



# City of VALLEY FALLS

Incorporated May 17, 1869

◇ Attachment

## 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.

June 15, 2022 6:30 PM  
Regular Meeting

CALL TO ORDER  
PLEDGE OF ALLEGIANCE  
ROLL CALL - City Council and Staff  
MINUTES - Regular Meeting of June 1, 2022 ◇  
INVOICES - \$ 62, 141.97◇

PUBLIC COMMENTS & GUESTS:  
*Public Comment Policy* ◇

BUSINESS ITEMS:

1. VFW - Jerry Tullis
2. Notice to Participate - 2024 Hazard Mitigation Plan
3. Animal Ordinance #2022-05
4. RV Park Electrical Update
5. Resolution to set public hearing for 419 Broadway
6. City Wide Clean Up - Fall Date
7. Memorandum of Understanding - Athletic Association
8. Memorandum of Understanding - Recreation Commission
9. Historical Society - Kendall Sign at Old Pool

TABLED ITEMS:

1. 2010 Chevy Repair Estimate - \$5,967.86
2. Building for Police Department
3. Taser's for Police Department

REPORTS:  
CITY ADMINISTRATOR: Audree Aguilera ◇  
POOL: Lori Glissman  
PUBLIC WORKS: Bill McCoy ◇  
POLICE: Brandon Bines ◇  
MAYOR: Jeanette Shipley  
FIRE DISTRICT: Salih Doughramaji  
ECONOMIC DEVELOPMENT BOARD: Audree Aguilera or Chair  
PLANNING & ZONING COMMISSION: Audree Aguilera or Chair  
CITY COUNCIL COMMENTS/ FEEDBACK/ IDEAS

ANNOUNCEMENTS/ COMMUNICATIONS:

EXECUTIVE SESSION ◇  
ADJOURNMENT

## CITY OF VALLEY FALLS

June 1, 2022

### Open Meeting

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

Staff present: Audree Aguilera, City Administrator, Chris Weishaar, City Clerk, Bill McCoy, Public Works, Brandon Bines, Chief of Police, and Leonard Buddenbohm, City Attorney.

Others present: Colin Gallagher, Paul Heinen, Lucy Thomas, Cheyenne Winter, Scott Heinen, Dianne Heinen, and Dee Heinen.

#### **Minutes:**

The minutes from the May 18, 2022, meeting was presented.

Gary moved to approve the minutes. Jennifer seconded the motion. Motion carried 4-0

#### **Vouchers:**

The June 1, 2022, vouchers were presented. Jennifer moved to approve vouchers totaling \$24,329.08. Judy seconded the motion. Motion carried 4-0.

**Public Comments & Guests:** Lucy Thomas was present to speak on the need for a new area for the Police department. She also addressed why the speed limit was 20 mph on Sycamore Street between the ball fields. She addressed a concern of more signage needed on Catherine St by the pool because people are driving the wrong way even though it is posted. She also commented on the past decision of having dogs at city hall and that the council had approved it and question why the change. Mayor Shipley chose to enforce the no response policy to public comments.

Paul Heinen was present to comment on why the fund balances have negatives amounts. No response was given.

Scott Heinen questioned why/when did the city start taxing water. No response was given.

#### **BUSINESS ITEMS:**

Laser Ammo Laser Technologies – Colin Gallagher presented how the technology would benefit and save the police time and money on qualifying at the gun range. The cost for the City would be \$3,000.00. The green gas cartridges needed for the simulator would be \$9.00.

Animal Permit – Cheyenne Winter of 907 Francis St. was present to seek approval the keep her chickens now that she completed the permit process.

Gary made the motion to approve the permit. Jennifer seconded the motion. Motion carried 4-0.

30 mph on Sycamore – After hearing comment from Lucy Thomas reference the speed limit on Sycamore St.

Gary made the motion to not change the speed limit. Jennifer seconded the motion. Motion carried 4-0.

419 Broadway – Audree read the report from Curtis Wheeler in regards to the structural integrity of the buildings and spoke to the concerns brought up by the Gatzemeyer’s who own the building on the other side of 419. They attempted to sell their building but it fell thru due to the bank not approving the loan because of the structural integrity of the adjoining building. Council asked Audree to set up a meeting with Al Siegrist the owner of the buildings.

CDBG Public Comment and 2023 Letter – The State will be having a Zoom meeting for public comments on the possible changes to the CDBG grants and process. Audree advised she would draft a letter with councils’ permission and attend the public comment meeting.

Temperature Monitor for Sed Pond and Hurst Tower were discussed. The cost would be around \$2,400.00. Bill advised no discussion needed to be made right away just before cold weather arrives this fall.

Replacement Computer – Bill advised of the need to get a new computer for the Water Plant that would allow our utility infrastructure to be more secure by having a dedicated system. The estimated cost of the computer is \$2,167.00. No decision was made.

Department Committees – Audree advised that committees are generally for cities that don’t have an administrator or manager to oversee the employees. She advised it would cause confusion for her staff as to who to reach out to. No action was taken.

**City Administrator Report:**

- 1) **CDBG Sewer Project Phase 1**- Design and Environmental in progress. Bids anticipated for early fall 2022. Construction anticipated in 2023.
- 2) **CDBG Sewer Project Phase 2** – Preliminary Engineering Report in progress. 2023 CDBG Grant year is pausing the sewer/ water grants. Project will be postponed to 2024.
- 3) **American Rescue Plan Act (ARPA)** – Projects completed to date include: gWorks Software. Funds used to date: \$20,411.40. Projects pending to date include: K-16 Entry Signs. Funds planned for projects: \$7,000. Remaining Funds: \$148,546.96.
- 4) **Opioid Settlement** – Fund anticipated to be disbursed in May. Anticipated \$5/ Capita. 25% of Settlement shared 50/50 with cities and counties. Other 75% will be used for grants. This first round of payouts on the settlement will allow partnerships with other local entities
- 5) **Budget** – I have started working on the 2023 Budget. This will be my focus during the months of June and July.
- 6) **Software Implementation** – Payroll will be started on June 8th. This is the final module to switch over.
- 7) **Personal Policies & Guidelines** - Still under review with EMC Attorneys. Reached out for update.
- 8) **K-4/ Oak Street Lights** - The lights anticipated to be installed at K-4/ Oak Street intersection on May 9th.

- 9) **K-4 / K-16 Street Lights** - Working with KDOT, Evergy, and PEC for Street Lights at K-4 / K-16. Light addition must have engineering study and cost covered by city. Work with engineer on estimates.
- 10) **Automatic Water Meters** – 207 meters installed to date. Total of 493 water meters.
- 11) **Fund Balances** - Trial balances sent to auditor to help resolve negative balances. Will resolve during Audit on May 31st.
- 12) **Rate Study** – Reviewed initial rate study with Ranson Financial. I need to finish budget to get some items over to them for final rate review.
- 13) **Fire Hydrant Testing** - KRWA will be flow testing all our fire hydrants after water tower work is complete. This service is free.
- 14) **River Cleanup** – The Army Corp of Engineers lease list the City as being responsible for the boat ramp and river entrance. This project will be prioritized after tucking lot is completed.
- 15) **City Wide Clean Up** – Went very well. Would recommend doing again in the future.
- 16) **Tucking Lot** – working on hauling in dirt and leveling out lot.
- 17) **Hurst Water Tower** – Installed valve. Work to begin on rehab.
- 18) **Fire Hydrant on Linn** – Postponed awaiting new bid.
- 19) **RV Park Electrical Update** – Waiting on PHE to update.

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

**Water:**

South tower work is 100% completed and we have it filled KDHE testing is done awaiting results so we can put it back in service once we get the OK from KDHE.

We will be removing the pop off valves and addressing the standing water issue on Fisher St once the tower is put back in service.

Excavated a hole at Hurst tower to cut in the valve needed to be able to drain it for upcoming maintenance while doing so we found another valve in the line that was not on any of our maps we also located across connection in the line that was not on the maps either no damage was done to them but it could have been a big problem.

Schulte supply cut the new valve in with no issues.

We intended to cut a second valve in for the fire hydrant on Linn St that is leaking but the distance from the main to the hydrant prohibited us from being able to do it.

Schulte Supply is going to give us a bid on replacing it without it being turned off AKA doing it live Tom from Hawkins came and replaced parts at the water plant that we have been having problems with all covered under warranty.

**Streets:**

Spoke to the county to address their concerns with the manholes on maple street currently being filled with rock. The current plan is to raise the manholes to street level a fill in around them with cold patch.

Got the signs for the gates on sycamore and will be placing them when we remove the speed limit signs.

**Parks:**

mowing has been hampered by the weather but we are doing what we can to keep on top of the grass/weeds picked up trees to be planted in the park.

**General:**

City wide cleanup was a success I recommend that we evaluate whether or not to do it again this fall. We received over 200 car tires and 10 tractor tires. We collected 2 truckloads of chemicals/electronics to take to the county. There were 3 truckloads of scrap metal hauled off as well. All 3 of the dumpsters were full to capacity.

**Pool:**

Pool diving board is refinished and put back in place.

Pool opened on Monday (Memorial Day).

Working on fixing the old red chevy truck to be used by summer help for brush pickup.

**Police:**

- Officer Rivera is doing well at the academy and is scheduled to graduate June 10<sup>th</sup>.
- Attended Chiefs Conference and made lots of great connections with other Chiefs from around the State.
- Officer Davidson has turned in his 2-week notice, and his last day will be June 5<sup>th</sup> he has taken a job in Scott City, KS
- I have posted a full-time police officer position online through INDEED.COM, KPOA, POLICEONE.COM and Facebook.
- I have opened the position to our Part-time officers as well in case they were interested in the Full-time position. Ofc. Smith has expressed interest in a FT position, he would only need to complete reciprocity and not attend the academy.
- Received applicant for Part-Time Police Officer. Interviews and background investigation will begin ASAP.
- I have been in communication with emergency management about grants for police radios in which we are looking to see which one will be best. At the Chiefs conference I met with several vendors who may be able to provide assistance with grants and getting quotes on new radios.
- Considering the recent school shooting, I believe training is even more important today than ever. I have come across a product that can not only assist officers with everyday scenarios but to prepare them for life / death situations along with quality training that can be done at any given time.
- Laser Ammo Technology
- Request for Police Department Building - Interested buildings discussed
- Old chiropractic office next to western auto Spoke w/Scott Coleman (\$500/mo. low end - \$800 high end if bathroom is added)
- Spoke with pharmacist, John Shipley & Dr. Rider about NARCA. We will be looking into how to obtain this for each officer using the Opioid funds.
- List of items proposed to purchase with Opioid funds (\$2,147.26) W/O NARCAN
- Misdemeanor Arrests made

- Recovered a Missing Runaway Juvenile
- Received narcotics information - Criminal Investigations ongoing

**Mayor:**

Spoke with State about Sycamore Street between K-16 and K-4. They advised it was turned over to the City in 1967.

Travel and Tourism Committee – Jo Tichenor asked to be on the committee. Possible Carla Heinen. To address the dogs in City Hall. Citizens didn't like dog nose stains on clothes, hair, and allergies. Dogs aren't productive and don't have a place in a business.

**ADJOURNMENT**

Gary made a motion to adjourn the meeting. Jennifer seconded the motion. Motion carried 4-0.

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

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



*City of*  
**VALLEY FALLS**

*Incorporated May 17, 1869*

COUNCIL MEETING DATE: June 15, 2022

INVOICES IN THE TOTAL AMOUNT OF: \$62,141.97

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 June, 2022

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

ACCOUNTS PAYABLE REPORT

VENDOR NAME DEPARTMENT	LINE	INVOICE NUMBER	REFERENCE	PAYMENT AMOUNT
AMERICAN RED CROSS POOL	TRAINING/CONFERENCES	22434524	Life Guard Class	451.00
***** VENDOR TOTAL *****				451.00
ARAMARK ADMINISTRATION	FACILITIES MAINTENANCE	2800005478	Mats	46.05
***** VENDOR TOTAL *****				46.05
COUNTRY HARVEST APPLE MARKET ADMINISTRATION POOL	COMMODITIES CONCESSIONS	612022Cityhall 612022	Water Concession Stand	16.36 130.42
***** VENDOR TOTAL *****				146.78
CURTIS WHEELER ADMINISTRATION	CONTRACT LABOR	5212022	419 BROADWAY ST	80.00
***** VENDOR TOTAL *****				80.00
DAVIS PUBLICATION ADMINISTRATION	CONTRACTUAL	5312022	INV 3444 3445 3446 3447 3448	691.00
***** VENDOR TOTAL *****				691.00
FARRIS, FRESH, & WERRING COURT	LAW CONTRACT LABOR	9154	City Prosecutor Services	500.00
***** VENDOR TOTAL *****				500.00
GALLS POLICE	COMMODITIES	021197483	Porpper Edge Tec Polo Mens	34.15
***** VENDOR TOTAL *****				34.15
GIANT COMMUNICATIONS ADMINISTRATION POLICE WATER SEWER	UTILITIES AND PHONE UTILITIES AND PHONE UTILITIES AND PHONE UTILITIES AND PHONE	06012022 06012022 06012022 06012022	Phone Phone Phone Phone	80.45 80.45 80.45 80.46
***** VENDOR TOTAL *****				321.81
HAWKINS WATER	COMMODITIES	6197373	Calcium	1,001.73
***** VENDOR TOTAL *****				1,001.73
HEINEN REPAIR SERVICE, Inc PARKS	VEHICLE MAINTENANCE/FUEL	05262022	belt on ferris	124.99



ACCOUNTS PAYABLE REPORT

VENDOR NAME DEPARTMENT	LINE	INVOICE NUMBER	REFERENCE	PAYMENT AMOUNT
HEINEN REPAIR SERVICE, Inc				
***** VENDOR TOTAL *****				----- 124.99
INDEPENDENT ELECTRIC WATER	FACILITIES MAINTENANCE	1998	WATER PLANT MIXER	3,332.14
***** VENDOR TOTAL *****				----- 3,332.14
K-4 AG & SERVICES LLC SOLID WASTE	CONTRACTUAL	5312022	Tire disposal - city wide	741.00
***** VENDOR TOTAL *****				----- 741.00
KDHE LABORATORIES WATER	CONTRACTUAL	2000	Colilert Drinking Water	4,923.00
***** VENDOR TOTAL *****				----- 4,923.00
MARK'S SONS LLC POLICE	VEHICLE MAINTENANCE/FUEL	05312022	Oil Change	73.43
***** VENDOR TOTAL *****				----- 73.43
MIDWAY AUTO SUPPLY WATER SEWER	VEHICLE MAINTENANCE/FUEL VEHICLE MAINTENANCE/FUEL	102767 102767	Flush, Transmission fluid Flush, Transmission fluid	70.00 73.49
***** VENDOR TOTAL *****				----- 143.49
PEC SEWER	GRANTS & DONATIONS	526905	Sewer Design Ph 1	21,220.00
***** VENDOR TOTAL *****				----- 21,220.00
PETRO VALLEY FALLS POLICE STREET PARKS POOL SEWER	VEHICLE MAINTENANCE/FUEL VEHICLE MAINTENANCE/FUEL VEHICLE MAINTENANCE/FUEL COMMODITIES VEHICLE MAINTENANCE/FUEL	06022022 06022022 06022022 06022022 06022022	FUEL FUEL FUEL FUEL FUEL	534.44 275.01 150.01 68.00 105.00
***** VENDOR TOTAL *****				----- 1,132.46
CITY OF VALLEY FALLS PETTYCASH POLICE	VEHICLE MAINTENANCE/FUEL	220613	Car wash fund	30.00
***** VENDOR TOTAL *****				----- 30.00
ROD STROLE POOL	TRAINING/CONFERENCES	06062022	lifeguard training	600.00

**ACCOUNTS PAYABLE REPORT**

VENDOR NAME DEPARTMENT	LINE	INVOICE NUMBER	REFERENCE	PAYMENT AMOUNT
ROD STROLE				-----
***** VENDOR TOTAL *****				600.00
SCHULTE SUPPLY WATER	FACILITIES MAINTENANCE	1184545.003	Valve at Water Tower	6,495.00
***** VENDOR TOTAL *****				6,495.00
TURNER DESIGNS ADMINISTRATION	COMMODITIES	2490	Shirts for pool, admin shirts	96.00
POOL	COMMODITIES	2490	Shirts for pool, admin shirts	563.50
***** VENDOR TOTAL *****				659.50
WASTE MANAGEMENT SOLID WASTE	CONTRACTUAL	0386936	city wide clean up, trash	13,296.54
***** VENDOR TOTAL *****				13,296.54
WESTERN CONSULTANTS SEWER	GRANTS & DONATIONS	05272022	Phase 2 sewer KDHE Loan services	5,750.00
***** VENDOR TOTAL *****				5,750.00
WESTERN HARDWARE & AUTO WATER	COMMODITIES	03142022	commodities	170.00
SEWER	COMMODITIES	03142022	commodities	177.90
***** VENDOR TOTAL *****				347.90
***** REPORT TOTAL *****				=====
				62,141.97

DEPARTMENT	INV	PAYMENTS
ADMINISTRATION	6	1,009.86
POLICE	5	752.47
COURT	1	500.00
STREET	1	275.01
PARKS	2	275.00
POOL	5	1,812.92
WATER	7	16,072.32
SEWER	6	27,406.85
SOLID WASTE	2	14,037.54
DEPARTMENT TOTALS	35	62,141.97



*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.

VALLEY FALLS  
**Honoring**  
our  
**Military**



Thomas A.  
**BRADFORD**

UNITED STATES ARMY AIR CORPS  
1941-1945 • WORLD WAR II • PURPLE HEART

Proudly Honored By The

**BRADFORD FAMILY**



TO ALL  
OF OUR  
VETERANS  
&  
ACTIVE-DUTY  
MILITARY,  
THANK YOU.

City of Valley Falls



The VFW is seeking the City's approval for the Post to establish a Military Banner program within the city. Our proposal is to place the banners in the city park spaced alongside the diagonal sidewalk running approximately NE to SW as approached from Broadway street. Please see figure 1 and photo.

Proposal details include:

Installing 20ea 3 inch diameter 18 ft. steel poles set 3ft. deep in concrete.

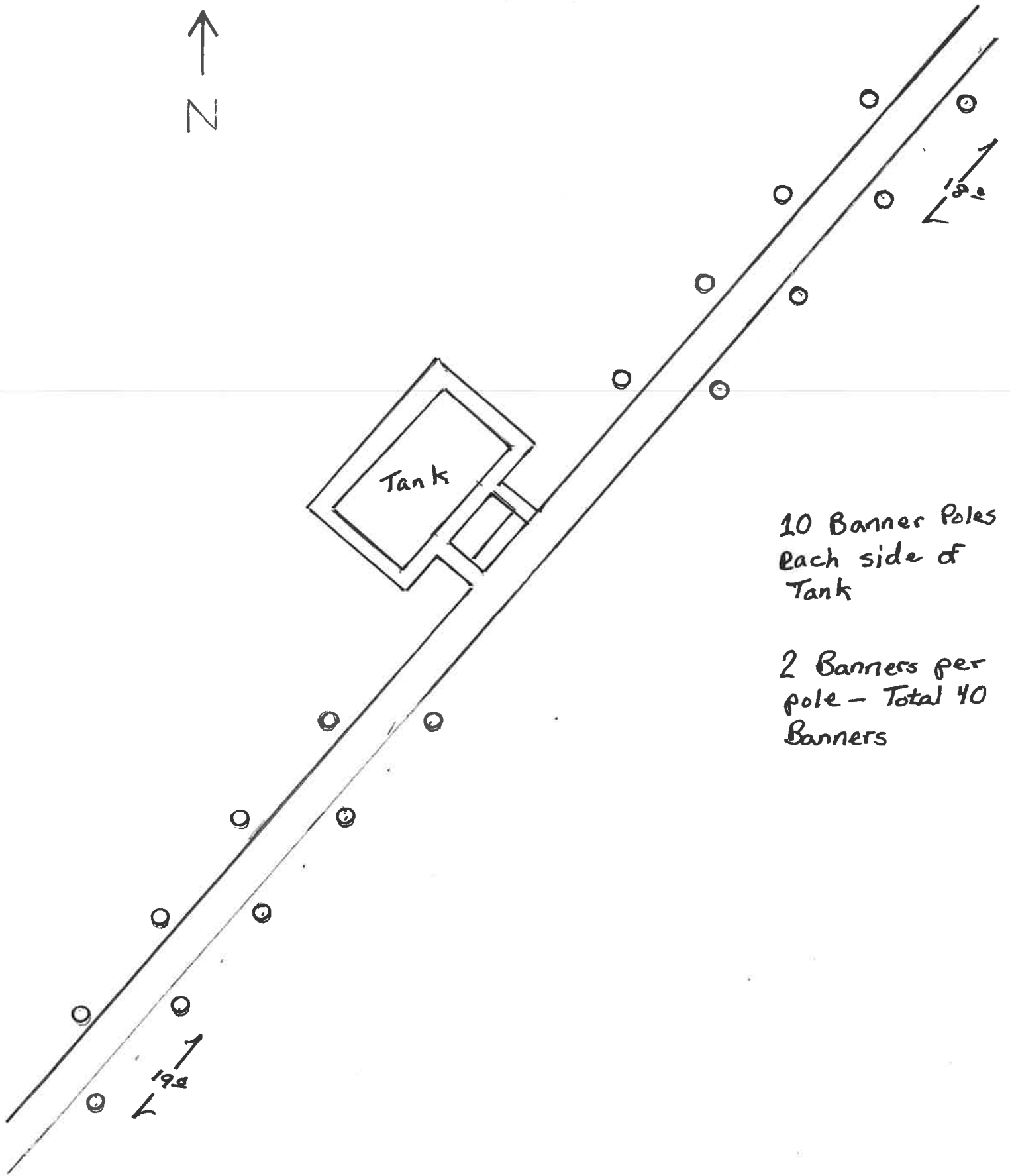
Installing banner brackets to the poles.

Installing solar lighting atop each pole.

Hanging and removing the banners once purchased.

Cost considerations include:

Steel poles /w sleeves	\$4,473.20
Pole brackets	\$1,650.00
Solar Lights	\$2,200.00
Sakrete	\$176.00
PVC Storage Pipe	\$100.00
<b>Estimated Total</b>	<b>\$8599.20</b>



10 Banner Poles  
Each side of  
Tank

2 Banners per  
pole - Total 40  
Banners

Fig 1



Valley Falls  
Honoring  
our  
Military

Valley Falls  
Honoring  
our  
Military

Valley Falls  
Honoring  
our  
Military

Valley Falls  
Honoring  
our  
Military

Valley Falls  
Honoring  
our  
Military

Bradford  
Bradford Family

Bradford  
Bradford Family

Bradford  
Bradford Family

Bradford  
Bradford Family

Bradford  
Bradford Family





3" x 18"  
SPS 40  
Like flagpole

18" hole

11' ground to banner

ground level

3'



## Valley Falls Kansas Military Banner Project

The city of Valley Falls and Veterans of Foreign Wars Post 3084 of Valley Falls is proud to offer you the opportunity to honor a veteran or someone currently active in the military.

To purchase: \$200.00 for a 18 inch by 36 inch color banner with your chosen military member on it. The banners will then be displayed in the Valley Falls city park from Memorial Day through Veterans Day.

Name of applicant \_\_\_\_\_

Email \_\_\_\_\_

Applicant address \_\_\_\_\_

Applicant phone \_\_\_\_\_

Subject's Name \_\_\_\_\_

Subject's Military Branch \_\_\_\_\_ Conflict \_\_\_\_\_

Years of service From \_\_\_\_\_ To \_\_\_\_\_

**A good quality photo copy of the subject is required. Please return this form and payment to \_\_\_\_\_ Valley Falls, Ks. 66088. Placement of the banner will be chosen when the application is returned with payment. The form of payment accepted is a check. Any questions please contact Stephen Ragan @ 785-493-5007 or Steve Kientz @ 785-806-3352. Thank You.**

**NOTE: The city of Valley Falls and VFW Post 3084 are not responsible for banners that are damaged or destroyed due to acts of nature, vandalism, or theft.**

## Regional Hazard Mitigation Plan Participation

County \_\_\_\_\_ Jurisdiction \_\_\_\_\_  
*(school, city, REC, etc.)*

Point of Contact Name \_\_\_\_\_

Phone \_\_\_\_\_

Email \_\_\_\_\_

Address \_\_\_\_\_

By completing the form and submitting, our jurisdiction understands the following requirements for updates occurring across calendar years 2023 – 2026 by region:

- Participate in the next Regional Hazard Mitigation Plan Update for respective region,
- Attend two meetings and turn in the required paperwork, and
- Sign a resolution of adoption, adopting the plan, even if there is a change in office holders.

### Authorized Representative of Jurisdiction

*(Examples of an Authorized Representative - Superintendent, General Manager, City Supervisor, Mayor)*

Name \_\_\_\_\_

Title \_\_\_\_\_

Signature \_\_\_\_\_

Date \_\_\_\_\_

### County Emergency Manager

Name \_\_\_\_\_

Signature \_\_\_\_\_

Date \_\_\_\_\_

## ORDINANCE # 2022-05

AN ORDINANCE REGULATING THE KEEPING OF ANIMALS IN THE CITY OF VALLEY FALLS, KANSAS; PROVIDING FOR THE INOCULATION AGAINST RABIES; PROVIDING FOR PENALTIES FOR VIOLATIONS THEREOF; AND ANY OTHER ORDINANCE IN CONFLICT THEREWITH AND REPEALING ORDINANCE 2-109.1 AND AMENDING CHAPTER II OF THE CITY CODE: BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF VALLEY FALLS, KANSAS THAT:

### SECTION (1) DEFINITIONS

- a. **Animal** shall mean all vertebrate and invertebrate animals such as but not limited to bovine cattle, horses and other equines, hogs, goats, dogs, cats, rabbits, sheep, chickens, ducks, geese, turkeys, pigeons, and other fowl or wild animals, reptiles, fish, bees or birds that have been tamed, domesticated or captivated.
- b. **At large** shall mean to be outside of a fence or other enclosure which restrains the animals to a particular premise or without being under immediate adult supervision within 10 feet, of the owner or other authorized person capable of restraining the animal. Animals tethered to a stationary object within range of public thoroughfares are deemed to be "At-large."
- c. **Cat** shall mean any member of the species felis catus, regardless of sex
- d. **Dog** shall mean all members of the species canis familiaris, regardless of sex.
- e. **Feral Animal** shall mean an undomesticated or stray animal. Animal that are not owned or controlled by anyone.
- f. **Harborer or Keeper** shall mean any person who allows or permits any animal to be fed or lodged within or upon the premises of such person.
- g. **Nuisance** shall mean any person who maintains any animal in any building, enclosure, runway, pen on his or her premises which is not kept clean, sanitary, and free from filth, garbage, and offensive odors at all times, or which is or becomes offensive to those residing in the vicinity, upon written complaint to the City and an investigation completed, the city may deem said person(s) to maintain a nuisance. The keeping of any animal which by loud, frequent, and habitual barking, howling, yelping, meowing, or screeching shall disturb the peace of any neighborhood or area, upon written complaint to the city and an investigation completed, the City may deem said person(s) to maintain a nuisance animal. It shall be the duty of any person(s) found to be in violation of this section to abate said nuisance. If he or she fails to do so after receiving notification from the City, the City may abate the nuisance by taking up, impounding or disposing of said animal(s) at the expense of the owner.
- h. **Own** shall mean and include own, keep, shelter, manage, possess, or have part interest in any animal.
- i. **Owner** shall mean the one who owns, his or her employee, agent, or other competent person into whose charge the owner has placed the animal.
- j. **Police Officer** shall mean any officer designated by the governing body of the City of Valley Falls, to perform or enforce the provisions of this ordinance.
- k. **Severe Injury** shall mean any of the following:
  1. Any physical harm that carries a risk of death or threatening a risk of severe reaction;
  2. Any physical harm that involves a permanent incapacity, whether partial or total, or a temporary, incapacity;
  3. Any physical harm that involves a permanent disfigurement or a temporary, serious disfigurement;
  4. Any physical harm that involves acute pain of a duration that results in suffering or any degree of intractable pain.
- l. **Vicious Animal** shall mean any animal which,
  1. Kills a human being; or
  2. Inflicts severe injury to a human being through a sustained and vicious attack; or
  3. Has been trained to fight and possess physical attributes such as size, build, or bite strength to inflict Serious Injury to a human being; for this purpose, the following shall be presumed to have been trained to fight: (i) any Animal involved in a staged fight, (ii) any Animal exhibiting wounds or bodily disfigurements commonly associated with Animal fighting, (iii) any Animal found or kept on premises at which equipment is located that is commonly associated with training Animals to fight, and (iv) any Animal found or kept with other Animals that (a) have

- been trained to fight or (b) are presumed to have been trained to fight; or
4. Because of its disposition and physical attributes, such as but not limited to size, build, or bite strength, poses a substantial threat to the life and safety; or
  5. Has the propensity, tendency or disposition to attack a human being without provocation and possesses physical attributes such as size, build, or bite strength to inflict Severe Injury to a human being;
  6. Any warm-blooded, carnivorous or omnivorous, wild or exotic animal (including but not limited to nonhuman primates, raccoons, skunks, foxes and wild and exotic cats; but excluding fowl, ferrets and small rodents of varieties used for laboratory purposes);
  7. Any animal having poisonous bites;
- m. **Exceptions.** Provided, however, that no Animal shall be deemed or declared a vicious Animal:
1. Solely because it inflicted Severe Injury on a human being if the human being was, at the time the Severe Injury was sustained, (i) assaulting the Owner or Possessor of the Animal, provided the Owner or Possessor of the Animal was not the aggressor, (ii) committing a willful trespass upon the premises of the Owner or Possessor of the Animal, or (iii) provoking, tormenting abusing, or assaulting the Animal, or can be shown to have repeatedly provoked, tormented, abused, or assaulted the Animal at other times;
  2. Solely because it inflicted Severe Injury on a human being if the Animal was, at the time the Substantial Injury was sustained, (i) responding to pain or injury, (ii) protecting itself, its kennel, its offspring, or its Owner or Possessor's property, or (iii) protecting or defending another human being within the immediate vicinity of the Animal from an unjustified attack or assault; or
  3. Is Owned or Possessed by a federal, state, or local law enforcement agency.(g) Severe Injury means serious bodily injury, such as muscle tears, broken bones, serious disfigurement requiring corrective or cosmetic surgery, or serious impairment of any bodily function.
- n. **Dangerous Animal** shall mean any animal which,
1. Any animal with a known propensity tendency or disposition to attack, to cause injury, or otherwise threaten the safety of human beings or domestic animals; or
  2. Any animal which in a vicious or threatening manner, approaches any person in apparent attack upon the person while on the streets, sidewalks, or any public grounds or places; or on private property other than that of the owner; or
  3. Any animal which attacks or bites, OR has attacked or bitten a human being or domestic animal on private property other than that of the owner; or
  4. Any animal which has killed or injured another domestic animal
  5. Any animal owned or harbored primarily or in part for the purpose of animal fighting, or any animal trained for fighting. (1) Caused injury, other than killing or serious physical harm, to any person;
  6. Been the subject of a second or subsequent violation of the following:
    - i. Without provocation, molests, chases or interferes with persons or vehicles in the public right-of-way by jumping upon, chasing, barking or biting at persons or vehicles;
    - ii. Damages public or private property other than that of its owner or harborer by its activities;
    - iii. Scatters refuse that is bagged or otherwise contained;
    - iv. Threatens or endangers the health or well-being of persons or other animals, or injures other animals;

## **SECTION (2) EMERGENCY MEASURES**

In the event of rabies or other domestic animal epidemic, this ordinance may be temporarily suspended by order of the Mayor and such emergency measures as are necessary may be substituted by proclamation of the Mayor dependent on each individual event.

## **SECTION (3) CAPTURE/DESTRUCTION**

When deemed necessary by Law Enforcement Officers or the City police officer for the health, safety and welfare of the residents, law enforcement, or City police officers of the City, such officers and/or their agents

may:

- a. Place a humane trap on public or a requesting resident's property for the purpose of capturing any animal defined in this Chapter as creating a nuisance in the City
- b. Use any tranquilizer guns, humane traps, or other suitable devices to subdue and capture any animal that is deemed by the City police officer, in his or her discretion, to be of a danger to itself or to the public health and safety
- c. The police, or humane officer of the city may kill, without notice, any animals that are dangerous, vicious, cause destruction to property while at large and unable to be taken up by means of cage trapping and or become a public Nuisance, or suspected of being infected with rabies, or injured with no apparent chance of survival, or in such pain as to warrant humane destruction.

#### **SECTION (4) RIGHT OF ENTRY**

The City police officer or any Law Enforcement Officer shall have the right of entry upon any private unenclosed lots or lands for the purpose of collecting any animal whose presence thereupon is a violation of this Chapter. The City police officer or any Law Enforcement Officer shall have the right of entry upon any private unenclosed lots or lands to investigate cruelty to animals.

#### **SECTION (5) LICENSE**

It shall be unlawful for any person to own, keep, or harbor any animal over six (6) months of age within the city limits, without registering such animal and paying a yearly license tax thereon. It shall be unlawful for any person to own, keep, or harbor any animal that has been declared vicious. An annual license tax of \$3.00 will be assessed for each animal. Designated officer(s) may conduct an Animal Census whenever deemed necessary in any and all areas of the city as needed to insure that all animals over six (6) months old harbored in the City are vaccinated and licensed. Failure to comply with the requirements of this ordinance, owners who fail to have animals licensed and vaccinated, violate this ordinance. Their animals will be impounded at a local veterinarian facility at the owner's expense. All vaccination and city license requirements must be met before being allowed back into the City. The above provisions (in section #5) shall not be intended to apply to "seeing eye" dogs or medically certified therapy dogs with proper paperwork. The city police officer, the code enforcement officer, or any law enforcement officer shall have the right to inspect any premises licensed under this section at any reasonable time and nothing shall prevent the entry onto private property for the purpose of inspection

#### **SECTION (6) KENNEL LICENSE**

- a. No person or household shall own or keep more than five animals of age six months or older, or engage in the commercial business of breeding, buying, selling, trading, training, or boarding of animals without obtaining a kennel license from the city clerk. Kennel licenses holders shall not exceed 10 animals per license.
- b. Kennel licenses must be renewed annually. No kennel license shall be issued until an inspection certificate has been issued by city police officer certifying approval of the kennel and compliance with applicable laws of the City and State of Kansas. A certificate by the zoning code enforcement officer shall be issued certifying that the applicant for the kennel license is not violating zoning laws of the city. If the city clerk has not received any protest against the kennel, the city clerk may issue a renewal of an existing kennel license at the same location without any report from the city police officer and zoning code enforcement officer. If the city police officer or the zoning code enforcement officer find that the holder of any kennel license is violating any zoning law or any other law of the State of Kansas, or of the city, or is maintaining the facility in a manner detrimental to the health, safety, or peace of mind of any person residing in the immediate vicinity, he or she shall report such fact to the city clerk, and the license shall not be renewed after a public hearing before the governing body.
- c. The animal control officer, the zoning enforcement officer, or any law enforcement officer shall have the right to inspect any premises licensed under this section at any reasonable time and nothing shall prevent the entry onto private property for the purpose of inspection. The application for a kennel shall constitute consent to such entry and inspection.
- d. It shall be unlawful for any person to feed, harbor, or possess any feral animal.
- e. The governing body may suspend or revoke a kennel license if pursuant to a public hearing, it finds any

of the following:

- a. The kennel is maintained in violation of any applicable law of the State of Kansas or of the City.
- b. The kennel is maintained so as to be a public nuisance.
- c. The kennel is maintained so as to be detrimental to the health, safety or peace of mind of persons residing in the immediate vicinity.
- f. The annual kennel license fee shall be \$125.00. Payment of such license fee is in addition to, and not in lieu of, the dog license fees otherwise required under this chapter.

Any person in violation shall will be assessed a fine of \$250 for each conviction of a dangerous animal as defined in Section.

The fine shall be mandatory and the Court shall have no authority to suspend the fine or any portion thereof.

### **SECTION (7) VACCINATIONS**

Any person making application for a license for an animal shall be required to present to the City Clerk, at the time of making such application a certificate issued by a licensed Doctor of Veterinary Medicine (DVM) showing that such animal has been vaccinated with anti-rabies vaccine. The showing that the vaccination must be current and effective at the time in which the application is made.

### **SECTION (8) DATE PAYABLE AND REGISTRATION TAGS**

The license tax shall become due January 1st and each January 1st thereafter and payable on or before May 10th of each year. A penalty of \$5.00 will be assessed for the failure to register on or before May 10th. The owner or harbinger of any animal other than fish over the age of six (6) months in the city shall register such animal with the City Clerk or city official. Registration Tags will be issued by the City Clerk. The owner must keep the tag attached to the collar of the animal to be used on the animal so registered.

### **SECTION (9) REGULATIONS FOR KEEPING OF ANIMALS**

It shall be unlawful for the owner, lessee, occupant or person in charge of any premises in the city to possess and maintain any fowl, horses, mules, cattle, sheep, goats, swine, or undomesticated animals, unless obtaining a permit from the city to possess and maintain such animals. This provision shall not apply to:

- a. The maintaining of a stockyard or sales barn for the loading, unloading, temporary detention and sale of such livestock., if location of stockyard of sales barn does not other violate the zoning ordinances of the city;
- b. The maintaining of non-poisonous and non-vicious animals and fowl which are commonly kept as household pets such as: cats, dogs, hamsters, rabbits, parakeets, and comparable animals.
- c. Transporting of animals through the city by ordinary and customary means.

Permit applications shall be obtained from the city office and are subject to the following:

- a. Requesting persons shall be assessed a \$125.00 application fee per property.
- b. After permit applications are returned to the city offices, the permit application shall be mailed to all adjoining neighbors of the property in question for consideration and approval.
- c. Unanimous approval of the permit application from all concerned and adjoining neighbors is required.
- d. Upon unanimous approval of all adjoining and concerned neighbors, the permit application must be approved by the governing body.
- e. Permits are to be obtained annually, and will expired on year from the date of issue.

Permits obtained shall contain the following information:

- a. Location and size of property on which animals and fowl are to be possessed and maintained
- b. Type and number of animals and fowl to be possessed and maintained no more than five (5).
- c. Location, size, and type of enclosure or pen.
- d. Purpose of possessing and maintaining the animals and fowl.
- e. A diagram with measurements of enclosure from all buildings, utilities, etc.

All animals and fowl being possessed and maintained by permit are subject to all ordinances pertaining to the

care and custody of animals and the permits are subject to review and/or revocation upon any complaints concerning the animals and fowl.

## **SECTION (10) REGULATIONS FOR A VICIOUS ANIMAL**

Upon conviction of keeping a vicious animal, the animal shall be kept subject to the following standards:

- a. Vicious Animals are declared to be a public nuisance and are hereby prohibited in the City of Valley Falls, Kansas.
- b. It shall be unlawful to Own or Possess a Vicious Animal in the City of Valley Falls, Kansas. An Owner or Possessor of an animal that falls within the definition of "Vicious Animal" shall be strictly liable under this Section and a conviction shall not require proof of any criminal intent, or the Owner or Possessor's knowledge of any particular propensity, tendency or disposition of the Animal. Each Vicious Animal Owned or Possessed in violation of this Section shall constitute a separate offense.
- c. Ownership or Possession of Animal following Conviction. It shall be unlawful for any person convicted of Owning or Possessing a Vicious Animal to Own or Possess any Animal, whether or not found to be a Vicious Animal, for a period of 3 years following the date of such conviction.
- d. Upon conviction, the Court shall order that the animal be humanely euthanized, and direct the Chief of Police, or his or her designee, to insure that the order is enforced. The Court may enter such an order as part of a criminal proceeding or in a separate civil proceeding brought for such purpose and, in either event, shall impose against the Owner or Possessor of the Vicious Animal the expenses of impounding, keeping, and euthanizing the Vicious Animal. Regardless of whether part of a criminal proceeding or civil proceeding, the standard of proof to determine whether the Animal is a Vicious Animal shall be by a preponderance of the evidence. The Owner or Possessor shall be notified (at the Owner or Possessor's last known address) at least 5 days in advance of the date and time of any evidentiary hearing pursuant to this Section and may present contrary evidence at such hearing. The failure of the Owner or Possessor to attend or participate in the hearing, however, shall not prevent the Court from making an appropriate determination concerning the Animal.

## **SECTION (11) REGULATION FOR A DANGEROUS ANIMAL**

Upon conviction of keeping a dangerous animal, the animal shall be kept subject to the following standards:

- a. **Sterilization and Microchipping.** The Owner shall pay for a Doctor of Veterinary Medicine to spay or neuter the dangerous animal before it will be released to the owner. The animal shall have a microchip inserted. The microchip shall detail the dangerous animal registration and such other information as may be appropriate to determine the ownership of the animal. The owner shall pay all costs associated with the microchip procedure and sterilization of the Animal. The owner shall file proof of sterilization and microchipping within 15 days of the conviction.
- b. **Registration.** The owner or keeper shall annually register the dangerous Animal with the City, on such forms designated by the City Clerk. The owner or keeper shall pay a \$50.00 annual registration fee. The owner or keeper shall be responsible for maintaining with the City Clerk the address of the owner or keeper and the dangerous animal. The owner or keeper shall notify the City Clerk within seven (7) days of a change in address for the owner or keeper and dangerous animal.
- c. **Leash and muzzle.** No person shall permit a dangerous animal to go outside its kennel or pen unless such Animal is securely leashed with a leash no longer than four feet in length. No person shall permit a dangerous Animal to be kept on a chain, rope or other type of leash outside its kennel or pen unless a adult person is in physical control of the leash. Such animals may not be leashed to inanimate objects such as trees, posts, buildings, etc. In addition, all dangerous animals on a leash outside the animal's kennel must be muzzled by a muzzling device sufficient to prevent such animal from biting persons or other animals. The muzzle shall be made and used in a manner that will not cause injury to the animal or interfere with its vision or respiration, but shall prevent it from biting any human or animal.
- d. **Confinement.** All dangerous animals shall be securely confined indoors or in a securely enclosed and locked pen or kennel, except when leashed and muzzled. Such pen, kennel or structure must have secure sides and a secure top attached to the sides. All structures used to confine dangerous Animals must be



locked with a key or combination lock when such animals are within the structure. Such structure must have a secure bottom or floor attached to the sides of the pen, or the sides of the pen must be embedded in the ground no less than two feet. All structures erected to house dangerous Animals must comply with all zoning and building regulations of the city. All such structures must be adequately lighted and ventilated and kept in a clean and sanitary condition.

- e. **Confinement indoors.** No dangerous Animal may be kept on a porch, patio or in any part of a house or structure that would allow the Animal to exit such building on its own volition. In addition, no such animal may be kept in a house or structure when the windows are open or when screen windows or screen doors are the only obstacle preventing the Animal from exiting the structure.
- f. Dangerous animals shall also have “Dangerous Animal” signs posted on the front and rear of the property.
- g. No dangerous animal may be maintained within 400 feet of a school, park or public playground.
- h. No person under the age of 18 shall own or possess any dangerous animal within the city limits.

## **SECTION (12) FINES FOR A VICIOUS ANIMAL**

Vicious Animal Provisions shall be guilty of a misdemeanor, punishable as follows:

- a. First offense, a fine, which shall be set at \$500 per animal. The fine shall be mandatory and the Court shall have no authority to suspend the fine or any portion thereof. In addition, the Court shall have the authority to sentence the defendant to confinement in the county jail for a maximum of 90 days.
- b. Second offense committed within 5 years of a prior offense, a fine, which shall be set at \$1,000 per animal. The fine shall be mandatory and the Court shall have no authority to suspend the fine or any portion thereof. In addition, the Court shall have the authority to sentence the defendant to confinement in the county jail for a maximum of 6 months.
- c. Third offense committed within 5 years of 2 prior offenses, a fine, which shall be set at \$1,000 per animal. The fine shall be mandatory and the Court shall have no authority to suspend the fine or any portion thereof. In addition, the Court shall sentence the defendant to confinement in the county jail for a minimum of 30 days and a maximum of 6 months. The defendant shall be required to serve the minimum 30-day jail sentence and the Court shall have no authority to suspend the first 30 days of such sentence. Upon conviction of the third offense, it shall be permanently unlawful for such defendant to own, keep, or harborer any animals in the City of Valley Falls.

## **SECTION (13) FINES FOR A DANGEROUS ANIMAL**

A fine of \$500 per animal shall be assessed for each conviction of a dangerous animal as defined in Section one (1). The fine shall be mandatory and the Court shall have no authority to suspend the fine or any portion thereof.

## **SECTION (14) FINES FOR AN ANIMAL AT LARGE**

It shall be unlawful for any owner or keeper of any animal to allow that animal to run at large within the city limits. Any animal found running at large within the city can be taken up by the designated officer and held at a veterinary shelter until the animal is claimed by owner. All license fees need to be paid, rabies vaccination completed, and any cost incurred to Doctor of Veterinary Medicine (DVM) paid before animal will be released. DVM will hold Animals impounded by officers for a certain amount of days as determined by DVM. If animal is not claimed, the DVM will become property owner and dispose of animal in a humane manner or adoption. Any animal found running at large within the City of Valley Falls, whether captured or not, shall be punishable as follows:

- a. First offense, a fine, which shall be set at \$50.00. The fine shall be mandatory and the Court shall have no authority to suspend the fine or any portion thereof.
- b. Second offense, a fine, which shall be set at \$75.00. The fine shall be mandatory and the Court shall have no authority to suspend the fine or any portion thereof.
- c. Third offense and any offense thereafter, a fine, which shall be set at \$100.00. In addition, the animal shall be impounded and all fees and cost must be paid prior to the release of such animal. The fine shall be mandatory and the Court shall have no authority to suspend the fine or any portion thereof.

Any animal that has been deemed dangerous or vicious and found running at large within the City of Valley Falls, whether captured or not, shall be punishable as follows:

- a. First offense, a fine, which shall be set at \$250.00. The fine shall be mandatory and the Court shall have no authority to suspend the fine or any portion thereof.
- b. Second offense, a fine, which shall be set at \$500.00. In addition the animal shall be deemed vicious and follow standards set out in Section 8 of this ordinance. The fine shall be mandatory and the Court shall have no authority to suspend the fine or any portion thereof

#### **SECTION (15) NUISANCE ANIMALS**

Any person who maintains any animal in any building, enclosure, runway, pen on his or her premises which is not kept clean, sanitary, and free from filth, garbage, and offensive odors at all times, or which is or becomes offensive to those residing in the vicinity, upon written complaint to the City and an investigation completed, the city may deem said person(s) to maintain a nuisance. The keeping of any animal which by loud, frequent, and habitual barking, howling, yelping, meowing, or screeching shall disturb the peace of any neighborhood or area, upon written complaint to the city and an investigation completed, the City may deem said person(s) to maintain a nuisance animal. It shall be the duty of any person(s) found to be in violation of this section to abate said nuisance. If he or she fails to do so after receiving notification from the City, the City may abate the nuisance by taking up, impounding or disposing of said animal(s) at the expense of the owner.

#### **SECTION (16) REMOVAL OF ANIMAL FECES REQUIRED**

The owner of any animal, when such animal is off the owner's property, shall be responsible for the removal of any feces deposited by such animal on public walks, streets, recreation areas, or private property. It shall be a violation of this section for such owner to fail to remove or provide for the removal of such feces before taking such animal from the immediate area where such defecation occurred.

- a. First offense, a fine, which shall be set at \$50.00. The fine shall be mandatory and the Court shall have no authority to suspend the fine or any portion thereof.
- b. Second offense, a fine, which shall be set at \$75.00. The fine shall be mandatory and the Court shall have no authority to suspend the fine or any portion thereof.
- c. Third offense and any offense thereafter, a fine, which shall be set at \$100.00. In addition, the animal shall be impounded and all fees and cost must be paid prior to the release of such animal. The fine shall be mandatory and the Court shall have no authority to suspend the fine or any portion thereof.

#### **SECTION (17) QUARANTINE**

It shall be unlawful for any owner, or harbinger of any animal, when notified that such animal has bitten or so injured any person or another animal as to cause an abrasion or breaking of the skin, to allow such animal to be taken beyond the city limits, except to place under the care of a licensed Doctor of Veterinary Medicine (DVM), for a period of not less than 10 days. It shall be the duty of the owner or keeper to immediately place such animal in a quarantine area where no contact with persons or other animals besides the harbinger, as long as current proof of rabies vaccination is provided to the police department. If a quarantine area is not available or current proof of rabies vaccination cannot be provided, the animal shall be placed with a licensed DVM hospital where such animal shall be confined for a period of not less than 10 days, at the owner's expense. The owner shall notify the City of the name and location of the hospital and date of confinement.

#### **SECTION (18) CRUELTY TO ANIMALS**

- a. It shall be unlawful as pertain to local, state and federal laws for any person:
  1. to willfully or maliciously kill, maim, disfigure or torture, strike, hit or beat with a stick, board, chain, club or other object; mutilate, burn, or scald with any substance; or drive over any domesticated animal, or cruelly set an animal upon another animal, except that reasonable force may be employed to drive off vicious or trespassing animals; or
  2. by any means to make accessible to any animal, with the intent to cause harm or death, any substance which has in any manner been treated or prepared with harmful or poisonous substances. It is not the intent of this subsection to prohibit the use of poisonous substances for

- the control of vermin of significance to the public health; or
3. to fail, refuse or neglect to provide any animal in his or her charge or custody as owner or otherwise with proper food, drink, shade, care, or shelter. Any animal kept outside shall be provided with a structurally sound weatherproof enclosure, large enough to accommodate the animal; or
  4. to drive or work any animal cruelly; or
  5. to abandon any animal within the City limits. For the purposes of this Section, "abandon" means for the owner or keeper to leave an animal without demonstrated or apparent intent to recover or resume custody; to leave an animal for more than 12 hours without providing adequate food and shelter for the duration of the absence; or to turn out or release an animal for the purpose of causing it to be impounded; or
  6. to leave any animal confined in a vehicle for more than five (5) minutes in extreme weather conditions, defined as less than thirty degrees Fahrenheit or more than 70 degrees Fahrenheit; or
  7. to transport an animal in the trunk of a vehicle; or
  8. to cause, instigate, stage, or train any animal to fight or permit any fight between any animal and another animal or human; or
  9. except a licensed veterinarian, to crop animal ears or dock animal tails; or
  10. to give away any live animal, fish, reptile, or bird as a prize for, or as an inducement to enter a place of amusement; or offer such vertebrate as an incentive to enter into any business agreement whereby the offer was for the purpose of attracting trade.
  11. Use a chain, leash, rope, collaring device, tether, or any assembly or attachments thereto to picket a Animal that shall weigh more than 1/8 of the animal's body weight, or due to weight, inhibit the free movement of the animal within the area picketed; or
  12. Picket an animal in such a manner as to cause injury, strangulation, or entanglement of the Animal on fences, trees, or other man made or natural obstacles.
- b. Any person who, as the operator of a motor vehicle, strikes a domestic animal shall stop at once and render such assistance as may be possible and shall immediately report such injury or death to the animal's owner; in the event the owner cannot be ascertained and located, such operator shall at once report the accident to the appropriate law enforcement agency or to the local humane society.
- c. Exceptions: Nothing in subsection A of this Section shall:
1. Be deemed to prohibit any action by a licensed veterinarian done in accordance with accepted standards of veterinary medicine, or any action taken by a law enforcement officer pursuant to the interests of public health and safety.
  2. Be interpreted as prohibiting any act done in self-defense or done to defend another person.

#### **SECTION (19) PROCEDURES FOR CRUELTY TO ANIMALS; FINES.**

- a. Any public health officer, law enforcement officer, licensed veterinarian or officer may take into custody any animal, upon either private or public property, which clearly shows evidence of cruelty to animals, as defined by Section 16; provided that entry upon private property shall only be accomplished with the assistance of a law enforcement officer. Such officer, agent or veterinarian may inspect, care for, or treat such animal or place such animal in the care of a licensed veterinarian for treatment, boarding or other care or, if an officer of the Humane Society or such veterinarian determines that the animal appears to be diseased or disabled beyond recovery for any useful purpose, for humane destruction.
- b. The owner or keeper of an animal destroyed shall not be entitled to recover damages for the destruction of such animal unless the owner proves that such destruction was unreasonable and unwarranted.
- c. Expenses incurred for the care, treatment or boarding of any animal taken into custody pending prosecution of the owner or keeper of such animal for the crime of cruelty to animals shall be assessed to the owner or keeper as a cost of the case if the owner or keeper is adjudicated guilty of such crime.

- d. If a person is adjudicated guilty of the crime of cruelty to animals and the court determines that such animal owned or possessed by such person would be in the future subject to any cruelty to animals, such animal shall not be returned to or remain with such person. Such animal may be turned over to a duly incorporated humane society or licensed veterinarian for sale, adoption or other disposition.
- e. Unless the animal obtained pursuant to this Section is the evidentiary subject of a pending prosecution, the owner or keeper of the animal shall have a maximum of twenty (20) days after the animal is taken into custody to obtain the animal from the veterinarian having custody of the animal. The veterinarian shall notify the owner or keeper of the animal, if known or reasonably ascertainable. The failure of the owner or keeper to obtain custody of the animal in the time provided shall provide the authority for the Municipal Judge to declare that the animal be disposed of by the veterinarian by adoption or destruction.
- f. Violation of Section 16 shall be a municipal offense and upon conviction, the defendant shall be fined a minimum fine of \$500.00 and a maximum fine of \$1,000.00 per offense. The Municipal Judge shall not have authority to suspend the minimum fine. In addition to, the Municipal Judge shall have authority to sentence the convicted defendant to a maximum six (6) month sentence in jail.

**SECTION (20) FINANCIAL RESPONSIBILITY**

In the event any owner, keeper or harbinger or other person found in violation of any section of this ordinance, any financial liability incurred for the care and treatment of such animal shall be the personal financial responsibility of such person.

**SECTION (21) COLLECTIONS**

All fees for registration and license, and fines collected hereunder, shall be paid into the general fund of the City of Valley Falls.

**SECTION (22) EFFECTIVE DATE OF ORDINANCE**

This ordinance shall take effect and be in full force from and after its passage and publication in the official city newspaper.

PASSED AND APPROVED by the Governing Body and signed by the Mayor of the City of Valley Falls, Kansas on JUNE 15, 2022.

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Jeanette Shipley, Mayor

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ATTEST: Christine Weishaar, City Clerk

# Heinen P-H-E Services, Inc.

Plumbing, Heating, Electrical, and Air Conditioning Services

**Jerry Heinen**

1808 Linn St. Valley Falls, Ks. 66088-1190

(785) 945-6668 (888) 942-6668 Fx (785) 945-6800 [jwheinen@earthlink.net](mailto:jwheinen@earthlink.net) [heinenphe@yahoo.com](mailto:heinenphe@yahoo.com)

Proposal Submitted To: CITY OF VALLEY FALLS

Phone:     

Date: June 10, 2022

Valley Falls RV wps

We hereby submit specifications and estimates for: RV BOXES

We will remove all of the cluttered electrical boxes on the existing poles.

We will reuse all of the existing 100 Amp underground wire and breaker that is in-use today We will reuse the existing 150 Amp copper service, meter base, etc. also.

We will provide and install 6 new RV electric boxes with 50 Amp and 20 Amp breakers and receptacles in them.

We will correct any of the plastic conduit, male adapters, and lock nuts. This is for safety and aesthetics.

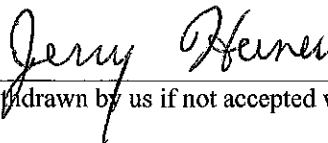
**\*\*Note: Availability and pricing change daily, therefore this quote is only good for 10 days. ( June 20<sup>th</sup>, 2022 )**

\*\*\*The same day we receive a signed contract along with a project exemption, we will immediately place the order for the materials. The cost of the material that day will determine the exact cost of the project. ( I do not anticipate a major change, but who knows. )

We hereby furnish material, labor, and **NO** tax ( a project exemption must be provided ) - complete in accordance with above specification, for the sum of \$3,440.00.

Payment to be made as follows: 100% due when the work is completed, or within 15 days.

Authorized Signature



Note: This proposal may be withdrawn by us if not accepted within 10 days.

**Acceptance of Proposal** -- The above, prices, specifications, and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above.

Signature \_\_\_\_\_

Date of Acceptance \_\_\_\_\_



*City of*  
**VALLEY FALLS**

*Incorporated  
May 17, 1869*

**RESOLUTION NO. 2022-07**

**A RESOLUTION FIXING A TIME AND PLACE AND PROVIDING FOR NOTICE OF A HEARING BEFORE THE GOVERNING BODY OF THE CITY OF VALLEY FALL, KANSAS, AT WHICH THE OWNER, HIS OR HER AGENT, LIENHOLDERS OF RECORD, OCCUPANTS AND OTHER PARTIES IN INTEREST OF STRUCTURES LOCATED WITHIN SAID CITY AND DESCRIBED HEREIN MAY APPEAR AND SHOW CAUSE WHY SUCH STRUCTURE SHOULD NOT BE CONDEMNED AND ORDERED REPAIRED AS AN UNSAFE OR DANGEROUS STRUCTURE.**

WHEREAS, the enforcing officer of the City of Valley Falls, Kansas, did on May 21, 2022 file with the Governing Body of said city, a statement in writing that the structure, hereinafter described, is unsafe and dangerous.

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

That a hearing will be held on the 20th day of July, 2022, before the Governing Body of the city at 6:30 o'clock. p.m., at the at 417 Broadway Street, Valley Falls, Kansas at which the owner, his or her agent, any lienholders of record, any occupant and any other parties in interest, as that term is defined by law, of the structure located at:

419 Broadway, Valley Falls, Kansas; A tract of land described as The East Twenty-five (25) feet of the West Seventy-five (75) feet of Lots Eleven (11) and Twelve (12), in Block Thirty-eight (38) and The West Twenty-two (22) feet of the East Sixty-seven (67) feet of Lots Eleven (11) and Twelve (12), in Block Thirty-eight (38), in the City of Valley Falls, according to the recorded plat thereof, in Jefferson County, Kansas.

may appear and show cause why such structure should not be condemned as an unsafe or dangerous structure and ordered repaired.

BE IT FURTHER RESOLVED, that the City Clerk shall cause this resolution to be published one each week for two consecutive weeks on the same day of the week and shall give notice of the aforesaid hearing in the manner provided by law.

Adopted this 15th day of June 2022

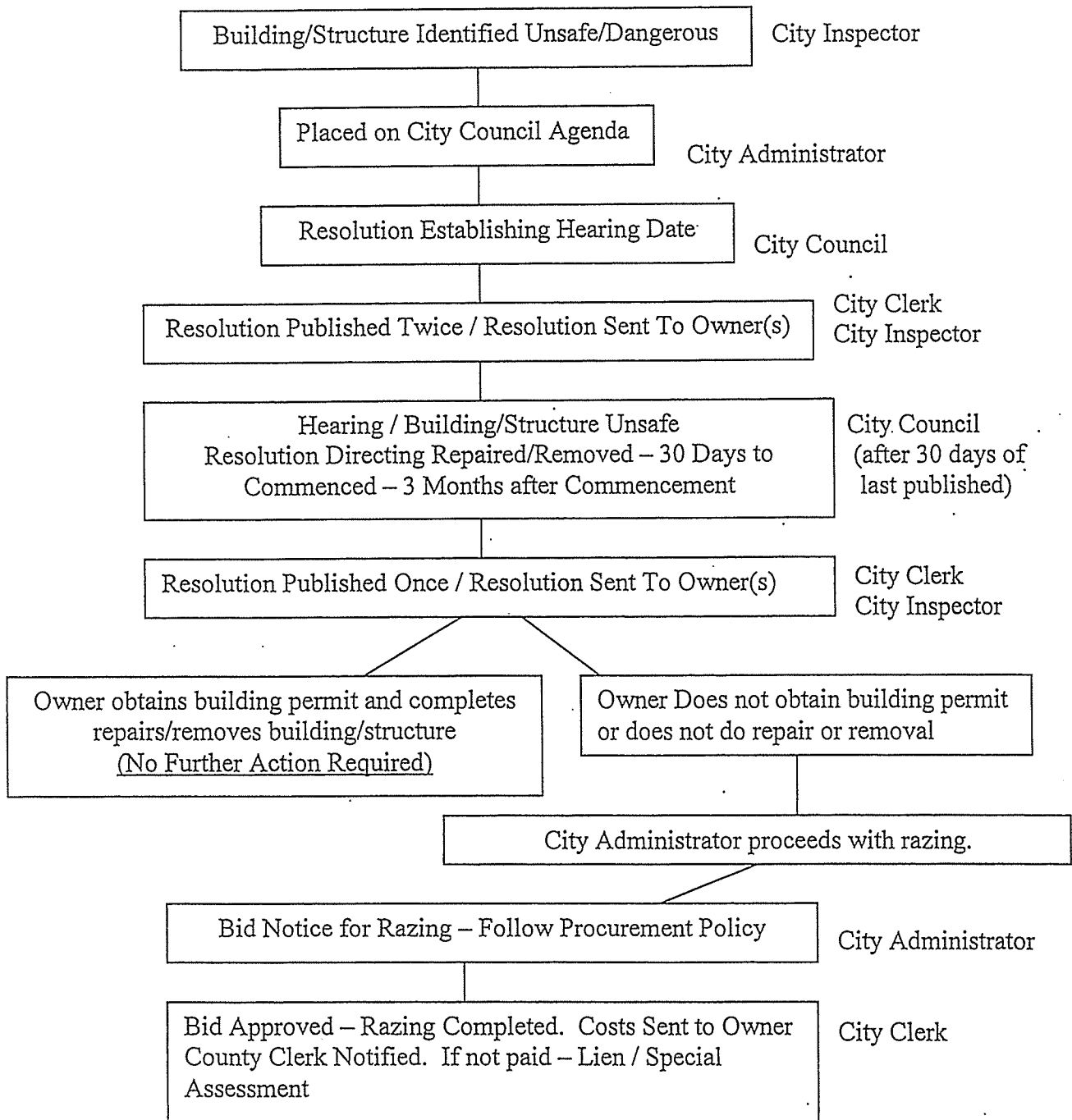
\_\_\_\_\_  
Mayor

ATTEST:

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

**TIMELINE TO DEMOLISH OR REPAIR BUILDING PROCESS**

**6+ Months Process**



Enclosure (5)



## Building Inspection

RE: 419 Broadway

On May 21, 2022 an interior and exterior inspection was conducted of the commercial building (downtown row store) on the property known as **419 Broadway**. The building has several exterior issues: structurally unsound rear staircase, damaged rear wall, missing paint on façade and a failing roof.

Upon entry of the building, I immediately smelled mold/mildew and could see along the East section of the store (along the shared wall with City Hall) that plastic had been put up to catch water and then a funnel and tubing put in place to drain it away. This is not an appropriate or effective method of remediation. Depending on how long the roof has been leaking, there is the potential for significant damage to structural components of the roof and walls. drainage pathways that have led to the settlement and deterioration of the building façade.

The building has structural value to the neighboring building and adds visual integrity to the overall look of downtown Valley Falls. However, as it sits, the appearance of the premise is not commensurate with the character of the properties in the neighborhood and constitutes a blight to the adjoining properties, the neighborhood, and the city.

In my opinion a face-to-face meeting should be set up with the property owner and City staff to discuss a scope of work and timely plan to fix the building. This will give everyone a chance to express their concern and hopefully come to an agreement for repair. If a reasonable agreement does not happen, a citation can be sent and the legal timeframes would begin.





*City of*  
**VALLEY FALLS**

*Incorporated  
May 17, 1869*

**RESOLUTION NO. 2022-07**

**A RESOLUTION FIXING A TIME AND PLACE AND PROVIDING FOR NOTICE OF A HEARING BEFORE THE GOVERNING BODY OF THE CITY OF VALLEY FALL, KANSAS, AT WHICH THE OWNER, HIS OR HER AGENT, LIENHOLDERS OF RECORD, OCCUPANTS AND OTHER PARTIES IN INTEREST OF STRUCTURES LOCATED WITHIN SAID CITY AND DESCRIBED HEREIN MAY APPEAR AND SHOW CAUSE WHY SUCH STRUCTURE SHOULD NOT BE CONDEMNED AND ORDERED REPAIRED AS AN UNSAFE OR DANGEROUS STRUCTURE.**

WHEREAS, the enforcing officer of the City of Valley Falls, Kansas, did on May 21, 2022 file with the Governing Body of said city, a statement in writing that the structure, hereinafter described, is unsafe and dangerous.

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

That a hearing will be held on the 20th day of July, 2022, before the Governing Body of the city at 6:30 o'clock. p.m., at the at 417 Broadway Street, Valley Falls, Kansas at which the owner, his or her agent, any lienholders of record, any occupant and any other parties in interest, as that term is defined by law, of the structure located at:

419 Broadway, Valley Falls, Kansas; A tract of land described as The East Twenty-five (25) feet of the West Seventy-five (75) feet of Lots Eleven (11) and Twelve (12), in Block Thirty-eight (38) and The West Twenty-two (22) feet of the East Sixty-seven (67) feet of Lots Eleven (11) and Twelve (12), in Block Thirty-eight (38), in the City of Valley Falls, according to the recorded plat thereof, in Jefferson County, Kansas.

may appear and show cause why such structure should not be condemned as an unsafe or dangerous structure and ordered repaired.

BE IT FURTHER RESOLVED, that the City Clerk shall cause this resolution to be published one each week for two consecutive weeks on the same day of the week and shall give notice of the aforesaid hearing in the manner provided by law.

Adopted this 15th day of June 2022

\_\_\_\_\_  
Mayor

ATTEST:

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

## **Memorandum of Understanding**

Between

City of Valley Falls, Kansas

and

Valley Falls Athletic Association

This Memorandum of Understanding (MOU) sets for the terms and understanding between the City of Valley Falls, Kansas and the Valley Falls Athletic Association for activity on property under the control of the U.S. Army Corps of Engineers.

### **Background**

The Valley Falls Athletic Association uses land that is in the lease agreement between the City of Valley Falls and the U.S Army Corps of Engineers. The U.S Army Corps of Engineers has requirements and processes for approvals before any improvements, agreements, or additional leases are made.

### **Purpose**

This MOU will create procedures for how the City of Valley Falls, Kansas and the Valley Falls Athletic Association will coordinate activity on property under control of the U.S. Army Corps of Engineers.

The above goals will be accomplished by undertaking the following activities:

Any improvements, agreements, or additional lease must be coordinated with the City of Valley Falls. An approval from the U.S. Army Corps of Engineers must be approved before any improvements, agreements, or additional leases can begin.

### **Reporting**

All reporting from the Valley Falls Athletic Association to the U.S. Army Corps of Engineers must go through the City Administrator at the City of Valley Falls, Kansas.

### **Duration**

This MOU is at-will and may be modified by mutual consent of authorized officials from the City of Valley Falls, Kansas and the Valley Falls Athletic Association. This MOU shall become effective upon signature by the authorized officials from the City of Valley Falls, Kansas and Valley Falls Athletic Association and will remain in effect until modified or terminated by any one of the partners by mutual consent.

**Contact Information**

City of Valley Falls  
Audree Guzman  
City Administrator  
417 Broadway St, Valley Falls, KS 66088  
(785) 945-6612  
(785) 945-3341  
cityadmin@valleyfalls.org

Valley Falls Athletic Association  
Jeff Brown  
President  
PO Box 1, Valley Falls, KS 66088  
(785) 224-7713  
jbrownwalley@yahoo.com

\_\_\_\_\_ Date: June 15, 2022  
Jeanette Shipley  
Mayor  
City of Valley Falls, Kansas

\_\_\_\_\_ Date: June 15, 2022  
Jeff Brown  
President  
Valley Falls Athletic Association

## **Memorandum of Understanding**

Between

City of Valley Falls, Kansas

and

Valley Falls Recreation Commission

This Memorandum of Understanding (MOU) sets for the terms and understanding between the City of Valley Falls, Kansas and the Valley Falls Recreation Commission for activity on property under the control of the U.S. Army Corps of Engineers.

### **Background**

The Valley Falls Recreation Commission uses land that is in the lease agreement between the City of Valley Falls and the U.S Army Corps of Engineers. The U.S Army Corps of Engineers has requirements and processes for approvals before any improvements, agreements, or additional leases are made.

### **Purpose**

This MOU will create procedures for how the City of Valley Falls, Kansas and the Valley Falls Recreation Commission will coordinate activity on property under control of the U.S. Army Corps of Engineers.

The above goals will be accomplished by undertaking the following activities:

Any improvements, agreements, or additional lease must be coordinated with the City of Valley Falls. An approval from the U.S. Army Corps of Engineers must be approved before any improvements, agreements, or additional leases can begin.

### **Reporting**

All reporting from the Valley Falls Recreation Commission to the U.S. Army Corps of Engineers must go through the City Administrator at the City of Valley Falls, Kansas.

### **Duration**

This MOU is at-will and may be modified by mutual consent of authorized officials from the City of Valley Falls, Kansas and the Valley Falls Recreation Commission. This MOU shall become effective upon signature by the authorized officials from the City of Valley Falls, Kansas and Valley Falls Recreation Commission and will remain in effect until modified or terminated by any one of the partners by mutual consent.

**Contact Information**

City of Valley Falls  
Audree Guzman  
City Administrator  
417 Broadway St, Valley Falls, KS 66088  
(785) 945-6612  
(785) 945-3341  
cityadmin@valleyfalls.org

Valley Falls Recreation Commission  
Jeri Clark  
President  
14169 Geary Rd, Valley Falls, KS 66088  
(785) 224-9811  
lajclark@yahoo.com

\_\_\_\_\_  
Date: June 15, 2022

Jeanette Shipley  
Mayor  
City of Valley Falls, Kansas

\_\_\_\_\_  
Date: June 15, 2022

Jeri Clark  
President  
Valley Falls Recreation Commission



City of  
**VALLEY FALLS**

*Incorporated May 17, 1854*

**City Administrator Report  
City Council June 15, 2022**

- 1) **CDBG Sewer Project Phase 1** - Design and Environmental in progress. Bids anticipated for early fall 2022. Construction anticipated in 2023.
- 2) **CDBG Sewer Project Phase 2** - Preliminary Engineering Report in progress. 2023 CDBG Grant year is pausing the sewer/ water grants. Project will be postponed to 2024 if changes are approved.
- 3) **American Rescue Plan Act (ARPA)** - Projects completed to date include: gWorks Software. Funds used to date: \$20,411.40. Projects pending to date include: K-16 Entry Signs. Funds planned for projects : \$7,000. Remaining Funds: \$148,546.96. Traunch two of funds to be disbursed this week.
- 4) **Opioid Settlement** - The Attorney General's office does not know when funds will be disbursed. After talking to LKM funds are anticipated to be disbursed 3 to 4 months after the State of Kansas receives funds. LKM does not anticipate funds this year. Anticipated \$5/ Capita. 25% of Settlement shared 50/50 with cities and counties. Other 75% will be used for grants. This first round of payouts on the settlement will allow partnerships with other local entities
- 5) **Economic Development Board** - Met on June 6<sup>th</sup>.
- 6) **Planning Commission** - Met on June 7<sup>th</sup>.
- 7) **Audit** - We had the audit on May 31<sup>st</sup> and June 1<sup>st</sup>. I am working with the auditors to fix the fund balances from the CD's. The old software did not allocate CD's to specific funds. The new software requires CD's to be allocated to specific funds.
- 8) **Budget** - I have started working on the 2023 Budget. This will be my focus during the months of June and July.
- 9) **Software Implementation** - Payroll will be started on June 8<sup>th</sup>. This is the final module to switch over.
- 10) **Personal Policies & Guidelines** - Reviewed with EMC on June 3<sup>rd</sup>.
- 11) **Main Street** - Signed up for Affiliate
- 12) **Entry/ Welcome Signs** - Working with the Corps and KDOT for ROW.
- 13) **K-4/ Oak Street Lights** - The lights anticipated to be installed at K-4/ Oak Street intersection on May 9<sup>th</sup>.
- 14) **K-4 / K-16 Street Lights** - Working with KDOT, Evergy, and PEC for Street Lights at K-4 / K-16. Light addition must have engineering study and cost covered by city. Work with engineer on estimates.
- 15) **Automatic Water Meters** - 207 meters installed to date. Total of 493 water meters.
- 16) **Fund Balances** - Trial balances sent to auditor to help resolve negative balances. Will resolve during Audit on May 31<sup>st</sup>.
- 17) **Rate Study** - Reviewed initial rate study with Ranson Financial. I need to finish budget to get some items over to them for final rate review.
- 18) **Fire Hydrant Testing** - KRWA will be flow testing all our fire hydrants after water tower work is complete. This service is free.
- 19) **River Cleanup** - The Army Corp of Engineers lease list the City as being responsible for the boat ramp and river entrance. This project will be prioritized after tucking lot is completed.
- 20) **Tucking Lot** - working on hauling in dirt and leveling out lot.
- 21) **Hurst Water Tower** - Installed valve. Work to begin on rehab.
- 22) **Fire Hydrant on Linn** - Postponed awaiting new bid.
- 23) **RV Park Electrical Update** - Waiting on PHE to update.

**CITY OFFICE**

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

## Financials

Fund #	Fund Name	Previous Balance	Current Balance
100	General Fund	\$139,369.57	\$148,763.17
160	Pool Reserve	\$5,429.10	\$5,429.10
200	Capital Improvement Fund	\$114,463.09	\$114,463.09
300	Special Hwy & Streets	-\$100,789.68	-\$91,589.68
400	Equipment Reserve	\$3,781.71	\$3,781.71
500	Bond & Interest	\$63,982.08	\$63,982.08
600	RHID	\$31,611.78	\$31,611.78
720	Water	-\$78,805.53	-\$77,350.02
721	Water Reserve	\$0.00	\$0.00
730	Sewer	\$289,076.29	\$301,133.26
731	Sewer Reserve	\$0.00	\$0.00
740	Solid Waste	\$60,417.42	\$61,432.05
790	Insurance Reserve	\$748.00	\$748.00

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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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**Average # of Attendees:** 105 per day.

**Total Number of Pool Passes Sold or Provided:** (as of Sunday 6/12) #53 is the next pass #.

**Swimming lessons start the week of June 20th.**

- We have the forms from Winchester, but not from Nortonville.
- They will be sharing a bus and arriving for the 10:00 time slot.
- Will provide number of swimming lessons for the next meeting.
- Have 35 signed up for private lessons.
- Provided a class for those wanting to help teach swimming lessons as a water safety aide.
- We are unable to locate an instructor or class for a Water Safety Instructor course that is close to our location. We have 5 water safety instructors.

Lifeguard Class has been completed. Including myself there were 11 taking the class.

- Working with Jason Nellis from the Fire Department to get another backboard or straps for the backboards we currently have at the pool.

Barry from 7Up Company called indicating the need to come pull the cooler since we haven't ordered in a couple years.

- Placed an order and reopened our account with them. Audree and Lori are on the account.
- Need to look into replacing the cooler so we don't need to order specifically 7Up.
- Cheaper to purchase cases of pop in variety at Sam's club.

The state health inspector visited last week. The report was explained to Lori and sent to Audree.

- The inspector advised me to get testing strips for bleach and a thermometer for the food.
- Both items have been ordered and should arrive this week.

On Friday, cleaned out the shed, whatever was broken was tossed; mainly old umbrellas and fans that no longer worked.

Pool Parties:

- Every weekend in July has been booked excluding July 9th.

**Hot Selling Concessions:**

- Drumsticks
- Bagel bites
- Nutter butter cookies
- Weekly Sam's run for ice cream to stock up.



## Healthier Options Available at Concession Stand

- Gogurt (frozen)
- Kool-aid
- Outshine fruit bars.

## Issues and Concerns:

- The patrons and staff have voiced concerns with the pool motor being so loud. This has prevented hearing the guard whistles, guards talking to swimmers and listening for possible thunder in the area. This is a safety concern.
- The chlorine is not testing at 3-4 at noon when we open, usually it is lower. When I have tested around 10:00 because of lessons or a meeting we have going on, it usually does test in this area or higher. As the afternoon continues the chlorine doesn't automatically start feeding. On Saturday, when tested at 3:30 the lead said the PH was at a 8.1, I asked what was the chlorine. The lead had not tested yet. I have since instructed all the leads to test the chlorine and the PH in that order. Tested the chlorine and it read 0.93. Moved the ORP to manual so chlorine would pump. The lead was instructed to test the water at 4:00 and 6:00. The manual pumping was shut off at 4:00 as we got back into the 4 range.
  - I read the chlorine tank at 202 Friday night at closing and that is what the lead guard read for opening on Saturday. No chlorine was pumping from closing to opening Saturday, automatically.
  - Since the PH was high, the acid was pumping. I went back down to the pool at 4:30, to switch the barrel of acid and added a bag of the sodium bi-carbinate for alkalinity.
  - Will continue to document and report on the chlorine usage, but it appears the control box is not working correctly. It started off great, but after the first backwash, it hasn't been right. I've recalibrated the PH on the box to match the water tests several times.
  - Update from Saturday night tank read 196 and Sunday 12:30 pm tank read the same 196. No chlorine pumped in the pool over 12 hours. The computer box read 785 ORP which should mean the chlorine is good (3-4), but it was reading 1.62 for the water test.
  - We are backwashing weekly when the gauge is over 15.
  - The guards wax the slide every Wednesday.
- The exhaust fan that is in the men's bathroom sounds terrible. The men's and women's exhaust is on one switch. The chimney for the men's is shaking on the roof while it makes a terrible sound. Therefore, we have shut the exhaust fans off until can be looked into. The filter for the women's exhaust fan should also be looked at.
- Talked with Bill about spraying for weeds and cutting small trees that have started growing in the rocks on the west side of the pool. Need to spray for weeds in the parking area, round the fence and shed. There are some areas that could use some additional rock.

- We have many species of spiders. I have bought spray at Western Hardware, but I'm not sure it is doing any good.
- The handicap accessible lift chair platform needs to be removed or we need something like a cone to place over it. This is a tripping hazard.
- The large basketball goal needs tightened or new hardware. The tools we have at the pool don't seem to be working. May need to use power tools.
- More shade options for patrons and concession stand area.



*City of*  
**VALLEY FALLS**

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*Incorporated May 17, 1869*

**Public Works Report**  
**June 15, 2022**

**Water:**

South tower filled for the third time all leaks have been repaired and upon KDHE testing South tower will be put back in service

Audree and I met with PEC to discuss the hydrological evaluation that needs to be done to see what we can do to ensure we have water at the river pump station

**Sewers:**

Got all the manholes on Maple St up to grade and filled with cold patch notified the county of completion Spoke with KDOT about bever dam removal and they have us on the list to be done when time permits

**Parks:**

Had a meeting with Jerry Heinen to get an estimate to upgrade the RV park hookups to the modern 50 Amp service connections

Mowing is going well and we are trying to stay on top of it

Replaced the faulty outlets at the city park prior to the event and found out that we may need to do some changes to the electrical system in the park to more evenly distribute the load during events \. We had a breaker that was tripping and causing power failures due to excessive loading on one circuit

**Streets:**

Got the one-way sign at the pool entrance changed to a bigger more visible sign

Put the "DO NOT BLOCK GATE" signs on the ballfield gates

**General:**

We had to do some weld repair work on the tractor due to a structural failure on one of the lift arms while doing so we found other damaged parts that required replacement

Repaired the brush forks for the tractor

Burned the brush pile

We rechecked the elevation survey for the tucking lot and we are within 8 to 12 inches of grade we still have more filling to do around the perimeter with dirt so that the fencing can be installed without hitting rocks/chunks of concrete



# VALLEY FALLS POLICE



★ ★ ★ ★ ★ BRANDON W. BINES ★ ★ ★ ★ ★  
CHIEF OF POLICE

## Council Meeting 06/15/2022

- City Administrator and I attended KLETC graduation for Ofc. Edward Rivera
- Although Officer Rivera has graduated from the KLETC police academy, is currently on Paternity leave.
- Received total of 5 applicants all willing to do either Part-Time or Full-Time. Interviews and background investigation will begin ASAP.
- 1 of 5 applicants is certified therefore if he is selected as a full-time officer, he would not have to attend the academy and would be able to start immediately. I am wanting to expedite the hiring process to see if we can get another full-time officer hired ASAP.
- Met with USD338 and new Superintendent about the Firearm Simulator Training through Laser Ammo Technology in which he stated that he liked the idea and would pass along the information to his board to see if they would be willing to pay for ½ the cost.
- School Superintendent and I also discussed the Emergency Management Plan for the school which we will have additional meetings to update the protocol.
- Still working on protocols for NARCAN for the officers
- Attended Faith, Health & Safety Fair – was a good turnout and looking forward to doing additional things in the years to come. We enjoyed Taking pictures with all the kids and families that came to visit us.
- Received narcotics information - Criminal Investigations ongoing

“SERVING THE CITIZENS WHERE WE LIVE,  
PROTECTING THE COMMUNITY, WE LOVE”

417 BROADWAY STREET, VALLEY FALLS, KANSAS 66088

TELEPHONE (785) 945- 3434

[WWW.VALLEYFALLSPOLICE.ORG](http://WWW.VALLEYFALLSPOLICE.ORG)

## 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;