

CITY OF CHENEY

MINUTES OF THE REGULAR CITY COUNCIL MEETING

**131 N MAIN ST
COUNCIL CHAMBERS, CITY HALL
July 12, 2018; 7:00 P.M.**

HONORABLE MAYOR BALL AND MEMBERS OF THE COUNCIL

CALL MEETING TO ORDER

MEMBERS PRESENT

Mayor Linda Ball, Council members Jeff Albers, Philip Mize, Kassie Gile, Greg Kampling and Greg Williams. Staff present City Administrator Danielle Young, City Attorney Austin Parker, Police Chief Ken Winter, Maintenance Superintendent Brad Ewy, and Director of Golf Kevin Fowler.

PLEDGE OF ALLEGIANCE TO THE AMERICAN FLAG

PUBLIC HEARING ON PROPOSED ASSESSMENTS IN CONNECTION WITH THE FOLLOWING DESCRIBED IMPROVEMENTS AUTHORIZED BY RESOLUTION No. 289-2018

Mayor Ball opened the Public Hearing at 7:02 pm regarding the special assessments for sewer main improvements necessary to serve the property at Lot 1, Block 1 Albers Industrial Park. Notice for the Public Hearing was published in the paper on June 28th, 2018. The total cost of the improvements is \$287,188.30 with 25% assessed against the Property comprising the Benefit District and 75% to be paid by the City-At-Large, with the City-At-Large share paid using CDBG Grant Funds.

Public Comments: There were no public comments.

Council member Jeff Albers abstained from voting and all conversation as a Council member.

Council member Philip Mize moved to close the public hearing at 7:03 pm.

Council member Kassie Gile seconded the motion. Motion carried 4-0-1 with Albers abstaining.

DETERMINE AGENDA ADDITIONS:

Appointment of Part-time and Reserve Officers

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 June 14, 2018 Council meeting
- c) Approval of minutes for June 18, 2018 Special Council meeting
- d) Building Permit- 118 N Garfield- Kevin Hoheisel
- e) Building Permit- 401 N Marshall- Dan Thimesch Construction
- f) Building Permit- 731 S Main- City of Cheney
- g) Building Permit- 717 E 2nd Ave- Jarret Hudson
- h) CMB License- Bret J Albers- Special Event July 18-21st- 308 S Main St
- i) Electrical Permit- 401 N Marshall- Cheney Electric

- j) Fence Permit- 417 W 1st Ave- Teresa Tracy
 - k) Fence Permit- 658 E 6th Ave- Steve Easter
 - l) Fence Permit- 505 Cherry Oaks- American Fence
 - m) Mechanical Permit- 401 N Marshall- Cheney Electric
 - n) Mechanical Permit- 210 N Main- Dan's Heating & Cooling
 - o) Mechanical Permit- 210 N Jefferson- On Time Plumbing & Heating
 - p) Plumbing Permit- 327 N Adams- Mr Rooter Plumbing
 - q) Roofing Permit- 520 N Lincoln- William Wulf
 - r) Siding Permit- 546 Jayhawk- Clint Reed
- Council member Greg Kampling moved to adopt the Consent Agenda as listed.
Council member Greg Williams seconded the motion. Motion carried unanimously.

PUBLIC AGENDA

No one spoke during the public agenda.

OLD BUSINESS

NEW BUSINESS

CONSIDERATION OF ORDINANCE 910: A HOME RULE ORDINANCE OF THE CITY OF CHENEY, KANSAS, AUTHORIZING THE ASSESSMENT OF SPECIAL ASSESSMENTS FOR SEWER MAIN IMPROVEMENTS APPLICABLE TO PROPERTY LOCATED IN THE CITY.

Resolution 289-2018 was adopted on January 11, 2018 authorizing the construction and apportioning the costs of improvements with 25% payable by the improvement district and 75% payable by the City-At-Large, with the City-At-Large share paid using CDBG Grant Funds. The property owner has until July 26th, 2018 to pay the assessment of \$71,797.08 to the City. If it is not paid, it will be assessed into installments of approximate equal amounts for 10 years with 0% interest rate.

Council member Albers abstained from discussion and voting as a Council member.
Council member Philip Mize moved to adopt ordinance 910.
Council member Greg Kampling seconded the motion.
Young called the Vote, Albers-abstained, Kampling-yes, Williams- yes, Gile-yes, Mize-yes

CONSIDERATION OF AN AGREEMENT WITH AGING PROJECTS

Council member Jeff Albers moved to approve the agreement with Aging Projects.
Council member Kassie Gile seconded the motion. Motion carried unanimously.

CONSIDERATION OF ORDINANCE 911: AN ORDINANCE REVISING THE ZONING CODE REGULATIONS CONCERNING MINIMUM REAR YARD IN R-3, R-4, AND GH AND MAXIMUM HEIGHT OF ACCESSORY STRUCTURES WITHIN THE CORPORATE LIMITS OF THE CITY OF CHENEY, KANSAS BY AMENDING SECTIONS 11.02 E, 12.02 E, 15.02 B2, 16.02 E, AND 22.03 D8 OF THE CHENEY ZONING ORDINANCE.

A public hearing was held at the Cheney Planning Commission meeting on Jun 18th, 2018. No comments were made regarding the proposed Zoning Code changes. The Planning Commission moved to make the recommendation to the City Council to formally adopt the proposed changes to the Zoning Code.

Council member Greg Kampling moved to adopt Ordinance 911.
Council member Greg Williams seconded the motion.
Young called the Vote, Albers-yes, Kampling-yes, Williams-yes, Gile-yes, Mize-yes

DISCUSSION OF PROPOSED 2019 BUDGET

The 2019 budget was prepared by the City Administrator and Department Heads for Council/s consideration. The proposed budget showed an overall decrease in the mill levy by 1.4. A budget hearing will be scheduled for the August 9th at the City Council meeting. The notice will be published in the paper on July 26th. Once the budget is published, the mill levy cannot be increased. Official adoption will occur on August 9, 2018. The mill levy can be adjusted up or down at this time prior to publishing.

Young presented a presentation showing the differences in expenditures for each budget, the increase in assessed valuation and the increase in the delinquency rate. A transfer of \$21,000 was budgeted for the revenue from the Friends of Cherry Oaks Golf Tournament to be transferred into a new project fund. Council member Albers and Williams were concerned that this set up could deter the future of the tournament if they have to wait for the funds to be collected over the next few years before doing a new project. It was discussed if the next project at the golf course could be internally financed from other funds. Young stated she would check to see about the possibility of funding a project from another fund. The total expense of the cart paths was also discussed. Council member Albers asked if utility fees needed to be looked at and when the last utility fee increase was.

CONSIDERATION OF PUBLISHING THE NOTICE FOR A BUDGET HEARING ON AUGUST 9, 2018 FOR THE PURPOSE OF ADOPTING THE 2019 BUDGET.

Council member Greg Kampling moved to publish the notice for a public hearing on the proposed 2019 budget on August 9, 2018.

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

CONSIDERATION OF MAYOR BALL'S APPOINTMENTS

Mayor Linda Ball requested Council's confirmation on the following appointments:

Jackson C. Chance- Reserve Police Officer

Kyle W. Berger- Reserve Police Officer

Martin "Marty" L. Bell- Part-time Officer

Council member Greg Williams moved to confirm Mayor Ball's appointments.

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

POLICE REPORT

Chief Winter stated that the Police Department had 397 calls for service in June.

Winter reported that the Department had issues with their body cameras not working. Winter discussed the problems with the company and was able to get the body cameras replaced free of charge. The Police Department had another radio die last week, so they are trying to budget for radio replacement.

Winter announced that Donovan Webb won the Statewide DARE Essay award. They will also begin working with the school regarding a School Resource Officer grant.

FIRE REPORT

Fire Chief Brad Ewy mentioned that the Fire Department would like to look at body cameras that can be worn during calls.

MAINTENANCE REPORT

Maintenance Superintendent Brad Ewy stated that Main Street would be redone by the County soon. Ewy reported that APAC is almost finished with the Street projects. The City maintenance department is crack sealing. Construction of the new dugouts should begin next week. The playground equipment that was purchased on Purple Wave was removed within a day from El Dorado and will be installed at the Swimming Pool Park.

GOLF COURSE REPORT

Director of Golf Kevin Fowler reported that the golf course had some pump issues and will need additional work done to fix it at a later date. Fowler thanked the maintenance crew for mowing the tall rough. They also used the skid steer brush cutter for cutting brush around the pond, and a leak was also fixed on the pond.

ADMINISTRATOR'S REPORT

Administrator Young reported that the City mowed the Cheney Mobile Home Property after it was not taken care of after a 10 day notice was issued. The City also contacted the park manager verbally several times to mow and they did not. Two employees spent 3 hours mowing the park. A bill for \$900 was sent. The park requested that the City decrease the charges. Another complaint was made yesterday from a resident and upon inspection, it was found the Park has not mowed again. The continuous violations were discussed. Council did not wish to waive the \$900 fee.

Young stated the annual Christmas Party could be held at River City on December 7th or 14th or at the restaurant Twelve on Saturday, December 15th.

Young stated she had a discussion with the owner of Ninnescah Estates. The property owner prefers to leave the annexation up to the individual homeowners. He asked if the development was annexed if the road would have to be curbed/guttered or if it could remain gravel. Council discussed only requiring paving and not requiring curb/gutter as long as there is room for ditches. The owner also asked about the special assessments for water. It was explained that the cost would be divided out per lot, but he would be responsible for the specials payment until the lots were sold. It was also mentioned that a letter of credit would be required for the amount. It was discussed that specials could not be assessed to properties outside the City limits.

ATTORNEY'S ITEMS

Attorney Parker had nothing to report.

MAYOR'S ITEMS

Mayor Ball had nothing to report.

COUNCIL ITEMS

Council member Greg Kampling had nothing to report.

Council member Jeff Albers had nothing to report.

Council member Philip Mize had nothing to report.

Council member Kassie Gile had nothing to report.

Council member Greg Kampling had nothing to report.

EXECUTIVE SESSION

Council member Jeff Albers moved that the City Council enter into executive session to discuss future employment opportunities pursuant to matters related to non-elected personnel KSA 75-4319(b)(1) for 10 minutes at 9 pm with Chief Winter, Attorney Parker and Administrator Young.

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

Mayor Ball stated Council was back in session at 9:10 pm with no binding action taken.

Council member Jeff Albers moved that the City Council enter into executive session to discuss potential liability pursuant to matters related to attorney client privilege KSA 75-4319(B)(2) for 30 minutes at 9:15 pm with Attorney Parker and Administrator Young.

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

Mayor Ball stated Council was back in session at 9:45 pm with no binding action taken.

ADJOURN

Council member Jeff Albers moved to adjourn at 10:03 p.m.

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

Mayor Linda Ball

(seal)

Attest:

Danielle Young, City Clerk/Administrator