

# CITY OF CHERRYVALE

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MEETING OF THE CITY COUNCIL  
REGULAR MEETING  
AUGUST 19, 2013  
7:00 p.m.

*Working for a better tomorrow... today.*

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## ORDER OF BUSINESS

### CALL MEETING TO ORDER

### INVOCATION

### PLEDGE OF ALLEGIANCE

### ROLL CALL

### PUBLIC HEARING BUDGET ORDINANCE

### PUBLIC FORUM

### GOVERNING BODY COMMENTS

Mayor John Wright  
Council Member Chad Wickham  
Council Member Kevin Crain  
Council Member Randy Wagoner  
Council Member Lew Forman, Jr.

### CONSENT AGENDA

Presented by John Wright, Mayor.

- |   |              |
|---|--------------|
| 1. Appropriations Ordinance No. 13-0816                     | \$109,076.55 |
| a. Approval of Purchases over \$5,000                       |              |
| i. Blue Cross-Blue Shield                                   | \$13,321.85  |
| ii. Card Services   | \$12,595.74  |
| iii. Republic Services                                      | \$9,209.69   |
| iv. Wright Express FSC                                      | \$6,070.38   |
| v. O'Brien Ready Mix  | \$5,240.25   |
| 2. Change Order 1 for B&L Trenching                         |              |
| 3. Consideration of the minutes for the following meetings: |              |
| a. August 5, 2013 Regular Meeting                           |              |
| b. August 14, 2013 Special Meeting                          |              |
| c. August 15, 2013 Special Meeting                          |              |

**RECOMMENDED ACTION:** Approve the consent agenda as presented.

### NEW BUSINESS

- A. ORDINANCE NO. 13-4631 AN ORDINANCE ATTESTING TO AN INCREASE IN TAX REVENUES FOR BUDGET YEAR 2014 FOR THE CITY OF CHERRYVALE

Presented by Travis Goedken, City Administrator

**RECOMMENDED ACTION:** Do not approve the ordinance. Approve the budget as presented by Phil Jarred at 8/5 meeting and further assist the library through the equipment reserve.

**B. ORDINANCE NO. 13-4632 AN ORDINANCE MAKING AND LEVYING A SPECIAL ASSESSMENT UPON ALL LOTS, PIECES, AND PARCELS OF GROUND IN THE CITY OF CHERRYVALE, KANSAS, LIABLE FOR THE COST AND EXPENSE OF MOWING AND CUTTING NOXIOUS WEEDS AND DEMOLITIONS.**

Presented by Travis Goedken, City Administrator

**RECOMMENDED ACTION:** Approve the ordinance.

**C. ORDINANCE NO. 13-4633 AN ORDINANCE OF THE CITY OF CHERRYVALE, KANSAS REGARDING THE SETTING OF SALARY FOR THE MUNICIPAL COURT JUDGE; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE.**

Presented by Travis Goedken, City Administrator

**RECOMMENDED ACTION:** Approve the ordinance.

**D. LIBRARY BOARD APPOINTMENT**

Presented by Travis Goedken, City Administrator

**RECOMMENDED ACTION:** Approve the appointment.

**INFORMATIONAL ITEMS**

1. Update on KDHE/U.S. Steel matters.

**EXECUTIVE SESSION**

1. To Discuss Matters of Non-elected Personnel (Estimated at 20 Minutes)

**ADJOURNMENT**

NOTICE OF BUDGET HEARING

The governing body of  
City of Cherryvale  
will meet on August 19, 2013 at 7:00 PM at Cherryvale City Hall for the purpose of  
hearing and answering objections of taxpayers relating to the proposed use of all funds and the amount of ad valorem tax.  
Detailed budget information is available at Cherryvale City Hall and will be available at this hearing.

BUDGET SUMMARY

Proposed Budget 2014 Expenditures and Amount of 2013 Ad Valorem Tax establish the maximum limits of the 2014 budget.  
Estimated Tax Rate is subject to change depending on the final assessed valuation.

FUND	Prior Year Actual for 2012		Current Year Estimate for 2013		Proposed Budget for 2014		
	Expenditures	Actual Tax Rate *	Expenditures	Actual Tax Rate *	Budget Authority for Expenditures	Amount of 2013 Ad Valorem Tax	Estimate Tax Rate *
General	1,563,229	37.470	1,756,012	37.156	1,969,781	252,614	34.106
Bond and Interest	258,007		263,639		272,239		
Library	45,079	6.102	48,875	6.052	71,865	67,415	9.102
Special Highway	113,352		109,205		108,460		
Water Utility	665,392		709,944		1,091,797		
Sewer Utility	408,218		520,180		748,113		
Refuse Utility	127,151		134,796		140,992		
Special Parks & Recreation	9,054		2,870		13,212		
Non-Budgeted Funds-A	642,641						
Non-Budgeted Funds-B	187,198						
Totals	4,019,321	43.572	3,545,521	43.208	4,416,459	320,029	43.208
Less: Transfers	747,590		984,907		985,502		
Net Expenditure	3,271,731		2,560,614		3,430,957		
Total Tax Levied	296,856		295,876		XXXXXXXXXXXXXXXXXXXX		
Assessed Valuation	6,812,745		6,847,622		7,406,627		
Outstanding Indebtedness, January 1,	2011		2012		2013		
G.O. Bonds	3,108,923		3,026,846		2,943,374		
Revenue Bonds	0		0		0		
Other	650,616		624,135		601,959		
Lease Purchase Principal	167,358		108,095		183,007		
Total	3,926,897		3,759,076		3,728,340		

\*Tax rates are expressed in mills

City Official Title: Assistant City Clerk

CITY OF CHERRYVALE

Warrant Ordinance Number: 13-0816 Date: Friday, August 16, 2013  
 Detail of Checks Processed On Friday, August 16, 2013

Bk	Chk Numb and Date	Vendor Number & Name	Voucher Num and Date	Voucher Amt	Memo
0	18448 08/16/13	00143 AMERICAN MUNICIPAL SERVICES	20130550 08/14/13	33.87	COLLECTION SERVICE FEES FOR IN OFFICE COLLECTION ON JAMES WEBBER 2003-034
	18449	00240 ARAMARK UNIFORM SERVICES	20130552 08/14/13	405.48	ACCT#792406665: UNIFORM SERVICES
	18450	00001 AT&T	20130541 08/14/13	81.12	ACCT# 2100771254201 SPECIAL ACCESS
	18451	00399 BACKWOODS TIRE & AUTO	20130570 08/16/13	1,061.39	INV#6MYQ; P.D. IMPALA REPAIRS
	18452	00600 BLUE CROSS-BLUE SHIELD	20130555 08/15/13	413.25	Dental Insurance Premiums for September 2013
			20130556 08/15/13	12,908.60	Health Insurance Premiums for September 2013
			Check Total	13,321.85	
0	18453 08/16/13	00786 BUG BUSTERS USA LLC	20130542 08/14/13	75.00	PEST CONTROL FOR CITY HALL, PD, FD, AND LPCB
	18454	00908 CAMPBELL, WAYNE	20130526 08/13/13	390.00	IT SERVICES
	18455	01350 CHERRYVALE VETERINARY CLINIC	20130536 08/14/13	104.45	ACCT# 3107: EUTHANASIA & BURIAL
	18456	01824.5 COX COMMUNICATIONS	20130534 08/14/13	92.48	ACCT#0011012072462501: PUBLIC WORKS PHONE & INTERNET
	18457	02337.5 ENVIRONMENTAL LABORATORIES INC	20130543 08/14/13	150.00	INV# 37017: WASTEWATER SAMPLING & ANALYSIS
	18458	02701 GILL, ROB	20130537 08/14/13	1,169.00	BOND REFUND FOR CASE# 2013-171 MINUS COURT FINES
	18459	03150 ICMA MEMBER SERVICES	20130531 08/14/13	416.00	ICMA MEMBERSHIP; T. GOEDKEN
	18460	03390 INDEPENDENCE DAILY REPORTER	20130551 08/14/13	283.80	ACCT#0316118: CLASSIFIED AD FOR CITY CLERK
	18461	03425 JARRED, GILMORE & PHILLIPS, PA	20130554 08/14/13	1,200.00	ASSISTANCE WITH PREP OF 2014 BUDGET
	18462	02700 JIM GILL AGENCY, INC.	20130530 08/14/13	425.00	STORM SIREN ADDITION TO POLICY; TREASURER'S BOND
	18463	03755 KANSAS GAS SERVICE	20130545 08/14/13	236.66	ACCT#5106688573100230182: GAS SERVICE
	18464	03775 KANSAS HIGHWAY PATROL	20130544 08/14/13	210.50	VEHICLE IDENTIFICATION FORMS
	18465	04300 LEAGUE/KANSAS MUNICIPALITIES	20130528 08/14/13	107.61	INV# 13-2253: 2013 STO BOOKLETS
	18466	05012.5 MCELROY, TIANA	20130546 08/14/13	350.00	CONTRACT LABOR
	18467	09023 Mercy Clinic Cherryvale	20130525 08/09/13	85.00	Workman's Comp Claim - 08/01/13
	18468	05235 MONTGOMERY COUNTY ACTION	20130533 08/14/13	400.00	MGAC 2013 LEGISLATIVE GOLF TOURNAMENT
	18469	01100 MONTGOMERY COUNTY CHRONICLE	20130538 08/14/13	149.45	INV#392 & 376: ORD. NO 13-4361: ATTESTING TO AN INCREASE IN TAX REVENUES: NOTICE OF BUDGET HEARING FOR 2014 BUDGET
	18470	05720 NEPTUNE TECHNOLOGY GROUP	20130527 08/14/13	557.15	WATER METER; 1 1/2 T-10 PROREAD PIT
	18471	05772 NICKLE, NICHOLAS	20130567 08/16/13	10.00	REFUND OF OVERPAYMENT ON CASE# 2013-164
	18472	05825 O'BRIEN READY MDX	20130571 08/16/13	5,240.25	INV#48888 & 48887: CONCRETE ON WEST MAIN & MAPLE
	18473	06210 POSTMASTER	20130547 08/14/13	325.00	WATER BILLS
	18474	06580 REPUBLIC SERVICES	20130553 08/14/13	9,209.69	ACCT# 303761067335: TRASH & POLY CARTS
	18475	06761 SANDBAGGER GOLF & TURF	20130529 08/14/13	20.50	INV#9008: WHEEL BEARING; MOWER

CITY OF CHERRYVALE

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Bk	Chk Num	and Date	Vendor Number & Name	Vendor Num and Date	Voucher Amt	Memo
0	18476	08/16/13	07067 SEK REGIONAL PLANNING COM.	20130539	08/14/13	2,675.00 CDBG PROJECT NO. 12-PF-037; CONTRACTUAL ADMINISTRATIVE SERVICES, INV #2
	18477		07445 THOMAS IMPLEMENT, INC.	20130459	07/11/13	2,706.39 REPAIRS FOR CASE IH CX100 TRACTOR
	18478		07382 TLC VETERINARY HOSPITAL	20130532	08/14/13	121.11 BOARDING OF DOG @ LARGE CASE; PATRICIA COLLINS
	18479		07680 UNITED STATES POSTAL SERVICE	20130548	08/14/13	300.00 POSTAGE MACHINE
	18480		07803 VERIZON WIRELESS	20130549	08/14/13	274.85 ACCT# 542005009 & 483025090; PD & EMS CELL PHONES & TABLETS
	18481		07807 WAGEWORKS	20130540	08/14/13	50.00 FSA Service Fees for July 2013
	18482		07970 WESTAR ENERGY	20130535	08/14/13	3,390.72 ACCT#9246063908; STREET LIGHTING
	18483		02590 WRIGHT EXPRESS FSC	20130569	08/16/13	6,070.38 ACCT#0417007905599; FUEL
	130524		02100 RETAILERS' SALES TAX DIV	20130524	08/06/13	582.13 July 2013 Sales Tax
	8162013		00914 CARD SERVICES	20130557	08/15/13	4,954.49 PCARD TRANSACTIONS; WADE WEBBER: 07/01 - 07/31/13
				20130558	08/15/13	24.30 PCARD TRANSACTIONS: PERRY LAMBERT: 07/01 - 07/31/13
				20130559	08/15/13	17.60 PCARD TRANSACTIONS: KAREN SEIFERT: 07/01 - 07/31/13
				20130560	08/15/13	352.25 PCARD TRANSACTIONS; MELVIN BEYE: 07/01 - 07/31/13
				20130561	08/15/13	43.85 PCARD TRANSACTIONS; MICHAEL PENA: 07/01 - 07/31/13
				20130562	08/15/13	1,742.65 PCARD TRANSACTIONS; JESSE REED: 07/01 - 07/31/13
				20130563	08/15/13	3,510.81 PCARD TRANSACTIONS; JOHN BULLARD: 07/01 - 07/31/13
				20130564	08/15/13	238.16 PCARD TRANSACTIONS; TRENT KING: 07/01 - 07/31/13
				20130565	08/15/13	615.90 PCARD TRANSACTIONS; JIMMY L. HOLT: 07/01 - 07/31/13
				20130566	08/15/13	45.44 PCARD TRANSACTIONS; AARON COOK: 07/01 - 07/31/13
				20130568	08/16/13	1,050.29 PCARD TRANSACTIONS; MATT DENNIS: 07/01 - 07/31/13
					Check Total	12,595.74

CITY OF CHERRYVALE

Warrant Ordinance Number: 13-0816 Date: Friday, August 16, 2013

Detail of Checks Processed On Friday, August 16, 2013

Bk	Chk Num and Date	Vendor Number & Name	Voucher Num and Date	Voucher Amt	Memo
				64,877.57	
				<u>44,198.98</u>	Payroll
			Grand Total	109,076.55	

Passed this \_\_\_\_\_ day of \_\_\_\_\_.

Signed this \_\_\_\_\_ day of \_\_\_\_\_.

\_\_\_\_\_  
Mayor

Attest:

\_\_\_\_\_  
City Clerk

**CHANGE ORDER**  
City of Cherryvale, Kansas

(Contractor) B&L Trenching, LLC

Date: August 19, 2013

Address: 800 S. Liberty St.

Application No.: 1

Cherryvale, Kansas 67335

**CHANGE ORDER NO. 1**

In connection with a contract for the demolition of residential property at 203 E. Main, 701 E 3<sup>rd</sup>, and 414 E 7<sup>th</sup>, Cherryvale, KS the following change is ordered in accordance with CHANGES IN THE WORK, of the CONTRACT:

Subject to conditions hereinafter set forth, the contract time is established as follows:

THE CONTRACT TIME IS EXTENDED BY 30 CALENDAR DAYS.

The conditions last above referred to are as follows:

- A. The aforementioned change, and work affected thereby, are subject to all contract stipulations and covenants;
- B. The rights of the Owner are not prejudiced; and
- C. All claims against the Owner which are incidental to or as consequence of the aforementioned change are satisfied.

\_\_\_\_\_  
City Administrator, Owner

Date: \_\_\_\_\_

Accepted:

\_\_\_\_\_  
Contractor

Date: \_\_\_\_\_

# CITY OF CHERRYVALE

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## MEETING OF THE CITY COUNCIL

### REGULAR MEETING

August 5, 2013

7:00 p.m.

*Working for a better tomorrow... today.*

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### ORDER OF BUSINESS

Mayor Wright called the meeting to order.

Present: Mayor John Wright, Council President Chad Wickham, Council Member Kevin Crain, Council Member Randy Wagoner, Council Member Lew Forman, Jr., City Administrator Travis Goedken, Assistant City Clerk Jayme Reedy, Public Works Director Wade Webber, Judge Tiana McElroy, City Attorney John Bullard, P.A. Phil Jarred, Officer Jimmy Holt, Andy Taylor, Greg Lour, April Reed, Betty Bohr, Susan Brown, Sylvia Shaffer, Donna Celaya

### CALL MEETING TO ORDER

### INVOCATION

Council Member Wagoner gave the invocation.

### PLEDGE OF ALLEGIANCE

Everyone present participated in the Pledge of Allegiance

### ROLL CALL

Assistant City Clerk Jayme Reedy called roll. Present: Mayor Wright, Council President Chad Wickham, Council Member Crain, Council Member Wagoner, Council Member Forman

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### NEW BUSINESS

#### A. INTRODUCTION OF NEW CITY ADMINISTRATOR

Presented by John Wright, Mayor

**RECOMMENDED ACTION:** Welcome Mr. Travis Goedken.

#### B. PROPOSED SALARY INCREASE FOR MUNICIPAL JUDGE

Presented by Tiana McElroy, Municipal Judge

**RECOMMENDED ACTION:** Approve requested salary increase.

Tiana McElroy presented her request for an increase from \$350 per month to \$425 per month after examining surrounding municipal judge's salaries.

**Council Member Wagoner made a motion to approve the request for an increase in the municipal judge's salary and raise the requested amount to \$450 per month; seconded by Council Member Wickham. All votes aye.**



**C. PRESENTATION OF RECOMMENDED 2014 BUDGET**

Presented by City staff and Mr. Phil Jarred of the City's Auditing Firm

**RECOMMENDED ACTION:** Set and hold budget public hearing for August 19.

**Council Member Wagoner made a motion to set and hold the budget public hearing for August 19, 2013 and publish Ordinance for possible Mill Levy increase; seconded by Council Member Crain. All votes aye.**

**The Cherryvale Public Library staff presented their request for a funding increase in 2014.**

**D. CONSENT AGENDA**

Presented by John Wright, Mayor

**RECOMMENDED ACTION:** Approve the consent agenda.

1. Regular Meeting Minutes – July 15, 2013
2. Appropriations Ord. No. 13-0802 \$94,834.11
  - a. Approval of Purchases over \$5,000
    - i. Newton's Hdwe. \$9,883.03
    - ii. Public Wholesale Water \$25,068.00
3. Second Quarter Treasurer's Report
4. Contract for Travis Goedken as New City Administrator

**RECOMMENDED ACTION:** Approve consent agenda as presented.

**Council Member Crain made a motion to approve the consent agenda as presented with the removal of item #4 to discuss in Executive Session; seconded by Council Member Wagoner. All votes aye.**

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**INFORMATIONAL ITEMS**

1. Thank You Note from Cherryvale Youth Fair

**EXECUTIVE SESSION**

1. To Discuss Matters of Non-elected Personnel (Estimated at 30 minutes)  
**Council Member Wickham made a motion to adjourn into Executive Session at 8:20 P.M. to discuss matters of non-elected personnel and the City Administrator's contract for 30 minutes with the governing body and city administrator; seconded by Council Member Wagoner. All votes aye.**

At 8:50 P.M. Mayor Wright declared the meeting back in regular session.

Council Member Wagoner made a motion to approve the City Administrator's contract with corrections to the car allowance; seconded by Council Member Crain. All votes aye.

Council Member Wickham made a motion to adjourn into Executive Session at 8:50 P.M. to discuss matters of non-elected personnel for 30 minutes with the governing body and city administrator; seconded by Council Member Wagoner. All votes aye.

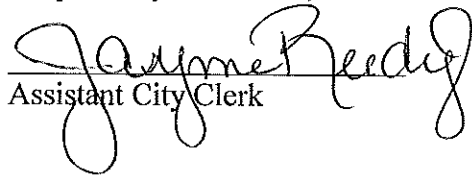
At 9:20 P.M. Mayor Wright declared the meeting back in regular session.

**ADJOURNMENT**

**Council Member Wagoner made a motion to adjourn; seconded by Council Member Crain. All votes aye.**

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Respectfully Submitted,

  
Assistant City Clerk

**SPECIAL MEETING  
CHERRYVALE CITY COUNCIL**

Cherryvale Fire Department

Cherryvale, Kansas 67335

August 14, 2013

5:00 p.m.

**CALL TO ORDER**

Meeting called to order at 5:04 PM with Mayor John Wright, Council President Chad Wickham, Council Member Kevin Crain, Council Member Randy Wagoner, Council Member Lew Forman, Jr., and City Administrator Travis Goedken present.

**EXECUTIVE SESSION**

Council Member Wickham made a motion to adjourn into Executive Session at 5:05 PM to discuss matters of non-elected personnel with the Governing Body, City Administrator and Assistant City Administrator/City Clerk candidates; seconded by Council Member Crain. All votes aye.

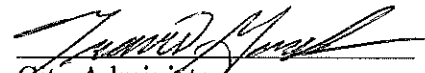
At 5:56 PM Mayor Wright declared the meeting back in regular session.

**ADJOURNMENT**

Council Member Wagoner made a motion to adjourn; seconded by Council Member Crain. All votes aye.

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Respectfully Submitted,

  
\_\_\_\_\_  
City Administrator

**SPECIAL MEETING  
CHERRYVALE CITY COUNCIL**

Cherryvale Fire Department

Cherryvale, Kansas 67335

August 15, 2013

5:00 p.m.

**CALL TO ORDER**

Meeting called to order at 5:00 PM with Mayor John Wright, Council President Chad Wickham, Council Member Kevin Crain, Council Member Randy Wagoner, Council Member Lew Forman, Jr., and City Administrator Travis Goedken present.

**EXECUTIVE SESSION**

Council Member Wagoner made a motion to adjourn into Executive Session at 5:01 PM to discuss matters of non-elected personnel with the Governing Body, City Administrator and Assistant City Administrator/City Clerk candidates; seconded by Council Member Crain. All votes aye.

At 8:53 P.M. Mayor Wright declared the meeting back in regular session.

**WORKSHOP**

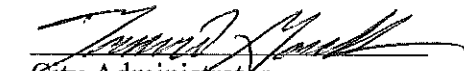
Discussion on proposed budget from Phil Jarred considering the additional requests from the library board.

**ADJOURNMENT**

Council Member Wagoner made a motion to adjourn; seconded by Council Member Crain. All votes aye.

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Respectfully Submitted,

  
City Administrator

ORDINANCE NUMBER 13-4631

AN ORDINANCE ATTESTING TO AN INCREASE IN TAX REVENUES FOR BUDGET YEAR 2014 FOR THE CITY OF CHERRYVALE

WHEREAS, the must continue to provide services to protect the health, safety, and welfare of the citizens of this community; and

WHEREAS, the cost of providing essential services to the citizens of this city continues to increase.

NOW THEREFORE, be it ordained by the Governing Body of the City of Cherryvale

Section One. In accordance with state law, the City of Cherryvale has scheduled a public hearing and has prepared the 2014 proposed budget necessary to fund city services from January 1, 2014, until December 31, 2014.

Section Two. After careful public deliberations, the governing body has determined that in order to maintain the public services that are essential for the citizens of this city, it will be necessary to budget property tax revenues in an amount exceeding the levy in the 2013 budget.

Section Three. This ordinance shall take effect after publication once in the official city newspaper.

Passed and approved by the Governing Body on this 5th day of August, 2013,

/s/ \_\_\_\_\_

Mayor

ATTEST: /s/ \_\_\_\_\_

Assistant City Clerk

(SEAL)

(Must be published and publication attached to budget)

# CITY COUNCIL ACTION REPORT

**Proposed Agenda Date:** August 19, 2013

**Subject:** ORDINANCE NO. 13-4631 AN ORDINANCE ATTESTING TO AN INCREASE IN TAX REVENUES FOR BUDGET YEAR 2014 FOR THE CITY OF CHERRYVALE

**Guest:** Public Hearing

**Background:** After the presentation of the proposed budget by Phil Jarred at the 8/5/2013 meeting, the library staff requested additional funding from the City to 1) raise the head librarian wage from \$9/hr to \$12/hr, 2) hire another FTE, 3) purchase of 6 new computers and 4) additional general operations funding.

The request and suggestion by Phil Jarred was to increase the mill levy by 3 points to provide additional funding to the library. In addition to paying for the lift payment and purchasing the new computers through the City's equipment reserve.

**Financial Consideration:** One of the requirements for the library to be eligible for state aid is that the amount of revenue from qualifying sources in the proposed budget must equal or exceed the amount from the same sources in the current year. Once an increase is given, that amount of funding must be maintained into the future or risk the library losing state aid.

**Legal Consideration:** Raising the mill levy for the library fund does not require going to ballot as thought by Phil Jarred.

**Policy Consideration:** While the library is recognized as an asset to the residents of Cherryvale; other departments have been denied requests for additional funding.

**Recommendation:** It is the recommendation of the City Administrator to not increase the mill levy for the library, but to provide additional assistance by making the lift payment for FY2014 and purchasing three (3) computers with a cap of \$1200 for FY2014 (Or more if the purchase and/or refurbish of computers will remain below \$1200.)

**ORDINANCE NO. 13-4632**

**AN ORDINANCE MAKING AND LEVYING A SPECIAL ASSESSMENT UPON ALL LOTS, PIECES, AND PARCELS OF GROUND IN THE CITY OF CHERRYVALE, KANSAS, LIABLE FOR THE COST AND EXPENSE OF MOWING AND CUTTING NOXIOUS WEEDS AND DEMOLITIONS.**

**BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF CHERRYVALE, KANSAS:**

**SECTION 1.** That a special assessment is hereby levied upon and against the premise in the City of Cherryvale, Kansas, hereinafter described, in the amount set opposite thereto respectively, for the payment of the cost and expense of mowing and cutting noxious weeds and the demolition and cleanup thereon for the Fall of 2012 and the Spring/Summer of 2013.

<u>LEGAL DESCRIPTION</u>	<u>COSTS</u>
<b>Patrick Todd Johnson</b> <b>P.O. Box 932</b> <b>Chanute, KS 66720</b> SW 100' x 141.5' of Block 4, Coyles 3 <sup>rd</sup> Addition a/k/a 634 W. Main St.	390.00
<b>Donald Burchett</b> <b>RR 1, Box 226</b> <b>Duncan, OK 73533-9722</b> Sub OL 1-2 Whelans 1 <sup>st</sup> Add, S09, T32, R17, Prt Olts 1-2, DAF, Beg 15' N SW Cor OL 1 Sely 159'10" Nly 140' to N LI OL 1 W 176'10" to NW Cor OL 1 S 140' to POB a/k/a 305 N. Neosho St.	115.00
<b>Roy L. &amp; Janice M. Hammond</b> <b>300 S. Olive St.</b> <b>Cherryvale, KS 67335</b> Coyles 3 <sup>rd</sup> Add, S08, T32, R17, Block 5, Lots 11-15 a/k/a 632 W. 4 <sup>th</sup> St.	320.00
<b>Ronnie McCollum</b> <b>P.O. Box 205</b> <b>Severy, KS 67137</b> Ext to city limits 8-32-17, S08, T32, R17, Acres 2.3. That prt of the SE4 SE4 SW4 Lyg S of W Main St. & E of Hwy 160/169 Ex Beg 550' N SE Cor Lt 4 W 390' S 350' N 350' to POB; Less R/W a/k/a 198 S. Maple St.	320.00
<b>Donald Tosh</b> <b>638 W. 1<sup>st</sup> St.</b> <b>Cherryvale, KS 67335</b> Rudkins Sub OL 12 Paxsons, W/2 Lot 16; Lot 17 a/k/a 701 E. 3 <sup>rd</sup> St.	200.00

**Ralph Prater**  
**P.O. Box 777**  
**S. Coffeyville, OK 74072**  
 Original, Lot 11 & W 15' Lot 10, Block 38  
 a/k/a 320 E. 5<sup>th</sup> St. 5,025.00


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**Eula Fleenor**  
**914 E. 5<sup>th</sup> St.**  
**Cherryvale, KS 67335**  
 Stahls Addition, Lots 12 & 13  
 a/k/a 914 E. 5<sup>th</sup> St. 115.00


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**Rebecca Dodson**  
**3227 Whitemarsh St.**  
**Savannah, GA 31410**  
 Carson & Baldwins 2<sup>nd</sup> Addition, Block 5, Lot 1  
 a/k/a 937 E. 6<sup>th</sup> St. 115.00


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**Stan Dawes**  
**302 W. 2<sup>nd</sup> St.**  
**Cherryvale, KS 67335**  
 Reams Sub OL E 120' of OL 15, Lots 1-3  
 a/k/a 726 E. 3<sup>rd</sup> St. 160.00


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**Danny & Sandra Perry**  
**526 E. 8<sup>th</sup> St.**  
**Cherryvale, KS 67335**  
 Carson & Baldwins 2<sup>nd</sup> Addition, Block 9, Lots 14 & 15  
 a/k/a 526 E. 8<sup>th</sup> St. 160.00


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**Jennie Mangum**  
**1215 W. Martin**  
**Cherryvale, KS 67335**  
 Carson & Baldwins 2<sup>nd</sup> Addition, W 43.7' Lot 12, Block 9  
 a/k/a 532 E. 8<sup>th</sup> St. 160.00


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**JD&M, Inc.**  
**5130 CR 5600**  
**Cherryvale, KS 67335**  
 Carson & Baldwins Addition, Block 1, Lots 11 & 12  
 a/k/a 538 E. 5<sup>th</sup> St. 115.00


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**Danny Jeffries**  
**Joyce Kimball**  
**2628 Simonton St.**  
**Covington, TN 38019**  
 Original, E 20' Lot 4, Lot 5, Block 35  
 a/k/a 217 E. 6<sup>th</sup> St. 115.00


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**SECTION 2.** This ordinance shall take effect and be in force from and after its publication in the official city newspaper.



**PASSED AND APPROVED** by the Governing Body of the City of Cherryvale, Kansas  
this 19<sup>th</sup> day of August, 2013.

\_\_\_\_\_  
John M. Wright, Mayor

ATTEST:

\_\_\_\_\_  
Jayme Reedy, Assistant City Clerk

# CITY COUNCIL ACTION REPORT

**Proposed Agenda Date:** August 19, 2013

**Subject:** Levying Special Assessments for Nuisance Abatement & Demolition Costs

**Guest:** none

**Background:** Per the City's Code, if a property's grass is taller than 12" and 10 days have passed since the property owner was notified of being in violation of the City's weed ordinance, the City can mow the property and invoice the property owner for the costs. The property owner then has 30 days to pay the costs, or a special assessment can be levied against the property. Once per year, the assessments are certified by ordinance and sent to the County Clerk to be put on the tax rolls. The same process is followed to attempt to recover the demolition costs for structures condemned and removed by the City.

The properties listed on Ordinance No. 11-4615 have outstanding mowing or demolition expenses with the City, incurred within the past year. Approval of this ordinance will allow the city to levy special assessments against these properties in hopes of recouping those costs.

**Financial Consideration:** This ordinance levies \$7,310 in special assessments, though it is unlikely that the City will be able to collect all of the assessments levied.

**Legal Consideration:** Adoption of this ordinance is the proper procedure for collecting on outstanding nuisance abatement costs, per state statute and the City's Code.

**Policy Consideration:** None.

**Recommendation:** Adopt Ordinance No. 13-4632.

**ORDINANCE NO. 13-4633**

AN ORDINANCE OF THE CITY OF CHERRYVALE, KANSAS  
REGARDING THE SETTING OF SALARY FOR THE MUNICIPAL COURT JUDGE;  
PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE.

**WHEREAS**, the City requires the services of a Municipal Court Judge under Chapter 1, Article 7, Municipal Court, of the municipal code for the City of Cherryvale.

**WHEREAS**, pursuant to Article 1-703 and K.S.A. 12-4105, the salary of the Municipal Court Judge shall be fixed by ordinance;

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

**SECTION ONE:** The salary of the Municipal Court Judge shall be fixed by ordinance and set at four hundred fifty (\$450.00) per month.

**SECTION TWO:** That this ordinance shall be in force and effect upon its approval by the governing body of the City of Cherryvale and publication in the official city newspaper.

**PASSED AND APPROVED** by the Governing Body of the City of Cherryvale, Kansas this 19<sup>th</sup> day of August, 2013.

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John M. Wright, Mayor  
City of Cherryvale

ATTEST:

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Karen Seifert, Deputy City Clerk  
City of Cherryvale

(SEAL)

Cherryvale Public Library  
329 East Main  
Cherryvale, KS 67335

August 14, 2013

Dear Mayor Wright and City Commissioners,

The Cherryvale Public Library Board would like to recommend Misty Humaciu to be appointed the board for a four year term.

Mrs. Humaciu has been an active member of the Cherryvale community for many years holding offices in several organizations and has served on the LCC Dental Advisory Board.

The board feels Mrs. Humaciu will be an asset to the library and we are looking forward to working with her.

I have included a copy of Mrs. Humaciu's application.

Respectfully,

A handwritten signature in cursive script that reads "Betty Bohr". The signature is written in black ink and is positioned above the typed name and title.

Betty Bohr  
Board Chairman  
Cherryvale Public Library

Cherryvale Public Library  
329 East Main Street  
Cherryvale, Kansas 67335

Application  
Library Board of Trustees

Name: Misty K. Humacia, CDA Occupation: Dental Ass't (Certified)  
Address: 314 S. Olive St. Cherryvale, KS 67335  
Phone Daytime: 620-336-3766 (wk.) Evening: 420-205-9162  
E-Mail: mistyhmacia@yahoo.com

Professional and Community Activities:

Adjunct instr. for LCC dental assisting program - Spring 2013  
President - Zeta Gamma Sorority

Please describe the strengths or experiences you would bring to the Board:

Very reliable, punctual, committed, loves books

Please list any former/current volunteer service or memberships in other organizations and offices held, if applicable:

Catholic church bingo; secretary of LCC dental advisory board; recording secretary for Zeta Gamma Sorority and Cherryvale Booster Club; treasurer - Zeta Gamma sorority

Are there any particular areas of library services that interest you more than others?

Children's Services                       Outreach                       Programming  
 Young Adult Services                       Publicity/Marketing                       Computer Training  
 Services to Seniors                       Genealogy/Local History

Have you served on the library board in the past?                       Yes                       No

If yes please list years of prior service and position(s) held \_\_\_\_\_

Do you foresee any conflict of interest if you are selected to serve on the board?                       Yes                       No

The Cherryvale Public Library Board of Trustees hold meetings the second Wednesday of each month at 6:00 p.m. Are you able to commit this time and to an average of six (6) hours a month to this cause?                       Yes                       No

Signature: Misty K. Humacia                      Date: 8-2-13

Please return application to April Read, Library Director at 329 East Main, Cherryvale, Kansas 67335

Questions? Contact April Read at the Cherryvale Public Library 620.336.3460