

CITY OF CHENEY

MINUTES OF THE REGULAR CITY COUNCIL

**131 N MAIN ST
COUNCIL CHAMBERS, CITY HALL
October 13, 2016; 7:00 P.M.**

HONORABLE MAYOR BALL AND MEMBERS OF THE COUNCIL

CALL REGULAR MEETING TO ORDER

MEMBERS PRESENT

Mayor Linda Ball, Council members Carl Koster, Jeff Albers, Judy Lehner, and Greg Kampling. Staff present were Attorney Austin Parker, City Administrator Randall Oliver, Police Chief Ken Winter, Director of Golf Kevin Fowler, and City Clerk Danielle Young. Guests present were Doug Hasty- Cheney United Methodist Church and Travis Mounts-Times Sentinel Newspaper.

PLEDGE OF ALLEGIANCE TO THE AMERICAN FLAG

PRAYER

Pastor Doug Hasty led the prayer.

DETERMINE AGENDA ADDITIONS

An amended agenda was presented.

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 September 8, 2016 City Council meeting
- c) Approval of minutes for the September 21, 2016 Special City Council meeting
- d) Building Permit- 659 Allison- B & E Investments
- e) Building Permit- 658 E 6th Ave- B & E Investments
- f) Building Permit- 651 Allison- B & E Investments
- g) Building Permit- 652 E 6th Ave- B & E Investments
- h) Concrete Permit- S Marshall & W South Ave- Ewy Enterprises
- i) Electrical Permit- 320 S Garfield- Pixius Communications
- j) Electrical Permit- 117 N Jefferson- Cheney Electric
- k) Fence Permit- 410 Roosevelt- Shirley Smith
- l) Fence Permit- 564 Bob White Cir- Andy Riggs
- m) Roofing Permit- 549 Shadybrook- Jason Hoffine
- n) Roofing Permit- 704 N Wolf- Farha Roofing

- o) Siding Permit- 306 N Garfield- Kampling Construction
- p) Siding Permit- 306 N Garfield- Kampling Construction

**Council member Carl Koster moved to adopt the consent agenda as listed.
Council member Greg Kampling seconded the motion. Motion carried 4-0. Mize absent.**

PUBLIC AGENDA

OLD BUSINESS

NEW BUSINESS

DISCUSSION OF PARKING ALONG THE EAST SIDE OF JEFFERSON ST IN 100 BLOCK

The landowner has experienced problems with people parking in his front yard from a nearby business because there is no curb/gutter and it is hard to determine where the street begins. Chief Winter has been monitoring the situation and the property owner has placed some stakes and rope in his front yard indicating where the street begins. The property owner asked if it was a possibility for there to be no parking on that side of the street. Council member Koster was concerned that if the City put no parking along that street it wouldn't be consistent with the rest of the town. It was believed that the business owner had talked to the patrons about parking in the yard. Ewy suggested taking a blade to the street to get the grass out of the street and create a defined line for the street.

CONSIDERATION OF PLANNED UNIT DEVELOPMENT AT 103 EAST SHADYBROOK DR

Oliver stated there was an application packet for building a C2 planned commercial building at 103 E Shadybrook Dr, which requires a planned unit development. The City's parking requirements would require 25 parking spots for a building with that square footage. There is a stipulation to the code that would only require 1.5 parking spaces. The PUD meets this code requirement. An 8' screening fence will be required from the residential property to the south. Oliver found that the PUD application met the requirements. The administrator will approve the final plan.

Council member Jeff Albers abstained from discussion and voting.

Council member Carl Koster moved to approve the preliminary PUD for 103 E Shadybrook Dr.

Council member Judy Lehner seconded the motion. Motion carried 3-0. Albers abstained. Mize absent.

CONSIDERATION OF A CONTRACT WITH SEDGWICK COUNTY ANIMAL CONTROL

Oliver stated Sedgwick County sent three different types of contracts for the City to consider. Currently, the City of Cheney has a limited service contract.

Council member Greg Kampling moved to enter a limited contract with Sedgwick County Animal Control.

Council member Jeff Albers seconded the motion. Motion carried 4-0. Mize absent.

Council member Carl Koster asked about the dual plumbing code. Oliver believed the code would stay the same until the City made a change.

CONSIDERATION OF MOVING FORWARD WITH LEASING YAMAHA GOLF CARTS FOR 4 YEARS AND ADDING A DRIVING RANGE PICKER

Director of Golf Kevin Fowler stated the current golf cart lease with Masek Yamaha is \$39,250/year for 2013 electric golf carts. The lease began four years ago and has seen minimal maintenance with the new carts. Fowler felt Masek had been a great company to work with. Fowler noted that the golf carts essentially pay for themselves in revenue. Masek has asked for Cherry Oaks to turn over the existing fleet this fall instead of in the spring. A report showed the cost to upgrade to identical electric carts would cost \$44,750/year or the course could switch to fuel injected gas cars for \$37,500/annual payment. There was also an option to add a USB port for additional \$1000/year. Fowler recommended leasing 50 fuel injected carts for \$37,500 without USB ports and leasing an Adventure One picker for \$1,230 and purchase ball cage for the range picker.

Fowler contacted additional companies for other bids 45 days ago, but no one else offered a fuel injected gas cart and couldn't compete with the bid from Masek. Fowler estimates costs to be 35-40% more to operate the electric cars and will look at a 50-gallon fuel tank to fill the carts.

Council member Carl Koster moved to accept the 4-year lease agreement to lease 50 Yamaha Golf Carts and 1 Yamaha Adventure One Driving Range Picker for \$38,730 and purchase ball cage for \$1,850.

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

CONSIDERATION OF PURCHASING A LANDOLL TILT DECK EQUIPMENT TRAILER

Ewy would like to purchase a trailer to haul the City's backhoe. He spoke to Horsch trailer sales regarding a 5th wheel trailer. Ewy will bring prices back next month. Council member Kampling thought the City should get a couple of different bids.

Council member Albers asked about CDL requirements for the trailer.

Council member Jeff Albers moved to spend up to \$10,000 on a goose neck trailer

Council member Carl Koster seconded the motion. Motion carried 4-0. Mize absent.

CONSIDERATION OF PURCHASING 5 WIRELESS HEADSETS FOR THE FIRE DEPARTMENT

Ewy stated the Fire Department applied for 50% grant from K-State. They requested the purchase of wireless headsets that would allow the driver to talk to the firefighter in the back of the truck.

Council member Greg moved to purchase 5 wireless headsets from Setcom Corp for \$7,370 less 50% grants = \$3685.

Council member Judy Lehner seconded the motion. Motion carried 4-0. Mize absent.

CONSIDERATION OF REPAIRS TO WATER WELL #9

Oliver explained that the pitless adaptor at Water Well #9 had a hole in it. The well is

also pulling too many amps.

Council member Carl Koster moved to hire Layne Christensen Company to make repairs to well #9 for \$26,987.

Council member Jeff Albers seconded the motion. Motion carried 4-0. Mize absent.

CONSIDERATION OF A RESOLUTION DETERMINING THAT A NUISANCE EXISTS WITHIN THE CORPORATE LIMITS OF THE CITY OF CHENEY, KANSAS AND ORDERING THE REMOVAL AND ABATEMENT OF SAID NUISANCE

Per city code, the resolution is required for the property to be cleaned up at 428 N Marshall within 10 days. A certified letter will be sent to the owner and hand served to the renter.

Council member Carl Koster moved to adopt Resolution 276-2016.

Council member Judy Lehner seconded the motion. Motion carried 4-0. Mize absent.

CONSIDERATION OF A RESOLUTION DETERMINING THAT A NUISANCE EXISTS WITHIN THE CORPORATE LIMITS OF THE CITY OF CHENEY, KANSAS AND ORDERING THE REMOVAL AND ABATEMENT OF SAID NUISANCE

Per city code, the resolution is required for the property to be cleaned up at 549 E Shadybrook within 10 days. The homeowner will be hand served.

Council member Greg Kampling moved to adopt Resolution 277-2016.

Council member Jeff Albers seconded the motion. Motion carried 4-0. Mize absent.

CONSIDERATION OF AN ORDINANCE REVISING AND UPDATING THE FLOODPLAIN MANAGEMENT ZONING REGULATIONS WITHIN THE CORPORATE LIMITS OF THE CITY OF CHENEY, KANSAS BY AMENDING CHAPTER 20 OF THE CHENEY ZONING ORDINANCE

Attorney Austin Parker discussed the Ordinance requirement.

Council member Jeff Albers moved to adopt Ordinance 891.

Council member Greg Kampling seconded the motion.

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

CONSIDERATION OF A FISCAL SUSTAINABILITY PLAN FOR THE WASTEWATER COLLECTION AND TREATMENT SYSTEM

Oliver stated the plan was a requirement from the State for the sewer relining project dated October 2014.

Council member Carl Koster moved to adopt the Fiscal Sustainability Plan for the Waste Water Collection and Treatment system.

Council member Judy Lehner seconded the motion. Motion carried 4-0. Mize absent.

CONSIDERATION OF CHANGES TO THE FEE SCHEDULE

Oliver stated a fence permit fee for \$30 was added to the fee schedule.

Council member Jeff Albers moved to adopt Resolution No. 275-2016 Schedule of Service, License and Permit Fees.

Council member Carl Koster seconded the motion. Motion carried 4-0. Mize absent.

CONSIDERATION OF NOWAK CONTRACTORS PAY REQUEST #2 FOR THE CDBG GRANT

Oliver stated this was the second application for payment on the CDBG Sewer project. The quantities have been reviewed by engineer and staff.

Council member Greg Kampling moved to approve payment of \$79,217.91 to Nowak Construction Co for sewer work on the CDBG Grant and the Mayor to sign.

Council member Carl Koster seconded the motion. Motion carried 3-0. Albers abstained. Mize absent.

POLICE REPORT

Chief Winter said the department had been extremely busy and had two injury accidents, which are uncommon in town. He finally took possession of the new patrol car. Staff will determine a thank you be sent to Lubbers for the use of the loaner car.

Reserve Grant Seiler submitted his resignation letter of police reserve.

Winter announced the department would hold a "Take Back Drug Program" through the Sheriff's department on Oct 22nd at the Fire Station from 10a-2pm.

Winter was approved for the bulletproof vest grant.

They have been talking to citizens about removing junk vehicles around town.

FIRE REPORT

Fire Chief Brad Ewy had nothing to add.

MAINTENANCE REPORT

Maintenance Superintendent Ewy stated the playground had been started at the south main complex.

He discussed the painting of the water tower painting and the location of the logo will remain in the same spot because of the lights.

Council member Koster asked about the streets having large cracks. Ewy said they usually crack seal them.

GOLF COURSE REPORT

Director of Golf Kevin Fowler said they had received inquiries already about tournaments for next year.

ADMINISTRATOR'S REPORT

Oliver reported that the Planning Commission had met on Monday and discussed fencing requirements. They will hopefully have something for the Council to consider next month.

EXECUTIVE SESSION

Council member Jeff Albers moved that the City Council recess into executive session pursuant to non-elected personnel KSA 75-4319 (b)(1) to protect employee confidentiality for 20 minutes at 8:19pm inviting in City Administrator, Fire Chief Brad Ewy, Chief Ken Winter, Director of Golf Kevin Fowler, City Clerk Danielle Young, and Attorney Austin Parker.

Council member Carl Koster seconded the motion. Motion carried 4-0. Mize absent.

Council member Jeff Albers moved that the City Council recess into executive session pursuant to non-elected personnel KSA 75-4319 (b)(1) to protect employee confidentiality for 25 minutes at 8:39pm inviting in City Administrator, Fire Chief Brad Ewy, Chief Ken Winter, Director of Golf Kevin Fowler, City Clerk Danielle Young, and Attorney Austin Parker.

Council member Carl Koster seconded the motion. Motion carried 4-0. Mize absent.

Mayor Ball stated Council was back in session at 9:04 pm with no binding action taken.

CLERK'S ITEMS

Clerk Young reported that the Hutchinson Clinic was now open.

MAYOR'S ITEMS

Mayor Ball had nothing to report.

COUNCIL ITEMS

Council member Carl Koster asked about the fence to go around the propane tank. It was stated they are waiting on Kerri Andrews to build it. Koster also stated that the previous City Administrator Ty Lasher asked to extend thanks to the Council for hiring him for his first administrator position.

Council member Jeff Albers had nothing to report.

Council member Judy Lehner had nothing to report.

Council member Greg Kampling had nothing to report.

ADJOURN

Council member Jeff Albers moved to adjourn at 9:05 pm

Council member Carl Koster seconded the motion. Motion carried 4-0. Mize absent.

Mayor Linda Ball

(seal)

Attest:

Danielle Young, City Clerk