



## CITY COUNCIL AGENDA

**September 3, 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 – August 20, 2024
- 7. PRESENTATIONS / PROCLAMATIONS p 11**
- 8. PUBLIC FORUM (*Citizen input and requests*) p 11**
- 9. APPOINTMENTS p 11**
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- 10. OLD BUSINESS p 12 -**
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  - B. Ordinance 1410-24; STO p 16
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- 11. NEW BUSINESS p 29**
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  - B. Public Hearing regarding the 2025 Valley Center Budget and adoption of the 2025 Budget p 40
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  - D. Resolution 759-24: Rio Bella Paving Authority p 66
  - E. Resolution 760-24: Amend Res. 757-24, Temp Notes 2024-1 p 73
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- 12. CONSENT AGENDA p 101**
  - A. Appropriation Ordinance – September 3, 2024 p 101
  - B. Economic Development Board Minutes –August 7, 2024 p 110
  - C. Lions Park Special Use Request – Life Point Church-Kids Fest – Sept. 21, 2024. p 113

- D. Valley Center Cemetery Special Use Request -DAR – December 14, 2024 p 117
- E. Delinquent Account Report – June 2024 p 121

- 13. STAFF REPORTS p 127**
- 14. GOVERNING BODY REPORTS p 128**
- 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](mailto:cityclerk@valleycenterks.org) or by phone at (316)755-7310.*

*For additional information on any item on the agenda, please visit [www.valleycenterks.org](http://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 August 20, 2024, regular City Council Meeting as prepared by the City Clerk.

REGULAR COUNCIL MEETING  
August 20, 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  
Rodney Eggleston, Public Works Director  
Kyle Fiedler, Community Development 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**

Wilson made a motion to approve the agenda as presented. Bass seconded the motion. Vote: Aye  
Unanimous Motion carried.

**ADMINISTRATION AGENDA –**

**AUGUST 6, 2024, CITY COUNCIL MINUTES-**

Wilson moved to approve the minutes of the August 6, 2024, City Council meeting as presented, seconded by Bass. Vote Aye: Unanimous Motion Carried.

**PRESENTATIONS/PROCLAMATIONS –**

**PUBLIC FORUM –**

**OLD BUSINESS –**

**A. ORDINANCE 1408-24: RE-ZONE 825 W 77<sup>TH</sup> ST N**

City Administrator Clark presented for 2<sup>nd</sup> reading and final approval Ordinance 1408-24 re-zoning property located at 825 W. 77<sup>th</sup> St. N from A-1 to RR-1. This is property southeast of Ford and Seneca. Kerstetter moved to approve Ordinance 1408-24 re-zoning property located at 825 W. 77<sup>th</sup> St. N from A-1 to RR-1 for 2<sup>nd</sup> reading. Motion seconded by Anderson. Vote Yea: Unanimous. Motion carried.

**NEW BUSINESS-**

**A. VALLEY CENTER CHAMBER REQUEST FOR FALL FEST:**

Allison Clubb, Executive Director of the Valley Center Chamber of Commerce requested City assistance for the 2024 Fall Fest. She requests waiver of permits and/or sign fees to advertise the event. She also requested a sponsorship of Fall Fest of \$4,000.00. Clubb stated that she will request street closures at the

next Council meeting. Gregory inquired how long signs will be up for. There will probably be a two-week window.

Evans moved to approve request for donation in the budget amount of \$4,000.00 to the Valley Center Chamber of Commerce for the 2024 Fall Fest. seconded by Kerstetter. Vote yea: unanimous. Motion carried.

**B. RESOLUTION 757-24; GO TEMP BONDS:**

Clayton Kelley, Piper Sandler, presented Resolution 757-24 authorizing the sale of General Obligation Temporary Notes, Series 2024-1. He explained that the TIF District can be financed up to 4 years. This would include years 3 and 4. While rates are not certain until they go to bid, he anticipates bid rates to come in the 3 ½ and 4% range. Award of Bids will be September 10<sup>th</sup> with Resolution for Sale of Notes on the September 17<sup>th</sup> Council Agenda.

Bass moved to approve Resolution 757-24 authorizing the sale of General Obligation Temporary Notes, Series 2024-1. Motion seconded by Anderson. Vote Aye: unanimous. Motion carried

**C. ORDINANCE 1409-24; UPOC:**

Public Safety Director Newman presented Ordinance 1409-24 for 1<sup>st</sup> reading approval. This is the annual update to the Uniform Public Offense Code. He explained the sections that were amended in the 40<sup>th</sup> edition.

Kerstetter moved to adopt Ordinance 1409-24, amending Chapter 9.01 of the Valley Center Municipal Code and amendments thereto, for 1st reading. Motion seconded by Anderson. Vote Yea: unanimous. Motion carried.

**D. ORDINANCE 1410-24; STO:**

Public Safety Director Newman presented Ordinance 1410-24 for 1<sup>st</sup> reading approval. This is the annual update to the Standard Traffic Ordinance. Newman explained the modifications in the 51<sup>st</sup> edition.

Evans moved to adopt Ordinance 1410-24, amending Chapter 10.04, section 10 of the Valley Center Municipal Code and amendments thereto related to the Regulation of Traffic within the corporate limits of the City of Valley Center, Kansas, for 1st reading Seconded by Wilson. Vote Yea: unanimous. Motion carried.

**E. ORDINANCE 1411-24; UTILITY AND GOLF CARTS**

Public Safety Director Newman presented Ordinance 1411-24 to repeal and replace Ordinance 1245-12 and Ordinance 1302-17 regarding the use of Utility Vehicles and Golf Carts in the City of Valley Center. Newman explained the proposed fees and the use of sidewalks especially those 10' in width.

Lou Cicirello, 1041 N. Old Trail Circle, spoke against the proposed Ordinance. He expressed concerns regarding golf carts allowed on city streets will create traffic backups, especially following football games. He also felt that this Ordinance conflicts with State of Kansas statutes. Bass reminded the governing body that most golf carts can get a tag from the State tag office, he knows there is a large public support as a petition last year shown. Chief Newman reported that the department has not seen a problem with golf carts. Wilson requested that language be added regarding the occupancy of people on a cart. Stamm requested a \$500.00 fine and if the cart could lose permit for infractions.

Kerstetter moved to approve for 1st reading Ordinance 1411-24 which would repeal and replace Ordinance 1245-12 and Ordinance 1302-17 regarding the use of Utility Vehicles and Golf Carts in the City of Valley Center. Motion seconded by Colbert. Vote Yea: unanimous. Motion carried.

**F. AGREEMENT WITH PEC FOR WATER TREATMENT PLANT**

City Engineer Scheer presented contract with PEC for representation of City of Valley Center's interest during the design and construction of the Water Treatment Plant by Burns and McDonnell. The fees for the contract are the standard hourly basis, not to exceed \$277,500.00. Kerstetter verified that PEC would be the city advocate for the project.

Bass moved to approve the representation contract with PEC for the water treatment plant in an amount not to exceed \$277,500.00 and authorize Mayor or City Administrator to sign. Motion seconded by Evans. Vote Yea: unanimous. Motion carried.

**G. REMOVE INTERIM COMMUNITY DEVELOPMENT DIRECTOR STATUS**

Kyle Fiedler began on August 5, 2024, as the Community Development Director. He now has the authority to fulfill all duties of the position. Council can now remove the interim status from City Administrator Clark.

Anderson moved to remove City Administrator as interim Community Development Director, seconded by Wilson. Vote Yea: unanimous. Motion carried.

**H. EXECUTIVE SESSION; CONSULTATION PRIVILEGED IN ATTORNEY-CLIENT RELATIONSHIP**

Evans moved, seconded by Anderson to recess into executive session for ten minutes to consult with City Attorney, K.S.A. 75-4319(b)(1). The open meeting will resume in the City Council chamber at 8:16 pm. Included in executive session in addition to City Council are City Administrator Clark, City Attorney Arbuckle and Mayor. Vote Yea: Unanimous. Motion carried.

Session started at 8:06pm

Mayor Truman called meeting back to order at 8:16 pm.

Bass stated no official action was taken by Council while in executive session.

**CONSENT AGENDA**

- A. APPROPRIATION ORDINANCE – AUGUST 20, 2024
- B. TREASURER’S REPORT – JULY 2024
- C. CHECK RECONCILIATION – JULY 2024
- D. REVENUE AND EXPENSE REPORT – JULY 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**

**PUBLIC WORKS DIRECTOR EGGLESTON**

The ribbon cutting for North Meridian was last Friday. There is some finish work not completed. He stated that the flag poles had issues once they were unboxed. The intersection at Ford and Meridian is closed. Bass stated that he has received good comments regarding the project, but he has noticed parked cars blocking the sidewalk in driveways. Clark stated that many of the homes had gravel driveways prior to the project and were offered the option to extend the pavement. Public Safety Director Newman stated they will work to educate residents not to block sidewalks before citations are issued.

**CITY ADMINISTRATOR CLARK**

Announced that a Blood Drive Challenge between Park City and Valley Center has been scheduled for September 30<sup>th</sup>. He urged everyone to schedule a time to give blood and win the challenge.

**GOVERNING BODY REPORTS-**

**MAYOR TRUMAN**

Attended the north Meridian Ave. ribbon cutting, stated it went very well. The trees will be replanted this fall to allow for watering.

**COUNCILMEMBER WILSON**

Inquired whether any reports have been compiled regarding water usage following the implementation of water restrictions. None are available currently.

**COUNCILMEMBER GREGORY**

Reported she attended a local emergency planning committee meeting at the Red Cross Center. She was very impressed with the facility.

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

**ADJOURN -**

**The meeting adjourned at 8:38 PM.**

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**Kristi Carrithers, City Clerk/HR Director**

**ADMINISTRATION AGENDA**  
**RECOMMENDED ACTION**

**A. MINUTES:**

**RECOMMENDED ACTION:**

Staff recommends motion to approve the minutes of the August 20, 2024, Regular Council Meeting as presented/ amended.

**PRESENTATIONS / PROCLAMATIONS**

**PUBLIC FORUM**

**APPOINTMENTS**

Valley Center Public Library -Marco Benitez through April 2025

(appointment to fill unexpired term vacated by Morgan Wiebe)

**OLD BUSINESS**

**A. ORDINANCE 1409-24; UPOC:**

Public Safety Director Newman will present Ordinance 1409-24 for 2nd reading. This adopts the 2024 Uniform Public Offense Code, 40<sup>th</sup> Edition.

- Ordinance 1409-24

## ORDINANCE NO. 1409-24

### AN ORDINANCE RELATED TO THE REGULATION OF PUBLIC OFFENSES WITHIN THE CORPORATE LIMITS OF THE CITY OF VALLEY CENTER, KANSAS, INCORPORATING BY REFERENCE THE "2024 UNIFORM PUBLIC OFFENSE CODE," 40th EDITION, AMENDING CHAPTER 9.01 OF THE VALLEY CENTER MUNICIPAL CODE AND AMENDMENTS THERETO; AMENDING THE PROVISIONS THEREOF THAT REGULATE.

**BE IT ORDAINED**, by the Governing Body of Valley Center, Kansas:

**Section 1.** The Valley Center Municipal Code, Title 9, "Public Peace, Safety and Morals," Chapter 9.01, "Uniform Public Offense Code," Section 10, "Adopted by Reference," is hereby amended to read as follows:

#### **9.01.010 Incorporating Uniform Public Offense Code**

There is hereby incorporated by reference for the purpose of regulating public offenses within the corporate limits of the City of Valley Center, Kansas, that certain code known as the 2024 "Uniform Public Offense Code for Kansas Cities," 40th Edition, prepared and published in book form by the League of Kansas Municipalities, Topeka, Kansas, with certain additions as are provided in Section 2 of this Ordinance. At least one copy of said Uniform Public Offense Code shall be marked or stamped "Official Copy as Adopted by Ordinance No. 1409-24," and to which shall be attached a copy of this Ordinance, and filed with the City Clerk, to be open for inspection and available to the public at all reasonable hours. The police department, municipal judge and all administrative departments of the City charged with the enforcement of this ordinance shall be supplied, at the cost of the City, such number of official copies of the ordinance similarly marked, as may be deemed expedient.

**Section 2. Severability.** Those sections, paragraphs, and provisions of Title 9 of the City of Valley Center Municipal Code which are not expressly amended or repealed by this Ordinance are hereby reenacted, and it is expressly declared to be the intention of this Ordinance not to repeal or amend any portions of the City of Valley Center Municipal Code other than those expressly amended or repealed in Sections 1 and 2 of this Ordinance.

If any section, subsection, sentence, clause, phrase or word of this ordinance is for any reason held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The council hereby declares that it would have passed this ordinance and each section subsection, sentence, clause, phrase, and words thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases or words have been declared invalid or unconstitutional, and if for any reason this ordinance should be declared invalid or unconstitutional, then the remaining ordinance provisions will be in full force and effect.

**Section 3. Savings Clause.** Neither the adoption of the Ordinance, nor the future repeal or amendment of any section or part or portion thereof, shall in any manner affect the

prosecution for violation of this Ordinance or future amendments thereto, nor be construed as a waiver of any license, fee or penalty at said effective date and unpaid under either this Ordinance or future amendments thereto, nor be construed as affecting any of the provisions of this Ordinance relating to the collection of any such license, fee or penalty, or the penal provisions applicable to any violation thereof, nor to affect the validity of any bond or cash deposit in lieu thereof required to be posted, filed or deposited pursuant to any ordinance, all rights and obligations thereunder shall continue in full force and effect.

**Section 4. Applicability and Effective Date** All portions of former ordinances in conflict herewith are hereby repealed or superseded. This ordinance shall be in full force and effect from and after its passage and after publication according to law.

**PASSED AND APPROVED by the Governing Body of the City of Valley Center, Kansas, this 2<sup>nd</sup> day of September 2024.**

First Reading: August 20, 2024

Second Reading: September 3, 2024

{SEAL}

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James E. Truman, Mayor

ATTEST:

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Kristi Carrithers, City Clerk

**OLD BUSINESS**

**RECOMMENDED ACTION**

**A. ORDINANCE 1409-24; UPOC:**

Should Council choose to proceed,

**RECOMMENDED ACTION:**

Staff recommends motion to adopt Ordinance 1409-24, amending Chapter 9.01 of the Valley Center Municipal Code and amendments thereto, for 2<sup>nd</sup> reading.

**OLD BUSINESS**

**B. ORDINANCE 1410-24; STANDARD TRAFFIC ORDINANCE:**

Public Safety Director Newman will present for 2<sup>nd</sup> reading, Ordinance 1410-24 to adopt the 2024 Standard Traffic Ordinance.

- Ordinance 1410-24

**ORDINANCE NO. 1410-24****AN ORDINANCE RELATED TO THE REGULATION OF TRAFFIC  
WITHIN THE CORPORATE LIMITS OF THE CITY OF VALLEY  
CENTER, KANSAS, INCORPORATING BY REFERENCE THE 2024  
"STANDARD TRAFFIC ORDINANCE FOR KANSAS CITIES," 51<sup>st</sup>  
EDITION, AMENDING CHAPTER 10.04 OF THE VALLEY CENTER  
MUNICIPAL CODE AND AMENDMENTS THERETO.**

**BE IT ORDAINED**, by the Governing Body of Valley Center, Kansas:

**Section 1.** The Valley Center Municipal Code, Title 10, "Vehicles and Traffic," Chapter 10.04, "Standard Traffic Ordinance," Section 10, "Incorporating Standard Traffic Ordinance," is hereby amended to read as follows:

**10.04.010. Incorporating Standard Traffic Ordinance**

There is hereby incorporated by reference for the purpose of regulating traffic within the corporate limits of the City of Valley Center, Kansas, the 2024 "Standard Traffic Ordinance for Kansas Cities, 51<sup>st</sup> Edition", prepared and published in book form by the League of Kansas Municipalities, Topeka, Kansas, save and except such articles, sections, parts or portions as are omitted, deleted, modified or changed by Chapter 10 of the Valley Center Municipal Code, and amendments thereto. At least one copy of the Standard Traffic Ordinance shall be marked or stamped "Official Copy as Adopted by Ordinance No. 1410-24," with all sections or portions thereof intended to be omitted or changed clearly marked to show any such omission or change, and to which shall be attached a copy of the incorporating ordinance, and filed with the City Clerk to be open to inspection and available to the public at all reasonable hours. The police department, municipal judge and all administrative departments of the City charged with enforcement of the chapter shall be supplied, at the cost of the City, such number of official copies of such Standard Traffic Ordinance similarly marked, as may be deemed expedient.

**Section 2.** Amendment to Sec. 29 of the 2024 Standard Traffic Ordinance for Kansas Cities, 51<sup>st</sup> Edition, Section 29 of the 2024 Standard Traffic Ordinance for Kansas Cities is hereby amended to provide for and describe the offense of careless driving by addition to this Standard Traffic Ordinance for Kansas Cities as Section "29.1" which will provide as follows:

**Section 29.1. Careless Driving; Penalties**

Any person who upon a public street or highway drives a vehicle in a manner as to indicate a careless or heedless disregard for the safety of persons or property is guilty of careless driving. A careless driving conviction is to be punished by a fine of not to exceed \$500.

**Section 3.** Amendment to Section 93b of the 2024 Standard Traffic Ordinance for Kansas Cities, 51<sup>st</sup> Edition, Section 93b of the 2024 Standard Traffic Ordinance for Kansas Cities is amended to provide for and describe the offense of overtime parking by the addition to Section 93b of the 51<sup>st</sup> Edition of the 2024 Standard Traffic Ordinance for Kansas Cities shall state as follows:

(b) A person shall not use the public highway to abandon vehicles or use the highway to leave vehicles unattended in such a manner as to interfere with public highway operations. When a person leave a motor vehicle on a public highway or other property open to use by the public, the city having jurisdiction of such highway or other property open to use by the public, after 72 hours or when the motor vehicle interferes with public highway operations, may remove and impound the motor vehicle. (K.S.A. 8-1102).

**Section 4. Severability.** Those sections, paragraphs, and provisions of Title 10 of the City of Valley Center Municipal Code which are not expressly amended or repealed by this Ordinance are hereby reenacted, and it is expressly declared to be the intention of this Ordinance not to repeal or amend any portions of the City of Valley Center Municipal Code other than those expressly amended or repealed in Section 1 of this Ordinance.

If any section, subsection, sentence, clause, phrase or word of this ordinance is for any reason held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The council hereby declares that it would have passed this ordinance and each section, subsection, sentence, clause, phrase, and words thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases or words have been declared invalid or unconstitutional, and if for any reason this ordinance should be declared invalid or unconstitutional, then the remaining ordinance provisions will be in full force and effect.

**Section 5. Savings Clause.** Neither the adoption of the Ordinance, nor the future repeal or amendment of any section or part or portion thereof, shall in any manner affect the prosecution for violation of this Ordinance or future amendments thereto, nor be construed as a waiver of any license, fee or penalty at said effective date and unpaid under either this Ordinance or future amendments thereto, nor be construed as affecting any of the provisions of this Ordinance relating to the collection of any such license, fee or penalty, or the penal provisions applicable to any violation thereof, nor to affect the validity of any bond or cash deposit in lieu thereof required to be posted, filed or deposited pursuant to any ordinance, all rights and obligations thereunder shall continue in full force and effect.

**Section 6. Applicability and Effective Date.** All portions of former ordinances in conflict herewith are hereby repealed or superseded. This Ordinance shall be in full force and effect from and after its passage and after publication according to law.

First Reading:	August 20, 2024
Second Reading:	September 3, 2024

[SEAL]

ATTEST:

James E. Truman, Mayor

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Kristi Carrithers, City Clerk

**OLD BUSINESS**

**RECOMMENDED ACTION**

**B. ORDINANCE 1410-24; STANDARD TRAFFIC ORDINANCE:**

Should Council choose to proceed,

**RECOMMENDED ACTION:**

Staff recommends motion to adopt Ordinance 1410-24, amending Chapter 10.04, section 10 of the Valley Center Municipal Code and amendments thereto related to the Regulation of Traffic within the corporate limits of the City of Valley Center, Kansas, for 2<sup>nd</sup> reading

**OLD BUSINESS**

**C. ORDINANCE 1411-24; UTILITY VEHICLE AND GOLF CARTS:**

Public Safety Director Newman will present Ordinance 1411-24 to repeal and replace Ordinance 1245-12 and Ordinance 1302-17 regarding the use of Utility Vehicles and Golf Carts in the City of Valley Center. He will explain the changes made to the Ordinance following Council discussion at the August 20, 2024, Council Meeting.

- Ordinance 1411-24

**ORDINANCE NO. 1411-24**

**AN ORDINANCE OF THE CITY OF VALLEY CENTER KANSAS AUTHORIZING THE OPERATION OF WORK-SITE UTILITY VEHICLES, MICRO UTILITY TRUCKS, AND GOLF CARTS ON THE STREETS AND PUBLIC WAYS WITHIN THE CORPORATE LIMITS OF THE CITY OF VALLEY CENTER; PROVIDING FOR RELATED MATTERS, INCLUDING PENALTIES FOR VIOLATION THEREOF; AND, PROVIDING FOR THE REPEAL OF ORDINANCE NO. 1245-12 AND ORDINANCE 1302-17 AND CERTAIN SECTIONS OF THE S.T.O. OF THE CITY OF VALLEY CENTER AS ADOPTED BY ORDINANCE NO. 1411-24.**

**Be it Ordained by the Governing Body of the City of Valley Center, Kansas**

**Section 1. OPERATION OF WORK-SITE UTILITY VEHICLES.**

(a) Work-site utility vehicles may be operated upon the public highways, streets, roads and alleys within the corporate limits of the city.

(b) No work-site utility vehicle shall be operated on any public highway, street, road or alley between sunset and sunrise unless such vehicle is equipped with lights as required by law for motorcycles. No work-site utility vehicle shall be operated on any interstate highway, federal highway or state highway; however, the provisions of this subsection shall not prohibit a utility vehicle from crossing a federal or state highway.

(c) Every person operating a work-site utility vehicle on the public highways, streets, roads and alleys of the city shall be subject to all of the duties applicable to a driver of a vehicle imposed by law.

**Section 2. VALID DRIVER'S LICENSE REQUIRED; PENALTY.** No person shall operate a work-site utility vehicle on any public highway, street, road or alley within the corporate limits of the city unless such person has a valid driver's license. Violation of this section is punishable by a fine of not more than \$1,000 or by imprisonment for not more than six months or by both such fine and imprisonment.

**Section 3. DEFINITION.** "Work-site utility vehicle" means any motor vehicle which is not less than 48 inches in width, has an unladen weight, including fuel and fluids, of more than 800 pounds and is equipped with four or more nonhighway tires, a steering wheel and bench or bucket-type seating allowing at least two people to sit side-by-side, and may be equipped with a bed or cargo box for hauling materials. Work-site utility vehicle does not include a micro utility truck.

**Section 4. PENALTY.** Unless specifically provided for herein, a violation of this section shall be deemed an ordinance traffic infraction. Upon an entry of a plea of guilty or no contest or upon being convicted of such violation, the penalty imposed shall be in accordance with Section 201 of the current Standard Traffic Ordinance, and amendments thereto, or such other similar provision as the city may then have in effect.

**Section 5. DISPLAY OF SLOW-MOVING VEHICLE EMBLEM.**

(b) For the purpose of this section, "slow-moving vehicle emblem" has the same meaning as contained in K.S.A. 8-1717, and amendments thereto.

(c) the slow-moving vehicle emblem shall be mounted and displayed in compliance with

K.S.A. 8-1717, and amendments thereto

**Section 6. INSURANCE REQUIRED; PENALTY.**

(a) When operated upon the public highways, streets, roads and alleys within the corporate limits of the city every owner of a work-site utility vehicle shall provide liability coverage in accordance with Section 200 of the current Standard Traffic Ordinance, and amendments thereto, and the Kansas Automobile Injury Reparations Act, K.S.A. 40-3101, *et seq.*, and amendments thereto.

(b) All provisions of the current Standard Traffic Ordinance, and amendments thereto, including penalty provisions, shall be applicable to all owners and operators of work-site utility vehicles.

**Section 7. REGISTRATION AND LICENSE; FEE; APPLICATION; INSPECTION; PENALTY.**

(a) Before operating any work-site utility vehicle on any public highway, street, road or alley within the corporate limits of the city and each calendar year thereafter, the vehicle shall be registered with the city and a license shall be obtained and placed on the work-site utility vehicle. The license fee shall be \$20 per calendar year. The full amount of the license fee shall be required regardless of the time of year that the application is made.

(b) Application for registration of a work-site utility vehicle shall be made by the owner, or owner's agent, in the office of the city clerk. The application shall be made upon forms provided by the city and each application shall contain the name of the owner, the owner's residence address, or bona fide place of business, a brief description of the vehicle to be registered (including make, model and serial number, if applicable). Proof of insurance, as required in Section 6, shall be furnished at the time of application for registration.

(c) Prior to the issuance of the registration and license, each applicant for a work-site utility vehicle license shall first present such vehicle for an official inspection. If, upon inspection and completion of the registration application, such vehicle is found to be in safe mechanical condition, and upon establishing proof of insurance and payment of the fees herein provided, a license shall be issued to the owner who shall attach it to the vehicle. The license shall be displayed in such a manner as to be clearly visible from the rear of the vehicle. The license number on the application will be recorded and then filed in the police department.

(d) It is unlawful for any person to willfully or maliciously remove, destroy, mutilate or alter such license during the time in which the same is operative.

(e) The license issued hereunder is not transferrable. In the event of sale or other transfer of ownership of any vehicle license under the provisions of this section, the existing license and the right to use the numbered license shall expire, and the license shall be removed by the owner. It is unlawful for any person other than the person to whom the license was originally issued to have the same in his possession.

(f) In the event a license is lost or destroyed, the city clerk, upon proper showing by the licensee and the payment of a fee of \$20, shall issue a new license in accordance with the provisions of this section.

(g) It shall be unlawful for any person to:

- 1) Operate, or for the owner thereof knowingly to permit the operation, upon a public street, road, highway, or alley within the corporate limits of the city any work-site utility vehicle, as defined herein, which is not registered, and which does not have attached thereto and displayed thereon the license assigned thereto by the city for the current registration year.
- 2) Display, cause or permit to be displayed, or to have in possession, any registration receipt, registration license or registration decal knowing the same to be fictitious or to have been canceled, revoked, suspended or altered. A violation of this subsection (2) shall constitute an unclassified misdemeanor punishable by a fine of not less than \$100 and forfeiture of the item. A mandatory court appearance shall be required of any

- person violating this subsection.
- 3) Lend to or knowingly permit the use by one not entitled thereto any registration receipt, registration license plate or registration decal issued to the person so lending or permitting the use thereof.
  - 4) Remove, conceal, alter, mark or deface the license number plate, plates or decals, or any other mark of identification upon any work-site utility vehicle. Licenses shall be kept clean and placed as required by law so as to be plainly visible and legible.
  - 5) Carry or display a registered number plate or plates or registration decal upon any work-site utility vehicle not lawfully issued for such vehicle.
  - 6) Any person convicted of a violation of any of the provisions of this subsection, shall for the first conviction thereof be punished by a fine of not more than \$100; for a second such conviction within one year thereafter, such person shall be punished by a fine of not more than \$250; upon a third or subsequent conviction within one year after the first conviction, such person shall be punished by a fine of not more than \$500.

**Section 8. OPERATION OF MICRO UTILITY TRUCKS.**

(a) Micro utility trucks may be operated upon the public highways, streets, roads and alleys and public ways within the corporate limits of the city.

(b) No micro utility truck shall be operated on any public highway, street, road or alley, unless such truck complies with the equipment requirements under Article 17 of chapter 8 of the Kansas Statutes Annotated, and amendments thereto. No micro utility truck shall be operated on any interstate highway, federal highway or state highway; provided, however, that the provisions of this subsection shall not prohibit a micro utility truck from crossing a federal or state highway.

(c) Every person operating a micro utility truck on the public highways, streets, roads and alleys of the city shall be subject to all the duties applicable to a driver of a motor vehicle imposed by law.

**Section 9. VALID DRIVER'S LICENSE REQUIRED; PENALTY.** No person shall operate a micro utility truck on any public highway, street, road or alley within the corporate limits of the city unless such person has a valid driver's license. Violation of this section is punishable by a fine of not more than \$1,000 or by imprisonment for not more than six months or by both such fine and imprisonment.

**Section 10. DEFINITION.** "Micro utility truck" means any motor vehicle which is not less than 48 inches in width, has an overall length, including the bumper, of not more than 160 inches, has an unladen weight, including fuel and fluids, of more than 1,500 pounds, can exceed 40 miles per hour as originally manufactured and is manufactured with a metal cab. "Micro utility truck" does not include a work-site utility vehicle.

**Section 11. PENALTY.** Unless specifically provided for herein, a violation of this section shall be deemed an ordinance traffic infraction. Upon an entry of a plea of guilty or no contest or upon being convicted of such violation, the penalty imposed shall be in accordance with current Standard Traffic Ordinance, and amendments thereto, or such other similar provision as the city may then have in effect.

**Section 12. INSURANCE REQUIRED; PENALTY.**

(a) When operated upon the public highways, streets, roads and alleys within the corporate limits of the city every owner of a micro utility truck shall provide liability coverage in accordance with current Standard Traffic Ordinance, and amendments thereto, and the Kansas Automobile Injury Reparations Act, K.S.A. 40-3101, *et seq.*, and amendments thereto.

(b) All provisions of current Standard Traffic Ordinance, and amendments thereto, including penalty provisions, shall be applicable to all owners and operators of micro utility trucks.

**Section 13. REGISTRATION AND LICENSE; FEE; APPLICATION; INSPECTION; PENALTY.**

(a) Before operating any micro utility truck on any public highway, street, road or alley within the corporate limits of the city and each calendar year thereafter, the vehicle shall be registered with the city and a license shall be obtained and placed on the micro utility truck. The license fee shall be \$20 per calendar year. The full amount of the license fee shall be required regardless of the time of year that the application is made.

(b) Application for registration of a micro utility truck shall be made by the owner, or owner's agent, in the office of the city clerk. The application shall be made upon forms provided by the city and each application shall contain the name of the owner, the owner's residence address, or bona fide place of business, a brief description of the vehicle to be registered (including make, model and serial number, if applicable). Proof of insurance, as required in Section 12 of this ordinance shall be furnished at the time of application for registration.

(c) Prior to the issuance of the registration and license, each applicant for a micro utility truck license shall first present such vehicle for an official inspection. If, upon inspection and completion of the registration application, such vehicle is found to be in safe mechanical condition, and upon establishing proof of insurance and payment of the fees herein provided, a license shall be issued to the owner who shall attach it to the vehicle. The license shall be displayed in such a manner as to be clearly visible from the rear of the vehicle. The license number on the application will be recorded and then filed in the police department.

(d) It is unlawful for any person to willfully or maliciously remove, destroy, mutilate or alter such license during the time in which the same is operative.

(e) The license issued hereunder is not transferrable. In the event of sale or other transfer of ownership of any vehicle license under the provisions of this section, the existing license and the right to use the numbered license shall expire, and the license shall be removed by the owner. It is unlawful for any person other than the person to whom the license was originally issued to have the same in his possession.

(f) In the event a license is lost or destroyed, the city clerk, upon proper showing by the licensee and the payment of a fee of \$20, shall issue a new license in accordance with the provisions of this section.

(g) It shall be unlawful for any person to:

- 1) Operate, or for the owner thereof knowingly to permit the operation, upon a public street, road, highway, or alley or public way within the corporate limits of the city any micro utility truck, as defined herein, which is not registered, and which does not have attached thereto and displayed thereon the license assigned thereto by the city the current registration year.
- 2) Display, cause or permit to be displayed, or to have in possession, any registration receipt, registration license or registration decal knowing the same to be fictitious or to have been canceled, revoked, suspended or altered. A violation of this subsection (2) shall constitute an unclassified misdemeanor punishable by a fine of not less than \$100 and the forfeiture of the improper receipt, license or decal. A mandatory court appearance shall be required of any person violating this subsection.
- 3) Lend to or knowingly permit the use by one not entitled thereto any registration receipt, registration license plate or registration decal issued to the person so lending or permitting the use thereof.
- 4) Remove, conceal, alter, mark or deface the license number plate, plates or decals, or any other mark of identification upon any micro utility truck. Licenses shall be kept clean and placed as required by law so as to be plainly visible and legible.
- 5) Carry or display a registered number plate or plates or registration decal upon any micro utility truck not lawfully issued for such vehicle.
- 6) Any person convicted of a violation of any of the provisions of this section, shall for the

first conviction thereof be punished by a fine of not more than \$100; for a second such conviction within one year thereafter, such person shall be punished by a fine of not more than \$250; upon a third or subsequent conviction within one year after the first conviction, such person shall be punished by a fine of not more than \$500.

#### **Section 14. OPERATION OF GOLF CARTS.**

(a) Golf carts may be operated upon the public highways, streets, roads and alleys within the corporate limits of the city; provided, however, that no golf cart may be operated upon any public highway, street, road and alley with a posted speed limit in excess of 30 miles per hour. No golf cart shall be operated on any interstate highway, federal highway or state highway; provided, however, that the provisions of this subsection shall not prohibit a golf cart from crossing a federal or state highway or a street or highway with a posted speed limit greater than 30 miles per hour.

(b) No golf cart shall be operated on any public highway, street, road or alley or public way between sunset and sunrise, unless equipped with:

- 1) Lights as required for motorcycles by current Standard Traffic Ordinance, and amendments thereto; and
- 2) A properly mounted slow-moving vehicle emblem as required by K.S.A. 8- 1717, and amendments thereto.

(c) Every person operating a golf cart on the public highways, streets, roads and alleys of the city shall be subject to all of the duties applicable to a driver of a motor vehicle imposed by law.

(d) The maximum number of occupants in a Golf Cart shall be limited to the number of persons for whom individual seating is installed or provided by the manufacturer.

**Section 15. VALID DRIVER'S LICENSE REQUIRED; PENALTY.** No person shall operate a golf cart on any public highway, street, road or alley within the corporate limits of the city unless such person has a valid driver's license. Violation of this section is punishable by a fine of not more than \$1,000 or by imprisonment for not more than six months or by both such fine and imprisonment.

**Section 16. DEFINITION.** "Golf cart" means a motor vehicle that has not less than three wheels in contact with the ground, an unladen weight of not more than 1,800 pounds, is designed to be operated at not more than 25 miles per hour.

**Section 17. PENALTY.** Unless specifically provided herein, a violation of this section shall be deemed an ordinance traffic infraction. Upon an entry of a plea of guilty or no contest or upon being convicted of such violation, the penalty imposed shall be in accordance with current Standard Traffic Ordinance, and amendments thereto, or such other similar provision as the city may then have in effect.

#### **Section 18. DISPLAY OF SLOW-MOVING VEHICLE EMBLEM.**

(a) It shall be illegal to operate a golf cart on any public highway, street, road or alley within the corporate limits of the city unless such vehicle displays a slow-moving vehicle emblem on the rear of the vehicle.

(b) For the purpose of this section, "slow-moving vehicle emblem" has the same meaning as contained in K.S.A. 8-1717, and amendments thereto.

(c) the slow-moving vehicle emblem shall be mounted and displayed in compliance with K.S.A. 8-1717, and amendments thereto.

#### **Section 19. INSURANCE REQUIRED; PENALTY.**

(a) Every owner of a golf cart shall provide liability coverage in accordance with current Standard Traffic Ordinance, and amendments thereto, and the Kansas Automobile Injury Reparations Act, K.S.A. 40-3101, *et seq.*, and amendments thereto.

**Section 20. REGISTRATION AND LICENSE; FEE; APPLICATION; INSPECTION; PENALTY.**

(a) Before operating any golf cart any public highway, street, road or alley within the corporate limits of the city and each calendar year thereafter, the vehicle shall be registered with the city and a license shall be obtained and placed on the golf cart. The license fee shall be \$20 per calendar year. The full amount of the license fee shall be required regardless of the time of year that the application is made.

(b) Application for registration of a golf cart shall be made by the owner, or owner's agent, in the office of the city clerk. The application shall be made upon forms provided by the city and each application shall contain the name of the owner, the owner's residence address, or bona fide place of business, a brief description of the vehicle to be registered (including make, model and serial number, if applicable). Proof of insurance, as required in Section 28 shall be furnished at the time of application for registration.

(c) Prior to the issuance of the registration and license, each applicant for a golf cart license shall first present such vehicle for an official inspection. If, upon inspection and completion of the registration application, such vehicle is found to be in safe mechanical condition, and upon establishing proof of insurance and payment of the fees herein provided, a license shall be issued to the owner who shall attach it to the vehicle. The license shall be displayed in such a manner as to be clearly visible from the rear of the vehicle. The license number on the application will be accounted for and then filed in the police department.

(d) It is unlawful for any person to willfully or maliciously remove, destroy, mutilate or alter such licenses during the time in which the same is operative.

(e) The license issued hereunder is not transferrable. In the event of sale or other transfer of ownership of any vehicle license under the provisions of this section, the existing license and the right to use the numbered license shall expire, and the license shall be removed by the owner. It is unlawful for any person other than the person to whom the license was originally issued to have the same in his possession.

(f) In the event a license is lost or destroyed, the city clerk upon proper showing by the licensee and the payment of a fee of \$20, shall issue a new license in accordance with the provisions of this section.

(g) It shall be unlawful for any person to:

- 1) Operate, or for the owner thereof knowingly to permit the operation, upon a public street, road, highway, or alley within the corporate limits of the city any golf cart, as defined herein, which is not registered, and which does not have attached thereto and displayed thereon the license assigned thereto by the city for the current registration year.
- 2) Display, cause or permit to be displayed, or to have in possession, any registration receipt, registration license or registration decal knowing the same to be fictitious or to have been canceled, revoked, suspended or altered. A violation of this subsection (2) shall constitute an unclassified misdemeanor punishable by a fine of not less than \$100 and forfeiture of the improper receipt, license or registration. A mandatory court appearance shall be required of any person violating this subsection.
- 3) Lend to or knowingly permit the use by one not entitled thereto any registration receipt, registration license plate or registration decal issued to the person so lending or

permitting the use thereof.

- 5) Carry or display a registered number plate or plates or registration decal upon any golf cart not lawfully issued for such vehicle.
- 6) Any person convicted of a violation of any of the provisions of this section, shall for the first conviction thereof be punished by a fine of not more than \$100; for a second such conviction within one year thereafter, such person shall be punished by a fine of not more than \$250 upon a third or subsequent conviction within one year after the first conviction, such person shall be punished by a fine of not more than \$500.

**Section 21.** REPEALER. Ordinance No. 1245-12, Ordinance No. 1302-17 and Sections 114.2, 114.4 and 114.5 of the Standard Traffic Ordinance are hereby repealed.

**Section 22.** PUBLICATION; EFFECTIVE DATE. This ordinance shall be published one time in the official city newspaper and shall take effect and be in force from and after said publication.

Passed by the city council on this 3<sup>rd</sup> day of September 2024 and signed by the mayor on the 3<sup>rd</sup> day of September 2024.

August 20, 2024, 1<sup>st</sup> Reading  
September 3, 2024, 2<sup>nd</sup> Reading

[SEAL]

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James E. Truman, Mayor

ATTEST:

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Kristi Carrithers, City Clerk

**OLD BUSINESS**

**RECOMMENDED ACTION**

**C. ORDINANCE 1411-24; UTILITY VEHICLE AND GOLF CARTS:**

Should Council choose to proceed,

**RECOMMENDED ACTION:**

Staff recommends motion to approve for 2<sup>nd</sup> reading Ordinance 1411-24 which would repeal and replace Ordinance 1245-12 and Ordinance 1302-17 regarding the use of Utility Vehicles and Golf Carts in the City of Valley Center.

## **NEW BUSINESS**

### **A. PUBLIC HEARING REGARDING THE 2025 VALLEY CENTER PROPOSED PROPERTY TAX LEVY IN EXCESS OF THE REVENUE NEUTRAL RATE AND ADOPTION OF RESOLUTION 758-24:**

Finance Director Miller and City Treasurer Womack will give a brief presentation on the Revenue Neutral Rate and the next steps in the budget process.

Notice of the intent to exceed the revenue neutral rate was published in the August 22, 2024, edition of the Ark Valley News and to the City of Valley Center website on August 20, 2024.

- Revenue Neutral Rate Hearing Notice
- Revenue Neutral Rate Hearing Presentation
- Resolution 758-24

**NOTICE OF HEARING TO EXCEED REVENUE NEUTRAL RATE AND BUDGET HEARING**

2025

The governing body of  
**City of Valley Center**

Detailed budget information is available at City Hall and will be available at this hearing.

**BUDGET SUMMARY**

Proposed Budget 2025 Expenditures and Amount of 2024 Ad Valorem Tax establish the maximum limits of the 2025 budget.  
 Estimated Tax Rate is subject to change depending on the final assessed valuation.

FUND	Prior Year Actual for 2023		Current Year Estimate for 2024		Proposed Budget for 2025		
	Expenditures	Actual	Expenditures	Actual	Budget Authority for Expenditures	Amount of 2024 Ad Valorem Tax	Proposed Estimated Tax Rate*
General	3,774,333	22.413	4,006,434	22.478	5,516,349	1,751,659	23.006
Debt Service	2,049,449	14.131	2,287,000	14.115	3,603,056	1,035,569	13.601
Library	310,262	4.382	345,000	4.331	365,000	329,758	4.331
Employee Benefit	1,061,858	12.956	1,354,650	12.957	1,439,211	986,460	12.956
Emergency Equipment	92,356	0.974	71,896	0.963	193,152	73,246	0.962
Special Highway	1,097,316		1,278,920		1,315,477		
TIF	340,505		2,659,310		1,698,994		
Special Alcohol	310		1,000		1,000		
Special Parks and Rec			16,459		15,000		
Pool/Rec Sales Tax	5,586,276		16,958,853		19,176,281		
Water Utility	2,058,914		2,303,071		2,365,027		
Sanitary Sewer	1,373,807		1,531,697		1,562,240		
Storm Water Utility	282,401		359,200		352,700		
Solid Waste Utility	589,196		588,820		600,596		
Non-Budgeted Funds-A	9,962,885						
Non-Budgeted Funds-B	681,051						
Non-Budgeted Funds-C							
Non-Budgeted Funds-D							
Totals	29,260,920	54.856	33,762,310	54.844	38,204,082	4,176,692	54.856
					Revenue Neutral Rate**		50.322
Less: Transfers	1,200,589		1,405,550		1,459,550		
Net Expenditure	28,060,331		32,356,760		36,744,532		
Total Tax Levied	3,492,559		3,834,623		XXXXXXXXXXXXXXXXXX		
Assessed Valuation	63,669,317		69,918,288		76,139,204		

## Outstanding Indebtedness,

	<u>2022</u>	<u>2023</u>	<u>2024</u>
G.O. Bonds	21,160,000	29,980,000	57,350,000
Revenue Bonds	0	0	0
Other	121,691	1,155,471	1,155,471
Lease Purchase Principal	22,613,481	92,676	62,741
Total	43,895,172	31,228,147	58,568,212

\*Tax rates are expressed in mills

\*\*Revenue Neutral Rate as defined by KSA 79-2988

**Desirae Womack**

City Official Title: City Treasurer

# Valley Center Intent to Exceed RNR and FY25 Budget Hearing

*September 3<sup>rd</sup>, 2024*



# Hearing to Exceed Revenue Neutral Rate

# 2025 Budget Valuation

## County Clerk's Budget Information for the 2025 Budget

1. Valuation Information as of June 15, 2024:		Estimated Assessed Valuation	New Construction	Territory Added	Property with changed use
Real Estate		\$71,643,854	\$465,359	\$9,981	\$35,001
Personal Property		\$1,213,513			
State Assessed		\$3,343,157			
Total		\$76,200,524			
2. Revenue-Neutral Rate					50.322

## 2025 Budget Information

Actual Tax Rates Levied for the 2025 Budget:

Fund	Rate	\$ Amount Presented	\$ Amount to be Levied	Difference
General	23.006	\$1,753,069	\$1,751,659	\$1,410
Bond & Interest	13.601	\$1,036,403	\$1,035,569	\$834
Library	4.331	\$330,025	\$329,758	\$267
Employee Benefit	12.956	\$987,254	\$986,460	\$794
Emergency Equipment	.962	\$73,305		\$59
<b>Total</b>	<b>54.856</b>	<b>\$4,180,056</b>	<b>\$4,176,692</b>	<b>\$3,364</b>

TIF Total Assessed Valuation \$93,999

TIF Base Year Assessed Valuation -\$32,679

TIF Valuation removed from Total Assessed Valuation \$61,320

2025 Estimated Valuation \$76,200,524

2025 Estimated Valuation less TIF \$76,139,204

Multiplied by the proposed mill levy of 54.856 \$4,176,692

# Revenue Neutral Rate

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2024 Total Property Tax Billed = \$3,834,599

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2025 Estimated Valuation = \$76,139,204

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Revenue Neutral Rate =  $(\$3,834,599 / \$76,200,524) = .50322$  Mills x 1000 = 50.322

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Proposed Mill Levy Rate = 54.856

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Mill Value =  $(\$76,200,524/1000)$  or \$76,201 per mill

---

Multiplied by proposed mill levy of 54.856 = \$4,176,692

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54.856 will be the total mills levied if approved

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Total ad valorem dollar increase of \$342,119 over 2024 budgeted ad valorem dollars.

# 2025 Budgeted Mill Levy

FY25 Budgeted Mill Levy	
<b>General Fund</b>	23.006
<b>Emp. Benefit</b>	12.956
<b>Bond &amp; Interest</b>	13.601
<b>Library</b>	4.331
<b>Emergency Equip.</b>	0.962
<b>Total Mills</b>	54.856

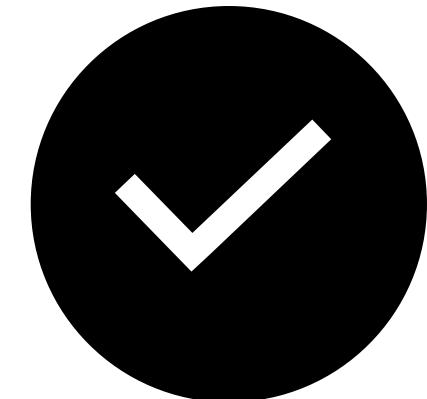
## Next Steps



OPEN THE REVENUE NEUTRAL RATE  
PUBLIC HEARING



RECEIVE COMMENTS FROM ANYONE IN  
ATTENDANCE WHO WOULD LIKE TO  
SPEAK REGARDING THE INTENT TO LEVY  
PROPERTY TAXES IN EXCESS OF THE  
REVENUE NEUTRAL RATE



CLOSE THE REVENUE NEUTRAL RATE  
HEARING AND CONSIDER  
RESOLUTION 758-24 UTILIZING A  
ROLL CALL VOTE

## Resolution No. 758-24

**A RESOLUTION OF THE CITY OF VALLEY CENTER, KANSAS TO LEVY A PROPERTY TAX RATE EXCEEDING THE REVENUE NEUTRAL RATE;**

**WHEREAS**, the Revenue Neutral Rate for the City of Valley Center was calculated as 50.322 mills by the Sedgwick County Clerk; and

**WHEREAS**, the budget proposed by the Governing Body of the City of Valley Center will require the levy of a property tax rate exceeding the Revenue Neutral Rate; and

**WHEREAS**, the Governing Body held a hearing on September 3<sup>rd</sup>, 2024 allowing all interested taxpayers desiring to be heard an opportunity to give oral testimony; and

**WHEREAS**, the Governing Body of the City of Valley Center, having heard testimony, still finds it necessary to exceed the Revenue Neutral Rate.

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

The City of Valley Center shall levy a property tax rate exceeding the Revenue Neutral Rate of 50.322 mills.

This resolution shall take effect and be in force immediately upon its adoption and shall remain in effect until future action is taken by the Governing Body.

**ADOPTED** this 3<sup>rd</sup> day of September 2024 and SIGNED by the Mayor.

## Roll Call Vote

	Councilmember	AYE/NAY
Mayor		
	Matt Stamm	_____
	Chris Evans	_____
	Clint Bass	_____
	Ben Anderson	_____
	Gina Gregory	_____
	Dale Kerstetter	_____
	Robert Wilson	_____
	Ron Colbert	_____

Attested:

\_\_\_\_\_  
City Clerk

**NEW BUSINESS**  
**RECOMMENDED ACTION**

**A. PUBLIC HEARING REGARDING THE 2025 VALLEY CENTER  
PROPOSED PROPERTY TAX LEVY IN EXCESS OF THE REVENUE  
NEUTRAL RATE AND ADOPTION OF RESOLUTION 758-24:**

Should Council choose to proceed

**RECOMMENDED ACTION**

**Staff recommends motion to:**

- Receive Public Comment
- 2. Close the Revenue Neutral Rate Public Hearing.
- 3. Approval of Resolution 758-24 to levy a property tax rate exceeding the revenue neutral rate (with a roll call vote)

**NEW BUSINESS**

**B. PUBLIC HEARING REGARDING THE 2025 VALLEY CENTER  
BUDGET AND ADOPTION OF THE 2025 BUDGET:**

Finance Director Miller and City Treasurer Womack will give a brief overview of the FY25 budget certificate page. Notice of 2025 Budget Hearing was published in the August 22, 2024, edition of the Ark Valley News and to the City of Valley Center website on August 20, 2024

- 2025 Budget Letter
- FY25 Budget Certificate



September 3rd, 2024  
 To: Honorable Mayor Jet Truman & City Council

RE: 2025 Budget – Department Updates/Requests, Financial Overview, and Opportunities/Challenges

Dear Mayor Truman and City Council Members,

It is the responsibility of the Finance Director, along with the City Administrator and Treasurer, to prepare and present an annual budget to the Valley Center City Council. The following letter recaps the SB13 budgeting process now in its third full year, department updates/requests, and current/future challenges facing the City.

The City received its estimated valuation information on June 6<sup>th</sup>. The City's overall estimated assessed valuation increased by 8.97% from \$69,926,337 to an estimated \$76,200,524. The value of each mill is estimated to be \$76,139.

#### **Revenue Neutral Rate**

SB13 repealed the tax lid and implemented a new budgeting process for any entity that levies ad valorem property taxes. The new process establishes what is called the Revenue Neutral Rate (RNR). The RNR shows what the City would need to levy to generate the same number of ad valorem tax dollars as the previous years' budget. The City's RNR for the FY25 budget is calculated at 50.322. The RNR is calculated by taking the total property taxes billed for FY24 and dividing that by the City's estimated assessed valuation for the FY25 budget and multiplying by 1,000 to express the rate in mills:

$$\begin{aligned}
 & \frac{\$3,834,598.59 \text{ (property taxes billed for FY24)}}{\$76,200,524 \text{ (estimated valuation for FY25 budget)}} \\
 & = \\
 & .05032247 \times 1,000 \text{ or } 50.322 \text{ mills}
 \end{aligned}$$

After establishing the revenue neutral rate, the City must put together its budget to determine if the RNR needs to be exceeded to maintain its high level of service offered to its residents. The City must notify Sedgwick County by July 19<sup>th</sup> if we plan on exceeding the RNR. City staff are recommending notifying Sedgwick County of our intent to exceed the RNR with a proposed mill rate of 54.856 mills, mirroring the final assessed valuation from FY24, abstract outlined on our valuation notice. By notifying

Sedgwick County of our intent to exceed the RNR, it allows the City more time to discuss items like critical personnel, equipment, and overall funding for the FY25 budget. This step in the process is like how we would set our maximum ad valorem tax dollar amount in budget years prior to FY24. The notification process to Sedgwick County essentially sets our “cap” in total maximum dollars we plan to levy.

The notification will also signal Sedgwick County to include this information on a notification that will be sent to every property owner in our taxing jurisdiction of when and where we plan on holding our RNR and budget hearings along with the financial information on how much ad valorem tax the individual will pay at the proposed mill rate of 54.856 mills compared to the current fiscal year.

Staff recommends having this hearing each year regardless of our decision to exceed the RNR or not. Conducting the tax rate hearing will ensure we are able to capture, at minimum, the same amount of taxes levied the year prior.

It will be the duty of the City Council to ultimately decide what the City's mill levy will be. If the revenue neutral rate will not be exceeded, the remaining budget calendar looks like:

- Publish the FY25 budget hearing notification on Aug 15<sup>th</sup>, informing residents of the public hearing for the FY25 budget on Sept 3rd, 2024.
- Hold public hearing for the FY25 budget on Sept 3rd and approve the FY25 budget.
- Send certified documentation and affidavit of public hearing notification to Sedgwick County on or before October 1<sup>st</sup>, for review and submission to the state.

If the revenue neutral rate will be exceeded, the remaining budget calendar looks like:

- Send notification of exceeding the revenue neutral rate along with the date, time, and location of the revenue neutral rate hearing to Sedgwick County by July 19<sup>th</sup>, 2024. The hearing will be held on September 3rd, 2023, at 7:00 p.m. located at City Hall, 121 S. Meridian Valley Center KS, 67147.
- Publish notification for the FY25 budget hearing and FY25 revenue neutral rate hearing on Aug 15<sup>th</sup>, 2024, and place notification on the City website with the details of the time, date, and location of said hearings.
- Hold FY25 budget public hearing and FY25 budget revenue neutral rate hearing on September 3rd, 2024 (hearing must be held between Aug 20<sup>th</sup> and Sep 20<sup>th</sup>)
- Approve resolution to exceed the revenue neutral rate and certify the FY25 budget no later than Sept 17<sup>th</sup>, 2024, once the public hearing and tax rate hearings have concluded. **The vote to exceed the RNR must be a Roll Call vote.**
- Send certified documentation, copy of resolution exceeding the RNR, and affidavit of public hearing notifications to Sedgwick County by October 1st, 2024, for review and submission to the state.

## Department Updates / Requests

### Public Works

Over the past four years, Public Works has been aggressive in terms of equipment replacement and developing new ideas and procedures. Public Works staff should be commended for their forward thinking, as they continue to seek new strategies to improve efficiencies in service through better project management and tackling some projects in-house.

Public Works functions play an integral role in the City, providing essential services for streets, water, wastewater, and stormwater.

Public Works will be taking on the largest capital improvement project in Valley Center history with the upcoming water treatment plant. The project moved into the vendor bidding stage in late-August 2024. The current projected completion date of the plant is roughly set for June 2027. Most of the water treatment plant will be paid through a 30-year SRF low-interest rate loan. We have also been awarded a \$1.5-million-dollar BABA (Build America Buy America) grant, and staff continues to search for any additional grants or funding sources that might help us reduce the overall cost of the project. By constructing our own water treatment plant, we will be able to reduce rates overall, and provide the same or better quality of water to our residents.

### Community Development

The City Council must remain forward-thinking and committed to continued support of Main Street initiatives and development opportunities throughout the City. Continued support will be necessary to ensure progress is not stifled which is why City staff are proposing to continue the \$10,000 allocation for Main Street Valley Center and additional funds built into the operating budget for sub-division marketing and City marketing.

FY25 Budget requests include \$20,000 for economic development incentives, and \$10,000 for Main Street Valley Center.

## **Parks and Public Buildings**

The Parks and Public Buildings staff work hard to improve many amenities for the City. In 2019, a new master pedestrian/bike plan for the City was completed. This will allow interconnectivity throughout the City for residents who like to walk, run, and bike through Valley Center. This will aid in future CIP projects regarding City parks and outdoor spaces.

The Parks and Public Buildings Department has been an integral part of the new Pool/Rec center scheduled for opening in January 2025. Staff has done a great job in presenting information throughout the Steering Committee's process of selecting the Construction Manager and Architect Firm for the project.

Like the Community Development Department, The Parks and Public Buildings department will be relied upon heavily as the City experiences growth and addition of a 62-acre park.

## **Public Safety**

The Public Safety Department is currently in a position of growth, adaptation, and change when it comes to infrastructure for the Department. Over the past four budget cycles the Department has secured funding to obtain new digital radios, new car and body cameras, a firetruck, new air packs and SCBA's, computers, new vehicles through a partnership with Enterprise Fleet, new evidence processing software, software to manage the Departments mission to receive accreditation through the States' recently adopted accreditation program, and most recently transitioning to a new records management system and computer aided dispatch system through a partnership with Sedgwick County. FY25 will bring additional changes with the organizational chart restructuring of the fire and police departments.

\$18,138 has been allocated for police restructuring, and \$46,395 has been allocated for fire restructuring in 2025. An additional \$25,000 has been allocated for Fire Department equipment out of the emergency equipment fund.

## **Administration**

The Administration Department plays a major supporting role for all other departments throughout the City. Administration handles all financial duties, payroll, accounts payable, treasury services, IT services, municipal court services, human resources, senior services, and serves as the secretary of the City Council. Each unit within the Administration Department continues to strive for efficiency by implementing and utilizing new technologies. Technology upgrades continue to add to the efficiency of the department. Staff recently presented a new electronic records management system that will allow all employees to scan and store information within the City's ERP system for

access anywhere within the city.

\$24,000 for increased cyber security defense is the only requested item in the 2025 budget for administration.

## Financial Overview

### General Fund

The City's General Fund is currently in a strong position with a \$1,540,616 2024 beginning balance. The fund balance increased in FY20 and FY21 due to the receipt of CARES funding from Sedgwick County. FY25 revenues were budgeted consistently with FY24, therefore, staff anticipated a similar situation for FY25.

Expenditures:	2021 ACTUAL	2022 ACTUAL	2023 ACTUAL	2024 BUDGETED	2025 REQUESTED
<b>TOTAL REVENUE</b>	\$ 3,379,530	\$ 3,538,289	\$ 4,044,868	\$ 3,799,458	\$ 4,071,728
<b>Administration Department</b>	\$ 687,414	\$ 793,317	\$ 901,832	\$ 921,719	\$ 950,152
<b>Community Development Department</b>	\$ 220,388	\$ 233,239	\$ 232,189	\$ 265,540	\$ 275,282
<b>Park &amp; Public Grounds Department</b>	\$ 472,425	\$ 539,401	\$ 595,770	\$ 633,643	\$ 672,250
<b>Police Department</b>	\$ 1,222,690	\$ 1,374,227	\$ 1,459,616	\$ 1,486,374	\$ 1,544,203
<b>Fire Department</b>	\$ 409,556	\$ 418,057	\$ 525,300	\$ 520,458	\$ 563,950
<b>Legal &amp; Court Department</b>	\$ 167,268	\$ 172,409	\$ 170,376	\$ 178,700	\$ 173,895
<b>TOTAL EXPENDITURES</b>	\$ 3,179,740	\$ 3,530,651	\$ 3,885,084	\$ 4,006,434	\$ 4,179,732
<b>Budgeted Income (Gain/Loss)</b>	\$ 199,790	\$ 7,639	\$ 159,784	\$ (206,976)	\$ (108,004)
<b>Fund Balance - January 1</b>	\$ 1,173,633	\$ 1,373,423	\$ 1,381,062	\$ 1,540,616	\$ 1,333,640
<b>Fund Balance - December 31</b>	\$ 1,373,423	\$ 1,381,062	\$ 1,540,616	\$ 1,333,640	\$ 1,225,636

Currently for FY24, the General Fund is budgeted to reduce fund balance by \$(206,976) which includes new updates to the employee policy handbook that took effect January 1<sup>st</sup> of 2023. One of the added benefits includes a sick leave payout upon retirement or resignation of employment. The sick leave payout benefit must be budgeted but is not anticipated to be paid out during the remainder of FY24 or all of FY25. If the sick leave payout benefit is not utilized, the decrease in expenditures is projected at \$(63,000) for FY24 and FY25.

### Employee Benefit Fund

The Employee Benefit Fund is responsible for all expenditures related to employee income taxes and benefits for all employees within the General Fund. Budgeting for

these expenditures has been difficult over the years, predominantly due to the increase and volatility of health care costs. The City embarked on a partially self-funded health insurance plan in 2017. The overall volatility regarding health insurance has stabilized since the City started the partially self-funded plan, making estimates more reliable.

FY21 and FY22 were high-cost years in terms of healthcare costs for the City. The backlog of medical procedures due to COVID-19 nationwide and the major reduction in office visits created a surge in usage once COVID restrictions started to subside throughout FY21. Prescription costs were also high in FY21 and remained high in FY22. City staff are currently looking at different ways to reduce prescription costs by looking at newer mail-order systems or utilizing other purchasing methods. The City's health insurance broker conducted a lunch-and-learn for city staff in the summer of FY23 regarding trends in employee healthcare costs and provided education on how to sign up for cost reduction options already in place. Employees now have access to free Teladoc and wellness services. Both options save the employees on office visit co-pays and assist in keeping premiums and claims lower through easier access to care and a focus on preventative care.

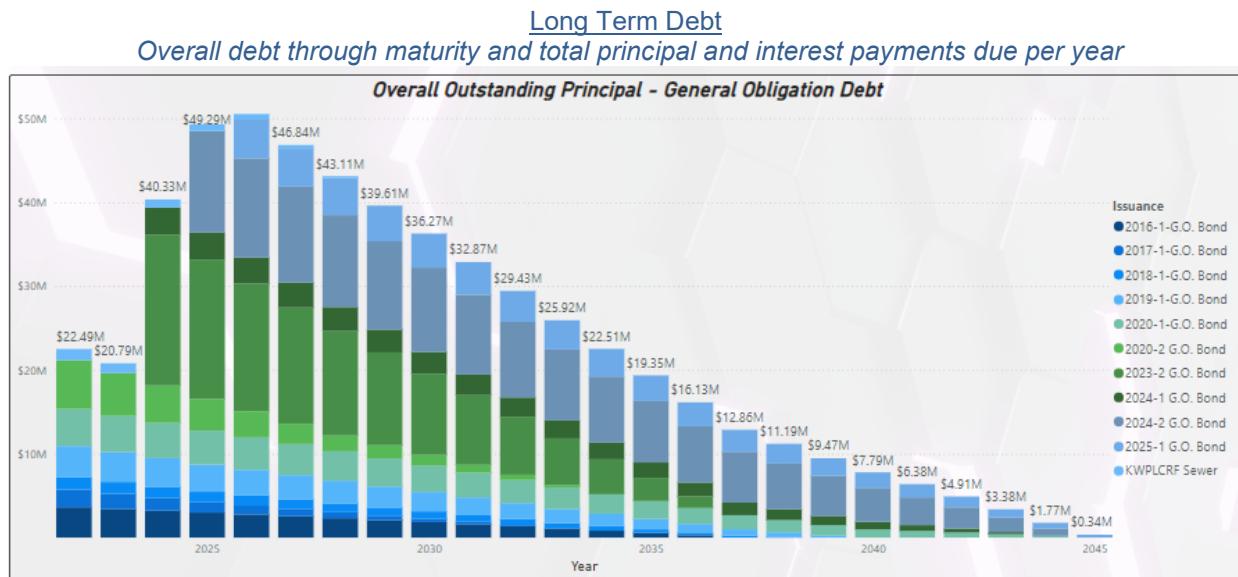
In 2023, the City purchased a plan through Pareto which caps the maximum out of pocket medical expenses that would have to be paid for catastrophic illnesses or injuries for employees. After a certain threshold is met, Pareto covers the additional medical expenses past that threshold. This has allowed the city to better budget for medical expenses in the employee benefit fund, without having to worry about a large unexpected medical expense greatly changing a fiscal budgetary year. This Pareto plan was continued in FY24 and is also a budgeted item for FY25.

### **Emergency Equipment Fund**

The Emergency Equipment fund is allocated at approximately one mill per year, for FY24 it is at .964 for FY25 it is set at .959. The Emergency Equipment fund will see a projected \$14,000 increase in FY25 due to property taxes coming in higher than projected.

This fund is used to purchase emergency equipment for the Public Safety department. Historically, it has been used for purchasing a new police vehicle every year. The agreement with Enterprise has allowed this fund to allocate additional funding to equipment such as additional flock cameras. The annual transfer for fleet management has continued for FY24. We have been able to increase the amount transferred to the Fleet Management fund by \$18,000 in FY24. We are keeping that increased rate the same for FY25.

## Bond and Interest Fund



With recent jumps in the assessed value of the City, from 3.3% in FY22, to 7.25% for FY23, and 9.8% for FY24, along with lowering interest rates for new debt and refunding's, the City has increased its fund availability without pulling mills away from the General Fund to the Bond and Interest Fund as previously proposed. The Bond and Interest Fund will be reviewed annually as new projects and developments start to build out and special assessment improvements are needed.

## Special Streets and Highway Fund

The Special Streets and Highway Fund is dedicated to maintenance and construction of roads in Valley Center. Funding is provided through gas taxes distributed by the State and Sedgwick County along with 50% of local sales tax distributions. The increase in inflation since FY21 has increased annual sales tax revenue projections through FY25.

Mirroring the General Fund in terms of sales tax revenue budgeting, sales tax revenue was increased for FY25 to account for the increase realized over the past two years. Sales tax revenue is still budgeted conservatively to account for changes in the economy due to inflation and changes in interest rates.

Decisions in previous years for the City to shift focus from extensive patching to a mill and overlay strategy have proved to reduce our street patching and will be a long-term solution, freeing up future funds for other projects.

## Stormwater

The Stormwater Fund continues to maintain its debt service payments toward the 2016

Ford/Meridian project. In addition to debt service payments, \$75,000 is budgeted annually for system improvements to the Stormwater system.

Staff is recommending this \$75,000 annual expenditure be put towards the Ford, North Meridian and South Meridian projects scheduled to be constructed through FY25 when no smaller projects are available.

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The City recently partnered with Waste Connections in early 2021. Waste Connections is now the sole source solid waste hauler for all residential properties in Valley Center. Waste Connections was chosen due to the pricing provided for our residents as well as their commitment to communication and service by providing multiple avenues to engage and interact with our residents. By partnering with Waste Connections, the time-consuming task of picking up, removing, and replacing carts has been removed from the duties of our public works employees allowing more time and energy to be spent on other public works activities.

## **Five Year Forecast (Taxing Funds)**

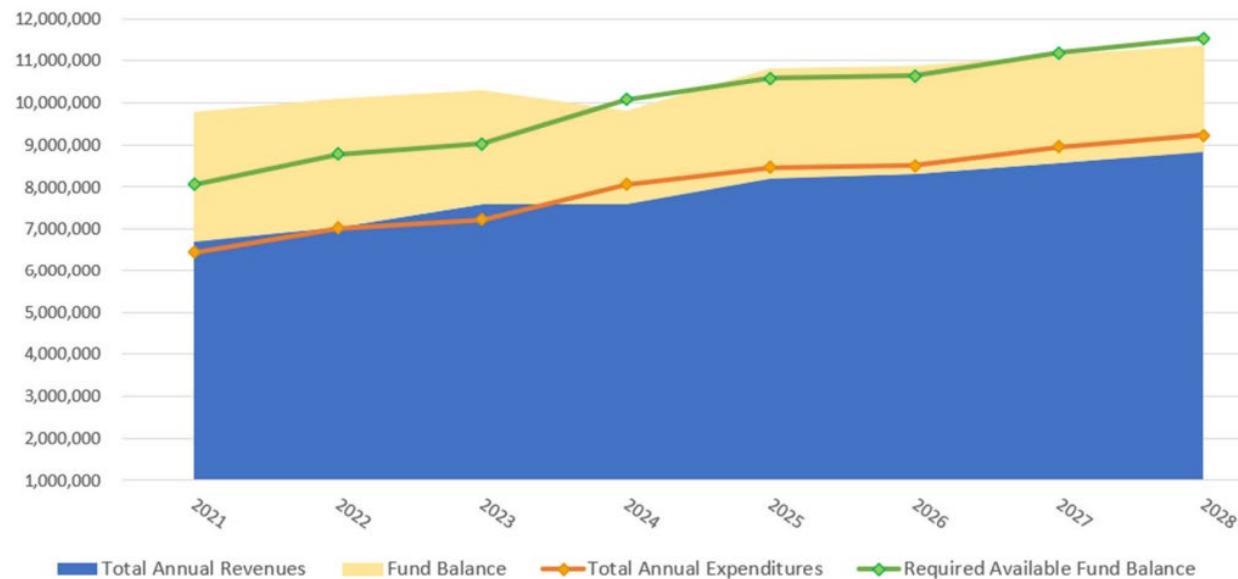
### **Financial Outlook 5-Year Forecast**

To aid finance staff and City Council in future decision making, staff has created a 5-year forecast for all taxing funds the City operates. The taxing funds include the General Fund, Employee Benefit Fund, Library Fund, Bond and Interest Fund, and the Emergency Equipment Fund. The 5-year forecast allows staff to stress test future budgetary requests against what staff projects and assumes will happen in terms of revenues and expenses. The 5-year table and chart are below:

# All Taxing Funds

Revenues	2021 Actual	2022 Actual	2023 Actual	2024 Budgeted	2025 Budgeted	2026 Forecasted	2027 Forecasted	2028 Forecasted
<b>General Fund</b>	3,379,530	3,538,289	4,044,868	3,799,458	4,051,785	4,017,514	4,153,820	4,295,779
<b>Employee Benefits Fund</b>	955,024	1,068,655	1,065,878	1,153,528	1,236,086	1,246,522	1,296,180	1,348,073
<b>Library Fund</b>	290,114	301,473	310,225	337,227	364,352	368,254	384,825	402,142
<b>Bond and Interest Fund</b>	2,026,207	2,076,051	2,101,847	2,253,764	2,483,287	2,610,175	2,664,328	2,720,918
<b>Emergency Equipment Fund</b>	70,144	74,748	83,028	80,066	87,000	87,006	90,696	94,552
<b>Total Annual Revenues</b>	<b>6,721,019</b>	<b>7,059,216</b>	<b>7,605,846</b>	<b>7,624,043</b>	<b>8,222,510</b>	<b>8,329,470</b>	<b>8,589,850</b>	<b>8,861,465</b>
<hr/>								
Expenditures	2021 Actual	2022 Actual	2023 Actual	2024 Budgeted	2025 Budgeted	2026 Forecasted	2027 Forecasted	2028 Forecasted
<b>General Fund</b>	3,179,740	3,530,651	3,710,222	4,006,434	4,150,732	4,335,718	4,494,308	4,643,967
<b>Employee Benefits Fund</b>	839,959	1,068,617	1,061,371	1,354,650	1,385,700	1,437,148	1,480,263	1,524,671
<b>Library Fund</b>	289,555	301,473	310,262	345,000	372,000	367,787	378,821	390,185
<b>Bond and Interest Fund</b>	2,057,091	2,068,934	2,049,449	2,287,000	2,487,700	2,294,045	2,519,237	2,594,814
<b>Emergency Equipment Fund</b>	86,236	62,916	92,356	71,896	73,000	76,274	78,563	80,920
<b>Total Annual Expenditures</b>	<b>6,452,581</b>	<b>7,032,591</b>	<b>7,223,660</b>	<b>8,064,980</b>	<b>8,469,132</b>	<b>8,510,973</b>	<b>8,951,191</b>	<b>9,234,556</b>
<b>Expenditure +/- Revenue</b>	268,438	26,626	382,186	(440,937)	(246,622)	(181,503)	(361,341)	(373,091)
<b>Fund Balance</b>	<b>3,055,848</b>	<b>3,015,680</b>	<b>2,673,187</b>	<b>2,187,843</b>	<b>2,575,440</b>	<b>2,548,399</b>	<b>2,521,359</b>	<b>2,494,318</b>
<b>Required Available Fund Balan</b>	<b>8,065,726</b>	<b>8,790,738</b>	<b>9,029,575</b>	<b>10,081,225</b>	<b>10,586,415</b>	<b>10,638,716</b>	<b>11,188,988</b>	<b>11,543,195</b>

Fund Balance Forecast Summary



The table and chart visualizing the 5-year forecast includes revenue and expenditure assumptions. The revenue and expense assumptions will be reviewed annually to ensure the forecast stays up to date and can be used to stress test our taxing funds in

The Fund Balance Forecast Summary chart shows total revenues in blue and available fund balance in tan. The orange line is our annual expenditures, and the green line shows how much fund balance we need to stay within our City policy limit of 25% fund

balance of annual expenditures. As shown, the City will have budgeted uses of fund balance through FY25. The budgeted use of fund balance is due to the Library Fund and the Employee Benefit Fund intentionally being overbudgeted due to volatile healthcare costs and ensuring the Library receives the maximum amount of funding provided.

## Opportunities & Challenges

The City is ripe with opportunities that benefit the quality of life for residents while establishing sustained and managed growth over the next several years. The growth that the City is set to experience will need to be managed strategically utilizing our strategic plan to assist in guiding the City in the best direction possible.

### Capital Improvement Plan - Projects

The City has made several announcements over the past 3 fiscal years regarding new developments occurring in the city. The expected growth is exciting and will add several new elements to our beloved city. Growth brings many opportunities, but it also presents several challenges as well. The current CIP projects are shown in the table below:

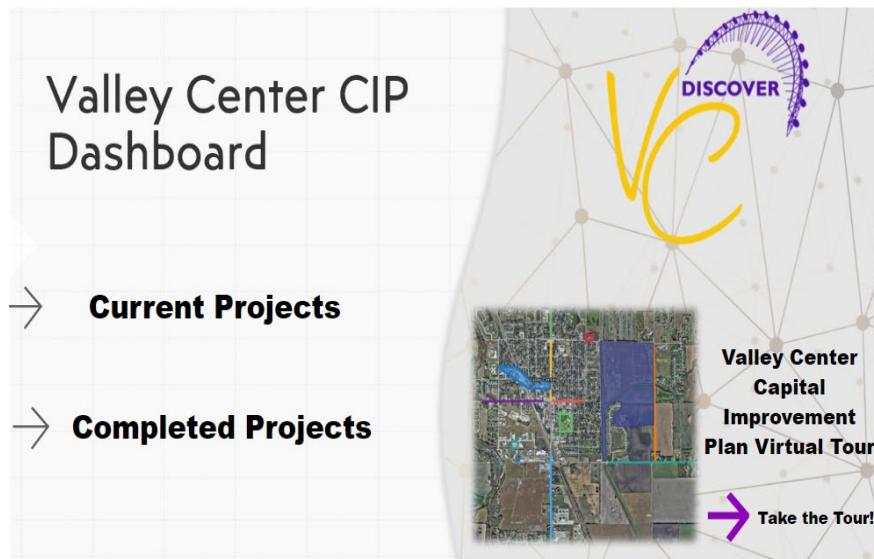
Project Name	Prior	2024	2025	2026	2027	2028	Project Total
	Expenses	Estimate	Budget	Budget	Budget	Budget	
Meridian: Railroad to 69th	\$2,040,728	\$3,728,614	\$0	\$0	\$0	\$0	\$5,769,342
Meridian: Main to 5th	\$1,931,858	\$3,728,614	\$0	\$0	\$0	\$0	\$5,660,472
Ford Street: Bridge to Broad	\$6,057,736	\$0	\$0	\$0	\$0	\$0	\$6,057,736
Ford St and Dexter—Utility E	\$0	\$697,499	\$0	\$0	\$0	\$0	\$697,499
Pool/Rec Center	\$20,123,620	\$925,530	\$0	\$0	\$0	\$0	\$21,049,150
Engine 41—Fire Truck	\$760,000	\$0	\$0	\$0	\$0	\$0	\$760,000
City Entryway Signs	\$33,706	\$33,000	\$0	\$0	\$0	\$0	\$66,706
Seneca: Ford to 5th	\$0	\$0	\$1,000,000	\$5,158,614	\$0	\$0	\$6,158,614
Water Treatment Plant	\$294,721	\$111,543	\$18,093,736	\$1,500,000	\$0	\$0	\$20,000,000
TIF	\$2,534,252	\$500,000	\$1,965,748	\$0	\$0	\$0	\$5,000,000
<b>Totals</b>	<b>\$33,776,621</b>	<b>\$9,724,800</b>	<b>\$21,059,484</b>	<b>\$6,658,614</b>	<b>\$0</b>	<b>\$0</b>	<b>\$71,219,519</b>

The current CIP plan is the largest capital investment in the City's history over a 5-year period. The importance of diversifying the revenue sources for all these projects cannot be overlooked. The challenge that presents itself with such a large capital investment is the City's statutory debt capacity. The City's debt capacity forces staff to plan and forecast projects based on the revenue source needed to fund the projects as well as what projects to include or exclude based upon the exempt or nonexempt status of the project in relation to debt capacity. Doing this results in the best possible mixture of infrastructure and quality of life projects to be planned and completed.

Through FY28, the City anticipates funding \$71,219,519 in projects. \$50,838,723 of this total is anticipated to be financed using long term debt. The current CIP projects are funded by various revenue sources including:

Tax Increment Financing -	\$5,000,000
Local Option Sales Tax -	\$20,767,208
General Fund -	\$63,000
Streets Funding -	\$696,144
Water Funding -	\$6,544,305
Wastewater Funding -	\$153,518
Stormwater -	\$447,146
Federal/Grant Funding	\$25,071,515
Land Proceeds -	\$241,546

Staff have incorporated the CIP plan into a dashboard and also a virtual tour of the City. Please click on the image below to be directed to the CIP dashboard located on the City's website for more information.



Along with the capital investment being made into the City's infrastructure and quality of life, the City still has other areas that need focus as well. The City's Tax Increment Financing District (TIF) is approximately 18-24 months behind schedule due to the permitting delays, but development is starting to occur.

## **Conclusion**

Over the past three budget cycles the City has taken tremendous strides in replacing equipment, maintaining what we currently have instead of waiting for items to fail, creating replacement programs to avoid the future burden of major one-time purchases, and sought out grant funding and alternative revenue sources. City Council should be commended for their forward thinking and their willingness to explore new ideas such as the public power project and the water treatment facility.

The FY25 budget is the time to focus on personnel and prepare for the growth the City is going to experience. The FY25 budget strengthens the City's foundation through capital planning and effective cash management while solidifying the City's commitment to our personnel. A restructuring of the police and fire departments assists in retaining our tenured employees during an unprecedented time of turnover in the government field, while making the City more competitive with surrounding public and private entities in the recruitment of new talent.

It is a great time to be living and working in Valley Center. Excitement for what the next few years will bring is abundant, and now, more than ever, is the best time to discover what Valley Center has to offer.

Respectfully submitted,

Clint Miller  
Finance Director

# Hearing to Approve the 2025 Budget

## Procedure

- The FY25 budget certificate must be signed by all present governing body members.
- If any outcome other than the one presented tonight is approved, a recess will be requested to allow staff time to adjust the budget certificate and provide a new recommended motion.
- If the budget is not approved tonight, the Sept. 17<sup>th</sup> meeting will be the last meeting to hold a public hearing and approve the FY25 budget.

# FY25 Budget Expenditures

Ad Valorem Fund Expenditures	
General Fund	\$4,179,732
Emp. Benefit	\$1,385,700
Bond & Interest	\$2,487,700
Library	\$365,000
	\$73,000
<b>Total</b>	<b>\$8,491,132</b>

# FY25 General Fund Overview

Expenditures:	2023 ACTUAL	2024 BUDGETED	2025 REQUESTED
<b>TOTAL REVENUE</b>	\$ 4,044,868	\$ 3,799,458	\$ 4,071,728
Administration Department	\$ 901,832	\$ 921,719	\$ 950,152
Community Development Department	\$ 232,189	\$ 265,540	\$ 275,282
Park & Public Grounds Department	\$ 595,770	\$ 633,643	\$ 672,250
Police Department	\$ 1,459,616	\$ 1,486,374	\$ 1,544,203
Fire Department	\$ 525,300	\$ 520,458	\$ 563,950
Legal & Court Department	\$ 170,376	\$ 178,700	\$ 173,895
<b>TOTAL EXPENDITURES</b>	\$ 3,885,084	\$ 4,006,434	\$ 4,179,732
Budgeted Income (Gain/Loss)	\$ 159,784	\$ (206,976)	\$ (108,004)
Fund Balance - January 1	\$ 1,381,062	\$ 1,540,616	\$ 1,333,640
Fund Balance - December 31	\$ 1,540,616	\$ 1,333,640	\$ 1,225,636

# Special Streets and Highway

2025 Projected Revenues	2025 Budgeted Expenditures
\$1,085,600	\$1,315,477
Unencumbered Cash Balance projected as of Dec. 31 <sup>st</sup> , 2025	\$263,627

# Enterprise Funds

Fund	2024 Projected Revenues	2024 Budgeted Expenditures	Fund Balance as of Dec. 31 <sup>st</sup> , 2025
Water	\$2,363,179	\$2,365,027	\$2,940,354
Sewer	\$1,476,939	\$1,562,240	\$1,456,033
Storm Water	\$325,000	\$352,700	\$256,600
Solid Waste	\$611,626	\$600,596	\$136,364

## Recommendation

**ADOPTING THE CITY OF VALLEY CENTER 2025 BUDGET,  
PARTIALLY FUNDED BY A PROPERTY TAX LEVY OF  
4,176,692 DOLLARS, EQUIVALENT TO 54.856 MILLS.**

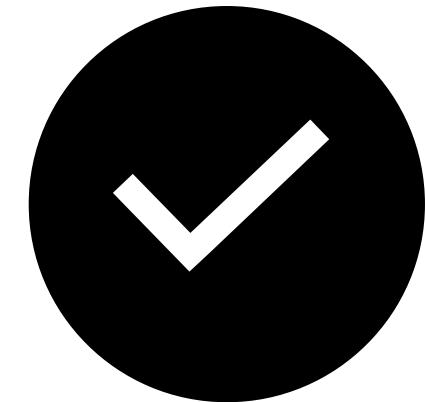
# Next Steps



OPEN THE REVENUE NEUTRAL RATE  
PUBLIC HEARING



RECEIVE COMMENTS FROM ANYONE IN  
ATTENDANCE WHO WOULD LIKE TO  
SPEAK REGARDING THE APPROVAL OF  
THE 2025 BUDGET



CLOSE THE BUDGET HEARING AND  
ADOPT THE 2025 BUDGET\*

\*IF THE BUDGET IS NOT APPROVED TONIGHT, THE SEPT.  
17<sup>TH</sup> MEETING WILL BE THE LAST MEETING TO HOLD A  
PUBLIC HEARING TO APPROVE THE 2025 BUDGET.

**CERTIFICATE**

To the Clerk of Sedgwick County, State of Kansas

We, the undersigned, officers of

**City of Valley Center**

certify that: (1) the hearing mentioned in the attached publication was held;  
 (2) after the Budget Hearing this budget was duly approved and adopted as the  
 maximum expenditures for the various funds for the year 2025; and  
 (3) the Amounts(s) of 2024 Ad Valorem Tax are within statutory limitations.

<b>Table of Contents:</b>		Page No.	2025 Adopted Budget		
			Budget Authority for Expenditures	Amount of 2024 Ad Valorem Tax	Final Tax Rate (County Clerk's Use Only)
Allocation of MVT, RVT, 16/20M Vehicle Tax		2			
Schedule of Transfers		3			
Statement of Indebtedness		4			
Statement of Lease-Purchases		5			
Computation to Determine State Library Grant		6			
<b>Fund</b>	<b>K.S.A.</b>				
General	12-101a	7	5,516,349	1,751,659	
Debt Service	10-113	8	3,603,056	1,035,569	
Library	12-1220	8	365,000	329,758	
Employee Benefit	12-16,102	9	1,439,211	986,460	
Emergency Equipment	12-110b	9	193,152	73,246	
Special Highway		10	1,315,477		
TIF		10	1,698,994		
Special Alcohol		11	1,000		
Special Parks and Rec		11	15,000		
Pool/Rec Sales Tax		12	19,176,281		
		12			
Water Utility		13	2,365,027		
Sanitary Sewer		14	1,562,240		
Storm Water Utility		15	352,700		
Solid Waste Utility		16	600,596		
Non-Budgeted Funds-A		17			
Non-Budgeted Funds-B		18			
Non-Budgeted Funds-C		19			
Non-Budgeted Funds-D		20			
Totals	xxxxxx		38,204,082	4,176,692	
Budget Hearing Notice					County Clerk's Use Only
Combined Rate and Budget Hearing Notice		21			
RNR Hearing Notice		22			
Neighborhood Revitalization					Nov 1, 2024 Total Assessed Valuation
TIF District		23			

Assisted by:

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Revenue Neutral Rate 50.322Address:  

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Email:  

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Attest: \_\_\_\_\_, 2024

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County Clerk

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Governing Body

**NEW BUSINESS**  
**RECOMMENDED ACTION**

**B. PUBLIC HEARING REGARDING THE 2025 VALLEY CENTER BUDGET AND ADOPTION OF THE 2025 BUDGET:**

Should Council choose to proceed

**RECOMMENDED ACTION**

Staff recommends motion to

- Receive Public Comment
- 2. Close the Public Hearing for the 2025 City of Valley Center Budget
- 3. Adopt the 2025 Budget as presented. (All council members present must sign the budget certificate page)

**NEW BUSINESS****C. VALLEY CENTER CHAMBER OF COMMERCE-MAIN STREET CLOSURE REQUEST:**

Valley Center Chamber of Commerce Director Allsion Clubb will request closure of downtown streets for the annual Fall Fest. They include:

- Street closure of Main Street, from Meridian to Ash St, and the closure of South Park St, from Main to West Allen St both beginning Thursday September 20<sup>th</sup> at 5pm through Sunday morning, September 22<sup>nd</sup> to approximately 6am.
- Street closure of North Park Street, from W First St to Main St beginning Friday, September 20<sup>th</sup> at 8am through Sunday morning the 22<sup>nd</sup> to approximately 6am.

➤ Letter request



Valley Center Chamber of Commerce  
209 West Main Street, Suite B  
Post Office Box 382  
Valley Center, Kansas 67147

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MISSION: The Valley Center Chamber of Commerce is dedicated to connecting businesses and business owners in Valley Center with the support and resources to develop, sustain, grow and stand out in the community

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August 28<sup>th</sup>, 2024

Dear Mayor Truman and City Council Members:

The 62nd Annual Valley Center Fall Festival will be held on September 20<sup>th</sup> & 21<sup>st</sup>, 2024. The Chamber is requesting:

- Street closure of Main Street, from Meridian to Ash St, and the closure of South Park St, from Main to West Allen St both beginning Thursday September 20<sup>th</sup> at 5pm through Sunday morning, September 22<sup>nd</sup> to approximately 6am.
- Street closure of North Park Street, from W First St to Main St beginning Friday, September 20<sup>th</sup> at 8am through Sunday morning the 22<sup>nd</sup> to approximately 6am.

Thank you for your time and consideration,

A handwritten signature in black ink, appearing to read 'Allison Clubb'. The signature is fluid and cursive, with a large, stylized 'A' at the beginning.

Allison Clubb  
Executive Director  
Valley Center Chamber of Commerce

**NEW BUSINESS**  
**RECOMMENDED ACTION**

**C. VALLEY CENTER CHAMBER OF COMMERCE-MAIN STREET CLOSURE REQUEST:**

**RECOMMENDED ACTION:**

**City staff recommends approval of requested downtown street closures for the Fall Fest.**

**NEW BUSINESS**

**D. RESOLUTION 759-24: RIO BELLA PAVING AUTHORITY:**

Representatives from Gilmore and Bell will present Resolution 759-24 authorizing and providing for the construction and financing of paving improvements located in the Rio Bella subdivision.

- Petition for improvements
- Resolution 759-24

**PAVING AND INCIDENTAL DRAINAGE IMPROVEMENTS  
RIO BELLA ADDITION – EMMA LANE;  
EMMA CIRCLE; EMMA COURT;  
VALLEY CENTER, KANSAS**

To: The Governing Body of the  
City of Valley Center, Sedgwick County, Kansas

We, the undersigned, being owners of record of property liable for assessment for the following proposed improvements: Paving and Incidental Drainage to serve Rio Bella Addition according to plans and specifications to be furnished by the Engineer of Record and approved by the City Engineer of the City of Valley Center, Kansas and hereby propose that such improvement be made in the manner provided by K.S.A. 12-6a01 et seq.

The extent of the proposed improvements district to be assessed in Rio Bella Addition is as follows:

**RIO BELLA ADDITION**  
Lots 1 through 35, Block A

Proposed improvements:

Construct asphalt pavement and gravel shoulders measuring 24' wide asphalt mat with 3' shoulders on each side of the road along Emma Lane from the east line of West Street to and including cul-de-sac; and Emma Court from the east line of Emma Lane to and including cul-de-sac.

The estimated or probable cost of such improvement is Eight Hundred Seventy Thousand Dollars (\$870,000). The estimated cost as above set forth, is hereby increased at the pro-rata rate of 1% per month from and after the date of approval of the resolution for this project.

The proposed method of assessment to the improvement district is on a fractional basis as follows: Lots 1 through 35, Block 1, Rio Bella Addition shall each pay 1/35<sup>th</sup> of the total project costs.

The proposed apportionment of cost between the improvement district and the City at large is one hundred percent (100%) to be assessed against the improvement district and zero percent (0%) to be paid by the City at large.

Special taxes will be assessed over twenty (20) years. The yearly payments will be the same amount each year with the interest and principal portions of the payments fluctuating to make the yearly payments equal.

We further request that such improvements be made without notice and hearing as required in Subsection 1 of Sec. 12-6a04.

Names may not be withdrawn from this petition by the signers thereof after the Governing Body commences consideration of the petition, or, later than seven (7) days after such filing, whichever occurs first.

LEGAL DESCRIPTION	SIGNATURE	DATE
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Rio Bella Addition

Block A

Lots 1 through 35

By:   
P. Jeff Pritchard

Delta Juliet Sierra, LLC

By:   
Douglas E. Kirkland, Member

Douglas E. Kirkland Revocable Trust

By:   
Douglas E. Kirkland, Trustee

Gilmore & Bell, P.C.  
08/29/2024

(Published in *The Ark Valley News* on September 12, 2024)

**RESOLUTION NO. 759-24**

**A RESOLUTION DETERMINING THE ADVISABILITY OF THE MAKING OF CERTAIN INTERNAL IMPROVEMENTS IN THE CITY OF VALLEY CENTER, KANSAS; MAKING CERTAIN FINDINGS WITH RESPECT THERETO; AND AUTHORIZING AND PROVIDING FOR THE MAKING OF THE IMPROVEMENTS IN ACCORDANCE WITH SUCH FINDINGS (PAVING IMPROVEMENTS/RIO BELLA ADDITION).**

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**WHEREAS**, a petition (the “Petition”) was filed with the City Clerk of the City of Valley Center, Kansas (the “City”) proposing certain internal improvements; and said Petition sets forth: (a) the general nature of the proposed improvements; (b) the estimated or probable cost of the proposed improvements; (c) the extent of the proposed improvement district to be assessed for the cost of the proposed improvements; (d) the proposed method of assessment; (e) the proposed apportionment of the cost between the improvement district and the City-at-large; and (f) a request that such improvements be made without notice and hearing as required by K.S.A. 12-6a01 *et seq.*; and

**WHEREAS**, the governing body of the City hereby finds and determines that said Petition was signed by the owners of record of more than one-half of the area liable for assessment for the proposed improvements, and is therefore sufficient in accordance with the provisions of K.S.A. 12-6a01 *et seq.* (the “Act”).

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

**Section 1. Findings of Advisability.** The governing body hereby finds and determines that:

(a) It is advisable to make the following improvements (the “Improvements”):

Construct asphalt pavement and gravel shoulders along Emma Lane from the east line of West Street to and including the cul-de-sac; and Emma Court from the east line of Emma Lane to and including the cul-de-sac, all in accordance with City standards and plans and specifications prepared or approved by the City Engineer.

(b) The estimated or probable cost of the proposed Improvements is: \$870,000; said estimated cost to be increased at the pro rata rate of 1 percent per month from and after the date of adoption of this Resolution.

Lots 1-35, Block A, Rio Bella Addition, an Addition to Valley Center, Sedgwick County, Kansas.

(d) The method of assessment is equally per lot (35 lots).

Where the ownership of a single lot is or may be divided into two or more parcels, the assessment to the lot so divided shall be assessed to each ownership or parcel on a square foot basis.

(e) The apportionment of the cost of the Improvements between the Improvement District and the City-at-large is: 100% to be assessed against the Improvement District and 0% to be paid by the City-at-large.

**Section 2. Authorization of Improvements.** The abovesaid Improvements are hereby authorized and ordered to be made in accordance with the findings of the governing body of the City as set forth in **Section 1** of this Resolution.

**Section 3. Bond Authority; Reimbursement.** The Act provides for the costs of the Improvements, interest on interim financing and associated financing costs to be paid by the issuance of general obligation bonds or special obligation bonds of the City (the "Bonds"). The Bonds may be issued to reimburse expenditures made on or after the date which is 60 days before the date of this Resolution, pursuant to Treasury Regulation 1.150-2.

**Section 4. Effective Date.** This Resolution shall be effective upon adoption. This Resolution shall be published one time in the official City newspaper, and shall also be filed of record in the office of the Register of Deeds of Sedgwick County, Kansas.

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**ADOPTED** by the governing body of the City on September 3, 2024.

(SEAL)

By: \_\_\_\_\_

Name: James E. Truman

Title: Mayor

ATTEST:

By: \_\_\_\_\_

Name: Kristi Carrithers

Title: City Clerk

### **CERTIFICATE**

I hereby certify that the above and foregoing is a true and correct copy of the Resolution of the City adopted by the governing body on September 3, 2024, as the same appears of record in my office.

DATED: September 3, 2024.

By: \_\_\_\_\_

Name: Kristi Carrithers

Title: City Clerk

**NEW BUSINESS**  
**RECOMMENDED ACTION**

**D. RESOLUTION 759-24: RIO BELLA PAVING AUTHORITY:**

Should Council choose to proceed

**RECOMMENDED ACTION**

**Staff recommends motion to adopt Resolution 759-24, authorizing construction and financing paving improvements to the Rio Bella Subdivision.**

**NEW BUSINESS**

**E. RESOLUTION 760-24: AMEND RES. 757-24 TEMP NOTES 2024-1:**

Representative from Gilmore and Bell will present Resolution 760-24. This Resolution will amend Resolution 757-24 which authorized the offering for sale of General Obligation Temporary Notes, Series 2024-1. Paving Improvements in the Rio Bella Addition are now included.

- Resolution 760-24

Gilmore & Bell, P.C.  
08/14/2024

**RESOLUTION NO. 760-24**

**A RESOLUTION AMENDING AND SUPPLEMENTING RESOLUTION NO. 757-24 WHICH AUTHORIZED THE OFFERING FOR SALE OF GENERAL OBLIGATION TEMPORARY NOTES, SERIES 2024-1, OF THE CITY OF VALLEY CENTER, KANSAS.**

**WHEREAS**, the City of Valley Center, Kansas (the “Issuer”), has previously adopted Resolution No. 757-24 (the “Prior Resolution”) which authorized the offering for sale of the Issuer’s General Obligation Temporary Notes, Series 2024-1 (the “Notes”), to finance the costs of certain improvements described therein; and

**WHEREAS**, due to the need to include an additional project to be financed by the Notes, the Issuer hereby desires to amend and supplement the Prior Resolution as follows and as set forth in **Section 1** hereof; and

**WHEREAS**, the Issuer has previously authorized certain improvements described as follows (the “Improvements”):

<b>Project Description</b>	<b>Res. No.</b>	<b>Authority (K.S.A.)</b>	<b>Authorized Amount<sup>1</sup></b>
CIP Projects – TIF District (includes Seneca – Ford to 5th) <sup>2</sup>	713-22	14-570 <i>et seq.</i> / Charter No. 27-2009	
Prairie Lakes Addition – Paving Improvements-Phase 4	744-23	12-6a01 <i>et seq.</i>	700,000
Prairie Lakes Addition – Sanitary Sewer Improvements-Phase 4	745-23	12-6a01 <i>et seq.</i>	550,000
Prairie Lakes Addition – Water Improvements-Phase 4	746-23	12-6a01 <i>et seq.</i>	250,000
Prairie Lakes Addition – Drainage Improvements-Phase 4	747-23	12-6a01 <i>et seq.</i>	350,000
Harvest Place Addition – Overall Site Drainage Improvements	750-24	12-6a01 <i>et seq.</i>	2,000,000
Harvest Place Addition – Drainage Improvements Phase 1	751-24	12-6a01 <i>et seq.</i>	350,000
Harvest Place Addition – Paving Improvements-Phase 1	752-24	12-6a01 <i>et seq.</i>	1,200,000
Harvest Place Addition – Sanitary Sewer Improvements-Phase 1	753-24	12-6a01 <i>et seq.</i>	600,000
Harvest Place Addition – Water Improvements-Phase 1	754-24	12-6a01 <i>et seq.</i>	450,000
Rio Bella Addition – Paving Improvements	____-24	12-6a01 <i>et seq.</i>	870,000
<b>Total:</b>			<b>\$19,320,000</b>

<sup>1</sup> Plus interest on interim financing and costs of issuance

<sup>2</sup> \$4,490,000 of this project was financed with General Obligation Temporary Notes, Series 2022-1

**WHEREAS**, the Issuer is authorized by law to issue general obligation bonds to pay a portion of the costs of the Improvements; and

**WHEREAS**, it is necessary for the Issuer to provide cash funds (from time to time) to meet its obligations incurred in constructing the Improvements prior to the completion thereof and the issuance of the Issuer's general obligation bonds, and it is desirable and in the interest of the Issuer that such funds be raised by the issuance of temporary notes of the Issuer; and

**WHEREAS**, the Issuer has previously issued the following temporary notes to temporarily finance a portion of the costs of the Improvements authorized by Resolution No. 713-22 (the "Refunded Notes"):

<b><u>Series</u></b>	<b><u>Dated Date</u></b>	<b><u>Maturity Date</u></b>	<b><u>Original Amount</u></b>	<b><u>Outstanding Amount</u></b>	<b><u>Redemption Amount</u></b>	<b><u>Redemption Date</u></b>
2022-1	06/23/22	12/01/24	\$9,490,000	\$4,490,000	\$4,490,000	10/11/24

**WHEREAS**, all aspects of the Improvements will not be completed prior to the maturity date of the Refunded Notes and it is necessary for the Issuer to provide cash funds to meet its obligations on the Refunded Notes by the issuance of additional temporary notes of the Issuer; and

**WHEREAS**, the Issuer proposes to issue its temporary notes to pay a portion of the costs of the Improvements, to retire the Refunded Notes and pay costs of issuance; and

**WHEREAS**, the City Council of the Issuer (the "Governing Body") has selected the firm of Piper Sandler & Co. (the "Financial Advisor"), as financial advisor for one or more series of temporary notes of the Issuer in order to provide funds to temporarily finance the Improvements and retire the Refunded Notes; and

**WHEREAS**, the Issuer desires to authorize the Financial Advisor to proceed with the offering for sale of the temporary notes and related activities, and one of the duties and responsibilities of the Issuer is to prepare and distribute a preliminary official statement relating to the temporary notes; and

**WHEREAS**, the Issuer desires to authorize the Financial Advisor and Gilmore & Bell, P.C., Wichita, Kansas, the Issuer's bond counsel ("Bond Counsel"), in conjunction with the Finance Director, to proceed with the preparation and distribution of a preliminary official statement and notice of note sale and to authorize the distribution thereof and all other preliminary action necessary to sell the temporary notes; and

**WHEREAS**, due to the volatile nature of the municipal bond market and the desire of the Issuer to achieve maximum benefit of timing of the sale of the temporary notes, the Governing Body desires to authorize the Mayor to award the sale of the temporary notes, if necessary, prior to the next meeting of the Governing Body to adopt the necessary resolution providing for the issuance thereof.

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF VALLEY CENTER, KANSAS, AS FOLLOWS:**

**Section 1. Amendment.** *Section 1* of the Prior Resolution is hereby amended to read as follows:

**Section 1.** The Issuer is hereby authorized to offer at competitive public sale the Issuer's General Obligation Temporary Notes, Series 2024-1 (the "Notes") as described in the Notice of Note Sale, which is hereby approved in substantially the form presented to the Governing

Body this date (the “Notice of Note Sale”). All proposals for the purchase of the Notes shall be submitted upon the terms and conditions set forth in the Notice of Note Sale, and shall be reviewed by the Mayor, City Administrator, Finance Director, the Financial Advisor and Bond Counsel as soon after the submittal hour as possible.

The Mayor is hereby authorized to award the sale of the Notes to the submitter of the best proposal as determined pursuant to the provisions of the Notice of Note Sale or to reject all proposals; provided, however, that the principal amount of the Notes shall not exceed \$20,100,000 and the true interest cost of the Notes shall not exceed 6.50%. All proposals for the purchase of the Notes shall be delivered to the Governing Body at its meeting to be held on the date referenced in the Notice of Note Sale, at which meeting the Governing Body shall review such proposals and ratify the award of the sale of the Notes or the rejection of all proposals.

**Section 2. Repealer; Ratification.** *Section 1* of the Prior Resolution is hereby repealed and the rest and remainder thereof is hereby ratified and confirmed.

**Section 3. Effective Date.** This Resolution shall be in full force and effect from and after its adoption.

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**ADOPTED** by the City Council on September 3, 2024.

(SEAL) 

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ATTEST:

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Clerk

**NEW BUSINESS**  
**RECOMMENDED ACTION**

**E. RESOLUTION 760-24: AMEND RES. 757-24 TEMP NOTES 2024-1:**

Should Council choose to proceed

**RECOMMENDED ACTION**

**Staff recommends motion to approve Resolution 760-24 authorizing the amendment of Resolution 757-24; sale of General Obligation Temporary Notes, Series 2024-1 to include Rio Bella paving improvements.**

**NEW BUSINESS**

**F. ORDINANCE 1412-24: LOAN AGREEMENT FROM KDHE-WATER TREATMENT PLANT:**

Finance Director Miller will present Ordinance 1412-24 which authorizes loan agreement with KDHE. He will discuss repayment schedule and terms of loan.

- Ordinance 1412-24
- Repayment schedule

**ORDINANCE NO. 1409-24**

**AN ORDINANCE AUTHORIZING THE EXECUTION OF A LOAN AGREEMENT BETWEEN THE CITY OF VALLEY CENTER, KANSAS AND THE STATE OF KANSAS, ACTING BY AND THROUGH THE KANSAS DEPARTMENT OF HEALTH AND ENVIRONMENT FOR THE PURPOSE OF OBTAINING A LOAN FROM THE KANSAS PUBLIC WATER SUPPLY LOAN FUND FOR THE PURPOSE OF FINANCING A PUBLIC WATER SUPPLY PROJECT; ESTABLISHING A DEDICATED SOURCE OF REVENUE FOR REPAYMENT OF SUCH LOAN; AUTHORIZING AND APPROVING CERTAIN DOCUMENTS IN CONNECTION THEREWITH; AND AUTHORIZING CERTAIN OTHER ACTIONS IN CONNECTION WITH THE LOAN AGREEMENT.**

**WHEREAS**, the Safe Drinking Water Act Amendments of 1996 [PL 104-182] to the Safe Drinking Water Act (the "Federal Act") established the Drinking Water Loan Fund to assist public water supply systems in financing the costs of infrastructure needed to achieve or maintain compliance with the Federal Act and to protect the public health and authorized the Environmental Protection Agency (the "EPA") to administer a revolving loan program operated by the individual states; and

**WHEREAS**, to fund the state revolving fund program, the EPA will make annual capitalization grants to the states, on the condition that each state provide a state match for such state's revolving fund; and

**WHEREAS**, by passage of the Kansas Public Water Supply Loan Act, K.S.A. 65-163d et seq., as amended (the "Loan Act"), the State of Kansas (the "State") has established the Kansas Public Water Supply Loan Fund (the "Revolving Fund") for purposes of the Federal Act; and

**WHEREAS**, under the Loan Act, the Secretary of the Kansas Department of Health and Environment ("KDHE") is given the responsibility for administration and management of the Revolving Fund; and

**WHEREAS**, the Kansas Development Finance Authority (the "Authority") and KDHE have entered into a Master Indenture (the "Master Indenture") pursuant to which KDHE agrees to enter into Loan Agreements with Municipalities for public water supply projects (the "Projects") and to pledge the Loan Repayments (as defined in the Master Indenture) received pursuant to such Loan Agreements to the Authority; and

**WHEREAS**, the Authority is authorized under K.S.A. 74-8905(a) and the Loan Act to issue revenue bonds (the "Bonds") for the purpose of providing funds to implement the State's requirements under the Federal Act and to loan the same, together with available funds from the EPA capitalization grants, to Municipalities within the State for the payment of Project Costs (as said terms are defined in the Loan Act); and

**WHEREAS**, the System is a Public Water Supply System, as said term is defined in the Loan Act; and

**WHEREAS**, the Municipality has, pursuant to the Loan Act, submitted an application to KDHE to obtain a loan from the Revolving Fund to finance the costs of improvements to its System consisting of the following:

Construction of a new water treatment plant and associated transmission mains. (the "Project"); and

**WHEREAS**, the Municipality has taken all steps necessary and has complied with the provisions of the Loan Act and the provisions of K.A.R. 28-15-50 through 28-15-65 (the "Regulations") applicable thereto necessary to qualify for the loan; and

**WHEREAS**, KDHE has informed the Municipality that it has been approved for a loan in amount not to exceed \$19,000,000.00 (the "Loan") in order to finance the Project; and

**WHEREAS**, the governing body of the Municipality hereby finds and determines that it is necessary and desirable to accept the Loan and to enter into a loan agreement and certain other documents relating thereto, and to take certain actions required in order to implement the Loan Agreement.

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

**Section 1. Authorization of Loan Agreement.** The Municipality is hereby authorized to accept the Loan and to enter into a certain Loan Agreement, with an effective date of August 16, 2024, with the State of Kansas acting by and through the Kansas Department of Health and Environment (the "Loan Agreement") to finance the Project Costs (as defined in the Loan Agreement). The Mayor and Clerk are hereby authorized to execute the Loan Agreement in substantially the form presented to the governing body this date, with such changes or modifications thereto as may be approved by the Mayor and the Municipality's legal counsel, the Mayor's execution of the Loan Agreement being conclusive evidence of such approval.

**Section 2, Establishment of Dedicated Source of Revenue for Repayment of Loan,** Pursuant to the Loan Act, the Municipality hereby establishes a dedicated source of revenue for repayment of the Loan. In accordance therewith, the Municipality shall impose and collect such rates, fees and charges for the use and services furnished by or through the System, including all improvements and additions thereto hereafter constructed or acquired by the Municipality as will provide System Revenues (as defined in the Loan Agreement) sufficient to (a) pay the cost of the operation and maintenance of the System, (b) pay the principal of and interest on the Loan as and when the same become due, (c) pay all other amounts due at any time under the Loan Agreement, and (d) pay the principal of and interest on Additional Revenue Obligations (as defined in the Loan Agreement) as and when the same become due; provided, however, the pledge of the System Revenues contained herein and in the Loan Agreement (i) shall be subject to reasonable expenses of operation and maintenance of the System, and (ii) shall be junior and subordinate in all respects to the pledge of System Revenues to any Additional Revenue Obligations. In the event that the System Revenues are insufficient to meet the obligations under the Loan and the Loan Agreement, the Municipality shall levy ad valorem taxes without limitation as to rate or amount upon all the taxable tangible property, real or personal, within the territorial limits of the Municipality to produce the amounts necessary for the prompt payment of the obligations under the Loan and Loan Agreement. In accordance with the Loan Act, the obligations under the Loan and the Loan Agreement shall not be included within any limitation on the bonded indebtedness of the Municipality.

**Section 3, Further Authority.** The Mayor, Clerk and other City officials and legal counsel are hereby further authorized and directed to execute any and all documents and take such actions as they may deem necessary or advisable in order to carry out and perform the purposes of the Ordinance, and to make alterations, changes or additions in the foregoing agreements, statements, instruments and other documents herein approved, authorized and confirmed which they may approve, and the execution or taking of such action shall be conclusive evidence of such necessity or advisability.

**Section 4. Governing Law.** The Ordinance and the Loan Agreement shall be governed exclusively by and construed in accordance with the applicable laws of the State of Kansas.

**Section 5, Effective Date.** This Ordinance shall take effect and be in full force from and after its passage by the governing body of the City and publication in the official City newspaper.

**PASSED by the governing body of the City on this 17<sup>th</sup> day of September, 2024 and signed by the Mayor.**

First Reading:	September 3, 2024
Second Reading	September 17, 2024

(seal)

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James E. Truman, Mayor

ATTEST:

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Kristi Carrithers, City Clerk

## KANSAS PUBLIC WATER SUPPLY LOAN FUND

Project Principal: 19,000,000.00  
 September 3, 2024 City Council Agenda Page 83  
 h1terest During Const.: 0.00

Preliminary Schedule for Construction Loan Agreement  
 Amortization of Loan Costs as of 8/16/2024

Service Fee During Const.: 0.00  
 Gross Loan Costs: 19,000,000.00  
 Estimated Principal Forgiveness: 1,500,000.00  
 Net Loan Costs: 17,500,000.00

Prepared for:  
 City of Valley Center, Project No. 3202

Gross Interest Rate Allocation		thru 8/1/2031	after 8/1/2031	Gross Interest Rate:		2.78%	
Sel'Vice Fee Rate:		2.43%	0.35%	Fil'St Payment Date:			
Net Loan Interest Rate:		0.35%	2.43%	Number of Payments:		60	

Payment Number	Payment Date	Beginning Balance	Interest Payment	Principal Payment	Sel'Vice Fee /	Total Payment	Ending Balance
1	2/1/2028	17,500,000.00	30,625.00	188,664.66	212,625.00	431,914.66	17,311,335.34
2	8/1/2028	17,311,335.34	30,294.84	191,287.10	210,332.72	431,914.66	17,120,048.24
3	2/1/2029	17,120,048.24	29,960.08	193,945.99	208,008.59	431,914.66	16,926,102.25
4	8/1/2029	16,926,102.25	29,620.68	196,641.84	205,652.14	431,914.66	16,729,460.41
5	2/1/2030	16,729,460.41	29,276.56	199,375.16	203,262.94	431,914.66	16,530,085.25
6	8/1/2030	16,530,085.25	28,927.65	202,146.47	200,840.54	431,914.66	16,327,938.78
7	2/1/2031	16,327,938.78	28,573.89	204,956.31	198,384.46	431,914.66	16,122,982.47
8	8/1/2031	16,122,982.47	28,215.22	207,805.20	195,894.24	431,914.66	15,915,177.27
9	2/1/2032	15,915,177.27	193,369.40	210,693.70	27,851.56	431,914.66	15,704,483.57
10	8/1/2032	15,704,483.57	190,809.48	213,622.33	27,482.85	431,914.66	15,490,861.24
11	2/1/2033	15,490,861.24	188,213.96	216,591.69	27,109.01	431,914.66	15,274,269.55
12	8/1/2033	15,274,269.55	185,582.38	219,602.31	26,729.97	431,914.66	15,054,667.24
13	2/1/2034	15,054,667.24	182,914.21	222,654.78	26,345.67	431,914.66	14,832,012.46
14	8/1/2034	14,832,012.46	180,208.95	225,749.69	25,956.02	431,914.66	14,606,262.77
15	2/1/2035	14,606,262.77	177,466.09	228,887.61	25,560.96	431,914.66	14,377,375.16
16	8/1/2035	14,377,375.16	174,685.11	232,069.14	25,160.41	431,914.66	14,145,306.02
17	2/1/2036	14,145,306.02	171,865.47	235,294.90	24,754.29	431,914.66	13,910,011.12
18	8/1/2036	13,910,011.12	169,006.64	238,565.50	24,342.52	431,914.66	13,671,445.62
19	2/1/2037	13,671,445.62	166,108.06	241,881.57	23,925.03	431,914.66	13,429,564.05
20	8/1/2037	13,429,564.05	163,169.20	245,243.72	23,501.74	431,914.66	13,184,320.33
21	2/1/2038	13,184,320.33	160,189.49	248,652.61	23,072.56	431,914.66	12,935,667.72
22	8/1/2038	12,935,667.72	157,168.36	252,108.88	22,637.42	431,914.66	12,683,558.84
23	2/1/2039	12,683,558.84	154,105.24	255,613.19	22,196.23	431,914.66	12,427,945.65
24	8/1/2039	12,427,945.65	150,999.54	259,166.22	21,748.90	431,914.66	12,168,779.43
25	2/1/2040	12,168,779.43	147,850.67	262,768.63	21,295.36	431,914.66	11,906,010.80
26	8/1/2040	11,906,010.80	144,658.03	266,421.11	20,835.52	431,914.66	11,639,589.69
27	2/1/2041	11,639,589.69	141,421.01	270,124.37	20,369.28	431,914.66	11,369,465.32
28	8/1/2041	11,369,465.32	138,139.00	273,879.10	19,896.56	431,914.66	11,095,586.22
29	2/1/2042	11,095,586.22	134,811.37	277,686.01	19,417.28	431,914.66	10,817,900.21
30	8/1/2042	10,817,900.21	131,437.49	281,545.84	18,931.33	431,914.66	10,536,354.37
31	2/1/2043	10,536,354.37	128,016.71	285,459.33	18,438.62	431,914.66	10,250,895.04
32	8/1/2043	10,250,895.04	124,548.37	289,427.22	17,939.07	431,914.66	9,961,467.82
33	2/1/2044	9,961,467.82	121,031.83	293,450.26	17,432.57	431,914.66	9,668,017.56
34	8/1/2044	9,668,017.56	117,466.41	297,529.22	16,919.03	431,914.66	9,370,488.34
35	2/1/2045	9,370,488.34	113,851.43	301,664.88	16,398.35	431,914.66	9,068,823.46

36	8/1/2045	9,068,823.46	110,186.21	305,858.01	15,870.44	431,914.66	8,762,965.45
37	2/1/2046	8,762,965.45	106,470.03	310,109.44	15,335.19	431,914.66	8,452,856.01
38	8/1/2046	8,452,856.01	102,702.20	314,419.96	14,792.50	431,914.66	8,138,436.05
39	2/1/2047	8,138,436.05	98,882.00	318,790.40	14,242.26	431,914.66	7,819,645.65
40	8/1/2047	7,819,645.65	95,008.69	323,221.59	13,684.38	431,914.66	7,496,424.06
41	2/1/2048	7,496,424.06	91,081.55	327,714.37	13,118.74	431,914.66	7,168,709.69
42	8/1/2048	7,168,709.69	87,099.82	332,269.60	12,545.24	431,914.66	6,836,440.09
43	2/1/2049	6,836,440.09	83,062.75	336,888.14	11,963.77	431,914.66	6,499,551.95
44	8/1/2049	6,499,551.95	78,969.56	341,570.88	11,374.22	431,914.66	6,157,981.07
45	2/1/2050	6,157,981.07	74,819.47	346,318.72	10,776.47	431,914.66	5,811,662.35
46	8/1/2050	5,811,662.35	70,611.70	351,132.55	10,170.41	431,914.66	5,460,529.80
47	2/1/2051	5,460,529.80	66,345.44	356,013.29	9,555.93	431,914.66	5,104,516.51
48	8/1/2051	5,104,516.51	62,019.88	360,961.88	8,932.90	431,914.66	4,743,554.63
49	2/1/2052	4,743,554.63	57,634.19	365,979.25	8,301.22	431,914.66	4,377,575.38
50	8/1/2052	4,377,575.38	53,187.54	371,066.36	7,660.76	431,914.66	4,006,509.02
51	2/1/2053	4,006,509.02	48,679.08	376,224.19	7,011.39	431,914.66	3,630,284.83
52	8/1/2053	3,630,284.83	44,107.96	381,453.70	6,353.00	431,914.66	3,248,831.13
53	2/1/2054	3,248,831.13	39,473.30	386,755.91	5,685.45	431,914.66	2,862,075.22
54	8/1/2054	2,862,075.22	34,774.21	392,131.82	5,008.63	431,914.66	2,469,943.40
55	2/1/2055	2,469,943.40	30,009.81	397,582.45	4,322.40	431,914.66	2,072,360.95
56	8/1/2055	2,072,360.95	25,179.19	403,108.84	3,626.63	431,914.66	1,669,252.11
57	2/1/2056	1,669,252.11	20,281.41	408,712.06	2,921.19	431,914.66	1,260,540.05
58	8/1/2056	1,260,540.05	15,315.56	414,393.15	2,205.95	431,914.66	846,146.90
59	2/1/2057	846,146.90	10,280.68	420,153.22	1,480.76	431,914.66	425,993.68
60	8/1/2057	425,993.68	5,175.82	425,993.68	745.16	431,914.66	0.00
Totals		5,955,945.87	17,500,000.00	2,458,933.73	25,914,879.60		

**NEW BUSINESS**  
**RECOMMENDED ACTION**

**F. ORDINANCE 1412-24: LOAN AGREEMENT FROM KDHE-WATER  
TREATMENT PLANT:**

Should Council choose to proceed

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**Staff recommends motion to approve Ordinance 1412-24 authorizing loan  
agreement with KDHE for water treatment plant for 1<sup>st</sup> reading.**

**NEW BUSINESS**

**G. VALLEY CENTER ELEMENTARY SCHOOL PROPOSAL:**

City Administrator Clark will present proposal for USD 262 Elementary School.

- Proposal for USD 262 Elementary School

# Proposed Elementary School

**Valley Center**

Proud Home of  
“Hornet Nation”





September 3<sup>rd</sup>, 2024

Unified School District 262  
Attn: Board of Education  
143 S. Meridian Ave  
Valley Center, KS 67147

***RE: Elementary School Proposal in Trails End***

Dear USD 262 Board Members,

I hope this letter finds you well and congratulations on successfully passing the most recent school bond. I am writing to you on behalf of the City of Valley Center, to express our enthusiasm and eagerness in continuing our strong partnership with welcoming the newest elementary school to our vibrant and family-friendly community. As a 1971 graduate, I know that we are proud to be known across the state as "Hornet Nation" and we too bleed purple and gold!

In Valley Center, we believe in fostering a nurturing environment where children can thrive both academically and socially. Our community is dedicated to supporting educational excellence, and we are confident the new elementary school needs to remain in Valley Center. Please see below are a few key reasons why:

- 1. Strong Community Support:** Our residents are deeply committed to education and actively participate in supporting local schools. From parent-teacher associations to community-led initiatives, you will find a wealth of support and engagement from our local citizens.
- 2. Safe and Welcoming Environment:** Safety is our top priority, and our community is known as one of the safest cities in the state, with low crime rates, a local fire department, and a strong sense of belonging. We partner with you to provide School Resource Officers (SROs) throughout all schools to ensure a safe learning environment.
- 3. Diverse and Inclusive Community:** We pride ourselves on being a diverse and inclusive community, where students from all backgrounds can feel welcome and valued. Our community celebrates cultural diversity and promotes understanding and respect among its members.

4. **Modern Infrastructure and Amenities:** The proposed location in Valley Center is equipped with state-of-the-art infrastructure including:
  - New 60+ acre park that we want to collaborate with the district to design
  - New 10' multi-use path that connects to every school
  - 3 new adjacent neighborhoods – Prairie Lakes, Trails End, Ceterra Estates
  - 1 established neighborhood – Fiddlers Creek
  - New & Safer Streets designed for the school – Seneca between Ford and 5<sup>th</sup> Street, Tanner Trail, Chrisholm Trail Drive
  - High Speed Fiber
  - All utilities are located onsite and shovel ready!

The City of Valley Center is proud to offer 18 acres (\$360,000) of city owned property located along Tanner Trail and Seneca Street without any specials for water, sewer, drainage or streets (\$1,779,063.64) at zero cost. This is in addition to all the modern infrastructure and amenities above at zero cost. Also, with the large grading project nearly completed, there will be no detention ponds needed onsite.

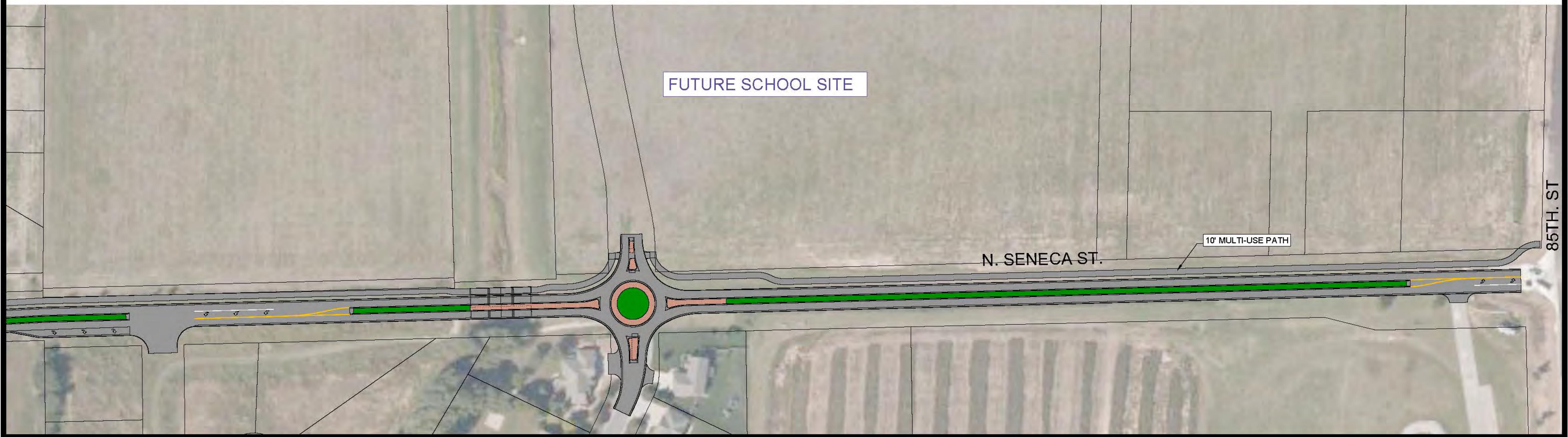
I have enclosed additional information pertaining to the proposed site in Trails End. I would love the opportunity to meet with the USD 262 Board Members to answer any questions you may have.

Thank you for considering the City of Valley Center's proposed elementary school site. I look forward to our continued partnerships for many years to come.

Sincerely,  
Mayor Jet Truman

## Proposed Elementary School Site in Trails End





**NORTH SENECA ST. - FORD ST. TO 5TH ST.  
RECONSTRUCTION PROJECT  
VALLEY CENTER, KANSAS**

**NEW BUSINESS**  
**RECOMMENDED ACTION**

**G. VALLEY CENTER ELEMENTARY SCHOOL PROPOSAL:**

**Should Council choose to proceed,**

---

**Staff recommends motion to approve proposal for USD 262 Elementary School.**

**NEW BUSINESS**

**H. APPROVAL OF AGREEMENT WITH SEDGWICK COUNTY FOR TREECYCLE PROGRAM:**

Parks and Public Buildings Director Ownings will present agreement with Sedgwick County for the Treecycle program. This five-year agreement provides for the site access, set-up, maintenance and grinding of Christmas Tree recycling. Site location will be at Veteran's Park, 337 S. Meridian Ave.

- Agreement for Treecycle program

**SITE USE AGREEMENT FOR CHRISTMAS TREE RECYCLING**  
 by and between  
**SEDGWICK COUNTY, KANSAS**  
 and  
**THE CITY OF VALLEY CENTER, KANSAS**

This Agreement is made this \_\_\_\_ day of \_\_\_\_\_, 2024, by and between Sedgwick County, Kansas ("County") and the City of Valley Center, Kansas ("City").

**WHEREAS**, County wishes to provide tree recycling services to residents of Sedgwick County during specific times of the year so that said trees can be ground into mulch for subsequent use by the residents of Sedgwick County ("TreeCycle Program").

**WHEREAS**, City desires to assist County with the TreeCycle Program by allowing residents of Sedgwick County to drop-off Christmas trees at a City-owned location.

**NOW THEREFORE**, in consideration of the following mutual conditions, covenants and promises contained herein, the parties agree as follows:

**1. Purpose.** City hereby grants County, its employees, and its contractors a revocable, nonexclusive privilege to enter and use the parking lots at the City-owned location identified below, during specific times of the year, for the purpose of collecting Christmas trees to be ground into mulch and distribution of said mulch to the public.

**2. Site.** As used herein, the term "Site(s)" shall mean the parking lot(s) at the location(s) listed below:

337 S. Meridian Ave., Valley Center, Kansas 67147 (commonly known as Veteran's Park).

A Site shall not include any of the building(s) at the above referenced location(s). No right of access to any building(s) located at a Site is granted by this Agreement.

**3. Term.** This Agreement shall be for a period of five (5) years, commencing December 1, 2024, and ending November 30, 2029.

**4. Period of Service.** Services pursuant to the TreeCycle Program shall be available on or about December 22nd of each year of this Agreement through and including January 23<sup>rd</sup> of the subsequent year (i.e., from December 22, 2024, through and including January 23, 2025).

**5. Site Set-Up and Maintenance.** All TreeCycle sites shall be set up and ready to receive trees from the general public by 5:00 pm on December 22<sup>nd</sup> of each year of this Agreement. Each site shall be marked by signs that are clearly and easily visible to the general public and that are posted in accordance with the applicable sign code. City shall be responsible for obtaining and maintaining such signs for and throughout each TreeCycle event.

**6. Grinding.** County agrees that all trees brought to or within one hundred (100) feet of any site(s) during the period of service (as that term is defined in Section 4 hereof) will be ground into a medium-

grade mulch. This grinding shall occur at least twice during each period of services, or more frequently as may be required so as not to allow the trees to become a nuisance or danger to any surrounding homes and/or businesses. Grinding shall be accomplished using one or both of the following methods: (1) grinding the trees on site and leaving the resulting mulch at the site, or (2) hauling the trees offsite for grinding and returning the resulting mulch to the site(s).

**7. Mulch.** The mulch created from the grinding of trees shall be deposited at the site(s) for the general public to pick up and take for its use. Said mulch shall not be placed on any sidewalks, parking areas or in any location where it will interfere with public access. Mulch shall be easily available for the public to load. Mulch shall not be supplied to contractors, subcontractors, vendors or commercial entities.

**8. Handling of Material.** County shall be responsible for providing all means of handling trees and delivering the resulting mulch back to the site(s). City shall not be required to, but may agree to, assist in the handling of the trees and/or resulting mulch in any way whatsoever, including the loading or unloading of the trees or mulch or the hauling of the trees or mulch.

**9. Damage to Equipment.** City is not responsible for any personal or property damage that might result from any foreign material being mixed in with the tree debris brought to the site(s). It is County's responsibility to inspect the trees prior to grinding and to remove and dispose of any foreign object and/or materials therein.

**10. Compensation.** No compensation or remuneration shall be exchanged, requested or expected for activities in connection with this Agreement. At no time shall any representative from the City be construed as a County employee or eligible, under any circumstances, for any County benefits, including, but not limited to, workers compensation. Likewise, at no time shall any representative of the County be construed as a City employee or eligible, under any circumstances, for any City benefits including, but not limited to, workers compensation.

**11. Hold Harmless.** County shall at all times save and hold harmless City from all liability, costs, damages and expenses of any kind, including reasonable attorney's fees, for which City may become liable to any person(s) or entities by reason of any claim or damages to the extent caused by acts or omissions of County, its elected and appointed officials, officers, managers, members, employees or agents relating to County's obligations under this Agreement.

City shall at all times save and hold harmless County from all liability, costs, damages and expenses of any kind, including reasonable attorney's fees, for which County may become liable to any person(s) or entities by reason of any claim or damages to the extent caused by acts or omissions of City, its elected and appointed officials, officers, managers, members, employees or agents relating to City's obligations under this Agreement.

**12. Notice.** Notifications required pursuant to this Agreement shall be made in writing and mailed to the addresses shown below. Such notification shall be deemed complete upon mailing.

County: Sedgwick County Environmental Resources  
 Attn: Catherine Johnson  
 1144 S. Seneca  
 Wichita, Kansas 67213

and

Sedgwick County Counselors Office  
 Attn: Contract Notification  
 Sedgwick County Courthouse  
 100 N. Main, Suite 650  
 Wichita, KS 67202

City: City of Valley Center  
 Attn: Neal Owings, Director of Parks & Public Buildings  
 545 W. Clay  
 Valley Center, KS 67147

County agrees to have its representative, at all times during the provision of services period set forth in Section 4 hereof, maintain a beeper, cell phone or some form of communication by which he or she may be easily contacted so that messages, concerns and/or other issues that may arise during the provision of services period may be quickly and easily conveyed.

**13. Termination.** Either party shall have the right to terminate this Agreement upon thirty (30) days' written notice.

**14. Entire Agreement.** This Agreement and the documents incorporated herein contain all the terms and conditions agreed upon by both parties. No other understandings, oral or otherwise, regarding the subject matter of this Agreement shall be deemed to exist or to bind any of the parties hereto. Any agreement not contained herein shall not be binding on either party, nor shall it be of any force or effect.

**15. Assignment.** Neither this Agreement nor any rights or obligations created by it shall be assigned or otherwise transferred by either party without the prior written consent of the other. Any attempted assignment without such consent shall be null and void.

**16. Amendments.** Neither this Agreement nor any rights or obligations created by it shall be amended by either party without the prior written consent of the other. Any attempted amendment without such consent shall be null and void.

**17. Subcontracting.** None of the work or services covered by this Agreement shall be subcontracted without the prior written notice to City. County shall remain totally responsible for all actions and work performed by its subcontractors. All subcontracts must conform to applicable requirements set forth in this Agreement and in its appendices, exhibits and amendments, if any.

**18. Waiver.** Waiver of any breach of any provision in this Agreement shall not be a waiver of any prior or subsequent breach. Any waiver shall be in writing and any forbearance or indulgence in any other form or manner by County shall not constitute a waiver.

**19. Force Majeure.** County shall not be held liable if the failure to perform under this Agreement arises out of causes beyond the control of County. Causes may include, but are not limited to, acts of nature, fires, tornadoes, quarantine, labor strikes and freight embargoes.

**20. Governing Law.** This Agreement shall be interpreted under and governed by the laws of the State of Kansas. The parties agree that any dispute or cause of action that arises in connection with this Agreement will be brought before a court of competent jurisdiction in Sedgwick County, Kansas.

**21. Severability Clause.** In the event that any provision of this Agreement is held to be unenforceable, the remaining provisions shall continue in full force and effect.

**22. Incorporation of Documents.** Exhibit A (Sedgwick County Mandatory Contractual Provisions Attachment) is attached hereto and made a part hereof as if fully set forth herein.

**IN WITNESS WHEREOF**, the parties have caused this Agreement to be executed by their duly authorized representatives as of the day and year first set forth above.

SEDGWICK COUNTY, KANSAS

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Thomas J. Stoltz  
County Manager

APPROVED AS TO FORM ONLY:

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Samantha Seang  
Assistant County Counselor

CITY OF VALLEY CENTER, KANSAS

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Jet Truman  
Mayor

ATTESTED TO:

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Kelly B. Arnold  
County Clerk

## APPENDIX A

## SEDGWICK COUNTY MANDATORY CONTRACTUAL PROVISIONS ATTACHMENT

1. **Terms Herein Controlling Provisions:** It is expressly agreed that the terms of each and every provision in this attachment shall prevail and control over the terms of any other conflicting provision in any other document relating to and a part of the Agreement in which this attachment is incorporated.
  2. **Choice of Law:** This Agreement shall be interpreted under and governed by the laws of the State of Kansas. The parties agree that any dispute or cause of action that arises in connection with this Agreement will be brought before a court of competent jurisdiction in Sedgwick County, Kansas.
  3. **Termination Due To Lack of Funding Appropriation:** If, in the judgment of the Chief Financial Officer, sufficient funds are not appropriated to continue the function performed in this Agreement and for the payment of the charges hereunder, County may terminate this Agreement at the end of its current fiscal year. County agrees to give written notice of termination to Contractor at least thirty (30) days prior to the end of its current fiscal year, and shall give such notice for a greater period prior to the end of such fiscal year as may be provided for in the Agreement, except that such notice shall not be required prior to ninety (90) days before the end of such fiscal year. Contractor shall have the right, at the end of such fiscal year, to take possession of any equipment provided to County under the Agreement. County will pay to Contractor all regular contractual payments incurred through the end of such fiscal year, plus contractual charges incidental to the return of any related equipment. Upon termination of the Agreement by County, title to any such equipment shall revert to Contractor at the end of County's current fiscal year. The termination of the Agreement pursuant to this paragraph shall not cause any penalty to be charged to the County or the Contractor.
  4. **Disclaimer of Liability:** County shall not hold harmless or indemnify any contractor beyond that liability incurred under the Kansas Tort Claims Act (K.S.A. 75-6101 *et seq.*).
  5. **Acceptance of Agreement:** This Agreement shall not be considered accepted, approved, or otherwise effective until the statutorily required approvals and certifications have been given.
  6. **Arbitration, Damages, Jury Trial and Warranties:** Notwithstanding any language to the contrary, no interpretation shall be allowed to find the County has agreed to binding arbitration, or the payment of damages or penalties upon the occurrence of a contingency. Notwithstanding any language to the contrary, no interpretation shall be allowed to find the County has consented to a jury trial to resolve any disputes that may arise hereunder. Contractor waives its right to a jury trial to resolve any disputes that may arise hereunder. No provision of any Agreement and/or this Contractual Provisions Attachment will be given effect which attempts to exclude, modify, disclaim, or otherwise attempt to limit implied warranties of merchantability and fitness for a particular purpose.
  7. **Representative's Authority to Contract:** By signing this Agreement, the representative of the Contractor thereby represents that such person is duly authorized by the Contractor to execute this Agreement on behalf of the Contractor and that the Contractor agrees to be bound by the provisions thereof.
  8. **Federal, State, and Local Taxes:** Unless otherwise specified, the proposal price shall include all applicable federal, state, and local taxes. Contractor shall pay all taxes lawfully imposed on it with respect to any product or service delivered in accordance with this Agreement. County is exempt from state sales or use taxes and federal excise taxes for direct purchases. These taxes shall not be included in the Agreement. Upon request, County shall provide to the Contractor a certificate of tax exemption.
- County makes no representation as to the exemption from liability of any tax imposed by any governmental entity on the Contractor.
9. **Insurance:** County shall not be required to purchase any insurance against loss or damage to any personal property to which this Agreement relates, nor shall this Agreement require the County to establish a "self-insurance" fund to protect against any such loss or damage. Subject to the provisions of the Kansas Tort Claims Act (K.S.A. 75-6101 *et seq.*), Contractor shall bear the risk of any loss or damage to any personal property to which Contractor holds title.
  10. **Conflict of Interest:** Contractor shall not knowingly employ, during the period of this Agreement or any extensions to it, any professional personnel

11. **Confidentiality:** County and Contractor, to the extent applicable, must comply with all the requirements of the Kansas Open Records Act (K.S.A. 45-215 *et seq.*) in providing services and/or goods under this Agreement and the production of records. In addition, Contractor may have access to private or confidential data maintained by County to the extent necessary to carry out its responsibilities under this Agreement and shall maintain such information securely and confidentially. Contractor shall accept full responsibility for providing adequate supervision and training to its agents and employees to ensure compliance with applicable laws. No private or confidential data collected, maintained, or used in the course of performance of this Agreement shall be disseminated by either party except as authorized by statute, either during the period of the Agreement or thereafter. Contractor must agree to return any or all data furnished by the County promptly at the request of County in whatever form it is maintained by Contractor. Upon the termination or expiration of this Agreement, Contractor shall not use any of such data or any material derived from the data for any purpose and, where so instructed by County, shall destroy or render such data or material unreadable.
12. **Cash Basis and Budget Laws:** The right of the County to enter into this Agreement is subject to the provisions of the Cash Basis Law (K.S.A. 10-1112 and 10-1113), the Budget Law (K.S.A. 79-2935), and all other laws of the State of Kansas. This Agreement shall be construed and interpreted so as to ensure that the County shall at all times stay in conformity with such laws, and as a condition of this Agreement, the County reserves the right to unilaterally sever, modify, or terminate this Agreement at any time if, in the opinion of its legal counsel, the Agreement may be deemed to violate the terms of such laws.
13. **Anti-Discrimination Clause:** Contractor agrees: (a) to comply with the Kansas Act Against Discrimination (K.S.A. 44-1001 *et seq.*), the Kansas Age Discrimination in Employment Act (K.S.A. 44-1111 *et seq.*), and the applicable provisions of the Americans with Disabilities Act (42 U.S.C. 12101 *et seq.*) (ADA) and to not discriminate against any person because of race, religion, color, sex, disability, national origin or ancestry, or age in the admission or access to, or treatment or employment in, its programs and activities; (b) to include in all solicitations or advertisements for employees the phrase "equal opportunity employer;" (c) to comply with the reporting requirements set out at K.S.A. 44-1031 and K.S.A. 44-1116; (d) to include those provisions in every subcontract or purchase order so that they are binding upon such subcontractor or vendor; (e) that a failure to comply with the

Parties to this Agreement understand that the provisions of this paragraph 13 (with the exception of those provisions relating to the ADA) are not applicable to a contractor who employs fewer than four employees during the term of this Agreement or whose contracts with the County cumulatively total \$5,000 or less during the County's fiscal year.

14. **Suspension/Debarment:** Contractor acknowledges that as part of the Code of Federal Regulations (2 C.F.R. Part 180) a person or entity that is debarred or suspended in the System for Award Management (SAM) shall be excluded from federal financial and nonfinancial assistance and benefits under federal programs and activities. All non-federal entities, including Sedgwick County, must determine whether the Contractor has been excluded from the system and any federal funding received or to be received by the County in relation to this Agreement prohibits the County from contracting with any Contractor that has been so listed. In the event the Contractor is debarred or suspended under the SAM, the Contractor shall notify the County in writing of such determination within five (5) business days as set forth in the Notice provision of this Agreement. County shall have the right, in its sole discretion, to declare the Agreement terminated for breach upon receipt of the written notice. Contractor shall be responsible for determining whether any sub-contractor performing any work for Contractor pursuant to this Agreement has been debarred or suspended under the SAM and to notify County within the same five (5) business days, with the County reserving the same right to terminate for breach as set forth herein.
15. **HIPAA Compliance:** Contractor agrees to comply with the requirements of the Health Insurance Portability and Accountability Act of 1996, Pub. L. No. 104-191 (codified at 45 C.F.R. Parts 160 and 164), as amended ("HIPAA"); privacy and security regulations promulgated by the United States Department of Health and Human Services ("DHHS"); title XIII, Subtitle D of the American Recovery and Reinvestment Act of 2009, Pub. L. No. 111-5, as amended ("HITECH Act"); the Genetic Information Nondiscrimination Act of 2008 ("GINA"); provisions regarding Confidentiality of Alcohol and Drug Abuse Patient Records (codified at 42 C.F.R. Part 2), as amended (collectively referred to as "HIPAA"), to the extent that the Contractor uses, discloses, or has access to protected health information as defined by HIPAA. Under the final Omnibus Rule effective March 2013, Contractor may be required to enter into a Business Associate Agreement pursuant to HIPAA.
16. **Compliance with Law:** Contractor shall comply with all applicable local, state, and federal laws and regulations in carrying out this Agreement, regardless of whether said local, state, and federal laws are specifically referenced in the Agreement to which this attached is incorporated.
17. **Tax Set-Off:** If, at any time prior to or during the term of any executed agreement, Contractor is delinquent in the payment of real and/or personal property taxes to Sedgwick County, and the delinquency exists at the time payment is due under the Agreement, County will offset said delinquent taxes by the amount of the payment due under the Agreement and will continue to do so until the delinquency is satisfied, pursuant to K.S.A. 79-2012.
18. **Inapplicability to Municipal Contractors:** The following provisions found in this Sedgwick County Mandatory Contractual Provisions Attachment shall be inapplicable if the contractor is a Kansas county, incorporated city, township, or improvement district: 8, 10, and 17.
19. **Safety Recall Notices:** Throughout the term of the Agreement and at all times thereafter, Contractor must immediately notify County of any and all safety recall notices of products, goods, and services Contractor has provided to County. In addition, Contractor shall remedy the recalled defect(s), at no cost to County, by: (1) providing products, goods, or services reasonably equal to or better than the quality of the products, goods, or services without accounting for the recalled defect(s); or (2) providing compensation to County in an amount not less than the original cost of the products, goods, or services less a reasonable amount for depreciation. This Section 19 survives expiration or termination of the Agreement.
20. **Generative AI:** Contractor shall disclose any use of Generative AI which processes, involves, has access or exposure to, impacts, or potentially impacts the County or County data, systems, goods, services, or products. In addition to the foregoing, Contractor shall specifically identify when Generative AI is intended for use to draft reports containing recommendations that involve engineering judgment or propose decisions, actions, or inactions that involve or rely upon professional engineering knowledge or experience. For purposes of this section, Generative AI is artificial intelligence capable of generating text, images, or other media, using generative models. In the event of any such disclosure, County may, in its sole discretion, deny the use of the Generative AI in performance of the Agreement or terminate this Agreement immediately and without any liability or duty beyond that compensation for goods or services already provided.

In addition, Contractor shall not expose or input any confidential County data, records, processes, or other types of information into Generative AI. Confidential data shall constitute Personal Health Information, medical records, legal or privileged records, personnel records, similarly sensitive records, or other types of data or records identified as confidential by County.

21. **Breach of System:** To the extent Contractor accesses, maintains, retains, modifies, records, stores, destroys, or otherwise holds, uses, or discloses County records or data, it shall, following the discovery of a breach or compromise of Contractor's system or of County information, immediately notify the County of such breach or compromise. Such notice shall include the County data or records that have been, or is reasonably believed by the Contractor to have been, used, accessed, acquired, or disclosed. Contractor shall provide County with any other available information that County reasonably requests or could be used to protect County's own system and data. Within five (5) days of the incident, Contractor shall provide County, in writing, a plan containing remedial steps being taken to address the compromised or potentially compromised data and future plans to prevent recurrence of the same or similar breach. If such remediation plan is acceptable to County IT, Contractor shall immediately implement the plan. In the event the remediation plan is not acceptable to County IT, both parties shall negotiate, in good faith, for Contractor to provide security protection for the County and/or individuals potentially impacted by the breach.

*[balance of this page intentionally left blank]*

**RECOMMENDED ACTION**

**H. APPROVAL OF AGREEMENT WITH SEDGWICK COUNTY FOR TREECYCLE PROGRAM:**

Should Council choose to proceed,

**RECOMMENDED ACTION:**

Staff recommends approval of agreement with Sedgwick County for the Treecycle program and authorize Mayor or City Administrator to sign.

**CONSENT AGENDA**

- A. APPROPRIATION ORDINANCE – SEPTEMBER 3, 2024
- B. ECONOMIC DEVELOPMENT BOARD MINUTES–AUGUST 7, 2024
- C. LIONS PARK SPECIAL USE REQUEST-LIFE POINT CHURCH KID FEST-SEPT 21, 2024
- D. VALLEY CENTER CEMETERY SPECIAL USE REQUEST-DAR-DEC 14, 2024
- E. DELINQUENT ACCOUNT REPORT – JUNE 2024

**RECOMMENDED ACTION:**

**Staff recommends motion to approve the Consent Agenda as presented.**

## **A. APPROPRIATION ORDINANCE:**

Below is the proposed Appropriation Ordinance for September 3, 2024, as prepared by City Staff.

### **September 3, 2024, Appropriation**

<b>Total</b>	<b>\$ 1,803,691.62</b>
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VENDOR SET: 02 City of Valley Center

BANK: \* ALL BANKS

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

VENDOR I.D.	NAME	STATUS	DATE	CHECK	INVOICE	CHECK	CHECK	CHECK
				AMOUNT	DISCOUNT	NO	STATUS	AMOUNT
0503	FREMAR CORPORATION							
C-CHECK	FREMAR CORPORATION	VOIDED	V 8/16/2024			057052		11,752.29CR
0625	ENVIRONMENTAL SYSTEMS RESEARCH							
C-CHECK	ENVIRONMENTAL SYSTEMS REVOIDED	V	8/23/2024			057078		2,970.00CR

\* \* T O T A L S \* \*

	NO	INVOICE AMOUNT	DISCOUNTS	CHECK AMOUNT
REGULAR CHECKS:	0	0.00	0.00	0.00
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:	2 VOID DEBITS	0.00		
	VOID CREDITS	14,722.29CR	14,722.29CR	0.00

TOTAL ERRORS: 0

VENDOR SET: 02	BANK: *	TOTALS:	NO	INVOICE AMOUNT	DISCOUNTS	CHECK AMOUNT
			2	14,722.29CR	0.00	0.00
BANK: *		TOTALS:	2	14,722.29CR	0.00	0.00

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	AMOUNT		NO	STATUS	AMOUNT
0025	MIKE JOHNSON SALES, INC.							
I-202408152137	MIKE JOHNSON SALES, INC.	R	8/16/2024	17.00		057048		17.00
0113	VALLEY PRINT LOGISTICS							
I-202408132127	VALLEY PRINT LOGISTICS	R	8/16/2024	326.76		057049		326.76
0150	AT&T MOBILITY							
I-202408132130	AT&T MOBILITY	R	8/16/2024	866.04		057050		866.04
0378	PEARSON CONSTRUCTION LLC							
I-202408152140	PEARSON CONSTRUCTION LLC	R	8/16/2024	3,471.56		057051		3,471.56
0503	FREMAR CORPORATION							
I-202408152141	FREMAR CORPORATION	V	8/16/2024	11,752.29		057052		11,752.29
0503	FREMAR CORPORATION							
M-CHECK	FREMAR CORPORATION	VOIDED	V	8/16/2024		057052		11,752.29CR
0784	MERIDIAN ANALYTICAL LABS, LLC							
I-202408132128	MERIDIAN ANALYTICAL LABS, LLC	R	8/16/2024	744.00		057053		744.00
0799	ELITE FRANCHISING INC DBA JANI							
I-202408152143	ELITE FRANCHISING INC DBA JANI	R	8/16/2024	155.00		057054		155.00
0834	WICHITA AREA BUILDERS ASSOCIAT							
I-202408142134	WICHITA AREA BUILDERS ASSOCIAT	R	8/16/2024	800.00		057055		800.00
1004	IMAGINE IT, INC.							
I-202408152144	IMAGINE IT, INC.	R	8/16/2024	7,849.72		057056		7,849.72
1078	FLEXIBLE BENEFIT SERVICE CORPO							
I-202408142135	FLEXIBLE BENEFIT SERVICE CORPO	R	8/16/2024	212.25		057057		212.25
1137	WASTE CONNECTIONS OF KANSAS, I							
I-202408142133	WASTE CONNECTIONS OF KANSAS, I	R	8/16/2024	46,025.49		057058		46,025.49
1240	UTILITY MAINTENANCE CONTRACTOR							
I-202408132132	UTILITY MAINTENANCE CONTRACTOR	R	8/16/2024	500.00		057059		500.00
1286	MCCOWNGORDON CONSTRUCTION, LLC							
I-202408152142	MCCOWNGORDON CONSTRUCTION, LLC	R	8/16/2024	1,529,945.52		057060		1,529,945.52
1360	ABCD TECH							
I-202408152145	ABCD TECH	R	8/16/2024	45.00		057061		45.00

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	AMOUNT		NO	STATUS	AMOUNT
1370	AT&T MOBILITY-CC							
	I-202408142136	AT&T MOBILITY-CC	R	8/16/2024	347.25	057062		347.25
1389	SITEONE LANDSCAPE SUPPLY							
	I-202408132129	SITEONE LANDSCAPE SUPPLY	R	8/16/2024	821.10	057063		821.10
1403	PARETO HEALTH							
	I-202408152146	PARETO HEALTH	R	8/16/2024	94.00	057064		94.00
1411	EVERGREEN RECYCLE LLC							
	I-202408132131	EVERGREEN RECYCLE LLC	R	8/16/2024	30,000.00	057065		30,000.00
1412	DREAM AUTO CLINIC							
	I-202408152138	DREAM AUTO CLINIC	R	8/16/2024	925.00	057066		925.00
0032	AFLAC							
	I-AF 202408062102	SUPPLEMENTAL INSURANCE	R	8/21/2024	42.07	057068		
	I-AF 202408202158	SUPPLEMENTAL INSURANCE	R	8/21/2024	99.71	057068		
	I-AFC202408062102	SUPPLEMENTAL INSURANCE	R	8/21/2024	80.26	057068		
	I-AFC202408202158	SUPPLEMENTAL INSURANCE	R	8/21/2024	80.26	057068		
	I-AFD202408062102	SUPPLEMENTAL INSURANCE	R	8/21/2024	55.77	057068		
	I-AFD202408202158	SUPPLEMENTAL INSURANCE	R	8/21/2024	55.77	057068		
	I-AFL202408062102	SUPPLEMENTAL LIFE INSURANCE	R	8/21/2024	60.10	057068		
	I-AFL202408202158	SUPPLEMENTAL LIFE INSURANCE	R	8/21/2024	60.10	057068		
	I-AFO202408062102	SUPPLEMENTAL INSURANCE	R	8/21/2024	45.89	057068		
	I-AFO202408202158	SUPPLEMENTAL INSURANCE	R	8/21/2024	45.89	057068		625.82
0445	DELTA DENTAL OF KANSAS, INC.							
	I-DDS202408062102	DENTAL INSURANCE	R	8/21/2024	159.75	057069		
	I-DDS202408202158	DENTAL INSURANCE	R	8/21/2024	159.75	057069		
	I-DEC202408062102	DENTAL INSURANCE	R	8/21/2024	218.05	057069		
	I-DEC202408202158	DENTAL INSURANCE	R	8/21/2024	218.05	057069		
	I-DES202408062102	DENTAL INSURANCE	R	8/21/2024	316.26	057069		
	I-DES202408202158	DENTAL INSURANCE	R	8/21/2024	316.26	057069		
	I-DFM202408062102	DENTAL INSURANCE	R	8/21/2024	824.74	057069		
	I-DFM202408202158	DENTAL INSURANCE	R	8/21/2024	588.94	057069		2,801.80
0566	SURENCY LIFE AND HEALTH							
	I-VEC202408062102	VISION INSURANCE	R	8/21/2024	7.93	057070		
	I-VEC202408202158	VISION INSURANCE	R	8/21/2024	7.93	057070		
	I-VMC202408062102	VISION INSURANCE	R	8/21/2024	69.44	057070		
	I-VMC202408202158	VISION INSURANCE	R	8/21/2024	69.44	057070		
	I-VME202408062102	VISION INSURANCE	R	8/21/2024	38.64	057070		
	I-VME202408202158	VISION INSURANCE	R	8/21/2024	38.64	057070		
	I-VMF202408062102	VISION INSURANCE	R	8/21/2024	202.44	057070		
	I-VMF202408202158	VISION INSURANCE	R	8/21/2024	202.44	057070		
	I-VMS202408062102	VISION INSURANCE	R	8/21/2024	80.96	057070		
	I-VMS202408202158	VISION INSURANCE	R	8/21/2024	13.21	057070		731.07

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	AMOUNT		NO	STATUS	AMOUNT
0270	INTRUST CARD CENTER							
I-202408192147	INTRUST CARD CENTER	R	8/23/2024	12,506.16		057071		12,506.16
1	HOLUB, STEVEN ADOLPH							
I-000202408192148	BOND REFU	R	8/23/2024	49.50		057072		49.50
0059	CITY OF WICHITA							
I-202408202157	CITY OF WICHITA	R	8/23/2024	4,508.00		057073		4,508.00
0080	KDHE-BUREAU OF WATER							
I-202408212160	KDHE-BUREAU OF WATER	R	8/23/2024	104,323.57		057074		104,323.57
0113	VALLEY PRINT LOGISTICS							
I-202408192149	VALLEY PRINT LOGISTICS	R	8/23/2024	110.00		057075		110.00
0133	MAYER SPECIALTY SERVICES							
I-202408202152	MAYER SPECIALTY SERVICES	R	8/23/2024	35,694.05		057076		35,694.05
0503	FREMAR CORPORATION							
I-202408202151	FREMAR CORPORATION	R	8/23/2024	13,075.42		057077		13,075.42
0625	ENVIRONMENTAL SYSTEMS RESEARCH							
I-202408202153	ENVIRONMENTAL SYSTEMS RESEARCH	V	8/23/2024	2,970.00		057078		2,970.00
0625	ENVIRONMENTAL SYSTEMS RESEARCH							
M-CHECK	ENVIRONMENTAL SYSTEMS REVOIDED	V	8/23/2024			057078		2,970.00CR
0639	ARMSCOR CARTRIDGE INCORPORATED							
I-202408212167	ARMSCOR CARTRIDGE INCORPORATED	R	8/23/2024	1,540.00		057079		1,540.00
0784	MERIDIAN ANALYTICAL LABS, LLC							
I-202408202154	MERIDIAN ANALYTICAL LABS, LLC	R	8/23/2024	685.00		057080		685.00
0812	CENTRAL KEY & SAFE COMPANY, IN							
I-202408202155	CENTRAL KEY & SAFE COMPANY, IN	R	8/23/2024	526.00		057081		526.00
0988	FELD FIRE							
I-202408212168	FELD FIRE	R	8/23/2024	1,050.00		057082		1,050.00
1162	CUT RATES LAWN CARE LLC							
I-202408202156	CUT RATES LAWN CARE LLC	R	8/23/2024	1,235.00		057083		1,235.00
1400	DONE RIGHT LAWN CARE LLC.							
I-202408212169	DONE RIGHT LAWN CARE LLC.	R	8/23/2024	75.00		057084		75.00

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	AMOUNT		NO	STATUS	AMOUNT
1414	HIS LIGHT ELECTRIC LLC							
I-202408202159	HIS LIGHT ELECTRIC LLC	R	8/23/2024	730.00		057085		730.00

1416	MOUNTAINLAND SUPPLY COMPANY							
I-202408212170	MOUNTAINLAND SUPPLY COMPANY	R	8/23/2024	204.64		057086		204.64

\* \* T O T A L S \* \*

	NO	INVOICE AMOUNT	DISCOUNTS	CHECK AMOUNT
REGULAR CHECKS:	36	1,818,339.01	0.00	1,803,616.72
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:	2 VOID DEBITS	0.00		
	VOID CREDITS	14,722.29CR	14,722.29CR	0.00

TOTAL ERRORS: 0

	NO	INVOICE AMOUNT	DISCOUNTS	CHECK AMOUNT
VENDOR SET: 02 BANK: APBK TOTALS:	38	1,803,616.72	0.00	1,803,616.72

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	AMOUNT		NO	STATUS	AMOUNT
0154	ESTEBAN IBARRA							
I-202408152139	ESTEBAN IBARRA	R	8/16/2024	74.90		057067		74.90

\* \* T O T A L S \* \*

	NO	INVOICE AMOUNT	DISCOUNTS	CHECK AMOUNT
REGULAR CHECKS:	1	74.90	0.00	74.90
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	0.00	0.00	0.00
	VOID DEBITS	0.00		
	VOID CREDITS	0.00	0.00	0.00

TOTAL ERRORS: 0

	NO	INVOICE AMOUNT	DISCOUNTS	CHECK AMOUNT
VENDOR SET: 03	1	74.90	0.00	74.90
BANK: APBK TOTALS:	39	1,803,691.62	0.00	1,803,691.62
REPORT TOTALS:	39	1,803,691.62	0.00	1,803,691.62

## SELECTION CRITERIA

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

---

## CHECK SELECTION

CHECK RANGE: 057048 THRU 057086  
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

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**CONSENT AGENDA**

**B. ECONOMIC DEVELOPMENT BOARD MINUTES –AUGUST 7, 2024:**

**VALLEY CENTER ECONOMIC DEVELOPMENT BOARD MEETING MINUTES**

Wednesday, August 7th, 2024 1:00 P.M.

(Meeting held via Microsoft Teams)

**MEETING WAS CALLED TO ORDER AT 1:01 P.M. THOSE IN ATTENDANCE:**

Ben Anderson, Chairperson

Ron Colbert

Ivan Gomez

Brian Haight

Kyle Fiedler, Community Development Director

Brittney Ortega, Community Development Assistant

Brent Clark, City Administrator

**APPROVAL OF DRAFT MINUTES**

Motion was made by Randy and seconded by Brendan to approve the meeting minutes for May 1<sup>st</sup>, 2024. Motion was unanimous.

**NEW BUSINESS:****A. Introduction of New Community Development Director**

New Director, Kyle Fiedler, was introduced and shared briefly about his experience, work history, and excitement to be a part of the Valley Center team.

**B. Residential/Commercial Developments Update**

Brent provided updates on Sunflower Valley including residential and commercial information. Occupancy may start taking place in these homes as early as the middle of September. Ceterra has one home currently being constructed and additional model homes will potentially be going up this Fall/Winter. Arbor Valley currently has multiple homes being constructed and is on schedule. Brent provided an update on the TIF district including potential developer information, commercial frontage availability, possible new school location and 62-acre park details. Prairie Lakes Phase III and IV are progressing in all areas. 44 lots in phase IV are projected to be available soon. Harvest Place updates were provided including, drainage, floodplain, dirt work, retention ponds, and grading plans.

**C. Aquatic & Recreation Center/Meridian Ave. Project Updates**

The rec center is looking great! Primer on walls has started to be applied, pool deck is scheduled to be poured next week, and HVAC is being hung and turned on. We are on schedule to open in January 2025.

**D. General Discussion**

Ribbon cutting for the north section of Meridian St. is Friday, August 16<sup>th</sup>. Thank you to the American Legion for donating the flags and flagpoles for this project! Planting of new trees will take place later this fall, pending the status of the current water restrictions. The first of three phases for the south section of the Meridian St. construction is scheduled to begin next week.

The next meeting will be held in person at Builders First Source on Wednesday, September 11<sup>th</sup>, 2024, at 1:00PM.

**ADJOURNMENT**

Motion was made by Ron and seconded by Casey to adjourn the meeting. Motion was unanimous. Meeting adjourned at 1:37 P.M.

Respectfully submitted,

---

Kyle Fiedler, Secretary

**CONSENT AGENDA**

**C. LIONS PARK SPECIAL USE REQUEST-LIFE POINT CHURCH-KIDS FEST– SEPTEMBER 21, 2024:**

## Special Use Request of City Parks

---

Special Use of City Parks is granted by the City of Valley Center Governing Body. The following is required for community celebrations, carnivals, music festivals, political rallies, fundraisers, or similar public events.

The following information is required for the review/approval process:

Certificate of liability insurance must be included with the Special Use Request. It must add/name the City of Valley Center as third party insured in the minimum amount of \$1,000,000.

All information must be returned to the Parks & Public Buildings Department no less than 3 weeks in advance of the requested event date. Once received, staff will review and add the special use request to the next City Council meeting agenda for approval.

City Park Regulations are posted at each park (and provided with packet information). Please ensure that regulations are enforced with all parties involved with the planning and setup of the event.

---

### Special Use Request Information:

1. List the purpose of your event and all planned activities. (Site use and set up must be approved and coordinated by the Department of Parks & Public Buildings). Attach separate sheets as needed.
- Kids Fest: In coordination with Fall Fest Lifepoint Church is sponsoring Kids Fest where kids (and adults) for no charge can have some fair snacks, play on inflatables, play some carnival games, and get their face painted. The Police Department and Fire Department will be there as well.

- 1.A Attach additional information if needed
- Field not completed.*

2. Include a map or description of the park area requested and include a list of park facilities you will use.

There is a map attached.

---

2.A Attach map if applicable

[KidsFestMap.jpeg](#)

---

Event Date 9/21/2024

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Event Set Up Time 11:30 AM

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Event Hours 2:00 PM - 4:00 PM

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Event Clean Up Time 4:00 PM

---

Description of Clean Up Procedure We will take everything we bring back to the church, and leave the park relatively clean.

---

Sponsoring Organizations Lifepoint Church

---

Certificate of Liability Insurance [COI\\_0437745 25-710524\\_CityofValleyCenter-20247416550.pdf](#)

### **Applicant Information**

---

First Name Nathaniel

---

Last Name Thurman

---

Address1 225 E Clay

---

City Valley Center

---

State	KS
Zip	67147
Park Regulations.	I have read, acknowledged, and understand all City of Valley Center Park Regulations provided below.

---

This request is not a reservation to hold or occupy any park structure or facility other than what is identified and approved by the governing body for in the special use request.

For questions or further information, please email [parks@valleycenterks.org](mailto:parks@valleycenterks.org) or call 316-755-7320 x205.

Neal Owings, Director of Parks & Public Buildings

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**CONSENT AGENDA**

**D. VALLEY CENTER CEMETERY SPECIAL USE REQUEST-DAR-  
DECEMBER 14, 2024:**

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Special Use of City Parks is granted by the City of Valley Center Governing Body. The following is required for community celebrations, carnivals, music festivals, political rallies, fundraisers, or similar public events.

The following information is required for the review/approval process:

Certificate of liability insurance must be included with the Special Use Request. It must add/name the City of Valley Center as third party insured in the minimum amount of \$1,000,000.

All information must be returned to the Parks & Public Buildings Department no less than 3 weeks in advance of the requested event date. Once received, staff will review and add the special use request to the next City Council meeting agenda for approval.

City Park Regulations are posted at each park (and provided with packet information). Please ensure that regulations are enforced with all parties involved with the planning and setup of the event.

---

#### Special Use Request Information:

---

1. List the purpose of your event and all planned activities. (Site use and set up must be approved and coordinated by the Department of Parks & Public Buildings). Attach separate sheets as needed.

We will hold a Wreaths Across America wreath laying ceremony at the Valley Center Cemetery on Dec. 14th, 2024.

---

1.A Attach additional information if needed

*Field not completed.*

---

2. Include a map or description of the park area requested and include a list of park facilities you will use.

---

2.A Attach map if applicable *Field not completed.*

Event Date 12/14/2024

Event Set Up Time 10:30 AM

Event Hours 11:00 AM - 11:30 AM

Event Clean Up Time 11:45 AM

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Description of Clean Up Procedure We will come back on Saturday, January 18th, 2024 to pick up all the wreaths and discard in the garbage containers behind City Hall.

Sponsoring Organizations Little Arkansas Chapter, NSDAR

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Certificate of Liability Insurance [Dear Neal - No COI.docx](#)

### **Applicant Information**

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First Name Pamela

---

Last Name Brillhart

---

Address1 7101 W 49th St N

City

State KS

Zip 67205

Park Regulations. I have read, acknowledged, and understand all City of Valley Center Park Regulations provided below.

This request is not a reservation to hold or occupy any park structure or facility other than what is identified and approved by the governing body for in the special use request.

For questions or further information, please email [parks@valleycenterks.org](mailto:parks@valleycenterks.org) or call 316-755-7320 x205.

Neal Owings, Director of Parks & Public Buildings

**E. DELINQUENT ACCOUNT REPORT –JUNE 2024:**



8/28/2024 1:47 PM

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

PAGE: September 3, 2024 City Council Agenda Page 123  
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: 6/01/2024 THRU 6/30/2024

ACCOUNT NO#	NAME	LAST PAY	ST	--CURRENT--	+1 MONTHS	+2 MONTHS	+3 MONTHS	+4 MONTHS	--BALANCE--
**** BOOK # :0010	TOTAL ACCOUNTS:	0		0.00	0.00	0.00	0.00	0.00	0.00
**** BOOK # :0011	TOTAL ACCOUNTS:	0		0.00	0.00	0.00	0.00	0.00	0.00
**** BOOK # :0012	TOTAL ACCOUNTS:	0		0.00	0.00	0.00	0.00	0.00	0.00
<b>5/13/2024 I</b>									0.00
**** BOOK # :0017	TOTAL ACCOUNTS:	1		0.00	0.00	0.00	0.00	0.00	0.00
18-0377-98	MINIARD, JOHNNY	5/30/2024 F		91.99	8.00				99.99
18-0394-98	LIBERTY COMMUNITIES	8/13/2024 F	687.21CR						687.21CR
18-0395-98	LIBERTY COMMUNITIES	8/13/2024 F	2,316.58CR						2,316.58CR
**** BOOK # :0018	TOTAL ACCOUNTS:	3		3003.79CR	91.99	8.00	0.00	0.00	2903.80CR
20-0079-90	MONARCH INVESTMENTS	6/12/2023 F	126.85						126.85
20-0203-05	BEAUROIN, SHELBY	6/07/2024 F		95.44	151.20				246.64
20-0221-07	PIKE, WHITNEY	4/18/2024 F		77.69	128.71	140.66			347.06
20-0231-04	MCCLURE, KASSIE	5/06/2024 F		89.06	124.00	129.29			342.35
**** BOOK # :0020	TOTAL ACCOUNTS:	4		126.85	262.19	403.91	269.95	0.00	1062.90
80-0103-00	RANDALL, EDWARD J ETUX	5/09/2024 I							0.00
		5/16/2024 F				8.00			8.00
**** BOOK # :0080	TOTAL ACCOUNTS:	2		0.00	0.00	8.00	0.00	0.00	8.00
<b>**REPORT TOTALS**</b>									1177.55CR

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

## ==== R E V E N U E C O D E T O T A L S ====

REVENUE CODE:	--CURRENT--	+1 MONTHS	+2 MONTHS	+3 MONTHS	+4 MONTHS	--BALANCE--
100-WATER	2963.02CR	249.94	242.06	145.87	0.00	2325.15CR
200-SEWER	48.72	219.27	308.70	178.51	0.00	755.20
300-PROT	0.10	0.33	0.42	0.27	0.00	1.12
600-STORMWATER UTILITY FEE	7:20	50.13	59.41	25.64	0.00	142.38
610-SOLID WASTE	17.64	45.23	77.54	44.36	0.00	184.77
850-PENALTY	12.42	14.06	20.71	16.94	0.00	64.13
<b>TOTALS</b>	<b>2876.94CR</b>	<b>578.96</b>	<b>708.84</b>	<b>411.59</b>	<b>0.00</b>	<b>1177.55CR</b>

TOTAL REVENUE CODES: 1,177.55CR  
 TOTAL ACCOUNT BALANCE: 1,177.55CR  
 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	26.92	56.45	0.00	0.00	83.37
02-BOOK 02	0.00	73.53	0.00	0.00	0.00	73.53
03-BOOK 03	0.00	72.96	129.62	141.64	0.00	344.22
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	0.00	0.00	0.00	0.00	0.00
07-BOOK 07	0.00	51.37	102.86	0.00	0.00	154.23
08-BOOK 08	0.00	0.00	0.00	0.00	0.00	0.00
09-BOOK 09	0.00	0.00	0.00	0.00	0.00	0.00
10-BOOK 10	0.00	0.00	0.00	0.00	0.00	0.00
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	3003.79CR	91.99	8.00	0.00	0.00	2903.80CR
20-BOOK 20	126.85	262.19	403.91	269.95	0.00	1062.90
80-STORMWATER YEARLY	0.00	0.00	8.00	0.00	0.00	8.00
TOTALS	2876.94CR	578.96	708.84	411.59	0.00	1177.55CR

ERRORS: 000

## SELECTION CRITERIA

## REPORT OPTIONS

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

## BALANCE SELECTION

SELECTION: ALL  
RANGE: 9999999.99CR 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: 6/01/2024 THRU 6/30/2024

## 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 \*\*\*

## **STAFF REPORTS**

- A. Community Development Director Fiedler**
- 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. 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**