



City of Valley Falls

Established 1854

City Council Agenda

Regular Meeting

Date: January 17, 2024

Time: 6:30 p.m.

Location: City Hall

Call To Order

Pledge of Allegiance

Oath of Office

- Dennis Tichenor – Councilman
- Jason Heinen – Councilman

Roll Call: City Council and Staff

Minutes: Special Meeting of January 2, 2024

Minutes: Regular Meeting of January 3, 2024

Public Comments & Guests

Public Comment Policy

Business Items

1. Open City Council Position Appointment & Oath
2. City Clerk Appointment & Oath
3. Council President Appointment
4. Council Treasurer Appointment
5. Fire Board Appointment
6. Signature Cards (Dennis, Jason, City Councilman, City Clerk)
7. Bank Deposit Box (City Clerk, Appointed President, Mayor)
8. City Water Discussion
 - a. Bill's presentation of 3 vendor bids for weir improvement
9. Door for Police Department (upstairs)
10. Approve Sewer Project Change Order
11. 2023 Audit

Invoices: \$45,671.56



Reports

City Administrator: open

Public Works: Bill McCoy

Police Department: Carrie Clark

Mayor: Jeanette Shipley

First District: open

Economic Development Board

Planning & Zoning Commission

City Council Comments/Feedback/Ideas

Announcements/Communications

Executive Session

Adjournment



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City Council Meeting Minutes January 3, 2024

Council Members present: Matt Frakes, Judy Rider, Gary McKnight, Jeanette Shipley.
Absent: Jennifer Ingraham.

Staff present: Carrie Clark (Police Chief), Bill McCoy (Public Works Director), Leonard Buddenbohm (City Attorney).

Guest Present: Holly Allen, Jessica Loy, Kevin Loy, Mark Boyce, Jill Boyce, Mark Boyce, Jr., Dee Heinen, Scott Heinen, Rebecca Heinen, Jason Heinen, Earl Stevens, Dayna Lloyd, Brett Dallman, Crissy Dallman, Dianne Heinen, Dale Freeland, Dennis Tichenor, John Shipley, John Robertson.

CALL TO ORDER

Mayor Jeanette Shipley called the city council meeting to order at 6:30 p.m.

ANNOUNCEMENT

Mayor Shipley clarified that tonight's meeting was not being livestreamed because she does not hold the City's Facebook administrator credentials. Jeanette noted that Councilman Jennifer Ingraham holds the City's Facebook administrator credentials and Jennifer was unable to attend tonight's meeting due to being ill.

MEETING MINUTES APPROVAL

Gary McKnight made the motion, seconded by Judy Rider, to approve the December 20th meeting minutes as presented. The motion passed 3-0.

PUBLIC COMMENTS

Jessica Loy voiced the following concerns to the council:

- Water quality and sewer issues
- Code Enforcement – who provides oversight of the process.
- Unkind and unfriendly treatment to the Mayor by the Council and some city staff members.

Brent Dallman voiced the following concerns to the council:

- Water quality – Brett presented the water quality that he has at his home. His presentation contained a visual of water filters in his house and how frequently he

needs to change the filters. He also presented a visual of a canning jar with water sediment that he collected in his home.

Earl Stevens voiced concerns to the council regarding the City's water quality.

Dale Freeland voiced concerns to the council regarding the City's water quality and streets/alleys.

Jeanette Shipley provided the following educational items for public knowledge:

- **City Resignations**

- Resignation 1: Christine Weishaar (City Clerk)
 - resigned Wednesday, December 13th (published in Thursday, December 21st paper (week 1))
- Resignation 2: Audree Guzman (City Administrator)
 - resigned Wednesday, December 20th (published in Thursday, December 28th paper (week 2))
- Resignation 3: Salih Doughramaji (City Councilman)
 - resigned Wednesday, December 27th (published in Thursday, January 4th paper (week 3))

- **December 20th Meeting Cancellation and Reconvening the Meeting**

- (On Monday, December 18th) Jeanette consulted with City Attorney Leonard Buddenbohm to determine cancellation of the December 20th city council meeting. The meeting was cancelled on Monday, December 18th due to the following: unknown if quorum would be available, Leonard was not able to attend the meeting, Audree was out of the country on vacation, and Chris had resigned her position (leaving no one to take minutes). Discussion with Leonard included that Audree had cancelled meetings in the past with no issues. Jeanette received a phone call on Wednesday, December 20th, somewhere between 4:30pm – 5:00pm from a resident indicating that they were being questioned if we had “legally” cancelled the meeting. I contacted Leonard and it was determined that I would contact city council members to inquire if there could be a quorum to hold the meeting. After determining there would be a quorum (Judy Rider, Matt Frakes, Jennifer Ingraham), the meeting was reannounced and Leonard changed his plans to attend the meeting. Salih advised with no business for discussion, he was unavailable to attend. Gary later contacted me to say he would be able to attend the meeting after all. There was no agenda for the meeting due to short notice.

Carrie Clark served as the scribe for the meeting. The meeting was 30-minutes due to no agenda or business. Note: In the reannouncement of the meeting, it was also announced that the meeting may not be Facebooked. This announcement was because Audree and Chris were the City's Facebook administrator keyholders. It was then determined, upon my arrival at the meeting, that Jennifer Ingraham was given the City's Facebook Administrator credentials and Bill McCoy was helping Jennifer to establish Facebook connection for the meeting.

- **Removal of December 20th meeting from Facebook**

- The December 20th meeting was removed by the City's Facebook keyholder which is a city council member. Follow-Up Note: The December 20th meeting has been reinstated to the City's Facebook page. Jeanette asked that there would be no more postings regarding April Herbster. April is one of the most kind, sincere, kind-hearted, genuine people that anyone would ever encounter and it is not right to allow one person to continue to attack her.

- **Meeting Scheduling & Meeting Cancellation**

- **Per city ordinance**, the city council is to meet the 1st and 3rd Wednesday of each month. According to the Kanas League of Municipalities, city council meetings should be cancelled until the date and time of meeting and then cancel if there is lack of quorum, etc. at the intended meeting – unless cancellations are otherwise addressed in city ordinance. **Note: Meetings cannot be cancelled with three signatures from the city council members.**
- For Special Meetings – it requires the signature of three city council members to hold a special meeting.

BUSINESS

1. Salih Doughramaji resigned his position as city council member. We thanked Salih for his service to the community and send well wishes in his future endeavors, especially as he plans to move out of the country later this year. Letters of interest will be accepted through January 16th for the open council position, with the plan to appoint a new city council member at the January 17th meeting to replace Salih. Letters should be sent to City Hall, attention Jeanette.
2. An offer has been made to a city clerk candidate.
3. The City Administrators position has been posted in the newspaper and with the Kansas League of Municipalities. If we receive no applications, we will post to other online hiring platforms.

REPORTS

Public Works Report - Bill McCoy

Water

- Preparing for the end of the year water loss report.
- Getting the calculations of the amount of water made done for each month.
- Continue to monitor the lake levels and river conditions.

Sewers

- Continuing to discharge from city lagoons; took quarterly sample and sent it off for testing for report to KDHE.
- Still assisting Havens on the sewer project as needed.
- Repaired the Linn St lift station to correct a float issue.

Streets

- Repaired more potholes and put in a temporary patch by the Christian church till we can replace the drainage tube in the spring.
- Cleaned up the debris from the car fire with the Vindicator.

Police Department Report - Carrie Clark

- Officer Rivera and I attended the 2023 Northeast Kansas Child Exploitation Investigations hosted by active local, state, and Federal Kansas Law Enforcement Officers. The 3-day training class covered Human Trafficking 101, Registered Offender Compliance Check Interviews, PreOperation Briefings, Predator Grooming Behaviors and How They Target Specific Children, Reactive child exploitation investigations, along with many other classes. Officer Rivera is going to be contacting other agencies to arrange to "shadow" their operations for a better understanding of how to properly conduct a Human Trafficking investigation.
- January is Human Trafficking awareness month. We are going to make various Facebook posts of information regarding Human Trafficking on the Police Department page.
- I am in the process of arranging a 6-week course of Netsmart to younger children at the Delaware Township Hall on Saturday mornings. Once the details are arranged, we will announce the education classes that will be hosted by the police department at the library. "NetSmartz is an online safety education program for children and teenagers, created by the National Center for Missing & Exploited Children (NCMEC). The program provides age-appropriate videos and activities to help teach children how to be safer online, with the goal of making them more aware of potential online risks and empowering them to help prevent victimization by making safer choices on- and offline."
- Need to have a secure door installed upstairs to prevent unauthorized persons entering the police department area.

- On the Valley Falls School Board agenda to discuss the issue of the County Attorney, Sheriff, Emergency Management Tweed, County Commissioner Richard Malm denying access to the police department to the school maps. We are requesting copies of the school to utilize for training and preparation in case of an active shooter incident. I have been given permission from Superintendent John Hamon; however, the county is continuing to make the request difficult. The original agreement 10 years ago was between an "Active Shooter" group and the Superintendent during that time that the maps are not to be released to anyone including local law enforcement. This has been an ongoing discussion between the county and me since being appointed. I am now requesting the public assist into contacting the county attorney's office to have the release of the maps to their local police department, so we can prepare and train our officers to respond to an active shooter call with the training and knowledge to adequately and appropriately handle the situation so that we are able to protect our students.
- Officer Taylor received a Compliment from a person he conducted a traffic stop on. The person was in sobriety and explained "He stopped me and explained he thought I may have been an impaired driver. I apologized and told him I had 17 months sober and had just left my AA sponsors home in Valley Falls. His words of encouragement and kindness regarding sobriety I will hold on to forever."

Mayor's Report - Jeanette Shipley

- There is sync issue with gWorks for utilities posting. gWorks is working to resolve the systemwide (nationwide) problem. There will be no late charges assessed to utilities bills (that are now due January 20th) and we will wait until February to impose this year's utilities' increase for water/sewer.
- Linda Best is serving in the city clerk's position temporarily until a full-time clerk is seated.

ANNOUNCEMENTS

- The City Office will be closed January 15th in recognition of MLK Day.
- With tonight being Gary McKnight's and Judy Rider's last meeting, we wished them well and thanked them for their service to the community. They were both asked for final departing words. Both Gary and Judy declined making any comments.

ADJOURNMENT

Gary McKnight made the motion, seconded by Judy Rider, to adjourn the meeting. The motion carried 3-0. The meeting was adjourned at 7:55 p.m.



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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.

Date of Issuance: December 14, 2023	Effective Date: December 14, 2023
Owner: City of Valley Falls, KS	Owner's Contract No.:
Contractor: Havens Construction Co, Inc.	Contractor's Project No.:
Engineer: Professional Engineering Consultants, P.A.	Engineer's Project No.: 200287-002-6732
Project: Valley Falls Sanitary Sewer Rehabilitation Phase 1	Contract Name:

The Contract is modified as follows upon execution of this Change Order:

Description: Supply all material, labor, equipment, tools, supplies, and all temporary, preparatory, and incidental work; see attached for details.

CHANGE IN CONTRACT PRICE	CHANGE IN CONTRACT TIMES
Original Contract Price: \$ <u>1,585,218.19</u>	Original Contract Times: Substantial Completion: _____ Ready for Final Payment: _____ days
[[Increase] [Decrease] from previously approved Change Orders No. ___ to No. ___: \$ _____	[[Increase] [Decrease] from previously approved Change Orders No. ___ to No. ___: Substantial Completion: _____ Ready for Final Payment: _____ days
Contract Price prior to this Change Order: \$ <u>1,585,218.19</u>	Contract Times prior to this Change Order: Substantial Completion: _____ Ready for Final Payment: _____ days or dates
Change from this Change Order: \$ <u>-2,481.25</u>	Change from this Change Order: Substantial Completion: _____ Ready for Final Payment: _____
Contract Price incorporating this Change Order: \$ <u>1,582,736.94</u>	Contract Times with all approved Change Orders: Substantial Completion: _____ Ready for Final Payment: _____ days

RECOMMENDED:
By: 
Engineer
Title: Principal
Date: 12-14-2023

ACCEPTED:
By: _____
Owner (Authorized Signature)
Title _____
Date _____

ACCEPTED:
By: 
Contractor (Authorized Signature)
Title Project Manager
Date 1/18/2024

Approved by Funding Agency (if applicable)
By: _____ Date: _____
Title: _____

CHANGE ORDER

PROJECT: Valley Falls Sanitary Sewer Rehabilitation Phase 1 **CHANGE ORDER NUMBER: 1**
PEC Project No. 200287-002-6732

DATE: December 14, 2023

CONTRACTOR: Havens Construction Co, Inc.

The Contract is changed as follows: Supply all material, labor, equipment, tools, supplies, and all temporary, preparatory, and incidental work for the following items:

Final Quantities:

ITEM No. 1: Bid Item No. 2 “Sanitary Sewer Point Repair”

Add 2 EA @ \$7,739.36/EA

TOTAL ITEM No. 1 Add \$15,478.72

ITEM No. 2: Bid Item No. 3 “Install 8” Pipe Rehabilitation (CIPP Lining)”

Subtract 1,340 LF @ \$35.82/LF

TOTAL ITEM No. 2 Subtract \$47,998.80

ITEM No. 3: Bid Item No. 4 “Install 10” Pipe Rehabilitation (CIPP Lining)”

Add 440 LF @ \$42.94/LF

TOTAL ITEM No. 3 Add \$18,893.60

ITEM No. 4: Bid Item No. 6 “Sanitary Sewer Heavy Cleaning”

Add 319 LF @ \$7.00/LF

TOTAL ITEM No. 4 Add \$2,233.00

ITEM No. 5: Bid Item No. 7 “Sewer Service Reestablishment (CIPP)”

Subtract 87 EA @ \$49.96/EA

TOTAL ITEM No. 6 Subtract \$4,346.52

ITEM No. 6: Bid Item No. 8 “Locate, Raise, and Rehab Buried Manhole”

Subtract 10 EA @ \$7,499.01/EA

TOTAL ITEM No. 6 Subtract \$74,990.10

ITEM No. 7: Bid Item No. 9 “Locate, Raise, and Rehab Buried Manhole Extra Depth”

Subtract 41 VF @ \$344.56/VF

TOTAL ITEM No. 9 Subtract \$14,126.96

ITEM No. 8: Bid Item No. 11 “Manhole Replacement Extra Depth”

Subtract 12 VF @ \$247.16/VF

TOTAL ITEM No. 8 Subtract \$2,965.92

ITEM No. 9: Bid Item No. 12 “Manhole Full Rehabilitation (0-6 feet)”

Subtract 2 EA @ \$4,668.46/EA

TOTAL ITEM No. 9 Subtract \$9,336.92

ITEM No. 10: Bid Item No. 13 “Manhole Full Rehabilitation Extra Depth”

Subtract 63 EA @ \$344.56/EA

TOTAL ITEM No. 10 Subtract \$21,707.28

ITEM No. 11: Bid Item No. 14 “Manhole Frame and Cover”
Subtract 1 EA @ \$1,381.20/EA
TOTAL ITEM No. 11 Subtract \$1,381.20

ITEM No. 12: Bid Item No. 15 “Manhole Step Removal”
Subtract 1 EA @ \$265.74/EA
TOTAL ITEM No. 12 Subtract \$265.74

ITEM No. 13: Bid Item No. 16 “Pre-Rehabilitation/Repair CCTV Inspection”
Subtract 1970 LF @ \$2.50/LF
TOTAL ITEM No. 13 Subtract \$4,925.00

ITEM No. 14: Bid Item No. 17 “Bypass Pumping”
Subtract \$3,625.25 from Lump Sum
TOTAL ITEM No. 14 Subtract \$3,625.25

ITEM No. 15: Bid Item No. 18 “Additional CCTV Inspection and Cleaning”
Add 4570 LF @ \$2.50/LF
TOTAL ITEM No. 15 Add \$11,425.00

ITEM No. 16: Bid Item No. 19 “Additional Manhole 3D Inspection”
Subtract 3 EA @ \$1,594.46/EA
TOTAL ITEM No. 16 Subtract \$4,783.38

ITEM No. 17: Bid Item No. 21 “Construction Staking”
Subtract \$9,566.72 from Lump Sum
TOTAL ITEM No. 17 Subtract \$9,566.72

ITEM No. 18: Bid Item No. 23 “Seed, Fertilize, and Mulch”
Subtract \$2,840.81 from Lump Sum
TOTAL ITEM No. 18 Subtract \$2,840.81

ITEM No. 19: Bid Item No. 23 “Erosion Control”
Subtract \$1,062.97 from Lump Sum
TOTAL ITEM No. 19 Subtract \$1,062.97

ITEM No. 20: Bid Item No. 24 “Install Toilet Bowl Drops”
Add 1 EA @ \$2,760.00/EA
TOTAL ITEM No. 20 Add \$2,760.00

ITEM No. 21: Bid Item No. 25 “Remove and Replace Concrete Section for RTG Manhole”
Add \$1,800.00 from Lump Sum
TOTAL ITEM No. 21 Add \$1,800.00

ITEM No. 22: Bid Item No. 26 “Install Cleanouts”
Add 3 EA @ \$7,000.00/EA
TOTAL ITEM No. 22 Add \$21,000.00

ITEM No. 23: Bid Item No. 27 “P-Trap Removal and Full Rehab”
Add 3 EA @ \$9,200.00/EA
TOTAL ITEM No. 23 Add \$27,600.00

ITEM No. 24: Bid Item No. 28 “Pipe Bursting”

Add 407 LF @ \$180.00/LF
TOTAL ITEM No. 24 Add \$73,260.00

ITEM No. 25: Bid Item No. 29 “Additional LF Beyond 10' Point Repair”

Add 4 LF @ \$300.00/LF
TOTAL ITEM No. 25 Add \$1,200.00

ITEM No. 26: Bid Item No. 30 “12” Pipe Rehabilitation (CIPP Lining)”

Add 403 LF @ \$64.00/LF
TOTAL ITEM No. 26 Add \$25,792.00

The original Contract Sum was	\$1,585,218.19
Net change by authorized Change Orders	\$0
The Contract Sum prior to this Change Order was	\$1,585,218.19
The Contract Sum will be decreased by this Change Order in the amount of	\$2,481.25
The new Contract Sum will be	\$1,582,736.94
The Contract Time will be increased by	0 days

OTHER CONDITIONS AND AGREEMENTS:

All other terms and conditions of said Contract that have not heretofore been modified shall be and remain the same.



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Public Works Report January 17, 2024

Water

Continue to monitor the lake and river levels. With the cold snap the river was able to continue to flow. The lake levels are still below our stage 2 water emergency levels but above the stage 3 and seem to be holding fairly steady with the recent precipitation we have gotten

Have 3 contractors that will be submitting bids to repair the river weir
Met with the contractors last week and showed them what we have and what we need done

Heater in Hurst tower has been replaced

Sewers

Meet with the sewer project team for the progress meeting on Tuesday

Streets

Doing what we can with snow removal with the temps as cold as they have been applying any treatment would not help until we get above 17 degrees



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Police Department Report January 17, 2024

-Due to the freezing conditions, it was decided to cancel NetSmartz classes at the library on Saturday mornings. It will be rescheduled when the weather is better and when there is a time in between sports activities.

-Spoke at the Valley Falls School District last week. It was decided the board would send a letter to the county requesting them to release the school maps so the police department could have access.

-Officer Rivera heads to Olathe PD for Defensive Tactics Instruction School the end of week. He will start having regular training with officers.

-Thursday a meeting with Nemaha County Judge, Jackson County Probation Officer, Whitney Collier with Ravens' Well, Jeramine Scherer AA Member, DCF, The Guidance Center Crisis Mobile Team, and myself are starting to put the DAWN program into effect with several individuals effected by substance abuse and/or mental disorders.

-One company has been in the department for the door bid. Still currently working on getting 2 others.