

CITY OF CHENEY

MINUTES OF THE REGULAR CITY COUNCIL MEETING

131 N MAIN ST
COUNCIL CHAMBERS, CITY HALL
February 13, 2020; 7:00 P.M.

HONORABLE MAYOR BALL AND MEMBERS OF THE COUNCIL

MEMBERS PRESENT

Mayor Philip Mize called the meeting to order at 7:00 pm. Council members Kassie Gile, Ryan Graf, Greg Williams and Jeff Albers were present. Council member Greg Kampling was absent. Staff present were City Administrator/Clerk Danielle Young, City Attorney Austin Parker, Police Sergeant Kyle Threadgill, Director of Golf Kevin Fowler, Maintenance Superintendent Brad Ewy, Asst. Maintenance Superintendent Jerry Peitz, Firefighters Zach Heath and Macay Ewy. Guests present were Shanna and Tim Henry, Bob Lavelle, Donna Carrell, Rick Sroufe, Renee Boyd, Sharon Hewitt, Dave Hewitt, and Larry Hatfield.

PLEDGE OF ALLEGIANCE TO THE AMERICAN FLAG

PRAYER- led by Pastor Aaron Rust

DETERMINE AGENDA ADDITIONS

Young added the minutes from Special Council Meeting on February 10, 2020 to the consent agenda. Young added Agenda Item- CONSIDERATION OF AGREEMENT FROM KDHE

LIFESAVING AWARD- Chief Brad Ewy presented a Lifesaving Award to Citizen Shanna Henry and Fire Department members Brad Ewy, Jerry Peitz, Cale Walsh, Macay Ewy, Jackson Chance, & Zac Heath for a call on Jan 16th, 2020. Shanna Henry thanked the Kingman dispatcher and stated she performed CPR for 11 minutes.

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 January 9, 2020 City Council meeting
- c) Electrical Permit- 915 Filmore Lot 23- Cheney Electric
- d) Electrical Permit- 1119 N Main (B)- Ben Wahlers
- e) Building Permit- 633 Aetna Dr- Mark/Jennifer Nuessen
- f) Building Permit- 718 Filmore- Illumicast LLC
- g) Fence Permit- 605 Aetna- George & Kris Mies
- h) Sign Permit- 412 S Main- Grady Laverentz
- i) Siding Permit- 104 Garfield- Gary Cokely
- j) Siding Permit- 511 Filmore- Dave's Improvements Added Minutes from Special Council meeting on February 10, 2020.

Council member Jeff Albers moved to adopt the Consent Agenda as amended.
Council member Kassie Gile seconded the motion. Motion carried 4-0 with Kampling absent.

PUBLIC AGENDA

The Prairie Travelers group addressed the Council and explained that they're the trail managers from 167th to 295th and the trail goes into Wichita. They work closely with the City and County for maintenance. They stated there is a possibility that WATCO will eventually abandon the rail from 295th to 391st, bringing the trail from Garden Plain to Cheney; however, WATCO is not ready to abandon yet. The group plans due diligence on the project and plans to meet with WATCO to work on them to abandon the rail. They will look at a grant to fund \$55,000, but will need donations and fundraisers for the other \$55,000.

Council member Albers wanted to address issues that might come up with the citizens where the railroad touches their property. Albers believed there would be some folks leary of the trail. The group stated that they would work with them and show the owners that it's overgrown and that they'd clean-up the brush. Once the trail is established, they find that these property owners utilize it. The project works by rail banking the property and then the Prairie Travelers would act as the custodians. Attorney Austin Parker discussed a Notice of Interim Trail Use where the Kansas Recreational Trail Act states they have to provide litter control, law enforcement, fencing, etc and it's usually a 9-18 month process if the railroad abandons it. Mayor Mize asked how wide it is and it was stated it's 50 feet wide from center of rail. Brad Ewy asked who removes the rail. It was stated the railroad removes the rail, but leaves the rock. The bridge foundations are also left.

OLD BUSINESS

Young stated that last month Council made changes to the City's Sidewalk Grant to increase the minimum grant amount to \$500 to a max up to \$750, with the amount between \$500 and \$750 being reimbursed at 50%. Young found that the change only benefited an additional nine properties out of the 71 properties identified to have sidewalk in need of repair. The change would only increase the amount reimbursed by \$347. If the grant is changed to reimburse 2/3 of the cost up to \$750 per frontage, it would benefit an additional 28 of the 71 properties and give out an additional \$4,049.96 in grant funds.

Council member Jeff Albers moved to approve 2020 sidewalk replacement program changing the policy to reimburse at two-thirds of the cost up to a maximum of \$750 per frontage.

Council member Greg Williams seconded the motion. Motion carries 5-0 with Kampling absent.

NEW BUSINESS

CONSIDERATION OF CONTRACT WITH INFORMATION NETWORK OF KANSAS (KAN PAY)

The City currently utilizes EGov to accept credit/debit/e-check payments inside City Hall and through the website. Customers currently pay \$3.95 per transaction. KanPay charges 2.5% of the transaction amount. Young stated based on 2019 transaction totals, 75% of our customers would save on their transaction fee if they were charged 2.5% instead of the flat \$3.95 fee. The Library currently uses KanPay with no issues. They would provide new credit card equipment and would give the ability to email customer's a receipt.

Council member Kassie Gile moved to accept the contract with Information Network of Kansas.

Council member Ryan Graf seconded the motion. Motion carried 4-0 with Kampling absent.

WAMPO APPOINTMENT

Young stated that Mayor Linda Ball served as the City's WAMPO representative. A new delegate needs to be appointed. Typically, in other Cities, the Mayor serves as the delegate and the Administrator serves as the alternate.

Council member Kassie Gile moved to appoint Philip Mize as the City's WAMPO representative and Danielle Young as the alternate.

Council member Greg Williams seconded the motion. Motion carried 4-0 with Kampling absent.

CONSIDERATION OF 2020 MEMBERSHIP WITH KANSAS MUNICIPAL UTILITIES

It was stated the City has been a member of KMU for over 20 years. They provide resources and trainings for water and sewer utilities. Staff recommended keeping the membership.

Council member Jeff Albers moved to continue membership with Kansas Municipal Utilities for \$1034 for 2020.

Council member Ryan Graf seconded the motion. Motion carried 4-0 with Kampling absent.

CONSIDERATION OF BID FOR SIDING/WINDOWS

Young stated that there have been several leaks inside City Hall when it rains. Upon inspection the windows around the 2nd story sky lights are rotten and the 2nd story siding is cracked and rotten. Bids were received from Eaton Roofing and Duracon. Replacing the guttering was also discussed. Discussion was held regarding Eaton Roofing's annual community support and helping with the golf course restroom project.

Council member Greg Williams moved to approve the bid for windows and siding from Eaton Roofing in the amount of \$8484.35.

Council member Ryan Graf seconded the motion. Motion carried 3-0 with Gile abstaining and Kampling absent.

DISCUSSION OF SELLING BACK NINE LOTS

Young stated that no bids were received for consideration on the two lots for sale at the Back Nine.

Young stated that a local builder may be interested in purchasing the lots to build two homes. It was discussed if the lots should be listed with a realtor and pay a 6% realtors fee or \$1000 minimum fee.

Council discussed extending the bid date to bring offers to the next Council meetings and removing the minimum amount. It was also mentioned to list them on Zillow and the digital sign.

DISCUSSION OF VFD PUMPS FOR WATER LINE AND SERVICING ST. ROSE CATHOLIC CHURCH

Maintenance Superintendent Ewy explained that St. Rose Catholic Church in Mt Vernon is looking to build a new church, which would require a fire suppression system. Their building engineers have asked the City about the possibility of hooking the church up to City water. Ewy has been working with Schwab Eaton on a way to keep the water line charged at all times with a VFD pump to allow St. Rose and other properties along the City's main line to tie on to the City's water source. Ewy stated that the City has looked at adding these pumps to the water wells in the past, but just never done it. There is a fire hydrant at 21st and Mt. Vernon Road. The pumps would keep the water line live at all times. Without the City's water, the church would have to bury tanks for fire protection. Ewy also stated that the City would add a permanent generator to the water wells. The City already has a generator that can be used at the City office or the water wells, but they would install it permanently at the wells and purchase a new generator for the City.

Since the wells are higher than the water tower, there is also a valve that would need to be replaced to make sure it's sufficient to hold pressure on the line. The City has asked the Church for a letter of intent before moving forward with purchasing the items and doing the work on the water system.

CONSIDERATION OF PURCHASING TOP DRESSER FOR CHERRY OAKS

Director of Golf Kevin Fowler requested the purchase of a top dresser, which will be used to put sand on the greens. The top dresser has two spinners that throws the sand up to 30 ft wide which will allow the course to top dress with light coats of sand quickly versus the current top dresser that lays down the sand in a four-five foot swath. This will allow the course to topdress more frequently. The course will keep their current top dresser to put down heavier amounts of sand when the greens are aerated. Fowler thought they would use it 2-3 times a month during the season. This is a used topdresser unit that Fowler had been watching for over a month and recently decreased in price.

Council member Kassie Gile moved to purchase a Buffalo Turbine Topdresser from Precision Turf Products in the amount of \$5500.

Council member Ryan Graf seconded the motion. Motion carried 4-0 with Kampling absent.

CONSIDERATION OF AGREEMENT FROM KDHE

Administrator Young explained that KDHE needs to do 15 passive soil gas tests within the alleys of the 100 to 300 block of Main Street. They will insert 6" modules about 3-5' deep and then leave them for one

week and then sent them off for analysis. There will also be two tests done in the parking stalls on Main Street.

Council member Jeff Albers approved the agreement with KDHE.

Council member Ryan Graf seconded the motion. Motion carried 4-0 with Kampling absent.

POLICE REPORT

Sergeant Kyle Threadgill reviewed their monthly report and stated the department had 397 calls, one DUI, and 46 warnings issued. The 2020 Tahoe arrived. Officers continue to go to the schools and read to the kids. 5th grade DARE graduation will be held on February 18th.

FIRE REPORT

Chief Ewy stated the Fire Department would like to purchase a laptop for the Rescue Squad.

They will utilize free patient care reporting software that the State offers.

Council member Jeff Albers moved to spend up to \$5500 for a laptop for the Rescue Squad.

Council member Ryan Graf seconded the motion. Motion carried 4-0 with Kampling absent.

Recently, the Fire Association purchased twelve 800 MHz radios and donated 4 radios to Kingman EMS for better communication with them on calls. In return, they gave us 4 spots in their next EMT course.

MAINTENANCE REPORT

Maintenance Superintendent Brad Ewy stated they had undergone a Department of Labor inspection this week.

GOLF COURSE REPORT

Director of Golf Kevin Fowler purchased the 12 new range mats for \$2,911. He gave an update on the Restrooms Project and stated the brick layer finished the north restroom, but the south one is not completed yet. Staff has been addressing equipment maintenance in the shop this winter. Fowler is looking for a new or used rough mower. The last one was purchased in 2012.

ADMINISTRATOR'S REPORT

Ewy and Young met with Cheney Rec to discuss the next stages at South Main. It was discussed to apply for the KDWP LWCF grant again in April and are putting together prices on whether to apply for the final ballfield to be built or a full court basketball court with adjustable goals. There is no maximum on the grant, but it's 50/50 matching grant. The price for the basketball court is estimated at \$80,000. Dirt work would also be done and a water line would be added for irrigation. Albers asked the price for the 3rd ballfield. It was stated it was around \$120,000 with the grant paying for \$50,000 of the project. Albers asked if City could apply for both projects of the 4th ballfield and basketball court. Young said she would have a conversation with them. Young stated they would put together the numbers and then make a determination on the grant application.

Young mentioned the sidewalk to South Main. There are KDOT funds that could be utilized, but it was determined that by the time an engineer was paid for the grant, the cost would exceed the amount where it could be done internally. Funds have been transferred into the reserve the past few years to build the sidewalk to South Main. The sidewalk could be built this year. It has been discussed if it should be on the west or east side of Main Street. The sidewalk would be 525' feet along the City's property and 1600 feet from Santa Fe Street to the property. At 6' wide the sidewalk is estimated at \$65,000 if the City does the work internally.

Gile asked if the speed limit would be lowered if a crosswalk was installed. Young stated a traffic study would be done to determine that. Albers and Gile thought the east side would be safer because the west side has trucks from the elevator and traffic from TBA. Attorney Parker mentioned to slow traffic by utilizing curbing or lane narrowing and thought the City should talk to the engineer.

The FFA has reached out to the City to see about a service project. They are interested in doing work at the Senior Center. They have been awarded a \$1200 grant to use towards the Senior Center.

The City signed a letter of assurance for WAMPO stating we were interested in 2023/2024 funding for the repaving of Santa Fe project. The City will be responsible for an estimated \$438,000, including \$148,000 in pre-construction costs out of the almost \$1.6 million project. The City would need to pay for all pre-construction costs including preliminary engineering, right of water acquisition and utility relocation. It is estimated these fees will not exceed the estimated \$148,000 pre-construction costs, so staff does not foresee the City's portion exceeding that amount. The City will transfer funds over the next few years to help fund this project.

Young discussed the importance of the Census coming up on April 1st. She asked everyone to please share the Facebook posted and stated \$56,000 worth of funding would be lost per household not participating in the Census. There is also an online gas awareness survey where the City will be giving away a tree to a property owner who participates in the survey.

Young asked Council about having a workshop to discuss the infill vacant lots located on dirt streets throughout town. Several of them have come up recently. The City's code states lots must have adequate facilities, which include paving and curbs before they can be built on. Young stated she will schedule a time when Kamplung is available.

Young discussed the Bledsoe Addition Property (Taylor Ct & 2nd Ave) and stated Ewy is putting together an estimate on extending the water main. They are interested in building two houses on the lots. The Brandes' are not interested in developing to the east yet. The City has previously discussed letting the Bledsoe Property use the street as a private drive and then if the development goes in they would have to put the street in, but if the development goes in and doesn't need the street then it could possibly continue to be a private drive.

Young stated the agreement would show they are petitioning for a street, but can utilize it as a private drive. The Bledsoe Addition owners have now asked what if they're using it as a private drive, but in a year they want to put a street in then would the City allow them to put in a street? Young said typically on other instances, the City would pay for half of the street and assess the amount to the future development, but there is a possibility that the Brandes would not utilize that street and the City may not be able to assess their half to the Brandes property. So the City would be out that cost for half of the street. Albers thought the City needed to know what the Brandes plat would be first before the City invests funds in the construction of the street.

Attorney Parker stated the Bledsoe owners need to sign a petition to pay for the street with a 1% escalator. Parker didn't see a benefit to the City to help pay for half if it's only going to benefit those two houses. The City could have them file two different petitions. One for half the cost for Brandes to share the street and another for 100% of the street cost. Parker stated if a property is not benefited by the street, then the City can't force Brandes to pay for it. Council member Albers thought that if the Brandes owners put in a private drive and then decide they want a street before Brandes plat the road, the Bledsoe owners will need to pay for the entire street. Set-backs still had to be maintained for a street.

Mize thought the City should let them have their private drive because there was nothing to make the City think the Brandes would ever use the street. It was noted that when the Brandes property develops the plat would have to be approved by the Planning Commission and the Council.

Gile mentioned that they would need to make sure the private drive wide enough for emergency access. Gile didn't think the City should agree to pay for half of the street, but the property owners could pay for all of it to be constructed; however, the City would pay for half of the street to be constructed once the Brandes' plat their property. It was also discussed if the Bledsoe Addition owners could limit the people that utilize their private drive. Parker stated that if it's a private drive the street is not opened for use.

ATTORNEY'S ITEMS

Attorney Austin Parker Executive requested executive session for 5 minutes.

Council member Kassie Gile move to enter into executive session to discuss a potential lawsuit pursuant to matters related to attorney-client privilege KSA 75-4319 (b)(2) at 9:21 pm for 5 minutes with Attorney Parker, Administrator Young and Brad Ewy.

Council member Ryan Graf seconded the motion. Motion carried 4-0 with Kampling absent.

Mayor Mize stated Council was back in regular session at 9:26 pm with no binding action taken.

MAYOR'S ITEMS

Mayor Philip Mize thanked maintenance for removing the short wall in City Hall for the office area and for the employees scrubbing the tile area in the front of City Hall.

COUNCIL ITEMS

Council member Greg Williams had nothing to report.

Council member Jeff Albers had nothing to report.

Council member Kassie Gile had nothing to report.

Council member Ryan Graf asked about Santa Fe drainage.

Council member Greg Kampling was absent.

ADJOURN

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

Council member Kassie Gile seconded the motion. Motion carried 4-0 with Kampling absent.

Mayor Philip Mize

(Seal)

Attest:

Danielle Young, City Clerk/Admin

WORKSHOP- Comp Plan Goals