

CITY OF CHENEY

MINUTES OF THE REGULAR CITY COUNCIL

131 N MAIN ST
COUNCIL CHAMBERS, CITY HALL
February 9, 2012; 7:00 P.M.

HONORABLE MAYOR BALL AND MEMBERS OF THE COUNCIL

CALL TO ORDER

MEMBERS PRESENT

Council president Philip Mize declared a quorum present at 7:00 pm and called the regular meeting of the Cheney City Council to order on Thursday, February 9, 2012. Council members present were Jeff Albers, Greg Kampling, and Carl Koster. Staff present was City Administrator Randall Oliver, City Clerk Danielle Young, Police Chief Howard Bishop, Maintenance Superintendent Kevin Fowler, Cherry Oaks Pro Shop Manager Patrick Jordan, Attorney Lee and Bryant Parker. Mayor Linda Ball and Council member Angie Gregory were absent.

PLEDGE OF ALLEGIANCE TO THE AMERICAN FLAG

DETERMINE AGENDA ADDITIONS

Council member Carl Koster moved to add the Assignment of Solid Waste Agreement to line item 9 on the Agenda.

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

CONSENT AGENDA

All matters listed on the Consent Agenda are considered under 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 12th City Council meeting
- c) Building Permit – All Seasons Const.- 321 Filmore (Andrea Nicholson)
- d) Building Permit- Widney Const- 604 Cherry Oaks Ct.
- e) Electrical Permit – Cheney Electric- 205 Jefferson (Jim Pearce)
- f) Mechanical Permit – Cheney Electric- 205 Jefferson (Jim Pearce)

Council member Greg moved to approve Consent Agenda as listed.

Council member Carl seconded the motion. Motion carried unanimously.

PUBLIC AGENDA-No one was present.

OLD BUSINESS

Mayor's appointment of Gary Davis, Police Department was postponed until the March meeting since Mayor Ball was absent.

NEW BUSINESS

CONSIDERATION OF RESOLUTION #233-2012 REQUESTING THE KANSAS DIRECTOR OF ACCOUNTS AND REPORTS TO WAIVE THE STATUTORY

REQUIREMENTS OF USING GENERALLY ACCEPTED ACCOUNTING PRINCIPLES FOR THE CITY OF CHENEY

This Resolution exempts the City of Cheney from the statutory requirement of using Generally Accepted Accounting Principles. In recent years, Cities have been under increasing burden to account for assets that have no actual market value. And while these things do not have a fair market value, they still are required to be in conformance with GAAP. Therefore, smaller municipalities in Kansas have opted to go with another form of cash basis of accounting that is in conformance with Kansas's law. (Requirements of K.S.A. 75-1120a (a))

Council member Jeff Albers moved to approve Resolution 233-2012 requesting the Kansas Director of Accounts and Reports to waive the statutory requirements of using generally accepted accounting principles for the City of Cheney, Kansas. Council member Greg Kampling seconded the motion. Motion carried unanimously.

CONSIDERATION OF SECOND ADDENDUM TO OPTION AND LEASE AGREEMENT WITH CINGULAR WIRELESS PCS, LLC, A DELAWARE LIMITED LIABILITY COMPANY FOR A 6 MONTH TERM.

This would further extend the Option & Lease Agreement period for another six (6) month term under a First Addendum to Option and Lease Agreement, and such period shall terminate on August 9, 2012. Oliver stated that according to AT & T they are still working on the budget and Council could make the lease agreement for 12 months instead of 6 months if they wish.

Council member Carl Koster moved to approve the second option & lease agreement for six months with Cingular Wireless PSC. Council member Greg Kampling seconded the motion. Motion carried unanimously.

CONSIDERATION OF AN AGREEMENT WITH AZTEC STUCCO & STONE TO STUCCO CITY HALL We received a bid from Aztec Stucco & Stone to stucco the entire outside building of City Hall. The price is broken down so we could decide to do a portion of the building if you so chose. Total cost is \$28,196.00. East side \$9,690, North side \$14,222 and the West side \$ 4,284. All sides of the building leak in water during rain. Oliver stated that this is the same company that stuccoed the library. \$39,000 in the capital reserve. A pool roof and chair lift will also be spent out of this account. Jeff stated a lot of money has been put into the inside of the building, so it's important to take care of the outside as well. Koster stated we should

Council member Carl Koster moved to approve the bid from Aztec Stucco & Stone to complete all 3 side(s) of the city hall building. Council member Jeff Albers seconded the motion. Motion carried unanimously.

CONSIDERATION OF AN AGREEMENT WITH GEORGE, BOWERMAN & NOEL P.A. TO PERFORM THE YEAR ENDING 2011 CITY OF CHENEY AUDIT George, Bowerman & Noel have conducted financial audits of the City's financial statements for the last several years. Staff is very comfortable with this firm and the accountants conducting the audit. Staff recommends continuing this relationship and approving the letter of engagement.

Council member Jeff Albers moved to approve the letter of engagement with George, Bowerman & Noel for a fee not to exceed \$8,300 plus out of pocket expense. Council member Greg Kampling seconded the motion. Motion carried unanimously.

CONSIDERATION OF AN PURCHASING A 2012 TORO GM 4000D MOWER FROM PROFESSIONAL TURF PRODUCTS FOR THE GOLF COURSE This mower would replace the 2003 Toro 4000D mower. This mower was scheduled to be replaced last year, but was not. Funds of \$50,000 have been set aside to purchase equipment. The City has looked at purchasing a used mower on the market the last couple of years.

Council member Albers asked about the trade in price of our used mowers. Cherry Oaks Maintenance Superintendent Kevin Fowler has listed the used mower on his list serve and possibly has a City interested. He mentioned the list price for the new mower is \$65,000 and it is an 11 foot mower. Kevin had lease payment numbers available, but Oliver stated his opinion was to purchase the mower outright from the capital equipment account.

Council member Carl Koster moved to approve the purchase of the mower from Toro for \$46,141.90.

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

CONSIDERATION OF ADOPTING THE RECORD RETENTION POLICY & PROCEDURES This policy is to help guide City staff as to the proper length of time to retain records pertaining to the business of the City. This ensures that records of the City are retained for the proper length of time and that records that must be destroyed are taken care of properly. It also ensures that adequate space is available for records that must be retained. Attorney Lee Parker reviewed the policy and commented that the hold harmless agreements and other documents that may pop up with liability should be kept permanently. City Clerk Danielle Young had already reviewed the attorney's comments and made the changes. Oliver stated that the legislature is also looking at ways to retain electronic records.

Council member Greg Kampling moved to approve the Record Retention Policy & Procedures manual.

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

CONSIDERATION OF QUOTE FROM UNIQUE ENTERPRISES TO UPDATE OUR CHENEY WEB SITE. A quote from Unique Enterprises was received to completely rebuild the City's web site base. There will be about 43 to 50 pages total. Clerk Young has been working on updating the web site and would work with Unique Enterprises to complete the task. The total cost is \$3200.00 with a hosting fee of \$10.00 per month. Young received quotes from several other companies, but felt like Unique Enterprises would fit the City's needs.

Council member Jeff Albers moved to approve the \$3,200.00 quote from Unique Enterprises to build a new web site base.

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

NATURAL GAS SURVEY FOR CITY OF CHENEY COUNCIL MEMBERS

Maintenance Superintendent Brad Ewy was absent so the Natural Gas Survey was tabled until next month.

ASSIGNMENT OF AGREEMENT FOR SOLID WASTE

Administrator Oliver informed council members that Lies Trash Service sold to Waste Management effective the beginning of February. The City's term of the agreement with Lies Trash expired Jan. 1, 2012. An assignment of agreement for solid waste was presented from Waste Management extending the agreement to Jan. 1, 2013. At this time the Council would be able to decide if they want to extend it for another year. Oliver met with Waste Management earlier in the day about their future plans. Waste Management reported to Oliver that in the future they are looking at changing recycling to every other week and possibly using an arm truck to pick up the trash containers. They will still do our yearly trash day in June. Oliver also stated that on bulk items Waste Management prefers people put the items out on the day of the trash because they will not make a special trip out for the bulk item pick up. Oliver told them they would want a new contract 3 months prior to them changing their terms.

Council member Greg Kampling moved to agree to the assignment and extend the contract with Waste Management until Dec. 31, 2012 with the same terms and agreements and authorize the Mayor to sign.

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

POLICE REPORT

Police Chief Howard Bishop stated they received the new radios today, but they are not working because they were programmed wrong. Bishop picked up two ice machines at Ft. Riley that will go to the golf course.

Council member Kampling asked if Cheney was involved in the carjacking and shooting this past week. Bishop stated he was at the north end of the lake, but did not make it to the call.

Bishop also reported that he hasn't heard anything back on the skull found at the residence in Cheney.

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 reported that January had some great weather and revenues showed it. All of the batteries had been installed in the golf carts. Cherry Oaks Maintenance Superintendent Kevin Fowler didn't have anything to add to his report.

ADMINISTRATOR'S REPORT

Administrator Oliver noted that the solar lights on the new Cheney sign had been installed.

Oliver said the City would start advertising for a new pool manager and it will be listed on the HRE partner website.

Oliver sent out several wind energy ordinances for Council to review and decide what they want to allow or not allow. There is a citizen currently wanting to place a wind turbine on their house. Attorney Lee Parker stated he had experience of one getting out of control many years ago. Oliver asked Council what size of lot they would want to allow wind turbines on, if at all. Council stated they would need to see the information on what will be put up. Oliver stated the blade is 48 inches and would be about 6-8 foot above his roofline. Council requested more information on the different turbines and how they operate. Parker stated a wind turbine is not allowed under a special use permit except in the M-1 district for electrical installations. Oliver stated he will tell the citizen that it is currently not allowed, but Council will take it under advisement and decide if they want to make changes to allow them in Cheney.

Administrator Oliver presented a bid on the pool roof for \$8,785.00 for a 412 pitched roof and gables that would be 10 with blue metal and does not include tearing off the existing roof. Council member Koster asked about getting a second bid. Attorney Parker suggested the bid be sent out to be design built and not show the current bidder's information. If no other bid comes in, the City should document what other contractors were asked to bid the project. Oliver stated he would get with Ewy and get another bid for a tin roof with an overhang.

Tree limb letters were sent out to get their trees trimmed back. Council member Koster asked the last time this was done. Oliver stated people have been asked verbally a few times, but it had been several years since action was taken.

Council member Mize stated the Safe Routes to School public meeting was very positive.

Administrator Oliver announced the Chamber Banquet is February 20th.

Administrator Oliver has received three quotes for the digital sign. One quote is for a 2 x 10 foot and the other two quotes are for a 4 x 8 foot sign. Oliver spoke with Westar and there would be no cost for them to set the transformer with an aerial to a pole the City sets. The City would pay for the cost from the meter to the sign. The Chamber and make A Difference Day has stated they will help pay for the sign. Council member Mize asked if this is the best spot for the sign and if the city sells the lot what would happen. Oliver stated that the sign could be moved, but it would have to stay relatively close to City Hall so the information could be fed to the sign. City Hall is currently 350 foot from the sign and the max is 600 foot. Council member Albers proposed working on policies and procedures for the sign first. Council member Mize also asked about a maintenance agreement, warranty, and insurance on the sign. Council asked for the proposed policies and procedures to be resent to council members. Council member Albers stated he would get feedback from Chamber members also.

ATTORNEY'S ITEMS

Attorney Lee Parkers reported that the legislature is currently in session with a bill to control the ability to carry concealed weapons. The worry is that people could carry swords concealed. The bill would prohibit local units of government from doing anything.

CLERK'S ITEMS

City Clerk Young announced the new limestone sign at Albers-Zerener Park had been erected.

MAYOR'S ITEMS

Mayor Ball was absent.

COUNCIL ITEMS

Council member Carl Koster spoke with our County Commissioner regarding our ambulance service.

ADJOURN

Council member Jeff Albers moved to adjourn at 8:55 p.m.
Council member Carl Koster seconded the motion.

Mayor Linda Ball

(seal)
Attest:

City Clerk Danielle Young