



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.

June 4, 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 21, 2025
2. Administrator Report
3. Public Works Report
4. Police Department Report
5. Pool Report
6. Invoices & Financials
7. City Water Resources Update - No Update
8. Walking Trail -No Update

BUSINESS ITEMS:

1. City Lake - Ordinance Approval
2. Housing Authority - Appointment
3. Code Enforcement Letters of Interest - No Letters Submitted.
4. Ordinance Chapter 7, Article 2 - Amend Fireworks Sales Dates.

REPORTS:
Mayor
Fire District
City Council Comments/ Feedback/ Ideas

ANNOUNCEMENTS/ COMMUNICATIONS:
Juneteenth - June 19th - City Offices Closed

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 21, 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, Bret Frakes

Staff members present: Wes Lanter (City Admin), Andrew Werring (City Attorney)

Guest present: Dianne Heinen, Lisa Abramovitz, Scott Heinen, Brett Waggoner (GAS)

Consent Agenda

Kevin Loy made the motion, seconded by Brett Dallman 4-0 pass

Business Items

CDBG Public Hearing was held, Public Comment from Diane Heinen.

Dennis Tichenor moved to have the Mayor execute the required documents, seconded by Kevin Loy. The motion passed 4-0.

1. Statement of Assurances and Certifications
2. Resolution Certifying Legal Authority to apply for the Kansas Small Cities CDBG Program from the KS Dept. of Commerce. Resolution 2025-6
3. Resolution assuring the KS Dept. of Commerce that funds will continuously be provided for the operation and maintenance of the improvements to be financed with CDBG funds. 2025-7
4. Residential Anti-displacement and Relocation Assistance Plan.
5. Environmental Determination of Level of Review.
6. HUD Applicant/.Recipient Disclosure Report.
7. Letter of commitment of matching funds.
8. Contract with Western Consultants dba GAS for CDBG grant administration.

Ordinance 12-201 City Lake Bret Frakes moved to table it until the June 4th meeting, seconded by Dennis Tichenor. It passed 4-0.

A-Z Fireworks Approval – Brett Dallman made the motion, seconded by Kevin. Passed 4-0. The city will ensure the ordinance matches the state regulations.

Housing Authority Letters of Interest – 2 letters were received. Kevin Loy made the motion to table until the June 4th meeting, seconded by Brett Dallman. Passed 4-0

Code Enforcement Letters of Interest – No letters received. The position will be open until filled.

Executive Session

Attorney-Client Dennis Tichenor made the motion, seconded by Brett Dallman, 4-0 pass. The open session will resume at 7:20 pm. Open session resumed at 7:20 pm, no action taken

Adjournment

Bret Frakes made the motion, seconded by Dennis Tichenor, 4-0 pass. Meeting ended at 7:21 pm.

APPROVED: _____
Jeanette Shipley, Mayor

Attest: _____
Destiny Schrick, City Clerk



City of VALLEY FALLS

Incorporated May 17, 1854

City Administrator Report City Council June 4, 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. This issue is partially fixed. Programming continues to work on it.
- Work Comp Audit – I will complete the work comp audit as soon as gWorks has updated our 2024 data.
- Sewer Phase 2—I have submitted all required documentation to GAS.
- Spring Line—The 4” Meter has been delivered. PW will get it installed.
- I met with PEC on May 29th for the SS4A Grant Opportunities. I sent the council a list of possible projects that should be approved for the grant. I am waiting for feedback.
- Light Pole Banners – No Update.
- I have started the 2026 Budget process.

CITY OFFICE

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



City of
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Incorporated May 17, 1869

Public Works Report
June 4, 2025

Water

- KRWA conducted a flow test on a residential water meter at our request.
- Painting work has resumed at the water treatment plant.
- A water meter pit was repaired at 500 Fraizer.

Sewers

- No sewer-related issues or activities to report at this time.

Streets

- Curbs and storm drains were cleaned on Fisher and Willow Streets.
- Ongoing street sweeping continues throughout the town as time and weather permit.
- "No Parking" signs were installed in the alleyway between Kendall Bank and Brickstreet.

Other Activities

- Bunker blocks were installed at the north end of the city maintenance shop. This area will serve as storage for gravel, salt, and cold patch materials.
- Repairs were completed on the dump truck to address rust damage in the truck bed.
- Weed control spraying was conducted at the pool parking lot, as well as along sidewalks and curbs on Broadway and in the city park.



City of
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Police Department Report
June 4, 2025

- Officer Brosa is attending Firearms Range Master Training in Olathe for 2 weeks.
- Officer Taylor has submitted his two-week resignation. He has accepted the position of Chief of Police for McLouth. He would like to address the mayor and the city council.

Calls for service:

5/30 Traffic stop	5/25 Traffic stop
5/30 Traffic stop	5/24 Juvenile call
5/30 Traffic stop	5/24 Traffic issue
5/30 Traffic stop	5/24 Traffic stop
5/30 Road rage incident	5/24 Traffic stop
5/29 Traffic stop	5/24 Mental Health Issue subject
5/29 Traffic stop	5/24 Citizen complaint
5/29 Traffics top	5/24 Mental Health Issue subject
5/29 Medical Assist	5/23 Traffic stop
5/29 Traffic stop	5/23 Traffic stop
5/29 Traffic stop	5/23 Traffic stop
5/29 Traffic stop	5/22 Traffic stop
5/29 Traffic stop	5/21 Suicidal subject
5/29 Traffic stop	5/21 Residential alarm
5/27 Traffic stop	5/21 Traffic stop
5/27 Possible fraud	5/21 Suicidal subject
5/26 Traffic stop	5/19 Battery
5/25 Traffic stop	
5/25 Traffic stop	



City of
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Pool Report
June 4, 2025

- 54 Season Passes have been assigned either from being sold or donated as of closing Sunday.
- Average daily attendance for the three days open has been 125.
- There are three pool parties booked for June.
- Public Swimming lessons are scheduled to start on June 16th. Private lessons have not been scheduled as we need to train several staff to help with lessons. There are 36 kids for private lessons.
- Concessions are selling well. Have a cheese machine now. Bought pretzels from the PTO. Even with the refrigerator, freezer space is an issue.
- Waiting for the ice machine to arrive and be in place. Sno-cones are a hit.
- Had issues with the new computer and the wi-fi. This problem has been corrected.



City of Valley Falls

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COUNCIL MEETING DATE: June 4, 2025

INVOICES IN THE TOTAL AMOUNT OF: \$11,790.09

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 June 2025

City Clerk

Claims Report

Period: 05/22/2025 To 06/04/2025

Vendor Name	References	Invoice Amount	Transaction #	Date
GENERAL FUND - 100				
POLICE - 120				
VEHICLE MAINTENANCE/FUEL 100-120-5160				
K4 AG & SERVICE LLC	tire, coolant	\$ 210.00	24308	06/01/2025
Casey's Business Mastercard	Fuel	\$ 1,008.81		05/28/2025
GL Account Total - VEHICLE MAINTENANCE/FUEL		\$ 1,218.81		
FACILITIES MAINTENANCE 100-120-5150				
HEINEN PHE	AC repair	\$ 1,080.00	24309	06/01/2025
GL Account Total - FACILITIES MAINTENANCE		\$ 1,080.00		
Department Total - POLICE		\$ 2,298.81		
PARKS - 150				
VEHICLE MAINTENANCE/FUEL 100-150-5160				
K4 AG & SERVICE LLC	Blades, Belt, Hydraulic oil	\$ 1,336.70	24308	06/01/2025
GL Account Total - VEHICLE MAINTENANCE/FUEL		\$ 1,336.70		
Department Total - PARKS		\$ 1,336.70		
POOL - 160				
FACILITIES MAINTENANCE 100-160-5150				
HAWKINS	Chemicals	\$ 1,002.65	24310	06/01/2025
GL Account Total - FACILITIES MAINTENANCE		\$ 1,002.65		
Department Total - POOL		\$ 1,002.65		
ADMINISTRATION - 110				
FACILITIES MAINTENANCE 100-110-5150				
HEINEN PHE	AC repair	\$ 1,080.00	24309	06/01/2025
GL Account Total - FACILITIES MAINTENANCE		\$ 1,080.00		
COMMODITIES 100-110-5180				
Renee Kearney	18 Flowerpots	\$ 863.37	24305	06/01/2025

GL Account Total - COMMODITIES		\$ 863.37		
CONTRACTUAL 100-110-5190				
NATIONWIDE	Surety Bond 6/15/25-6/14/26	\$ 514.00	24306	06/01/2025
GL Account Total - CONTRACTUAL		\$ 514.00		
Department Total - ADMINISTRATION		\$ 2,457.37		
STREET - 140				
VEHICLE MAINTENANCE/FUEL 100-140-5160				
Casey's Business Mastercard	Fuel	\$ 787.42		05/28/2025
GL Account Total - VEHICLE MAINTENANCE/FUEL		\$ 787.42		
Department Total - STREET		\$ 787.42		
Fund Total - GENERAL FUND		\$ 7,882.95		
WATER UTILITY - 720				
WATER - 720				
FACILITIES MAINTENANCE 720-720-5150				
HAWKINS	Chemicals	\$ 1,809.73	24310	06/01/2025
GL Account Total - FACILITIES MAINTENANCE		\$ 1,809.73		
CONTRACTUAL 720-720-5190				
BRETT DALLMAN	Tractor Rental	\$ 375.00	24311	06/01/2025
GL Account Total - CONTRACTUAL		\$ 375.00		
TRAINING/CONFERENCES 720-720-5110				
KANSAS RURAL WATER ASSOCIATION	2025 KRWA conference	\$ 560.00	24307	06/01/2025
GL Account Total - TRAINING/CONFERENCES		\$ 560.00		
VEHICLE MAINTENANCE/FUEL 720-720-5160				
Casey's Business Mastercard	Fuel	\$ 787.41		05/28/2025
GL Account Total - VEHICLE MAINTENANCE/FUEL		\$ 787.41		
Department Total - WATER		\$ 3,532.14		
Fund Total - WATER UTILITY		\$ 3,532.14		
SEWER UTILITY - 730				
SEWER - 730				
CONTRACTUAL 730-730-5190				

BRETT DALLMAN	Tractor Rental	\$ 375.00	24311	06/01/2025
GL Account Total - CONTRACTUAL		\$ 375.00		
Department Total - SEWER		\$ 375.00		
Fund Total - SEWER UTILITY		\$ 375.00		
Report Total		\$ 11,790.09		

Treasurer Report

Calendar : 06-2025, Fiscal : 06-2025

Fund #	Fund Name	Beginning Balance	Received	Disbursed	Change in Liabilities	Ending Balance
100	GENERAL FUND	\$ -14,118.09	\$ 0.00	\$ 0.00	\$ 0.00	\$ -14,118.09
120	Police Donations	\$ 380.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 380.00
125	DIVERSION FUND	\$ 290.00	\$ 0.00	\$ 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	\$ 31,608.18	\$ 0.00	\$ 0.00	\$ 0.00	\$ 31,608.18
300	SPECIAL HWY & STREETS	\$ 109,908.93	\$ 0.00	\$ 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	\$ 93,547.00	\$ 89.06	\$ 0.00	\$ 0.00	\$ 93,636.06
721	WATER RESERVE	\$ 71,286.84	\$ 0.00	\$ 0.00	\$ 0.00	\$ 71,286.84
730	SEWER UTILITY	\$ 143,568.50	\$ 56.51	\$ 0.00	\$ 0.00	\$ 143,625.01
731	SEWER RESERVE	\$ 176,733.20	\$ 0.00	\$ 0.00	\$ 0.00	\$ 176,733.20
740	SOLID WASTE (TRASH)	\$ 139,560.03	\$ 59.16	\$ 0.00	\$ 0.00	\$ 139,619.19
790	INSURANCE RESERVE	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00
Total		\$ 1,399,623.02	\$ 204.73	\$ 0.00	\$ 0.00	\$ 1,399,827.75

Report Title	Budget Report - Revenue & Expense
Calendar : 06-2025	Fiscal : 06-2025

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
100-100-4060	LIQUOR TAX	\$12,000.00	\$0.00	\$0.00	0.00%	\$12,000.00
100-100-4068	IN LIEU OF TAXES	\$6,000.00	\$0.00	\$0.00	0.00%	\$6,000.00
100-100-4100	GRANTS & DONATIONS	\$5,000.00	\$0.00	\$0.00	0.00%	\$5,000.00
100-100-4110	SERVICE FEES	\$2,000.00	\$0.00	\$505.00	25.30%	\$1,495.00
100-100-4120	PERMITS/LICENSES	\$2,000.00	\$0.00	\$1,002.00	50.10%	\$998.00
100-100-4130	FRANCHISE FEES	\$60,000.00	\$0.00	\$10,966.82	18.30%	\$49,033.18
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
100-100-4400	SWIMMING POOL RECEIPTS	\$13,000.00	\$0.00	\$0.00	0.00%	\$13,000.00
100-100-4410	SWIM POOL - SNACK CONCESS	\$11,000.00	\$0.00	\$0.00	0.00%	\$11,000.00
100-100-4420	SWIM POOL - POOL PARTIES	\$5,000.00	\$0.00	\$0.00	0.00%	\$5,000.00
100-100-4430	SWIMMING POOL - LESSONS	\$7,000.00	\$0.00	\$4,970.00	71.00%	\$2,030.00
100-100-4450	SEASON TICKETS	\$10,000.00	\$0.00	\$1,885.00	18.90%	\$8,115.00
100-100-4920	INTEREST INCOME	\$7,500.00	\$0.00	\$0.00	0.00%	\$7,500.00
100-100-4930	AR/REIMBURSED INCOME	\$6,000.00	\$0.00	\$5,420.91	90.30%	\$579.09
100-100-4940	MISCELLANEOUS INCOME	\$7,000.00	\$0.00	\$2,252.00	32.20%	\$4,748.00
	Total	\$711,534.00	\$0.00	\$183,376.38		\$528,157.62

Admin						
100-110-5010	WAGES - FULL TIME	\$54,860.00	\$0.00	\$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
100-110-5030	CONTRACT LABOR	\$14,340.00	\$0.00	\$0.00	0.00%	\$14,340.00
100-110-5050	BENEFITS	\$33,000.00	\$0.00	\$7,216.60	21.90%	\$25,783.40
100-110-5100	INSURANCE - GL,WC,PROP	\$20,000.00	\$0.00	\$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	\$0.00	\$1,333.87	33.30%	\$2,666.13
100-110-5130	EQUIPMENT/UNIFORMS	\$1,000.00	\$0.00	\$0.00	0.00%	\$1,000.00
100-110-5140	UTILITIES AND PHONE	\$3,400.00	\$0.00	\$1,061.51	31.20%	\$2,338.49
100-110-5150	FACILITIES MAINTENANCE	\$5,000.00	\$0.00	\$781.75	15.60%	\$4,218.25
100-110-5160	VEHICLE MAINTENANCE/FUEL	\$1,000.00	\$0.00	\$0.00	0.00%	\$1,000.00
100-110-5170	POSTAGE/STATIONARY	\$1,500.00	\$0.00	\$20.84	1.40%	\$1,479.16
100-110-5180	COMMODITIES	\$5,000.00	\$0.00	\$595.06	11.90%	\$4,404.94
100-110-5190	CONTRACTUAL	\$7,500.00	\$0.00	\$7,162.97	95.50%	\$337.03
100-110-5200	GRANTS & DONATIONS	\$4,000.00	\$0.00	\$150.00	3.80%	\$3,850.00
100-110-5911	TRANSFER TO EQUIP RESERVE	\$20,000.00	\$0.00	\$0.00	0.00%	\$20,000.00
100-110-5912	TRANSFER CAPITAL IMPROVEMENT	\$25,000.00	\$0.00	\$0.00	0.00%	\$25,000.00
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		\$357,200.00	\$0.00	\$57,241.59		\$287,324.41

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	\$0.00	\$55,383.45	38.00%	\$90,516.55
100-120-5020	WAGES - PART TIME/ELECTED		\$10,000.00	\$0.00	\$4,949.04	49.50%	\$5,050.96
100-120-5050	BENEFITS		\$42,000.00	\$0.00	\$16,446.30	39.20%	\$25,553.70
100-120-5100	INSURANCE - GL,WC,PROP		\$8,000.00	\$0.00	\$7,000.00	87.50%	\$1,000.00
100-120-5110	TRAINING/CONFERENCES		\$6,000.00	\$0.00	\$1,069.53	17.80%	\$4,930.47
100-120-5120	DUES/MEMBERSHIPS		\$1,000.00	\$0.00	\$177.00	17.70%	\$823.00
100-120-5130	EQUIPMENT/UNIFORMS		\$2,100.00	\$0.00	\$1,107.84	52.80%	\$992.16
100-120-5140	UTILITIES AND PHONE		\$3,500.00	\$0.00	\$1,257.13	35.90%	\$2,242.87
100-120-5160	VEHICLE MAINTENANCE/FUEL		\$20,000.00	\$0.00	\$5,053.03	25.30%	\$14,946.97
100-120-5180	COMMODITIES		\$3,000.00	\$0.00	\$2,193.85	73.10%	\$806.15
100-120-5190	CONTRACTUAL		\$8,200.00	\$0.00	\$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	\$0.00	\$1,137.41	75.80%	\$362.59
	Total		\$252,200.00	\$0.00	\$98,892.65		\$153,307.35

Court

100-130-5020	WAGES - PART TIME/ELECTED		\$0.00	\$0.00	\$1,080.00	0.00%	(\$1,080.00)
100-130-5030	CONTRACT LABOR		\$10,000.00	\$0.00	\$0.00	0.00%	\$10,000.00
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
100-130-5170	POSTAGE/STATIONARY		\$300.00	\$0.00	\$0.00	0.00%	\$300.00
100-130-5180	COMMODITIES		\$100.00	\$0.00	\$0.00	0.00%	\$100.00
100-130-5190	CONTRACTUAL		\$1,200.00	\$0.00	\$2,000.00	166.70%	(\$800.00)
	Total		\$12,600.00	\$0.00	\$3,227.62		\$9,372.38

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	\$0.00	\$13,149.53	40.50%	\$19,350.47
100-140-5050	BENEFITS		\$15,000.00	\$0.00	\$4,565.32	30.40%	\$10,434.68
100-140-5100	INSURANCE - GL,WC,PROP		\$4,000.00	\$0.00	\$3,000.00	75.00%	\$1,000.00
100-140-5130	EQUIPMENT/UNIFORMS		\$1,000.00	\$0.00	\$104.53	10.50%	\$895.47
100-140-5140	UTILITIES AND PHONE		\$22,000.00	\$0.00	\$6,321.72	28.70%	\$15,678.28
100-140-5150	FACILITIES MAINTENANCE		\$0.00	\$0.00	\$86.76	0.00%	(\$86.76)
100-140-5160	VEHICLE MAINTENANCE/FUEL		\$10,000.00	\$0.00	\$6,567.36	65.70%	\$3,432.64
100-140-5180	COMMODITIES		\$6,000.00	\$0.00	\$1,194.25	19.90%	\$4,805.75
100-140-5190	CONTRACTUAL		\$2,000.00	\$0.00	\$0.00	0.00%	\$2,000.00
	Total		\$92,500.00	\$0.00	\$35,685.10		\$56,814.90

Parks						
100-150-5020	WAGES - PART TIME/ELECTED	\$9,100.00	\$0.00	\$1,901.25	20.90%	\$7,198.75
100-150-5050	BENEFITS	\$1,000.00	\$0.00	\$145.45	14.50%	\$854.55
100-150-5100	INSURANCE - GL,WC,PROP	\$1,000.00	\$0.00	\$1,000.00	100.00%	\$0.00
100-150-5140	UTILITIES AND PHONE	\$0.00	\$0.00	\$1,060.50	0.00%	(\$1,060.50)
100-150-5180	COMMODITIES	\$1,000.00	\$0.00	\$265.54	26.60%	\$734.46
100-150-5950	CAPITAL OUTLAY/CARRY OVER	\$4,000.00	\$0.00	\$84.10	2.10%	\$3,915.90
	Total	\$16,100.00	\$0.00	\$4,456.84		\$11,643.16

Pool						
100-160-5020	WAGES - PART TIME/ELECTED	\$54,000.00	\$0.00	\$1,951.66	3.60%	\$52,048.34
100-160-5050	BENEFITS	\$3,500.00	\$0.00	\$148.84	4.30%	\$3,351.16
100-160-5100	INSURANCE - GL,WC,PROP	\$2,000.00	\$0.00	\$1,500.00	75.00%	\$500.00
100-160-5110	TRAINING/CONFERENCES	\$1,000.00	\$0.00	\$2,100.00	210.00%	(\$1,100.00)
100-160-5120	DUES/MEMBERSHIPS	\$200.00	\$0.00	\$0.00	0.00%	\$200.00
100-160-5130	EQUIPMENT/UNIFORMS	\$1,500.00	\$0.00	\$390.00	26.00%	\$1,110.00
100-160-5140	UTILITIES AND PHONE	\$5,000.00	\$0.00	\$556.92	11.10%	\$4,443.08
100-160-5150	FACILITIES MAINTENANCE	\$5,000.00	\$0.00	\$159.98	3.20%	\$4,840.02
100-160-5180	COMMODITIES	\$1,000.00	\$0.00	\$0.00	0.00%	\$1,000.00
100-160-5190	CONTRACTUAL	\$1,500.00	\$0.00	\$3,064.32	204.30%	(\$1,564.32)
100-160-5330	CONCESSIONS	\$5,000.00	\$0.00	\$0.00	0.00%	\$5,000.00
	Total	\$79,700.00	\$0.00	\$9,871.72		\$69,828.28

Bond & Interest						
500-500-4050	SALES TAX	\$170,000.00	\$0.00	\$15,778.41	9.30%	\$154,221.59
500-500-4910	TRANSFERS IN	\$37,000.00	\$0.00	\$0.00	0.00%	\$37,000.00
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
500-500-5950	CAPITAL OUTLAY/CARRY OVER	\$100,000.00	\$0.00	\$0.00	0.00%	\$100,000.00
	Total	\$489,200.00	\$0.00	\$141,507.80		\$347,692.20

Water						
720-720-4330	UTILITY RECEIPTS	\$420,000.00	\$89.06	\$153,708.42	36.60%	\$266,291.58
720-720-4350	UTILITY PENALTIES	\$0.00	\$0.00	\$263.23	0.00%	(\$263.23)
720-720-4360	UTILITY SALES TAX	\$0.00	\$0.00	\$1,835.20	0.00%	(\$1,835.20)
720-720-4930	AR/REIMBURSED INCOME	\$500.00	\$0.00	\$0.00	0.00%	\$500.00
720-720-5010	WAGES - FULL TIME	\$95,500.00	\$0.00	\$38,534.52	40.40%	\$56,965.48
720-720-5050	BENEFITS	\$18,000.00	\$0.00	\$9,241.87	51.30%	\$8,758.13
720-720-5100	INSURANCE - GL,WC,PROP	\$24,000.00	\$0.00	\$20,159.00	84.00%	\$3,841.00
720-720-5110	TRAINING/CONFERENCES	\$2,500.00	\$0.00	\$0.00	0.00%	\$2,500.00
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	\$0.00	\$1,089.08	54.50%	\$910.92
720-720-5140	UTILITIES AND PHONE	\$22,000.00	\$0.00	\$8,237.76	37.40%	\$13,762.24
720-720-5150	FACILITIES MAINTENANCE	\$45,000.00	\$0.00	\$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	\$0.00	\$1,587.61	52.90%	\$1,412.39

720-720-5180	COMMODITIES	\$26,000.00	\$0.00	\$5,432.77	20.90%	\$20,567.23
720-720-5190	CONTRACTUAL	\$15,000.00	\$0.00	\$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
720-720-5911	TRANSFER TO EQUIP RESERVE	\$55,000.00	\$0.00	\$0.00	0.00%	\$55,000.00
720-720-5912	TRANSFER TO FUND RESERVE	\$50,000.00	\$0.00	\$0.00	0.00%	\$50,000.00
720-720-5950	CAPITAL OUTLAY/CARRY OVER	\$66,500.00	\$0.00	\$19,371.30	29.10%	\$47,128.70
Total		\$861,500.00	\$89.06	\$306,335.20		\$555,164.80

Sewer						
730-730-4330	UTILITY RECEIPTS	\$415,000.00	\$56.51	\$115,855.72	27.90%	\$299,144.28
730-730-4350	UTILITY PENALTIES	\$0.00	\$0.00	\$255.21	0.00%	(\$255.21)
730-730-4930	AR/REIMBURSED INCOME	\$500.00	\$0.00	\$0.00	0.00%	\$500.00
730-730-5010	WAGES - FULL TIME	\$95,500.00	\$0.00	\$38,534.41	40.40%	\$56,965.59
730-730-5050	BENEFITS	\$15,000.00	\$0.00	\$9,059.66	60.40%	\$5,940.34
730-730-5100	INSURANCE - GL,WC,PROP	\$15,000.00	\$0.00	\$14,549.00	97.00%	\$451.00
730-730-5110	TRAINING/CONFERENCES	\$2,500.00	\$0.00	\$0.00	0.00%	\$2,500.00
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	\$0.00	\$104.54	5.20%	\$1,895.46
730-730-5140	UTILITIES AND PHONE	\$3,000.00	\$0.00	\$2,910.77	97.00%	\$89.23
730-730-5150	FACILITIES MAINTENANCE	\$15,000.00	\$0.00	\$9,937.36	66.20%	\$5,062.64
730-730-5160	VEHICLE MAINTENANCE/FUEL	\$0.00	\$0.00	\$4,607.05	0.00%	(\$4,607.05)
730-730-5180	COMMODITIES	\$5,000.00	\$0.00	\$1,464.63	29.30%	\$3,535.37
730-730-5190	CONTRACTUAL	\$5,000.00	\$0.00	\$1,285.85	25.70%	\$3,714.15
730-730-5911	TRANSFER TO EQUIP RESERVE	\$55,000.00	\$0.00	\$0.00	0.00%	\$55,000.00
730-730-5912	TRANSFER TO FUND RESERVE	\$50,000.00	\$0.00	\$0.00	0.00%	\$50,000.00
730-730-5913	TRANSFER TO BOND & INT	\$35,000.00	\$0.00	\$0.00	0.00%	\$35,000.00
730-730-5950	CAPITAL OUTLAY/CARRY OVER	\$139,000.00	\$0.00	\$12,900.00	9.30%	\$126,100.00
Total		\$854,000.00	\$56.51	\$211,921.70		\$642,078.30

Solid Waste						
740-740-4330	UTILITY RECEIPTS	\$227,000.00	\$59.16	\$64,696.76	28.50%	\$162,303.24
740-740-4350	UTILITY PENALTIES	\$0.00	\$0.00	\$155.82	0.00%	(\$155.82)
740-740-5190	CONTRACTUAL	\$170,000.00	\$0.00	\$31,932.57	18.80%	\$138,067.43
Total		\$397,000.00	\$59.16	\$96,785.15		\$300,214.85

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 June 4, 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.

Article 2. Fireworks

7-201. Fireworks defined.

For purposes of this article, the term fireworks shall mean those items as defined by the rules and regulations of the Kansas state fire marshal, and shall include but not be limited to: firecrackers, torpedoes, sparklers, Roman candles, sky rockets, pin wheels, cap or toy pistols (except such pistols or any like device designed to discharge paper caps containing not more than 0.25 grains of explosive mixture), canes, bombs, cannons or other like devices and all classes of fireworks that may be shot into the air or propelled over the ground by explosive discharges or any device using blank cartridges.

(Code 2006)

7-202. Fireworks prohibited.

(a) Except as provided in sections 7-203:206; it shall be unlawful for any person, firm or corporation to fire, discharge, sell or offer to sell, within city limits, any fireworks or article that shall be used in a pyrotechnical display.

(b) Nothing in this article shall be construed as applying to:

- (1) Toy paper caps containing not more than 0.25 of a grain of explosive composition per cap;
- (2) The manufacture, storage, sale or authorized use of signals necessary for the safe operation of railroads or other classes of public or private transportation;
- (3) The military or naval forces of the United States or of this state while in the performance of official duty;
- (4) Law enforcement officers while in the performance of official duty; or
- (5) The sale or use of blank cartridges for ceremonial, theatrical or athletic events.
- (6) The discharge of fireworks at any time to persons holding permits from the governing body to give pyrotechnical displays.

(Code 2006; Ord. 7-203.1; Ord. 7-204.1)

7-203. Same; exceptions; discharges.

(a) Section 7-202 of this article shall not apply to the firing or discharge of fireworks within the city limits between the hours of 8:00 a.m. and 10:00 p.m. Sunday through Thursday nights, and 8:00 a.m. and 12:00 midnight Friday and Saturday nights on June 27th through July 5th, with the 4th of July 8:00 a.m. to 12:00 midnight regardless of the day of the week.

(b) The governing body of the city may, in its discretion, grant permission at any time for the public display of fireworks by responsible individuals or organizations when such display or displays shall be of such a character and so located, discharged and fired as shall not be a fire hazard or endanger persons or surrounding property.

(c) It shall be unlawful for any person, firm or corporation to give any public display of fireworks without having first obtained a permit thereof.

(Ord. 7-309, Sec. 1; Code 2006; Ord. 7-203.1; Ord. 005; Code 2023)

7-204. Same; exception; sale of fireworks.

Any person who has first obtained a valid permit to sell fireworks within the city may do so between the hours of 8:00 a.m. and 12:00 midnight commencing June 27th and through July 5th of each year.

(Ord. 7-310, Sec. 1; Code 2006; Ord. 7-204.1; Code 2023)

7-205. Permit for sale of fireworks required; fee; issuance.

(a) It shall be unlawful for any person to sell, display for sell, offer to sell or give away any type of fireworks within the city without first paying a fee of \$10.00 per establishment or premises to the city clerk and applying for and securing a permit therefor on or before June 25th of the permit year.

(b) No permit shall be issued for any location where retail sales are not permitted under the zoning laws. Prior to the issuance of the permit, an inspection will be made of the applicant's facility for compliance with this chapter and other pertinent laws, and no permit shall be issued for any premises not in compliance with such laws. Upon qualifying for the permit, the permittee shall prominently display the same at the establishment or premises where fireworks are to be sold or displayed for sale. The permit fee shall not be refundable upon failure to qualify for the permit or withdrawal or cancellation of the application or permit.

(Code 2006)

7-206. Permit for public fireworks display required.

(a) It shall be unlawful for any person to give or provide a fireworks display for the public or for organized groups without first obtaining a permit to do so by making application at least 30 days in advance of the desired display. Approval of the permit shall be by the governing body. No permit shall be approved unless the applicant furnishes a certificate of public liability insurance for the display in a minimum amount of \$1,000,000, written by an insurance carrier licensed to do business in Kansas, conditioned as being non-cancellable except by giving 10 days advance written notice to the city clerk. In the event of cancellation of the insurance prior to the display, the permit shall automatically be revoked and void. The application for the permit shall clearly state:

- (1) The name of the applicant.
- (2) The group for which the display is planned.
- (3) The location of the display.
- (4) The date and time of the display.
- (5) The nature or kind of fireworks to be used.
- (6) The name of the person, firm or corporation that will make the actual discharge of the fireworks.
- (7) Anticipated need for police, fire or other municipal services.

(b) No permit shall be issued if the location, nature of the fireworks or other relevant factor is such as to create an undue hazard or risk of harm or damage to persons or property.

(Code 2006)

7-207. Approved fireworks; bottle rockets prohibited.

(a) All fireworks offered for sale and discharged within the city shall be of a type that has been tested and approved for sale and use within the state by the state fire marshal.

(b) Bottle rockets and other similar self-propelled firework or fireworks devices consisting of a tube and attached guiding stock or rod shall not be sold or discharged in the city.

7-208. Discharge on streets and public property prohibited.

It shall be unlawful for any person to discharge, ignite or fire any fireworks upon any public street, alley or avenue or in any park or public place within the city.

(Code 2006)

7-209. Throwing prohibited.

It shall be unlawful for any person to throw, cast or propel fireworks of any kind in the direction of or into the path of any animal, person or group of persons, or from, in the direction of or into any vehicle of any kind.

(Code 2006)

7-210. Sale of fireworks; where prohibited.

(a) It shall be unlawful for fireworks to be stored, sold or displayed for sale in a place of business where paint, oils, varnishes, turpentine or gasoline or other flammable substances are kept, unless such fireworks are in a separate and distinct section or department of the premises.

(b) Where the fire chief deems there is a fire hazard, he or she is hereby authorized to have such hazard abated.

(Code 2006)

7-211. Retail display of fireworks.

(a) All retailers are forbidden to expose fireworks where the sun shines through glass on the merchandise displayed, except where such fireworks are in the original package.

(b) All fireworks displayed for sale must remain in original packages, except where an attendant is on constant duty at all times where such fireworks are on display; provided, that fireworks in open stock may be kept in show cases or counters out of the reach of the public without an attendant being on duty.

(c) Signs reading "Fireworks for Sale--No Smoking Allowed" shall be displayed in the section of a store or premises set aside for the sale of fireworks.

(Code 2006)

7-212. Fire extinguishers required.

(a) Two functioning and approved fire extinguishers must be provided and kept in close proximity to the stock of fireworks in all permanent buildings where fireworks are stored, sold or displayed for sale.

(b) Small stands, temporarily erected to be used as a place for storing and selling fireworks only, shall have one such fire extinguisher, or in lieu of the fire extinguisher, a pressurized water hose with nozzle end within five feet of the fireworks stand.

(Code 2006)

7-213. Restrictions as to gasoline installations.

It shall be unlawful to store, keep, sell, display for sale or discharge any fireworks within 50 feet of any gasoline pump, gasoline filling station, gasoline bulk station or any building in which gasoline or volatile liquids are sold in quantities in excess of one gallon, except in stores where cleaners, paints and oils are handled in sealed containers only.

(Code 2006)

7-214. Authority of fire chief.

The chief of the fire department is authorized to seize and confiscate all fireworks which may be kept, stored or used in violation of any section of this article, and all of the rules of the state fire marshal. He or she shall dispose of all such fireworks as may be directed by the governing body.

(Code 2006)

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;