



# City of VALLEY FALLS

Incorporated May 17, 1869

## City Council Agenda

The City Council meeting is open to the public and will be held at City Hall.

Meetings will be streamed via Facebook Live (<https://www.facebook.com/cityofvalleyfalls>) Please email questions to [cityadmin@valleyfalls.org](mailto:cityadmin@valleyfalls.org) before the meeting.

March 15, 2023 6:30 PM  
Regular Meeting

### CALL TO ORDER

### PLEDGE OF ALLEGIANCE

### ROLL CALL - City Council and Staff

### MINUTES - Regular Meeting of March 1, 2023

### PUBLIC COMMENTS & GUESTS: *Public Comment Policy*

### BUSINESS ITEMS:

1. 3-Month Extended Stay Request at RV Park - Mollie Kearney
2. EMC Insurance Policy Renewal
3. Workman's Comp Policy Renewal
4. Trash Service Proposals
5. Centenarian Club Easter Egg Hunt Donation Request - \$150
6. Vehicle Replacement
7. KDHE Loan
  - a. Lobbying Form
  - b. Legal Services Agreement
8. KDHE Loan Resolution Adopting Procurement Standards # 2023-01
9. USDA Loan Applicant Certification Form

### TABLED ITEMS:

INVOICES - \$31,912.00

### REPORTS:

CITY ADMINISTRATOR: Audree Guzman

PUBLIC WORKS: Bill McCoy

POLICE: Carrie Clark

MAYOR: Jeanette Shipley

FIRE DISTRICT: Salih Doughramaji

ECONOMIC DEVELOPMENT BOARD: Audree Guzman

PLANNING & ZONING COMMISSION: Audree Guzman

CITY COUNCIL COMMENTS/ FEEDBACK/ IDEAS

### ANNOUNCEMENTS/ COMMUNICATIONS:

City offices closed April 7<sup>th</sup> in observance of Good Friday.

Easter Egg hunt April 8<sup>th</sup>.

Candidates running for office of Valley Falls City Council must file by June 1<sup>st</sup> at noon in the Jefferson County Clerk's office. The filing fee is \$20. There are 3 city council seats that will be elected in the November election.

### EXECUTIVE SESSION

### ADJOURNMENT

## CITY OF VALLEY FALLS

March 1, 2023

### Open Meeting

The meeting was called to order at 6:30 pm by Mayor Jeanette Shipley. Council members present were, Gary McKnight, Jennifer Ingraham, and Judy Rider. Salih Doughramaji and Matt Frakes were absent.

Staff present: Audree Guzman, City Administrator, Chris Weishaar, City Clerk, Bill McCoy, Public Works, Police Chief Carrie Clark, and Leonard Buddenbohm, City Attorney.

Others present: Dianne Heinen, Alex Darby, and Lucy Thomas.

#### **Minutes:**

The minutes from the February 15, 2023, meeting was presented.

Jennifer moved to approve the minutes. Judy seconded the motion. Motion carried 3-0.

**Public Comments & Guests:** Lucy Thomas spoke reference the sidewalk project and did not feel that tax payers' dollars should not be paying for private property sidewalks.

#### **BUSINESS ITEMS:**

1. CDBG Sewer Project Bid – Alex from PEC and Audree discussed the bids and options pertaining to the loans and payments. Alex and Audree advised the bid from Haven's Construction is the base bid of \$1,585,521.19 is sufficient for the phase one of the project. Gary made a motion to approve Havens Construction bid. Jennifer seconded the motion. Motion carried 3-0.

2. CDBG Sidewalk Grant Preliminary Engineering Report – Audree and Alex presented the option for the sidewalk project. After discussion it was decided to table the topic until a full council is present.

3. KCJIS Policy – Chief Clark presented the policy in order to have KCJIS in the patrol vehicles. Gary made a motion to approve the policy. Jennifer seconded the motion. Motion carried 3-0.

4. New Business Incentive – The Rustic Baker at 405 Broadway St – Audree presented to application for New Business Incentive. Gary made a motion to approve the application. Judy seconded the motion. Motion carried 3-0.

#### **Vouchers:**

The March 1, 2023, vouchers of \$12,995.62 were presented. Judy moved to approve vouchers. Jennifer seconded the motion. Motion carried 3-0.

**City Administrator:**

**Daily Operations**

- 1. Audit** Audit is scheduled for March 1st. RFP for audit services will be sent out after completion of audit presentation.
- 2. Match Day** I attended a meeting with the Valley Falls Community Foundation on Sunday, February 19th. The Foundation is planning on a match / give day for the funds on September 30, 2023. I will work with the Community Foundation to make sure the City Pool Fund is involved.
- 3. Barnes Addition Plot** PEC has completed the draft. PEC is reviewing and will have for final signatures in the next few weeks.
- 4. Trash Service** Bid document published on Facebook, City Website, and Newspaper. In addition, it was sent to 5 different waste collection companies. Bids due March 10th.
- 5. Purplewave** The 1994 Chevy from Public Works sold for \$500. The old equipment from the Police Department sold for \$550.
- 6. Pool Drive Way** – Reached out to Butch for an update. He has the City Pool on the schedule to be completed in March.
- 7. Economic Development Board** – On Work Session for discussion.
- 8. Planning Commission** – K-State will help create the comprehensive plan in Spring 2024. This would be at no cost to the city. Group is working on the Shipping Container Regulations. Next meeting will be February 9th.
- 9. Teen Court** Working on a diversion program and youth court program for teen offenders. Meeting with Chief Clark to continue development of the program on February 8th.
- 10. Water Source Project** PEC is getting final information for proposal to move forward with test wells and information from the studies done in 2005. Attached summary of these reports.
- 11. Utility Mapping** Met with KRWA on February 24th to update maps. Once updates with KRWA are complete PEC will host updated Sewer and Water maps.
- 12. Entry/ Welcome Signs** – Checking with KDOT on process to update Welcome sign on the hill.
- 13. 419 Broadway St Condemnation** Next progress update June 7th.
- 14. 204 Walnut St Condemnation** Next update March 15th.
- 15. 207 Sycamore St Condemnation** No progress. Next update April 19th.

**Grants & Projects**

- 1. CDBG Sewer Project Phase 1-** Bid opening on Feb 21st. Must have contract awarded by 3/15/2023.
- 2. CDBG Community Facilities** –Sent project priority map to PEC to complete PER. Applications due May 1st. This is a 50/50 match. Shifting the priority to sidewalks around school, pool, and residential areas. Submitting application for KDOT Cost Share (15%).
- 3. KDHE Waste Tire Grant** – Submitted. Awards announcements anticipated in April.
- 4. USDOT Safety Action Plan Grant** – Awarded grant of \$40,000 Federal Funding and \$5,000 KDOT. City share is \$5,000. The plan can include sidewalks, bike routes, streets and more. Work with PEC as Engineer for this project.

**5. KDOT TA** This grant can be used for the downtown streetscape which can include: sidewalks/ curbs, lighting, planters, benches, landscaping, and more! This is an 80/20 construction grant match. Engineering and design is paid by City. The intent is to use this grant for Broadway Street improvements. Applications are due in February 2024.

The Safety Action Plan can include part of the design and engineering for this project. Work with PEC for estimates.

**6. KDOT Safe Routes to School** The Safe Routes to School helps create safe walking and biking paths for children to the school. This is a two-phase grant. The first phase is the design/ engineering of a plan of the Safe Routes to School. Part of this can come from our Safety Action Plan. The second phase is construction/ implementation of the plan. Applications are due in February 2024. Working with PEC for estimates.

**7. Kansas Forestry Grants** Submitted proposal for Kansas Forestry Grants. This is the city proposal for the state to apply for the federal dollars.

**8. Fire Hydrant Testing** – Reached out to KRWA to start the project. They have added us to the schedule to start the flow testing. This will be done over several days when the weather is above freezing. This service is free.

**9. American Rescue Plan Act (ARPA)** – Projects completed to date include: gWorks Software, RV Park Electrical Upgrade. Funds used to date: \$23,851.40. Projects pending to date include: K-16 Entry Signs. Funds planned for projects: \$7,000. Remaining Funds: \$145,106.96.

**10. Opioid Settlement** –Total received to date is \$2,952.96. \$0.00 expended.

**11. K-4 / K-16 Street Lights** – Estimate received from PEC. Around \$30,000 to add lighting. KDOT is going to perform a safety study. If warranted by KDOT, the light cost will be covered by KDOT. Safety study is anticipated to be completed in Spring 2023.

**12. KDHE Lead & Copper** Lead & Copper Inventory due to KDHE by October 16, 2024. Getting estimate from PEC for consultant for this project.

**13. Automatic Water Meters** – 330 meters installed to date. Total of 493 water meters.

#### **Sewer/Water/Streets/Alleys/Parks/Pool:**

##### **Water:**

We got 18 new meters installed due to the weather

Met with KRWA and assisted them in locating meters and valves for the mapping project

Working on additional changes to the mapping for KRWA

##### **Sewers:**

Still discharging from lagoon will be scheduling valve replacement at the earliest opportunity in March

I attended the bid meeting with PEC and the contractors' placing bids for the sewer project

##### **Streets:**

Took delivery of the school zone light replacement and will be getting it installed as soon as we can.

**Police:**

- \* Officer Taylor has been enrolled for KLETC 310th Class which will run from March 6th -June 9th, 2023. He has completed Field Training with me, and is going to be placed on the work schedule for nightshift until he leaves for the academy.
- \* Davis is enrolled for KLETC reciprocity exam in April
- \* City administrator and I met with Enterpol. Enterpol is being used by Jefferson County Sheriff's Department and the Jefferson County Attorney's office. It would allow better communication between the agencies, and more organization with paperwork. This software uses RMS, which is a state wide commination portal. Its ingrates with Digiticket, which can be used to print out tickets, but is able to communicate with the Enterpol/RMS software. Currently Omnigo only communicates with two other departments, which are located in western Kansas. The Digiticket is a separate cost, but with their software the officers would be able to scan or swipe the Driver's License which in turn would be a faster traffic stop and less officer errors.
- \* Received the watchguard camera system, arranging for the installation in the Expedition.
- \* Officer Davis will test for his Kansas Certification in April.
- \* A new part time officer was interviewed, and if passes the physiological test will be hired and start FTO training.
- \* I attended Homeland Security training for Digital Forensic Photography Level 1 in Clay Center last week. The training provided free digital camera, tripod, and the accessories. It also included books about the camera and crime scene photographing. The total cost of the equipment and accessories was approximately \$3000.

**Mayor:** Mayor asked for a donation for the Easter Egg Hunt. Audree placed on the agenda for the next meeting.

**Fire District:** No Report.

**Economic Development Board:** No Report

**Planning & Zoning Commission:** No Report

**City Council Comments:** None

**ADJOURNMENT**

Gary made a motion to adjourn the meeting. Jennifer seconded the motion. Motion carried 3-0.

APPROVED: \_\_\_\_\_  
JEANETTE SHIPLEY, MAYOR

ATTEST: \_\_\_\_\_  
CHRISTINE WEISHAAR, CITY CLERK



*City of*  
**VALLEY FALLS**

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*Incorporated May 17, 1869*

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## **PUBLIC COMMENT POLICY**

**This is a business meeting of the governing body for the City of Valley Falls. We strive to run a smooth and efficient meeting.**

Public Comment is limited to 3 minutes per person. Speakers shall state their name and address. This is intended for citizens to express their views. City Council Members will not engage in dialogue with the speaker. Belligerent, rude, and offensive speakers will be stopped immediately. Citizen should reach out to City Council Members to have personal discussion of their concerns outside of City Council Meetings.

Any comment for agenda items shall be taken only during the specific agenda item. All questions posed during public forum should be answered within the specific agenda item by any City Council Member or followed up as needed by staff in a timely manner during regular business hours following the meeting.

Citizens desiring to comment on matters of a general nature, not specific to an agenda item, shall sign up in advance of the meeting & shall provide name and address, and the purpose or nature of the request. This request should be received by the City Administrator before Friday at noon preceding the meeting. No action or formal comment will be taken on such request at the council meeting. Staff will follow up in a timely manner during regular business hours following the meeting.



3801 W 6th St.  
Lawrence, KS 66049

(785) 331-3607

City of Valley Falls  
417 Broadway  
Valley Falls, KS 66088

<b>Invoice # 4439</b>	Page 1 of 1
Account Name	Date
City of Valley Falls	3/3/2023
BALANCE DUE ON	
4/1/2023	
AMOUNT PAID	Amount Due
	\$7,486.00

Please pay by 4/1/2023

Please make checks payable  
to Kansas Insurance

Worker's Compensati Policy Number: WC3690865 Effective: 4/1/2023 to 4/1/2024

Item #	Trans Eff Date	Due Date Trans	Description	Amount
14927	4/1/2023	4/1/2023 RENB	Renewal of WCOM Effective 4/1/2023	\$7,486.00
Total Invoice Balance:				\$7,486.00

THANK YOU FOR YOUR BUSINESS!

# Trash Bid Comparison – Year 1

## LRS

Service	Rate
96 Gal Cart	\$17.75
Additional Cart	\$7.50
2 yard dumpster	\$87.95
3 yard dumpster	\$92.75
4 yard dumpster	\$108.35
6 yard dumpster	\$127.75
8 yard dumpster	\$148.00
City Properties	No Charge
Bulk Pick Up	\$20/ item
Recycle Container	\$300/ haul    \$55/ ton
City Clean Up Container	\$300/ haul    \$55/ton

## Waste Management

Service	Rate
96 Gal Cart	\$16.83 res    \$18.70 com
Additional Cart	Undefined
2 yard dumpster	\$61.00
3 yard dumpster	\$72.65
4 yard dumpster	\$85.05
6 yard dumpster	\$107.35
8 yard dumpster	\$123.55
City Properties	Undefined
Bulk Pick Up	\$25/ item
Recycle Container	\$319/ haul    \$88.75/ton
City Clean Up Container	\$319/ haul    \$41.75/ton



# Trash Bid Comparison – Year 3

## LRS

Service	Rate
96 Gal Cart	\$19.57
Additional Cart	\$8.27
2 yard dumpster	\$96.96
3 yard dumpster	\$102.26
4 yard dumpster	\$119.46
6 yard dumpster	\$140.84
8 yard dumpster	\$163.17
City Properties	No Charge
Bulk Pick Up	\$20/ item
Recycle Container	\$300/ haul    \$55/ ton
City Clean Up Container	\$300/ haul    \$55/ton

## Waste Management

Service	Rate
96 Gal Cart	\$16.83 res    \$20.62 com
Additional Cart	Undefined
2 yard dumpster	\$67.25
3 yard dumpster	\$80.09
4 yard dumpster	\$93.77
6 yard dumpster	\$118.36
8 yard dumpster	\$136.22
City Properties	Undefined
Bulk Pick Up	\$25/ item
Recycle Container	\$351.70/haul    \$97.85/ton
City Clean Up Container	\$351.70/ haul    \$46.03/ton

# Trash Bid Comparison – Year 3 Annual

## LRS

Service	Rate
96 Gal Cart	\$1,017
Additional Cart	\$430
2 yard dumpster	\$5,041
3 yard dumpster	\$5,317
4 yard dumpster	\$6,211
6 yard dumpster	\$7,323
8 yard dumpster	\$8,484
City Properties	No Charge
Bulk Pick Up	\$20/ item
Recycle Container 5 ton/ wk (260 ton/ yr)	\$15,600 hauls \$14,300 tonnage
City Clean Up Container 3 containers/ twice/ yr	\$1,800 hauls \$1,650 tonnage

## Waste Management

Service	Rate
96 Gal Cart	\$875 residential \$1072 commercial
Additional Cart	Undefined
2 yard dumpster	\$3,497
3 yard dumpster	\$4,164
4 yard dumpster	\$4,876
6 yard dumpster	\$6,154
8 yard dumpster	\$7,083
City Properties	Undefined
Bulk Pick Up	\$25/ item
Recycle Container 5 ton/ wk (260 ton/ yr)	\$18,288 hauls \$25,441 tonnage
City Clean Up Container 3 containers/ twice/ yr	\$2,110 hauls \$1,381 tonnage

\* Service comparison for cart and dumpsters are based off annual cost for 1 customer

## Dodge Replacement Options

Dealer	Truck	Cost
Briggs Dodge Auto	2023 3500	\$70,179
Cable Dahmer Chevy	2024 2500HD	\$65,412
Laird Noller Ford	2023 F250	\$61,508

CERTIFICATION FOR CONTRACTS, GRANTS AND LOANS

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

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

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

3. The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including contracts, subcontracts, and subgrants under grants and loans) and that all subrecipients shall certify and disclose accordingly.

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

Jeanette Shipley

(name)

03/15/2023

(date)

Mayor

(title)

oOo

UNITED STATES DEPARTMENT OF AGRICULTURE  
RURAL DEVELOPMENT

**LEGAL SERVICES AGREEMENT**

This agreement made this 15 day of March, 2023, between

City of Valley Falls, Kansas

(Name of Organization, Organizing Committee or Sponsors)

hereinafter referred to as "Owners", and Leonard Buddenbohm, Attorney at Law of Foley & Buddenbohm Law, hereinafter referred to as "Attorney":

WHEREAS, Owners are intending have formed a

Municipal Corporation

(Public Body, Municipal Corporation or other organization)

In Jefferson County, Kansas under provisions of K.S.A Chapter 12

(Cite Statute(s) under which Owners

: and K.S.A. Chapter 15.

WHEREAS, the Attorney agrees to perform all legal services necessary to organize and incorporate said Municipality under the provisions of said statutes and to perform all other customary legal services necessary to the organization, financing, construction, and initial operation of a system.

WITNESSETH:

That for and in consideration of the mutual covenants and promises between the parties hereto, it is hereby agreed:

**SECTION A-LEGAL SERVICES**

That the Attorney will perform such services as are necessary to accomplish the above-recited objectives including, but not limited to, the following:

1. Preparation and filing of petition for incorporation and supervision and assistance in the taking of such other actions as may be necessary or incidental to cause the Owners to become duly organized and incorporated and to become duly organized and incorporated and to be authorized to undertake the proposed system.
2. Furnish advice and assistance to the governing body of the duly incorporated association in connection with (a) the notice for and conduct of meetings; (b) the preparation of minutes of meetings; (c) the preparation and enactment of such resolutions as may be necessary in

connection with the authorization, financing, construction and initial operation of the system; (d) the preparation of such affidavits, publication notices, ballots, reports, certifications, and other instruments and advice as may be needed in the conduct of such bond elections as may be necessary; (e) the preparation and completion of such bonds or other obligations as may be necessary to finance the system; (f) the completion and execution of documents for obtaining a loan made or insured or a grant made by the United States of America, acting through U.S. Department of Agriculture, Rural Development; (g) entering into construction contracts; (h) preparation and adoption of By-Laws, Rules, and Regulations, and rate schedules; (i) such other corporate action as may be necessary in connection with the financing, construction, and initial operation of the system.

3. Review of construction contracts, bid-letting procedure, and surety and contractual bonds in connection therewith.
4. Preparation, negotiation, or review of contract with a city or other source of water supply when necessary.
5. Preparation, where necessary, and review of deeds, easements and other rights-of-way documents, and other instruments for sites for source of water supply, pumping stations, treatment plants, and other facilities necessary to the system and to provide continuous rights-of-way therefore; rendering title opinions with reference thereto; and providing for the recordation thereof.
6. Obtain necessary permits and certificates from county and municipal bodies, from State regulatory agencies, and from other public and private sources with respect to the approval of the system, the construction and operation thereof, pipeline crossings, and the like.
7. Cooperate with the engineer employed by the Owners in connection with the preparation of tract sheets, easements, and other necessary title documents, construction contracts, water supply contracts, health permits, crossing permits, and other instruments.
8. When applicable, secure assistance of an cooperate with recognized bond counsel in the preparation of the documents necessary for the financing aspects of the system. Where bond counsel is retained, the Attorney will not be responsible for the preparation and approval of those documents pertaining to the issuance of the obligations.

#### SECTION B-COMPENSATION

1. Owners will pay the Attorney for professional services rendered in accordance herewith, fees as follows:
  - a. Monthly rate of \$1000.00 and expenses in accordance with the schedules in Attachment A which is attached hereto and made part hereof.
  - b. Said fees to be payable in the following manner and at the following times:
  - c. Within 30 days after the date of the first meeting of the Governing Body held after

receipt by the Owners of each statement rendered by the Attorney except that 10% of each billing will be withheld until all required loan closing materials, including the final opinion of bond counsel when applicable, have been submitted and approved by USDA Rural Development.

2. The following services are not covered by the compensation for professional services set forth in Section B of this Agreement: Abstracting and record search for Easements, Recording fees, Condemnation proceedings, Litigation, Attachment proceedings, Detachment proceedings, and Bond Counsel fees and expenses.

### SECTION C-OTHER PROVISIONS

1. That upon organization and incorporation the association shall by appropriate resolution adopt and ratify this Agreement, that the association shall be substituted for the individual Owners as a party to this agreement, and that the Owners as individuals shall thereupon be relieved of all personal liability existing or arising from this Agreement.
2. That upon organization and incorporation should the association fail or refuse to adopt and ratify this Agreement by appropriate resolution within 30 days from the date of the commencement of its legal existence, the Agreement shall terminate and Owners shall be liable to the Attorney for the payment \$1000.00, which sum represents payment in full for the organization and incorporation of the association and for all other legal services rendered to Owners under the terms of this Agreement to the date of said termination.

USDA RURAL DEVELOPMENT APPROVAL: This contract is subject to the approval of the State Director of USDA Rural Development.

#### Interim Agreement by Organizing Committee if Appropriate

Owners:

Gary McKnight, Vice President  
\_\_\_\_\_

Salih Doughramaji, Treasurer  
\_\_\_\_\_

Judy Rider  
\_\_\_\_\_

Jennifer Ingraham  
\_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

Jeanette Shipley, Mayor  
\_\_\_\_\_

Mayor/ Chairperson/President  
\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Agreement by Official Governing Body

City of Valley Falls City Council

Attorney

By \_\_\_\_\_  
Jeanette Shipley, Mayor

Foley & Buddenbohm Law

Attest:

By: \_\_\_\_\_  
Leonard Buddenbohm, Attorney

\_\_\_\_\_  
Christine Weishaar, City Clerk

The foregoing contract is approved without liability for any payments thereunder on behalf of USDA Rural Development this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
, Loan Specialist  
USDA Rural Development



**RESOLUTION OF THE CITY OF VALLEY FALLS, JEFFERSON COUNTY, KANSAS,  
ADOPTING  
AND PROVIDING FOR STANDARDS FOR  
PROCUREMENT, BIDDING, AND CONTRACT AWARDS**

**WHEREAS**, the City of Valley Falls, Jefferson County, Kansas, has applied for a loan to be made or insured by the United States of America acting through the USDA Rural Development (herein called the Government) for the construction of facilities to be owned and operated by the City of Valley Falls and the Government's regulations require that the City of Valley Falls adopt standards (a) relating to the conduct of its officers, employees, and agents in contracting and in expending loan funds and (b) establishing procurement and contracting procedures;

**NOW, THEREFORE BE IT RESOLVED** that the City of Valley Falls, Jefferson County, Kansas does hereby adopt the standards of conduct and procurement set forth in those regulations of the USDA Rural Development appearing in RUS Instruction 1780 Section 1780.70 thru 1780.72, provided however that in those instances where funds derived from loans made or insured by, or grants made by, the Government are not involved, prior consent or approval of the Government as provided in such regulations shall not be required.

**THIS RESOLUTION** adopted by the Governing Body of the City of Valley Falls, Jefferson County, Kansas this 15 day of March, 2023.

**CERTIFICATE**

I, Christine Weishaar, City Clerk, of the City of Valley Falls, Jefferson County, Kansas hereby certify that the foregoing resolution was adopted by the Governing Body of the City of Valley Falls, Jefferson County, Kansas on the date stated above at a meeting duly held.

**SEAL**

\_\_\_\_\_  
Christine Weishaar, City Clerk

**§1780.70 Owner's procurement regulations.**

Owner's procurement requirements must comply with the following standards:

(a) *Code of conduct.* Owners shall maintain a written code or standards of conduct which shall govern the performance of their officers, employees or agents engaged in the award and administration of contracts supported by Agency funds. No employee, officer or agent of the owner shall participate in the selection, award, or administration of a contract supported by Agency funds if a conflict of interest, real or apparent, would be involved. Examples of such conflicts would arise when: the employee, officer or agent; any member of their immediate family; their partner; or an organization which employs, or is about to employ, any of the above; has a financial or other interest in the firm selected for the award.

(1) The owner's officers, employees or agents shall neither solicit nor accept gratuities, favors or anything of monetary value from contractors, potential contractors, or parties to subagreements.

(2) To the extent permitted by State or local law or regulations, the owner's standards of conduct shall provide for penalties, sanctions, or other disciplinary actions for violations of such standards by the owner's officers, employees, agents, or by contractors or their agents.

(b) *Maximum open and free competition.* All procurement transactions, regardless of whether by sealed bids or by negotiation and without regard to dollar value, shall be conducted in a manner that provides maximum open and free competition. Procurement procedures shall not restrict or eliminate competition. Examples of what are considered to be restrictive of competition include, but are not limited to: placing unreasonable requirements on firms in order for them to qualify to do business; noncompetitive practices between firms; organizational conflicts of interest; and unnecessary experience and bonding requirements. In specifying materials, the owner and its consultant will consider all materials normally suitable for the project commensurate with sound engineering practices and project requirements. The Agency shall consider fully any recommendation made by the owner concerning the technical design and choice of materials to be used for a facility. If the Agency determines that a design or material, other than those that were recommended should be considered by including them in the procurement process as an acceptable design or material in the water or waste disposal facility, the Agency shall provide such owner with a comprehensive justification for such a determination. The justification will be documented in writing.

(c) *Owner's review.* Proposed procurement actions shall be reviewed by the owner's officials to avoid the purchase of unnecessary or duplicate items. Consideration should be given to consolidation or separation of procurement items to obtain a more economical purchase. Where appropriate, an analysis shall be made of lease versus purchase alternatives, and any other appropriate analysis to determine which approach would be the most economical. To foster greater economy and efficiency, owners are encouraged to enter into State and local intergovernmental agreements for procurement or use of common goods and services.

(d) Solicitation of offers, whether by competitive sealed bid or competitive negotiation, shall:

(1) Incorporate a clear and accurate description of the technical requirements for the material, product or service to be procured. When it is impractical or uneconomical to make a clear and accurate description of the technical requirements, a "brand name or equal" description may be used to define the performance or other salient requirements of a procurement. The specific feature of the name brands which must be met by the offeror shall be clearly stated; and

(2) Clearly specify all requirements which offerors must fulfill and all other factors to be used in evaluating bids or proposals.

(e) Affirmative steps should be taken to assure that small, minority, and women businesses are utilized when possible as sources of supplies, equipment, construction and services.

(f) *Contract pricing.* Cost plus a percentage of cost method of contracting shall not be used.

(g) *Unacceptable bidders.* The following will not be allowed to bid on, or negotiate for, a contract or subcontract related to the construction of the project:

(1) An engineer as an individual or firm who has prepared plans and specifications or who will be responsible for monitoring the construction;

(2) Any firm or corporation in which the owner's engineer is an officer, employee, or holds or controls a substantial interest;

(3) The governing body's officers, employees, or agents;

(4) Any member of the immediate family or partners in the entities referred to in paragraphs (g)(1), (g)(2) or (g)(3) of this section; or

(5) An organization which employs, or is about to employ, any person in the entities referred to in paragraphs (g)(1), (g)(2), (g)(3) or (g)(4) of this section.

(h) *Contract award.* Contracts shall be made only with responsible parties possessing the potential ability to perform successfully under the terms and conditions of a proposed procurement. Consideration shall include but not be limited to matters such as integrity, record of past performance, financial and technical resources, and accessibility to other necessary resources. Contracts shall not be made with parties who are suspended or debarred by any Agency of the United States Government.

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#### **§1780.71 [Reserved]**

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#### **§1780.72 Procurement methods.**

Procurement shall be made by one of the following methods: Small purchase procedures; competitive sealed bids (formal advertising); competitive negotiation; or noncompetitive negotiation. Competitive sealed bids (formal advertising) is the preferred procurement method for construction contracts.

(a) *Small purchase procedures.* Small purchase procedures are those relatively simple and informal procurement methods that are sound and appropriate for a procurement of services, supplies or other property, costing in the aggregate not more than \$100,000. If small purchase procedures are used for a procurement, written price or rate quotations shall be requested from at least three qualified sources.

(b) *Competitive sealed bids.* In competitive sealed bids (formal advertising), an invitation for sealed bids is publicly advertised and a firm-fixed-price contract (lump sum or unit price) is awarded to the responsible bidder whose bid, conforming with all the material terms and conditions of the invitation for bids, is lowest, price and other factors considered. When using this method the following shall apply:

(1) The invitation for bids shall be publicly advertised at a sufficient time prior to the date set for opening of bids. The invitation shall comply with the requirements in §1780.70(d). Bids shall be solicited from an adequate number of qualified sources;

(2) All bids shall be opened publicly at the time and place stated in the invitation for bids;

(3) A firm-fixed-price contract award shall be made by written notice to that responsible bidder whose bid, conforming to the invitation for bids, is lowest. When specified in the bidding documents,

USDA Rural Development  
KS 1780 Guide 13  
(Rev. 12/2014)

factors such as discounts and transportation costs shall be considered in determining which bid is lowest; and

(4) Any or all bids may be rejected by the owner when it is in its best interest.

(c) *Competitive negotiation.* In competitive negotiations, proposals are requested from a number of sources and the Request for Proposal is publicized. Negotiations are normally conducted with more than one of the sources submitting offers. Competitive negotiation may be used if conditions are not appropriate for the use of formal advertising and where discussions and bargaining with a view to reaching agreement on the technical quality, price, other terms of the proposed contract and specifications may be necessary. If competitive negotiation is used for a procurement, the following requirements shall apply:

(1) Proposals shall be solicited from an adequate number of qualified sources to permit reasonable competition consistent with the nature and requirements of the Procurement. The Request for Proposal shall be publicized and reasonable requests by other sources to compete shall be honored to the maximum extent practicable;

(2) The Request for Proposal shall identify all significant evaluation factors and their relative importance;

(3) The owner shall provide mechanisms for technical evaluation of the proposals received, determination of responsible offerors for the purpose of written or oral discussions, and selection for contract award; and

(4) Award may be made to the responsible offeror whose proposal will be most advantageous to the owner. Unsuccessful offerors should be promptly notified.

(d) *Noncompetitive negotiation.* Noncompetitive negotiation is procurement through solicitation of a proposal from only one source, or after solicitation of a number of sources, competition is determined inadequate. Noncompetitive negotiation may be used when the award of a contract is not feasible under small purchase or competitive sealed bids. Circumstances under which a contract may be awarded by noncompetitive negotiations are limited to the following:

(1) The item is available only from a single source; or

(2) There exists a public exigency or emergency and the urgency for the requirement will not permit a delay incident to competitive solicitation; or

(3) After solicitation of a number of sources, competition is determined inadequate; or

(4) No acceptable bids have been received after formal advertising; or

(5) The procurement is for professional services; or

(6) The aggregate amount does not exceed \$100,000.

UNITED STATES DEPARTMENT OF AGRICULTURE  
RURAL DEVELOPMENT

**APPLICANT CERTIFICATION**  
**FEDERAL COLLECTION POLICIES FOR CONSUMER OR COMMERCIAL DEBTS**

The Federal Government is authorized to check credit information about the applicant(s) including using the federal Credit Alert Interactive Voice Response System (CAIVRS) or its successors to check to see if the applicant(s) are delinquent or in default on a Federal debt.

The Federal Government is also authorized by law to take any or all of the following actions in the event your loan payments become delinquent or you default on your loan:

- Report your name and account information to a credit reporting agency, and the Credit Alert Interactive Voice Response System (CAIVRS).
- Assess interest and penalty charges for the period of time that payment is not made.
- Assess charges to cover additional administrative costs incurred by the government to service your account.
- Offset amounts to be paid to you from your Federal income tax refund.
- Offset amounts to be paid to you under other Federal Programs.
- Refer your account to a private collection agency to collect the amount due.
- Foreclose on any security you have given for the loan.
- Pursue legal action to collect through the courts.
- Report any written off debt to the Internal Revenue Service as taxable income.
- If you are a current or retired Federal employee, take action to offset your salary, or civil service retirement benefits.
- Debar or suspend you from doing business with the Federal Government either as a participant or principal throughout the executive branch of the Federal Government for the period of debarment or suspension.
- Refer any debt that is delinquent to the Treasury Offset Program (TOP) in accordance with the Debt Collection Improvement Act of 1996.
- Refer any eligible debt that is delinquent to the Treasury for cross servicing in accordance with the Debt Collection Improvement Act of 1996.
- Garnish your wages as allowed by the Debt Collection Improvement Act of 1996.

Any or all of these actions may be used to recover any debts owed when it is determined to be in the interest of the Government to do so.

CERTIFICATION: I/we have read and I/we understand the actions the Federal Government may take in the event that I/we fail to meet my/our scheduled payments in accordance with the terms and conditions of my/our agreement. I/we understand that the above list is not all inclusive and that the Federal Government may deem additional actions necessary to collect should I/we become delinquent.

(Signature-Individual(s))	(Date)	(Signature-Individual(s))	(Date)
---------------------------	--------	---------------------------	--------

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(SEAL)	(Date)	(Name of Applicant)
		(Signature of Authorized Entity Official)

ATTEST:

(Signature of Attesting Official)	(Title of Authorized Entity Official)
(Title of Attesting Official)	(Address)
	(City, State, and Zip Code)



City of  
**VALLEY FALLS**

*Incorporated May 17, 1869*

COUNCIL MEETING DATE: March 15, 2023

INVOICES IN THE TOTAL AMOUNT OF: \$31,912.00

APPROVED:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

STATE OF KANSAS

COUNTY OF JEFFERSON

I hereby certify that the attached bills are just, correct, and remain unpaid, and that the amount therein is actually due and owing according to law.

Approved by:

\_\_\_\_\_  
City Administrator

Subscribed and sworn to before me this \_\_\_\_\_ day of March, 2023

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

**ACCOUNTS PAYABLE REPORT**

VENDOR NAME DEPARTMENT	LINE	INVOICE NUMBER	REFERENCE	PAYMENT AMOUNT
EDWARD RIVERA POLICE	REIMBURSEMENT/MISC	03082023-01	Password Generator	65.38
***** VENDOR TOTAL *****				65.38
FARRIS, FRESH, & WERRING COURT	LAW CONTRACT LABOR	11617	City Prosecutor Services	500.00
***** VENDOR TOTAL *****				500.00
GIANT COMMUNICATIONS ADMINISTRATION	UTILITIES AND PHONE	03012023	Phone	62.95
POLICE	UTILITIES AND PHONE	03012023	Phone	62.95
WATER	UTILITIES AND PHONE	03012023	Phone	62.95
SEWER	UTILITIES AND PHONE	03012023	Phone	62.95
***** VENDOR TOTAL *****				251.80
INDEPENDENT ELECTRIC SEWER	FACILITIES MAINTENANCE	2291	Lift Station Pump	2,268.25
***** VENDOR TOTAL *****				2,268.25
JIMMY'S STUMP REMOVAL ADMINISTRATION	CONTRACT LABOR	02102023	Code Enforcement	140.00
ADMINISTRATION	CONTRACT LABOR	02262023	Code Enforcement	140.00
***** VENDOR TOTAL *****				280.00
KANSAS FIRE & SAFETY EQUIPMENT POLICE	CONTRACTUAL	76407	Fire Extinguisher Inspection	111.75
STREET	CONTRACTUAL	76407	Fire Extinguisher Inspection	111.75
WATER	CONTRACTUAL	76407	Fire Extinguisher Inspection	111.75
SEWER	CONTRACTUAL	76407	Fire Extinguisher Inspection	111.75
***** VENDOR TOTAL *****				447.00
KANSAS INSURANCE ADMINISTRATION	INSURANCE - GL, WC, PROP	4439	Workmans Comp Insurance	117.00
POLICE	INSURANCE - GL, WC, PROP	4439	Workmans Comp Insurance	1,943.00
STREET	INSURANCE - GL, WC, PROP	4439	Workmans Comp Insurance	1,424.00
POOL	INSURANCE - GL, WC, PROP	4439	Workmans Comp Insurance	1,534.00
WATER	INSURANCE - GL, WC, PROP	4439	Workmans Comp Insurance	1,560.00
SEWER	INSURANCE - GL, WC, PROP	4439	Workmans Comp Insurance	908.00
***** VENDOR TOTAL *****				7,486.00
LEONARD L. BUDDENBOHM ADMINISTRATION	CONTRACT LABOR	03012023	City Attorney Charges	1,000.00

ACCOUNTS PAYABLE REPORT

VENDOR NAME DEPARTMENT	LINE	INVOICE NUMBER	REFERENCE	PAYMENT AMOUNT
LEONARD L. BUDDENBOHM				
***** VENDOR TOTAL *****				----- 1,000.00
OPTIV SECURITY INC POLICE	CONTRACTUAL	10025843394	KCJIS Token	101.68
***** VENDOR TOTAL *****				----- 101.68
PEC STREET	CONTRACTUAL	529120	CDBG Sidewalk PER	2,925.00
***** VENDOR TOTAL *****				----- 2,925.00
PETRO VALLEY FALLS POLICE STREET WATER SEWER	VEHICLE MAINTENANCE/FUEL VEHICLE MAINTENANCE/FUEL VEHICLE MAINTENANCE/FUEL VEHICLE MAINTENANCE/FUEL	02282023 02282023 02282023 02282023	FUEL FUEL FUEL FUEL	271.17 32.41 32.41 32.43
***** VENDOR TOTAL *****				----- 368.42
SYMBOL ARTS LLC POLICE	COMMODITIES	0453825	ID Badge	131.40
***** VENDOR TOTAL *****				----- 131.40
THE RUSTIC BAKER ADMINISTRATION WATER SEWER	GRANTS & DONATIONS GRANTS & DONATIONS GRANTS & DONATIONS	03022023-01 03022023-01 03022023-01	New Business Incentive New Business Incentive New Business Incentive	330.00 330.00 340.00
***** VENDOR TOTAL *****				----- 1,000.00
WASTE MANAGEMENT SOLID WASTE	CONTRACTUAL	03012023	Trash Service	12,538.22
***** VENDOR TOTAL *****				----- 12,538.22
WESTERN CONSULTANTS SEWER	GRANTS & DONATIONS	02282023	Sewer Phase 1 Grant Admin	2,133.50
***** VENDOR TOTAL *****				----- 2,133.50
WESTERN HARDWARE & AUTO WATER SEWER	COMMODITIES COMMODITIES	03032023 03032023	hooks, drillbit, washers hooks, drillbit, washers	45.15 45.20
***** VENDOR TOTAL *****				----- 90.35
WICHITA STATE UNIVERSITY ADMINISTRATION	TRAINING/CONFERENCES	448691	CCMFOA Conference	325.00



**ACCOUNTS PAYABLE REPORT**

VENDOR NAME DEPARTMENT	LINE	INVOICE NUMBER	REFERENCE	PAYMENT AMOUNT
WICHITA STATE UNIVERSITY				
***** VENDOR TOTAL *****				----- 325.00
***** REPORT TOTAL *****				=====
				31,912.00

DEPARTMENT	INV	PAYMENTS
-----	---	-----
ADMINISTRATION	7	2,114.95
POLICE	7	2,687.33
COURT	1	500.00
STREET	4	4,493.16
POOL	1	1,534.00
WATER	6	2,142.26
SEWER	8	5,902.08
SOLID WASTE	1	12,538.22
-----	---	-----
DEPARTMENT TOTALS	35	31,912.00



*City of*  
**VALLEY FALLS**

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*Incorporated May 17, 1854*

**City Administrator Report**  
**City Council March 15, 2023**

## Daily Operations

1. **Audit Auditor** was here on March 2<sup>nd</sup> and 3<sup>rd</sup>. RFP for audit services will be sent out after completion of audit presentation.
2. **Barnes Addition Plot PEC** has completed the draft. PEC is reviewing and will have for final signatures in the next few weeks.
3. **Assistant Pool Manager** Held interviews on March 7<sup>th</sup> for assistant pool manager position. John Frakes was offered and accepted the position.
4. **Pool Drive Way** - Work on the pool driveway has begun.
5. **Economic Development Board** - Collaborative meeting at work session on April 12<sup>th</sup>.
6. **Planning Commission** - K-State will help create the comprehensive plan in Spring 2024. This would be at no cost to the city. Public Hearing for amendment to Zoning Ordinance for Shipping Containers at next meeting on April 13<sup>th</sup>.
7. **Water Source Project** PEC is getting final information for proposal to move forward with test wells and information from the studies done in 2005.
8. **Utility Mapping** Met with KRWA on February 24<sup>th</sup> to update maps. Once updates with KRWA are complete PEC will host updated Sewer and Water maps.
9. **419 Broadway St Condemnation** Next progress update June 7<sup>th</sup>.
10. **204 Walnut St Condemnation** Next update April 5<sup>th</sup>.
11. **207 Sycamore St Condemnation** No progress. Next update April 19<sup>th</sup>.

## Grants & Projects

1. **CDBG Sewer Project Phase 1** - Bid opening on Feb 21<sup>st</sup>. Must have contract awarded by 3/15/2023.
2. **CDBG Community Facilities** -Notified Brett Waggoner and PEC that city will not be applying for CDBG Sidewalk Project at this time. Focus will be on KDOT TA instead.
3. **KDHE Waste Tire Grant** - Submitted. Awards announcements anticipated in April.
4. **USDOT Safety Action Plan Grant** - Awarded grant of \$40,000 Federal Funding and \$5,000 KDOT. City share is \$5,000. The plan can include sidewalks, bike routes, streets and more. Work with PEC as Engineer for this project.
5. **KDOT TA**. Applications are due in February 2024. Working with PEC for grant application and engineering estimates.
6. **KDOT Safe Routes to School** Applications are due in February 2024. Working with PEC for grant application and engineering estimates.
7. **Kansas Forestry Grants** Submitted proposal for Kansas Forestry Grants. This is the city proposal for the state to apply for the federal dollars.
8. **Fire Hydrant Testing** - Reached out to KRWA to start the project. They have added us to the schedule to start the flow testing. This will be done over several days when the weather is above freezing. This service is free.
9. **American Rescue Plan Act (ARPA)** - Projects completed to date include: gWorks Software, RV Park Electrical Upgrade. Funds used to date: \$23,851.40. Projects pending to date include: KDOT TA Downtown Streetscape Project. Remaining Funds: \$145,106.96.
10. **Opioid Settlement** -Total received to date is \$2,952.96. \$0.00 expended. Working with PD on possible uses of funds and application of opioid settlement grant.
11. **K-4 / K-16 Street Lights** - Estimate received from PEC. Around \$30,000 to add lighting. KDOT is going to perform a safety study. If warranted by KDOT, the light cost will be covered by KDOT. Safety study is anticipated to be completed in Spring 2023.
12. **KDHE Lead & Copper** Lead & Copper Inventory due to KDHE by October 16, 2024. Getting estimate from PEC for consultant for this project.
13. **Automatic Water Meters** - 330 meters installed to date. Total of 493 water meters.

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### CITY OFFICE

417 Broadway • Valley Falls, Kansas 66088-1200  
Phone 785-945-6612 • Fax 785-945-3341

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# Financials

## Fund Balances

Fund #	Fund Name	Previous Balance	Current Balance
100	General Fund	\$195,850.72	\$197,208.68
160	Pool Reserve	\$4,034.19	\$4,034.19
200	Capital Improvement Fund	\$148,224.52	\$150,224.52
300	Special Hwy & Streets	\$82,201.92	\$79,276.92
400	Equipment Reserve	\$10,651.71	\$16,531.71
500	Bond & Interest	\$155,969.57	\$172,622.86
600	RHID	\$65,434.98	\$65,434.98
720	Water	\$95,299.66	\$88,101.47
721	Water Reserve	\$4,900.00	\$9,000.00
730	Sewer	\$227,879.82	\$213,780.31
731	Sewer Reserve	\$4,900.00	\$9,000.00
740	Solid Waste	\$59,754.19	\$51,372.78
790	Insurance Reserve	\$748.00	\$748.00
<b>Total</b>		<b>\$1,055,849.28</b>	<b>\$1,057,336.42</b>
CD #	Fund/ Fund Name	Previous Balance	Current Balance
Bank 500	Money Market (PBC)	\$11,949.25	\$11,949.25
X0971	Bond & Interest Fund (500)	\$153,500.00	\$153,500.00
X2279	Sewer Fund (730)	\$91,083.20	\$91,083.20
<b>Total</b>		<b>\$256,532.45</b>	<b>\$256,532.45</b>
<b>Total In Bank</b>		<b>\$1,312,381.73</b>	<b>\$1,313,868.87</b>

## Budget

Fund #	Fund Name	Budget	YTD Expended	Difference
100	General Fund	\$729,701	\$125,004.51	\$604,696.49
160	Pool Reserve	\$6,500	\$0.00	6,500.00
200	Capital Improvement Fund	\$50,000	\$0.00	\$50,000.00
300	Special Hwy & Streets	\$172,841	\$6,175.00	\$166,666.00
400	Equipment Reserve	\$63,000	\$0.00	\$63,000.00
500	Bond & Interest	\$182,393	\$0.00	\$182,393.00
600	RHID	\$60,000	\$0.00	\$60,000.00
720	Water	\$543,500	\$71,129.59	\$472,370.41
721	Water Reserve	\$50,000	\$0.00	\$50,000.00
730	Sewer	\$3,821,000	\$80,945.96	\$3,740,054.04
731	Sewer Reserve	\$50,000	\$0.00	\$50,000.00
740	Solid Waste	\$258,000	\$35,785.71	\$222,214.29
790	Insurance Reserve	\$0	\$0.00	\$0.00
<b>Total</b>		<b>\$5,986,935.00</b>	<b>\$319,040.77</b>	<b>\$5,667,894.23</b>

### CITY OFFICE

417 Broadway • Valley Falls, Kansas 66088-1200  
 Phone 785-945-6612 • Fax 785-945-3341



*City of*  
**VALLEY FALLS**

---

*Incorporated May 17, 1869*

**Public Works Report**  
**March 15, 2023**

**Water:**

Bought some extra water meter lids and rings from the city of Nortonville we can use some of them to replace the ones that we have

Working on mapping the waterline from the city lake and correcting other lines that are currently not drawn correctly on the KRWA GIS map

Finished and submitted our annual water loss report

**Sewer:**

Douglas pump company will be here sometime after the 20<sup>th</sup> but before the 31<sup>st</sup> to install the gate valve at the lagoon

Got a new sump pump to replace the one in the lift station due to leakage

Met with a sales representative for Mid-America pump they are able to do service calls on most of the pumps we have

**Streets:**

Got the school zone light installed with the assistance of the chief and Dan Heinen

**General:**

Getting the tractor breaks repaired so we can return it to service



*City of*  
**VALLEY FALLS**

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*Incorporated May 17, 1869*

**Police Department Report**  
**March 15, 2023**

- March 3<sup>rd</sup> all officers were on duty to conduct a saturation patrol of the city. Several traffic stops were conducted.
- STA Care Center meeting with Meagan, to discuss their services for sexual assault victims
- Mary from Willows Domestic Violence Center meeting to discuss and arrange training for our officers and other agencies
- TFM Communications is installing the camera in the Expedition this week
- Kage Manufacturing is scheduled for installing the cage once he receives the metal for it
- New tires placed on the Explorer
- Officer Taylor completed his first week at the academy
- I attended Refresher Course on SFSTs (Standard Field Sobriety Testing)
- Part Time Colt Melling, passed the psychological from the Guidance Center, he will start his training with me
- City Administrator and I met with Sheriff Jeff Herrig on Thursday, March 9<sup>th</sup>

Call for service:

3/6 Life Alert check

3/9 Report of kidnapping, resulting in false alarm

3/9 Animal at large

3/9 Noise complaint

3/11 Check the welfare

3/11 Traffic Stop

3/11 Traffic Stop

3/11 Traffic Stop

3/11 Assist outside agency

3/11 Traffic Stop

3/11 Traffic Stop

3/12 Residence Check

## EXECUTIVE SESSION MOTIONS

There is no standard format for the motion to recess into executive session which will apply to all situations. Because the statutory language requires the motion contain both the "justification" and the "subjects" to be discussed, the motion should include the statutory reason for recessing into executive session and a more specific description of the topic for discussion.

### 1. **Statutory reason for non –elected personnel needs a more specific reason which could be Individual employee's performance**

I move the city council recess into executive session to discuss an individual employee's performance pursuant to the **non-elected personnel** matter exception, K.S.A. 75-4319 (b) (1) to include: (people to participate besides governing body.) The open meeting will resume in the city council room at \_\_\_\_PM.

### 2. **Statutory reason for Attorney – Client privilege needs a more specific reason which could be discuss contract, Litigation, Claim, or other such more specific item.**

I move the city council recess into executive session to discuss a claim pursuant to **Attorney – Client privilege** matter exception, K.S.A. 75-4319(b)(2) to include: the City Attorney and (people to participate besides governing body.) The open meeting will resume in the city council room at \_\_\_\_PM.

### 3. **For employer-employee negotiations a more specific description could be salary.**

I move the city council recess into executive session to discuss salary pursuant to **employer-employee negotiations** matter exception, K.S.A. 75-4319(b) (3) to include: (people to participate besides governing body.) The open meeting will resume in the city council room at \_\_\_\_PM.

### 4. **For property acquisition matters a more specific description could be purchase cost.**

I move the city council recess into executive session to preliminary discuss purchase cost pursuant to **property acquisition** matter exception, K.S.A. 75-4319(b)(6) to include: (people to participate besides governing body.) The open meeting will resume in the city council room at \_\_\_\_PM.

**K.S.A. 75-4319.** Closed or executive meetings; conditions; authorized subjects for discussion; binding action prohibited; certain documents identified in meetings not subject to disclosure. (a) Upon formal motion made, seconded and carried, all bodies and agencies subject to the open meetings act may recess, but not adjourn, open meetings for closed or executive meetings. Any motion to recess for a closed or executive meeting shall include a statement of (1) the justification for closing the meeting, (2) the subjects to be discussed during the closed or executive meeting and (3) the time and place at which the open meeting shall resume. Such motion, including the required statement, shall be recorded in the minutes of the meeting and shall be maintained as a part of the permanent records of the body or agency. Discussion during the closed or executive meeting shall be limited to those subjects stated in the motion. (b) No subjects shall be discussed at any closed or executive meeting, except the following:

- (1) Personnel matters of nonelected personnel;
- (2) consultation with an attorney for the body or agency which would be deemed privileged in the attorney-client relationship;
- (3) matters relating to employer-employee negotiations whether or not in consultation with the representative or representatives of the body or agency;
- (4) confidential data relating to financial affairs or trade secrets of corporations, partnerships, trusts, and individual proprietorships;
- (5) matters relating to actions adversely or favorably affecting a person as a student, patient or resident of a public institution, except that any such person shall have the right to a public hearing if requested by the person;
- (6) preliminary discussions relating to the acquisition of real property;