

# CITY OF CHENEY

## MINUTES OF THE REGULAR CITY COUNCIL

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131 N MAIN ST  
COUNCIL CHAMBERS, CITY HALL  
May 9, 2019; 7:00 P.M.

HONORABLE MAYOR BALL AND MEMBERS OF THE COUNCIL

### CALL REGULAR MEETING TO ORDER

### MEMBERS PRESENT

Mayor Linda Ball called the meeting to order at 7:00 pm. Council members Jeff Albers, Kassie Gile, Greg Kampling and Philip Mize and Greg Williams were absent. Staff present were City Administrator Danielle Young, City Attorney Austin Parker, Police Chief Ken Winter, Asst. Maintenance Superintendent/Fire Chief Jerry Peitz, Director of Golf Kevin Fowler. Guests present were Ryan Graf, Patricia Parker, and Sam Jack-Times Sentinel Newspaper.

### PLEDGE OF ALLEGIANCE TO THE AMERICAN FLAG

DETERMINE AGENDA ADDITIONS- none

### 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 April 11, 2019 City Council meeting
- c) CMB License- SPK Grocery Inc. – 412 N. Main
- d) Building Permit- Morton Building- 312 S Marshall-
- e) Electrical- Millerskow Electric- 546 Bob White
- f) Electrical- Twietmeyers Electric Service- 210 E South Ave
- g) Fence Permit- Premier Property Management-410 Meadows Ct
- h) Fence Permit- Nathan & Jenni Kuehn - 312 W 3rd
- i) Fence Permit- Greg Kampling -223-227 E 2nd Ave
- j) Roofing- Burwell Roofing- 317 N Adams
- k) Roofing- Integrity Siding- 710 Filmore
- l) Roofing- Penney Construction- 420 N Adams
- m) Roofing- AP Roofing & Speciality Coatings- 525 Wolf
- n) Roofing- Eaton Roofing- 325 Greenwood
- o) Roofing- Eaton Roofing- 327 Greenwood
- p) Roofing- Eaton Roofing- 324 Greenwood
- q) Roofing- Eaton Roofing- 326 Greenwood
- r) Roofing- Eaton Roofing- 319 Evergreen
- s) Roofing- Eaton Roofing- 608 W 6th
- t) Sprinkler- Greg Kampling- 223 E 2nd Ave

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

### PUBLIC AGENDA

### OLD BUSINESS

**CONSIDERATION OF ORDINANCE 917 REGULATING THE USE OF PORTABLE STORAGE UNITS IN COMMERCIAL DISTRICTS BY AMENDING SECTIONS 4-1402 THROUGH 4-1403 OF THE CODE OF THE CITY OF CHENEY, KANSAS**

Council discussed portable storage containers in the Commercial District at the April 11, 2019 Council meeting. An ordinance was prepared amending the current Ordinance and setting forth guidelines and conditions for allowing portable storage units in commercial districts. The Ordinance stated a permit would need to be obtained from a Commercial or Industrial property owner for approval from the Governing Body. Young reviewed the guidelines and conditions set forth in the Ordinance. Attorney Parker stated the conditions outlined in the Ordinance are read as "may include", which would give allowance for the Council to approve the specifics of the permit.

Council member Jeff Albers moved to adopt Ordinance 917

Council member Greg Williams seconded the motion.

Young called the Vote, Albers-yes, Gile-yes, Kampling-yes, Mize-yes, Williams-yes

**NEW BUSINESS**

**CONSIDERATION OF MAYOR BALL’S APPOINTMENTS FOR 2019-2020**

Mayor Ball requested Council’s confirmation on the following appointments of officers for a one-year term:

City Administrator:	Danielle Young
City Clerk:	Danielle Young
Police Chief:	Kenneth Winter
Fire Chief:	Brad Ewy
City Attorney:	Austin Parker
Municipal Judge:	Herald Flaigle
City Prosecutor:	Mandi Stephenson
City Treasurer:	Roger Brown
Police Lieutenant	Jeremy Watts
Police Officer	Mario Martinez
Police Officer	Mason Schell
Police Officer	Kyle Threadgill
Part-time Police Officer	Jeff Cole
Part-time Police Officer	Martin Bell
Part-time Police Officer	Ryan Aden
Part-time Police Officer	Christopher Becker

Council member Greg Kampling moved to confirm the Mayor’s appointments.

Council member Kassie Gile seconded the motion. Motion carried unanimously.

**CONSIDERATION OF MAYOR BALL’S APPOINTMENTS FOR THE PLANNING COMMISSION**

Mayor Ball requests Council’s confirmation on the following appointments:

Planning Commission	Bret Albers	3 year term
Planning Commission	Jami Viner	3 year term
Planning Commission	Steve Gile	3 year term
Planning Commission	Melanie Block	3 year term

Council member Kassie Gile moved to confirm the Mayor’s appointments.

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

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

Mayor Ball requested Council’s confirmation on the following appointments:

Library Board	Emma Cox	4 year term
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Council member Jeff Albers moved to confirm the Mayor’s appointments.

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

## **CONSIDERATION OF VOTING DELEGATE FOR KANSAS MUNICIPAL UTILITIES 2019 ANNUAL MEETING**

Council member Philip Mize moved to designate Brad Ewy as the City's voting delegate and Jerry Peitz as alternate delegate.

Council member Kassie Gile seconded the motion. Motion carried unanimously.

## **CONSIDERATION OF ORDINANCE 918 DECLARING IT TO BE IN THE INTEREST OF THE PUBLIC WELFARE AND SAFETY TO VACATE AND DISCONTINUE A PORTION OF PREVIOUSLY DEDICATED PUBLIC STREET RIGHT-OF-WAY IN THE CITY OF CHENEY, KANSAS**

Young explained that Sedgwick County shows the City owns a portion of land on Garfield Street just north of 6<sup>th</sup> Ave that was deeded in 1979 by John and Adeline Koster. Currently the land includes the front yard and garages of two homes that were built on the property. The vacation of the property will turn the land back over to the homeowners at 707 Garfield and 717 Garfield.

Attorney Austin Parker believes that by looking at the original plat map that the tract of land was road right of way deeded to the City and by using a vacation Ordinance it should clear up the issue. If not, a Quit Claim Deed may also be needed.

Council member Philip Mize moved to approve Ordinance 918.

Council member Greg Williams seconded the motion.

Young called the Vote, Albers-yes, Gile-yes, Kampling-yes, Mize-yes, Williams-yes

## **POLICE REPORT**

Police Chief Ken Winter reviewed his report. He reported effective May 6th, Reserve Officer Kyle Berger's resignation will take place. Reserve Officer Jackson Chance will start the part-time Academy next week.

The Take-Back Drug Program received 40 pounds of drugs from 21 people in Cheney. Cheney PD also participated in the Regional 4/20 Campaign and did Drug Enforcement participation. During this event they issued six traffic citations, one drug arrest, one speeding citation, and one in-custody arrest.

The SAFE Program wrapped up with the High School and Middle School. The Rev It Up Program saw an increase in traffic safety knowledge from 44.2% to 71.2% in the Middle School students.

Winter reported that he had been talking with Young and Ewy about doing a breakfast event once a month at the Fire Station from 7-9 am. The Officers and Firefighters would cook pancakes and coffee for a free will donation and would be available for people to get to know the public safety officials.

## **FIRE REPORT**

Assistant Fire Chief Jerry Peitz reported they have been working with other Fire Departments for Mutual Aid Agreements with available personnel. Vehicles are running fairly good and Cheney has been lucky on flooding.

## **MAINTENANCE REPORT**

Assistant Superintendent Jerry Peitz stated they have half of the new water meters installed. The water meters appear to be working well and Zenner is still trying to fix the problems with the gas meters.

Rain continues to hold them off from finishing the work at the Ballfield Complex.

Peitz reported the motor was replaced on the Ford Pick-up for approximately \$7,900, that was approved last month. They will continue to look at new pick-ups with utility boxes or slide-in units and will have Lubbers check Jerry's pick-up to see if the cam phasers have the same issues.

## **GOLF COURSE REPORT**

Director of Golf Kevin Fowler reviewed his report and April's Revenues. Fowler reported that 14 sophomores filled divots on Community Service Day, but were unable to paint the fence because of the rain.

Fowler has fertilized the ballfield outfield and it is in good shape.

The 25th Anniversary Celebration is scheduled for June 21<sup>st</sup> with a band, inflatables, supper, and photo booth. The Friends of Cherry Oaks Tournament is June 23rd. The Project is still being finalized for the Friends of Cherry Oaks project, but they are looking at funding the addition of a restroom on Hole 7. The restroom cost is estimated at \$15,000-\$20,000. The tournament usually brings in \$20,000. Utility lines are near the location and the restroom would have a brick exterior with tile interior and be along the walking

trail with heat/cooling capabilities. Fowler mentioned that the bathrooms at the Golf Maintenance Shop are open year-round and several walkers utilize the restrooms. Committee member Steve Seiler will build it.

Council member Philip Mize moved to pursue with the golf tournament proceeds for a restroom on Hole 7.

Council member Kassie Gile seconded the motion. Motion carried 3-0 with Council members Jeff Albers and Greg Williams abstained from voting because they serve on the Friends of Cherry Oaks Committee.

#### **ADMINISTRATOR'S REPORT**

Young reported that they had applied for a dog park grant through the KRPA and AARP grant for a solar-powered crosswalk sign and piano key crosswalks. Award winners should be announced over the next month. Grant applications will be submitted for two other grants later this year.

An Employee Luncheon is being scheduled for the first week of June to thank the part-time, full-time, and volunteers.

Young requested Executive Session for the pre-liminary discussions of acquisition of Real Estate.

A Fireworks Stand Permit for Denis's Frasco and the Spanish Club was obtained and will be located at Dollar General again.

Young reported that the City recently caught two commercial companies illegally dumping brush at the brush site. They stated they had been told by people outside the City that they could use the brush site. The both paid for their past usage of the brush site in the amount of \$550.

Young reminded everyone about the Budget Workshop after the meeting.

#### **ATTORNEY'S ITEMS**

Attorney Austin Parker had nothing to report

#### **MAYOR'S ITEMS**

Mayor Ball had nothing to report.

#### **COUNCIL ITEMS**

Council member Greg Williams had nothing to report.

Council member Jeff Albers asked if there had been any follow-up with the dilapidated trailer on Shadybrook and if it's being sold.

Albers asked about the City mowing ditches along 383rd and 391st. Albers believed the City should have a nice entrance into the community. Let County know that City plans to mow. "Maintain utility line" Young asked about 375th ditch and if City was supposed to mow those areas also.

Council member Philip Mize reported his neighbors were appreciative of the police and EMS care they recently received.

Council member Kassie Gile had nothing to report.

Council member Greg Kampling asked about the abandoned trailers at the Mobile Home Park and the vacant house on Marshall Ave and what the City was doing about them. Young reported the Mobile Home Park had been through several managers lately and the vacant house on Marshall was scheduled for tax foreclosure auction this summer. Attorney Parker stated the City could use the engineer to deem the property as dangerous or unsafe and then fix it and sell it to cover costs. Young reminded Parker that the property was in probate and several options were tried with previous administration, but were unsuccessful.

#### **EXECUTIVE SESSION**

Council member Jeff Albers moved that the City Council recess into executive session for preliminary discussions relating to the acquisition of real property KSA 75-4319(b)(6) for 5 minutes. The open meeting will resume in the City Council Chamber at 8:18 pm.

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

Mayor Linda Ball stated Council was back from Executive session with no binding action taken.

Council member moved to for the properties coming up at tax auction to let Danielle use discretion in purchasing the properties.

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

**ADJOURN**

Council member Jeff Albers moved to adjourn at 8:28 p.m.

Council member Kassie Gile seconded the motion. Motion carried unanimously.

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Linda Ball, Mayor

Attest:

(seal)

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Danielle Young, City Clerk

**WORKSHOP-**  
2020 Budget