

# CITY OF CHENEY

## MINUTES OF THE REGULAR CITY COUNCIL

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131 N MAIN ST  
COUNCIL CHAMBERS, CITY HALL  
January, 12, 2012 7:00 P.M.

### HONORABLE MAYOR BALL AND MEMBERS OF THE COUNCIL

#### CALL MEETING TO ORDER

#### MEMBERS PRESENT

Mayor Linda Ball declared a quorum present at 7:00 pm and called the regular meeting of the Cheney City Council to order on Thursday, January 12, 2012. Council members present were Jeff Albers, Angie Gregory, Greg Kampling, Philip Mize. City Administrator Randall Oliver, City Clerk Danielle Young, Maintenance Superintendent and Fire Chief Brad Ewy, Police Chief Howard Bishop, Cherry Oaks Maintenance Superintendent Kevin Fowler, and Cherry Oaks Pro Shop Manager Patrick Jordan. Guests Jess Theobald and Troy Reasoner. Council member Carl Koster was absent.

#### PLEDGE OF ALLEGIANCE TO THE AMERICAN FLAG

#### DETERMINE 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 December 8<sup>th</sup>, 2011 City Council meeting
- c) Building Permit- Jones Building & Remodel- 508 S. Main St.
- d) Building Permit- Widney Construction- 604 Cherry Oaks Ct.
- e) Electrical Permit- Cheney Electric- 205 Jefferson
- f) Electrical Permit- 365 Electric- 902 N. Filmore
- g) Plumbing Permit- Cummings & Fitzsimmons- 217 Taylor St
- h) Roofing Permit- Burwell Roofing- 320 E. 2<sup>nd</sup> Ave
- i) Roofing Permit- Burwell Roofing- 640 Lincoln

Council member Jeff Albers moved to adopt the Consent Agenda

Council member Angie Gregory seconded the motion. Motion carried unanimously.

#### **PUBLIC AGENDA** *(Please limit comments to 5 minutes)*

Jess Theobald of 510 Meadows Ct. questioned if there was a state law trumping City Ordinance 774. Attorney Lee Parker provided documentation from the City of Wichita where motorized scooters were the topic of discussion eight years ago. Parker stated in the Kansas City area there had been some fatalities from the scooters. The City of Wichita passed an ordinance limiting the age of being able to drive motor vehicle to operating a motorized scooter. Cheney also passed an ordinance because at the time several other towns were regulating the use of scooters. State law interprets that motorized scooters are used as a motor vehicle. Parker clarified that Cheney's ordinance states that motorized scooters may be ridden on private property.

**OLD BUSINESS**

**NEW BUSINESS**

**CONSIDERATION OF MAYOR BALL'S APPOINTMENTS FOR THE LIBRARY BOARD**

Mayor Ball requested Council to confirm Jan Reno to the Library Board to replace Jim Gillette. Mary Roembach will leave the board and Jim Gillette will replace Roembach's Vice Presidential office. The term will expire in 2014.

Council member Greg Kampling moved to confirm the Mayor's appointments. Council member Angie Gregory seconded the motion. Motion carried unanimously.

**CONSIDERATION OF ANNUAL RENEWAL OF SCHWAB-EATON ENGINEERING SERVICES.**

Schwab-Eaton has acted as the City's engineer for several years. Schwab-Eaton presented a renewal contract for 2012. Oliver stated that the City contracts with Schwab-Eaton each year and it was staff recommendation to stay with Schwab-Eaton.

Council member Angie Gregory moved to approve the renewal contract for engineering services from Schwab-Eaton, P.A. for 2012 authorizing Mayor Ball to sign. Council member Phil Mize seconded the motion. Motion carried unanimously.

**CONSIDERATION OF AN ORDINANCE NO. 849 ANNEXING AND INCORPORATING CERTAIN LAND WITHIN THE BOUNDARIES OF THE CITY OF CHENEY, KANSAS.**

The following described land, including adjacent rights-of-way, that abuts property which is within the corporate limits of the City of Cheney, Kansas, comes to the City of Cheney for annexation upon the written consent for annexation by its owners, and therefore meets one or more of the conditions for annexation prescribed in K.S.A. 12-520, is hereby annexed and incorporated within the corporate limits of the City of Cheney, Kansas, to-wit:

A tract beginning at the Northwest corner of the Southeast Quarter of Section 5, Township 28 South, Range 4 West of the 6th Principal Meridian, Sedgwick County, Kansas; thence on an assumed bearing of South 00°00'00" East, on the West line of said Southeast Quarter, a distance of 180.00 feet; thence South 89°56'10" East, on a line parallel and 180.00 feet South of the North line of said Southeast Quarter, a distance of 415.00 feet; thence North 00°00'00" West, on a line parallel and 415.00 feet East of said West line, a distance of 180.00 feet to a point on said North line; thence North 89°56'10" West, on said North line, a distance of 415.00 feet to the point of beginning. Commonly known as 2800 South 383<sup>rd</sup> St West, Sedgwick County, Kansas

Council member Phil Mize moved to approve ordinance No. 849 incorporating certain land within the boundaries of the City of Cheney, Kansas. Council member Greg Kampling seconded the motion.

Clerk Young called the Vote, Albers-yes, Kampling-yes, Koster-absent, Gregory-yes, Mize-yes.

**CONSIDERATION OF ENTERING INTO AN AGREEMENT WITH AMERICAN MUNICIPAL SERVICES TO PERFORM COLLECTION SERVICES FOR UNPAID WARRANTS AND CITATIONS.**

Administrator Oliver briefly spoke of entering into an agreement with AMS at the December meeting. Since the last meeting Attorney Lee Parker spoke with Judge Keith for his opinion on the collection agreement.

The agreement would be an open ended contract subject to 30 days by either party. Attorney Parker stated that he reviewed the indemnification clause. AMS will receive a fee of 33%, which will be tacked onto the amount owed so there will be no cost to the City. It was stated the City currently uses the State Setoff program, but AMS would be able to collect using other venues than just Kansas tax refunds.

Council member Jeff Albers moved to approve the collection agreement with American Municipal Services.  
Council member Angie Gregory seconded the motion. Motion carried unanimously.

**POLICE REPORT**

Mayor Ball stated that several people have commented that they are pleased to see the police reports in the newspaper again.

Police Chief Howard Bishop asked for Mayor Ball to appoint Gary Davis as a part time officer. Mayor asked if there was money in the budget to pay for a part time officer. Chief Bishop stated there was a line item for part time help.

Mayor Ball also asked about Gary Davis' son being on the force and working in the same department. Mayor Ball asked if the personnel policy addressed the issue. Mayor Ball asked to table the item until next month to review the issue.

**FIRE REPORT**

Fire Chief Brad Ewy stated they would put a foam unit on the truck chassis they purchased a few months ago, so they have a better truck for oil fires.

**MAINTENANCE REPORT**

Maintenance Superintendent Brad Ewy stated he was looking at updating to a newer model of dump truck from the State. Mize asked if these trucks would have blades on the front. Ewy stated they would have a blade.

Ewy stated he would discuss more regarding his department during the workshop session.

**GOLF COURSE REPORT**

Cherry Oaks Maintenance Superintendent Kevin Fowler outlined some projects planned for this year. Fowler would like to finish the Back 9 cart paths, the concrete around the maintenance building, and landscaping with a sprinkler system.

Fowler stated Midwest Laser Leveling is going to expand the tee box on #2 and #7. He has also been discussing a sand trap or two on the Back Nine north of 17 green. Fowler reported he is planning on planting more trees and rebuilding the Front 9 Pump house.

Cherry Oaks Pro Shop Manager Patrick Jordan provided year end numbers. Rounds in 2011 were finally over 18,000. In 2012, Cherry Oaks added two new rates, a family rate and a 5-hole junior loop. A family golf clinic, beginner's clinic, and senior league have also been added to the schedule. Jordan ordered 100 golf cart batteries for the fleet. Jordan stated they are planning on removing the carpet from the club house and laying tile on the floor surface.

### **ADMINISTRATOR'S REPORT**

City Administrator Randall Oliver passed around the sign-up list for the Home Show on February 9-12<sup>th</sup>.

Oliver stated that the Cheney Veterans have asked to put a list for review at City Hall of Veteran's names to be included on the Veteran's Memorial Wall.

Oliver informed Council of an informational meeting scheduled for property owners being affected by the Safe Routes to School grant in February 6<sup>th</sup> at 7pm. It will be in the paper and a letter will be sent to each property owner.

Oliver passed around a draft of rules and regulations for a new Community Digital sign. Oliver stated the main questions are, "Should we allow advertisement? How long will an ad run?" Oliver has received a quote on a 4 foot by 8 foot two sided sign for roughly \$15,000. Oliver asked for Council members to review the draft for comments. Mayor Ball asked about getting electricity to the sign and the cost. Oliver said it would be LED and didn't think it would cost very much. Attorney Lee Parker recommended there be a generator hook-up for emergency situations. Council was in favor of looking further into the digital sign.

Oliver stated the Chamber Banquet has been set for February 20<sup>th</sup>.

Oliver also reported that the expenses came in under budget and revenues were over budget for 2011.

### **ATTORNEY'S ITEMS**

Attorney Lee Parker has nothing to report.

### **CLERK'S ITEMS**

City Clerk Danielle Young read a thank you from Piper Jaffrey regarding the bond issuance.

### **MAYOR'S ITEMS**

Mayor Ball had nothing to report.

### **COUNCIL ITEMS**

Council member Albers had nothing to report.

Council member Philip Mize asked if there was a set procedure if a disaster happens.

Maintenance Superintendent and Fire Chief Ewy stated there is a set disaster plan.

Mize also stated his concern about the condition of City Hall. During the rain, water has come through the walls and windows. Mayor also mentioned the ceiling has dropped in the women's bathroom. Council asked staff to get a quote from Aztec Stucco and Stone to stucco the outside of City Hall.

Mize also discussed the idea of connecting City Hall and the Library, by closing 1<sup>st</sup> Ave. Drawings of the area were made a few years back. Mayor asked if there could be a grant to do this. Young stated that the Streetscape grant might qualify.

Council member Angie Gregory had nothing to report.

Council member Greg Kampling had nothing to report.

**WORKSHOP—Swimming Pool**

Maintenance Superintendent Ewy addressed the roof of the bath house at the swimming pool. Ewy looked at replacing the existing roof with a pitched roof and overhang instead of flat roof.

Ewy stated the women’s bathroom also needs to be remodeled. Ewy would like to do away with a few showers, extend the toilet stalls, add a baby changing station, and take out the carpet.

Other items discussed were adding refrigerated vending machines, adding shade umbrellas on the east and north ends of the swimming pool. Creating new parking by tearing out the existing sidewalk was also discussed.

A Splash Park was also discussed and Ewy was instructed to get a rough estimate on the cost.

**ADJOURN**

Council member Jeff Albers moved to adjourn at 9:30 p.m.

Council member Angie Gregory seconded the motion. Motion carried unanimously.

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Linda Ball, Mayor

(seal)

Attest:

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Danielle Young, City Clerk