

# CITY OF CHENEY

## MINUTES OF THE REGULAR CITY COUNCIL

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131 N MAIN ST  
COUNCIL CHAMBERS, CITY HALL  
December 08, 2011, 7:00 P.M.

### HONORABLE MAYOR BALL AND MEMBERS OF THE COUNCIL

#### CALL THE REGULAR MEETING TO ORDER

#### MEMBERS PRESENT

Mayor Linda Ball; Council Members: Jeff Albers, Carl Koster, Angie Gregory; Golf Course Pro Shop Manager Patrick Jordan; City Clerk Danielle Young; City Administrator, Randall Oliver; Attorney Lee Parker; Austin Parker, Travis Mounts, Times Sentinel; Merlin McFarland, Cheney Pharmacy; Seth Kostbar, KDHE BER.

#### PLEDGE OF ALLEGIANCE TO THE AMERICAN FLAG

#### DETERMINE AGENDA 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 November 17, 2011 City Council meeting
- c) Building Permit- Jones Building/Remodeling (Robert Downey)-216 Adams
- d) Electrical Permit- Adam Sigg- 501 E. Shadybrook
- e) Mechanical Permit- Cheney Electric (Dorothy Guetschow)- 528 W 3rd
- f) Plumbing Permit- Bob Stith Heating/Cooling (LT Mares)- 541 Shadybrook
- g) Roofing Permit- Heiland Roofing (Randall Wulf)- 710 Filmore St.
- h) Roofing Permit- Bill Hoffine Roofing (James Kampling)- 114 Washington
- i) Roofing Permit- Bill Hoffine Roofing (Steve Bronston)- 603 N. Garfield
- j) Roofing Permit- Professional Roofing (Christine Stephens)- 637 Filmore
- k) CMB License- Cherry Oaks Golf Course- 1119 N. Main St.
- l) CMB License- Lakeside Grocery Corp- 412 N. Main St.
- m) CMB License- Casey's General Store- 425 N. Main St.
- n) CMB License- KAPS- 1110 N. Main St.

Council member Carl Koster moved to adopt the Consent Agenda as listed.

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

#### PUBLIC AGENDA *(Please limit comments to 5 minutes)*

#### OLD BUSINESS

## **NEW BUSINESS**

### **Presentation by Seth Kostbar, L.G., - project manager with Kansas Department of Health & Environment Bureau of Environmental Remediation Storage Tank Section**

Seth Kostbar discussed the process involving the two sites dug last week along 1<sup>st</sup> Ave and in the alley behind the old Richardson Gas station. Kostbar handed out maps and information regarding the project. The Trust Fund is funded through a penny a gallon gasoline tax to pay for such projects. In November 2001 there were tanks removed from the site, which were last operated in the 1960s. There have been several different studies done and for the last 10 years, collections have been taken out of monitoring wells. Kostbar stated that 7-15 foot of free product was sitting on top of water and because of the geology at these sites, the gasoline just sits there. Kostbar noted that these sites have not impacted anyone and the projects are completed by prioritization. In January 2011, Bluestem consultants came out and delineated the free product plume. Recently two 100 foot long trenches were dug down to 26 feet deep. The trenches were then back filled with 13 foot of rock, that won't absorb gasoline. They are now drilling five wells within the backfill area. Skimmers will be placed within the wells and will skim off the gasoline. A trailer with a compressor unit will be attached to the skimmers, which will pump up the gasoline. It will be a quiet slow process, the above ground storage tank will fill up and a company will take the free product.

Council member Carl Koster asked how long it is estimated to take. Kostbar said the geology is the worst it can be because it is shale and clay so it will take a long time. The cost is roughly \$275,000 and three bids were received for the project.

Council member Carl Koster asked where the problem came from? Kostbar noted there was a story that they off loaded gasoline from the rail down a pipe and filled the underground tanks. They have tested down the alley and have found a hint of free product. Kostbar noted that there are now certain safe guards that go into installing and operating underground storage tanks that would help keep this from happening in the future.

### **CONSIDERATION OF HOLDING A PUBLIC HEARING TO AMEND THE 2011 CITY OF CHENEY BUDGET FOR THE PURPOSE OF ADDED EXPENDITURES FOR THE YEAR.**

Administrator Oliver stated that after studying the November budget numbers, it would not be necessary to hold a public hearing because expenses had been cut.

### **CONSIDERATION OF A RESOLUTION NUMBER 231-2011 ESTABLISHING CHANGES TO THE FEE SCHEDULE**

The 2012 fee schedule showed a small increase to golf fees and several other fees to keep in line with the rising cost. The fees will go into effect Jan. 1, 2012.

Council member Angie Gregory asked if pool fees were included on the fee schedule. It was stated that pool fees are set in May. Council member Jeff Albers asked about the new biennial liquor fees. It was stated that the biennial fees were now allowed by the State. Council member Carl Koster asked about charging a background check fee. Parker stated that background checks are completed and charged per ordinance.

Council member Carl Koster made the motion to adopt resolution 231-2011 to establish new fees in the fee schedule.

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

**CONSIDERATION OF A RESOLUTION NUMBER 232-2011 ESTABLISHING THE SALARY SCHEDULE FOR CITY OF CHENEY EMPLOYEES FOR 2012**

Each year the council establishes and approves a salary schedule for the city employees. Section 1 of the salary schedule did not change for 2012 because Oliver did not foresee anyone exceeding the maximum range. Section 2 proposed an increase for Mayor, Council, and the Fire Chief. Oliver stated that he has completed evaluations for Police Chief, City Clerk, Golf Course Superintendent, Maintenance Superintendent and Clubhouse Manager. Oliver requested Council to enter into executive session to discuss the salary for the City Administrator for 2012.

Council member Jeff Albers made the motion to adopt resolution 232-2011 for the 2012 salary schedule, with change to the fire chief's monthly salary from \$420 to \$435.00. Council member Angie Gregory seconded the motion. Motion carried unanimously.

**CONSIDERATION OF RESOLUTION NUMBER 233-2011 DECLARING THE BOUNDARIES OF THE CITY OF CHENEY, KANSAS**

It was stated that a resolution was not required since the boundaries of the City did not change during 2011.

**CONSIDERATION OF CHANGES TO THE CITY OF CHENEY PERSONNEL POLICY MANUAL**

Administrator Oliver stated that he and Clerk Young had made some changes to the policy manual. The last changes were done in 2009. Attorney Parker reviewed and approved the changes.

Councilmember Carl Koster moved to approve the changes to the City of Cheney Personnel Policy manual as presented.

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

**CONSIDERATION OF SWAB-EATON CONTRACT FOR THE DESIGN WORK FOR THE SAFE ROUTES TO SCHOOL GRANT.**

Schwab-Eaton provided a contract and outlined the projected construction costs for the Safe Routes to School grant. A formal letter was sent to the school asking them to pay for half of the cost. Council members expressed concern about homeowners who will receive new sidewalks in their front yards. Oliver and Young stated that they will hold a public meeting and formally invite homeowners who will be affected.

Councilmember Carl Koster moved to approve the contract with Schwab-Eaton in the amount of \$21,200.00 for the Safe Routes to School Grant.

Council member Angie Gregory seconded the motion. Motion carried unanimously.

**POLICE REPORT**

Police Chief Howard Bishop was absent.

**FIRE REPORT**

Fire Chief Brad Ewy was absent.

**MAINTENANCE REPORT**

Maintenance Superintendent Brad Ewy was absent.

**GOLF COURSE REPORT**

Cherry Oaks Pro Shop Manager Patrick Jordan stated he has had several tournaments wanting to pre-book. He also mentioned that all of the big tournaments will be coming back next year.

Cherry Oaks Maintenance Superintendent Kevin Fowler was absent.

### **ADMINISTRATOR'S REPORT**

Administrator Oliver reported that the Blue Cross and Blue Shield renewal rates went down 13.4% for a yearly savings of just over \$21,000.

Council member Angie Gregory moved to accept the BC/BS renewal rates.

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

Oliver stated that the City currently pays Kansas Rural Water annual dues of \$720.90. Oliver would like to suspend the membership because he felt the City does not benefit from the Association anymore because the City no longer uses some of the services that they offer.

Oliver also talked to Ronnie Smith, the owner of the property north of KAPS that is not in the city limits. Smith has signed the consent to the annexation and it will be listed on the January agenda.

American Municipal Services has contacted the City and would like to handle our debt collection for our court services. There are two collection agreements and would add 33% to the debt amount and then AMS would collect this amount. Parker mentioned that the City would need to be notified immediately when someone sets up payment with AMS, so the warrant could be dropped. Oliver said he would have Parker review the contract and have it available at the next council meeting. Parker thought that it could be a good workable agreement.

### **ATTORNEY'S ITEMS**

Attorney Lee Parker asked for attorney-client privileges in executive session.

### **CLERK'S ITEMS**

Clerk Young reported that she was working on ordering a sign for Albers-Zerener Park. Young also stated that a grant application will be turned in for the Waste Tire Mulch grant for Budd Park. The grant is 50/50 matching grant.

### **MAYOR'S ITEMS**

Mayor Ball did not have anything to report.

### **COUNCIL ITEMS**

Council member Carl Koster had nothing to report.

Council member Jeff Albers had nothing to report.

Council member Angie Gregory had nothing to report.

### **EXECUTIVE SESSION TO DISCUSS MATTERS OF NON-ELECTED PERSONNEL**

Council member Jeff Albers moved to go into executive session for non-elected personnel and attorney client privileges for 30 minutes at 8:18 p.m. Administrator Oliver was invited.

Council member Angie Gregory seconded the motion. Motion carried unanimously.

Mayor Ball stated Council was back in session at 8:48 p.m. and no binding action was taken.

Council member Angie Gregory moved to go into executive session for non-elected personnel for 10 minutes at 8:49.

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

Mayor Ball stated Council was back in session at 8:59 p.m. and no binding action was taken.

**ADJOURN**

Council member Angie Gregory moved to adjourn at 9 p.m.

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

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Linda Ball, Mayor

(seal)

Attest:

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Danielle Young, City Clerk