

CITY OF CHENEY

MEETING OF THE REGULAR CITY COUNCIL

**131 N MAIN ST
COUNCIL CHAMBERS, CITY HALL
August 13, 2015; 7:00 P.M.**

HONORABLE MAYOR BALL AND MEMBERS OF THE COUNCIL

CALL MEETING TO ORDER

Mayor Linda Ball declared a quorum present at 7:00 pm and called the regularly scheduled meeting to order.

MEMBERS PRESENT

Council member present were Jeff Albers, Carl Koster, Philip Mize, Greg Kampling, and Judy Lehner. Staff present were Police Chief Ken Winter, Maintenance and Fire Chief Brad Ewy, Director of Golf Kevin Fowler, City Clerk Danielle Young, City Attorney Austin Parker, City Administrator Randall Oliver. Guests present were Shawn Rooker, Jonah Galloway, Chuck Beth- SCKEDD, and Travis Mounts- TSN.

PLEDGE OF ALLEGIANCE TO THE AMERICAN FLAG

OPEN MEETING TO THE PUBLIC

Mayor Linda Ball opened the public hearing for the 2016 budget.
No one from the public made a comment on the budget.

PUBLIC HEARING ON THE PROPOSED 2016 CITY OF CHENEY BUDGET

Council member Jeff Albers moved to close the public hearing on the proposed 2016 budget at 7:04 pm.
Council member Carl Koster seconded the motion. Motion carried unanimously.

IN ACCORDANCE WITH NOTICE PUBLISHED ON AUGUST 6, 2015, IN THE TIMES SENTINEL, A PUBLIC HEARING IS HELD BY THE GOVERNING BODY RELATING TO THE PURPOSE OF CONSIDERING AN APPLICATION TO BE SUBMITTED TO THE KANSAS DEPARTMENT OF COMMERCE FOR SMALL CITIES COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS UNDER THE ECONOMIC DEVELOPMENT CATEGORY

Council member Jeff Albers removed himself from his Council chair and abstained from voting and discussion.

Mayor Ball opened the public hearing at 7:04 pm.

Chuck Beth, SCKEDD, stated the CDBG grant for Albers Finishing and Solutions' sewer line had a typographical error of \$\$561,290. It should have read \$1,569,290. The application was rejected because of the error. The corrected ad was published in the

paper and the new application will need to be signed. Chuck Beth apologized for the error.

CLOSE PUBLIC MEETING

Council member Carl Koster moved to close the public hearing at 7:07 pm.
Council member Judy Lehner seconded the motion. Motion carried 4-0.

DETERMINE AGENDA ADDITIONS

City Administrator Oliver distributed a revised agenda.

CONSENT AGENDA

All matters listed on the Consent Agenda are considered one motion and will be enacted by one motion. There will be no separate discussion on these items. If discussion is desired, that item will be removed from the Consent Agenda and will be considered separately.

- a) Approve bills list.
- b) Approval of minutes for the July 16, 2015 City Council meeting
- c) Building Permit – 409 Cherry Oaks- Chapman Construction
- d) Building Permit- 204 E 4th- Jones Building & Remodel
- e) Building Permit- 521 W Cherry Oaks Ct- Jeremy Spexarth Construction
- f) Building Permit- 512 E 2nd- Chad Harrison
- g) CMB License- Rena Mies- Special Event August 22nd, 2015
- h) Mechanical Permit- 411 N Wolf- Becker Brothers
- i) Pool Permit- 322 Greenwood Ct- Superior Pools
- j) Roofing Permit- 505 W 6th- Kansas Roofing and Remodeling
- k) Roofing Permit- 418 Quail Run Ct- Kelly Patterson
- l) Roofing Permit- 644 N Wolf- Eaton Roofing
- m) Roofing Permit- 133 N Washington- Stebbins Construction
- n) Siding Permit- 202 Harrison- Scott Schauf
- o) Siding Permit- 227 Harrison- Continental Siding Supply Inc

Council member Greg Kampling moved to adopt the consent agenda as listed.
Council member Philip Mize seconded the motion. Motion carried unanimously.

PUBLIC AGENDA

Shawn Rooker, new resident of Cheney, is sincerely interested in living more sustainably. He and his family would like to produce more of their own food. With the price of eggs at \$4.19/dozen, he asked Council to allow hens within the city limits. Rooker stated many communities allow hens and the City of Wichita allows up to 3 hens without a permit and 12 hens with an annual permit. Roosters are not allowed in Wichita.

Rooker asked the city council to remove chickens from city's livestock definition. He specifically asked for hens to be allowed and requested up to a certain amount without a permit and more with a permit.

Council member Koster asked to defer the item until staff can contact the League for recommendation and check with other cities.

Attorney discussed bird flu and the impact on neighbors.

Rooker had discussed chickens with one of his neighbors and they didn't have any

problems. Other people in the community have been supportive of the idea. Oliver noted that a resident on the east side of town received a letter last year to remove their chickens.

Young said she could ask list serve on which cities allow chicken, fencing requirements, and research bird flu in hens. Odor and containment was also a concern that should be addressed in the code.

The item was tabled until next month.

OLD BUSINESS

CONSIDERATION OF RESOLUTION 264-2015

Administrator Oliver stated that the resolution was required by the state if taxation exceeded consumer price index.

Council member Carl Koster moved to approve Resolution 264-2015

Council member Greg Kampling seconded the motion. Motion carried unanimously.

NEW BUSINESS

CONSIDERATION OF ADOPTING THE 2016 BUDGET

Administrator Oliver stated that proper notification, advertisement, and public hearing had been held for the 2016 budget.

Council member Carl Koster moved to adopt the 2016 budget as presented.

Council member Judy Lehner seconded the motion. Motion carried unanimously.

CONSIDERATION OF DONATION FOR MAKE A DIFFERENCE DAY

Make A Difference Day will be held on October 24th.

Council member Jeff Albers moved to donate \$250 to the annual Make A Difference Day.

Council member Greg Kampling seconded the motion. Motion carried unanimously.

CONSIDERATION OF SIGN EASEMENT

Oliver stated a sign easement has been requested for a 60' triangle at the northwest corner of Main Street and Macarthur Rd on the west side. Mr. Wolf has signed the agreement.

Council member Greg Kampling moved to approve the easement and authorized Mayor to sign.

Council member Judy Lehner seconded the motion. Motion carried unanimously.

CONSIDERATION OF VERIZON LEASE AGREEMENT

Administrator Oliver stated that Verizon would like to install cellular antennas on top of the water tower. Verizon has presented the City with a lease of \$4800/annual rent and 2% escalator.

Oliver asked Verizon to change the layout and to place the building north of the water tower. They would use a portion of the current driveway. The park land was donated by Don Albers and Roger Zerener. Oliver would like to ask them if it's okay to place the permanent structure on the land. Oliver created a spreadsheet showing the payment escalator. It was stated that the City would need to collect \$675/month in order to obtain a comparable rate that is received from AT&T. Oliver suggested \$700-800 with 2 or 3%

escalator since the City is providing the structure and land. Attorney Austin Parker stated another city is also negotiating terms and \$800 and a 3% escalator is well within range of what other cities are negotiating.

Ewy recommended asking Verizon to allow the City to use Verizon's generator to run the water tower.

Oliver will let Verizon know with the counter offer that we will be painting the water tower soon.

Council member Carl Koster moved to counter with \$1000/month and 3% escalator and be able to use Verizon's generator to run the water tower.

Council member Greg Kampling seconded the motion. Motion carried unanimously.

CONSIDERATION OF PURCHASING A SEWER GRINDER PUMP FOR THE BALL DIAMOND COMPLEX FROM ENVIRO-LINE CO. INC.

Oliver stated that the City had agreed to provide sewer and water service to the ball diamond complex. The City will also run 1500' of sewer line to the project.

Council member Greg Kampling moved to purchase a sewer grinder pump from Enviro-Line Co. Inc for \$4,950.00 plus freight.

Council member Carl Koster seconded the motion. Motion carried unanimously.

CONSIDERATION OF AGREEMENT WITH AGING PROJECTS LLC

Clerk Young stated that the City currently has an agreement with the American Red Cross to provide meals to the Senior Citizens. Aging Projects will be taking over the program and a new agreement is needed. Attorney Parker reviewed the agreement and noted there were a few legal modifications needed.

Council member Jeff Albers moved to approve the agreement subject to legal modifications.

Council member Philip Mize seconded the motion. Motion carried unanimously.

CONSIDERATION OF AGREEMENT CONCERNING PROPERTY FOR THE BASEBALL/SOFTBALL COMPLEX

Attorney Parker drew up an agreement between City, USD 268, and Recreation Commission. It has gone through several different drafts and negotiated with the school and recreation commission. Both entities have approved the agreement. Attorney stated legally it is in good order.

Council member Carl Koster moved to approve the agreement.

Council member Greg Kampling seconded the motion. Motion carried unanimously.

CONSIDERATION OF CHANGE ORDER FOR SEWER REHAB PROJECTS

Oliver reported that Layne Inline has requested a 45 day delay of suspension in their work. They have another project that has been rained out at another location for almost a year and need a few more days to finish it. Oliver did not see any harm in allowing the delay.

Council member Philip Mize moved to approve the temporary suspension up to 45-calendar days.

Council member Judy Lehner seconded the motion. Motion carried unanimously.

CONSIDERATION OF ANTIVIRUS AND MALWARE RENEWAL

Oliver noted that the two year antivirus and malware is up for renewal for the computers.

Council member Judy Lehner moved to renew the software for \$2,835.00 for a two-year period.

Council member Jeff Albers seconded the motion. Motion carried unanimously.

CONSIDERATION OF PURCHASING POOL SHADES AND LADDER FOR SLIDE

Clerk Young presented quotes for two different types of shade structures. Staff would like to add shade to the concrete area on the north side of the pool.

Safety of the pool slide was also discussed. Young stated that she has contacted the manufacturer and a staircase ladder is available for purchase to replace the ladder.

Council member Phil Mize moved to purchase two shade structures for \$2596.00 plus shipping of \$625.05 from USA Shade and spend up to \$5000 for the pool staircase.

Council member Jeff Albers seconded the motion. Motion carried unanimously.

CONSIDERATION OF STREET WORK

Maintenance Superintendent Ewy asked APAC and Andale to come out and look at streets and bid the work. It was believed that concrete street pricing would be comparable to asphalt work.

Oliver stated in comparing the two bids that on Adams Street between 6th and 7th (Item 4,5,6) Andale's square foot price was \$68,000 to do it in concrete and APAC was just under \$37,000.

Staff recommended asking the school district to pay the cost of replacing Adam's street between 6th and 7th. The street was just rebuilt in 2011, but the trucks from the construction have torn it up.

APAC's plan and pricing for Santa Fe St is to use a reclaimer machine, which will till up the base, blade and pack it. The city would then slurry seal it. APAC cost would be \$12,000 and City's cost to slurry seal it would be \$15,000.

Council member Koster though Santa Fe should be a top priority.

Council member Kampling stated it would be nice if the school would pay for at least 2/3 of the cost for Adams St.

Council member Greg Kampling moved to hire APAC for street work not to exceed budget.

Council member Carl Koster seconded the motion. Motion carried unanimously.

POLICE REPORT

Chief Winter stated the department is still doing follow up on the car burglaries from the fair.

Winter reported that he was able to negotiate a price to purchase the police bikes from BelAire at \$300/piece. Bicycle exchange will give us a discount on minor repairs. The new patrol unit will be here any day. Officer Burns submitted his resignation effective August 24th.

Council member Carl Koster moved to regretfully accept the resignation letter from

Officer Dana Burns.

Council member Judy Lehner seconded the motion. Motion carried unanimously. Winter thanked everyone for the kind words during his mother's sickness.

Council member Koster asked about the trailers at the mobile home park with broken windows. Chief Winter stated he would take photos and submit to the Administrator.

FIRE REPORT

Chief Ewy received bids to update the cabinets at the fire station. Clupny's bid was \$3400 for new cabinets. Ewy would also like to add an electric kitchen stove. The association will pay for the improvements.

MAINTENANCE REPORT

Maintenance Superintendent stated that Inliner installed few liners already. The maintenance is trying to do sewer spot repairs. The trash truck continues to fall through the streets with all the rain.

GOLF COURSE REPORT

Director of Golf Kevin Fowler reported that Jim Richmond had resigned from his position. The club house manager position has been offered internally to Mark Scheer as an interim position. Fowler feels that a golf pro is not needed, but rather a business manager that is in touch with our community. Scheer accepted the position.

Staff recommended the club house manager position salary be lowered on the pay scale from range 20 to 18.

Council member Carl moved to make the change on the pay scale.

Council member Greg Kampling seconded the motion. Motion carried unanimously.

Fowler added that the numbers at the golf course are trending in a positive direction. The new mowers have arrived and the golf course will sell two utility carts.

ADMINISTRATOR'S REPORT

Administrator Oliver noted that he would like to issue a statement in regards to the Zoning Area of Influence with the City's position on the issue. The County is looking at getting rid of the Zoning Area of Influence.

Council member Koster suggested Oliver use his wisdom to write the letter. Oliver said he would take the suggestions from Goddard and Clearwater. Attorney Parker was afraid if the zoning area of influence is removed, it won't come back.

Oliver reported that LKM has asked for the city to thank representatives for their hard work.

Oliver presented a list of items that Brent Peintner put together and need to be addressed regarding the baseball complex.

Oliver handed out a map of gravel roads and the current code requirements for

roadways.

Birch Ct- Oliver stated the property owner on the end would like to purchase the lots to the north and build a shed. It was noted that the lots are adjacent to their home and the shed would be allowed. Oliver will instruct the homeowner. Currently code requires curb, gutter and blacktop are available for a new building. Utilities are also needed on the lots along the north side of Birch Ct. Buddy Beavers asked if he could build a shed across the street from his house. It was stated he could not because it wouldn't be an accessory structure on an adjacent lots to his house. Council member Koster stated Birch Ct is in horrible condition. Council member Kampling asked about rocking Birch St. Council member Koster asked if the homeowners would pay for rock? A ditch on the north side of the street was discussed for drainage.

Attorney Parker stated it's hard to vacate a street once it's been publically dedicated. Attorney Parker stated the city engineer would need to look at the drainage to make sure we are not creating additional problems somewhere else. Drainage on Birch Ct would create additional expense to the City, but City could spread it over specials.

A drainage easement was discussed for Birch Ct.

East 2nd Street vacant lots cannot be built on unless curb and gutter are extended to the end of the lot, which would cost about \$70,000.

Lake Rd/Santa Fe Development- Heather Lane is a gravel road. It was discussed if new development goes in, would Heather Lane also be required to have curb/gutter.

Santa Fe between Garfield and Washington- This is not a street. The City only owns 25 feet. There is an option to place a hammerhead at the end of Washington St.

Oliver reported that the League had codified the code back and had sent it back for review.

ATTORNEY'S ITEMS

Attorney Austin Parker noted that during the discussion he had reviewed at how the City deals with variances and talked with Attorney Lee Parker and the City cannot abandon Birch Ct.

CLERK'S ITEMS

Clerk Young discussed options to schedule the upcoming Christmas Party.

MAYOR'S ITEMS

Mayor Ball asked if the windows had been tinted at City Hall. It was stated they had been and they were keeping the office much cooler.

COUNCIL ITEMS

Council member Carl Koster recognized Boy Scout Jonah Galloway, who was at the meeting working on a Boy Scout badge. Koster also noted there are lights out on

Highway 54 at 383rd. Koster complimented the work on the community calendar.
Council member Jeff Albers had nothing to report.
Council member Philip Mize had nothing to report.
Council member Judy Lehner had nothing to report.
Council member Greg Kampling had nothing to report.

ADJOURN

Council member Carl Koster moved to adjourn at 9:12 pm.
Council member Jeff Albers seconded the motion. Motion carried unanimously.

Linda Ball, Mayor

(seal)

Attest:

Danielle Young, City Clerk