

CITY OF VALLEY CENTER

FINAL AGENDA

SEPTEMBER 26, 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.

October 1, 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
 - September 17, 2013 Regular Council Meeting p 5
 - B. Appropriation Ordinance p 9
7. **PRESENTATIONS / PROCLAMATIONS** p 15
8. **PUBLIC FORUM** (*Citizen input and requests*) p 15
9. **APPOINTMENTS** p 15
10. **COMMITTEES, COMMISSIONS** 15
 - A. Items for Council Review p 16
11. **OLD BUSINESS** p 18
12. **NEW BUSINESS** p 18
 - A. Discussion re: 2014 Employee Health Insurance p 18
 - B. Ordinance 1265.13; Amending Zoning Regulations, 1st reading p 19
13. **CONSENT AGENDA** p 22
14. **STAFF REPORTS** p 22
15. **GOVERNING BODY REPORTS** p 18
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 September 17, 2013 Regular City Council Meeting as prepared by the Assistant City Clerk.

RECOMMENDED ACTION:

Staff recommends motion to approve the minutes of the September 17, 2013 Regular Council Meeting Minutes as presented / amended

REGULAR COUNCIL MEETING
SEPTEMBER 17, 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 (arrived at 7:04 p.m.), Lou Cicirello, Laurie Dove, Marci Maschino, Lionel Jackson, Benjamin Anderson, and Al Hobson.

Members Absent: Councilmember Terry Ishman

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
Joshua Golka, (represented 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 Hobson, to approve the Agenda as presented. Vote yea: Lou Cicirello, Laurie Dove, Marci Maschino, Lionel Jackson, Benjamin Anderson, and Al Hobson. Motion carried.

CLERK'S AGENDA

A. MINUTES – SEPTEMBER 03, 2013 REGULAR CITY COUNCIL MEETING

Hobson moved, seconded by Cicirello, to approve the Minutes of the September 03, 2013 Regular Council Meeting as presented. Vote yea: Lou Cicirello, Laurie Dove, Marci Maschino, Lionel Jackson, Benjamin Anderson, and Al Hobson. Motion carried.

B. APPROPRIATION ORDINANCE – 09/17/2013

Hobson moved, seconded by Jackson, to approve the September 17, 2013 Appropriation Ordinance as presented. Vote yea: Lou Cicirello, Laurie Dove, Marci Maschino, Lionel Jackson, Benjamin Anderson, and Al Hobson. Motion carried.

C. TREASURER'S REPORT – AUGUST 2013

Maschino moved, seconded by Cicirello, to receive and file the August 2013 Treasurer's Report. Vote yea: Lou Cicirello, Laurie Dove, Marci Maschino, Lionel Jackson, 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. CONSIDERATION OF SOLID WASTE/RECYCLE CONTRACT EXTENSION

The City approached Waste Management regarding contract modifications. The current contract contains a provision which allows rates to be increased annually based upon landfill costs (section 15.A. (2)). This provision makes budgeting difficult due to the “unknown”. The new agreement deletes this section and prescribes specific rate increases over the term of the contract. During the proposed 5-year extension period (January 01, 2016-December 31, 2020), fixed 2.75% per year increases will be applied on the anniversary date of the Agreement, as follows:

- Trash and Recycle Collection (per home per month)
 - ❖ Year 1 = \$13.45
 - ❖ Year 2 = \$13.82
 - ❖ Year 3 = \$14.20
 - ❖ Year 4 = \$14.59
 - ❖ Year 5 = \$14.99

Hobson moved, seconded by Jackson, to approve the contract modification and authorize the Mayor to sign. Vote yea: Judith Leftoff, Lou Cicirello, Laurie Dove, Marci Maschino, Lionel Jackson, Benjamin Anderson, and Al Hobson. Motion carried.

B. CONSIDERATION OF BIDS AND CONTRACT AWARD FOR REPLAT OF VALLEY CREEK ESTATES 2ND WATERLINE AND STREET IMPROVEMENTS

Joshua Golka represented Mike Kelsey, City Engineer. Golka stated the bids for the project were opened September 11, 2013. Three contractors submitted bids for Replat of Valley Creek Estates 2nd Waterline and Street Improvements. Engineer’s estimate for the project was \$146,920.00. Golka states lowest bid received was from Cornejo and Sons \$112,982.00.

Maschino moved, seconded by Dove, to accept the Waterline and Street Improvement bids for Replat of Valley Creek Estates 2nd and authorize the Mayor to sign the Notice of Award to Cornejo & Sons for a contract amount not to exceed \$112,982.00. Vote yea: Judith Leftoff, Lou Cicirello, Laurie Dove, Marci Maschino, Lionel Jackson, Benjamin Anderson, and Al Hobson. Motion carried.

NEW BUSINESS (CONTINUED)

C. RESOLUTION 616-13; ENDORSING THE RENAMING OF WICHITA MID-CONTINENT AIRPORT

➤ Resolution 616-13

❖ Resolution 616-13 is presented at the request of Councilmember Cicirello.

Cicirello moved, seconded by Hobson, to approve the Resolution 616-13 and instruct staff to mail a copy to The City of Wichita. Vote yea: Judith Leftoff, Lou Cicirello, Laurie Dove, Marci Maschino, Lionel Jackson, Benjamin Anderson, and Al Hobson. Motion carried.

CONSENT AGENDA

A. REVENUE EXPENSE SUMMARIES – AUGUST 2013

B. BAD DEBT REPORT – AUGUST 2013

C. CHECK RECONCILIATION REPORTS – AUGUST 2013

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

STAFF REPORTS

COMMUNITY DEVELOPMENT DIRECTOR UTECHT

Utecht announced the following commercial industrial projects are in progress: 1) Retro Systems adding an industrial building on Clay Street. It should be completed November 1st. 2) Sid Unruh multiple-unit commercial building going south of Leeker's is under construction. And 3) Demolition currently going on for Casey's new site. Contractor for the underground pulled permits on September 17th to start doing the water lines. Utecht stated these three projects will have approximately 2.5 million to the tax base.

Cicirello asked if anything has been heard about the gas station property at Main and Meridian. Utecht believes what is hurting that project is the existence of the underground fuel tanks.

Utecht stated the Mayor is signing documents for the following certification and application: 1) Community rating system certification due by October 1st. The documents explain what we are doing and some reports have been added to go with them by the end of the month. And, 2) Utecht stated Hephner, Owings, Pile, and himself have started a grant application for a litigation grant for the safe room which was taken off by the CIP. Utecht was advised at the Flood Management Association meeting last week to complete application and send it anyway never knowing when money will come to the State. Utecht also talked to a gentleman at the State Emergency Management Office in Topeka on September 17th and suggested an application be submitted anyway because they may be getting litigation money for the flooding that occurred in Kansas.

STAFF REPORTS (CONTINUED)

Hobson stated Pam Porter, Office Manager, at Michael C. Porter, Chartered CPA announced that she and her husband purchased the building where The Chamber is located. The Chamber is moving their business across the street. Hobson stated this is another nice project that is going in The City.

CITY ADMINISTRATOR PILE

Pile stated: 1) The Kansas League Municipality (KLM) Conference will be held in Overland Park, October 12-14, 2013. Contact the City Clerk for information about registrations and hotel arrangements. And, 2) Health Insurance meeting is today September 17th with the City regarding where we are with the health insurance to bring the Governing Body up to today with what are we looking for different options. We are intending to have the meeting with the employee committee to review the various options, and then bring updates to the Governing Body the first meeting in October so the Governing Body can receive some of the comments from the employee committee.

GOVERNING BODY REPORTS

Councilmember Cicirello

Cicirello reminded about Fall Festival this weekend.

Cicirello moved, seconded by Jackson, to adjourn the meeting. Vote yea: Judith Leftoff, Lou Cicirello, Laurie Dove, Marci Maschino, Lionel Jackson, Benjamin Anderson, and Al Hobson. Motion carried.

Meeting adjourned at 7:20 PM

Jose A. Santiago, Assistant City Clerk

CLERK'S AGENDA

B. APPROPRIATION ORDINANCE:

Below is the proposed Appropriation Ordinance for October 1, 2013 as prepared by City Staff.

[October 1, 2013 Appropriation](#)

Total	\$ 180,567.79
-------	---------------

RECOMMENDED ACTION:

Staff recommends motion to approve the October 1, 2013 Appropriation Ordinance as presented / amended.

9/24/2013 2:26 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
1	KLUMPP, LATAVIA L							
I-000201309105253	US REFUND	R	9/13/2013	164.48		043964		164.48
1	RIGSBY, JANELLE							
I-000201309105254	US REFUND	R	9/13/2013	4.12		043965		4.12
0032	AFLAC							
I-AF 201308075226	SUPPLEMENTAL INSURANCE	R	9/13/2013	66.40		043966		
I-AF 201308215229	SUPPLEMENTAL INSURANCE	R	9/13/2013	66.41		043966		
I-AFC201308075226	SUPPLEMENTAL INSURANCE	R	9/13/2013	33.06		043966		
I-AFC201308215229	SUPPLEMENTAL INSURANCE	R	9/13/2013	33.06		043966		
I-AFD201308075226	SUPPLEMENTAL INSURANCE	R	9/13/2013	121.23		043966		
I-AFD201308215229	SUPPLEMENTAL INSURANCE	R	9/13/2013	121.23		043966		
I-AFO201308075226	SUPPLEMENTAL INSURANCE	R	9/13/2013	12.35		043966		
I-AFO201308215229	SUPPLEMENTAL INSURANCE	R	9/13/2013	12.35		043966		466.09
0133	MAYER SPECIALTY SERVICES							
I-2013393	EMERGENCY CLEANING	R	9/13/2013	1,525.00		043967		
I-2013400	TV INSPECT-SEWER PROJECT	R	9/13/2013	2,600.00		043967		4,125.00
0153	THE ARK VALLEY NEWS							
I-AUG '13 LEGALS	LEGALS - AUG 2013	R	9/13/2013	319.36		043968		319.36
0156	BEALL, MITCHELL AND SULLIVAN,							
I-AUG'13 DEFENDER	AUGUST'13 PUBLIC DEFENDER	R	9/13/2013	1,000.00		043969		1,000.00
0183	KANSAS ONE-CALL SYSTEM, INC							
I-3080492	100 LOCATES AUG 2013	R	9/13/2013	120.00		043970		120.00
0249	APAC - KANSAS INC							
I-8000118602	SENECA (BOMAG & FLY ASH)	R	9/13/2013	30,743.90		043971		
I-8000119440	ST PROGRAM'13 PATCHING	R	9/13/2013	55,494.00		043971		86,237.90
0315	WASTE MANAGEMENT OF WICHITA							
I-5971202-2738-9	AUGUST'13 TRASH SRVCS	R	9/13/2013	29,217.61		043972		29,217.61
0351	WICHITA STATE UNIVERSITY							
I-JSANTIAGO IIMC YR2	IIMC ACADEMY - YEAR 2	R	9/13/2013	475.00		043973		475.00
0354	LOYAL AMERICAN LIFE INSURANCE							
I-ACC201308075226	LOYAL AMERICAN ACCIDENT	R	9/13/2013	6.35		043974		
I-ACC201308215229	LOYAL AMERICAN ACCIDENT	R	9/13/2013	6.35		043974		
I-CNC201308075226	LOYAL AMERICAN CANCER	R	9/13/2013	13.97		043974		
I-CNC201308215229	LOYAL AMERICAN CANCER	R	9/13/2013	13.97		043974		40.64

9/24/2013 2:26 PM

A/P HISTORY CHECK REPORT

PAGE: 2

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
0445	DELTA DENTAL OF KANSAS, INC.							
I-DD 201308075226	DENTAL INSURANCE	R	9/13/2013	1,401.28		043975		
I-DD 201308215229	DENTAL INSURANCE	R	9/13/2013	1,401.29		043975		
I-SEPT 2013 REC CENT	DELTA DENTAL OF KANSAS, INC.	R	9/13/2013	237.72		043975		3,040.29
0542	GIANT COMMUNICATIONS							
I-ACCT # 0000011302	SEPT'13 PHONE SERVICE	R	9/13/2013	711.32		043976		711.32
0085	LAURIE B WILLIAMS							
I-BJE201309185257	CASE # 09-14039	R	9/20/2013	55.00		043980		
I-GJB201309185257	CASE # 11-13654	R	9/20/2013	172.00		043980		227.00
0210	SECURITY BENEFIT							
I-SCB201309185257	DEFERRED COMPENSATION	R	9/20/2013	63.00		043981		63.00
0313	VANTAGEPOINT TRANS AGENTS							
I-ICM201309185257	RETIREMENT 457 DEFERRED COMP	R	9/20/2013	65.00		043982		65.00
0372	U S DEPT OF EDUCATION							
I-JED201309185257	ACCT # 1002461211	R	9/20/2013	175.37		043983		175.37
0421	FAMILY SUPPORT PAYMENT CENTER							
I-JHC201309185257	CASE # 11LWAD00059	R	9/20/2013	67.00		043984		67.00
0239	A T & T KANSAS							
I-316 7552075040 9	VALLEY CK PUMP STATION	R	9/20/2013	58.45		043985		
I-316 7553504922 7	SEP'13AT&T DES SUBSTATION	R	9/20/2013	63.45		043985		
I-316 7557339 720	SEPT 2013 SERVICES	R	9/20/2013	1,151.61		043985		1,273.51
0270	INTRUST CARD CENTER							
I-AUG'13 TRANSACTION	AUGUST '13 TRANSACTIONS	R	9/20/2013	36,648.16		043986		36,648.16
0323	KANSAS PAVING							
I-35-11680-01-2502	PUBLIC SAFETY-PARKING LOT	R	9/20/2013	14,761.68		043987		14,761.68
0530	GALLAGHER BENEFIT SERVICES, IN							
I-38849	SEPT'13 FSA&COBRAADMINFEE	R	9/20/2013	162.50		043988		162.50
0549	UNLIMITED CLEANING AND RESTORA							
I-MOWED 220 E FORD	LAWN SRVC-220 E. FORD	R	9/20/2013	250.00		043989		250.00
0554	KANSAS COURT OF TAX APPEALS							
I-VETERAN PARK EXEMP	TAX EXEMPT APPLICATION	R	9/20/2013	400.00		043990		400.00

9/24/2013 2:26 PM

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
-------------	------	--------	------------	----------------	----------	----------	--------------	--------------

* * T O T A L S * *

	NO	INVOICE AMOUNT	DISCOUNTS	CHECK AMOUNT
REGULAR CHECKS:	24	180,015.03	0.00	180,015.03
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: 02 BANK: APBK TOTALS:	24	180,015.03	0.00	180,015.03

9/24/2013 2:26 PM

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-AUG '13 MILEAGE	AUG '13 MILEAGE REIMBURSE	R	9/13/2013	106.22		043977		106.22
0038	WARREN UTECHT							
I-1871584	COVENANT - XEROX COPY FEE	R	9/13/2013	0.25		043978		
I-RECEIPT 1871584	XEROX COPIES OF DECLARATION	R	9/13/2013	100.00		043978		100.25
0017	KRISTINE POLIAN							
I-ACCTNG ACADEMY '13	ACCTNG ACADEMY CONFERENCE	R	9/16/2013	346.29		043979		346.29

* * T O T A L S * *	NO	INVOICE AMOUNT	DISCOUNTS	CHECK AMOUNT
REGULAR CHECKS:	3	552.76	0.00	552.76
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:	3	552.76	0.00	552.76
BANK: APBK	TOTALS:		27	180,567.79	0.00	180,567.79
REPORT TOTALS:			27	180,567.79	0.00	180,567.79

9/24/2013 2:26 PM

A/P HISTORY CHECK REPORT

PAGE: 5

SELECTION CRITERIA

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

CHECK SELECTION

CHECK RANGE: 043964 THRU 043990
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

PUBLIC FORUM

APPOINTMENTS

COMMITTEES, COMMISSIONS

A. ITEMS FOR COUNCIL REVIEW:

- Valley Center Planning Commission / Board of Appeals
September 24, 2013 Minutes

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

7:00 P.M., Tuesday, September 24, 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, Ronald Colbert Sr., Gary Janzen, Matt Stamm, Danny Park, Don Bosken, Terry Nantkes, and Dee Wretberg.

Members absent: Ricky Shellenbarger and Del James,

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 Colbert, seconded by Commissioner Nantkes to set the agenda. Motion passed unanimously.

APPROVAL OF DRAFT MINUTES:

A motion was made by Commissioner Wretberg, seconded by Commissioner Stamm to accept the July 23, 2013 draft minutes as written. Motion passed unanimously.

A motion was made by Commissioner Stamm, seconded by Commissioner Colbert to accept the August 27, 2013 draft minutes as written. Motion passed unanimously.

PUBLIC HEARING ON ANNUAL REVIEW OF ZONING REGULATION (ARTICLE 17) AMENDMENTS: Chairperson Park re-opened the hearing for comments from the public at 7:03 p.m. In accordance with the board's request from the August meeting, the Zoning Administrator, Warren Utecht researched how "Recreational Vehicle" is defined in other regulations. He recommended a description from the City of Bloomington, Minnesota which divides Recreational Vehicles into two different classifications. He took the idea and incorporated it into the Valley Center Definition and Accessory Use sections to delineate larger from smaller RV type vehicles. Commissioner Janzen recommended, to avoid any confusion, removing the word "and" from page 18 under Recreational Vehicle, (RV): Class 2. Chairperson Park closed the public hearing at 7:15 p.m.

After deliberation a motion was made. Having considered the recommendation of the Community Development Director and other factors that have modified the recommended changes discussed at the Planning Commission meeting, I, Commissioner Janzen, move to recommend to the City Council all previously discussed zoning amendments and the new RV wording, with the revision of removing the word "and" from page 18 under Recreational Vehicle, (RV): Class 2, for adoption by Ordinance. Motion seconded by Commissioner Nantkes. Motion passed unanimously.

COMMUNICATIONS: None

OLD OR UNFINISHED BUSINESS: None

NEW BUSINESS: None

COMMITTEE AND STAFF REPORTS: Warren Utecht reported that he had been in contact with representatives for the Marquez Farm. Most of their discussions have involved the need to bring in city water to supply adequate water pressure for necessary fire hydrants. Commissioner Park commented no permits be issued to Marquez until this matter is resolved.

ITEMS BY PLANNING COMMISSIONERS:

- Ronald Colbert Sr. – Thanks to Warren Utecht for all the work on the Fall Festival Booth.
- Matt Stamm – Asked Warren to check on the buildings on 5th Street that were to be removed by August 30th.
- Dee Wretberg – Nothing
- Don Bosken-Nothing
- Danny Park – Thanked everyone for coming.
- Terry Nantkes – Nothing
- Gary Janzen - Nothing

ADJOURNMENT:

Motion made by Commissioner Stamm and seconded by Commissioner Colbert to adjourn. Motion passed unanimously.

Time of Adjournment 7:25 p.m.

Respectfully submitted,

Warren Utecht

Warren Utecht,
Planning Commission Secretary

Minutes to be reviewed and approved by the Valley Center Planning Commission on October 22, 2013.

/Danny Park/
Danny Park, Chairperson
WU/dt

OLD BUSINESS**NONE:****NEW BUSINESS****A. DISCUSSION RE: 2014 EMPLOYEE HEALTH INSURANCE :**

- The City received renewal rates on September 20, 2013
- An Employee Review Committee met on September 25, 2013 to review rates and make recommendation to City Council.
- Gary Hardman of Gallagher Benefit Services will present options & recommendations during the October 1, 2013 City Council Meeting.

Should Council choose to proceed,

RECOMMENDED ACTION:

Staff recommends motion to accept recommendations of Employee Health Insurance Review Committee pertaining to City Employee Health Insurance for 2014.

NEW BUSINESS

B. ORDINANCE 1265.13, ADOPTING THE AMENDED ZONING REGULATIONS, 1st READING :

An Ordinance amending the Zoning Regulations governing the use of land and the location of buildings within the City of Valley Center, Kansas.

- Ordinance 1265.13

Should Council choose to proceed,

RECOMMENDED ACTION:

Staff recommends motion to adopt Ordinance 1265-13, amending the zoning regulations governing the use of land and the location of buildings within the City of Valley Center, Kansas for 1st reading.

ORDINANCE NO. 1265-13

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

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

Section 1. **Adoption:** Zoning regulations are hereby approved and adopted by the Governing Body of the City of Valley Center, Kansas, as prepared and published as a model code in book form by the Valley Center City Planning Commission and the City Zoning Administrator under the date of January 3, 2013, and entitled " Zoning Regulations of the City of Valley Center, Kansas " and the same are hereby incorporated by reference as fully as if set out herein.

Section 2. **Official Map(s):** There are further herein incorporated by reference and adopted an Official Zoning Map(s) delineating the boundaries of zoning districts and the classifications of such districts, which maps shall be marked "Official copy of zoning district map(s)" incorporated into zoning regulations by adoption of Ordinance No. 1265-13 by the Governing Body of the City of Valley Center on the _____ day of _____, 2013 and filed with the Zoning Administrator to be open for inspection and available to the public at all reasonable business hours.

Section 3. **Public Hearing:** The advertised public hearings required by Kansas law was duly held on August 27, 2013 and continued to September 24, 2013 by the Valley Center City Planning Commission, and a discussion of said Zoning Regulations occurred at the two dates; and the Zoning Regulations and map(s) in model code form herein adopted are a true and correct copy of those regulations as adopted by the Planning Commission.

Section 4. **Jurisdiction:** From the effective date of this Ordinance, the Zoning Regulations and Official Zoning Map(s) herein incorporated by reference shall govern all use of the land and location of buildings and other structures placed within the City of Valley Center, Kansas.

Section 5. **Official Copies:** Two copies of the Zoning Regulations in book form marked "Official Copy as incorporated by Ordinance No. 1265-13" and to which there shall be a published copy of this Ordinance attached, shall be filed with the City Clerk to be open for inspection and available to the public at all reasonable business hours.

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

Section 7. **Repeal:** Ordinance No. 1252-12 is hereby repealed and any other ordinances or parts of ordinances in conflict with this Ordinance are hereby repealed.

Section 8. **Effective Date:** This Ordinance shall take effect from and after its passage, approval and publication once in the official city newspaper.

PASSED BY THE CITY COUNCIL this ____ day of _____, 2013.

APPROVED BY THE MAYOR this ____ day of _____, 2013.

First Reading: _____

Second Reading: _____

(SEAL)

/s/ _____
Michael D. McNown, Mayor

ATTEST:

/s/ _____
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

- Valley Center Floodplain Management Plan
- CRS 510 Progress Report
- Code Enforcement August 2013 Report

E. City Superintendent Dunn

F. Parks & Public Buildings Superintendent Owings

G. City Engineer Kelsey

H. City Attorney Arbuckle

I. City Administrator Pile

Valley Center's Floodplain Management Plan

Annual Report – Activity 510

History and Introduction:

The City of Valley Center has had a history of flooding and property damage, but there has been no loss of life or repetitive damage in the last 20 years. The most damaging flood occurred in August, 2008, followed by a second major flood event 2 years later. However, in the interim period between the two floods, reconstruction of a portion of a levee resulted in much less flooding in 2010.

An area where flooding commonly occurs with moderate rainfalls is in S. Meridian Avenue, from Main Street south to S. Ramsey Drive. Flooding is mainly due to an absence of an underground stormwater system.

Mitigation Strategy #1:

In 2013, the Valley Center City Council authorized the City to increase the Stormwater District taxation levy and is borrowing money to pay for a 5.4 Million dollar underground storm sewer system to mitigate the frequent flooding on S. Meridian Avenue. The project includes the construction of an underground stormwater system along S. Meridian, Ramsey Drive, and Ford Street. The stormwater will be piped to a 40 acre detention facility on the south side of Ford Street.

Mitigation Strategy #2:

The City's five-year old Comprehensive Plan is scheduled to be updated in 2014. As part of the update, the City Planning Commission and Common Council will be asked to consider a "No Adverse Impact" policy that would prohibit any future home, commercial or industrial structures to be built on filled areas, and all new structures be built outside mapped floodplains. This policy recognizes the need to go beyond national and state minimums and take charge of the City's responsibilities to not flood-out urbanized areas of the greater Wichita area.

Mitigation Strategy #3:

Sedgwick County (of which Valley Center is a part of) is funding a Watershed Study of a major drainage corridor through Valley Center. The study will include recommendations how flooding can be lessened in Valley Center and further downstream from Valley Center. Those recommendations will be included in the updated Comprehensive Plan and the Capital Improvement Plan that may include the purchase of private property or easements for the construction of additional temporary detention.

Mitigation Strategy #4: (Activity 330)

Since 2011, the City of Valley Center has implemented a continuous effort of educating its residents of the potential and dangers of flooding, elevation certificates when applicable, and what they can do to prepare for such an event. The City has initiated the following educational methods:

1. The front page of the city's web site has direct links to numerous flood related educational material.
 2. The same educational information is "scrolled" hourly over the City's cable system.
 3. Floodplain and flood related educational brochures are available in the City Hall lobby next to the Clerk's office counter.
 4. Annually, the City sends out an informational floodplain brochure in the water bill, which is sent to nearly every household in the City.
 5. The City has a display table every year at the annual "Fall Fest" community event, with brochures and floodplain maps available to view. Staff is available for questions.
 6. Letters are sent annually to lenders, insurance agents and real estate agents i.e. flood insurance information and availability of elevation certificates at City offices.
-



CRS ACTIVITY 510 Progress Report

September 19, 2013

Name of Community: City of Valley Center, Kansas

Name of Mitigation Plan: Sedgwick County Multi-Jurisdiction Hazard Mitigation Plan

Date of Adoption: July 15, 2009

CRS Certification Fate: June 17, 2013

5-Year CRS Expiration Date: June 17, 2018

Present Mitigation Plan: 2009-2014 Sedgwick County Multi-Jurisdiction Hazard Mitigation Plan

Location where active Mitigation Plan can be found:

<http://www.sedgwickcounty.org/emergmt/planning/mitigationplan.pdf>

Status of Mitigation Plan: Sedgwick County and all communities involved are actively updating the 5 year plan. Two meetings have been held in the past four months with communities who are part of the plan (Valley Center was in attendance at both meetings). All City Department heads were responsible to update their respective areas of the Mitigation Plan and the Community Development Director coordinated the submission of updated information to the Sedgwick County Emergency Manager's office County by the October 1, 2013 deadline. Emergency Contact is Rick Shellenbarger at 316-284-1311.

Valley Center City Council Action: The resolution on the next page was passed at a public hearing authorizing City Staff to attend Sedgwick County meetings and participate in the update of the Multi-Jurisdiction Hazard Mitigation Plan.

RESOLUTION NO. 612-13**A RESOLUTION OF THE CITY OF VALLEY CENTER, KANSAS PROVIDING SUPPORT AND PARTICIPATION IN THE SEDGWICK COUNTY, KANSAS MITIGATION PLAN'S FIVE YEAR UPDATE**

WHEREAS, in 2009, the Sedgwick County Multi-Hazard Mitigation Plan was adopted by the County Board, with participation from the City of Valley Center; and

WHEREAS, Sedgwick County is in the process of conducting a five year update of that Plan, and is asking communities in the County to participate; and

WHEREAS, the City of Valley Center recognizes its susceptibility to hazards, the importance of mitigation planning, and pursuit of grant monies to mitigate local hazards; and

WHEREAS, the City of Valley Center recognizes the data collection guide, the hazard work sheet, and the mitigation action implementation worksheet must be submitted to the Kansas Division of Emergency Management by April 12, 2013, and the City's representative will attend an update meeting scheduled for August 10, 2013; and

WHEREAS, the City will assist Sedgwick County to complete the Sedgwick County Mitigation Plan update by October, 2013.

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

Section 1. The Mayor is hereby authorized to sign a resolution authorizing the Community Development Director to attend all mitigation planning meetings to assist in the update of the Sedgwick County Multi-Hazard Mitigation Plan in 2014 by collecting and submitting all relevant Valley Center data on hazards and multi-hazard mitigation forms in a timely manner to the Kansas Division of Emergency Management, and update the City Council of its progress.

ADOPTED AND APPROVED by the governing body of the City of Valley Center, Kansas, on April 2, 2013.




Michael McNown, Mayor

ATTEST:


Kristine Polian, Clerk

Resolution of Support for Mitigation Plan

Review of Valley Center's Action Items: (as identified in the 2009-2014 Sedgwick County Multi-Jurisdiction Hazard Mitigation Plan):

Goal #	Project Title	Project Description	Status of Project
1	Mini-fire station west of railroad tracks	Construction with safe room, mitigation of tornado, wind impacts.	Plans for a separate mini-fire station were deleted from the Capital Improvement Plan due to downturn of the economy. The City is no longer pursuing this goal.
2	Ford Expansion Phase 1	Floodway bridge Replacement, drainage improvements to mitigate flooding	In 2011, the City completed the reconstruction of the Ford Street Bridge. The bridge was raised to a higher point above the training levee (West Chisholm Creek) and embankment improvements were made to mitigate flooding.
3	Drainage and retention ponds	Drainage and retention ponds. Drainage control of flooding	In 2013, the City Council improved the construction of an underground stormwater project on S. Meridian, Ramsey Drive, and Ford Street, directing stormwater to a 40 acre detention pond. The City Engineer is in the midst of designing the facility, and construction on this Stormwater detention pond will begin the middle of 2014.
4	Library Construction	New Facility with Saferoom	The Library Board is in the process of raising funds to build a new Library which would include a saferoom. Once funds are raised, construction will begin.
5	Public Safety Building addition/renovation	Saferoom addition/shelter	A safe room is in the City's 2013-2015 Capital Improvement Plan for an expansion of the courtroom built to "Saferoom" standards. Even though money is not presently available through the Kansas Department of Emergency Management Safe Room Program, the City will be filing a "Saferoom" application with KDEM in September, 2013.

Source of information: 2009-2014 Sedgwick County Multi-Jurisdiction Hazard Mitigation Plan, pages 360-362, and Valley Center staff

Code Enforcement August 2013
Reported by Officer Cindy Plant, Code Enforcement Officer

- Impounding activity that occurred August 2013 is as follows:

Date	Time	Type of Animal	Results
6	12:05	Female Setter	Taken to the Valley Center Vet Clinic – 12:15. Dog was claimed 09/09/13.
14	10:25	Female Shep. Collie mix	Taken to the Valley Center Vet Clinic - 10:30. Dog was transferred to the Lifeline Shelter.
14	10:20	Female Doberman mix	Taken to Valley Center Vet Clinic -10:30. Dog was transferred to the Lifeline Shelter.
23	3:30	Neutered Male Shep. mix	Taken to Valley Center Vet Clinic - 3:35. Dog was claimed the same day.
28	11:04	Neutered Male Feline	Taken to Valley Center Vet Clinic - 11:14. Owner claimed her cat 09/04/13.
30	4:45	Male Feline	Taken to the Ark Valley Animal Hospital – 4:50. Cat was euthanized.

- Answered one-hundred twenty-one calls for service during the month of August.
- Four dogs were impounded at the Valley Center Vet Clinic.
- Ten complaints were filed for dogs running loose.
- Two sick and injured cats were taken to area vet clinics.
- Five dead animals were disposed of.
- Two barking reports were addressed.
- One bite report was filed and addressed.
- One trap was set and a raccoon was relocated.
- Fifty–six dog license renewal letters were sent to dog owners.
- Dog license forms were delivered to the Ark Valley Animal Hospital.
- One swimming pool complaint was addressed.
- One citation was issued for failure to provide for solid waste collection.
- Six letters were sent to property owners for inoperable vehicles.
- Seventy–six letters were sent for tall grass.
- Thirteen letters were sent to homeowners for trash and debris in their yards.
- Nineteen letters were sent to new residents of Valley Center with pets to inform them to license their dogs.
- Attended the Valley Center Animal League board meeting.
- Attended the Kansas Animal Control board meeting.
- Attended the Valley Center Animal League annual pooch plunge event held on August 11, 2013.

GOVERNING BODY REPORTS

A. Mayor McNown

B. Councilmember Leftoff

C. Councilmember Cicirello

D. Councilmember Ishman

E. Councilmember Dove

F. Councilmember Maschino

G. Councilmember L. Jackson

H. Councilmember Anderson

I. Councilmember Hobson

ADJOURN