

# CITY OF CHERRYVALE

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## MEETING OF THE CITY COUNCIL REGULAR MEETING FEBRUARY 18, 2014 7:00 PM

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

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### ORDER OF BUSINESS

#### CALL MEETING TO ORDER

Mayor Wright called the meeting to order at 7:05 P.M.

Present: Mayor John Wright, Council Member Forman, Council Member Wagoner, Council Member Crain, City Administrator Travis Goedken, City Clerk Chris Weiner, Public Works Director Wade Webber, Police Chief Perry Lambert, City Attorney Jeffrey Gettler, Wayne Hollowell, Donna Celaya (Montgomery County Chronicle), Pauline Burnor, and Misty Humachi.

#### 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 – absent; Council Member Forman - present; Council Member Wagoner – present; Council Member Crain - present;**

*A quorum was present.*

#### PUBLIC FORUM

*Pauline Burnor (Essential Tremor) - Would like Council to recognize March as Essential Tremor Awareness month.*

**Council Member Wagoner motioned to have the City Administrator draft a Resolution designating March as Essential Tremor Awareness month and adopt said Resolution, Council Member Crain seconded.**

All votes aye.

#### GOVERNING BODY COMMENTS

**Mayor John Wright – No Comments**

**Council Member Chad Wickham - Absent**

**Council Member Kevin Crain – No Comments**

**Council Member Randy Wagoner – No Comments**

**Council Member Lew Forman, Jr. – No Comments**

#### NEW BUSINESS

**A. PROPOSED ORDINANCE 14-4642: AN ORDINANCE CRIMINALIZING FAILURE TO APPEAR**

Presented by Travis Goedken, City Administrator

**RECOMMENDED ACTION:** Adopt Ordinance 14-4642

*Presented by City Administrator Travis Goedken.*

**Council Member Wagoner motioned to adopt Ordinance 14-4642, Council Member Crain seconded.**

*City Clerk Chris Weiner took the roll call vote:*

***Council Member Forman – aye; Council Member Wagoner – aye; Council Member Crain – aye.***

**All votes aye.**

**ORDINANCE NO. 14 - 4642**

**FAILURE TO APPEAR**

**AN ORDINANCE CRIMINALIZING FAILURE TO APPEAR**

*Be it ordained by the Governing Body of the City of Cherryvale, Kansas:*

**Section 1.**

Failure to appear is knowingly incurring a forfeiture of an appearance bond and failing to surrender oneself within thirty (30) days following the date of such forfeiture by one who is charged with a misdemeanor and has been released on bond for appearance before the Municipal Court of the City of Cherryvale for trial or other proceeding prior to conviction, or knowingly incurring a forfeiture of an appearance bond and failing to surrender oneself within thirty (30) days after such person's conviction of a misdemeanor has become final by one who has been released on an appearance bond by the Municipal Court for the City of Cherryvale.

**Section 2.**

Any person who is released upon the person's own recognizance, without surety, or who fails to appear in response to a summons or traffic citation, shall be deemed a person released on bond for appearance within the meaning of this ordinance.

**Section 3.**

The provisions of this ordinance shall not apply to any person who forfeits a cash bond supplied pursuant to law or ordinance upon an arrest for a traffic infraction or cigarette or tobacco infraction.

**Section 4.**

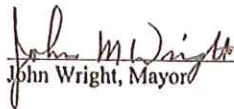
Failure to appear is a Class B violation punishable by a fine not exceeding \$1,000.00

and/or confinement for not more than six (6) months.

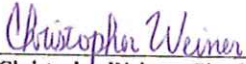
**Section 5.**

This ordinance shall take effect upon its publication in the official city newspaper.

Adopted by the Governing Body of the City of Cherryvale, Kansas, on the 18<sup>th</sup> day of February, 2014.


  
\_\_\_\_\_  
John Wright, Mayor

ATTEST:

  
\_\_\_\_\_  
Christopher Weiner, City Clerk



Approved as to form:

  
\_\_\_\_\_  
Jeffrey W. Gettler, City Attorney

**B. ONLINE PAYMENTS**

Presented by Travis Goedken, City Administrator

**RECOMMENDED ACTION:** Give direction to City Administrator.

*Presented by City Administrator Travis Goedken.*

Council provided feedback.

### C. INVESTMENT OF IDLE FUNDS

Presented by Travis Goedken, City Administrator

**RECOMMENDED ACTION:** Authorize City Treasurer to purchase 1 year CD at People's State Bank in the amount of \$250,000.

*Presented by City Administrator Travis Goedken.*

**Council Member Wagoner motioned to authorize the City Treasurer to purchase a \$250,000 CD at a .51% interest rate from People's State Bank, Council Member Crain seconded.**

*All votes aye.*

### D. CONSENT AGENDA

Presented by John Wright, Mayor

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

1. Appropriations Ord. No. 14-0214 \$66,572.98
  - a. Approval of Purchases over \$5,000
    - i. Westar Energy \$6,190.44
2. Consideration of the minutes for February 3, 2014 Regular Meeting

*Presented by Mayor Wright.*

**Council Member Crain motioned to approve consent agenda with corrections made to February 3<sup>rd</sup> minutes attendance list as noted by City Clerk Chris Weiner, Council Member Crain seconded.**

*All votes aye.*

### WORKSHOP

1. City Codebook

*Presented by City Administrator Travis Goedken.*

### INFORMATIONAL ITEMS

1. Chamber Business of the Year, Volunteer of the Year

*Presented by City Administrator Travis Goedken.*

2. Emergency Preparation – NIMS

*Presented by City Administrator Travis Goedken.*

3. Website Update

*Presented by City Administrator Travis Goedken.*

### ADJOURNMENT

**Council Member Wagoner motioned to adjourn, Council Member Crain seconded.**

*All votes aye.*

Respectfully submitted,

  
Christopher T. Weiner, City Clerk