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[Vianello v. City of Prairie Village, Kansas](#)

United States District Court, D. Kansas - November 3, 2025 - Slip Copy - 2025 WL 3062462

The City Council of the City of Prairie Village, Kansas approved – without public vote – Resolution 2025-04, which passed on June 16, 2025. The resolution authorized the issuance of general obligation bonds in the amount of up to \$30 Million to pay for improvements to certain City buildings.

Plaintiff Marc Vianello filed an action in federal court challenging City’s issuance of the bonds, arguing that the City was required to put Resolution 2025-04 to public vote due to City’s obligations under the voter approval requirements and debt limitations of Kansas law (K.S.A. § 13-1024a).

Plaintiff argued that City illegally opted out of these requirements when it passed Charter Ordinance 28 titled, “A Charter Ordinance Exempting the City of Prairie Village, Kansas from the Provisions of K.S.A. § 13-1024a and Providing Substitute and Additional Provisions on the Same Subject Relating to the General Improvements and the Issuance of Bonds for the Purpose of Paying for Said Improvements; and Repealing Charter Ordinance 25.”

Plaintiff asserted seven violations of his federal constitutional rights. Each of Plaintiff’s federal claims concerned the same action taken by City: whether City legally exempted itself from K.S.A. § 13-1024a, and, in turn, acted legally when it then passed Resolution 2025-04.

Plaintiff did not allege a single instance of City taking an action that, irrespective of Kansas state law, violated a federal statute or constitutional right. Each request for declaratory judgment invoked a violation of Kansas state law with a purported federal cause of action stemming from that initial state law violation.

City moved to dismiss for lack of jurisdiction and for failure to state a claim.

The Court begins its analysis with City’s Rule 12(b)(1) argument that Plaintiff lacked standing to bring any of his federal constitutional law claims. The Court agreed that Plaintiff lacked standing.

“In sum, the Court is unable to find standing for federal claims that effectively ask this Court to determine whether a municipality’s actions violate state law. Federal court is not an appropriate forum for municipal taxpayers to challenge whether their municipality properly followed state law. To find otherwise would effectively allow for any municipal taxpayer to challenge any municipal spending action in federal court under the guise of constitutional injury. Such a finding would also run afoul of § 1983’s prohibition of liability based solely on a violation of state law. Accordingly, the Court finds Plaintiff has failed to establish standing to bring his federal claims, and thus the Court lacks subject matter jurisdiction.”

