

# ***CITY OF CHENEY***

## **MINUTES OF THE REGULAR CITY COUNCIL**

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**131 N MAIN ST  
COUNCIL CHAMBERS, CITY HALL  
June 9, 2011; 7:00 P.M.**

### **HONORABLE MAYOR BALL AND MEMBERS OF THE COUNCIL**

#### **CALL MEETING TO ORDER**

#### **MEMBERS PRESENT**

Mayor Linda Ball declared a quorum present at 7:00 PM and called the regular meeting of the Cheney City Council to order on Thursday June 9, 2011. Council members present were Jeff Albers, Angie Gregory, Greg Kampling, Carl Koster, and Philip Mize. City staff present were Randall Oliver, City Administrator; Danielle Young, City Clerk; Atty. Lee Parker; Howard Bishop, Police Chief; Kevin Fowler, Golf Course Superintendent; Patrick Jordan, Golf Course Manager; Mary Bronston, Deputy City Clerk. Guests present were Kathy Trilli, Adam Lukens, Dr. Steven Gould, Dr. Steven Twietmeyer, Dr. Becky Twietmeyer, Charles Twietmeyer, Austin Parker and Travis Mounts, Times Sentinel Newspaper.

#### **PLEDGE OF ALLEGIANCE TO THE AMERICAN FLAG**

#### **DETERMINE AGENDA ADDITIONS**

City Administrator, Randy Oliver, added a fireworks display permit for the Sedgwick County Fair as an agenda item.

#### **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 May 12, 2011 City Council meeting
- c) CMB License- Bret Albers
- d) Building Permit – Ruth Tompkins- 326 W. 1<sup>st</sup>
- e) Building Permit – Todd Rosenhagen Construction- 355 Lakeside Dr.
- f) Building Permit – Kampling Construction- 734 Lincoln St.
- g) Building Permit – Randy Allen- 613 Filmore St.
- h) Building Permit – Keith Peters- 733 N. Lincoln
- i) Building Permit – Outback Pools- 411 W 1<sup>st</sup> Ave.
- j) Building Permit- Steve Seiler Construction- 317 Jefferson St.
- k) Electrical Permit – Cheney Electric- 317 Jefferson
- l) Mechanical Permit- Air Quality Control- 403 N. Adams
- m) Mechanical Permit- Cheney Electric- 604 E. Jayhawk
- n) Plumbing Permit- Cheney Electric- 317 Jefferson
- o) Roofing Permit- Ray Davis Roofing- 605 Aetna Dr
- p) Roofing Permit- Wichita Roofing- 306 Garfield
- q) Roofing Permit- Roof Mechanics- 201 N. Filmore
- r) Roofing Permit- Wichita Roofing- 600 N. Lake Rd
- s) Roofing Permit- Wichita Roofing- 827 Lincoln St.

t) Roofing Permit- Ron Ball- 410 N. Lincoln St.  
Council member Jeff Albers moved to adopt the Consent Agenda as listed.  
Council member Greg Kampling seconded the motion. Motion carried unanimously.

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

Dr. Steve Twietmeyer, a dentist since 1981 and a dentist at Twietmeyer Dentistry in Cheney, addressed the issue of fluoridating the City's water. Twietmeyer remembered in 1991 when the City had voted to fluoridate the water. He is aware that the government wants to lower the fluoridation requirements, but thinks it would be premature to change the City's fluoridation levels now. He stated that the final recommendations should be out by the end of the year He understands that the water currently has a natural fluoridation level of .4, but believes it should be at least .7 parts per million to provide an anticaries effect. Twietmeyer hoped that the Council would continue to provide this benefit.

Twietmeyer also believed that they have lowered the recommended amount because of changing lifestyles and continuing scientific research. All research says .4 will not prevent tooth decay in children. While being a dentist in Cheney, Twietmeyer stated he has not seen many people with fluorosis in the community.

Dr. Steve Gould, owner of Gould Chiropractic in Cheney since 1993, addressed the issue of stopping fluoridation within the City's water. He believed fluoride can affect the enzyme and Krebs cycle of children, as fluoride is used in no enzyme processes. He reminded council members that fluoride is a caustic material and it rusts pipes. Since the natural fluoridation of the water is already .4 and the recommended level is .7, Gould believed people could get the additional fluoride from their diets, mouth wash, and toothpaste. Placing fluoride in the water is the wrong route of administration; Gould stated that it should be directly applied to teeth.

Council member Koster asked what foods contained fluoride. Gould stated that most foods picked out of the ground contain fluoride.

Jeff asked if there's one single documented thing that too much fluoride can cause? Gould said it can cause white blotching of the teeth and brown pitting. A lot higher dosing can also cause a bone disease.

Dr. Becky Twietmeyer commented that the levels of fluoride have changed because there are more sources of receiving fluoride. She does like the idea of the state lowering the recommended level, but still believes adding fluoride is effective.

Dr. Steven Twietmeyer added that the City should be able to request a consultation with engineers if fluoride is deteriorating water pipes. It was stated that the City spends \$2400-\$2600 a year for the fluoride material.

Council member Mize stated that he had great respect for all individuals presenting their sides and that both sides of the argument were very convincing.

Council member Albers didn't think the City should make a change to their fluoridation process until the state comes out with a definite recommendation.

**OLD BUSINESS**

Golf Cart Ordinance Review- Last month the Council and Mayor requested a change in the golf cart ordinance so golf carts could be driven at night with proper lights. After it

was researched, it was discovered that the state will not allow a person to drive a golf cart between sunset and sunrise per state statute.

## **NEW BUSINESS**

### **CONSIDERATION OF ORDINANCE 841 CONCERNING SPECIAL EVENT RETAIL SALES OF CEREAL MALT BEVERAGES WITHIN THE CITY OF CHENEY, KANSAS BY AMENDING SECTIONS 3-201 AND 3-207 OF THE CODE OF THE CITY OF CHENEY, KANSAS.**

New state law allows for CMB licenses to be issued to special events. Currently, CMB licenses are only issued on an annual basis. A CMB special event retailers' permit shall allow the permit holder to sell and serve cereal malt beverage for consumption on otherwise unpermitted premises, which may be open to the public. The cost of the permit is \$75, with \$25 being paid to the State of Kansas.

Council member Carl Koster moved to approve ordinance No. 841 concerning special event retail sales of CMB and amending sections 3-201 and 3-207 of the city code. Council member Phil Mize seconded the motion.

Clerk Young called the vote. Albers-yes, Gregory-yes, Kampling-yes, Koster-yes, Mize-yes. Motion passed 5-0.

### **CONSIDERATION OF ORDINANCE 842 CONCERNING SOLICITORS, CANVASSERS, PEDDLERS WITHIN THE CITY OF CHENEY, KANSAS BY AMENDING SECTION 5-104 AND 5-105 OF THE CODE OF THE CITY OF CHENEY, KANSAS**

This ordinance would require all applicants to have a back ground check done before the license is issued to engage in their business and sets a penalty for \$100 for failure to comply. This changes the current code that only requires non-county residents to have a background check and no penalty.

Council member Carl Koster moved to approve ordinance No. 842 concerning solicitors, canvassers, and peddlers and amending section 5-104 and 5-105 of the city code. Council member Greg Kampling seconded the motion.

Clerk Young called the vote. Albers-yes, Gregory-yes, Kampling-yes, Koster-yes, Mize-yes. Motion carried 5-0.

## **BUDGET WORKSHOP DATE**

A date was discussed to meet and discuss next year's Budget concerns and direction. Administrator Oliver said that he would have a draft budget for Council's review at the July 14<sup>th</sup> Council meeting.

Council member Angie Gregory moved to set the date for June 27 at 7 pm for a Budget workshop meeting. Council member Jeff Albers seconded the motion. Motion carried unanimously.

## **FIREWORKS DISPLAY**

The Sedgwick County Fair has requested a fireworks display at dusk on July 9<sup>th</sup>. The fireworks will be shot off along 375<sup>th</sup> St. The road will possibly be closed at McArthur and 2<sup>nd</sup> Ave. Governing body must approve the permit 30 days prior to the shoot.

Council member Jeff Albers moved to approve the Fireworks Display Permit.  
Council member Carl Koster seconded the motion. Motion carried unanimously.

### **POLICE REPORT**

Police Chief Howard Bishop added to his report that he and Jerry Peitz taught two classes for Drivers Ed over the past week and with all five police officers back on duty, coverage would be extended to 24/7.

### **FIRE REPORT**

Fire Chief Brad Ewy was absent because of severe weather.

### **MAINTENANCE REPORT**

Maintenance Superintendent Brad Ewy was absent due to severe weather. Council member Mize asked Oliver if Ewy had received a bid for street repairs. Oliver stated they signed the contract for the streets last week.

### **GOLF COURSE REPORT**

Golf Course Manager Patrick Jordan reported that numbers were decent for May. Cherry Oaks received a grant and will receive a set of family tee markers within the next couple weeks. Jordan will be working on a family rate that is reasonable. He stated the Fire tournament went pretty well and Friends of Cherry Oaks tournament is June 26.

Golf Course Maintenance Superintendent Kevin Fowler stated that the wind and heat have dried out the course. The concrete fence around the maintenance shop has been completed. The maintenance department has started pouring cart paths and back filling, as they are trying to get as much done before the Benefit tournament as possible.

Council member Albers asked Fowler if he could let him know when they will be pouring concrete cart paths again because some chamber members would like to be informed.

### **ADMINISTRATOR'S REPORT**

City Administrator Randall Oliver stated that Clean-up Day is Saturday, June 11th at the Maintenance Building.

The "Cheney" sign has been poured. It will have to set before it is placed along Highway 54, but the goal is to have it up by the Fair.

Oliver informed Council of the past due accounts at Sundance Apartments. The accounts are not under the individuals living at the property, but listed under Cohen Esry. Currently, the City's policy is to shut off customers if the bill is not paid. If they follow this procedure, it would shut off six people that have no say in if their bill is paid.

Attorney Lee Parker stated Cohen-Esry has several other properties around the state. Parker stated he would write a letter to the residents notifying them of the problem and a certified letter to Cohen-Esry. Lee also stated he could threaten to pull the occupancy permit if the utility bills are not paid. Parker commented that there are other ways to collect money, such as putting the amount on their tax rolls and the Landlord-tenant act should be reviewed.

### **ATTORNEY'S ITEMS**

Attorney Lee Parker had no other items to report.

### **CLERK'S ITEMS**

City Clerk Young informed council members that she had received a telephone call from a citizen concerning the increase in pool fees.

**MAYOR'S ITEMS**

Mayor Ball asked if there had been any complaints about mowing yards. Council member Kampling mentioned that nothing had been mowed at the Back 9 and a letter should be sent.

**COUNCIL ITEMS**

Kampling had nothing to report.  
Gregory had nothing to report.  
Mize had nothing to report.  
Albers had nothing to report.  
Koster had nothing to report.

**WORKSHOP ITEMS**

No items were discussed.

**ADJOURN**

Council member Phil Mize moved to adjourn at 8:10 p.m.  
Council member Jeff Albers seconded the motion. Motion carried unanimously.

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Linda Ball, Mayor

(Attest)

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Danielle Young, City Clerk