



CITY COUNCIL AGENDA

November 7, 2023

***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.***

- 1. CALL TO ORDER**
- 2. ROLL CALL**
- 3. INVOCATION: MINISTERIAL ALLIANCE**
- 4. PLEDGE OF ALLEGIANCE**
- 5. APPROVAL OF AGENDA p 4**
- 6. ADMINISTRATION AGENDA p 5**
 - A. City Council Special Called Meeting Minutes – October 12, 2023
 - B. City Council Meeting Minutes – October 17, 2023
- 7. PRESENTATIONS / PROCLAMATIONS p 11**
 - A. Employee Longevity Awards
 - B. Military Appreciation Month Proclamation
 - C. National American Indian Heritage Month Proclamation
 - D. From the Ground Up Presentation
- 8. PUBLIC FORUM (*Citizen input and requests*) p 11**
- 9. APPOINTMENTS p 11**
 - A. Appointment – Valley Center Public Library p 11
- 10. OLD BUSINESS p 11**
- 11. NEW BUSINESS p 17**
 - A. Gold Star Award p 17
 - B. Approval to Award Contract and Commitment of funds for Meridian Street p 18
 - C. Approval of bid from Sargent Drilling for well #10 maintenance p 24
 - D. Request to solicit bids for sale of City Fire Engine p 29
 - E. Main Street Closure for Christmas Events Request p 32
 - F. Discussion of Speed Humps/Bumps p 35
 - G. Ordinance 1398-23: Amending Ordinance 1396-23 p 37
 - H. Ordinance 1399-23; Re-zoning land SE of 93rd St. and Meridian Ave p 40
 - I. Ordinance 1400-23; Re-zoning land SE of 85th St. and Ridge Rd. p 50
- 12. CONSENT AGENDA p 65**
 - A. Appropriation Ordinance – November 7, 2023 p 66

- B. Delinquent Account Report – August 2023 p 74
- C. Planning and Zoning Board Minutes – October 25, 2023. p 80
- D. Stormwater Citizens Advisory Committee Minutes – October 25, 2023 p 86
- E. Public Library 3rd quarter reports p 89
- F. Alcohol Waiver Request – Dec. 8, 2023, City Holiday Party p 93

13. STAFF REPORTS p 95

14. GOVERNING BODY REPORTS p 97

15. 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 any time 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@valleycenterks.org or by phone at (316)755-7310.

For additional information on any item on the agenda, please visit www.valleycenterks.org or call (316) 755-7310.

CALL TO ORDER

ROLL CALL

INVOCATION – MINISTERIAL ALLIANCE

PLEDGE OF ALLEGIANCE

APPROVAL OF AGENDA

RECOMMENDED ACTION:

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

ADMINISTRATION AGENDA

A. MINUTES:

Attached are the Minutes from October 12, 2023, special called City Council Meeting as prepared by the City Clerk.

and

Attached are the Minutes from the October 17, 2023, regular City Council Meeting as prepared by the City Clerk.

SPECIAL SESSION COUNCIL MEETING
October 12, 2023
CITY HALL
121 S. MERIDIAN

Mayor Cicirello called the special session council meeting to order at 7:00 p.m. with the following members present: Matt Stamm, Chris Evans, Clint Bass, Ben Anderson, Gina Gregory, Dale Kerstetter, Robert Wilson, and Ronald Colbert.

Members Absent: None

Staff Present: Rodney Eggleston, Public Works Director
 Neal Owings, Parks and Public Buildings Director
 Barry Arbuckle, City Attorney
 Desirae Womack, City Treasurer

Press present: None

APPROVAL OF AGENDA

Stamm moved to approve the agenda as presented, seconded by Kerstetter. Vote aye: unanimous. Motion carried.

NEW BUSINESS-

**A. PUBLIC HEARING AND ADOPTION OF RESOLUTION 741-23; APPLICATION TO
KDHE FOR PUBLIC WATER SUPPLY LOAN**

Public Works Director Eggleston introduced Brian Meyer, Burns and McDonnell. He presented information regarding the proposed water treatment plant. They recommend a Greensand and Membrane Softening system. Wilson requested information regarding the ability to expand the facility if needed in the future. Eggleston stated that the plant can definitely be expanded for future developments. Kerstetter asked the history of the planning to build the water treatment plant.

Mayor opened the Public Hearing at 7:18pm

Mayor closed the Public Hearing at 7:18pm

Kerstetter moved to approve Resolution 741-23 authorizing a loan application to the Kansas Department of Health and Environment. Wilson seconded the motion. Vote: Aye: Stamm, Evans, Bass, Anderson, Gregory, Kerstetter, Wilson and Colbert. Motion approved.

Stamm moved to adjourn, second by Kerstetter. Vote Aye: Unanimous.

ADJOURN -

The meeting adjourned at 7:22 PM.

Kristi Carrithers, City Clerk

REGULAR COUNCIL MEETING
October 17, 2023
CITY HALL
121 S. MERIDIAN

Mayor Cicirello called the council meeting to order at 7:00 p.m. with the following members present: Matt Stamm, Chris Evans, Clint Bass, Ben Anderson, Gina Gregory, Dale Kerstetter and Robert Wilson.

Members Absent: Ronald Colbert

Staff Present: Ryan Shrack, Community Development Director
 Matthew Vogt, Public Safety Director
 Rodney Eggleston, Public Works Director
 Neal Owings, Parks and Public Buildings Director
 Barry Arbuckle, City Attorney
 Gage Scheer, City Engineer
 Desirae Womack, City Treasurer
 Barry Smith, Assistant City Administrator
 Brent Clark, City Administrator
 Kristi Carrithers, City Clerk

Press present: Ark Valley News

APPROVAL OF AGENDA

Stamm moved to approve the agenda as presented, seconded by Evans. Vote Aye: unanimous. Motion carried.

ADMINISTRATION AGENDA –
OCTOBER 3, 2023, CITY COUNCIL MINUTES-

Evans moved to approve the minutes of the October 3, 2023, City Council meeting as presented, seconded by Bass. Vote Aye: Unanimous Motion Carried.

PRESENTATIONS/PROCLAMATIONS –
FIRST RESPONDERS' DAY PROCLAMATION

Mayor Cicirello read a proclamation to recognize October 28, 2023, as First Responders' Day.

PUBLIC FORUM –

Jeremy Johnson, 748 N Wakefield Ave. addressed Council requesting a review of the speed limit in the Ridgefield HOA. He explained that too many people are speeding through the neighborhood. He suggested speedbumps be installed that would break the trend of people speeding through the neighborhood that has lots of children.

James Janzen, president of the Ridgefield HOA also expressed his concerns. He reminded Council that he requested a lowering of speed limit last year. He requested more patrols and radar usage to write more tickets. He is afraid another child will be hit.

Mayor responded that he personally wasn't in favor of speed bumps, but maybe speed humps. Mayor also encouraged Janzen to gather resident signatures to petition the city to lower the speed limit.

Councilmember Bass commented that he noticed many vehicles parked in the streets, that could hinder sightlines.

APPOINTMENTS – None

OLD BUSINESS – None**NEW BUSINESS-****A. REQUEST FOR STREET CLOSURE – CHAMBER OF COMMERCE**

Allison Club, Chamber of Commerce Director requested closure of the 100-200 blocks W Main Street for the annual Trick or Treat event.

Kerstetter moved to approve of closure of 100-200 W. Main St. on October 30, 2023, from 3:00pm to 8:00pm for annual Trick or Treat Event, seconded by Wilson. Vote Aye: unanimous. Motion carried.

B. VALLEY CENTER MUNICIPAL UTILITY FEASIBILITY STUDY

Scott Burnham with NewGen Strategies & Solutions, LLC presented the Municipal Utility Feasibility Study for Valley Center. He reported on the project strategy and tasks. He showed the financial model that considers Municipal Electric Utility costs (MEU) over a 10-year period. Burnham acknowledged that retail rates would be slightly higher than estimated Evergy rates in the early years but would be slightly lower in later years.

John Coyle, legal subconsultant with Duncan & Allen then gave legal analysis moving forward. He stated the establishment of municipal electric utility is feasible under existing Kansas and federal law, but to expect strong opposition from incumbent. Coyle explained his four elements of successful municipalization are “spread”, “head”, “bread” and “lead”

Bass moved to accept and file the Municipal Utility Feasibility Study. Motion seconded by Kerstetter. Vote Aye: unanimous. Motion carried.

CONSENT AGENDA

A. APPROPRIATION ORDINANCE – OCTOBER 17, 2023

B. DELINQUENT ACCOUNT REPORT-JULY 2023

C. TREASURER’S REPORT – SEPTEMBER 2023

D. REVENUE AND EXPENSE REPORT – SEPTEMBER 2023

E. CHECK RECONCILIATION – SEPTEMBER 2023

F. PLANNING AND ZONING BOARD MINUTES – SEPTEMBER 26, 2023

G. STORMWATER CITIZENS ADVISORY COMMITTEE MINUTES – SEPTEMBER 26, 2023

H. ECONOMIC DEVELOPMENT BOARD MINUTES – OCTOBER 4, 2023

Stamm moved, seconded by Evans to approve the Consent Agenda as presented. Vote Aye: Unanimous. Motion carried.

STAFF REPORTS**COMMUNITY DEVELOPMENT DIRECTOR SHRACK**

The final Farmer’s Market of the season will be this Thursday evening Hours will be from 4:00-7:00pm

POLICE CAPTAIN VOGT

The department will be assisting with the Trick or Treat event on Main Street.

Reported that the new fire truck has been delivered and is being outfitted.

The Public Safety department continues to interview for open positions. Vogt anticipated that the Brazos ticketing system would be on-line within thirty days.

In response to the bike/truck collision occurring last week. He hopes more education for all citizens for bicycles and speeding will help. Kerstetter asked if there are any programs currently in place in schools.

PUBLIC WORKS DIRECTOR EGGLESTON

Thanked Council for attending the special-called City Council meeting on the 12th. He reported that everything has been completed and filed with the KDHE.

He has had numerous inquiries regarding the bids for the Meridian project.

CITY ENGINEER SCHEER

Confirmed that the bids for the Meridian project will be opened tomorrow at the KDHE headquarters.

GOVERNING BODY REPORTS-

COUNCILMEMBER STAMM

Announced that he will be switching to Ideatek later this week to take advantage of fiberoptic lines. Mayor and Wilson stated they have made the switch and find it much faster and more reliable.

Wilson moved to adjourn, second by Kerstetter. Vote Aye: Unanimous.

ADJOURN -

The meeting adjourned at 7:56 PM.

Kristi Carrithers, City Clerk

ADMINISTRATION AGENDA

RECOMMENDED ACTION

A. MINUTES:

RECOMMENDED ACTION:

Staff recommends motion to approve the minutes of the October 12, 2023, Special Called Council Meeting as presented/ amended.

and

Staff recommends motion to approve the minutes of the October 17, 2023, Regular Council Meeting as presented/ amended.

PRESENTATIONS / PROCLAMATIONS

A. Longevity Employee Awards

- Neal Owings – 25 Years
- Jeremiah C Kirk – 25 Years
- Katherine Lechner – 10 Years

B. Military Appreciation Month Proclamation

C. National American Indian Heritage Month Proclamation

D. “From the Ground Up” Presentation

PUBLIC FORUM

APPOINTMENTS

- ### A. Valley Center Public Library Board – Michael Vo (term expires April 2026)

OLD BUSINESS

Office of the Mayor Valley Center, Kansas Proclamation

WHEREAS the freedom and security that citizens of the United States enjoy today are direct results of the bloodshed and continued vigilance given by the United States Armed Forces over the history of our, great nation; and

WHEREAS the sacrifices that such members of the United States Armed Forces and of the family members that support them, have preserved the liberties that have enriched this nation making it unique in the world community; and

WHEREAS, we are celebrating November 11, 2023, Veteran's Day we are calling on all Americans to remember those who gave their lives in defense of freedom and to honor the men and women of all our Armed Services who have served and are now serving our Country, together with their families; and

WHEREAS, we celebrate Victory in Europe (VE) Day, Military Spouse Day, Loyalty Day, Armed Forces Day/Week, National Day of Prayer, Memorial Day, Navy Day, Army Day, and Flag Day; Therefore, I call upon all citizens to display the Flag of the United States and to participate in actives in the community. I therefore, call upon all Americans, including civic and fraternal organizations, place of worship, school, to support this day with commemorative expressions and programs.

NOW, THEREFORE, I, Lou Cicirello, Mayor of the City of Valley Center, Kansas do hereby proclaim the month of November 2023 as a special time to show appreciation for our Military and proclaim it as

MILITARY APPRECIATION MONTH

in the City of Valley Center, Kansas and encourage all citizens to join me in showing our gratitude by the appropriate display of flags and ribbons during the designated period.

(Seal of the City)

IN WITNESS WHEREOF, I have hereunto Set my hand and caused the Seal of the City of Valley Center to be affixed this 7th day of November 2023

Lou Cicirello, Mayor

**Office of the Mayor
Valley Center, Kansas
Proclamation**

WHEREAS *the history and culture of our great nation have been significantly influenced by American Indians and indigenous peoples; and*

WHEREAS *the contributions of American Indians have enhanced the freedom, prosperity, and greatness of American today, and*

WHEREAS *their customs and traditions are respected and celebrated as part of a rich legacy throughout the United States.*

WHEREAS *Native American awareness Week began in 1976 and recognition was expanded by Congress and approved by President George Bush in August 1990, designating the month of November, as National American Indian Heritage Month; and*

WHEREAS, *in honor of National American Indian Heritage Month, community celebrations as well as numerous cultural, artistic, educations and historical activities have been planned.*

NOW, THEREFORE, *I, Lou Cicirello, Mayor of the City of Valley Center, KS hereby proclaim the month of November 2023 as*

NATIONAL AMERICAN INDIAN HERITAGE MONTH

and urge all citizens to observe this month with appropriate programs ceremonies and activities.

(Seal of the City)

IN WITNESS WHEREOF, *I have hereunto Set my hand and caused the Seal of the City of Valley Center to be affixed this 7th day of November 2023*

Lou Cicirello, Mayor

From the Ground Up Nonprofit

A nonprofit focused on supporting the families of Valley Center

PO Box 31
Valley Center, Ks, 67147

fromthegroundupvc.com

To Whom It May Concern,

I am writing to you today to tell you more about our nonprofit in hopes of receiving a donation to help fund one of our community projects. From the Ground Up is located in the town of Valley Center Kansas and serves over 1,000 people during the year through a variety of projects. Declared a 501(c)(3) in 2020, this nonprofit was started when the local school had a need for immediate access to clothing during the school day. Community members stepped up and started the Hornets' Hanger clothing closet to fill that need. The closet provides anyone in the community with gently used clothing, coats and shoes of all sizes at no cost anytime during the year.

In order to open the clothing closet to the community the founding team put together a Back-to-School Fair that has now become an annual event. Typically held on the first Saturday in August, families are able to shop for clothing, receive haircuts, sports physicals, school supplies as well as visit with other community agencies to find more programs to support their family. In 2022 a sensory hour was added to support families that have children with sensory processing disorder. In 2023 we had 400 children in attendance and all received everything free of charge.

Our largest project aims to help families provide gifts for their children during the holiday season who may not otherwise be able to afford them. The Hornets' Holidays program began in 2021 when a similar community project closed their doors. Families are able to request assistance for their children who are 18 and younger and enrolled in the Valley Center district. The families go through a verification process and the children are then anonymously matched with generous community members willing to purchase gifts for the children in a process similar to a virtual angel tree.

On the second Saturday in December, families are able to pick up their gifts, shop the clothing closet, have their gifts wrapped by our volunteers and go through our Stuff-a-Sock area to put together a stocking for each child. When they leave, each family is also given a gift certificate for groceries at the local grocery store. In 2022 the project served 185 kids. At the close of 2023 sign up there were 269 children requesting assistance for the holiday season.

We appreciate you taking the time to learn more about us and our heart for our community. We truly couldn't do it without generous grants, funding, and gifts from people like you. If you have any questions please don't hesitate to reach out.

Sarah Warren
From the Ground Up Nonprofit
President

Valley Center Public Library

October 31, 2023

Mayor Lou Cicirello
City of Valley Center
121 S Meridian
Valley Center, KS 67147

Dear Mayor Cicirello:

We are requesting the following changes to the Board of the Valley Center Public Library.

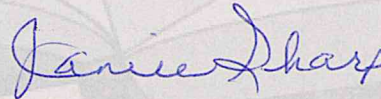
Chris Porter resigned due to lack of attendance based on Article V, Section 9, of the Bylaws of the Library, which states that if a member misses more than three consecutive absences or four absences in a twelve-month period.

With the resignation of Chris Porter, please appoint Michael Vo, 4118 W 77th N, Valley Center, KS. His phone number is 316-806-8280. His email address is: Mikevoht@gmail.com.

I have attached a new chart showing all board members with their addresses and expiration dates.

Sincerely,

VALLEY CENTER PUBLIC LIBRARY



Janice Sharp
Library Director

VALLEY CENTER PUBLIC LIBRARY
BOARD MEMBERS
10-31-2023

Toby Carver, President
214 No. Emporia
Valley Center
712-9970
tobydcarver@gmail.com
Term expires April 2025 – 1st Term – replaces Tracy

Stacy Alexander, Vice President
405 No. Bailey Mae Ct.
Valley Center
259-1972 – cell
salexander321@hotmail.com
Term expires April 2024 – 2nd Term

Morgan Wiebe, Treasurer
537 No. Backwoods Dr.
Valley Center
208-3883 – cell
wiebecraftin@outlook.com
Term expires April 2025 – 1st Term -- replaces Hildebrand

Jeanne Shove, Secretary
625 East 3rd
Valley Center
913-963-1913 – cell
jeanne.shove@gmail.com
Term expires April 2027 – 2nd Term -- replaces LeBlanc

Shelli Miller
141 No. Park
Valley Center
755-2282
316-259-2230 -- cell
shelli.miller7088@sbcglobal.net
Term expires April 2027 – 2nd Term – replaces ClauseI

Barbara Jarman
658 No. Burns
Valley Center
734-8041
b_jarman@icloud.com
Term expires April 2026 – 1st Term – replaces
Conrady uncompleted term (resigned April 2020)

Michael Vo
4118 W 77th St N
Valley Center
207-0115
mikevoht@gmail.com
Term expires April 2026 – 1st term -- replaces Chris Porter
Uncompleted term (resigned 10-29-23)

Janice Sharp, Library Director
417 So. Sheridan
Valley Center
755-0575 – home
207-4264 – cell
janicesharp@yahoo.com

Split Secretary – Treasurer positions in June, 2019

NEW BUSINESS

A. GOLD STAR AWARD:

The City of Valley Center again received the Gold Star award from the Kansas Municipal Insurance Trust. A municipality is awarded a Gold Star based on safety procedures and accident claims. A discount is applied to workman's compensation premiums depending on level of award.

City Administrator Clark will recommend Mayor and Council recognize the hard work employees have done to earn the Gold Award by granting one additional paid day off on December 26, 2023, and a \$100.00 after tax bonus be paid to full time employees and a \$50.00 bonus be paid to less than full-time employees who have worked at least 100 hours.

Should Council choose to proceed

RECOMMENDED ACTION

Staff recommends motion of approval of granting one additional paid day off on December 26, 2023, and a \$100.00 after tax bonus be paid to full time employees and a \$50.00 bonus be paid to less than full-time employees who have worked at least 100 hours.

NEW BUSINESS

B. APPROVAL TO AWARD CONTRACT AND COMMITMENT OF FUNDS FOR MERIDIAN STREET:

City Administrators Clark and Smith will present bid and contractor information received from the Kansas Department of Transportation regarding the Meridian Street Project. Pearson Construction LLC had the low bid in the amount of \$9,382,058. They will request approval of KDOT Resolution, with the City of Valley Center matching funds for the project in the amount of \$2,437,000.

- Kansas Department of Transportation correspondence
- Resolution

Dwight D. Eisenhower State Office Building
700 S.W. Harrison Street
Topeka, KS 66603-3745
Calvin E. Reed, P.E., Secretary
Tod L. Salfrank, Chief



Phone: 785-296-3861
Fax: 785-296-6946
ksdot#publicinfo@ks.gov
<http://www.ksdot.gov>
Laura Kelly, Governor

10/23/2023

Project Number: 087 N-0711-01
STP-N071(101)

City of Valley Center
Mr. Rodney Eggleston
Public Works Director
545 W. Clay
Valley Center, KS 67147-

Dear Mr. Eggleston:

We are listing below the bidder and the low bid received at Topeka, Kansas on 10/18/2023 for the above numbered project.

CONTRACTOR	TYPE OF WORK	AMOUNT
PEARSON CONSTRUCTION LLC WICHITA, KS	Valley Center: Portions of Meridian Avenue	\$9,382,058

This is considered satisfactory when compared with the engineer's estimate, and we believe that contracts should be awarded to the low bidder. If this bid is acceptable to the City, please sign the enclosed resolution and return it to this office. In order to guarantee the low bid, we must receive the expected resolution on or before 11/10/2023. Upon receipt of the signed resolution and approval by the Secretary of Transportation the contract will be awarded.

A combination of bid items and construction engineering less a maximum of \$8,754,212 Federal funds will require City matching funds in the amount of \$2,437,000. The City remittance should be made on or before 12/07/2023.

Sincerely,

for Tod L. Salfrank., Chief
Bureau of Local Projects

tls/cch
Enclosures
c Mayor/City Manager
Ms. Pam Anderson, Chief of Fiscal Services
Mr. Brent Terstriep, P.E., District Five Engineer

**AUTHORITY TO AWARD CONTRACT
COMMITMENT OF CITY FUNDS**

10/23/2023

2 Copies to City

Project Number: 087 N-0711-01
STP-N071(101)

WHEREAS bids were received at Topeka, Kansas on 10/18/2023 for the performance of work covered by plans on the above numbered project, and

WHEREAS the bidder and the low bid or bids on work covered by this project were:

CONTRACTOR	TYPE OF WORK	AMOUNT
PEARSON CONSTRUCTION LLC WICHITA, KS	Valley Center: Portions of Meridian Avenue	\$9,382,058

WHEREAS bids are considered satisfactory and have been recommended by the Secretary of Transportation of the State of Kansas, hereinafter referred to as the SECRETARY, for consideration and acceptance of the work on this project as covered by such bid or bids.

A combination of bid items and construction engineering less a maximum of \$8,754,212 Federal funds will require City matching funds in the amount of \$2,437,000.

BE IT FURTHER RESOLVED that City funds in the amount of \$2,437,000 which are required for the matching of Maximum Federal Funds are hereby pledged by the City to be remitted to the Chief of Fiscal Services of the Department of Transportation of the State of Kansas on or before 12/07/2023 for use by the SECRETARY in making payments for construction work and engineering on the above designated project with final cost being determined upon completion and audit of the project.

The City certifies that no known or foreseeable legal impediments exist that would prohibit completion of the project and that the project complies with all applicable codes, standards and/or regulations required for completion.

Adopted this _____ day of _____, 20_____, at _____, Kansas.

Recommended for Approval:

City Engineer/Road Supervisor

_____, Mayor

Attest:

(Seal)

_____, Member

_____, Member

City Clerk

INVOICE***Keep for your Records*****Due on or before 12/07/2023**

PRELIMINARY STATEMENT OF COSTS

Construction and CE Breakdown

Actual Bid	\$9,381,218
Water (for grading)	\$840
Sub-Total Actual Bid Amount	\$9,382,058
LPA CE Contract	\$511,950
Sub-Total Construction and CE	\$9,894,008
Federal-aid Non-Participating Const. Costs	\$542,850
Federal-aid Non-Participating CE	\$29,622
Participating PE Costs	\$0
Participating Railroad Costs	\$0
Participating ROW Costs	\$0
Participating Utility Costs	\$0
Federal Participating Project Costs	\$9,321,536
Total Project Costs	\$9,894,008

CE Breakdown

Total LPA CE	\$511,950
Federal Non-Participating CE	\$29,622
Federal Participating CE	\$482,328

Key

Kansas Department of Transportation	KDOT
Local Public Authority	LPA
Construction Engineering (Inspection)	CE
Construction	Const.

Federal/City Funding Summary

Total Project Costs	\$9,894,008
100% City Funds Due to Non-Participating	\$572,472
Federal Participating Project Costs	\$9,321,536
CE Paid by KDOT	N/A
Fund 1- Available Funding	\$695,896
80% Federal Funds	\$556,717
20% City Funds	\$139,179
Cost Remaining for 80/20 Funding	\$8,625,640
Fund 2- Available Funding	\$939,105
80% Federal Funds	\$751,284
20% City Funds	\$187,821
Cost Remaining for 80/20 Funding	\$7,686,535
Fund 3- Available Funding	\$7,686,535
80% Federal Funds	\$6,149,228
20% City Funds	\$1,537,307
100% City Funds Due to Max Funding	\$0

Fund 1- Maximum Federal Funds 80/20 **\$556,717****Fund 2- Maximum Federal Funds 80/20** **\$751,284****Fund 3- Maximum Federal Funds 80/20** **\$7,446,211****Totals**

	City Funds	Federal Funds	State Funds	Total Funds
Federal Non-Participating Construction	\$542,850			\$542,850
Federal Non-Participating CE	\$29,622			\$29,622
CE Paid by KDOT				\$0
Fund 1- 80% Federal Funds		\$556,717		\$556,717
Fund 2- 80% Federal Funds		\$751,284		\$751,284
Fund 3- 80% Federal Funds		\$6,149,228		\$6,149,228
Fund 1- 20% City Funds	\$139,179			\$139,179
Fund 2- 20% City Funds	\$187,821			\$187,821
Fund 3- 20% City Funds	\$1,537,307			\$1,537,307
City Funds Due to Max	\$0			\$0
Total	\$2,436,779	\$7,457,229	\$0	\$9,894,008

Amount to Bill City (Rounded Up)	\$2,437,000
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HOME

TRAVELER INFORMATION

DOING BUSINESS

INSIDE KDOT

PROJECTS/PUBLICATIONS

PUBLIC INFORMATION

BUREAU OF CONSTRUCTION & MATERIALS

As Read By Project (Bidders List by Individual Project)

Date: 10/18/2023

Contract Number: 523102575

Project Number: 087 N 0711-01

Federal Number: STP-N071(101)

Description: GRADING AND SURFACING

County: SEDGWICK

State Ties: --

Total Records: 3

[Helpful Definitions](#)

Contractor Name

Bid Amount

PEARSON CONSTRUCTION LLC \$9,381,218.00

WILDCAT CONSTRUCTION CO INC & SUBSIDIARIES \$10,849,911.00

CLARKSON CONSTRUCTION COMPANY \$11,297,433.00

TRAVELER INFORMATION

TRAFFIC & TRAVELER INFO
KANDRIVE
SAFETY INFORMATION
STATE MAPS
TOURIST INFORMATION
KANSAS BYWAYS
ROAD WEATHER STATIONS
KANSAS CITY METRO
TOPEKA/LAWRENCE METRO
WICHITA METRO

DOING BUSINESS

PERMITS
BIDDING & LETTING
COMMERCIAL VEHICLES
DESIGN CONSULTANTS
HIGHWAY CONTRACTORS
LOCAL GOVERNMENTS
OFFICE OF CONTRACT
COMPLIANCE
BRIDGE INSP. PORTAL
LOCAL PROJECTS

INSIDE KDOT

ABOUT KDOT
KANSAS CITY METRO
TOPEKA/LAWRENCE METRO
WICHITA METRO
DISTRICTS
PERFORMANCE

PROJECTS/PUBLICATIONS

T-WORKS
PROJECTS/STUDIES
TRANSPORTATION PLANNING
PUBLICATIONS

PUBLIC INFORMATION

NEWS
OPEN RECORDS
MEDIA CONTACTS
PROPERTY DAMAGE CLAIMS

CONNECT WITH KDOT

MEDIA CONTACTS
CONTACT
FACEBOOK
TWITTER
YOUTUBE
DIRECTORY

NEW BUSINESS

RECOMMENDED ACTION

B. APPROVAL TO AWARD CONTRACT AND COMMITMENT OF FUNDS FOR MERIDIAN STREET:

Should Council choose to proceed

RECOMMENDED ACTION

Staff recommends Council approve Resolution for contract and commitment of matching funds in the amount of \$2,437,000. for the Meridian Street Project and authorize Mayor to sign.

NEW BUSINESS

C. APPROVAL OF BID FROM SARGENT DRILLING FOR WELL #10 MAINTENANCE:

Public Works Director Eggleston will request approval of bid from Sargent Drilling for maintenance and cleaning of well #10. Funds for this project are included in the well maintenance line item within the water budget.

- Staff Memo
- Bids – Sargent Drilling and Layne Christensen Company



November 7, 2023

To: Mayor Cicirello & Members of Council

From: Rodney Eggleston – Public Works Director

Subject: Rehab & Cleaning of Well #10

BACKGROUND

During the 2022 budget process, we requested the well maintenance line item to be increased by \$23,000 to accommodate the rehabilitation and cleaning of 2 wells per year. After soliciting quotes for this service, we found that amount will not accommodate 2 wells. We have consulted the water team and PEC on this and felt that proceeding forward with one well per year and watching performance would be the best course of action. Well #10 currently needs this rehab procedure performed.

PROPOSAL

City staff is recommending the rehab & cleaning of Well#10.

FINANCIAL CONSIDERATION

This cost will be taken from the well maintenance line item within the water budget.

SUMMARY

Staff is recommending the approval of the quote from Sargent Drilling in the amount of \$16,390.00 and authorize the mayor to sign.

Sincerely,

Rodney Eggleston
Public Works Director

727 York Ave.
Salina, KS 67401



Toll Free: 888-496-3902
Phone: 785-404-4459

*Providing Complete Municipal, Industrial and Agricultural
Pump and Well Service*

September 25, 2023

City of Valley Center
121 S Meridian
Valley Center, KS 67147

RE: Estimate for Well #10 Pump Repair

Labor to pull and set pump	\$5,000.00
1- Well video	\$1,800.00
1- Sonar jet treatment	\$1,840.00
1- Acid treatment	\$2,900.00
1- Chlorine treatment	\$2,350.00
Labor to surge, bail and test pump well	\$2,500.00

Total	\$16,390.00
--------------	--------------------

Note: Any pump repairs will be extra.

Please call with any questions.

Thank You,

A handwritten signature in black ink, appearing to read "DM", is written over a horizontal line.

Doug Miller,
Manager



NEW BUSINESS
RECOMMENDED ACTION

C. APPROVAL OF BID FROM SARGENT DRILLING FOR WELL #10
MAINTENANCE:

Should Council choose to proceed,

RECOMMENDED ACTION:

Staff recommends motion to approve bid from Sargent Drilling in the amount of \$16,390.00 for well #10 rehabilitation and cleaning.

NEW BUSINESS

D. REQUEST TO SOLICIT BIDS FOR SALE OF CITY FIRE ENGINE:

Public Safety Director will request authorization to solicit bids for the sale and disposal of the City's 1995 fire engine. He would like to limit bids to political subdivisions in the State of Kansas.

➤ Staff Memo



November 7th, 2023

To: Mayor Cicirello & Members of Council

From: Lloyd Newman, Public Safety Director

Subject: Recommendation to Dispose of City Property

RECOMMENDATION

City staff is requesting authorization solicit bids for the sale and disposal of a city vehicle. Eligible bidder include: Political Subdivisions of the State of Kansas.

BACKGROUND

The Governing Body must authorize the disposal of surplus property inventoried within the City. Items to be disposed of value may be sold via auction or open public bid listed on the City's web page.

We are requesting to solicit bids for the sale of a 1995 Freightliner Model FL70 Fire Engine. This vehicle has been replaced by a 2023 Spartan Fire Engine.

FINANCIAL CONSIDERATION

Once bids have been received, final authorization to re-post, accept or reject bids will be determined by the City Administrator.

ATTACHMENTS

Photo



NEW BUSINESS

RECOMMENDED ACTION

D. REQUEST TO SOLICIT BIDS FOR SALE OF CITY FIRE ENGINE:

Should Council choose to proceed

RECOMMENDED ACTION

Staff recommends motion to authorize solicitation of bids from political subdivisions in the State of Kansas for the sale of 1995 Fire Engine.

NEW BUSINESS

E. MAIN STREET CLOSURE FOR CHRISTMAS EVENTS REQUEST:

Main Street Valley Center will again host the annual Hometown Christmas tree-lighting ceremony. Chris Strunk, President, will request closure of the 100 block of West Main Street on December 1, 2023, from 6:00pm-9:00pm for the event.

- Letter of request – Main Street Valley Center



Hometown Christmas

Request to close and barricade 100 block of West Main from 6 to 9 p.m. Friday, Dec. 1

Main Street Valley Center requests the Valley Center City Council's approval to close and barricade the 100 block of West Main Street from 6 to 9 p.m. Dec. 1 for the annual Hometown Christmas tree-lighting ceremony.

The event will start at 7 p.m.

The event draws hundreds of people each year and closing the road is a safe option to facilitate the crowd.

The intersections of Main and Park and Main and Ash will remain open to northbound and southbound traffic.

We ask that the city notify appropriate law enforcement, EMS and fire personnel.

Main Street Valley Center will have insurance for the event.

Thank you.

**Chris Strunk, president, Main Street Valley Center
519-3952**

NEW BUSINESS

RECOMMENDED ACTION

E. MAIN STREET CLOSURE FOR CHRISTMAS EVENTS REQUEST:

Should Council choose to proceed

RECOMMENDED ACTION

Staff recommends motion to approve request for street closure of the 100 block of West Main Street on December 1, 2023, between 6:00-9:00pm for Hometown Christmas tree-lighting ceremony.

NEW BUSINESS

F. DISCUSSION OF SPEED HUMPS/BUMPS:

City Engineer Scheer and Public Works Director Eggleston will present information regarding the installation of speed humps/bumps.

➤ Memo

Information only No action required



Date: November 1, 2023

Memo

To: Brent Clark
City Administrator
Valley Center, KS
From: Scott Canfield, PE, PTOE
CC: Gage Scheer, PE
Reference: Speed Humps

Please advise immediately of any misconceptions or omissions you believe to be contained herein.

Speed humps are one commonly used traffic calming measure. There are several studies to show these devices reduce vehicle speeds between 5-10 mph in the vicinity of the humps.

The design of the humps and their layouts are critical to the efficiency of them at slowing vehicles. Speed humps should be 3–4 inches high and 12–14 feet wide and extend from curb to curb. Speed humps should be installed in succession and spaced no more than a maximum of 500 feet apart to achieve a speed reduction. Although there are no national standards, it is recommended to keep speed humps a minimum of 15 feet from driveways and a minimum of 50 feet from street intersections. Speed humps should also be installed in straight roadway segments and should have the proper warning signing, pavement marking and lighting to be effective. Speed tables are similar to speed humps except they are designed with a flat top in the middle of the raised hump.

There are some drawbacks to speed humps and speed tables though, including:

- Increased speeds downstream of the humps as drivers tend to “try and make up the time lost” after slowing down for the speed humps
- Being expensive to install and maintain (\$2,000-5,000 per hump to install)
- Increased signing and striping which some residents consider unattractive
- Affecting drainage and causing flooding problems
- Difficulty for snow/ice removal and damage to those maintenance vehicles
- Increasing vehicle emissions due to increased deceleration and acceleration
- Interfering with response times of emergency vehicles – 3-5 seconds per hump for firetrucks and 5-10 seconds per hump for ambulances.
- Reducing property values
- Increasing noise levels from tires “hitting” the hump and vehicles accelerating away
- Causing damage to vehicles, particularly performance vehicles (even at low speed)
- Possible increase in vehicle crashes, e.g. vehicle rear-end, as speed humps cause significant variations to vehicle speeds

Speed humps should not be confused with speed bumps, which are 3–4 inches high and only 12 inches wide. Bumps are typically used in parking lots and should never be placed in public right-of-way. Numerous types of vehicles have to come to a complete stop before proceeding over speed bumps, and other vehicles can reduce the discomfort of the speed bumps by traveling faster over them.

NEW BUSINESS

G. ORDINANCE 1398-23: AMENDING ORDINANCE 1396-23:

City Attorney Arbuckle will request approval of Ordinance 1398-23. This will amend Ordinance 1396-23 approved on October 3, 2023. It was determined that an error in legal description was made in the final approval process. As Ordinance 1396-23 was previously passed, Mr. Arbuckle requests 1st reading be waived and final approval given.

➤ Ordinance 1398-23

ORDINANCE NO. 1398-23

AN ORDINANCE OF THE CITY OF VALLEY CENTER KANSAS AMENDING SECTION 1 OF VALLEY CENTER KANSAS ORDINANCE NUMBER 1396-23 BY SUBSTITUTING AN AMENDED LEGAL DESCRIPTION FOUND THEREIN AND ANNEXING, PURSUANT TO THE AUTHORITY OF K.S.A. 12-520c, CERTAIN LANDS INTO THE CITY OF VALLEY CENTER KANSAS THAT LIE WITHIN SEDGWICK COUNTY KANSAS, BUT NOT PRESENTLY ADJOIN VALLEY CENTER KANSAS, BUT MAY BE ANNEXED INTO THE CITY OF VALLEY CENTER KANSAS PER THE REQUIREMENTS SET FORTH IN K.S.A. 12-520c.

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

SECTION 1. Section 1 of Valley Center Kansas Ordinance Number 1396-23 is hereby amended to read as follows:

SECTION 1. Under K.S.A. 12-520c, a city may, under certain circumstances, annex land to the city that does not presently adjoin the boundaries of the annexing city, and the owner of the below described one tract of land in Sedgwick County Kansas, in August 2023, petitioned the governing body of the city of Valley Center Kansas for annexation into the city of Valley Center Kansas, and the Sedgwick County Kansas Board of County Commissioners, on September 6, 2023, held a hearing on Valley Center's resolution requesting the County Commission's authority for annexation of the tract, and the County Commission granted Valley Center Kansas permission for such an annexation following a brief hearing on that date for that one tract located in Sedgwick County Kansas in Section 34, Township 25, Range 1 West of the 6th principal meridian and further described as:

the southwest quarter except the west 800 feet of the south 545 feet.

Pursuant to the above facts, the above described tract of land is hereby annexed into the City of Valley Center Kansas.

SECTION 2: This ordinance shall take effect on its publication in the official city newspaper.

PASSED AND APPROVED by the governing body of the City of Valley Center, Kansas, on the 7th day of November, 2023.

1st reading – waived

MAYOR

CITY CLERK

NEW BUSINESS
RECOMMENDED ACTION

G. ORDINANCE 1398-23: AMENDING ORDINANCE 1396-23:

Should Council choose to proceed,

RECOMMENDED ACTION:

Staff recommends motion to waive 1st reading of Ordinance 1398-23.

And

Staff recommends motion to approve Ordinance 1398-23, amending Ordinance 1396-23.

NEW BUSINESS

H. ORDINANCE 1399-23; RE-ZONING LAND SE OF 93RD ST. AND MERIDIAN:

Comm. Dev. Director Shrack will present Ordinance No. 1399-23, which rezones property from RR-1 (suburban residential district) to C-2 (general business district) / R-2 (two-family residential district). The Valley Center Planning and Zoning Board approved this request at the October 25, 2023, meeting.

- Staff Memo
- Ordinance 1399-23



Date: October 18, 2023

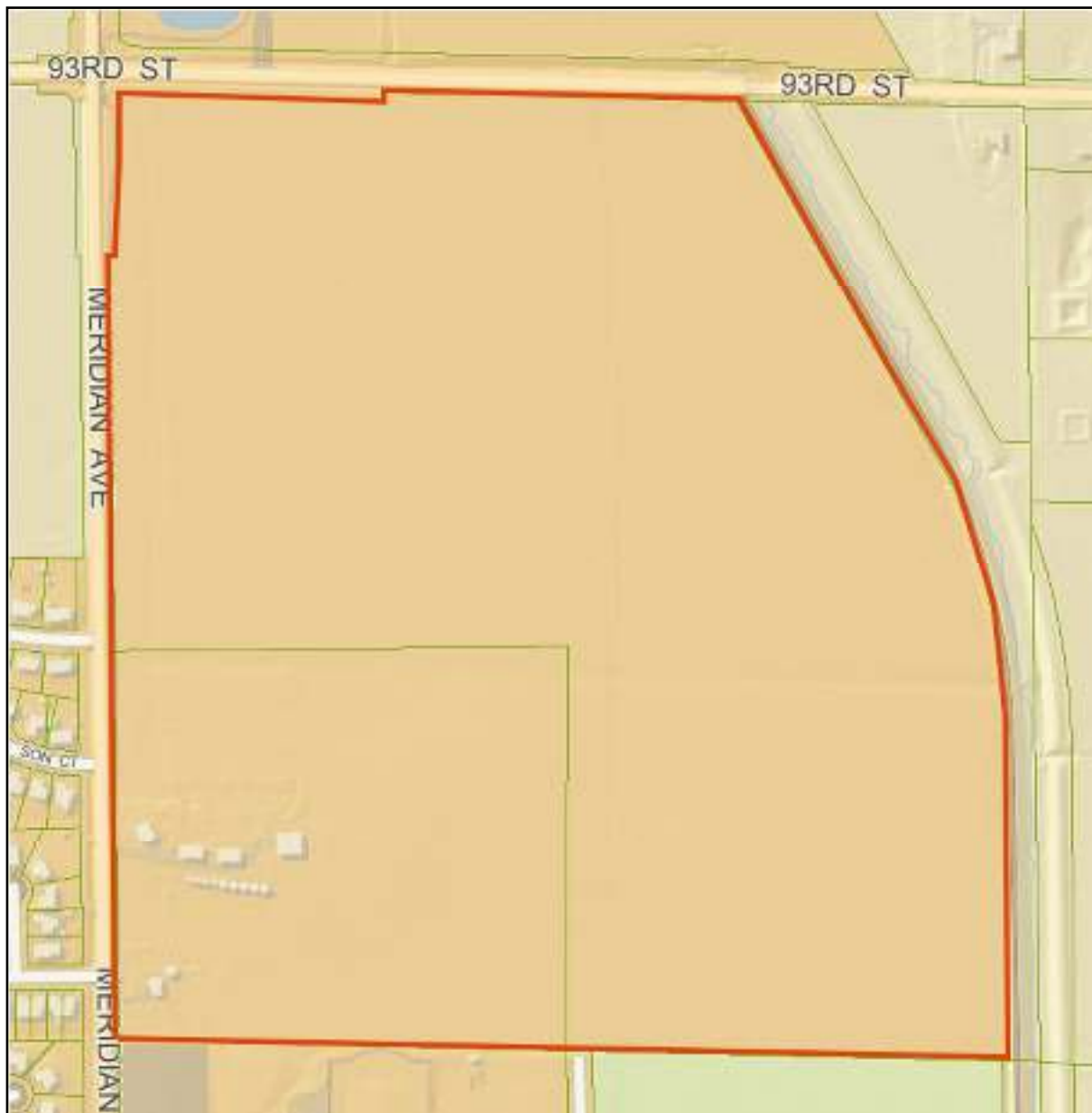
Present Zoning: RR-1 (Suburban Residential District)

Proposed Zoning: R-2 (Two-Family Residential District)/C-2 (General Business District)

Rezoning Application Case Number: RZ-2023-05

Applicant: Lou Robelli

Property Address: Currently unaddressed, but located southeast of the intersection of Meridian Avenue and 93rd St., Valley Center, KS 67147 (outlined in red below)



Applicants' Reasons for Rezoning: The applicant is requesting a rezoning from RR-1 to R-2/C-2 in conjunction with approval of the final plat for the subject property. Once the final plat and rezoning applications are approved, the applicant's developer will start developing the new subdivision, which will consist of new commercial buildings, single-family houses, and duplexes. Attached to this staff report is a map showing the proposed rezoning of the subject property. Currently, this property is vacant, except for the southwest area where the community's new aquatic and recreation center is currently being constructed.

Review Criteria for a Zoning Amendment per 17.11.01.H (*criteria in italics*)

1. *What is the character of the subject property and the surrounding neighborhood in relation to existing uses and their condition?*

The subject property is vacant, with the exception of the southwest area where the new aquatic and recreation center is being built. This property is located in a primarily residential area, with single-family and two-family houses located to the west of this property, the Valley Center High School is located north of this property, and the Valley Center Middle School and Valley Point Golf Course located south of this property.

2. *What is the current zoning of the subject property and that of the surrounding neighborhood in relationship to the requested change?*

The current zoning of the subject property is R-1B (Single-Family Residential District). The surrounding zoning and land uses are as follows:

- North: R-1B (Single-Family Residential District)
- South: R-1B (Single-Family Residential District)
- East: RR (Sedgwick Co. jurisdiction, Rural Residential District)
- West: R-1B (Single-Family Residential District)/R-2 (Two-Family Residential District)/RR (Sedgwick Co. jurisdiction, Rural Residential District)

3. *Is the length of time that the subject property has remained undeveloped or vacant as zoned a factor in the consideration?*

No

4. *Would the request correct an error in the application of these regulations?*

No

5. *Is the request caused by changed or changing conditions in the area of the subject property and, if so, what is the nature and significance of such changed or changing conditions?*

The rezoning request is the direct result of the applicant's developer's plan to develop the subject property for new residential and commercial uses. Before development can start, the property needs to be zoned correctly to allow the proposed uses to take place.

6. *Do adequate sewage disposal and water supply and all other necessary public facilities including street access exist or can they be provided to serve the uses that would be permitted on the subject property?*

Yes, public water and sanitary sewer are available directly adjacent to this property. Infrastructure plans will be created and approved by the City to bring new utility services, streets, etc. into the subdivision.

7. *Would the subject property need to be platted or replatted or in lieu of dedications made for rights-of-way, easements, and access control or building setback lines?*

8. *Would a screening plan be necessary for existing and/or potential uses of the subject property?*

Any future construction to be built on the commercially-zoned parcels along Meridian Ave. and 93rd Street will be required to get a site plan review approved by the City Staff Review Team and Planning and Zoning Board. A screening plan may be required as part of the site plan dependent on the proposed commercial development.

9. *Is there suitable vacant land or buildings available or not available for development that currently has the same zoning?*

There are other vacant parcels that are currently zoned RR-1, but do not have readily available access to public utilizes and/or are not being considered for development.

10. *If the request is for business or industrial uses, are such uses needed to provide more services or employment opportunities?*

Yes, there is currently a shortage of available commercial lots ready for development in Valley Center and this rezoning application and platting will create five new commercial lots to attract new businesses to the community and generate new employment opportunities.

11. *Is the subject property suitable for the uses in the current zoning to which it has been restricted?*

The subject property could be used for only single-family houses. The proposed residential and commercial development will allow for the construction of new commercial buildings, as well as duplexes.

12. *To what extent would the removal of the restrictions, i.e., the approval of the zoning request detrimentally affect other property in the neighborhood?*

The rezoning request should not have a negative impact on the surrounding properties. There are existing single-family houses and a few duplexes to the west of this property and schools to the north and south of this area.

13. *Would the request be consistent with the purpose of the zoning district classification and the intent and purpose of these regulations?*

Yes

14. *Is the request in conformance with the Comprehensive Plan and does it further enhance the implementation of the Plan?*

Yes

15. *What is the nature of the support or opposition of the request?*

- City staff support this rezoning. The standard public notice was published in *The Ark Valley News* and notices were sent out to surrounding property owners. Zero responses have been received as of this date.
- Other public comments in support or opposition will not be known until the public hearing.

16. *Is there any information or are there recommendations on this request available from professional persons or persons with related expertise which would be helpful in its evaluation?*

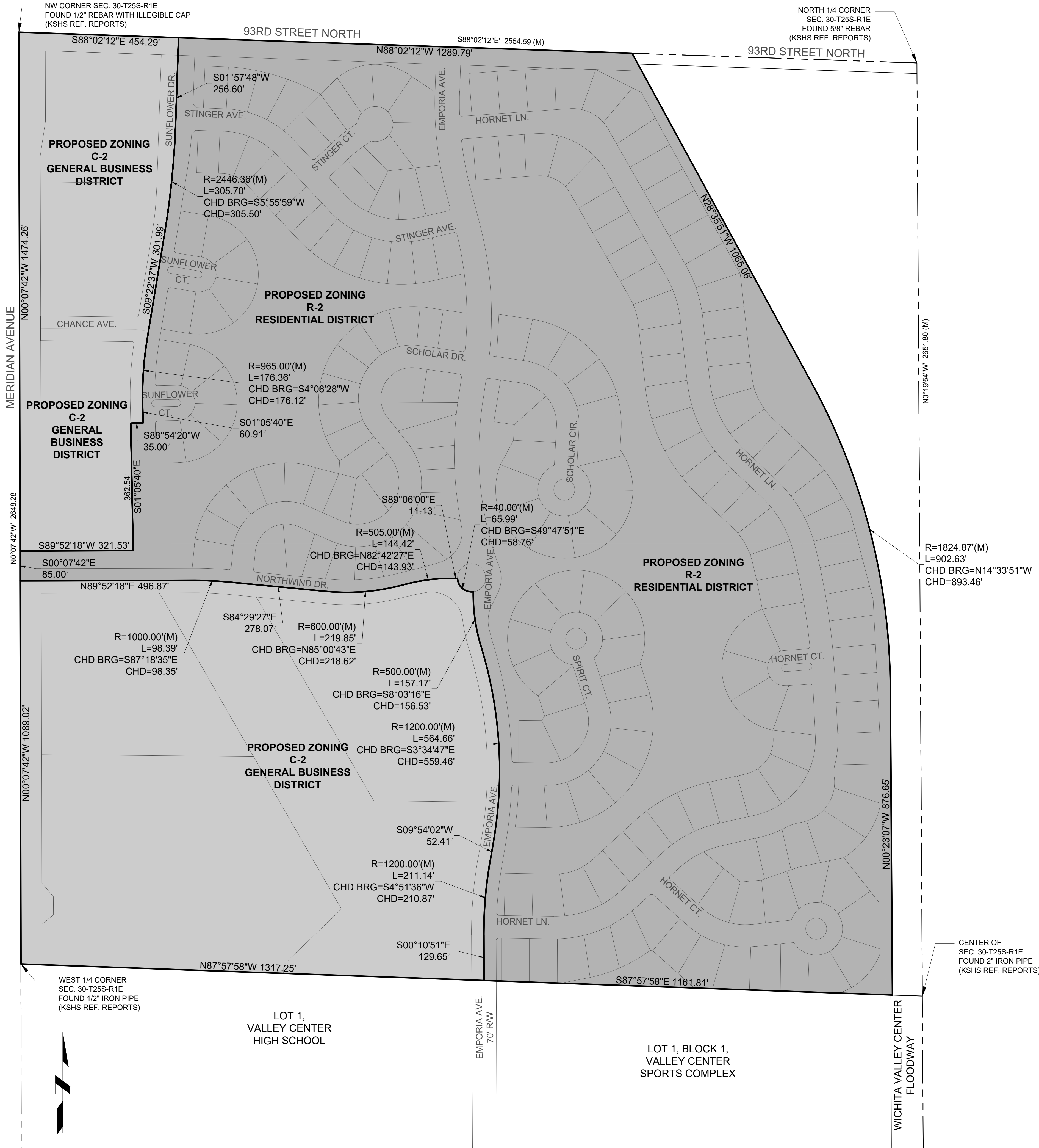
No

17. By comparison, does the relative gain to the public health, safety and general welfare outweigh the loss in value or the hardship imposed upon the applicant by not approving the request?

No

City staff recommends approval of this rezoning application.

REZONING EXHIBIT
CITY OF VALLEY CENTER
SEDGWICK COUNTY, KANSAS
PART OF THE NW 1/4, SEC. 30-T25S-R1E



PROPOZED C-2 ZONE DESCRIPTION

A TRACT OF LAND IN THE NORTHWEST QUARTER OF SECTION 30, TOWNSHIP 25 SOUTH, RANGE 1 EAST OF THE SIXTH PRINCIPAL MERIDIAN, CITY OF VALLEY CENTER, SEDGWICK COUNTY, KANSAS, MORE PARTICULARLY DESCRIBED BY JOHN R. SOMMERS, P.S. 1542, ON OCTOBER 4, 2023, AS FOLLOWS: BEGINNING AT THE NORTHWEST CORNER OF SAID NORTHWEST QUARTER, THENCE S88°02'12"E ON THE NORTH LINE OF SAID NORTHWEST QUARTER, A DISTANCE OF 454.29' FEET; THENCE SOUTH S01°57'48"W, A DISTANCE OF 256.60' FEET; THENCE ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 2446.36 FEET, AN ARC LENGTH OF 305.70 FEET, A CHORD BEARING OF S05°55'59"W AND A CHORD DISTANCE OF 305.50 FEET; THENCE S09°22'37"W, A DISTANCE OF 301.99 FEET; THENCE ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 965.00 FEET, AN ARC LENGTH OF 176.36 FEET, A CHORD BEARING OF S04°08'28"W AND A CHORD DISTANCE OF 176.12 FEET; THENCE S01°05'40"E, A DISTANCE OF 60.91 FEET; THENCE S88°54'20"W, A DISTANCE OF 35.00 FEET; THENCE S01°05'40"E, A DISTANCE OF 362.54 FEET; THENCE S89°52'18"W, A DISTANCE OF 321.53 FEET TO THE WEST LINE OF SAID NORTHWEST QUARTER, THENCE N00°07'42"W ON THE WEST LINE OF SAID NORTHWEST QUARTER, A DISTANCE OF 1474.26 FEET TO THE POINT OF BEGINNING.

CONTAINING 564,502 SQUARE FEET OR 12.959 ACRES, MORE OR LESS.

AND

A TRACT OF LAND IN THE NORTHWEST QUARTER OF SECTION 30, TOWNSHIP 25 SOUTH, RANGE 1 EAST OF THE SIXTH PRINCIPAL MERIDIAN, CITY OF VALLEY CENTER, SEDGWICK COUNTY, KANSAS, MORE PARTICULARLY DESCRIBED BY JOHN R. SOMMERS, P.S. 1542, ON OCTOBER 4, 2023, AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF SAID NORTHWEST QUARTER, THENCE S00°07'42"E ON THE WEST LINE OF SAID NORTHWEST QUARTER, A DISTANCE OF 1559.26 FEET TO THE POINT OF BEGINNING, THENCE N89°52'18"E, A DISTANCE OF 496.87 FEET, THENCE ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 1000.00 FEET, AN ARC LENGTH OF 98.39 FEET, A CHORD BEARING OF S87°18'35"E AND A CHORD DISTANCE OF 98.35 FEET, THENCE S84°29'27"E, A DISTANCE OF 278.07 FEET; THENCE ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 600.00 FEET, AN ARC LENGTH OF 219.85 FEET, A CHORD BEARING OF N85°00'43"E AND A CHORD DISTANCE OF 218.62 FEET; THENCE ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 505.00 FEET, AN ARC LENGTH OF 144.42 FEET, A CHORD BEARING OF N82°42'27"E AND A CHORD DISTANCE OF 143.93 FEET; THENCE S89°06'00"E, A DISTANCE OF 11.13 FEET; THENCE ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 40.00 FEET, AN ARC LENGTH OF 65.99 FEET, AN ARC BEARING OF S49°47'51"E AND A CHORD DISTANCE OF 58.76 FEET; THENCE ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 500.00 FEET, AN ARC LENGTH OF 157.17 FEET, A CHORD BEARING OF S08°03'16"E AND A CHORD DISTANCE OF 156.53 FEET; THENCE ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 1200.00 FEET, AN ARC LENGTH OF 564.66 FEET, A CHORD BEARING OF S03°34'47"E AND A CHORD DISTANCE OF 559.46 FEET; THENCE S09°54'02"W, A DISTANCE OF 52.41 FEET; THENCE ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 1200.00 FEET, AN ARC LENGTH OF 211.14 FEET, A CHORD BEARING OF S04°51'36"W AND A CHORD DISTANCE OF 210.87 FEET; THENCE S00°10'51"E, A DISTANCE OF 129.65 FEET TO THE SOUTH LINE OF SAID NORTHWEST QUARTER, THENCE N87°57'58"W ON THE SOUTH LINE OF SAID NORTHWEST QUARTER, A DISTANCE OF 1317.25' TO THE SOUTHWEST CORNER OF SAID NORTHWEST QUARTER, THENCE N00°07'42"W ON THE WEST LINE OF SAID NORTHWEST QUARTER, A DISTANCE OF 1089.02' FEET TO THE POINT OF BEGINNING.

CONTAINING 1,469,559 SQUARE FEET OR 33.736 ACRES, MORE OR LESS.

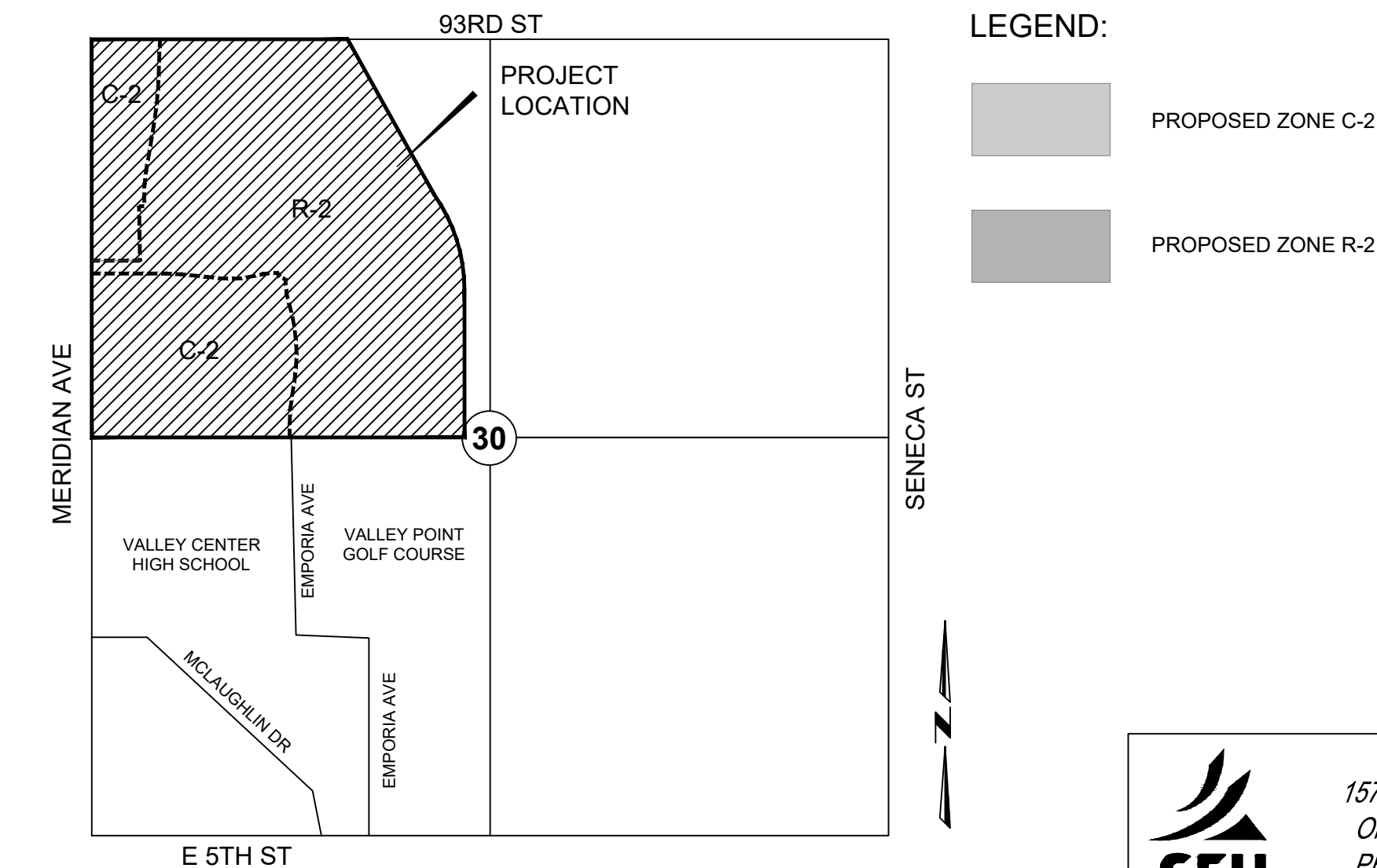
R-2 DESCRIPTION

A TRACT OF LAND IN THE NORTHWEST QUARTER OF SECTION 30, TOWNSHIP 25 SOUTH, RANGE 1 EAST OF THE SIXTH PRINCIPAL MERIDIAN, CITY OF VALLEY CENTER, SEDGWICK COUNTY, KANSAS, MORE PARTICULARLY DESCRIBED BY JOHN R. SOMMERS, P.S. 1542, ON OCTOBER 4, 2023, AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID NORTHWEST QUARTER, THENCE S88°02'12"E ON THE NORTH LINE OF SAID NORTHWEST QUARTER, A DISTANCE OF 454.29' FEET TO THE POINT OF BEGINNING; THENCE SOUTH S01°57'48"W, A DISTANCE OF 256.60 FEET; THENCE ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 2446.36 FEET, AN ARC LENGTH OF 305.70 FEET, A CHORD BEARING OF S05°55'59"W AND A CHORD DISTANCE OF 305.50 FEET; THENCE S09°22'37"W, A DISTANCE OF 301.99 FEET; THENCE ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 965.00 FEET, AN ARC LENGTH OF 176.36 FEET, A CHORD BEARING OF S04°08'28"W AND A CHORD DISTANCE OF 176.12 FEET; THENCE S01°05'40"E, A DISTANCE OF 60.91 FEET; THENCE S88°54'20"W, A DISTANCE OF 35.00 FEET; THENCE S01°05'40"E, A DISTANCE OF 362.54 FEET; THENCE S89°52'18"W, A DISTANCE OF 321.53 FEET TO THE WEST LINE OF SAID NORTHWEST QUARTER; THENCE S00°07'42"E ON THE WEST LINE OF SAID NORTHWEST QUARTER, A DISTANCE OF 85.00 FEET; THENCE N89°52'18"E, A DISTANCE OF 496.87 FEET; THENCE ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 1000.00 FEET, AN ARC LENGTH OF 98.39 FEET, A CHORD BEARING OF S87°18'35"E AND A CHORD DISTANCE OF 98.35 FEET; THENCE S84°29'27"E, A DISTANCE OF 278.07 FEET; THENCE ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 600.00 FEET, AN ARC LENGTH OF 219.85 FEET, A CHORD BEARING OF N85°00'43"E AND A CHORD DISTANCE OF 218.62 FEET; THENCE ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 505.00 FEET, AN ARC LENGTH OF 144.42 FEET, A CHORD BEARING OF N82°42'27"E AND A CHORD DISTANCE OF 143.93 FEET; THENCE S89°06'00"E, A DISTANCE OF 11.13 FEET; THENCE ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 500.00 FEET, AN ARC LENGTH OF 157.17 FEET, A CHORD BEARING OF S08°03'16"E AND A CHORD DISTANCE OF 156.53 FEET; THENCE ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 1200.00 FEET, AN ARC LENGTH OF 564.66 FEET, A CHORD BEARING OF S03°34'47"E AND A CHORD DISTANCE OF 559.46 FEET; THENCE S09°54'02"W, A DISTANCE OF 52.41 FEET; THENCE ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 1200.00 FEET, AN ARC LENGTH OF 211.14 FEET, A CHORD BEARING OF S04°51'36"W AND A CHORD DISTANCE OF 210.87 FEET; THENCE S00°10'51"E, A DISTANCE OF 129.65 FEET TO THE SOUTH LINE OF SAID NORTHWEST QUARTER; THENCE S87°57'58"E ON THE SOUTH LINE OF SAID NORTHWEST QUARTER, A DISTANCE OF 1161.81 FEET TO THE WEST LINE OF THE WICHITA VALLEY CENTER FLOOD CONTROL RIGHT OF WAY; THENCE N00°23'07"W ALONG SAID WEST RIGHT OF WAY LINE, A DISTANCE OF 876.65 FEET; THENCE CONTINUING ON SAID WEST RIGHT OF WAY LINE ON A CURVE TO THE LEFT, HAVING A RADIUS OF 1824.87 FEET, AN ARC LENGTH OF 902.63 FEET, A CHORD BEARING OF N14°33'51"W AND A CHORD DISTANCE OF 893.46 FEET; THENCE N28°35'51"W ON SAID WEST RIGHT OF WAY LINE, A DISTANCE OF 1085.06 FEET TO THE NORTH LINE OF SAID NORTHWEST QUARTER; THENCE N88°02'12"W ON THE NORTH LINE OF SAID NORTHWEST QUARTER, A DISTANCE OF 1289.79 FEET TO THE POINT OF BEGINNING.

CONTAINING 4,021,916 SQUARE FEET OR 92.330 ACRES, MORE OR LESS.

LOCATION MAP:



15750 DODGE ROAD
OMAHA, NE 68118
PH: (402) 513-8200

SEH

SURVEY DATE: XX/XX/XXXX	PLOT DATE: 10/04/2023
DRAWN BY: DV	SEH PROJECT: 172050
CHECKED BY: AK	SHEET 1 OF 1

ORDINANCE NO. 1399-23

**AN ORDINANCE CHANGING THE ZONING DISTRICT
CLASSIFICATION OF CERTAIN PROPERTY LOCATED IN THE CITY
OF VALLEY CENTER, KANSAS, UNDER THE AUTHORITY GRANTED
BY THE ZONING REGULATIONS OF THE CITY.**

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

SECTION 1. Having received a recommendation from the Valley Center City Planning and Zoning Board on Case No. RZ-2023-05, and proper notice having been given and hearing held as provided by law and under authority and subject to the provisions of the amended Zoning Regulations of the City as approved by Ordinance No. 1279-14, the zoning district classification of the property legally described herein is changed as follows:

Change of zoning district classification from RR-1 (Suburban Residential District) to C-2 (General Business District) and R-2 (Two-Family Residential District).

Legal Description: Rezone to C-2: A TRACT OF LAND IN THE NORTHWEST QUARTER OF SECTION 30, TOWNSHIP 25 SOUTH, RANGE 1 EAST OF THE SIXTH PRINCIPAL MERIDIAN, CITY OF VALLEY CENTER, SEDGWICK COUNTY, KANSAS, MORE PARTICULARLY DESCRIBED BY JOHN R. SOMMERS, P.S. 1542, ON OCTOBER 4, 2023, AS FOLLOWS: BEGINNING AT THE NORTHWEST CORNER OF SAID NORTHWEST QUARTER, THENCE S88°02'12"E ON THE NORTH LINE OF SAID NORTHWEST QUARTER, A DISTANCE OF 454.29' FEET; THENCE SOUTH S01°57'48"W, A DISTANCE OF 256.60 FEET; THENCE ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 2446.36 FEET, AN ARC LENGTH OF 305.70 FEET, A CHORD BEARING OF S05°55'59"W AND A CHORD DISTANCE OF 305.50 FEET; THENCE S09°22'37"W, A DISTANCE OF 301.99 FEET; THENCE ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 965.00 FEET, AN ARC LENGTH OF 176.36 FEET, A CHORD BEARING OF S04°08'28"W AND A CHORD DISTANCE OF 176.12 FEET; THENCE S01°05'40"E, A DISTANCE OF 60.91 FEET; THENCE S88°54'20"W, A DISTANCE OF 35.00 FEET; THENCE S01°05'40"E, A DISTANCE OF 362.54 FEET; THENCE S89°52'18"W, A DISTANCE OF 321.53 FEET TO THE WEST LINE OF SAID NORTHWEST QUARTER; THENCE N00°07'42" W ON THE WEST LINE OF SAID NORTHWEST QUARTER, A DISTANCE OF 1474.26 FEET TO THE POINT OF BEGINNING; TOGETHER with A TRACT OF LAND IN THE NORTHWEST QUARTER OF SECTION 30, TOWNSHIP 25 SOUTH, RANGE 1 EAST OF THE SIXTH PRINCIPAL MERIDIAN, CITY OF VALLEY CENTER, SEDGWICK COUNTY, KANSAS, MORE PARTICULARLY DESCRIBED BY JOHN R. SOMMERS, P.S. 1542, ON OCTOBER 4 2023, AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF SAID NORTHWEST QUARTER; THENCE S00°07'42" E ON THE WEST LINE OF SAID NORTHWEST QUARTER, A DISTANCE OF 1559.26 FEET TO THE POINT OF BEGINNING; THENCE N89°52'18"E, A DISTANCE OF 496.87 FEET; THENCE ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 1000.00 FEET, AN ARC LENGTH OF 98.39 FEET, A CHORD BEARING OF S87°18'35"E AND A CHORD DISTANCE OF 98.35 FEET; THENCE S84°29'27"E, A DISTANCE OF 278.07 FEET; THENCE ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 600.00 FEET, AN ARC LENGTH OF 219.85

FEET, A CHORD BEARING OF N85°00'43"E AND A CHORD DISTANCE OF 218.62 FEET; THENCE ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 505.00 FEET, AN ARC LENGTH OF 144.42 FEET, A CHORD BEARING OF N82°42'27"E AND A CHORD DISTANCE OF 143.93 FEET; THENCE S89°06'00"E, A DISTANCE OF 11.13 FEET; THENCE ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 40.00 FEET, AN ARC LENGTH OF 65.99 FEET, A CHORD BEARING OF S49°47'51"E AND A CHORD DISTANCE OF 58.76 FEET; THENCE ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 500.00 FEET, AN ARC LENGTH OF 157.17 FEET, A CHORD BEARING OF S08°03'16"E AND A CHORD DISTANCE OF 156.53 FEET; THENCE ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 1200.00 FEET, AN ARC LENGTH OF 564.66 FEET, A CHORD BEARING OF S03°34'47"E AND A CHORD DISTANCE OF 559.46 FEET; THENCE S09°54'02"W, A DISTANCE OF 52.41 FEET; THENCE ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 1200.00 FEET, AN ARC LENGTH OF 211.14 FEET, A CHORD BEARING OF S04°51'36"W AND A CHORD DISTANCE OF 210.87 FEET; THENCE S00°10'51"E, A DISTANCE OF 129.65 FEET TO THE SOUTH LINE OF SAID NORTHWEST QUARTER; THENCE N87°57'58"W ON THE SOUTH LINE OF SAID NORTHWEST QUARTER, A DISTANCE OF 1317.25' TO THE SOUTHWEST CORNER OF SAID NORTHWEST QUARTER; THENCE N00°07'42"W ON THE WEST LINE OF SAID NORTHWEST QUARTER, A DISTANCE OF 1089.02' FEET TO THE POINT OF BEGINNING.

Rezone to R-2: A TRACT OF LAND IN THE NORTHWEST QUARTER OF SECTION 30, TOWNSHIP 25 SOUTH, RANGE 1 EAST OF THE SIXTH PRINCIPAL MERIDIAN, CITY OF VALLEY CENTER, SEDGWICK COUNTY, KANSAS, MORE PARTICULARLY DESCRIBED BY JOHN R. SOMMERS, P.S. 1542, ON OCTOBER 4, 2023, AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF SAID NORTHWEST QUARTER, THENCE S88°02'12"E ON THE NORTH LINE OF SAID NORTHWEST QUARTER, A DISTANCE OF 454.29' FEET TO THE POINT OF BEGINNING; THENCE SOUTH S01°57'48"W, A DISTANCE OF 256.60 FEET; THENCE ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 2446.36 FEET, AN ARC LENGTH OF 305.70 FEET, A CHORD BEARING OF S05°55'59"W AND A CHORD DISTANCE OF 305.50 FEET; THENCE S09°22'37"W, A DISTANCE OF 301.99 FEET; THENCE ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 965.00 FEET, AN ARC LENGTH OF 176.36 FEET, A CHORD BEARING OF S04°08'28"W AND A CHORD DISTANCE OF 176.12 FEET; THENCE S01°05'40"E, A DISTANCE OF 60.91 FEET; THENCE S88°54'20"W, A DISTANCE OF 35.00 FEET; THENCE S01°05'40"E, A DISTANCE OF 362.54 FEET; THENCE S89°52'18"W, A DISTANCE OF 321.53 FEET TO THE WEST LINE OF SAID NORTHWEST QUARTER; THENCE S00°07'42"E ON THE WEST LINE OF SAID NORTHWEST QUARTER, A DISTANCE OF 85.00 FEET; THENCE N89°52'18"E, A DISTANCE OF 496.87 FEET; THENCE ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 1000.00 FEET, AN ARC LENGTH OF 98.39 FEET, A CHORD BEARING OF S87°18'35"E AND A CHORD DISTANCE OF 98.35 FEET; THENCE S84°29'27"E, A DISTANCE OF 278.07 FEET; THENCE ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 600.00 FEET, AN ARC LENGTH OF 219.85 FEET, A CHORD BEARING OF N85°00'43"E AND A CHORD DISTANCE OF 218.62 FEET; THENCE ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 505.00 FEET, AN ARC LENGTH OF 144.42 FEET, A CHORD BEARING OF N82°42'27"E AND A CHORD DISTANCE OF 143.93 FEET; THENCE S89°06'00"E, A DISTANCE OF 11.13 FEET; THENCE ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 500.00 FEET, AN ARC LENGTH OF 157.17 FEET, A

CHORD BEARING OF S08°03'16"E AND A CHORD DISTANCE OF 156.53 FEET; THENCE ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 1200.00 FEET, AN ARC LENGTH OF 564.66 FEET, A CHORD BEARING OF S03°34'47"E AND A CHORD DISTANCE OF 559.46 FEET; THENCE S09°54'02"W, A DISTANCE OF 52.41 FEET; THENCE ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 1200.00 FEET, AN ARC LENGTH OF 211.14 FEET, A CHORD BEARING OF S04°51'36"W AND A CHORD DISTANCE OF 210.87 FEET; THENCE S00°10'51"E, A DISTANCE OF 129.65 FEET TO THE SOUTH LINE OF SAID NORTHWEST QUARTER; THENCE S87°57'58"E ON THE SOUTH LINE OF SAID NORTHWEST QUARTER, A DISTANCE OF 1161.81 FEET TO THE WEST LINE OF THE WICHITA VALLEY CENTER FLOOD CONTROL RIGHT OF WAY; THENCE N00°23'07"W ALONG SAID WEST RIGHT OF WAY LINE, A DISTANCE OF 876.65 FEET; THENCE CONTINUING ON SAID WEST RIGHT OF WAY LINE ON A CURVE TO THE LEFT, HAVING A RADIUS OF 1824.87 FEET, AN ARC LENGTH OF 902.63' FEET, A CHORD BEARING OF N14°33'51"W AND A CHORD DISTANCE OF 893.46 FEET; THENCE N28°35'51"W ON SAID WEST RIGHT OF WAY LINE, A DISTANCE OF 1065.06 FEET TO THE NORTH LINE OF SAID NORTHWEST QUARTER; THENCE N88°02'12"W ON THE NORTH LINE OF SAID NORTHWEST QUARTER, A DISTANCE OF 1289.79 FEET TO THE POINT OF BEGINNING

Legal Address: Currently unaddressed, but located southeast of the intersection of 93rd Street and Meridian Avenue, Valley Center, KS 67147

SECTION 2. Upon the taking effect of this Ordinance, the above zoning change shall be entered and shown on the Official Zoning Map(s) as previously adopted by reference and said map(s) is hereby reincorporated as a part of the Zoning Regulations as amended.

SECTION 3. This ordinance shall take effect and be in force from and after its passage, approval, and publication once in the official city newspaper.

PASSED by the Governing Body and signed by the Mayor of the City of Valley Center, Kansas, on this 21st day of November, 2023.

First Reading:	November 7, 2023
Second Reading:	November 21, 2023

(SEAL)

/s/ _____
Louis Cicirello, Mayor

ATTEST:

/s/ _____
Kristi Carrithers, City Clerk

NEW BUSINESS
RECOMMENDED ACTION

**H. ORDINANCE 1399-23; RE-ZONING LAND SE OF 93RD ST. AND
MERIDIAN:**

Should Council choose to proceed,

RECOMMENDED ACTION:

Staff recommends approval of Ordinance 1399-23 for 1st reading.

NEW BUSINESS

I. ORDINANCE 1400-23; RE-ZONING PROPERTY SOUTHEAST OF INTERSECTION OF 85TH AND RIDGE ROAD:

Comm. Dev. Director Shrack will present Ordinance No. 1400-23, which rezones property from RR-1 (suburban residential district) to A-1 (agricultural district). The Valley Center Planning and Zoning Board approved this request at the October 25, 2023, meeting.

- Staff Memo
- Ordinance 1400-23



Date: October 18, 2023

Present Zoning: RR-1 (Suburban Residential District)

Proposed Zoning: A-1 (Agricultural District)

Rezoning Application Case Number: RZ-2023-06

Applicant: David Leeker, Leeker Real Estate Partnership, LP, and Steven and Sherryl Simon

Property Address: Currently unaddressed, but located southeast of the intersection of Ridge Road and 85th St. (in between 85th St. and 77th St.), Valley Center, KS 67147 (outlined in red below)



Applicants' Reasons for Rezoning: The applicants are requesting a rezoning from RR-1 to A-1 in preparation for the submission of a special use application in the near future. If the rezoning is approved by the Planning and Zoning Board and City Council, the applicants will submit a special use application to allow for the construction of a mineral extraction (sand pit) operation on the subject property. Mineral extraction is classified as a special use on A-1 zoned property. The special use application is required to be approved by both the Planning and Zoning Board and City Council.

Review Criteria for a Zoning Amendment per 17.11.01.H (*criteria in italics*)

1. *What is the character of the subject property and the surrounding neighborhood in relation to existing uses and their condition?*

The subject property is currently used for agricultural purposes. This property is located in a primarily rural residential area, with single-family houses, farms, and agricultural fields. There are both paved and gravel roads in the surrounding area.

2. *What is the current zoning of the subject property and that of the surrounding neighborhood in relationship to the requested change?*

The current zoning of the subject property is RR-1 (Suburban Residential District). The surrounding zoning and land uses are as follows:

- North: RR (Sedgwick Co. jurisdiction, Rural Residential District)
- South: RR (Sedgwick Co. jurisdiction, Rural Residential District)
- East: RR (Sedgwick Co. jurisdiction, Rural Residential District)
- West: RR (Sedgwick Co. jurisdiction, Rural Residential District)/GC (Sedgwick Co. jurisdiction, General Commercial District)

3. *Is the length of time that the subject property has remained undeveloped or vacant as zoned a factor in the consideration?*

No

4. *Would the request correct an error in the application of these regulations?*

No

5. *Is the request caused by changed or changing conditions in the area of the subject property and, if so, what is the nature and significance of such changed or changing conditions?*

The rezoning request is the direct result of the applicants' plan to construct a mineral extraction operation on the subject property. Before this operation can start, the property needs to be zoned correctly to allow for a subsequent special use application to be submitted to the City for review/approval. Mineral extraction is an allowed special use activity on A-1 zoned property.

6. *Do adequate sewage disposal and water supply and all other necessary public facilities including street access exist or can they be provided to serve the uses that would be permitted on the subject property?*

Currently, public water and sewer services are not available to the subject property. Street access does exist to the area. Public water and sewer services would not be required as part of the proposed mineral extraction operation. Again, should this rezoning be approved and a special use application submitted, the applicants will be required to submit a site plan showing how the subject property will be safely accessed during the mineral extraction operation period.

7. *Would the subject property need to be platted or replatted or in lieu of dedications made for rights-of-way, easements, and access control or building setback lines?*

No

8. *Would a screening plan be necessary for existing and/or potential uses of the subject property?*

A screening plan will be required as part of the future special use application.

9. *Is there suitable vacant land or buildings available or not available for development that currently has the same zoning?*

The extraction of minerals, including sand, must take place where the resources exist. The subject property has been identified as an area that contains available sand and could be extracted by professional excavating companies.

10. *If the request is for business or industrial uses, are such uses needed to provide more services or employment opportunities?*

While the request is not to rezone this area to a commercial or industrial designation, the requested A-1 designation will allow for a special use application to be submitted which, if approved, will allow for the construction of a new sand pit. This new sand pit would provide a new source of this material that is needed in the local/regional construction industry and, possibly, provide new employment opportunities to the surrounding area.

11. *Is the subject property suitable for the uses in the current zoning to which it has been restricted?*

In its current zoning of RR-1, the subject property has the following permitted uses:

- Single-family detached dwellings, modular, and residential-design manufactured homes and group homes as defined in Section 17.02.09
- Religious Institution (see Section 17.02.09 for definition)
- Golf courses, including accessory clubhouses, but not driving ranges and miniature golf courses operated for commercial purposes
- Existing Airports

12. *To what extent would the removal of the restrictions, i.e., the approval of the zoning request detrimentally affect other property in the neighborhood?*

The rezoning request should not have a negative impact on the surrounding properties. The permitted uses on A-1 zoned property include the following:

- Single-family detached dwellings, modulars, and residential-design manufactured homes
- Religious Institution
- Wind Energy Conversion Systems (subject to approval by the City's Board of Zoning Appeals)
- Golf courses, including accessory clubhouses, but not driving ranges and miniature golf courses operated for commercial purposes

Even if the future special use application is not approved, the permitted uses should not have a negative impact on the surrounding property owners. Religious institutions and golf courses would be required to go through the site plan review process with the City Staff Review Team and Planning and Zoning Board before any construction could commence on said facilities. The continuance of agricultural activities on the subject property will not be detrimental to the surrounding property owners.

13. Would the request be consistent with the purpose of the zoning district classification and the intent and purpose of these regulations?

Yes

14. Is the request in conformance with the Comprehensive Plan and does it further enhance the implementation of the Plan?

The subject property, along with a larger surrounding area, was added to the City's designated Urban Growth Area/Area of Influence with Sedgwick County and the Future Land Use Map (part of the City's Comprehensive Plan) in 2020. The recent annexation of the subject property into Valley Center shows that the City is growing in this area and desires to see it developed.

15. What is the nature of the support or opposition of the request?

- City staff support this rezoning request. The standard public notice was published in *The Ark Valley News* and notices were sent out to surrounding property owners within 1,000 feet of the subject property. Five responses have been received as of the date of this report and are all opposed to this rezoning request due to its connection with the future sand pit special use application. One written response has been received and is attached to this staff report.
- Other public comments in support or opposition will not be known until the public hearing. All written responses received after the agenda packet is officially published will be given to each member of the Planning and Zoning Board prior to the start of the October 25, 2023 board meeting.

16. Is there any information or are there recommendations on this request available from professional persons or persons with related expertise which would be helpful in its evaluation?

No

17. By comparison, does the relative gain to the public health, safety and general welfare outweigh the loss in value or the hardship imposed upon the applicant by not approving the request?

No, the approval of this rezoning application will not negatively impact the public health, safety, and general welfare of the surrounding property owners. The potential impacts of the proposed sand pit will be considered during the review of the special use application. Approval of the rezoning application does **not** mean the special use application for the proposed sand pit will be approved.

City staff recommend approval of this rezoning application.

Written Responses

Ryan Shrack

From: jason dunbar <dunbar1471@yahoo.com>
Sent: Wednesday, October 11, 2023 4:40 PM
To: Ryan Shrack
Subject: Annexed land

I am in strong opposition to the land that was just annexed into becoming a sand pit. That would be awful for that area and unnecessary.

[Sent from Yahoo Mail on Android](#)

Ryan Shrack

From: SHEILA WARREN <swarren26@cox.net>
Sent: Sunday, October 22, 2023 12:42 PM
To: Ryan Shrack
Subject: Proposed rezoning

Mr. Shrack, i am responding to File No. RZ-2023-06, the proposed rezoning of the property in the NW quarter of section 34, Township 25 S. As you know, the Sedgwick County Area Planning Commision voted it inappropriate to rezone this property as it is in the middle of residential properties. The residents are very concerned about the noise, increased traffic and most importantly the contamination of our water wells. I hope the city of Valley Center will take these concerns into consideration and deny the rezoning request. Thank you for your attention to these concerns.

Sincerely,
Sheila Warren
6030 W 85th St N
Valley Center, KS

Ryan Shrack

From: John Miller <83jhawk@gmail.com>
Sent: Tuesday, October 24, 2023 10:12 AM
To: Ryan Shrack
Subject: RZ-2023-06

Good Morning Ryan,

RE: RZ-2023-06

Per our conversation yesterday, I am writing as an applicable area property owner to note my objection to the proposed rezoning for the subject land.

I would think any rezoning request at this time would require an environmental impact and usage report to aid the City of Valley Center in its evaluation of the request to establish a mineral extraction operation in the area.

Please feel free to contact me with any questions. You may reach me at (816)519-9919.

Thank you.

Ryan Shrack

From: Jeff Russell <jdruss3@gmail.com>
Sent: Tuesday, October 24, 2023 7:42 PM
To: Ryan Shrack
Subject: Zoning meeting

Our house protests at 3801 w Rio grand cir, do we have to attend?
Thank you

Jeff Russell

10/21/2023

Re: 10/25/2023 Meeting

I am here tonight as a concerned resident of the immediate area, to discuss my strong opposition to the proposed zoning change RZ-2023-06, application of David Leeker, Leeker Real Estate Partnership, LP, and Steven and Sherryl Simon, pursuant to City Code 17.11, who are petitioning for a rezoning of land that is currently zoned RR-1, which is the City's designation for a suburban residential district, to A-1, which is the City's designations for an agricultural district. The property is currently unaddressed, but located southeast of the intersection of Ridge Road and 85th Street (in between 85th St. and 77th St.), Valley Center, KS 67147.

I am including in the packet I have presented for you a multitude of petitions against this application, previous petitions against this project sent to the MAPC, and documentation as to why you should deny this request.

First I would like to address your staff report.

Item 5 asks: "Is the request caused by changed or changing conditions in the area of the subject property and, if so, what is the nature and significance of such changed or changing conditions?"

The response states "The rezoning request is the direct result of the applicants' plan to construct a mineral extraction operation on the subject property. Before this operation can start, the property needs to be zoned correctly to allow for a subsequent special use application to be submitted to the City for review/approval. Mineral extraction is an allowed special use activity on A-1 zoned property.

In my opinion, this does not adequately address this issue. There are no changing conditions appropriate to the area that would warrant this change. The only change would be to allow the "mineral extraction operation". Any significant change to this area, should take in to consideration the residential make up of the area.

Item 10 asks: "If the request is for business or industrial uses, are such uses needed to provide more services or employment opportunities?"

The response states: "While the request is not to rezone this area to a commercial or industrial designation, the requested A-1 designation will allow for a special use application to be submitted which, if approved, will allow for the construction of a new sand pit. This new sand pit would provide a new source of this material that is needed in the local/regional construction industry and, possibly, provide new employment opportunities to the surrounding area."

Again, in my opinion, this does not adequately address the issue. The sand pit could be developed somewhere that does not effect local residents property values, personal water wells, and quality of life. Yes the sand appears to be there based on reports, but it is also available in other areas.

Item 12 asks: *“To what extent would the removal of the restrictions, i.e., the approval of the zoning request detrimentally affect other property in the neighborhood?”*

The response states: “The rezoning request should not have a negative impact on the surrounding properties. The permitted uses on A-1 zoned property include the following:

- Single-family detached dwellings, modulars, and residential-design manufactured homes
- Religious Institution
- Wind Energy Conversion Systems (subject to approval by the City’s Board of Zoning Appeals)
- Golf courses, including accessory clubhouses, but not driving ranges and miniature golf courses operated for commercial purposes

Even if the future special use application is not approved, the permitted uses should not have a negative impact on the surrounding property owners. Religious institutions and golf courses would be required to go through the site plan review process with the City Staff Review Team and Planning and Zoning Board before any construction could commence on said facilities. The continuance of agricultural activities on the subject property will not be detrimental to the surrounding property owners.

I remind you, **the existing designation** allows for all of the requested rezoning designation, excluding wind energy conversion and the anticipated sand pit special use application.

Now that I have covered the immediate issue, I am going to include the pertinent information I noted earlier.

I have included with the packet today an excerpt of the MAPC final minutes of the meeting from 06-08-2023, which documents their direction to deny the request for conditional use permit. I have also included the MAPC staff report showing the proximity of my property and the surrounding homes in the neighborhoods.

I have also included an excerpt from the November 17, 2004 Sedgwick County Commission meeting, again denying the proposed request. Some of the concerns from 2004 are the same as today. Road conditions being one of them, and flooding another.

Two of the documents you have in your hands are from Katie Pekarek – Extension Educator with University of Nebraska Lincoln, regarding the effects of Sand Pits on local water supplies and after the sand pit has been abandoned.

An article from Douglas S Helmke, L.G. November of 2007, Sand Pits and Public Water Supply Wells, reports on the need to assure the proposed pit be located up gradient from a well. To prevent the potential settling of the sand and gravel deposits in the aquifer – it was determined that haul road would need to be located at least 400 feet from the well and that any haul road within 400 feet to 900 feet would need to be maintained so as to minimize vibrations from any vehicles.

I am sure you have read my neighbor Penney Simpson opinion letter in the most recent edition of the Ark Valley News. The study she sights is Diane Hite, Professor, Auburn university, Auburn, Alabama. I am including another study from 2008 with basically the same statistics. This study also notes the lack of economic gain for the vicinity. Jobs will only be displaced, not created.

I could go on and on with the negative impacts of this decision for the neighborhood, and the City of Valley Center. Tonight I am going to summarize my opposition as follows:

As a member of this community, who does not get to have a say in your position on this board, as you are all appointed members at the Mayor and City Council behest, whom I also do not get to vote for, I ask you this question.

If this were in your front yard, what would your decision be? I am not asking you to deny any housing development, nor any business that would enhance the community. A sand pit does not enhance the neighborhood, nor the City of Valley Center. The economic impact does not outweigh the impact to the residents of the area.

I strongly request you deny this application.

Dena Bushell
8020 N 63rd St W
Valley Center, Ks. 67147

Ryan Shrack

From: Larry Allen <lsallen65@gmail.com>
Sent: Wednesday, October 25, 2023 10:00 AM
To: Ryan Shrack
Subject: Annexation and zoning change (Leeker,Simon)

Mr Shrack,

I am writing to voice my protest of the application of annexation and changes to the property along Ridge Road between 77th and 85th Street. The petitioners have already applied and were denied by Sedgwick County for a zoning change to operate a sand pit and rock crushing plant at this location. I feel by allowing this to happen by Valley Center after Sedgwick County has found just cause to deny it would be an injustice to the neighbors in this area as well as decrease the property values of the surrounding homes.

So I ask that this application be denied.

Thank You for your time.

Larry S. Allen
7503 W 85th St N,
Valley Center, KS 67147
(316)619-1386

ORDINANCE NO. 1400-23

**AN ORDINANCE CHANGING THE ZONING DISTRICT
CLASSIFICATION OF CERTAIN PROPERTY LOCATED IN THE CITY
OF VALLEY CENTER, KANSAS, UNDER THE AUTHORITY GRANTED
BY THE ZONING REGULATIONS OF THE CITY.**

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

SECTION 1. Having received a recommendation from the Valley Center City Planning and Zoning Board on Case No. RZ-2023-06, and proper notice having been given and hearing held as provided by law and under authority and subject to the provisions of the amended Zoning Regulations of the City as approved by Ordinance No. 1279-14, the zoning district classification of the property legally described herein is changed as follows:

Change of zoning district classification from RR-1 (Suburban Residential District) to A-1 (Agricultural District).

Legal Description: The West Half of the Northwest Quarter of Section 34, Township 25 South, Range 1 West of the 6th P.M., Sedgwick County, Kansas; TOGETHER with the East Half of the Northwest Quarter of Section 34, Township 25 South, Range 1 West of the 6th P.M., Sedgwick County, Kansas; TOGETHER with the Southwest Quarter of Section 34, Township 25 South, Range 1 West of the 6th P.M., Sedgwick County, Kansas, EXCEPT a tract described as beginning at the Southwest corner of the Southwest Quarter of said Section; thence East 800 feet; thence North 545 feet; thence West 800 feet to the West line of Section 34; thence South 545 feet to the point of beginning.

Legal Address: Currently unaddressed, but located southeast of the intersection of 85th Street and Ridge Road, Valley Center, KS 67147

SECTION 2. Upon the taking effect of this Ordinance, the above zoning change shall be entered and shown on the Official Zoning Map(s) as previously adopted by reference and said map(s) is hereby reincorporated as a part of the Zoning Regulations as amended.

SECTION 3. This ordinance shall take effect and be in force from and after its passage, approval, and publication once in the official city newspaper.

PASSED by the Governing Body and signed by the Mayor of the City of Valley Center, Kansas, on this 21st day of November, 2023.

First Reading:	November 7, 2023
Second Reading:	November 21, 2023

(SEAL)

/s/ _____
Louis Cicirello, Mayor

ATTEST:

/s/ _____
Kristi Carrithers, City Clerk

NEW BUSINESS
RECOMMENDED ACTION

**I. ORDINANCE 1400-23; RE-ZONING PROPERTY SOUTHEAST OF
INTERSECTION OF 85TH AND RIDGE ROAD:**

Should Council choose to proceed,

RECOMMENDED ACTION:

Staff recommends approval of Ordinance 1400-23 for 1st reading.

CONSENT AGENDA

- A. APPROPRIATION ORDINANCE – NOVEMBER 7, 2023**
- B. DELINQUENT ACCOUNT REPORT–AUGUST 2023**
- C. PLANNING AND ZONING BOARD MINUTES – OCTOBER 25, 2023**
- D. STORMWATER CITIZENS ADVISORY COMMITTEE MINUTES – OCTOBER 25, 2023**
- E. PUBLIC LIBRARY 3RD QUARTER REPORTS**
- F. ALCOHOL WAIVER REQUEST – DEC 8, 2023, CITY HOLIDAY PARTY**

RECOMMENDED ACTION:

Staff recommends motion to approve the Consent Agenda as presented.

CONSENT AGENDA

A. APPROPRIATION ORDINANCE:

Below is the proposed Appropriation Ordinance for November 7, 2023, as prepared by City Staff.

November 7, 2023, Appropriation

Total	\$ 290,039.26
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VENDOR SET: 02 City of Valley Center

November 7, 2023 City Council Agenda Page 67

BANK: APBK INTRUST CHECKING

DATE RANGE: 0/00/0000 THRU 99/99/9999

VENDOR I.D.	NAME	STATUS	CHECK	INVOICE	DISCOUNT	CHECK	CHECK	CHECK
			DATE	AMOUNT		NO	STATUS	AMOUNT
0069	KANSAS DEPT REVENUE							
I-202310100901	KANSAS DEPT REVENUE	R	10/13/2023	1,960.44		055900		1,960.44
0150	AT&T MOBILITY							
I-202310110908	AT&T MOBILITY	R	10/13/2023	2,427.56		055901		2,427.56
0243	EVERGY KANSAS CENTRAL, INC.							
I-202310100900	EVERGY KANSAS CENTRAL, INC.	R	10/13/2023	222.04		055902		222.04
0249	APAC - KANSAS INC							
I-202310110903	APAC - KANSAS INC	R	10/13/2023	2,521.75		055903		2,521.75
0299	PITNEY BOWES GLOBAL FINANCIAL							
I-202310110905	PITNEY BOWES GLOBAL FINANCIAL	R	10/13/2023	144.57		055904		144.57
0567	RAVENSCRAFT IMPLEMENT, INC.							
I-202310120915	RAVENSCRAFT IMPLEMENT, INC.	R	10/13/2023	309.39		055905		309.39
0817	H.M.S. LLC							
I-202310110911	H.M.S. LLC	R	10/13/2023	225.96		055906		225.96
0824	GALLS, LLC							
I-202310110904	GALLS, LLC	R	10/13/2023	244.14		055907		244.14
1078	FLEXIBLE BENEFIT SERVICE CORPO							
I-202310120912	FLEXIBLE BENEFIT SERVICE CORPO	R	10/13/2023	231.25		055908		231.25
1105	CK POWER							
I-202310110907	CK POWER	R	10/13/2023	251.50		055909		251.50
1137	WASTE CONNECTIONS OF KANSAS, I							
I-202310100902	WASTE CONNECTIONS OF KANSAS, I	R	10/13/2023	44,929.91		055910		44,929.91
1244	APEX EXCAVATING, LLC							
I-202310120916	APEX EXCAVATING, LLC	R	10/13/2023	47,707.00		055911		47,707.00
1368	ADVERTISING IMAGES DIGITAL OUT							
I-202310100899	ADVERTISING IMAGES DIGITAL OUT	R	10/13/2023	2,550.00		055912		2,550.00
1369	CEDAR'S LAWN MOWING & LANDSCAP							
I-202310110910	CEDAR;S LAWN MOWING & LANDSCAP	R	10/13/2023	100.00		055913		100.00
1	DISHMAN, PAMELA LYNN							
I-000202310160917	DISHMAN, PAMELA LYNN:	R	10/20/2023	300.00		055917		300.00

VENDOR I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
0032	AFLAC							
I-AF 202310030864	SUPPLEMENTAL INSURANCE	R	10/20/2023	52.52		055918		
I-AF 202310170940	SUPPLEMENTAL INSURANCE	R	10/20/2023	52.52		055918		
I-AFC202310030864	SUPPLEMENTAL INSURANCE	R	10/20/2023	51.89		055918		
I-AFC202310170940	SUPPLEMENTAL INSURANCE	R	10/20/2023	51.89		055918		
I-AFD202310030864	SUPPLEMENTAL INSURANCE	R	10/20/2023	55.77		055918		
I-AFD202310170940	SUPPLEMENTAL INSURANCE	R	10/20/2023	55.77		055918		
I-AFL202310030864	SUPPLEMENTAL LIFE INSURANCE	R	10/20/2023	60.10		055918		
I-AFL202310170940	SUPPLEMENTAL LIFE INSURANCE	R	10/20/2023	60.10		055918		
I-AFO202310030864	SUPPLEMENTAL INSURANCE	R	10/20/2023	29.12		055918		
I-AFO202310170940	SUPPLEMENTAL INSURANCE	R	10/20/2023	29.13		055918		498.81
0445	DELTA DENTAL OF KANSAS, INC.							
I-DDS202310030864	DENTAL INSURANCE	R	10/20/2023	155.61		055919		
I-DDS202310170940	DENTAL INSURANCE	R	10/20/2023	155.61		055919		
I-DEC202310030864	DENTAL INSURANCE	R	10/20/2023	303.75		055919		
I-DEC202310170940	DENTAL INSURANCE	R	10/20/2023	303.75		055919		
I-DES202310030864	DENTAL INSURANCE	R	10/20/2023	273.84		055919		
I-DES202310170940	DENTAL INSURANCE	R	10/20/2023	273.84		055919		
I-DFM202310030864	DENTAL INSURANCE	R	10/20/2023	860.70		055919		
I-DFM202310170940	DENTAL INSURANCE	R	10/20/2023	975.12		055919		3,302.22
0566	SURENCY LIFE AND HEALTH							
I-VEC202310030864	VISION INSURANCE	R	10/20/2023	7.93		055920		
I-VEC202310170940	VISION INSURANCE	R	10/20/2023	7.93		055920		
I-VFM202310030864	VISION INSURANCE	R	10/20/2023	15.41		055920		
I-VFM202310170940	VISION INSURANCE	R	10/20/2023	15.41		055920		
I-VMC202310030864	VISION INSURANCE	R	10/20/2023	86.80		055920		
I-VMC202310170940	VISION INSURANCE	R	10/20/2023	86.80		055920		
I-VME202310030864	VISION INSURANCE	R	10/20/2023	33.81		055920		
I-VME202310170940	VISION INSURANCE	R	10/20/2023	33.81		055920		
I-VMF202310030864	VISION INSURANCE	R	10/20/2023	185.57		055920		
I-VMF202310170940	VISION INSURANCE	R	10/20/2023	188.23		055920		
I-VMS202310030864	VISION INSURANCE	R	10/20/2023	60.72		055920		
I-VMS202310170940	VISION INSURANCE	R	10/20/2023	60.72		055920		783.14
0270	INTRUST CARD CENTER							
I-202310160918	INTRUST CARD CENTER	R	10/20/2023	11,474.54		055921		11,474.54
0059	CITY OF WICHITA							
I-202310190941	CITY OF WICHITA	R	10/20/2023	3,528.00		055922		3,528.00
0074	KANSAS MUNICIPAL UTILITIES							
I-202310170926	KANSAS MUNICIPAL UTILITIES	R	10/20/2023	250.00		055923		250.00

VENDOR SET: 02 City of Valley Center

November 7, 2023 City Council Agenda Page 69

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
0079	KDHE-DIV OF H & E LABORATORIES							
I-202310170921	KDHE-DIV OF H & E LABORATORIES	R	10/20/2023	638.00		055924		638.00
0110	LKM - LEAGUE OF KANSAS MUNICIP							
I-202310170924	LKM - LEAGUE OF KANSAS MUNICIP	R	10/20/2023	145.00		055925		145.00
0204	PITNEY BOWES							
I-202310170923	PITNEY BOWES	R	10/20/2023	604.50		055926		604.50
0224	SUMNERONE, INC.							
I-202310170919	SUMNERONE, INC.	R	10/20/2023	163.49		055927		163.49
0312	VALLEY CENTER RECREATION							
I-202310170932	VALLEY CENTER RECREATION	R	10/20/2023	5,587.50		055928		5,587.50
0784	MERIDIAN ANALYTICAL LABS, LLC							
I-202310170925	MERIDIAN ANALYTICAL LABS, LLC	R	10/20/2023	450.00		055929		450.00
0799	ELITE FRANCHISING INC DBA JANI							
I-202310170927	ELITE FRANCHISING INC DBA JANI	R	10/20/2023	380.00		055930		380.00
0807	GADES SALES CO, INC.							
I-202310170929	GADES SALES CO, INC.	R	10/20/2023	988.00		055931		988.00
0824	GALLS, LLC							
I-202310190942	GALLS, LLC	R	10/20/2023	1,333.95		055932		1,333.95
1004	IMAGINE IT, INC.							
I-202310170922	IMAGINE IT, INC.	R	10/20/2023	6,707.38		055933		6,707.38
1016	DORMAKABA USA							
I-202310170928	DORMAKABA USA	R	10/20/2023	198.00		055934		198.00
1136	JORDAN FORD LAW							
I-202310170931	JORDAN FORD LAW	R	10/20/2023	5,075.00		055935		5,075.00
1234	FLEET FUELS LLC							
I-202310170920	FLEET FUELS LLC	R	10/20/2023	157.76		055936		157.76
1370	AT&T MOBILITY-CC							
I-202310170930	AT&T MOBILITY-CC	R	10/20/2023	207.81		055937		207.81
1	HERNANDEZ, RODOLFO							
I-000202310230944	HERNANDEZ, RODOLFO:	R	10/27/2023	1,000.00		055938		1,000.00

VENDOR I.D.	NAME	STATUS	CHECK	INVOICE	DISCOUNT	CHECK	CHECK	CHECK
			DATE	AMOUNT		NO	STATUS	AMOUNT
0113	VALLEY PRINT LOGISTICS							
I-202310240954	VALLEY PRINT LOGISTICS	R	10/27/2023	912.05		055942		912.05
0254	CITY OF WICHITA							
I-202310260966	CITY OF WICHITA	R	10/27/2023	79,323.53		055943		79,323.53
0437	USA BLUEBOOK							
I-202310250961	USA BLUEBOOK	R	10/27/2023	1,248.11		055944		1,248.11
0552	WICHITA AREA METROPOLITAN PLAN							
I-202310260967	WICHITA AREA METROPOLITAN PLAN	R	10/27/2023	24,725.40		055945		24,725.40
0623	CORE & MAIN							
I-202310240953	CORE & MAIN	R	10/27/2023	618.00		055946		618.00
0778	SHELLEY ELECTRIC							
I-202310250959	SHELLEY ELECTRIC	R	10/27/2023	150.00		055947		150.00
0799	ELITE FRANCHISING INC DBA JANI							
I-202310240956	ELITE FRANCHISING INC DBA JANI	R	10/27/2023	70.00		055948		70.00
0824	GALLS, LLC							
I-202310240957	GALLS, LLC	R	10/27/2023	1,077.27		055949		1,077.27
0937	WILKS UNDERGROUND UTILITES, LL							
I-202310240952	WILKS UNDERGROUND UTILITES, LL	R	10/27/2023	5,517.60		055950		5,517.60
1234	FLEET FUELS LLC							
I-202310250960	FLEET FUELS LLC	R	10/27/2023	1,933.84		055951		1,933.84
1236	SHORT ELLIOT HENDRICKSON, INC.							
I-202310260968	SHORT ELLIOT HENDRICKSON, INC.	R	10/27/2023	20,719.60		055952		20,719.60
1247	NEWGEN STRATEGIES & SOLUTIONS,							
I-202310260969	NEWGEN STRATEGIES & SOLUTIONS,	R	10/27/2023	2,165.00		055953		2,165.00

* * T O T A L S * *	NO	INVOICE AMOUNT	DISCOUNTS	CHECK AMOUNT
REGULAR CHECKS:	48	286,059.01	0.00	286,059.01
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	

TOTAL ERRORS: 0

	NO	INVOICE AMOUNT	DISCOUNTS	CHECK AMOUNT
VENDOR SET: 02 BANK: APBK TOTALS:	48	286,059.01	0.00	286,059.01

VENDOR SET: 03 City of Valley Center

November 7, 2023 City Council Agenda Page 71

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
0030	SAMUEL G BURKHOLDER							
I-202310120913	SAMUEL G BURKHOLDER	R	10/13/2023	244.50		055914		244.50
0111	NICHOLAS BANNING							
I-202310120914	NICHOLAS BANNING	R	10/13/2023	244.50		055915		244.50
0087	BARRY SMITH							
I-202310260965	BARRY SMITH	R	10/27/2023	444.48		055939		444.48
0138	STEPHEN RICH							
I-202310230947	STEPHEN RICH	R	10/27/2023	124.99		055940		124.99
0148	DESIRAE WOMACK							
I-202310260970	DESIRAE WOMACK	R	10/27/2023	369.98		055941		369.98

* * T O T A L S * *	NO		INVOICE AMOUNT	DISCOUNTS	CHECK AMOUNT
REGULAR CHECKS:	5		1,428.45	0.00	1,428.45
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

	NO		INVOICE AMOUNT	DISCOUNTS	CHECK AMOUNT
VENDOR SET: 03 BANK: APBK TOTALS:	5		1,428.45	0.00	1,428.45

VENDOR SET: 04 City of Valley Center

November 7, 2023 City Council Agenda Page 72

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
0224	KAREN MAIER & CHARLENE DENISEN							
I-202310110906	KAREN MAIER & CHARLENE DENISEN	R	10/13/2023	2,551.80		055916		2,551.80

* * T O T A L S * *	NO	INVOICE AMOUNT	DISCOUNTS	CHECK AMOUNT
REGULAR CHECKS:	1	2,551.80	0.00	2,551.80
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

	NO	INVOICE AMOUNT	DISCOUNTS	CHECK AMOUNT
VENDOR SET: 04 BANK: APBK TOTALS:	1	2,551.80	0.00	2,551.80
BANK: APBK TOTALS:	54	290,039.26	0.00	290,039.26
REPORT TOTALS:	54	290,039.26	0.00	290,039.26

SELECTION CRITERIA

VENDOR SET: * - All

VENDOR: ALL

BANK CODES: All

FUNDS: All

CHECK SELECTION

CHECK RANGE: 055900 THRU 055953

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

CONSENT AGENDA

B. DELINQUENT ACCOUNT REPORT – AUGUST 2023:

ZONE: ALL

STAT: Disconnect, Final, Inactive

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

LAST BILL DATES: 8/01/2023 THRU 8/31/2023

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

ACCOUNT NO#	NAME	ST	LAST PAY	ST	---CURRENT---	+1 MONTHS	+2 MONTHS	+3 MONTHS	+4 MONTHS	--BALANCE--
01-0063-07	LAUDERDALE, CARISSA		7/07/2023	F		62.80	161.82			224.62
01-0153-03	MACKEY, JENNIFER K		8/21/2023	F		63.08				63.08
**** BOOK # :0001	TOTAL ACCOUNTS:	2			0.00	125.88	161.82	0.00	0.00	287.70
**** BOOK # :0002	TOTAL ACCOUNTS:	0			0.00	0.00	0.00	0.00	0.00	0.00
03-0010-14	ALLEN, MICHELLE		8/10/2023	F		135.77				135.77
**** BOOK # :0003	TOTAL ACCOUNTS:	1			0.00	135.77	0.00	0.00	0.00	135.77
**** BOOK # :0004	TOTAL ACCOUNTS:	0			0.00	0.00	0.00	0.00	0.00	0.00
**** BOOK # :0005	TOTAL ACCOUNTS:	0			0.00	0.00	0.00	0.00	0.00	0.00
06-0172-01	VILLIERS, KELLY		8/08/2023	F		72.69				72.69
**** BOOK # :0006	TOTAL ACCOUNTS:	1			0.00	72.69	0.00	0.00	0.00	72.69
**** BOOK # :0007	TOTAL ACCOUNTS:	0			0.00	0.00	0.00	0.00	0.00	0.00
09-0092-00	BREITIGAN, TIMOTHY		7/11/2023	F		130.61	215.76			346.37
**** BOOK # :0009	TOTAL ACCOUNTS:	1			0.00	130.61	215.76	0.00	0.00	346.37
10-0052-05	MADRIGAL, DAN		7/17/2023	F		195.54				195.54
**** BOOK # :0010	TOTAL ACCOUNTS:	1			0.00	195.54	0.00	0.00	0.00	195.54

Sent 10-27-23

Due 11-28-23

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

10/25/2023 4:45 PM
ZONE: ALL
STAT: Disconnect, Final, Inactive
START DATES: 0/00/0000 THRU 99/99/9999
LAST BILL DATES: 8/01/2023 THRU 8/31/2023
FINAL DATES: 0/00/0000 THRU 99/99/9999

ACCOUNT NO#	NAME	ST	LAST PAY	ST	---CURRENT---	+1 MONTHS	+2 MONTHS	+3 MONTHS	+4 MONTHS	--BALANCE--
**** BOOK # :0012	TOTAL ACCOUNTS:	0	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
**** BOOK # :0014	TOTAL ACCOUNTS:	0	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
17-0028-00	LUNA, MORGAN		8/17/2023	F	96.21					96.21
**** BOOK # :0017	TOTAL ACCOUNTS:	1	0.00	96.21	0.00	0.00	0.00	0.00	0.00	96.21
**** BOOK # :0018	TOTAL ACCOUNTS:	0	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
**** BOOK # :0020	TOTAL ACCOUNTS:	1	0.00	55.37	136.92	132.44	0.00	0.00	0.00	324.73
**** BOOK # :0080	TOTAL ACCOUNTS:	0	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
REPORT TOTALS	TOTAL ACCOUNTS:	8	0.00	812.07	514.50	132.44	0.00	0.00	0.00	1459.01

REPORT TOTALS

REVENUE CODE TOTALS

REVENUE CODE:	--CURRENT--	+1 MONTHS	+2 MONTHS	+3 MONTHS	+4 MONTHS	--BALANCE--
100-WATER	0.00	444.95	284.16	52.18	0.00	781.29
200-SEWER	0.00	291.55	153.45	50.91	0.00	495.91
300-PROT	0.00	0.89	0.70	0.13	0.00	1.72
600-STORMWATER UTILITY FEE	0.00	53.22	28.25	6.53	0.00	88.00
610-SOLID WASTE	0.00	18.18	39.84	14.86	0.00	72.88
850-PENALTY	0.00	3.28	8.10	7.83	0.00	19.21
TOTALS	0.00	812.07	514.50	132.44	0.00	1459.01

TOTAL REVENUE CODES: 1,459.01
TOTAL ACCOUNT BALANCE: 1,459.01
DIFFERENCE: 0.00

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

===== B O O K C O D E T O T A L S =====

BOOK:	--CURRENT--	+1 MONTHS	+2 MONTHS	+3 MONTHS	+4 MONTHS	--BALANCE--
01-BOOK 01	0.00	125.88	161.82	0.00	0.00	287.70
02-BOOK 02	0.00	0.00	0.00	0.00	0.00	0.00
03-BOOK 03	0.00	135.77	0.00	0.00	0.00	135.77
04-BOOK 04	0.00	0.00	0.00	0.00	0.00	0.00
05-BOOK 05	0.00	0.00	0.00	0.00	0.00	0.00
06-BOOK 06	0.00	72.69	0.00	0.00	0.00	72.69
07-BOOK 07	0.00	0.00	0.00	0.00	0.00	0.00
09-BOOK 09	0.00	130.61	215.76	0.00	0.00	346.37
10-BOOK 10	0.00	195.54	0.00	0.00	0.00	195.54
12-BOOK 12	0.00	0.00	0.00	0.00	0.00	0.00
14-BOOK 14	0.00	0.00	0.00	0.00	0.00	0.00
17-BOOK 17	0.00	96.21	0.00	0.00	0.00	96.21
18-BOOK 18	0.00	0.00	0.00	0.00	0.00	0.00
20-BOOK 20	0.00	55.37	136.92	132.44	0.00	324.73
80-STORMWATER YEARLY	0.00	0.00	0.00	0.00	0.00	0.00
TOTALS	0.00	812.07	514.50	132.44	0.00	1459.01

ERRORS: 000

REPORT OPTIONS

```

ZONE:
ACCOUNT STATUS: DISCONNECT, FINAL, INACTIVE
CUSTOMER CLASS: ALL
COMMENT CODES: ALL

```

BALANCE SELECTION

SELECTION: ALL
RANGE: 999999.99CR THRU 999999.99
AGES TO TEST: ALL
INCLUDE ZERO BALANCES: Include Accts w/Revenue Code balances

DATE SELECTION

CUSTOMER DATES:	YES
START DATE:	0/00/0000 THRU 99/99/9999
LAST BILL DATE:	8/01/2023 THRU 8/31/2023
FINAL DATE:	0/00/0000 THRU 99/99/9999

TRANSACTION DETAIL

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

PRINT OPTION

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

CONSENT AGENDA

C. PLANNING AND ZONING BOARD MINUTES – OCTOBER 25, 2023:

PLANNING AND ZONING BOARD MEETING MINUTES
CITY OF VALLEY CENTER, KANSAS

Wednesday, October 25, 2023, 7:00 P.M.

CALL TO ORDER: Chairperson Janzen called the meeting to order at 7:00 P.M. with the following board members present: Steve Conway, Rick Shellenbarger, Scot Phillips, Brian Shelton, Paul Spranger, and Dalton Wilson

MEMBERS ABSENT: None

CITY STAFF PRESENT: Ryan Shrack, Barry Arbuckle, Rodney Eggleston, and Brent Clark

AUDIENCE: Bryan and Megan Dennis, Deana and Edward Bushell, Sheila Warren, Faye Eidson, Jon Freund, Jo Hessler, Tom Bartel, Glenda Carruth, Ruth Herman, Kenia and Robert Robledo, Victor and Jackie Villarreal, Jet Truman, Rebecca Spivey, Denise Spivey, Pat Petrakis, Chris McElgunn, Todd Nix, Phil Meyer, Mike Miller, Tammy Miller, Leah Pollock, Anthony Krejci, Ron Cotts, Mayor Lou Cicirello, City Councilmember Ben Anderson, and City Councilmember Wilson

AGENDA: A motion was made by Chairperson Janzen and seconded by Board Member Shellenbarger to set the agenda. Motion passed unanimously.

APPROVAL OF DRAFT MINUTES: Chairperson Janzen made a motion to approve the September 26, 2023, meeting minutes. The motion was seconded by Vice Chairperson Spranger. Motion passed unanimously.

COMMUNICATIONS: None

PUBLIC HEARINGS BEFORE THE PLANNING AND ZONING BOARD:

1. Review of LS-2023-04, application of the Daniel Houston, pursuant to City Code 16.09., who is petitioning for a lot split involving the splitting of property the applicant owns and is currently addressed as 5219 W. 77th St. N., Valley Center, KS 67147.

R. Shrack gave a summary of his staff report. The applicant is requesting a lot split of his property in order to sell the newly created lot (labeled Parcel B) to another person who intends to build a single-family house on it. The newly created southern lot will have access to a publicly dedicated street (77th St.) via an ingress/egress easement. A site plan attached to the staff report shows the proposed new single-family house, which will have a private well and septic system.

Chairperson Janzen opened the hearing for comments from the public: 7:04 PM

Chairperson Janzen closed the hearing for comments from the public: 7:06 PM

Top Bartel, from Top Dog Realty, is representing the applicant and spoke briefly about the private driveway during the public hearing. Based on the City Staff recommendations, public comments, and discussion by the Planning and Zoning Board, Chairperson Janzen made a motion to approve LS-2023-04. Motion was seconded by Board Member Wilson. The vote was unanimous.

2. Review of SD-2023-01, application of Lou Robelli, pursuant to City Code 16.04, who is petitioning for approval of a final plat for land located southeast of the intersection

of 93rd Street and Meridian Avenue (currently unaddressed), Valley Center, KS 67147.

R. Shrack gave a summary of his staff report. The applicant is requesting approval of a final plat for the subject property. The Harvest Place subdivision consists of land between the high school and middle school on the east side of Meridian Avenue. The City Staff Review Team has submitted a few minor revisions to be made to the final plat, which the engineer is working on at this time. These are primarily a couple of access control revisions and name/signature block updates. All updates will be made prior to the plat being printed on mylar and filed with Sedgwick County.

Chairperson Janzen opened the hearing for comments from the public: 7:09 PM

Chairperson Janzen closed the hearing for comments from the public: 7:11 PM

City Administrator Brent Clark spoke during the public hearing to discuss the school district's involvement in the naming of the streets and the subdivision itself. Commemorative street signs will be given to each school with their respectively named street. The board asked a couple of questions regarding the requested revisions, with R. Shrack answered. Based on the City Staff recommendations, public comments, and discussion by the Planning and Zoning Board, Chairperson Janzen made a motion to approve SD-2023-01. Motion was seconded by Board Member Conway. The vote was unanimous.

3. Review of RZ-2023-05, application of Lou Robelli, pursuant to City Code 17.11, who is petitioning for a rezoning of land that is currently zoned RR-1, which is the City's designation for a suburban residential district, to R-2, which is the City's designations for a two-family residential district and C-2, which is the City's designation for a general business district. The property is currently unaddressed, but located southeast of the intersection of Meridian Avenue and 93rd Street, Valley Center, KS 67147.

R. Shrack gave a summary of his staff report. The applicant is requesting a rezoning in conjunction with the final plat for the same subject property. The property will be rezoned to C-2/R-2. The commercially zoned lots are located along Meridian Ave. and 93rd St. The rest of the lots will all be residential and will allow for either single-family houses or duplexes to be constructed on them.

Chairperson Janzen opened the hearing for comments from the public: 7:16 PM

Chairperson Janzen closed the hearing for comments from the public: 7:20 PM

Joe Schaeffer asked about possibly adding lanes to Meridian Ave. to help with additional traffic with the creation of this new subdivision. City Administrator Clark talked about some preliminary concepts/plans that have been created for the section of Meridian between 7th St. and 93rd St. that would expand the road to four lanes with some traffic calming features at a cost of \$12 million. The City had applied for funding from WAMPO to assist with this project, but was not selected for funding. The City will continue to look for cost-sharing opportunities to expand Meridian Ave. in this section of the community. Board members talked briefly about the construction of new duplexes and asked questions of the engineer, Anthony Krejci. A. Krejci shared with the board that the lots east of Emporia Ave. will be duplex lots and the lots west of Emporia Ave. will be where single-family houses are built. Based on the City Staff recommendations, public comments, and discussion by the Planning and Zoning Board, Chairperson Janzen made a motion to approve SD-2023-05. Motion was seconded by Board Member Wilson. The vote was unanimous.

4. Review of RZ-2023-06, application of David Leeker, Leeker Real Estate Partnership, LP, and Steven and Sherryl Simon, pursuant to City Code 17.11, who are petitioning for a rezoning of land that is currently zoned RR-1, which is the City's designation for a suburban residential district, to A-1, which is the City's designations for an agricultural district. The property is currently unaddressed, but located southeast of the intersection of Ridge Road and 85th Street (in between 85th St. and 77th St.), Valley Center, KS 67147.

Chairperson Janzen shared with the audience that this item is strictly being heard as a rezoning application. A future special use request will have its own public hearing and said future use will not be discussed during tonight's meeting. R. Shrack gave a summary of his staff report. The applicants are requesting a rezoning from RR-1 to A-1 due to the applicants desire to submit a special use application in the future. The special use that the applicants are considering is only allowed on A-1 zoned property. R. Shrack reviewed with the board permitted uses for both RR-1 and A-1 zoned property and briefly reviewed the special use application process. Before opening the public hearing, Chairperson Janzen informed the audience that anyone who wished to speak could do so for up to three minutes. Board Member Shelton served as the timekeeper for this public hearing.

Chairperson Janzen opened the hearing for comments from the public: 7:31 PM

Chairperson Janzen closed the hearing for comments from the public: 8:11 PM

The following individuals in the audience spoke during the public hearing for this rezoning application:

- Deana Bushell, 8020 N. 63rd St.: D. Bushell shared her comments regarding the staff report and her petition against the rezoning application, as well as supporting documentation she submitted previously via email to City staff. She stated she believes the rezoning application doesn't need to be submitted based on existing uses and that the future sand pit should be located somewhere else. She believes her property values will decrease if the sand pit is allowed to be put into operation. Board member Shelton asked about the petition D. Bushell had submitted to City staff.
- Pat Petrakis, 130 S. Miles Ave.: P. Petrakis asked questions about the recent annexation of the subject property and the rezoning process. Chairperson Janzen, City Administrator Clark, City Attorney Arbuckle, and R. Shrack all addressed these questions regarding the recent annexation and rezoning of the subject property.
- Glenda Carruth, 8321 N. Ridge Rd.: G. Carruth asked if there would be another meeting to review the special use application and Chairperson Janzen reminded her that there will be another public hearing to discuss the special use application (for the sand pit) in the future. He said she would have an opportunity to speak about the sand pit at that time.
- Jon Freund, 3901 Palos Verdes Circle: J. Freund requested the board vote to not approve the rezoning application. He stated he believes that the rezoning application possibly violates the City's zoning code by quoting references to public health and safety issues. He is concerned about increased truck traffic and groundwater issues. He believes that there hasn't been enough time between the annexation approval and the rezoning application request.
- Joe Schaeffer, on behalf of Brenda Schaeffer, 8700 N. Janis Ave.: J. Schaeffer asked about the area north of the subject property being potentially annexed into Valley Center. City staff stated that even though the subject property has been

annexed into Valley Center, it doesn't necessarily mean that other adjacent land can simply be annexed in without going through the formal process. The City doesn't have the right to unilaterally annex other property without following state law on such a process.

- Rebecca Spivey, 8050 N. 63rd St.: R. Spivey asked questions regarding the next steps for this process and, if there is a special use application submitted by the applicants, will there be another public notice letter sent out to everyone. R. Shrack and Chairperson Janzen answered her questions. Even if the special use is approved, there would be additional environmental impact studies done in order to obtain necessary state permits before starting the sand pit operation. All property owners within 1,000 ft. of the subject property will receive a public notice letter with the date/time of the public hearing for the special use application. R. Spivey stated she is opposed to the rezoning.
- Denise Spivey, 8050 N. 63rd St.: D. Spivey shared her concerns about safety, more specifically, traffic safety and the potential impact of additional truck traffic in conjunction with the proposed sand pit operation. She shared that she has been run over by vehicles in the past and she is concerned with more vehicles being on the local roads. She said traffic is an issue now, let alone in the future. Chairperson Janzen thanked her for her comments and said that additional traffic would be addressed with the future special use application.
- Chris McElgunn, representing Ike Clawson (9125 W. 84th St.) and legal counsel to Deana Bushell: C. McElgunn shared his thoughts on the rezoning application and that the future special use can be considered as part of this process. He asked the board to keep in mind the future protest and open process of decision making. He asked if there will be a different standard used for the special use application. City staff stated that there will be no difference in the standards used in reviewing the special use application.

Following the closing of the public hearing, the board had a brief discussion and invited the engineer, Phil Meyer, representing the applicants to speak. He stated the staff report covered all of the pertinent information on the rezoning. A few board members shared their thoughts on the rezoning application and the importance of reviewing information submitted by local residents and the comments shared by the public during the public hearing. Pat Petrakis addressed the board again and shared that even though there may be homes built in the future, the residents will have to deal with sand for a long time before those homes are built. Based on the City Staff recommendations, public comments, and discussion by the Planning and Zoning Board, Chairperson Janzen made a motion to approve SD-2023-06. Motion was seconded by Board Member Shellenbarger. The vote was approved 6-1, with Board Member Phillips voting against the motion.

OLD OR UNFINISHED BUSINESS: None

NEW BUSINESS: None

STAFF REPORTS: R. Shrack reminded the board that the next meeting will be held on Tuesday, November 28, 2023.

ITEMS BY PLANNING AND ZONING BOARD MEMBERS:

Gary Janzen-none

Paul Spranger-none

Brian Shelton-none

Rick Shellenbarger-none

Scot Phillips-none

Steve Conway-none

Dalton Wilson-none

ADJOURNMENT OF THE PLANNING AND ZONING BOARD MEETING: At 8:28 P.M., a motion was made by Chairperson Janzen to adjourn and seconded by Vice Chairperson Spranger. Vote was unanimous and the meeting was adjourned.

Respectfully submitted,

/s/ Ryan Shrack, Secretary

Gary Janzen, Chairperson

CONSENT AGENDA

**D. STORMWATER CITIZENS ADVISORY COMMITTEE MINUTES –
OCTOBER 25, 2023:**

STORMWATER CITIZENS ADVISORY COMMITTEE MEETING MINUTES
CITY OF VALLEY CENTER, KANSAS

Wednesday, October 25, 2023, 7:00 P.M.

CALL TO ORDER: Chairperson Janzen called the meeting to order at 8:28 P.M. with the following committee members present: Steve Conway, Rick Shellenbarger, Scot Phillips, Brian Shelton, Paul Spranger, and Dalton Wilson

MEMBERS ABSENT: None

CITY STAFF PRESENT: Ryan Shrack, Barry Arbuckle, Rodney Eggleston, and Brent Clark

AUDIENCE: Anthony Krejci, Jet Truman, Tammy Miller, Mike Miller, Mayor Lou Cicirello, City Council Member Ben Anderson, and City Council Member Robert Wilson

AGENDA: A motion was made by Chairperson Janzen and seconded by Committee Member Shellenbarger to set the agenda. Motion passed unanimously.

APPROVAL OF DRAFT MINUTES: Chairperson Janzen made a motion to approve the September 26, 2023, committee meeting minutes. The motion was seconded by Committee Member Shellenbarger. Motion passed unanimously.

COMMUNICATIONS: None

OLD/UNFINISHED BUSINESS:

1. Response to On-Site Structural BMP Question
R. Eggleston presented information included in the agenda packet regarding on-site structural BMP questions that had been asked at the previous committee meeting. He also discussed water quality and quantity management standards.
2. Response to Public Education and Outreach
R. Eggleston discussed information included in the agenda packet that outlines how the City disseminates information to residents, including water bill inserts and information sent to various community groups. Committee members asked questions about what can be washed into the streets/what is safe to put into the City's stormwater system. R. Eggleston shared information about illegal outfalls into the City's system.

NEW BUSINESS:

1. General Discussion
No further general discussion at this time.
2. Next Meeting Date
The committee decided to hold its next meeting on Tuesday, February 27, 2024.

ADJOURNMENT OF THE STORMWATER CITIZENS ADVISORY COMMITTEE MEETING: At 8:43 P.M., a motion was made by Chairperson Janzen to adjourn and seconded by Committee Member Conway. Vote was unanimous and the meeting was adjourned.

Respectfully submitted,

/s/ Ryan Shrack, Secretary

Gary Janzen, Chairperson

CONSENT AGENDA

E. PUBLIC LIBRARY 3RD QUARTER REPORTS:

Valley Center Public Library
Income Statement
Compared with Budget
For the Nine Months Ending September 30, 2023

	Current Month Actual	Current Month Budget	Year to Date Actual	Year to Date Budget	Year to Date Variance
Revenues					
City of Valley Center	\$ 0.00	\$ 29,000.00	\$ 278,412.59	\$ 294,000.00	(15,587.41)
State Aid	0.00	0.00	2,091.70	2,200.00	(108.30)
SCKLS Grant	11,689.00	0.00	22,130.00	12,000.00	10,130.00
Fines	186.50	125.00	1,595.11	1,125.00	470.11
Copier Fees	50.75	41.66	984.40	374.94	609.46
Book Sale Income	0.00	0.00	0.00	0.00	0.00
Other Grants	0.00	0.00	0.00	300.00	(300.00)
Interest Income	1,148.62	333.33	10,083.20	2,999.97	7,083.23
Miscellaneous Income	42.40	21.66	340.69	185.02	155.67
Summer Reading Grants	0.00	0.00	7,000.00	8,000.00	(1,000.00)
Central KS Community Foundatio	0.00	0.00	0.00	0.00	0.00
Do Not Use	0.00	0.00	0.00	0.00	0.00
Total Revenues	13,117.27	29,521.65	322,637.69	321,184.93	1,452.76
Cost of Sales					
Do Not Use	0.00	0.00	0.00	0.00	0.00
Total Cost of Sales	0.00	0.00	0.00	0.00	0.00
Gross Profit	13,117.27	29,521.65	322,637.69	321,184.93	1,452.76
Expenses					
Wages	15,393.49	16,666.65	142,122.56	149,999.85	(7,877.29)
COVID	0.00	0.00	0.00	0.00	0.00
Payroll Taxes	1,179.59	1,333.33	10,992.05	11,999.97	(1,007.92)
Employee Benefits	0.00	0.00	0.00	0.00	0.00
Mileage	9.82	41.66	317.85	374.94	(57.09)
Books	1,135.60	2,083.33	21,764.69	18,749.97	3,014.72
Non-Print Materials	848.49	1,083.33	5,553.66	9,749.97	(4,196.31)
Movie Licensing	0.00	0.00	0.00	400.00	(400.00)
Periodicals	97.55	175.00	1,638.36	1,575.00	63.36
E-Books	0.00	0.00	1,500.00	1,500.00	0.00
Digital Magazines	0.00	0.00	0.00	0.00	0.00
Memory Kits	0.00	0.00	0.00	0.00	0.00
Electricity & Gas	0.00	1,166.66	10,376.48	10,499.94	(123.46)
Telephone	0.00	83.33	635.94	749.97	(114.03)
Internet Service	0.00	191.66	1,870.20	1,724.94	145.26
Trash	0.00	0.00	0.00	0.00	0.00
Repairs & Maintenance	0.00	145.83	2,424.14	1,312.47	1,111.67
Storage Rental	57.50	57.50	517.50	517.50	0.00
Janitorial Service	0.00	947.50	8,030.95	8,527.50	(496.55)
Accounting	35.00	45.83	405.00	412.47	(7.47)
Web page	0.00	0.00	0.00	50.00	(50.00)
Covid Expenses	0.00	41.66	0.00	374.94	(374.94)
Office Supplies	309.05	166.66	1,459.87	1,499.94	(40.07)
Office Equipment	0.00	241.66	593.84	2,174.94	(1,581.10)

Valley Center Public Library
Income Statement
Compared with Budget
For the Nine Months Ending September 30, 2023

	Current Month	Current Month	Year to Date	Year to Date	Year to Date
	Actual	Budget	Actual	Budget	Variance
Book Supplies	766.57	0.00	2,024.78	333.33	1,691.45
Display Materials	0.00	0.00	0.00	0.00	0.00
Courier Service	0.00	0.00	3,850.00	3,850.00	0.00
Computer Software	0.00	0.00	1,285.00	2,000.00	(715.00)
Computer Maintenance	108.49	500.00	1,446.05	4,500.00	(3,053.95)
Butterfly Garden	0.00	0.00	658.15	0.00	658.15
Postage	31.72	25.00	291.17	225.00	66.17
Insurance	0.00	0.00	3,590.00	4,500.00	(910.00)
Seminars	0.00	0.00	0.00	0.00	0.00
Dues	0.00	0.00	105.00	125.00	(20.00)
Advertising	279.61	62.50	1,725.57	562.50	1,163.07
Bank Charges	0.00	0.00	0.00	0.00	0.00
Returned Checks	0.00	0.00	0.00	0.00	0.00
Interest Paid	0.00	0.00	0.00	0.00	0.00
Grant In Kind	0.00	0.00	0.00	0.00	0.00
TALK - Ks. Humanities	0.00	250.00	0.00	500.00	(500.00)
Summer Reading Programs	0.00	0.00	4,948.35	6,000.00	(1,051.65)
Teen Programs Supplies	0.00	0.00	55.00	150.00	(95.00)
Misc. Child. Program Supplies	24.14	250.00	807.75	2,250.00	(1,442.25)
Adult Program Expenses	150.73	166.66	3,053.90	1,499.94	1,553.96
Supplies for grants received	14.86	0.00	136.44	0.00	136.44
Newsletter - Bookworm	0.00	0.00	0.00	0.00	0.00
Resiliency Kits	0.00	0.00	0.00	0.00	0.00
Services for the Community	10.00	0.00	40.00	0.00	40.00
Miscellaneous	273.75	0.00	284.60	30.00	254.60
Equipment - Technology U.	0.00	0.00	0.00	0.00	0.00
Travel Expenses - Cont. Ed.	0.00	0.00	0.00	0.00	0.00
Continuing Education	0.00	0.00	0.00	0.00	0.00
Improvements	0.00	83.33	0.00	749.97	(749.97)
Capital Improvements	0.00	3,000.00	0.00	16,500.00	(16,500.00)
<hr/>					
Total Expenses	20,725.96	28,809.08	234,504.85	265,970.05	(31,465.20)
<hr/>					
Net Income	(\$ 7,608.69)	\$ 712.57	\$ 88,132.84	\$ 55,214.88	32,917.96
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Valley Center Public Library
Balance Sheet
September 30, 2023

ASSETS

Current Assets		
Petty Cash Account	\$	100.00
Halstead Regular Acct. 111		2,562.14
Halstead Savings / Draw 777		172,166.61
Halstead Capital Imp 400		<u>99,450.87</u>
Total Current Assets		274,279.62
Property and Equipment		
Office Equipment		<u>6,840.00</u>
Total Property and Equipment		6,840.00
Other Assets		<u></u>
Total Other Assets		<u>0.00</u>
Total Assets	\$	<u><u>281,119.62</u></u>

LIABILITIES AND CAPITAL

Current Liabilities		
FICA Payable/Federal W/H	\$	3,878.39
State W/H Payable		730.76
State Unemployment		<u>(42.49)</u>
Total Current Liabilities		4,566.66
Long-Term Liabilities		<u></u>
Total Long-Term Liabilities		<u>0.00</u>
Total Liabilities		4,566.66
Capital		
Retained Earnings		172,171.94
Retained Earnings - YTD		16,248.18
Net Income		<u>88,132.84</u>
Total Capital		<u>276,552.96</u>
Total Liabilities & Capital	\$	<u><u>281,119.62</u></u>

CONSENT AGENDA

**F. ALCOHOL WAIVER REQUEST – DECEMBER 8, 2023, CITY
HOLIDAY PARTY:**



Request for Special Permit for the Consumption of Alcohol on City Owned Property

City of Valley Center
NAME: _____

121 S Meridian
ADDRESS: _____

Valley Center KS 67147
CITY: STATE: ZIP: _____

316.755.7310 _____
PHONE NUMBER: NAME OF ORGANIZATION (IF APPLICABLE):

Employee Holiday Party
TYPE OF FUNCTION: _____

12/8/23 6:00 - 10:00 pm
DATE OF FUNCTION: TIME: TO: _____

1. There is a \$25.00 non-refundable application fee.
2. An additional \$150.00 damage/cleaning deposit is required. The applicant is responsible for damage to facilities of grounds by any person in attendance.
3. The applicant is responsible to assure that no one under the age of 21 will be served or consume alcohol.
4. The consumption of alcohol will be limited to the areas reserved and adjoining patio. Alcohol is not to be consumed in the park grounds.
5. The applicant assumes responsibility for any person whose conduct is objectionable, disorderly, or disruptive, and shall further be financially responsible of any loss, damage, or injury to person or property during the function. The City of Valley Center reserves the right to remove any persons for any reason.
6. The use of alcoholic beverages on city owned property shall be in conformance with Kansas State laws and the Code of the City of Valley Center.
7. Applicants granted a permit will be required to provide the City with a certificate of liability insurance in the amount of \$1,000,000.00 with the City of Valley Center additionally insured.

I understand and assume all responsibility and liability and agree to all rules and regulations provided by the City of Valley Center for the rental of said facility.

SIGNATURE: _____

DATE: 10/26/23

Attach a copy of the facility reservation form and the signed Policy Use Agreement.

STAFF REPORTS

A. Community Development Director Shrack

B. Parks & Public Buildings Director Owings

C. Public Safety Director Newman

D. Public Works Director Eggleston

E. City Engineer- Scheer

F. City Attorney Arbuckle

G. Asst. City Administrator of Finance Smith

H. City Administrator Clark

Public Works Status Report – 11-7-2023

- On October 26th a water leak was discovered at the intersection of Main and Sheridan. It was found that this was due to the failure of a fire hydrant at that location. Several Public Works employees gathered and began the process of getting this line shut down for repair. As this process began, we had to continue to work further out from the leak. We have since had a meeting and determined what we feel would have been the correct set of valves that would have shut it down with the least impact. A valve was added to shut down the hydrant itself. We have ordered a replacement hydrant and will be installing it later. Once the hydrant is replaced, we will be able to verify the correct combination of valves needed to isolate that section of line.
 - I attended a board meeting for the Equus Beds GMD2 on October 25th. Gary Janzen with city of Wichita attended and presented current drought conditions and its effect on water production and the Burrton chloride plume and the concerns to go with that.
 - The Cheney reservoir conservation pool is currently at approx.. 67% full. This level would normally trigger stage 2 of the drought response plan. The City of Wichita is currently in their level 1 drought response plan. Mr. Janzen stated that if conditions don't improve soon, they could be in stage 2 by spring. The City of Valley Center and many other communities are wholesale customers of Wichita and possibly may consider examining their own water conservation ordinances and measures during these difficult times.

Some of the oil production in the Burrton area has resulted in large pockets of groundwater high in chloride content. This plume is moving in south/southeast direction at a rate of approx. 1 foot per day. The city of Valley Center is not in danger for some time, but it is in the area of part of the Wichita well field. The City of Wicheita is partnering with the GMD2, KDHE and DWR to develop strategies for slowing and/or reducing this plume.

GOVERNING BODY REPORTS

A. Mayor Cicirello

B. Councilmember Stamm

C. Councilmember Evans

D. Councilmember Bass

E. Councilmember Anderson

F. Councilmember Gregory

G. Councilmember Kerstetter

H. Councilmember Wilson

I. Councilmember Colbert

ADJOURN