



CITY COUNCIL AGENDA

August 6, 2024

***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 Meeting Minutes – July 16, 2024
- 7. PRESENTATIONS / PROCLAMATIONS p 10**
 - A. Presentation – Ryan Baty
- 8. PUBLIC FORUM (*Citizen input and requests*) p 10**
- 9. APPOINTMENTS p 10 None**
- 10. OLD BUSINESS p 10 - None**
- 11. NEW BUSINESS p 11**
 - A. Waiver Request for Rio Bella Addition. p 11
 - B. Approval of Fund Agreement – City of Valley Center, Valley Center Recreation Commission and Central Kansas Community Foundation p 19
 - C. Agreement with Sedgwick County for Harvest Place Drainage Improvements p 24
 - D. Ordinance 1408-24; Re-zone 825 W. 77th St. N p 29
 - E. Water Treatment Plant Phase 1 Amendment – Burns and McDonnell p 36
 - F. Resolution 756-24; Declaration of Water Emergency - City of Valley Center p 45
 - G. Request for Ordinance 17.06-01 Waiver p 52
- 12. CONSENT AGENDA p 55**
 - A. Appropriation Ordinance – August 6, 2024 p 56
 - B. Delinquent Account Report – May 2024 p 65
 - C. Planning and Zoning Board Minutes – July 23, 2024. p 72
 - D. Valley Center Public Library 2nd Quarter Report p 76
- 13. STAFF REPORTS p 80**

14. GOVERNING BODY REPORTS p 81

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 July 16, 2024, regular City Council Meeting as prepared by the City Clerk.

REGULAR COUNCIL MEETING
July 16, 2024
CITY HALL
121 S. MERIDIAN

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

Members Absent: None

Staff Present: Lloyd Newman, Public Safety Director
 Neal Owings, Parks and Public Building Director
 Clint Miller, Finance Director
 Barry Arbuckle, City Attorney
 Gage Scheer, City Engineer
 Kristi Carrithers, City Clerk/HR Director
 Brent Clark, City Administrator

Press present: Ark Valley News

APPROVAL OF AGENDA

Stamm made a motion to approve the agenda as presented. Evans seconded the motion. Vote: Aye unanimous Motion carried.

ADMINISTRATION AGENDA –
JULY 2, 2024, CITY COUNCIL MINUTES-

Gregory moved to approve the minutes of the July 2, 2024, City Council meeting as presented, seconded by Evans. Vote Aye: unanimous Motion Carried.

PRESENTATIONS/PROCLAMATIONS –
PARK AND RECREATION PROFESSIONALS' DAY PROCLAMATION

Mayor Truman read a proclamation declaring July 19, 2024, as Park and Recreation Professionals Day for the City of Valley Center. He offered his Thanks to Parks and Public Buildings Director Owings and his staff for all they do.

PUBLIC FORUM –

Michael Miller, 650 Scott St. addressed Council with comments about the 2025 budget. He felt that the possible cuts to the parks and public buildings should be shared by all departments. He also pointed out that due to house valuations increasing, property taxes have continued to go up.

APPOINTMENTS –
LEAGUE OF KANSAS MUNICIPALITIES CONFERENCE DELEGATES

City Clerk Carrithers stated that the LKM conference is in Wichita this year. Valley Center can designate 2 voting delegates and 2 alternate delegates. Mayor Truman and Councilmember Colbert are planning on attending. Gregory also stated that she will attend the conference.

Gregory moved to approve – Ronald Colbert and James Truman -Voting Delegates and Brent Clark and Kristi Carrithers – Alternate Delegates for the League of Kansas Municipalities Conference. Seconded by Kerstetter. Vote yea: unanimous. Motion carried.

OLD BUSINESS –**A. ORDINANCE 1407-24: ALCOHOL COMMON CONSUMPTION AREA**

City Administrator Clark presented for 2nd reading and final approval Ordinance 1407-24 establishing an alcohol common consumption area during the annual fall fest. Clark did state that the wording in Section 2-C was removed.

Stamm moved to approve Ordinance 1407-24 establishing an Alcohol Common consumption area during fall fest for 2nd reading. Motion seconded by Evans. Vote Yea: Unanimous. Motion carried.

B. ACCEPTANCE OF BID FOR GOFF DRAINAGE CONCRETE FLUME

Administrator Clark presented the bids for the concrete drainage flume. All bids were for a specific design. The lowest qualified bid of \$26,706.00 was received from Class Alpha Services. Kerstetter verified that work would be done this summer.

Kerstetter moved to accept bid from Class Alpha Services for concrete flume in amount not to exceed \$26,706.00. Motion seconded by Wilson. Vote Yea: Unanimous. Motion carried.

NEW BUSINESS-**A. 2023 FINANCIAL AUDIT REPORT:**

Sean Gordon with Gordon CPA presented the findings from the 2023 Financial audit. He stated that the city received the highest rating. He explained that pages 1-3 are the independent audit report. Page 4 is a finance summary, with pages 5-12 having notes on city finances. Details and breakout of funds can be found on pages 13-40. Gordon stated that they have no recommendation for the governing body.

Kerstetter moved to accept and file the audit report of the 2023 finances, seconded by Stamm. Vote yea: unanimous. Motion carried.

B. DISCUSSION OF GOLF CART ORDINANCE:

City Attorney Arbuckle and Public Safety Director Newman led discussion regarding potential changes to golf cart ordinance. The sample ordinance presented authorizes work-site utility vehicles, micro utility trucks and golf carts to be used within the city limits. ATVs would remain prohibited. It was proposed to issue a larger tag to be attached to the utility vehicle or golf cart and then issue stickers each year for renewal. This would allow police officers to quickly see the tags quickly. Discussion was also held regarding registration fees, penalties and tag transfers. Although no formal action was taken, the consensus was to keep the fees low, but cover the costs, increase fines with each infraction incurred by an individual and to allow a tag to be transferred to replacement vehicle for registered owner, but not new owner.

C. APPROVAL OF PURCHASE OF WWTP INFLUENT PUMP:

City Administrator Clark presented three bids for a replacement WWTP influent pump. This pump would be placed in storage as a replacement in the event of a future failure. This cost will be taken from the equipment line item within the sewer budget. The low bid was received from B & B Electric Motor Company.

Wilson moved to accept and award bid to B & B Electric Motor Company for a sewer pump in the amount of \$13,615.00. Motion seconded by Bass. Vote Aye: unanimous. Motion carried

D. KDOT SUPPLEMENTAL AGREEMENT #1:

City Administrator Clark presented supplemental agreement #1, with KDOT. The agreement reflects a change in the Letting Date for the Seneca Street Reconstruction Project. The date will be no later than six months after August 2025.

Anderson moved to approve Supplemental Agreement #1 with Kansas Department of Transportation for Seneca Street project and authorize Mayor or City Administrator to sign. Motion seconded by Bass. Vote Aye: unanimous. Motion carried

E. CIP PRESENTATION AND DISCUSSION

Finance Director Miller presented the Capital Improvement Plan for years 2024-2033. Miller highlighted the project changes made. A listing of changes can be found on page 3 of the CIP. Miller requested Council approve CIP through FY 2033.

Bass moved to adopt Capital Improvement Plan for FY 2024-2033. Seconded by Stamm. Vote Yea: unanimous. Motion carried.

CONSENT AGENDA

- A. APPROPRIATION ORDINANCE – JULY 16, 2024
- B. TREASURER’S REPORT – JUNE 2024
- C. CHECK RECONCILIATION – JUNE 2024
- D. REVENUE AND EXPENSE REPORT – JUNE 2024
- E. PLANNING AND ZONING BOARD MINUTES – JUNE 25, 2024

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

STAFF REPORTS

PARKS AND PUBLIC BUILDINGS DIRECTOR OWINGS

Stated that electrical work has begun on the city welcome sign at Ford and Broadway. He also stated that the splash pad will need to be shut down for a few days to have a pressure valve installed.

CITY ENGINEER SCHEER

Work on the south Meridian project will begin later next week. Traffic will be reduced to one lane in each direction. An information meeting regarding the project was held prior to tonight’s City Council Meeting with several residents attending.

CITY CLERK/HR DIRECTOR CARRITHERS

Reported that staff has met with IMA regarding employee insurance and benefits for 2025. The safety committee also met with the workman’s comp safety auditor, and the city will again receive the “gold” star for safety practices.

CITY ADMINISTRATOR CLARK

Announced that Kyle Fiedler has accepted the Community Development Director position. He is currently the City Administrator for North Newton. His first day will be August 5th.

GOVERNING BODY REPORTS- NONE

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

ADJOURN -

The meeting adjourned at 8:24 PM.

Kristi Carrithers, City Clerk/HR Director

ADMINISTRATION AGENDA
RECOMMENDED ACTION

A. MINUTES:

RECOMMENDED ACTION:

Staff recommends motion to approve the minutes of the July 16, 2024, Regular Council Meeting as presented/ amended.

PRESENTATIONS / PROCLAMATIONS

PUBLIC FORUM

APPOINTMENTS

OLD BUSINESS

NEW BUSINESS

A. WAIVER OF SUBDIVISION REGULATIONS- RIO BELLA ADDITION:

Administrator Clark will present a request for a waiver of subdivision regulations for Rio Bella Addition. The waiver includes:

1. A waiver from the use of curb and gutter roadways with underground storm water sewer, instead, using the open ditch, asphalt paved roadway described above.
2. A waiver from the requirement of placing a sidewalk through this development.
3. A waiver to allow the use of on-site alternative sanitary sewer systems in lieu of the extension of public sanitary sewer.

- Waiver Request from Ryan Nett, Jr. Managing Member
Rio Bella
- Map of planned Rio Bella Addition



8535 East 21st Street North
Suite 130
Wichita, KS 67206
TEL 316.264.8008
www.GarverUSA.com

July 30, 2024

Mr. Brent Clark
City Administrator
City of Valley Center
121 S. Meridian
Valley Center, KS 67147

Re: Request for waiver of the Subdivision Regulations – Rio Bella Addition, Valley Center, Kansas

Dear Mr. Clark,

Please accept this letter on behalf of Ryan Nett, managing member, as our formal request for a waiver of the Subdivision Regulations for curb and gutter at Rio Bella Addition.

Our development group has a record of success in the development of larger, rural estate properties ranging from 2 to 5 acres in size. A successful development of this type utilizes a roadway section consisting of a 27-foot-wide asphalt driving surface with open ditches adjacent on each side. In addition, the roadway ditches are constructed with gentle fore and back slopes to allow easy mowing and maintenance (4:1 minimum fore slope, 5:1 minimum back slope). Driveways each have a culvert across the open ditch, and we require the use of a headwalls on each side to keep in line with the aesthetics of the addition. Given the larger lot sizes and reduced lot density residents tend to utilize bicycles to navigate the neighborhood, and sidewalks are not utilized or desired. Our goal is to create an estate type suburban neighborhood. This subdivision will be similar to a recently completed subdivision, Ceterra Addition, located near Seneca and 85th Street, just south of Fiddlers Creek.

On the next page we have included several photos from our recently completed Lakewood Hills Development that utilized this same type of roadway design. We anticipate the price range of our new homes between \$500,000 to \$1,000,000+.

Mr. Clark
July 30, 2024
Page 2 of 4



View of driveway headwall



Driveway and home in Lakewood Hills



Open ditch and driveway culvert



View of roadway in Lakewood Hills

Mr. Clark
July 30, 2024
Page 3 of 4

We would also ask to have as an option the use of on-site advanced treatment systems (ATU's) to meet the sanitary disposal needs for each lot. We utilized ATU's on our Ceterra addition in Valley Center and Lakewood Hills Addition development in Park City, Kansas (see attached sales map) and found it to be very acceptable to the individual homeowners and utilized the installation and maintenance standards adopted by Sedgwick County MABCD.

We recognize this type of development varies in nature from typical single-family areas which typically have much more lot density and because of this proximity benefit from curb and gutter streets, sidewalks, and sanitary sewer collection systems. Our desire is to develop estate lots on this parcel as it is well suited to the rural estate development concept. We specifically are requesting the following waivers from the subdivision regulations:

1. A waiver from the use of curb and gutter roadways with underground storm water sewer, instead, using the open ditch, asphalt paved roadway described above.
2. A waiver from the requirement of placing a sidewalk through this development.
3. A waiver to allow the use of on-site alternative sanitary sewer systems in lieu of the extension of public sanitary sewer.

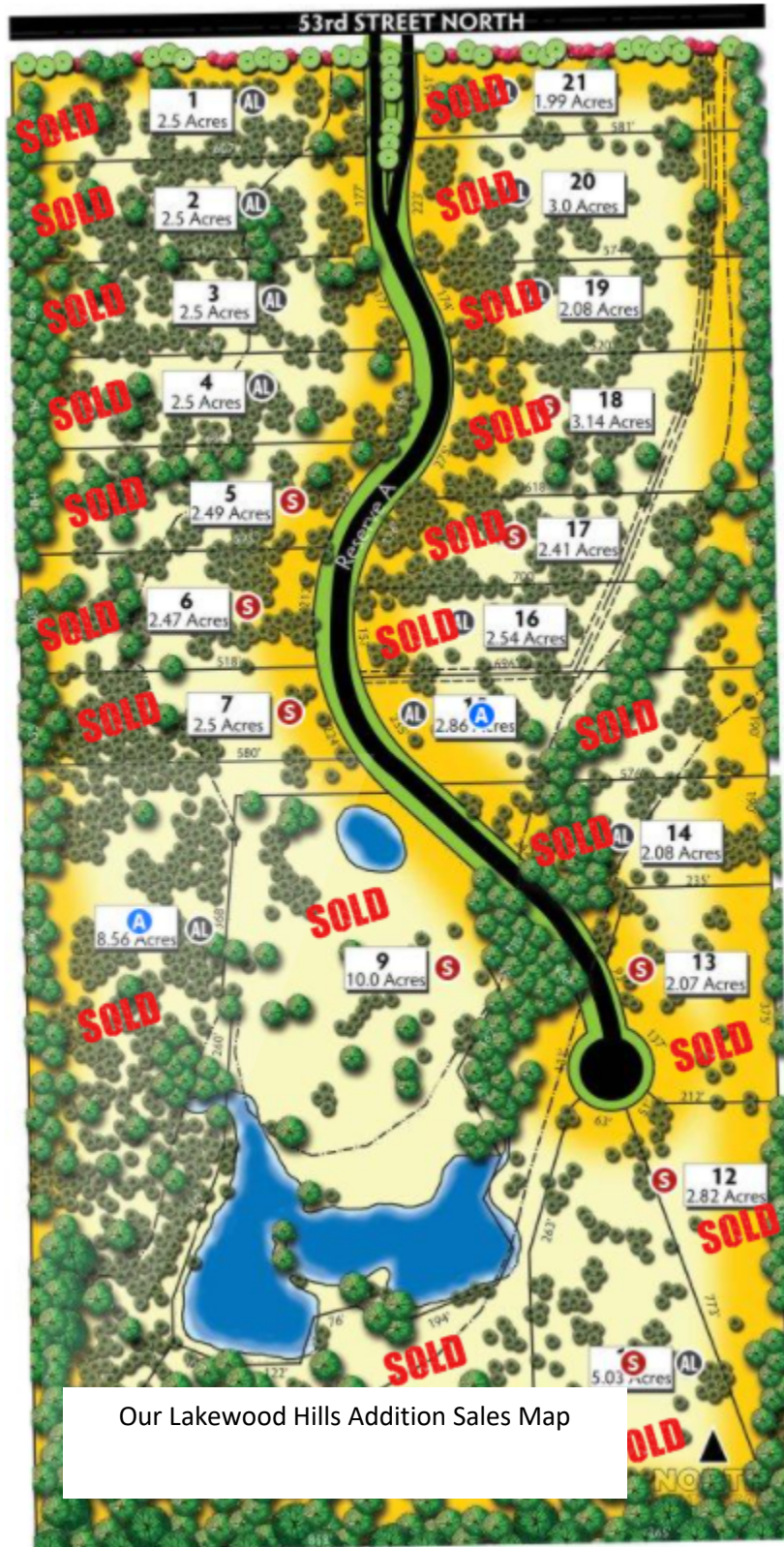
Thank you in advance for your consideration of these requests. On the next phase please find a sales map for our successful Lakewood Hills Addition.

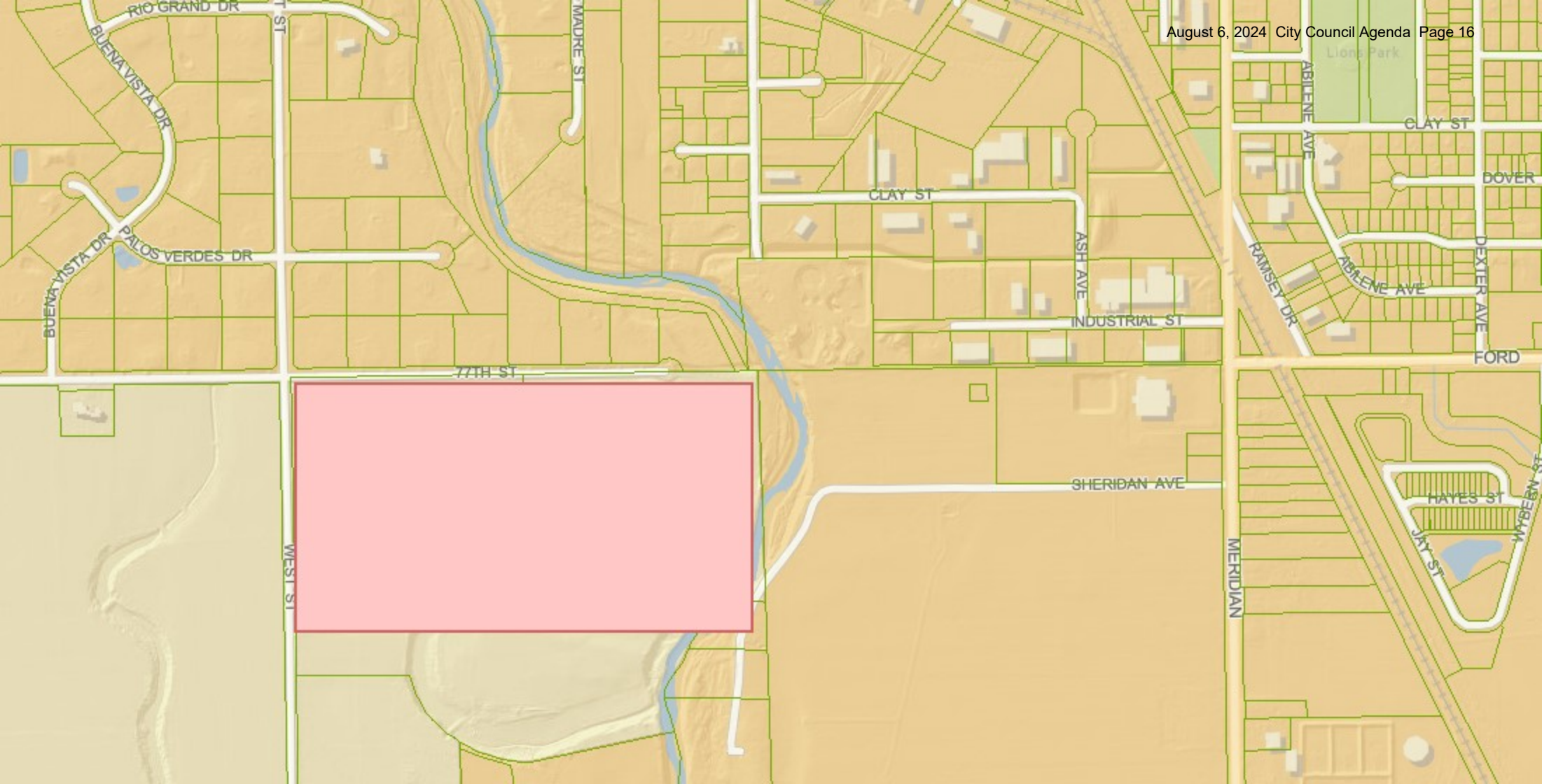
Ryan Nett, Jr. Managing Member
1650 S. Meridian
Wichita, Kansas 67213
316-518-9004
ryan@netcoremodeling.com

Garver

Eric Glover, P.E.
Agent for Applicant

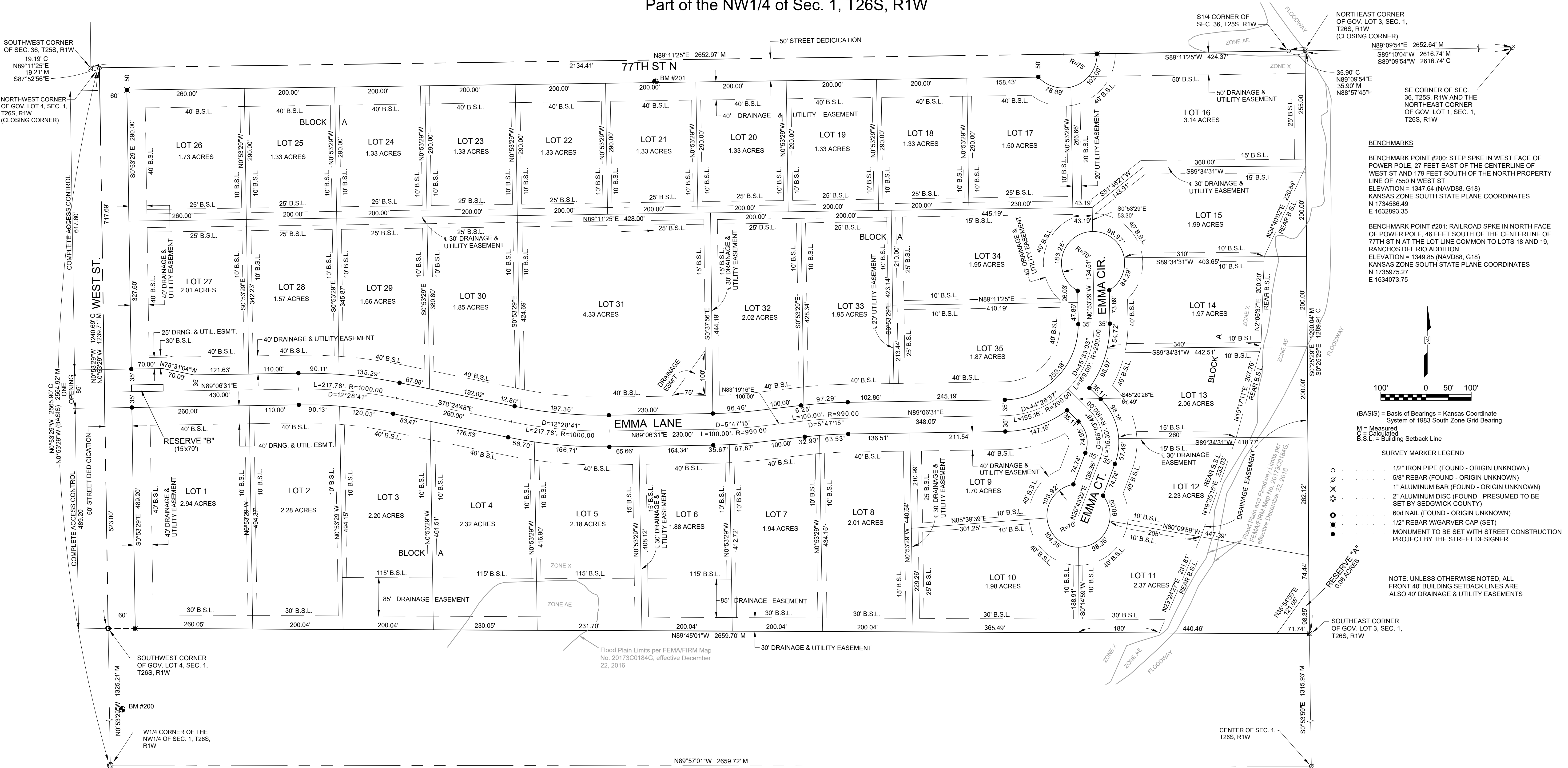
Mr. Clark
July 30, 2024
Page 4 of 4





RIO BELLA ADDITION

Valley Center, Sedgwick County, Kansas
Part of the NW1/4 of Sec. 1, T26S, R1W



BENCHMARKS

BENCHMARK POINT #200: STEP SPKE IN WEST FACE OF POWER POLE, 27 FEET EAST OF THE CENTERLINE OF WEST ST AND 179 FEET SOUTH OF THE NORTH PROPERTY LINE OF 7550 N WEST ST
ELEVATION = 1347.64 (NAVD88, G18)
KANSAS ZONE SOUTH STATE PLANE COORDINATES
N 1734586.49
E 1632893.35

BENCHMARK POINT #201: RAILROAD SPKE IN NORTH FACE OF POWER POLE, 48 FEET SOUTH OF THE CENTERLINE OF 77TH ST N AT THE LOT LINE COMMON TO LOTS 18 AND 19,
ELEVATION = 1349.85 (NAVD88, G18)
KANSAS ZONE SOUTH STATE PLANE COORDINATES
N 1735975.27
E 1634073.75

SURVEY MARKER LEGEND

- 1/2" IRON PIPE (FOUND - ORIGIN UNKNOWN)
- 5/8" REBAR (FOUND - ORIGIN UNKNOWN)
- 1" ALUMINUM BAR (FOUND - ORIGIN UNKNOWN)
- 2" ALUMINUM DISC (FOUND - PRESUMED TO BE SET BY SEDGWICK COUNTY)
- 60d NAIL (FOUND - ORIGIN UNKNOWN)
- 1/2" REBAR W/GARVER CAP (SET)
- MONUMENT TO BE SET WITH STREET CONSTRUCTION PROJECT BY THE STREET DESIGNER

NOTE: UNLESS OTHERWISE NOTED, ALL FRONT 40' BUILDING SETBACK LINES ARE ALSO 40' DRAINAGE & UTILITY EASEMENTS

MINIMUM BUILDING PAD ELEVATION FOR LOWEST OPENING INTO STRUCTURES		
BLOCK	LOT NO.	ELEVATION (NAVD88)
A	3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17	1339.0

NEW BUSINESS

RECOMMENDED ACTION

**A. WAIVER OF SUBDIVISION REGULATIONS- RIO BELLA
ADDITION:**

Should Council choose to proceed

RECOMMENDED ACTION

Staff recommends motion to approve request for waiver of subdivision regulations for Rio Bella addition.

NEW BUSINESS

**B. APPROVAL OF FUND AGREEMENT – CITY OF VALLEY CENTER,
VALLEY CENTER RECREATION COMMISSION AND CENTRAL
KANSAS COMMUNITY FOUNDATION:**

City Administrator Clark will present a Fund Agreement between the City of Valley Center, Valley Center Recreation Commission and Central Kansas Community Foundation. This fund agreement authorizes CKCF to establish a fund to receive and administer funds for the Valley Center Recreation and Aquatics Center Campaign Fund.

- Special Project Fund Agreement



Special Project Fund Agreement for the Valley Center Recreation and Aquatics Center

THIS AGREEMENT is made as of the _____ day August 2024, between the **City of Valley Center and the Valley Center Recreation Commission**, Valley Center, Kansas (“**Establishors**”), and **Valley Center Community Foundation**, an affiliate of the **Central Kansas Community Foundation (CKCF)**, a §501(c)(3) charitable corporation organized under the nonprofit corporation laws of the State of Kansas, with its principal office located at 400 S Main, Suite 100, Newton, Kansas 67114 (“**Foundation**”).

WHEREAS, CKCF is authorized to accept charitable contributions, subject to the terms set forth herein;

WHEREAS, Establishors and their representatives have designated their charitable intent to support a cause of significance to them as outlined in Sections III and IV; and

WHEREAS, CKCF has been established with a principal purpose to receive and administer funds as component funds for various charitable, scientific, or educational purposes and organizations in the community;

NOW, THEREFORE, the Parties agree as follows:

I. Establishment of the Fund. A fund shall be established on the books of the Foundation and shall be known as the **Valley Center Recreation and Aquatics Center Campaign Fund** (“Fund”). The Foundation acknowledges receipt of the property transferred at the establishment of this agreement and made a part hereof as the initial property of the Fund.

II. Property of the Fund. The Fund shall include the property received with the execution of this Agreement, such additional property as may from time to time be contributed from any other source for inclusion in the Fund and accepted by the Foundation, and all undistributed income from the foregoing property. The Fund shall be the exclusive property of CKCF, held by its corporate capacity, and shall not be deemed a trust fund held by it in a trustee capacity. CKCF shall have the ultimate authority and control over all property in the Fund, and the income derived from it, in accordance with the Articles of Incorporation and Bylaws of CKCF (as they may be amended from time to time), and the terms of this Agreement, applied in a manner not inconsistent with said Articles and Bylaws.

III. Designation of Purpose. The Fund shall be used for support of the charitable or educational purposes related to the service of the following qualified charitable organization:
The City of Valley Center, Kansas. In particular, distributions from the Fund shall be made only for the Valley Center Recreation Commission for the benefit of the Valley Center Recreation and Aquatics Center.

Once the initial campaign for raising funds for the new recreation and aquatic center is achieved or at such time all parties agree, the Fund may be used for ongoing maintenance and operational support of the Valley Center Recreation and Aquatics Center.

IV. Administrative Provisions.

- a. **Distributions.** Distributions from the Fund shall be in accordance with the spending policy established by the Board of CKCF for its component funds. They shall be paid, upon Establishors' request, either directly to the Charity, or to such other §501(c)(3) or other qualifying charitable entity (e.g., school district, church, or arm of government) with oversight by the local Valley Center Community Foundation.
- b. **Administration.** CKCF hereby affirms that it will administer the Fund in accordance with the terms and subject to the conditions set forth by this agreement for an Expendable Designated Fund. The guidelines and procedures for such funds are described in CKCF's governing instruments, including its Articles of Incorporation, and Policies in effect, as amended from time to time. The Fund will be assessed an annual fee on the balance of the Fund and will share proportionately in any investment fees. CKCF shall retain and invest the assets of the Fund and may co-mingle those assets with other pooled investment funds of CKCF.

V. Reporting Responsibilities. The Foundation will provide online computer access to fund information to such persons as the Establishors may designate. Information such as fund balance, accrued investment earnings, gifts, fees, and disbursements will be made available online. Component funds are rebalanced each month upon receipt of investment reports, and monthly statements are prepared and available for distribution online.

VI. Public Acknowledgement. Establishors agree to allow the Fund to be listed in the publications of the CKCF and its affiliates.

VII. Variance Power.

- a. **Authority.** This Agreement is subject to CKCF's authority to vary the terms of the gift, with (if possible) prior notice to and input/recommendations from the PCF. As stated in Article V, Section 3 of CKCF's Bylaws, CKCF may exercise its variance power.
- b. **Notification.** CKCF shall promptly notify Establishors of any decision made to exercise its variance power. Notification of the exercise of the power shall be delivered in writing to the last known address of the Establishors within five (5) business days following the Board's decision. CKCF shall also notify the Establishors if it becomes aware of any other action instituted or proposed by any person to vary the purposes, uses, or method of administration of the Fund.
- c. **Cessation or Dissolution of CKCF.** If CKCF ceases to be a qualified charitable organization (as defined in Section VIII), or if CKCF proposes to dissolve, the asset of the Fund shall, after payment or making provision for payment of any liabilities properly chargeable to the Fund, be distributed to a qualified charitable community foundation designated by the Establishors and Valley Center Community Foundation.
- d. **Exercise of Variance Power.** Subject to the provisions of paragraphs VII. a. and b. above, the CKCF Board shall have the power to modify any restriction or condition on the

distribution of funds for any specified charitable purposes or to specified organizations if, in the sole judgment of the Board (without the approval of any trustee, custodian, or agent), such restriction or condition becomes, in effect, unnecessary, incapable of fulfillment, or inconsistent with the charitable needs of the community or area served. Establishors acknowledges the authority of the CKCF Board to alter distributions, but it requests that, to the maximum extent possible, the purposes stated in this Agreement be followed.

VIII. Definitions and Construction.

- a. **Definitions.** As used in this Agreement, the term “qualified charitable organization” means an organization described in §501(c)(3) of the Internal Revenue Code, which is other than a private foundation under §509(a) of the Internal Revenue Code. References herein to any provision of the Internal Revenue Code shall be deemed references to the U.S. Internal Revenue Code of 1986, as now in force or later amended, or the corresponding provision of any future United States Internal Revenue law.
- b. **Construction.** It is intended that the Fund shall be a component fund of CKCF and that nothing in this agreement shall affect the status of CKCF as an entity that is a qualified charitable organization. This agreement shall be interpreted in a manner consistent with this intention and so as to confirm the requirements of the Internal Revenue Code and any regulations issued pursuant thereto applicable to the intended status of CKCF. (Emphasis added.)

IN WITNESS WHEREOF, each Party has executed this Agreement by its duly authorized officers, effective as of the day and year first above written.

By:

Brent Clark, City Administrator
City of Valley Center

Date

Blake Peniston, Director of Recreation
Valley Center Recreation Commission

Date

Angie Tatro, CEO
Central Kansas Community Foundation

Date

NEW BUSINESS

RECOMMENDED ACTION

**B. APPROVAL OF FUND AGREEMENT – CITY OF VALLEY CENTER,
VALLEY CENTER RECREATION COMMISSION AND CENTRAL
KANSAS COMMUNITY FOUNDATION:**

Should Council choose to proceed

RECOMMENDED ACTION

Staff recommends Council approve funding agreement with Central Kansas Community Foundation and authorize Mayor or City Administrator to sign.

NEW BUSINESS

C. AGREEMENT WITH SEDGWICK COUNTY FOR HARVEST PLACE DRAINAGE IMPROVEMENTS:

City Administrator Clark will present agreement with Sedgwick County for drainage improvements for Harvest Place -Phase 1. Proposed improvements are located southeast and southwest of the intersection of 93rd Street North and Meridian Avenue. Estimated construction costs are \$2,314.855.40 with 50/50 split between County and City.

- Harvest Place Phase 1 Drainage Improvements Agreement

**AGREEMENT FOR HARVEST PLACE – PHASE 1
DRAINAGE IMPROVEMENTS**

THIS AGREEMENT is made and entered into this _____ day of _____, 2024, by and between the Board of County Commissioners of Sedgwick County, Kansas, hereinafter referred to as “County” and the City of Valley Center, Kansas, hereinafter referred to as “City.”

WITNESSETH:

WHEREAS, County and City are authorized to enter into an agreement pursuant to K.S.A. 12-2908, as amended.

WHEREAS, the parties desire to make drainage improvements located southeast and southwest of the intersection of 93rd Street North and Meridian Avenue in the plans for the Harvest Place – Phase 1 Drainage Improvements, hereinafter referred to as the “Project”. The project includes stormwater detention facilities, storm sewers, and ditch construction to alleviate flooding concerns both onsite and offsite from Harvest Place.

WHEREAS, the southwest portion of the 93rd Street North and Meridian Avenue to be improved lies within the unincorporated areas of County; while the southeast portion of said intersection lies within the corporate limits of City.

WHEREAS, County desires City to construct said drainage improvements to correct long-standing drainage issues in the vicinity of the Project.

WHEREAS, City estimates the total estimated construction cost to be \$2,314,855.40 for the Project.

NOW THEREFORE, for and in consideration of the parties’ mutual promises and covenants, the parties agree as follows:

1. The purpose of this Agreement is to provide for the construction and financing of the Project.
2. County will pay for fifty percent (50%) of the actual costs of design, construction, and construction engineering of the Project. The total cost to the County shall not exceed \$1,157,427.70.
3. City agrees to pay for the actual costs of design, construction, and construction engineering of the Project. The total cost to City is estimated to be \$1,157,427.70. City shall be responsible for the balance of the project if costs exceed the total estimated costs.
4. City shall inform County of its share of costs when construction costs have been determined. County shall pay the City for its share of the cost by March 1, 2026.

5. City is responsible for acquiring all property, right-of-way, and other easements required to complete the Project, including all property, right-of-way and other easements within the jurisdiction of the County. City shall pay for all costs associated with eminent domain proceedings, if required. City shall notify Sedgwick County's Director of Public Works thirty (30) days prior to the filing of any eminent domain proceedings to determine if County wants to make final negotiated offers before the proceedings are filed. Thirty days after said notice is given, City may file for eminent domain proceedings inside the jurisdiction of Sedgwick County without further notice.
6. City will contract for construction of the Project and shall be responsible for all legal and engineering matters (except as otherwise noted in the Agreement) concerning the completion of the Project, including the required bid process and selection of a contractor for the Project.
7. City shall pay for one hundred percent (100%) of the cost of any change order related to items of work outside the Scope of Work that results in a net increase in Project costs.
8. To the extent permitted by law, City does hereby release, discharge, indemnify and hold harmless County, its agents, servants and employees from any and all liability and damages of whatsoever nature and arising from whatsoever cause, relating to or arising from errors and omissions resulting from the design of the project or from errors and omissions resulting from construction means and methods used in the construction of the project; provided, that such release shall not extend to acts or omissions of County or its agents, servants or employees in the performance of duties pursuant to this Agreement. This release and indemnity shall survive termination of this Agreement.
9. The term of this Agreement shall begin on the date first written above and continue until the date that: (1) notice of completion of the improvements has been provided by a licensed professional engineer employed by City, (2) City has made final payment to the contractor, and (3) County has paid its share to the City for the drainage improvements.

[balance of this page intentionally left blank, signature page follows]

IN WITNESS WHEREOF, the parties hereto have executed this Agreement the day and year first above written.

BOARD OF COUNTY COMMISSIONERS
OF SEDGWICK COUNTY, KANSAS

THE CITY OF VALLEY CENTER

Ryan Baty
Chairman, Fourth District

Jet Truman
Mayor

ATTEST:

ATTEST:

Kelly B. Arnold
County Clerk

Kristi Carrithers
City Clerk

APPROVED AS TO FORM:

Samantha Seang
Assistant County Counselor

NEW BUSINESS
RECOMMENDED ACTION

**C. AGREEMENT WITH SEDGWICK COUNTY FOR HARVEST
PLACE DRAINAGE IMPROVEMENTS :**

Should Council choose to proceed,

RECOMMENDED ACTION:

City staff recommends approval of agreement with Sedgwick County for Harvest Place Drainage Improvements and authorize Mayor or City Administrator to sign.

NEW BUSINESS

D. ORDINANCE 1408-24- RE-ZONE 825 W. 77TH ST. N:

City Administrator Clark will present Ordinance No. 1408-24, which rezones property located at 825 W, 77th St. N. from A-1 to RR-1 for 1st reading. Based on approval by the Valley Center Planning and Zoning Board, City staff recommend adoption of Ordinance 1408-24 for 1st reading.

- Staff Memo
- Re-zoning request
- Ordinance 1408-24



Date: June 27th, 2024

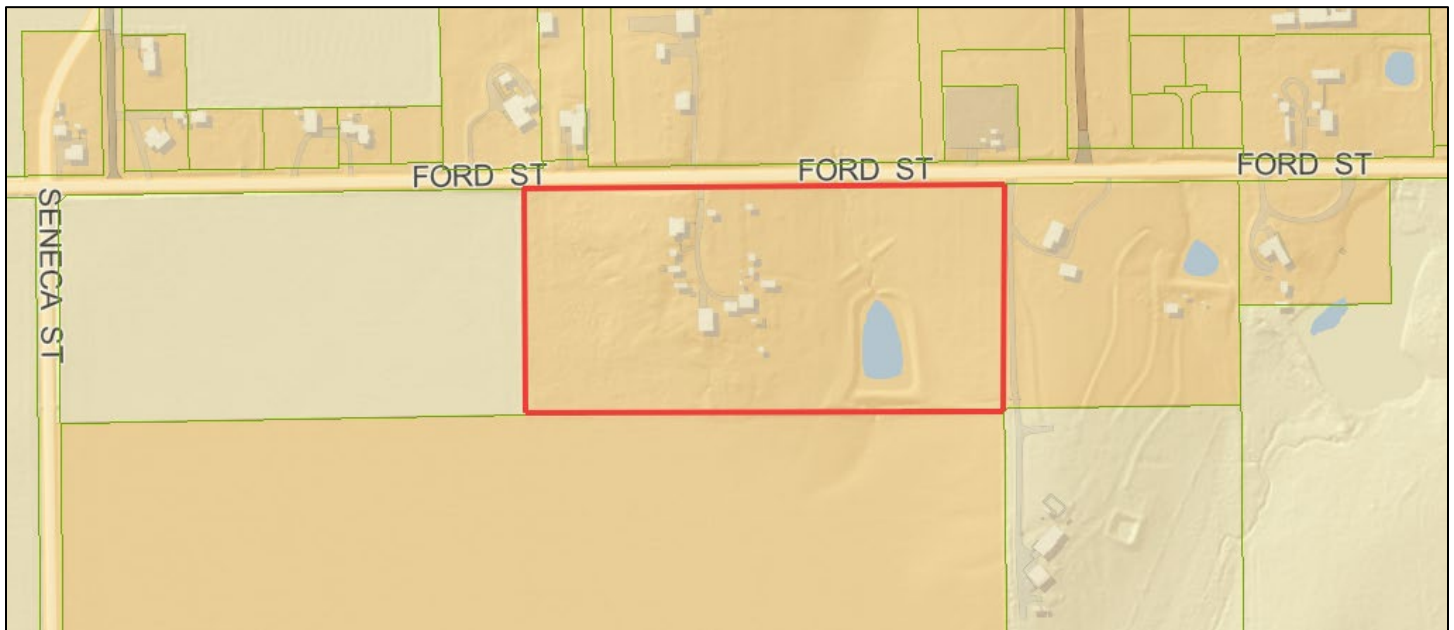
Present Zoning: A-1 (Agricultural District)

Proposed Zoning: RR-1 (Suburban Residential District)

Rezoning Application Case Number: RZ-2024-02

Applicant: Garber Surveying Services

Property Address: 825 W 77th Street N., Valley Center, KS 67147 (outlined in red below) or now known as SM Estates.



Applicant's Reasons for Rezoning: The applicant is requesting a rezoning from A-1 to RR-1 to allow development of the property into five lots for the purpose of single-family homes. This property was recently platted into five lots known as SM Estates. The applicant's request letter is attached to the end of this staff report.

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 consists of five parcels. There is an existing house on one lot and the remaining are listed for sale. Adjacent lot to the north has a vacant house and ground. The lots to the east have existing homes and are zoned RR-1. The lot to the south is zoned agricultural. The lot to the west is in the county and is vacant.

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 A-1 (Agriculture District). The surrounding zoning and land uses are as follows:

- North: RR-1 (Suburban Residential District)
- South: A-1 (Agriculture District)

- East: RR-1 (Suburban Residential District)
- West: County (Agricultural)

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 platting SM Estates and creating five new lots to build single family homes on.

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, street, and storm sewer services are available to the subject property. The proposed houses will have direct driveway access off Ford Street.

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?*

N/A, the subject property has already been platted and does not need to be replatted.

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

No

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

N/A

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

N/A

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

Yes

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 will not have a negative impact on the surrounding properties. There are already numerous RR-1 properties surrounding the 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 supports this rezoning. The standard public notice was published in *The Ark Valley News* and notices were sent out to surrounding property owners. Only one response has been received to date and this individual was not opposed to this rezoning request.
- 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.

Main Office
2908 North Plum Street
Hutchinson, KS 67502
Office: (620) 665-7032
Fax: (620) 663-7401



Garber Surveying Service, P.A.

Branch Offices
511 North Poplar Street
Newton, KS 67114

206 South Main Street
McPherson, KS. 67460

3206 Kimball
Manhattan, KS 66503

544 West Douglas
Wichita, KS. 67203

City of Valley Center
Mr. Ryan Shrack, CPM
Community Development Director
545 W. Clay Street
Valley Center, KS 67147

Dear Mr. Shrack:

As requested, this letter is given to address the reason for requesting the rezoning of a portion of the East Half of the Northwest Quarter of Section 5, Township 26 South, Range 1 East of the 6th Principal Meridian, Valley Center, Sedgwick County, Kansas.

The purpose of the request is to rezone the property from A-1 Agriculture District to RR-1 Suburban Residential District in order to allow development of the property into five lots for the purpose of single family homes. This property will be platted as SM Estates.

Please let me know if you have any questions.

Respectfully submitted,

Daniel E. Garber, PS

ORDINANCE NO. 1408-24

**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-2024-02, 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 A-1 (Agricultural District) to RR-1 (Suburban Residential District).

Legal Description: N 654 FT E1/2 NW1/4 SEC 5-26-1E also known as LOTS 1-5
BLOCK A SM ESTATES ADDITION

Legal Address: Currently addressed as 825 W. 77th Street N., 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 20th day of August, 2024.

First Reading: August 6, 2024
Second Reading: August 20, 2024

(SEAL)

/s/ _____
Jet Truman, Mayor

ATTEST:

/s/ _____
Kristi Carrithers, City Clerk

NEW BUSINESS

RECOMMENDED ACTION

D. ORDINANCE 1408-24- RE-ZONE 825 W. 77TH ST. N:

Should Council choose to proceed

RECOMMENDED ACTION

Based on approval by the Valley Center Planning and Zoning Board, City staff recommends adoption of Ordinance 1408-24 for 1st reading

NEW BUSINESS

E. WATER TREATMENT PLANT PHASE 1 AMENDMENT – BURNS & McDONNELL:

City Administrator Clark will present for approval amendment to preliminary design build agreement dated November 15, 2022, with Burns and McDonnell. This amendment relates to provisions from the Kansas State Revolving Loan Fund-KDHE.

- Waste Treatment Plant Phase 1 Amendment



AMENDMENT TO PRELIMINARY DESIGN-BUILD AGREEMENT

AMENDMENT No. 3

Date: 07/25/2024

This AMENDMENT modifies the Agreement dated November 15, 2022, made by and between **Burns & McDonnell / CAS Constructors, Valley Center Joint Venture**, (hereinafter called DESIGN-BUILDER), and The City of Valley Center, Kansas (hereinafter called OWNER) for the following Project: Water Treatment Plant Project in the City of Valley Center, KS. For good and valuable consideration, the sufficiency of which is acknowledged, the parties agree to make the following changes to their Agreement.

1. The parties agree that the DESIGN-BUILDER's Scope of Services is amended as follows:

No changes.

2. The following adjustments are made to the DESIGN-BUILDER's compensation:

None.

3. The time for completion of DESIGN-BUILDER's Services is adjusted as follows:

No changes.

4. Other changes to the Agreement, if any, are stated below:

In accordance with the provisions for the Kansas State Revolving Loan Fund, attach Exhibit A – KDHE SRF Contract Provisions for Consultant Contracts apply to this Agreement.

5. The terms of this AMENDMENT supersede any contrary terms of the Agreement. This AMENDMENT will be deemed a part of, and be subject to, all other terms and conditions of the Agreement. Except as modified above, the Agreement will remain in full force and effect.

IN WITNESS WHEREOF, the parties have executed this AMENDMENT the day and year first written above.

THIS AGREEMENT CONTAINS A BINDING ARBITRATION PROVISION, WHICH MAY BE ENFORCED BY THE PARTIES.

OWNER: City of Valley Center, KS

**DESIGN-BUILDER: Burns & McDonnell /
CAS Constructors, Valley Center Joint
Venture**

By: _____

By: 

Name: _____

Name: Travis Stryker

Title: _____

Title: Authorized Representative

EXHIBIT A

**KDHE SRF CONTRACT PROVISIONS FOR
CONSULTANT CONTRACTS**

STATE OF KANSAS
ACT AGAINST DISCRIMINATION
CONTRACT PROVISION CERTIFICATION FORM

During the performance of this contract, the contractor agrees as follows:

- (1) The contractor shall observe the provisions of the Kansas Act Against Discrimination and shall not discriminate against any person in the performance of work under the present contract because of race, religion, color, sex, disability, national origin, or ancestry;
- (2) In all solicitations or advertisements for employees, the contractor shall include the phrase "equal opportunity employer" or a similar phrase to be approved by the Commission;
- (3) If the contractor fails to comply with the manner in which the contractor reports to the Commission in accordance with the provisions of K.S.A.44-1031 and amendments thereto, the contractor shall be deemed to have breached the present contract and it may be cancelled, terminated, or suspended, in whole or in part, by the contracting agency;
- (4) If the contractor is found guilty of a violation of the Kansas Act Against Discrimination under a decision or order of the Commission which has become final, the contractor shall be deemed to have breached the present contract and it may be cancelled, terminated or suspended, in whole, or in part, by the contracting agency;
- (5) The contractor shall include the provisions of (1) through (4) in every applicable subcontract or purchase order so that such provisions will be binding upon such subcontractor or vendor.

PROJECT/CONTRACT NAME AND NO.

MUNICIPALITY Valley Center

CONTRACTOR'S
SIGNATURE



TITLE Authorized Representative

SRF PROJECT NO. 3202

DATE 7/30/2024 | 10:28 AM CDT



3202
KDHE PROJECT #

CERTIFICATION REGARDING LOBBYING

CERTIFICATION FOR CONTRACTS, GRANTS, LOANS AND COOPERATIVE AGREEMENTS

The undersigned certifies, to the best of his or her knowledge and belief, that:

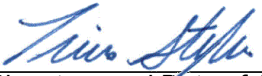
(1) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.

(2) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.

(3) The undersigned shall require that the language of this certification be included in the award documents for all sub-awards at all tiers (including sub-contracts, sub-grants, and contracts under grants, loans, and cooperative agreements) and that all sub-recipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31 U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

Travis Stryker, Authorized Representative
Typed Name & Title of Authorized Representative

 7/30/2024 | 10:28 AM CDT
Signature and Date of Authorized Representative

Contract Provisions for Equal Opportunity

1. The contractor will not discriminate against any employee or applicant for employment because of race, color, religion, sex, or national origin. The contractor will take affirmative action to ensure that applicants are employed, and that employees are treated during employment, without regard to their race, color, religion, sex or national origin. Such action shall include, but not be limited to the following: employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. The contractor agrees to post in conspicuous places, available to employees and applicants for employment, notices to be provided by the contracting officer setting forth the provisions of this nondiscrimination clause.
2. The contractor will, in all solicitations or advancements for employees placed by or on behalf of the contractor, state that all qualified applicants will receive consideration for employment without regard to race, color, religion, sex or national origin.
3. The contractor will send to each labor union or representative of workers with which he has a collective bargaining agreement or other contract or understanding, a notice, to be provided by the agency contracting officer, advising the labor union or workers' representative of the contractor's commitments under Section 202 of Executive Order No. 11246 of September 24, 1965, and shall post copies of the notice in conspicuous places available to employees and applicants for employment.
4. The contractor will comply with all provisions of Executive Order No. 11246 of Sept. 24, 1965, and of the rules, regulations, and relevant orders of the Secretary of Labor.
5. The contractor will furnish all information and reports required by Executive Order No. 11246 of September 24, 1965, and by the rules, regulations, and orders of the Secretary of Labor, or pursuant thereto, and will permit access to his books, records, and accounts by the contracting agency and the Secretary of Labor for purposes of investigation to ascertain compliance with such rules, regulations, and orders.
6. In the event of the contractor's noncompliance with the nondiscrimination clauses of this contract or with any of such rules, regulations, or orders, this contract may be cancelled, terminated, or suspended in whole or in part and the contractor may be declared ineligible for further Government contracts in accordance with procedures authorized in Executive Order No. 11246 of Sept. 24, 1965, and such other sanctions may be imposed and remedies invoked as provided in Executive Order No. 11246 of September 24, 1965, or by rule, regulation, or order of the Secretary of Labor, or as otherwise provided bylaw.
7. The contractor will include the provisions of paragraphs (1) through (7) in every subcontract or purchase order unless exempted by rules, regulations, or orders of the Secretary of Labor issued pursuant to Section 204 of Executive Order No. 11246 of September 24, 1965, so that such provisions will be binding upon each subcontractor or vendor. The contractor will take such action with respect to any subcontract or purchase order as may be directed by the Secretary of Labor as a means of enforcing such provisions including sanctions for noncompliance: Provided, however, that in the event the contractor becomes involved in, or is threatened with, litigation with a subcontractor or vendor as a result of such direction, the contractor may request the United States to enter into such litigation to protect the interests of the United States." [Sec. 202 amended by EO 11375 of Oct. 13, 1967, 32 FR 14303, 3 CFR, 1966-1970 Comp., p. 684, EO 12086 of Oct. 5, 1978, 43 FR 46501, 3 CFR, 1978 Comp., p. 230]

Contract Provisions for the Kansas Act Against Discrimination

(a) Except as provided by subsection (c), every contractor for or on behalf of the State and any county or municipality or other political subdivision of the State, or any agency of or authority created by any of the foregoing, for the construction, alteration, or repair of any public building or public work or for the acquisition of materials, equipment, supplies, or services shall contain provisions by which the contractor agrees that:

- (1) The contractor shall observe the provisions of the Kansas Act Against Discrimination and shall not discriminate against any person in the performance of work under the present contract because of race, religion, color, sex, disability, national origin, or ancestry;
- (2) In all solicitations or advertisements for employees, the contractor shall include the phrase “equal opportunity employer” or a similar phrase to be approved by the Commission;
- (3) If the contractor fails to comply with the manner in which the contractor reports to the Commission in accordance with the provisions of K.S.A.44-1031 and amendments thereto, the contractor shall be deemed to have breached the present contract and it may be cancelled, terminated, or suspended, in whole or in part, by the contracting agency;
- (4) If the contractor is found guilty of a violation of the Kansas Act Against Discrimination under a decision or order of the Commission which has become final, the contractor shall be deemed to have breached the present contract and it may be cancelled, terminated or suspended, in whole, or in part, by the contracting agency;
- (5) The contractor shall include the provisions of subsections (a)(1) through (4) in every subcontract or purchase order so that such provisions will be binding upon such subcontractor or vendor.

(b) The Kansas Human Rights Commission shall not be prevented hereby from requiring reports of contractors found to be not in compliance with the Kansas Act Against Discrimination.

(c) The provisions of this section shall not apply to a contract entered into by a contractor:

- (1) Who employs fewer than four employees during the term of such contract; or
- (2) Whose contracts with the governmental entity letting such contract cumulatively total \$5,000 or less during the fiscal year of such governmental entity.

Contract Provisions for Restrictions on Lobbying

The Contractor agrees to comply with Title 40 CRF Part 34, New Restrictions on Lobbying. **A Certification form must be submitted with the bid documents.**

Contract Provisions for the Trafficking Victims Protection Act of 2000

The Contractor, its employees, sub-contractors, and sub-contractors employees under any SRF Loan Agreement, may not engage in severe forms of trafficking in persons during the period of time that the award is in effect; procure a commercial sex act during the period of time that the award is in effect; or use forced labor in the performance of the award or sub-awards under the award.

Contract Provisions for Suspension and Debarment

The Contractor certifies that it is not suspended or debarred from participating in federal assistance and benefit programs and further agrees to fully comply with Subpart C of 2 CFR Part 180 and 2 CFR Part 1532, entitled “Responsibilities of Participants Regarding Transactions.” The Contractor must ensure that any lower tier covered transaction, as described in Subpart B of 2 CFR Part 180 and 2 CFR Part 1532, entitled “Covered Transactions,” includes a term or condition requiring compliance with Subpart C. The Contractor agrees that failing to disclose the required information in 2 CFR 180.335 may result in the delay or negation of this assistance agreement, or pursuance of legal remedies, including suspension and debarment.

Contract Provisions for Non Discrimination

The contractor must comply with Title VI of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, Title IX of the Education Amendments of 1972, the Age Discrimination Act of 1975, and a variety of program-specific statutes with nondiscrimination requirements.

Other civil rights laws may impose additional requirements on the contractor. These laws include, but are not limited to, Title VII of the Civil Rights Act of 1964 (prohibiting race, color, national origin, religion, and sex discrimination in employment), the Americans with Disabilities Act (prohibiting disability discrimination in employment and in services provided by State and local governments, businesses, and non-profit agencies), and the Fair Housing Act (prohibiting race, color, national origin, age, family status, and disability discrimination in housing), as well as any other applicable civil rights laws.

Contract Provisions for Non Segregated Facilities

The contractor must ensure that facilities provided for employees are provided in such a manner that segregation on the basis of race, color, religion, sex or national origin cannot result. The contractor may neither require such segregated use by written or oral policies nor tolerate such use by employee custom. The contractor's obligation extends further to ensuring that its employees are not assigned to perform their services at any location, under the contractor's control, where the facilities are segregated. This obligation extends to all contracts containing the equal opportunity clause regardless of the amount of the contract. The term “facilities,” as used in this section, means waiting rooms, work areas, restaurants and other eating areas, time clocks, restrooms, wash rooms, locker rooms, and other storage or dressing areas, parking lots, drinking fountains, recreation or entertainment areas, transportation, and housing provided for employees; *Provided*, That separate or single-user restrooms and necessary dressing or sleeping areas shall be provided to assure privacy between the sexes.

NEW BUSINESS

RECOMMENDED ACTION

E. WATER TREATMENT PLANT PHASE 1 AMENDMENT - BURNS & McDONNELL:

Should Council choose to proceed

RECOMMENDED ACTION

Staff recommends motion to approve the amendment for the water treatment plant phase 1 and authorize Mayor or City Administrator to sign.

NEW BUSINESS

F. RESOLUTION 755-24; DECLARATION OF WATER EMERGENCY:

Public Works Director Eggleston will request Council approval to declare water emergency for the City of Valley Center with approval of Resolution 755-24.

- Resolution 755-24
- Staff presentation regarding water emergency

RESOLUTION 755-24

A RESOLUTION OF THE CITY OF VALLEY CENTER, KANSAS DECLARING A LOCAL STATE OF EMERGENCY BY REASON OF SHORTAGE OF WATER SUPPLY.

WHEREAS, The levels of water at Cheney Reservoir have dropped below 69%; and

WHEREAS, The City of Wichita has declared a move to Stage 2 restrictions in an attempt to reduce usage by 10%; and

WHEREAS, The City of Valley Center purchases treated water from the City of Wichita; and

WHEREAS, The City of Valley Center, Kansas encourages voluntary water conservation, but may impose mandatory restrictions on water use during the period of emergency.

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

Section 1. A Local State of Water Emergency is declared.

Section 2. This resolution shall take effect and be in force immediately following publication in the official newspaper. It shall remain in effect until future action is taken by the Governing Body.

ADOPTED this 6th day of August 2024 and **SIGNED** by the Mayor.

Attested:

Mayor

City Clerk

Drought Response Update

Public Works & Utilities

August 6th, 2024



facebook.com/CityOfValleyCenter

@ValleyCenterKS



Community Action

- Reduce outdoor irrigation now – limit watering to 1 day per week
- Does not pertain to private irrigation wells
- Water just enough to keep root systems alive; allow lawns to go dormant
- Only water between hours of 10:00PM and 8:00AM
- **Do not** overseed lawns or plant new trees or shrubs this fall
- Temporary closing of public splash pads



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@ValleyCenterKS



Plan to Reduce Water Use

- Wichita targeted water reduction is 10%
- Implement City Responsibilities from Drought Response Plan Stage 2
- Proposed Tier 2 & 3 Rate Adjustment – Potential at later date
- Enhanced outreach campaign



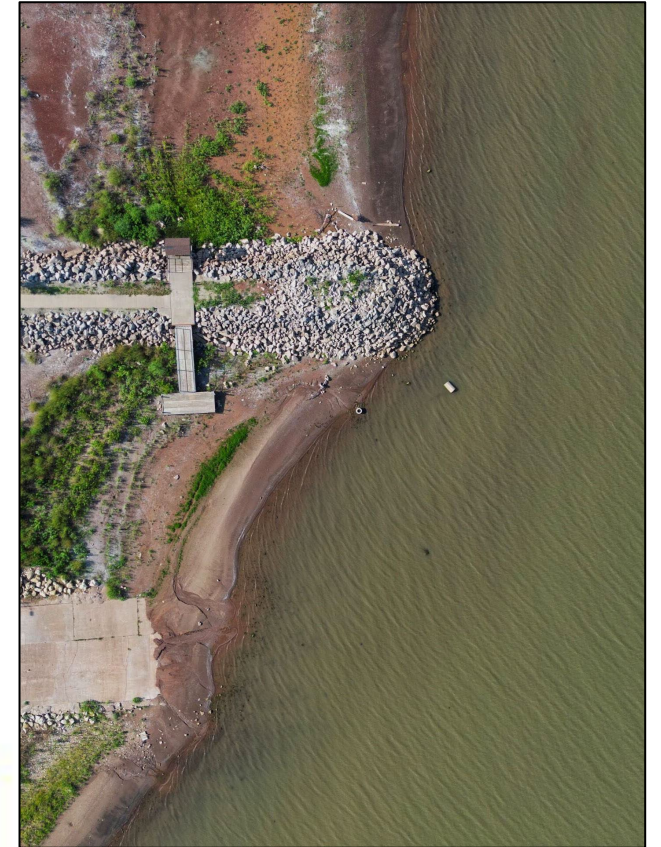
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Violations - Penalties

- Implement escalating penalties per chapter 12.14 Water Conservation



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NEW BUSINESS

RECOMMENDED ACTION

F. RESOLUTION 755-24; DECLARATION OF WATER EMERGENCY:

Should Council choose to proceed

RECOMMENDED ACTION

Staff recommends motion to adopt Resolution 755-24 declaring a water emergency in the City of Valley Center.

NEW BUSINESS

G. REQUEST FOR ORDINANCE 17.06.01 WAIVER:

Please find attached a request from Edith Santiago, 1932 W. 69th St. to waive timeframe associated with Chapter 17.06.01 6c for a period longer than 14 days but not to exceed 6 weeks.

CHAPTER 17.06.00: ACCESSORY USES, TEMPORARY USES AND HOME OCCUPATIONS

17.06.01 Accessory Uses Authorization. Accessory uses are permitted in any zoning district in connection with any principal use which is permitted.

6. Class 1 and 2 Recreational vehicles can be parked on a residential lot, provided:

c. Class 1 and 2 Recreational vehicles, either owned by the property owner or by someone else visiting the property owner, shall not be utilized for living purposes, except for temporary lodging of not more than 7 days at one time, and not more than 14 days in a calendar year.

➤ Request from Edith Santiago

City Council of Valley Center
121 S. Meridian
Valley Center, KS 67147
316-755-7310

Taylen Moore
1932 W. 69th St
Valley Center, KS 67147
316-210-2813

Respected Council Members:

This letter is to formally request and indeed, plead for your permission to extend the 14 day limit on parking a camper on our new property at 1932 W 69st St Valley Center. We are new residents of this area, having just purchased the above mentioned property and home, which has stood vacant for many years. As we are in the process of restoring the house, we have encountered numerous unexpected delays, including but not limited to delays in getting services from the city. This has brought us to the end of our former lease and would place us living in a house without water or sewer, which I am sure you would agree is not habitable, neither for us nor our small child. To avoid this state, we have borrowed a camper with water and sewer storage capacity for a temporary dwelling while the house is completed and services from Valley Center can be established. We do not desire nor anticipate a long wait for such to be completed.

Please be assured that this situation is temporary, and that the camper in question will be returned to its place outside of Valley Center limits as soon as possible. We are asking to be allowed to continue to park it on our property, which seems indeed like a very rural setting, for a short period until the services are installed and simple repairs completed on the house. While we do not know exactly when we will get completed services at our house, and as indeed many factors are not in our control, but yours; therefore we are asking for an extension of 6 weeks, while hoping it will be a much shorter time. This host of regulations has taken us somewhat by surprise in what does not appear to be an urban area, but we are doing all we can to comply in every respect. We request your assistance in this process by allowing us to extend the 14 day limit on parking a camper, just for a brief time.

Thank you in advance for your kind consideration of this request.



Edith Santiago

NEW BUSINESS
RECOMMENDED ACTION

G. REQUEST FOR ORDINANCE 17.06.01 WAIVER:

Should Council choose to proceed,

RECOMMENDED ACTION:

Staff recommends motion to approve waiver of Ordinance for Edith Santiago for a period not to exceed six weeks beginning August 6, 2024.

CONSENT AGENDA

- A. APPROPRIATION ORDINANCE – AUGUST 6, 2024**
- B. DELINQUENT ACCOUNT REPORT–MAY 2024**
- C. PLANNING AND ZONING BOARD MINUTES -JULY 23, 2024**
- D. VALLEY CENTER PUBLIC LIBRARY 2ND QUARTER REPORTS**

RECOMMENDED ACTION:

Staff recommends motion to approve the Consent Agenda as presented.

CONSENT AGENDA

A. APPROPRIATION ORDINANCE:

Below is the proposed Appropriation Ordinance for August 6, 2024, as prepared by City Staff.

August 6, 2024, Appropriation

Total	\$ 1,901,840.11
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VENDOR SET: 02 City of Valley Center

August 6, 2024 City Council Agenda Page 57

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
0069	KANSAS DEPT REVENUE							
I-202407091999	KANSAS DEPT REVENUE	R	7/12/2024	1,934.15		056923		1,934.15
0077	KANSAS OFFICE OF THE TREASURER							
I-202407091994	KANSAS OFFICE OF THE TREASURER	R	7/12/2024	1,007.59		056924		1,007.59
0081	KDHE-BUREAU OF WATER							
I-202407091993	KDHE-BUREAU OF WATER	R	7/12/2024	60.00		056925		60.00
0113	VALLEY PRINT LOGISTICS							
I-202407091990	VALLEY PRINT LOGISTICS	R	7/12/2024	75.00		056926		75.00
0153	ARK VALLEY NEWS							
I-202407091992	ARK VALLEY NEWS	R	7/12/2024	215.04		056927		215.04
0196	P E C (PROFESSIONAL ENGINEERIN							
I-202407112010	P E C (PROFESSIONAL ENGINEERIN	R	7/12/2024	65,617.00		056928		65,617.00
0254	CITY OF WICHITA							
I-202407091987	CITY OF WICHITA	R	7/12/2024	30.60		056929		30.60
0623	CORE & MAIN							
I-202407081981	CORE & MAIN	R	7/12/2024	3,496.53		056930		3,496.53
0656	DRAGONFLY LAWN & TREE CARE LLC							
I-202407102001	DRAGONFLY LAWN & TREE CARE LLC	R	7/12/2024	2,449.50		056931		2,449.50
0824	GALLS, LLC							
I-202407102003	GALLS, LLC	R	7/12/2024	189.49		056932		189.49
0906	ROYAL PUBLISHING							
I-202407091991	ROYAL PUBLISHING	R	7/12/2024	195.00		056933		195.00
0960	DEPARTMENT OF THE TREASURY							
I-202407091996	DEPARTMENT OF THE TREASURY	R	7/12/2024	421.82		056934		421.82
1073	GORDON CPA LLC							
I-202407081986	GORDON CPA LLC	R	7/12/2024	6,980.00		056935		6,980.00
1075	RED EQUIPMENT LLC.							
I-202407081982	RED EQUIPMENT LLC.	R	7/12/2024	4,943.06		056936		4,943.06
1078	FLEXIBLE BENEFIT SERVICE CORPO							
I-202407091988	FLEXIBLE BENEFIT SERVICE CORPO	R	7/12/2024	211.00		056937		211.00

VENDOR I.D.	NAME	STATUS	CHECK	INVOICE	DISCOUNT	CHECK	CHECK	CHECK
			DATE	AMOUNT		NO	STATUS	AMOUNT
1094	EMC INSURANCE COMPANIES							
I-202407112008	EMC INSURANCE COMPANIES	R	7/12/2024	879.00		056938		879.00
1106	FOSTER DESIGN ASSOCIATES LLC							
I-202407102004	FOSTER DESIGN ASSOCIATES LLC	R	7/12/2024	4,619.81		056939		4,619.81
1137	WASTE CONNECTIONS OF KANSAS, I							
I-202407081983	WASTE CONNECTIONS OF KANSAS, I	R	7/12/2024	70.00		056940		70.00
1162	CUT RATES LAWN CARE LLC							
I-202407081980	CUT RATES LAWN CARE LLC	R	7/12/2024	1,235.00		056941		1,235.00
1232	EASY ICE LLC							
I-202407091995	EASY ICE LLC	R	7/12/2024	1,380.00		056942		1,380.00
1236	SHORT ELLIOT HENDRICKSON, INC.							
I-202407102007	SHORT ELLIOT HENDRICKSON, INC.	R	7/12/2024	4,907.59		056943		4,907.59
1286	MCCOWNGORDON CONSTRUCTION, LLC							
I-202407102005	MCCOWNGORDON CONSTRUCTION, LLC	R	7/12/2024	1,593,291.84		056944		1,593,291.84
1294	OFFICE OF ACCOUNTS & REPORTS							
I-202407102006	OFFICE OF ACCOUNTS & REPORTS	R	7/12/2024	300.00		056945		300.00
1360	ABCD TECH							
I-202407081985	ABCD TECH	R	7/12/2024	56.25		056946		56.25
1370	AT&T MOBILITY-CC							
I-202407102002	AT&T MOBILITY-CC	R	7/12/2024	325.25		056947		325.25
1376	LAMPTON WELDING SUPPLY CO., IN							
I-202407081984	LAMPTON WELDING SUPPLY CO., IN	R	7/12/2024	14.50		056948		14.50
1391	ARC PHYSICAL THERAPY PLUS LP							
I-202407091997	ARC PHYSICAL THERAPY PLUS LP	R	7/12/2024	35.00		056949		35.00
1394	IDEATEK TELECOM, LLC.							
I-202407091998	IDEATEK TELECOM, LLC.	R	7/12/2024	1,788.96		056950		1,788.96
1400	DONE RIGHT LAWN CARE LLC.							
I-202407091989	DONE RIGHT LAWN CARE LLC.	R	7/12/2024	150.00		056951		150.00
1	GAGE BROWN							
I-000202407152025	RESTITUTION	R	7/19/2024	200.00		056952		200.00

VENDOR I.D.	NAME	STATUS	CHECK	INVOICE	DISCOUNT	CHECK	CHECK	CHECK
			DATE	AMOUNT		NO	STATUS	AMOUNT
0113	VALLEY PRINT LOGISTICS							
I-202407172034	VALLEY PRINT LOGISTICS	R	7/19/2024	4,474.88		056953		4,474.88
0150	AT&T MOBILITY							
I-202407172033	AT&T MOBILITY	R	7/19/2024	866.04		056954		866.04
0179	INTERLINGUAL INTERPRETING SERV							
I-202407152021	INTERLINGUAL INTERPRETING SERV	R	7/19/2024	63.76		056955		63.76
0196	P E C (PROFESSIONAL ENGINEERIN							
I-202407172035	P E C (PROFESSIONAL ENGINEERIN	R	7/19/2024	4,350.00		056956		4,350.00
0224	SUMNERONE, INC.							
I-202407162029	SUMNERONE, INC.	R	7/19/2024	205.35		056957		205.35
0227	SEDGWICK COUNTY TREASURER							
I-202407152019	SEDGWICK COUNTY TREASURER	R	7/19/2024	683.71		056958		683.71
0306	SEDGWICK COUNTY							
I-202407162027	SEDGWICK COUNTY	R	7/19/2024	980.87		056959		980.87
0778	SHELLEY ELECTRIC							
I-202407172037	SHELLEY ELECTRIC	R	7/19/2024	160.00		056960		160.00
0824	GALLS, LLC							
I-202407172036	GALLS, LLC	R	7/19/2024	117.39		056961		117.39
0825	UNITED INDUSTRIES INCORPORATED							
I-202407152022	UNITED INDUSTRIES INCORPORATED	R	7/19/2024	5,866.15		056962		5,866.15
1004	IMAGINE IT, INC.							
I-202407162028	IMAGINE IT, INC.	R	7/19/2024	8,088.22		056963		8,088.22
1137	WASTE CONNECTIONS OF KANSAS, I							
I-202407152024	WASTE CONNECTIONS OF KANSAS, I	R	7/19/2024	45,941.01		056964		45,941.01
1226	THE TAP OF KANSAS							
I-202407152023	THE TAP OF KANSAS	R	7/19/2024	414.00		056965		414.00
1400	DONE RIGHT LAWN CARE LLC.							
I-202407152020	DONE RIGHT LAWN CARE LLC.	R	7/19/2024	450.00		056966		450.00
1403	PARETO HEALTH							
I-202407162030	PARETO HEALTH	R	7/19/2024	94.00		056967		94.00

			CHECK	INVOICE	CHECK	CHECK	CHECK	
VENDOR I.D.	NAME	STATUS	DATE	AMOUNT	DISCOUNT	NO	STATUS	AMOUNT
0270	INTRUST CARD CENTER							
	I-202407182038	INTRUST CARD CENTER	R	7/26/2024	6,632.05	056968		6,632.05
1	LYNCH, JAMES							
	I-000202407222040	US REFUND	R	7/26/2024	47.53	056969		47.53
0032	AFLAC							
	I-AF 202407092000	SUPPLEMENTAL INSURANCE	R	7/26/2024	99.71	056970		
	I-AF 202407242059	SUPPLEMENTAL INSURANCE	R	7/26/2024	99.71	056970		
	I-AFC202407092000	SUPPLEMENTAL INSURANCE	R	7/26/2024	22.62	056970		
	I-AFC202407242059	SUPPLEMENTAL INSURANCE	R	7/26/2024	22.62	056970		
	I-AFD202407092000	SUPPLEMENTAL INSURANCE	R	7/26/2024	55.77	056970		
	I-AFD202407242059	SUPPLEMENTAL INSURANCE	R	7/26/2024	55.77	056970		
	I-AFL202407092000	SUPPLEMENTAL LIFE INSURANCE	R	7/26/2024	60.10	056970		
	I-AFL202407242059	SUPPLEMENTAL LIFE INSURANCE	R	7/26/2024	60.10	056970		
	I-AFO202407092000	SUPPLEMENTAL INSURANCE	R	7/26/2024	45.89	056970		
	I-AFO202407242059	SUPPLEMENTAL INSURANCE	R	7/26/2024	103.53	056970		625.82
0445	DELTA DENTAL OF KANSAS, INC.							
	I-DDS202407092000	DENTAL INSURANCE	R	7/26/2024	159.75	056971		
	I-DDS202407242059	DENTAL INSURANCE	R	7/26/2024	159.75	056971		
	I-DEC202407092000	DENTAL INSURANCE	R	7/26/2024	218.05	056971		
	I-DEC202407242059	DENTAL INSURANCE	R	7/26/2024	218.05	056971		
	I-DES202407092000	DENTAL INSURANCE	R	7/26/2024	316.26	056971		
	I-DES202407242059	DENTAL INSURANCE	R	7/26/2024	316.26	056971		
	I-DFM202407092000	DENTAL INSURANCE	R	7/26/2024	824.74	056971		
	I-DFM202407242059	DENTAL INSURANCE	R	7/26/2024	942.40	056971		3,155.26
0566	SURENCY LIFE AND HEALTH							
	I-VEC202407092000	VISION INSURANCE	R	7/26/2024	7.93	056972		
	I-VEC202407242059	VISION INSURANCE	R	7/26/2024	7.93	056972		
	I-VMC202407092000	VISION INSURANCE	R	7/26/2024	69.44	056972		
	I-VMC202407242059	VISION INSURANCE	R	7/26/2024	69.44	056972		
	I-VME202407092000	VISION INSURANCE	R	7/26/2024	38.64	056972		
	I-VME202407242059	VISION INSURANCE	R	7/26/2024	38.64	056972		
	I-VMF202407092000	VISION INSURANCE	R	7/26/2024	202.44	056972		
	I-VMF202407242059	VISION INSURANCE	R	7/26/2024	202.44	056972		
	I-VMS202407092000	VISION INSURANCE	R	7/26/2024	80.96	056972		
	I-VMS202407242059	VISION INSURANCE	R	7/26/2024	80.67	056972		798.53
0014	WICHITA WINWATER WORKS CO.							
	I-202407242054	WICHITA WINWATER WORKS CO.	R	7/26/2024	781.60	056973		781.60

VENDOR I.D.	NAME	STATUS	CHECK	INVOICE	DISCOUNT	CHECK	CHECK	CHECK
			DATE			NO	STATUS	AMOUNT
0079	KDHE-DIV OF H & E LABORATORIES							
I-202407232043	KDHE-DIV OF H & E LABORATORIES	R	7/26/2024	352.00		056974		352.00
0110	LKM - LEAGUE OF KANSAS MUNICIP							
I-202407252067	LKM - LEAGUE OF KANSAS MUNICIP	R	7/26/2024	2,125.00		056975		2,125.00
0196	P E C (PROFESSIONAL ENGINEERIN							
I-202407242052	P E C (PROFESSIONAL ENGINEERIN	R	7/26/2024	10,980.00		056976		10,980.00
0329	UNRUH EXCAVATING LLC							
I-202407242053	UNRUH EXCAVATING LLC	R	7/26/2024	75,039.53		056977		75,039.53
0656	DRAGONFLY LAWN & TREE CARE LLC							
I-202407232047	DRAGONFLY LAWN & TREE CARE LLC	R	7/26/2024	2,903.50		056978		2,903.50
0778	SHELLEY ELECTRIC							
I-202407242064	SHELLEY ELECTRIC	R	7/26/2024	10,000.00		056979		10,000.00
0784	MERIDIAN ANALYTICAL LABS, LLC							
I-202407232044	MERIDIAN ANALYTICAL LABS, LLC	R	7/26/2024	685.00		056980		685.00
0799	ELITE FRANCHISING INC DBA JANI							
I-202407242057	ELITE FRANCHISING INC DBA JANI	R	7/26/2024	295.00		056981		295.00
0807	GADES SALES CO, INC.							
I-202407242048	GADES SALES CO, INC.	R	7/26/2024	100.00		056982		100.00
0824	GALLS, LLC							
I-202407242060	GALLS, LLC	R	7/26/2024	265.56		056983		265.56
0837	KANSASLAND TIRE							
I-202407242055	KANSASLAND TIRE	R	7/26/2024	96.00		056984		96.00
1004	IMAGINE IT, INC.							
I-202407242061	IMAGINE IT, INC.	R	7/26/2024	1,400.00		056985		1,400.00
1118	PYE BARKER FIRE & SAFETY LLC							
I-202407252065	PYE BARKER FIRE & SAFETY LLC	R	7/26/2024	1,469.50		056986		1,469.50
1162	CUT RATES LAWN CARE LLC							
I-202407232045	CUT RATES LAWN CARE LLC	R	7/26/2024	1,235.00		056987		1,235.00
1234	FLEET FUELS LLC							
I-202407232046	FLEET FUELS LLC	R	7/26/2024	1,170.08		056988		1,170.08

VENDOR SET: 02 City of Valley Center

BANK: APBK INTRUST CHECKING

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

VENDOR I.D.	NAME	STATUS	CHECK	INVOICE	DISCOUNT	CHECK	CHECK	CHECK
			DATE			NO	STATUS	AMOUNT
1236	SHORT ELLIOT HENDRICKSON, INC.							
I-202407242051	SHORT ELLIOT HENDRICKSON, INC.	R	7/26/2024	9,648.00		056989		9,648.00
1389	SITEONE LANDSCAPE SUPPLY							
I-202407222041	SITEONE LANDSCAPE SUPPLY	R	7/26/2024	1,341.15		056990		1,341.15
1407	RED CARPET TROPHY							
I-202407242058	RED CARPET TROPHY	R	7/26/2024	7.00		056991		7.00

* * T O T A L S * *	NO		INVOICE AMOUNT	DISCOUNTS	CHECK AMOUNT
REGULAR CHECKS:	69		1,900,987.47	0.00	1,900,987.47
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: 02 BANK: APBK TOTALS:	69		1,900,987.47	0.00	1,900,987.47

VENDOR SET: 03 City of Valley Center

BANK: APBK INTRUST CHECKING

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

VENDOR I.D.	NAME	STATUS	CHECK	INVOICE	DISCOUNT	CHECK	CHECK	CHECK
			DATE			NO	STATUS	AMOUNT
0100	CEARA HAY							
I-202407112012	CEARA HAY	R	7/12/2024	304.50		056920		304.50
0105	GLEN DAVIDSON							
I-202407112011	GLEN DAVIDSON	R	7/12/2024	304.50		056921		304.50
0148	DESIRAE WOMACK							
I-202407112009	DESIRAE WOMACK	R	7/12/2024	30.99		056922		30.99
0085	STACY SHAY							
I-202407252066	STACY SHAY	R	7/26/2024	46.49		056992		46.49
0148	DESIRAE WOMACK							
I-202407242050	DESIRAE WOMACK	R	7/26/2024	166.16		056993		166.16

* * T O T A L S * *	NO	INVOICE AMOUNT	DISCOUNTS	CHECK AMOUNT
REGULAR CHECKS:	5	852.64	0.00	852.64
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: 03 BANK: APBK TOTALS:	5	852.64	0.00	852.64
BANK: APBK TOTALS:	74	1,901,840.11	0.00	1,901,840.11
REPORT TOTALS:	74	1,901,840.11	0.00	1,901,840.11

SELECTION CRITERIA

VENDOR SET: * - All

VENDOR: ALL

BANK CODES: All

FUNDS: All

CHECK SELECTION

CHECK RANGE: 056920 THRU 056993

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 – MAY 2024:

7/29/2024 8:40 AM

ZONE: ALL

STAT: Disconnect, Final, Inactive

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

LAST BILL DATES: 5/01/2024 THRU 5/31/2024

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

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

PAGE: 1
CONTRACTS: NO

ACCOUNT NO#	NAME	ST	--CURRENT--	+1 MONTHS	+2 MONTHS	+3 MONTHS	+4 MONTHS	--BALANCE--
*** BOOK # :0003	TOTAL ACCOUNTS:	0	0.00	0.00	0.00	0.00	0.00	0.00
*** BOOK # :0004	TOTAL ACCOUNTS:	0	0.00	0.00	0.00	0.00	0.00	0.00
05-0092-10	THORBURN, STONEY	3/18/2024 F	56.27	97.24	214.67	104.99	473.17	
*** BOOK # :0005	TOTAL ACCOUNTS:	1	0.00	56.27	97.24	214.67	104.99	473.17
06-0063-05	TEMPELMAYER, EARL	5/15/2024 F	63.94					63.94
*** BOOK # :0006	TOTAL ACCOUNTS:	1	0.00	63.94	0.00	0.00	0.00	63.94
*** BOOK # :0007	TOTAL ACCOUNTS:	0	0.00	0.00	0.00	0.00	0.00	0.00
*** BOOK # :0008	TOTAL ACCOUNTS:	0	0.00	0.00	0.00	0.00	0.00	0.00
10-0012-05	KUTZ, BRYAN	3/19/2024 F	31.23	202.41	110.63		344.27	
*** BOOK # :0010	TOTAL ACCOUNTS:	1	0.00	31.23	202.41	110.63	0.00	344.27
17-0132-98	RUSSELL, NATHAN	5/13/2024 F	8.80	8.80			17.60	
*** BOOK # :0017	TOTAL ACCOUNTS:	1	8.80	8.80	0.00	0.00	0.00	17.60
*** BOOK # :0018	TOTAL ACCOUNTS:	0	0.00	0.00	0.00	0.00	0.00	0.00

7/29/2024 8:39 AM

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

PAGE: 1
CONTRACTS: NO

ZONE: ALL
 STAT: Disconnect, Final, Inactive
 START DATES: 0/00/0000 THRU 99/99/9999
 LAST BILL DATES: 0/00/0000 THRU 99/99/9999
 FINAL DATES: 5/01/2024 THRU 5/31/2024

ACCOUNT NO#	NAME	LAST PAY ST	--CURRENT--	+1 MONTHS	+2 MONTHS	+3 MONTHS	+4 MONTHS	--BALANCE--
*** BOOK # :0001	TOTAL ACCOUNTS:	0	0.00	0.00	0.00	0.00	0.00	0.00
*** BOOK # :0003	TOTAL ACCOUNTS:	0	0.00	0.00	0.00	0.00	0.00	0.00
*** BOOK # :0004	TOTAL ACCOUNTS:	0	0.00	0.00	0.00	0.00	0.00	0.00
05-0092-10	THORBURN, STONEY	3/18/2024 F		56.27	97.24	214.67	104.99	473.17
05-0095-13	JOHNSON, PEGGY	4/18/2024 F	24.00	101.96	121.69	121.86		369.51
*** BOOK # :0005	TOTAL ACCOUNTS:	2	24.00	158.23	218.93	336.53	104.99	842.68
06-0063-05	TEMPELMAYER, EARL	5/15/2024 F		63.94				63.94
06-0200-02	BAGGETT, MELISSA	5/16/2024 F	51.07	108.03				159.10
*** BOOK # :0006	TOTAL ACCOUNTS:	2	51.07	171.97	0.00	0.00	0.00	223.04
*** BOOK # :0007	TOTAL ACCOUNTS:	0	0.00	0.00	0.00	0.00	0.00	0.00
*** BOOK # :0008	TOTAL ACCOUNTS:	0	0.00	0.00	0.00	0.00	0.00	0.00
10-0012-05	KUTZ, BRYAN	3/19/2024 F		31.23	202.41	110.63		344.27
*** BOOK # :0010	TOTAL ACCOUNTS:	1	0.00	31.23	202.41	110.63	0.00	344.27
*** BOOK # :0011	TOTAL ACCOUNTS:	0	0.00	0.00	0.00	0.00	0.00	0.00

7/29/2024 8:39 AM A C C O U N T A G I N G R E P O R T

PAGE: 2
CONTRACTS: NO

ZONE: ALL
STAT: Disconnect, Final, Inactive
START DATES: 0/00/0000 THRU 99/99/9999
LAST BILL DATES: 0/00/0000 THRU 99/99/9999
FINAL DATES: 5/01/2024 THRU 5/31/2024

ACCOUNT NO#	NAME	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
**** BOOK # :0017	TOTAL ACCOUNTS:	0	0.00	0.00	0.00	0.00	0.00	0.00
**** BOOK # :0018	TOTAL ACCOUNTS:	0	0.00	0.00	0.00	0.00	0.00	0.00
20-0212-91	MONARCH INVESTMENTS	9/15/2021 F	81.32					81.32
20-0223-91	MONARCH INVESTMENTS	9/15/2021 F	55.15	77.32				132.47
**** BOOK # :0020	TOTAL ACCOUNTS:	2	0.00	136.47	77.32	0.00	0.00	213.79
**** BOOK # :0080	TOTAL ACCOUNTS:	0	0.00	0.00	0.00	0.00	0.00	0.00
REPORT TOTALS	TOTAL ACCOUNTS:	7	75.07	497.90	498.66	447.16	104.99	1623.78

7/29/2024 8:39 AM

ACCOUNT AGING REPORT

PAGE:

3

===== REPORT TOTALS =====

===== REVENUE CODE TOTALS =====

REVENUE CODE:	--CURRENT--	+1 MONTHS	+2 MONTHS	+3 MONTHS	+4 MONTHS	--BALANCE--
100-WATER	37.59	139.73	115.69	122.62	28.63	444.26
200-SEWER	21.45	226.24	178.02	131.88	28.72	586.31
300-PROT	0.03	0.08	0.07	0.07	0.02	0.27
400-RECONNECT FEE	0.00	23.33	82.16	80.32	22.19	208.00
600-STORMWATER UTILITY FEE	16.00	40.41	34.02	24.24	5.33	120.00
610-SOLID WASTE	0.00	52.74	63.75	56.85	12.36	185.70
850-PENALTY	0.00	15.37	24.95	31.18	7.74	79.24
TOTALS	75.07	497.90	498.66	447.16	104.99	1623.78

TOTAL REVENUE CODES: 1,623.78
TOTAL ACCOUNT BALANCE: 1,623.78
DIFFERENCE: 0.00

7/29/2024 8:39 AM

ACCOUNT AGING REPORT

PAGE:

4

===== REPORT TOTALS =====

===== BOOK CODE TOTALS =====

BOOK:	--CURRENT--	+1 MONTHS	+2 MONTHS	+3 MONTHS	+4 MONTHS	--BALANCE--
01-BOOK 01	0.00	0.00	0.00	0.00	0.00	0.00
03-BOOK 03	0.00	0.00	0.00	0.00	0.00	0.00
04-BOOK 04	0.00	0.00	0.00	0.00	0.00	0.00
05-BOOK 05	24.00	158.23	218.93	336.53	104.99	842.68
06-BOOK 06	51.07	171.97	0.00	0.00	0.00	223.04
07-BOOK 07	0.00	0.00	0.00	0.00	0.00	0.00
08-BOOK 08	0.00	0.00	0.00	0.00	0.00	0.00
10-BOOK 10	0.00	31.23	202.41	110.63	0.00	344.27
11-BOOK 11	0.00	0.00	0.00	0.00	0.00	0.00
12-BOOK 12	0.00	0.00	0.00	0.00	0.00	0.00
17-BOOK 17	0.00	0.00	0.00	0.00	0.00	0.00
18-BOOK 18	0.00	0.00	0.00	0.00	0.00	0.00
20-BOOK 20	0.00	136.47	77.32	0.00	0.00	213.79
80-STORMWATER YEARLY	0.00	0.00	0.00	0.00	0.00	0.00
TOTALS	75.07	497.90	498.66	447.16	104.99	1623.78

ERRORS: 000

SELECTION CRITERIA

REPORT OPTIONS

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

BALANCE SELECTION

SELECTION: APPLY AGES TO TEST
RANGE: 000000.01 THRU 9999999.99
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: 0/00/0000 THRU 99/99/9999
FINAL DATE: 5/01/2024 THRU 5/31/2024

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 – JULY 23, 2024:

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

Tuesday, July 23, 2024 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: Paul Spranger, Steve Conway, and Dalton Wilson.

Members Absent: Brian Shelton, Rick Shellenbarger and Scot Phillips.

City Staff Present: Brittney Ortega and Brent Clark

Audience: Ron Colbert, Gene Sharp, Glen Sharp, Max Berning, Audra Berning, Nick Thomas, Rodney Bruntz and Bill Fox

AGENDA: A motion was made by Janzen and seconded by Conway to set the agenda. Motion passed unanimously.

APPROVAL OF DRAFT MINUTES: Janzen made a motion to approve the June 25, 2024, meeting minutes. The motion was seconded by Spranger. Motion passed unanimously.

COMMUNICATIONS: Clark informed the board that Brian Shelton has submitted his resignation from the board effective immediately.

PUBLIC HEARING BEFORE THE PLANNING AND ZONING BOARD/BOARD OF ZONING APPEALS:

1. Review of LS-2024-02, application of Bradley and Stacy Barbour, pursuant to City Code 16.09., who are petitioning for a lot split involving the splitting of property the applicants own and is currently addressed as 585 W Clay Street., Valley Center, KS 67147.

Chairperson Janzen opened the hearing for comments from the public: 7:05 PM

B. Clark gave a summary of the staff report and explained the intended use once the lot split is complete. Rodney Bruntz spoke about the structure that will be built on the property. Gene Sharp addressed the board with his concerns regarding the lot split and potential structure including noise. Bruntz addressed and answered questions and concerns. City staff recommends approval.

Chairperson Janzen closed the hearing for comments from the public: 7:10 PM

Based on the City Staff recommendations, public comments, and discussion by the Board of Zoning Appeals, Janzen made a motion to approve LS-2024-02. Motion was seconded by Wilson. The vote was unanimous.

2. Review of RZ-2024-02, application of KWH Investments, LLC, pursuant to City Code 17.11, who is petitioning for a rezoning of land that is currently zoned A-1, which is the City's designation for an agricultural district, to RR-1, which is the City's designations for a suburban residential district. The property is currently addressed at 825 W 77th and recently platted as SM Estates, Valley Center, KS 6714

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

B. Clark gave a summary of the staff report. This property has been through the platting process already. The public notices did not make the deadline for publication therefore the rezoning is now taking place. Clark met with one property owner that was curious about the process but not opposed. Bill Fox, agent for applicants, was available for questions. There were none presented.

Chairperson Janzen closed the hearing for comments from the public: 7:19 PM

Based on the City Staff recommendations, public comments, and discussion by the Planning and Zoning Board, Janzen made a motion to approve RZ-2024-02. Motion was seconded by Spranger. The vote was unanimous.

3. Review of V-2024-01, application of Max and Roy Berning, pursuant to City Code 17.10.08., who is petitioning for an accessory building to be constructed and used prior to the construction of a principal structure. Accessory building will be 1,200 square feet, located at an unaddressed location, but the lot is located just south of 5219 W 77th St. N., Valley Center, KS 67147.

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

B. Clark presented his staff report and gave details on this application. The applicant addressed the board and explained the reasoning for their application. They intend to store farm equipment, a camper, and building supplies in this accessory building with plans to start construction on their primary dwelling within 18 months of the completion of the accessory building. Nick Thomas addressed the board in his opposition to this application. He voiced his concern about the primary dwelling not being constructed, potential for people to be living in the accessory structure or in a camper on the property as well as the property potentially being an eye sore if not completed. Discussion was had between the board, applicant, and city staff. Questions and concerns were addressed and answered.

Chairperson Janzen closed the hearing for comments from the public: 7:37 PM

Based on the City Staff recommendations, public comments, and discussion by the Planning and Zoning Board, Janzen made a motion to approve, with the understanding that construction on the primary dwelling will begin within 12 months of the beginning of construction on the proposed accessory building, V-2024-01. Motion was seconded by Wilson. The vote was unanimous.

OLD/UNFINISHED BUSINESS: None

NEW BUSINESS: An update presentation was given on the comprehensive development plan by Foster Design Associates. This included the planning process, timelines, population trends and land use.

STAFF REPORTS: B. Clark updated the board with information and start date of the new Community Development Director.

ITEMS BY PLANNING AND ZONING BOARD/BZA MEMBERS:

Gary Janzen - none

Paul Spranger - none

Brian Shelton - absent

Rick Shellenbarger - absent

Scot Phillips - absent

Steve Conway - none

Dalton Wilson - none

ADJOURNMENT OF THE PLANNING AND ZONING BOARD/BOARD OF ZONING APPEALS MEETING: At 9:08 P.M., a motion was made by Chairperson Janzen to adjourn and seconded by Board Member Conway. The vote was unanimous, and the meeting was adjourned.

Respectfully submitted,

/s/ Brent Clark, Interim Secretary

Gary Janzen, Chairperson

CONSENT AGENDA

D. VALLEY CENTER PUBLIC LIBRARY 2ND QUARTER REPORTS:

Valley Center Public Library
Balance Sheet
June 30, 2024

ASSETS

Current Assets		
Petty Cash Account	\$	99.75
Halstead Regular Acct. 111		10,861.12
Halstead Savings / Draw 777		276,187.44
Halstead Capital Imp 400		<u>122,768.64</u>
Total Current Assets		409,916.95
Property and Equipment		
Office Equipment		8,168.31
Library Furnishings		<u>2,646.75</u>
Total Property and Equipment		10,815.06
Other Assets		<u></u>
Total Other Assets		<u>0.00</u>
Total Assets	\$	<u><u>420,732.01</u></u>

LIABILITIES AND CAPITAL

Current Liabilities		
FICA Payable/Federal W/H	\$	4,064.00
State W/H Payable		778.49
State Unemployment		<u>(38.37)</u>
Total Current Liabilities		4,804.12
Long-Term Liabilities		<u></u>
Total Long-Term Liabilities		<u>0.00</u>
Total Liabilities		4,804.12
Capital		
Retained Earnings		172,171.94
Retained Earnings - YTD		64,959.87
Net Income		<u>178,796.08</u>
Total Capital		<u>415,927.89</u>
Total Liabilities & Capital	\$	<u><u>420,732.01</u></u>

Valley Center Public Library
Income Statement
Compared with Budget
For the Six Months Ending June 30, 2024

	Current Month Actual	Current Month Budget	Year to Date Actual	Year to Date Budget	Year to Date Variance
Revenues					
City of Valley Center	\$ 118,065.82	\$ 0.00	\$ 298,446.86	\$ 193,154.95	105,291.91
State Aid	0.00	0.00	2,061.85	2,000.00	61.85
SCKLS Grant	0.00	0.00	9,775.00	10,500.00	(725.00)
Fines	175.05	154.16	747.76	924.96	(177.20)
Copier Fees	54.70	83.33	459.09	499.98	(40.89)
Book Sale Income	0.00	0.00	0.00	0.00	0.00
Other Grants	0.00	0.00	0.00	0.00	0.00
Interest Income	1,409.77	1,000.00	8,356.32	6,000.00	2,356.32
Donations	154.73	0.00	5,154.73	0.00	5,154.73
Miscellaneous Income	34.70	29.16	199.15	174.96	24.19
Summer Reading Grants	0.00	0.00	7,600.00	9,000.00	(1,400.00)
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	119,894.77	1,266.65	332,800.76	222,254.85	110,545.91
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	119,894.77	1,266.65	332,800.76	222,254.85	110,545.91
Expenses					
Wages	16,411.66	18,333.33	98,635.95	110,000.02	(11,364.07)
COVID	0.00	0.00	0.00	0.00	0.00
Payroll Taxes	1,263.77	1,466.66	7,642.07	8,800.04	(1,157.97)
Employee Benefits	0.00	600.00	0.00	3,600.00	(3,600.00)
Mileage	28.60	33.33	91.12	200.02	(108.90)
Books	1,205.66	2,166.66	7,087.84	13,000.04	(5,912.20)
Non-Print Materials	346.41	1,041.66	5,829.27	6,250.04	(420.77)
Movie Licensing	0.00	0.00	0.00	0.00	0.00
Periodicals	80.95	0.00	818.08	0.00	818.08
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	686.35	1,208.33	5,039.68	7,250.02	(2,210.34)
Telephone	0.00	152.08	282.64	912.52	(629.88)
Internet Service	413.20	212.50	1,446.64	1,275.00	171.64
Trash	0.00	0.00	0.00	0.00	0.00
Repairs & Maintenance	0.00	208.33	162.00	1,250.02	(1,088.02)
Storage Rental	57.50	57.50	345.00	345.00	0.00
Janitorial Service	543.39	947.50	5,060.34	5,685.00	(624.66)
Accounting	272.45	43.75	482.45	262.50	219.95
Web page	0.00	0.00	0.00	0.00	0.00

Valley Center Public Library
Income Statement
Compared with Budget
For the Six Months Ending June 30, 2024

	Current Month	Current Month	Year to Date	Year to Date	Year to Date
	Actual	Budget	Actual	Budget	Variance
Covid Expenses	0.00	0.00	0.00	0.00	0.00
Office Supplies	48.90	166.66	678.42	1,000.04	(321.62)
Office Equipment	306.82	125.00	612.88	750.00	(137.12)
Book Supplies	109.66	208.33	747.64	1,250.02	(502.38)
Display Materials	0.00	0.00	0.00	0.00	0.00
Courier Service	0.00	0.00	4,120.00	4,140.00	(20.00)
Computer Software	0.00	1,500.00	14.95	1,500.00	(1,485.05)
Computer Maintenance	100.00	395.83	660.00	2,375.02	(1,715.02)
Butterfly Garden	0.00	0.00	2,867.10	0.00	2,867.10
Postage	11.75	31.25	146.23	187.50	(41.27)
Insurance	0.00	0.00	487.00	400.00	87.00
Seminars	0.00	0.00	0.00	0.00	0.00
Dues	0.00	0.00	105.00	0.00	105.00
Advertising	25.00	166.66	392.50	1,000.04	(607.54)
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	0.00	0.00	0.00	0.00
Summer Reading Programs	184.24	0.00	5,870.62	4,000.00	1,870.62
Teen Programs Supplies	0.00	0.00	0.00	100.00	(100.00)
Misc. Child. Program Supplies	0.00	166.66	722.21	1,000.04	(277.83)
Adult Program Expenses	547.50	208.33	713.00	1,250.02	(537.02)
Supplies for grants received	0.00	0.00	0.00	0.00	0.00
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	30.00	30.00	0.00
Miscellaneous	(10.75)	416.66	26.05	2,500.04	(2,473.99)
Equipment - Technology U.	0.00	0.00	1,388.00	0.00	1,388.00
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	500.02	(500.02)
Capital Improvements	0.00	0.00	0.00	11,250.00	(11,250.00)
Total Expenses	22,643.06	29,940.34	154,004.68	193,562.96	(39,558.28)
Net Income	\$ 97,251.71	(\$ 28,673.69)	\$ 178,796.08	\$ 28,691.89	150,104.19

STAFF REPORTS

A. Parks & Public Buildings Director Owings

B. Public Safety Director Newman

C. Public Works Director Eggleston

D. Community Development Director Fiedler

E. City Engineer- Scheer

F. City Attorney Arbuckle

G. Finance Director Miller

H. City Clerk/HR Director Carrithers

I. City Administrator Clark

GOVERNING BODY REPORTS

A. Mayor Truman

B. Councilmember Colbert

C. Councilmember Wilson

D. Councilmember Bass

E. Councilmember Anderson

F. Councilmember Gregory

G. Councilmember Kerstetter

H. Councilmember Evans

I. Councilmember Stamm

ADJOURN