

AGENDA
CITY OF VALLEY CENTER
7:00 pm
January 20, 2009
City Hall - 121 S. Meridian

- 1. CALL TO ORDER**
- 2. ROLL CALL**
- 3. INVOCATION -- Ministerial Alliance Jason Ramsey**
- 4. PLEDGE OF ALLEGIANCE**
- 5. APPROVAL OF AGENDA** p2
- 6. CLERK'S AGENDA**
 - A. Minutes p2
 - B. Appropriation Ordinance p7
- 7. PUBLIC FORUM** (*Citizen input and requests*) p8
- 8. COMMITTEES AND COMMISSIONS -- REPORTS** p8
- 9. OLD BUSINESS** p9
 - A. Ordinance 1156-07; Annexation Phase VIII, (*2nd reading*) <insert>
 - Annexation & Improvements Statues & General Service Plans <insert>
 - Phase VIII Annexation Staff Report p10
- 10. NEW BUSINESS** p11
- 11. STAFF REPORTS** p13
 - Chief of Police** – p14
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 - Community Development** –17
 - Compliance Officer** – p21
- 12. GOVERNING BODY REPORTS** p22
- 13. ADJOURN**

Approval of Agenda

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

Clerk's Agenda

A. Minutes of the January 6th Meeting:

Attached are the minutes from the January 6, 2009 Regular Meeting and January 13, 2009 Special Meeting.

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

REGULAR COUNCIL MEETING
JANUARY 6, 2009
CITY HALL
121 S. MERDIAN

Mayor **McNown** called the meeting to order at 7:00 p.m. with the following members present: Jo Ann **Gerling**, **Kate Jackson**, Marci **Maschino**, Cheryl Nordstedt, Bruce Campbell, Lou Cicirello, **Lionel Jackson**, and Jack **Townsley**.

Members absent:

Staff Present: George Kolb, Interim 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
Mike Kelsey, City Engineer

Press present: The Ark Valley News

APPROVAL OF THE AGENDA

Mayor McNown added discussion of the animal shelter under New Business.

Maschino moved, second by K. Jackson, to accept the Agenda as amended. Vote yea: unanimous. Motion carried.

CLERK'S AGENDA

MINUTES- DECEMBER 16, 2008

A Typo was found under Mayor McNown's Governing Body Report.

Gerling moved, second by Cicirello, to approve the minutes of December 16, 2008 as amended. Vote yea: unanimous. Motion carried.

APPROPRIATION ORDINANCE- 01/06/09

Nordstedt moved, second by Gerling, to approve Appropriation Ordinance No. 01/06/09 as presented. Vote yea: unanimous. Motion carried.

RULES OF ORDER

Nordstedt moved, second by Maschino, to approve the Rules of Order as presented. Vote yea: unanimous. Motion carried.

City Administrator Kolb stated he felt additional improvements could be made to the presented Rules of Order, and would like to continue working on them.

Council consensus is to have Council members Nordstedt and Campbell assist Staff in further improving the Rules of Order.

COMMITTEES AND COMMISSIONS

CITY ADMINISTRATOR SEARCH

Mayor McNown stated that 32 resumes were submitted for the position of City Administrator, but not all met the requirements. The Committee will meet the following Saturday at 1:00 p.m. to narrow down the resumes to 4 or 5 and then present recommendations to the Council.

NEW BUSINESS

ANIMAL SHELTER

Nordstedt expressed concerns with the current condition of the animal shelter, and asked that funding be made available to make improvements to the building.

Council consensus is to have Staff bring back a viable plan for an upgraded animal shelter for the first meeting in February.

STAFF REPORTS

ELDON MILLER

Stated Valley Center was turned down for the Safe Routes grant, but received several pointers on how to improve the application for next time.

Maschino asked how the Church of Ladder Day Saints issue was going.

Replied the Board of Zoning Appeals will meet with Staff and applicants on Wednesday January 7 to go over the final site plan that was approved.

CITY ADMINISTRATOR KOLB

Said he looked into the Sales Tax revenue for 2009, and thinks there may be a slight decline, however, does not believe anything should be changed since the number budgeted was already lower than what is being received. Said he will provide something on paper in the near future. Stated he will be presenting a revised CIP in approximately a week so the Council can move forward with making decisions on capital projects. Also stated he was concerned about the lack of technology currently used in the Council Chambers so he will be getting proposals to upgrade the audio and visual equipment in the Council Chambers, and will present the information to the Council as soon as possible.

GOVERNING BODY REPORTS

MAYOR MCNOWN

Emphasized the importance of the CIP and asked Governing Body to look at it very closely once Kolb has provided it.

COUNCILMEMBER CICIRELLO

Stated the 93rd and Meridian meeting will be Monday, January 12.

Mayor McNown announced there would be 2 Special Meetings in January: January 13, 7:00 p.m. and January 31, 8:45 a.m., both to discuss and interview applicants for the City Administrator's position.

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

Meeting adjourned at 7:44 p.m.

Kristine Polian, City Clerk

SPECIAL COUNCIL MEETING
JANUARY 13, 2009
CITY HALL
121 S. MERIDIAN

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

Members absent: None

Staff present: George Kolb, Interim City Administrator
Kristine Polian, City Clerk

Press present: The Ark Valley News

CITY ADMINISTRATOR SEARCH

Cicirello moved, second by Maschino, to go into Executive Session for 30 minutes to discuss non-elected personnel beginning at 7:02, to include Governing Body members, Interim City Administrator Kolb and Marla Flentje. Vote yea: unanimous. Motion carried.

Councilmember Cicirello stated non-elected personnel was discussed and no action was taken.

Cicirello moved, second by Nordstedt, to go into Executive Session for an additional 30 minutes to discuss non-elected personnel at 7:33 with the same members present as in the previous Executive Session. Vote yea: unanimous. Motion carried.

Cicirello stated non-elected personnel was discussed and no action was taken.

Cicirello moved, second by Maschino, to direct Staff to issue a press release of the candidates to be interviewed for the City Administrator's position while allowing time for the candidates to be notified and for them to notify their employers. Vote yea: unanimous. Motion carried.

Mayor McNown stated there would be a Special Meeting on January 31 to conduct interviews of the 3 candidates.

Council consensus is to have 2 of the 3 candidates receive a tour of the City on Friday and 1 on Saturday, and being interviews of all 3 candidates at 9:00 a.m. Council will meet at 8:45 a.m. to go over all information before the interviews begin.

Nordstedt moved, second by Cicirello, to approve City Administrator Kolb to move from part-time to full-time but keeping the rest of the terms of his employment the same. Vote yea: unanimous. Motion carried.

Cicirello moved, second by L. Jackson, to adjourn the meeting.

Meeting Adjourned at 8:13 p.m.

Kristine Polian, City Clerk

Clerk's Agenda

B. Appropriation Ordinance:

There is no Appropriation Ordinance included in this January 20, 2009 meeting packet, a hard copy will be provided prior to the Council Meeting.

The accounting system went down on Wednesday, January 7, 2009 and was in the process of being repaired until late afternoon on Wednesday, January 14, 2009.

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

PUBLIC FORUM

Committees and Commissions – REPORTS

Old Business

A. Ordinance 1156-07; Annexation Phase VIII Annexation, 2nd Reading

Ordinance 1156-07 was first presented on September 18, 2007 meeting at which time it was tabled until a public hearing on November 20, 2007. Ordinance 1156-07 passed at first reading November 20, 2007; 5 yea / 2 opposed.

STAFF REPORT ANNEXATION 2007-0002
 COMMUNITY DEVELOPMENT
 ELDON G. MILLER, AICP, CFM

Planning Commission found that the annexation is compatible with the Valley Center Comprehensive Development Plan and recommends annexation of the 20 properties

CASE NUMBER: ANNEXATION 2007-002

APPLICANT: City of Valley Center

Background: On September 18, 2007, the City of Valley Center passed Resolution No. 525-07 to consider the unilateral annexation of 20 tracts of property; (2 of the tracts are platted) located adjacent to current city limits of the City of Valley Center.

Staff Analysis: The proposed annexation area has 87.95 acres with 18 properties being residential and 5 property farmland with 1 property a driveway. The properties are zoned Sedgwick County "RR" Rural Residential. The subject properties are located in residential areas with large lots or adjacent to residential areas within the city. All of the residences but were built in the 1950's to 1990's. It is not likely that there will be a demand for the tracts to be redeveloped or re-plat to 'urban-densities' of development. The Future Land Use Map of the City of Valley Center Comprehensive Plan has designated the majority of the proposed annexation area for future residential uses.

The City of Valley Center has submitted a service plan describing the extension of services to the annexation area. Water and sewer can be extended to these tracts from present city lines. Valley Center has water and sewer to the Ford (77th) and Seneca area that can be extended to the east. Water and sewer lines are at 5th and Seneca that can be extended to the north and east. Proposed water and sewer plans are done for west of the river by PEC. Also the city is working on a waterline from 61st Street north along Interurban and Seward (69th) to Meridian. Also the city has a 16" water main that extends north along Meridian from 61st Street that provides fire hydrants to one of the properties. Water and sewer mains are in the immediate area and can be readily extended to the proposed annexation area. The City of Valley Center provides police services to the surrounding properties. The city has annexed 77th Street west of the river, 81st Street west and West Street from 81st to 77th, Seneca from 5th north one-half mile and 93rd Street from Broadway to almost Seneca. These roadways are touching property already annexed into the city. Sedgwick County Sheriff has to come into the city to provide any services for the proposed annexation properties. The City of Valley Center provides fire services to the proposed annexed areas through contracts with the townships. Sedgwick County Fire Department has to come into the city to provide any services for the proposed annexation properties.

The present population of the proposed annexation area is 49. There is no business, commercial or industrial development within this area. The cost of

STAFF REPORT ANNEXATION 2007-0002

COMMUNITY DEVELOPMENT

ELDON G. MILLER, AICP, CFM

providing services to this area is no greater than the present cost of services for the area because the annexation area touches the present city limits. The present value of all property within the annexation area is \$2,910,980. The taxes on the proposed annexation area will increase approximately \$8,201.68. The Sedgwick County Fire District would lose \$6,182.73 in taxes with the annexation.

All of the property is within the Valley Center School District. All of the property except for one is served by the Valley Center Post Office. The recreation program is located within the City of Valley Center. The annexation area is within the trade area for businesses located in Valley Center. The annexation of these properties will not hinder the growth of any other city within Sedgwick County. The annexation will eliminate the duplication of services by Sedgwick County Sheriff and Fire Departments because they have to come into the city limits of Valley Center to provide services to all but one property. There are no petitions from this area for the incorporation as a new city or a special district. 18 properties are already developed for residential uses and will not change. 5 properties that are farmland could be developed. The one property that is a driveway will be undeveloped. Economic impact will be limited because of the properties not developing at this time but by being within the city and have access to sewer and water they will be able to be developed and increase the economics for the property owner.

Staff Recommendation: To advise the City Council that the annexation of these properties does comply with the Comprehensive Development Plan for the Valley Center Area, Kansas 2000 – 2010 and as amended in March 22, 2005.

New Business

Staff Reports

A. City Clerk

B. Chief of Police

December 2008 Report

C. Fire Chief

December 2008 Activity Report

D. Community Development

Community Development December 2008 Report

Compliance Officer December 2008 Report

E. City Superintendent

F. Parks Superintendent

G. City Engineer

H. City Attorney

I. City Administrator

Officer's Report

January 8, 2008

Chief Mark V. Hephner #1

Attention: George Kolb
 City Administrator
 Valley Center Kansas

Subject: Valley Center Police December Monthly Report

The Police Department answered 242 calls for service during December 2008. Of those calls, 57 generated police cases. Emergency Communications/Records recorded 34 Fire Department calls for service, 73 records dissemination requests, 923 telephone calls and 84 citizen contacts. The following is a break down of the police department cases:

Calls for Service: Two 911 hang ups; seventeen alarm calls; twelve animal calls; ten assist citizen calls; eighteen assist EMS calls; forty-one assist other agency calls; one battery case; three burglary cases; five check for wanted person calls; one death investigation; four DV battery case; two burglary reports; six criminal damage to property calls; thirteen check the welfare calls; one child custody dispute case; one child-in-need-of-care case; eight disturbance/domestic calls; one driving complaint; two DUI's; six found property case; one funeral escorts; three harassment by phone calls; one indecent liberties case; three injury accident reports; one lost property case; three loud noise complaints; eleven misc. calls for service; two missing person reports; ten non-injury accident reports; one parking complaints; three reckless driving complaints; four runaway reports; seventeen suspicious activity/persons/vehicle calls; fourteen theft reports; one trespassing complaint; one truancy reports; one violation of PFA; and one window peeking report. Officers wrote seventy-five citations during the month.

During the month of December, Sedgwick County Emergency 911 Dispatch covered for the City of Valley Center 304 hours because of our personnel shortage in dispatch.

The Chief attended the monthly area chiefs meeting on December 11. The Chief attended a committee meeting on fee reviews on December 15. The Chief attended the DARE graduation at Wheatland School on December 18. The Chief attended at KACP/KPOA committee meeting at KLETC on December 19.

During the month, Detective Sergeant Lloyd Newman II completed the monthly fuel report. He spent two weeks working on fuel reports in preparation for our yearly license renewal. He also completed evaluations for three officers. He assisted with the DARE graduation by preparing a slide show to show at graduation. He and Detective Grayson also hosted the monthly KIA meeting. Detective Grayson assisted with the DARE graduation.

SRO Activities-198 student contacts; 1 probation/diversion contacts; 0 drug related contact; 4 parent contacts; 0 tobacco arrest; 14 problem solving contacts; 0 gang related contact; 0 violent incidents; 0 alcohol contact; 1 medical call; 1 truant case; and 32 school staff contacts, taught 7 classes on Domestic Violence, Bulling, Hazing.

Training: Officer Gordon and Detective Grayson attended training on the Kansas Intelligence System on December 29 & 30 in Arkansas City.

Miscellaneous items: DARE graduation was on December 18. It was a great success thanks to Officer Gordon and Detective Grayson. Tiffany Pankratz, a Kansas City Chief Cheerleader and successful business woman was the guest speaker. Brian Hunter was hired as a part time officer. Megan Branson was hired as our fourth full time dispatcher. The new dispatchers will be trained and working on their own by January 17. Mitch Garner has been hired as a part time dispatcher. This gets up to full staffing with dispatchers. We will now rarely have to forward our dispatching duties to Sedgwick County 911.

Future events: Officer Justin Longhofer will graduate from KLETC on February 13.

Chief Mark Hephner
Valley Center Police Chief
January 8, 2008

December 2008 Activity Report

The Fire Department responded to 36 calls for service in December; these are broken down as follows.

<u>Calls For Service</u>	<u>City</u>	<u>Township</u>
Building Fire	1	0
Grass Fire	0	1
Dumpster Fire or Other Outside Trash Receptacle Fire	1	0
Steam, Vapor, Fog, or Dust Thought to be Smoke	1	0
Smoke Scare Odor of Smoke	3	0
Medical Assist, Assist EMS Crew	5	0
Motor Vehicle Accident Without Injuries	1	0
Motor Vehicle Accident With Injuries	2	0
CO Detector Due to Malfunction	1	0
Power Line Down	1	0
Gasoline or Other Flammable Liquid Spill	1	0
Dispatched & Cancelled En Route	2	4
Burn Permit	12	0

14 Firefighters Attended Training in Valley Center
 Training Consisted of a Training Video, Fit Test, and
 Bunker Gear One Minute Drills (December 29th 2008).

CHIEF TORMEY

DATE: January 13, 2009
TO: City Council and Planning Commission
FROM: Eldon G. Miller, AICP, CFM, Community Development Officer
RE: Monthly Report – December 2008

1. PENDING CITY COUNCIL – January 2009

- A. SU-2008-004: Robert O. & Shirley A. Davis, 1800 E 5th,/RWD #2 requests as a special use for a water treatment structure.

**2. PLANNING COMMISSION/BOARD OF ZONING APPEALS ACTIONS–
DECEMBER 15, 2008**

- A. BZA-A-2008-001: Cheryl Maris and Billie Strunk has appealed the decision of the Site Plan Review Committee on the Site Plan for the addition to the Church of Jesus Christ of Latter Day Saints at 528 W. 5th. BZA modified the site plan. Meeting was held on January 7, 2009 to review the modified site plan.
- B. SU-2008-004: Robert O. & Shirley A. Davis, 1800 E 5th,/RWD #2 requests as a special use for a water treatment structure. Planning Commission recommended approval.
- C. VAC-2008-002: Tom Bartel/Agent: Ward Rapp requests a vacation of part of the access control easement at Ramsey and Ford. Planning Commission recommended approval.
- D. Bylaws: Secretary Dailey wants to discuss amending the bylaws on disqualification. Planning Commission will vote on them for recommendation to the City Council. Tabled till January 27, 2009.
- E. 2009 Calendar: Approved.
- F. 2009 Planning Consultant's contract. Planning Commission recommends \$5,000.00.

3. PENDING SITE PLAN REVIEW COMMITTEE – JANUARY 19, 2009

- A. S/P-2008-008: Rural Water District #2 adding a treatment facility located at 1800 E 5th.

- B. S/P-2008-009: Wichita Dog Training Club adding an indoor training facility located at 6201 N. Seneca.
- C. S/P-2008-010: West Elementary School: Addition to the school.
- D. S/P-2008-011: Abilene Elementary School: Addition to the school.

4. PENDING SUBDIVISION COMMITTEE – JANUARY 19, 2009

- A. None

5. PENDING PLANNING COMMISSION – JANUARY 27, 2009

- A. Bylaws: Secretary Dailey wants to discuss amending the bylaws on disqualification. Planning Commission will vote on them for recommendation to the City Council.
- B. Training session on alternative sewer system.
- C. Joint training session with Site Plan Review Committee on site plans.

6. OTHER ACTIVITIES

- A. Hosted an Grant writers class.
- B. Held South Meridian Neighborhood Plan meeting.
- C. Attended WAMPO workshop on the Long Range Transportation Plan.

7. BUILDING PERMIT ACTIVITY – DECEMBER 2008

- A. 7 permits were issued for reroofing with a value of \$53,277.
- B. Permit was issued for addition to commercial building.
- C. Permit was issued for a detached garage with a value of \$8,000.
- D. 2 permits were issued to basement repair with a value of \$20,500.
- E. 3 plumbing permits were issued.
- F. 3 mechanical permits were issued.

- G. 2 fence permits were issued.
- H. 1 zoning enforcement letter sent.
- I. 2 zoning enforcement case sent to the City Attorney.
- J. 1 zoning enforcement letter complied with.

New Residential Construction

Month	2008	2007	2006
January	5	1	3
February	0	5	2
March	1	2	0
April	4	12	5
May	4	8	5
June	3	7	6
July	5	7	2
August	2	3	16
September	1	5	9
October	3	1	2
November	5	3	7
December	<u>0</u>	<u>3</u>	<u>2</u>
Total	33	56	59

Building Permits fees collected:

Monthly: \$1553.50

Year to Date: \$47,511.12

Paid to Sedgwick County:

Monthly: \$766.75

Year to Date: \$23,755.67

Water meter fees collected:

Monthly: \$0.00

Year to date: \$5000.00

Sewer meter fees collected:

Monthly: \$0.00

Year to date: \$2700.00

Rural Water District fees collected:

Monthly: \$0.00

Year to date: \$2150.00

Zoning fees collected:

Monthly: \$450.00

Year to date: \$4071.50

Fire permit fees collected:

Monthly: \$0.00

Year to date: \$25.00

Arborist license fees collected:

Monthly: \$25.00

Year to date: \$25.00

Tax abatement fees:

Monthly: \$250.00

Year to date: \$250.00

*Code Enforcement December 2008
Officer Cindy Plant*

- *I responded to forty-four calls for service for the month of December.*
- *Ten complaints were filed for dogs running loose.*
- *Eight stray dogs were impounded.*
- *Owners reclaimed five dogs.*
- *One dog was adopted.*
- *Two dogs were sent with Sedgwick County Animal Control.*
- *One steer was running loose.*
- *Two horses were running loose.*
- *Three bite reports were filed.*
- *I disposed of five dead animals.*
- *Two barking dog complaints were addressed.*
- *Two traps were set.*
- *Follow up was done for a letter sent for tall grass.*
- *Follow up was done and trees were trimmed on abandon property.*
- *Miscellaneous complaints were received and addressed, citations were issued.*
- *Performed kennel duties, feeding, cleaning and providing care to the animals.*
- *I releasing dogs from the animal shelter to their owners.*
- *Notices were posted for dog owners to make contact in order to address animal issues.*
- *I spoke with several dog owners regarding their dogs running loose.*
- *Forty three dog licenses renewal letters were sent to dog owners.*
- *Twelve letters were sent to homeowners for trash and debris in their yards.*
- *I delivered 2009 dog license to Valley Center Vet Clinic.*
- *Four inoperable letters were sent.*
- *Legal papers were served.*

GOVERNING BODY REPORTS

- A. Mayor McNown**
- B. Councilmember Gerling**
- C. Councilmember K. Jackson**
- D. Councilmember Maschino**
- E. Councilmember Nordstedt**
- F. Councilmember Campbell**
- G. Councilmember Cicirello**
- H. Councilmember L. Jackson**
- I. Councilmember Townsley**

ADJOURN