

CITY OF CHENEY

MINUTES OF THE REGULAR CITY COUNCIL

131 N MAIN ST
COUNCIL CHAMBERS, CITY HALL
June 13th, 2013; 7:00 P.M.
HONORABLE MAYOR BALL AND MEMBERS OF THE COUNCIL

CALL MEETING TO ORDER

MEMBERS PRESENT

President Philip Mize declared a quorum present at 7:00 pm and called the regular meeting of the Cheney City Council to order on Thursday, June 13, 2013. Council members present were Carl Koster, Philip Mize, Greg Kampling, Jeff Albers, and Judy Lehner. Staff present were City Administrator Randall Oliver, City Clerk Danielle Young, police Chief Howard Bishop, Cherry Oaks Pro Shop Manager Jim Richmond, Cherry Oaks Maintenance Superintendent Kevin Fowler, Fire Chief and Maintenance Superintendent Brad Ewy, and Attorney Lee Parker and Austin Parker. Guests present were Michael Buhler- Times Sentinel Newspaper, Jerry Leroux. Mayor Linda Ball was absent.

PLEDGE OF ALLEGIANCE TO THE AMERICAN FLAG

DETERMINE AGENDA ADDITIONS:

City Administrator Randall Oliver added Bull Blowout Sponsorship and North American Bancard Agreement to the 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 May 9, 2013 City Council meeting
- c) Building Permit – Carol Bloodworth- 107 Washington
- d) Building Permit- Andrew Schmidt- 412 N Garfield
- e) Building Permit- RVM- 304 Lakeside Ct
- f) Building Permit- Karlous Molyneux- 814 N Lincoln
- g) Demolition Permit- Sedgwick County Fair- 312 S Main
- h) Demolition Permit- 915 Filmore Lot 7
- i) Electrical Permit – Cheney Electric- 925 Sunset
- j) Roofing Permit- Mark Smarsh- 325 Birch Ct
- k) Roofing Permit- Larry Booze Roofing- 39198 W 39th St S
- l) Roofing Permit-
- m) Sewer Inspection- Sedgwick County Fair

Addition: Cereal Malt Beverage License for Bret Albers- contingent upon completed background check

Council member Carl Koster moved to adopt the Consent Agenda as amended.

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

PUBLIC AGENDA:

No one was present to speak at the public agenda.

OLD BUSINESS

NEW BUSINESS

CONSIDERATION OF SHARED-USER AGREEMENT WITH KANSAS DEPARTMENT OF TRANSPORTATION TO ALLOW THE CITY TO OPERATE OUR COMMUNICATIONS EQUIPMENT ON THE STATE OF KANSAS' 800 MHz DIGITAL P25 RADIO COMMUNICATION SYSTEM

Attorney Lee Parker reviewed the document. The agreement stated the City could terminate the agreement for any reason. Police Chief Howard Bishop commented that KDOT would like to charge every user a fee, but he was not sure what the charge would be.

Council member Carl Koster moved to approve the Mayor to sign the agreement with KDOT as long as no fees are charged. If fees are incurred the agreement will be reviewed.

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

CONSIDERATION OF SELLING CERTAIN LAND OWNED BY THE CITY, 38.5 ACRES LOCATED ON THE EAST SIDE OF CHENEY

City Administrator Randall Oliver produced a map of the 38.5 acres owned by the City. The map showed the property split into two lots, one lot being an 8+/- acres with no floodplain. Oliver stated that the property could be sold at auction or listed with a realtor. Oliver noted that an auction might generate more interest. The smaller parcel would be sold first and then the larger parcel. If it does not sell at auction, the City would still have to pay for advertising but the auctioneer would not collect the 5% commission unless sold. A realtor would charge 6% commission. A drainage easement would be attached to the property. The City has no current plans for the property. The shed, located on the property, is in the floodplain. The City currently uses the property to access the old sewer plant, but will obtain a 100 ft easement on the property.

Council member Greg Kampling moved to approve the sale of certain land at auction owned by the city in two parcels and sign the completion of project certificate.

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

CONSIDERATION OF PURCHASING THREE RADARS FOR THE POLICE DEPARTMENT

Police Chief Howard Bishop noted that the current radars are from 1999 and the radar

shop in Wichita could calibrate and service the new radars.

Council member Carl Koster moved to approve the purchase of three radars from Stalker Radar for \$4,837.50.

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

CONSIDERATION OF APPLYING FOR AN EXEMPTION TO EXEMPT CERTAIN MUNICIPAL BUILDINGS FROM THE CONCEALED CARRY REQUIREMENTS UNTIL JANUARY 1, 2014 TO ASSESS OUR BUILDINGS AND DETERMINE OUR PLAN FOR CONCEALED WEAPONS

The League of Kansas Municipalities produced a briefing on the Conceal and Carry bill. The City could apply for an exemption until the first of the year, which would give the City time to study the buildings. Oliver noted that larger communities are going to apply for a 4 year exemption, but a majority of the smaller cities plan to apply for the six month exemption. Council member Carl Koster believed that there could be further development on the bill and wands and metal detectors may be financially problematic.

Council member Carl Koster moved to apply for a six month exemption from HB 2052 for City Hall and Library.

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

CONSIDERATION OF OFFERING UTILITY INCENTIVES FOR NEW HOUSING STARTS

Oliver stated that the City had had one house start in 2013. Resolution 241-2013 would waive the tap fees for water, sewer, and gas utility connections for new construction for Jan 1, 2013-Dec 31, 2013. About 90% of cities in Sedgwick County offer an incentive. Council member Greg Kampling thought it was a good idea to try it. He stated that if someone builds a new house the city will get the taxes. The incentive can be revisited in December when it expires.

Council member Jeff Albers moved to pass Resolution 241-2013 waiving Cheney Utility connection fees for new residential homes.

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

CONSIDERATION OF ADOPTING A WELLNESS POLICY FOR THE CITY EMPLOYEES

The City of Cheney staff has formed a Wellness Committee to help promote healthier lifestyles. Incentives will be included for people who participate in the program throughout the year.

Council member Greg Kampling moved to adopt the Cheney Wellness Policy.

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

CONSIDERATION OF A RESOLUTION CERTIFYING UTILITY FEES AND CHARGES UNPAID TO THE CITY OF CHENEY, KANSAS

The resolution would certify the unpaid amount of \$222.87 for the property address of 307 Filmore by the governing body. The resolution would be filed with the county to assess the amount on the property taxes.

Council member Carl Koster moved to adopt Resolution 240-2013.

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

SPONSORSHIP TO SEDGWICK COUNTY FAIR BULL BLOWOUT

Danny McDorman asked the City for \$200 to sponsor the Bull Blowout at the Sedgwick County Fair. The Chamber approved the split sponsorship on Tuesday.

Council member Jeff Albers moved to approve the \$200 split sponsorship to the Bull Blowout.

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

NORTH AMERICAN BANCARD AGREEMENT

Sekure Merchant Solutions, broker, presented an agreement from North American Bancard for Cherry Oaks Golf Course. The agreement would decrease the current cost per transaction and processing fee. The Attorney reviewed the agreement.

Council member Carl Koster moved to accept the North American Bancard Agreement authorizing Administrator Randall Oliver to sign the agreement as long as no personal guarantee is required.

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

POLICE REPORT

Council member Jeff Albers moved to accept Officer Mike Jewell's resignation effective June 7, 2013.

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

The Police Department received several applications for the current police officer opening.

The department is still waiting on the new car. There is a hold up on the equipment and shipper.

FIRE REPORT

Fire Chief Brad Ewy reported they were still looking for a truck.

MAINTENANCE REPORT

Maintenance Superintendent Brad Ewy stated the sidewalk project is near the end and grass was seeded today.

There are several ADA ramps that need to be completed by the City from several years ago.

Ewy and Oliver has discussed the option to place a sidewalk from the Back Nine at Cherry Oaks by having them come through golf course. Pedestrians will then be able to walk the outside edge of the golf cart paths. Ewy would like to contact Scott Lehner and get the project started. On the southeast side of the golf course, a concrete sidewalk will tie the sidewalk on northeast side of high school and the bike lane together.

The maintenance department is also looking for a small roller for approximately \$30,000 to patch streets.

GOLF COURSE REPORT

Cherry Oaks Manager Jim Richmond reported that rounds were down in May, but June

revenue was looking good. Next Tuesday, Cherry Oaks will host the KGA Junior Tournament and the Friends of Cherry Oaks Tournament will be on June 23. Cherry Oaks Maintenance Superintendent Kevin Fowler had nothing to add to his report.

ADMINISTRATOR'S REPORT

Administrator Randall Oliver stated the 60 foot easement on the Bell property had been filed.

A sign-up sheet to work the Sedgwick County Fair booth was passed around.

Oliver spoke about the water interconnect line between Garden Plain and Cheney.

There are elevation issues that will have to be worked out, but next month Oliver hopes to have hard numbers and an agreement of how it would work.

Oliver will also have a budget to be considered at the July meeting.

The Household Hazardous Waste collection site will be at the Cheney Maintenance Shop on June 22nd.

ATTORNEY'S ITEMS

Attorney Lee Parker had no items to discuss.

CLERK'S ITEMS

City Clerk Danielle Young had no items to discuss.

MAYOR'S ITEMS

Mayor Linda Ball was absent.

COUNCIL ITEMS

Council member Carl Koster stated he attended the REAP meeting. They had a presentation on demographics of the area and Sedgwick County is not aging as fast as the rest of Kansas.

Koster also asked about the plans for Santa Fe Street. Oliver noted that the Santa Fe Street transaction was not final yet. Property owner, Allen Young, had questions about the contract.

Council member Jeff Albers asked about the confidentiality of e-mails and asked if the City could set up an e-mail address for the council members.

Council member Philip Mize asked about the trash cans that were supposed to be taken to the golf course.

EXECUTIVE SESSION

Council member Carl Koster requested that the City Council recess into executive session pursuant to the attorney-client privilege, K.S.A. 75-4319(b)(2) for 5 minutes at 8:25 pm.

Council member Greg Kampling seconded the motion. Motion carried unanimously. President Phil Mize stated Council was back in session at 8:30 pm with no binding action taken.

ADJOURN

Council member Carl Koster moved to adjourn at 8:30 pm.

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

Mayor Linda Ball

(seal)

Attest:

Danielle Young, City Clerk