



City of Valley Falls

Established 1854

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 before the meeting.

August 21, 2024 6:30 PM
Regular Meeting

CALL TO ORDER
PLEDGE OF ALLEGIANCE
ROLL CALL - City Council and Staff
MINUTES - Regular Meeting of July 17, 2024
- Special Meeting of July 30, 2024

PUBLIC COMMENTS & GUESTS:
Public Comment Policy

BUSINESS ITEMS:

1. CDBG Sewer Grant Close-Out
2. 2023 Audit Presentation
3. 2023 Standard Traffic Ordinance #
4. 2023 Uniform Public Offense Code Ordinance #
5. Brick Street Bourbon Event Resolution - September 14th
6. 2024 Grasshopper Falls Event Resolution - September 21st
7. 2024 Oktoberfest Event Resolution - September 28th
8. City Lake Revitalization Update - Dennis Tichenor - Brett Dallman - Wesley Lanter
9. City Water Resources Update - Wesley Lanter - Bill McCoy
10. Pool Pass Request for Jefferson County Home Health & Hospice
11. Giant Communications Right of Way Resolution

INVOICES - \$70,428.81 & \$67,068.17

REPORTS:

City Administrator
Public Works
Police
Pool
Mayor
Fire District
City Council Comments/ Feedback/ Ideas

ANNOUNCEMENTS/ COMMUNICATIONS:

September 2nd - Labor Day/ City Offices Closed
September 21st - Grasshopper Falls Day

September 28th - Oktoberfest

ADJOURNMENT



City of Valley Falls

Established 1854

CITY OF VALLEY FALLS July 17th 2024

Meeting Minutes

The meeting was called to order at 6:30 p.m. by Mayor Jeanette Shipley.

Council members present: Dennis Tichenor, Brett Dallman, Kevin Loy, Jennifer Ingraham

Council members absent: Jason Heinen

Staff members present: Carolyn Clark (Chief of Police), Destiny Schrick (city clerk), Andrew Werring (Attorney)

Guest present: Dianne Heinen, Scott Heinen

Public Comment

No public comment

Business Items

Meeting Minutes:

- July 3rd minutes approved by Dennis Tichenor, Seconded by Kevin Loy 3-0 pass
- Approval of Invoices (40,703.51) Dennis Tichenor made the motion seconded by Brett Dallman 4-0 pass

Reports

Public Works: Repaired water break damaged by Evergy, fixed flow issue with river pumps-will need to clean or repair it, cleaned up storm damage, created low water crossing at the lake, pulled stumps

Police: Working toward accreditation for the department. Officer Rivera in Georgia for K9 training, new radios in 2/3 vehicles

Admin: RNR submitted to the county clerk, working with PEC to change the business district boundaries, posted SS4A survey on social media and the website

Adjournment

Jennifer Ingraham made the motion, seconded by Dennis Tichenor to adjourn the meeting. The motion passed 4-0. The meeting adjourned at 6:45 pm

APPROVED: _____
Jeanette Shipley, Mayor

Attest: _____
Destiny Schrick, City Clerk



City of Valley Falls

Established 1854

CITY OF VALLEY FALLS
July 30th 2024

Special Meeting Minutes

The meeting was called to order at 6:00 p.m. by Mayor Jeanette Shipley.

Council members present: Dennis Tichenor, Jason Heinen, Kevin Loy

Council members absent: Jennifer Ingraham, Brett Dallman

Public Comment

No public comment

Business Items

Resolution 2024-4 authorizing the 400 block of Broadway to be closed and consumption of alcohol on public streets on August 3rd, 2024 for the celebration of like in honor of Jake Kearney. Jason Heinen made the motion to approve seconded by Kevin Loy 3-0 pass

Reports

No reports

Adjournment

Dennis Tichenor made the motion, seconded by Jason Heinen to adjourn the meeting. The motion passed 3-0. The meeting adjourned at 6:05pm

APPROVED: _____
Jeanette Shipley, Mayor

Attest: _____
Acting City Clerk



City of
VALLEY FALLS

Incorporated May 17, 1869

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.



Instructions for CDBG Closeout Packet

To be carried out by the Grantee (City):

Publish notice, hold public performance hearing, and obtain affidavit of publication (**GAS prepared the publication; city submitted to paper and will obtain the affidavit**)

SUGGESTED COMMISSION ACTION:

- A MOTION TO OPEN THE PUBLIC PERFORMANCE HEARING FOR CDBG GRANT 22 PF 032 FOR VALLEY FALLS' SEWER REHABILITATION PROJECT
- COLLECT PUBLIC COMMENT
- CLOSE PUBLIC HEARING
- A MOTION TO APPROVE THE CDBG CLOSEOUT PACKET AS LISTED BELOW:

- 1 – Sign, attest, and seal Form 1 – Grantee's Release Form
- 2 – Sign Form 4 – Certificate of Completion (signature in Item G)
- 3 – Sign Form 7 – Notice of Completion/Final Inspection and Final Wage Compliance Format
- 4 – Sign Section 3 Closeout Report
- 5 – Sign and date the Request for Payment of CDBG Funds #7 (Final)

Deliver all signed originals to grant administrator.

To be carried out by the Grant Administrator:

- 1 – Obtain signed closeout documents and affidavit of publication from the City
- 2 – Prepare CDBG Final Quarterly Progress Report (**COMPLETE**)
- 3 – Submit all executed documents to CDBG program manager for closeout approval

After closeout has been approved by CDBG (via email or mail):

City will receive final funds in about 3 to 4 weeks (\$2,000)

GRANTEE'S RELEASE FORM

1 Pursuant to the terms on Grant Agreement Number _____ and in consideration of the sum of
2 _____

(or \$ _____)

3 is to be paid under the said contract to _____ ,
4 grantee upon payment of the said sum by the State of Kansas, Department of Commerce,
5 hereinafter called the grantor, does remise, release, and discharge the grantor, its officers, agents
6 and employees of and from all liabilities, obligations, claims, and demands whatsoever under or
7 arising from the said contract.

8 IN WITNESS WHEREOF, this release has been executed this _____ day of

9 _____, _____

10 Signature of Authorized Elected Official: _____

11 Typed Name and Title: _____

ATTEST AND SEAL

12 _____

13 _____

(Rev. 2-2018)

CERTIFICATE OF COMPLETION

A. Name of Grant Recipient	B. Grant Agreement Number
-----------------------------------	----------------------------------

C. Final Statement of Cost

Program Activity Categories	To Be Completed By The Recipient			To Be Completed By CDBG
	Paid Costs (a)	Local Unpaid Costs (b)	Total Costs (c)	Approved Total Costs
1.				
2.				
3.				
4.				
5.				
6.				
7.				
8.				
9. Total Program Costs				
10. Less Other Funds Applied				
11. CDBG Grant Amount Applied				

D. Computation of Grant Balance

	To Be Completed By The Recipient	To Be Completed By CDBG
12. Total Amount Applied (Line 11a)		
13. Estimated for Unsettled Third-Party Claims		
14. Subtotal (Line 11c)		
15. Grant Amount Per Agreement (from contract)		
16. Unutilized Grant to be Canceled (Line 15 less Line 14)		
17. Grant Funds Received		
18. Balance of Grant Payable (Refundable) (Line 14 less Line 17)*		

* If Line 17 exceeds Line 14, enter excess as a negative amount. This amount shall be repaid to the Department by check.

CERTIFICATE OF COMPLETION - PAGE 2

E. Unpaid Costs and Unsettled Third-Party Claims (Local Only)

List amounts and describe circumstances

Check if continued on additional sheet and attach

F. Remarks

Check if continued on additional sheet and attach

G. Certification of Recipient

It is hereby certified that all activities undertaken by the recipient with funds provided under the Grant Agreement identified as Item B above have, to the best of my knowledge, been carried out in accordance with the Grant Agreement; that proper provision had been made by the recipient for payment of all unpaid costs and unsettled third-party claims identified in Item E above; that the Department, the State of Kansas, and the United States of America are under no obligation to make any further payment to the recipient under the Grant Agreement in excess of the amount identified on Line 18 above; and that every statement and amount set forth in this instrument is, to the best of my knowledge, true and correct as of this date.

Date	Signature of Chief Elected Official	Typed Name and Title
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H. Department Approval

This Certificate of Completion is hereby approved. Therefore, I authorize cancellation of the unutilized contract agreement and related funds reservation and obligations _____ (line 16 above).

Date	Signature for CDBG Program	Typed Name
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**NOTICE OF COMPLETION/FINAL INSPECTION
AND
FINAL WAGE COMPLIANCE REPORT FORMAT**

To: Kansas Department of Commerce
CDBG Program
1000 S.W. Jackson St., Suite 100
Topeka, Ks 66612-1354

Date: _____

Grantee: _____

Grant Number: _____

1. Date of Construction Completion: _____

2. Date of Final Inspection: _____

FINAL WAGE COMPLIANCE REPORT FORMAT

While you or your representative were reviewing the contractor's weekly payrolls, were any laborers or mechanics paid less than the minimum wage rate plus fringe benefits as specified in the Secretary of Labor's Wage Decision that applied to this project?

NO YES

If yes, provide the following information:

- a. Total amount of restitution paid (difference between what was first paid and what was required to be paid): \$ _____
- b. Method of restitution:
 - paid by contractor(s)
 - paid by city with funds withheld from payment to contractor(s).

Name of Contractor or Subcontractor	Name of Affected Employees	Amount of Restitution Paid to Employee	Nature of Violation Leading to Restitution

Date Signature of Chief Elected Official Typed Name and Title

RESTITUTION TRACKER

Company: Sunflower Paving, Inc.

Date: 8/31/23

Project: Sewer Improvements, Valley Falls, KS

CPR #	Week Ending	Employee Name	Classification	Rate+Fringe Paid	Hours Worked	DB Required Rate + Fringe	Hourly Difference	Total due	Paid
1	7/16/23	Matthias Solbach	Operator-Skidsteer	\$23.53	5	\$52.57	\$29.04	\$145.20	9/11/23
							\$0.00	\$0.00	
							\$0.00	\$0.00	
Total Due:								\$145.20	

SECTION 3 CLOSE-OUT REPORT

(To be completed by grantee for ALL labor hours worked on the project)

A. Grantee Information on Section 3 Project

Name of Grantee: _____

Project Number: _____

B. Project Labor Hours

Total Labor Hours worked: _____

Section 3 worker labor hours: _____

Targeted Section 3 worker labor hours: _____

Section 3 worker percentage: _____

Targeted Section 3 worker percentage: _____

(Benchmarks are 25% for Section 3 workers and 5% for Targeted Section 3 workers)

*****If the project meets the above benchmarks, skip ahead to Section D Certification. If not, please continue to Qualitative Efforts.*****

C. Qualitative Efforts made by Grantee and Contractors

Mark all the efforts that were undertaken to solicit low-income persons for job and contracting opportunities on this project:

- X Engaged in outreach efforts.
 - Provided training or apprenticeship opportunities.
 - Provided technical assistance to help workers compete for jobs.
 - Held one or more job fairs.
 - Provided assistance to apply for/or attend college or vo-tech.
 - Assisted with financial literacy training and/or coaching for workers.
 - Provided technical assistance to help understand and bid on contracts.
 - Divided contracts into smaller jobs to facilitate participation.
 - Provided bonding assistance or other efforts to support viable bids.
- X Promoted use of DBE business registries.
- X Outreach, engagement or referrals.

Other:

For all the Qualitative Efforts selected above, please attach documentation of these efforts with this Report.

D. Certification

I affirm that the above statements are true, complete, and correct to the best of my knowledge and belief. On behalf of _____, I hereby certify, under penalty of law, that the provided Information is correct to best of my knowledge.

Print Name/Title

Signature

Date

REQUEST FOR PAYMENT OF CDBG FUNDS

CFDA 14.228

PART I: REQUEST FOR PAYMENT INFORMATION

GRANTEE - NAME CITY OF VALLEY FALLS, KS GRANT NO. 22-PF-032
STREET ADDRESS 417 BROADWAY REQUEST NO. 7-FINAL
PO BOX mayor@valleyfalls.org
CITY, STATE, ZIP VALLEY FALLS, KS 66088 Grantee's - E-mail address for notifying about ACH deposit maria@govassistsvcs.com
Administrator - E-mail address for notifying about ACH deposit

PART II: STATUS OF CDBG FUNDS

Table with 2 columns: Description and AMOUNT. Rows include: 1 PAYMENT DUE & AMOUNT OF THIS REQUEST (2,000.00), 2 CDBG GRANT AWARD (600,000.00), 3 PROGRAM INCOME AND OTHER RECEIPTS, 4 TOTAL FUNDS (2 + 3) (600,000.00), 5 CDBG FUNDS RECEIVED TO DATE (598,000.00), 6 TOTAL (1 + 5) (600,000.00), 7 REMAINING CDBG FUNDS (4 - 6)

PART III: CERTIFICATION

I HEREBY CERTIFY THAT THE DATA REPORTED ABOVE IS CORRECT AND THAT THE AMOUNT REQUESTED IS NOT IN EXCESS OF CURRENT NEEDS

DATE: SIGNATURE TITLE
DATE: SIGNATURE TITLE

PART IV: APPROVAL (FOR KANSAS DEPT. OF COMMERCE USE ONLY)

CDBG APPROVAL:

- 1. CONTRACT TERMINATION DATE:
2. AUTHORIZED SIGNATURE:
3. MONITORING RESOLUTION: CURRENT / PAST DUE / NA
4. QUARTERLY PROGRESS REPORTS: CURRENT / PAST DUE

FIELD REPRESENTATIVE DATE
ECONOMIC DEVELOPMENT SPECIALIST DATE
ADMINISTRATIVE/ COMPLIANCE DATE
FISCAL DATE

Kansas Department of Commerce
Small Cities Community Development Block Grant

CASH DISBURSEMENT REPORT

(For Economic Development Grants, please attach a copy of summary of payment)

GRANTEE: CITY OF VALLEY FALLS, KS
 GRANT NUMBER: 22-PF-032
 REPORTING PERIOD: 2/27/24 - 8/7/24
 REPORT NUMBER: 7

Kansas Dept of Commerce
 1000 SW JACKSON STREET, SUITE 100
 TOPEKA, KS 66612-1354

CDBG-F-CD
 6/2017 (REV)

NO.	ACTIVITY NAME (As on Budget Form)	BUDGET		TOTAL COST	CDBG \$			LOCAL/OTHER \$		
		CDBG	LOCAL		EXPENDED THIS RFP	EXPENDED TO DATE	AVAILABLE BALANCE	EXPENDED THIS RFP	EXPENDED TO DATE	AVAILABLE BALANCE
1f	Construction	600,000.00	726,138.00	1,326,138.00	2,000.00	600,000.00		156,273.69	982,736.94	-256,598.94
1h	Engineering Design		106,100.00	106,100.00					106,100.00	
1i	Construction Inspection		141,650.00	141,650.00				54,289.60	193,950.00	-52,300.00
3a	Adminstration		35,000.00	35,000.00				4,392.50	37,128.00	-2,128.00
TOTALS		600,000.00	1,008,888.00	1,608,888.00	2,000.00	600,000.00		214,955.79	1,319,914.94	-311,026.94

Total Expended this DD, CDBG and Local

Total Expended

Total Invoices this DD \$216,955.79

\$216,955.79

\$1,919,914.94

CDBG/Local Ratio 37% 63% 100% 31% 69% 100%



City of Valley Falls

Established 1854

August 7, 2024

AdamsBrown, LLC
818 Broadway St.
Larned, Kansas 67550

This representation letter is provided in connection with your audit of the financial statement of City of Valley Falls, Kansas as of December 31, 2023 and for the year then ended, and the disclosures (collectively, the "financial statement"), for the purpose of expressing an opinion as to whether the financial statement is presented fairly, in all material respects, in accordance with the regulatory basis of accounting.

We confirm, to the best of our knowledge and belief, as of August 7, 2024, the following representations made to you during your audit.

Financial Statement

- We have fulfilled our responsibilities, as set out in the terms of the audit engagement letter dated January 22, 2024, including our responsibility for the preparation and fair presentation of the financial statement in accordance with the regulatory basis of accounting and for preparation of the supplementary information in accordance with the applicable criteria.
- The financial statement referred to above is fairly presented in conformity with the regulatory basis of accounting and includes all properly classified funds and other financial information of the reporting entity required by the regulatory basis of accounting to be included in the financial reporting entity.
- We acknowledge our responsibility for the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of the financial statement that is free from material misstatement, whether due to fraud or error.
- We acknowledge our responsibility for the design, implementation, and maintenance of internal control to prevent and detect fraud.
- The methods, significant assumptions, and data used in making accounting estimates and their related disclosures are appropriate to achieve recognition, measurement, or disclosure that is reasonable in accordance with the regulatory basis of accounting.
- There are no known related-party relationships or transactions that need to be accounted for or disclosed in accordance with the regulatory basis of accounting.
- Adjustments or disclosures have been made for all events, including instances of noncompliance, subsequent to the date of the financial statement that would require adjustment to or disclosure in the financial statement.

- The effects of uncorrected misstatements are immaterial, both individually and in the aggregate, to the financial statement as a whole. A list of the uncorrected misstatements is attached to the representation letter. In addition, you have proposed adjusting journal entries that have been posted to the City's accounts. We are in agreement with those adjustments.
- The effects of all known actual or possible litigation, claims, and assessments have been accounted for and disclosed in accordance with the regulatory basis of accounting.
- Guarantees, whether written or oral, under which the City is contingently liable, if any, have been properly recorded or disclosed.

Information Provided

- We have provided you with:
 - Access to all information, of which we are aware, that is relevant to the preparation and fair presentation of the financial statement, such as records (including information obtained from outside of the general and subsidiary ledgers), documentation, and other matters.
 - Additional information that you have requested from us for the purpose of the audit.
 - Unrestricted access to persons within the City from whom you determined it necessary to obtain audit evidence.
 - Minutes of the meetings of the City Council or summaries of actions of recent meetings for which minutes have not yet been prepared.
- All material transactions have been recorded in the accounting records and are reflected in the financial statement.
- We have disclosed to you the results of our assessment of the risk that the financial statement may be materially misstated as a result of fraud.
- We have no knowledge of any fraud or suspected fraud that affects the City and involves:
 - Management,
 - Employees who have significant roles in internal control, or
 - Others where the fraud could have a material effect on the financial statement.
- We have no knowledge of any allegations of fraud or suspected fraud affecting the City's financial statement communicated by employees, former employees, regulators, or others.
- We have no knowledge of instances of noncompliance or suspected noncompliance with provisions of laws, regulations, contracts, or grant agreements, or waste or abuse, whose effects should be considered when preparing the financial statement.

- We are not aware of any pending or threatened litigation, claims, or assessments or unasserted claims or assessments that are required to be accrued or disclosed in the financial statement, and we have not consulted a lawyer concerning litigation, claims, or assessments.
- We are not aware of any related parties or related-party relationships or transactions.

Government – specific

- There have been no communications from regulatory agencies concerning noncompliance with, or deficiencies in, financial reporting practices.
- We have taken timely and appropriate steps to remedy identified and suspected fraud or noncompliance with provisions of laws, regulations, contracts, and grant agreements that you have reported to us.
- We have a process to track the status of audit findings.
- We have identified to you any previous audits, attestation engagements, and other studies related to the objectives of the audit and whether related recommendations have been implemented.
- We have identified to you any investigations or legal proceedings that have been initiated with respect to the period under audit.
- We have provided our views on reported findings and conclusions, as well as our planned corrective actions, for the report.
- The City has no plans or intentions that may materially affect the carrying value or classification of assets, liabilities, or unencumbered cash balances.
- We are responsible for compliance with the laws, regulations, and provisions of contracts and grant agreements applicable to us, including tax or debt limits and debt contracts, and legal and contractual provisions for reporting specific activities in separate funds.
- We have identified and disclosed to you all instances of identified and suspected fraud and noncompliance with provisions of laws, regulations, contracts, and grant agreements that we believe have a material effect on the financial statement.
- There are no violations or possible violations of budget ordinances, laws and regulations (including those pertaining to adopting, approving, and amending budgets), provisions of contracts and grant agreements, tax or debt limits, and any related debt covenants whose effects should be considered for disclosure in the financial statement, or as a basis for recording a loss contingency, or for reporting on noncompliance.
- As part of your audit, you assisted with preparation of the financial statement and disclosures. We acknowledge our responsibility as it relates to those nonaudit services, including that we assume all management responsibilities; oversee the services by designating an individual, preferably within senior management, who possesses suitable skill, knowledge or experience; evaluate the adequacy and results of the services performed; and accept responsibility for the results of the services. We have reviewed, approved, and accepted responsibility for the financial statement and disclosures.

- The City has satisfactory title to all owned assets, and there are no liens or encumbrances on such assets nor has any asset been pledged as collateral.
- The City has complied with all aspects of contractual agreements that would have a material effect on the financial statement in the event of noncompliance.
- The financial statement properly classifies all funds and activities.
- Interfund, internal, and intra-entity activity and balances have been appropriately classified and reported.
- Deposits are properly classified as to risk and are properly disclosed.
- With respect to the supplementary information as outlined in the table of contents:
 - We acknowledge our responsibility for presenting the supplementary information in accordance with the regulatory basis of accounting, and we believe the supplementary information, including its form and content, is fairly presented in accordance with the regulatory basis of accounting. The methods of measurement and presentation of the supplementary information have not changed from those used in the prior period, and we have disclosed to you any significant assumptions or interpretations underlying the measurement and presentation of the supplementary information.
 - If the supplementary information is not presented with the audited financial statement, we will make the audited financial statement readily available to the intended users of the supplementary information no later than the date we issue the supplementary information and the auditors' report thereon.

Signed

Signed



City of Valley Falls

Established 1854

ORDINANCE NO. 14-119

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, 50TH EDITION, *WITH CERTAIN OMISSIONS, CHANGES, AND ADDITIONS; PRESCRIBING ADDITIONAL REGULATIONS; PROVIDING CERTAIN PENALTIES AND REPEALING ORDINANCES NUMBERED 14-118.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF VALLEY FALLS:

SECTION 1. INCORPORATING STANDARD TRAFFIC ORDINANCE.

There is hereby incorporated by reference for the purpose of regulating traffic within the corporate limits of the City of Valley Falls, Kansas, that certain standard traffic ordinance known as the Standard Traffic Ordinance for Kansas Cities, 50th Edition, prepared and published in book form by the League of Kansas Municipalities, Topeka, Kansas. One copy of said Standard Traffic Ordinance shall be marked or stamped "Official Copy as Adopted by Ordinance No. 14-119," *with all sections or portions thereof intended to be omitted or changed clearly marked to show any such omission or change and to which shall be attached a copy of this ordinance and filed with the city clerk to be open to inspection and available to the public at all reasonable hours. The police department, municipal judge, and all administrative departments of the city charged with enforcement of the ordinance shall be supplied, at the cost of the city, such number of official copies of such Standard Traffic Ordinance similarly marked, as may be deemed expedient.

SECTION 2. TRAFFIC INFRACTIONS AND TRAFFIC OFFENSES.

(a) An ordinance traffic infraction is a violation of any section of this ordinance that prescribes or requires the same behavior as that prescribed or required by a statutory provision that is classified as a traffic infraction in K.S.A. 8-2118.

(b) All traffic violations that are included within this ordinance, and 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 fine for violation of an ordinance traffic infraction or any other traffic offense in which the municipal judge establishes a fine in a fine schedule shall not be less than \$15.00 nor more than \$2500.00. A person tried and convicted for violation of an ordinance traffic infraction or other traffic offense in which a fine has not been established in a schedule of fines shall pay a fine fixed by the court not to exceed \$500.

SECTION 4. REPEAL.

Ordinance numbered 14-118 is repealed.

SECTION 5. EFFECTIVE DATE.

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

PASSED AND APPROVED BY THE CITY COUNCIL ON THE 7th DAY OF AUGUST, 2024.

Jeanette Shipley, Mayor

ATTEST:

Destiny Schrick, City Clerk

(SEAL)



City of Valley Falls

Established 1854

ORDINANCE NO. 11-117

AN ORDINANCE REGULATING PUBLIC OFFENSES WITHIN THE CORPORATE LIMITS OF THE CITY OF VALLEY FALLS, KANSAS; INCORPORATING BY REFERENCE THE UNIFORM PUBLIC OFFENSE CODE FOR KANSAS CITIES, 39TH EDITION, *WITH CERTAIN OMISSIONS, CHANGES, AND ADDITIONS; PRESCRIBING ADDITIONAL REGULATIONS; PROVIDING CERTAIN PENALTIES AND REPEALING ORDINANCES NUMBERED 11-116.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF VALLEY FALLS:

SECTION 1. INCORPORATING UNIFORM PUBLIC OFFENSE CODE.

There is hereby incorporated by reference for the purpose of regulating public offenses within the corporate limits of the City of Valley Falls, Kansas, that certain code known as the Uniform Public Offense Code, 39th Edition, prepared and published in book form by the League of Kansas Municipalities, Topeka, Kansas. One official copy of said Uniform Public Offense Code shall be marked or stamped "Official Copy as Adopted by Ordinance No. 11-117," *with all sections or portions thereof intended to be omitted or changed clearly marked to show any such omission or change and to which shall be attached a copy of 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 number 11-116 is repealed.

SECTION 3. EFFECTIVE DATE.

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

PASSED AND APPROVED BY THE CITY COUNCIL ON THE 7th DAY OF AUGUST, 2024.

Jeanette Shipley, Mayor

ATTEST:

Destiny Schrick, City Clerk

(SEAL)



City of Valley Falls

Established 1854

RESOLUTION NO. 2024-_____

A RESOLUTION AUTHORIZING THE CONSUMPTION OF ALCOHOLIC LIQUOR ON PUBLIC STREETS ON SATURDAY SEPTEMBER 14, 2024 FOR THE BRICK STREET BOURBON BENEFIT.

WHEREAS, the City Council has approved as the Brick Street Bourbon Benefit on Saturday, September 14, 2024.

WHEREAS, the City Council has approved the 400 block of Broadway to be closed to vehicular traffic. Such street closure shall be approved from 10:00 a.m. September 14, 2024, to 2:00 a.m. September 15, 2024, with the consumption of alcoholic liquor, allowed thereon from 11:00 a.m. September 14, 2024, to 2:00 a.m. September 15, 2024.

WHEREAS, the consumption of alcoholic liquor at the 2024 Brick Street Bourbon Event will be authorized by one of the options set forth in both Section Chapter 3, Article 7 of the Code of the City of Valley Falls and K.S.A. 41-719(a)(2), and any temporary permit or temporary extension of licensed premises required has been applied for and will be issued by the State of Kansas upon the presentation of this Resolution, or any caterer's notification will be made as required by law.

NOW, THEREFORE, BE IT RESOLVED that the City Council, pursuant to Chapter 3, Article 7 of the Code of the City of Valley Falls, and in consideration of the factors set forth in Chapter 3, Article 7 of the Code of the City of Valley Falls, grants its approval for the consumption of alcoholic liquor on the city streets, sidewalks and public right of ways which are located within the designated event area of the Brick Street Bourbon Event to occur from 11:00 a.m. September 14, 2024, to 2:00 a.m. September 15, 2024 as set forth above.

ADOPTED by the governing body of the City of Valley Falls, Kansas, this 7th day of August, 2024.

CITY OF VALLEY FALLS, KANSAS

Jeanette Shipley, Mayor

ATTEST:

Destiny Schrick, City Clerk



City of Valley Falls

Established 1854

RESOLUTION NO. 2024-_____

A RESOLUTION AUTHORIZING THE CONSUMPTION OF ALCOHOLIC LIQUOR ON PUBLIC STREETS ON SATURDAY SEPTEMBER 21, 2024 FOR THE GRASSHOPPER FALLS DAY EVENT.

WHEREAS, the City Council has approved the Grasshopper Falls Day Event on Saturday, September 21, 2024.

WHEREAS, the City Council has approved the 300 and 400 block of Broadway to be closed to vehicular traffic. Such street closure shall be approved from 9:00 a.m. to 2:00 p.m. September 21, 2024, with the consumption of alcoholic liquor, allowed thereon from 9:00 a.m. to 2:00 p.m. September 21, 2024.

WHEREAS, the consumption of alcoholic liquor at the 2024 Grasshopper Falls Day Event will be authorized by one of the options set forth in both Section Chapter 3, Article 7 of the Code of the City of Valley Falls and K.S.A. 41-719(a)(2), and any temporary permit or temporary extension of licensed premises required has been applied for and will be issued by the State of Kansas upon the presentation of this Resolution, or any caterer's notification will be made as required by law.

NOW, THEREFORE, BE IT RESOLVED that the City Council, pursuant to Chapter 3, Article 7 of the Code of the City of Valley Falls, and in consideration of the factors set forth in Chapter 3, Article 7 of the Code of the City of Valley Falls, grants its approval for the consumption of alcoholic liquor on the city streets, sidewalks and public right of ways which are located within the designated event area of the Grasshopper Falls Day Event to occur from 9:00 a.m. to 2:00 p.m. September 21, 2024, as set forth above.

ADOPTED by the governing body of the City of Valley Falls, Kansas, this 7th day of August, 2024.

CITY OF VALLEY FALLS, KANSAS

Jeanette Shipley, Mayor

ATTEST:

Destiny Schrick, City Clerk



City of Valley Falls

Established 1854

RESOLUTION NO. 2024-_____

A RESOLUTION AUTHORIZING THE CONSUMPTION OF ALCOHOLIC LIQUOR ON PUBLIC PROPERTY THE OCTOBERFEST EVENT.

WHEREAS, the City Council has approved as the *2024 Oktoberfest* as a community event to occur on September 28, 2024.

WHEREAS, the City Council has approved the consumption of alcohol in the city park. The consumption of alcoholic liquor allowed thereon from 4:00 p.m. to 10:00 p.m. on September 28, 2024.

WHEREAS, the consumption of alcoholic liquor at the 2024 Oktoberfest Event will be authorized by one of the options set forth in both Section Chapter 3, Article 7 of the Code of the City of Valley Falls and K.S.A. 41-719(a)(2), and any temporary permit or temporary extension of licensed premises required has been applied for and will be issued by the State of Kansas upon the presentation of this Resolution, or any caterer's notification will be made as required by law.

NOW, THEREFORE, BE IT RESOLVED that the City Council, pursuant to Chapter 3, Article 7 of the Code of the City of Valley Falls, and in consideration of the factors set forth in Chapter 3, Article 7 of the Code of the City of Valley Falls, grants its approval for the consumption of alcoholic liquor on the city streets, sidewalks and public right of ways which are located within the designated event area of the Oktoberfest Event to occur from 4:00 p.m. to 10:00 p.m. September 28, 2024, as set forth above.

ADOPTED by the governing body of the City of Valley Falls, Kansas, this 7th day of August, 2024.

CITY OF VALLEY FALLS, KANSAS

Jeanette Shipley, Mayor

ATTEST:

Destiny Schrick, City Clerk

AN ORDINANCE GRANTING GIANT COMMUNICATIONS, INC. A LICENSE TO OPERATE AND MAINTAIN A COMMUNICATIONS SYSTEM IN THE PUBLIC RIGHTS-OF-WAY OF THE CITY OF VALLEY FALLS, KANSAS, PRESCRIBING THE TERMS AND CONDITION OF SAID GRANT.

WHEREAS, The City seeks to:

1. Adequately compensate itself for occupancy and maintenance of the City Right-of-way by all Communications Services,
2. Fully protect the public and the City from any harm caused by private, commercial use of Right-of-way, including but not limited to reducing the risk of loss of service or personal or property injury from errant excavation,
3. Protect the regulatory authority of the City in a manner consistent with federal and State law, and
4. Promote the entry and occupancy of Right-of-way by communications providers in a competitively neutral manner, maximize the available space for such providers by requiring coordination, co-location, and planned construction of infrastructure in the Right-of-way;

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

SECTION 1. Definitions. For the purposes of this Ordinance, the following terms, phrases, words, and their derivatives shall have the meanings set forth in this Section, unless the context clearly indicates that another is intended. Words used in the present tense include the future tense, words in the singular number include the plural number, and words in the plural number include the singular. The words "shall" and "will" are mandatory and "may" is permissive. Words not defined shall be given their common and ordinary meaning.

- A. "City" means the City of VALLEY FALLS, Kansas.
- B. "Facilities" means any portion of a Communications System located in, along, over, upon, under, or through the Right-of-Way.
- C. "Agreement" means the license agreement that is governed by this Ordinance and agreed to by Licensor.
- D. "Licensor" means Giant Communications, Inc. which is granted a license pursuant to this Ordinance and that entity's agents and employees.
- E. "License Fee" means the fee imposed by the City on a license pursuant to this Ordinance.
- F. "Public Project" means any project planned or undertaken by the City or any governmental entity for construction, reconstruction,

maintenance, or repair of public facilities or improvements, or any other purpose of a public nature.

G. "Public Project for Private Development" means a Public Project, or that portion thereof, arising solely from a request or requirement of a third party (non-City or governmental) primarily for the benefit and use of a third party.

H. "Right-of-Way" means only the area of real property in which the city has a dedicated or acquired right-of-way interest in the real property. It shall include area on, above and below present and future streets, alleys, avenues, roads, highways, parkways or boulevards dedicated or acquired as right-of-way. This term shall not include any county, state, or federal right-of-way or any property owned or controlled by any person or agency other than the City, except as provided by applicable Laws or pursuant to an agreement between the City and any such Person or Agency. Right-of-Way shall not include property owned or held by City and not typically considered Right-of-Way such as City Parks and City Buildings. The term does not include easements obtained by private easements in platted subdivisions or tracts.

I. "Communications System" or "System" means the cables, wires, lines, optic fiber, and any associated converters, equipment, or other facilities designed, constructed or occupied by a Licensor or others for the purpose of producing, receiving, amplifying or distributing wireless information communications service to or from locations within the City.

SECTION 2. Nonexclusive. Nothing herein contained shall be construed as giving to the Licensor any exclusive privileges, nor shall it affect any prior or existing rights of the Licensor to maintain a Communications system or related business within the City.

SECTION 3. Grant.

A. The City hereby grants to Giant Communications, Inc., (hereinafter referred to as "the Licensor" or "the Company") a license which conveys the right, privilege, and authority to construct, operate, and maintain Facilities in, through and along the City's Right-of-Way for the purposes of supplying wired or wireless Communications Services on a nonexclusive basis within the City.

B. The Company shall continue to operate its Communications System and all business incidental to or connected with the conducting of its business and system in the City. The plant, construction and appurtenances used in or incidental to the offering of Communications and other services and to the maintenance of such system and business by the Company in the City shall remain as now planned and constructed, subject to such changes as may be considered necessary by the City in the exercise of its inherent powers and by the Company in the conduct of its business.

C. The Company shall continue to exercise its right to place, remove, construct and reconstruct, extend and maintain its plant and appurtenances along, across, on, over, through, above and under all the public streets, avenues, alleys, bridges, utility easements and all public grounds and places within the limits of the City.

SECTION 4. Excavations; Underground Facility Locating Service.

A. Prior to any underground excavations by Licensor in the public streets, roads, alleys, sidewalks or other public places, Licensor must submit written plans for approval by the City.

B. The City shall promptly, and in no event more than 30 days, with respect to facilities in the public right-of-way, process each valid and administratively complete application of a provider for any permit, license or consent to excavate, locate lines, construct facilities, make repairs, effect traffic flow, or for other similar approvals, and shall make reasonable effort not to unreasonably delay or burden the Company in the timely conduct of its business.

C. If there is an emergency necessitating response work or repair, the Company may begin that repair or take any action required under the circumstances, provided that the Company notifies the City promptly after beginning the work and timely thereafter meets any permit or other requirements, had there not been such an emergency.

D. The Licensor must continue to participate fully in Kansas One Call to ensure that damage and/or interference with other underground facilities' occupants is minimized. The City will notify the Company either directly or through voluntary participation in Kansas One Call of its excavation plans in public Right-of-way, to avoid damage to Company facilities pre-existing in public Right-of-way.

SECTION 5. Relocation of Facilities.

A. The Licensor shall not be responsible for the expenses of relocation to accommodate any new Public Project for Private Development. The expenses attributable to such a project shall be the responsibility of the third party upon the request and appropriate documentation of the Licensor. Before such expense may be billed to the third party, the Licensor shall be required to coordinate with the third party and the City on the design construction to ensure that the work required is necessary and done in a cost-effective manner. Upon the request of the Licensor or the third party, the allocation of expense attributable to the project shall be made in the reasonable determination of the City. Eligible third parties may request to have the City specially assess those expenses billed by the Licensor under this section.

B. The City will use its best efforts, but is not required, to continue to provide a location in the Right-of-Way for the Licensor's Facilities as part of a Public Project, provided that the Licensor has cooperated promptly

and fully with the City in the design of its Facilities as part of the Public Project.

SECTION 6. License Fees.

A. The City requires the Company as a provider of information Communications, and not a local exchange service provider subject to the franchise provisions of K.S.A. 12-2001(c), to contribute to city rights-of-way maintenance. Accordingly, the company will annually pay \$.07 per foot of communication facility toward such maintenance. No sales, excise, use or other tax shall be included in the calculation of such taxes.

B. The Company shall submit payment to the City each August 1 based on its internal property records as of the previous December 31. The City maintains a right to review these records on notice to the Company, the Company has 10 days to respond.

SECTION 7. Term. The License shall remain in effect for 15 years from the anniversary of its adoption, or until September 1st, 2039, whichever date is the earlier, unless either party shall notify the other in writing of its intention to terminate this agreement. The notice of intention to terminate shall be served by either party on the other at least six (6) months prior to the date of such termination.

SECTION 8. Non-assignable. Neither Party may make any assignment of this Agreement or any interest herein, by operation of law or otherwise, without the prior written consent of the other; provided, however, that the Company may assign its rights and obligations under this Agreement without the consent of the City in the event that the Company shall hereafter affect a reorganization, consolidation or merger or in the event the Company transfers all or substantially all of its properties or assets. This Agreement shall inure to the benefit of and be binding upon the Company and the City, their respective successors, executors, administrators, heirs and permitted assigns.

SECTION 9. Enforcement; Attorney Fees. The City shall be entitled to enforce this Ordinance, and, any License granted pursuant to it, though all remedies lawfully available, and Company shall pay City reasonable attorneys' fees in the event that the Company is determined judicially to have violated the terms of this Ordinance or License.

SECTION 10. Indemnification.

A. The Company shall indemnify and hold the City and its officers and employees harmless against any and all claims, lawsuits, judgments, costs, liens, losses, expenses, fees (including reasonable attorney fees and costs of defense), proceedings, actions, demands, causes of action, liability and suits of any kinds and nature, including personal or bodily injury (including death), property damage or other harm for which

recovery of damages is sought, to the extent that it is found by a court of competent jurisdiction to be caused by the negligence of the provider, any agent, officer, director, representative, employee, affiliate or subcontractor of the provider, or their respective officers, agents, employees, directors or representatives, while installing, repairing or maintaining facilities in a public right-of-way. The indemnity provided by this subsection does not apply to any liability resulting from the negligence of the City, its officers, employees, contractors or subcontractors.

B. If Licensor and the City are found jointly liable by a court of competent jurisdiction, liability shall be apportioned comparatively in accordance with the laws of this state without, however, waiving any governmental immunity available to the City under state law and without waiving any defenses of the parties under state or federal law.

SECTION 11. Effective date; procedures.

A. This ordinance shall become effective upon publication, or June 1, 2024, whichever comes first.

B. Publication costs shall be reimbursed by the Company to the city, upon presentation of publication costs' receipts.

(For the City)

(For the Company)

(Title)

(Title)

(Date)

(Date)



City of Valley Falls

Established 1854

COUNCIL MEETING DATE: August 7, 2024

INVOICES IN THE TOTAL AMOUNT OF: \$70,428.81

APPROVED:

STATE OF KANSAS

COUNTY OF JEFFERSON

I hereby certify that the attached bills are just and correct 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 August 2024

City Clerk

G/L ACCT #	VENDOR NAME	REFERENCE	AMOUNT	CHECK	
				CHECK#	DATE
100-050-2010	EFTPS	FED/FICA TAX	814.88	22073713	7/31/24
100-050-2020	EFTPS	FED/FICA TAX	3,099.42	22073713	7/31/24
100-050-2030	KSDOR PAYROLL	STATE TAX	491.23	22073714	7/31/24
100-050-2040	KPERS	KPERS TIER III	1,378.73	22073715	7/31/24
100-050-2040	KPERS457	KPERS ROTH	232.00	22073716	7/31/24
100-050-2050	AFLAC CAFETERIA	AFLAC	177.56	22073717	7/31/24
100-110-5110	LEAGUE MUNICIPALITIES	MTI training webinar	25.00	23987	8/01/24
100-110-5150	AMAZON	Storage/bathroom sign	16.78	22073718	7/22/24
100-110-5150	CHAMPION PEST & LAWN SOLUTIONS	PEST CONTROL	70.00	23981	8/01/24
100-110-5190	DAVIS PUBLICATION	Legal Publication	52.00	23982	8/01/24
100-110-5940	IMOGENE REYNOLDS	2 swimming lesson refunds	80.00	23973	7/23/24
100-110-5950	Credit Card Services	skid steer bucket	2,452.81	22073709	7/21/24
100-120-5130	Credit Card Services	Maglula, holosun	621.51	22073709	7/21/24
100-120-5140	AT&T	Cell Phones	157.75	22073707	7/21/24
100-120-5140	AT&T	office @ hand	34.29	23972	7/23/24
100-120-5160	Casey's Business Mastercard	Fuel	720.84	22073712	7/26/24
100-120-5160	Credit Card Services	tahoe parts	677.35	22073709	7/21/24
100-120-5160	RON SCHRICK	Tahoe-AC, Expedition-Oil	370.00	23990	8/01/24
100-120-5160	SCOTTS AUTO MAINTENANCE	Expedition	343.32	23991	8/01/24
100-120-5160	TFM COMM INC	swapequipment tahoe-charger	1,246.83	23974	7/23/24
100-120-5170	VPSGRAPHICGROUP	PD decals for vehicle	1,065.00	23993	8/01/24
100-120-5180	AMAZON	Desk, desk chairs	758.16	22073718	7/22/24
100-120-5180	Credit Card Services	dog items	200.08	22073709	7/21/24
100-120-5340	Credit Card Services	Cat boarding/donation/supplies	139.90	22073709	7/21/24
100-140-5160	VALLEY TRUCK & TRAILER	Switch	41.42	23992	8/01/24
100-140-5180	A1 LOCK & KEY	Keys made	93.25	23980	8/01/24
100-140-5180	Credit Card Services	hose,coupling	165.54	22073709	7/21/24
100-160-5330	Credit Card Services	concession items	2,126.06	22073709	7/21/24
160-160-5180	AMAZON	GFI outlet, gate hinges	127.15	22073718	7/22/24
300-140-5950	MIDWEST CONCRETE MATERIALS	Concrete	1,527.00	23988	8/01/24
720-050-2010	EFTPS	FED/FICA TAX	204.42	22073713	7/31/24
720-050-2020	EFTPS	FED/FICA TAX	570.16	22073713	7/31/24
720-050-2030	KSDOR PAYROLL	STATE TAX	127.48	22073714	7/31/24
720-050-2040	KPERS	KPERS TIER III	605.88	22073715	7/31/24
720-050-2040	KPERS457	KPERS ROTH	14.00	22073716	7/31/24
720-050-2050	AFLAC CAFETERIA	AFLAC	63.74	22073717	7/31/24
720-720-5120	KDHE BUREAU OF WATER	Class2watercert-Chad	20.00	23986	8/01/24
720-720-5120	Credit Card Services	RealVNC	143.30	22073709	7/21/24
720-720-5140	AT&T	Cell Phones	48.86	22073707	7/21/24
720-720-5140	KANSAS GAS	NATURAL GAS	179.76	22073708	8/01/24
720-720-5150	HAWKINS	Azone 15, PH	2,186.19	23983	8/01/24
720-720-5160	Casey's Business Mastercard	Fuel	1,316.13	22073712	7/26/24
720-720-5170	Credit Card Services	water samples	45.70	22073709	7/21/24
720-720-5180	AMAZON	SKF seal, fittings, washers	96.51	22073718	7/22/24
720-720-5180	HAWKINS	6 chlorine cylinders	120.00	23975	7/24/24
720-720-5180	JEANETTE SHIPLEY	DumDums for parade	37.26	23985	8/01/24
720-720-5180	Credit Card Services	gaskets,toilet seat	45.96	22073709	7/21/24
720-720-5190	MIDWEST OFFICE TECHNOLOGY	7/14/24-8/13/24 billing	94.33	23989	8/01/24
720-720-5950	HAWKINS	chemicals	6,651.60	23975	7/24/24
730-050-2010	EFTPS	FED/FICA TAX	204.42	22073713	7/31/24
730-050-2020	EFTPS	FED/FICA TAX	570.06	22073713	7/31/24
730-050-2030	KSDOR PAYROLL	STATE TAX	127.49	22073714	7/31/24
730-050-2040	KPERS	KPERS TIER III	605.85	22073715	7/31/24
730-050-2040	KPERS457	KPERS ROTH	14.00	22073716	7/31/24

CLAIMS REPORT
 Check Range: 7/17/2024- 8/07/2024

GL ACCT #	VENDOR NAME	REFERENCE	AMOUNT	CHECK#	CHECK DATE
730-050-2050	AFLAC CAFETERIA	AFLAC	63.74	22073717	7/31/24
730-730-5950	HEINEN REPAIR SERVICE, Inc	Jetter hose repairs	164.36	23984	8/01/24
740-740-5190	WASTE MANAGEMENT	Trash Service	12,651.14	22073710	7/24/24
740-740-5190	WASTE MANAGEMENT	Trash Service-city cleanup	2,273.01	22073711	7/25/24
		Accounts Payable Total	48,551.21		
		Utility Refund Checks			

		Refund Checks Total			
		Payroll Checks	21,877.60		
		Report Total	70,428.81		

**CLAIMS REPORT
CLAIMS FUND SUMMARY**

FUND	NAME	AMOUNT
100	GENERAL FUND	34,067.02
160	POOL RESERVE	127.15
300	SPECIAL HWY & STREETS	1,527.00
720	WATER UTILITY	15,302.42
730	SEWER UTILITY	4,481.07
740	SOLID WASTE (TRASH)	14,924.15

	TOTAL FUNDS	70,428.81



City of Valley Falls

Established 1854

COUNCIL MEETING DATE: August 21, 2024

INVOICES IN THE TOTAL AMOUNT OF: \$67,068.17

APPROVED:

STATE OF KANSAS

COUNTY OF JEFFERSON

I hereby certify that the attached bills are just and correct 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 August 2024

City Clerk

CLAIMS REPORT
 Check Range: 8/08/2024- 8/21/2024

GL ACCT #	VENDOR NAME	REFERENCE	AMOUNT	CHECK#	CHECK DATE
100-050-2010	EFTPS	FED/FICA TAX	543.17	22073720	8/09/24
100-050-2020	EFTPS	FED/FICA TAX	2,379.78	22073720	8/09/24
100-050-2030	KSDOR PAYROLL	STATE TAX	557.73	22073721	8/09/24
100-050-2040	KPERS	KPERS TIER III	1,354.06	22073722	8/09/24
100-050-2040	KPERS457	KPERS ROTH	232.60	22073723	8/09/24
100-110-5140	GIANT COMMUNICATIONS	Phone	42.35	23994	8/15/24
100-120-5110	ROBERT TAYLOR	Hotel Reimbursement	315.98	23999	8/15/24
100-120-5140	GIANT COMMUNICATIONS	Phone	42.35	23994	8/15/24
100-120-5200	MOTOROLA SOLUTIONS INC	Radios	17,319.81	23998	8/15/24
100-120-5200	VF COMMUNITY FOUNDATION	Match Day Start	1,000.00	24004	8/19/24
100-130-5030	WERRING LAW LLC	City Prosecutor Services	3,000.00	24002	8/15/24
100-140-5190	K4 AG & SERVICE LLC	Mower service	235.49	23996	8/15/24
100-140-5200	Shockey Consulting Services	Safe Streets	4,355.00	24003	8/19/24
100-160-5140	GIANT COMMUNICATIONS	Phone	42.35	23994	8/15/24
720-050-2010	EFTPS	FED/FICA TAX	198.41	22073720	8/09/24
720-050-2020	EFTPS	FED/FICA TAX	562.02	22073720	8/09/24
720-050-2030	KSDOR PAYROLL	STATE TAX	161.99	22073721	8/09/24
720-050-2040	KPERS	KPERS TIER III	585.76	22073722	8/09/24
720-050-2040	KPERS457	KPERS ROTH	13.71	22073723	8/09/24
720-720-5050	ADVANCE	LIFE INSURANCE			
720-720-5140	GIANT COMMUNICATIONS	Phone	84.70	23994	8/15/24
720-720-5190	HEINEN PHE	sewer clean out	200.00	23995	8/15/24
720-720-5190	KANSAS ONE CALL SYSTEM	KANSAS 811 DIG SAFE	2.10	23997	8/15/24
720-720-5950	SCHULTE SUPPLY	meter	1,814.86	24000	8/15/24
730-050-2010	EFTPS	FED/FICA TAX	198.42	22073720	8/09/24
730-050-2020	EFTPS	FED/FICA TAX	561.92	22073720	8/09/24
730-050-2030	KSDOR PAYROLL	STATE TAX	161.98	22073721	8/09/24
730-050-2040	KPERS	KPERS TIER III	585.77	22073722	8/09/24
730-050-2040	KPERS457	KPERS ROTH	13.69	22073723	8/09/24
730-730-5140	AT&T	Cell Phones			
740-740-5190	WASTE MANAGEMENT	Trash Service	12,648.31	24005	8/19/24
			=====		
		Accounts Payable Total	49,214.31		
		Utility Refund Checks			

		Refund Checks Total			
		Payroll Checks	17,853.86		
			=====		
		Report Total	67,068.17		
			=====		

**CLAIMS REPORT
CLAIMS FUND SUMMARY**

FUND	NAME	AMOUNT
100	GENERAL FUND	43,949.68
720	WATER UTILITY	6,285.92
730	SEWER UTILITY	4,184.26
740	SOLID WASTE (TRASH)	12,648.31

	TOTAL FUNDS	67,068.17



City of
VALLEY FALLS

Incorporated May 17, 1854

**City Administrator Report
City Council August 7, 2024**

Daily Operations:

- Assist Citizens with service payments & questions.
- Citizen Notification System—Keith Jeffers and I discussed the system again. The city will be able to use it at no cost. The county is currently adjusting the system's settings and will host training on how to use it.
- Working on grant paperwork for grants currently in progress.
- Budget process for 2025.
- The Planning & Zoning Committee met on July 10th to discuss the Ordinance change for the business district. It was decided to amend ordinance 16-222 as presented and change the CP-4 Zoning Map boundaries. I have contacted PEC to start the process of altering the business district's boundary. The new map will be presented to the Planning & Zoning Committee when it has been completed and then to the council if approved. Still waiting on PEC to send the updated boundary.
- Working with PEC on the Lake Survey. Still waiting on their response.
- We are working with PEC on the Lead Line Survey. By August 30th, we will need to present them with an inventory of city-owned water lines. They have given us a list of properties to survey, Bill will get them completed and returned to me so I may submit them to PEC.
- The Steering committee should be completing the walk audits for the SS4A project.
- Working on Blue Cross & Blue Shield Renewal. Prices are staying similar to previous years.

CITY OFFICE

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



City of
VALLEY FALLS

Incorporated May 17, 1869

Public Works Report
August 7, 2024

Water:

- Received the last of the auto-read meters and will be getting them installed as time permits.
- Working on getting the spring line from city lake breaks found and fixed. We have done five repairs so far.
- Attempted to locate the spring line by the east side of the river.

Sewers:

- Jetted out a backed-up main in the 800 block between Walnut and Oak took 6 hours to clear the blockage.
- Mowed the outside of the lagoon with the brush hog.

Streets:

- Cleaned the parade route and sprayed for weeds and grass along the curbs
- Repaired the drive and sidewalk into the doctor's office
- Poured the concrete at the Christian church parking area
- Filled some potholes with cold patches on Linn and Oak streets
- Mowed the area down by the river pump house

Other:

- Mowed the area along the spring line from the lake to be able to begin repairs and get it located.
- Dug out Bever Dam at the spillway at the city lake
- Got city decals put on the dump truck and flatbed
- Leveled off most of the mounds of dirt on the tucking lot to eliminate weeds and facilitate mowing



City of
VALLEY FALLS

Incorporated May 17, 1869

Police Department Report
August 7, 2024

- City of Topeka Police Department placed one of their K9 inserts up for auction for us to purchase. The total cost is \$1.22, and we will have it installed when Officer Rivera is back from canine training next week.
- Started working on the JAG grant to purchase for updated equipment for the department
- Was invited to a church event for the Leavenworth community that serves the low-income population. The event brought new clients to the program. We are getting recognized in a lot of other communities as the place to watch to start other programs similar to ours. With that, I am also including the DAWN program with the police department in the JAG grant to a small staff to help with the rising number of clients.
- All the new radios have been installed in all the patrol vehicles and the LSSE grant is completed with the requested purchases.
- Participated in the county parade
- Working on participating in Match Day for the K9s for supplies and needed equipment
- Expedition on the way back from Topeka broke down and had to be towed to Scott's Auto Repair. Thank you, Scott, for the fast response and getting fixed and back on the streets.

Calls for service:

08/04 Traffic Stop	07/24 Suspicious vehicle	07/19 Traffic Stop
08/04 Outside agency assist	07/24 911 Hang up	07/19 Traffic Stop
08/02 Warrant service	07/25 Traffic Stop	07/19 Traffic Stop
08/02 Warrant service	07/25 Traffic Stop	07/20 Prowler call
08/02 Traffic stop	07/25 Traffic Stop	07/20 Traffic Stop
08/01 Traffic stop	07/25 Traffic Stop	07/20 Traffic Stop
08/01 DUI arrest	07/20 Traffic Stop	07/20 Traffic Stop
07/30 Traffic Stop	07/20 Traffic Stop	07/18 Fraud investigation
07/29 Civil Standby	07/20 Traffic Stop	07/18 Traffic Problem
07/28 Traffic Stop	07/20 Traffic Stop	07/18 911 Hang up
07/26 Juvenile investigation	07/20 Traffic Stop	07/16 Traffic Stop
07/26 Traffic Stop	07/20 Traffic Stop	07/16 Assist EMS
07/27 Civil Standby	07/20 Traffic Problem	07/14 Traffic Stop
07/27 Business alarm	07/22 Traffic Stop	07/14 Traffic Stop/Warrant
07/27 Traffic stop	07/22 Traffic Stop	07/13 Possible abduction
07/12 Traffic stop	07/12 Traffic Stop	07/12 Traffic Stop
07/12 Traffic stop	07/12 Traffic stop	07/12 Traffic stop
07/12 Animal complaint	07/11 Welfare check	07/11 Welfare check
06/19 Assist outside agency		

Pool Report- City Council Meeting
August 7, 2024

Plans are to close on Saturday, August 10th. Additional information can be provided at the next meeting. Would appreciate any specific questions that need to be addressed so I can get the answers for the next meeting.

- Finished public swim lessons on July 19th.
- The private lessons have also been completed. A few people moved to public lessons and a couple decided not to pursue lessons.
- Average daily attendance for July was 110. Only two days in July we didn't open because of the weather.
- Last scheduled pool party was during the day on Monday, August 5th.
- The Community Pool party was successful on July 25th. Around 50 people attended. Pineapple flavored sno-cones were not a hit!
- Several staff have already left employment.
- Recruiting people that may be interested in the lifeguard position for next season.

Repairs/What Broke/Future/What's Going Well - No particular order

- Looks like the seat for the handicap shower has been removed. This was previously reported as having come unattached from the wall.
- The computer replacing the tablet has been WONDERFUL. This has saved time and is faster. However, suggesting a computer usage policy for staff. If there is one in place, it needs to be shared with pool staff next season.
- Ladder on the west side has been repaired and is back in business.
- Wasps are still a concern.
- Will be making a "wish list" of what needs to be replaced or purchased for next season. Guard umbrellas and umbrellas for the two new tables will be needed.
 - If a shade structure is purchased, the table umbrellas will not be needed.
- Need to purchase additional lounge chairs. Chairs at Walmart are the same brand as what we currently have on deck. Waiting for clearance sale at this point.
- Match Day reminder for September. Need to identify the project and update the match day website. Fund Contact meeting is 7:00 p.m. Monday, August 12th at the library.
- The biggest issue is the Chem-Control box that runs the chemical for the pool. Hawkins delivery driver indicated Hawkins does work on these boxes. We need someone out early next year. The ORP and PH are continuously flashing alarms. The safety timer and set point are going back to defaults of 15 min vs. the 45 min. that was set up. When the safety timer changes the set point also changes to 700. The set point is changed when the chlorine is at a level 3-4. According to the manual it should be at 750, but all season we have been running around 650 with the correct readings using the ColorQ water test kit. We have done a lot of babysitting to make sure the chlorine-bleach is right. A new probe was purchased this year, but doesn't seem to have fixed the problem.

Final Pool Report 2024	
To Do For Closure	
Remove the broken refrigerator from the concession stand	
Report the Chem-Control box so that discussions can begin now on replacement or whatever needs to be done so that this works correctly,	
Blue chlorine barrels (3) in the pit area need drained and removed.	Hawkins delivery driver indicated will not take the barrels.
The buckets and any other chemical containers also need to be dumped and removed.	
Remove the speakers from outside the building.	These are shot! Crackle when in use.
Need to fix the shower on the left in the boys restroom. The water stays on.	
Need to fix the shower seat in the women's restroom.	
The water fountain has a slow leak.	
Remove the broken chairs that were left on the deck by the lockers.	The lounge chairs could still be used until replaced.

Discussions needed on the Chem Control Box. This will have to be done early, meaning the pool will have to be filled to run the chemical.	Whether this be with the box we have now to see how it is working or getting a replacement.
All ladders need to be removed and looked at for tightening the bolts and possibly replacing steps or broken pieces.	Ladder on South side in 5ft area has new steps this year at end of season. Deep end ladder has loose steps and a broken black plastic piece that connects.
Discuss whether to purchase a refrigerator or a bigger deep freeze.	The refrigerator that died was purchased in 2019 used from Jayhawk Appliance in Holton.
Replace umbrellas for the guard stands - will need 3.	
Purchase umbrellas for the tables if unable to purchase and install another shade structure.	Would need 2- 6ft umbrellas.
Since new sound system was purchased (2024), new speakers are needed.	
The hose and reels will need new leads to the facet.	
Need to look into purchase another shade structure.	
Need additional lounge chairs.	
Tom and Christie Allen have indicated they would like to look into leveling the mushroom. Is this a possibility?	
Sell the large guard chair that sits on the pool deck in the pit area. This takes up space.	Where do you advertise?
Need to discuss the pay range for staff. Lifeguard pay needs to increase to be compareable to pools around us.	Effingham pays \$9 an hour and Oskie is paying \$10. Need to verify the Oskie amount.
If pay for lifeguards does increase, discuss not changing amount for swimming lessons.	Currently, those that teach lessons receive \$1 more an hour. Proposing and would like some discussion as my thinking may not be in the best interest. If the guard wage is increased to \$10, then make swim lessons also \$10. Only those with a WSI - Water Safety Instructor certificate receive \$15. This hasn't changed in years. Lifeguard certification is good for 2 years.
Make changes to the sign in sheet	1 column for pass # and 1 column for the amount paid.
Look into getting fans that will attach to the wall.	Anything that we can get off the floor to avoid getting broke.
Shade structure for over the concession stand.	

2024 Pool Season Review

Season Passes Sold (Individual, Family and Temporary 10 Day)

- 10 - Temporary
- 94 - Season Passes

of Season Passes totaling - \$10,975

See spreadsheet for the daily deposit information for the season.

See spreadsheet (two tabs) for what needs to be done and what needs to be considered for next season.

\$25 was mailed to the Jefferson County Humane Shelter from the donations collected at the pool party.

Talked with Jeanette regarding the sno-cone machine and left over syrup. Would like to see this be put to use vs. go to waste.

- Sno-cone machine is packed up in the shed.

May	Attendance	Admission Total	Concession Total	Total Lessons	Pool Party	Total Deposit	Total Day
05/27/24	159	\$270.00	\$441.95	\$145.00	\$0.00	\$1,766.10	\$2,776.95
05/28/2024	132	\$290.00	\$233.35	\$80.00	\$0.00	\$1,742.35	\$2,369.35
05/29/2024	165	\$364.00	\$288.10	\$255.00	\$0.00	\$1,402.45	\$2,277.20
05/30/2024	80	\$157.00	\$171.25	\$520.00	\$0.00	\$976.25	\$1,226.25
		\$1,081.00					\$8,649.75

June	Attendance	Admission Total	Concession Total	Total Lessons	Pool Party	Water aerobics	Total Deposit	Total Day
06/01/2024	99	\$205.00	\$286.25	\$0.00	\$150.00		\$713.05	\$1,296.25
06/02/2024	66	\$86.00	\$107.50	\$275.00	\$0.00		\$419.00	\$718.50
06/03/2024	65	\$95.00	\$97.55	\$80.00	\$225.00		\$986.05	\$992.55
06/04/2024	134	\$199.00	\$223.00	\$40.00	\$0.00		\$808.75	\$1,002.00
06/05/2024	178	\$369.25	\$244.45	\$65.00	\$0.00		\$956.95	\$1,073.70
06/06/2024	165	\$280.00	\$263.40	\$40.00	\$0.00		474.15	\$808.40
06/07/2024	154	\$288.00	\$302.75	\$0.00	\$0.00	\$30.00	\$772.75	\$1,190.75
06/08/2024	71	\$163.00	\$87.90	\$0.00	\$0.00		\$311.40	\$314.90
06/09/2024	112	\$224.00	\$188.00	\$0.00	\$0.00		\$333.25	\$677.00
06/10/2024	150	\$193.00	\$243.50	\$80.00	\$0.00		\$579.50	\$616.50
06/11/2024	146	\$152.00	\$240.25	\$80.00	\$0.00	\$18.00	\$453.25	\$540.25
06/12/2024	89	\$62.00	\$134.30	\$0.00	\$0.00		\$163.55	\$206.30
06/13/2024	161	\$324.00	\$268.42	\$40.00	\$0.00	\$42.00	\$591.17	\$674.42
06/14/2024	128	\$225.75	\$228.90	\$40.00	\$0.00		\$409.65	\$519.65
06/15/2024	46	49	\$105.50	\$240.00	\$0.00		\$348.75	394.50
06/16/2024	72	\$160.25	\$90.50	\$0.00	\$0.00		\$406.50	\$465.75
06/17/2024	111	\$98.00	164.95	\$210.00	\$0.00		\$506.20	\$537.95
06/18/2024	128	\$230.00	\$196.55	\$30.00	\$0.00		\$383.05	\$606.55
06/19/2024	0							
06/20/2024	135	\$165.25	\$159.20	\$280.00	\$0.00	\$36.00	\$616.70	\$640.45
06/21/2024	135	\$172.50	\$169.35	\$40.00	\$150.00		588.85	\$656.85
06/22/2024	105	\$287.00	\$134.25	\$0.00	\$150.00		\$458.00	\$571.25
06/23/2024	109	\$205.50	\$147.15	\$80.00	\$0.00		\$394.90	\$432.65
06/24/2024	165	\$271.00	\$294.07	\$60.00	\$150.00		\$575.57	\$670.07
06/25/2024	135	\$224.50	\$309.50	\$0.00	\$0.00	\$126.00	\$522.00	\$660.80
06/26/2024	96	\$137.00	\$151.36	\$0.00	\$0.00		\$284.36	\$298.36
06/27/2024	156	\$264.50	\$208.95	\$40.00	\$0.00	\$12.00	\$442.20	\$705.45
06/28/2024	77	\$104.50	\$76.60	\$80.00	\$0.00		\$223.85	\$321.10
06/29/2024	49	\$119.50	\$56.21	\$0.00	\$0.00		\$149.96	\$175.71
06/30/2024	52	\$70.00	\$111.20	\$0.00	\$0.00		\$172.20	\$194.20
		\$5,767.50						\$17,962.81

Green the total doesn't add up on the deposit sheet correctly and wasn't changed.

Yellow are changes made on this sheet from original enter to the information that appears on the deposit slips.

July	Attendance	Admission Total	Concession Total	Total Lessons	Pool Party	Water Aerobics	Total Deposit	Total Day
07/01/2024	50	\$55.00	\$76.75	\$210.00	\$0.00		\$337.00	\$341.75
07/02/2024	104	\$128.00	\$172.80	\$65.00	\$0.00		\$321.80	\$365.80
07/03/2024	74	\$137.00	\$82.80	\$80.00	\$0.00		\$201.55	\$299.80
07/04/2024	83	\$0.00	\$119.05				\$91.05	\$119.05
07/05/2024	109	\$227.50	\$169.65				\$304.60	\$397.15
07/06/2024	109	\$214.50	\$150.90	\$0.00	\$0.00		\$289.90	\$365.40
07/07/2024	46	\$69.00	\$45.85	\$0.00	\$0.00		\$86.10	\$114.85
07/08/2024	114	\$102.00	\$158.00	\$390.00	\$0.00	\$15.00	\$460.00	\$665.00
07/09/2024	125	\$185.00	\$219.00	\$0.00	\$0.00	\$24.00	\$339.25	\$428.00
07/10/2024	164	\$215.50	\$229.50	\$0.00	\$75.00		\$469.50	\$520.00
07/11/2024	128	\$184.00	\$201.05	\$150.00	\$0.00	\$21.00	\$404.30	\$621.05
07/12/2024	123	\$189.50	\$223.71	\$0.00	\$225.00		\$269.21	\$638.21
07/13/2024	53	\$71.00	\$65.80	\$0.00	\$263.00		\$136.80	\$417.80
07/14/2024	171	\$358.50	\$274.60	\$0.00	\$225.00		\$520.10	\$858.10
07/15/2024	137	\$177.00	\$170.25	\$0.00	\$150.00	\$27.00	\$332.50	\$524.25
07/16/2024	70	\$157.00	\$103.35	\$0.00	\$0.00	\$15.00	\$157.35	\$275.35
07/17/2024	95	\$111.50	\$109.80	\$0.00	\$0.00		\$244.80	\$261.30
07/18/2024	131	\$219.00	\$153.00	\$0.00	\$0.00		\$281.75	\$387.00
07/19/2024	114	\$243.50	\$151.50	\$0.00	\$0.00		\$285.75	\$395.00
07/20/2024	0	\$0.00			\$225.00			\$225.00
07/21/2024	80	\$206.00	\$114.75	\$0.00	\$245.00		\$504.50	\$565.75
07/22/2024	136	\$198.00	\$165.05	\$195.00	\$0.00	\$36.00	\$536.55	\$594.05
07/23/2024	90	\$151.50	\$134.76	\$0.00	\$0.00	\$42.00	\$264.01	\$328.26
07/24/2024	116	\$170.50	\$268.10	\$0.00	\$119.30		\$423.65	\$557.90
07/25/2024	131	\$190.50	\$167.75	\$0.00	\$0.00	\$21.00	\$286.25	\$379.25
07/26/2024	118	\$187.50	\$150.75	\$0.00	\$125.00		\$264.00	\$463.25
07/27/2024	55	\$113.50	\$107.50	\$0.00	\$0.00		\$197.00	\$221.00
07/28/2024	52	\$127.00	\$75.00	\$0.00	\$0.00		\$144.00	\$202.00
07/29/2024	132	\$236.50	\$172.30	\$0.00	\$0.00	\$18.00	\$366.30	\$425.05
07/30/2024	105	\$196.00	\$107.83	\$0.00	\$0.00	\$21.00	\$241.28	\$324.83
07/31/2024	86	\$185.50	\$96.90	\$0.00	\$0.00		\$235.40	\$282.40
		\$5,007.00						\$12,563.60

Green the total doesn't add up on the deposit sheet correctly and wasn't changed.

Yellow are changes made on this sheet from original enter to the information that appears on the deposit slips.

August	Attendance	Admission Total	Concession Total	Total Lessons	Pool Party	Water aerobics	Total Deposit	Total Day
08/01/2024	110	\$147.50	\$198.30	\$0.00	\$0.00	\$27.00	\$325.05	\$372.80
08/02/2024	100	\$174.00	\$123.85	\$0.00	\$225.00		\$437.10	\$522.85
08/03/2024	100	\$210.00	\$187.90	\$0.00	\$0.00		\$330.85	\$397.90
08/04/2024	74	\$124.00	\$109.35	\$0.00	\$225.00		\$209.35	\$233.35
08/05/2024	156	\$194.50	\$228.31	\$0.00	\$0.00		\$398.56	\$422.81
08/06/2024	106	\$146.00	\$152.90	\$0.00	\$0.00		\$213.30	\$298.90
08/07/2024	120	\$196.50	\$160.20	\$0.00	\$0.00		\$325.45	\$356.70
08/08/2024		\$23.00	\$28.95	\$0.00	\$0.00		\$39.95	\$51.95
08/09/2024	12	\$6.00	\$24.50	\$0.00	\$0.00		\$24.50	\$30.50
08/10/2024	34	\$45.50	\$37.65	\$0.00	\$0.00		\$73.15	\$83.15
		\$1,267.00						\$2,770.91

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;