

CITY OF CHERRYVALE

MEETING OF THE CITY COUNCIL REGULAR MEETING APRIL 21, 2014 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 P.M.

Present: Mayor John Wright, Council President Chad Wickham, Council Member Lew Forman, Council Member Randy Wagoner, Council Member Kevin Crain, City Administrator Travis Goedken, City Clerk/Assistant City Administrator Chris Weiner, Public Works Director Wade Webber, Police Chief Perry Lambert, Deputy Police Chief Jimmy Holt, Fire Chief Jesse Reed, Gary Brooks, and Tina Cunningham.

INVOCATION

Council Member Wagoner led the invocation.

PLEDGE OF ALLEGIANCE

All present participated.

ROLL CALL

City Clerk Chris Weiner took roll:

Mayor Wright – present; Council President Wickham – present; Council Member Forman – present; Council Member Wagoner – present; Council Member Crain.

PUBLIC FORUM

Gary Brooks – 725 W. Main St.: *Water Tower Project* – wasting water, should've had a valve put in place to regulate water before project started.

PUBLIC COMMENT – COMMUNITY CENTER FUNDING

Tina Cunningham – 725 E. 3rd St. – In support of paying on water bill than solely membership based; “rec fee”. Would like to see “senior housing” exempted from “rec fee”.

GOVERNING BODY COMMENTS

Mayor John Wright - None

Council Member Chad Wickham - None

Council Member Kevin Crain - None

Council Member Randy Wagoner - None

Council Member Lew Forman, Jr. - None

NEW BUSINESS

A. PROPOSED ORDINANCE 14-4644: CURFEW; GENERALLY

Presented by Travis Goedken, City Administrator

RECOMMENDED ACTION: Adopt Proposed Ordinance 14-4644

Presented by City Administrator Travis Goedken.

Council President Wickham motioned to adopt Ordinance 14-4644 as presented, Council Member Wagoner seconded.

City Clerk Chris Weiner took the roll call vote:

Council Member Forman - aye; Council Member Wagoner - aye; Council President Wickham - aye; Council Member Crain - aye.

All votes aye.

ORDINANCE 14-4644
CURFEW; GENERALLY

AN ORDINANCE AMENDING CHAPTER XI, ARTICLE 2, SECTION 11-201 "CURFEW; GENERALLY" TO ALLOW AFTER HOURS ACCESS TO LOGAN PARK FOR VENDORS AND REGISTRANTS OF CHERRY BLOSSOM FESTIVAL AND OTHER COMMUNITY EVENTS.

Be it ordained by the Governing Body of the City of Cherryvale, Kansas, that Section 11-201 of the Code of the City of Cherryvale is hereby amended to read as follows:

11-201. Curfew; generally.

(a) It is unlawful for any person to enter, remain, or be found in the following described areas of the City of Cherryvale between the hours of ten o'clock (10:00) P.M. and five o'clock (5:00) A.M.

- (1) The area known as Logan Park which is bounded on the north by Park Street, on the south by Clark Street, on the east by Liberty Street, and on the west by Walnut Street;
- (2) The city water treatment plant which is bounded on the north by the Cherryvale City limits, on the south by Main Street, on the east by Liberty Street, and on the west by Coyle Street extended;
- (3) The city sewage treatment plant, which is bounded on the north by Second Street extended, on the south by Main Street extended, on the east by Maple Street, and on the west by Cherry Township;
- (4) The area known as Fairview Cemetery located in the Northeast quadrant of the City of Cherryvale on North Olive Street which forms the west boundary of the cemetery.

(b) Subsection (a) shall not apply to:

- (1) any person who enters, remains, or is found in the areas known as Logan park while participating in or observing an organized sports or community event which is being directly supervised by a recreation employee of the City of Cherryvale;
- (2) persons who enter, remain or are found in the Veterans Memorial area defined as that area bounded by sidewalk directly west of the Memorial, on the west, Liberty Street on the east; on the north by a line extending perpendicular to Liberty Street commencing at the northwest edge of the sidewalk, circumscribing said Memorial and extending east from said point to Liberty Street; and on the south by a line extending perpendicular to Liberty Street commencing at the southwest corner of the

sidewalk circumscribing said Memorial and extending east from said point to Liberty Street.

(3) any person who enters, remains, or is found in the areas known as Logan Park as a vendor or registered participant of the Cherry Blossom Festival or other community event as approved by the Governing Body and abiding by rules established by the City Administrator;

(c) Appropriate signs shall be placed to give the public reasonable notice of the restrictions contained in this section.

(d) Violation of this section is a class C misdemeanor.

PASSED AND APPROVED THIS 21ST DAY OF APRIL, 2014.



ATTEST:

Christopher Weiner
Christopher Weiner, City Clerk

John M. Wright
John Wright, Mayor

APPROVED TO FORM:

Jeffrey W. Gentler
Jeffrey W. Gentler, City Attorney

B. PROPOSED RESOLUTION 14-8: PROCUREMENT, BIDDING AND CONTRACT AWARDS

Presented by Travis Goedken, City Administrator

RECOMMENDED ACTION: Adopt Proposed Resolution 14-8

Presented by City Administrator Travis Goedken.

Council Member Wagoner motioned to adopt Resolution 14-8 as presented, Council Member Forman seconded.

All votes aye.

RESOLUTION 14-S
PROCUREMENT, BIDDING AND CONTRACT AWARDS

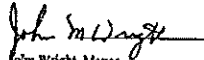
A RESOLUTION OF THE GOVERNING BODY ADOPTING AND PROVIDING FOR
STANDARDS FOR PROCUREMENT, BIDDING AND CONTRACT AWARDS.

WHEREAS, the City of Cherryvale, of Montgomery County, Kansas has applied for a loan to be made or insured by the United States of America acting through the Rural Housing Service (herein called the Government) for the construction of facilities to be owned and operated by the Cherryvale Police Department, and the Government's regulations require that the City of Cherryvale adopt standards (a) relating to the conduct of its officers, employees, and agents in contracting and in expending loan funds, and (b) establishing procurement and contracting procedures;

NOW, THEREFORE BE IT RESOLVED by the Governing Body of the City of Cherryvale, Kansas:

The City of Cherryvale of Montgomery County, Kansas does hereby adopt the standards of conduct and procurement procedures set forth in those regulations of USDA Rural Development appearing in Title 7, Code of Federal Regulations, Section 1942.18 (J) Thru (K), provided however that in those instances where funds derived from loans made or insured by, or grants made by, the Government are not involved, prior consent or approval of the Government as provided in such regulations shall not be required.

PASSED AND ADOPTED BY THE GOVERNING BODY OF THE CITY OF
CHERRYVALE, KANSAS ON THE 21ST DAY OF APRIL, 2014.


John Wright, Mayor

ATTEST:


Christopher Weiner, City Clerk



C. QUARTERLY TREASURER'S REPORT

Presented by Chris Weiner, City Clerk/Asst. City Administrator

RECOMMENDED ACTION: Accept the quarterly treasurer's report.

Presented by City Clerk / Assistant City Administrator Chris Weiner

Council Member Wagoner motioned to accept the Treasurer's Report as presented, Council Member Forman seconded.

All votes aye.

CITY OF CHERRYVALE
CITY TREASURER'S REPORT
FIRST QUARTER 2014

FUND	BALANCE	RECEIPTS	DISBURSEMENTS	BALANCE
	03/31/14			06/30/14
1 General Operating	\$ 243,848.82	\$ 499,412.50	\$ 646,632.18	\$ 251,809.14
2 Library	\$ 3,038.83	\$ 25,651.04	\$ 22,634.98	\$ 6,054.89
8 Special Parks & Rec.	\$ 9,470.38	\$ 1,187.68	\$ 1,191.09	\$ 9,466.97
9 Special Highway	\$ 9,111.81	\$ 44,899.24	\$ 24,892.86	\$ 29,118.19
12 Bond & Interest	\$ 12,648.95	\$ 65,699.80	\$ 28,874.06	\$ 59,474.69
13 Drug Seizure Fund	\$ 2,959.29	\$ 433.83	\$ 1,118.83	\$ 1,274.29
20 Clearing Fund	\$ 37,846.18	\$ 219,898.37	\$ 157,928.07	\$ 199,816.48
40 Refuse Collection	\$ 18,910.87	\$ 33,811.31	\$ 25,510.15	\$ 27,212.03
51 Water O & M	\$ 455,218.83	\$ 189,378.84	\$ 302,801.54	\$ 341,896.13
52 WWTP & S.S. O&M	\$ 249,951.74	\$ 166,771.81	\$ 154,898.23	\$ 301,825.32
57 HAZ Brownfields Ct	\$ 22,764.68	\$ -	\$ -	\$ 22,764.68
58 Petro Brownfields Ct	\$ (3,787.58)	\$ -	\$ -	\$ (3,787.58)
60 Capital Improvement	\$ 119,894.64	\$ 435,822.00	\$ 252,659.00	\$ 303,067.64
61 Municipal Equip Rev.	\$ 83,807.44	\$ 79,609.00	\$ 42,448.48	\$ 120,967.96
62 KARC Home Grant	\$ (1,425.95)	\$ -	\$ -	\$ (1,425.95)
72 Fireman's Auxiliary Fd	\$ 9,281.00	\$ 203.00	\$ 2,000.83	\$ 7,483.17
73 Volunteer Firefighters	\$ 305.82	\$ -	\$ 48.63	\$ 257.19
74 Police Explorer Fund	\$ (15.58)	\$ -	\$ -	\$ (15.58)
75 Fire Fighter Flag Fund	\$ 283.64	\$ -	\$ -	\$ 283.64
77 Cemetery Trust Fund	\$ 1,713.73	\$ -	\$ 707.24	\$ 1,006.49
79 FSA Fund	\$ 878.20	\$ 10,943.11	\$ 9,798.15	\$ 9,923.16
82 KAN STEP Grant(City)	\$ (47,998.41)	\$ -	\$ -	\$ (47,998.41)
83 2012 CDBG Paving Grant	\$ 878.00	\$ -	\$ -	\$ 878.00
87 RBEG Loan Fund	\$ 9,900.00	\$ 1,826.00	\$ -	\$ 11,726.00
89 RBEG Loan Fund	\$ 61,826.80	\$ 1,328.00	\$ -	\$ 63,154.80
91 Police Explorer Account	\$ 163.00	\$ 8.00	\$ 18.89	\$ 152.11
Petty Cash Fund	\$ 1,484.00	\$ 497.00	\$ 497.00	\$ 1,484.00
Clerk's Change Fund	\$ 300.00	\$ -	\$ -	\$ 300.00
TOTAL	\$ 1,480,845.69	\$ 1,876,140.84	\$ 1,682,804.31	\$ 1,682,478.24

INVESTMENTS	INVESTMENTS & CASH AMOUNTS	
General Obligation SW	\$ 276,000.00	
General Obligation SW K	\$ 2.02	
General Obligation Y/T	\$ 875,481.05	
KS Water Supply Loan	\$ 169,233.94	
Library LIT	\$ 18,805.89	
Ambulance	\$ 236.34	
2008 Ford Expedition	\$ 7,651.80	
TOTAL	\$ 1,337,090.95	
	FDSEMA Grant	\$ 1,212.88
	PSB - FD Explorer	\$ 120.91
	PSB - FD Flag Fund	\$ 283.04
	RBEG Loan Fund	\$ 64,666.00
	Drug Seizure Fund	\$ 1,561.74
	KAN-STEP Grant	\$ 74,600.00
	Petty Cash Fund	\$ 1,484.00
	Clerk's Change Fund	\$ 300.00
	TOTAL	\$ 1,682,478.24

I, Christopher T. Weiner, solemnly swear that the above is true and correct to the best of my knowledge and belief.
 Christopher T. Weiner - City Clerk
 The above was signed before me on the 14th day of April 2014.
 KAREN SCHLIT
 Notary Public
 My Comm. Expires 12/31/15

D. CUNNINGHAM SANDBLASTING PAYMENT OF \$135,615

Presented by Chris Weiner, City Clerk/Asst. City Administrator
RECOMMENDED ACTION: Approve the payment to Cunningham Sandblasting.
 Presented by City Clerk/Assistant City Administrator Chris Weiner

Council Member Wagoner motioned to approve the payment to Cunningham Sandblasting, Council Member Crain seconded.

All votes aye.

E. CONSENT AGENDA

Presented by John Wright, Mayor
RECOMMENDED ACTION: Approve the consent agenda as presented.

1. Appropriations Ord. No. 14-0411 \$109,878.31
 - a. Approval of Purchases over \$5,000
 - i. Blue Cross-Blue Shield \$9,153.64
 - ii. Public Wholesale Water \$30,440.00
 - iii. Top Shop Automotive \$6,068.16
 - iv. Westar Energy \$5,863.61

2. Consideration of the minutes for April 7, 2014 Regular Meeting
 Presented by Mayor Wright.

Council Member Wagoner motioned to approve the consent agenda as presented, Council President Wickham seconded.

All votes aye.

INFORMATIONAL ITEMS

1. Water Tower Project Update
Presented by City Administrator Travis Goedken.
2. Community Center Update
Presented by City Administrator Travis Goedken.
3. Clean-Up Day Reminder
Presented by City Administrator Travis Goedken.

EXECUTIVE SESSION

1. To discuss matters of non-elected personnel (estimated at 15 minutes).
Council Member Wagoner motioned to enter into executive session to discuss matters of non-elected personnel with the Mayor, City Council, City Administrator Travis Goedken, and Fire Chief Reed on call for fifteen (15) minutes at 7:54 P.M., Council President Wickham seconded.

All votes aye.

Mayor Wright returned the meeting to regular session at 8:09 P.M.

2. To discuss matters of real estate (estimated at 15 minutes).
Council Member Wagoner motioned to enter into executive session to discuss matters of real estate with the Mayor, City Council, and City Administrator Travis Goedken for fifteen (15) minutes at 8:10 P.M., Council President Wickham seconded.

All votes aye.

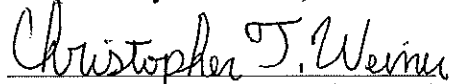
Mayor Wright returned the meeting to regular session at 8:25 P.M.

ADJOURNMENT

Council President Wickham motioned to adjourn, Council Member Forman seconded.

All votes aye.

Respectfully submitted,



Christopher T. Weiner, City Clerk