

**CITY OF CHERRYVALE
MEETING OF THE CITY COUNCIL
REGULAR MEETING
August 7th, 2023
6:00 PM**



Working for a better tomorrow...today.

CALL MEETING TO ORDER

INVOCATION

PLEDGE OF ALLEGIANCE

ROLL CALL

COMMITTEE & BOARD REPORTS

A. COMMUNITY CENTER ADVISORY BOARD

1. None

B. CHERRYVALE LIBRARY BOARD

1. June 14, 2023 Meeting Minutes

C. CHERRYVALE HOUSING AUTHORITY

1. July 13, 2023 Meeting Minutes

RECOMMENDED ACTION: Receive and file.

OLD COUNCIL BUSINESS

NEW COUNCIL BUSINESS

A. DISCUSS AND REVIEW THE KWIKOM CONTRACT

Presented by John Terry, KwiKom Business Development Manager

RECOMMENDED ACTION: N/A

B. APPROVE ROAD CLOSURE APPLICATION FOR CHERRYVALE LIBRARY

Presented by Jimmy Holt, Police Chief

RECOMMENDED ACTION: Approve road closure for the Cherryvale Library as presented

C. APPROVE RESOLUTION 23-11 ABATEMENT OF PUBLIC NUISANCE

Presented by Joe Rexwinkle, Fire Chief & Nicki Ecret, Code Enforcement

RECOMMENDED ACTION: Approve Resolution 23-11 as presented.

D. CONSENT AGENDA

Presented by Gary Minnich, Mayor

RECOMMENDED ACTION: Approve the consent agenda as presented:

1. Appropriations and Payroll Ord. No. 23-07-21: **\$ 162,675.58**
 - a. Approval of Purchases over \$5,000
 - i. J Graham Construction (KDOT grant) \$73,863.39
 - ii. Blue Cross Blue Shield (Insurance) \$13,985.73
 - iii. People State Bank (Payroll Taxes) \$ 8,545.33
 - iv. KPERS (Retirement) \$ 6,133.74
2. Appropriations and Payroll Ord. No. 23-08-04: **\$ 119,374.49**
 - a. Approval of Purchases over \$5,000
 - i. Transystems (KDOT grant) \$ 6,278.78
 - ii. Evergy (Electric) \$ 8,348.87
 - iii. Green Environmental (Trash Service) \$ 17,849.97
 - iv. Public Wholesale Water (Treated Water) \$ 27,375.00
 - v. People State Bank (Payroll Taxes) \$ 8,334.23
 - vi. KPERS (Retirement) \$ 6,276.69
3. Approve the minutes of the July 17th, 2023, regular meeting.
4. Approve the minutes of the July 31st, 2023, special meeting.

INFORMATIONAL ITEMS

1. Special Council Meeting on Monday August 14th, 2023 at 6 pm.
2. Next regular City Council meeting will be Monday August 21st, 2023 at 6 pm.
3. Special Election on Sales Tax on Tuesday August 22nd, 2023

ADJOURNMENT

This is an open meeting, open to the public, subject to the Kansas Open Meetings Act (KOMA). The City of Cherryvale is committed to providing reasonable accommodations for persons with disabilities upon request of the individual. Individuals with disabilities requiring accommodations to attend the meeting should contact the City in a timely manner.

Cherryvale Public Library
Board of Trustees Meeting
Agenda for
July 12, 2023, 6:00 p.m.
Location: Cherryvale Public Library

1. Roll Call
2. Approval of Consent Agenda
 - A. Board Meeting Minutes (attached)
 - B. Financial Report (not attached)
 - C. President's Report (not attached)
 - D. Library Director's Report (attached)
3. Old Business:
 - A. Friends of the Library Support
 - B. Update of Summer Reading Program – Andrea
 - C. Recap of July 8th Work Session
 - D. Task/Duty Lists and Discussion
 - E. Library Hours Update and Plan
4. New Business:
 - A. End of Summer Reading Party Finalize Details
 - B. Schedule Work Day for Late Summer
5. Working Session:
 - A. April Hernandez SEKLS System Consultant
 - B. Executive Session to Discuss Non-Elected Personnel per K.S.A. 75-4319
6. Announcements:
 - A. City of Cherryvale Council Meeting July 17th, 6:00 p.m. City Hall
 - B. Community Summer Reading Program – Magician, July 26th 1:00 p.m. ***
 - C. SEKnFind User Group Training, August 4th, Iola *library open at 1:30 p.m.****
 - D. City of Cherryvale Council Meeting August 7th & 21st, 6:00 p.m. City Hall
 - E. Board of Trustee Meeting, August 9th, 6:00 p.m. ***
 - F. End of Summer Reading Block Party August 11th, 4:00 – 7:00 p.m.***
 - G. American Red Cross Blood Drive, August 22nd, *appointment required*
 - H. Fall In-Service August 25th, 8:00 a.m.-5:00 p.m., Iola, *library closed* ***
 - I. Labor Day Holiday, September 4th *library closed*
 - J. City of Cherryvale Council Meeting Sept. 5th & 18th, 6:00 p.m. City Hall
 - K. Board of Trustee Meeting, September 13th, 6:00 p.m. ***
 - L. City of Cherryvale Council Meeting October 2nd & 16th, 6:00 p.m. City Hall
 - M. Board of Trustee Meeting, October 11th, 6:00 p.m. ***
 - N. American Red Cross Blood Drive, October 23rd, *appointment required*
 - O. Book'n'Treat, October 31st 5:00 p.m. – 8:00 p.m. ***
7. Adjournment ****Denotes Meetings that cannot be missed by Staff or Board Members*

Cherryvale Public Library
Board of Trustees Meeting
Minutes for June 14, 2023, 6:00 p.m.
Location: Cherryvale Public Library

The Cherryvale Public Library Board of Trustees meeting called to order by President Ryan Hizy at 6:03 pm. Board members present were Andrea Hizy, Alissa Meier, Sarah Jones, and Savana Debo. Dianne Mahaffey was not present, Andrea was her proxy. Others present were the Director of the Public Library, April Read.

Motion made by Savana Debo, seconded by Sarah Jones for approval of the consent agenda. All in favor, motion carried 6-0.

Consent agenda included Board Meeting Minutes, Financial Report, President's Report, and Library Director's report.

Old Business

Discussed Friends of the Library support for the Summer Reading Program, updates for Summer Reading Program. Friends of the Library added an extra \$100 and will provide \$300 total for snacks and supplies for the Summer Reading program, with the stipulation that the money only goes toward Summer Reading. Discussed logistics of returning borrowed inter-library loan items and coverage for Summer Reading programming.

New Business

Discussed current library operating hours and if these should be adjusted. Also discussed current pay and benefits of the library positions. Tabled this discussion, will come back to this at a later time.

Discussed the possible hiring of new staff. This will be discussed more at next board meeting.

A motion was made by Sarah Jones to move into an executive session to discuss non-elected personnel per K.S.A. 75-4319 (1) for a period of 15 minutes at 7:26 pm. Second was made by Andrea Hizy. Motion passed 6-0. No decisions were made. Returned at 7:41 pm.

A motion was made by Sarah Jones to continue in executive session for another 15 minutes at 7:43pm. Second was made by Andrea Hizy. Motion passed 6-0. It is suggested that the Director makes a list of daily, weekly, monthly duties as well as posting for the open positions. The Board is also requesting to have job duties for the Director, Assistant, Volunteer duties. Yearly Calendar of events and timelines etc. It is requested to have these by the next meeting.

Motion to reconvene in open meeting made by Sarah Jones and seconded by Andrea Hizy. Motion passed 6-0. Reconvened in open session at 7:58 pm.

Discussed fundraising ideas.

Working Session

Andrea Hizy discussed the 1000 Books Before Kindergarten program and the libraries role and responsibilities with the program. The program received a \$500 donation to go directly toward this program.

Discussed Work Session/Retreat and set the date for Saturday July 8th from 10:00am-3:00pm.

A motion to adjourn made by Andrea Hizy, seconded by Ryan Hizy. Motion passed 6-0. Meeting adjournment at 8:50 pm.

Submitted by,
Savana Debo, Secretary

*Library Director Report
July 12, 2023*

Library Business:

TEFFI SEED Grant:

I came to work Friday June 16th and there were stacks of roofing material. I called the contractor and was told they would begin on Monday the 19th. He agreed to keep the concrete parking pad clear for the Red Cross Bloodmobile Van. Monday very early the entire roofing crew was on task and the roofing was completed by days end.

Here is what I know about this process. The TEFFI SEED Grant was for Caney and Cherryvale per grant specifications. Caney was to receive \$2,000.00 including their \$200.00 local match. Cherryvale was to receive \$47,710.08 including a local match of \$4,571.01 paid by the City. From the City Council Meeting agenda I noted a payment to Harris Construction for \$16,491.20 and a second payment of \$29,218.20 totaling \$45,709.40. The total grant for Montgomery County possible was \$50,000.00 covering with a 10% match for each community.

When I asked the contractor what we needed to do in preparation for the repair/replacement of the community room door frame/wall he said nothing. It seems that the roof had more issues than first thought by the bidding roofing contractor. Harris Construction found second contractor with extensive roofing experience, and they were then brought on board. The damage discovery was made late and the materials delivery caused an extension of the repair date. What I can tell you is the roof is sealed to the best of human possibility and carries a twenty year warranty. The work was done efficiently and the contractors kept the grounds picked up as work progressed. On June 19th, staff and patrons had the joy of carefully removing all of the blue tarps that have lingered over our non-fiction shelving for most of my 12 years of service.

On late July 7th, the state TEFFI SEED grant official came to make a physical check of all work completed with the grant funding. When asked, I accompanied the lady through the building interior and exterior. She made note that the main floor ceiling tile was not repaired. We looked at the damage to the woodwork/window and she stated the entire frame needed to be replaced.

We looked at the community room door frame and the deterioration of the wall. She made notes. Then we walked out the back and up the ramp. She noted the roofing material that is visible from the ground level. I told her I had photographs of the large stack of roofing materials and she has taken a copy of that for the grant file. She said her visit goal was completed and left. It was my understanding the rest of the final report will be completed by Jonathan. At least we can be free from worry every time the wind, rain and I hope not hail comes up.

The moldy books were boxed and wheeled out of here. What was once a health issue is now residing in the area landfill. It is nice to have the space, but it is sad when books have to be destroyed due to condition.

Thyssenkrupp:

There is a saying that if it ain't broke, don't fix it or worry about it. Several of our patrons are aging and have started to utilize the lift more frequently. We continue to watch out for the patrons and make certain we are compliant so no one is hurt or the lift does not fail due to misuse. This month you will find a voucher and check for the maintenance payment for the 3rd quarter, 7/01/23 to 9/30/2023.

Hoopla:

The June usage was 22 digital audiobooks, 2 digital eBooks, and 7 digital television programs. Our bill this month is \$74.73. SEKLS did make a payment so we will not have to withstand this payment for June usages. This helps tremendously.

Where Are We Now:

We are doing well. The roof is happy, we have a new staff person who is learning as the catalog system is preparing for an upgrade, and we have rain without interior damage. Our patrons have made many comments about how nice it is to be welcomed with a smile and cheerful disposition. She is really trying to learn and has a vast knowledge of books, authors, and is able to relate that to patrons who are seeking new material for their reading enjoyment. Our patrons were very gracious in the beginning but now stand, chat, and talk about everything books with her.

Building:

Inside:

Main Floor:

When the tarps came down the sunshine poured into the main floor. It makes the space so much brighter. We still need to address the light and ballast issues. As the electricians work around the area they hope to locate like new LED bulbs that will fit into our fixtures. Donated lights are far less expensive and have worked well for us. With a little clip here and there we could be all LED and lessen the chances of another ballast catching fire. A smoke filled library was not fun. The kids panicked and it was a long day.

Ryan made a call about getting a bid to lay new flooring in the building. The gentleman came and he made measurements of the floor upstairs. When he finished measuring staff was told an estimate would be sent to Ryan.

Lower Level:

As you already discovered, the door frame and wall will not be repaired through the TEFFI SEED grant. The frame will continue to twist /rust and staff has no idea how to slow this process until a full repair can be made. The other walls, such as the bathroom and hall, may be worked on we just have to learn what materials are needed from Newton's. In the past, we had a young man volunteer to work and he made several of the temporary patches in the community room. Sadly he passed away several years ago. The rest of the walls with the doorway exception could be patched as time and knowledgeable volunteer help is available.

The fun part of this month was staff getting stuck in the bathroom. This time it was the ladies room door. The same problem we had with the men's, but much more unnerving. At least the door would close, just too well. Staff contacted our local carpenter. He discovered the door

frame was not the same size the full length of the opening. The wood door had been adjusted at least three times prior to this incident. The carpenter removed the door and adjusted the door to match the building frame. It works so much better now.

Outside:

The obvious would be the visible materials on the roof. To date we are dry on the main floor. So, we now need to get the guttering on the plans for maintenance. The main SEED grant contractor said it was functional for now, but the guttering does need to be replaced.

While we are talking roof there has been a problem with the rear (south wall) west security camera. The camera repeatedly goes offline and remains off. A month or so ago I requested help from the New Vision tech. He came and discovered the camera mounting box had filled with water. With the leaking roof, and bad guttering staff was not too surprised. Holes for drainage were drilled and all water was emptied out of the box. Again we had the same camera go offline. Staff contacted the tech and a few days later he returned again. His decision was to replace the camera and mounting box with a different unit. When the existing unit was disconnected, the cable was cut. Inside the camera cable was water. It ran out onto the ground. The easy thought would be replace the cable. Well there is a new roof and I would guess part of those cables are under the roofing material. The tech didn't go onto the roof, but said if the cable continues to collect water then other services will be needed. Staff did question about warranty since each camera was well over \$400.00 each when purchased new. The tech was not certain. It is an unfortunate situation and one he plans to resolve.

Our "library angel" has not been able to locate someone who is able to remove the big tree on the east side of the building. The problem seems to be the lack of appropriate insurance on the part of the service provider. There are farmers who will take the cut wood, but they do not want to cut it down. At the July 5th Council Meeting a comment was made by a council member about the trees condition and potential hazard for the building and school safety. Staff stated simply the library does not have adequate funding to pay for the trees removal. The council member turned to the city administrator and said we need to do something. Staff stated there was great concern about the tree coming down onto the repaired roof, or falling into the street hitting teaching staff vehicles or worse a child on the sidewalk. The city administrator said he would speak with the street department head the following day. Staff has not been contacted about any decision.

As for the rest of the outside, we continue to struggle with plants dying or not being alive at all. If a suggestion is available as to what steps to take next staff would be happy to listen. Financially the library cannot afford to replace all of the lost plants from the ARPA Grant purchase. Most did not live a few months. Staff did ask a local gardener for suggestions and help and they would be happy to plant more, but the library would need to pay for the replacement plants. The library does not have that kind of funding available. This item is not a priority at this point. You just need to be made aware of the situation.

Program Ideas and Such:

We have a patron taking advantage of the 1,000 Books Before Kindergarten program. One child has had over 100 books read to them. This is a very powerful program. The hope is it will grow

larger than more children will be ready for the pre-K or school learning experience. Having the local financial support to start this program is a blessing. The children win with a lifelong love of learning.

Staff will let Andrea catch you up about the summer reading program.

Things In General:

There isn't a lot to say here. Staff is preparing for the changes to the Koha system set for the 19th of July, next week. Some things will be easier, others maybe not. It is going to take work to learn so that patron service will not be delayed. Like anything, change requires a learning curve. Last week staff had lessons on adding new items to the catalog. The hope is it will make things easier once all the bugs are worked out. SEKSL staff has been great to help all regional library staff learn what will be different. There is a test program site where staff is able to learn and not upset the regular catalog site. This week we cover running the different reports and doing administrative tasks. August 4th all regional library staff will come together to make concerns known and make group decisions as to what we regionally think is beneficial. It is so good to have great support.

"A library is a good place to go when you feel unhappy, for there, in a book, you may find encouragement and comfort. A library is a good place to go when you feel bewildered or undecided, for there, in a book, you may have your question answered. Books are good company, in sad times and happy times, for books are people – people who have managed to stay alive by hiding between the covers of a book." ...E.B. White

Respectfully Submitted,
April Read, Library Director



APPLICATION FOR STREET CLOSINGS AND EVENTS

This form is designed to assist in making requests to the City Council for street closings, sidewalk sales and special events. Requests should be made at least two weeks prior to the Council Meeting. Council meetings are on the first and third Monday of each month.

Application Date: 7/28/23 Event Date: 8/11/23

Purpose of Request: Annual End of Summer Reading Block Party

Sponsoring Organization: Cherryvale Public Library

Contact Person or Persons: April Read / Andrea Hizey / Ryan Hizey

Street to be Closed: North 1/2 of 100 South Montgomery (corner to alley)

Closure Date(s) and Time(s): 8/11/23 3:00 - 8:00 PM
1 hour to setup and 1 hour to take down

Special Requests or Needs: Barricades to block vehicle traffic for
Safety of Children

Signed by: April Read

RESOLUTION NO. 23-11
531 E. 7th STREET
ABATEMENT OF PUBLIC NUISANCE

A RESOLUTION ADOPTED PURSUANT TO CHAPTER 8, ARTICLE 1, SECTION 2 OF THE CODE OF THE CITY OF CHERRYVALE, KANSAS, PROVIDING FOR NOTICE UPON THE STATEMENT OF THE ENFORCING OFFICER OF SAID CITY THAT THE PROPERTY DESCRIBED HEREIN IS IN VIOLATION OF A PUBLIC NUISANCE

WHEREAS, the Enforcing Officer of the City of Cherryvale, Kansas, has filed a statement in writing to the Cherryvale City Council that the following described property is in violation of a public nuisance, to-wit:

Lots: 8
 Block: 9
 Subdivision: Carson & Baldwins 2nd Add
 Address: 531 E. 7th Street, Cherryvale, KS 67335

WHEREAS, Chapter 8, Article 1, Section 2 of the Code of the City of Cherryvale, Kansas provides upon filing of such written statement, that the Governing Body of the City of Cherryvale shall adopt a resolution, which resolution shall authorize the public officer or other agents of the city to abate the conditions causing the violation 10 days after the passage of said resolution:

WHEREAS, the name(s) and address(es) of the owner(s), owner(s) agent(s), lien holder(s) and occupant(s) are:

Owner(s): Russell Fernandez
 4710 CR 4200
 Independence, KS 67301

Owner(s) Agent(s): None

Lien holder(s): None

Occupant(s): None

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

SECTION 1. The Governing Body of the City of Cherryvale, Kansas, seeks to remedy the violation per Chapter 8, Article 1, Section 2 of the Code of the City of Cherryvale.

SECTION 2. This resolution once passed, shall authorize the public officer, other agents of the city, or the City of Cherryvale, to abate said nuisance causing violations 10 days after the passage of the resolution.

SECTION 3. The City Clerk of the City of Cherryvale, Kansas, is hereby authorized to charge against the lot or parcel which the nuisance is located any fines, fees, or assessment associated at the above referenced address as provided by Chapter 8, Article 1, Section 9, of the Code of the City of Cherryvale.

ADOPTED by the Governing Body of the City of Cherryvale on this 7th day of August 2023.

Gary Minnich, Mayor

ATTEST:

Karen Davis, City Clerk



CHERRYVALE FIRE-RESCUE

116 S. Neosho Street, Cherryvale, KS 67335
Phone: (620) 336-2121 Fax: (620) 336-2220
E-mail: jrexwinkle@cherryvaleusa.com
IN CASE OF EMERGENCY, DIAL 911



Joe Rexwinkle, Fire Chief

Case Summary

Initial Inspection: 6/14/23

Reason for Inspection: Public Nuisance

Non-Certified Letter Sent: 6/21/23

Certified Letter Sent: 6/30/23

*Certified Letter NOT signed for and was returned

Follow Up Inspection: 7/10/23

Notes:

I, Nicki Ecret mailed a non certified and a certified letter to Russell Fernandez in regards to a Public Nuisance located at 531 E 7th in Cherryvale, Kansas. The property owner has not made contact to discuss the down tree issues on the property. Follow up inspection was completed on 7/10/23- No Progress had been made.

Nicki Ecret

Animal Control

Code Enforcement

Cherryvale Fire-Rescue



CHERRYVALE FIRE-RESCUE

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Joe Rexwinkle, Fire Chief

Correspondence

6/14/23- noted tree down. Will send out courtesy letter next week if still down.

6/20/23- Tree still there

6/21/23- COURTESY letter sent

6/30/23- CERTIFIED letter sent about down tree- grass has a few longer spots also so sent out weeds letter.

6/30/23- COURTESY LETTER RETURNED- NOT DELIVERABLE AS ADDRESSED- UNABLE TO FORWARD

7/10/23-CERTIFIED RETURNED NOT DELIVERABLE AS ADDRESSED- UNABLE TO FORWARD

7/10/23- Sent certified letter NON certified. Posted letter on front door.

15



6/14/23



CHERRYVALE FIRE-RESCUE

116 S. Neosho Street, Cherryvale, KS 67335
Phone: (620) 336-2121 Fax: (620) 336-2220
E-mail: jrexwinkle@cherryvaleusa.com
IN CASE OF EMERGENCY, DIAL 911



Joe Rexwinkle, Fire Chief

6/20/23

Russell Fernandez

4710 CR 4200

Independence, KS 67301

Russell,

Current Records reflect that you are either the listed owner or the occupant of the following described property in Cherryvale, Montgomery County, Kansas, to-wit:

Legal Address: 531 E 7th Cherryvale, KS 67335

I have been approached by Cherryvale residents regarding the tree that has fallen down in your yard. This could potentially cause a problem with it being a safety issue. This letter is a courtesy letter asking for your cooperation in correcting this problem. If you wish to discuss the content of this letter or the property condition, please contact me at (620)336-2121 or stop by the Fire Station during normal business hours. I will be happy to discuss this situation and am more than willing to work with each one of our citizens in an effort to maintain a cleaner Cherryvale.

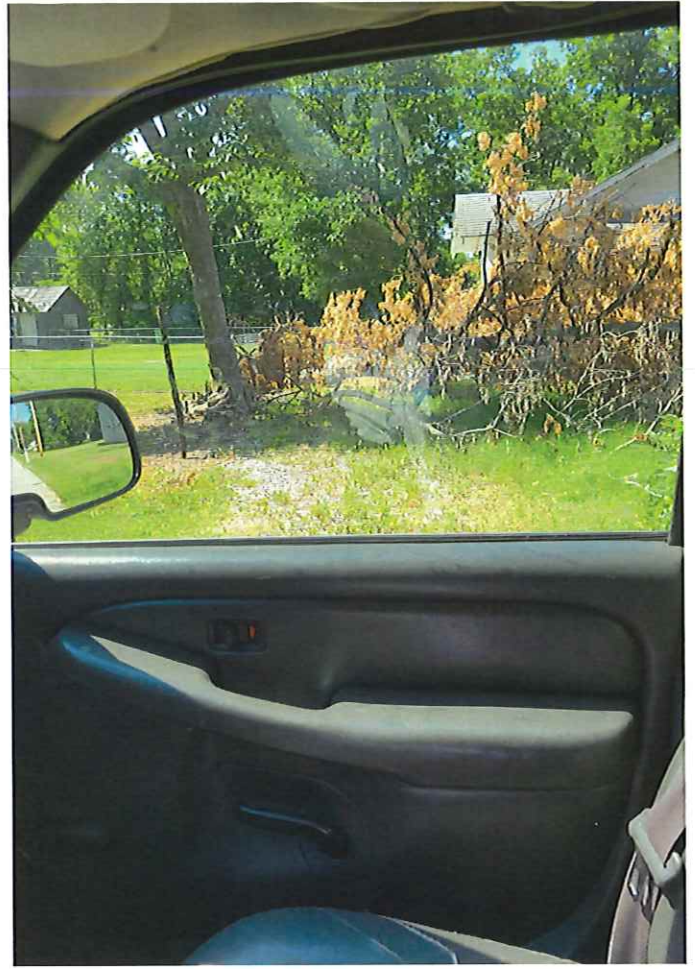
Thank you in advance for your cooperation,

Nicki Ecret

Animal Control

Code Enforcement

Cherryvale Fire-Rescue



6/30/23

9589 0710 6856

TS 6026 6407 0225 0720 51

U.S. Postal Service	
CERTIFIED MAIL® RECEIPT	
Domestic Mail Only	
For delivery information, visit our website at www.usps.com ®.	
Certified Mail Fee	
\$	Extra Services & Fees (check or x, add fee as appropriate)
	<input type="checkbox"/> Return Receipt (hardcopy) \$
	<input type="checkbox"/> Return Receipt (electronic) \$
	<input type="checkbox"/> Certified Mail Restricted Delivery \$
	<input type="checkbox"/> Adult Signature Required \$
	<input type="checkbox"/> Adult Signature Restricted Delivery \$
Postage	
\$	Total Postage and Fees
Sent To	
Street and Apt. No. or P.O. Box No.	
City, State, ZIP+4®	
PS Form 3800, January 2023 PSN 7530-02-000-9017 See Reverse for Instructions	

MAILED

JUN 30 2023

Russell Fernandez

4710 CA 4200

Indy IN 46301



CHERRYVALE FIRE-RESCUE

116 S. Neosho Street, Cherryvale, KS 67335
Phone: (620) 336-2121 Fax: (620) 336-2220
E-mail: jrexwinkle@cherryvaleusa.com
IN CASE OF EMERGENCY, DIAL 911



Joe Rexwinkle, Fire Chief

6/30/23

Russell Fernandez

4710 CR 4200

Independence, KS 67301

Russell,

Current Records reflect that you are either the listed owner or the occupant of the following described property in Cherryvale, Montgomery County, Kansas, to-wit:

Legal Address: 531 E 7th Cherryvale, KS 67335

Upon which property, a public nuisance exists as follows: down- dead tree that has fallen in the front yard.

The condition of the property is in violation of ordinance of the City of Cherryvale, Chapter 8, Article 1.

Fifteen (15) days following the date of this certified letter, if no visible change to the property has been made, and contact has not been made with the Fire Department, the case may be turned over to the City Attorney for further action. At this time you will have fifteen (15) days from date of letter to contact City Hall to schedule a court date to appeal this. Our main goal is definitely not to progress to that step, so I encourage you to contact me so we can come to a workable solution for both parties.

If a hearing is requested within the 15-day period as provided in section 8-107, such request shall be made in writing to the governing body. Failure to make a timely request for a hearing shall constitute a waiver of the person's right to contest the findings of the public officer. The hearing shall be held by the governing body or its designated representative as soon as possible after the filing of the request therefore, and the person shall be advised by the city of the time and place of the hearing at least five days in advance thereof. At any such hearing, the person may be represented by counsel, and the person and the city may introduce such witnesses and evidence as is deemed necessary and proper by the governing body or its designated representative. The hearing need not be conducted according to the formal rules of evidence. Upon conclusion of the hearing, the findings of the governing body or its designated representative shall be prepared in resolution form, adopted by the governing body, and the resolution shall be served upon the person in the manner provided in section 8-109.

If you feel like you have received this letter in error, or have any questions or information that may be helpful, please contact me at (620)336-2121 or stop by the Fire Station during normal business hours. I will be happy to discuss this situation and am more than willing to work with each one of our citizens in an effort to maintain a cleaner Cherryvale.

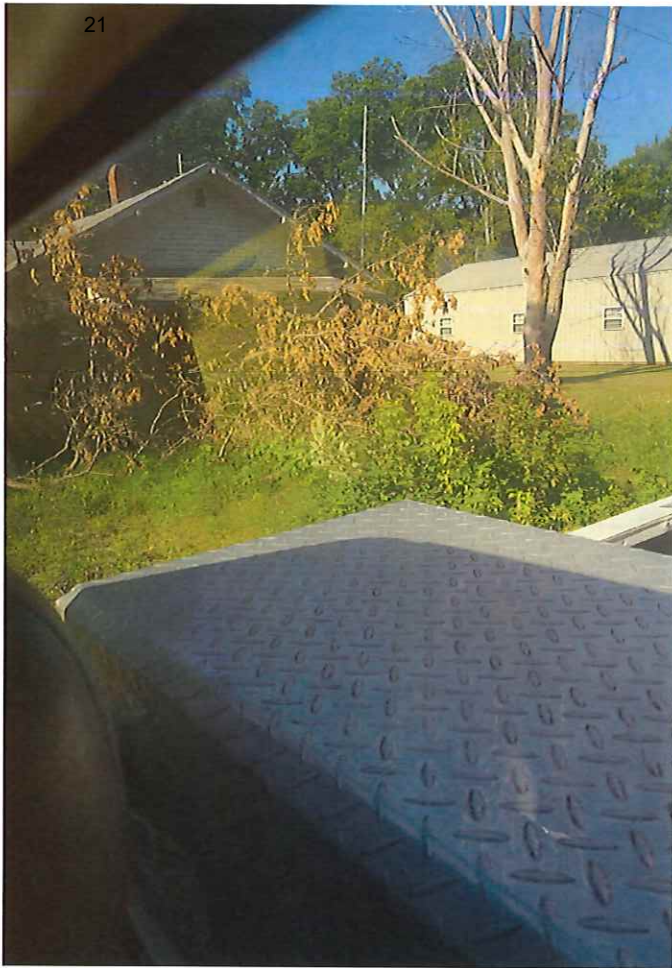
Thank you in advance for your cooperation,

Nicki Ecret

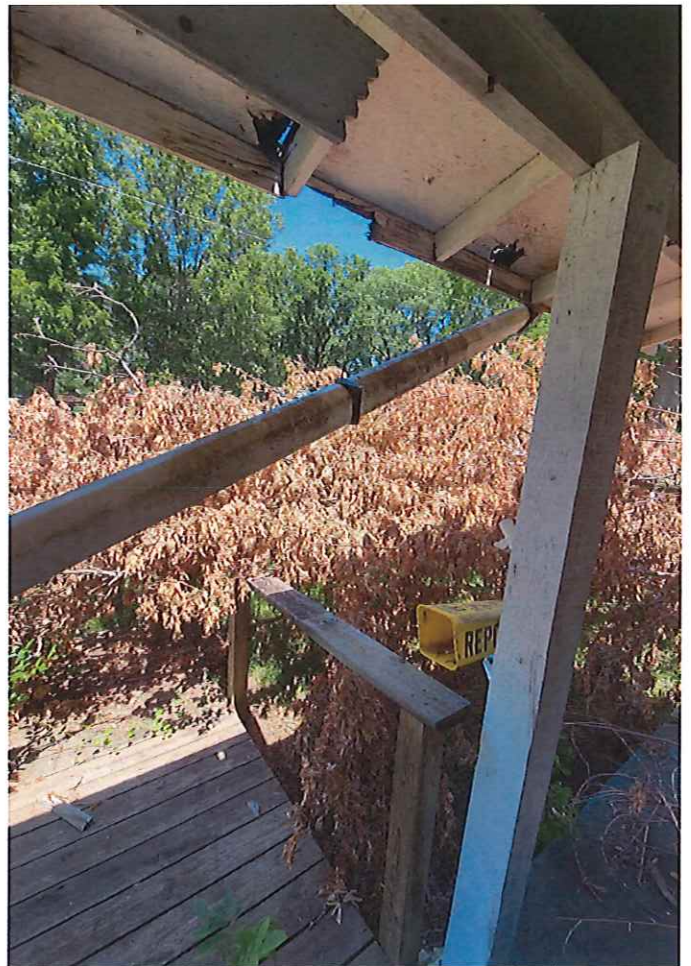
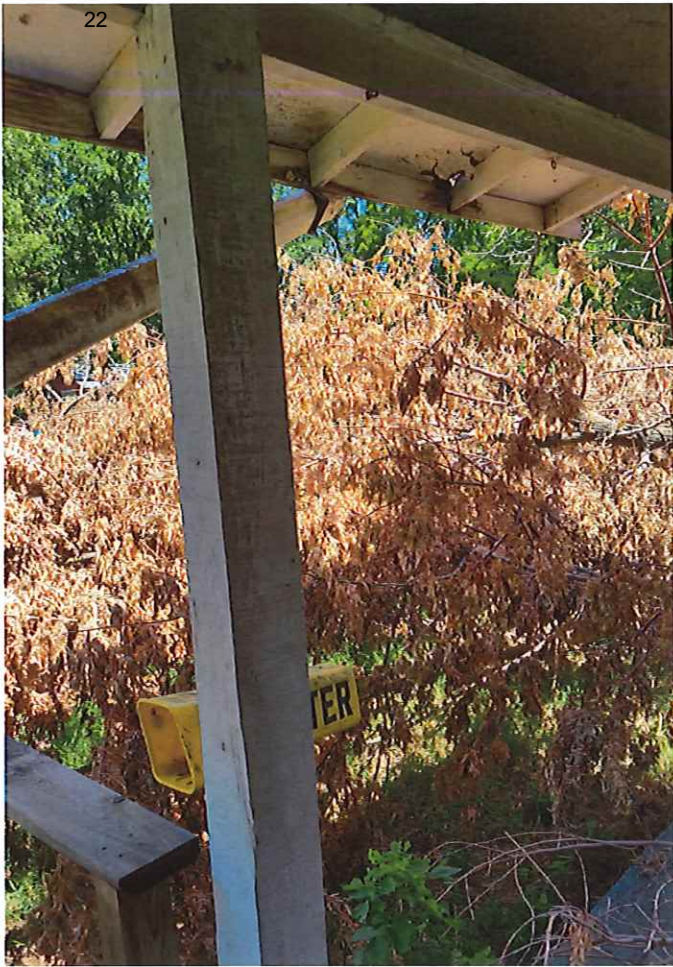
Animal Control

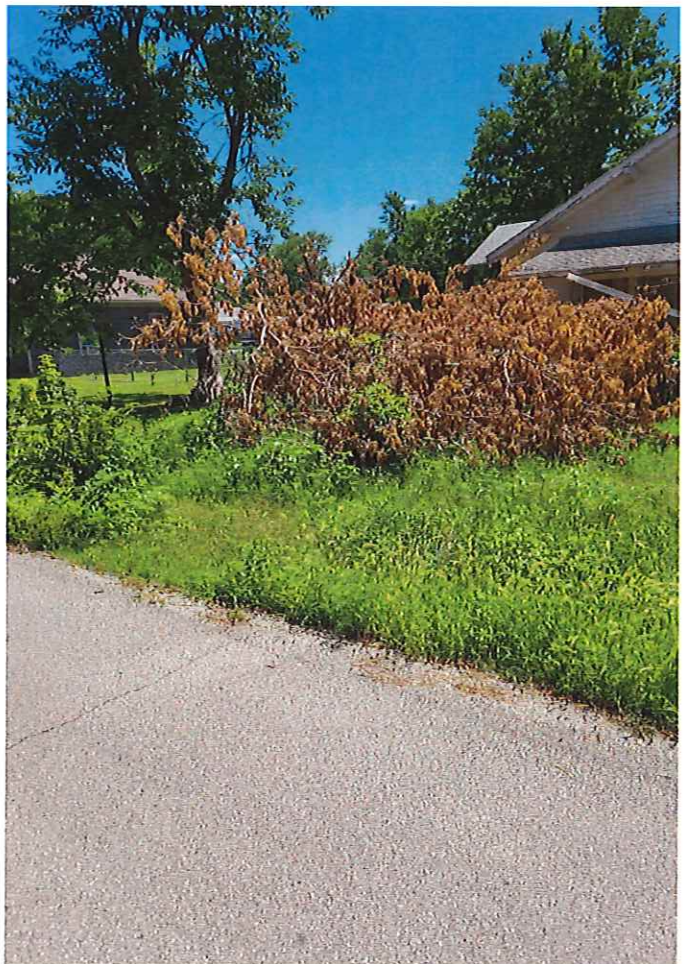
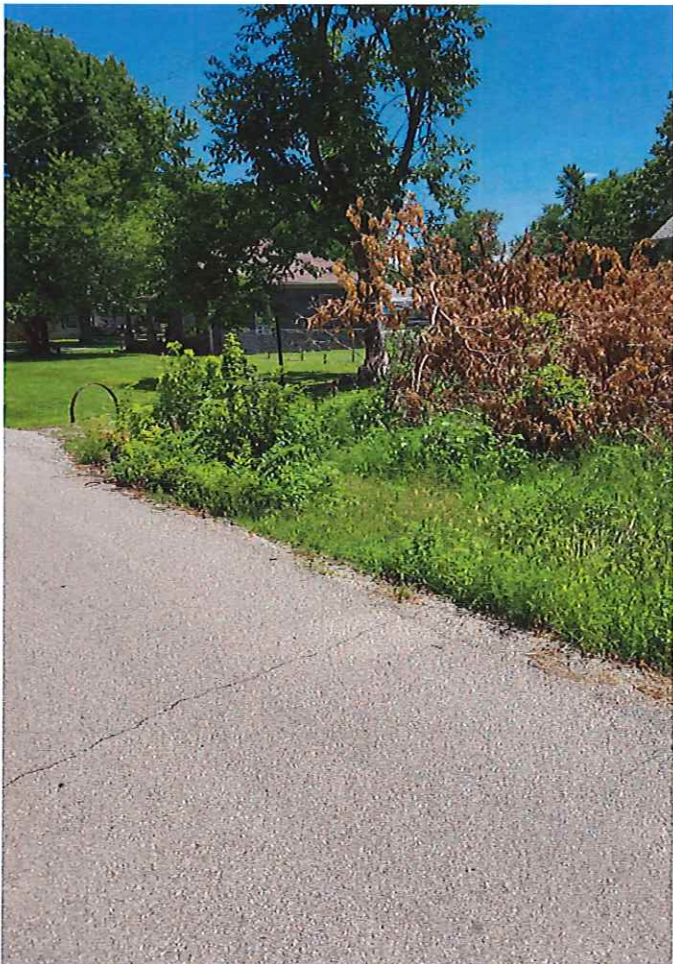
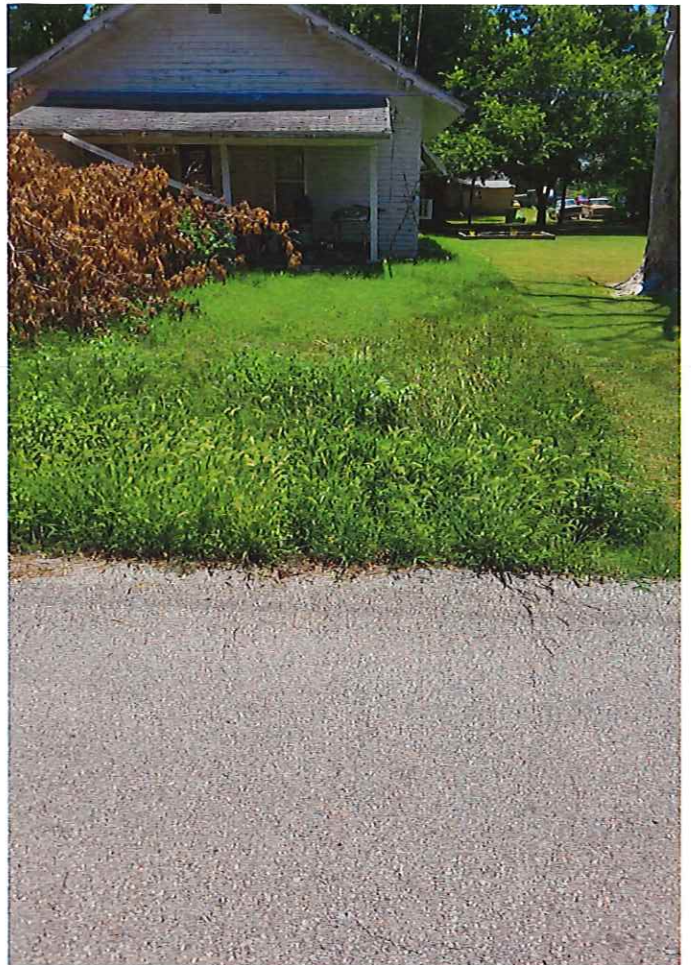
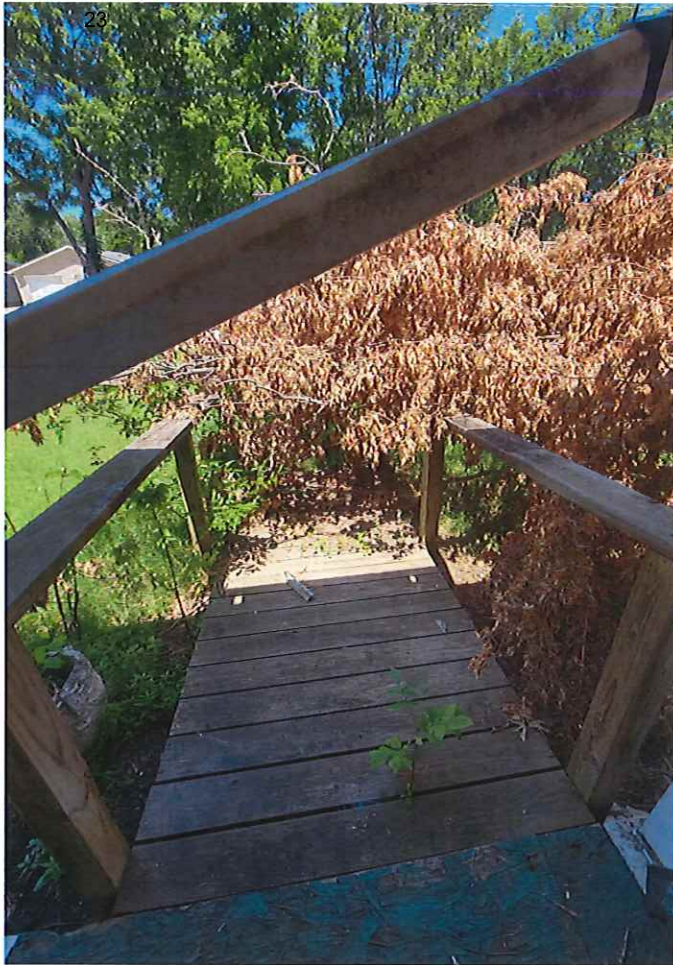
Code Enforcement

Cherryvale Fire-Rescue

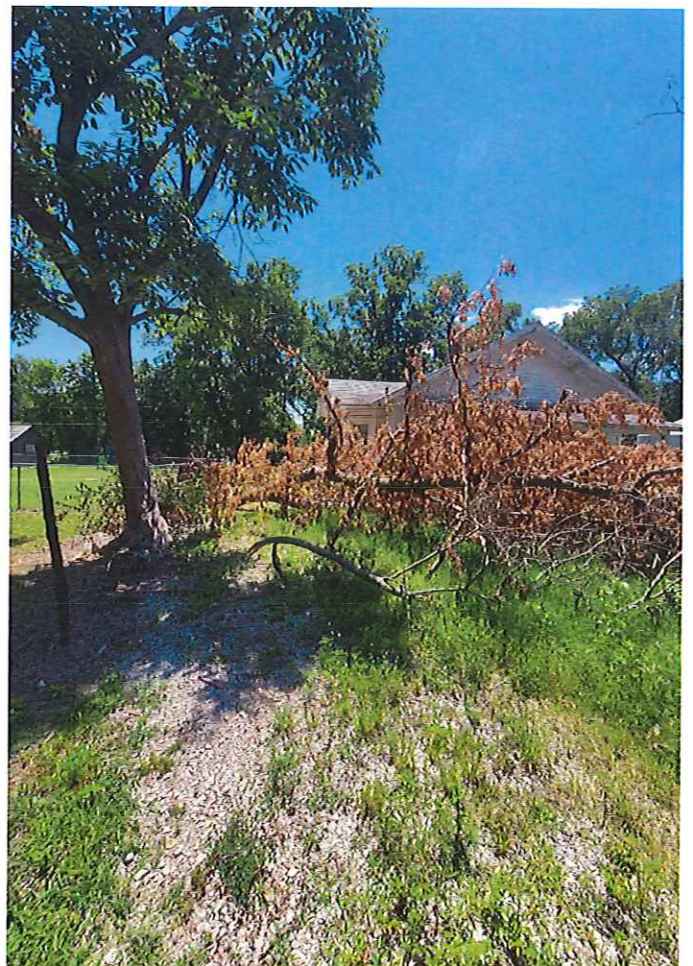


7/10/23

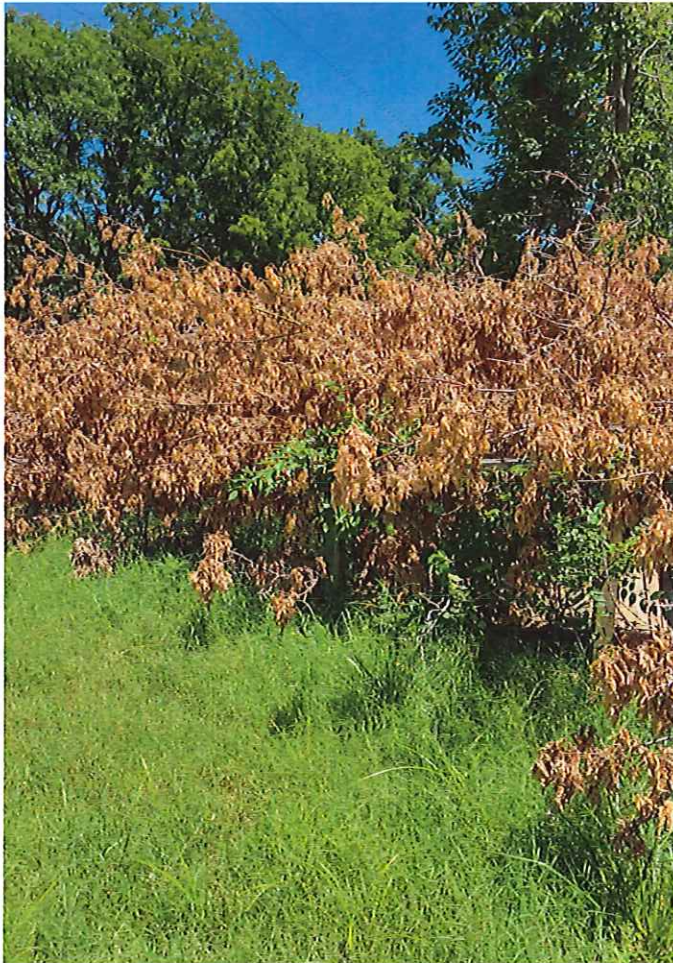
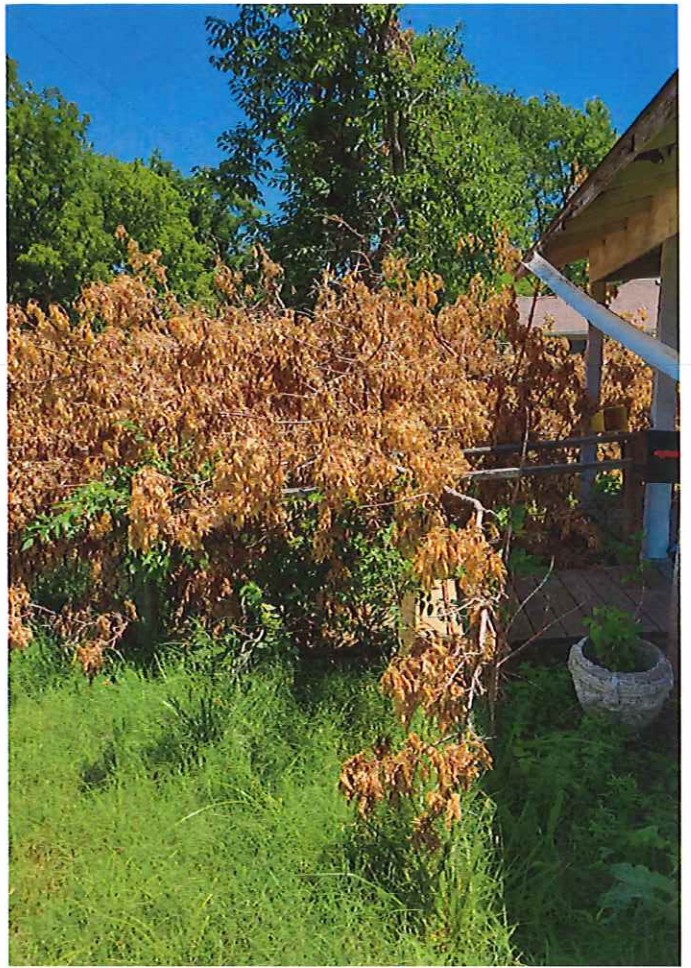
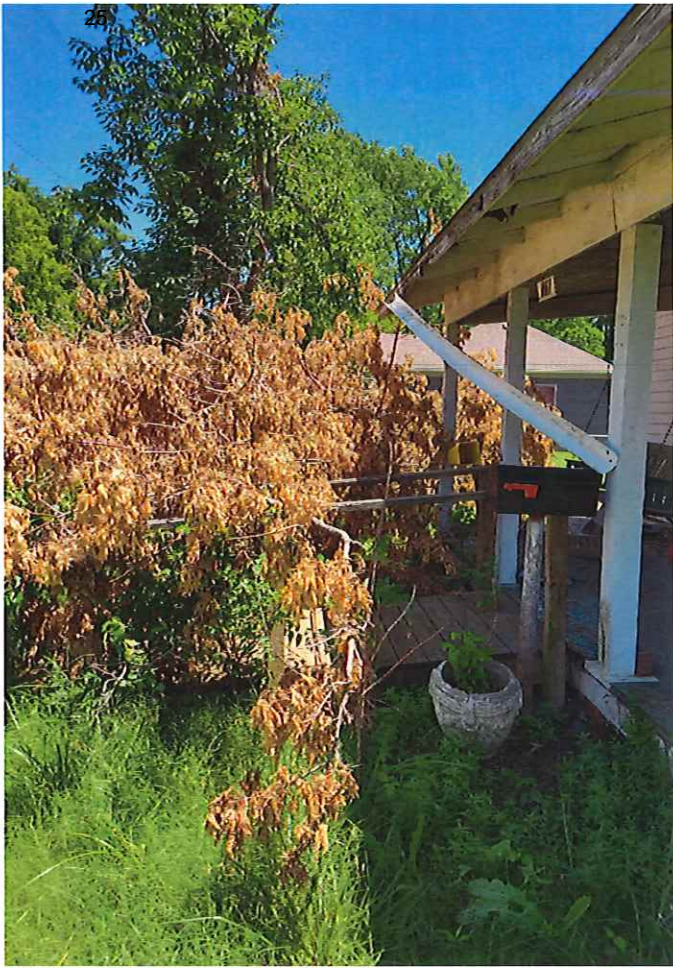




7/10/23



7/10/23



7/10/23

Final Check List

Date	Step	Notes
6/21/23	Courtesy Letter- NON Certified	Returned 6/30/23 UTF
6/30/23	Certified or Personal Service	
7/10/23	Certified Accepted or Returned	not deliverable unable to forward.
7/10/23	Posted AND Mailed- NON Certified	on front Door
	Submitted to Council for Debris	
	Hearing Date	
	Outcome:	

Name: Russell Fernandez
 Location: 531 E 7th

27

BANK#	BANK NAME	CHECK#	DATE	ACCOUNT#	NAME	CHECK AMOUNT	CLEARED	MANUAL	VOID	REASON FOR VOID
1 COMM. NATIONAL BANK & TRUST										
*	31969 Thru	31985		D5MFC@@	(ž&#- "' +					
	31986	7/21/2023		1440	CITY OF CHERRYVALE	510.00				
	31987	7/21/2023		7379	SURENCY LIFE AND HEALTH	107.34				
	31988	7/21/2023		9211	BCBS OF KANSAS	209.60				
	31989	7/21/2023		9212	BCBS OF KANSAS	2,446.08				
	31990	7/21/2023		9214	KANSAS PAYMENT CENTER	101.54				
*	31991									
	31992	7/21/2023		9223	AFLAC	595.58				
	31993	7/21/2023		9230	SECURITY BENEFIT	577.12				
	31994	7/21/2023		9453	BARDAVON HEALTH INNOVATIONS	225.00				
	31995	7/21/2023		600	BLUE CROSS-BLUE SHIELD	13,985.73				
	31996	7/21/2023		9432	BOOE, JONATHAN	18.73				
	31997	7/21/2023		9639	CHS CHEER TEAM	20.00				
	31998	7/21/2023		9638	CMS CHEER	73.00				
	31999	7/21/2023		9473	DIRECTOR OF ACCTS AND REPORTS	175.00				
	32000	7/21/2023		2260	EMERT CHUBB, LLC	2,695.00				
	32001	7/21/2023		9438	FLEET FUELS	823.20				
	32002	7/21/2023		9507	HARRIS, KIMBERLY A	240.00				
	32003	7/21/2023		3101	HIGHER CALLING TECHNOLOGIES	1,927.50				
	32004	7/21/2023		3275	HUGO'S INDUSTRIAL SUPPLY, INC.	165.90				
	32005	7/21/2023		9612	J GRAHAM CONSTRUCTION, INC	73,863.39				
	32006	7/21/2023		3970	KANSAS STATE TREASURER	531.00				
	32007	7/21/2023		3650	KC 24 HR. TRUCK REPAIR	845.20				
	32008	7/21/2023		9581	KS H&E LABORATORIES	247.00				
	32009	7/21/2023		9601	KUSIAK, JOSLYN	475.00				
	32010	7/21/2023		9427	LABETTE HEALTH LAB	83.25				
	32011	7/21/2023		9428	LABETTE HEALTH PHYSICIANS GROU	194.25				
	32012	7/21/2023		4500	LINN'S AIR COOLED ENGINES	68.48				
	32013	7/21/2023		5033	MEDICLAIMS, INC.	527.46				
	32014	7/21/2023		1100	MONTGOMERY COUNTY CHRONICLE	84.00				
	32015	7/21/2023		9532	MTB LAWN & GARDEN SERVICE	1,495.00				
	32016	7/21/2023		6210	POSTMASTER	425.00				
	32017	7/21/2023		6674	ROBERTS, BILLY D.	913.84				
	32018	7/21/2023		9230	SECURITY BENEFIT	225.00				
	32019	7/21/2023		9255	THOMPSON BROTHERS	85.00				
	32020	7/21/2023		9317	UNIFIRST CORPORATION	191.64				
	32021	7/21/2023		7680	PITNEY BOWES BANK INC	500.00				
	32022	7/21/2023		7669	UNUM LIFE INSURANCE COMPANY	266.57				
	32023	7/21/2023		9563	WITMER PUBLIC SAFETY GROUP, INC	291.60				
	32024	7/21/2023		8125	WOODS LUMBER OF INDEPENDENCE	104.94				
	32025	7/21/2023		8400	ZOLL MEDICAL CORPORATION	251.74				
*	32026 Thru	16013694		D5MFC@@	& ž) - \$" \$%					
	16013695	7/21/2023		9202	KS EMPLOYMENT SECURITY FD	214.49			E-PAY	
	16013696	7/21/2023		9200	PEOPLES STATE BANK	8,545.33			E-PAY	
	16013697	7/21/2023		9201	KANSAS WITHHOLDING TAX	1,420.34			E-PAY	
	16013698	7/21/2023		9203	KPERS	6,133.74			E-PAY	
	16013699	7/21/2023		914	CARD SERVICES	182.39			E-PAY	
	16013700	7/21/2023		914	CARD SERVICES	89.70			E-PAY	
	16013701	7/21/2023		914	CARD SERVICES	1,066.20			E-PAY	
	16013702	7/21/2023		914	CARD SERVICES	145.99			E-PAY	
	16013703	7/21/2023		914	CARD SERVICES	435.50			E-PAY	

BANK#	BANK NAME
CHECK#	DATE

CHECK	AMOUNT	CLEARED	MANUAL	VOID	REASON FOR VOID
1	100.00				
2	200.00				
3	300.00				
4	400.00				
5	500.00				
6	600.00				
7	700.00				
8	800.00				
9	900.00				
10	1000.00				
11	1100.00				
12	1200.00				
13	1300.00				
14	1400.00				
15	1500.00				
16	1600.00				
17	1700.00				
18	1800.00				
19	1900.00				
20	2000.00				
21	2100.00				
22	2200.00				
23	2300.00				
24	2400.00				
25	2500.00				
26	2600.00				
27	2700.00				
28	2800.00				
29	2900.00				
30	3000.00				
31	3100.00				
32	3200.00				
33	3300.00				
34	3400.00				
35	3500.00				
36	3600.00				
37	3700.00				
38	3800.00				
39	3900.00				
40	4000.00				
41	4100.00				
42	4200.00				
43	4300.00				
44	4400.00				
45	4500.00				
46	4600.00				
47	4700.00				
48	4800.00				
49	4900.00				
50	5000.00				
51	5100.00				
52	5200.00				
53	5300.00				
54	5400.00				
55	5500.00				
56	5600.00				
57	5700.00				
58	5800.00				
59	5900.00				
60	6000.00				
61	6100.00				
62	6200.00				
63	6300.00				
64	6400.00				
65	6500.00				
66	6600.00				
67	6700.00				
68	6800.00				
69	6900.00				
70	7000.00				
71	7100.00				
72	7200.00				
73	7300.00				
74	7400.00				
75	7500.00				
76	7600.00				
77	7700.00				
78	7800.00				
79	7900.00				
80	8000.00				
81	8100.00				
82	8200.00				
83	8300.00				
84	8400.00				
85					

[illegible]

29

BANK#	BANK NAME	CHECK#	DATE	ACCOUNT#	NAME	CHECK AMOUNT	CLEARED	MANUAL	VOID	REASON FOR VOID
1 COMM. NATIONAL BANK & TRUST										
*	32026 Thru	32038		D5MFC@@		'ž*, ("8%				
	32039	8/04/2023		1440	CITY OF CHERRYVALE	510.00				
	32040	8/04/2023		9214	KANSAS PAYMENT CENTER	101.54				
	32041	8/04/2023		9230	SECURITY BENEFIT	589.62				
	32042	8/04/2023		28	ACTION COMMUNICATIONS LLC	1,250.00				
	32043	8/04/2023		9453	BARDAVON HEALTH INNOVATIONS	150.00				
	32044	8/04/2023		1350	CHERRYVALE VETERINARY CLINIC	606.49				
	32045	8/04/2023		9059	COX BUSINESS	255.05				
	32046	8/04/2023		9536	CREXENDO BUSINESS SOLUTIONS	522.93				
	32047	8/04/2023		9373	CULLIGAN OF INDEPENDENCE	61.95				
	32048	8/04/2023		2087	DIGITAL CONNECTIONS	481.98				
	32049	8/04/2023		9621	ECRET, RYAN	195.19				
	32050	8/04/2023		9442	EVERGY	8,348.87				
	32051	8/04/2023		9527	GREEN ENVIRONMENTAL SERVICES	17,849.97				
	32052	8/04/2023		9507	HARRIS, KIMBERLY A	240.00				
	32053	8/04/2023		3101	HIGHER CALLING TECHNOLOGIES	172.50				
	32054	8/04/2023		3755	KANSAS GAS SERVICE	309.79				
	32055	8/04/2023		5880	KANSAS ONE-CALL SYSTEM, INC.	16.80				
	32056	8/04/2023		9466	LET'S TALK LOCKS LLC	19.50				
	32057	8/04/2023		1100	MONTGOMERY COUNTY CHRONICLE	136.50				
	32058	8/04/2023		5310	MONTGOMERY COUNTY D.O.C	550.00				
	32059	8/04/2023		9532	MTB LAWN & GARDEN SERVICE	1,495.00				
	32060	8/04/2023		5750	NEWTON'S	956.02				
	32061	8/04/2023		9337	O'REILLY AUTO PARTS	65.48				
	32062	8/04/2023		6285	PUBLIC WHOLESALE WATER	27,375.00				
	32063	8/04/2023		6674	ROBERTS, BILLY D.	553.27				
	32064	8/04/2023		9263	ROMANS OUTDOOR POWER	104.85				
	32065	8/04/2023		6761	SANDBAGGER GOLF & TURF	63.35				
	32066	8/04/2023		7379	SURENCY LIFE AND HEALTH	199.54				
	32067	8/04/2023		9255	THOMPSON BROTHERS	143.28				
	32068	8/04/2023		7590	TRANSYSTEMS CORP.	6,278.78				
	32069	8/04/2023		7745	UNITED STATES CELLULAR	625.48				
	32070	8/04/2023		9563	WITMER PUBLIC SAFETY GROUP, INC	657.07				
	32071	8/04/2023		8125	WOODS LUMBER OF INDEPENDENCE	180.97				
*	32072 Thru	16013705		D5MFC@@		& ž&#- " **				
	16013706	8/04/2023		9200	PEOPLES STATE BANK	8,334.23			E-PAY	
	16013707	8/04/2023		9201	KANSAS WITHHOLDING TAX	1,409.73			E-PAY	
	16013708	8/04/2023		9203	KPERS	6,276.69			E-PAY	
	16013709	8/04/2023		2100	RETAILERS' SALES TAX DIV	323.20			E-PAY	

* See Check Summary below for detail on gaps and checks from other modules.

BANK TOTALS:

OUTSTANDING	87,410.62
CLEARED	.00

BANK 1 TOTAL	87,410.62
D5MFC@@	' %ž- *' ", +
VOIDED	.00

BANK#	BANK NAME
CHECK#	DATE

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OPER: MR

**CITY OF CHERRYVALE
MEETING OF THE CITY COUNCIL
REGULAR MEETING
JULY 17, 2023
6:00 p.m.**

Working for a better tomorrow... today.

ORDER OF BUSINESS

CALL MEETING TO ORDER

Mayor Minnich called the meeting to order at 6:00 pm.

Present: Mayor Gary Minnich, Council Member Curtis Whittley, Council Member Steve Strickland, Council Member Devin Conner, City Administrator Jonathan Booe, City Clerk Karen Davis, Police Chief Jimmy Holt, Fire/EMS Chief Joe Rexwinkle, Code Enforcement Officer Nichole Ecret, Public Works Director Mike Passauer, April Read, Erick Mejia Alvarado and family, and Leslie Fox (*Independence Daily Reporter*).

INVOCATION

City Administrator Jonathan Booe led the invocation.

PLEDGE OF ALLEGIANCE

ROLL CALL

City Clerk Karen Davis took roll:

Mayor Minnich – present, Council Member Johnson – absent, Council Member Whittley – present, Council Member Strickland – present, Council Member Conner - present

PUBLIC FORUM

1. **Michael Villareal – 300 E. 3rd – Questions regarding adequate housing –** not present

GOVERNING BODY COMMENTS

Mayor Gary Minnich – No comments

Council Member Johnson – Absent

Council Member Whittley – Told Public Works they are doing a good job.

Council Member Steve Strickland – Asked about Lake Tanko and doing work on the inside of the Logan Park Building.

Council Member Devin Conner – He also asked about Lake Tanko and commented on the patch on 6th Street.

OLD COUNCIL BUSINESS**A. CONVENE AS THE CHERRYVALE LAND BANK TO DISCUSS PROPERTY DONATION STATUS**

Presented by Jonathan Booe, City Administrator

Council Member Conner made a motion to adjourn as Cherryvale City Council and convene as the Cherryvale Land Bank to discuss property donation at 6:05 p.m., seconded by Council Member Whittley. Motion passed 3/0

After some discussion, **Council Member Strickland made a motion to proceed with contacting an engineer to look at the building and table this until the August 7th meeting, seconded by Council Member Whittley. Motion passed 3/0.**

Council Member Conner made a motion to adjourn as Cherryvale Land Bank and reconvene as Cherryvale City Council at 6:11 p.m., seconded by Council Member Strickland. Motion passed 3/0.

NEW COUNCIL BUSINESS**A. PUBLIC HEARING ON 313 S. NEOSHO ST.: STRUCTURE UNFIT FOR HUMAN HABITATION**

Presented by Jonathan Booe, City Administrator

Council Member Conner made a motion to open the public hearing at 6:12 p.m., seconded by Council Member Whittley . Motion passed 3/0.

There were no public comments.

Council Member Conner made a motion to close the public hearing at 6:13 p.m., seconded by Council Member Strickland. Motion passed 3/0.

B. PUBLIC HEARING ON 315 W. 2ND ST.: STRUCTURE UNFIT FOR HUMAN HABITATION

Presented by Jonathan Booe, City Administrator

Council Member Whittley made a motion to open the public hearing at 6:14 p.m., seconded by Council Member Conner . Motion passed 3/0.

The owner of the property, Erick Mejia Alvarado, addressed the council and stated that he intends to improve the property by reroofing it, putting in new windows, replacing the balcony and remodeling the inside. After some discussion, **Council Member Whittley made a motion to table moving forward with the process at this time and allow the owner 90 days to make improvements to the property at 315 W. 2nd St., seconded by Council Member Strickland. Motion passed 3/0.**

Council Member Conner made a motion to close the public hearing at 6:19 p.m., seconded by Council Member Whittley. Motion passed 3/0.

C. 2ND QUARTER 2023 TREASURER’S REPORT

Presented by Jonathan Booe, City Administrator

Council Member Whittley made a motion approve publication of the treasurer’s report as presented, seconded by Council Member Strickland. Motion passed 3/0.**D. OPEN DISCUSSION ON WATER PURCHASE CONTRACT**

Presented by Jonathan Booe, City Administrator

E. APPROVAL OF SPECIAL MEETING DATE & TIME

Presented by Jonathan Booe, City Administrator

Council Member Strickland made a motion to have a special meeting on Monday, July 31st, 2023 at 6:00 p.m. in the Cherryvale City Council Chambers to discuss the budget hearing and the water purchase contract, seconded by Council Member Conner. Motion passed 3/0.**F. CONSENT AGENDA**

Presented by Gary Minnich, Mayor

RECOMMENDED ACTION: Approve the consent agenda as presented:

1. Appropriations and Payroll Ord. No. 23-07-07 **\$368,208.98**
 - a. Approval of Purchases over \$5,000
 - i. Evergy (Electric) \$ 7,170.78
 - ii. Green Environmental (Trash Service) \$ 17,083.02
 - iii. KPERS (Retirement) \$ 6,259.14
 - iv. People’s State Bank (Payroll Taxes) \$ 8,269.89
 - v. Public Wholesale Water (Treated Water) \$ 27,375.00
 - vi. J Graham Construction (KDOT Grant) \$254,791.77
2. Approval of the minutes for the July 5, 2023 regular meeting.

Council Member Whittley made a motion to approve the consent agenda as presented, seconded by Council Member Strickland. Motion passed 3/0.**INFORMATIONAL ITEMS**

1. Special Council Meeting Monday, July 31st, 2023 at 6:00 p.m.
2. Next City Council Meeting is Monday, August 7th, 2023 at 6:00 p.m.

ADJOURNMENT**A motion was made by Council Member Strickland, seconded by Council Member Whittley to adjourn the meeting at 6:40 p.m. Motion passed 3/0.**

Respectfully submitted by,

 Karen Davis, City Clerk

CITY OF CHERRYVALE
MEETING OF THE CITY COUNCIL
SPECIAL MEETING
JULY 31, 2023
6:00 p.m.

Working for a better tomorrow... today.

ORDER OF BUSINESS

CALL MEETING TO ORDER

Mayor Gary Minnich called the meeting to order at 6:00 p.m.

Present: Mayor Gary Minnich, Council Member Norman Johnson, Council Member Curtis Whittley, Council Member Steve Strickland, Council Member Devin Conner, City Administrator Jonathan Booe, City Clerk Karen Davis, Ken McNickle, April Read, and Jeff Chubb.

ROLL CALL

City Clerk Karen Davis took roll:

Mayor Minnich – Present; Council Member Johnson – Present; Council Member Whittley – Present; Council Member Strickland – Present; Council Member Conner – Present.

NEW BUSINESS

1. Budget Hearing

City Administrator Booe explained the budget timeline and deadlines.

After some discussion **Council Member Whittley made a motion to have a special meeting for the budget hearing on Monday, August 14th, 2023 at 6:00 p.m. in the City Council Chambers, seconded by Council Member Johnson. Motion passed 4/0.**

Council Member Whittley made a motion to have a special meeting to approve the 2024 budget on Monday, August 14th, 2023 at 6:00 p.m. in the City Council Chambers, seconded by Council Member Johnson. Motion passed 4/0.

2. Water Purchase Contract

This was discussion only. There were questions directed at Ken McNickle and Jeff Chubb regarding the proposed contract.

ADJOURNMENT

A motion was made by Council Member Conner, seconded by Council Member Johnson to adjourn the meeting at 6:52 p.m. Motion passed 4/0

Respectfully submitted by,

Karen Davis, City Clerk