone, cable, electric, water or other utility provider or any such wire or cable that has had the sheathing removed, making ownership identification impossible.
 10. Property owned and marked by a railroad;
 11. Funeral markers or vases;
 12. Historical markers
 13. Bales of regulated metal;
 14. Beer kegs;
 15. Manhole covers;
 16. Fire hydrants or fire hydrant caps;
 17. Junk vehicles with missing or altered vehicle identification numbers;
 18. Real estate signs,
 19. Bleachers or risers, in whole or in part; and
 20. Twisted pair copper telecommunications wiring of 25 pair or greater existing in 19, 22, 24 or 26 gauge.

Draft Scrap Metal Dealers Ordinance

- F. It shall be unlawful for any scrap metal dealer, or employee or agent of the dealer, to sell, trade, melt or crush, or in any way dispose of, alter or destroy any regulated scrap metal, junk vehicle or vehicle part upon notice from any law enforcement agency, or any of their agents or employees, that they have cause to believe an item has been stolen. A scrap metal dealer shall hold any of the items that are designated by or on behalf of the law enforcement agency for 30 days, exclusive of weekends and holidays.

5.36.070 Penalties

- A. Except as otherwise provided in section H. of Section 5.36.030, and sections B. and C. of this Section, any Person intentionally violating the provisions of this Section, and amendments thereto, shall be guilty of a Class C misdemeanor with a penalty of a minimum fine of \$200.
- B. Any person convicted of violating, the provisions of this Section, and amendments thereto, for a two-year period shall be guilty of a Class C misdemeanor with a penalty of a minimum fine of \$500.
- C. Any person convicted of violating the provisions of this Section, and amendments thereto for the third and subsequent times within a two-year period shall be guilty of a Class B misdemeanor with a penalty of a minimum fine of \$1,000.

Section 2. Severability. Those sections, paragraphs, and provisions of Chapter 5 of the City of Valley Center Municipal Code which are not expressly amended or repealed by this Ordinance are hereby reenacted, and it is expressly declared to be the intention of this Ordinance not to repeal or amend any portions of the City of Valley Center Municipal Code other than those expressly amended or repealed in Section 5 of this Ordinance. If any section, subsection, sentence, clause, phrase or word of this ordinance is for any reason held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The City 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.

Scrap Metal Dealers Ordinance

Section 3. Applicability and Effective Date

All portions of former ordinances in conflict herewith are hereby repealed or superseded. This ordinance shall be in full force and effect from and after its passage and after publication according to law.

PASSED AND APPROVED by the Governing Body of the City of Valley Center, Kansas, this ____ day of _____ 2012.

First Reading: _____

Second Reading: _____

{SEAL}

Michael McNown, Mayor

ATTEST:

Kristine A. Polian, City Clerk

CONSENT AGENDA

A. REVENUE and EXPENSE FINANCIAL SUMMARIES for DECEMBER 2011:

(Moved to February Meeting)

B. BAD DEBT / DELINQUENT ACCOUNTS REPORT for NOVEMBER – DECEMBER 2011:

C. WASTE MANAGEMENT QUARTERLY REPORT:

D. WASTE MANAGEMENT TONNAGE COLLECTION REPORT:

RECOMMENDED ACTION:

Staff recommends motion to approve the Consent Agenda as presented.

CONSENT AGENDA

B. BAD DEBT / DELINQUENT ACCOUNTS REPORT:

- November – December 2011

1/12/2012 12:05 PM

A C C O U N T A G I N G R E P O R T

PAGE: 1

ZONE: ALL

CONTRACTS: NO

STAT: All

START DATES: 0/00/0000 THRU 99/99/9999

LAST BILL DATES: 0/00/0000 THRU 99/99/9999

FINAL DATES: 11/01/2011 THRU 12/31/2011

ACCOUNT NO#	NAME	LAST PAY	ST	--CURRENT--	+1 MONTHS	+2 MONTHS	+3 MONTHS	+4 MONTHS	--BALANCE--
01-0111-02	STAPLETON, ELLIS	10/06/2011	F			128.72	130.46		259.18
=====									
**** BOOK # :0001	TOTAL ACCOUNTS:	1		0.00	0.00	128.72	130.46	0.00	259.18
=====									
02-0059-06	BUTLER, SUSAN	12/20/2011	F	194.71	159.33				354.04
02-0066-90	HOUSTON, MIKE	5/11/2010	F	52.31					52.31
=====									
**** BOOK # :0002	TOTAL ACCOUNTS:	2		247.02	159.33	0.00	0.00	0.00	406.35
=====									
03-0011-04	ANTHONY, MICHELLE	10/13/2011	F			88.77			88.77
03-0038-91	TALLON PROPERTIES	12/13/2011	F	21.77					21.77
03-0064-91	FIRST UNITED METHODIST C	12/15/2011	F	18.41					18.41
03-0096-15	IRBY, KARMEN	10/05/2011	F			137.74	115.99		253.73
03-0103-03	HENSON, ANGIE	12/07/2011	F	71.04					71.04
=====									
**** BOOK # :0003	TOTAL ACCOUNTS:	5		111.22	0.00	226.51	115.99	0.00	453.72
=====									
04-0009-01	WHITE, ROBERT L.	10/07/2011	F		54.84	60.91			115.75
=====									
**** BOOK # :0004	TOTAL ACCOUNTS:	1		0.00	54.84	60.91	0.00	0.00	115.75
=====									
05-0088-00	BLACK, BILL	11/09/2011	F		63.34				63.34
05-0112-05	KELLEY, CASEY	12/15/2011	F	50.20					50.20
=====									
**** BOOK # :0005	TOTAL ACCOUNTS:	2		50.20	63.34	0.00	0.00	0.00	113.54
=====									
**** BOOK # :0006	TOTAL ACCOUNTS:	0		0.00	0.00	0.00	0.00	0.00	0.00
=====									
07-0274-08	WILSON, DONALD	11/03/2011	F	53.39	112.99	82.31			248.69
=====									
**** BOOK # :0007	TOTAL ACCOUNTS:	1		53.39	112.99	82.31	0.00	0.00	248.69
=====									
08-0082-90	MILLER, D G	12/09/2011	F		80.52				80.52

1/12/2012 12:05 PM

A C C O U N T A G I N G R E P O R T

PAGE: 2

ZONE: ALL

CONTRACTS: NO

STAT: All

START DATES: 0/00/0000 THRU 99/99/9999

LAST BILL DATES: 0/00/0000 THRU 99/99/9999

FINAL DATES: 11/01/2011 THRU 12/31/2011

ACCOUNT NO#	NAME	LAST PAY ST	--CURRENT--	+1 MONTHS	+2 MONTHS	+3 MONTHS	+4 MONTHS	--BALANCE--
=====								
**** BOOK # :0008	TOTAL ACCOUNTS:	1	0.00	80.52	0.00	0.00	0.00	80.52
=====								
09-0075-91	TORMEY, MARSHA	12/14/2011 D	85.92					85.92
=====								
**** BOOK # :0009	TOTAL ACCOUNTS:	1	85.92	0.00	0.00	0.00	0.00	85.92
=====								
10-0005-06	BASTOW, MICHELLE	12/02/2011 F	31.44					31.44
10-0163-00	TITTSWORTH, TAL	11/14/2011 F		73.85				73.85
=====								
**** BOOK # :0010	TOTAL ACCOUNTS:	2	31.44	73.85	0.00	0.00	0.00	105.29
=====								
=====								
**** BOOK # :0013	TOTAL ACCOUNTS:	0	0.00	0.00	0.00	0.00	0.00	0.00
=====								
17-0131-02	MORALES, CESEAR	10/11/2011 F		70.20	96.65	136.39		303.24
=====								
**** BOOK # :0017	TOTAL ACCOUNTS:	1	0.00	70.20	96.65	136.39	0.00	303.24
=====								
=====								
**** BOOK # :0018	TOTAL ACCOUNTS:	0	0.00	0.00	0.00	0.00	0.00	0.00
=====								
20-0052-00	WALKER, MICHAEL	11/07/2011 F		55.36				55.36
=====								
**** BOOK # :0020	TOTAL ACCOUNTS:	1	0.00	55.36	0.00	0.00	0.00	55.36
=====								
80-0258-00	YODER, RHEA L	9/19/2011 F	18.95CR					18.95CR
=====								
**** BOOK # :0080	TOTAL ACCOUNTS:	1	18.95CR	0.00	0.00	0.00	0.00	18.95CR
=====								
=====								
REPORT TOTALS	TOTAL ACCOUNTS:	19	560.24	670.43	595.10	382.84	0.00	2208.61
=====								

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===== R E P O R T T O T A L S =====

REVENUE CODE:	--CURRENT--	+1 MONTHS	+2 MONTHS	+3 MONTHS	+4 MONTHS	--BALANCE--
100-WATER	265.06	257.49	212.34	147.27	0.00	882.16
200-SEWER	305.29	285.15	235.94	145.44	0.00	971.82
300-PROT	0.84	0.87	0.84	0.69	0.00	3.24
400-RECONNECT FEE	0.00	39.69	36.85	24.46	0.00	101.00
600-STORMWATER UTILITY FEE	8.00	3.04	3.10	1.86	0.00	16.00
610-SOLID WASTE	0.00	77.88	64.75	36.53	0.00	179.16
850-PENALTY	0.00	32.21	41.28	26.59	0.00	100.08
996-Unapplied Credits	44.85CR	0.00	0.00	0.00	0.00	44.85CR
TOTALS	534.34	696.33	595.10	382.84	0.00	2208.61

TOTAL REVENUE CODES: 2,208.61
 TOTAL ACCOUNT BALANCE 2,208.61
 DIFFERENCE: 0.00

ERRORS: 000

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SELECTION CRITERIA

 REPORT OPTIONS

ZONE: * - All
 ACCOUNT STATUS: ALL
 CUSTOMER CLASS: ALL
 COMMENT CODES: All

 BALANCE SELECTION

SELECTION: ALL
 RANGE: 9999999.99CR THRU 9999999.99
 AGES TO TEST: ALL
 INCLUDE ZERO BALANCES: Do Not Include

 DATE SELECTION

CUSTOMER DATES: YES
 START DATE: 0/00/0000 THRU 99/99/9999
 LAST BILL DATE: 0/00/0000 THRU 99/99/9999
 FINAL DATE: 11/01/2011 THRU 12/31/2011

 TRANSACTION DETAIL

PRINT TRANSACTION DETAIL: NO
 OLDEST TRANSACTION DATE: 99/99/9999

 PRINT OPTION

TOTALS ONLY: NO
 CONTRACTS: NO
 PRINT SEQUENCE: ACCOUNT NUMBER
 COMMENT CODES: None
 *** END OF REPORT ***

CONSENT AGENDA

C. WASTE MANAGEMENT QUARTERLY REPORT:



4330 W. 31st ST. SOUTH
 WICHITA, KS 67215-1005

Valley Center Resident Phone Calls Q4

Reason Code	Total Calls OCT11 - DEC11	Details
BIL (Billing)	2	
CPL (Complaint)	2	Missed recycling Missed recycling due to sub driver on route
CMP (Compliment)	1	Driver emptied container, she forgot to set out
ENV (Environmental)	0	
INQ (Inquiry - Day)	5	
OPS (Operations)	11	Inquiries about services
SAF (Safety)	0	
SAL (Sales)	9	
SIT (Site Survey)	0	
STP (Setup)	0	
UNR (Unresolved)	1	
Total Calls	31	

MPU (Missed Pickups)	16	4 (trash)	12 (recycle)
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CONSENT AGENDA

**D. WASTE MANAGEMENT TONNAGE COLLECTED QUARTERLY
REPORT:**

VALLEY CENTER TONNAGE COLLECTED Q4

TRASH

OCTOBER: 208.36 TONS

NOVEMBER: 245.48 TONS

DECEMBER: 202.40 TONS

Q4 TOTAL: 656.24 TONS

RECYCLING

OCTOBER: 34.92 TONS

NOVEMBER: 45.93 TONS

DECEMBER: 44.87 TONS

Q4 TOTAL: 125.72 TONS

STAFF REPORTS

A. City Clerk Polian

B. Chief of Police Hephner

C. Fire Chief Tormey

- December 2011 Activity Report

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

December 2011 Activity Report

The Fire Department responded to 66 calls for service in December; these are broken down as follows.

<u>Calls For Service</u>	<u>City</u>	<u>Townships</u>
Passenger Vehicle Fire	2	0
Authorized Controlled Burn Automatic Aid Received	1	0
Motor Vehicle Accident With no Injuries	1	0
Lock In	1	0
Medical Assist, Assist EMS Crew	15	0
EMS Call	7	0
Assist Invalid	2	0
CO Detector Activated Due to Malfunction	1	0
Sprinkler Activation, no Fire-Unintentional	1	0
Gas Leak (Natural Gas or LPG)	2	1
Power Line Down	0	1
Public Service	1	0
Good Intent Call, Other	2	1
Good Intent Call, Other Automatic Aid Received	1	0
Dispatched and Cancelled En Route	3	2
Burn Permit	21	0

12 Firefighters Attended Training at SCFD District #1 Station 32
 Training Consisted of Forcible Entry Training (December 12th 2011).

CHIEF TORMEY

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