

**CITY OF CHERRYVALE
MEETING OF THE CITY COUNCIL
REGULAR MEETING
SEPTEMBER 21, 2015
7:00 PM**

Working for a better tomorrow... today.

ORDER OF BUSINESS

CALL MEETING TO ORDER

INVOCATION

PLEDGE OF ALLEGIANCE

ROLL CALL

PUBLIC FORUM

GOVERNING BODY COMMENTS

Mayor John Wright
Council Member Chad Wickham
Council Member Don King
Council Member Randy Wagoner
Council Member Lew Forman, Jr.

NEW BUSINESS

A. REQUEST TO REMOVE REQUIREMENT OF SEWER CONNECTION

Presented by Scott Bennett, Resident

Sponsored by Travis Goedken, City Administrator

RECOMMENDED ACTION: Take appropriate action, either state no change or direct City Administrator to draft an ordinance to reflect changes.

B. MAPLE STREET SEWER EXTENSION BID AWARD

Presented by Travis Goedken, City Administrator

RECOMMENDED ACTION: Additional material will be available for review on 9/21.

C. PROPOSED ORDINANCE 15-4666: INCORPORATING THE STANDARD TRAFFIC ORDINANCE BY REFERENCE

Presented by Travis Goedken, City Administrator

RECOMMENDED ACTION: Adopt proposed Ordinance 15-4666 as presented or table and direct staff to draft with lower speed limit.

D. PROPOSED ORDINANCE 15-4667: INCORPORATING THE UNIFORM PUBLIC OFFENSE CODE BY REFERENCE

Presented by Travis Goedken, City Administrator

RECOMMENDED ACTION: Adopt proposed Ordinance 15-4667 as presented.

E. CONSENT AGENDA

Presented by John Wright, Mayor

RECOMMENDED ACTION: Approve the consent agenda as presented.

- | | |
|---|-------------|
| 1. Appropriations and Payroll Ord. No. 15-0911: | \$97,579.09 |
| a. Approval of Purchases over \$5,000 | |
| i. Public Wholesale Water #4 | \$24,333.33 |
| ii. Splash Pool & Patio | \$8,875.00 |
| iii. Westar | \$7,344.81 |
| iv. People's State Bank (FICA) | \$7,516.06 |
| v. KPERS | \$5,147.29 |
| 2. Consideration of the minutes for September 8, 2015 Regular Meeting | |

OLD BUSINESS

A. CATHERINE STREET PROPERTY SALE PROPOSAL

Presented by Travis Goedken, City Administrator

RECOMMENDED ACTION: Take appropriate action.

INFORMATIONAL ITEMS

1. Chamber of Commerce Garage Sales

EXECUTIVE SESSION

1. To Discuss Matters of Non-Elected Personnel.

ADJOURNMENT

CITY COUNCIL ACTION REPORT

Proposed Agenda Date: September 21, 2015

Subject: Request to Remove Sewer Connection Requirement

Guest: None

Background: Mr. Bennett would like to install a frost-free hydrant on his property located at 610 E 6th Street, where no primary structure exists, but a secondary structure remains after demolition of the home. The City does not allow for water service without sewer service, where a connection is possible.

Financial Consideration: If water service were allowed without sewer connection, the City would not collect the sewer base fee of \$7.95/month plus usage that is calculated based upon water usage.

Legal Consideration: An ordinance would be required to change current code. The draft would be reviewed by the City Attorney.

Policy Consideration: N/A

Recommendation: Take appropriate action, either state no change or direct City Administrator to draft an ordinance to reflect changes

(r) “Sludge” shall mean any discharge of water, sewage, or industrial waste which in concentration of any given constituent or in quantity of flow exceeds for any period of duration longer than fifteen (15) minutes more than five (5) times the average twenty-four (24) hour concentration or flows during normal operation.

(s) “Storm Drain” (sometimes termed “storm sewer”) shall mean a sewer which carries storm and surface waters and drainage, but excludes sewage and industrial wastes, other than unpolluted cooling water.

(t) “Director” shall mean the Director of Public Works Department of the City of Cherryvale, or his authorized deputy, agent, or representative.

(u) “Suspended Solids” shall mean solids that either float on the surface of, or are in suspension in water, sewage, or other liquids, and which are removable by laboratory filtering.

(v) “Watercourse” shall mean a channel in which a flow of water occurs, either continuously or intermittently.
(K.S.A. 12-631n; K.S.A. 14-561; K.S.A. 12-3101 et seq.; Ord. 10-4602; Code 2001, 4-501)

15-502. Required connection.

The owner of any house, building, or property used for human occupancy, employment, recreation, or other purposes, situated within the city and abutting on any street, alley, or right-of-way in which there is now located or may be located in the future, a sanitary sewer of the city, is hereby required to install, at the owner’s expense, suitable toilet facilities therein, and to connect such facilities directly with the proper public sewer system in accordance with the provisions of this article within ninety (90) days after date of official notice to do so, provided that said public sewer system is within one hundred (100) feet (30.5 meters) of the property line.

(K.S.A. 12-631; Ord. 10-4602; Code 2001, 4-502)

15-503. Unlawful waste disposal methods.

(a) It is unlawful for any person to place, deposit, or permit to be deposited in any unsanitary manner on public or private property within the city, or in any area under the jurisdiction of the city, any human or animal excrement, garbage, or other objectionable waste.

(b) It is unlawful to discharge to any natural outlet within the city, or in any area under the jurisdiction of the city, any sewage or other polluted waters, except where suitable treatment has been provided in accordance with subsequent provisions of this article.

(c) It shall be unlawful to construct or maintain any privy, privy vault, septic tank, cesspool, or other facility intended or used for the disposal of sewage.

(K.S.A. 12-3105; K.S.A. 65-171a et seq.; K.S.A. 65-171g; Ord. 10-4602; Code 2001, 4-503)

15-504. Connection permit.

No unauthorized person shall uncover, make any connections with or opening into, use, alter or disturb any public sewer or appurtenance thereof without first obtaining a written permit from the Director of Public Works or an authorized representative.

(Ord. 10-4602; Code 2001, 4-504)

15-505. Application.

The owner or an agent shall make the permit application on a form furnished by the city. The permit application shall be supplemented with any plans, specifications, or other information considered pertinent in the judgment of the Director of Public Works or an authorized representative. A permit and inspection fee shall be as follows:

CITY COUNCIL ACTION REPORT

Proposed Agenda Date: September 21, 2015

Subject: Maple Street Sewer Extension Bid Award

Guest: Shawn Turner of TranSystems

Background: At the August 3, 2015 meeting, the Governing Body issued the RFP for extending sewer services to the properties annexed on Maple Street. The City received only one bid that was over the engineer's estimate by approximately 25%. TranSystems has been discussing with the lone bidder on elements of the bid to perhaps clarify and reach a lower bid. As of the packet being assembled, staff did not have the new bid, but was told would be given before the meeting on Monday, September 21st.

Financial Consideration: As of the packet being assembled, staff did not have the new bid, but was told would be given before the meeting on Monday, September 21st. The initial bid was \$140,986. The engineering estimate for the project was \$109,800.

Legal Consideration: All applicable laws will be followed.

Policy Consideration: The City's Purchasing Policy was followed with the bidding process.

Recommendation: As of the packet being assembled, staff did not have the new bid, but was told would be given before the meeting on Monday, September 21st. Depending on revised bid amount, either reject the bid and reissue (this could result in construction not being done in 2015); or accept the bid as presented.

CITY COUNCIL ACTION REPORT

Proposed Agenda Date: September 21, 2015

Subject: Proposed Ordinance 15-4666: Incorporating the Standard Traffic Ordinance by Reference

Guest: None

Background: Published by the League of Kansas Municipalities since 1960, the Standard Traffic Ordinance (STO) contains approximately 200 traffic regulations which can be adjudicated in municipal court. While many of the provisions parallel State law, the STO also contains offenses that are frequently only enforced within cities. The STO is updated on a yearly basis by the League to reflect legislative changes.

*Earlier this year, we had a resident that thought that their street saw excessive speeds, but additional policing found speeds mostly at or below the speed limit of 30 MPH. If the Governing Body would like to lower the speed limits throughout all of Cherryvale, that change could be made here.

Financial Consideration: The only cost to the City is the purchase of new STO books and the cost of publication of the ordinance.

*If the Governing Body would like to lower the speed limit through town, the City would have to place signs at all entrances to town that the speed limit was XX unless otherwise posted.

Legal Consideration: The City Attorney was consulted on the speed limit change.

Policy Consideration: This ordinance brings Cherryvale in to compliance with the latest legislative changes.

Recommendation: Adopt Proposed Ordinance 15-4666 as presented, or table and direct staff to draft with lower speed limit.

ORDINANCE 15-4666
INCORPORATING THE STANDARD TRAFFIC ORDINANCE BY REFERENCE

AN ORDINANCE AMENDING SECTIONS 14-101 AND 14-104 OF CITY CODE; REGULATING TRAFFIC WITHIN THE CORPORATE LIMITS OF THE CITY OF CHERRYVALE, KANSAS, INCORPORATING BY REFERENCE THE “STANDARD TRAFFIC ORDINANCE FOR KANSAS CITIES,” EDITION OF 2015 WITH CERTAIN OMISSIONS, CHANGES, AND ADDITIONS; PRESCRIBING ADDITIONAL REGULATION; PROVIDING CERTAIN PENALTIES.

BE IT ORDAINED by the Governing Body of the City of Cherryvale:

Section 14-101 of the Code of the City of Cherryvale is hereby amended to read as follows:

Section 14-101. Incorporating standard traffic ordinance.

There is hereby incorporated by reference for the purpose of regulating traffic within the corporate limits of the City of Cherryvale, Kansas, that certain standard traffic ordinance known as the “Standard Traffic Ordinance for Kansas Cities,” Edition of 2015, prepared and published in book form by the League of Kansas Municipalities, Topeka, Kansas, save and except such articles, section, parts or portions as are hereafter omitted, deleted, modified or changed. No fewer than three copies of said Standard Traffic Ordinance shall be marked or stamped “Official Copy as Adopted by Ordinance No. 15-4666,” with all sections or portions thereof intended to be omitted or changed clearly marked to show any such omission or change and to which shall be attached a copy of this ordinance, and filed with the city clerk to be open to inspection and available to the public at all reasonable hours. The police department, municipal judge, and all administrative departments of the city charged with enforcement of the ordinance shall be supplied, at the cost of the city, such number of official copies of such Standard Traffic Ordinance similarly marked as may be deemed expedient.

Section 14-104 of the Code of the City of Cherryvale is hereby amended to read as follows:

Section 14-104. Amendments.

Amendments to the Standard Traffic Ordinance incorporated in this Section of this Article shall be as follows:

Article 7 Speed Regulations, Section 33 Maximum Speed Limits – is amended by the addition of the following sections:

(a)(6) The governing body has determined upon the basis of an engineering and traffic investigation that the speed limit under State law and Section 33 of the Standard Traffic Ordinance is greater than is reasonable or safe under the conditions found to exist on certain streets, and hereby determines and declares that the reasonable and safe speed limit on the following streets is twenty (20) miles per hour:

(a) Willow Street from N. Liberty Street to Neosho Street;

- (b) Neosho Street from Willow Street to Front Street;
- (c) Park Street from Liberty Street to Walnut Street;
- (d) Clark Street from Liberty Street to Walnut Street;
- (e) Main Street from Summit Street to Liberty Street;
- (f) Carson Street from Main Street to 11th Street;
- (g) 9th Street from Galveston to Carson; and
- (h) Galveston from 7th to 9th Street.

(a)(7) All streets and thoroughfares adjoining school property shall be designated as school zones, and during each and every school day all drivers of motor vehicles shall take special heed and use extraordinary precaution so that no harm or injury may be done to any school child. No motor vehicle shall be driven in a school zone at a speed greater than twenty (20) miles per hour. Appropriate signs or signals shall be placed marking the boundaries of such school zones and indicating the maximum speed limit as herein set out, also to include the portion of 6th Street between Baldwin Street and Wilson Street which shall also be designated as a school zone and that a safe and reasonable speed for that zone shall be twenty (20) miles per hour between the hours of 7:00-8:30 a.m. and 3:00-4:30 p.m. and is hereby set at that limit.

(a)(8) All areas on streets posted with differing speed limits, including but not limited to:

- (a) 10 mph-Areas posted in and around Lake Tanko.

REPEAL. All other ordinances in conflict herewith are hereby repealed.

EFFECTIVE DATE. This ordinance shall take effect and be in force upon its publication in the official city newspaper.

PASSED AND APPROVED by the Governing Body of the City of Cherryvale, Kansas, this 21st day of September, 2015.

ATTEST:

John M. Wright, Mayor

Hillary Lawrence, City Clerk

CITY COUNCIL ACTION REPORT

Proposed Agenda Date: September 21, 2015

Subject: Proposed Ordinance 15-4667: Uniform Public Offense Code by Reference

Guest: None

Background: Published by the League of Kansas Municipalities since 1980, the Uniform Public Offense Code (UPOC) contains approximately 100 public offenses which can be adjudicated in municipal court. While many of the provisions parallel State law, the UPOC also contains offenses that are frequently only enforced within cities. The UPOC is updated on a yearly basis by the League to reflect legislative changes.

Financial Consideration: The only cost to the City is the purchase of new UPOC books and the cost of publication of the ordinance.

Legal Consideration: All applicable laws will be followed.

Policy Consideration: This ordinance brings Cherryvale in to compliance with the latest legislative changes.

Recommendation: Adopt Proposed Ordinance 15-4667 as presented.

ORDINANCE 15-4667
INCORPORATING THE UNIFORM PUBLIC OFFENSE CODE BY REFERENCE

AN ORDINANCE AMENDING SECTION 11-101 OF THE CITY CODE, REGULATING PUBLIC OFFENSES WITHIN THE CORPORATE LIMITS OF THE CITY OF CHERRYVALE, KANSAS; INCORPORATING BY REFERENCE THE “UNIFORM PUBLIC OFFENSE CODE FOR KANSAS CITIES,” EDITION OF 2015.

BE IT ORDAINED by the Governing Body of the City of Cherryvale:

11-101. Incorporating uniform public offense code.

There is hereby incorporated by reference for the purpose of regulating offenses within the corporate limits of the City of Cherryvale, Kansas, that certain code known as the “Uniform Public Offense Code for Kansas Cities,” Edition of 2015, prepared and published by the League of Kansas Municipalities, Topeka, Kansas, save and except such articles, sections, part or portions as are hereafter omitted, deleted, modified, or changed. No fewer than three (3) copies of the Uniform Public Offense Code shall be marked or stamped “Official Copy as Adopted by Ordinance No. 15-4667,” with all sections or portions thereof intended to be omitted or changed clearly marked to show any such omission or change and to which shall be attached a copy of this ordinance, and filed with City Clerk to be seen open to inspection and available to the public at all reasonable hours. The police department, municipal judge, and all administrative departments of the City charged with enforcement of the ordinance shall be supplied, at the cost of the City, such number of Official copies of such Uniform Public Offense Ordinances, similarly marked, as may be deemed expedient.

REPEALED. All ordinances in conflict herewith are hereby repealed.

EFFECTIVE DATE. This ordinance shall be in full force and effect upon its publication in the official city newspaper.

PASSED AND APPROVED by the Governing Body of the City of Cherryvale, Kansas, this 21st day of September, 2015.

John M. Wright, Mayor

ATTEST:

Hillary Lawrence, City Clerk

| BANK NO | BANK NAME | CHECK NO | DATE | VENDOR NO | VENDOR NAME | CHECK AMOUNT | CLEARED | VOIDED | MANUAL |
|---------|-----------|----------|------|-----------|-------------|--------------|---------|--------|--------|
|---------|-----------|----------|------|-----------|-------------|--------------|---------|--------|--------|

1 COMM. NATIONAL BANK & TRUST

Thru 21303 Payroll Checks 4,646.26
21323

| | | | | |
|-------|-----------|------|--------------------------------|-----------|
| 21324 | 9/11/2015 | 1440 | CITY OF CHERRYVALE | 389.00 |
| 21325 | 9/11/2015 | 9214 | KANSAS PAYMENT CENTER | 459.23 |
| 21326 | 9/11/2015 | 9225 | CITY OF CHERRYVALE | 255.43 |
| 21327 | 9/11/2015 | 9230 | SECURITY BENEFIT | 124.38 |
| 21328 | 9/11/2015 | 79 | AIRGAS USA, LLC | 96.62 |
| 21329 | 9/11/2015 | 9220 | ARAMARK UNIFORM SERVICES | 311.85 |
| 21330 | 9/11/2015 | 375 | B & B AUTOMOTIVE REPAIR | 243.28 |
| 21331 | 9/11/2015 | 790 | BUMPER TO BUMPER AUTO PARTS | 59.96 |
| 21332 | 9/11/2015 | 1350 | CHERRYVALE VETERINARY CLINIC | 45.25 |
| 21333 | 9/11/2015 | 1370 | CHIEF SUPPLY | 199.30 |
| 21334 | 9/11/2015 | 1738 | CONRAD FIRE EQUIPMENT | 223.88 |
| 21335 | 9/11/2015 | 9059 | COX COMMUNICATIONS | 676.87 |
| 21336 | 9/11/2015 | 6665 | DATA TECHNOLOGIES, INC | 4,240.66 |
| 21337 | 9/11/2015 | 2087 | DIGITAL CONNECTIONS | 25.11 |
| 21338 | 9/11/2015 | 2256 | EMERGENCY MEDICAL PRODUCTS INC | 492.70 |
| 21339 | 9/11/2015 | 2260 | EMERT, CHUBB & GETTLER, LLC | 1,725.50 |
| 21340 | 9/11/2015 | 2605 | GALLAGHER BENEFIT SERVICES, IN | 416.50 |
| 21341 | 9/11/2015 | 2725 | GOEDKEN, TRAVIS | 99.59 |
| 21342 | 9/11/2015 | 3275 | HUGO'S INDUSTRIAL SUPPLY, INC. | 78.20 |
| 21343 | 9/11/2015 | 12 | INDUSTRIAL CRATING, INC | 530.00 |
| 21344 | 9/11/2015 | 2700 | JIM GILL AGENCY, INC. | 50.00 |
| 21345 | 9/11/2015 | 7042 | JOHN SIMMONS CONTRACTING | 1,017.00 |
| 21346 | 9/11/2015 | 3755 | KANSAS GAS SERVICE | 250.67 |
| 21347 | 9/11/2015 | 5880 | KANSAS ONE-CALL SYSTEM, INC. | 22.00 |
| 21348 | 9/11/2015 | 4300 | LEAGUE/KANSAS MUNICIPALITIES | 242.45 |
| 21349 | 9/11/2015 | 4500 | LINN'S AIR COOLED ENGINES | 120.91 |
| 21350 | 9/11/2015 | 9023 | MERCY CLINIC CHERRYVALE | 250.00 |
| 21351 | 9/11/2015 | 5235 | MONTGOMERY COUNTY ACTION | 500.00 |
| 21352 | 9/11/2015 | 1100 | MONTGOMERY COUNTY CHRONICLE | 352.50 |
| 21353 | 9/11/2015 | 5750 | NEWTON'S | 1,956.52 |
| 21354 | 9/11/2015 | 6285 | PUBLIC WHOLESALE WATER | 24,333.33 |
| 21355 | 9/11/2015 | 11 | SAFELITE FULFILLMENT, INC | 92.74 |
| 21356 | 9/11/2015 | 6761 | SANDBAGGER GOLF & TURF | 63.10 |
| 21357 | 9/11/2015 | 14 | SPLASH POOL & PATIO LLC | 8,875.00 |
| 21358 | 9/11/2015 | 6778 | TLC GROUNDSKEEPING LLC | 2,060.00 |
| 21359 | 9/11/2015 | 7745 | UNITED STATES CELLULAR | 179.17 |
| 21360 | 9/11/2015 | 7803 | VERIZON WIRELESS | 280.31 |
| 21361 | 9/11/2015 | 7970 | WESTAR ENERGY | 7,344.81 |
| 21362 | 9/11/2015 | 13 | WILDCAT TRUCKING | 440.00 |
| 21363 | 9/11/2015 | 8125 | WOODS LUMBER OF INDEPENDENCE | 158.08 |
| 21364 | 9/11/2015 | 6664 | XEROX CORPORATION | 283.62 |

Thru 901 Payroll Checks 19,126.98
15101

| | | | | | |
|----------|-----------|------|------------------------|----------|-----------|
| 15210014 | 9/11/2015 | 9200 | PEOPLES STATE BANK | 7,516.06 | **E-PAY** |
| 15210015 | 9/11/2015 | 9201 | KANSAS WITHHOLDING TAX | 947.51 | **E-PAY** |

| BANK NO CHECK NO | BANK NAME DATE | VENDOR NO VENDOR NAME | CHECK AMOUNT | CLEARED | VOIDED | MANUAL |
|---------------------|------------------------|-------------------------------|------------------|---------|--------|-----------|
| 15210016 | 9/11/2015 | 9203 KPERS | 5,147.29 | | | **E-PAY** |
| 15210019 | 9/11/2015 | 2100 RETAILERS' SALES TAX DIV | 629.47 | | | **E-PAY** |
| BANK TOTAL | | | 73,805.85 | | | |
| OUTSTANDING | | | 73,805.85 | | | |
| CLEARED | | | .00 | | | |
| VOIDED | | | .00 | | | |
| <i>Payroll</i> | | | <i>23,773.24</i> | | | |
| FUND | TOTAL | | OUTSTANDING | CLEARED | VOIDED | |
| 100 | GENERAL OPERATING FUND | 38,249.25 | 38,249.25 | .00 | .00 | |
| 200 | SPECIAL HIGHWAY FUND | 2,670.31 | 2,670.31 | .00 | .00 | |
| 296 | COPS GRANT | 445.03 | 445.03 | .00 | .00 | |
| 600 | CAPITAL IMPROVEMENT | 4,240.66 | 4,240.66 | .00 | .00 | |
| 700 | WATER O & M FUND | 26,633.69 | 26,633.69 | .00 | .00 | |
| 715 | WWTP & S.S. O & M FUND | 1,566.91 | 1,566.91 | .00 | .00 | |
| REPORT TOTAL | | | 73,805.85 | | | |
| OUTSTANDING | | | 73,805.85 | | | |
| CLEARED | | | .00 | | | |
| VOIDED | | | .00 | | | |

CITY OF CHERRYVALE

MEETING OF THE CITY COUNCIL REGULAR MEETING SEPTEMBER 8, 2015 7:00 PM

Working for a better tomorrow... today.

ORDER OF BUSINESS

CALL MEETING TO ORDER

INVOCATION

PLEDGE OF ALLEGIANCE

ROLL CALL

NEW BUSINESS

A. CATHERINE STREET PROPERTY SALE PROPOSAL

Presented by Hillary Lawrence, City Clerk/Asst. City Administrator

RECOMMENDED ACTION: Take no formal action, make known what additional information/requirements the governing body would like to see in a proposal.

B. CONSENT AGENDA

Presented by John Wright, Mayor

RECOMMENDED ACTION: Approve the consent agenda as presented.

1. Appropriations & Payroll Ord. No. 15-0828 \$88,105.78
 - a. Approval of Purchases over \$5,000
 - i. Blue Cross-Blue Shield \$9,040.43
 - ii. Republic Services \$11,646.36
 - iii. People's State Bank (FICA) \$8,512.66
 - iv. KPERS \$5,212.58
2. Consideration of the minutes for August 17, 2015 Regular Meeting
3. League of Kansas Municipalities Voting and Alternate Delegates
 - a. Travis Goedken as the Voting Delegate
 - b. Hillary Lawrence as the Alternate Delegate

INFORMATIONAL ITEMS

1. Department Monthly Reports
 - a. Police
 - b. Fire
 - c. Public Works
 - d. City Clerk
 - e. City Administration
2. Lawn of the Month

3. Culpepper & Merriweather Circus
4. Cherryvale Community Center Event Planning Meeting

ADJOURNMENT

CITY COUNCIL ACTION REPORT

Proposed Agenda Date: September 21, 2015

Subject: Catherine Street Property Sale Proposal

Guest: None

Background: A resident has inquired about purchasing City-owned property for residential use. The proposal was provided to the Governing Body at the last meeting for input regarding questions or concerns that there may have been and items wanted addressed by the members of the Governing Body. Council Member Wickham stated that he wanted this decision to go to the Planning and Zoning Commission for rezoning before the sale is made.

Financial Consideration: It would be my recommendation that with this sale being for residential purposes, that the individual would be responsible for any and all costs associated with the sale of this property. If the sale is made first pending the rezoning, the resident would be the applicant, not the City. The costs of rezoning would then also be required by the purchaser. Upon contact of the County Appraiser's Office, the average rate for land with no improvements was \$2,200/acre. This figure was agreed upon by the Jim Gill Agency.

Legal Consideration: All applicable laws will be followed.

Policy Consideration: The City does not have a policy on the sale of land specifically. The closest policy would be for Economic Development (Res 7-13) which deals with the sale/transfer of land for commercial use.

Recommendation: Take appropriate action. If it is the Governing Body's desire to sell the property, make a motion to offer a sale of the requested track at \$2,200/acre contingent on successful rezoning, with the purchaser to pay all additional costs associated with the sale and rezoning.

24 August, 2015

██████████
██████████
Cherryvale, Ks. 67335

City of Cherryvale,

I would like to purchase 5 acres located on the West side of Catherine Street between Front and 1st Street. This property is currently zoned B2 and if this purchase is approved by the City Council then it would have to be rezoned A1. I have attached a map of my proposed property boundaries for your consideration.

I intend on building a 2 bedroom, 2 bath home on a concrete slab with approximately 1,350 square feet of living space. One bedroom and bath will be downstairs and the second will be upstairs in a loft configuration. I intend on building the downstairs bathroom as a storm shelter. I will also build an additional shelter to cover our vehicle which will double as a shelter for our two horses. I intend on putting up a pipe fence on the Catherine frontage and barbed wire on the remainder. I will initially use gravel as a drive way but may transition to concrete later on when finances allow. I expect the final taxable value of this property after construction to be worth around \$150,000.

I will absorb the cost of accessing City utilities which are located on the East side of Catherine which will require me to bore underneath the street. I will apply for and adhere to all City applications and zoning requirements for this new construction.

I am willing to pay the City \$7,500 for the 5 acres.

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