

CITY OF CHENEY

MINUTES OF THE REGULAR CITY COUNCIL

131 N MAIN ST
COUNCIL CHAMBERS, CITY HALL
September 12, 2013; 7:00 P.M.
HONORABLE MAYOR BALL AND MEMBERS OF THE COUNCIL

Members Present

Mayor Linda Ball declared a quorum present at 7:00 pm. Council members present were Carl Koster, Jeff Albers, Phil Mize, Judy Lehner, and Greg Kampling. Staff present was Police Chief Howard Bishop, Cherry Oaks Pro Shop Manager Jim Richmond, Cherry Oaks Maintenance Superintendent Kevin Fowler, Fire Chief and Maintenance Superintendent Brad Ewy, City Administrator Randall Oliver, City Clerk Danielle Young and Attorney Lee Parker. Guests present were Bill Morris, Travis Mounts- Times Sentinel Newspaper and Trisha Parker.

PLEDGE OF ALLEGIANCE TO THE AMERICAN FLAG

DETERMINE AGENDA ADDITIONS

City Administrator Randall Oliver stated there were no 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 Aug 08, 2013 City Council meeting
- c) Building Permit- 508 N Quail Run- Andrea Blundel
- d) Building Permit- 726 Filmore- Mary Gish
- e) Building Permit- 518 W 5th- Marty Kendrick
- f) Concrete Permit- 117 N Main- Ayala Construction
- g) Electrical Permit- 307 Filmore- A & R Properties
- h) Electrical Permit- 915 Filmore Lot 29- Darla Barnett
- i) Mechanical Permit- 412 Shadybrook- Cheney Electric Service
- j) Mobile Home Permit- 915 Filmore Lot 14- Kevin Marsh
- k) Roofing Permit- 411 Teal Lane- Wichita Roofing & Remodeling
- l) Roofing Permit- 214 Taylor- Wichita Roofing & Remodeling

Council member Jeff Albers moved to adopt the Consent Agenda as listed.
Council member Carl Koster seconded the motion. Motion carried unanimously.

Mayor Ball thanked Randy Oliver for his 40 years of outstanding service and dedication to the City of Cheney and presented him with a plaque.

PROCLAMATION

Mayor Linda Ball read "Drive 4 Pledges Day- September 19, 2013" Proclamation.

PUBLIC AGENDA

Bill Morris, who lives on Shadybrook, addressed the Council about a problem at a residence on Shadybrook that has junk vehicles and scrap metal.

Another property on Shadybrook has a tree, pick-up, and mower parked on it. Morris wanted to know what could be done with the properties. It was noted that Clerk Young had sent a letter for the tree to be removed.

OLD BUSINESS

Administrator Oliver reviewed the results from the traffic study that was requested along Hoover Road. The study found that 150-200 cars travel the road each day and the 85 percentile of cars go 45 mph. There was an occasional car going 60 mph. The county suggested a speed limit of no lower than 45 mph. The current speed limit is 55 mph.

The problem is the police cannot enforce both sides of the road and the Sherriff's office will not send out officers to enforce the other side of the road.

NEW BUSINESS

CONSIDERATION OF VOTING DELEGATE FOR THE LEAGUE MEETING IN OCTOBER

Council member Greg Kampling moved to elect Linda Ball as the voting delegate and Randall Oliver as the alternate.

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

CONSIDERATION OF AN ORDINANCE REGULATING PUBLIC OFFENSES WITHIN THE CORPORATE LIMITS OF THE CITY OF CHENEY, KANSAS; INCORPORATING BY REFERENCE THE 'UNIFORM PUBLIC OFFENSE CODE FOR KANSAS CITIES,' EDITION OF 2013, WITH CERTAIN CHANGES AND ADDITIONS; AND REPEALING SECTION 1 OF ORDINANCE NUMBER 853 AND ALL OTHER CONFLICTING ORDINANCES

Council member Carl Koster moved to adopt Ordinance 864 for the Uniform Public Offense Code for Kansas Cities.

Council member Greg Kampling seconded the motion.

Clerk Young called the vote, Albers- Yes, Kampling- yes, Koster- yes, Lehner- yes, Mize- yes.

CONSIDERATION OF AN ORDINANCE REGULATING TRAFFIC WITHIN THE CORPORATE LIMITS OF THE CITY OF CHENEY, KANSAS; INCORPORATING BY REFERECE THE 'STANDARD TRAFFIC ORDINANCE FOR KANSAS CITIES,' EDITION OF 2013, WITH CERTAIN CHANGES AND ADDITIONS; AND REPEALING SECTION 1 OF ORDINANCE NUMBER 854 AND ALL OTHER CONFLICTING

ORDINANCES

Council member Greg Kampling moved to adopt Ordinance 865 for the Standard Traffic Ordinance Code for Kansas Cities.

Council member Carl Koster seconded the vote.

Clerk Young called the vote, Albers- yes, Kampling- yes, Koster- yes, Lehner- yes, Mize- yes.

CONSIDERATION OF A SBA COMMUNICATIONS CORPORATION OFFER TO EXTEND THE TOWER LEASE OUT ANOTHER 20 YEARS

Administrator Oliver received a letter from SBA wanting to buy out the SBA lease for \$93,000. Oliver estimated a loss of \$100,000 over 20 years. They also offered extending the lease for another 20 years at the same term of 3%. Council member Carl Koster suggested a counter offer with 5% for 20 years.

Council member Greg Kampling moved to negotiate the terms at 5% annual escalation of the tower site lease for an additional 20 years.

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

CONSIDERATION OF DONATION FEE FOR MAKE A DIFFERENCE DAY

Council member Philip Mize moved to donate \$250 to the annual Make A Difference Day.

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

CONSIDERATION OF INCREASING WASTEWATER RATES

Administrator Oliver informed the Council that some of the sewer mains date back to 1919 and there is over 7 miles of 8" clay pipe that needs to be replaced with PVC. Oliver has looked at several options of replacing the lines. Oliver gave Council the option of borrowing funds to complete a larger sewer project or doing smaller sections one year at a time. Option 5, presented by Oliver, would increase revenue enough to make a loan payment on \$600,000 and replace approximately 6,000 feet of sewer main. The current sewer annual loan payment of \$80,000 will pay off in 2021. In order to generate \$44,000 for an additional loan payment, the average person would see a \$3.00 increase.

Council asked if a State Revolving Loan could be used or if it would need to be bonded. Staff will contact a financial advisor to calculate which loan would be most economical. Since interest rates are low, Council expressed interest in financing a larger sewer project.

Council member Greg Kampling moved to accept option 5 to adjust the rate proposed effective October 15, 2013.

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

CONSIDERATION OF PLAYGROUND EQUIPMENT FOR PARKS

City Clerk Danielle Young explained that Make A Difference plans to raise money towards new playground equipment. Game Time is currently offering a grant that would match 67% of whatever funds are contributed. Oliver noted that there are funds available in the budget because the payment on the Park property was not made this year since it was paid off.

Council member Philip Mize moved to contribute \$8000 towards playground equipment. Council member Carl Koster seconded the motion. Motion carried unanimously.

CONSIDERATION OF GRANTING A DRAINAGE EASEMENT TO THE CITY OF CHENEY AND A LOT SPLIT

Council member Carl Koster moved to convey and accept the granting of the 100 foot drainage easement and splitting the land into two tracts on the city owned 39+/- tract. Council member Philip Mize seconded the motion. Motion carried unanimously.

CONSIDERATION OF ADDING A LEAN-TO STRUCTURE ON THE SOUTH SIDE OF THE MAINTENANCE SHOP

Administrator Oliver stated the quoted lean-to would extend 30 feet and 14.5 feet high with two sides, roof, and support structure on south side of maintenance shop.

Council member Judy Lehner moved to accept the proposal from Design Build Construction in the amount of \$37,750.

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

POLICE REPORT

Police Chief Howard Bishop asked for council/staff to talk to him about ordinances pertaining to his department before they are passed.

Chief Bishop believed it was the administrator's job to enforce junk vehicles, trash in yard, and grass letters. He did not believe it was the police department. Mayor Ball asked the police to do these things because the police department is the one out on the street. Council member Philip Mize asked if City needed to look at what is expected of each employee.

FIRE REPORT

Fire Chief Brad Ewy discussed the airplane crash.

MAINTENANCE REPORT

Maintenance Superintendent Brad Ewy reported that they have a half a tank of oil left to finish 6th Ave.

GOLF COURSE REPORT

Cherry Oaks Maintenance Superintendent Kevin Fowler discussed the problems on the course from the prolonged wetness. They plan to aerate next week.

Cherry Oaks Pro Shop Manager Jim Richmond stated the course should have another month of good play. They will begin offering a discount in October Monday- Friday. Jim asked for anyone with ideas to discuss it with him.

ADMINISTRATOR'S REPORT

Administrator Oliver announced Government Day will be October 2nd.

ATTORNEY'S ITEMS

Attorney Lee Parker had nothing to report.

CLERK'S ITEMS

Clerk Danielle Young reminded everyone of the League Meeting October 12-14. Young contacted Waste Connections about donating a park bench for the playground project and they have confirmed that they will donate a recycled park bench. The City was able to collect funds on unpaid utilities and mowing that was sent to the County. The staff is working on converting building permits into electronic files. Young reviewed the pool data with Council.

MAYOR'S ITEMS

Mayor Linda Ball asked if residents living at the Bank 9 could own a golf cart and drive it into town? It was stated that the speed limit is too high on the roadway from the Back 9 into the City.

COUNCIL ITEMS

Council member Carl Koster asked if events on the digital sign were placed on the website. Clerk Young stated she would work on getting that done.

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.

EXECUTIVE SESSION

Mayor Linda Ball asked for a executive session to discuss non-elected personnel.

Council member Jeff Albers moved that the City Council, City Administrator, and City Maintenance Superintendent recess into executive session pursuant to non-elected personnel, K.S.A. 75-4319 (b)(1) for 20 minutes at 8:25 pm.

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

Mayor Linda Ball stated Council was back in session at 7:57pm with no binding action taken.

ADJOURN

Council member Greg Kampling moved to adjourn at 8:54 pm.

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

Mayor Linda Ball

Attest:

Danielle Young, City Clerk