

CITY OF VALLEY CENTER

FINAL AGENDA

AUGUST 29, 2013

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.

September 3, 2013

- 1. CALL TO ORDER**
- 2. ROLL CALL**
- 3. INVOCATION: MINISTERIAL ALLIANCE**
- 4. PLEDGE OF ALLEGIANCE**
- 5. APPROVAL OF AGENDA p 3**
- 6. CLERK'S AGENDA p 4**
 - A. Minutes p 4
 - August 20, 2013 Regular Council Meeting p 5
 - B. Appropriation Ordinance p 9
- 7. PRESENTATIONS / PROCLAMATIONS p 15**
 - A. Proclamation, Constitution Week September 17-23, 2013 p 16
- 8. PUBLIC FORUM (*Citizen input and requests*) p 17**
- 9. APPOINTMENTS p 17**
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- 10. COMMITTEES, COMMISSIONS p 20**
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- 12. NEW BUSINESS p 42**
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 - B. Valley Center Planning Commission – Amendment to Bylaws p 45
- 13. CONSENT AGENDA p 56**
- 14. STAFF REPORTS p 56**
- 15. GOVERNING BODY REPORTS p 59**
- 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 August 20, 2013 Regular City Council Meeting as prepared by the Assistant City Clerk.

RECOMMENDED ACTION:

Staff recommends motion to approve the minutes of the August 20, 2013 Regular Council Meeting Minutes as presented / amended

REGULAR COUNCIL MEETING
AUGUST 20, 2013
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, Terry Ishman, Laurie Dove, Marci Maschino (arrived at 7:03 p.m.), Benjamin Anderson, and Al Hobson.

Members Absent: Councilmember Lionel Jackson

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

Press present: The Ark Valley News

APPROVAL OF THE AGENDA

Cicirello moved, seconded by Ishman, to approve the Agenda as presented. Vote yea: Judith Leftoff, Lou Cicirello, Terry Ishman, Laurie Dove, Benjamin Anderson, and Al Hobson. Motion carried.

CLERK'S AGENDA

A. MINUTES – AUGUST 06, 2013 REGULAR CITY COUNCIL MEETING

Hobson moved, seconded by Cicirello, to approve the Minutes of the August 06, 2013 Regular Council Meeting as presented. Vote yea: Judith Leftoff, Lou Cicirello, Terry Ishman, Laurie Dove, Benjamin Anderson, and Al Hobson. Motion carried.

B. APPROPRIATION ORDINANCE – 08/20/2013

Hobson moved, seconded by Cicirello, to approve the August 20, 2013 Appropriation Ordinance as presented. Vote yea: Judith Leftoff, Lou Cicirello, Terry Ishman, Laurie Dove, Benjamin Anderson, and Al Hobson. Motion carried.

CLERK'S AGENDA (CONTINUED)**C. TREASURER'S REPORT – JULY 2013**

Cicirello moved, seconded by Ishman, to receive and file the July 2013 Treasurer's Report. Vote yea: Judith Leftoff, Lou Cicirello, Terry Ishman, Laurie Dove, Benjamin Anderson, and Al Hobson. Motion carried.

PRESENTATIONS/PROCLAMATIONS - None**PUBLIC FORUM – None****APPOINTMENTS - None****COMMITTEES, COMMISSIONS – No Questions/Comments.****OLD BUSINESS – None****NEW BUSINESS****A. ORDINANCE 1264-13; ATTESTING TO A TAX INCREASE FOR BUDGET YEAR 2014, 1ST READING**

Hobson moved, seconded by Dove, to waive first reading of Ordinance 1264-13, an Ordinance attesting to a Tax Increase for the Budget Year 2014, for a 1st Reading. Vote yea: Lou Cicirello, Terry Ishman, Laurie Dove, Marci Maschino, Benjamin Anderson, and Al Hobson. Opposed: Judith Leftoff. Motion carried.

Cicirello moved, seconded by Maschino, to adopt Ordinance 1264-13, an Ordinance attesting to a Tax Increase for the Budget Year 2014. Vote yea: Lou Cicirello, Terry Ishman, Laurie Dove, Marci Maschino, Benjamin Anderson, and Al Hobson. Opposed: Judith Leftoff. Motion carried.

B. PRESENTATION OF 2014 / 2015 C.I.P.

The proposed 2014 – 2015 Capital Improvement Plan (C.I.P.) was reviewed for Comp Plan Conformity during the July Planning Commission Meeting. The Planning Commission voted to recommend all projects were in conformance with the City's Comprehensive Development Plan.

Pile stated the following are the 8 projects proposed for 2014 / 2015 funding:

Year 2014:

- 1) 5' Sidewalk along Goff, Fieldstone, Clover (Meridian to Meadow).
- 2) 10' Sidewalk along McLaughlin from 5th to 7th.

NEW BUSINESS (CONTINUED)

- 3) Public Building Improvements - Heating and Air, Electrical, and Plumbing.
- 4) Clay Street Paving (curb & gutter) Industrial Park portion.
- 5) Park Improvements Arrowhead and McLaughlin – Shelters, concrete pads, and irrigation system.

Year 2015:

- 1) Public Safety Improvements – Court Room (Safe Room).
- 2) 10' Sidewalk along Emporia from Main to 5th.
- 3) Sewer Rehabilitation (short term need)

CONSENT AGENDA

- A. REVENUE EXPENSE SUMMARIES JULY 2013
- B. BAD DEBT REPORT – JULY 2013
- C. CHECK RECONCILIATION – JULY 2013

Maschino moved, seconded by Cicirello, to approve the Consent Agenda as presented. Vote yea: Judith Leftoff, Lou Cicirello, Terry Ishman, Laurie Dove, Marci Maschino, Benjamin Anderson, and Al Hobson. Motion carried.

STAFF REPORTS

CITY ENGINEER KELSEY

Kelsey stated: 1) bids will be advertised for the Valley Creek Estate 2nd Addition Waterline Project on August 28, 2013. The bid date will be on September 11, 2013. 2) The Public Safety Building parking lot project should be completed next week.

CITY ADMINISTRATOR PILE

Pile stated LKM (League of Kansas Municipalities) Annual Conference will be held in Overland Park, October 12-14, 2013. It is a great opportunity to learn about the issues we are facing today by networking, participating in seminars and workshops. This year's main focus is the health insurance topic. City Clerk, Kristine Polian, and Pile may help with the arrangements. Next Council Meeting we need to select a voting delegate and an alternate voting delegate to represent the City at this year's LKM business meeting. The second Council Meeting in September Gary Hardman, Gallagher Services (previously Hardman Benefits), will present information about the various health care options available to City employees for the 2014 health plan.

GOVERNING BODY REPORTS

COUNCILMEMBER DOVE

Dove thanked Utecht for accepting the alternate voting representative position for the WAMPO meeting. She was unable to attend unexpectedly.

COUNCILMEMBER HOBSON

Hobson stated the grass is really high in several areas of the City, to include 77th and 85th Streets, where speed limit signs are hard to be seen. Asked that the grass be cut to avoid issue in the future.

Hobson moved, seconded by Cicirello, to adjourn the meeting. Vote yea: Unanimous. Motion carried.

Meeting adjourned at 7:25 PM

Jose A. Santiago, Assistant City Clerk

CLERK'S AGENDA

B. APPROPRIATION ORDINANCE:

Below is the proposed Appropriation Ordinance for September 3, 2013 as prepared by City Staff.

September 3, 2013 Appropriation

Total	\$ 118,872.76
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RECOMMENDED ACTION:

Staff recommends motion to approve the September 3, 2013 Appropriation Ordinance as presented / amended.

8/27/2013 2:01 PM

A/P HISTORY CHECK REPORT

PAGE: 1

VENDOR SET: 02 City of Valley Center
 BANK: * ALL BANKS
 DATE RANGE: 0/00/0000 THRU 99/99/9999

VENDOR I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
0445	DELTA DENTAL OF KANSAS, INC.							
	C-CHECK DELTA DENTAL OF KANSAS, VOIDED	V	8/16/2013			043916		3,153.25CR

* * T O T A L S * *	NO	INVOICE AMOUNT	DISCOUNTS	CHECK AMOUNT
REGULAR CHECKS:	0	0.00	0.00	0.00
HAND CHECKS:	0	0.00	0.00	0.00
DRAFTS:	0	0.00	0.00	0.00
EFT:	0	0.00	0.00	0.00
NON CHECKS:	0	0.00	0.00	0.00
VOID CHECKS:	1 VOID DEBITS	0.00		
	VOID CREDITS	3,153.25CR	3,153.25CR	0.00

TOTAL ERRORS: 0

VENDOR SET: 02 BANK: *	TOTALS:	1	0.00	0.00	0.00
BANK: *	TOTALS:	1	0.00	0.00	0.00

8/27/2013 2:01 PM
 VENDOR SET: 02 City of Valley Center
 BANK: APBK INTRUST CHECKING
 DATE RANGE: 0/00/0000 THRU 99/99/9999

A/P HISTORY CHECK REPORT

VENDOR I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
0153	THE ARK VALLEY NEWS							
I-OUR OLDER YOUTH	OUR OLDER YOUTH 7/25	R	8/16/2013	29.00		043912		
I-SEASON JOB AD	SEASON JOB POSTING	R	8/16/2013	11.00		043912		40.00
0183	KANSAS ONE-CALL SYSTEM, INC							
I-3070489	109 LOCATES JULY 2013	R	8/16/2013	130.80		043913		130.80
0198	P S I							
I-1308008-IN	SONICWALL LICENSE 1YR	R	8/16/2013	714.00		043914		714.00
0330	UTILITIES PLUS INC							
I-13-563	BORE - IRRIGATION/SLEEVE	R	8/16/2013	750.00		043915		750.00
0445	DELTA DENTAL OF KANSAS, INC.							
I-DD 201307095207	DENTAL INSURANCE	V	8/16/2013	1,339.04		043916		
I-DD 201307245223	DENTAL INSURANCE	V	8/16/2013	1,576.49		043916		
I-VC REC CENTER PREM	DELTA DENTAL OF KANSAS, INC.	V	8/16/2013	237.72		043916		3,153.25
0445	DELTA DENTAL OF KANSAS, INC.							
M-CHECK	DELTA DENTAL OF KANSAS, VOIDED	V	8/16/2013			043916		3,153.25
0511	COVENTRY HEALTH CARE, INC.							
I-50352526	SEPT 2013 PREMIUM	R	8/16/2013	46,951.34		043917		46,951.34
0530	GALLAGHER BENEFIT SERVICES, IN							
I-37471	AUG'13FSA&COBRA ADMIN FEE	R	8/16/2013	162.50		043918		162.50
0538	ARLAN COMPANY, INC.							
I-5400	50LB TRICHLOR TABS	R	8/16/2013	1,024.30		043919		
I-5412	POOL CHEMICALS	R	8/16/2013	38.64		043919		
I-5482	POOL - ALGAECIDE SUPPLY	R	8/16/2013	792.18		043919		1,855.12
0552	WAMPO							
I-AR-344415	2014 TIP FEE INVOICE	R	8/16/2013	3,193.95		043920		3,193.95
0085	Laurie B Williams							
I-BJE201308215229	CASE # 09-14039	R	8/23/2013	55.00		043922		
I-BJS201308215229	CASE # 11-13127-13	R	8/23/2013	132.50		043922		
I-GJB201308215229	CASE # 11-13654	R	8/23/2013	172.00		043922		359.50
0210	SECURITY BENEFIT							
I-SCB201308215229	DEFERRED COMPENSATION	R	8/23/2013	63.00		043923		63.00

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A/P HISTORY CHECK REPORT

PAGE: 3

VENDOR SET: 02 City of Valley Center
 BANK: APBK INTRUST CHECKING
 DATE RANGE: 0/00/0000 THRU 99/99/9999

VENDOR I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
0313	VANTAGEPOINT TRANS AGENTS							
I-ICM201308215229	RETIREMENT 457 DEFERRED COMP	R	8/23/2013	65.00		043924		65.00
0372	U S DEPT OF EDUCATION							
I-JED201308215229	ACCT # 1002461211	R	8/23/2013	175.37		043925		175.37
0421	FAMILY SUPPORT PAYMENT CENTER							
I-JHC201308215229	CASE # 11LWAD00059	R	8/23/2013	67.00		043926		67.00
0006	AT&T							
I-7/25-8/24INTRASTAT	7/25-8/24/13 INTRA-STATE	R	8/22/2013	916.26		043928		916.26
0127	HAMPEL OIL DISTRIBUTIONS, INC.							
I-90495204	UNLEAD FUEL USAGE	R	8/22/2013	8,744.48		043929		8,744.48
0174	GILMORE & BELL PC							
I-27941	2012 BOND LEGAL SRVCS	R	8/22/2013	1,220.00		043930		1,220.00
0204	PITNEY BOWES							
I-8000909003568958	POSTAGE MACHINE REPLENISH	R	8/22/2013	600.00		043931		600.00
0239	A T & T KANSAS							
I-3167552075040 9	VALLEY CK PUMP STATION	R	8/22/2013	58.45		043932		
I-3167553504922 7	AT&TAUG'13 DES SUBSTATION	R	8/22/2013	63.45		043932		
I-3167557339 720 7	JULY 2013 SERVICES	R	8/22/2013	1,223.05		043932		1,344.95
0270	INTRUST CARD CENTER							
I-JUL'13TRANSACTION	P-CARD JUL'13 TRANSACTION	R	8/22/2013	50,608.57		043933		50,608.57
0351	WICHITA STATE UNIVERSITY							
I-K POLIAN KSGFOA'13	KSGFOA CONF-OVERLANDPARK	R	8/22/2013	275.00		043934		275.00
0553	PITNEY BOWES INC							
I-305173	POSTAGE METER SUPPLIES	R	8/22/2013	339.18		043935		339.18

* * T O T A L S * *	NO	INVOICE AMOUNT	DISCOUNTS	CHECK AMOUNT
REGULAR CHECKS:	21	121,729.27	0.00	118,576.02
HAND CHECKS:	0	0.00	0.00	0.00
DRAFTS:	0	0.00	0.00	0.00
EFT:	0	0.00	0.00	0.00
NON CHECKS:	0	0.00	0.00	0.00
VOID CHECKS:	0	VOID DEBITS 0.00		
		VOID CREDITS 3,153.25	3,153.25	0.00

TOTAL ERRORS: 0

VENDOR SET: 02 BANK: APBK TOTALS: 21 121,491.55 0.00 118,576.02

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A/P HISTORY CHECK REPORT

PAGE: 4

VENDOR SET: 03 City of Valley Center
 BANK: APBK INTRUST CHECKING
 DATE RANGE: 0/00/0000 THRU 99/99/9999

VENDOR I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
0014	JOEL D PILE							
I-JULY'13 MILEAGE	JULY'13 MILEAGE REIMBURSE	R	8/16/2013	84.75		043921		84.75
0017	KRISTINE POLIAN							
I-AUG'13 MILEAGE	AUG'13 MILEAGE REIMBURSED	R	8/23/2013	211.99		043927		211.99

* * T O T A L S * *	NO	INVOICE AMOUNT	DISCOUNTS	CHECK AMOUNT
REGULAR CHECKS:	2	296.74	0.00	296.74
HAND CHECKS:	0	0.00	0.00	0.00
DRAFTS:	0	0.00	0.00	0.00
EFT:	0	0.00	0.00	0.00
NON CHECKS:	0	0.00	0.00	0.00
VOID CHECKS:	0	VOID DEBITS 0.00		
		VOID CREDITS 0.00	0.00	0.00

TOTAL ERRORS: 0

VENDOR SET: 03	BANK: APBK	TOTALS:	2	296.74	0.00	296.74
BANK: APBK	TOTALS:		23	121,788.29	0.00	118,872.76
REPORT TOTALS:			24	121,788.29	0.00	118,872.76

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A/P HISTORY CHECK REPORT

PAGE: 5

SELECTION CRITERIA

VENDOR SET: * - All
 VENDOR: ALL
 BANK CODES: All
 FUNDS: All

CHECK SELECTION

CHECK RANGE: 043912 THRU 043935
 DATE RANGE: 0/00/0000 THRU 99/99/9999
 CHECK AMOUNT RANGE: 0.00 THRU 999,999,999.99
 INCLUDE ALL VOIDS: YES

PRINT OPTIONS

SEQUENCE: CHECK NUMBER

PRINT TRANSACTIONS: YES
 PRINT G/L: NO
 UNPOSTED ONLY: NO
 EXCLUDE UNPOSTED: NO
 MANUAL ONLY: NO
 STUB COMMENTS: NO
 REPORT FOOTER: NO
 CHECK STATUS: NO
 PRINT STATUS: * - All

PRESENTATIONS / PROCLAMATIONS

A. PROCLAMATION FOR CONSTITUTION WEEK

SEPTEMBER 17-23, 2013:

PROCLAMATION FOR CONSTITUTION WEEK

September 17 – 23, 2013

WHEREAS: September 17, 2013, marks the two hundred twenty-sixth anniversary of the drafting of the Constitution of the United States of America by the Constitutional Convention; and

WHEREAS: It is fitting and proper to officially recognize this magnificent document and the anniversary of its creation; and

WHEREAS: It is fitting and proper to officially recognize the patriotic celebrations which will commemorate the occasion; and

WHEREAS: Public Law 915 guarantees the issuing of a proclamation each year by the President of the United States of America designating September 17 through 23 as Constitution Week,

NOW, THEREFORE I, Michael D. McNown, by virtue of the authority vested in me as Mayor of the City of Valley Center, Kansas, do hereby proclaim the week of September 17 through 23, 2013 as

CONSTITUTION WEEK

AND ask our citizens to reaffirm the ideals of the Framers of the Constitution and the rights, privileges, and responsibilities they afforded us, protecting the freedoms guaranteed to us through this guardian of our liberties, remembering that lost rights may never be regained.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the City of Valley Center to be affixed this 3rd day of September of the year of our Lord two thousand and thirteen.

SEAL

Signed _____

Michael McNown, Mayor

Attest _____

Kristine Polian, City Clerk

PUBLIC FORUM

APPOINTMENTS

A. SELECTION OF LKM VOTING DELEGATES:

- 2 Delegates
- 2 Alternates

LEAGUE OF KANSAS MUNICIPALITIES



SERVING CITIES SINCE 1910

300 SW 8th Avenue, Ste. 100
 Topeka, KS 66603-3951
 P: (785) 354-9565
 F: (785) 354-4186
 www.lkm.org

August 12, 2013

Dear City Clerks or City Managers/City Administrators:

We are pleased the League's Annual Conference in Overland Park, October 12-14, 2013 is shaping up to be an exciting experience. We have an outstanding program of speakers, panel discussions and workshops planned which are highlighted in the July issue of the *Kansas Government Journal*.

I am writing to invite your city governing body to register its League voting delegates. State law provides that the governing body of each member city of the League may elect city delegates from among the city's officers to represent the city in the conduct and management of the affairs of the League. League bylaws provide that a city voting delegate or alternate delegate qualifies by having his or her name, city title and address registered with the executive director.

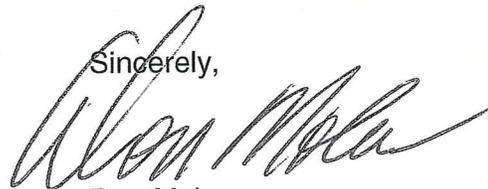
Each member city needs to file new registration forms with the **League of Kansas Municipalities, 300 SW 8th Avenue, Topeka, KS 66603, by Friday, September 13th**.

Article 4, Sec. 5 of the League Bylaws prescribes the total number of votes provided to each member city based on population. The number of delegate registration forms enclosed is based on the following table.

City Population	No. Votes	No. Delegate Forms	No. Alternate Forms
1 - 2,500	1	1	1
2,501 - 7,500	2	2	2
7,501 - 17,500	3	3	3
17,501 - 37,500	4	4	4
37,501 - 77,500	5	5	5
77,501 - 117,500	6	6	6
117,501 - 157,500	7	7	7
157,501 - 197,500	8	8	8
197,501 - 237,500	9	9	9
237,501 - 277,500	10	10	10
277,501 - 355,500	11	11	11
355,501 - 395,500	12	12	12

A business and policy session of city voting delegates will be held on Monday afternoon, October 14th at the conference in Overland Park.

I look forward to hearing from you.

Sincerely,

 Don Moler
 Executive Director

Enclosures

CITY VOTING DELEGATE REGISTRATION
League of Kansas Municipalities

The Governing Body of the City of _____

has elected: Name _____

Title _____

Address _____

E-Mail Address _____

to be (circle one)

voting delegate 1 2

alternate voting delegate 1 2

to represent the city in the conduct and management of the affairs of the League of Kansas Municipalities.

Signed: _____
 City Clerk

Date: _____

INSTRUCTIONS

Four voting delegate registration forms are enclosed. Based on its current population, your city may have two voting delegates. A separate form should be filed for your voting delegate and for any alternate delegate you elect.

Actions taken at the League's annual business session are taken by vote of the individual voting delegates present unless the weighted voting system is triggered by the request of ten or more delegates.

If the weighted voting system is used, a roll call vote of member cities will be held. Under a roll call by city, your city will have one vote.

State Law Authorizing City Delegates

K.S.A. Supp. 12-1601f. "The governing body of each member city may elect city delegates from among the city's officers to represent the city in the conduct and management of the affairs of the League of Kansas Municipalities."

League Bylaw on Election and Qualifying of Delegates

Article 2, Section 2. "When a city is a member of the League, any elected or appointed officers of such city may be elected by the city governing body as voting delegates and alternate voting delegates in accordance with the provisions of Article 4 of these bylaws, to represent the city in any meeting of the voting delegates and in the conduct of any other affairs of the instrumentality requiring action of the member cities. Alternate voting delegates may vote on matters before a meeting of the voting delegates in the absence of the regular delegate. A voting delegate or alternate shall qualify by having his or her name, city, title and address registered with the executive director and shall hold such position while qualified and until a successor is elected and qualified."

COMMITTEES, COMMISSIONS

A. ITEMS FOR COUNCIL REVIEW:

- Valley Center Planning Commission / Board of Appeals
August 27, 2013 Minutes

**VALLEY CENTER
PLANNING COMMISSION/BOARD OF APPEALS
MINUTES**

7:00 P.M., Tuesday, August 27, 2013
Valley Center City Hall at 121 S. Meridian Avenue

CALL TO ORDER: Chairperson Park called the meeting to order at 7:00 p.m. with the following members present, Del James, Ronald Colbert Sr., Dee Wretberg, Danny Park, Terry Nantkes, Gary Janzen, Ricky Shellenbarger, and Matt Stamm.

Members absent: Don Bosken

Staff Present: Warren Utecht and Deby Taylor Community Development Department.

Meeting started with the Pledge of Allegiance to the American Flag.

AGENDA: A Motion was made by Commissioner Shellenbarger, seconded by Commissioner Wretberg to set the agenda. Motion passed unanimously.

APPROVAL OF July 23, 2013 DRAFT MINUTES: A motion was made by Commissioner Park, seconded by Commissioner Colbert to defer motion to accept the July draft minutes to September 2013 meeting. Motion passed unanimously.

A. PUBLIC HEARING: BOARD OF APPEALS PUBLIC HEARING FOR ZONING ENFORCEMENT OFFICER'S INTERPRETATION OF THE RECREATIONAL VEHICLE REGULATIONS.

Pursuant to Section 17.10.07, Larry & Carolyn Papps, 116 N. Abilene, are appealing a decision of the Zoning Administrator regarding Recreational Vehicle setback in their front yard.

Chairperson Parks asked the Board members if there were any disqualifications or ex parte communications that would disqualify anyone from participating. There were no disqualifications. Chairperson Parks declared that there was a quorum of 8 present for this hearing.

According to the Recording Secretary, a notice of this hearing was published in the Ark Newspaper on August 1, 2013 and notices were mailed to 23 property owners of record 200 within the City limits on August 1, 2013. The record shows that at least 20 days elapsed.

Zoning Administrator, Warren Utecht, provided a staff review on the case, giving a brief history of the R.V. Ordinance and the Community Development department's follow-up. He recommended that because the property owner has adequate space on the side of his home, the RV be moved back approximately 13 feet to bring it into compliance.

Chairperson Park open public hearing at 7:12 p.m. and call upon the applicants, Larry and Carolyn Papps, to make their presentation and any response to the Zoning

Administrator's staff review. They stated that when they brought in their R.V. they had approached the City Council to assure that the parking for their 5th wheel would be proper, in which they responded with approval. They remarked on how they make great effort in the up-keep of their lawn and the changes recommended would cause them to redo their fence and sprinkler system. This would be a great hardship to them, due to their fixed income and rising medical expenses. Also, they stated that their neighbors were all supportive of them and had no complaints. The board thanked the Papps for their presentation. There were no other comments from the public. The public hearing was closed at 7:22 p.m.

After short deliberation a motion was made by Commissioner Stamm and seconded by Commissioner Colbert, to overturn the Community Development Director's ruling; finding that the yard has been well maintained, there's no objections from the neighborhood and the hardship of moving the fence and sprinkler system. The planning Commission further instructed the Zoning Administrator, to issue Larry & Carolyn Papps a non-conforming certificate to allow the R.V. to remain parked as is. Motion was unanimous approved.

B. PUBLIC HEARING ON ANNUAL REVIEW OF ZONING REGULATON (ARTICLE 17) AMENDMENTS

According to the Recording Secretary, a notice to this hearing was published in the Ark Newspaper on August 1, 2013. The record shows that at least 20 days elapsed between the publication and mailing dates and the hearing date.

Zoning Administrator, Warren Utecht, provided his explanation for recommended amendments to the Zoning Amendments. He went through each amendment and answered questions. Due to an apparent need to clarify the R.V. definition and refine some of the amendments it was decided that Mr. Utecht would prepare revisions for the September 24th Planning Commission Meeting.

Chairperson Park opened the hearing for comments from the public at 7:58 p.m. John Dailey responded with his concern over particular terminology used and his interpretation of the previous law. In order to give time for the revisions, Chairperson Park made a motion and Commissioner Shellenbarger seconded to leave the public hearing on the zoning regulation amendments open to the September 24th meeting. Motion passed unanimously.

C. PUBLIC HEARING ON CITY PLANNING COMMISSION BYLAW AMENDMENTS

According to the Recording Secretary, a notice to this hearing was published in the Ark Newspaper on August 1, 2013. The record shows that at least 20 days elapsed between the publication and mailing dates and the hearing date.

Zoning Administrator, Warren Utecht, provided his explanation for the recommended amendments to the Planning Commission Bylaws. He went through each revision and answered questions.

Chairperson Park opened the hearing for comments from the public at 8:15 p.m. John Dailey stated his opinions on the commission's duties and asked to add Public Comment to the monthly agenda. The Chairperson closed public hearing at 8:19 p.m.

Commissioners asked questions and shared comments about the staff recommended changes. **RECOMMENDED MOTION:** Having considered the recommendation of the Community Development Director at the Planning Commission meeting, Commissioner Colbert moved to recommend to the City Council the amended Planning Commission Bylaws for adoption. Motion seconded by Commissioner Nantkes and motion passed unanimously.

This Bylaw Amendments will be forwarded to the Governing Body with the Planning Commission's recommendation and a written summary of the hearing for consideration at their regular meeting of the City Council on September 3rd for first reading, and discussion scheduled on this item by the Council at the second hearing on September 17th Council Meeting, at 7:00 p.m. in this same meeting room. Written minutes of this hearing will be available prior to the Council meeting.

COMMUNICATIONS: None

OLD BUSINESS: None

UNFINISHED BUSINESS: None

NEW BUSINESS BEFORE PLANNING COMMISSION

A. VACATION OF A PORTION OF A PLATTED 30' DRAINAGE & UTILITY EASEMENTS IN "REPLAT OF VALLEY CREEK ESTATES 2ND"

Zoning Administrator, Warren Utecht, presented Isham-Alexander Home Builders' request for vacating a portion of a Utility Easement; 10 foot of the 30 foot easement needed to facilitate the Isham "stock" floor plans, at the South end of Poplar Court, Valley Creek Second Subdivision

The easement in question was platted as a 30 utility easement in the original Valley Creek Estates Plat. The owner of the platted lots on Poplar Court is in the process of having a street installed and plans to build three unit condominiums on the two lots abutting the easement.

Letters were sent to Westar Energy, Kansas Gas, Cox Communications, A.T. & T. and Valley Center Public Works Department (water, sewer and storm sewer). Thus far, no objections have been raised.

RECOMMENDED MOTION: Having considered the recommendation of the Community Development Director and other factors discussed at the Planning Commission meeting, Commissioner Shellenbarger move to recommend to the City Council the north 10' of a 30' Drainage & Utility Easement in "Replat of Valley Creek Estates 2nd" be Vacated. Motion was seconded by Commissioner Stamm and motion passed unanimously

B. SEDGWICK COUNTY REQUEST FOR VALLEY CENTER TO REVIEW A 2 LOT EXTRATERRITORIAL PLAT ON THE SOUTH SIDE OF 81ST. STREET N, SEDGWICK COUNTY.

Zoning Administrator, Warren Utecht, presented Sedgwick County's request for Valley Center to review a 2 lot Extraterritorial Plat on the south side of 81st. Street N, Sedgwick County stating that,

- Sedgwick County has requested the City Planning Commission review a 2 lot Extraterritorial Plat on the south side of 81st. Street, between N West Street and N 55th Street West.
- The two lot plat abuts the City limits to the south, and is in an area where lots are typically four acres. However, the petitioner desires to split their 4 acre lot into two lots, each having 2.01 acres. A 2 acre minimum lot size limits a homeowner to a septic rather than lagoon sewer system, according to the RR Rural Residential Zoning District in the county and city.
- Access to lot 1 would have access to either a private driveway on a 35 foot strip of land filed as an access easement, or directly onto 81st Street N, a county road (if the county allows). The only public access for lot 2 would be 81st Street N.

Staff Recommendation: This two lot plat will not impact the development of the City or require any City Services. As such, the City Staff sees no objection to the plat and recommends to the City Planning Commission that it be approved, subject to the lots having a septic sewer system.

RECOMMENDED MOTION: Having considered the recommendation of the Community Development Director and other factors discussed at the Planning Commission meeting, Commissioner Nantkes moved the City of Valley Center approves the C&S Estates Addition and forward this motion to the Sedgwick County Subdivision Committee. Motion was seconded by Commissioner Wretberg and motion passed unanimously.

7. COMMITTEE AND STAFF REPORTS: Commissioners were encouraged to volunteer to help man the City of Valley Center's booth at the September 21st Fall Festival.

ITEMS BY PLANNING COMMISSIONERS:

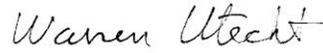
- Ronald Colbert Sr. – Discussion on Adult Care Homes and KSA Postings.
- Matt Stamm – Nothing
- Dee Wretberg – Nothing
- Ricky Shellenbarger-Nothing
- Del James – Nothing
- Danny Park – Nothing
- Terry Nantkes – Nothing
- Gary Janzen - Nothing

ADJOURNMENT:

Motion made by Commissioner Colbert and second made by Commissioner Janzen to adjourn.
Motion passed unanimously.

Time of Adjournment 8:37 p.m.

Respectfully submitted,



Warren Utecht,
Planning Commission Secretary

Minutes to be reviewed and approved by the Valley Center Planning Commission on September 24, 2013.

/Danny Park/
Danny Park, Chairperson
WU/dt

OLD BUSINESS**A. CONSIDERATION OF 2014 / 2015 C.I.P.:**

Should Council choose to proceed,

RECOMMENDED ACTION:

Staff recommends motion to approve the 2014 / 2015 C.I.P.



Capital Improvement Plan 2014-15

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

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

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

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

In the capital planning process and eventual implementation of the City of Valley Center 2014-2015 Capital Improvement Plan, the City hopes to accomplish the above goals.

SUMMARY

The City of Valley Center has implemented its capital planning process to create the 2014-2015 Capital Improvement Plan (CIP). This CIP will serve as a financial planning and management tool. It identifies public facilities and positions these requirements in order of priority, and schedules them for funding and implementation. Projects in the two-year capital plan have been prioritized based on the extent to which each addresses the following criteria: external requirements, public health and safety, affect on operating or maintenance costs, level of service, availability of outside financing, and economic development.

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

In addition to the projects detailed in this plan, other proposals which are in the early stages of discussion, and not ranked as a priority for 2014-15, have been added as a supplemental section at the end of this document. These projects may be included in future capital improvement plans as more information is obtained and future needs are assessed.

FUNDING SOURCES

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

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

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

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

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

2014-15 CAPITAL BUDGET

The City of Valley Center has proposed a 2014-15 Capital Plan totaling nearly \$2.1 million, of which only \$874,000 is funded from the city at-large. Projects include facilities and infrastructure for general government, parks and recreation, transportation systems and utility systems.

2014-15 CAPITAL BUDGET & FUNDING				
Item #	Project Category and Title	Funding Source	Year	Cost
STREETS & SIDEWALKS				
1-2014	Clay Street (41' concrete w/ storm sewer) from Ash to Sheridan	G.O. Bond & Special Assessments	2014	\$891,480
2-2014	McLaughlin Sidewalk (10' concrete) from 5 th to 7 th	G.O. Bond & Federal	2014	\$160,400
3-2014	Goff, Fieldstone & Clover Sidewalk (5' concrete) Meridian to Meadow	G.O. Bond & Federal	2014	\$315,600
4-2015	Emporia Sidewalk (10' concrete) from Main to 5 th	G.O. Bond & Federal	2015	\$230,320
PUBLIC BUILDINGS/FACILITIES/EQUIPMENT				
5-2014	Public Building Improvements	G.O. Bond	2014	\$108,500
6-2014	Park Improvements at Arrowhead & McLaughlin	G.O. Bond	2014	\$68,000
SANITARY SEWER IMPROVEMENTS				
7-2014	Sewer Rehabilitation	Sewer Fund	2014	\$50,000
WATER SYSTEM IMPROVEMENTS				
8-2014	69 th Water Line	Water Fund	2014	\$300,000
TOTAL FOR 2014-15 CIP PROJECTS				\$2,124,300
CITY AT-LARGE TOTAL				\$874,970

City of Valley Center
CAPITAL IMPROVEMENT PROJECT DESCRIPTION

PROJECT CATEGORY: STREETS & SIDEWALKS

PROJECT NUMBER & TITLE:	1-2014	Clay Street – Industrial Park (Ash to Sheridan)
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PROJECT DESCRIPTION	PROJECT LOCATION
100% full depth replacement 41' concrete bk-bk w/ curb & gutter, grading, seeding	Clay Street from Ash to Sheridan in Industrial Park

PROJECT JUSTIFICATION
Total street reconstruction of aging facilities and improving sub-grade and area drainage. Increased street width (41') and concrete to better handle heavy truck traffic.

Clay Street Improvements – Assessments by Frontage Length	Owner	City	Total	Cost % Owner	Cost % City
conc pave 41' w/sws	\$430,830	\$442,650	\$891,480	50%	50%



Clay Street looking west

TOTAL PROJECT COST	\$891,480
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City of Valley Center
CAPITAL IMPROVEMENT PROJECT DESCRIPTION

PROJECT CATEGORY: STREETS & SIDEWALKS

PROJECT NUMBER & TITLE:	2-2014	McLaughlin Sidewalk
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PROJECT DESCRIPTION	PROJECT LOCATION
Construct new 10' concrete along McLaughlin	Along McLaughlin from 5 th to 7 th

PROJECT JUSTIFICATION
Installation of new sidewalk to provide pedestrians an alternative means of transportation. The link provides sidewalk connectivity to the schools, McLaughlin Park and a link to Rec ball fields.



WAMPO TA Funds	\$118,700
City Funds	\$41,700

TOTAL PROJECT COST	\$160,400
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City of Valley Center
CAPITAL IMPROVEMENT PROJECT DESCRIPTION

PROJECT CATEGORY: STREETS & SIDEWALKS

PROJECT NUMBER & TITLE:	3-2014	Goff, Fieldstone & Clover Sidewalks
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PROJECT DESCRIPTION	PROJECT LOCATION
Construction of 5' concrete sidewalk along Goff, Fieldstone & Clover	Along Goff, Fieldstone & Clover from Meridian to Meadow

PROJECT JUSTIFICATION
Construction of new sidewalk to provide a safe alternative means of pedestrian traffic. The area has a large volume of pedestrians currently using the street. The sidewalks would connect the area neighborhoods to Meridian and school facilities.

WAMPO TA Funds	\$232,280
City Funds	\$83,320

TOTAL PROJECT COST	\$315,600
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Valley Center CAPITAL IMPROVEMENT PROJECT DESCRIPTION

PROJECT CATEGORY: STREETS & SIDEWALKS

PROJECT NUMBER & TITLE:	4-2015	Emporia Sidewalk
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PROJECT DESCRIPTION	PROJECT LOCATION
Construct new 10' concrete sidewalk along Emporia	Along Emporia from Main to 5 th

PROJECT JUSTIFICATION
Construction of sidewalk along Emporia would provide a safe alternative means for pedestrian traffic and serve as a connecting link between 5 th Street and Main Street.



Emporia looking north

WAMPO TA Funds	\$169,520
City Funds	\$60,800

TOTAL PROJECT COST	\$230,320
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City of Valley Center
CAPITAL IMPROVEMENT PROJECT DESCRIPTION

PROJECT CATEGORY: PUBLIC BUILDINGS/FACILITIES/EQUIPMENT

PROJECT NUMBER & TITLE:	5-2014	Public Building Improvements
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PROJECT DESCRIPTION	PROJECT LOCATION
Repair and/or replace HVAC, Electrical & Plumbing equipment at Public Buildings	City Hall, Library, Public Safety Building, Community Building, Waste Treatment Plant

PROJECT JUSTIFICATION
Infrastructure projects have been presented for one or more of the following reasons: obsolete parts/technology upgrade or replacement, energy efficiency & cost savings gains and/or systematic replacement of equipment that is at the end of its useful life.

HVAC (heating and air conditioning) improvements, which primarily consists of systematic replacement of equipment that is at the end of its useful life for the following buildings.

- Public Safety Bldg - (1) 3 ton unit for basement & (1) 5 ton unit for court room \$12,242
- Waste Treatment Plant - (1) 2 ton heat pump mini split system \$ 6,684 plus \$2,500 for masonry work
- Library - (2) A coils & (2) 4 ton air conditioners \$ 7,584
- Booster Station - (1) 2.5ton mini split system \$4,932 plus \$600 for elect to syst.

Total HVAC improvements: \$34,542

Electrical improvements for the following buildings consist of both energy efficiency gains and the replacement of obsolete equipment. All but one of the electrical projects included have a ROI (return on investment or payback) of less than 2.5years. Electrical improvements include both installation of automatic light fixture controls and replacement of obsolete and/or inefficient equipment for the following buildings.

- Public Safety - \$19,500 - install energy efficient lamps & lighting controls
- Public Works - \$ 18,000 - install energy efficient lamps & lighting controls
- Library - \$6,700 - install energy efficient lamps & lighting controls
- Community Building -\$ 10,000 -install energy efficient lamps & lighting controls
- Pool & Public RR - \$5,750 - install energy efficient lamps & lighting controls
- 10% construction & contingency \$6000

Total HVAC improvements: \$65,950

Plumbing improvements will focus on the systematic replacement of equipment that is at the end of its useful life and focus on replacing it with components that are more efficient and/or more durable.

- City Hall - replace hot water tank in basement with a tankless hot water heater
- Community Building - replace kitchen sink w/ commercial 80/20 sink and faucet
- Waste Treatment Plant - replace hot water tank with a tankless hot water heater

Total Plumbing improvements: \$ 8000

TOTAL PROJECT COST	\$108,500
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City of Valley Center
CAPITAL IMPROVEMENT PROJECT DESCRIPTION

PROJECT CATEGORY: PUBLIC BUILDINGS/FACILITIES/EQUIPMENT

PROJECT NUMBER & TITLE:	6-2014	Park Improvements
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PROJECT DESCRIPTION	PROJECT LOCATION
Installation of shade structures and irrigation system	Arrowhead & McLaughlin Park

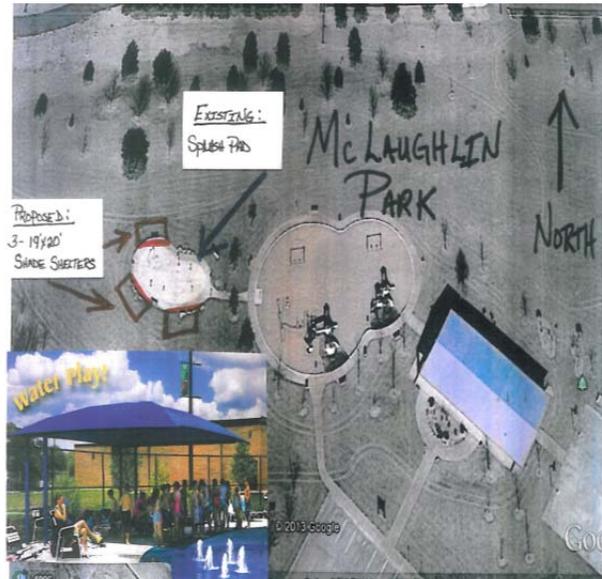
PROJECT JUSTIFICATION
Installation of the shade structures would enhance the recreational attributes of both Arrowhead and McLaughlin Park. Installation of an irrigation system in Arrowhead Park would aid to provide better ground cover and improve the overall aesthetics of the park.

Arrowhead Park

\$17,000 for three – 15’ x 15’ pyramid shade shelter (includes installation and concrete pad)
\$ 20,000 for sprinkler system – 3.2 acres

McLaughlin Park

\$ 31,000 for three -19’x 20’ cantilever shade shelters (includes installation & concrete pad)



TOTAL PROJECT COST	\$68,000
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City of Valley Center
CAPITAL IMPROVEMENT PROJECT DESCRIPTION

PROJECT CATEGORY: SANITARY SEWER IMPROVEMENTS

PROJECT NUMBER & TITLE:	7-2014	Sanitary Sewer Rehabilitation
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PROJECT DESCRIPTION	PROJECT LOCATION
This project provides for minor sanitary sewer projects involving the: reconstruction, cleaning, repair of: relief lines and lateral and interceptor sanitary sewers.	Various points of need throughout the City.

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



TOTAL PROJECT COST	\$50,000
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City of Valley Center
CAPITAL IMPROVEMENT PROJECT DESCRIPTION

PROJECT CATEGORY: WATER SYSTEM IMPROVEMENTS

PROJECT NUMBER & TITLE:	8-2014	69 th Street Waterline
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PROJECT DESCRIPTION	PROJECT LOCATION
This project extends a 10” waterline to serve the properties in the area of 69 th and Seneca	Along 69 th Street from Interurban to Seneca

PROJECT JUSTIFICATION
Several residents have requested water service be extended to serve their properties in the area of 69 th and Seneca. The project would extend an oversized line to Seneca and allow residents the ability to connect to city water. The main extension would allow future “looping” along Seneca.



69 th Street Waterline extension	Owner	City	Total	Cost % Owner	Cost % City
10” waterline	\$230,000	\$70,000	\$300,000	85%	15%

TOTAL PROJECT COST	\$300,00
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FUTURE CIP PROJECTS

The following proposals which are in the early stages of discussion, and not ranked as a priority for 2014-15, have been added as a supplemental section. These projects may be included in future capital improvement plans as more information is obtained and future needs are assessed.

Streets

Year	Project	Cost	Source of \$
	Complete mill and overlay of 1.2 miles of Meridian from Main to 5 th Street	\$800,000	Streets
	5 th Street reconstruction Bridge to Broadway	\$1,800,000	Fed \$1,112,800 City \$687,200
	Emporia Ave Paving North of 5 th to School Property	\$720,000	Streets
	Street Sign Replacement Project	\$55,000	Streets
	Pave 93 rd Street from Seneca E. to Broadway	\$900,000	Streets, T.I.P.
	Ford Street Paving (Bridge east to Broadway)	\$1,280,000	Streets
	Sheridan Street Paving w/SWS Ind Phase II (south of Main)	\$520,000	Streets, Specials
	Main Street reconstruction Main to RR Tracks	\$420,000	Streets
	Main Street reconstruction Abilene to Emporia w/ SWS	\$480,000	Streets
	Quiet Zones for RR	\$375,000	

Stormwater

Year	Project	Cost	Source of \$
	Storm Sewer Extension Along Abilene (5 th to 6 th)	\$70,000	Stormwater
	69 th & Meridian Stormwater Outfall Replacement		Stormwater
	Meridian (N. city limits) drainage project		Share County
	Extend SWS @ 3 rd & Emporia (for inlets and intersections)	\$95,000	Stormwater

Sanitary Sewer Improvements

Project	Cost	Source of \$
Manhole Rehabilitation (short term need – approx 50)	\$200,000	Sewer
Sewer Rehabilitation (long term need)	\$200,000	Sewer
WWTP Phase III upgrade Need based on future flow	\$1,200,000	Sewer

Water System Improvements

Project	Cost	Source of \$
Emporia Ave 12” water main North of 5 th to School Property	\$200,000	Water
Chlorine Feed Additional water treatment	\$70,000	Water
Water Tower Painting and General Repair	\$110,000	Water
Birch Street Line Replacement From 2 nd to 5th	\$220,000	Water
Meeds Street Line Replacement From Davis to 5th	\$130,000	Water
Water Meter Replacement Install Radio Read Meters	\$150,000	Water
Water Well Rehab and Supplementation Distribution	\$1,200,000	Water
Dexter Line Replacement From 1 st to 2 nd	\$120,000	Water
Abilene Line Replacement From 4 th to 5 th	\$85,000	Water

Sidewalk Improvements

Project	Cost	Source of \$
5’ Sidewalk along Meridian From Main to 5th	\$235,000	
Ford Street Detention Pond Phase I – sidewalks	\$70,000	

Parks

Year	Project	Cost	Source of \$
	Lions Park Improvements Picnic Shelter & Parking Paving	\$190,000	
	Ford Street Detention Pond Phase II – Irrigation System	\$50,000	
	Wetlands Park Trail & Observation Deck	\$30,000	
	Ford Street Detention Pond Phase III – Play Equip & Shelter	\$75,000	
	Lions Park Improvements Play Equipment	\$50,000	

Public Buildings / Facilities / Equipment

Year	Project	Cost	Source of \$
	Animal Shelter	\$190,000	
	Public Safety Improvements Court Room (Safe Room)	\$300,000	
	Public Safety Improvements 2 additional bays	\$110,000	
	Public Safety Improvements Basement Remodel	\$85,000	
	Library	\$3,500,000	
	Public Works Storage Building	\$110,000	
	Swimming Pool	\$4,000,000	
	Senior Citizen Center	\$750,000	
	Fire Equipment Replace apparatus E-41	\$400,000	

NEW BUSINESS**A. 2012 AUDIT PRESENTATION:**

Lowenthal, Webb and Odermann, P.A. has completed the 2012 Audit for the City of Valley Center. Provided are Management Letters for the Governing Body indicating issues that were found regarding City processes and internal controls. Included additionally are recommendations for possible solutions for said issues.

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

The 2012 Audit is on file at City Hall.

Should Council choose to proceed,

RECOMMENDED ACTION:

Staff recommends motion to approve the 2012 Audit.

The following items were listed as Significant Deficiencies by the Auditors during the 2012 Audit. Steps are actively being taken to address each item found to be deficient, and a description of how each item is being addressed is listed below.

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

Effective January 1, 2013 the payment process has been changed such that daily deposits are completed by the Court Clerk and reviewed by another staff member, typically the Police Clerk. Tickets are being scrutinized thoroughly as well, matching all tickets to the accounting software.

2. The bank reconciliation process should be specifically laid out and completed in a format that it can be easily reviewed for accuracy by the council and/or city administrator. The reconciliation should be attached to and balanced with the Treasurer's Report monthly. Currently the system only reconciles pooled cash which does not agree with cash balances recorded in the individual funds.

Response included with #4

3. We recommend that the City implement a procedure that includes reconciling all balance sheet accounts on a monthly basis. This balancing should include reconciling the balance sheet account balances to a detailed ledger of transactions that constitute the balance of the accounts. Any journal entries required to balance the accounts should be reviewed and approved by an individual independent of the journal entry process. This same individual should review the reconciliations of all balance sheet accounts for clerical accuracy, timeliness of completion and reconciling item reasonableness. The following adjustments were necessary to get these accounts within a material acceptance range during the audit:
 - a. Payroll transaction totaling \$24,435 originally posted on 2/14/2012 was inadvertently posted to the accounts payable ledger instead of the various payroll liability accounts.
 - b. Payroll transaction totaling \$27,624 originally posted on 6/15/2012 was inadvertently posted to the accounts payable ledger instead of various payroll liability accounts.
 - c. Transaction number A60216 was a duplicate transaction for a total of \$7926.
 - d. Transaction number A59348 was a duplicate posting of a credit card charge for an adjustment to expense and accounts payable for \$14,219.
 - e. Transaction number A63951 was not properly moved to 2013 and had to be reversed resulting in an adjustment to cash and accounts payable for \$25,894.
 - f. Transaction number A60221 was posted against accounts payable twice and resulted in an adjustment to accounts payable and expense for \$27,769.

Several reasons exist as to why these errors occurred; however better reconciliation would have prompted Staff to correct these errors in a timely manner. Steps are being taken effective immediately to scrutinize the Balance Sheet items more thoroughly to better ensure these errors are corrected.

4. During the audit, we noted that there were numerous old reconciling items listed on the monthly bank reconciliation. We recommend that City staff review reconciling items monthly and appropriately adjust the general ledger system to clear these reconciling items rather than allow them to accumulate on the bank reconciliation. In addition, we recommend that the City consider establishing a separate bank account for credit card receipt transactions. We would recommend that these credit card receipt transactions be reviewed and cleared throughout the month rather than clearing the items monthly. We also recommend that the City review its current accounting procedures and develop a procedure to address the dating and review process for transactions including journal entries. We noted several transactions that when entered into the system did not

properly adjust the system as there were minor flaws in the suggested adjustment. In addition, we also recommend that an individual independent of the bank reconciliation process thoroughly review the bank reconciliation and determine that all reconciling items are supported by detailed supporting documentation.

Staff continues to make great strides in this area. As recommended by the auditors in 2011, check numbers with expense are now being provided to the Governing Body; Staff will attempt to provide in an efficient and concise manner the reconciliation paperwork alongside the Treasurer's Report in the future. With that said, older items have to be cleared out with great care as to not affect the General Ledger adversely; both the auditors and software support will have to assist in rectifying this issue.

NEW BUSINESS

B. PLANNING COMMISSION – AMENDMENT TO BY-LAWS:

- Amended Bylaws of The Valley Center City Planning Commission

Should Council choose to proceed,

RECOMMENDED ACTION:

Staff recommends motion to approve the Amended Bylaws of The Valley Center City Planning Commission as presented by The Valley Center Planning Commission.

AMENDED BYLAWS OF THE VALLEY CENTER CITY PLANNING COMMISSION

Approved by the Planning Commission on August 27, 2013

ARTICLE I - CREATION MEMBERSHIP AUTHORITY AND DUTIES

Section 1. Creation. The Valley Center City Planning Commission, hereinafter referred to as the "Commission," has been reestablished by the Governing Body by the adoption of Ordinance No. 852-95 which has been passed and approved and became effective on December 7, 1995. The Commission was originally created by Ordinance No. 279 which was published on November 7, 1957.

Section 2. Membership. The membership consists of nine members serving staggered three-year terms of whom seven shall be residents of the City of Valley Center, Kansas. and two such members shall reside outside of the City, but within the designated Planning Area of the City which is within at least three miles of the corporate limits of the City. Members are appointed by the Mayor with the consent of the City Council at their first regular meeting in October of each year and take office at the next regular meeting of the Commission. Vacancies are filled by appointment for the unexpired term.

Section 3. Disqualification. Regular attendance is an important responsibility of membership to properly serve the City of Valley Center and its citizens. Maintaining a quorum for voting purposes is especially important. Any member that absences himself or herself for more than four consecutive regular meetings or misses a total of 33% of the meetings during a calendar year for reasons not considered justifiable by the Commission shall be notified that the Commission will recommend to the Mayor that his or her membership be declared vacated and a replacement appointment be made.

Section 4. Conflicts of Interest. Members of the Commission shall be aware at all times of their responsibility to the citizenry of the City of Valley Center and to the residents of the surrounding Planning Area and shall refrain from any recommendation or action that would benefit individuals or special interest groups rather than serve the best interests of the entire Planning Area. In furtherance of this responsibility, members shall refrain from recommending or acting on any matter before the Commission in which they have, either directly or indirectly, a financial interest or use their influence or position to show favoritism that could lead to the development of a clientele at a later date.

Section 5. Authority. The Commission is vested with the responsibilities of a planning commission as contained in the State Planning and Zoning Statutes, i.e., K.S.A. 12-741 through 12-771 et seq. as amended.

Section 6. Duties. As provided for by the statutes referred to in Section 5, the duties of the Commission shall be:

1. To make or cause to be made, adopted and maintained an official Comprehensive Development Plan for the City and any unincorporated territory lying outside the City but within Sedgwick County which in the Commission's opinion forms the total community of which the City is a part, subject to the approval of the Governing Body by ordinance (K.S.A. 12-747);

2. To review or reconsider the Comprehensive Plan at least once a year at the second regular meeting to determine if the Plan or any portion thereof has become obsolete and to report such status to the Governing Body or propose remedial amendments, extensions or additions to the plan (K.S.A. 12-747[d]);
3. To determine the conformance to the Comprehensive Plan of public improvements, facilities or utilities of a type embraced within the recommendations of the Plan which are proposed for construction or authorization and to report upon such conformance or nonconformance within 60 days to the Governing Body unless conformance is otherwise determined by reviewing the City's capital improvement program (K.S.A. 12-748);
4. To prepare, adopt and maintain Zoning Regulations for the City; to recommend the approval of such regulations to the Governing Body; and to hold hearings and make recommendations on all amendments thereto and zoning applications (K.S.A. 12-753 through 12-759 and 12-763);
5. To prepare, adopt and maintain Subdivision Regulations for the City and extraterritorial jurisdiction; to recommend the approval of such regulations by the Governing Body; and to process and approve plats and to transmit them to the Governing Body for the acceptance of dedications thereon (K.S.A. 12-749, 751(a), 752 and 764);
6. To concurrently serve as the Board of Zoning Appeals to hear and decide appeals from determinations of the Zoning Administrator, variances and exceptions as required by the Zoning Regulations (K.S.A. 12-759);
7. To submit to the Governing Body on or before the first Monday in June of each year a proposed budget for the ensuing year to carry-out the Commission's planning program (K.S.A. 12-746);
8. To prepare and approve plans for neighborhoods and special project areas;
9. To maintain planning reference files of plans, reports, maps, ordinances, regulations and policies accessible to officials, developers and citizens;
10. To maintain cooperation and coordination with the trustees of the surrounding township(s), U.S.D. #262, the Wichita-Sedgwick County Metropolitan Planning Commission and with such other county, regional and state planning entities as may be deemed appropriate; and
11. To hold hearings, provide plans for and/or make recommendations on such other matters including annexations and vacations as may be assigned to the Commission by the governing body.

Section 7. Compensation. Members of the Commission shall serve without compensation for their services; however, the members may receive reimbursement for their authorized out-of-pocket expenses including travel when related to the Commission's activities as the governing Body by policy may deem desirable.

ARTICLE II - OFFICERS, ELECTIONS AND DUTIES

Section 1. Officers. The officers of the Commission shall consist of a Chairperson, Vice-Chairperson and Secretary. The Chairperson and Vice Chairperson shall be members of the Commission; however, the Secretary may or may not be a member of the Commission. When the Secretary is a member of the Commission, a Recording Secretary shall also be elected. (K.S.A. 12-745)

Section 2. Elections. At the regular Commission meeting in October of each year, the officers shall be nominated and those persons receiving the highest number of votes shall be deemed elected. Officers shall take office following the meeting and serve for one year or until their successor has been elected. Officers may serve for more than one term.

Section 3. Duties. The Chairperson shall preside at all meetings of the Commission. In the absence of the Chairperson, the Vice-Chairperson shall preside. In the absence of both the Chairperson and the Vice-Chairperson, the Secretary shall preside to select a temporary Chairperson and the Secretary shall forthwith relinquish the chair after selection of a temporary Chairperson. The Chairperson shall sign all minutes and other official papers and documents to indicate that they have been approved by the Commission. The Chairperson shall represent the Commission at all meetings with other groups unless another member is designated to perform that function.

The Vice-Chairperson shall act in the manner and capacity as the Chairperson in the absence of the Chairperson. The Secretary or Recording Secretary shall perform the following duties:

1. To prepare the minutes of each Commission meeting and submit them to the Commission for approval;
2. To maintain an official file or record book of the minutes as approved and signed by the Chairperson and the Secretary or Recording Secretary; and to provide the Governing Body, City Administrator, City Clerk, Zoning and Subdivision Administrator(s) and other officials with copies on a continuing basis;
3. To attest to resolutions and certificates adopting the Comprehensive Plan and amendments thereto and to maintain an official file of Comprehensive Plan documents and accompanying adoption materials and ordinances;
4. To distribute to each Commission member all current materials relating to the Comprehensive Plan and Zoning and Subdivision Regulations and to distribute three one sets of Zoning and Subdivision Regulations, including amendments thereto, to the City Clerk as the official City copy; and

The City's Community Development Director shall be responsible to oversee the preparation and distribution of agendas and staff reviews of agenda items for each Commission meeting.

ARTICLE III MEETINGS

Section 1. Regular Meetings. Regular meetings of the Commissions shall be held on the fourth Tuesday of a month. If there is no business to come before the Planning Commission, the Chairperson may cancel the meeting. When the date of a regular meeting conflicts with a legal holiday, the Commission may designate the date for the next regular meeting unless such meeting dates have otherwise been adopted as a schedule for the year. All meetings shall be held in the Council Room at the City Hall in Valley Center, Kansas, beginning at 7:00 p.m.; provided, however, that the Commission may vote to adopt another hour, date or place of meeting. Any such change shall be given wide publicity for the convenience of persons having business before the Commission.

Section 2. Special Meetings. Special meetings may be called by the Chairperson or in the Chairperson's absence, by the Vice-Chairperson, or upon written request of any three members of the Commission. When a special meeting is called, notice as to date, time, place and purpose for the meeting shall be given by the Chairperson at least 24 hours before the meeting by mail or hand delivery. The announcement of a special meeting at a regular meeting shall constitute notice to those persons present. Commission members and the Governing Body shall be notified by the Chairperson including all persons designated to receive agendas on a regular basis. (See Article III, Section 7 on Agendas.)

No agenda items other than those stated in the notice shall be considered at a special meeting.

Section 3. Adjourned Meetings. If the business before the Commission is not completed, the Commission by motion may adjourn the meeting or specific agenda item to a specified date, time and place until the matters on the original agenda or the specified item are acted upon. When such a motion is made known to those persons in attendance, no further notice need be given.

Section 4. Open Meetings and Closed Sessions. Having determined that at least a quorum is present, all actions of the Commission shall be open to the public and to attendance by representatives of the news media, except that closed sessions if deemed necessary, may be held to deliberate a rezoning application including a special use wherein such action is considered to be a quasi-judicial function. The motion to recess for a closed session shall be placed in the minutes and include a statement of:

- a. the case(s) to be deliberated during the closed session;
- b. the persons to be present; and
- c. the time and place at which the open meeting will resume, all according to the exemption provided in K.S.A. 75-4318(a) of the Kansas Open Meetings Act. In such closed sessions, no binding vote or action may be taken.

Section 5. Workshop Sessions. The Commission may meet at a regular or special meeting in a workshop session for a general discussion on one or more topics or for a training session; however, the Kansas Open Meetings Act applies and no binding action may be taken. While regular minutes are not necessary, a record of attendance and a brief summary of the subject(s) discussed should be made.

Section 6. Quorum. A quorum shall consist of a majority of the total membership which is designated by the ordinance creating the Commission whether any vacancies exist or not. Thus, a quorum of five members must be present to conduct any business. In the absence of a quorum at any meeting or at the impending loss of a quorum during a meeting, the presiding

officer, after consultation with those members present may announce that the meeting is continued to a specified date, time and place or similarly table an agenda item. When such information is made known to those persons in attendance, no further notice need be given.

Members abstaining from voting may be counted when determining whether a quorum is present; however, members disqualified from voting may not be counted. (See Article IV, Section 5, Subsections 10 and 11 on Parliamentary Procedure.)

Section 7. Agendas. The Community Development Director shall oversee the preparation of an agenda of all matters to come before the meeting and to have it mailed or delivered to the Commission members no later than four calendar days preceding a regular meeting. Copies of the agenda shall also be furnished (a) to the Governing Body, City Administrator, City Clerk, Zoning and Subdivision Administrator(s) and news media; (b) to each party having an item on the agenda; and (c) to any person requesting an agenda or a notice of the date, time and place of a regular or special meeting of the Commission under K.S.A. 75-4318 (b) and (d) of the Kansas Open Meetings Act. Any member of the Commission may place items on the agenda by advising the Community Development Director no later than noon on the 6th day preceding the next regular meeting. If the number of applications received for zoning or platting would create an unduly long Commission meeting, the Chairperson may carry over such items on a first-come, first-served basis to the next Commission meeting unless already advertised for public hearing. (See Article IV, Section 1 on the Order of Business.)

Section 8. Recording of Meetings. The Secretary or Recording Secretary shall keep complete records of all proceedings of the Commission. He or she shall also prepare and maintain permanent minutes to be kept in a file or record book available for public view. Permanent copies of such minutes shall not be removed from City Hall except by order of a court. Copies of the minutes shall be furnished to all persons or bodies making such a request to the Secretary or Recording Secretary. The Secretary or Recording Secretary shall make, and charges will be made as are necessary to recover the cost of making such copies per City policy.

ARTICLE IV – CONDUCT OF MEETINGS

Section 1. Order of Business. The general order of business shall be as follows unless otherwise decided by the Community Development Director, under advisement of the Planning Commission:

- a. Call to Order
- b. Pledge of Allegiance
- c. Roll call
- d. Approval of the agenda
- e. Approval of the minutes
- f. Public Comment
- g. Committee and staff reports
- h. Communications
- i. Public hearings
- j. Plats
- k. Site Plans
- l. Unfinished business
- m. New business
- n. Adjournment

Off-agenda items may be considered when such items are added to the agenda at the beginning of the meeting by motion. Approval of such consideration shall be based on a finding that a review or presentation would be in the best interest of the general public and not contrary to the provisions of public notice.

Section 2. Appearance before the Commission. Applicants and petitioners or their representatives and members of the community at large or individuals or their representatives who feel that they will be affected by any action of the Commission, may appear to present views and statements either for or against agenda items. Personal appearance before the Commission is recommended; however, written communication may be presented instead. The Commission may, at their discretion, defer items coming before the Commission if the applicant or petitioner is not present and has not submitted written communication.

Section 3. Actions. In all formal matters, the Commission shall act by motion unless a resolution is required by law or governmental regulations. All notices required by law to be given by publication, including those for public hearings, shall be published in the officially designated city newspaper. Substantive motions before the Commission shall be restated by the Secretary or Recording Secretary before a vote is taken. Every motion on a substantive matter shall set forth reasons. Action shall be taken on each agenda item presented at the conclusion of discussion of that item.

Section 4. Voting.

- a. A quorum of all members of the Commission must be present for any vote to be taken.
- b. A majority vote of the entire membership of the Commission shall be required when adopting or amending the Zoning regulations, Subdivision Regulations, Comprehensive Plan, or Pedestrian & Bicycle Facilities Master Plan.
- c. A majority vote of the members present and voting may act upon a revision or change to the zoning map, special or conditional uses, or site plan applications. (KSA 12-757 [a]).
- d. Voting shall be by individual voice ballot of "aye" or "nay" on each item and shall be tallied and the results determined by the Chairperson. In the event of a divided vote, see Article IV, Section 5, Subsection 9 on Parliamentary Procedure.

Section 5. Parliamentary Procedure. All meetings of the Commission shall be conducted in accordance with the current edition of Robert's Rules of Order Newly Revised, except insofar as modified by these Bylaws and procedures adopted by the Commission:

1. A second shall be required for all motions.
2. The presiding officer shall have the right to make motions and to second motions without vacating the chair.
3. Motions to "receive and file" shall not be debatable.
4. Substitute motions may be made for prime motions; provided, that substitute motions are voted on before the prime motion. Substitute motions shall be made only once and shall be debatable only if the prime motion was debatable. A substitute motion may be made without the consent of the maker of the prime motion.
5. Motions to reconsider any item shall be made by one of the members voting in favor of the item to be reconsidered. Motions to reconsider shall not be allowed in cases where

the item proposed for consideration has previously been forwarded to and acted on by the Governing Body.

6. The Commission may suspend the rules provided that:
 - a. the motion to suspend the rules takes precedence over other prime motions;
 - b. the motion shall state the specific purpose and rule to be suspended;
 - c. no such motion shall be considered approved unless the length of the time of the suspension will be in effect has been specified;
 - d. the motion shall be approved by a majority vote of the members present and voting; and,
 - e. no suspension of the rules shall be considered permanent.
7. Participation from the floor (audience) on any matter may be limited as to time at the discretion of the presiding officer when in his or her opinion such participation is repetitious; contains statements derogatory to the character, integrity or actions of the Commissioner any member without support of such allegations; or when the course of business due to the number of matters to be considered and/or number of people requesting to be heard will not reasonably permit further participation. Those persons speaking on a given item from the floor should first be recognized and then address their remarks to the presiding officer. Each member of the Commission may speak to an issue as many times as may be desired.
8. The presiding officer shall have the right to vote. If the officer chooses not to vote, he or she shall automatically be considered to have abstained from voting. (See Article IV, Section 5, Subsection 10 on Parliamentary Procedure.)
9. When a divided vote occurs, the presiding officer shall call for a roll-call vote. The Secretary or Recording Secretary shall enter into the minutes the result by name of all roll-call votes.
10. Any member abstaining or remaining silent on a vote shall be considered to have voted with the majority vote of those who voted; provided that such member does not have a conflict of interest or bias in the matter that would otherwise disqualify him or her from voting. In the event of an equally divided vote, the vote of a member abstaining or remaining silent is not to be counted. Members who do abstain or remain silent on a vote are still counted as present in determining a quorum.
11. A Member may abstain on any particular vote when the member declares a conflict of interest or bias. The member is thereby disqualified from voting and shall disassociate himself or herself from the assembled members and not engage in discussion until the particular item is acted upon. Members shall be automatically disqualified from voting when they or their spouse own property in the area of notification for a zoning application. This disqualification shall not prevent such a member from signing a protest petitioner appearing before the Commission to speak on the zoning application. When a member is disqualified from voting on any matter, they cannot be counted as present for the quorum.
12. To be eligible to vote on the first date of a public hearing, a member must have been present to hear the entire presentation unless it is appropriate and timely for the Chairperson or any person(s) present to inform such a member sufficiently to apprise him or her of the hearing proceedings to that point in time. If a public hearing or resulting

deliberation of the Planning Commission is continued until another date, a member who was not present for all or for only a portion of the prior hearing and has not otherwise been sufficiently informed of the proceedings, may abstain or may vote on the pending matter; provided, that the following provisions have been met:

- a. The summary of the hearing has been read;
- b. Applications and any other materials including drawings submitted or presented by the applicant have been reviewed; and
- c. The member acknowledges for the record that he or she has complied with the above provisions.

13. Subject to these provisions, the presiding officer shall decide all points of order and procedure, unless overruled by a majority vote of the entire membership of the Commission.

ARTICLE V HEARING PROCEDURES .

Section 1. Intent and Purpose. It is the intent of the Commission to hold fair and impartial hearings on all matters requiring a public hearing at which adequate legal notice has been given to all concerned parties. The purpose of such hearings is to make it clear that decisions are based on the relevant evidence presented and that well organized hearings and procedures will lead to legally defensible decisions which are not arbitrary, discriminatory or unreasonable. To ensure fairness, the hearing room should be able to accommodate all persons wishing to attend and to enable them to properly hear the proceeding.

Ex parte contacts, i.e., those contacts in the form of verbal or written communications outside of a hearing should be discouraged. Commission members should:

- a. come to a hearing favoring neither side
- b. have no personal interest in the outcome other than that shared by the community-at-large
- c. treat both sides alike
- d. base their decision solely on the facts presented as evidence before the Commission

Any facts determined by personal investigation should be reported to the Commission at the hearing as ex-parte information.

Section 2. Order of Proceedings for Zoning Hearings. Applications for rezoning amendments and special uses that are site-specific land use decisions are considered quasi-judicial proceedings. The latter include the procedural due process elements of notice and opportunity to be heard in a fair, open and impartial hearing. At the end of the hearing, the Commission shall adopt a written report or place in the minutes a statement summarizing the evidence and stating the factors that it considered in arriving at its decision. The following order of proceedings shall be used for all such rezoning and special use hearings:

1. Determination if any member shall be disqualified
2. Determination that a quorum is present
3. Determination that proper notice has been given
4. Report of ex parte contacts with Commission members
5. Introduction and staff review of application by Zoning Administrator
6. Presentation by applicant
7. Commission and staff question applicant
8. Open hearing for public comments on proposed application
9. Receipt of written communications or petitions

10. Staff presents closing comments
11. Applicant presents closing comments
12. Public portion of the hearing closed by the presiding officer
13. Planning Commission deliberations
14. Review findings and factors on which recommendation is based
15. Motion to recommend to the Governing Body the approval, disapproval or modification of the application or to table the agenda item to a specific date, time and place

While no further public comments will be received after the hearing is closed, the Commission may question any participant at any time during the proceedings. At its discretion, the Commission may instruct the Secretary or Recording Secretary to record the hearing(s).

Section 3. Legislative Hearings. Hearings for the adoption of comprehensive plans and zoning and subdivision regulations and amendments thereto are considered legislative in nature. The order of proceeding for hearings in Article V, Section 2 above may be modified for a legislative hearing as to the role of the applicant and the findings and factors on which a decision is based. In any event, the Commission's recommendation to the Governing Body shall be in writing accompanied by a written summary of the hearing thereon.

ARTICLE VI - COMMITTEES

Section 1. Committees and Liaison Representatives. The Chairperson, with the consent of the Commission, may appoint standing and ad hoc committees and liaison representatives as may be needed to assist in the business of the Commission. The membership of such committee(s) and liaison representatives may consist of all Commission members or part Commission members or be all non-commission members. All such, committees and representatives shall be provided a formal charge and shall report to the Commission their findings and recommendations, unless otherwise directed.

All standing committees shall be appointed at the next regular Commission meeting following the election of officers. They shall take office following the meeting of their appointment and serve for one year or until their successor has been appointed. Such committees may elect officers unless otherwise designated by the Chairperson and establish such rules of procedure as they deem desirable.

ARTICLE VII - AMENDMENTS TO BYLAWS

Section 1. Amendments. The Commission may, by a two-thirds majority vote of the entire membership thereof, amend these Bylaws or any provisions or sections thereof, at any time when the same is not in conflict or in contravention of any of the laws of the State of Kansas or ordinances of the City applicable thereto. Notices of the proposed amendments shall be furnished by the Secretary or Recording Secretary to the Commission members and the Governing Body not less than four calendar days prior to the meeting at which such amendments are to be considered. A current copy of the Bylaws adopted by the Commission and signed shall be filed by the Secretary or Recording Secretary with the City Clerk including any amendments thereto.

Section 2. Adopted. The above and foregoing Bylaws are hereby amended and readopted as the Bylaws of the Valley Center City Planning Commission subject to the approval of the City Council by a majority vote. When approved by the City Council, these Bylaws shall become effective on September 3, 2013, and the previous bylaws are thereby repealed.

DATED this 27th day of August, 2013 at the regular monthly meeting of the Planning Commission.

Danny Park, Chairperson

ATTEST:

Warren Utecht, Secretary

APPROVED by the Valley Center City Council on the 3rd day of September, 2013

Michael D. McNown, Mayor

ATTEST:

Kristine A. Polian, City Clerk

CONSENT AGENDA

NONE

STAFF REPORTS

A. City Clerk Polian

B. Chief of Police Hephner

C. Fire Chief Tormey

D. Community Development Director Utecht

E. City Superintendent Dunn

F. Parks & Public Buildings Superintendent Owings

- Parks & Public Buildings June / July 2013 Report

G. City Engineer Kelsey

H. City Attorney Arbuckle

I. City Administrator Pile

Department of Parks & Public Buildings

Completed Projects Task Highlights:

June – 2013

Trim branches and remove trees at multiple city properties – some due to routine maintenance and some due to storm damage

WT – replaced light fixture due to storm damage

Parks - (park rounds) routine maintenance checks

Irrigation System – continued check and start up all systems

Irrigation System Repairs – PSB, CH, VP

Library – graded/filled holes in parking lot

Library – replace light bulbs

Library – work with library staff on sewer line problem

Vehicle maintenance/troubleshoot problem with Bobcat utility vehicle

AHP – Seeded around park and pond

CEM – re-graded and seeded various areas

CEM – clean up Memorial Day plants

CEM- 1burial

MLP pond – restated waterfall pump and cleaned moss out of pond

Public Buildings – cleaned carpets

PSB – irrigation preparations for parking lot demo/construction

PSB – irrigation repairs from 5th street bridge project

PSB – replaced flag pole light fixture due to storm damage

Parks - (park rounds) routine maintenance checks

Owings attended monthly safety committee meeting

AHP – weed control - Johnson grass

All public buildings – installed temporary Concealed Carry signage

Old Shop – general property clean-up and clean-up of old tree nursery and greenhouse

Preventative maintenance/service mowing equipment

July – 2013

Library - assist library staff in preparation of sewer line repair

Library – addressed problem with A/C unit

Pool – address problem with water pH

PSB – replace wax seal and tank gasket on toilet in Records office

Review applications for FT Groundskeeper

PSB – parking lot project prep – remove all viable sprinklers and valve boxes and install safety fence

PSB – repair broken irrigation heads

PSB – building painting

PSB – Parking lot project began July 15th

PSB – Irrigation contractor to re-route main line

PSB – bore under driveway to install irrigation sleeve

PSB – repair leaking toilet: wax seal, tank gasket, and supply hose

PSB – removed temporary signage

PSB – repaired door lock assembly

PSB – repaired leak in basement/clean up water from leak

PSB – repainted/replaced broken ceiling tiles

MLP – repair railing on fishing dock

MLP – installed 8 new trash cans

Repaired Senior Club van

AHP Pond Maintenance - cut, sprayed & removed sapling trees around pond

PSB, PWB, WWTP – Strip and wax tile floors

Parks - (park rounds) routine maintenance checks and repaired park rules signage

LP – repaired irrigation valve

LP – installed 9 new trash cans

VP- installed new trash can

Repaired dump truck – replaced alternator

Repaired landscape edging at PSB & MLP

Owings attended monthly safety committee meeting

Investigated tree damage (lightning strike) for resident at 563 N. Ash

GOVERNING BODY REPORTS

A. Mayor McNown

B. Councilmember Leftoff

C. Councilmember Cicirello

D. Councilmember Isham

E. Councilmember Dove

F. Councilmember Maschino

G. Councilmember L. Jackson

H. Councilmember Anderson

I. Councilmember Hobson

ADJOURN