

CITY OF CHERRYVALE

MEETING OF THE CITY COUNCIL

REGULAR MEETING

February 5, 2018

7:00 PM



Working for a better tomorrow...today.

CALL MEETING TO ORDER

INVOCATION

PLEDGE OF ALLEGIANCE

ROLL CALL

COMMITTEE & BOARD REPORTS

A. COMMUNITY CENTER ADVISORY BOARD

1. Minutes from 1-22-18 (Draft)

RECOMMENDED ACTION: Receive and File

B. CHERRYVALE LIBRARY BOARD

1. Minutes from 12-13-17 (Draft)
2. Minutes from 1-10-18 (Draft)

RECOMMENDED ACTION: Receive and File

C. CHERRYVALE HOUSING BOARD

1. Minutes from 12-15-17 (Draft)

RECOMMENDED ACTION: Receive and File

NEW COUNCIL BUSINESS

A. PLANNING OF REGULAR GOVERNING BODY WORK SESSIONS

Presented by Brooke Carroll, City Administrator

RECOMMENDED ACTION: Determine the need of a regular planning work session with the Governing body.

B. PROPOSED REPEALING ORDINANCE 08-4568 AND REPLACING WITH RESOLUTION 18-3 PROCUREMENT POLICY (MANUAL OF PURCHASING PROCEDURES)

Presented by Brooke Carroll, City Administrator

RECOMMENDED ACTION: Adopt Ordinance 18-4690 and Resolution 18-3 as presented.

C. PROPOSED REPEALING ORDINANCE 09-4573, SECTIONS 1-209, 1-211, 1-212, AND 1-213 AND REPLACING WITH RESOLUTION 18-4 DEPARTMENT HEAD JOB DESCRIPTIONS OF THE CITY OF CHERRYVALE

Presented by Brooke Carroll, City Administrator

RECOMMENDED ACTION: Adopt Ordinance 18-4691 and Resolution 18-4 as presented.

D. PROPOSED RESOLUTION 18-5 AMENDMENT TO CHERRYVALE COMMUNITY CENTER RENTAL RATES

Presented by Brooke Carroll, City Administrator

RECOMMENDED ACTION: Adopt Resolution 18-5 as presented.

E. CONSENT AGENDA

Presented by John Wright, Mayor

RECOMMENDED ACTION: Approve the consent agenda as presented.

1. Appropriations and Payroll Ord. No. 18-01-26 **\$113,749.38**
 - a. Approval of Purchases over \$5,000
 - i. People's State Bank (Payroll Taxes) \$ 7,021.06
 - ii. Blue Cross Blue Shield \$12,446.37
 - iii. Cherryvale Library Treasurer \$31,476.05
 - iv. Republic Services \$ 9,493.00
2. Approval of the minutes for January 16, 2018 regular meeting.

INFORMATIONAL ITEMS

1. Valentines Pinterest Class at the Community Center on February 10, 2018 at 11:00 AM.
2. City offices are closed on Monday, February 19, 2018 for President's Day.
3. Next regular City Council meeting is February 20, 2018 (*Tuesday Meeting*).

EXECUTIVE SESSION (NON-ELECTED PERSONNEL)

RECOMMENDED ACTION: Enter into executive session in order to discuss confidential information relating to personnel matters of non-elected personnel for a period of 20 minutes to include the City Clerk.

EXECUTIVE SESSION (NON-ELECTED PERSONNEL)

RECOMMENDED ACTION: Enter into executive session in order to discuss confidential information relating to personnel matters of non-elected personnel to include the City Administrator and City Clerk for a period of 20 minutes.

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.

City of Cherryvale
Community Center Advisory Board
January 22, 2018
5:45 PM

Attendees

Amber Dean
Brad Hugo
Clint Dean
Cassie Cook
Erin Douthit

Brooke Carroll was absent

Old Business:

1. Calendar
 - a. Council Approved Tentative Schedule
2. Float
 - a. Turned out awesome!
 - b. Huge thank you to everyone who helped with the float!
 - c. Trent King and the Fire Department did an amazing Job at coordinating the Parade this year.
3. Breakfast with Santa
 - a. We changed the start time to 9:30am
4. Holiday Market
 - a. Would like to grow next year, we had a steady flow the entire event.
 - b. More advertising throughout the year!

New Business:

- a. View Flyers for 2018 and approve designs
 - i. Designs are approved
 - ii. Adjusted time for the Easter Egg Hunt
 1. 10am-1130am
 - iii. Canceled Spring College Fair
 1. High Schools have already set their days for field trips- some unable to attend.
 - iv. Determine board member availability for each event-
 1. Amber and Clint are unable to run every event this year, so each board member will need to run 1-2 events from start to finish (Amber is available for help and to answer questions)
 2. Cassie Cook will run the following events
 - a. Mother's Day Pinterest Workshop
 - b. Halloween Workshop

3. Brad Hugo Will Run the Following Events
 - a. Bike Safety Event
 - b. Father's Day Workshop
 4. Erin Douthit will run the following events
 - a. Holiday Market
 - b. Fall College Fair
 5. Amber and Clint Dean will run the following events
 - a. Valentine/Easter Pinterest Workshop
 - b. Christmas Pinterest Workshop
 6. Every Board member will attend and help with the following events
 - a. Easter Egg Hunt
 - b. April Fools 3-on-3 Basketball Week.
 - c. Back to School Bash
 - d. Halloween Bash
 - e. Breakfast with Santa
- b. Review Board Member Applications
 - i. Approved Tami Rash to fill open seat on the Board- Will send welcome packet via email and CC all board members on it!
 - c. Some Event Prices have been raised such as Pinterest Class
 - i. We have raised prices on the Pinterest events to account for the cost of the projects.
 - ii. We have also changed the B2SB to a \$1 entry fee to be able to play unlimited games and win school supplies
 - d. Determine better ways to advertise,
 - i. We currently issue press releases (Free), utilize Facebook, and have flyers available at City Hall.
 - ii. We need to regularly distribute flyers to all local business
 - iii. Brad Hugo suggested a Monthly newsletter type thing to mail out- would like to check into prices for bulk mailing rates
 - e. Discuss the South Walking room (Black Floor)
 - i. We need to check into a better way to clean the floor
 1. Contact the company that sold us the floor, see there recommendations
 2. Check with Hugo's also
 3. Consider renting the equipment every 3 months to clean the floors really well.
 - ii. Determine the best use for the black floor room.
 1. It is not be utilized at all.
 2. Clint Dean and Brad Hugo suggested turning it into a game room.
 - a. Purchasing a couple pool tables, a better air hockey table, renting arcade games.
 - b. Make this the place to be for kids, instead of having them out in the town acting up, give them something fun to do in our city.
 - f. Discuss charging to have tarps laid in the gym for when it's rented for parties.
 - i. Anytime the gym is rented for something other than basketball the Public Work's Department has to spend 1- 1 1/2 hours laying out tarps, with is essentially wasted time and money. We need to charge a flat rate

- ii. \$15 if they would like the tarp laid out in the gym, or they can rent the tile room for \$5 an hour with the gym.
 - iii. Board approves the \$15 rate for Tarp fees
- g. Community Center repairs
 - i. Heater in the tile room is not working- will have public works take a look at it, and possibly call newton's to fix if PW recommends a service call.
 - ii. Emergency Lights at the Community Center are being damaged- will have PW check into fixing them if possible
 - iii. Matt on the wall fell down, will have PW fix said matt.
 - iv. Be sure to thank Public Works if you see them for their continual help with maintenance at the Community Center
 - v. Discussed damage to some property
 - 1. Would look in to security camera
- h. General Update
 - i. Karate is still renting the Carpet Room Monday and Wednesday
 - ii. Yoga is still on Monday Night
 - iii. CMS Basketball team uses the gym throughout the week
 - iv. Cherryvale Rec 5th and 6th grade girls paid a team membership and use it throughout the week as well.
 - v. Other teams have rented the gym on available days to practice as well.
 - vi. Dance- Unsure of when they will be starting again.
 - vii. We have had many people rent rooms for Birthday parties, meetings, events, we have people calling to book rooms 6 months in advance.

Cherryvale Public Library
Board of Trustees Meeting
Agenda for
December 13, 2017, 6:00 p.m.
Location: Cherryvale Public Library

1. Roll Call
2. Approval of Consent Agenda
 - A. Board Meeting Minutes (attached)
 - B. Financial Report (not attached)
 - C. President's Report (not attached)
 - D. Library Director's Report (attached)
3. Old Business:
 - A. Status of Building Inspection/Planning repairs for Winter
 - B. Website Information
4. New Business:
 - A. Review of 2018 Meeting and SEKLS Mandatory Training Dates
 - B. Setting Council Meeting Dates for Board Members-Misty
 - C. Setting Schedule for Interior Routine Maintenance
 - D. Annual Director Evaluation for Allocation - Misty
 - E. Fundraising Suggestions-Ongoing
5. Reports:
 - A. Committee Reports
6. Announcements:
 - A. City Council Meeting, December 18th, 7:00 p.m., City Hall
 - B. Christmas Holiday, December 23rd-25th *Library Closed*
 - C. New Year's Holiday, December 30th-January 1st *Library Closed*
 - D. City Council Meeting, January 2nd & 16th, 7:00 p.m. City Hall
 - E. Friends of the Library Meeting, January 4th, 5:30 p.m.
 - F. Vintage Movie Days, January 8th & 22nd, 1:00 p.m.
 - G. Board of Trustee Meeting, January 10th, 6:00 p.m. **
 - H. FY2018 Allocation Worksheet Due, January 15th
 - I. City Council Meetings, February 5th & 20th, 7:00 p.m. City Hall
 - J. Vintage Movie Days, February 12th & 26th, 1:00 p.m.
 - K. Board of Trustee Meeting, February 14th, 6:00 p.m. ***
7. Adjournment

****Denotes Meetings that cannot be missed by Staff or Board Members**

Cherryvale Public Library Board of Trustees
Cherryvale Public Library
November 8, 2017
6:00 PM
Location: Cherryvale Public Library

The November 8 meeting of the Cherryvale Public Library Board of Trustees was called to order at 6:00 pm by Board President Misty Humaciu.

Those present were President Misty Humaciu, Library Director April Read, Secretary Jayne Mattix, Jim Wycoff and Terry Clifton.

It was moved by Jayne to accept the Consent Agenda and seconded by Terry; motion passed.

Old Business

A. *Update on building Review/Inspection/Evaluations:* This continues to be a work in progress. Misty will check with the SEK VoTech about the possibility of doing tuck point work.

B. *Final Planning Christmas Parade Entry-*This will not be pursued as there will not be enough hands to fulfill the need.

New Business

A. *Storm Shelter Usage Review:* Cherryvale Nursing and Rehabilitation Center has requested use of the library in the case of power outage. This facility does not seem to be a good fit for their needs.

B. *Updating Library Website:* The library website is needing updated. Don Bledsoe will be contacted to make the necessary changes.

C. *Fundraising Suggestions:* Ongoing

Reports: See Library Director Report

Announcements: For board members information

Adjournment: Jim moved that the meeting be adjourned and seconded by Terry at 6:51. Motion passed.

Submitted by Jayne Mattix,
Library Board of Trustee Secretary

*Library Director Report
December 13, 2017*

Library Business:

It's Kansas so the weather is making its own usual statement. It is hot-it is cold-it is everything in between. The good news is we are busy. Even with family holiday preparations we continue to see increased participation in library usage. Kids are using our craft kits and playing board games, not just only setting at the computer. That is very encouraging. The nicer days the kids tend to remain outside after school. Soon it will be too wet and cold for that activity.

As the days cool staff has been talking with patrons more about the Book Buddy Program for the winter. Many of our patrons are not going to be able to get out during winter storm days. So far we have three and I really anticipate more as the month's progress. Delivery and pick-up is to be done by Friends members and volunteers. I will attempt to verify this information at their meeting in January and bring results to you at our January meeting.

Our end of the year and new year beginning brings lots of tasks and deadlines for all of us. Allocation worksheet and the state report are large on the list of what's due. In January I will have our annual service/usage figures for you. I suspect they will be at least the same if not larger than our previous year. It is so satisfying to know how many people we are able to help. At present job searches and applications seem to be item number one. The usage of the FAX service is also growing. In January we should see the use of computers for tax reporting increase. It has been many years since the state or IRS have provided forms for those individuals who do not have a computer at home. With our protective computer programs we provide a reliable resource for tax reporting.

One good piece of news is we will be another year before there is a need to begin replacing our public computers. SEKLS was here and conducted a full evaluation of all electronic service equipment. Unless we have a failure, we are good for the moment. In 2019 we need to anticipate at least three new public computers for purchase. My hope is the Friends will assist us with these purchases, as in the past. We gained eight new computers with their help and that of the City and donations. Technology is always changing.

We are entering the negotiations for internet service again. This is always a very trying time. All contractors will be scurrying to place the lowest bid. As the assistance for our telephone has decreased to 0% as predicted, our internet service will remain, at this time. In order to meet the Allocation requirements we must provide to the community a minimal level of speed. At present we are providing in excess of the minimum. To increase our capacity to the next level would mean a \$150.00 increase monthly. At this time that is not an option. We have two new routers and our internet is open 24/7/365 as required. It will be a few weeks before we have any decisions. This is part of the reason we pay a fee to have this negotiated on our behalf. Technology is nice, but it is a labyrinth of information to evaluate. So glad we have a great negotiator on our side.

Lastly, as you know we have a new staff member as of the 22nd of November. I must say he is doing incredibly well. He had a lot of information thrown at him in quick order. He is becoming more self-assured with each day. I also increased his work schedule to seven hours per day. This has proven to be extremely beneficial to me. It gives me that extra hour of circ desk coverage which lets me accomplish more of the work I have been struggling to complete. He is very attentive to what needs to be done. I believe he will continue to be a great asset to the community and library patrons. He shows a keen interest in library science

Building:

Inside:

No jinx here, just thinking all is working well. Heater is performing and we have been able to open the door and let a little fresh air in once in a while. Our main issue is now we need to concentrate on getting the batteries changed out and fixing the lights so we have adequate usage during these darker days. I requested a ladder from a local vender and it was too tall. That ladder was returned and a shorter one has been requested. Have not received the ladder as of this writing. Regardless we need to get this taken care of soon.

Outside:

Staff and my family have been trying to keep the yard picked up. Trash is always an issue. We have lost several limbs during the high winds. Now that most of the leaves are down I will contact our person to clear out the gutters on the back of the building and also check the chimney seal and the laps while he is up top. A little preventive effort saves a lot of damage later.

Program Ideas and Such:

With winter coming most activity is moving indoors. We have several craft activities set up for kids who want to make items to take home. We have gift card supplies, Bookmark supplies and Christmas/ winter projects. During the Christmas holiday break we will have No School Movie Days. Many of the children just sit and play card games, board games, or build with Lincoln Logs. We are working to maintain that level of creativity and constructiveness that all kids need.

The Chapter Chat will continue as previously set up. Tammie wished to continue in that capacity and I whole heartedly agreed. Meetings and books have been selected for the next few months. This group is open to anyone who likes to read. Reading of a specific book is not required. Each month the group meet in the Community Room at 6:00 p.m. the third Thursday of the month.

Things In General:

With the holidays fast upon us it is so nice to look back over the year and see all of the good we have accomplished in our community. Some changes are inevitable and often painful. Our community has lost several citizens/friends these past months. As loss is difficult we also gain new citizens. Change is not often welcome, but it has a brighter side. We experience growth

and make new friendships along the way. As our country begins preparations for a new year, we should also look forward to a brighter tomorrow. Good results come from hard work and dedication.

Respectfully Submitted,
April Read
Library Director

Cherryvale Public Library
Board of Trustees Meeting
Agenda for
January 10, 2018, 6:00 p.m.
Location: Cherryvale Public Library

1. Roll Call
2. Approval of Consent Agenda
 - A. Board Meeting Minutes (attached)
 - B. Financial Report (not attached)
 - C. President's Report (not attached)
 - D. Library Director's Report (attached)
3. Old Business:
 - A. Status of Interior Routine Maintenance – Terry and Jim
 - B. Status of Exterior Masonry Repairs - Misty
4. New Business:
 - A. Review and Approval of 2018 Policy Manual
 - B. Review and Approval of Annual GAAP Waiver
 - C. Review of Annual Budget Resolution
 - D. Fundraising Suggestions-Ongoing
5. Reports:
 - A. Committee Reports
6. Announcements:
 - A. No School Movie Day, January 15th 1:00 p.m.
 - B. FY2018 Allocation Worksheet Due, January 15th
 - C. City Council Meeting, January 16th, 7:00 p.m. City Hall
 - D. Chapter Chat, January 18th, 6:00 p.m.
 - E. Vintage Movie Day, January 22nd, 1:00 p.m.
 - F. Friends of the Library Meeting, January 25th, 5:30 p.m. at the Library
 - G. City Council Meetings, February 5th & 20th, 7:00 p.m. City Hall
 - H. Friends of the Library Cookie Sale Fundraiser February 7th to 9th
 - I. Vintage Movie Days, February 12th & 26th, 1:00 p.m.
 - J. Board of Trustee Meeting, February 14th, 6:00 p.m. ***
 - K. No School Movie Days, February 16th & 19th at 1:00 p.m.
 - L. City Council Meeting, March 5th & 19th, 7:00 p.m. City Hall
 - M. Board of Trustee Meeting, March 14th, 7:00 p.m.***
 - N. Vintage Movie Days, March 12th & 26th, 1:00 p.m.
 - O. Chapter Chat, March 15th, 6:00 p.m.
7. Adjournment

****Denotes Meetings that cannot be missed by Staff or Board Members**

Cherryvale Public Library Board of Trustees
Cherryvale Public Library
December 13, 2017
6:00 PM
Location: Cherryvale Public Library

The December 13, 2017 meeting of the Cherryvale Public Library Board of Trustees was called to order at 6:00 pm by Board President Misty Humaciu.

Those present were President Misty Humaciu, Library Director April Read, Secretary Jayne Mattix, Jim Wyckoff and Terry Clifton.

It was moved by Terry to accept the Consent Agenda and seconded by Jim; motion passed.

Old Business

A. *Status of Building Inspection/Planning repairs for Winter:* The CCC Masonry instructor has been contacted and he will be coming to look at the building and give an assessment for repair.

B. *Website Information-*The webmaster has been contacted and necessary changes will be made.

New Business

A. *Review of 2018 Meeting and SEKLS Mandatory Training Dates:* June 1 and September 26 are mandatory dates for board members to attend training meetings.

B. *Setting Council Meeting Dates for Board Members:* Board members signed up to attend City Meetings through the month of July.

C. *Setting Schedule for Interior Routine Maintenance:* Batteries in smoke detectors need to be replaced as well as several light bulbs. Jim and Terry will work on the light bulbs.

D. *Annual Director Evaluation for Allocation:* Misty handed out evaluation forms to be filled out for the director. Completed forms will remain with the President. Jim moved to approve a raise for the director and seconded by Terry.

E. *Fundraising Suggestions:* Ongoing

Reports: See Library Director Report

Announcements: For board members information

Adjournment: Jayne moved that the meeting be adjourned and seconded by Terry at 6:44 p.m.. Motion passed.

Submitted by Jayne Mattix,
Library Board of Trustee Secretary

*Library Director Report
January 10, 2018*

Library Business:

It is a new year and with that comes a mountain of paperwork, reports, tasks, and challenges for staff as well as the trustees. Every job has its own requirements and a library is no exception. You will be tasked with making decisions and helping to plan events that benefit our community as well as the betterment of the library itself. This month we have a lot of paperwork to process for our required regional and state reports. Both are due soon, so busy time is at hand. There is nothing new so this should be easy work.

The holidays were good for patron usage. Many families were not able to travel so spent their time at the library. We ran non-stop movies to help relieve some of the boredom for the kids. Lots of craft items were made and the kids had a good time. Our goal was to provide an optional resource for parents, grandparents and kids alike.

While we have our Friends of the Library gearing up for the annual cookie sale we are busy helping sell those great tasting cookies. This year, the proceeds will be used to purchase much needed surge protection for the staff and patron computers, all equipment, as well as new materials for the collection. During our technology evaluation SEKLS gave us a list of items needed to protect our equipment and the COX business equipment from power surges. The Friends purchased the current surge protectors, but because of time and past surges their protectiveness has diminished. Time to replace and protect our equipment.

Our new “hand” is doing very well. He is adjusting to the challenging tasks of the circ desk. You never know what situation you will find yourself handling from one moment to the next. I can safely state that having a male present has really toned down the roughness of some of our younger community citizens. The library is a privilege, not an entitlement. The kids like him and appear to respect him. That is good for both parties. I see a change in the way the kids act in the building. Mutual respect is a lesson all of us must learn and practice. We have great staff in this young man. We are indeed blessed.

Building:

Inside:

Well, remember that jinx comment—forgive me please! This is beginning to be a very interesting year for us. Just when you think it is safe again, boom! Terry and Jim will have more information as to their endeavors to keep our building, staff and patrons safe and comfortable. Staff has been tending to other pressing problems.

On the 4th of January our lift decided to take a holiday. Neither, the upper or lower safety doors would fully engage, or if they did we could not get them open. This was clearly a situation that required a technician. We continue to pay in excess of \$1,100.00 per year for the maintenance contract so I made the call. The technician came on Monday the 8th to evaluate the issues. As we suspected, time and use are beginning to take a toll on the hardware and electronics. After several hours of effort and frustration the technician was able to adjust the catch so it will release or hold the doors in place for proper entrance/egress of our patrons. Peggy has made several

trips between floors since the repairs and things appear to be functioning. We were told that part of the electrical door mechanism may need to be replaced. This wear on equipment that is properly used is to be expected. We will continue to monitor any further issues or problems and bring them to your attention.

The requested ladder has not been received so Terry and Jim are making do with other resources. It makes maintenance a bit more difficult, but our guys are resourceful.

Outside:

ICE! You just have to love winter. That being said, we are having a really big problem with the ice buildup in front of the building near the street curbing. Many of our older patrons are not coming to the library for fear of falling on the ice out front. We have encouraged those folks to use the rear entrance for safety reasons. A few have, but others are not willing to park in back.

The entire intersection to our east is packed with ice. We have put an extraordinary amount of ice melt down in front of our property, but it is too little to accomplish any good. We just cannot afford to put more out until the freezing ceases or the source is located. During the city meeting on Monday evening Wade Webber discussed the issue. There does not appear to be a definitive source at this time according to Wade. So our only recourse is to encourage the use of the south door and the lift. Of course, this will not deter the kids from using the intersection and out front as their private rink. Our concern is when they begin to hurl chunks of ice at passing vehicles. We have told them on more than one occasion to cease or the police will be notified.

Program Ideas and Such:

Our programs for the kids continue to be the option of easy crafts as well as reading challenges. We will begin another “contest” soon. Reading is essential to learning and we attempt to encourage reading for enjoyment. There is nothing like a cold day and a fun book to help win a cool prize. Summer reading will begin before we know it. We are already preparing for that program. The theme is music so we have a lot of fun things planned.

Chapter Chat continues on a monthly basis. We have a few patrons who only want to read the selection and that is fine. This is a no pressure, anyone is welcome, and love of reading group. Opinions about current or best loved titles are discussed. We post on our web page and on Facebook the current title being read. Large print, audio books as well as standard print books are available.

Things In General:

We, as a community, are blessed to have a library for the use and enjoyment for all. As staff and trustees we have the opportunity to touch so many lives. That is a blessing. As we begin this year with challenges, it is good to remember what we have worked so hard to accomplish. We are a good team.

Respectfully Submitted,
April Read
Library Director

The December 15, 2017 regular meeting of the Cherryvale Housing Authority held at 8:00 a.m., at Community National Bank & Trust.

Present: Nick Wadman, Steve Loganbill, Leslie Overall, and Dianthia Jewett.

Not present: Joyce Thomas arrived at 8:20 a.m.

Minutes of the November 9, 2017 were approved as read.

Leslie Overall moved to pay bills from November 10, 2017 through December 15, 2017 totaling \$2,550.65 seconded by Steve Loganbill. Vote 3

After discussion Nick Wadman moved to approve Resolution #337 2018 Budget with correction line 4430.17 and 4430.18 changed 4430.17 snow removal changed to \$200.00 and 4430.18 electrical changed to \$2,500.00 seconded by Steve Loganbill. Vote 3 ayes

No further business to come before the board Joyce Thomas moved to adjourn seconded by Leslie Overall. Vote 4 ayes

ATTEST:

Chairman

Secretary/Executive Director

CERTIFICATE

I, Dianthia L. Jewett the duly appointed Executive Director of the Cherryvale Housing Authority do here by certify that the attached extract of the minutes of the regular meeting of the Commissioners of the said Authority held on the 14th of May, 2015 is a true and correct copy of the Original Minutes related to the matters set forth in said attached meeting on file and on record.

Secretary/Executive Director



CITY COUNCIL ACTION REPORT

Proposed Agenda Date: February 5, 2018

Subject: Repealing of Ordinance 08-4568 by adopting Ordinance 18-4690 and replacing it with Resolution 18-3 Procurement Policy Edition of 2018 (Manual of Purchasing Procedures).

Guest: None.

Background: The Manual of Purchasing Procedures has not been revised since 2008. The City will be undertaking several capital improvement projects and the City Administrator determined to revise and update stated policy to be in accordance with current good practices. The Purchasing Policy was initially established by Ordinance 08-4568 and should have been set by a Resolution or by simply adopting the policy by the Governing body. Creating an ordinance for a city policy that could change frequently is costly due to frequent publication required for any amendments to ordinances. The best practice for establishing the City Purchasing Policy would be to remove the standing ordinance and replace it with a resolution.

Financial Consideration: None.

Legal Consideration: The Policy was written in accordance with Kansas Statutes.

Policy Consideration: The Policy changes did not affect any dollar limit thresholds already established. The major change included the removal of vendor lists compiled and maintained by the City Clerk. The Policy added more detail to the bidding processes and requirements for larger contracts.

Recommendation: Adopt Ordinance No. 18-4690 and Resolution 18-3 as presented.

**CITY OF CHERRYVALE
ORDINANCE REPEALING ORDINANCE NO. 08-4568 INCORPORATING
PURCHASING MANUAL
(MANUAL OF PURCHASING PROCEDURES)**

ORDINANCE NO. 18-4690

An ordinance repealing Ordinance No. 08-4568 regulating purchases by the City of Cherryvale, Kansas and its employees incorporating by reference the Purchasing Manual edition of 2008.

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

Section 1-314 will be removed from City Ordinance:

“Section 1-314. INCORPORATING PURCHASING MANUAL AND PURCHASING PROCEDURES.”

There is hereby incorporated by reference for the purpose of regulating purchasing procedures for the City of Cherryvale, Kansas, that certain Manual of Purchasing Procedures known as the “Purchasing Manual” Edition of April 2008, prepared and published in booklet form 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.

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 5th day of February, 2018.

John M. Wright, Mayor

ATTEST:

Karen Davis, City Clerk

RESOLUTION 18-3
A RESOLUTION ADOPTING THE PROCUREMENT POLICY FOR THE
CITY OF CHERRYVALE, KANSAS

WHEREAS, the City acquires goods and services; and

WHEREAS, the acquisition of such goods and services shall be made in a manner and method which provides for the prudent expenditure of City funds and provides for maximum protection of the taxpayer; prevents waste, conflict and impropriety; and

WHEREAS, the policy shall provide for equal access and opportunity in an open and competitive environment to all suppliers with regard to factors related to quality, cost and availability of the goods and services and comply with all applicable federal, state and local laws, rules and regulations;

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the City of Cherryvale, Kansas, that the following procurement policy be and is hereby established.

ADOPTED AND PASSED by the Governing Body of the City of Cherryvale, Kansas, this February 5, 2018.

John Wright, Mayor

ATTEST:

Karen Davis, City Clerk



PROCUREMENT POLICY

MANUAL OF PURCHASING PROCEDURES
Revised 2.5.18

I. GENERAL INFORMATION

Purpose

The purpose of this Administrative Policy is to define procurement procedures for each city department to follow based on the type of good or service being acquired and to set forth the process for disposing of city assets. The Procurement Policy shall be effective from and after the date shown above. Any prior Procurement Policies adopted pursuant to this are hereby repealed.

The successful application of this Procurement Policy will:

1. Simplify and clarify the procedures governing purchases made by the City.
2. Provide for increased public confidence in the procedures followed in public purchasing.
3. Ensure the fair and equitable treatment of all persons who encounter the City's purchasing system.
4. Provide increased economy in City purchasing activities and maximize the purchasing value of public monies for the City.
5. Provide safeguards for the maintenance of a purchasing system of quality and integrity.

Fundamental Principles

Generally, a good or service should be obtained at the lowest cost, consistent with the quality and service required to maintain efficient operations of City Departments. The quantity of goods purchased is determined through an examination of factors such as the number of units to be used, the period of use, space available, acquisition price, volume discounts, shipping time, obsolescence, and present and expected future availability of an item.

Acquisition of Goods and Services

The acquisition of goods and services by or on behalf of the City of Cherryvale, its agencies, departments, officials and authorized agents, should be made in a manner and method which provides for the prudent expenditure of City funds; provides for maximum protection of the taxpayer; prevents waste, conflict, and impropriety; provides for equal access and opportunity in an open and competitive environment to all suppliers, with regard to factors related to quality, cost, and availability of the goods and services; and which comply with all applicable federal, state and local laws, rules and regulations.

Self-imposed Constraints

Even though the Governing Body approves a level of expenditures for any given department, that approval, in and of itself, is neither a permit nor a directive to expend funds unless the need exists at the time of purchase and the good or service to be purchased is within the budget limits.

Familiarity with Policy

All personnel of the City responsible for purchases shall become familiar with and follow the City's policies and procedures as they relate to purchasing. Supervisors shall be cognizant of their respective budget limitations and initiate purchases accordingly. It is the responsibility of the individual departments to anticipate requirements and initiate action to purchase goods and services in advance of the time they are needed.

Application

This policy applies to all purchases and contracts entered into by the City. It shall apply to every expenditure of public funds for supplies and materials by a public department for public purchasing irrespective of the source of the funds. If City staff or resources are used in any manner, this policy shall apply. When the purchase involves the expenditure of federal or state assistance or contract funds, the purchase shall be conducted in accordance with any mandatory applicable federal and/or state laws and regulations. Nothing in this policy shall prevent any public department from complying with the terms and conditions of any grant, gift, or bequest that is otherwise consistent with law.

Public Access to Purchasing Information

Purchasing information shall be a public record to the extent provided by state statute and shall be available to the public as provided in such statute.

Definitions

Change Order - a written order signed by the City Administrator or designee, directing the contractor to make changes in the contract.

City Council - the governing body of the City of Cherryvale, composed of the Mayor and Council members duly elected or appointed with Statutes of the State of Kansas.

City Employee – an individual drawing a salary or wages from the City, any non-compensated individual performing services for the City or any department, activity, commission, council, board, or any other entity established by the executive or legislative branch of the City; and any non-compensated individual serving as an elected official of the City.

City Administrator – the Chief Administrative Officer of the City appointed on either a permanent or interim basis by the City Council.

Construction – the process of building, altering, repairing, improving, or demolishing any public structure or facility or other public improvement of any kind.

Contract – a legally binding promise enforceable by law, and generally, in writing between the City and one or more outside parties, regardless of form or title for the purchase of supplies, materials, services, professional services, and construction.

Department Head – the director designated by the City Administrator to direct the administration of the department and is charged with certain duties and responsibilities, or his/her authorized representative.

Emergency – those unforeseen circumstances that present an immediate threat to public health, welfare, or safety; or when immediate response is necessary to prevent further damage to public property, machinery or equipment; or when delay would result in significant financial impacts to the City or significant interruption to the project schedule as determined by the Department Head and City Administrator.

Emergency Purchases - purchasing of supplies, services, or construction where the urgency of need does not permit the delay in utilizing formal competitive selection methods. The City Administrator or a designee may make or authorize others to make emergency purchases when there is a threat to public health, welfare, or safety.

Invitation For Bids – all documents, whether attached or incorporated by reference, utilized for soliciting sealed bids.

Modification – any written alteration to a provision of any contract accomplished by mutual agreement of the parties to the contract.

Purchasing – buying, purchasing, renting, leasing, or otherwise acquiring any supplies, services, or construction.

Reoccurring Purchase – a service or product that is purchased more than once by a department during the course of a budget year.

Responsible Bidder – a contractor, business entity, or individual who is fully capable to meet all of the requirements of the solicitation and subsequent contract. Must possess the full capability, including financial and technical, to perform as contractually required. Must be able to fully document the ability to provide good faith performance. Documented poor performance on prior contracts for goods or services may suspend a contractor from consideration for award.

Request for Proposals – all documents, whether attached or incorporated by reference, utilized for soliciting proposals when price is a factor in selection.

Request for Qualifications – all documents, whether attached or incorporated by reference, utilized for soliciting proposals when price is considered after selection. This is usually applicable for engineering, architectural, consulting, and other specialized or technical services.

Scope of Services – a detailed description of the tasks to be performed by the successful bidder.

Services – the furnishing of labor, time, or effort by a contractor, not involving the delivery of a specific end product other than reports, which are merely incidental to the required performance.

Sole Source – items or services, which are available only from a single supplier.

Specifications – a description of the physical or functional characteristics, or of the nature of a supply, service, or construction item; the requirements to be satisfied by a product, material or process indicating, if appropriate, the procedures to determine whether the requirements are satisfied, and/or the capabilities and performance characteristics that the item must satisfy.

Substantial Interest – owning a legal or equitable interest exceeding either \$5,000 or 5% of any business. This policy shall also abide by the substantial interest provisions set forth in K.S. 75-4302a, 78-4303a, 75-4304, 75-4305 and 75-4306.

Supplies – all property, including but not limited to equipment, materials, printing, insurance, and leases of real property, excluding land or a permanent interest in land.

Vendor – a seller of supplies and services and includes any person representing the vendor.

II. PURCHASING AUTHORITY

Governing Body

1. Adopt the annual operating budget to determine levels of expenditure by fund, department, and program.
2. Adopt capital budget expenditures for inclusion in the annual operating budget.
3. Review, adopt, approve, and award capital, equipment, and contractual service purchases over \$5,000.
4. All purchases over \$20,000 are to be listed as a separate item on the agenda, except for purchases from Public Wholesale Water Supply District #4.

City Administrator

1. Ensure budgeted levels for each fund are not exceeded.
2. Approve all purchases over \$1,000 and purchases under \$1,000 as required.
3. Present purchasing recommendations to the Council for purchases over \$5,000.
4. Approve purchases of used equipment under \$10,000, which has been approved for purchase that year in the City's equipment reserve program. Notify Council of purchase at next regularly scheduled meeting.
5. Establish procedures and make necessary changes to established procedures for the purchasing of all goods and services.
6. Enforce provisions of this purchasing policy.
7. Coordinate purchase between departments.
8. Keep informed of current developments in the field of purchasing.

City Clerk

1. Monitor expenditures and advise City Administrator of monthly expenditure rates.
2. Oversee the purchasing with the responsibilities to:
 - a. Secure highest quality goods and services at the least cost.
 - b. Make recommendations to the City Administrator on rules and regulations for updating purchasing procedures.
 - c. Design and maintain purchasing forms.

- d. Make recommendation to the City Administrator in the event of bulk purchasing and cooperative availabilities.
- e. Oversee competitive bid processes according to State Statutes and local policy.
- f. Maintain a list of city personnel authorized to make purchases.

Department Heads

1. Inform all personnel in their department of the purchasing requirements and ensure adherence.
2. Plan purchases under \$5,000 (including budgeted items) in order to allow the department sufficient time to obtain proposals or quotations; determine best vendor; and issue orders or contracts with reasonable time for delivery.
3. Plan purchases over \$5,000 (including budgeted items) to allow sufficient time for the item to be bid through competitive sealed bidding, if applicable, and for the City Administrator to recommend the item to the Council and for the Council to award the contract.
4. Provide accurate and complete information on items requested and timely preparation of requisitions.
5. Submit requisitions to the City Clerk's Office.
6. Keep records of all bids and quotes received for 3 years.
7. Coordinate with the City Administrator and other Department Heads on any major purchase.

Employees

1. Employees who have been approved to make minor purchases are encouraged to make such purchases from established local vendors within the city limits.
2. When making purchases employees are to put their signature and department name on the invoice. All invoices need to be turned in to the employees' respective departments on a daily basis.
3. All employees must be authorized by their department head to make purchases.
4. Certain employees may be granted a standing purchasing limit by their Department Head, as approved by the City Administrator. Employees will not be granted a standing purchasing limit that exceeds the limit of their Department Head.
5. Employees also may be given approval by their department head on a case-by-case basis to make certain purchases.

NOTE: Items that are budgeted are still subject to the procedures set forth in this document.

Purchasing Authority and Approval Table

The following table shows who has the authority to make purchases for their department or division.

Amount of Purchase	Authority for Purchase	Purchase Methods	Authority for Payment
\$1 - \$500	Employees with Department Head authorization	Lowest cost through cost comparisons	Department Head
\$501 - \$1,000	Department Head or his/her designee	Telephone quotes Fax quotes Email quotes Informal written bids	Department Head
\$1,001- \$5,000	City Administrator	Fax quotes Email quotes Informal written bids (3 quotes required)	City Administrator
\$5,001 or more	City Council	Fax quotes Email quotes Sealed Competitive Bids (3 bids required)	City Council City Administrator

Process for Obtaining Council Approval

1. All purchases or service contracts totaling more than \$5,000 shall be included as a consent agenda item for review by the Governing Body.
2. Items over \$20,000 shall require a separate agenda item.
3. All purchases or service contracts shall be accompanied by a written recommendation from the City Administrator for award.
4. Upon motion and second and majority vote, any member of the City Council can call for discussion of any item on the consent agenda.

Purchases of less than \$100

Purchases of less than \$100 can be made by employees with approval by the department head.

Purchases of \$501 to \$1,000

Purchases of at least \$501 but less than \$1,000 may be made by the department head or his/her designee. These purchases require the department to obtain at least two (2) competitive telephone, fax, email and/or informal written quotes, and an additional quote is required if the two quotes are not competitive.

Purchases of \$1,001 to \$5,000

Purchases of at least \$1,001 but less than \$5,000 may be made by the City Administrator. These purchases require the department to obtain at least three (3) competitive fax, email and/or informal written quotes.

Purchases of \$5,001 or more

Purchases of at least \$5,000 or more will be awarded by advertised formal competitive sealed bid. Formal sealed bids shall not be required when a request has been submitted in writing to the City Administrator stating the reasons that it is not practical or advantageous to call for a competitive bid, and the City Administrator has, in writing, approved the request.

III. VENDOR SELECTION AND BID PROCESSES

Invitations for Bids

An invitation for bids shall be issued and shall include specifications and contractual terms and conditions applicable to the purchase. Criteria for evaluation shall be set forth in the Invitation for Bids.

Public Notice

Adequate public notice of the invitation for bids shall be given for a reasonable time, no less than ten calendar days prior to the date set forth therein for the opening of bids. Such notice shall include publication in the official newspaper of general circulation within the community, appropriate trade journals or publications and/or posted on the City's website to allow adequate time for bid preparation.

Bid Requirements

Each bid submitted to the City shall be signed, enclosed in a sealed envelope and filed as stated in the advertisement for the bid. Fax or email bids will not be accepted. The City Administrator may waive technical irregularities in the bid requirements in this Purchasing Policy, or in the advertisement of the bids, if the City Administrator finds that such waiver does not compromise the integrity of the bidding process.

The bid documents shall include:

- 1) A description of the work to be performed or the product to be purchased.
- 2) The location where copies of plans, specifications, and other contract documents may be examined.
- 3) The time and place where bids will be received and time and place where bids will be opened.
- 4) A statement detailing the evaluation criteria to be used for bid acceptance and evaluation.

- 5) A statement that the City reserves the right to reject any or all bids and to waive any informalities or irregularities therein.
- 6) A statement that the City Administrator may require that no bidder may withdraw a bid for a period of up to forty-five (45) days after the date and hour set for opening bids, but that a bid may be withdrawn up to twenty-four (24) hours prior to expiration of the deadline for submitted bids.
- 7) A statement setting forth requirements for bid and performance, labor, materials, bonds, product liability coverage warranty, and worker's compensation insurance.

Late Bids

Bids not submitted by the required deadline are ineligible for consideration and will not be opened.

Bid Openings

All bid openings shall be scheduled with the City Clerk prior to giving public notice of an invitation for bid. Bids shall be opened publicly in the presence of one or more witnesses at the time and place designated in the invitation for bids. The amount of each bid, and such relevant information as the City Clerk deems appropriate, together with the name of each bidder, shall be recorded on the bid tab provided by the Department or Consultant. The record and each bid shall be open to public inspection. In the event of good cause, as determined by the City Administrator, bid openings may be postponed.

Bid Acceptance and Bid Evaluation

Bids shall be unconditionally accepted without alteration or correction, except as authorized in this policy. Bids shall be evaluated based on the requirements set forth in the invitation for bids, which may include criteria to determine acceptability such as inspection, testing, quality, workmanship, delivery, and suitability for a particular purpose. Those criteria that will affect the bid price and be considered in evaluation for award shall be objectively measurable, such as discounts, transportation and delivery costs, and total or life cycle costs. The invitation for bids shall set forth the evaluation criteria to be used. No criteria may be used in bid evaluations that are not set forth in the invitation for bids.

Correction or Withdrawal of Bids; Cancellation of Awards

Correction or withdrawal of inadvertently erroneous bids before or after bid opening, or cancellation of awards or contracts based on such bid mistakes, may be permitted where appropriate. Mistakes discovered before bid opening may be modified or withdrawn by written notice received in the office designated in the invitation for bids prior to the time set for bid opening. After bid opening, the following provisions shall apply:

1. A low bidder alleging a material mistake of fact may be permitted to correct its bid, if the mistake is clearly evident on the face of the bid document and the intended correct bid is similarly evident.
2. A low bidder alleging a material mistake of fact may be permitted to withdraw its bid: (1) if the mistake is clearly evident on the face of the bid but the intended correct bid is not similarly evident, or (2) if the mistake is not clearly evident on the face of the bid but the bidder submits evidence which clearly and convincingly demonstrates that a mistake was made, in which case the bidder must show the nature of the mistake and the bid price actually intended.

No changes in bid prices or other provisions of bids prejudicial to the interests of the City or fair competition shall be permitted. All decisions to permit the correction or withdrawal of bids, or to cancel awards or contracts based on bid mistakes, shall be supported by a written determination made by the City Administrator.

Award

The bid shall be awarded with reasonable promptness by written notice to the lowest responsible bidder whose bid meets the requirements and criteria set forth in the invitation for bids, subject to the right of the City to reject all bids. Award contracts of \$5,000 and above that were budgeted shall be forwarded to the City Council for approval and execution of the contract.

Irresponsible Vendors

Any vendor who fails to comply with the terms of an awarded bid, quotation, or required specifications contained within the bid, may be declared an irresponsible vendor upon the recommendation of the City Clerk and approval of the City Administrator. Once, a vendor is deemed irresponsible, the vendor will have to wait a period of two years before being eligible to participate in future invitations to bid.

Change Orders

Change orders are issued to address changes in terms and conditions associated with unforeseen problems not addressed in the bidding or contract document or changes/modifications that are recommended after a contract is awarded.

1. Change orders under \$5,000 may be approved by the City Administrator.
2. Change orders over \$5,000 must be approved by the City Council, unless the project is still within budget or it is in the best interest of the City for a change order to be implemented prior to the next regularly scheduled meeting of the City Council. In such circumstances, the City Administrator shall have the authority to authorize the change and will notify the City Council of the action.

Purchases Not Subject to Competitive Sealed Bidding

Purchases made under the following circumstances shall not require competitive sealed bidding:

1. When the purchase is of an emergency nature.
2. When the price is prescribed by law.
3. When the method of acquisition is prescribed by law.
4. When the supplier is the sole source of supply.
5. When the good or service is available from another governmental entity or a contract with the State of Kansas at a price deemed less than commercially available.
6. Certain professional services described in the Professional Services Section.
7. In the case of repairs of heavy equipment or vehicles when the extent of repair cannot be determined, or when specifications cannot practically be prepared.
8. When used equipment is purchased.

Purchases of Goods and Non-Professional Services from a Single Vendor, Per Occurrence.

Any agreement for purchases, the duration of which shall exceed one year, shall be subject to annual appropriation approved by the City Council.

Repetitive purchases that add up to be over \$1,000 over the course of a year will require at least three documented price quotes to be obtained at least once during the calendar year.

Repetitive purchases that add up to between \$5,000 and \$10,000 over the course of a year will also require at least three documented price quotes to be obtained at least once during the calendar year. Competitive sealed bids will not be required for reoccurring purchases, unless requested by the City Administrator.

Making multiple purchases for the purpose of avoiding the bidding process shall not be permitted and shall be considered a violation of this Policy.

Local Vendors

City staff should make every reasonable effort to purchase goods and services from suppliers located within the state of Kansas and the city limits of Cherryvale under the following conditions:

1. If the goods or services offered by a vendor domiciled within the City limits or the state of Kansas are equal to or exceed the minimum specifications set forth in the quotation specifications.
2. The amount of the quotation of the vendor domiciled within the City of Cherryvale is not more than 10% greater than the amount of the low quotation of the vendor located outside of the City limits.
3. The amount of the quotation of the vendor domiciled within the state of Kansas is not more than 5% greater than the amount of the low quotation of the vendor located outside of the state of Kansas.
4. The quotation does not pertain to:
 - a.) new construction;
 - b.) involve State or Federal funding; or
 - c.) joint governmental purchases.

Non-Competitive Selection

A contract may be awarded for a supply, service, or construction item without competition under the following circumstances:

1. Price established by law.
2. Emergency purchases.
3. Resale purposes.
4. Sole source of supply.
5. Purchase from another governmental unit at a price deemed less than commercially available.
6. Certain professional services described in Professional Services Section.
7. Property and Casualty Insurance, Employee Group Health Insurance, and Workers Compensation Insurance shall be bid out every three years on a rotating basis. Preference will be given to the best overall package, and price alone will not be the determining factor. However, if the City experiences a significant increase in the price of the premium the City may bid out the product. The City will only be required to obtain written bids and will not go through the formal sealed bid process.

Printing

All departments will be responsible for identifying all forms and regular occurring printing jobs that will need printed over the course of a year.

1. An estimate of the quantity of each form should be prepared and then a copy of the form, along with the estimated quantity, will be passed along to the vendors for a bulk bid. The low responsible bidder will receive the business for all of the items included in the bid.

2. Miscellaneous printing jobs (not bid with the bulk bid) that are needed during the year will also go to the low bidder, providing that the cost is less than \$500.
3. Miscellaneous printing jobs over \$500 may require a separate bid.
4. The City retains the right to utilize other vendors for rush jobs if the selected company is unable to complete the work by the date it is needed.

Property Acquisition

The purchase of real property associated with an approved public improvement project is subject to the same requirements as other purchases, except that only the City Council and the City Administrator can approve a contract for land acquisition as outlined below.

1. The City Council must approve the contract if the cost for acquisition exceeds \$5,000.
2. The City Administrator can approve the contract if the cost for acquisition is less than \$5,000 and located within the city limits.
3. Department Heads and other employees **do not** have the right to approve the purchase of real property.

Professional Services

In an effort to maintain ongoing contractual relationships, the City of Cherryvale shall not require competitive bidding for certain types of professional services. The City Council must approve all contracts for professional services, which exceed \$5,000. The following professional service providers will not be subject to competitive bidding:

1. Attorneys representing the City
2. Auditors providing service to the City
3. Certified Grant Administrators
4. Financial Advisors
5. Consultants
6. Architects/Designers
7. Technicians
8. Engineers

IV. PROHIBITED PURCHASES

The following purchases **cannot** be made from City funds:

1. The purchase of any illegal substance or services.
2. Gambling related purchases.
3. Purchases made for personal benefit with no value to the City.

V. CDBG FUNDED PROJECTS

CDBG Purchases

When making purchases for any goods, services, or construction with CDBG funds alone, or when a combination of CDBG and non CDBG funds are used, the City of Cherryvale will abide by Public Law 103-355, as adopted by the State of Kansas Community Development Block Grant (CDBG) program. The Community Development Block Grant Grantee Handbook, as amended, will be followed to ensure that the City of Cherryvale is in compliance with CDBG Procurement Policy.

Selection of Professional Service Providers

All Certified administrators hired to provide administrative services for CDBG projects will be in good standing with the Kansas Department of Commerce and Housing. All professional service contracts used for CDBG funded projects will be approved by the City Council.

VI. GENERAL STANDARDS OF ETHICAL CONDUCT

General Ethical Standard for Employees

Any attempt to realize personal gain through City employment by conduct inconsistent with the proper discharge of the employee's duties is a breach of public trust. Employees must also comply with all conduct requirements and requirements set forth in the Personnel Policy and Procedure Manual.

General Ethical Standard for Non-Employees

Any effort to influence City employees to breach the standards set forth in this Chapter is also a breach of ethical standards.

Employee Conflict of Interest

Pursuant to K.S.A 75-4304, no City employee, in his or her capacity as such employee shall make or participate in the making of a contract with any person or business by which he or she is employed or in which he or she has a substantial interest. A City officer or employee does not make or participate in the making of a contract if he or she abstains from any action in regard to the contract.

This section shall not apply to the following:

1. Contracts left after competitive bidding has been advertised by published notice; and

2. Contracts for property or services for which the price or rate is fixed by law.

Employee Disclosure Requirements

An employee who has, or obtains any benefit from any City contract with a business in which the employee has a substantial financial interest shall report such benefit to the City Clerk. Any employee who knows or should have known of such benefit, and fails to report such benefit to the City Clerk is in breach of ethical standards.

Gratuities and Kickbacks

1. **Gratuities.** No vendor shall offer or give any employee or former employee a gratuity or an offer of employment in connection with a purchasing decision. It shall be a breach of ethical standards for any employee or former employee to solicit or accept a gratuity or an offer of employment in connection with any City purchasing decision. Gratuities shall not include pens, calendars, or other novelty items used for advertising purposes, or meals. In order to avoid the appearance of favoritism or bribery, City employees are prohibited from accepting any gratuity, special discount, favor, hospitality or service (including lodging and event expenses) having an aggregate value of \$200 or more, with a maximum of \$400 per vendor per employee in any calendar year. The City Administrator's approval is required prior to the acceptance of any gratuity that exceeds the amount specified herein.
2. **Kickbacks.** It shall be a breach of ethical standards for any payment, gratuity, or offer of employment to be made by or on behalf of a subcontractor as an inducement for the award of a subcontract or order.

Use of Confidential Information

It shall be a breach of ethical standards for any employee or public official to knowingly use confidential information for actual or anticipated personal gain.

Remedies for Breach of Ethical Standards

Remedies Against Employee

In accordance with the Personnel Policy and Procedure Manual, employees who violate the ethical guidelines will be subject to the following:

1. Oral or written warnings or reprimands;
2. Suspension with or without pay for specified periods of time; and
3. Termination of employment.

Remedies Against Non-Employees

Violations of ethical guidelines by non-employees involved in purchasing transactions with the City may result in any of the following:

1. Written warnings;
2. Termination of transactions; and,
3. Disbarment or suspension from contracting with the City.

Recovery of Value Transferred or Received

The value of anything transferred or received in breach of the ethical standards laid out in this policy, may be recovered from both employees and non-employees.

Due Process

All procedures under this Section shall be in accordance with due process requirements and existing State Law.

Criminal Sanctions

To the extent that a violation of the ethical standards of conduct set forth in this section also constitutes a violation of Federal, State, or City Law, it shall be punishable as provided therein. Such sanctions shall be in addition to the remedies set forth in this policy.

VII. EQUAL OPPORTUNITY IN PUBLIC CONTRACTING

Equal Opportunity

The City of Cherryvale shall comply with all applicable State and Federal statutes and regulations pertaining to equal employment opportunity and affirmative action in public contracts and shall require all persons entering into such contracts to comply with the same.

Kansas Act Against Discrimination

The State of Kansas requires that all contracts entered into with the State or any political subdivision of the State, for construction, alteration or repair of any public building or public work or for the acquisition of materials, equipment, supplies or services shall contain provisions by which the contractor agrees to observe the provisions of the Kansas Act Against Discrimination. The Kansas Act Against Discrimination (K.S.A. 44-1030 to 44-1033) states that those entering into contracts with governmental entities shall not discriminate against any person because of race, religion, sex, disability, national origin or ancestry. Vendors subject to these statutes are those:

- that employ four or more employees during the term of such contract; and
- whose contracts with the City of Cherryvale cumulatively total more than five thousand dollars, during the City's fiscal year.

Federal Provision

The City of Cherryvale shall comply with and shall only do business with contractors and vendors who comply with all federal laws, executive orders, and rules and regulations that govern equal employment opportunity and affirmative action in public contracts.

Failure to Comply

Failure to comply with Federal or State statutes and regulations governing equal opportunity and non-discrimination in public contracting shall be a material breach of contract. In addition, unless otherwise noted, failure to comply with State and/or Federal provisions shall be a breach of the present contract, for which the city may suspend further performance under the contract or terminate the contract, in whole or in part.

VIII. DISPOSAL OF CITY ASSETS

K.S.A. 12-101 allows cities to "sell and convey real or personal estate owned by the city." When an item no longer is needed by a City Department, the respective Department Head should attempt to redistribute the item within City Departments. Should there be no need for the item across City departments, such items may be given to other local governmental agencies, local not-for-profit agencies, or may be sold or traded outside of the City. If sold, departments shall determine an applicable fair market value which is financially most advantageous to the City. Unusable property or parts that have a market value will be sold "as is" through available markets approved by City Management. Usable property which cannot be relocated across City departments will be disposed of in accordance with the following procedures.

Limitations. Any asset which, at the time of purchase, was paid by City warrant in the amount of \$5,000 or more, must receive approval by the City Administrator. The City Administrator may transfer, sell, exchange or destroy any surplus, obsolete, abandoned or confiscated property without competitive bidding if such property has a value of less than \$5,000. All property valued at \$5,000 or greater will be sold through competitive bids. When appropriate, surplus property will be auctioned at public sale. All public auctions shall be advertised at least two consecutive weeks in the official city newspaper or on a reputable on-line auction house.

Prohibitions. Under no circumstances will any employee, or family-member of an employee, have access to or ownership of any asset that is being disposed of in accordance with this policy unless such asset is being offered for sale to the general public and the process for such sale is open to any individual intending to proffer a bid on such asset.

Documents. All documents will be disposed of in accordance with State policies governing same. Any document which has, or appears to have, historical value will be separated for further examination by officials approved through the Kansas State Historical Society.

Notification. Prior to transferring or disposing of City assets, each Department Head will determine whether such asset is part of the City's ongoing fixed asset inventory. If so, a complete description of the asset being transferred or disposed of will be sent to the City Administrator.

Economic Development. The City may transfer, sell, give-away, or exchange any real property for economic development purposes with the consent of the City Council.



CITY COUNCIL ACTION REPORT

Proposed Agenda Date: February 5, 2018

Subject: Repealing of Ordinance 09-4573, Sections 1-306, 1-308, 1-309, and 1-310 by adopting Ordinance 18-4691 and replacing it with Resolution 18-4 Job Descriptions of Department Heads for the City of Cherryvale.

Guest: None.

Background: The Department Head job descriptions have not been reviewed or updated since 2009. Part of the review processes for each Department Head was to re-visit their job descriptions. One revision was made to each of the descriptions. The City Administrator decided to remove the statement that each department provide a written report of all fixed assets to the City Administrator by July 1st of each year. This policy has not been followed in the past. In addition, all fixed asset inventories for each department are reviewed in April of each year in accordance with the review of liability insurance renewal.

The Department Head job descriptions were initially established by Ordinance 09-4573 and should have been set by a Resolution or by simply adopting the policy by the Governing body. Creating an ordinance for a city policy that could change frequently is costly due to frequent publication required for any amendments to ordinances. The best practice for establishing the policy for job descriptions for the City Department Heads would be to remove the standing ordinance and replace it with a resolution.

Financial Consideration: None.

Legal Consideration: None.

Policy Consideration: As stated above, the City Administrator decided to remove the statement that each department provide a written report of all fixed assets to the City Administrator by July 1st of each year. This policy has not been followed in the past. In addition, all fixed asset inventories for each department are reviewed in April of each year in accordance with the review of the liability insurance renewal.

Recommendation: Adopt Ordinance No. 18-4691 and Resolution 18-4 as presented.

**CITY OF CHERRYVALE
ORDINANCE REPEALING ORDINANCE NO. 09-4573, SECTIONS 1-306, 1-308,
1-309, 1-310 AN ORDINANCE AMENDING CHAPTER ONE OF THE CITY
CODEBOOK**

ORDINANCE NO. 18-4691

An ordinance repealing Ordinance No. 09-4573, Sections 1-306, 1-308, 1-309, 1-310 relating to the job descriptions of the City Clerk, Director of Public Works, Chief of Police and Chief of Fire, for the City of Cherryvale, Kansas.

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

Sections 1-306, 1-308, 1-309, 1-310 will be removed from City Ordinance:

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 5th day of February, 2018.

John M. Wright, Mayor

ATTEST:

Karen Davis, City Clerk

RESOLUTION 18-4
A RESOLUTION ADOPTING THE JOB DESCRIPTIONS OF
DEPARTMENT HEADS FOR CITY OF CHERRYVALE, KANSAS

WHEREAS, the City established certain duties and descriptions of appointed Department Head positions, including the City Clerk, Director of Public Works, Chief of Fire and Chief of Police; and

WHEREAS, the duties and descriptions written are the understanding of the appointed positions; and

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the City of Cherryvale, Kansas, that the following list of job descriptions for appointed Department Heads be and is hereby established.

ADOPTED AND PASSED by the Governing Body of the City of Cherryvale, Kansas, this February 5, 2018.

John Wright, Mayor

ATTEST:

Karen Davis, City Clerk

City of Cherryvale Job Description City Clerk



The duties of the City Clerk of the City of Cherryvale shall include, in addition to other duties as assigned by the Governing Body and/or the City Administrator;

1. The City Clerk of Cherryvale, Kansas shall direct and coordinate activities of the City Clerk's Office of the City of Cherryvale, in accordance with state laws and the authority delegated by the Governing Body and/or the City Administrator of the City of Cherryvale, Kansas.
2. The City Clerk shall recommend rules and regulations for the department for approval by the City Administrator and the Governing Body of the City of Cherryvale.
3. The primary functions of the City Clerk shall be to attend all meetings of the Council and make a record of its proceedings; keep the corporate seal; properly endorse and separately file all bills, orders, resolutions, ordinances, petitions, bonds and other papers introduced, passed or presented to the Council in such a manner as to be readily accessible for reference; keep a cash journal and ledger in which he or she shall keep the accounts of the city. All documents of such Clerk shall be open to inspection at all times, and he or she shall make a detailed written report to the Council at the end of each month of all moneys, accounts, receipts and disbursements.
4. In order to administer the daily activities of the City Clerk's Office of the City of Cherryvale, it is expected that the City Clerk will:
 - a. Maintain an open door policy and be accessible to the public.
 - b. Maintain a professional appearance at all times.
 - c. Maintain a professional department.
 - d. Establish a proactive program to ensure excellent customer service.
5. In addition to other duties described herein, the City Clerk shall:
 - a. Coordinate internal investigations of members of the department for alleged wrong doing.
 - b. May suspend, demote, or terminate members of the department, with the approval of the City Administrator.
 - c. Approve the hiring and promotion of members of the department, with the approval of the City Administrator.

- d. Have control over and be responsible for the care and condition of all departmental equipment. It shall be the duty of the City Clerk to see that such equipment is at all times properly maintained.
 - e. The City Clerk shall also coordinate the training of members of the department and the maintenance of the department's records.
6. The City Clerk shall adopt all prudent measures for the prevention of fraud.
7. The City Clerk position is an at-will appointment and the appointment may be terminated at any time by either the City of Cherryvale or the employee. The City Administrator or Governing Body may suspend or terminate the City Clerk with or without cause. (K.S.A. 14-201; C.O. No. 96-20; C.O. No. 08-22; Code 2001, 1-209; Ord. 07-4518; Ord. 09-4573; Code 2014)

City Clerk Signature

Date

City Administrator Signature

Date

City of Cherryvale Job Description Director of Public Works



The duties of the Director of Public Works of the City of Cherryvale shall include, in addition to other duties as assigned by the Governing Body and/or the City Administrator;

1. The Director of Public Works of Cherryvale, Kansas shall direct and coordinate activities of the Public Works Department of the City of Cherryvale, in accordance with state laws and the authority delegated by the Governing Body and/or the City Administrator of the City of Cherryvale, Kansas.
2. The Director of Public Works shall recommend rules and regulations for the department for approval by the City Administrator and the Governing Body of the City of Cherryvale.
3. The Director of Public Works shall have the immediate supervision of the care, repair and upkeep of all streets, alleys, culverts and bridges within the City. He shall have under his care and control the city's cemetery and shall perform or cause to be performed herein, all the duties heretofore devolving upon the sexton, including the opening and closing of graves. He shall supervise the care of Logan Park, The Cherryvale Community Center, The Cherryvale Swimming Pool, Lake Tanko and all buildings and equipment therein.
4. In order to administer the daily activities of the Public Works Department of the City of Cherryvale, it is expected that the Director of Public Works will:
 - a. Maintain an open door policy and be accessible to the public.
 - b. Maintain a professional appearance at all times.
 - c. Maintain a professional department.
 - d. Establish a proactive program for maintenance of the city streets, parks, water distribution system, storm water system, and sanitary sewer system.
5. In addition to other duties described herein, the Director of Public Works shall:
 - a. Coordinate internal investigations of members of the department for alleged wrong doing.
 - b. May suspend, demote, or terminate members of the department, with the approval of the City Administrator.
 - c. Approve the hiring and promotion of members of the department, with the approval of the City Administrator.

- d. Have control over and be responsible for the care and condition of all departmental equipment. It shall be the duty of the Director of Public to see that such equipment is at all times properly maintained.
 - e. The Director of Public Works shall also coordinate the training of members of the department and the maintenance of the department's records.
6. The Director of Public Works position is an at-will appointment and the appointment may be terminated at any time by either the City of Cherryvale or the employee. The City Administrator or Governing Body may suspend or terminate the Director of Public Works with or without cause. (K.S.A. 14-201; C.O. No. 96-20; C.O. No. 08-22; Code 2001, 1-211; Ord. 07-4520; Ord. 09-4573; Code 2014)

Department of Public Work Signature

Date

City Administrator Signature

Date

City of Cherryvale Job Description Chief of Police



The duties of the Chief of Police of the City of Cherryvale shall include, in addition to other duties as assigned by the Governing Body and the City Administrator;

1. The Chief of Police of Cherryvale, Kansas shall direct and coordinate activities of the municipal police department of the City of Cherryvale, in accordance with state laws and the authority delegated by the Governing Body and the City Administrator of the City of Cherryvale, Kansas.
2. The Chief of Police shall recommend rules and regulations for the department for approval by the City Administrator and the Governing Body of the City of Cherryvale.
3. The primary function of the Chief of Police shall be to coordinate and administer daily police activities and personnel engaged in enforcing the Laws of the State of Kansas and the Ordinances of the City of Cherryvale.
4. In order to administer the daily police activities of the City of Cherryvale, it is expected that the Chief will:
 - a. Maintain an open door policy and be accessible to the public
 - b. Maintain a professional appearance at all times.
 - c. Maintain a professional department.
 - d. Maintain the lead role in the investigations of crimes and assist other officers in their duties.
 - e. Establish proactive program for the prevention of crime.
5. In addition to other duties described herein, the Chief of Police shall:
 - a. Coordinate internal investigations of members of the department for alleged wrong doing; and
 - b. Approve the suspension, demotion, or termination of the members of the department, with the approval of the City Administrator; and
 - c. May approve the hiring and promotion of members of the department, with the approval of the City Administrator; and
 - d. Have control over and be responsible for the care and condition of all departmental equipment. It shall be the duty of the police chief to see that such equipment is at all times properly maintained.

- e. The Chief of Police shall also coordinate the training of the police officers and the maintenance of police records.
- 6. The Chief of Police of the City of Cherryvale may in a limited way, without neglect of the duties and functions provided for herein, participate in regional mutual assistance.
- 7. The Chief of Police position is an at-will appointment and the appointment may be terminated at any time by either the City of Cherryvale or the employee. The City Administrator or Governing Body may suspend or terminate the Chief of Police with or without cause. (K.S.A. 14-201; C.O. No. 96-20; C.O. No. 08-22; Code 2001, 1-212; Ord. 07-4510; Ord. 09-4573; Code 2014)

Chief of Police Signature

Date

City Administrator Signature

Date

City of Cherryvale Job Description Chief of Fire



The duties of the Chief of Fire of the City of Cherryvale shall include, in addition to other duties as assigned by the Governing Body and the City Administrator;

1. The Chief of Fire of Cherryvale, Kansas shall direct and coordinate activities of the municipal fire department of the City of Cherryvale, in accordance with state laws and the authority delegated by the Governing Body and/or the City Administrator of the City of Cherryvale, Kansas.
2. The Chief of Fire shall recommend rules and regulations for the department for approval by the City Administrator and the Governing Body of the City of Cherryvale.
3. The primary function of the Chief of Fire shall be to coordinate and administer daily Fire Department activities and personnel engaged in preventing, controlling, and extinguishing fires; and operation of the City of Cherryvale's EMS system.
4. In order to administer the daily activities of the Fire Department of the City of Cherryvale, it is expected that the Chief will:
 - a. Maintain an open door policy and be accessible to the public.
 - b. Maintain a professional appearance at all times.
 - c. Maintain a professional department.
 - d. Establish proactive program for the prevention of fire and the general health and well-being of the city.
5. In addition to other duties described herein, the Chief of Fire shall:
 - a. Coordinate internal investigations of members of the department for alleged wrong doing.
 - b. May suspend, demote, or terminate members of the department with the approval of the City Administrator.
 - c. Approve the hiring and promotion of members of the department, with the approval of the City Administrator.

- d. Have control over and be responsible for the care and condition of all departmental equipment. It shall be the duty of the fire chief to see that such equipment is at all times properly maintained.
 - e. The Chief of Fire shall also coordinate the training of members of the department and the maintenance of the department's records.
6. Shall have full power, control, and command over all persons present at fires, direct the use of all fire apparatus and equipment, command all firemen in the discharge of their duties and take such measures as deemed necessary to preserve and protect property and extinguish fires.
 7. Shall keep in convenient form a complete record of all fires, including the time and location, construction of building, owner of building, occupancy of building, how extinguished, value of building and contents, loss on building and contents, insurance on building and contents, members responding to the alarm, and any other information deemed advisable.
 8. Shall adopt all prudent measures for the prevention of fires and for this purpose the chief or his or her designee may, upon request or whenever there is reason to believe that the safety of life and property demands it, enter any building, yard or premises in the city as provided by law. Where dangerous, unsafe or hazardous conditions are found to exist, the chief or a designee shall give such directions for the alteration, change or removal or better care or management of the same as he or she may deem proper, and such directions shall be obeyed and complied with by the person directed in that regard and at his or her own expense.
 9. The Chief of Fire of the City of Cherryvale may in a limited way, without neglect of the duties and functions provided for herein, participate in regional mutual assistance.
 10. The Chief of Fire position is an at-will appointment and the appointment may be terminated at any time by either the City of Cherryvale or the employee. The City Administrator or Governing Body may suspend or terminate the Chief of Fire with or without cause.

Chief of Fire Signature

Date

City Administrator Signature

Date

**RESOLUTION 18-5
CHERRYVALE COMMUNITY CENTER RENTAL RATES**

A RESOLUTION AMENDING THE POLICY ON RENTAL RATES FOR THE CHERRYVALE COMMUNITY CENTER; THE APPLICATION PROCESS; RULES AND REGULATIONS; AND DAMAGES AND MISUSE OF THE FACILITY AND REPEALING RESOLUTION 17-5 AND ALL RESOLUTIONS IN CONFLICT.

WHEREAS, the Governing Body of the City of Cherryvale, Kansas, accepted ownership of the former Kansas National Guard Armory Property through a Kansas Quitclaim Deed dated March 31, 2010 at a regular Council Meeting on June 7, 2010; and,

WHEREAS, the Governing Body hereby proclaims that the former Kansas National Guard Armory Property is now known for administrative purposes as the Cherryvale Community Center; and,

WHEREAS, the Governing Body wishes to adopt certain resolutions regarding the use of the Cherryvale Community Center, Cherryvale, Kansas.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF CHERRYVALE, KANSAS:

SECTION 1.

The City of Cherryvale Community Center is operated by the City of Cherryvale. The facility contains a gym, kitchen, two meeting rooms, and an all-purpose/walking room. The City Council recognizes the desirability of having the Community Center used as much as possible by residents and community groups. Groups or individuals wishing to use the Community Center facilities should make arrangements through the City Clerk at City Hall. Scheduling the facilities will be first-come first served, based on the priority listing. The Cherryvale Community Center is designated as a smoke-free facility.

SECTION 2.

Any party, entity, individual, or group desiring to reserve rooms and/or areas in the Cherryvale Community Center shall be permitted to do so upon full payment of the rental rates and deposits to the City Clerk as follows:

ROOM	HOURLY RATE
North Gym	\$15.00
North Gym and Kitchen	\$20.00
South Walking Room	\$15.00
South Walking Room and Kitchen	\$20.00
Tile Meeting Room	\$5.00
Tile Meeting Room and Kitchen	\$10.00
Carpet Meeting Room	\$5.00
Carpet Meeting Room and Kitchen	\$15.00
Kitchen Only	\$10.00

A refundable deposit of \$30.00 will be required for events with food, non-alcoholic drink, and/or decorations. No alcohol is allowed on the premises.

A Flat Rate fee of \$25.00 will be required when the Public Works Department puts out tarps for a Renter that is requesting to use the gym for special events with food, drinks, and table use.

Each of the rates listed above are based on a per hour usage rate. Renter will need to determine total numbers of hours the event will be held in addition to set-up and clean-up times. Deposit will be refunded after the inspection by City personnel is complete and all keys are returned. Under no circumstances will renter be allowed to duplicate facility keys. If renter violates this policy, the organization will be prohibited from renting the Center in the future and be subject to lock replacement costs.

SECTION 3:

Any individual, family, sport team, or group desiring to utilize the North Gym or South Walking Room areas on an on-going basis in the Cherryvale Community Center during the Center's hours of operations may be permitted to purchase a monthly membership at City Hall. Teams and organizations may not store any equipment or supplies at the Community Center. The North Gym and South Walking Room must remain available to all members of the Community at all times unless prior arrangements have been made with the City Administrator.

MEMBER	MONTHLY FEE
Senior Citizen (Over 65)	\$5.00
Senior Citizen (Over 65) Plus 1	\$10.00
Single Person	\$10.00
Single Person Plus 1	\$15.00
Family	\$20.00
Sport Team Memberships	\$30.00

SECTION 4.

Rental fees for events held in connection with the USD #447 Recreation Commission may be waived. In lieu of paying rental fees the Recreation Commission will contribute toward utility expenditures and maintenance under a separate Facility-Use and Maintenance Agreement approved by the Recreation Commission and the City of Cherryvale Governing Body. Storage of necessary event equipment may be stored at the facility upon approval of the Cherryvale City Administrator prior to scheduled events as long as it will not interfere with the rental of the community center.

SECTION 5.

Rental fees for events held in connection with the Cherryvale Chamber of Commerce may be waived. The Cherryvale Chamber of Commerce, in lieu of paying the rental fee, will be required to perform clean up duties both prior to and after the event, as well as promoting the facility for

additional use. Storage of Chamber of Commerce equipment may be allowed at the facility upon approval of the Cherryvale City Administrator as long as it will not interfere with the rental of the community center.

SECTION 6.

Any person or sponsor using the building shall restore it to a clean and neat appearance upon the conclusion of the use and see that all lights are shut off, the thermostat is turned off or set on an appropriate temperature, all doors are locked, and the keys are returned. Additional rules and conduct regulations will be stated on the application and agreed to by the applicant. If all of the above are accomplished in the judgment of the City, any deposit required shall be refunded to the persons using the building. If, in the judgment of the City, any of the above are not accomplished, the deposit or portion of shall become the sole and separate property of the City of Cherryvale, Kansas, as liquidated damages and not as a penalty. If in judgment of the City, the Cherryvale Community Center has been damaged and those damages and/or any costs incurred exceed the any deposit received, the party renting the building will be held responsible for the cost of repairing the damage. Every person or sponsor who rents the Cherryvale Community Center will be given a copy of this Resolution; and by their signature on a copy of this Resolution, they agree to personally assume all responsibility and liability for damages in excess of the deposit. Any party and all participants using the Cherryvale Community Center must abide by all State and Municipal laws during facility use.

ADOPTED AND PASSED by the Governing Body of the City of Cherryvale, Kansas, this 5th day of February 5, 2018.

John Wright, Mayor

ATTEST:

Karen Davis, City Clerk

Cherryvale Community Center Rental Agreement



Contact Information

Name:	
Street Address:	
City ST ZIP Code:	
Home Phone:	
E-Mail Address:	

Rental Information

Date of Rental:	
Type of Activity:	
Time:	
Estimated Attendance:	
List Recurring Meeting Dates:	

Room	Hourly Rate	Room Selected
North Gym:	\$15.00	
North Gym and Kitchen:	\$20.00	
South Walking Room:	\$15.00	
South Walking Room and Kitchen:	\$20.00	
Tile Meeting Room:	\$5.00	
Tile Meeting Room and Kitchen:	\$10.00	
Carpet Meeting Room:	\$5.00	
Carpet Meeting Room and Kitchen:	\$15.00	
Kitchen Only:	\$10.00	

Additional Requirements

Refundable Deposit is required - \$30.00 Tarp Flat Rate Fee- \$25.00 (required to pay if food/beverage/tables will be in gym)
--

Agreement and Signature

I, THE UNDERSIGNED RENTER OR ITS AUTHORIZED AGENT, AFFIRM THAT I HAVE READ AND UNDERSTAND THE CONDITIONS, STIPULATIONS AND TERMS OF THIS RENTAL AGREEMENT, AND AGREE TO ACCPT THE SAME.

Name (printed):	
Signature:	
Date:	

Our Policy

Cherryvale Community Center

1. Sweep floors.
2. Clean the kitchen counter and stove and make sure the stove is turned off.
3. Restrooms are to be left clean. Flush all toilets.
4. Empty all trash baskets and take them to the dumpster outside.
5. Return all tables and chairs to their storage rack and return all cleaning tools (brooms, dustpan, etc.) to their storage closet.
6. The sponsor of the event is responsible for insuring the building has been cleaned (kitchen, bathrooms, and floors must be cleaned and all trash has been taken to the dumpster) after the event.
7. No tape, adhesives, tacks, or similar materials may be placed on the walls.
8. You are responsible for any damages to this property. Your deposit will not be refunded and you will be invoiced for the remaining balance.

***** Your deposit will be returned after inspection of the premises (within 48 hours of rental date).

If the Community Center is not unlocked at the time of rental please call 620-336-2121 or 620-336-2400 and notify them that you are ready for the Community Center to be locked up.

BANK NO	BANK NAME	VENDOR NO	VENDOR NAME	CHECK AMOUNT	CLEARED	VOIDED	MANUAL
1	COMM. NATIONAL BANK & TRUST						
Thru	24962		Payroll Checks				
	24974			6,616.19			
	24975	1440	CITY OF CHERRYVALE	353.50			
	24976	7379	SURENCY LIFE AND HEALTH	114.46			
	24977	9211	BCBS OF KANSAS	642.88			
	24978	9212	BCBS OF KANSAS	1,402.30			
	24979	9214	KANSAS PAYMENT CENTER	1,174.35			
	24980		Gap in Checks				
	24981	9223	AFLAC	678.32			
	24982	9230	SECURITY BENEFIT	194.91			
	24983	9303	W.H. GRIFFIN TRUSTEE	219.23			
	24984	9382	BERMAN & RABIN, P.A.	270.85			
	24985	375	B & B AUTOMOTIVE REPAIR	1,230.50			
	24986	600	BLUE CROSS-BLUE SHIELD	12,446.37			
	24987	75	BOUND TREE MEDICAL LLC	367.74			
	24988	790	BUMPER TO BUMPER AUTO PARTS	69.83			
	24989	9310	CHERRYVALE FAMILY MEDICINE	204.00			
	24990	1250	CHERRYVALE LIBRARY TREASURER	31,476.05			
	24991	1445	CITY ATTORNEYS ASSOCIATION	35.00			
	24992	9371	CORE & MAIN LP	160.00			
	24993	1885	D & C WELDING & MACHINE SVC	24.00			
	24994	2087	DIGITAL CONNECTIONS	16.93			
	24995	9063	FIREX, INC.	57.50			
	24996	3101	HIGHER CALLING TECHNOLOGIES	1,116.00			
	24997	6588	HINES & JONES, P.A.	450.00			
	24998	9295	KEY EQUIPMENT & SUPPLY C.	3,204.19			
	24999	9389	LEXIPOL, LLC	4,451.00			
	25000	5033	MEDICLAIMS, INC.	604.99			
	25001	5235	MONTGOMERY COUNTY ACTION	872.68			
	25002	1100	MONTGOMERY COUNTY CHRONICLE	168.00			
	25003	5750	NEWTON'S	51.46			
	25004	9289	OLD DOMINION BRUSH COMPANY INC	218.86			
	25005	6210	POSTMASTER	330.00			
	25006	6580	REPUBLIC SERVICES	9,493.03			
	25007	6674	ROBERTS, BILLY D.	285.40			
	25008	6808	SELLERS EQUIPMENT, INC.	334.11			
	25009	9317	UNIFIRST CORPORATION	134.58			
	25010	7669	UNUM LIFE INSURANCE COMPANY	187.37			
	25011	66	VAIL'S AUTOMOTIVE & TOWING	212.00			
	25012	7807	WAGWORKS, INC	113.00			
	25013	7995	WESTERN PLAINS OPERATIONS	26.20			
	25014	2590	WEX BANK	2,682.52			
	25015	8400	ZOLL MEDICAL CORPORATION	30.00			
Thru	1751		Payroll Checks				
	1776			16,516.96			

ACCOUNTS PAYABLE CHECK REGISTER

BANK NO CHECK NO	BANK NAME DATE	VENDOR NO VENDOR NAME	CHECK AMOUNT	CLEARED	VOIDED	MANUAL
16012483	1/26/2018	9200 PEOPLES STATE BANK	7,021.06		**E-PAY**	
16012484	1/26/2018	9201 KANSAS WITHHOLDING TAX	1,108.11		**E-PAY**	
16012485	1/26/2018	9203 KPERS	4,755.12		**E-PAY**	
16012486	1/26/2018	914 CARD SERVICES	566.45		**E-PAY**	
16012487	1/26/2018	914 CARD SERVICES	343.03		**E-PAY**	
16012488	1/26/2018	914 CARD SERVICES	321.06		**E-PAY**	
16012489	1/26/2018	914 CARD SERVICES	241.90		**E-PAY**	
16012490	1/26/2018	914 CARD SERVICES	60.00		**E-PAY**	
16012491	1/26/2018	914 CARD SERVICES	95.39		**E-PAY**	

BANK TOTAL	90,616.23
OUTSTANDING	90,616.23
CLEARED	.00
VOIDED	.00

FUND	TOTAL	OUTSTANDING	CLEARED	VOIDED
100 GENERAL OPERATING	37,318.83	37,318.83	.00	.00
200 SPECIAL HIGHWAY	2,315.29	2,315.29	.00	.00
210 LIBRARY	31,476.05	31,476.05	.00	.00
250 REFUSE COLLECTION	9,493.03	9,493.03	.00	.00
296 COPS GRANT	576.78	576.78	.00	.00
700 WATER O & M	3,650.96	3,650.96	.00	.00
715 WWTP & S.S. O & M	5,785.29	5,785.29	.00	.00

REPORT TOTAL	90,616.23
OUTSTANDING	90,616.23
TOTAL PAYROLL	23,133.15

TOTAL \$113,749.38

MAYOR: _____
SIGNED THIS 5th DAY OF FEBRUARY, 2018

CITY CLERK: _____
PASSED THIS 5th DAY OF FEBRUARY, 2018

**CITY OF CHERRYVALE
MEETING OF THE CITY COUNCIL
REGULAR MEETING
January 16, 2018
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 Debra Leedy, Council Member Dan Ward, Council Member Rick Valverde, Council Member Don King, City Administrator Brooke Carroll, Deputy City Clerk Angela Barnett, Public Works Director Wade Webber, Interim Police Chief Jimmy Holt, Fire Chief Jesse Reed, Donna Celaya and Steve McBride (Independence Daily Reporter).

INVOCATION

Council Member Debra Leedy led the invocation.

PLEDGE OF ALLEGIANCE

ROLL CALL

Deputy City Clerk Angela Barnett took roll:

Mayor Wright- present; Council Member Valverde- present; Council Member Leedy- present; Council Member King- present; Council Member Ward - present

PUBLIC FORUM

None

GOVERNING BODY COMMENTS

Mayor John Wright- None
Council Member Don King- None
Council Member Debra Leedy- None
Council Member Rick Valverde- None
Council Member Dan Ward- None

NEW COUNCIL BUSINESS

A. COX COMMUNICATIONS CUSTOMER RATE CHANGE

Presented by Brooke A. Carroll, City Administrator

RECOMMENDED ACTION: None

No action taken

B. APPROVAL TO APPLY FOR GRANTS

Presented by Jesse Reed, Fire Chief & Director of EMS

RECOMMENDED ACTION: Authorize City of Cherryvale Fire Department to apply for grants.

Council Member Valverde made a motion to apply for the grant, seconded by Council Member Leedy. Motion passed 4/0.

C. CONSENT AGENDA

Presented by John Wright, Mayor

RECOMMENDED ACTION: Approve the consent agenda as presented:

- 1. Appropriations and Payroll Ord. No. 18-01-12: \$79,617.73
 - a. Approval of Purchases over \$5,000
 - i. People’s State Bank \$10,133.22
 - ii. KPERS \$ 5,401.95
 - iii. Westar Energy \$ 5,805.40
 - iv. Community National Bank \$ 9,574.45
- 2. Approval of the minutes for January 8, 2018 regular meeting.

Council Member Valverde made a motion to approve the consent agenda as presented, seconded by Council Member King. Motion passed 4/0.

INFORMATIONAL ITEMS

- 1. Next Council meeting February 5, 2018.
- 2. Thank You note from the Cherryvale Community Food Bank.
- 3. Pinterest Class at the Community Center on February 10th 11 am -2 pm. Register by 1/31/18 at City Hall.
- 4. Open Positions: 1 P/T Police Officer and 2 F/T Public Works positions. Apply at cherryvaleusa.com, HRePartners.com., or Kansas Works.

EXECUTIVE SESSION (NON-ELECTED PERSONNEL)

Council Member Valverde made a motion to recess into executive session pursuant to the non-elected personnel matters exception in order to discuss confidential information relating to personnel matters of non-elected personnel for a period of 20 minutes from 7:15 – 7:35 pm, seconded by Council Member Ward. Motion passed 4/0.

Mayor John Wright declared us back in session at 7:37 pm.

EXECUTIVE SESSION (NON-ELECTED PERSONNEL)

Council Member Valverde made a motion to enter into executive session in order to discuss confidential information relating to personnel matters of non-elected personnel to include the City Administrator for a period of 20 minutes from 7:40 – 8:00 pm, seconded by Council Member Ward.

Mayor Wright declared us back in session at 8:03 pm.

ADJOURNMENT

A motion was made by Council Member Valverde, seconded by Council Member Leedy to adjourn the meeting at 8:05 pm. Motion passed 4/0.

Respectfully submitted by,

Angela Barnett, Deputy City Clerk