



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.

May 21, 2025, 6:30 PM
Regular Meeting

CALL TO ORDER
PLEDGE OF ALLEGIANCE
ROLL CALL - City Council and Staff

PUBLIC COMMENTS & GUESTS:
Public Comment Policy

CONSENT AGENDA:

1. Minutes - Regular Meeting of May 7, 2025
2. Administrator Report
3. Public Works Report
4. Police Department Report
5. Pool Report
6. Invoices & Financials
7. City Water Resources Update - Waiting on 4" Meter delivery.
8. Walking Trail -No Update

BUSINESS ITEMS:

1. Government Assistance Services - Sewer Phase II Project - Hearing
2. City Lake - Ordinance Approval
3. Lisa Abramovitz - A-Z Fireworks - Sales Approval

REPORTS:

Mayor
Fire District
City Council Comments/ Feedback/ Ideas

ANNOUNCEMENTS/ COMMUNICATIONS:

City Offices Closed - Memorial Day - May 26th, 2025

EXECUTIVE SESSION

ADJOURNMENT



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.



City of Valley Falls

Established 1854

CITY OF VALLEY FALLS

May 7th 2025

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, Jason Heinen, Bret Frakes

Staff members present: Wes Lanter (City Admin), Destiny Schrick (city clerk), Andrew Werring (City Attorney), Kenneth Maxwell (Public Works), Carrie Clark (Police Chief)

Guest present: Dianne Heinen

Consent Agenda

Kevin Loy made the motion, seconded by Brett Dallman 5-0 pass

Business Items

Government Assistance Services approval for Mayor to sign the contract for services, Jason Heinen made the motion, seconded by Kevin Loy 5-0 pass

Citizen water leak discussion. Adjust sewer consumption Brett Dallman made the motion, seconded by Kevin Loy 5-0 pass

Ordinance 12-201 City Lake tabled till next meeting

Sunset Haven RFP contract approval Bret Frakes made the motion, seconded by Dennis Tichenor 5-0 pass

Crack Sealing of city streets Brett Dallman made the motion, seconded by Jason Heinen 5-0 pass

RV park extension for 4 weeks Kevin Loy made the motion, seconded by Brett Dallman 5-0 pass

Resolution 2025-4 and 2025-5 Bret Frakes made the motion, seconded by Kevin Loy 5-0 pass

Executive Session

Attorney-Client Dennis Tichenor made the motion, seconded by Jason Heinen 5-0 pass. Open session will resume at 7:35pm. Open session resumed at 7:35pm, Kevin Loy made the motion to extend 10 mins seconded by Brett Dallman.

Open session will resume at 7:45pm. Open session resumed at 7:45pm. No action taken

Adjournment

Kevin Loy made the motion, seconded by Brett Dallman 5-0 pass. Meeting ended at 7:45pm

APPROVED: _____
Jeanette Shipley, Mayor

Attest: _____
Destiny Schrick, City Clerk



City of VALLEY FALLS

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City Administrator Report City Council May 21, 2025

Daily Operations:

- Assist Citizens with service payments & questions.
- Citizen Notification System—No Update.
- Working on grant documentation for grants currently in progress.
 - a. SS4A— Close-out process.
- Working on year-end procedures and the close-out process for 2024 financials.
 - a. I will start submitting Audit Documentation once 2024 is closed out. This has been delayed due to the gWorks transition.
- gWorks—We went live on the gWorks hub on January 23rd. However, we are still working through some issues with the system.
 - a. I am still working on the 2024 Financials and Budget so that I can begin submitting audit documentation. The programming team is working to resolve this issue.
 - b. We are having issues printing out the budget reports. They are showing in the system, but I am unable to print them. The programming team is working to resolve this issue.
 - c. The Treasurer's report does not show our Water, Sewer & Solid Waste Fund revenue. The programming team is working to resolve this issue.
- Work Comp Audit – I will complete the work comp audit as soon as gWorks has updated our 2024 data.
- Sewer Phase 2—All Paperwork has been submitted, and the Hearing Notice was published in the paper.
- Attended the VFHA Meeting, the board voted to approve the KHRC contract. John Sherretts signed the agreement as board Chair. VFHA, KHRC, and THA will work together to ensure a smooth transition.
- Spring Line—The 4" Meter has been ordered, and we are awaiting delivery.
- I met with PEC on the SS4A Grant Opportunities. During this meeting, we also examined Oak and Francis Streets, as well as the K16 and Oak Cross Walk. They are updating a few aspects of the SS4A plan so we can move forward with implementation. I am working to provide documentation, and they will present a large grant to the council to help improve our streets, sidewalks, and the Oak Street waterline replacement. I have another check-in meeting with PEC on Thursday, May 21, at 4:00 p.m.
- I attended the 2025 State Budget Workshop in Topeka on May 15. I learned about the new requirements for RNR hearings, as well as updates on state budgeting.
- Corps of Engineers Yearly Inspection is May 20, 2025, 4:00 PM.
- The Mayor, Chamber, and I have been working on locating the banners for the light poles to be placed throughout the city. We will use the ones that are in good shape and possibly purchase a few new ones to replace the damaged banners.
- The City & Chamber partnered to have flowers planted in the planters in the central business district. Renee Kearney completed the work from Posy Pop Up.

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 May 21, 2025

Water

- The municipal swimming pool has been filled and chemically treated. It is now fully prepared for the upcoming recreational season.

Sewer System

- A new motor has been installed for the exhaust fan at the lagoon facility to improve operational efficiency and ventilation.

Streets

- Street sweeping operations have resumed, and storm drain cleaning is underway as part of an ongoing maintenance initiative.
- The alley between 5th and 6th Streets, located between Oak and Elm, has been graded to enhance accessibility and surface condition.

Other Projects and Maintenance

- Removed the sink and toilet from the City Hall storage room to repurpose the space for future use.
- The double slide for the city park has been delivered and is scheduled for installation within the week.
- Pampas grass was planted along the sediment pond fence to improve aesthetics.
- Picnic tables have been relocated back to the RV park for public use during the summer season.
- The alternator on the city's flatbed truck has been replaced to ensure continued vehicle reliability.
- The blades on the city's brush mower have been replaced to maintain optimal performance for mowing operations.



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Police Department Report
May 21, 2025

- Had a meeting with Superintendent John Hamon to discuss the proposed traffic solution. He expressed the belief that it could be implemented; however, it remains evident that parking issues will persist during special events. The city council must amend the no-parking ordinance to accommodate parking for the school's guests.
- Sgt Spire attended a Fentanyl Summit training in Springfield, Missouri, to learn about the current trends in the illegal drug
- Officer Brosa will attend a two-week training program to achieve the department's Ranger Master certification, enabling the certification of the department's officers for the qualifications required to maintain their certifications annually.
- Sgt Spire and Officer Brosa had been in attendance for the Coffee with Cops Saturday morning at Granny's Porch and Havana's



City of
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Pool Report
May 21, 2025

- Public Works is reconditioning the diving board.
- The Swimming Lesson sign-up is open.
- The pool has been filled, and chemical treatment has been completed.
- Staff has been hired for the 2025 season.
- We will have a staff of 22 people, including me. We will be working around spring sports. Expecting several to be in state games for track, baseball, and softball. There are more guards this year than last, but all the staff have a lot of conflicting activities for the summer. Wednesdays will be a rough afternoon/evening as most staff participate in volleyball leagues.
- Swimming lesson registration seems to be going well. I need to get back to Judy Scott to see what her plans are for Nortonville/Winchester.
- Work days at the pool, asking available staff to show up May 21-24.



City of Valley Falls

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COUNCIL MEETING DATE: May 21, 2025

INVOICES IN THE TOTAL AMOUNT OF: \$93,638.14

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 May 2025

City Clerk

Claims Report

Period: 05/08/2025 To 05/21/2025

Vendor Name	References	Invoice Amount	Transaction #	Date
WATER UTILITY - 720				
WATER - 720				
INDEPENDENT ELECTRIC	Water Plant	\$ 979.74	24299	05/18/2025
EMC INSURANCE	Insurance	\$ 20,000.00	24302	05/18/2025
QUADIENT	postage for water bills	\$ 200.00	24295	05/18/2025
Department Total - WATER		\$ 21,179.74		
LIABILITIES - 050				
KSDOR PAYROLL	Payroll Run	\$ 105.07		05/19/2025
AFLAC CAFETERIA	Payroll Run	\$ 55.34		05/19/2025
KPERS457	Payroll Run	\$ 20.00		05/19/2025
KPERS	Payroll Run	\$ 586.89		05/19/2025
EFTPS	Payroll Run	\$ 571.60		05/19/2025
EFTPS	Payroll Run	\$ 200.99		05/19/2025
Department Total - LIABILITIES		\$ 1,539.89		
Fund Total - WATER UTILITY		\$ 22,719.63		
GENERAL FUND - 100				
STREET - 140				
EMC INSURANCE	Insurance	\$ 3,000.00	24302	05/18/2025
Department Total - STREET		\$ 3,000.00		
PARKS - 150				
EMC INSURANCE	Insurance	\$ 1,000.00	24302	05/18/2025
VFW POST 3084	4x6 f;ag	\$ 27.00	24292	05/18/2025
Department Total - PARKS		\$ 1,027.00		
POLICE - 120				
EMC INSURANCE	Insurance	\$ 7,000.00	24302	05/18/2025
TFM COMM INC	TFM	\$ 157.50	24293	05/18/2025
KANSAS FIRE & SAFETY	fire extinguisher re	\$ 70.00	24298	05/18/2025

EQUIPMENT	charge			
MOTOROLA SOLUTIONS INC	Motorola	\$ 1,100.00	24297	05/18/2025
ROBERT TAYLOR	oil	\$ 73.50	24294	05/18/2025
Department Total - POLICE		\$ 8,401.00		
POOL - 160				
EMC INSURANCE	Insurance	\$ 1,500.00	24302	05/18/2025
Emily Esser	Shirts	\$ 390.00	24301	05/18/2025
HAWKINS	pool chemicals	\$ 3,029.32	24300	05/18/2025
Department Total - POOL		\$ 4,919.32		
ADMINISTRATION - 110				
EMC INSURANCE	Insurance	\$ 20,000.00	24302	05/18/2025
DAVIS PUBLICATION	legal publication	\$ 67.00	24303	05/18/2025
Department Total - ADMINISTRATION		\$ 20,067.00		
LIABILITIES - 050				
KSDOR PAYROLL	Payroll Run	\$ 203.05		05/19/2025
AFLAC CAFETERIA	Payroll Run	\$ 91.52		05/19/2025
KPERS457	Payroll Run	\$ 235.00		05/19/2025
KPERS	Payroll Run	\$ 1,333.01		05/19/2025
EFTPS	Payroll Run	\$ 439.76		05/19/2025
EFTPS	Payroll Run	\$ 1,463.00		05/19/2025
Department Total - LIABILITIES		\$ 3,765.34		
Fund Total - GENERAL FUND		\$ 41,179.66		
SEWER UTILITY - 730				
SEWER - 730				
EMC INSURANCE	Insurance	\$ 14,549.00	24302	05/18/2025
INDEPENDENT ELECTRIC	Sewer Pump Eval	\$ 700.00	24299	05/18/2025
Department Total - SEWER		\$ 15,249.00		
LIABILITIES - 050				
KSDOR PAYROLL	Payroll Run	\$ 105.08		05/19/2025
AFLAC CAFETERIA	Payroll Run	\$ 55.34		05/19/2025
KPERS457	Payroll Run	\$ 20.00		05/19/2025

KPERS	Payroll Run	\$ 586.87		05/19/2025
EFTPS	Payroll Run	\$ 571.56		05/19/2025
EFTPS	Payroll Run	\$ 201.00		05/19/2025
Department Total - LIABILITIES		\$ 1,539.85		
Fund Total - SEWER UTILITY		\$ 16,788.85		
SEWER RESERVE - 731				
SEWER - 730				
PEC	PEC update PER	\$ 4,000.00	24296	05/18/2025
WESTERN CONSULTANTS	CDBG Grant Writing	\$ 8,950.00	24291	05/18/2025
Department Total - SEWER		\$ 12,950.00		
Fund Total - SEWER RESERVE		\$ 12,950.00		
Report Total		\$ 93,638.14		

Treasurer Report

Calendar : 05-2025, Fiscal : 05-2025

Fund #	Fund Name	Beginning Balance	Received	Disbursed	Change in Liabilities	Ending Balance
100	GENERAL FUND	\$ 49,857.66	\$ 1,910.00	\$ 71,670.42	\$ -2,912.16	\$ -22,814.92
120	Police Donations	\$ 380.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 380.00
125	DIVERSION FUND	\$ 250.00	\$ 40.00	\$ 0.00	\$ 0.00	\$ 290.00
126	Court Bond	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00
150	Parks & Recreation	\$ 11,769.10	\$ 0.00	\$ 0.00	\$ 0.00	\$ 11,769.10
160	POOL RESERVE	\$ 1,389.79	\$ 0.00	\$ 0.00	\$ 0.00	\$ 1,389.79
200	CAPITAL IMPROVEMENT	\$ 75,183.78	\$ 0.00	\$ 43,575.60	\$ 0.00	\$ 31,608.18
300	SPECIAL HWY & STREETS	\$ 108,776.19	\$ 1,132.74	\$ 0.00	\$ 0.00	\$ 109,908.93
400	EQUIPMENT RESERVE	\$ 94,052.71	\$ 0.00	\$ 0.00	\$ 0.00	\$ 94,052.71
500	BOND & INTEREST	\$ 377,473.25	\$ 0.00	\$ 0.00	\$ 0.00	\$ 377,473.25
600	RHID	\$ 162,173.58	\$ 0.00	\$ 0.00	\$ 0.00	\$ 162,173.58
720	WATER UTILITY	\$ 109,338.42	\$ 22,839.20	\$ 52,221.13	\$ -1,451.37	\$ 78,505.12
721	WATER RESERVE	\$ 73,002.59	\$ 0.00	\$ 1,715.75	\$ 0.00	\$ 71,286.84
730	SEWER UTILITY	\$ 155,431.37	\$ 14,892.22	\$ 36,281.24	\$ -1,451.33	\$ 132,591.02
731	SEWER RESERVE	\$ 189,683.20	\$ 0.00	\$ 12,950.00	\$ 0.00	\$ 176,733.20
740	SOLID WASTE (TRASH)	\$ 124,458.87	\$ 8,953.62	\$ 0.00	\$ 0.00	\$ 133,412.49
790	INSURANCE RESERVE	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00
Total		\$ 1,533,220.51	\$ 49,767.78	\$ 218,414.14	\$ -5,814.86	\$ 1,358,759.29

Report Title		Budget Report - Revenue & Expense				
Calendar : 05-2025		Fiscal : 05-2025				
GL Account #	GL Account Name	Budget	Month To Date Balance	Year To Date Balance	% Expended/Received	Unexpended/Uncollected
General Revenue						
100-100-4000	AD VALOREM PROPERTY TAX	\$246,119.00	\$0.00	\$132,273.57	53.70%	\$113,845.43
100-100-4010	MOTOR VEHICLE TAX	\$20,990.00	\$0.00	\$5,477.55	26.10%	\$15,512.45
100-100-4020	RECREATION TAX	\$372.00	\$0.00	\$19.69	5.30%	\$352.31
100-100-4030	16/20 TRUCKS	\$53.00	\$0.00	\$123.25	232.50%	(\$70.25)
100-100-4040	DELINQUENT PERSONAL TAX	\$4,500.00	\$0.00	\$898.17	20.00%	\$3,601.83
100-100-4050	SALES TAX	\$275,000.00	\$0.00	\$15,778.42	5.70%	\$259,221.58
100-100-4110	SERVICE FEES	\$2,000.00	\$80.00	\$405.00	20.30%	\$1,595.00
100-100-4120	PERMITS/LICENSES	\$2,000.00	\$100.00	\$1,002.00	50.10%	\$998.00
100-100-4130	FRANCHISE FEES	\$60,000.00	\$0.00	\$8,951.89	14.90%	\$51,048.11
100-100-4380	COURT FINES & FEES	\$6,000.00	\$0.00	\$1,591.00	26.50%	\$4,409.00
100-100-4390	RV PARK RENT	\$5,000.00	\$0.00	\$213.00	4.30%	\$4,787.00
100-100-4430	SWIMMING POOL - LESSONS	\$7,000.00	\$1,330.00	\$3,725.00	53.20%	\$3,275.00
100-100-4450	SEASON TICKETS	\$10,000.00	\$400.00	\$400.00	4.00%	\$9,600.00
100-100-4930	AR/REIMBURSED INCOME	\$6,000.00	\$0.00	\$734.70	12.20%	\$5,265.30
100-100-4940	MISCELLANEOUS INCOME	\$7,000.00	\$0.00	\$2,252.00	32.20%	\$4,748.00
	Total	\$652,034.00	\$1,910.00	\$173,845.24		\$478,188.76
Admin						
100-110-5010	WAGES - FULL TIME	\$54,860.00	\$3,207.24	\$16,513.99	30.10%	\$38,346.01
100-110-5020	WAGES - PART TIME/ELECTED	\$3,000.00	\$0.00	\$1,080.00	36.00%	\$1,920.00
100-110-5050	BENEFITS	\$33,000.00	\$565.43	\$7,216.60	21.90%	\$25,783.40
100-110-5100	INSURANCE - GL,WC,PROP	\$20,000.00	\$20,000.00	\$20,000.00	100.00%	\$0.00
100-110-5110	TRAINING/CONFERENCES	\$4,500.00	\$0.00	\$75.00	1.70%	\$4,425.00
100-110-5120	DUES/MEMBERSHIPS	\$4,000.00	\$288.90	\$1,333.87	33.30%	\$2,666.13
100-110-5140	UTILITIES AND PHONE	\$3,400.00	\$173.77	\$1,061.51	31.20%	\$2,338.49
100-110-5150	FACILITIES MAINTENANCE	\$5,000.00	\$423.75	\$781.75	15.60%	\$4,218.25
100-110-5170	POSTAGE/STATIONARY	\$1,500.00	\$20.84	\$20.84	1.40%	\$1,479.16
100-110-5180	COMMODITIES	\$5,000.00	\$271.38	\$595.06	11.90%	\$4,404.94
100-110-5190	CONTRACTUAL	\$7,500.00	\$560.32	\$7,162.97	95.50%	\$337.03
100-110-5200	GRANTS & DONATIONS	\$4,000.00	\$0.00	\$150.00	3.80%	\$3,850.00
100-110-5940	REIMBURSEMENT/MISC	\$100.00	\$0.00	(\$6,217.00)	-6217.00%	\$6,317.00
100-110-5950	CAPITAL OUTLAY/CARRY OVER	\$150,000.00	\$0.00	\$7,467.00	5.00%	\$142,533.00
	Total	\$295,860.00	\$25,511.63	\$57,241.59		\$238,618.41
Police						
100-120-4200	OPIOIDS SETTLEMENT	\$0.00	\$0.00	\$174.10	0.00%	(\$174.10)
100-120-5010	WAGES - FULL TIME	\$145,900.00	\$11,250.01	\$55,383.45	38.00%	\$90,516.55
100-120-5020	WAGES - PART TIME/ELECTED	\$10,000.00	\$1,067.26	\$4,949.04	49.50%	\$5,050.96
100-120-5050	BENEFITS	\$42,000.00	\$2,178.36	\$16,446.30	39.20%	\$25,553.70
100-120-5100	INSURANCE - GL,WC,PROP	\$8,000.00	\$7,000.00	\$7,000.00	87.50%	\$1,000.00
100-120-5110	TRAINING/CONFERENCES	\$6,000.00	\$144.21	\$1,069.53	17.80%	\$4,930.47
100-120-5120	DUES/MEMBERSHIPS	\$1,000.00	\$88.00	\$177.00	17.70%	\$823.00
100-120-5130	EQUIPMENT/UNIFORMS	\$2,100.00	\$891.39	\$1,107.84	52.80%	\$992.16
100-120-5140	UTILITIES AND PHONE	\$3,500.00	\$173.76	\$1,257.13	35.90%	\$2,242.87
100-120-5160	VEHICLE MAINTENANCE/FUEL	\$20,000.00	\$1,501.68	\$5,053.03	25.30%	\$14,946.97
100-120-5180	COMMODITIES	\$3,000.00	\$279.16	\$2,193.85	73.10%	\$806.15

100-120-5190	CONTRACTUAL	\$8,200.00	\$1,327.50	\$1,526.29	18.60%	\$6,673.71
100-120-5210	OPIOID EXPENSE	\$0.00	\$0.00	\$1,321.68	0.00%	(\$1,321.68)
100-120-5340	ANIMAL CONTROL	\$1,000.00	\$0.00	\$76.00	7.60%	\$924.00
100-120-5940	REIMBURSEMENT/MISC	\$0.00	\$0.00	\$20.00	0.00%	(\$20.00)
100-120-5950	CAPITAL OUTLAY/CARRY OVER	\$1,500.00	\$1,137.41	\$1,137.41	75.80%	\$362.59
	Total	\$252,200.00	\$27,038.74	\$98,892.65		\$153,307.35
Courts						
100-130-5020	WAGES - PART TIME/ELECTED	\$0.00	\$0.00	\$1,080.00	0.00%	(\$1,080.00)
100-130-5050	BENEFITS	\$0.00	\$0.00	\$82.62	0.00%	(\$82.62)
100-130-5110	TRAINING/CONFERENCES	\$1,000.00	\$0.00	\$65.00	6.50%	\$935.00
100-130-5190	CONTRACTUAL	\$1,200.00	\$0.00	\$2,000.00	166.70%	(\$800.00)
	Total	\$2,200.00	\$0.00	\$3,227.62		(\$1,027.62)
Streets						
100-140-4100	GRANTS & DONATIONS	\$0.00	\$0.00	\$695.63	0.00%	(\$695.63)
100-140-5010	WAGES - FULL TIME	\$32,500.00	\$2,495.14	\$12,873.57	39.60%	\$19,626.43
100-140-5050	BENEFITS	\$15,000.00	\$431.61	\$4,517.40	30.10%	\$10,482.60
100-140-5100	INSURANCE - GL,WC,PROP	\$4,000.00	\$3,000.00	\$3,000.00	75.00%	\$1,000.00
100-140-5130	EQUIPMENT/UNIFORMS	\$1,000.00	\$87.87	\$104.53	10.50%	\$895.47
100-140-5140	UTILITIES AND PHONE	\$22,000.00	\$2,000.50	\$6,321.72	28.70%	\$15,678.28
100-140-5150	FACILITIES MAINTENANCE	\$0.00	\$86.76	\$86.76	0.00%	(\$86.76)
100-140-5160	VEHICLE MAINTENANCE/FUEL	\$10,000.00	\$71.00	\$6,567.36	65.70%	\$3,432.64
100-140-5180	COMMODITIES	\$6,000.00	\$241.54	\$1,194.25	19.90%	\$4,805.75
	Total	\$90,500.00	\$8,414.42	\$35,361.22		\$55,138.78
Parks						
100-150-5020	WAGES - PART TIME/ELECTED	\$9,100.00	\$708.75	\$1,106.25	12.20%	\$7,993.75
100-150-5050	BENEFITS	\$1,000.00	\$54.22	\$84.63	8.50%	\$915.37
100-150-5100	INSURANCE - GL,WC,PROP	\$1,000.00	\$1,000.00	\$1,000.00	100.00%	\$0.00
100-150-5140	UTILITIES AND PHONE	\$0.00	\$321.04	\$1,060.50	0.00%	(\$1,060.50)
100-150-5180	COMMODITIES	\$1,000.00	\$141.99	\$265.54	26.60%	\$734.46
100-150-5950	CAPITAL OUTLAY/CARRY OVER	\$4,000.00	\$84.10	\$84.10	2.10%	\$3,915.90
	Total	\$16,100.00	\$2,310.10	\$3,601.02		\$12,498.98
Pool						
100-160-5020	WAGES - PART TIME/ELECTED	\$54,000.00	\$983.83	\$1,951.66	3.60%	\$52,048.34
100-160-5050	BENEFITS	\$3,500.00	\$75.03	\$148.84	4.30%	\$3,351.16
100-160-5100	INSURANCE - GL,WC,PROP	\$2,000.00	\$1,500.00	\$1,500.00	75.00%	\$500.00
100-160-5110	TRAINING/CONFERENCES	\$1,000.00	\$2,100.00	\$2,100.00	210.00%	(\$1,100.00)
100-160-5130	EQUIPMENT/UNIFORMS	\$1,500.00	\$390.00	\$390.00	26.00%	\$1,110.00
100-160-5140	UTILITIES AND PHONE	\$5,000.00	\$157.37	\$556.92	11.10%	\$4,443.08
100-160-5150	FACILITIES MAINTENANCE	\$5,000.00	\$159.98	\$159.98	3.20%	\$4,840.02
100-160-5190	CONTRACTUAL	\$1,500.00	\$3,029.32	\$3,064.32	204.30%	(\$1,564.32)
	Total	\$73,500.00	\$8,395.53	\$9,871.72		\$63,628.28
Bond & Interest						
500-500-4050	SALES TAX	\$170,000.00	\$0.00	\$15,778.41	9.30%	\$154,221.59
500-500-5400	PRINCIPAL PAYMENT	\$130,000.00	\$0.00	\$99,474.68	76.50%	\$30,525.32
500-500-5410	INTEREST PAYMENT	\$52,200.00	\$0.00	\$26,254.71	50.30%	\$25,945.29
	Total	\$352,200.00	\$0.00	\$141,507.80		\$210,692.20
Water						
720-720-4330	UTILITY RECEIPTS	\$420,000.00	\$22,521.68	\$138,347.42	32.90%	\$281,652.58
720-720-4350	UTILITY PENALTIES	\$0.00	\$0.00	\$260.44	0.00%	(\$260.44)

720-720-4360	UTILITY SALES TAX	\$0.00	\$317.52	\$1,697.40	0.00%	(\$1,697.40)
720-720-5010	WAGES - FULL TIME	\$95,500.00	\$7,395.73	\$37,982.61	39.80%	\$57,517.39
720-720-5050	BENEFITS	\$18,000.00	\$1,330.41	\$9,146.06	50.80%	\$8,853.94
720-720-5100	INSURANCE - GL,WC,PROP	\$24,000.00	\$20,000.00	\$20,159.00	84.00%	\$3,841.00
720-720-5120	DUES/MEMBERSHIPS	\$1,500.00	\$0.00	\$457.50	30.50%	\$1,042.50
720-720-5130	EQUIPMENT/UNIFORMS	\$2,000.00	\$87.87	\$1,089.08	54.50%	\$910.92
720-720-5140	UTILITIES AND PHONE	\$22,000.00	\$2,117.58	\$8,237.76	37.40%	\$13,762.24
720-720-5150	FACILITIES MAINTENANCE	\$45,000.00	\$19,079.92	\$19,595.45	43.50%	\$25,404.55
720-720-5160	VEHICLE MAINTENANCE/FUEL	\$10,000.00	\$0.00	\$5,688.96	56.90%	\$4,311.04
720-720-5170	POSTAGE/STATIONARY	\$3,000.00	\$311.55	\$1,587.61	52.90%	\$1,412.39
720-720-5180	COMMODITIES	\$26,000.00	\$1,689.18	\$5,432.77	20.90%	\$20,567.23
720-720-5190	CONTRACTUAL	\$15,000.00	\$208.89	\$20,412.85	136.10%	(\$5,412.85)
720-720-5360	UTILITY SALES TAX	\$5,000.00	\$0.00	\$719.68	14.40%	\$4,280.32
720-720-5950	CAPITAL OUTLAY/CARRY OVER	\$66,500.00	\$0.00	\$19,371.30	29.10%	\$47,128.70
Total		\$753,500.00	\$75,060.33	\$290,185.89		\$463,314.11
Sewer						
730-730-4330	UTILITY RECEIPTS	\$415,000.00	\$14,892.22	\$104,457.35	25.20%	\$310,542.65
730-730-4350	UTILITY PENALTIES	\$0.00	\$0.00	\$248.95	0.00%	(\$248.95)
730-730-5010	WAGES - FULL TIME	\$95,500.00	\$7,395.72	\$37,982.51	39.80%	\$57,517.49
730-730-5050	BENEFITS	\$15,000.00	\$1,287.29	\$8,963.86	59.80%	\$6,036.14
730-730-5100	INSURANCE - GL,WC,PROP	\$15,000.00	\$14,549.00	\$14,549.00	97.00%	\$451.00
730-730-5120	DUES/MEMBERSHIPS	\$1,500.00	\$0.00	\$457.50	30.50%	\$1,042.50
730-730-5130	EQUIPMENT/UNIFORMS	\$2,000.00	\$87.87	\$104.54	5.20%	\$1,895.46
730-730-5140	UTILITIES AND PHONE	\$3,000.00	\$632.85	\$2,910.77	97.00%	\$89.23
730-730-5150	FACILITIES MAINTENANCE	\$15,000.00	\$9,937.36	\$9,937.36	66.20%	\$5,062.64
730-730-5160	VEHICLE MAINTENANCE/FUEL	\$0.00	\$1,504.13	\$4,607.05	0.00%	(\$4,607.05)
730-730-5180	COMMODITIES	\$5,000.00	\$281.12	\$1,464.63	29.30%	\$3,535.37
730-730-5190	CONTRACTUAL	\$5,000.00	\$605.90	\$1,285.85	25.70%	\$3,714.15
730-730-5950	CAPITAL OUTLAY/CARRY OVER	\$139,000.00	\$0.00	\$12,900.00	9.30%	\$126,100.00
Total		\$711,000.00	\$51,173.46	\$199,869.37		\$511,130.63
Solid Waste						
740-740-4330	UTILITY RECEIPTS	\$227,000.00	\$8,953.62	\$58,505.90	25.80%	\$168,494.10
740-740-4350	UTILITY PENALTIES	\$0.00	\$0.00	\$139.98	0.00%	(\$139.98)
740-740-5190	CONTRACTUAL	\$170,000.00	\$0.00	\$31,932.57	18.80%	\$138,067.43
Total		\$397,000.00	\$8,953.62	\$90,578.45		\$306,421.55



VALLEY FALLS, KS

2025 CDBG APPLICATION DOCUMENTS

CDBG SEWER PROJECT

5/21/25 @ 6:30 PM

CITY COUNCIL ACTION ITEMS

1) OPEN CDBG PUBLIC HEARING

READ PUBLIC MEETING NOTICE

The city of Valley Falls, KS will hold a public hearing on Wednesday, May 21, 2025, at 6:30 p.m. in Valley Falls City Hall, 417 Broadway, Valley Falls, KS 66088, for the purpose of considering an application to be submitted to the Kansas Department of Commerce for Small Cities Community Development Block Grant funds under the Water and Sewer Infrastructure category.

The specific project application to be discussed is a Sanitary Sewer System Improvements Project, which will include approximately 15,000 LF of pipe rehabilitation, 130 pipe point repairs, 11,000 LF of heavy pipe cleaning, 300 service reconnections, 70 manhole rehabilitations, and miscellaneous appurtenances related to construction activities. Project activities will occur at multiple locations in an area generally bounded by the city limits of Valley Falls, KS. The estimated total project cost is approximately \$2,283,331 with the grant request for \$650,000 of the project costs. The remaining \$1,633,331 in matching funds will be contributed by the city of Valley Falls in the form of USDA Rural Development loan funds.

Other project proposals introduced at the hearing will be considered. Oral and written comments will be recorded and become part of the city's CDBG Citizen Participation Plan.

Reasonable accommodations will be made available to persons with disabilities. Requests should be submitted to the city clerk (785)945-6612 by May 20, 2025.

ALLOW COMMENTS

CLOSE CDBG PUBLIC HEARING



2) APPROVE AND EXECUTE CDBG APPLICATION DOCUMENTS

- 1) Entertain a motion authorizing the mayor to execute the Statement of Assurances and Certifications (4 pages) – MAYOR SIGNS TWICE/CLERK ATTESTS
- 2) Entertain a motion to adopt a Resolution Certifying Legal Authority to Apply for the Kansas Small Cities CDBG Program from the KS Dept. of Commerce and authorizing the mayor to sign and submit such an application (1 page – NEEDS A RESOLUTION #) MAYOR SIGNS/CLERK ATTESTS/SEAL
- 3) Entertain a motion to adopt a resolution assuring the KS Dept. of Commerce that funds (\$135,700 per year as recommended by engineer) will continuously be provided for the operation and maintenance of the improvements to be financed with CDBG funds (1 page – NEEDS A RESOLUTION #) MAYOR SIGNS/CLERK ATTESTS/SEAL
- 4) Entertain a motion authorizing the mayor to execute the Residential Anti-displacement and Relocation Assistance Plan (1 page) MAYOR SIGNS AND DATES
- 5) Entertain a motion authorizing the mayor to execute the Environmental Determination of Level of Review (1 page) MAYOR SIGNS AND DATES
- 6) Entertain a motion authorizing the mayor to execute the HUD Applicant/Recipient Disclosure Report (2 pages) MAYOR SIGNS AND DATES
- 7) Entertain a motion authorizing the mayor to execute a letter of commitment of matching funds (1 page) PLACE ON CITY LETTERHEAD; FILL IN RESOLUTION # FROM 2 ABOVE; MAYOR SIGNS
- 8) Entertain a motion authorizing the mayor to execute the contract (contingent on grant award) with Western Consultants dba GAS for CDBG grant administration (7 pages) MAYOR SIGNS/CLERK ATTESTS/SEAL ON PAGE 5

NEXT STEPS

GAS staff will collect Information from city staff and engineer over the next 2 to 3 weeks and submit the application by the 6/15 deadline (earlier if possible)

6/15/25 – **2ND MONTHLY ROUND** CDBG Application deadline; Applications received by the 15th of each month will be reviewed by the 30th, with award letters issued within five business days

STATEMENT OF ASSURANCES AND CERTIFICATIONS

The applicant hereby assures and certifies with respect to the grant that:

- (1) It possesses legal authority to make a grant submission and to execute a community development and housing program.
- (2) Its governing body has duly adopted or passed as an official act a resolution, motion, or similar action authorizing the person identified as the official representative of the grantee to submit the final statement, all understandings and assurances contained therein, and directing and authorizing the person identified as the official representative of the grantee to act in connection with the submission of the final statement and to provide such additional information as may be required.
- (3) Prior to submission of its application to Commerce, the grantee has met the citizen participation requirements, prepared its application of community development objectives and projected use of funds, and made the application available to the public, as required by Section 104(a)(2) of the Housing and Community Development Act of 1974, as amended, and implemented at 24 CFR 570.486.
- (4) It has developed its final statement (application) of projected use of funds so as to give maximum feasible priority to activities which benefit low- and moderate-income families or aid in the prevention or elimination of slums or blight; the final statement (application) of projected use of funds may also include activities that the grantee certifies are designed to meet other community development needs having a particular urgency because existing conditions pose a serious and immediate threat to the health or welfare of the community, and other financial resources are not available.
- (5) Its chief executive officer or other officer of the grantee approved by Commerce:
 - (a) Consents to assume the status of a responsible federal official under the National Environmental Policy Act of 1969 and other provisions of federal law as specified in 24 CFR 58.1(a);
 - (b) Is authorized and consents on behalf of the grantee and himself/herself to accept the jurisdiction of the federal courts for the purpose of enforcement of his/her responsibilities as such an official; and
- (6) The grant will be conducted and administered in compliance with the following federal and state regulations (see Appendix A: Applicable Laws and Regulations):

- (a) Title VI of the Civil Rights Act of 1964 (Pub. L. 88-352), and implementing regulations issued at 24 CFR Part 1;
- (b) Fair Housing Amendments Act of 1988, as amended, administering all programs and activities relating to housing and community development in a manner to affirmatively further fair housing; and will take action to affirmatively further fair housing in the sale or rental of housing, the financing of housing, and the provision of brokerage services;
- (c) Section 109 of the Housing and Community Development Act of 1974, as amended; and the regulations issued pursuant thereto (24 CFR Section 570.602);
- (d) Section 3 of the Housing and Urban Development Act of 1968, as amended; and implementing regulations at 24 CFR Part 135;
- (e) Executive Order 11246, as amended by Executive Orders 11375 and 12086 and implementing regulations issued at 41 CFR Chapter 60;
- (f) Executive Order 11063, as amended by Executive Order 12259 and implementing regulations at 24 CFR Part 107;
- (g) Section 504 of the Rehabilitation Act of 1973 (Pub. L. 93-112), as amended and implementing regulations when published for effect;
- (h) The Age Discrimination Act of 1975, as amended, (Pub. L. 94-135), and implementing regulations when published for effect;
- (i) The relocation requirements of Title II and the acquisition requirements of Title III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, and the implementing regulations at 24 CFR 570.488;
- (j) Anti-displacement and relocation plan requirements of Section 104(d) of Title I, Housing and Community Development Act of 1974, as amended;
- (k) Relocation payment requirements of Section 105(a)(11) of Title I, Housing and Community Development Act of 1974, as amended.
- (l) The labor standards requirements as set forth in 24 CFR 570.603 and HUD regulations issued to implement such requirements;
- (m) Executive Order 11988 relating to the evaluation of flood hazards and Executive Order 11288 relating to the prevention, control, and abatement of water pollution;

- (n) The regulations, policies, guidelines and requirements of 2 CFR Part 200 and A-122 as they relate to the acceptance and use of federal funds under this federally assisted program;
 - (o) The American Disabilities Act (ADA) (P.L. 101-336: 42 U.S.C. 12101) provides disabled people access to employment, public accommodations, public services, transportation, and telecommunications;
- (7) The conflict of interest provisions of 24 CFR 570.489 apply to any person who is an employee, agent, consultant, officer, or elected official or appointed official of the state, or of a unit of general local government, or of any designated public agencies, or sub recipients which are receiving CDBG funds. None of these persons may obtain a financial interest or benefit from the activity, or have an interest or benefit from the activity, or have an interest in any contract, subcontract, or agreement with respect thereto, or the proceeds thereunder, either for themselves or those with whom they have family or business ties, during their tenure or for one year thereafter, and that it shall incorporate or cause to be incorporated, in all such contracts or subcontracts a provision prohibiting such interest pursuant to the purpose of this certification;
 - (8) It will comply with the provisions of the Hatch Act that limits the political activity of employee;
 - (9) It will comply with the provisions of 24-CFR-200.
 - (10) It will give the state, HUD, and the Comptroller General or any authorized representative access to and the right to examine all records, books, papers, or documents related to the grant;
 - (11) It will comply with the lead-based paint requirements of 24 CFR Part 35 Subpart B issued pursuant to the Lead-Based Paint Hazard Elimination Act (42 U.S.C. 4801 et seq.).
 - (12) The local government will not attempt to recover any capital costs of public improvements assisted in whole or in part with CDBG funds by assessing properties owned and occupied by low- and moderate-income persons unless: (a) CDBG funds are used to pay the proportion of such assessment that relates to non CDBG funding or; (b) the local government certifies to the state that, for the purposes of assessing properties owned and occupied by low- and moderate-income persons who are not very low-income, that the local government does not have sufficient CDBG funds to comply with the provision of (a) above.
 - (13) It accepts the terms, conditions, selection criteria, and procedures established by this program description and that it waives any right it may have to challenge the legitimacy and the propriety of these terms, conditions, criteria, and procedures in the event that its application is not selected for CDBG funding.

- (14) It will comply with the regulations, policies, guidelines, and requirements with respect to the acceptance and use of federal funds for this federally assisted program.
- (15) It will comply with all parts of Title I of the Housing and Community Development Act of 1974, as amended, which have not been cited previously as well as with other applicable laws.

The applicant hereby certifies that it will comply with the above stated assurances.

_____ Signature, Chief Elected Official	_____ Name (typed or printed)
_____ Title	_____ Date

To Whom It May Concern:

As Chief Elected Official of the City/County of _____, I hereby certify that I have knowledge of all activities in the above-referenced application. I also certify that I am aware that the regulations of the CDBG program prevent the use of any facility built or rehabilitated with CDBG funds, or any portion thereof, to be used for the conduct of official business. I therefore certify that no portion of the above application violates this regulation.

Mayor/County Commission

ATTEST:

City/County Clerk

THE CITY/COUNTY OF _____, KANSAS

RESOLUTION NO. _____

RESOLUTION CERTIFYING LEGAL AUTHORITY
TO APPLY FOR THE KANSAS
SMALL CITIES COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM
FROM THE KANSAS DEPARTMENT OF COMMERCE
AND AUTHORIZING THE MAYOR/COMMISSIONER
TO SIGN AND SUBMIT SUCH AN APPLICATION

WHEREAS, The City/County of _____, Kansas, is a legal governmental entity as provided by the laws of the STATE OF KANSAS, and

WHEREAS, The City/County of _____, Kansas, intends to submit an application for assistance from the COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM.

THE APPLICANT hereby certifies that the City/County of _____, Kansas, is a legal governmental entity under the status of the laws of the STATE OF KANSAS and thereby has the authority to apply for assistance from the KANSAS SMALL CITIES COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM.

THE APPLICANT hereby authorizes the MAYOR/COMMISSIONER of _____, Kansas, to act as the applicant's official representative in signing and submitting an application for the assistance to the COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM.

THE APPLICANT hereby dedicates \$_____ in cash funds toward this project and \$_____ in force account labor for same.

APPROVED BY THE GOVERNING BODY OF THE CITY/COUNTY OF _____
KANSAS, this ____ day of _____, 20____.

APPROVED _____
MAYOR/COMMISSIONER

ATTEST _____

(SEAL)

THE CITY/COUNTY OF _____, KANSAS

THE CITY/COUNTY OF _____, KANSAS

RESOLUTION NO. _____

A RESOLUTION ASSURING THE KANSAS DEPARTMENT OF COMMERCE THAT FUNDS WILL BE CONTINUALLY PROVIDED FOR THE OPERATION AND MAINTENANCE OF IMPROVEMENTS TO THE _____ SYSTEM TO BE FINANCED WITH COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS

WHEREAS, The City/County of _____ is applying for Small Cities Community Development Block Grant funds under the Community Facility Category, as administered by the Kansas Department of Commerce; and,

WHEREAS, The City/County of _____ wishes to utilize this funding for the purpose of constructing improvements to the City's/County's _____ system, as described in the Community Development Block Grant application submitted to the Kansas Department of Commerce; and,

WHEREAS, The City/County of _____ has determined that the annual operation and maintenance costs of the _____ improvements are anticipated to be approximately \$ _____; and,

WHEREAS, The annual _____ budget has been determined to be adequate to fund the operation and maintenance of the _____ improvements,

NOW, THEREFORE, BE IT RESOLVED THAT: The Governing Body of the City/County of _____, Kansas, hereby assures the Kansas Department of Commerce that sufficient funds will be provided for the continued operation and maintenance of the above described improvement; that these operation and maintenance costs will be reviewed annually; and that the budget will be adjusted, when necessary, to reflect and cover any increase in costs.

ADOPTED BY THE GOVERNING BODY OF THE CITY/COUNTY OF _____, KANSAS THIS _____ DAY OF _____, 20____.

ATTEST:

MAYOR/COMMISSIONER

CITY CLERK/COUNTY CLERK

(SEAL)

(Minimum required by all applicants for funding – must be submitted with application)

**Residential Anti-displacement and Relocation Assistance Plan
under Section 104(d) of the
Housing and Community Development Act of 1974, as Amended**

The jurisdiction will replace all occupied and vacant occupiable low- and moderate-income dwelling units demolished or converted to a use other than as low- moderate-income housing as a direct result of activities assisted with funds provided under the Housing and Community Development Act of 1974, as amended, as described in 24 CFR Part 570.488.

All replacement housing will be provided within three years of the commencement of the demolition or rehabilitation relating to conversion. Before obligating or expending funds that will directly result in such demolition or conversion, the [jurisdiction] will make public and submit to the Kansas Department of Commerce the following information in writing:

1. A description of the proposed assisted activity;
2. The general location on a map and approximate number of dwelling units by size (number of bedrooms) that will be demolished or converted to a use other than as low- and moderate-income dwelling units as a direct result of the assisted activity;
3. A time schedule for the commencement and completion of the demolition or conversion;
4. The general location on a map and approximate number of dwelling units by size (number of bedrooms) that will be provided as Section 104(d) replacement dwelling units;
5. The source of funding and a time schedule for the provision of Section 104(d) replacement dwelling units; and
6. The basis for concluding that each Section 104 (d) replacement dwelling unit will remain a low- and moderate-income dwelling unit for at least ten years from the date of initial occupancy.

The jurisdiction will provide relocation assistance, as described in Section 570.488 to each low- and moderate-income household displaced by the demolition of housing or by the conversion of a low- and moderate-income dwelling to another use as a direct result of assisted activities.

Consistent with the goals and objectives of activities assisted under the act, the jurisdiction will take the following steps to minimize the displacement of persons from their homes:

Based on initial review of project, the following occupied dwellings (by address) will be demolished with grant funds (should contain proposed demolitions):

As chief official of the jurisdiction, I hereby certify that the above plan was officially adopted by the jurisdiction of _____ on the _____ day of _____, _____.

Date: _____ Signature – Chief Elected Official: _____

Kansas Department of Commerce
Community Development Block Grant (CDBG) Program
1000 S.W. Jackson St., Suite 100
Topeka, KS 66612-1354

DETERMINATION OF LEVEL OF REVIEW

ENVIRONMENTAL REVIEW RECORD (ERR)

Grantee Name & Project Number: _____

Project Location: _____

Project Description:

The subject project has been reviewed pursuant to HUD regulations 24 CFR Part 58, “Environmental Review Procedures for Entities Assuming HUD Environmental Responsibilities,” and the following determination with respect to the project is made:

- ☐ Exempt from NEPA review requirements per 24 CFR 58.34(a)(____)
- ☐ Categorical Exclusion NOT Subject to §58.5 authorities per 24 CFR 58.35(b)(____)
- ☐ Categorical Exclusion SUBJECT to §58.5 authorities per 24 CFR 58.35(a)(____)
- ☐ An Environmental Assessment (EA) is required to be performed.
- ☐ An Environmental Impact Statement (EIS) is required to be performed.

The ERR (see §58.38) must contain all the environmental review documents, public notices and written determinations or environmental findings required by Part 58 as evidence of review, decision making and actions pertaining to a particular project. Include additional information including checklists, studies, analyses and documentation as appropriate.

_____ Chief Elected Official (print name/title)	_____ Chief Elected Official's Signature
_____ Date	

Applicant/Recipient Disclosure/Update Report

U.S. Department of Housing
and Urban Development

OMB Number: 2501-0017
Expiration Date: 1/31/2026

Public Reporting Burden Statement: This collection of information is estimated to average 2 hours per response, including the time for reviewing instructions, searching existing data sources, gathering, and maintaining the data needed, and completing and reviewing the collection of the requested information. Comments regarding the accuracy of this burden estimate and any suggestions for reducing this burden can be sent to: U.S. Department of Housing and Urban Development, Office of the Chief Data Officer, R, 451 7th St SW, Room 8210, Washington, DC 20410-5000. Do not send completed HUD-2880 forms to this address. This agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless the collection displays a valid OMB control number. This agency is authorized to collect this information under Section 102 of the Department of Housing and Urban Development Reform Act of 1989. The information you provide will enable HUD to carry out its responsibilities under this Act and ensure greater accountability and integrity in the provision of certain types of assistance administered by HUD. This information is required to obtain the benefit sought in the grant program. Failure to provide any required information may delay the processing of your application and may result in sanctions and penalties including of the administrative and civil money penalties specified under 24 CFR §4.38. This information will not be held confidential and may be made available to the public in accordance with the Freedom of Information Act (5 U.S.C. §552). The information contained on the form is not retrieved by a personal identifier, therefore it does not meet the threshold for a Privacy Act Statement.

Applicant/Recipient Information

* UEI Number:

* Report Type:

1. Applicant/Recipient Name, Address, and Phone (include area code)

* Applicant Name:

* Street 1:

Street 2:

City:

State Abbreviation:

* Zip Code:

County:

* Country:

* Phone:

2. Employer ID Number (do not include individual social security numbers):

3. HUD Program Name:

4. Amount of HUD Assistance Requested/Received: \$

5. State the name and location (street address, City and State) of the project or activity

Project Name:

* Street 1:

Street 2:

City:

State Abbreviation:

* Zip Code:

County:

* Country: USA: UNITED STATES

Part I Threshold Determinations

1. Are you applying for assistance for a specific project or activity?

These terms do not include formula grants, such as public housing operating subsidy or CDBG block grants. For further information see 24 CFR Sec. §4.3.

☐ Yes

☐ No

2. Have you received or do you expect to receive assistance within the jurisdiction of the Department (HUD), involving the project or activity in this application, in excess of \$200,000 during this fiscal year (Oct. 1-Sep. 30)? For further information, see 24 CFR §4.9.

☐ Yes

☐ No

If you answered "**No**" to either question 1 or 2, **Stop!** You do not need to complete the remainder of this form. However, you must sign the certification at the end of the report.

Form HUD-2880 (1/31/2028)

Part II Other Government Assistance Provided or Requested/Expected Sources and Use of Funds. Such assistance includes, but is not limited to, any grant, loan, subsidy, guarantee, insurance, payment, credit, or tax benefit.

Department/State/Local Agency Name	Department/State/Local Agency Name
* Government Agency Name:	* Government Agency Name:
Government Agency Address:	Government Agency Address:
* Street 1:	* Street 1:
Street 2:	Street 2:
City: State Abbreviation: * Zip Code:	City: State Abbreviation: * Zip Code:
County:	County:
Country:	Country:
* Type of Assistance:	* Type of Assistance:
* Amount Requested/Provided: \$	* Amount Requested/Provided: \$
* Expected Uses of the Funds:	* Expected Uses of the Funds:

Note: For Part 1, use additional pages if necessary. Add Attachment:

Part III Interested Parties. You must disclose:

1. All developers, contractors, or consultants involved in the application for assistance or in the planning, development, or implementation of the project or activity.

* Alphabetical list of all persons with a reportable financial interest in the project or activity (for individuals, give the last name first)	* Unique Entity ID	* Type of Participation in Project/Activity	* Financial Interest in Project/Activity (\$ and %)			
			\$			%
			\$			%
			\$			%

2. Any other person who has a financial interest in the project or activity for which the assistance is sought that exceeds \$50,000 or 10 percent of the assistance (whichever is lower).

* Alphabetical list of all persons with a reportable financial interest in the project or activity (for individuals, give the last name first)	* City of Residence	* Type of Participation in Project/Activity	* Financial Interest in Project/Activity (\$ and %)			
			\$			%
			\$			%
			\$			%

Note: For Part 2, use additional pages if necessary. Add Attachment:

Certification:

I/We, the undersigned, certify under penalty of perjury that the information provided above is true and correct.

Warning: Anyone who knowingly submits a false claim or makes a false statement is subject to criminal and/or civil penalties, including confinement for up to 5 years, fines, and civil and administrative penalties. (18 U.S.C. §§ 287, 1001, 1010, 1012, 1014; 31 U.S.C. §3729, 3802).

* Signature:

* Date: (mm/dd/yyyy):

CONTRACT FOR ADMINISTRATION SERVICES
FOR THE CITY OF VALLEY FALLS, KANSAS
CDBG SANITARY SEWER PROJECT

THIS CONTRACT made this 21st day of May 2025, between WESTERN CONSULTANTS, PO Box 187, Lawrence, Kansas 66044 (THE CONSULTANT), and the CITY OF VALLEY FALLS, KANSAS (THE CITY), **contingent upon grant award.**

WHEREAS, THE CITY is engaged in a CDBG Community Improvement project, and,

WHEREAS completion of this project requires the services of a qualified Administrator.

NOW, THEREFORE, THE CITY engages the services of THE CONSULTANT upon the following terms and conditions:

1. TERMINATION OF CONTRACT

A. FOR CAUSE

If, through any cause, either party shall fail to fulfill, in a timely and proper manner, their obligations under this Contract, or if either party shall violate any of the covenants, agreements, or stipulations of this Contract, the other party shall thereupon have the right to terminate this Contract by giving written notice to the breaching party of such termination and specifying the effective date thereof. This notice shall not be less than fifteen (15) days prior to the effective date.

B. FOR CONVENIENCE

The CITY may terminate this Contract, in whole or in part, at any time by written notice to THE CONSULTANT.

In event of termination, all finished or unfinished documents, studies and reports prepared by THE CONSULTANT, under this Contract, shall remain the property of THE CONSULTANT until THE CONSULTANT receives just and equitable compensation for any work satisfactorily completed hereunder, in accordance with this Contract, whereupon said documents, studies and reports shall become the property of THE CITY.

2. CHANGES

THE CITY may from time to time, request changes in the scope of services of THE CONSULTANT to be performed hereunder. Such changes, including any increase or decrease in the amount of THE CONSULTANTS' compensation, which are mutually agreed upon by both parties shall be incorporated in written amendments to this Contract.

3. PERSONNEL

- A. THE CONSULTANT represents that it has, or will secure at its own expense, all personnel required in performing the services under this Contract. Such personnel shall not be the employees of or have any contractual relationship with THE CITY.
- B. All the services required hereunder will be performed by THE CONSULTANT or under its supervision and all personnel shall be fully qualified to perform such services.
- C. None of the work or services covered by this Contract shall be subcontracted without the prior approval of THE CITY. Any work or services subcontracted hereunder shall be specified by written contract or agreement and shall be subject to each provision of this Contract.
- D. Suspension and Debarment
 - 1. THE CONSULTANT certifies that neither it nor any of its principals (as defined in 2 C.F.R. § 180.995) is presently debarred, suspended, proposed for debarment, or declared ineligible for the award of contracts by any Federal agency. THE CONSULTANT further certifies that it will not knowingly award a subcontract to any person or entity that is debarred, suspended, proposed for debarment, or declared ineligible for the award of Federal contracts.
 - 2. Pursuant to the requirements of 2 C.F.R. Part 180, Subpart C, THE CONSULTANT agrees to check the Excluded Parties List System (EPLS) at www.sam.gov before entering into any subcontract to ensure that no subcontractor is debarred, suspended, or ineligible.
 - 3. If, during the term of this contract, THE CONSULTANT or any of its principals becomes debarred, suspended, or declared ineligible, THE CONSULTANT agrees to immediately notify the contracting officer and take appropriate action, including possible termination of this contract.
 - 4. Failure to comply with these provisions may result in the termination of the contract and any other legal remedies available to the Federal Government.

4. SERVICES OF THE CONSULTANT

Services outlined in this Contract are those necessary to effectively administer the project. The following summary of services is not intended to limit the scope of service but is intended to illustrate the work and services to be provided by THE CONSULTANT.

These services will include, but are not limited to the following:

- Preparation of reports and paperwork to be submitted to State agencies involved in the project.
- Perform necessary accounting procedures related to this project, until project is completed.
- Assist the City and contractors with adherence to Affirmative Action rules and regulations.
- Prepare documentation for procurement procedures.
- Review payment requests and check these against invoices.
- Process payment requests promptly.
- Prepare the Environmental Assessment Report.
- Prepare documentation relating to Release of Funds from State agencies involved.
- Prepare “No Significant Impact” certificate.
- Work closely with City staff throughout entire project.
- Attend Meetings that are project related.
- Report schedule changes to Governing Body.
- Assist City in project related public hearings required throughout the entire project.
- Work closely with all State agencies and furnish additional information they may request.
- Attend monitoring visits set up by State agencies.
- Perform additional duties as may be required.
- Assist City in securing qualified audit firm.
- Apply for any necessary time extensions.
- Provide proper close-out requested by State agencies involved in project.
- Assist the City in developing a financial management system which will meet State and local standards.
- Operate within Federal and State guidelines, specifically:

**All Civil Rights Laws, Executive Orders and Regulations
as listed in the attached Appendix A.**

- Comply with all applicable laws, ordinances, and codes for the State and Local governments.
- Will not discriminate against any employee or applicant for employment because of race, sex, creed, color, or national origin. THE CONSULTANT will take Affirmative Action to ensure that applicants are employed, and that employees are treated equally during employment, without regard to their race, creed, sex, color, or national origin. Such action shall include, but not be limited to the following: employment, upgrading, demotion, or transfer, recruitment, or recruitment advertising, lay-off or termination, rates of pay or other forms of compensation, and selection for training, including apprenticeship.

THE CONSULTANT agrees to post, in conspicuous places, available to employees and applicants for employment, notices to be provided by the CITY, setting forth the provisions of this non-discrimination clause.

5. **AUDIT**

THE CITY will be responsible for having the records relating to this project audited by a Certified Public Accountant at the completion of this project. The expense for this audit will be a responsibility of the CITY.

6. **INTEREST OF THE CITY'S GOVERNING BODY**

No member of the Governing Body of the CITY, and no other officer, employee or agent of the City who exercises any functions or responsibilities in connection with the planning and carrying out of the program shall have any personal financial interest, direct or indirect, in this Contract, and THE CONSULTANT shall take appropriate steps to ensure compliance.

7. **INTEREST OF THE CONSULTANT AND EMPLOYEES**

THE CONSULTANT covenants that it presently has no interest and shall not acquire interest, direct or indirect, in the study area or any parcels therein or any other interest of its service hereunder. THE CONSULTANT further covenants that in the performance of this Contract no person having any such interest shall be employed.

8. **FEES**

THE CITY agrees to pay THE CONSULTANT a fee for the services outlined.

The fee, for these services, will be as follows:

Services will be billed at \$130.00 per hour not to exceed \$40,000.00 for the administration. If the project has an additional time extension past the projected 24-month completion date, and the \$40,000.00 has been expended for administration hours worked, all additional work hours will be billed at the current accepted rate of \$130.00.

In addition, the CITY will be charged a one-time fee of \$5,000.00 for completion of the Environmental Assessment to acquire the Release of Funds.

In no way can the contract be changed without a written amendment approved by the CITY.

IN WITNESS WHEREOF, the parties have signed this Contract the day and year first mentioned above.

ATTEST: _____
Wesley Lanter - City Admin

(SEAL)

Jeanette Shipley - Mayor



Brett Waggoner – Western Consultants

APPENDIX A

SUMMARY OF CIVIL RIGHTS LAWS, EXECUTIVE ORDERS, AND REGULATIONS FOR PROFESSIONAL SERVICE CONTRACTS

CDBG grantees must ensure all project activities will be administered in compliance with all civil rights laws and regulations. The following are summaries of those parts of the civil rights laws and regulations applicable to CDBG activities for professional service contracts.

Title VI of the Civil Rights Act of 1964 provides that no person in the United States shall, on the grounds of race, color or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance.

Title VIII of the Civil Rights Act of 1968 (Fair Housing Act), as amended, prohibits discrimination in the sale, rental, and financing of dwellings, and in other housing-related transactions, because of race, color, religion, sex (including gender, gender identity, sexual orientation, and sexual harassment), familial status, national origin, and disability. It also requires that all federal programs relating to housing and urban development be administered in a manner that affirmatively furthers fair housing.

Section 503 of the Rehabilitation Act of 1973, as amended, prohibits federal contractors and subcontractors from discriminating against individuals with disabilities in employment, requiring them to take affirmative action to recruit, hire, promote, and retain qualified people with disabilities across all levels of employment; essentially, it mandates that companies doing business with the federal government must actively work to employ individuals with disabilities and provide equal employment opportunities for them.

Section 504 of the Rehabilitation Act of 1973, as amended, provides that no otherwise qualified individual shall, by reason of his or her handicap, be solely excluded from participation (including employment), denied program benefits, or be subjected to discrimination under any program or activity receiving federal assistance funds.

Americans with Disabilities Act (ADA) (P.L. 101-336; 42 U.S.C. 12101) ADA provides disabled people access to employment, public accommodations, public services, transportation, and telecommunications. The ADA extends Section 504's mandate of non-discrimination based on disability to most of the private sector and to state and local government agencies not covered by section 504.

Architectural Barriers Act (ABA) of 1968, as amended, stipulates that all buildings which are (1) financed with Federal funds, and (2) intended for use by the public or which may result in employment or residence therein of physically handicapped persons, be designed and constructed in accordance with standards prescribed by the ABA to ensure that such buildings are fully accessible to and usable by handicapped individuals.

Section 109, Housing and Community Development (HCD) Act of 1974, as amended, provides that no person in the United States shall, on the grounds of race, color, national origin, religion, or sex, be excluded from participation in, be denied the benefits of or be subjected to discrimination under any program or activity funded in whole or in part with funds made available under Title I of the Housing and Community Development Act of 1974.

Kansas Act Against Discrimination. It is a policy of the State of Kansas that requires all employers, labor organizations, employment agencies, realtors, financial institutions, or other persons covered by this Act to assure equal opportunities and encourage every citizen regardless of race, religion, color, sex, age, physical disability, national origin, or ancestry, to secure and hold – without discrimination, segregation, or separation – employment in any field of work or labor for which they are properly qualified, the opportunity for full and equal public accommodations, and to assure full and equal opportunities in housing.

Age Discrimination Act of 1975. No person in the United States shall, on the basis of age, be excluded from participation in, be denied the benefits of or subjected to discrimination under, any program or activity receiving federal financial assistance.

Section 109, Housing and Community Development (HCD) Act of 1974, as amended, provides that no person in the United States shall, on the grounds of race, color, national origin, religion, or sex, be excluded from participation in, be denied the benefits of or be subjected to discrimination under any program or activity funded in whole or in part with community development funds made available pursuant to Title I of the Housing and Community Development Act of 1974.

Executive Order 11246, as amended, provides that no person shall be discriminated against on the basis of race, color, religion, sex or national origin in any phase of employment during the performance of federal or federally assisted construction contracts in excess of \$10,000. The following civil rights requirements also apply to CDBG grantee performance: grantees shall comply with Executive Order 11246, as amended by Executive Order 12086, and the regulations issued pursuant thereto (41 CFR Chapter 60) which provide that no person shall be discriminated against on the basis of race, color, religion, sex, sexual orientation, gender identity or national origin in all phases of employment during the performance of federal or federally-assisted construction contracts. As specified in Executive Order 11246 and the implementing regulations, contractors and subcontractors on federal or federally assisted construction contracts shall take affirmative action to ensure fair treatment in employment, upgrading, demotion or transfer, recruitment or retirement advertising, layoff or termination, rates of pay or other forms of compensation and selection or training and apprenticeship. (**Executive Order 11375** amended Executive Order 11246 by adding sex as a protected category from discrimination in employment.)

E-Verify - CFR 52.222-54 requires federal contracts committing government contractors (subcontractors) to use the USCIS E-Verify system to verify that all the contractors' employees, (existing and new), directly performing work under federal contracts, are authorized to work in the United States.

Build America, Buy America (BABA) Act, 41 USC 8301 (2 CFR 184) Grantee must comply with the requirements of the Build America, Buy America (BABA) Act, 41 USC 8301 note, and all applicable rules and notices, as may be amended, if applicable to the Grantee's infrastructure project. This agreement is for services related to a project that is subject to the Build America, Buy America (BABA) Act, 41 USC 8301 note, and all applicable rules and notices, as may be amended. Absent an approved waiver and following the guidance of phased implementation, all iron, steel, manufactured products, and construction materials used in this project must be produced in the United States.

This agreement is for professional services related to a project that is subject to the Build America, Buy America Act (BABA) requirements under Title IX of the Infrastructure Investment and Jobs Act ("IIJA"), Pub. L. 117-58. While professional services are not subject to BABA, the Provider understands that they are responsible for ensuring that, absent a waiver by the Department of Housing and Urban Development, Provider shall not approve for use in this project, any iron, steel manufactured products, or construction materials unless such materials have been produced in the United States. Provider shall obtain all necessary compliance certificates for work that is within provider's scope of work. Failure to do so shall be a default under this agreement. Guidance on complying with BABA is outlined by Office of Management and Budget's Memorandum M-24-02, Implementation Guidance on Application of Buy America Preference in Federal Financial Assistance Programs for Infrastructure.

City Letterhead

May 21, 2025

Andrew Hayman
CDBG Director
Kansas Department of Commerce
Business and Community Development
1000 SW Jackson St., Suite 100
Topeka, KS 66612-1354

RE: Sewer CDBG Application Matching Funds Commitment

Dear Mr. Hayman:

Pursuant to the requirements set forth in the 2025 CDBG application, the City of Valley Falls has \$1,633,331 in city funds to serve as the required matching funds for this grant. The source of these funds is a USDA-RD loan that was approved on 9/26/2023. That letter of conditions is attached to this application. Our City Council passed Resolution # on May 21, 2025, thereby dedicating those funds toward the project.

Respectfully,

Jeanette Shipley
Mayor
City of Valley Falls, KS

ORDINANCE NO.

12-201

**AN ORDINANCE OF THE CITY OF VALLEY FALLS, KANSAS,
ORDERING THROUGH THE EXERCISE OF EMINENT
DOMAIN THE CONDEMNATION AND APPROPRIATION OF
CERTAIN INTERESTS IN REAL PROPERTY FOR THE USE
OF SAID CITY PURSUANT TO K.S.A. 26-501, AND
ORDERING SAID INTERESTS TO BE CONDEMNED, ALL IN
ACCORDANCE WITH K.S.A. 26-201, *ET SEQ.*, AS AMENDED.**

WHEREAS, the Governing Body of the City of Valley Falls, Kansas, did on April 2, 2025 adopt Resolution No. 2025-3 thereby finding, determining, and resolving it to be necessary and in the public interest to exercise its power of eminent domain to appropriate for public use and purpose certain real property interests in Jefferson County, Kansas, located at and commonly known as 18441 Jackson RD, Valley Falls, KS 66088, the legal description of which is set forth in Section 3, below, needed by the City for the purpose of acquiring certain property interests including a fee simple interest in real estate as well as a permanent easement as to real property located in Jefferson County, Kansas to access, maintain, use, and enjoy the City Lake, as declared in Resolution 2025-3; and

WHEREAS, the Governing Body has heretofore authorized and ordered a survey by a licensed land surveyor of the real property to be condemned and said survey has been made and filed with the City Clerk for the City of Valley Falls.

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

SECTION 1. The above-stated recitals are incorporated herein by reference and shall be as effective as if set forth in full.

SECTION 2. The Governing Body hereby affirms all of its prior orders and declarations regarding the necessity for the appropriation, through the exercise of eminent domain, of certain real property and interests therein located at and commonly known as 18441 Jackson RD, Valley Falls, KS 66088, the legal description of which is set forth in Section 3, below, for the purpose of acquiring certain property interests including a fee simple interest in real estate as well as a permanent easement as to real property located in Jefferson County, Kansas as declared in Resolution 2025-3.

SECTION 3. The real property and interests therein required to be taken for such public purpose are described as follows:

A fee simple interest of the following:

A PORTION OF THE SOUTH HALF OF THE SOUTHEAST QUARTER OF SECTION 05, TOWNSHIP 08 SOUTH, RANGE 18 EAST OF THE SIXTH PRINCIPAL MERIDIAN, JEFFERSON COUNTY, KANSAS, BEING DESCRIBED AND PREPARED ON 04/15/2025 BY GREGORY E. MCDOWELL PS #1393 AND PROFESSIONAL ENGINEERING CONSULTANTS P.A., C.L.S. #65, AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID SOUTH HALF OF THE SOUTHEAST QUARTER; THENCE S88°01'14"W (BEARINGS BASED ON THE KANSAS COORDINATE SYSTEM 1983 NORTH ZONE) ALONG THE NORTH LINE OF SAID SOUTH HALF OF SOUTHEAST QUARTER A DISTANCE OF 1471.30 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING S88°01'14"W ALONG SAID NORTH LINE A DISTANCE OF 717.00 FEET; THENCE S01°48'12"E A DISTANCE OF 81.39 FEET TO THE NORTHWEST CORNER OF A TRACT DESCRIBED IN BOOK 224

PAGE 395 IN THE JEFFERSON COUNTY REGISTER OF DEEDS OFFICE; THENCE N88°11'48"E ALONG THE NORTH LINE OF SAID TRACT A DISTANCE OF 717.00 FEET TO THE NORTHEAST CORNER OF SAID TRACT; THENCE N01°48'12"W A DISTANCE OF 83.60 FEET TO THE POINT OF BEGINNING.

ENCOMPASSING 59,150 SQ FT OR 1.358 ACRES, MORE OR LESS.

And

A PORTION OF THE NORTH 100 ACRES OF THE NORTHEAST QUARTER OF SECTION 8, AND A PORTION OF THE SOUTH HALF OF THE SOUTHEAST QUARTER OF SECTION 5, ALL IN TOWNSHIP 08 SOUTH, RANGE 18 EAST OF THE SIXTH PRINCIPAL MERIDIAN, JEFFERSON COUNTY, KANSAS, BEING DESCRIBED AND PREPARED ON 04/15/2025 BY GREGORY E. MCDOWELL PS #1393 AND PROFESSIONAL ENGINEERING CONSULTANTS P.A., C.L.S. #65, AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID NORTHEAST QUARTER; THENCE S87°54'54"W (BEARINGS BASED ON THE KANSAS COORDINATE SYSTEM 1983 NORTH ZONE) ALONG THE NORTH LINE OF SAID NORTHEAST QUARTER A DISTANCE OF 1709.75 FEET TO A POINT ON THE EAST LINE OF A TRACT DESCRIBED IN BOOK 224 PAGE 395 IN THE JEFFERSON COUNTY REGISTER OF DEEDS OFFICE, SAID POINT BEING THE POINT OF BEGINNING; THENCE S07°59'45"W A DISTANCE OF 641.55 FEET; THENCE S19°24'14"W A DISTANCE OF 443.21 FEET; THENCE N72°40'19"W A DISTANCE OF 301.10 FEET; THENCE N01°47'48"W A DISTANCE OF 348.14 FEET; THENCE N19°39'40"E A DISTANCE OF 680.75 FEET TO A POINT ON THE WEST LINE OF SAID TRACT DESCRIBED IN BOOK 224 PAGE 395; THENCE S00°56'20"W ALONG SAID WEST LINE A DISTANCE OF 373.99 FEET TO THE NORTHWEST CORNER OF A TRACT DESCRIBED IN BOOK 108 PAGE 303 IN THE JEFFERSON COUNTY REGISTER OF DEEDS OFFICE; THENCE S08°26'48"W ALONG THE WEST LINE OF SAID TRACT IN BOOK 108 PAGE 303 A DISTANCE OF 600.00 FEET TO THE SOUTHWEST CORNER OF SAID TRACT IN BOOK 108 PAGE 303; THENCE S81°33'12"E ALONG THE SOUTH LINE OF SAID TRACT IN BOOK 108 PAGE 303 A DISTANCE OF 165.00 FEET TO THE SOUTHEAST CORNER OF SAID TRACT IN BOOK 108 PAGE 303; THENCE N08°26'48"E ALONG THE EAST LINE OF SAID TRACT IN BOOK 108 PAGE 303 A DISTANCE OF 600.00 FEET TO NORTHEAST CORNER OF SAID TRACT IN BOOK 108 PAGE 303; THENCE N21°44'48"E ALONG THE EAST LINE OF A SAID TRACT IN DEED BOOK 224 PAGE 395 A DISTANCE OF 401.38 FEET TO THE POINT OF BEGINNING.

ENCOMPASSING 198,965 SQFT OR 4.57 ACRES, MORE OR LESS.

An access easement described as follows:

A PORTION OF THE SOUTH HALF OF THE SOUTHEAST QUARTER OF SECTION 05, TOWNSHIP 08 SOUTH, RANGE 18 EAST OF THE SIXTH PRINCIPAL MERIDIAN, JEFFERSON COUNTY, KANSAS, BEING DESCRIBED AND PREPARED ON 04/15/2025 BY GREGORY E. MCDOWELL PS #1393 AND PROFESSIONAL ENGINEERING CONSULTANTS P.A., C.L.S. #65, AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID SOUTH HALF OF THE SOUTHEAST QUARTER; THENCE S88°01'14"W (BEARINGS BASED ON THE KANSAS COORDINATE SYSTEM 1983 NORTH ZONE) ALONG THE NORTH LINE OF SAID SOUTH HALF OF SOUTHEAST QUARTER A DISTANCE OF 1471.30 FEET; THENCE S01°48'12"E A DISTANCE OF 20.00 FEET; THENCE N88°01'14"E PARALLEL WITH SAID NORTH LINE A DISTANCE OF 1471.27 FEET TO THE EAST LINE OF SAID SOUTHEAST QUARTER; THENCE N01°43'09"W ALONG SAID EAST LINE A DISTANCE OF 20.00 FEET TO THE POINT OF BEGINNING.

ENCOMPASSING 29,426 SQ FT OR 0.676 ACRES, MORE OR LESS.

SECTION 4. That certain real property interests therein described in Section 3, hereof, are hereby ordered condemned for the purposes and for the use described in Section 2, hereof.

SECTION 5. Attorneys for the City of Valley Falls, Kansas, for and in behalf of the Governing Body, are hereby authorized and directed to file, under the Eminent Domain Procedures Act, K.S.A. 26-501 *et seq.* a verified petition in the District Court of Jefferson County, Kansas, for the condemnation and appropriation of certain real property and interests described in Section 3, hereof, together with Resolution No. 2025-3 of the City of Valley Falls, Kansas, and to do all things necessary for the condemnation and acquisition of said real property and interests therein for the purpose of acquiring certain property interests including a fee simple interest in real estate as well as a permanent easement as to real property located in Jefferson County, Kansas as declared in Resolution 2025-3.

SECTION 6. This ordinance shall constitute the final order exercising eminent domain and setting forth the condemnation of the real property and interests therein described herein and the purpose for which the same shall be used.

SECTION 7. This ordinance shall be in full force and effect from and after its passage and publication according to law.

PASSED by the Governing Body of the City of Valley Falls, Kansas, this day of May 21, 2025.

APPROVED

Mayor

ATTEST:

City Clerk

APPROVED AS TO FORM:

City Attorney

NOTICE TO PUBLISHER

Publish one time and return one Proof of Publication to the City Clerk and one to the City Attorney.

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;



City of Valley Falls

Established 1854

Work Session Agenda

May 21, 2025, After Council Meeting

CALL TO ORDER

DISCUSSION ITEMS:

- A. Barns Addition - Lot Size Discussion
- B. Council Ideas/ Feedback/ Updates

NEXT WORK SESSION:

- ☐ Topics for discussion
- ☐ Date

ADJOURNMENT