



# City of VALLEY FALLS

Incorporated May 17, 1869

◇ Attachment

## City Council Agenda

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

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

November 2, 2022 6:30 PM  
Regular Meeting

### CALL TO ORDER

### PLEDGE OF ALLEGIANCE

### ROLL CALL - City Council and Staff

### MINUTES - Regular Meeting of October 19, 2022 ◇

### INVOICES - \$53,536.71 ◇

### PUBLIC HEARING - Vacation of Alley (Lederer Petition)

### PUBLIC HEARING - Vacation of Alley (Schmelzle Petition)

### PUBLIC COMMENTS & GUESTS:

#### *Public Comment Policy* ◇

### BUSINESS ITEMS:

1. Economic Development Board
2. Demolition Assistance Program
3. Brady Giglio Policy
4. 709 Frazier - Sewer Service Repair

### TABLED ITEMS:

Alley Behind Post Office

Shipping Container Ordinance

### REPORTS:

CITY ADMINISTRATOR: Audree Guzman ◇

PUBLIC WORKS: Bill McCoy ◇

POLICE: Carrie Clark

MAYOR: Jeanette Shipley

FIRE DISTRICT: Salih Doughramaji

ECONOMIC DEVELOPMENT BOARD: Audree Guzman

PLANNING & ZONING COMMISSION: Audree Guzman

CITY COUNCIL COMMENTS/ FEEDBACK/ IDEAS

### ANNOUNCEMENTS/ COMMUNICATIONS:

City Offices closed November 11<sup>th</sup> in observance of Veterans Day.

City Offices closed November 24<sup>th</sup> and 25<sup>th</sup> in observance of Thanksgiving.

Hometown Christmas - November 26<sup>th</sup> 11 AM to 4 PM

### EXECUTIVE SESSION ◇

### ADJOURNMENT

## CITY OF VALLEY FALLS

October 19, 2022

### Open Meeting

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

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

Others present: Dianne Heinen

#### **Minutes:**

The minutes from the October 5, 2022, meeting was presented.

Salih moved to approve the minutes. Judy seconded the motion. Motion carried 4-0.

#### **Vouchers:**

The October 19, 2022, vouchers were presented. Salih moved to approve vouchers totaling \$20,598.70. Jennifer seconded the motion. Motion carried 5-0.

#### **Public Comments & Guests:**

Dianne Heinen thanked Public Works employees for fixing the hole on Mulberry by the catholic church.

#### **BUSINESS ITEMS:**

1. Street Closure for Grasshopper Falls Day – Road Closures – 300 and 400 block of Broadway would be closed from 10-2 on October 29th.

Salih moved to approve the closure. Jennifer seconded the motion. Motion carried 5-0.

2. Grasshopper Falls Day Resolution for Alcohol Consumption on Blocked Streets – the mayor read the resolution.

Salih moved to approve the resolution. Matt seconded the motion. Motion carried 5-0.

3. PEC Work Order – Platting of Barnes Addition – It cost \$9,000.00 to plat the Barnes Addition. Gary moved to approve the expense. Matt seconded the motion. Motion carried 5-0.

4. 2023 CDBG Grant Admin Brett Waggoner – \$8,950.00 – Audree advised of the need for the expense. Gary moved to approve the fee. Jennifer seconded the motion. Motion carried 5-0.

5. Business Code Regulations – Audree and Leonard discussed the need for clarity on violations for businesses. It was decided to discuss at the January, 2023 work session.

6. Police Dept Racial and Other Biased Policy – Chief Clark spoke about the need for the policy. Gary moved to approve the policy. Jennifer seconded the motion. Motion carried 5-0.

7. Wayfinding Signs – Audree will make a map and potential signs to be placed around town.

8. Council Retreat – November 9th – Audree recommended a City Council mini retreat for November 9<sup>th</sup>. Council suggested moving it to February 8, 2023.

**Table Items:**

1. Alley Behind Post Office.
2. Shipping Containers will be on the agenda for November 10<sup>th</sup> Zoning Commission.

**City Administrator:**

**Projects**

1. **CDBG Sewer Project Phase 1**- Design and Environmental in progress. Meeting for final designs on 09/2/2022. Bids anticipated for early fall 2022. Construction anticipated in 2023.
2. **CDBG Sewer Project Phase 2** –Project will be postponed to 2024.
3. **American Rescue Plan Act (ARPA)** – Projects completed to date include: gWorks Software, RV Park Electrical Upgrade. Funds used to date: \$23,851.40. Projects pending to date include: K-16 Entry Signs. Funds planned for projects: \$7,000. Remaining Funds: \$145,106.96.
4. **USDOT Safety Action Plan Grant** – Applied for the KDOT Cost Share Portion. Application submitted on 9/12/2022.
5. **Hazard Mitigation Grant** – Applied for the BRIC Hazard Mitigation grant. Intent to use for the river in-take water system engineering Phase 1. Letter of Intent submitted on 09/12/2022.
6. **Opioid Settlement** – We received a first disbursement of \$283.10. The Attorney General’s office does not know when rest of funds will be disbursed. Anticipated \$5/ Capita. 25% of Settlement shared 50/50 with cities and counties. Other 75% will be used for grants. This first round of payouts on the settlement will allow partnerships with other local entities.
7. **HEAL Grant** Working with owners of 419 Broadway and 426 Broadway to submit application for HEAL Grant. Applications due by October 31st. \$75,000 max for building, \$25,000 max for façade. 1:1 Match.
8. **K-4 / K-16 Street Lights** – Estimate received from PEC. Around \$30,000 to add lighting. KDOT is going to perform a safety study. If warranted by KDOT, the light cost will be covered by KDOT. Safety study is anticipated to be completed in Spring 2023.
9. **Entry/ Welcome Signs** – Coordinating with KDOT and USACE to help Community Foundation with project.
10. **Hurst Water Tower** – Installed valve. Spoke with Viking Project Manager and work is anticipated to start by the end of this week.
11. **Tucking Lot** – working on hauling in dirt and leveling out lot.
12. **Fire Hydrant Testing** - KRWA will be flow testing all our fire hydrants after water tower work is complete. This service is free.
13. **Automatic Water Meters** – 255 meters installed to date. Total of 493 water meters.

**Working / In Progress**

- 1. Employee Evaluations** Employee Evaluations have been sent out and are due back by October 31st. Evaluations will be presented to city council on November 16th.
- 2. KDHE Lead & Copper** Attended the KDHE Lead & Copper Rule Meeting on October 3. Lead & Copper Inventory due to KDHE by October 16, 2024.
- 3. Vision Insurance** Reached out to 4 companies for quotes on vision insurance. Have received two quotes so far.
- 4. Barnes Addition Plot** Worked with PEC to get estimate for plotting of Phase 2 Barnes Addition.
- 5. Pool Survey** Kramer LLC is currently working on the survey for the pool.
- 6. Snow Route** Snow route signs are order and have been delivered. Will get post to hang additional signs on new routes.
- 7. Economic Development Board** – Will meet again on October 19th. Business Social was held on September 28th at the Valley Fire & EMS.
- 8. Planning Commission** – Working on developing a Comprehensive Plan. KU can help draft. Required to have by Statute. City does not currently have a plan.
- 9. 204 Walnut St Condemnation** Spoke with Grant Lassiter on August 19th. He will continue to work on demolishing the trailer in the fall with the cooler weather.
- 10. 207 Sycamore St Condemnation** No progress.

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

**Water:**

Have been fixing several leaks around town the ground is so dry it is shrinking causing the leaks. Put in 6 water meters.

Winterized the 4H fair grounds.

Winterized the park we can turn it back on for Halloween if needed.

Will be getting the valve at the park installed on the 26th then we can replace the leaky fire hydrant

**Sewers:**

Ace pipe cleaning came to try to clean the outfall for the lagoon but was not able to with the equipment that they had but are going to come back with different equipment to get the line cleared so we can install the valve.

Had a meeting with a vendor about purchasing manhole risers (larger ones) and covers but I need to see what parts might be available from phase one of the sewer project.

Received my certificate for sewer certification.

I attended a class in Topeka on the lead and copper rule revisions (there may be help available to identify the water main system types.

**Streets / Parks:**

Mowing is about done we still will be mulching leaves at the park and doing other mowing on a as needed basis.

Awaiting the dump truck to continue the work at the tucking lot and the river boat ramp.

**Mayor:** Nothing to report.

**Fire District:** No Report.

**Economic Development Board:** No Report

**Planning & Zoning Commission:** No Report

**City Council Comments:**

None

**EXECUTIVE SESSION ◊**

Gary moves 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: the City Administrator and City Attorney. The open meeting will resume in the city council room at 7:25 PM. Salih seconded the motion. Motion carried 5-0.

No Action Taken

**ADJOURNMENT**

Jennifer made a motion to adjourn the meeting. Judy seconded the motion. Motion carried 5-0.

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

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



City of  
**VALLEY FALLS**

*Incorporated May 17, 1869*

COUNCIL MEETING DATE: November 2, 2022

INVOICES IN THE TOTAL AMOUNT OF: \$53, 536.71

APPROVED:

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

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

STATE OF KANSAS

COUNTY OF JEFFERSON

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

Approved by:

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

Subscribed and sworn to before me this \_\_\_\_\_ day of November, 2022

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

ACCOUNTS PAYABLE REPORT

| VENDOR NAME<br>DEPARTMENT               | LINE                     | INVOICE NUMBER | REFERENCE                    | PAYMENT<br>AMOUNT |
|-----------------------------------------|--------------------------|----------------|------------------------------|-------------------|
| CORE & MAIN<br>WATER                    | COMMODITIES              | R640537        | Water Line Tapper            | 318.43            |
| ***** VENDOR TOTAL *****                |                          |                |                              | 318.43            |
| DMC WEAR PARTS LLC<br>STREET            | VEHICLE MAINTENANCE/FUEL | 3308           | Plow Blades                  | 1,741.00          |
| ***** VENDOR TOTAL *****                |                          |                |                              | 1,741.00          |
| GIANT COMMUNICATIONS<br>ADMINISTRATION  | UTILITIES AND PHONE      | 11012022       | Phone                        | 77.33             |
| POLICE                                  | UTILITIES AND PHONE      | 11012022       | Phone                        | 77.33             |
| WATER                                   | UTILITIES AND PHONE      | 11012022       | Phone                        | 77.33             |
| SEWER                                   | UTILITIES AND PHONE      | 11012022       | Phone                        | 77.36             |
| ***** VENDOR TOTAL *****                |                          |                |                              | 309.35            |
| GRAINGER<br>STREET                      | COMMODITIES              | 9483216447     | Post for Snow Route Signs    | 1,069.00          |
| ***** VENDOR TOTAL *****                |                          |                |                              | 1,069.00          |
| GWORKS<br>WATER                         | CONTRACTUAL              | 2019-14954     | GWorks Annual Fee            | 5,385.00          |
| SEWER                                   | CONTRACTUAL              | 2019-14954     | GWorks Annual Fee            | 5,385.00          |
| ***** VENDOR TOTAL *****                |                          |                |                              | 10,770.00         |
| HAWKINS<br>WATER                        | COMMODITIES              | 6269942        | Chemicals for water plant    | 4,750.79          |
| WATER                                   | COMMODITIES              | 6313535        | Chlorine Cylinders           | 40.00             |
| WATER                                   | COMMODITIES              | 6316785        | Chemicals for water plant    | 4,184.24          |
| ***** VENDOR TOTAL *****                |                          |                |                              | 8,975.03          |
| JIMMY'S STUMP REMOVAL<br>ADMINISTRATION | CONTRACT LABOR           | 10282022       | Code Enforcement             | 180.00            |
| ***** VENDOR TOTAL *****                |                          |                |                              | 180.00            |
| KHP<br>POLICE                           | CONTRACTUAL              | 10312022       | VIN Inspections              | 42.00             |
| ***** VENDOR TOTAL *****                |                          |                |                              | 42.00             |
| LEONARD L. BUDDENBOHM<br>ADMINISTRATION | CONTRACT LABOR           | 10262022       | City Attney Charges          | 1,000.00          |
| ***** VENDOR TOTAL *****                |                          |                |                              | 1,000.00          |
| LKM<br>ADMINISTRATION                   | TRAINING/CONFERENCES     | 5184           | Legislative Dinner - Merriam | 22.00             |
| ADMINISTRATION                          | TRAINING/CONFERENCES     | 5208           | KACM Fall Conference         | 200.00            |

ACCOUNTS PAYABLE REPORT

10/20/2022 THRU 11/02/2022

| VENDOR NAME<br>DEPARTMENT                   | LINE                     | INVOICE NUMBER | REFERENCE                    | PAYMENT<br>AMOUNT |
|---------------------------------------------|--------------------------|----------------|------------------------------|-------------------|
| LKM<br>ADMINISTRATION                       | TRAINING/CONFERENCES     | 5274           | Legislative Dinner - Baldwin | 18.00             |
| ***** VENDOR TOTAL *****                    |                          |                |                              | 240.00            |
| MARK'S SONS LLC<br>POLICE                   | VEHICLE MAINTENANCE/FUEL | 10042022       | Brake Repair - Charger       | 176.58            |
| ***** VENDOR TOTAL *****                    |                          |                |                              | 176.58            |
| MID STATES MATERIALS LLC<br>STREET          | COMMODITIES              | 121461         | Gravel                       | 746.31            |
| ***** VENDOR TOTAL *****                    |                          |                |                              | 746.31            |
| MIDWEST OFFICE TECHNOLOGY<br>ADMINISTRATION | CONTRACTUAL              | 334614         | Printing                     | 77.34             |
| ***** VENDOR TOTAL *****                    |                          |                |                              | 77.34             |
| PEC<br>SEWER                                | GRANTS & DONATIONS       | 528269         | Phase 1 Sewer                | 5,305.00          |
| SEWER                                       | GRANTS & DONATIONS       | 528270         | Sewer Phase 2 PER            | 135.00            |
| ***** VENDOR TOTAL *****                    |                          |                |                              | 5,440.00          |
| PETRO VALLEY FALLS<br>POLICE                | VEHICLE MAINTENANCE/FUEL | 10172022       | FUEL                         | 259.97            |
| STREET                                      | VEHICLE MAINTENANCE/FUEL | 10172022       | FUEL                         | .01               |
| PARKS                                       | VEHICLE MAINTENANCE/FUEL | 10172022       | FUEL                         | 135.77            |
| WATER                                       | VEHICLE MAINTENANCE/FUEL | 10172022       | FUEL                         | .01               |
| SEWER                                       | VEHICLE MAINTENANCE/FUEL | 10172022       | FUEL                         | .01               |
| ***** VENDOR TOTAL *****                    |                          |                |                              | 395.77            |
| SCHULTE SUPPLY<br>WATER                     | COMMODITIES              | 1191578        | EZ Valve for Hydrant at Park | 6,227.10          |
| WATER                                       | COMMODITIES              | 1192225        | 4in lock and wedge           | 253.27            |
| ***** VENDOR TOTAL *****                    |                          |                |                              | 6,480.37          |
| SOUTHERN BREEZE REPAIR<br>STREET            | VEHICLE MAINTENANCE/FUEL | 791            | Dump Truck Repairs           | 2,208.51          |
| WATER                                       | VEHICLE MAINTENANCE/FUEL | 791            | Dump Truck Repairs           | 2,208.51          |
| SEWER                                       | VEHICLE MAINTENANCE/FUEL | 791            | Dump Truck Repairs           | 2,208.51          |
| ***** VENDOR TOTAL *****                    |                          |                |                              | 6,625.53          |
| WESTERN CONSULTANTS<br>STREET               | GRANTS & DONATIONS       | 10202022       | CDBG Sidewalks Grant Writing | 8,950.00          |

**ACCOUNTS PAYABLE REPORT**

| VENDOR NAME<br>DEPARTMENT | LINE | INVOICE NUMBER | REFERENCE | PAYMENT<br>AMOUNT |
|---------------------------|------|----------------|-----------|-------------------|
| WESTERN CONSULTANTS       |      |                |           |                   |
| ***** VENDOR TOTAL *****  |      |                |           | -----<br>8,950.00 |
| ***** REPORT TOTAL *****  |      |                |           | =====             |
|                           |      |                |           | 53,536.71         |

| DEPARTMENT        | INV | PAYMENTS  |
|-------------------|-----|-----------|
| -----             | --- | -----     |
| ADMINISTRATION    | 7   | 1,574.67  |
| POLICE            | 4   | 555.88    |
| STREET            | 6   | 14,714.83 |
| PARKS             | 1   | 135.77    |
| WATER             | 10  | 23,444.68 |
| SEWER             | 6   | 13,110.88 |
| -----             | --- | -----     |
| DEPARTMENT TOTALS | 34  | 53,536.71 |



*City of*  
**VALLEY FALLS**

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*Incorporated May 17, 1869*

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## **PUBLIC COMMENT POLICY**

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

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

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

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

**CITY OF SENECA**  
**STRUCTURE DEMOLITION ASSISTANCE PROGRAM**

The Mayor and the City Council of the City of Seneca have determined that the following incentive program is in the best interests of the health, safety, and welfare of Seneca citizens. To encourage the removal of dilapidated structures in this community, the City of Seneca will assist with a portion of demolition costs for eligible structures within the City, subject to the conditions set forth herein.

This program shall be applicable to residential and commercial structures located within the corporate limits of the City of Seneca. The term dilapidated shall mean any condition characterized by, but not limited to holes, breaks, rot, decay, crumbling, cracking, peeling or flaking paint, rusting, or other evidence of physical damage, neglect, lack of maintenance, excessive use or weathering. The operation of this program is contingent upon the City Council appropriating sufficient funds in the Annual Budget to support this program. Total budget funds appropriated to the program may vary from year to year. The program funding cycle begins January 1 and ends December 31 of each year.

The City may participate in the Structure Demolition Assistance Program as set forth below, and the property owner may apply for a fifty percent (50%) reimbursement, with a maximum reimbursement from the City of \$5000 per person per year. This program is reimbursement based; the property owner shall be responsible for payment of all the cost of structure demolition and removal.

Expenses eligible for reimbursement include structure demolition, structure removal, and the removal of vegetation done in conjunction with the demolition of a structure. Expenses not eligible for reimbursement include activities subsequent to structure removal such as reseeding, new landscaping, and site preparation for new construction.

The demolition of a dilapidated structure may be initiated either upon the property owner's filing of a written request for City assistance in the Office of the City Clerk or at the request of the city Code Enforcement Officer. If the City initiates the process by sending written notification to the property owner of the requirement to demolish a dilapidated or dangerous structure, the written letter will also inform the property owner of the availability of this Structure Demolition Assistance Program.

Applications for this program may be obtained from the Office of the City Clerk at City Hall. The timetable and process for this program will be substantially as follows:

1. The property owner must file a Structure Demolition Assistance application with the City Clerk. Application forms may be obtained from the Office of the City Clerk. Completed applications should be submitted to the City Clerk and must include:
  - a) Completed application for Demolition Permit
  - b) Completed application for Structure Demolition Assistance
  - c) Two (2) bids for the removal of the structure by reputable contractors
  
2. Within ten (10) days after receiving a completed application for assistance, the city Code Enforcement Officer or his/her designated representative shall inspect the structure identified for demolition. Within this same time period, the city Code Enforcement Officer will determine if the application is approved or not approved and inform the applicant of the application status. If the application **is not approved**, the Code Enforcement Officer will explain the rejection.

3. City assistance shall be on a first come, first-served basis. If applications exceed funding, priority shall be given to structures posing an imminent danger and to those in the worst condition as determined by the Code Enforcement Officer.
4. A contractor hired by the property owner shall perform the demolition, subject to normal City demolition permit requirements. If the work is not completed within sixty (60) days of the Code Enforcement Officer's approval of the application, the application shall be voided, and any request for funding would be considered a new application
5. Within thirty (30) days of structure demolition and removal, the property owner shall submit to the City Clerk receipts showing payment for work performed particular to the location and the work done. If the contractor performs work on-site beyond structure demolition and removal, the invoice must be itemized.
6. The City shall determine whether a property owner is eligible for reimbursement and the extent of reimbursement. Eligibility will be determined according to the following guidelines:
  - (a) The City Office and any other party providing utility service to the structure must be contacted prior to beginning of the demolition of the structure.
  - (b) The lot must be leveled and seeded back to grass or prepared for new construction. Weeds and overgrown vegetation must be removed.
7. After the City determines the extent, if any, to which the property owner is eligible for reimbursement, the City Clerk will prepare reimbursement, subject to council approval of claims as is customary.

The City will not perform any of the following actions:

1. demolition of the structure
2. removal of vegetation
3. grading of land
4. seeding of grass
5. recommendation of any particular contractor

# Structure Demolition Assistance Program

City of Seneca  
531 Main Street ~ Seneca, KS 66538



## Applicant Information

Name \_\_\_\_\_  
Address \_\_\_\_\_  
City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_  
Phone \_\_\_\_\_  
Email \_\_\_\_\_

## Property/Structure Information

Address \_\_\_\_\_  
Legal description \_\_\_\_\_  
Description \_\_\_\_\_

## Demolition Plans

Est. begin date \_\_\_\_\_ Est. completion date \_\_\_\_\_  
Materials disposal site \_\_\_\_\_  
Intended use of property after demolition \_\_\_\_\_  
\_\_\_\_\_

Please verify that the following documents are attached:

- Demolition Permit Application
- Two (2) bids for demolition & removal
- Aerial photo with structure identified for demolition marked

\_\_\_\_\_  
Applicant Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Received by (city representative)

\_\_\_\_\_  
Date

\*\*\*\*\*

Code Enforcement Officer decision:

- Approved
- Not Approved / Explanation of Denial:

Other Notes

\_\_\_\_\_  
Code Enforcement Officer Signature

\_\_\_\_\_  
Date

# Valley Falls Police Department

## *Brady/Giglio Policy*

Consistent with these constitutional directives, the Valley Falls Police Department introduces the following *Brady/Giglio* Policy. This policy addresses only the gathering and disclosing of *Brady/Giglio* information-not the use or admissibility of any disclosed *Brady/Giglio* information at a defendant's trial.

- I. Gathering *Brady/Giglio* Information. Any investigating officer who possesses or knows of *Brady/Giglio* information must promptly provide that information to the District Attorney's Office.
  - A. Exculpatory *Brady* information includes any information that tends to show the accused's innocence or mitigates the accused's punishment. Examples include:
    - Any information
      - linking another to the accused's charged crime
      - supporting any legal defense available to the accused
      - showing a witness' failure to positively identify the accused during any identification procedure
    - prior inconsistent or exculpatory statements made by a prosecution witness
  - B. Impeaching *Giglio* information includes any information that tends to discredit a prosecution witness or investigator.
    - a. *Giglio* material generally includes any information that shows:
      - poor character or reputation for truthfulness
      - a conviction or juvenile adjudication for either (i) any felony or (ii) any misdemeanor involving dishonesty or false statement
      - specific instances of dishonesty (other than any conviction or juvenile adjudication)
      - a mental or physical defect that would have reduced the witness's or investigator's ability to perceive or remember events correctly
      - a poor opportunity to observe the events about which the witness's or investigator's testimony relates
      - drug or alcohol use at or near the time of the events about which the witness's or investigator's testimony relates
      - a prior statement that contradicts the witness's or investigator's expected testimony
      - any (i) bias for or against a group or individual; (ii) interest or financial stake in the outcome of the accused's prosecution-like actual or potential exposure to criminal penalties, leniency/plea agreement, payments, immigration benefits, etc. or (iii) other motive to testify falsely

- b. Additionally, as to an investigator specifically, *Giglio* material includes any:
- pending criminal charge or conviction
  - pending investigation concerning an allegation of misconduct bearing on an investigator's truthfulness, bias, or integrity
  - information that suggests the investigator is biased for or against the accused
  - any official agency or judicial finding may under a preponderance of the evidence standard that an investigator:
    - lacks his or her purported education or qualifications
    - has filed a false report or submitted a false certification in any professional or personal matter
    - was untruthful or demonstrated a lack of candor
    - intentionally mishandled or destroyed evidence
    - is biased against a particular class of people, for example, based on a person's gender, gender identity, race, or ethnic group

II. Disclosing Brady/Giglio Information. The Valley Falls Police Department will review the provided information with the Jefferson County District Attorney's Office.



## Farmer Excavating Inc.

15440 94<sup>th</sup> Street  
Oskaloosa, KS 66066  
785.863.2404

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October 28, 2022

City of Valley Falls  
Bill McCoy

Estimate for City of Valley Falls – Sanitary Sewer Service(s) @ 709 Frazier Street

- Excavate and expose existing sewer main and services. Haul off spoils to city shop for storage.
- Tap, repair, and connect services for home @ 709 Frazier and home @ 708 Elm to existing clay tile main.
- Haul in clean gravel for backfill in trench. Load and haul in dirt in storage at city shop for remaining backfill to grade.
- City responsible for top dressing alley with gravel. Any settlement post excavation is the responsibility of the city of Valley Falls to repair as needed.

Total = \$16,500.00

The following notes accompany this proposal:

- 1) No bond included.
- 2) State & local taxes not included if required.
- 3) No permits/fees included.
- 4) No utility relocating included.

If you have any questions regarding this estimate, please contact Chance Gier at 785-224-8655 or [chance@farmerexc.com](mailto:chance@farmerexc.com).

Eric Farmer  
Farmer Excavating, Inc.  
785-224-1791  
[eric@farmerexc.com](mailto:eric@farmerexc.com)



City of  
**VALLEY FALLS**

*Incorporated May 17, 1854*

**City Administrator Report  
City Council November 2, 2022**

## Projects

1. **CDBG Sewer Project Phase 1** - Design and Environmental in progress. Designs being sent to KDHE next week. Construction anticipated in 2023.
2. **CDBG Sewer Project Phase 2** - Project postponed until 2024.
3. **American Rescue Plan Act (ARPA)** - Projects completed to date include: gWorks Software, RV Park Electrical Upgrade. Funds used to date: \$23,851.40. Projects pending to date include: K-16 Entry Signs. Funds planned for projects: \$7,000. Remaining Funds: \$145,106.96.
4. **USDOT Safety Action Plan Grant** - Applied for the KDOT Cost Share Portion. Application submitted on 9/12/2022.
5. **Hazard Mitigation Grant** - Applied for the BRIC Hazard Mitigation grant. Intent to use for the river in-take water system engineering Phase 1. Letter of Intent submitted on 09/12/2022.
6. **Opioid Settlement** - We received a first disbursement of \$283.10. The Attorney General's office does not know when rest of funds will be disbursed. Anticipated \$5/ Capita. 25% of Settlement shared 50/50 with cities and counties. Other 75% will be used for grants. This first round of payouts on the settlement will allow partnerships with other local entities.
7. **HEAL Grant** Application submitted for 419 Broadway St.
8. **K-4 / K-16 Street Lights** - Estimate received from PEC. Around \$30,000 to add lighting. KDOT is going to perform a safety study. If warranted by KDOT, the light cost will be covered by KDOT. Safety study is anticipated to be completed in Spring 2023.
9. **Entry/ Welcome Signs** - Coordinating with KDOT and USACE to help Community Foundation with project.
10. **Hurst Water Tower** - Installed valve. Work has begun on Hurst Tower. Anticipated completion before Thanksgiving.
11. **KDHE Lead & Copper** Lead & Copper Inventory due to KDHE by October 16, 2024.
12. **Tucking Lot** - Set for discussion at work session.
13. **Fire Hydrant Testing** - KRWA will be flow testing all our fire hydrants after water tower work is complete. This service is free.
14. **Automatic Water Meters** - 255 meters installed to date. Total of 493 water meters.

## Working / In Progress

1. **Employee Evaluations** Employee Evaluations have been sent out and are due back by October 31<sup>st</sup>. Evaluations will be presented to city council on November 16<sup>th</sup>.
2. **Vision Insurance** Reached out to 4 companies for quotes on vision insurance. Have received two quotes so far.
3. **Barnes Addition Plot** Approved and sent to PEC to begin survey and plotting.
4. **Pool Survey** Kramer LLC is currently working on the survey for the pool.
5. **Snow Route** Snow route signs and post have been delivered. Working on installation.
6. **Economic Development Board** - Set for discussion at council.
7. **Planning Commission** - Working on developing a Comprehensive Plan. KU can help draft. Required to have by Statute. City does not currently have a plan.
8. **204 Walnut St Condemnation** Spoke with Grant Lassiter on August 19<sup>th</sup>. He will continue to work on demolishing the trailer in the fall with the cooler weather. Next update November 16<sup>th</sup>.
9. **207 Sycamore St Condemnation** No progress. Next update November 16<sup>th</sup>.
10. **419 Broadway St Condemnation** Submitted for HEAL Grant. Next progress update November 16<sup>th</sup>.

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**CITY OFFICE**

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

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# Financials

| Fund #               | Fund Name                  | Previous Balance      | Current Balance       |
|----------------------|----------------------------|-----------------------|-----------------------|
| 100                  | General Fund               | \$128,610.83          | \$121,977.71          |
| 160                  | Pool Reserve               | \$4,034.19            | \$4,034.19            |
| 200                  | Capital Improvement Fund   | \$161,114.52          | \$161,114.52          |
| 300                  | Special Hwy & Streets      | \$87,855.77           | \$95,324.34           |
| 400                  | Equipment Reserve          | \$3,781.71            | \$3,781.71            |
| 500                  | Bond & Interest            | \$104,408.16          | \$104,408.16          |
| 600                  | RHID                       | \$31,611.78           | \$31,611.78           |
| 720                  | Water                      | \$127,502.57          | \$134,222.59          |
| 721                  | Water Reserve              | \$0.00                | \$0.00                |
| 730                  | Sewer                      | \$260,083.83          | \$273,607.10          |
| 731                  | Sewer Reserve              | \$0.00                | \$0.00                |
| 740                  | Solid Waste                | \$55,878.87           | \$61,654.19           |
| 790                  | Insurance Reserve          | \$748.00              | \$748.00              |
| <b>Total</b>         |                            | <b>\$965,630.23</b>   | <b>\$992,484.29</b>   |
| CD #                 | Fund/ Fund Name            | Previous Balance      | Current Balance       |
| Bank 500             | Money Market (PBC)         | \$10,066.91           | \$10,606.93           |
| X0971                | Bond & Interest Fund (500) | \$153,500.00          | \$153,500.00          |
| X2279                | Sewer Fund (730)           | \$91,083.20           | \$91,083.20           |
| X1565                | Special Hwy Fund (300)     | \$0.00                | \$0.00                |
| X0503                | Water Fund (720)           | \$0.00                | \$0.00                |
| X0504                | Water Fund (720)           | \$0.00                | \$0.00                |
| X0535                | Water Fund (720)           | \$0.00                | \$0.00                |
| <b>Total</b>         |                            | <b>\$254,650.11</b>   | <b>\$255,190.13</b>   |
| <b>Total In Bank</b> |                            | <b>\$1,220,280.34</b> | <b>\$1,247,674.42</b> |

**VALLEY FALLS SANITARY SEWER REHABILITATION PHASE 1 PROBABLE CONSTRUCTION COSTS**

| <b>BASE BID</b>                            |                                           |          |      |              |                        |
|--------------------------------------------|-------------------------------------------|----------|------|--------------|------------------------|
| Item No.                                   | Description                               | Quantity | Unit | Unit Price   | Extension              |
| 1                                          | Mobilization                              | 1        | LS   | \$ 60,000.00 | \$ 60,000.00           |
| 2                                          | Sanitary Sewer Point Repair               | 64       | LF   | \$ 700.00    | \$ 44,800.00           |
| 3                                          | 8" Pipe Rehabilitation (CIPP Lining)      | 7,769    | LF   | \$ 60.00     | \$ 466,116.00          |
| 4                                          | 10" Pipe Rehabilitation (CIPP Lining)     | 1,458    | LF   | \$ 60.00     | \$ 87,504.00           |
| 5                                          | 16" Pipe Rehabilitation (CIPP Lining)     | 17       | LF   | \$ 80.00     | \$ 1,352.00            |
| 6                                          | Sanitary Sewer Heavy Cleaning             | 1,438    | LF   | \$ 2.50      | \$ 3,595.00            |
| 7                                          | Sewer Service Reconnection (CIPP)         | 224      | EA   | \$ 20.00     | \$ 4,480.00            |
| 8                                          | Locate, Raise, and Rehab Buried Manhole   | 45       | EA   | \$ 4,500.00  | \$ 202,500.00          |
| 9                                          | Manhole Replacement                       | 27       | EA   | \$ 7,000.00  | \$ 189,000.00          |
| 10                                         | Manhole Full Rehabilitation (0-6 feet)    | 32       | EA   | \$ 4,000.00  | \$ 128,000.00          |
| 11                                         | Manhole Full Rehabilitation Extra Depth   | 157      | VF   | \$ 450.00    | \$ 70,650.00           |
| 12                                         | Manhole Frame and Cover                   | 4        | EA   | \$ 500.00    | \$ 2,000.00            |
| 13                                         | Manhole Step Removal                      | 12       | EA   | \$ 150.00    | \$ 1,800.00            |
| 14                                         | Pre-Rehabilitation/Repair CCTV Inspection | 11,156   | LF   | \$ 1.50      | \$ 16,733.69           |
| 15                                         | Bypass Pumping                            | 1        | LS   | \$ 10,000.00 | \$ 10,000.00           |
| 16                                         | Additional CCTV Inspection and Cleaning   | 6,948    | LF   | \$ 1.40      | \$ 9,727.06            |
| 17                                         | Additional Manhole 3D Inspection          | 3        | EA   | \$ 150.00    | \$ 450.00              |
| 18                                         | Traffic Control                           | 1        | LS   | \$ 5,000.00  | \$ 5,000.00            |
| 19                                         | Construction Staking                      | 1        | LS   | \$ 2,000.00  | \$ 2,000.00            |
| 20                                         | Seed, Fertilize, and Mulch                | 1        | LS   | \$ 7,500.00  | \$ 7,500.00            |
| 21                                         | Erosion Control                           | 1        | LS   | \$ 3,000.00  | \$ 3,000.00            |
| Base Bid Total Probable Construction Costs |                                           |          |      |              | \$ 1,316,207.75        |
| Base Bid Construction Contingency (10%)    |                                           |          |      |              | \$ 131,620.77          |
| <b>Base Bid Total Construction Costs</b>   |                                           |          |      |              | <b>\$ 1,447,828.52</b> |

| <b>ADD ALTERNATE</b>                            |                                           |          |      |             |                      |
|-------------------------------------------------|-------------------------------------------|----------|------|-------------|----------------------|
| Item No.                                        | Description                               | Quantity | Unit | Unit Price  | Extension            |
| 1                                               | Sanitary Sewer Point Repair               | 43       | LF   | \$ 700.00   | \$ 30,100.00         |
| 2                                               | 8" Pipe Rehabilitation (CIPP Lining)      | 3,855    | LF   | \$ 60.00    | \$ 231,324.00        |
| 3                                               | Sanitary Sewer Heavy Cleaning             | 4,862    | LF   | \$ 2.50     | \$ 12,155.25         |
| 4                                               | Sewer Service Reconnection (CIPP)         | 74       | EA   | \$ 20.00    | \$ 1,480.00          |
| 5                                               | Manhole Full Rehabilitation (0-6 feet)    | 11       | EA   | \$ 4,000.00 | \$ 44,000.00         |
| 6                                               | Manhole Full Rehabilitation Extra Depth   | 42       | VF   | \$ 450.00   | \$ 18,801.00         |
| 7                                               | Manhole Frame and Cover                   | 1        | EA   | \$ 500.00   | \$ 500.00            |
| 8                                               | Pre-Rehabilitation/Repair CCTV Inspection | 4,439    | LF   | \$ 1.50     | \$ 6,659.05          |
| 9                                               | Bypass Pumping                            | 1        | LS   | \$ 7,500.00 | \$ 7,500.00          |
| 10                                              | Traffic Control                           | 1        | LS   | \$ 5,000.00 | \$ 5,000.00          |
| 11                                              | Construction Staking                      | 1        | LS   | \$ 3,000.00 | \$ 3,000.00          |
| 12                                              | Seed, Fertilize, and Mulch                | 1        | LS   | \$ 1,000.00 | \$ 1,000.00          |
| 13                                              | Erosion Control                           | 1        | LS   | \$ 5,000.00 | \$ 5,000.00          |
| Add Alternate Total Probable Construction Costs |                                           |          |      |             | \$ 366,519.30        |
| Add Alternate Construction Contingency (10%)    |                                           |          |      |             | \$ 36,651.93         |
| <b>Add Alternate Total Construction Costs</b>   |                                           |          |      |             | <b>\$ 403,171.23</b> |

| <b>BASE BID + ADD ALTERNATE</b>   |                        |
|-----------------------------------|------------------------|
| Total Probable Construction Costs | \$ 1,682,727.05        |
| Construction Contingency (10%)    | \$ 168,272.70          |
| <b>Total Construction Costs</b>   | <b>\$ 1,850,999.75</b> |



*City of*  
**VALLEY FALLS**

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*Incorporated May 17, 1869*

**Public Works Report**  
**November 2, 2022**

**Water:**

Have been fixing water leaks as fast as we can we have had over 10 water leaks so far this year and until we get more moisture in the ground, I am afraid they will continue to come due to the age of our water system and the makeup of our distribution system

Got the shut off valve for the Hydrant at the corner of Elm St and Broadway installed

Water main on Oak Street has at least 10 repair spots on it between 10<sup>th</sup> and 19<sup>th</sup> we may want to consider setting up a fund or looking into a subsidy program to replace at least part of the main on that street before we work on resurfacing the roadway itself

**Sewers:**

Got Ace pipe cleaning out to clear the outfall line at the lagoon the end of the line at the river is buried in silt and we are going to have to excavate it (by hand no access for equipment) to get proper flow from the lagoon.

We may also need to add more piping onto the existing pipe to help alleviate the issue from reoccurrence

**Streets:**

We have several locations that are in need of repairs due to digging them up for water leaks they will probably have to wait till spring be for we can fully repair them (put in asphalt)

**General:**

Took delivery of the palette forks and have already put them to use

Got the Plow bits on and ensured the operation of the plow will be ready once the snow starts to fly

Got the new computer system installed at the water plant and have also managed to add more functions to make things easier for us to get things done without having to do a lot of extra steps



*City of*  
**VALLEY FALLS**

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*Incorporated May 17, 1869*

**Police Department Report  
November 2, 2022**

- All patrol vehicle radars and tuning forks have been certified
- Brady Giglio Policy submitted
- Working on Rifle Policy
- Inventory of all service weapons and ammunition to start recording
- Attended Lions Club meeting
- Attended Rotary Club meeting
- Attended Grasshopper Fall Days
- VIN Inspection Training
- Halloween Classes at the Valley Falls Schools for classes Pre-K through 5<sup>th</sup> Grade. Candy and Trick-or-Treat Bags were handed out to the students.

## 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;