

**AGENDA**  
**CITY OF VALLEY CENTER**  
**7:00 pm**  
**October 2, 2007**  
**City Hall - 121 S. Meridian**

- 1. CALL TO ORDER**
- 2. ROLL CALL**
- 3. INVOCATION — Ministerial Alliance: Tony Snavely**
- 4. PLEDGE OF ALLEGIANCE**
- 5. APPROVAL OF AGENDA p2**
- 6. CLERK'S AGENDA**
  - A. Minutes of the September 18<sup>th</sup> Meeting p2
  - B. Appropriation Ordinance p2
- 7. PUBLIC FORUM (Citizen input and requests)**
- 8. COMMITTEES AND COMMISSIONS—REPORTS**
  - A. Proposed Fire Code Change
- 9. OLD BUSINESS**
- 10. NEW BUSINESS p16**
- 11. STAFF REPORTS p16**
- 12. GOVERNING BODY REPORTS p20**
- 13. ADJOURN**

## **Approval of Agenda**

*City Staff recommends motion to approve the agenda as presented/amended.*

## **Clerk's Agenda**

### **A. Minutes of the September 18th Meeting:**

Attached are the minutes from the meeting of September 18, 2007 meeting.

*City Staff suggests motion to approve the Council Meeting Minutes as presented.*

REGULAR COUNCIL MEETING  
SEPTEMBER 18, 2007  
CITY HALL  
121 S. MERIDIAN

Mayor McNown called the meeting to order at 7:00 pm with the following members present: Virginia Black, Jo Ann Gerling, Kate Jackson, Marci Maschino, Cheryl Nordstedt, Louis Cicirello, Lionel Jackson and Jack Townsley.

Members absent: None

Staff Present: ID Creech, City Administrator  
Kristine Polian, City Clerk  
Richard Dunn, City Superintendent  
Lonnie Tormey, Fire Chief  
Mark Hephner, Police Chief  
Eldon Miller, Community Development Officer  
Neal Owings, Parks Superintendent

Press present: The Ark Valley News

**APPROVAL OF AGENDA**

Mayor McNown added the discussion of Phase 8 Annexation to the agenda, after Nordstedt requested such.

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

**CLERK'S AGENDA**

MINUTES- SEPTEMBER 4, 2007

Maschino moved, second by Gerling, to approve the minutes of September 4, 2007 as presented. Vote yea: unanimous. Motion carried.

APPROPRIATION ORDINANCE

L. Jackson moved, second by Townsley, to approve the Appropriation Ordinance No. 09/18/07. Vote yea: unanimous. Motion carried.

PROPOSED CONTRACT- COMMODITY DISTRIBUTION

Nordstedt moved, second by Cicirello, to enter into agreement with the Sedgwick County Board of Commissioners to receive and distribute U.S.D.A. commodities to needy persons for home consumption. Vote yea: unanimous. Motion carried.

**PUBLIC FORUM**

PROCLAMATION- CONSTITUTION WEEK

Mayor McNown proclaimed September 17-23, 2007 as Constitution Week for the City of Valley Center.

## PUBLIC HEARING- PRAIRIE LAKES SPECIAL ASSESSMENTS

Mayor McNown opened the public hearing at 7:09 p.m.

Mayor McNown closed the public hearing at 7:10 p.m.

## PROPOSED ORDINANCE- LEVYING SPECIAL ASSESSMENTS

L. Jackson moved, second by Black, to adopt Ordinance No. 1150-07 levying special assessments on certain property to pay the costs of internal improvements in the City of Valley Center, Kansas, as heretofore authorized by Resolution numbers 514-06, 515-06 and 516-06; and, providing for the collection of such special assessments; and, waive first reading. Vote yea: unanimous. Motion carried.

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Roy Peavey said that he had asked the Manager of BarSol if the company would be willing to dig a 10-foot drainage easement, as he is very concerned that the company's clean-up activity after the explosion is going to cause a worse drainage problem. Said he was denied, in which he then asked the company if he could dig the easement himself, and again he was denied. Made up a list of questions and concerns that he wants the Council to address.

Mayor McNown directed Staff to give a report on the questions asked by Mr. Peavey at the next meeting.

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Harrison Gerling stated that he had concerns of the traffic on 85<sup>th</sup>, saying that he had several occasions where he feared getting rear-ended waiting to turn into Highpoint. He said that he thought a turn lane in the area would help significantly.

## **OLD BUSINESS**

### PROPOSED POLICY- UTILITY BILLING LATE NOTIFICATION

City Clerk Polian indicated that after speaking with City Attorney Arbuckle, it was discovered that the termination notices could not be completely eliminated according to state statute. She stated that since elimination of the notices was not possible, she wanted to shorten the amount of time prior to disconnection that notices were sent out. Instead of the 20<sup>th</sup> of each month, she planned to send out the notices on the 1<sup>st</sup> of each month (4 days prior to disconnect), in hopes that the customers on the late payment/termination notice list decreased.

## **NEW BUSINESS**

### PHASE 8 ANNEXATION

Nordstedt moved, second by Black, to take Phase VIII Annexation off the table and discuss the issue at this meeting. Vote yea: Black, Maschino, Nordstedt, Cicirello, L. Jackson and Townsley. Opposed: Gerling and K. Jackson. Motion carried.

K. Jackson asked Community Development Officer Miller if the Comprehensive Development Plan had been set for public hearing.

Miller stated that he hoped to have it set for November 13, 2007.

K. Jackson indicated that she had motioned that the issue be tabled until December 18<sup>th</sup> because there was not a known date of public hearing to discuss the Comprehensive Development Plan at the time. Since the Comprehensive Development Plan specifically covered areas of influence for the city, she thought it was important to know these areas prior to voting on the annexation.

Nordstedt moved, second by L. Jackson, to adopt Resolution 525-07 setting the public hearing for Annexation Phase VIII on November 20, 2007, to take place at the Council Meeting at City Hall at 7:00 p.m. Vote yea: Black, Maschino, Nordstedt, Cicirello, L. Jackson and Townsley. Opposed: Gerling and K. Jackson. Motion carried.

## **STAFF REPORTS**

### CITY ADMINISTRATOR CREECH

Stated that the electric supply line project being worked on by Westar was complete; said that there would be a work session to discuss the fire code on October 2; Wichita water rates increased, therefore Valley Center's water rates increased for customers; the Capital Improvement Program would be discussed in the near future, and this would be a good time to put roadway and drainage projects on the list. Said that citizens are invited to offer ideas as to which projects they think need to go on the list.

## **GOVERNING BODY REPORTS**

### MAYOR MCNOWN

Said that he hoped everyone would get the opportunity to go to the Fall Festival, and hoped the Council would ride along in the parade. Also asked that everyone get out and vote at Tuesday's election, regardless of which way they felt about the issue.

### COUNCILMEMBER BLACK

Hopes everyone has a good time at the Fall Festival.

### COUNCILMEMBER GERLING

Told Neal that the Disc Golf Course looked nice.

### COUNCILMEMBER CICIRELLO

Asked if the city ever received a response back from Burbach Aquatics.

Creech said that they had, and that the proposal was within the \$3 million dollar limit.

**Meeting adjourned at 7:41 p.m.**

**B. Appropriation Ordinance:**

Attached is the proposed appropriation ordinance for October 2, 2007 as prepared by City Staff.

<b>Packet #1</b>	<b>707.35</b>
<b>Packet #2</b>	<b>55,275.68</b>
<b>Packet #3</b>	<b>64,921.00</b>
	<hr/> <hr/>
	<b>\$ 120,904.03</b>

*City Staff suggests motion to approve the appropriation ordinance as presented.*

PACKET: 00960 10-2-2007 MEETING PKT #1

VENDOR SET: 01

BANK : APBK INTRUST CHECKING

VENDOR	NAME / I.D.	DESC	CHECK TYPE	CHECK DATE	DISCOUNT	AMOUNT	CHECK NO#	CHECK AMOUNT
0138	CINDY PLANT							
	I-200709173802	9-17-7 KACA TRNG-PLANT	R	9/17/2007		100.00CR	037735	100.00
0247	LEEKERS - VALLEY CENTER							
	I-9-17-7 OVRDUE STAT	APR-AUG SUPPLIES	R	9/17/2007		607.35CR	037736	607.35

* * T O T A L S * *	NO#	DISCOUNTS	CHECK AMT	TOTAL APPLIED
REGULAR CHECKS:	2	0.00	707.35	707.35
HANDWRITTEN CHECKS:	0	0.00	0.00	0.00
PRE-WRITE CHECKS:	0	0.00	0.00	0.00
DRAFTS:	0	0.00	0.00	0.00
VOID CHECKS:	0	0.00	0.00	0.00
NON CHECKS:	0	0.00	0.00	0.00
CORRECTIONS:	0	0.00	0.00	0.00
REGISTER TOTALS:	2	0.00	707.35	707.35

TOTAL ERRORS: 0

PACKET: 00960 10-2-2007 MEETING PKT #1

VENDOR SET: 01

BANK : APBK INTRUST CHECKING

VENDOR	NAME / I.D.	DESC	CHECK TYPE	CHECK DATE	DISCOUNT	AMOUNT	CHECK NO#	CHECK AMOUNT
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\*\* POSTING PERIOD RECAP \*\*

FUND	PERIOD	AMOUNT
010	9/2007	601.75CR
150	9/2007	64.78CR
610	9/2007	40.82CR
=====		
ALL		707.35CR



VENDOR SET: 01  
 BANK : APBK INTRUST CHECKING

VENDOR	NAME / I.D.	DESC	CHECK TYPE	CHECK DATE	DISCOUNT	AMOUNT	CHECK NO#	CHECK AMOUNT
0188	A T & T							
	I-SEP 9 2007 040 9	755-2075 MONTHLY BILL	R	9/21/2007		35.45CR	037739	
	I-SEP 9 2007 922 7	755-3504 MONTHLY BILL	R	9/21/2007		38.24CR	037739	73.69
0889	A T & T							
	I-SEP 9 2007 720 9	PHONE LINES-MONTHLY BILL	R	9/21/2007		1,132.69CR	037740	1,132.69
0093	A T & T MOBILITY							
	I-826883290x09122007	MONTHLY-CELL PHONES	R	9/21/2007		204.53CR	037741	204.53
1198	ABENGOA BIOENERGY OF KANSAS							
	I-ABENGOA 7-26-7	BARSOL-3%-3% ATC A3F FOAM	R	9/21/2007		1,892.60CR	037742	1,892.60
0001	AFLAC							
	I-990658	MONTHLY INSURANC REMIT	R	9/21/2007		129.30CR	037743	129.30
0050	BARTEL'S TRUE VALUE							
	I-8-31-7 STATEMENT	AUG 2007 CHARGES	R	9/21/2007		1,561.83CR	037744	1,561.83
0965	CHIEF							
	I-141783	2-WAY RADIO BATTERIES	R	9/21/2007		755.74CR	037745	755.74
0149	CIERO COMMUNICATIONS							
	I-207111	ANTENNA REPAIR	R	9/21/2007		150.75CR	037746	150.75
0078	CIVIC PLUS							
	I-49240	E-MAIL HOSTG FEE-SEP '07	R	9/21/2007		325.00CR	037747	
	I-49632	MO SPAM FILTERG FEE	R	9/21/2007		33.00CR	037747	358.00
1208	DAVID MOSES							
	I-D.MOSES 7-11-7	PRO TEM JUDGE SVCS	R	9/21/2007		75.00CR	037748	75.00
0008	DELTA DENTAL PLAN OF KS							
	I-200709213808	DENTAL INSUR-SEPT 2007	R	9/21/2007		1,853.68CR	037749	1,853.68
0096	DER PRINTING HAUS							
	I-3046	LETTERHEAD & ENVELOPES	R	9/21/2007		282.00CR	037750	282.00
0748	DOCUFORCE							
	I-027812 1	TOSHIBA MAINT & OVERAGES	R	9/21/2007		168.74CR	037751	
	I-14356A	SHIPG-TONER WASTE BOTTLES	R	9/21/2007		6.00CR	037751	174.74

VENDOR SET: 01  
 BANK : APBK INTRUST CHECKING

VENDOR	NAME / I.D.	DESC	CHECK TYPE	CHECK DATE	DISCOUNT	AMOUNT	CHECK NO#	CHECK AMOUNT
0862	ECONO SIGNS LLC I-888997	18"x6" GRN ENG GRADE SIGN	R	9/21/2007		273.90CR	037752	273.90
0086	FARM PLAN I-JUL-AUG '07 FM PLN	DOG FOOD-V.C. SHELTER	R	9/21/2007		34.58CR	037753	34.58
0494	FUTURE PRO INC I-9853	VOLLEYBALL NET	R	9/21/2007		77.00CR	037754	77.00
1077	GALLS AN ARAMARK COMPANY I-5902918800014 I-5902918800022	CUFF CASE; MAG HLDR UNIFORM-SNAP KEEPER	R	9/21/2007		64.71CR 14.76CR	037755 037755	 79.47
0471	HALE'S SALES & SERVICE I-9-6-7 HALE'S PK251	(2) MOWER TIRES	R	9/21/2007		154.00CR	037756	154.00
1210	IMAGING OFFICE SYSTEMS, INC. I-631393	SCANNING CITY HALL DOCS	R	9/21/2007		4,820.72CR	037757	4,820.72
0006	INTRUST BANK N.A. I-200709213805	9-14-7 PAYROLL FED TAXES	D	9/21/2007		12,757.11CR	000000	12,757.11
0007	INTRUST CARD CENTER I-200709213810	VARIOUS SUPPLIES	R	9/21/2007		2,102.78CR	037758	2,102.78
0073	JOHNSON AUTOMOTIVE I-23664 I-23689	VEH #2 REPAIR REAR TIRE VEH #9-CHK TIRES & FLUIDS	R	9/21/2007		14.00CR 45.25CR	037759 037759	 59.25
0293	KANSAS BLUE PRINT CO INC I-611906	WHT & BLK GATOR FOAM	R	9/21/2007		53.17CR	037760	53.17
0005	KANSAS DEPT OF REVENUE I-200709213813 I-SEP 16-30 2007 KW5	2006 KS KW-3 W/H TAXES KW-5 W/H TAXES 9-14 PAYRL	R	9/21/2007		9,135.18CR 1,816.82CR	037761 037761	 10,952.00
0147	KANSAS DEPT OF REVENUE I-200709213812	ST-36 RETAIL TAX-UTILILITES	R	9/21/2007		519.26CR	037762	519.26
0549	KANSAS GAS SERVICE I-200709213803	AUG 2007 GAS SVC	R	9/21/2007		346.99CR	037763	346.99

VENDOR	NAME / I.D.	DESC	CHECK TYPE	CHECK DATE	DISCOUNT	AMOUNT	CHECK NO#	CHECK AMOUNT
0030	KDHE							
	I-DILLMAN CLS III G	WATER OPERATOR EXAM	R	9/21/2007		25.00CR	037764	25.00
0065	LIBERTY EXTERMINATING							
	I-26894	PEST CONTROL-SEP 2007	R	9/21/2007		120.00CR	037765	120.00
0237	LKM							
	I-07-2158	MLA PRGMS-PLANNG & ZONG	R	9/21/2007		500.00CR	037766	
	I-07-2192	LKM CONF REGISTRA-2007	R	9/21/2007		900.00CR	037766	
	I-07-2285	MLA GOVRNG BODY INSTITUTE	R	9/21/2007		135.00CR	037766	1,535.00
1204	MARK HEPHNER							
	I-M.HEPHNER KACP	FUEL COST-TVL KACP TRNG	R	9/21/2007		21.80CR	037767	21.80
0363	MID-CONTINENT SAFETY							
	I-11092222-02 7-20-7	(4) MED RESPIRATORS	R	9/21/2007		85.20CR	037768	85.20
0160	OFFICE DEPOT CARD PLAN							
	I-200709213811	SUPPLIES-CITY FACILITIES	R	9/21/2007		899.11CR	037769	899.11
0226	PETTY CASH - SR CITIZENS							
	I-200709213807	COMM BLDG SUPPLIES	R	9/21/2007		44.22CR	037770	44.22
1089	PITNEY BOWES PURCHASE POWER							
	I-200709213806	POSTAGE FOR METER	R	9/21/2007		500.00CR	037771	500.00
0129	PIXIUS COMMUNICATIONS LLC							
	I-515507	WIRELESS COMMS-MO BILL	R	9/21/2007		89.95CR	037772	89.95
0134	SALINA SUPPLY CO							
	I-935386	REPAIR PARTS	R	9/21/2007		107.28CR	037773	107.28
0132	SEDGWICK COUNTY							
	I-1800020820	AUG '07 COMPUTER USAGE	R	9/21/2007		55.00CR	037774	55.00
0481	SUTHERLAND LUMBER COMPANY							
	I-012778	DISC GOLF PARTS	R	9/21/2007		122.08CR	037775	122.08
0098	VALLEY CENTER BOOSTER CLU							
	I-VCBC 9-12-7 '07	1/2 PG AD- '07/'08 PRGMS	R	9/21/2007		250.00CR	037776	250.00
0099	VALLEY CENTER VET CLINIC							
	I-3542	PHYSICAL EXAM FOR STRAY	R	9/21/2007		38.00CR	037777	38.00

PACKET: 00967 10-2-2007 MEETING PKT #2

VENDOR SET: 01

BANK : APBK INTRUST CHECKING

VENDOR	NAME / I.D.	DESC	CHECK TYPE	CHECK DATE	DISCOUNT	AMOUNT	CHECK NO#	CHECK AMOUNT
1209	VANCE DAVIS							
	I-154297	DISC GOLF PARTS	R	9/21/2007		209.64CR	037778	209.64
0089	VERLIN A.INGRAM							
	I-070166C	STEPHEN CASE NO. 070166C-ATTY SVC	R	9/21/2007		150.00CR	037779	
	I-070167C	STEPHEN CASE NO. 070167C-ATTY SVC	R	9/21/2007		150.00CR	037779	
	I-070168C	STEPHEN CASE NO. 070168C-ATTY SVC	R	9/21/2007		150.00CR	037779	
	I-070169C	STEPHEN CASE NO. 070169C-ATTY SVC	R	9/21/2007		150.00CR	037779	
	I-070170C	STEPHEN CASE NO. 070170C-ATTY SVC	R	9/21/2007		150.00CR	037779	750.00
0094	WASTE MANAGEMENT OF WICHI							
	I-2969066-2738-9	REFUSE SVCS-MONTHLY	R	9/21/2007		562.18CR	037780	562.18
0107	WENGER OIL INC							
	I-81167	GAS TAXES FUEL TAXES-REF INV 81167	R	9/21/2007		406.80CR	037781	406.80
0062	WESTAR ENERGY							
	I-200709213809	MONTHLY BILL-ELECTRIC	R	9/21/2007		8,503.04CR	037782	8,503.04
0222	ZEE MEDICAL INC							
	I-021668463	FIRST AID SUPPLIES	R	9/21/2007		76.60CR	037783	76.60

* * T O T A L S * *	NO#	DISCOUNTS	CHECK AMT	TOTAL APPLIED
REGULAR CHECKS:	45	0.00	42,518.57	42,518.57
HANDWRITTEN CHECKS:	0	0.00	0.00	0.00
PRE-WRITE CHECKS:	0	0.00	0.00	0.00
DRAFTS:	1	0.00	12,757.11	12,757.11
VOID CHECKS:	0	0.00	0.00	0.00
NON CHECKS:	0	0.00	0.00	0.00
CORRECTIONS:	0	0.00	0.00	0.00
REGISTER TOTALS:	46	0.00	55,275.68	55,275.68

TOTAL ERRORS: 0

PACKET: 00967 10-2-2007 MEETING PKT #2

VENDOR SET: 01

BANK : APBK INTRUST CHECKING

VENDOR	NAME / I.D.	DESC	CHECK TYPE	CHECK DATE	DISCOUNT	AMOUNT	CHECK NO#	CHECK AMOUNT
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\*\* POSTING PERIOD RECAP \*\*

FUND	PERIOD	AMOUNT
010	9/2007	35,729.18CR
110	9/2007	3,927.67CR
150	9/2007	3,208.22CR
220	9/2007	24.42CR
225	9/2007	812.29CR
610	9/2007	5,169.06CR
620	9/2007	6,404.84CR
=====		
ALL		55,275.68CR

VENDOR SET: (RECONSTRUCTED)

BANK: APBK INTRUST CHECKING

VENDOR	NAME / I.D.	DESC	CHECK TYPE	CHECK DATE	DISCOUNT	CHECK AMOUNT	CHECK NO#	CHECK AMOUNT
0039	AIRGAS MID SOUTH I-106216487	OXYGEN CANISTER	R	9/25/2007		50.29CR	037784	50.29
0952	AUTOMOTIVE & INDUSTRIAL I-620476	PARTS/REPAIR-FIRE	R	9/25/2007		54.90CR	037785	54.90
0470	BNSF RAILWAY COMPANY I-407095452	MERIDIAN SIDEWALK-FINAL	R	9/25/2007		10,779.05CR	037786	10,779.05
0138	CINDY PLANT I-200709253816	FUEL & TURNPIKE-C. PLANT	R	9/25/2007		19.25CR	037787	19.25
0115	CINTAS CORPORATION #451 I-451562905	V.C. LOGO SHIRTS	R	9/25/2007		445.81CR	037788	445.81
0748	DOCUFORCE I-14439A 1	SHIPPNG-TONER/TOSHIBA	R	9/25/2007		6.00CR	037789	6.00
0855	FIRST WIRELESS INC I-WT05967 I-WT06100 I-WT06143	RADIO BATTERIES-1500 MAH RADIO BATTERY-1200 MAH RADIO BATTERY-HT600	R R R	9/25/2007 9/25/2007 9/25/2007		382.00CR 98.00CR 145.00CR	037790 037790 037790	625.00
1213	HERSHEL SMITH I-200709253817	REIMBURSE DOG ADOPT FEE	R	9/25/2007		35.00CR	037791	35.00
0073	JOHNSON AUTOMOTIVE I-23583	MAINTENANCE-VEH #10	R	9/25/2007		38.17CR	037792	38.17
0293	KANSAS BLUE PRINT CO INC I-613167	HP T100 COLOR PLOTTER	R	9/25/2007		5,805.00CR	037793	5,805.00
0111	KONICA MINOLTA BUSINESS SOLUTIONS (KMBS) I-208550264	MONTHLY SVC & SUPPLIES	R	9/25/2007		53.97CR	037794	53.97
0010	KPERS I-200709253815	9-14-7 PAYMENT-XCPT LIFE	D	9/25/2007		4,239.32CR	000000	4,239.32
0183	LEE REED ENGRAVING INC I-112513	NAME BADGE-I.D. CREECH	R	9/25/2007		14.10CR	037795	14.10
0122	LOGO DEPOT & INDUSTRIAL UNIFORM I-0218270-IN	UNIFORMS-FIRE DEPT	R	9/25/2007		211.40CR	037796	211.40

VENDOR SET: (RECONSTRUCTED)

BANK: APBK INTRUST CHECKING

VENDOR	NAME / I.D.	DESC	CHECK TYPE	CHECK DATE	DISCOUNT	CHECK AMOUNT	CHECK NO#	CHECK AMOUNT
1211	MARY VALDEZ							
	I-200709253814	CANX COMM BLDG-REFUND	R	9/25/2007		20.00	037797	20.00
0126	NAVRAT'S OFFICE PRODUCTS							
	I-90102-0	8 1/2 x 11 WHITE PAPER	R	9/25/2007		165.00	037798	
	I-90636-0	CLEAR PUSH PINS-CITY HALL	R	9/25/2007		1.39	037798	
	I-91841-0	DESKJT INKS; 2008 CALENDR	R	9/25/2007		123.97	037798	290.36
0127	P. E. C.							
	I-320553	BIENNIAL BR INSPECT	R	9/25/2007		1,200.00	037799	
	I-320578	CAP PROJ-CAMPUS ADDITION	R	9/25/2007		3,775.22	037799	
	I-423200	ABILENE,BURNS,COLEY-PROJ	R	9/25/2007		8,646.77	037799	
	I-423210	AUG 2007-PROF SVCS	R	9/25/2007		105.00	037799	13,726.99
0004	PREFERRED PLUS OF KANSAS							
	I-0709536-00118	HEALTH INSUR-MONTHLY	R	9/25/2007		25,172.00	037800	25,172.00
0166	SHELLEY ELECTRIC							
	I-54875	INSTALL LIGHTS-2006	R	9/25/2007		1,388.00	037801	
	I-55207	TROUBLESHOOT & REPAIR	R	9/25/2007		1,138.00	037801	
	I-55229	REPRGM SCHOOL ZONE LTS	R	9/25/2007		70.50	037801	2,596.50
0218	TEE'S PLUS							
	I-252310	D.A.R.E. PROMO ITEMS;CERT	R	9/25/2007		202.23	037802	202.23
1212	VALLEY CENTER CONVENIENCE STORE							
	I-1-1993	FUEL-TRUCK #36 STREETS	R	9/25/2007		102.86	037803	102.86
0508	WICHITA CONCRETE PIPE CO							
	I-I0019195	INTRURBN & 69TH CULVERT	R	9/25/2007		358.80	037804	358.80
0171	WICHITA WINWATER WORKS							
	I-148714 00	MTR WSHRS; PVC PIPE	R	9/25/2007		74.00	037805	74.00

* * T O T A L S * *	NO#	DISCOUNTS	CHECK AMT	TOTAL APPLIED
REGULAR CHECKS:	22	0.00	60,681.68	60,681.68
HANDWRITTEN CHECKS:	0	0.00	0.00	0.00
DRAFTS:	1	0.00	4,239.32	4,239.32
VOID CHECKS:	0	0.00	0.00	0.00
NON CHECKS:	0	0.00	0.00	0.00
REGISTER TOTALS:	23	0.00	64,921.00	64,921.00

TOTAL ERRORS: 0

VENDOR SET:

(RECONSTRUCTED)

BANK: APBK INTRUST CHECKING

VENDOR NAME / I.D.	DESC	CHECK TYPE	CHECK DATE	DISCOUNT	AMOUNT	CHECK NO#	CHECK AMOUNT
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\*\* POSTING PERIOD RECAP \*\*

FUND	PERIOD	AMOUNT
010	9/2007	10,906.48CR
110	9/2007	27,483.92CR
150	9/2007	758.04CR
240	9/2007	202.23CR
350	9/2007	23,201.04CR
610	9/2007	883.37CR
620	9/2007	1,485.92CR
=====		
ALL		64,921.00CR



location may be subject to delay in crediting of up to 5 days after the date of receipt. Payments received after the 2:00 CT deadline will be posted the next business day. Use the enclosed envelope to mail your payment.



CREDIT LIMIT	AVAILABLE CREDIT	DAYS IN BILLING CYCLE	BILLING CYCLE CLOSING DATE	PAYMENT DUE DATE	MINIMUM PAYMENT
5,000	2,124	33	09/04/07	09/29/07	2,102.78

DATE OF		REFERENCE NUMBER	CHARGES, PAYMENTS AND CREDITS SINCE LAST STATEMENT	AMOUNT
TRANS.	POST.			
08/02	08/03	55432866N00F8TBPV	NFPA NATL FIRE PROTECT 800-344-3555 MA	246.00
08/03	08/03	55547536R40H9Y1KA	INT'L CODE COUNCIL INC COUNTRY CLUB IL	516.55
08/08	08/08	55420366WKGA6FBLN	INTERSTATE ALL BATTERY DES MOINES IA	29.84
08/14	08/14	054101972ELKMP3F0	BESTBUYCOM 88994009 RICHFIELD MN	466.69
08/15	08/15	55432867300H8XSR2	AKA*ADOLF KIEFER ASSOC 800-323-4071 IL	49.90
08/16	08/16	55457377460P2MZVN	HALLMARK BUSINESS EXP 8165455715 MO	130.00
08/16	08/16	85176327400XTN60R	PAYMENT - THANK YOU	1,182.90-
08/17	08/17	054440076V8HMD5M	COMPUSA #220 M/O DALLAS TX	77.25
08/20	08/20	054447479VBSBLVTV	OFFICE DEPOT #2190 WITCHITA KS	13.99
08/20	08/20	F10880078000LF232	REFUND OF LATE FEES	39.00-
08/30	08/30	25411177K72EMMBXM	B & H PHOTO-VIDEO-MO/T 800-9479950 NY	588.00

PREVIOUS BALANCE	PAYMENTS	CREDITS	PURCHASES AND CASH ADVANCES	DEBIT ADJUSTMENTS	FINANCE CHARGE	NEW BALANCE
1,206.46	1,182.90	39.00	2,118.22	0.00	0.00	2,102.78

AN AMOUNT FOLLOWED BY A MINUS SIGN (-) IS A CREDIT OR A CREDIT BALANCE UNLESS OTHERWISE INDICATED

We appreciate your business.  
 View account information at [www.intrustcard.com](http://www.intrustcard.com).  
 For credit card inquires or to report a lost/stolen card,  
 call 800-222-7458. In the Wichita area, call 316-383-1354.

To avoid finance charges on purchases, the New Balance shown on the two previous statements must be paid in full by their payment due dates.

050

# **PUBLIC FORUM**

## **Committees and Commissions – REPORTS**

### **A. Proposed Fire Code Change:**

Previously distributed proposed 2003 Edition of the International Fire Code.

## Old Business

## New Business

## Staff Reports

### City Clerk

### Police Chief

#### Valley Center Police August Monthly Report

The Police Department answered 214 calls for service during July 2007. Of those calls, 37 generated police cases. Emergency Communications/Records recorded 41 Fire Department calls for service, 93 records dissemination requests, 1272 telephone calls and 160 citizen contacts. The following is a break down of the police department cases:

- Six non-injuries accidents;
- one injury accident;
- one assault/battery cases;
- responded to four 911 hang ups;
- eleven false alarm calls;
- two arrests for driving on suspended license;
- one assist citizen calls;
- twenty one assist outside agencies on calls;
- twenty six assist EMS/fire on calls;
- one burglary report;
- seven criminal damage to property reports;
- five check the welfare complaints;
- six checking open door/business;
- one counterfeiting case;
- three dog complaints;
- three disorderly conduct cases;
- three loud noise complaints;
- nineteen disturbance calls;
- three driving complaint calls;
- three funeral escorts;
- two found property cases;
- one missing child call;

one telephone harassment calls;  
twenty three miscellaneous calls;  
four loud noise complaints;  
two lost/stolen tags reports;  
three parking complaints;  
one possession of paraphernalia reports;  
three runaway report;  
eleven suspicious character/vehicle calls;  
five thefts;  
two threat reports.

Officers wrote one hundred and one citations during the month.

During the month of July, Sedgwick County Emergency 911 Dispatch covered for the City of Valley Center 16 hours because of our personnel shortage in dispatch.

During the month, Detective Sergeant Lloyd Newman II presented one felony case to the District Attorney's Office. Sergeant Newman II presented eight cases to the Juvenile District Attorney's Office. Newman prepared and served notices to appear in municipal court. Attended the monthly Intelligence meeting.

Sergeant Vogt attended the Kansas Operation Lifesaver committee meeting in Topeka on August 2. Sergeant Vogt attended the meeting of the Railroad Task Force for the City of Valley Center on August 6, costs were evaluated on the establishment of quiet zones. Sgt Vogt attended the Operation Lifesaver Region 5&6 Conference in Little Rock, Arkansas. Sergeant Vogt continues to work on the 800 radio project with reprogramming.

Chief Hephner attended the monthly Kansas Intelligence Association meeting on August 2nd. The Chief attended a Safe Routes meeting at city hall on August 6<sup>th</sup>. The Chief attended the Barton Solvent Community Meeting on August 8<sup>th</sup>. We had a departmental meeting on August 9<sup>th</sup>. The Chief attended a planning meeting for Fall Festival on August 15<sup>th</sup> and 21st. The Chief and Sgt Newman attended a meeting/demonstration on the WatchGuard In-Car-Camera system on August 23. The Chief attended the monthly Chief's meeting on August 24.

SRO Activities-Officer Adams reported the following contacts:

157 student contacts,  
3 probation/diversion contacts,  
3 drug related contacts,  
15 parent contacts,  
3 tobacco nta's,  
attended 5 school functions,  
32 problem solving contacts,  
5 gang related contacts,  
3 violent incidents,  
1 runaway case,  
2 citations issued, and  
1 medical incident.

Miscellaneous items:

Future events: I plan on attending the Kansas Association of Chief's of Police September 9-12. We are in the planning stages for Fall festival September 21-23.

/s/ Chief Mark Hephner

## **Fire Chief**

### **Parks & Public Properties**

### **Community Development**

Code Enforcement August 2007

I responded to one hundred fourteen calls for service for the month of August:

- Fourteen complaints were filed for dogs running loose.
- I apprehended and impounded fifteen stray dogs.
- Owners reclaimed eleven dogs.
- Two dogs were sent with Sedgwick County Animal Control.
- One injured dog was taken to Valley Center Vet. Clinic and later released to the owner.
- One injured ferret was taken to the Valley Center Vet. Clinic.
- Four kittens were rescued from the window well of an empty apartment.
- One raccoon was tested for rabies after biting a dog in the neck.
- I received three snake complaints and two snakes were removed from window wells.
- I disposed of four dead animals.
- One cruelty reports was filed and addressed.
- Two traps were set.
- Three miscellaneous complaints were received and addressed.
- Performed kennel duties, feeding, cleaning and providing care to the animals.
- I releasing dogs from the animal shelter to their owners.
- I spoke with several dog owners regarding their dogs running loose.
- Forty dog licenses renewal letters were sent to dog owners.
- Two inoperable vehicle letters were sent to homeowners.
- Sixty-six tall grass complaints were addressed.
- Fourteen letters were sent to homeowners for trash and debris in their yards.
- I spoke with a homeowner requesting that they trim their trees over the sidewalks.

/s/ Officer Cindy Plant

## **City Superintendent**

### **City Engineer**

Shown below is a list of projects that PEC is working on along with the project status.

**Wastewater Treatment Plant Improvements:** The bid letting for the project was held on May 9<sup>th</sup>. We are working on modifications to the plans in order for construction to proceed on the project. We are anticipating construction starting in October.

Utility Contractors, Inc.-Contractor

**Main Street Water line and Storm Sewer and Interurban Water Supply Line:** The final inspection for this project has been conducted, and the only remaining item of work is completion of the controls for the valve at Seneca/61<sup>st</sup> Street. We received the agreement with Westar to mount the antenna on their utility pole on August 22, 2007, and have directed the contractor to complete the work. The Contractor has indicated that they plan to mount the antenna this week, and complete the control work in the next couple of weeks. All other work is complete.

Wildcat Construction-Contractor

**Sanitary Sewer Rehabilitation:** We have reviewed several of the sewer tapes, and are waiting to review additional tapes after televising and cleaning work are completed. We will be developing a map showing the needed corrections to the sewer system, along with costs to perform the work. Scheduled to meet with public works on 10/3/07 to review the project.

**Burns/Colby/Abilene Water line Replacements:** The construction on the project commenced on August 6, 2007 and the contractor has completed the installation of the proposed water lines, and is currently reconnecting services. Completion of the project is anticipated for early November.

Duling Construction-Contractor

**Valley Center City Complex:** We have completed research of the easements and properties, geotechnical work, boundary survey and other field surveys are completed. We are currently coordinating with the various utility companies to confine their facilities within easements.

**Other Items:**

- Attended meeting with the developer for Ridgefield Addition to review platting of the property and petition costs. Having on-going discussions with the platting engineer for this property.
- Will be working on updating the City Standards for Paving/Drainage/Sanitary Sewer/Water line design and construction.
- Coordinating with Cornejo and Sons to pave the Community Center parking lot.
- Preparing revised drainage plan and corresponded with the Contractor for the Valley Center Christian Church Addition.
- Reviewing 89<sup>th</sup> Street crossing of the landing strip.

/s/ Mike Kelsey

**City Attorney**

**City Administrator**

- Attached is response to questions from Ray Peavey at the September 18<sup>th</sup> City Council meeting.



*Ray Peavey concerns from City Council Meeting September 18, 2007:*

**Responses in GREEN provided by Jean Underwood of KDHE:**

HOW IS VALLEY CENTER INVOLVED IN BARSOL EXCAVATING AND MOVING DIRT?

**R1: The Kansas Department of Health and Environment-Bureau of Environmental Remediation (KDHE-BER) is responsible for oversight management of investigation and response activities related to the release event of July 17, 2007 at Barton Solvents Valley Center facility. Where concerns have arisen during implementation of response activities, KDHE-BER has verbally notified the City Administrator so that the City of Valley Center is aware.**

WAS A PERMIT ISSUED FOR THIS?

**R2: On August 17, 2007, Barton Solvents submitted an application to the KDHE-Bureau of Waste Management (KDHE--BWM) to landfarm petroleum-contaminated soil on the southern part of their property. The application was approved by KDHE-BWM on August 21, 2007. KDHE-BER recently became aware of several significant deviations from the approved application (e.g., landfarm not constructed in location as depicted in approved application) at which point Barton Solvents was requested to cease landfarming operations. KDHE-BER is working with Barton Solvents to correct this situation including a plan to physically move the landfarm from the present unapproved location. To this end, Barton Solvents submitted an amended landfarm application on September 20, 2007 which is pending review by KDHE-BWM. The proposed amended location is further to the east and extends toward the Barton Solvents facility; if approved, there would be an approximate 10-ft setback from the south fence line.**

IS THE CITY ENGINEER WORKING ON THIS PROJECT?

No. **R3: Again, KDHE-BER is responsible for oversight management of investigation and response activities.**

IF A PERMIT WAS ISSUED CAN I SEE THE PLOT PLAN?

**R4: The original application and plot plan is available; please direct your request to E. Jean Underwood (KDHE-BER) at 785-291-3255. The amended application and plot plan would be available for release once a final determination is made by KDHE-BWM.**

IS THE CITY LOOKING OUT FOR PEOPLE'S PROPERTY AND LAND VALUES?

This question would have to be rephrased. The City of Valley Center has rules and regulations including zoning in place that provide compliance with identified land use.



SET BACKS FOR FRONT AND BACK HAVE BEEN IGNORED.

The action underway under the corrective agreement is not permanent construction. **R5: Response deferred to the City of Valley Center regarding property setbacks. The landfarm will not remain at the present unapproved location (see R2 above).**

WILL THE DIRT MOVED THERE REMAIN THERE?

The action underway under the corrective agreement is not permanent construction. **The landfarm will not remain at the present unapproved location (see R2 above).**

ARE ALL THE AGENCY'S OVERLOOKING THIS PROJECT LOOKING OUT FOR SAFETY OF PEOPLE?

**R5: Despite some of the deviations from the original approved application, as verified by continuous stationary and periodic mobile air monitoring, landfarming operations have not posed a health risk to nearby property owners. The landfarm is surrounded by clean berm soils to prevent runoff. Again, the landfarm will not remain at the present unapproved location. The proposed amended location is further to the east and extends toward the Barton Solvents facility; if approved, there would be an approximate 10-ft setback from the south fence line. (see R2 above). If the amended location is approved by KDHE-BWM, once landfarming has adequately reduced contamination levels, the landfarm area will be regraded and seeded to promote positive drainage and reestablish vegetation. Response deferred to the City of Valley Center regarding property setbacks.**

THEY DO NOT CARE ABOUT PEOPLES LAND VALUES AND DRAINAGE.

This appears to be a statement rather than a question.

I CONTACTED BARSOL ABOUT DEDICATION OF 10 FEET ON SOUTH SIDE OF THEIR PROPERTY FOR A DRAINAGE DITCH LIKE THE ONE ON THE NORTH SIDE. THEY SAID NO. I ASKED THEM TO DEED ME 10 FEET AND I WOULD PUT IN THE DITCH. I FEEL THESE OPTIONS WERE FAIR BECAUSE THEY ARE CREATING THE PROBLEM. THERE WAS A SMALL PROBLEM FROM THE FIRST TIME THEY FILLED THE LOT IN. IF THIS DIRT IS LEFT THERE IT WILL BE A BIG PROBLEM.

THERE IS A 10 FT EASEMENT FOR UTILITIES ON THE SOUTH SIDE AND THEY HAVE PUT A BERM ON 6 OR 7 FEET OF THE EASEMENT.

THERE IS A SEWER MANHOLE APPROXIMATELY 4 FEET FROM THE MANHOLE AND IF THE DIRT IS LEFT THERE IT WILL HAVE TO BE RAISED TO KEEP OUT SURFACE WATER.

THERE NEEDS TO BE DRAINAGE ON THE SOUTH SIDE THAT IS A PERMANENT EASEMENT THAT NOBODY CAN BUILD ON OR STOP UP IN ANY WAY.

IF THE DIRT IS LEFT THERE IT SURE IS'NT GOING TO HELP PROPERTY VALUES ANY.





**R8: Response deferred to the City of Valley Center regarding property values. Again, the landfarm will not remain at the present unapproved location. If the amended location is approved by KDHE-BWM, once landfarming has adequately reduced contamination levels, the landfarm area will be regraded and seeded to promote positive drainage and reestablish vegetation.**

A BUFFER ZONE EASEMENT SHOULD BE ON THE FRONT AND SOUTH SIDE LIKE THE ONE ON THE NORTH AS THE LEAST IMPROVEMENT TO THIS THOUGHTLESS UNPLANNED MESS.

**R9: Again, the landfarm will not remain at the present unapproved location. The proposed amended location is further to the east and extends toward the Barton Solvents facility; if approved, there would be an approximate 10-ft setback from the south fence line. (see R2 above).**

## GOVERNING BODY REPORTS

MAYOR McNOWN

COUNCILMEMBER BLACK

COUNCILMEMBER GERLING

COUNCILMEMBER K JACKSON

COUNCILMEMBER MASCHINO

COUNCILMEMBER NORDSTEDT

COUNCILMEMBER CICIRELLO

COUNCILMEMBER J JACKSON

COUNCILMEMBER TOWNSLEY

Staff was expecting to receive the following request before the agenda went out... such request has not arrived at this time – but, is still expected for meeting of October 2<sup>nd</sup>.

If the individual does attend the meeting and make the request and If the Governing Body wishes to pursue the request, a motion to set a hearing as identified in 5.18.040 would be in order.

### **Request for Waiver of Code Requirement – Sale of Alcoholic Liquor:**

Bryan and Lara Kutz are in process of acquiring a the restaurant located at 218 W. Main Street. They wish to make application to sell alcoholic liquor on the premises with food service.

Sections 5.18.030 and 5.18.040 of the Code of the City of Valley Center place restrictions on business places that sell alcoholic liquor:

*5.18.030 License -- Application and issuance conditions -- Renewal. All applications for a new or renewal of city licenses for the above five licenses described in Section 5.18.020 shall be submitted to the city clerk upon a form supplied by the city clerk. Upon presentation of the appropriate state license, payment of the city license fee and the license application, the clerk shall issue a city license for the period covered by the state license if there are no conflicts with any zoning or alcoholic beverage ordinances of the city. The license issued will be for the same period of time as the state license and no license fee shall be refunded for any reason. In the case of the application for a caterer's license or a temporary permit, the applicant will also provide a copy of the application to the chief of police at least seventy-two hours prior to the event and will state thereon the exact date and times alcoholic beverages will be served, and any anticipated need for police or municipal services. (Ord. 720 § 1 (part), 1987.)*

*5.18.040 Location of business restricted. No alcoholic liquor shall be sold or served by a person holding a license or permit from the city whose place of business or other premises is located within three hundred feet of any church, school, nursing home, library or hospital, such distance to be measured from the nearest property line of such church, school, nursing home, library or hospital to the nearest portion of the building occupied by the premises. Provided, that the distance location set out above shall not apply to a club, drinking establishment, caterer or temporary permit holder when the license or permit applicant petitions for and receives a waiver for the distance limitation from the governing body. The governing body shall grant such waiver only following public notice and hearing and a finding by the governing body that the proximity of the establishment is not adverse to the public welfare or safety. (Ord. 720 § 2, 1987.)*

From the attached map, you will note that 218 W Main has three (3) conflicts with Section 5.18.04:

USD 262 Attendance Center – 226 W. Main

Christian Church – 100 S. Park

