

CITY OF CHERRYVALE

**MEETING OF THE CITY COUNCIL
REGULAR MEETING
JUNE 16, 2014
7:00 PM**

Working for a better tomorrow... today.

ORDER OF BUSINESS

CALL MEETING TO ORDER

INVOCATION

PLEDGE OF ALLEGIANCE

ROLL CALL

PUBLIC FORUM

PUBLIC FORUM – EAGLE MED PRESENTATION: LINDA GUIOT

GOVERNING BODY COMMENTS

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

NEW BUSINESS

A. PROPOSED RESOLUTION 14-11 SHRINE BOWL DAY

Presented by Travis Goedken, City Administrator

RECOMMENDED ACTION: Adopt Proposed Resolution 14-11

B. CONSENT AGENDA

Presented by John Wright, Mayor

RECOMMENDED ACTION: Approve the consent agenda as presented.

- 1. Appropriations Ord. No. 14-0606 \$83,873.38
 - a. Approval of Purchases over \$5,000
 - i. Community National Bank \$6,246.47
 - ii. Public Wholesale Water \$24,333.33
- 2. Consideration of the minutes for June 2nd, 2014 Regular Meeting

OLD BUSINESS

A. INTERIM WASTE MANAGEMENT AGREEMENT

Presented by Chris Carey, KDHE

RECOMMENDED ACTION: Take appropriate action.

ADJOURNMENT

RESOLUTION 14-11
SHRINE BOWL DAY

A RESOLUTION DECLARING JULY 26, 2014 AS SHRINE BOWL DAY FOR CHERRYVALE, KANSAS.

WHEREAS, The Shrine Bowl of Kansas, Inc. sponsored by the five Shrine Centers of Kansas, namely, Abdullah of Overland Park, Arab of Topeka, Isis of Salina, Midian of Wichita and Mirza of Pittsburg, will sponsor their 41st Annual Football Game on July 26, 2014 in Pittsburg, Kansas, and continue their tradition of philanthropy; and

WHEREAS, for over 90 years the Ancient Arabic Order of the Nobles of the Mystic shrine of North America, through its network of hospitals, has treated over 865,000 children with orthopedic disabilities, and in more recent years, treated thousands of severely burned children through its Burn Institute; and

WHEREAS, the residents of the City of Cherryvale, Kansas may aid this worthy and impartial work and further the efforts of this great charity in their support of their philanthropic event to favor the unfortunate children, regardless of race and creed; and

WHEREAS, Cherryvale Charger Tristan Thornton will be participating.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the City of Cherryvale, Kansas: hereby recognize and designate July 26, 2014 as Shrine Bowl Day.

PASSED AND ADOPTED BY THE GOVERNING BODY OF THE CITY OF CHERRYVALE, KANSAS ON THE 16TH DAY OF JUNE, 2014.

John Wright, Mayor

ATTEST:

Christopher Weiner, City Clerk

Kansas Shrine Bowl



East-West Charity All-Star Football Since 1974
BENEFITING SHRINE HOSPITALS FOR CHILDREN



"Strong Legs Run That Weak Legs May Walk"

Mayor's Office
City of Cherryvale
Cherryvale KS 67335

REC'D

JUN 06 '14

CITY OF
CHERRYVALE

June 4, 2014

BOARD OF DIRECTORS

- President
John Taylor Topeka
- 1st Vice President
Rocky McWilliams Benton
- 2nd Vice President
Stan Jahay, P.P. Arcadia
- Treasurer
Gary Bennett, P.P. Olathe
- Secretary
Don Boxberger, P.P. Russell
- Floyd Bradley* Topeka
- Steve Aemisegger* Independence
- Jack Call* Emporia
- Larry Wilson* Wichita
- Wm. "Buck" Fischer* Ft. Scott
- Doug Voss* Prairie Village
- Mike Tavares, P.P.* Leavenworth
- Ike Bartels* Manhattan
- Greg King* Great Bend
- Jim Graham* Valley Center

Good Morning;

Governor Brownback has proclaimed July 26, 2014, as SHRINE BOWL DAY in the State of Kansas in honor of the Forty First Annual Shrine Bowl Football Game to be played on that day in Pittsburg at Carney Smith Stadium, Pittsburg. Many cities like to proclaim a special day in honor of their participants in the game. Enclosed is a copy of Governor Brownback's proclamation which you may use as a sample if you so decide. Please feel free to release your proclamation to the press. If a public presentation is planned please call this office or some of your local Shriners.

Participating from your city is:

All-Star Tristan Thornton of Cherryvale High

Thank you.

Sincerely,

Sarah E. Van Petten
Executive Director

enc.

Sarah Van Petten
503 Lincoln
Wamego, Kansas 66547
Phone (785)456-7773
Toll Free 800-530-5524
Fax (785)456-9668
e-mail:
shrinebowl@hotmail.com
www.kansasshrinebowl.com

STATE OF KANSAS



PROCLAMATION BY THE GOVERNOR

TO THE PEOPLE OF KANSAS, GREETINGS:

WHEREAS, The Shrine Bowl of Kansas, Inc. sponsored by the five Shrine Centers of Kansas, namely, Abdullah of Overland Park, Arab of Topeka, Isis of Salina, Midian of Wichita and Mirza of Pittsburg, will sponsor their 41st Annual All-Star Football Game on July 26th, 2014 in Pittsburg, Kansas, and continue their tradition of philanthropy; and

WHEREAS, For over 90 years the Ancient Arabic Order of the Nobles of the Mystic Shrine of North America, through its network of hospitals, has treated over 865,000 children with orthopedic disabilities, and in more recent years, treated thousands of severely burned children through its Burn Institute; and

WHEREAS, The citizens of the great State of Kansas may aid this worthy and impartial work and further the efforts of this great charity in their support of their philanthropic event to favor the unfortunate children, regardless of race and creed:

NOW, THEREFORE, I, Sam Brownback, GOVERNOR OF THE STATE OF KANSAS, do hereby proclaim July 26th of 2014, as

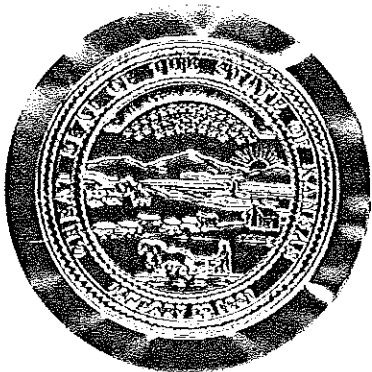
Kansas All-Star Football Shrine Bowl Day

in Kansas and urge all citizens to join in this observance.

DONE: At the Capitol in Topeka under the Great Seal of the State this 24th day of April, A.D. 2014

BY THE GOVERNOR:

Signatures of Sam Brownback, Secretary of State, and Assistant Secretary of State



CITY OF CHERRYVALE

Page 1 of 2

Warrant Ordinance Number: 14-0606 Date: Friday, June 06, 2014

Detail of Checks Processed On Friday, June 06, 2014

Bk	Chk Numb and Date	Vendor Number & Name	Voucher Num and Date	Voucher Amt	Memo
0	19415 06/06/14	00240 ARAMARK UNIFORM SERVICES	20140367 06/06/14	321.83	PUBLIC WORKS UNIFORMS
	19416	00001 AT&T	20140362 06/06/14	81.12	SPECIAL ACCESS
	19417	00790 BUMPER TO BUMPER AUTO PARTS	20140360 06/06/14	14.98	LIGHT BULBS
	19418	00845 CANEY VALLEY SERVICES	20140352 06/04/14	75.00	PORTABLE TOILET
	19419	00866 CJ's THREADS EMBROIDERY, LLC	20140353 06/04/14	28.00	EMB LOGOS
	19420	01721 COMMUNITY NATIONAL BANK	20140354 06/04/14	6,246.47	LIBRARY LIFT LOAN
	19421	01824.5 COX COMMUNICATIONS	20140348 06/03/14	478.38	TELEPHONE/ INTERNET/ CABLE
	19422	02260 EMERT. CHUBB & GETTLER	20140355 06/05/14	884.50	LEGAL SERVICES
	19423	02450 FELD FIRE	20140357 06/05/14	1,156.42	FD SUPPLIES
	19424	02725 GOEDKEN, TRAVIS	20140337 05/30/14	331.32	T. GOEDKEN- MILEAGE REIMBURSEMENT
	19425	03425 JARRED, GILMORE & PHILLIPS, PA	20140361 06/06/14	2,500.00	AUDIT SERVICES
	19426	03744 KANSAS DEPT. HEALTH & ENVIRON	20140336 05/30/14	261.00	WATER TESTING
	19427	03755 KANSAS GAS SERVICE	20140363 06/06/14	274.94	GAS
	19428	05880 KANSAS ONE-CALL SYSTEM, INC.	20140345 06/03/14	20.40	17 LOCATES
	19429	04500 LINN'S AIR COOLED ENGINES	20140343 06/03/14	99.94	TRIMMER SPOOLS AND HEADS
	19430	05022 MANATRON	20140308 05/15/14	371.67	TRAINING FOR COURT SOFTWARE; C. WEINER / A. BARNETT
	19431	05010 MCCARTY'S	20140338 05/30/14	553.61	OFFICE MISC.
	19432	05033 MEDICLAIMS, INC.	20140358 06/05/14	1,107.16	AMBULANCE SERVICE FEES
	19433	09023.2 MERCY CLINIC KANSAS COMM.	20140341 06/02/14	750.00	Pre-employment Physicals
	19434	05045 MERCY HOSPITAL PHARMACY	20140359 06/06/14	11.60	RX PURCHASE
	19435	05310 MONTGOMERY COUNTY	20140366 06/06/14	60.00	INMATE FEES
	19436	01100 MONTGOMERY COUNTY CHRONICLE	20140325 05/30/14	41.30	LEGAL NOTICE
			20140344 06/03/14	30.00	GRADUATION ADS
			20140365 06/06/14	56.70	LEGAL NOTICE
			Check Total	128.00	
0	19437 06/06/14	05750 NEWTON'S	20140364 06/06/14	555.30	COMMUNITY CENTER SUPPLIES
	19438	06285 PUBLIC WHOLESALE WATER	20140339 05/30/14	24,333.33	TREATED WATER
	19439	06761 SANDBAGGER GOLF & TURF	20140342 06/03/14	19.90	OIL FILTERS
	19440	06850 SHANKS OIL COMPANY	20140351 06/04/14	907.27	FUEL
	19441	07745 UNITED STATES CELLULAR	20140347 06/03/14	118.89	PUBLIC WORKS CELL
	19442	07803 VERIZON WIRELESS	20140346 06/03/14	32.89	EMS CELL
			20140349 06/03/14	219.69	PD CELL & TABLETS
			Check Total	252.58	
0	19443 06/06/14	07955 WEINER, CHRISTOPHER	20140356 06/05/14	158.20	MILEAGE
	19444	07970 WESTAR ENERGY	20140350 06/03/14	2,327.07	ELECTRIC

CITY OF CHERRYVALE

Warrant Ordinance Number: 14-0606 Date: Friday, June 06, 2014
Detail of Checks Processed On Friday, June 06, 2014

Bk	Chk Numb and Date	Vendor Number & Name	Voucher Num and Date	Voucher Amt	Memo
0	20140340 06/06/14 02100	RETAILERS' SALES TAX DIV	20140340 06/02/14	484.98	May 2014 Sales Tax
Grand Total				44,913.86	

\$38,959.52 Payroll

\$83,873.38

Passed this _____ day of _____.

Signed this _____ day of _____.

_____ Mayor

Attest:

_____ City Clerk

**CITY OF CHERRYVALE
MEETING OF THE CITY COUNCIL
REGULAR MEETING
JUNE 2, 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 7:01 P.M.

Present: Mayor Wright, Council President Wickham, Council Member Forman, City Administrator Travis Goedken, City Clerk/Assistant City Administrator Chris Weiner, Public Works Director Wade Webber, Fire/EMS Chief Jesse Reed, Police Chief Perry Lambert, Neil Phillips (Jarred, Gilmore, & Phillips), Greg Lower (Independence Reporter), Donna Celaya (Montgomery County Chronicle), James Hogben, Shirley Hogben, April Reed.

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 – absent.

A quorum was present.

NEW BUSINESS

A. FY2013 AUDIT PRESENTATION

Presented by Phil Jarred, CPA from Jarred, Gilmore & Phillips

RECOMMENDED ACTION: Accept the presentation and authorize management agreement.

Presented by Phil Jarred, CPA from JGP

Council President Wickham motioned to accepted presentation and authorize management agreement, Council Member Forman seconded.

All votes aye.

B. PROPOSED ORDINANCE 14-4646: LIBRARY MILL LEVY LIMIT

Presented by Travis Goedken, City Administrator

RECOMMENDED ACTION: Approve Proposed Ordinance 14-4646 as presented.

Presented by Travis Goedken, City Administrator

Council Member Wagoner motioned to approve proposed Ordinance 14-4646, Council President Wickham seconded.

City Clerk Chris Weiner took roll:
Council Member Forman – aye; Council Member Wagoner – aye; Council President Wickham – aye.

All votes aye.

**ORDINANCE 14-4646
LIBRARY MILL LEVY LIMIT**

AN ORDINANCE ESTABLISHING A MILL LEVY LIMITATION FOR LIBRARY PURPOSES.

WHEREAS the City of Cherryvale is responsible for establishing and adopting a budget for the city each year and must balance the needs of all city departments and agencies in setting such budget; and

WHEREAS the City of Cherryvale deems it necessary and appropriate to limit the amount the city levies for the library.

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

Section 1. Levy Limit. The library mill levy is hereby limited to seven (7) mills on each dollar of assessed valuation of the city.

Section 2. Effective Date. This ordinance shall take effect and be in force from and after its publication in the official city newspaper.

PASSED AND APPROVED THIS 2ND DAY OF June, 2014.

John M Wright
John Wright, Mayor

ATTEST:

Christopher S. Weiner
Christopher Weiner, City Clerk



C. INTERIM SMELTER WASTE MANAGEMENT AGREEMENT

Presented by Travis Goedken, City Administrator

RECOMMENDED ACTION: Authorize City Administrator to enter into agreement.

Presented by Travis Goedken, City Administrator

Council directed the City Administrator to gather more information on the topic and seek further guidance from an environmental attorney on the management agreement.

Council Member Wagoner motioned to table the agreement, Council President Wickham seconded.

All votes aye.

D. PROPOSED ORDINANCE 14:4647: TIME OF MUNICIPAL COURT

Presented by Christopher Weiner, City Clerk

RECOMMENDED ACTION: Approve Proposed Ordinance 14-4647 as presented.

Presented by Chris Weiner, City Clerk

Council President Wickham motioned to approve proposed Ordinance 14-4647, Council Member Wagoner seconded.

City Clerk Chris Weiner took the roll call vote:

Council Member Wagoner – aye; Council President Wickham – aye; Council Member Forman – aye.

All votes aye.

CITY OF CHERRYVALE

ORDINANCE NO. 14-4647

AN ORDINANCE AMENDING CHAPTER IX "MUNICIPAL COURT", ARTICLE 1 "GENERAL PROVISIONS", SECTION 3 "TIME AND PLACE OF SESSIONS", AND REPEALING ANY CONFLICTING ORDINANCES.

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

1. Article 1, Section 9-103 shall be amended as follows:

ARTICLE 1. GENERAL PROVISIONS

6-106. TIME AND PLACE OF SESSIONS.

(a) The municipal court shall convene to hear cases involving violations of city ordinances at least once a month. The Council shall establish court dates and times by ordinance. The Municipal Judge may convene court at other times as required to expedite the consideration of matters before the court.

(b) Municipal Court shall be held in the City Council Chambers in the City Hall Building, 123 West Main, Cherryvale, Kansas. Municipal Court shall be held on the 2nd and 4th Monday of each month beginning at 9:00 a.m.; although, the Municipal Judge may cancel municipal court once during any month because of a holiday, weather, or any other reason the Municipal Judge deems.

EFFECTIVE DATE. This ordinance shall take effect on July 1, 2014 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 2nd day of June, 2014.

John M. Wright
John M. Wright, Mayor

ATTEST:

Christopher T. Weiner
Christopher T. Weiner, City Clerk



E. JIM GILL AGENCY, INC: INSURANCE PREMIUMS - \$39,573.00

Presented by Christopher Weiner, City Clerk

RECOMMENDED ACTION: Authorize the payment.**Council President Wickham motioned to approve the payment, Council Member Wagoner seconded.**All votes aye.**F. CONSENT AGENDA**

Presented by John Wright, Mayor

RECOMMENDED ACTION: Approve the consent agenda as presented.

- | | |
|---|--------------|
| 1. Appropriations Ord. No. 14-0523 | \$118,971.72 |
| a. Approval of Purchases over \$5,000 | |
| i. Blue Cross-Blue Shield | \$7,928.81 |
| ii. Republic Services | \$10,004.33 |
| iii. Woodsong Cabinet & Trim LLC | \$8,086.00 |
| 2. Consideration of the minutes for May 12 th , 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. Department Monthly Reports
 - a. Police
Presented by Police Chief Perry Lambert
 - b. Fire
Presented by Fire/EMS Chief Jesse Reed
 - c. Public Works
Presented by Public Works Director Wade Webber
 - d. City Clerk
Presented by City Clerk / Assistant City Administrator Chris Weiner
 - e. City Administration
Presented by City Administrator Travis Goedken
2. Cox Changes
Presented by City Administrator Travis Goedken

ADJOURNMENT TO WORKSHOP

1. FY2015 Budget

Council President Wickham motioned to adjourn to workshop 8:03 P.M., Council Member Wagoner seconded.

All votes aye.

Public Works Director Wade Webber presented the 2015 budget request for the Public Works Department.

City Clerk/Assistant City Administrator Chris Weiner presented the 2015 budget request for the City Clerk and Municipal Court Departments.

Council President Wickham motioned to return to regular session 8:20 P.M., Council Member Wagoner seconded.

All votes aye.

ADJOURNMENT

Council President Wickham motioned to adjourn at 8:20 P.M., Council Member Forman seconded.

All votes aye.

Respectfully submitted,



Christopher T. Weiner, City Clerk

Wade Webber
City of Cherryvale
123 West Main Street
Cherryvale, Kansas 67335

June 9, 2014

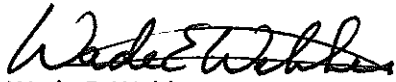
Travis Geodken
City Administrator
123 West Main Street
Cherryvale, Kansas 67335

Ref: Interim Smelter Waste Management Program

KDHE has requested the City design an interim plan to handle smelter waste throughout the City until a permanent plan can be reached. The City does not possess the education or equipment to determine what soil is contaminated. The States recommendations for the City to transport the current spoil pile located at the former sewer plant location is another area of question. In the proposal we are to make, it is my understanding we will be responsible to transport and store this spoil until an agreement can be reached. The City also cannot provide the resources to transport without utilizing our entire crew.

I would also like to inquire as to the requirements of this storage pile. Will it need to be sealed underneath? Will it need to be covered? Will it need to be monitored? When is the end date for this storage pile to be incorporated into the former smelter site? There are several questions which need to be answered prior to the City accepting responsibility of an interim plan. These are just a few questions and I am certain there will be more before this Plan is implemented.

Respectfully,



Wade E. Webber
Public Works Director
City of Cherryvale