

CITY OF CHERRYVALE

MEETING OF THE CITY COUNCIL REGULAR MEETING NOVEMBER 4, 2013 7:00 PM

Working for a better tomorrow... today.

ORDER OF BUSINESS

CALL MEETING TO ORDER

INVOCATION

PLEDGE OF ALLEGIANCE

ROLL CALL

NEW BUSINESS

A. CEREAL MALT BEVERAGE LICENSE – PIZZA HUT

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

RECOMMENDED ACTION: Approve the license request.

B. CONSENT AGENDA

Presented by John Wright, Mayor

RECOMMENDED ACTION: Approve the consent agenda as presented.

1. Appropriations Ord. No. 13-1025 \$99,351.88
 - a. Approval of Purchases over \$5,000
 - i. B & L Trenching, LLC \$17,000.00
 - ii. Blue Cross-Blue Shield \$13,821.47
 - iii. Republic Services \$11,223.71
2. Consideration of the minutes for October 21, 2013 Regular Meeting

INFORMATIONAL ITEMS

1. Chamber Christmas Parade – December 4th at 6:30 PM
2. Demolition Bids - 513 E. 2nd, 729 E. 9th, 610 Front, 409 E. 2nd

ADJOURNMENT

CORPORATE APPLICATION FOR LICENSE TO SELL CEREAL MALT BEVERAGES

(This form has been prepared by the Attorney General's Office)

City or County of Cherryvale

SECTION 1 – LICENSE TYPE			
Check One: <input checked="" type="checkbox"/> New License Renew License <input type="checkbox"/> Special Event Permit			
Check One:			
<input checked="" type="checkbox"/> License to sell cereal malt beverages for consumption on the premises.			
<input type="checkbox"/> License to sell cereal malt beverages in original and unopened containers and not for consumption on the licensed premises.			

SECTION 2 – APPLICANT INFORMATION			
Kansas Sales Tax Registration Number (required): 004-480806330F-01			
Name of Corporation Pizza Hut of Southeast Kansas, Inc.		Principal Place of Business 514 S. Liberty, Cherryvale, KS 67335	
Corporation Street Address 208 S. Maize Road		Corporation City Wichita	State KS Zip Code 67209
Date of Incorporation 1/21/74		Articles of Incorporation are on file with the Secretary of State. <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
Resident Agent Name Shane Watson		Phone No.	
Residence Street Address 212 N. 11th		City Neodesha	State KS Zip Code 66757

SECTION 3 – LICENSED PREMISE			
Licensed Premise (Business Location or Location of Special Event)		Mailing Address (If different from business address)	
DBA Name Pizza Hut		Name Pizza Hut of Southeast Kansas, Inc.	
Business Location Address 514 S. Liberty		Address 208 S. Maize Road	
City Cherryvale	State KS	Zip 67335	City Wichita State KS Zip 67209
Business Phone No.		<input checked="" type="checkbox"/> Applicant owns the proposed business or special event location. <input type="checkbox"/> Applicant does not own the proposed business or event location.	
Business Location Owner Name(s) J. Larry Fugate, Trustee			

SECTION 4 – OFFICERS, DIRECTORS, STOCKHOLDERS OWNING 25% OR MORE OF STOCK List each person and their spouse, if applicable. Attach additional pages if necessary.				
Name J. Larry Fugate		Position President		Date of Birth 11/28/40
Residence Street Address 208 S. Maize Road		City Wichita	State KS	Zip Code 67209
Spouse Name		Position		Date of Birth
Residence Street Address		City	State	Zip Code
Name		Position		Date of Birth
Residence Street Address		City	State	Zip Code
Spouse Name		Position		Age
Residence Street Address		City	State	Zip Code
Name		Position		Date of Birth
Residence Street Address		City	State	Zip Code
Spouse Name		Position		Age
Residence Street Address		City	State	Zip Code

SECTION 4 – OFFICERS, DIRECTORS, STOCKHOLDERS OWNING 25% OR MORE OF STOCK (CONTINUED)

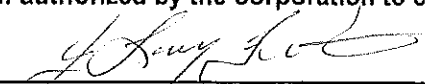
Name	Position	Date of Birth
Residence Street Address	City	State Zip Code
Spouse Name	Position	Date of Birth
Residence Street Address	City	State Zip Code
Name	Position	Date of Birth
Residence Street Address	City	State Zip Code
Spouse Name	Position	Date of Birth
Residence Street Address	City	State Zip Code
Name	Position	Date of Birth
Residence Street Address	City	State Zip Code
Spouse Name	Position	Date of Birth
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Spouse Name	Position	Date of Birth
Residence Street Address	City	State Zip Code
Name	Position	Date of Birth
Residence Street Address	City	State Zip Code
Spouse Name	Position	Date of Birth
Residence Street Address	City	State Zip Code

SECTION 5 - MANAGER OR AGENT INFORMATION		
My place of business or special event will be conducted by a manager or agent.		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
If yes, provide the following:		
Manager/Agent Name <u>Shane Watson</u>	Phone No.	Date of Birth <u>7/18/1985</u>
Residence Street Address <u>212 N. 11th</u>	City <u>Neodesha</u>	Zip Code <u>66757</u>
Manager or Agent Spousal Information		
Spouse Name	Phone No.	Date of Birth
Residence Street Address	City	Zip Code

SECTION 6 - QUALIFICATIONS FOR LICENSURE	
Within two years immediately preceding the date of this application, have any of the individuals identified in Sections 4 & 5 been convicted of, released from incarceration for or released from probation or parole for any of the following crimes: (1) Any felony; (2) a crime involving moral turpitude; (3) drunkenness; (4) driving a motor vehicle while under the influence of alcohol (DUI); or (5) violation of any state or federal intoxicating liquor law.	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Have any of the individuals identified in Sections 4 and 5 been managers, officers, directors or stockholders owning more than 25% of the stock of a corporation which: (1) had a cereal malt beverage license revoked; or (2) was convicted of violating the Club and Drinking Establishment Act or the CMB laws of Kansas.	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
All of the individuals identified in Sections 4 & 5 are at least 21 years of age ¹ .	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

SECTION 7 - DURATION OF SPECIAL EVENT		
Start Date	Time	<input type="checkbox"/> AM <input type="checkbox"/> PM
End Date	Time	<input type="checkbox"/> AM <input type="checkbox"/> PM

I declare under penalty of perjury under the laws of the State of Kansas that the foregoing is true and correct and that I am authorized by the corporation to complete this application. (K.S.A. 53-601)

SIGNATURE  DATE September 25, 2013

FOR CITY/COUNTY OFFICE USE ONLY:	
<input type="checkbox"/> License Fee Received Amount \$ _____ Date _____	(\$25 - \$50 for Off-Premise license or \$25-200 for On-Premise license)
<input type="checkbox"/> \$25 CMB Stamp Fee Received Date _____	
<input type="checkbox"/> Background Investigation <input type="checkbox"/> Completed Date _____	<input type="checkbox"/> Qualified <input type="checkbox"/> Disqualified
<input type="checkbox"/> New License Approved Valid From Date _____ to _____	By: _____
<input type="checkbox"/> License Renewed Valid From Date _____ to _____	By: _____
<input type="checkbox"/> Special Event Permit Approved Valid From Date _____ to _____	By: _____

A PHOTOCOPY OF THE COMPLETED FORM, TOGETHER WITH THE STAMP FEE REQUIRED BY K.S.A. 41-2702(e), MUST BE SUBMITTED WITH YOUR QUARTERLY REPORT (ABC-301) TO THE ALCOHOLIC BEVERAGE CONTROL, 915 SW HARRISON STREET ROOM 214, TOPEKA, KS. 66625-3512.

¹ Spouse not required to be over 21 years of age. K.S.A. 41-2703(b)(9)

Print Form

CITY OF CHERRYVALE

Page 1 of 2

Warrant Ordinance Number: 13-1025 Date: Friday, October 25, 2013
 Detail of Checks Processed On Friday, October 25, 2013

Bk	Chk Num and Date	Vendor Number & Name	Voucher Num and Date	Voucher Amt	Memo
0	18681 10/25/13	00391.5 B & L TRENCHING, LLC	20130738 10/24/13	17,000.00	INV#2729; DEMO HOUSES
	18682	00600 BLUE CROSS-BLUE SHIELD	20130735 10/22/13	13,336.12	Health Insurance Premiums for November 2013
			20130736 10/22/13	485.35	Dental Insurance Premiums for November 2013
			Check Total	13,821.47	
0	18683 10/25/13	01738 Conrad Fire Equipment	20130716 10/16/13	372.90	TRAIN THE TRAINER CLASS IN LIBERAL, KS
	18684	01900 DAVE'S REPAIR SERVICE	20130740 10/25/13	105.95	INV#16339; BATTERY FOR TOP KICK DUMP TRUCK
	18685	02087 DIGITAL CONNECTIONS	20130737 10/24/13	156.67	INV#30682; BLACK & WHITE & COLOR COPIES FOR 09/18/13 - 10/17/13
	18686	02337.5 ENVIRONMENTAL LABORATORIES INC	20130713 10/15/13	150.00	INV# 37255 ; WASTEWATER SAMPLING & ANALYSIS
	18687	03279 HUGUENIN, RANDY	20130714 10/15/13	1,847.33	RESTITUTION ON CASE #2013-149
	18688	03733 KANSAS DEPARTMENT OF REVENUE	20130744 10/25/13	476.99	Water Protection Fee- 3rd Quarter 2013
	18689	03734	20130745 10/25/13	447.18	Clean Drinking Water Fee - 3rd Quarter 2013
	18690	05012.5 MCELROY, TIANA	20130728 10/18/13	450.00	CONTRACT LABOR
	18691	05228 MOBILE SHARPENING SERVICES	20130741 10/25/13	40.50	INV#297445; SHARPENING OF MOWER BLADES
	18692	01100 MONTGOMERY COUNTY CHRONICLE	20130727 10/18/13	555.80	LEGAL PUBLICATIONS
			20130746 10/25/13	259.35	INV#445,444,447; PUBLISHING
			Check Total	815.15	
0	18693 10/25/13	06210 POSTMASTER	20130733 10/21/13	325.00	WATERBILLS
	18694	06580 REPUBLIC SERVICES	20130739 10/24/13	11,223.71	ACCT#303761067335; TRASH & POLY CARTS
	18695	06810 SE-KAN ASPHALT SERVICES, INC	20130682 10/03/13	3,087.98	TICKET# 11015; COLD PATCH 25 TONS
	18696	05039 TESTOSTERONE MOTORSPORTS	20130743 10/25/13	450.00	INV#1195; CUSTOM METER LIDS
	18697	07680 UNITED STATES POSTAL SERVICE	20130732 10/21/13	300.00	ACCT#19100676; POSTAGE FOR MACHINE
	18698	07807 WAGeworks	20130734 10/22/13	50.00	FSA Service Fees for September 2013
	18699	02590 WRIGHT EXPRESS FSC	20130729 10/18/13	4,024.85	ACCT#0417007905599; GASOLINE
	18700	08180 YOHA & SON TIRE SERVICE	20130742 10/25/13	646.00	INV#705180; TIRE PICKUP SERVICE
	10252013	00914 CARD SERVICES	20130715 10/16/13	2,836.49	PCARD TRANSACTIONS; WADE WEBBER; 09/03 - 10/01/13
			20130717 10/17/13	8.50	PCARD TRANSACTIONS; KAREN SEIFERT; 09/02 - 10/01/13
			20130718 10/17/13	35.05	PCARD TRANSACTIONS; MELVIN BEYE; 09/02 - 10/01/13
			20130719 10/17/13	996.25	PCARD TRANSACTIONS; CHAD RUSSELL; 09/02 - 10/01/13
			20130720 10/17/13	155.00	PCARD TRANSACITONS; PERRY LAMBERT; 09/02 - 10/1/2013
			20130721 10/17/13	302.03	PCARD TRANSACTIONS; TRENT KING; 09/02 - 10/01/2013

CITY OF CHERRYVALE

Warrant Ordinance Number: 13-1025 Date: Friday, October 25, 2013
Detail of Checks Processed On Friday, October 25, 2013

Bk	Chk Numb and Date	Vendor Number & Name	Voucher Num and Date	Voucher Amt	Memo
0	10252013 10/25/13	00914 CARD SERVICES	20130722 10/17/13	143.02	PCARD TRANSACTIONS; JIMMY HOLT; 09/02 - 10/01/13
			20130723 10/17/13	905.24	PCARD TRANSACTIONS; TRAVIS GOEDKEN; 09/02 - 10/01/13
			20130724 10/17/13	35.00	PCARD TRANSACTIONS; CHRIS WEINER; 09/02 - 10/01/13
			20130725 10/17/13	279.78	PCARD TRANSACTIONS; JESSE REED; 09/02 - 10/01/13
			20130726 10/18/13	46.12	PCARD TRANSACTIONS; MICHAEL PENA; 09/02 - 10/01/13
			20130730 10/18/13	83.47	PCARD TRANSACTIONS; AARON COOK; 09/02 - 10/02/13
			20130731 10/21/13	98.06	PCARD PURCHASES; MATT DENNIS; 09/02 - 10/01/13
			Check Total	5,924.01	

Grand Total 61,715.69
37,636.19 Payroll
Total 99,351.88

Passed this _____ day of _____.

Signed this _____ day of _____.

_____ Mayor

Attest:

_____ City Clerk

CITY OF CHERRYVALE

MEETING OF THE CITY COUNCIL REGULAR MEETING

October 21, 2013

7:00 PM

Working for a better tomorrow... today.

ORDER OF BUSINESS

CALL MEETING TO ORDER

Mayor Wright called the meeting to order.

Present: Mayor Wright, Council Member Forman, Council Member Wagoner, Council Member Wickham, Council Member Crain, City Administrator Travis Goedken, City Clerk/Assistant City Administrator Chris Weiner, Public Works Director Wade Webber, Lieutenant Jimmy Holt, Deputy Police Chief Perry Lambert, Montgomery County Chronicle representative Donna Celaya, Tonya Torkleson.

INVOCATION

Council Member Wagoner gave the invocation.

PLEDGE OF ALLEGIANCE

All present participated.

ROLL CALL

City Clerk Christopher Weiner called roll. Mayor Wright present, Council Member Forman present, Council Member Wagoner present, Council Member Wickham, Council Member Crain.

REQUESTED HEARING - 201 E 6TH ST

Cherryvale resident Cecil Bays challenged the condemnation of his property. Requesting time to fix up his property to make it livable. Council agreed to give Mr. Bays more time to fix up his property.

PUBLIC HEARING - 409 E 2ND ST

Required hearing for property. City Administrator Travis Goedken presented as no one was present. Council directed to proceed with demolition.

PUBLIC FORUM

No speakers.

GOVERNING BODY COMMENTS

Mayor John Wright

Believes with winter coming our leisurely days are behind us.

Council Member Chad Wickham

No comments.

Council Member Kevin Crain

Enquired as to the 6th St. railroad crossing status, would like to see some progress.

Council Member Randy Wagoner

Appreciates how Mr. Goedken and Mr. Weiner have hit the ground running and their efforts thus far.

Council Member Lew Forman, Jr.

No comments.

NEW BUSINESS

A. ORDINANCE 13-4639: AN ORDINANCE REPEALING UNIFORM PUBLIC OFFENSE CODE SECTION 10.1.1 SUBSECTION (a)(5) TRANSPORTING ANY FIREARM IN AN OCCUPIED MOTOR VEHICLE

Presented by Travis Goedken, City Administrator

RECOMMENDED ACTION: Approve Ordinance 13-4639

City Administrator Travis Goedken presented.

Council Member Wickham motioned to adopt Ordinance 13-4639, Council Member Crain seconded.

City Clerk Chris Weiner took the roll call vote:

Council Member Forman - aye, Council Member Wagoner - aye, Council Member Wickham - aye, Council Member Crain - aye.

All votes aye.

B. RESOLUTION NO. 13-21: 409 E 2ND St – A RESOLUTION ADOPTED PURSUANT TO CHAPTER 5, ARTICLE 8, OF THE CODE OF THE CITY OF CHERRYVALE, KANSAS, FINDING THAT CERTAIN STRUCTURE(S) DESCRIBED HEREIN ARE UNSAFE AND DANGEROUS.

Presented by Travis Goedken, City Administrator

RECOMMENDED ACTION: Approve Resolution 13-21

City Administrator Travis Goedken presented.

Council Member Crain motioned to adopt Resolution No. 13-21 giving the owner 14 days (November 4th) to raze or repair the property, Wagoner seconded.

All votes aye.

C. POLICE DEPARTMENT PURSUIT OF USDA GRANT FOR ACQUISITION OF IN CAR CAMERAS

Presented by Sgt. Jimmy Holt, CPD

RECOMMENDED ACTION: Give consent for pursuit of the grant.

Deputy Police Chief Perry Lambert presented.

Council Member Wagoner motioned to allow the Police Department to pursue the grant opportunity, Council Member Crain seconded.

All votes aye.

D. TREASURER'S QUARTERLY REPORT

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

RECOMMENDED ACTION: Accept the quarterly treasurer's report.

Presented by City Clerk Chris Weiner

Council Member Wickham motioned to accept the treasurer's report, Council Member Crain seconded.

All votes aye.

CONSENT AGENDA

Presented by John Wright, Mayor.

- | | |
|---|-------------|
| 1. Appropriations Ordinance No. 13-1011 | \$58,411.77 |
| a. Westar Energy | \$6,537.75 |
| 2. Consideration of the minutes for October 7, 2013 Regular Meeting | |

RECOMMENDED ACTION: Approve consent agenda as presented.

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

All votes aye.

INFORMATIONAL ITEMS

1. KDHE Lead Blood Draw

City Administrator Travis Goedken presented; Council Member Wickham requested that we put information on the city website and city's TV channel.

2. Chamber of Commerce Halloween Home Decorating Contest

City Administrator Travis Goedken presented.

3. B&L Trenching Demolitions

City Administrator Travis Goedken presented.

EXECUTIVE SESSION

1. To Discuss Matters of Non-Elected Personnel (Estimated at 30 minutes)

Council Member Wagoner motioned to go into executive session to discuss matters of non-elected personnel, Council Member Wickham seconded.

Council entered executive session at 7:30 P.M. with City Administrator Travis Goedken for 30 minutes to return at 8:00 P.M.

Council returned at 8:00 P.M. and Mayor Wright returned the meeting to regular session.

ADJOURNMENT

Council Member Wickham motioned to adjourn, Council Member Crain seconded.

All votes aye.

Respectfully Submitted,

Christopher T. Weiner

Christopher T. Weiner, City Clerk