

**CITY OF CHERRYVALE
MEETING OF THE CITY COUNCIL
REGULAR MEETING**

November 7, 2016

7:00 PM

Working for a better tomorrow... today.

CALL MEETING TO ORDER

INVOCATION

PLEDGE OF ALLEGIANCE

ROLL CALL

NEW COUNCIL BUSINESS

A. CONSIDERATION OF JOINT USE AGREEMENT FOR COMMUNITY CTR

Presented by Joel Pile, City Administrator

RECOMMENDED ACTION: Approve the Joint Use Agreement with USD 447 for use of the Community Center and authorize the City Administrator to sign.

B. CONSENT AGENDA

Presented by John Wright, Mayor

RECOMMENDED ACTION: Approve the consent agenda as presented.

- | | |
|--|---------------------|
| 1. Appropriations and Payroll Ord. No. 16-10-21: | \$84,244.23 |
| a. Approval of Purchases over \$5,000 | |
| i. Blue Cross – Blue Shield | \$13,593.79 |
| ii. Republic Services | \$9,246.79 |
| iii. People’s State Bank (FICA) | \$7,391.53 |
| 2. Appropriations and Payroll Ord. No. 16-11-04: | \$235,611.86 |
| a. Approval of Purchases over \$5,000 | |
| i. Mission Construction Co. Inc. | \$150,127.40 |
| ii. People’s State Bank (FICA) | \$7,457.57 |
| iii. Public Wholesale Water | \$24,333.33 |
| iv. Westar Energy | \$6,844.61 |
| 3. Approval of Third Quarter Treasurer’s Report | |
| 4. Appointment of Mr. Jerry Wallace (708 W. Main) to Planning & Zoning Commission term expiring January 2019 | |
| 5. Appointment of Mr. John Mealey (327 W. 3rd) to Planning & Zoning Commission term expiring January 2019 | |
| 6. Approval of the minutes for October 17, 2016 Regular Meeting | |

C. EXECUTIVE SESSION (NON-ELECTED PERSONNEL)

RECOMMENDED ACTION: Enter into executive session pursuant to the nonelected personnel matters exception in order to discuss employee matters related to nonelected personnel

for a period of 15 minutes to include the City Administrator.

DEPARTMENT HEAD REPORTS

1. Public Works Director Wade Webber
 - City Leaf Pickup Schedule
2. Police Chief Perry Lambert
3. Fire Chief Jesse Reed

INFORMATIONAL ITEMS

1. Planning & Zoning Commission Meeting 7:00 pm, November 10, 2016
2. Next Regular City Council Meeting November 21, 2016
3. City Offices will be closed November 11, 2016 in observance of Veterans Day
4. Yard of the Month- October

ADJOURNMENT

This is an open meeting, open to the public, subject to the Kansas Open Meetings Act (KOMA). The City of Cherryvale is committed to providing reasonable accommodations for persons with disabilities upon request of the individual. Individuals with disabilities requiring an accommodation to attend the meeting should contact the City in a timely manner.

REC'D

OCT 31 10

CITY OF
CHERRYVALE

JOINT USE AGREEMENT
CHERRYVALE COMMUNITY CENTER
(FORMER NATIONAL GUARD ARMORY)

This Joint Use Agreement ("Agreement") is made and entered into this ____ day of _____, 2016, by and between the City of Cherryvale, a municipal corporation ("City"), and the Unified School District #447, a Kansas public school district ("District") (each a "Party" and collectively, the "Parties").

WHEREAS, the City and District mutually desire to jointly use the former National Guard Armory building, now known as the Cherryvale Community Center, ("Building") for special community activity and recreational purposes;

WHEREAS, the City and District believe that such a joint use agreement and cooperative planning and use of the Building would be the best and most economical use of public space and funds;

WHEREAS, the City and District recognize the need for additional practice facility space, specifically in regards to the volleyball and basketball program;

NOW, THEREFORE, in consideration of the covenants and conditions hereinafter set forth, it is agreed by the Parties as follows:

I. The Joint Facility Areas

The property subject to this Agreement is located entirely at the Cherryvale Community Center, more specifically described as the "Building". The Joint Facility Areas are more commonly known as the following:

- The north gymnasium, ("north area")
- The restrooms near the north gymnasium, ("Restrooms")
- The north parking lot ("Parking Lot") – note the parking is restricted to this location, and not permitted in front of the Building or on the adjacent roadway. The south parking lot is fenced and regularly locked to protect storage.

The Joint Facility Areas shall be made available by the City to the District for recreational purposes (to include volleyball and basketball) consistent with this Agreement, and applicable law.

II. Term/Termination.

Except as provided herein, the term of this Agreement ("Term") shall be for a period of six months, commencing on September 1, 2016 ("Commencement Date") and expiring on February 28, 2017.

III. District Use of the Joint Facility Areas

A. Times of Exclusive Use. Except as otherwise provided in this Agreement, the District shall have the exclusive right to use the Joint Facility Areas, or any portion thereof, for recreational purposes (volleyball and basketball) during the following hours:

1.) Monday-Friday 3:30 p.m. – 6:00 p.m.

All other times of use are expressly reserved by the City of Cherryvale for city use, including the rental of facility space to a third party for events.

The parties acknowledge that the District's right to use the Joint Facility Areas is exclusive and, except as otherwise provided in this Agreement, District shall not grant a right to use the Joint Facility Areas to any other person or entity without first obtaining the written consent of City.

B. Exception – Times Reserved by City for City Use. Notwithstanding the above, District shall not use any portion of the Joint Facility Areas that has been reserved by City in advance for city use, or rental activities.

The City shall not reserve the north area for any third party use during the Term of this agreement without the express consent of the District.

Should the District wish to reserve additional use of the Joint Facility Areas outside the Times of Exclusive Use, the District shall contact the City Hall staff to add the event details to the tentative master schedule (s) no later than 14 days in advance of said event. District shall make best good faith efforts to ensure that the actual use of the Joint Facility Areas and scheduled events conform as closely as possible to the tentative master schedule.

Notwithstanding the above, The District or City shall have the right to conduct activities of an emergency nature, as needed, at the Joint Facilities without providing prior written notice.

The City reserves the right to use and or rent out the Joint Facility Areas, with exception of the north area, provided that the City's use will not conflict or unreasonably interfere with Districts Activities at the Joint Facility Areas.

IV. Consideration.

A. District Consideration for Exclusive Use. In consideration for the exclusive right to use the Joint Facility Areas as provided herein, second to only the City's rights as previously noted, District shall pay the City as follows:

- 1.) District shall make one lump sum payment to the City in a base amount of Four Hundred Dollars (\$400.00).

The parties acknowledge that, in the event this Agreement is terminated for any reason, there shall be no pro-rata refund to the District for any portion of the payment made.

V. Maintenance Obligations.

A. District Maintenance Obligations. Starting with the Commencement Date, District shall be responsible for keeping Joint Facility Areas clean which shall include a weekly "dry-mopping" of gym floor, vacuuming of carpeted hallway between the gym and restrooms and thorough cleaning of restrooms. District agrees to notify City promptly of any additional cleaning or maintenance concerns upon District's use.

B. Equipment Storage – The parties acknowledge that the District may store any equipment necessary in the facility during the term of this agreement. Upon termination of agreement, the District's representative, or designee, shall meet with the City representative, to determine if equipment can continue being stored at the facility.

VI. Indemnification

A. Indemnification. Each party agrees to indemnify, defend and hold harmless the other party, its officers, officials, agents, employees and volunteers from any and all claims, losses, penalties and liabilities of any nature, at law or equity, including attorney's fees, to the extent caused by, arising out of, or in connection with, the indemnifying party's actual or alleged negligent acts or omissions pursuant to this Agreement. An indemnifying party's indemnification obligation shall not be limited to insurance proceeds, if any, received by the indemnifying party, its officers, officials, agents, employees, or volunteers. This Section shall survive the termination of this Agreement.

WITNESS WHEREOF, the parties have hereto executed this contract of the day and year first above written.

City of Cherryvale

By: _____
Joel Pile
City Administrator

Unified School District #447

By:  _____
Joe Marchant
BOE President

ATTEST:

By: _____
Karen Davis
Interim-City Clerk

By:  _____
Kristine Houston
Board Clerk

BANK NO	BANK NAME	CHECK NO	DATE	VENDOR NO	VENDOR NAME	CHECK AMOUNT	CLEARED	VOIDED	MANUAL
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1 COMM. NATIONAL BANK & TRUST

Thru	22991				Payroll Checks	\$4389.00			
	23000								
	23001	10/21/2016		1440	CITY OF CHERRYVALE	352.50			
	23002	10/21/2016		7379	SURENCY LIFE AND HEALTH	125.92			
	23003	10/21/2016		9211	BCBS OF KANSAS	663.76			
	23004	10/21/2016		9212	BCBS OF KANSAS	1,406.36			
	23005	10/21/2016		9214	KANSAS PAYMENT CENTER	765.59			

Thru	23006				Gap in Checks	\$19662.24			
	23007								
	23008	10/21/2016		9223	AFLAC	400.44			
	23009	10/21/2016		9225	CITY OF CHERRYVALE	216.04			
	23010	10/21/2016		9230	SECURITY BENEFIT	235.67			
	23011	10/21/2016		9303	W.H. GRIFFIN TRUSTEE	219.23			
	23012	10/21/2016		79	AIRGAS USA, LLC	273.09			
	23013	10/21/2016		600	BLUE CROSS-BLUE SHIELD	13,593.79			
	23014	10/21/2016		75	BOUND TREE MEDICAL LLC	336.59			
	23015	10/21/2016		790	BUMPER TO BUMPER AUTO PARTS	125.69			
	23016	10/21/2016		1350	CHERRYVALE VETERINARY CLINIC	82.30			
	23017	10/21/2016		40	CONNOR, DEVIN	75.00			
	23018	10/21/2016		2087	DIGITAL CONNECTIONS	24.07			
	23019	10/21/2016		2256	EMERGENCY MEDICAL PRODUCTS INC	3.57			
	23020	10/21/2016		2260	EMERT, CHUBB & GETTLER, LLC	536.50			
	23021	10/21/2016		2563	FIREHOUSE	675.00			
	23022	10/21/2016		9063	FIREX, INC.	25.00			
	23023	10/21/2016		2605	GALLAGHER BENEFIT SERVICES, IN	416.50			
	23024	10/21/2016		3175	HD SUPPLY WATERWORKS, LTD	69.30			
	23025	10/21/2016		3101	HIGHER CALLING TECHNOLOGIES	4,594.00			
	23026	10/21/2016		3270	HUBER & ASSOCIATES, INC	200.00			
	23027	10/21/2016		3275	HUGO'S INDUSTRIAL SUPPLY, INC.	53.50			
	23028	10/21/2016		3953	KANSAS RURAL WATER ASSOCIATION	920.00			
	23029	10/21/2016		9323	MIDWEST SINGLE SOURCE	270.00			
	23030	10/21/2016		5235	MONTGOMERY COUNTY ACTION	200.00			
	23031	10/21/2016		5750	NEWTON'S	256.76			
	23032	10/21/2016		9316	PROFESSIONAL ENGINEERING	87.30			
	23033	10/21/2016		6210	POSTMASTER	330.00			
	23034	10/21/2016		6580	REPUBLIC SERVICES	9,246.79			
	23035	10/21/2016		6588	RICHARD L. HINES, P.A.	450.00			
	23036	10/21/2016		6674	ROBERTS, BILLY D.	361.36			
	23037	10/21/2016		9315	SHAW, MICHAEL W.	264.00			
	23038	10/21/2016		7379	SURENCY LIFE AND HEALTH	382.01			
	23039	10/21/2016		9255	THOMPSON BROTHERS	85.45			
	23040	10/21/2016		7590	TRANSYSTEMS CORP.	4,926.00			
	23041	10/21/2016		9317	UNIFIRST CORPORATION	111.80			
	23042	10/21/2016		7680	UNITED STATES POSTAL SERVICE	500.00			
	23043	10/21/2016		7669	UNUM LIFE INSURANCE COMPANY	222.92			
	23044	10/21/2016		7807	WAGeworks	100.00			
	23045	10/21/2016		2590	WEX BANK	2,826.38			

BANK NO CHECK NO	BANK NAME DATE	VENDOR NO VENDOR NAME	CHECK AMOUNT	CLEARED	VOIDED	MANUAL
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88101 Payroll checks
Thru 90401

16012170	10/21/2016	9200 PEOPLES STATE BANK	7,391.53			**E-PAY**
16012171	10/21/2016	9201 KANSAS WITHHOLDING TAX	925.83			**E-PAY**
16012172	10/21/2016	9203 KPERS	4,631.01			**E-PAY**
16012173	10/21/2016	9202 KS EMPLOYMENT SECURITY FD	234.44			**E-PAY**

BANK TOTAL	60,192.99
OUTSTANDING	60,192.99
CLEARED	.00
VOIDED	.00

Payroll Total 24051.24

FUND	TOTAL	OUTSTANDING	CLEARED	VOIDED
100 GENERAL OPERATING	34,032.20	34,032.20	.00	.00
200 SPECIAL HIGHWAY	2,035.79	2,035.79	.00	.00
250 REFUSE COLLECTION	9,246.79	9,246.79	.00	.00
296 COPS GRANT	412.35	412.35	.00	.00
298 2015 SIDEWALKS GRANT	5,013.30	5,013.30	.00	.00
400 BOND AND INTEREST	270.00	270.00	.00	.00
500 MUNICIPAL EQUIPMENT RESER	3,990.00	3,990.00	.00	.00
700 WATER O & M	2,630.02	2,630.02	.00	.00
715 WWTP & S.S. O & M	2,562.54	2,562.54	.00	.00

REPORT TOTAL	60,192.99
OUTSTANDING	60,192.99
CLEARED	.00
VOIDED	.00

Mayor: _____

Attest: City Clerk _____

Passed this 7th Day of November, 2016

Signed this 7th Day of November, 2016

BANK NO	BANK NAME	CHECK NO	DATE	VENDOR NO	VENDOR NAME	CHECK AMOUNT	CLEARED	VOIDED	MANUAL
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1 COMM. NATIONAL BANK & TRUST

Thru 23046
23057

Payroll Checks

34,827.15

23058	11/04/2016	1440	CITY OF CHERRYVALE	352.50
23059	11/04/2016	9214	KANSAS PAYMENT CENTER	765.59
23060	11/04/2016	9230	SECURITY BENEFIT	240.18
23061	11/04/2016	9303	W.H. GRIFFIN TRUSTEE	219.23
23062	11/04/2016	9325	GARRISON LAW OFFICE LLC	327.38

23063

Gap in Checks

23064	11/04/2016	9068	A & C AUTO GLASS	175.00
23065	11/04/2016	375	B & B AUTOMOTIVE REPAIR	135.00
23066	11/04/2016	9326	BLACKARD, SAM	27.09
23067	11/04/2016	75	BOUND TREE MEDICAL LLC	520.47
23068	11/04/2016	786	BUG BUSTERS USA LLC	140.00
23069	11/04/2016	790	BUMPER TO BUMPER AUTO PARTS	207.10
23070	11/04/2016	9310	CHERRYVALE FAMILY MEDICINE	154.00
23071	11/04/2016	1250	CHERRYVALE LIBRARY TREASURER	1,240.36
23072	11/04/2016	9059	COX COMMUNICATIONS	742.97
23073	11/04/2016	6733	DAVIS, KAREN	40.25
23074	11/04/2016	2336	ENVIROLINE CO INC	400.00
23075	11/04/2016	2550	FITZPATRICK & BASS	400.00
23076	11/04/2016	3101	HIGHER CALLING TECHNOLOGIES	285.00
23077	11/04/2016	3275	HUGO'S INDUSTRIAL SUPPLY, INC.	10.75
23078	11/04/2016	3734	KANSAS DEPARTMENT OF REVENUE	411.93
23079	11/04/2016	3733	KANSAS DEPARTMENT OF REVENUE	439.40
23080	11/04/2016	3755	KANSAS GAS SERVICE	257.92
23081	11/04/2016	5880	KANSAS ONE-CALL SYSTEM, INC.	37.00
23082	11/04/2016	9060	KDHE-BUREAU OF WATER	185.00
23083	11/04/2016	3998	KELEMEN, EDWARD	4,420.00
23084	11/04/2016	4260	LATTIN LAW OFFICES, CHARTERED	800.00
23085	11/04/2016	5010	MCCARTY'S	210.98
23086	11/04/2016	5033	MEDICLAIMS, INC.	1,309.50
23087	11/04/2016	9318	MISSION CONSTRUCTION CO. INC.	150,127.40
23088	11/04/2016	6285	PUBLIC WHOLESALE WATER	24,333.33
23089	11/04/2016	6375	QUALITY MOTORS	42.35
23090	11/04/2016	6674	ROBERTS, BILLY D.	551.32
23091	11/04/2016	9315	SHAW, MICHAEL W.	360.00
23092	11/04/2016	9317	UNIFIRST CORPORATION	111.80
23093	11/04/2016	7745	UNITED STATES CELLULAR	170.14
23094	11/04/2016	7803	VERIZON WIRELESS	277.12
23095	11/04/2016	7970	WESTAR ENERGY	6,844.61
23096	11/04/2016	7995	WESTERN PLAINS OPERATIONS	33.57
23097	11/04/2016	8125	WOODS LUMBER OF INDEPENDENCE	338.70
23098	11/04/2016	6664	XEROX CORPORATION	296.80
23099	11/04/2016	8400	ZOLL MEDICAL CORPORATION	210.00

Thru 90501
93101

Payroll Checks

18,954.27

BANK NO CHECK NO	BANK NAME DATE	VENDOR NO VENDOR NAME	CHECK AMOUNT	CLEARED	VOIDED	MANUAL
16012178	11/04/2016	9200 PEOPLES STATE BANK	7,457.57			**E-PAY**
16012179	11/04/2016	9201 KANSAS WITHHOLDING TAX	940.14			**E-PAY**
16012180	11/04/2016	9203 KPERS	4,626.56			**E-PAY**
16012181	11/04/2016	2100 RETAILERS' SALES TAX DIV	654.43			**E-PAY**
BANK TOTAL			211,830.44			
OUTSTANDING			211,830.44			
CLEARED			.00			
VOIDED			.00			
<i>Total Payroll</i>			<i>\$23,781.42</i>			
FUND	TOTAL	OUTSTANDING	CLEARED	VOIDED		
100 GENERAL OPERATING	28,562.04	28,562.04	.00	.00		
200 SPECIAL HIGHWAY	1,390.72	1,390.72	.00	.00		
210 LIBRARY	1,240.36	1,240.36	.00	.00		
296 COPS GRANT	370.80	370.80	.00	.00		
298 2015 SIDEWALKS GRANT	150,127.40	150,127.40	.00	.00		
700 WATER O & M	27,771.62	27,771.62	.00	.00		
715 WWTP & S.S. O & M	2,367.50	2,367.50	.00	.00		
REPORT TOTAL			211,830.44			
OUTSTANDING			211,830.44			
CLEARED			.00			
VOIDED			.00			

CITY OF CHERRYVALE

CITY TREASURER'S REPORT THIRD QUARTER 2016

FUND	BALANCE 07/01/16	REVENUES	EXPENSES	BALANCE 09/30/16
100 General Operating	\$ 204,286.97	\$ 359,873.84	\$ 439,938.21	\$ 124,222.60
150 FSA Fund	\$ 9,898.79	\$ -	\$ 4,021.11	\$ 5,877.68
175 Cemetery Trust Fund	\$ 1,713.79	\$ -	\$ -	\$ 1,713.79
200 Special Highway	\$ 42,092.35	\$ 31,555.59	\$ 21,438.77	\$ 52,209.17
210 Library	\$ (6,246.47)	\$ 4,878.75	\$ (6,246.47)	\$ 4,878.75
215 Special Parks & Rec.	\$ 6,538.33	\$ -	\$ -	\$ 6,538.33
221 Police Explorers Account	\$ 506.87	\$ -	\$ -	\$ 506.87
230 Firemans Insurance Proceeds	\$ 2,625.00	\$ -	\$ 2,636.34	\$ (11.34)
231 Firemans Auxiliary Fd	\$ 7,027.62	\$ -	\$ 909.99	\$ 6,117.63
232 Volunteer Firefighters	\$ 292.35	\$ 33.00	\$ 37.38	\$ 287.97
233 Fire Fighter Flag Fund	\$ 93.12	\$ -	\$ -	\$ 93.12
240 Drug Seizure Fund	\$ 1,506.92	\$ 30.00	\$ 282.74	\$ 1,254.18
250 Refuse Collection	\$ 28,248.19	\$ 31,736.54	\$ 29,045.61	\$ 30,939.12
280 2011 RBEG Loan Fund	\$ 31,934.90	\$ 2,134.98	\$ -	\$ 34,069.88
281 2009 RBEG Loan Fund	\$ 76,821.83	\$ 1,100.00	\$ -	\$ 77,921.83
291 Petro Brownfields Gt	\$ -	\$ -	\$ -	\$ -
294 KAN STEP Grant(C.Ctr)	\$ -	\$ -	\$ -	\$ -
296 Cops Grant	\$ (7,449.01)	\$ -	\$ 9,173.08	\$ (16,622.09)
297 Small Grants	\$ 1,010.30	\$ 101,928.71	\$ 98,369.29	\$ 4,569.72
298 2015 Sidewalks Grant	\$ (41,541.98)	\$ 50,199.13	\$ 191,892.53	\$ (183,235.38)
400 Bond & Interest	\$ 55,613.12	\$ 23.46	\$ 122,650.28	\$ (67,013.70)
500 Municipal Equip Rev.	\$ 55,968.21	\$ -	\$ 4,830.71	\$ 51,137.50
600 Capital Improvement	\$ 610,491.83	\$ 14,996.21	\$ 18,520.00	\$ 606,968.04
700 Water O & M	\$ 235,098.42	\$ 179,190.04	\$ 105,166.13	\$ 309,122.33
715 WWTP & S.S. O&M	\$ 296,879.38	\$ 83,537.18	\$ 26,497.56	\$ 353,919.00
Clearing Funds	\$ -	\$ -	\$ -	\$ -
Petty Cash Fund	\$ 1,250.00	\$ -	\$ -	\$ 1,250.00
Clerk's Change Fund	\$ 300.00	\$ -	\$ -	\$ 300.00
TOTAL	\$ 1,614,960.83	\$ 861,217.43	\$ 1,069,163.26	\$ 1,407,015.00

INDEBTEDNESS

General Obligation 2016	\$ 3,175,000.00
KS Water Supply Loan	\$ 501,179.40
General Obligation WT	\$ -
Community Center Floor	\$ 37,063.74
2015 Dodge Charger (401)	\$ 13,044.07
Library Lift	\$ 7,510.75
TOTAL	\$ 3,733,797.96

INVESTMENTS & CASH AMOUNTS

C.D.'S	\$ 275,000.00
Money Market Account	\$ 688,494.54
General Operating Account	\$ 141,563.84
FSA Fund	\$ 5,877.68
PSB-FD-Volunteers	\$ 287.97
PSB-FD-Auxillary	\$ 6,117.63
PSB- PD Explorer	\$ 506.87
PSB- FD Flag Fund	\$ 93.12
RBEG Loan Fund	\$ 111,551.71
Drug Seizure Fund	\$ 1,254.18
Small Grants	\$ 100,999.00
2015 Sidewalks Grant	\$ 73,718.46
Petty Cash Fund	\$ 1,250.00
Clerks Change Fund	\$ 300.00
TOTAL	\$ 1,407,015.00

I, Angela Barnett, solemnly swear that the above is true and correct to the best of my knowledge and belief.

Angela Barnett - City Treasurer

Angela Barnett

The above was signed before me on the 26th day of October, 2016.



Notary Public

Karen Davis

**CITY OF CHERRYVALE
MEETING OF THE CITY COUNCIL
REGULAR MEETING
October 17, 2016
7:00 PM**

Working for a better tomorrow... today.

ORDER OF BUSINESS

CALL MEETING TO ORDER

Mayor Wright called the meeting to order at 7:00 pm.

Present: Mayor John Wright, Council Member Lew Forman, Council Member Randy Wagoner, Council Member Chad Wickham, Council Member Don King, City Administrator Joel Pile, Interim City Clerk Karen Davis, Fire Chief Jesse Reed, Wade Webber, Steve McBride (Independence Daily Reporter), Donna Celaya (Montgomery County Chronicle).

INVOCATION

Council Member Randy Wagoner led the invocation.

PLEDGE OF ALLEGIANCE

ROLL CALL

Interim City Clerk Karen Davis took roll:

Mayor Wright- present; Council Member Chad Wickham- present; Council Member Forman- present; Council Member Wagoner- present; Council Member King- present

PUBLIC FORUM

No action will be taken relative to items presented during the public forum other than referral for information. Requests to appear will be placed on a "first-come, first-served" basis. This portion of the meeting is limited to thirty minutes and shall be subject to a limitation of five minutes for each presentation with no extension of time permitted. No speaker shall be allowed to appear more frequently than once every fourth meeting.

Members of the public desiring to present matters to the Council during the public forum must submit a request in writing to the office of the city clerk prior to twelve noon on the date of the meeting. Matters pertaining to personnel, litigation, and violations of laws and ordinances are excluded from the agenda. Rules of decorum as provided in city code will be observed.

GOVERNING BODY COMMENTS

Mayor John Wright- The Sidewalk Project is looking good.

Council Member Chad Wickham- none

Council Member Don King- none

Council Member Randy Wagoner- none

Council Member Lew Forman, Jr.- none

NEW COUNCIL BUSINESS

A. FIRE DEPARTMENT GRANT APPLICATION

Presented by Jesse Reed, Fire Chief

A motion was made by Council Member Wagoner, seconded by Council Member Forman to approve the submission of the grant application for bunker gear. Motion passed 4/0.

B. CONSENT AGENDA

Presented by John Wright, Mayor

- | | |
|--|--------------|
| 1. Appropriations and Payroll Ord. No. 16-10-07: | \$125,045.94 |
| a. Approval of Purchases over \$5,000 | |
| i. Key Equipment | \$21,032.44 |
| ii. Public Wholesale Water | \$24,333.33 |
| iii. Westar Energy | \$7,380.11 |
| iv. People's State Bank | \$8,183.53 |
| 2. Consideration of the minutes for October 3, 2016 Regular Meeting. | |

A motion was made by Council Member Wickham, seconded by Council Member Forman to approve the Consent Agenda as presented. Motion passed 4/0.

C. EXECUTIVE SESSION (NON-ELECTED PERSONNEL)

A motion was made by Council Member Wagoner, seconded by Council Member Forman to approve an executive session pursuant to the non-elected personnel matters exception in order to discuss employee matters for the period of ten minutes (7:05 pm) and to include the City Administrator. Motion approved 4/0.

The Mayor reconvened the meeting at 7:15 pm.

INFORMATIONAL ITEMS

1. Next Council Meeting November 7, 2016
2. Veterans Day Parade

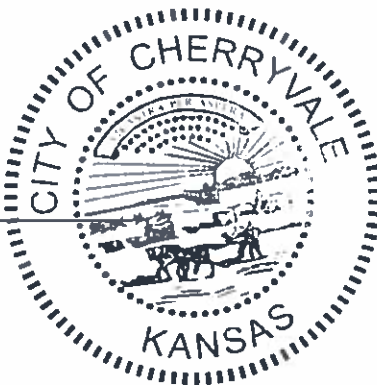
ADJOURNMENT

A motion was made by Council Member Wickham, seconded by Council Member Forman to adjourn the meeting at 7:20 pm. Motion approved 4/0.

Respectfully submitted by,

Karen Davis

Karen Davis, Interim City Clerk



Public Works Monthly Report

October 2016

Streets: Crews installed stem walls on culvert on west 2nd where culvert was installed in September. Final inspection on sidewalk project was done and signed off on.

Water: Crews repaired water main on North Carson. Excavated and capped off service line on west 6th street. Repairs were performed on meters and pits as a result of inspection in September.

Waste water: Mowed lagoons, smelter property and all city properties have started same for this month. City had 11 inches of rain in October which resulted in excess flooding and several by-passes in our sanitary sewer system. These by-passes are reported to KDHE.

Parks and Cemetery: Standard maintenance, Park mowing has slowed to 2 times per month

Former Smelter Property: Continued hauling waste from dog pound to smelter site for relocation.

Thank You

Wade E Webber
Public Works Director

City of Cherryvale 2016 leaf pickup Schedule

November 28th thru December 23rd

The City of Cherryvale Public Works Department will be picking up leaves for residents directly after Thanksgiving through the month of December as weather permits. To participate, please rake your leaves into piles between the curb and sidewalk in front of your residence on your designated pickup date. **“Please” do not rake leaves into the street or into ditches deeper than 12 inches.** It is a violation of City Ordinance to put leaves into roadways.

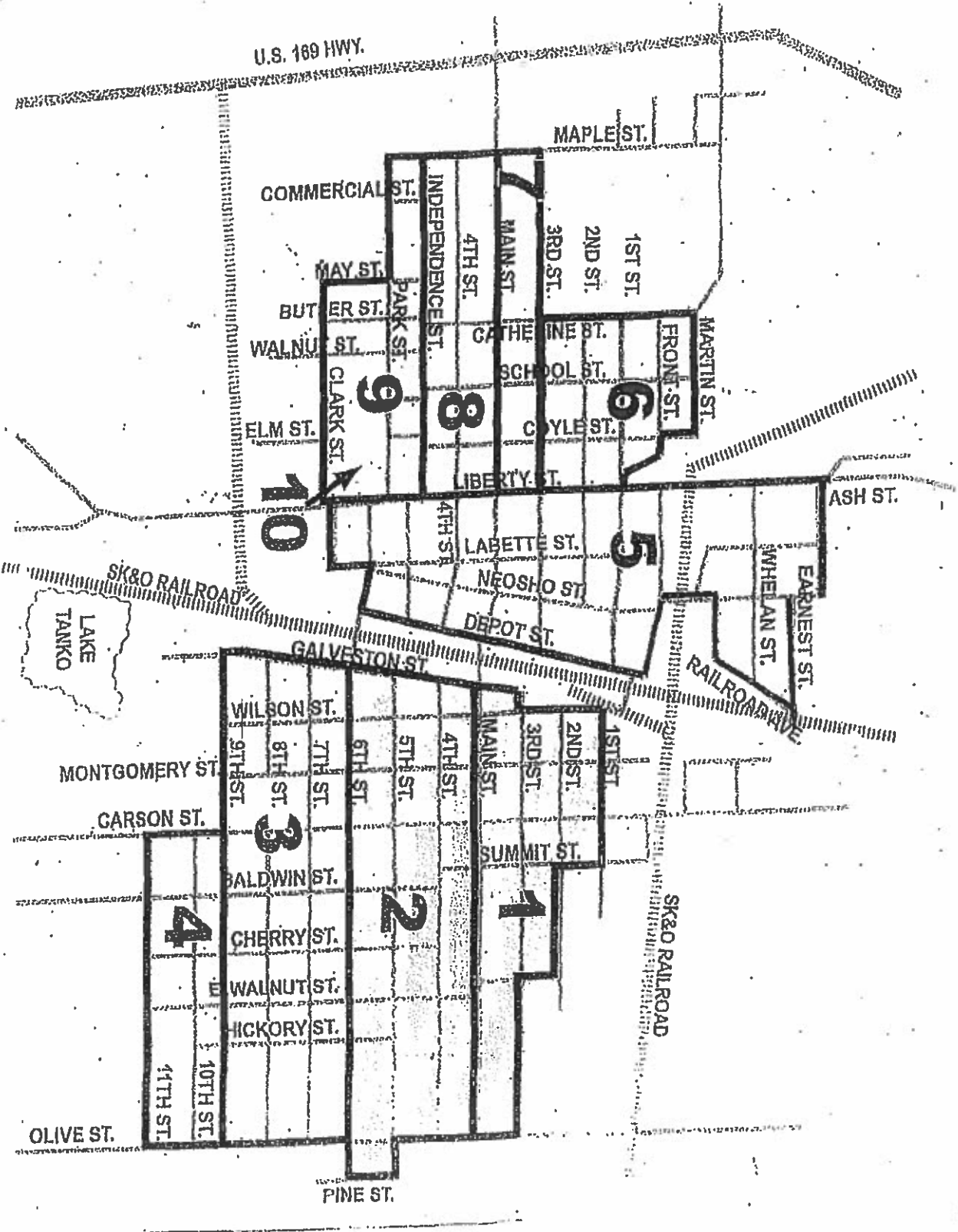
“Please” be sure your leaf piles are free of limbs, shrubs, rocks, trash or any other debris. Should any of these items be present, leaf piles will not be picked up, as the debris can cause serious damage to equipment and injury to personnel when vacuumed into leaf machine.

Leaf pickup dates are listed below:

Section 1	Nov 28 th , 29 th , 30 th
Section 2	Dec 1 st , 2 nd
Section 3 & 4	Dec 5 th , 6 th , 7 th
Section 5	Dec 8 th , 9 th
Section 6 & 7	Dec 12 th , 13 th
Section 8 & 9	Dec 14 th , 15 th , 16 th
Section 10	*Dec 19 th thru 23 rd

* These dates will also include returns to all areas that need additional attention.

Public Works will stick to these dates as close as possible. However, we do tend to work around the weather and may get to some areas quicker if bad weather is upon us. Thank you for your cooperation.



U.S. 169 HWY.

MAPLE ST.

COMMERCIAL ST.

MAY ST.

BUTLER ST.

WALNUT ST.

ELM ST.

10

INDEPENDENCE ST.

4TH ST.

PARK ST.

9

CLARK ST.

4TH ST.

MAIN ST.

8

LIBERTY ST.

LABETTE ST.

NEOSHO ST.

DEPOT ST.

GALVESTON ST.

WILSON ST.

9TH ST.

8TH ST.

7TH ST.

6TH ST.

5TH ST.

4TH ST.

MAIN ST.

3RD ST.

2ND ST.

1ST ST.

SUMMIT ST.

MONTGOMERY ST.

CARSON ST.

BALDWIN ST.

CHERRY ST.

WALNUT ST.

HICKORY ST.

OLIVE ST.

11TH ST.

10TH ST.

PINE ST.

1

2

3

5

6

8

9

10



SK&O RAILROAD

RAILROAD AVE

SK&O RAILROAD

MARTIN ST.

FRONT ST.

ASH ST.

WHELAN ST.

EARNEST ST.



CHERRYVALE POLICE DEPARTMENT

Chief of Police Perry S. Lambert

179	▼ Oct
1	▶ 911H - 911 Hangup Call
4	▶ ACC47 - Accident 10-47
1	▶ ACC48 - Accident 10-48
5	▶ ALARM - Alarm 10-93
6	▶ ANIMAL - Animal - Cows, Dogs, Etc
1	▶ ARREST - Arrest
2	▶ ASSIST - Assist Outside Agency
6	▶ BATT - Battery
3	▶ BURG - Burglary
1	▶ B&T - B&T
1	▶ CDP - Criminal Damage to Property
5	▶ DISTUR - Disturbance - unknown type
1	▶ DISVEH - Disabled/Abandoned Vehicle
1	▶ DOG - NUISANCE DOG
5	▶ DOM - Domestic Disturbance 10-97
2	▶ DRUGA - Drug Activity
4	▶ FIGHT - Fight in Progress 10-95
11	▶ folup - Follow Up Investigation
3	▶ fondprp - Found Property
1	▶ HARR - Harrassment
1	▶ INTIM - Intimidation of Witness
7	▶ MEDI - Medical
18	▶ MISCO - Misc Officer
3	▶ MISCP - Misc Public
15	▶ MISCR - Misc Report
2	▶ NOISE - Noise Complaint
3	▶ OPEN - Open Door
1	▶ papsrv - Paper service
3	▶ RCKDRV - Reckless Driver
2	▶ RR - Railroad Crossing Malfunction
2	▶ SUS46 - Suspected Intoxicated Person
1	▶ SUSA - Suspicious Activity
4	▶ SUSPER - Suspicious Person
2	▶ SUSVEH - Suspicious Vehicle
7	▶ THEFT - Theft
27	▶ TRAFF - Traffic
1	▶ TRANSA - Transport Adult
1	▶ TRESS - Trespassing
4	▶ VINCHK - Vin Check
5	▶ WARARR - Warrant Arrest
6	▶ WELFAR - Welfare Check



CHERRYVALE POLICE DEPARTMENT

Chief of Police Perry S. Lambert

Informational Items:

On October 21st Lt. Michael Pena and Police Explorer Advisor Amanda Upton presented a social media presentation at Lincoln Central Elementary for Grades 4-6. Lt. Pena spoke about social media and cyber bullying to coincide with Anti-Bullying Week.

On October 24th the Cherryvale Police Department was happy to have the 3rd Grade classes at the police department to explain what police officers do and show some of the student's the equipment we use and how to contact us if they needed us.

On October 26th and 27th the Police Department Mrs. Forman's Preschool classes came to trick or treat. We would like to thank them for choosing to come to the police department.

The trunk-or-treat event went very well and Cherryvale Officers and Police Explorers handed out candy and Glow Necklaces to approximately 500 children.

Cherryvale Fire-Rescue

116 South Neosho
Cherryvale, KS 67335

Phone (620) 336-2121 Fax (620) 336-2220

E-mail firedept@Cherryvaleusa.com

*Dedicated to Prevention, Protection, Service and Training
Founded 1884*

Jesse Reed
Fire Chief

November 1, 2016

Honorable Mayor Wright, City Council, Administrator Pile

- ✓ In the month of October 2016, CFR responded to 11 fire responses including;
 - 4 – EMS
 - 3 – MVC
 - 1 each – Fire Alarm, Powerline down, Standby, Vehicle Fire
- ✓ In October 2016, CFR had 55 EMS reports and contacted 54 patients as follows;
 - 32 Transports
 - 12 Patient Refusals
 - 7 “Other” (no patient found, cancelled, pt. dead at scene, etc.)
 - 4 Transport by other agency as an additional or supplemental unit
- ✓ The highest percentage dispatches for our EMS unit were;
 - 11 each – MVA
 - 8 each – Breathing Problem
 - 6 each – Chest Pain
 - 5 - Fall
- ✓ Our EMS unit was responding
 - Within 1 minute of the dispatch 82% of the time
 - Within 3 minutes of the dispatch 98% of the time
- ✓ Our EMS unit arrived on scene
 - Within 5 minutes 73% of the time
 - Within 10 minutes 84% of the time
 - 21 runs were in the county; 38%

Cordially,
Jesse Reed
Fire Chief/EMS Director, I/C

