

CITY OF CHENEY

MEETING OF THE REGULAR CITY COUNCIL

**131 N MAIN ST
COUNCIL CHAMBERS, CITY HALL
December 10, 2015; 7:00 P.M.**

HONORABLE MAYOR BALL AND MEMBERS OF THE COUNCIL

CALL REGULAR MEETING TO ORDER

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

MEMBERS PRESENT

Council members present were Jeff Albers, Carl Koster, Greg Kampling, and Philip Mize. Judy Lehner was absent. Staff present were Police Chief Ken Winter, Maintenance and Fire Chief Brad Ewy, Director of Gold Kevin Fowler, City Clerk Danielle Young, City Attorney Lee Parker, City Administrator Randall Oliver. Guests present were Mary and Steve Bronston and Marcia Kampling.

PLEDGE OF ALLEGIANCE TO THE AMERICAN FLAG

DETERMINE AGENDA ADDITIONS

There were no agenda additions

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 October 8, 2015 City Council meeting
- a) Building Permit- Rudy's Metal Buildings- 113 E 1st Ave
- b) Building Permit- Roger Oswald Construction- 128 N Marshall St
- c) Building Permit- Trademark Inc- 703-705 Sunset Ave
- d) Building Permit- Better Built- 129 Washington
- e) Building Permit- Carolina Carports- 734 Filmore
- f) Mechanical Permit- Dan's Heating & Cooling- 226 W 3rd
- g) Mobile Home Permit- Advance Mobile Home Service- 915 N Filmore, Lot 28
- h) Plumbing Permit- 213 N Main
- i) Roofing Permit- Eaton Roofing- 506 N Garfield
- j) Roofing Permit- Eaton Roofing- 302 N Adams
- k) Roofing Permit- Rosenhagen Construction- 204 S Marshall
- l) Roofing Permit- Eaton Roofing- 326 W 3rd

Council member Carl Koster moved to adopt the consent agenda as listed.

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

PUBLIC AGENDA

Mary Bronston- 603 Garfield-requested Council's help for a setback variance.

Bronston stated the code allows fences to be built in the setback, but does not allow for her carport to be placed there. Bronston stated she was willing to put a stipulation on the variance that they would move the carport if the city ever decided to widen the road. The carport is not in the easement or street right of way.

Oliver presented a photo of the property to the Council that showed where carport was located. Oliver stated that the planning commission recently denied a variance application at Cherry Oaks. Bronston's variance had not been presented to the planning commission yet.

Council member Carl Koster didn't think the carport was going to hurt much, but didn't know about the legalities. Attorney Parker stated there is a problem under the city's zoning regulations and there are certain cases out of the Supreme Court addressing the issue.

Council member Carl Koster moved to enter into executive session pursuant to KSA 75-4319(b)(2) for attorney-client privilege for 5 minutes at 7:11 pm.

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

Council member Carl Koster moved to enter into executive session pursuant to KSA 75-4319(b)(2) for attorney-client privilege for 5 minutes at 7:16 pm.

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

Council member Jeff Albers moved to enter into executive session pursuant to KSA 75-4319(b)(2) for attorney-client privilege for 5 minutes at 7:21 pm.

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

Mayor Linda Ball stated the meeting was back in session at 7:26 pm and no binding action was taken. Attorney Parker asked to speak with Bronston in private regarding the matter.

Marcia Kampling- 738 Lincoln

(Council member Greg Kampling abstained himself from the discussion.)

Marcia Kampling reminded the Council that three years ago the City's sewer backed up in their home. Kampling's installed a backflow preventer, as instructed by the City and paid for the sewer cleanup. Unfortunately the sewer recently backed up again in their home.

Kampling did not get a restoration service this time, but they will need to replace the carpet in their basement and a few other items. Kampling requested that the city help them out because she didn't understand why the sewer has backed up again.

It was stated the backup had nothing to do with Layne Inliner repairing the main sewer line.

Maintenance Superintendent Brad Ewy stated it was a unique situation and did not know what caused the backup. The city is unable to clean from the other end of the sewer line.

Layne will camera the line and try to determine the problem.

It was stated that Kampling's sewer was the only one that went into their basement because the backflow preventer prevented their neighbors from coming back in their house.

Council member Carl Koster mentioned that several years ago the sewer backed up in his house because the city failed to inspect it. Koster had to foot the bill for his dilemma.

It was also discussed that a building was placed over the manhole of Kampling's sewer and is blocking access to the sewer.

Ewy stated that as soon as he hears from Inliner on what the problem is, he will notify

Kamplung's.

Council member Phil Mize stated the City needs to make sure the problem is fixed so it doesn't happen again.

Kamplung suggested notifying people about apps and other technology that is available to homeowners that will alert them of sewer backup.

Oliver stated that the City would turn the information provided by Kamplung into the insurance company.

CONSIDERATION OF MAYOR BALL'S APPOINTMENTS FOR 2015-2016

Mayor Ball requested confirmation on the following appointments of firemen to the Fire Department.

Thomas Bell, Scott Blackburn, David Campbell, Macay Ewy, Jackson Chance, Houston Gile, Steve Gould, Jim Guthrie, Shane Johnson, Jacque Keller, Chad McGuffey, Wade McGuffey, Karlous Molyneux, Jerry Peitz, Tim Quick, Norman Rajewski, Clint Reed, Bryce Rhodes, Taylor Siruta, Monte Viner, Trent Viner, Randy Weber, Cody Young

Council member Greg Kamplung made the motion to confirm the Mayor's appointments. Council member Carl Koster seconded the motion. Motion carried unanimously.

PRESENTATION BY ERIC MEYER OF GEORGE, BOWERMAN, AND NOEL, PA CONCERNING THE 2014 YEARLY AUDIT

Eric Meyer was not present.

CONSIDERATION OF 2016 SALARY SCHEDULE

City Administrator Randall Oliver stated that the normal and maximum rates of the salary schedule were adjusted 3%. The minimum range was left alone.

Council member Philip Mize asked what determined where an employee is at on the pay scale. Oliver explained that pay wages are determined when employees are hired.

Council member Carl Koster moved to adopt Resolution No. 226-2015, 2016 salary schedule.

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

CONSIDERATION OF CHANGES TO THE FEE SCHEDULE

Oliver explained that changes were made to the fee schedule. Residential trash will increase .50. Koster questioned parabolic antenna charge. Attorney Parker stated the Supreme Court will not allow the City to charge for an incarceration fee. A set to trial fee was added. Council member Philip Mize moved to adopt Resolution No. 267-2015 Schedule of Service, License and Permit Fees.

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

CONSIDERATION OF PURCHASING A WATER TANK AND PUMP FOR THE 6-BY FIRE TRUCK

Fire Chief Ewy stated the department had received the K-State Forestry grant for \$4,999 and would like to purchase a tank and pump for the 6-by-6 truck.

Council member Carl Koster moved to purchase a tank and pump for \$12000 from Blanchat.

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

CONSIDERATION OF THE NEW HOME INCENTIVE PROGRAM

Oliver reported that Council had approved the new home incentive for 2015. Oliver surveyed the area managers and 50% said they are doing away with their incentive program. Oliver didn't think there were numbers to quantify the incentive.

Council member Greg Kampling moved to end the incentive program effective Dec 31, 2015.

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

CONSIDERATION FOR 2016 HEALTH AND DENTAL INSURANCE COVERAGE FOR EMPLOYEES

Administrator Oliver mentioned that the city shopped around for health insurance. United had comparable prices and Aetna was much higher because the new plans were age based.

Blue Cross and Blue Shield renewal rates came back at a 15.78% increase. Last year rates decreased. Dental Insurance rates remained relatively the same.

Council member Philip Mize moved to approve the Blue Cross/Blue Shield Choice Comprehensive Plan for 2016.

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

CONSIDERATION OF END OF YEAR TRANSFERS

Oliver recommended Council approve that the end of the year transfers be made.

Council member Jeff Albers moved to make scheduled transfers as budgeted for 2015.

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

CONSIDERATION OF TEL-A-DOC SERVICE

Oliver explained that the tel-a-doc service would give employees 24/7 doctor access. It allows employees to call or video the doctor. It is intended to cut down on emergency visits and utilization on Blue Cross/Blue Shield. The cost is \$6.00 per full time employee and includes council members.

Council member Jeff Albers moved to approve Tel-a-doc with the City paying 100% at \$6.00 per employee per month.

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

POLICE REPORT

Police Chief Ken Winter reported that the new car had arrived and the crown Vic was traded in. The Cheney UMW donated \$300 to the police department and it will be used to purchase new flashlights for the cars. D'Mario's and Cheney Lanes sponsored pizza party for DARE.

FIRE REPORT

Fire Chief Brad Ewy reported that he will pay to send a fireman to a train the trainer course.

MAINTENANCE REPORT

Maintenance Superintendent Brad Ewy reported there were some funds left in the pool budget. Ewy will talk to Kerry Andrews about building the stairway for the pool slide. Layne Inliner is three-fourths of the way done with the sewer lines. There was a ten foot section on Shadybrook that was sagging and the maintenance department with try to raise the line.

Ewy discussed the ball diamond parking lot. A curb was poured and the city will need to come up with 5" of fill. It was estimated that 100 loads of fill material would be needed.

Ewy had natural gas public awareness quizzes for Council members to take.

GOLF COURSE REPORT

Director of Golf Kevin Fowler reported that November 2015 revenues were the best ever reported. They are still cutting grass in December. Fowler and Bryant Welch attended the turf grass conference.

ADMINISTRATOR'S REPORT

Oliver reported that the Department of Commerce has notified that there is a problem with the matching equipment from Albers and the grant has not been approved.

Oliver reported that the city is still dealing with Animated Lighting on the Christmas lights. The Attorney has drafted a demand letter for equipment that the City didn't receive. The city would like to purchase an additional 6' tree next year. A camera will be added for security.

The occupancy permit was pulled on the laundromat.

Pete Leroux would like to donate two lots at the Back Nine to the city. There are \$36,504 yet to be paid on the lots in specials. The city does not have an amount budgeted to purchase equipment for the park.

Council member Greg Kampling moved to not accept the donation.

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

ATTORNEY'S ITEMS

Attorney Parker had nothing to add.

CLERK'S ITEMS

Clerk Young had nothing to add.

MAYOR'S ITEMS

Mayor asked about grass clippings and leaves blown into the street. Attorney Parker addressed the issue and stated the Standard Traffic Ordinance speaks to it.

COUNCIL ITEMS

Council member Greg Kampling did not have anything to report.

Council member Philip Mize did not have anything to report.

Council member Jeff Albers did not have anything to report.

Council member Carl Koster did not have anything to report.

EXECUTIVE SESSION

Council member Greg Kampling moved that the City Council recess into executive session pursuant to non-elected personnel KSA 75-4319 (b)(1) at 9:22 pm for 15 minutes with City Attorney Lee Parker and City Administrator Randall Oliver.

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

Mayor Ball stated Council was back in session at 9:37 pm with no binding action taken.

Council member Carl Koster moved that the City Council recess into executive session pursuant to non-elected personnel KSA 75-4319 (b)(1) at 9:38 pm for 10 minutes.

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

Mayor Ball stated Council was back in session at 9:48 pm with no binding action taken.

Council member Jeff Albers moved that the City Council recess into executive session pursuant to non-elected personnel KSA 75-4319 (b)(1) at 9:49 pm for 10 minutes.

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

Mayor Ball stated Council was back in session at 9:59 pm with no binding action taken.

Council member Carl Koster moved allocate a 3% raise with 1.5% COLA and 1.5% merit with the exception of the police chief for a 4% raise and city clerk for a raise to \$25.00/hr.

Council member Phil Mize seconded motion. Motion carried unanimously.

ADJOURN

Council member Carl Koster moved to adjourn at 10:00 pm.

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

Mayor Linda Ball

(seal)

Attest:

City Clerk Danielle Young