



City of VALLEY FALLS

Incorporated May 17, 1869

City Council Agenda

The City of Valley Falls will hold a City Council meeting on Wednesday, July 21st, 2021 beginning at 6:30 pm. The City Council meeting is open to the public and will be held at City Hall, but some City Councilmembers and staff may participate remotely. Anyone can attend the meeting, or listen to the meeting live on Facebook. This access can be gained via Facebook Live (<https://www.facebook.com/cityofvalleyfalls>) Please email questions to cityadmin@valleyfalls.org prior to the meeting. Members of the City Council, presenters, or staff will identify themselves when speaking so that everyone will know who is speaking at the time.

**October 6, 2021 6:30PM
Regular Meeting**

CALL TO ORDER

ROLL CALL

MINUTES - Regular Meeting of September 15, 2021

MINUTES - KDHE Opening Hearing

INVOICES

PUBLIC COMMENTS & GUESTS

A. Rotary Presentation

ORDINANCES, RESOLUTIONS, & PROCLAMATIONS

A. Standard Traffic Ordinance

B. Uniform Public Offence Code

C. Liquor Ordinance - Review/ Amend to reflect new Sunday sale hours

REPORTS:

CITY ADMINISTRATOR: Audree Aguilera

MAYOR: Lucy Thomas

STREET/ ALLEYS: Gary/ Mike

FIRE BOARD: Mike

PUBLIC RELATIONS: Jennifer/Salih

WATER/SEWER: Salih/ Gary

PARKS/POOL: Judy/Jennifer

POLICE/COURT: Judy/ Mike

VFEDC: Audree

OLD BUSINESS

NEW BUSINESS

A. Office Hours - 8:00 AM to 4:00 PM

B. Addition of Audree Aguilera on signature cards

C. City Staff Meet and Great on October 13th @ 7:00

D. New Laptop for City Administrator

ADDITIONS TO THE AGENDA:

TABLED & PENDING ITEMS:

DISCUSSION ITEMS:

- A. Pledge Of Allegiance & Prayer on Agenda
- B. Reports at end of Agenda
- C. Department Reports
- D. Electronic Agenda Packet
- E. American Rescue Plan
- F. Land Bank

EXECUTIVE SESSION

ANNOUNCEMENTS/ COMMUNICATIONS

Ice Cream Social / Meet & Great - Kendall Hall Wednesday, October 13th @ 7:00 PM

ADJOURNMENT

CITY OF VALLEY FALLS

September 15, 2021

Open Hearing

The meeting was called to order at 6:52 pm by Mayor Lucy Thomas. Council members present were Mike Glissman, Salih Doughramaji, Jennifer Ingraham, Judy Rider, and Gary McKnight.

Staff present: Bill McCoy, Public Works Director, Chief Brandon Bines, Leonard Buddenbohm, City Attorney, Police Officer Paul Bohannon, and Chris Weishaar, City Clerk.

By Phone: Joe Hackney, City Administrator.

Others present were Alex Darby, Brett Waggoner, Connie Fridley, Scott Heinen, Jeanette Shipley, Jayson Oliver, and Dianne Heinen.

The minutes from the September 15, 2021, meetings were presented.

RNR Meeting Minutes.

Mike moved to approve the RNR meeting minutes. Judy seconded the motion. Motion carried. 5-0

Budget Meeting Minutes

Gary moved to approve the budget meeting minutes. Jennifer seconded the motion. Motion carried 5-0

Conflict of Interest Hearing Minutes

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

CDBG Hearing Minutes

Mike moved to approve the CDBG meeting minutes. Judy seconded the motion. Motion carried 5-0

KDHE Meeting Minutes

Gary moved to approve the KDHE meeting minutes. Judy seconded the motion. Motion carried 5-0

Regular Meeting Minutes

Gary moved to approve the regular meeting minutes. Jennifer seconded the motion. Motion carried 5-0

Brett Waggoner advised the purpose of the hearing is to advise the public and council of the rate increases and project plan to install and repair the sewer lines and to take public comment or concerns reference the sewer project in Valley Falls. Brett read what the project consists of.

Without the grant phase 1 would be \$1,608,088.00 and with grant it would be around \$1,008,088.00.

Potential rate increase per sewer bill would be around \$10.40 with the grant and \$6.53 with the grant.

Alex Darby P.E. presented the PEC contract for the project. Phase 1 project contract.

Costs of project – Engineering side of project is \$145,890.00. Inspection Fees are \$101,806.00.

Leonard advised should have receive contracts two days ahead and asked about Termination clause in contract.

APPROVE AND EXECUTE CDBG APPLICATION DOCUMENTS

1) Entertain a motion authorizing the mayor to execute the Statement of Assurances and Certifications.

Gary made a motion to approve. Salih seconded motion. Motion carried 5-0.

2) Entertain a motion to adopt a Resolution Certifying Legal Authority to Apply for the 2022 Kansas Small Cities CDBG Program from the KS Dept. of Commerce and authorizing the mayor to sign and submit such an application.

Gary made a motion to adopt. Jennifer seconded motion. Motion carried 5-0.

3) Entertain a motion to adopt a resolution assuring the KS Dept. of Commerce that funds will continuously be provided for the operation and maintenance of the improvements to the sewer system to be financed with CDBG funds.

Gary made a motion to adopt. Mike seconded motion. Motion carried 5-0.

4) Entertain a motion authorizing the mayor to execute the HUD Applicant/Recipient Disclosure Report

Gary made a motion to adopt. Jennifer seconded motion. Motion carried 5-0.

5) Entertain a motion authorizing the mayor to execute the Residential Anti-displacement and Relocation Assistance Plan

Gary made a motion to adopt. Jennifer seconded motion. Motion carried 5-0.

6) Entertain a motion authorizing the mayor to execute the Environmental Determination of Level of Review

Gary made a motion to adopt. Mike seconded motion. Motion carried 5-0.

7) Entertain a motion authorizing the mayor to execute the contract (contingent on grant award) with Western Consultants dba GAS for CDBG grant administration.

Gary made a motion contingent on Leonard's approval. Judy seconded motion. Motion carried 5-0.

8) Entertain a motion authorizing the mayor to execute the contract (contingent on grant award) with PEC for engineering design, inspection, and construction administration (if applicable)

Gary made a motion to adopt. Jennifer seconded motion. Motion carried 5-0.

APPROVE AND EXECUTE KDHE APPLICATION DOCUMENTS

1) Entertain a motion to adopt a Resolution authorizing filing of application with the Kansas Department of Health and Environment for a Loan under the Kansas Water Pollution Control Revolving Fund Act and authorizing the mayor and city clerk to sign and submit such an Application.

Gary made a motion to adopt. Jennifer seconded motion. Motion carried 5-0.

2) Entertain a motion authorizing the mayor to execute the Applicant Assurance of Public Participation

Gary made a motion to adopt. Salih seconded motion. Motion carried 5-0.

3) Entertain a motion authorizing the mayor to execute the Certification Regarding Lobbying

Gary made a motion to adopt. Salih seconded motion. Motion carried 5-0.

4) Entertain a motion authorizing the mayor to execute the Certification for Cost and Effectiveness

Gary made a motion to adopt. Salih seconded motion. Motion carried 5-0.

5) Entertain a motion authorizing the mayor to execute the contract (contingent on grant award) and review by counsel with Western Consultants dba GAS for KDHE loan administration.

Gary made a motion to adopt. Jennifer seconded motion. Motion carried 5-0.

Brett advised of option of using USDA loan program. Council advised will not pursue loan through USDA.

Petitions, Proclamations, Request, Complaints, Visitors, Etc.:

Public Comments:

Gary advised he was approached at the park about why the bathrooms weren't open 24/7. It was noted they never have been. Gary stated parents need speak to kids about appropriate behavior at the park and cleaning up after themselves. Jennifer stated it is not always kids that are the problem. Gary asked that everyone take pride in the city and the park and clean up after themselves.

Salih asked if the city has been sending building permits to the county? Joe advised he was told to do it yearly. Will change the process to as received.

Committee Reports:

Administrative: No Report

Sewer/Water/Streets/Alleys/ Parks/Pool: Valve replacement is in the drawing stage and they will submit to bill for approval hopefully this week.

Spoke with Alex from PEC about manhole that need to be replaced. Bill will be working on fixing manholes and risers that PEC wont.

Installed more than 10 meters.

Process got halted by a major leak at the bus barn. In the process of repairing the meter was removed.

Trees were started to be removed. If stumps would be removed a cost of \$150 each which is cheap.

City workers took out as many small trees as they can. Hopefully in next week or so can start hauling in fill dirt to level.

All improvements to the park around the tank have been done. Bill hopes to have the memorial tree planted in the next few days.

Received new pump motor. Sent it to Topeka to have it installed onto the current motor.

Will be draining pool this week. Will install antifreeze in lines.

Did receive the one application and he started Monday.

Lucy advised Tiffany Strickler has been mowing. Her husband helped two days also. Jennifer advised it needs to go through the proper procedure to have people help. Need to be transparent.

Salih asked about when pump house will be enclosed. Bill is looking into prices.

Mike asked about mowing the Barnes addition. Bill advised is on the Fall to do list.

Jennifer asked how many hours Bill works. He advised 100+

Public asked if pump at pool is indoor or out door pump. Currently is an indoor pump but it will be replaced with the outdoor pump.

Fire board: No Report

Police: Introduced Paul Bohannon as the new police. Brandon will ride with him for 2 weeks. Have had a couple other applicants and is working on background checks.

Been working varied shifts to be as visible as possible.

Made a new Facebook page. Two people flee from police. Received tips to lead to suspects.

Police department will not be detoured by rude disrespectful comments.

Jennifer advised people don't know the circumstances so don't make comments. If you don't control little things, you can't control the big things. Gary if you run from an officer, you are probably doing something wrong. City will not tolerate the crime whether big or small. Encourage people to cooperate.

Public asked about the comment about DNA testing and such. Brandon advised it is at no cost to the city we have the supplies.

Donations – Rotary Club \$4,500 to purchase Omnigo RMS software. City would have to pay yearly \$3,000 maintenance fee. Washington County Sherriff extra Tasers and body cameras. Ray County gave donations as well.

Vehicles – the Charger started smoking and citizen stopped and help get him out of the road. It was a thermostat issue. Could have been much worse.

Had to get the Explorer out on Sunday evening and Bill came and stayed Sunday night for three hours to get it running. Thank you to Bill.

The Jeep has been cleaned and will reach out to Purplewave to have it posted.

Health Code: No Report

VFEDC: No Report

Swimming Pool: No Report

No complaints have been filed.

Old Business:

Bill went to the pond and sprayed with an aquatic herbicide and it killed the Duck weed. Will need to get a boat to spray whole pond at one time. Salih suggested that the process be put on hold until Spring and then keep it from growing in the first place. Was also suggested to contact the fire department to burn around the pond this winter.

New Business:

Budget Amendment and Proposed Budget paperwork signed. Will be forwarded to County.

Petro CMB License is up for renewal.

Gary made a motion to approve license. Mike seconds motion. Motion carries 5-0.

Lucy made a Proclamation for Constitution week. September 17 - 23 is Constitution Week. Received Thank you card from Aimee Dockweiler for making Valley Falls a great place to live.

VOUCHERS

The September 15, 2021, Vouchers were presented. Mike moved to approve. Gary seconded the motion. Motion carried 5-0.

ADJOURNMENT

Gary moved to adjourn the meeting. Jennifer seconded the motion. Motion carried 5-0.

APPROVED: _____
LUCILLE THOMAS, MAYOR

ATTEST: _____
CHRISTINE WEISHAAR, CITY CLERK

CITY OF VALLEY FALLS
September 15, 2021
KDHE PUBLIC HEARING
Open Hearing

Mike made a motion to start the KDHE hearing. Jennifer seconded the motion. Motion carried 5-0
The KDHE Public hearing was called to order at 6:35 pm by Mayor Lucy Thomas. Council members present were Mike Glissman, Salih Doughramaji, Jennifer Ingraham, Judy Rider, and Gary McKnight.

Staff present: Bill McCoy, Public Works Director, Chief Brandon Bines, Leonard Buddenbohm, City Attorney, Police Officer Paul Bohannon, and Chris Weishaar, City Clerk.
By Phone: Joe Hackney, City Administrator.

Others present were Alex Darby, Brett Waggoner, Connie Fridley, Scott Heinen, Jeanette Shipley, Jayson Oliver, and Dianne Heinen.

Brett Waggoner advised the purpose of the hearing is to advise the public and council of the rate increases and project plan to install and repair the sewer lines and to take public comment or concerns reference the sewer project in Valley Falls. Brett read what the project consists of. Without the grant phase 1 would be \$1,608,088.00 and with grant it would be around \$1,008,088.00. Potential rate increase per sewer bill would be around \$10.40 with the grant and \$6.53 with the grant.

Alex Darby P.E. spoke on the process and answered questions about what kind of material would be used and the potential longevity of materials.

City council members spoke to the reason the project needs to be done. The system being over 100 years old. Want to be proactive instead of reactive. Phase 1 would be the north side of 16 Highway which is the older side of town. If the city doesn't get the grant the first time they will try again.

Mike made a motion to close the public hearing. Jennifer seconded motion. Motion carried 5-0.

APPROVED: _____
LUCILLE THOMAS, MAYOR

ATTEST: _____
CHRISTINE WEISHAAR, CITY CLERK



City of
VALLEY FALLS

Incorporated May 17, 1869

ORDINANCE NO. 14-116

AN ORDINANCE REGULATING TRAFFIC WITHIN THE CORPORATE LIMITS OF THE CITY OF VALLEY FALLS, KANSAS, INCORPORATING BY REFERENCE, THE "STANDARD TRAFFIC ORDINANCE FOR KANSAS CITIES" EDITION 2020 AND REPEALING ALL ORDINANCE IN CONFLICT HEREWITH.

BE ORDAINED BY THE GOVERNING BODY OF THE CITY OF VALLEY FALLS, KANSAS:

SECTION 1. INCORPORATING STANDARD TRAFFIC ORDINANCE. It is hereby incorporated by reference for the purpose of regulating traffic within the corporate limits of the City of Valley Falls, Kansas that certain standard ordinance known as the "Standard Traffic Ordinance for Kansas Cities", edition 2020 prepared and published in book form by the League of Kansas Municipalities, Topeka, Kansas. Not less than four (4) copies of said Standard Ordinance shall be marked or stamped "Official Copy" as adopted by Ordinance No. 14-116 and to which shall be attached a copy of this ordinance and filed with the City Clerk to be open to the public at all reasonable hours. The Police Department and the Municipal Judge and all administrative departments of the City charged with the enforcement of the ordinance shall be supplied, at the cost of the City, such number of official copies of such standard ordinance similarly marked as may be deemed expedient.

SECTION 2. TRAFFIC INFRACTIONS AND TRAFFIC OFFENSES, (a) An ordinance traffic infraction is a violation of any section of this ordinance that prescribes the same behavior as that prescribed or required by a statutory provision that is classified as a traffic infraction K.S.A. 8-2118. (b) All traffic violations which are included within this ordinance, and which are not ordinance traffic infractions, as defined in subsection (a) of this section, shall be considered traffic offenses.

SECTION 3. PENALTY FOR SCHEDULED FINES. The fines for violation of an ordinance traffic infraction or any other traffic offense for which the Municipal Judge establishes a fine in a fine schedule shall not be less than \$15.00 or more than \$2500.00. A person tried and convicted for violation of any ordinance traffic infraction or other traffic offense for which a fine has been established in a schedule of fines shall pay a fine fixed by the court not to exceed \$2500.00.

SECTION 4. REPEAL. Ordinance No. 14-115 is repealed.

SECTION 5. EFFECTIVE DATE. This ordinance shall take effect and be in force from and after its publication in the Valley Falls Vindicator, the official City paper of the City of Valley Falls, Jefferson County, Kansas.

PASSED BY THE CITY COUNCIL THIS 5th DAY OF AUGUST, 2020.

PASSED BY THE MAYOR THIS 5th DAY OF AUGUST, 2020.

Lucy Thomas
MAYOR

ATTEST:

April Herbster
CITY CLERK



City of
VALLEY FALLS

Incorporated May 17, 1869

ORDINANCE NO. 11-115

AN ORDINANCE REGULATING PUBLIC OFFENSES WITHIN THE CORPORATE LIMITS OF THE CITY OF VALLEY FALLS, KANSAS; INCORPORATING BY REFERENCE THE “UNIFORM PUBLIC OFFENSE CODE OF KANSAS CITIES”, 37TH EDITION.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF VALLEY FALLS, KANSAS;

SECTION 1. INCORPORATED UNIFORM PUBLIC OFFENSE CODES.

There is hereby incorporated by reference for the purpose of regulating public offenses within the corporate limits of the City of Valley Falls, Kansas, that certain code known as the “Uniform Public Offense Code,” 37th Edition prepared and published in book form by the League of Kansas Municipalities, Topeka, Kansas. No fewer than four (4) copies of said Uniform Public Offense Code shall be marked “Official Copy as Adopted by Ordinance No. 11-115” and to which shall be attached a copy of this ordinance, and filed with the city clerk to be open to inspection and available to the public at all reasonable hours.

SECTION 2. REPEAL. Ordinance No. 11-114 is repealed.

SECTION 3. EFFECTIVE DATE. This ordinance shall take effect and be in force from and after its publication in the Valley Falls Vindicator, the official city paper of the City of Valley Falls, Jefferson County, Kansas.

PASSED BY THE CITY COUNCIL THE 6th DAY OF OCTOBER, 2021.

APPROVED BY THE MAYOR THIS 6th DAY OF OCTOBER, 2021.

**LUCY THOMAS
MAYOR**

ATTEST:

**CHRISTINE A. WEISHAAR
CITY CLERK**



2021 AMENDMENTS TO KANSAS LIQUOR LAWS

The 2021 Legislature passed the following bill amending the liquor control act, club and drinking establishment act, cereal malt beverage act and the liquor enforcement act.

House Bill 2137 – Effective upon publication in the Kansas Register. The full text of the bill may be viewed at <http://www.kslegislature.org/li/>.

Fulfillment House License

Creates a new license type for fulfillment houses, which allows the licensee to handle all logistics on behalf of a special order shipping license holder, including packaging, warehousing, order fulfillment and shipping services. Each location must be licensed. The license fee is \$50 for a two-year term in addition to the application fee and modernization fee. Out-of-state applicants must appoint the Kansas Secretary of State as their resident agent.

Fulfillment house licensees must file a monthly report of their shipments electronically by the 15th of the month following shipments.

Expanded Sunday Sales

Authorizes Sunday sales for Retail Liquor Stores and Cereal Malt Beverage (CMB) Retailers to begin as early as 9 a.m. in cities or counties where Sunday sales have been authorized. The city or county must modify their existing ordinances in order to authorize Sunday sales before noon.

Pursuant to K.S.A. 41-2911(a)(1)(A) (counties) and (b)(1)(A) (cities), any change must be done through ordinance or resolution. If the city or county wishes to make the change, it will require an updated ordinance. The city or county may draft the ordinance or resolution without an election, but it is subject to a 60-day waiting period during which a petition for an election can be filed.

Class A Clubs

Authorizes Class A Clubs to enter into a contract with non-members to host an event provided the Class A Club notifies the ABC electronically at least 48 hours before the event and maintains records for three years. The ABC must make this information available on our website for law enforcement and the public.

Liquor License Applicants

Amends the Liquor Control Act, Club and Drinking Establishment Act and the Cereal Malt Beverage Act to remove any Kansas residency requirement to obtain a liquor license. The director may require fingerprints for out-of-state applicants. An out-of-state applicant must appoint a process agent who is a qualified Kansas resident.

Removes the requirement for an entity to be organized under Kansas laws.

Authorizes issuance of a liquor license to a person whose spouse is a law enforcement officer at the time of application.

Pitchers of Mixed Alcoholic Beverages

Authorizes Drinking Establishments, Class A Clubs, Class B Clubs, Caterers, or Temporary Permit Holders to sell pitchers of mixed alcoholic beverages provided they are at least 25 percent non-alcoholic liquid or other edible substance. A pitcher must be more than 32 ounces and not more than 64 ounces.

To-Go Alcoholic Beverages

Drinking Establishments, Class A Clubs and Class B Clubs are authorized to sell to-go alcoholic liquor or CMB. It must be otherwise legal for the licensee to sell the alcoholic liquor or CMB.

1. Beer, CMB or wine purchased on the licensed premises may be sold to go in its original, unopened container and placed in a clear, tamper proof bag.
2. All opened containers must be resealed and placed in a clear, tamper proof bag.
3. A dated receipt must be given to the patron.
4. Sales of to-go drinks must cease at 11 p.m.
5. If wine was partially consumed on the licensed premises, the licensee may reseal the bottle and place it in the clear, tamper proof bag with a receipt for removal after 11 p.m.

Sales of spirits in the original container is prohibited.

Growlers

Retail Liquor Stores, Drinking Establishments, Class A Clubs and Class B Clubs may sell and refill growlers of beer, domestic beer and CMB provided:

1. The containers are not less than 32 ounces and not more than 64 ounces.
2. They are labeled with the licensee name and type of beer or CMB in the container.
3. They are not sold or removed from the premises after 11:00 p.m.
4. Taxation:
 - a. Retail Liquor Store sales are subject to liquor enforcement tax.
 - b. Drinking Establishment, Class A Club and Class B Club sales are subject to liquor drink tax.

Kansas Agricultural Product Requirement

Effective July 1, 2021, the Kansas agricultural product requirement is reduced to 15 percent. This requirement will sunset on January 1, 2023 for a Farm Winery or a Microbrewery who also manufactures hard cider.

CMB Sales

Drinking Establishments, Caterers, Class A Clubs, Class B Clubs and Public Venues may purchase, sell and permit consumption of CMB on their licensed premise without obtaining an additional CMB Retailer's license. The sale of CMB for off-premises consumption is not permitted, with the exception of to-go sales conducted pursuant to K.S.A. 41-2653.

Temporary Permit holders, including the Kansas State Fair Temporary Permit holders, may purchase, sell and permit consumption of CMB under their temporary permit issued by the ABC without obtaining an additional CMB retailer's license.

Farm Wineries

Authorizes certain activities to be conducted in accordance with federal law:

1. Transfer or receive wine in bulk containers or packaged wine in bond to any bonded premises.
2. Transfer or receive wine in a bulk container in bond to a distilled spirits plant.
3. Receive distilled spirits in a bulk container.
4. Produce fortified wine with the addition of wine spirits to domestic wine if the added spirits are produced from the same kind of fruit used to produce the wine.
5. Authorizes the importation of wine from outside Kansas for use in the production of domestic wine.
6. Specifies that a farm winery cannot transfer wine in bulk containers to the premises of a brewery.
7. Clarifies that terms not defined in Kansas law will have the same meaning as defined in federal law.

Kansas Manufacturers

Authorizes a Kansas manufacturer to hold one drinking establishment license provided the location is within two miles from the manufacturer's location using the road usually travelled to measure the distance.

The bill requires the drinking establishment to purchase their alcoholic liquor and beer from a retail liquor store that holds a federal basic wholesale permit, distributor or a farm winery. The drinking establishment cannot sell the manufacturer's own brand to the exclusion of other alcoholic liquor.

Producer's License

Requires the county board of commissioners or the ABC Director to approve a CMB retailer's license for the holder of a Producer's license.

Retail Liquor Stores

Authorizes the sale of alcoholic liquor on Memorial Day, Independence Day and Labor Day for cities/counties who have not authorized expanded (Sunday) sales.

Authorizes the sale and delivery of CMB at wholesale to CMB retailers.

Special Order Shippers

Changes the report of sales and gallonage tax from an annual report to a quarterly report which must be filed electronically by the 15th of each month and pay any gallonage tax due.

The bill also specifies that the effective date of the license is specified on the license.

Violating a Lawful Order Issued by the ABC Director

Authorizes a penalty for violating a lawful order issued by the ABC Director.

Additional Information

The March 17, 2020 "COVID-19 Concerns Regarding Distributor Practices" memorandum is rescinded effective July 1, 2021.

The March 18, 2020 "COVID-19 Concerns Regarding Sales on the Licensed Premises" memorandum will remain in effect.

ABC handbooks for licensees are currently being updated. Please visit our website to obtain an updated version at <https://www.ksrevenue.org/abchandbooks.html>.



Debbi Beavers, Director
Kansas Alcoholic Beverage Control Division

Section 16. BUSINESS REGULATIONS. It shall be the duty of every licensee to observe the following regulations.

(a) The place of business licensed, and operating shall at all times have a front and rear exit unlocked when open for business.

(b) The premises and all equipment used in connection with such business shall be kept clean and in a sanitary condition and shall at all times be open to the inspection of the police and health officers of the city, county and state.

(c) Except as provided by subsection (d), no enhanced cereal malt beverages may be sold or dispensed; (1) Between the hours of 12:00 midnight and 6:00 a.m.; (2) in the original package before 12:00 noon or after 8:00 p.m. on Sunday; (3) on Easter Sunday; or (4) for consumption on the licensed premises on Sunday, except in a place of business which is licensed to sell enhanced cereal malt beverage for consumption on the premises, which derives not less than 30% of its gross receipts from the sale of food for consumption on the licensed premises.]

(d) Enhanced cereal malt beverages may be sold at any time alcoholic liquor is allowed by law to be served on premises which are licensed pursuant to K.S.A. 41-2601, et seq. and amendments thereto, and licensed as a club by the State Director of Alcoholic Beverage Control.

(e) The place of business shall be open to the public and to the police at all times during business hours, except that premises licensed as a club under a license issued by the State Director of Alcoholic Beverage Control shall be open to the police and not to the public.

(f) It shall be unlawful for any licensee or agent or employee of the licensee to become intoxicated in the place of business for which such license has been issued.

(g) No licensee or agent or employee of the licensee shall permit any intoxicated person to remain in the place of business for which such license has been issued.

(h) No licensee or agent or employee of the licensee shall sell or permit the sale of enhanced cereal malt beverage to any person under 21 years of age.

(i) No licensee or agent or employee of the licensee shall permit any gambling in the place of business for which such license has been issued.

(j) No licensee or agent or employee of the licensee shall permit any person to mix alcoholic drinks with materials purchased in said place of business or brought in for such purpose.

(k) No licensee or agent or employee of the licensee shall employ any person under 18 years of age in dispensing enhanced cereal malt beverages. No licensee shall employ any person who has been judged guilty of a felony.

Section 17. PROHIBITED CONDUCT ON PREMISES. The following conduct by an enhanced cereal malt beverage licensee, manager or employee of any licensed enhanced cereal malt beverage establishment is deemed contrary to public welfare and is prohibited:

(a) Remaining or permitting any person to remain in or upon the premises who exposes to view any portion of the female breasts below the top of the areola or any portion of males/female's pubic hair, anus, buttocks or genitals;

(b) Permitting any employee on the licensed premises to touch, caress or fondle the breasts, buttocks, anus, vulva or genitals of any other employee or any patron;

(c) Encouraging or permitting any patron on the licensed premises to touch, caress or fondle the breasts, buttocks, anus, vulva, or genitals of any employee;



City of
VALLEY FALLS

Incorporated May 17, 1869

**City Administrator Report
City Council October 6, 2021**

- 1) Met with all staff and department heads
- 2) Met with business owners
- 3) Recreated and ordered business cards
- 4) Organized documents and office
- 5) Training for city protocols
- 6) 3 new building permits
- 7) Met with newspaper
- 8) Swimming pool drained on September 30, 2021.
- 9) City Clerk enrolled in Clerk's Institute and court conference
- 10) City Clerk membership with Court Association, National and State Clerk Associations
- 11) Set up and updated new emails for city staff
- 12) Met with Joe to review