

CITY OF CHENEY

MINUTES OF THE REGULAR CITY COUNCIL

**131 N MAIN ST
COUNCIL CHAMBERS, CITY HALL
August 9, 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, August 9, 2012. Council members present were Jeff Albers, Greg Kampling, Carl Koster, and Phil Mize. Staff present was City Administrator Randall Oliver, City Clerk Danielle Young, Police Chief Howard Bishop, Maintenance Superintendent and Fire Chief Brad Ewy, Cherry Oaks Golf Pro Patrick Jordan, Cherry Oaks Maintenance Superintendent Kevin Fowler, Attorney Lee Parker. Guests present were Trisha Parker; Jeff Fawcett, Waste Connections.

PLEDGE OF ALLEGIANCE TO THE AMERICAN FLAG

PUBLIC HEARING ON THE PROPOSED 2013 CITY OF CHENEY BUDGET

Mayor Ball opened the public hearing. No one was present for the hearing. Council member Carl Koster moved to close the public hearing at 7:05 pm. Council member Greg Kampling seconded the motion. Motion carried unanimously.

DETERMINE AGENDA ADDITIONS

City Administrator Randall Oliver added Agenda Item 8- Police Officer Appointment.

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 19, 2012 City Council meeting
- c) Building Permit – Champion Windows- 605 Aetna Dr
- d) Electrical Permit- Atlas Electric- 801 N Marshall

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

PUBLIC AGENDA

Jeff Fawcett with Waste Connections was present to ask if the trash franchise would be put out to bid. Waste Connections would be interested in providing trash and recycling. Fawcett stated he would send a list of references over of the cities they are contracted with. Oliver stated the current contract with Waste Management expires December 31, 2012.

CONSIDERATION OF ADOPTING THE 2013 BUDGET

Council member Phil Mize moved to adopt the 2013 budget as presented.
Council member Carl Koster seconded the motion.
Motion passed unanimously.

CONSIDERATION OF ORDINANCE #851 ATTESTING TO AN INCREASE IN THE TAX REVENUES FOR BUDGET YEAR 2013

Council member Jeff Albers moved to approve Ordinance 851 attesting to an increase in the tax revenues of budget year 2013.
Council member Greg Kampling seconded the motion.
Call the Vote, Albers- yes, Gregory- absent, Kampling-yes, Koster-yes, Mize- yes

CONSIDERATION OF AGREEMENT FOR OWNERSHIP, MAINTENANCE, OPERATION AND INSTALLATION OF EQUIPMENT COMPRISING OUTDOOR WARNING DEVICE SYSTEM BY AND BETWEEN THE CITY OF CHENEY, KANSAS, AND SEDGWICK COUNTY, KANSAS

Attorney Lee Parker reviewed the document provided by Sedgwick County. Administrator Oliver stated several other cities had already adopted the agreement. It was noted that Cheney would still be able to operate the tornado siren system.
Council member Carl Koster moved to adopt the MOU agreement between Sedgwick County and the City of Cheney.
Council member Greg Kampling seconded the motion.
Motion carried unanimously.

AN ORDINANCE DECLARING IT TO BE IN THE INTEREST OF THE PUBLIC WELFARE AND SAFETY TO VACATE AND DISCONTINUE AN UNOPENED PORTION OF PREVIOUSLY DEDICATED PUBLIC STREET RIGHT-OF-WAY IN THE CITY OF CHENEY, KANSAS

Council member Greg Kampling moved to accept Ordinance #852 to vacate and discontinue the described portion of Fourth Ave.
Council member Jeff Albers seconded the motion.
Call the Vote, Albers-yes, Gregory-absent, Kampling-yes, Koster-yes, Mize-yes

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 2012, WITH CERTAIN CHANGES AND ADDITIONS; AND REPEALING SECTION 1 OF ORDINANCE NUMBER 846 AND ALL OTHER CONFLICTING ORDINANCES.

Council member Carl Koster moved to adopt Ordinance #853 for the Uniform Public Offense Code for Kansas Cities.
Council member Jeff Albers seconded the motion.
Call the Vote, Albers-yes, Gregory-absent, Kampling-yes, Koster-yes, Mize-yes

CONSIDERATION OF AN ORDINANCE REGULATING TRAFFIC WITHIN THE CORPORATE LIMITS OF THE CITY OF CHENEY, KANSAS; INCORPORATING BY REFERENCE THE

"STANDARD TRAFFIC ORDINANCE FOR KANSAS CITIES," EDITION OF 2012, WITH CERTAIN CHANGES AND ADDITIONS; AND REPEALING SECTION 1 OF ORDINANCE NUMBER 845 AND ALL OTHER CONFLICTING ORDINANCES.

Council member Greg Kampling moved to adopt Ordinance #854 for the Standard Traffic Ordinance Code for Kansas cities.

Council member Carl Koster seconded the motion.

Call the Vote, Albers-yes, Gregory-absent, Kampling-yes, Koster-yes, Mize-yes

CONSIDERATION OF AN ORDINANCE ADDRESSING SUBURBAN AND RURAL ROADWAY DESIGN BY ADDING NEW SECTION 16-337A TO THE CODE OF THE CITY OF CHENEY, KANSAS.

Ordinance #855 would allow roadways leading to lots larger than 2.5 acres to require paved shoulders and no curb and gutter. Pavement would be 24 foot with 3 foot wide shoulders on both sides. Staff found 2.5 acres to be common lot size.

Council member Greg Kampling moved to adopt Ordinance #855 for the Suburban and Rural Roadway design.

Council member Phil Mize seconded the motion.

Call the Vote, Albers- yes, Gregory-absent, Kampling-yes, Koster-yes, Mize-yes

APPOINTMENT OF POLICE OFFICER

Mayor Ball requested Council confirmation on the following appointment subject to qualifications including psychological testing and finger printing:

Police Officer Thomas Davis

Council member Carl Koster moved to confirm the Mayor's appointment.

Council member Jeff Albers seconded the motion.

Motion carried unanimously.

POLICE REPORT

Police Chief Howard Bishop requested a Dog Ordinance prohibiting dogs in city parks because of the waste not being cleaned up. Council asked for Counselor to provide an ordinance addressing this issue.

Chief Bishop stated the new video cameras were received from Digital Ally and they did not have the options available that Chief wanted. Bishop presented a new quote from Digital Ally for the new cameras.

Council member Jeff Albers moved to purchase two new cameras from Digital Ally in the amount of \$9,380.00

Council member Carl Koster seconded the motion.

Motion carried unanimously.

FIRE REPORT

Fire Chief Brad Ewy did not have anything additional to add to his report.

MAINTENANCE REPORT

Maintenance Superintendent Brad Ewy stated the Digital Sign will be erected soon.

GOLF COURSE REPORT

Council member Phil Mize asked about digging out the overflow pond. Fowler stated he would like to trench a drain line to the ditch instead.

Golf Pro Patrick Jordan did not have anything to add to his report.

ADMINISTRATOR'S REPORT

City Administrator Randall Oliver announced Dog Days at the Pool would be August 19th. The event will allow dogs to swim for \$3 and the Chamber would serve hot dogs and watermelon in the park for a free will donation towards swimming pool improvements.

Oliver stated he would begin looking at a RFP for the trash franchise. It was noted from council members to keep the same service and include recycling for every other week.

Oliver reported that the Cable Franchise with Cox would expire on October 23rd. Oliver will contact and make a request with Cox Communications to renew the contract.

REAP is scheduled to be in Cheney on September 6th for their Listening Tour.

Oliver also reported the Safe Routes to School estimated was received from the engineers and they have estimated the entire cost of 11 priorities at \$262,730.

Council member Carl Koster moved to postpone the October City Council meeting to October 18th.

Council member Greg Kampling seconded motion.

Motion carried unanimously.

ATTORNEY'S ITEMS

Attorney Lee Parker requested executive session for attorney-client privileges.

CLERK'S ITEMS

City Clerk Danielle Young reminded them of the upcoming League Conference Meeting on October 6-8 in Topeka.

MAYOR'S ITEMS

Mayor Linda Ball had nothing to report.

COUNCIL ITEMS

Council member Carl Koster had nothing to report.

Council member Jeff Albers had nothing to report.

Council member Philip Mize asked about a sidewalk for kids to use from the Back 9 at Cherry Oaks to get to town.

Council member Greg Kampling had nothing to report.

EXECUTIVE SESSION

Council member Philip Mize moved to enter into executive session for attorney client privileges for non-elected personnel for 30 minutes at 8:14 pm inviting Police Chief Howard Bishop, City Administrator Randall Oliver and City Attorney Lee Parker.

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

Mayor Ball stated Council was back in regular session at 8:44 pm with no binding action taken.

Council member Carl Koster moved to enter into executive session for attorney client privileges for non-elected personnel for 15 minutes at 8:45 pm inviting Police Chief Howard Bishop, City

Administrator Randall Oliver and City Attorney Lee Parker.
Council member Jeff Albers seconded the motion. Motion carried unanimously.

Mayor Ball stated Council was back in regular session at 9:00 pm with no binding action taken.

ADJOURN

Council member Greg Kampling moved to adjourn at 9:05 pm.
Council member Philip Mize seconded the motion.
Motion carried unanimously.

Mayor Linda Ball

(seal)

Attest:

Danielle Young, City Clerk