

CITY OF CHENEY

MINUTES OF THE REGULAR CITY COUNCIL MEETING

131 N MAIN ST
COUNCIL CHAMBERS, CITY HALL
June 14, 2018; 7:00 P.M.

HONORABLE MAYOR BALL AND MEMBERS OF THE COUNCIL

MEMBERS PRESENT

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

Guests- Cash Young, Tricia Parker, J.C. Moore, Laura Quick, Sam Jack, National Guard Brig.Commander Weishaar, and 184th Intelligence Wing Commander Jabara.

PLEDGE OF ALLEGIANCE TO THE AMERICAN FLAG

PRAYER

DETERMINE AGENDA ADDITIONS

Young added Agenda Item 8. Renewal of Software Assurance for NEC Phone System at City Hall

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 10, 2018 City Council meeting
- c) Building Permit- 658 E 6th Ave- Design One Contractors LLC
- d) Curb Cut- 716 Filmore- David Campbell
- e) Electrical Permit- Atlas Electric- 328 Washington
- f) Fencing Permit- 224 N Adams- Scott Logsdon
- g) Fencing Permit- 218 N Garfield- Dylan Gariepy
- h) Roofing Permit- 648 Aetna- Bill Bilson
- i) Roofing Permit- 418 W 2nd- S & J Construction
- j) Roofing Permit- 561 Bob White- Gary Wilbert Roofing
- k) Roofing Permit- 2524 W 383rd Ct- Farha Roofing
- l) Roofing Permit- 213 N Garfield- Hobson Roofing
- m) Roofing Permit- 509 Aetna- Steve Burns
- n) Sprinkler Permit- 658 E 6th Ave- Nate Gruising

Council member Philip Mize moved to adopt the Consent Agenda as listed.
Council member Greg Kampling seconded the motion.

PUBLIC AGENDA (Please limit comments to 5 minutes)

Brig.Commander Weishaar, and 184th Intelligence Wing Commander Jabara discussed the training held with the City of Cheney on June 7-10th. They explained their goal and vision for the event began 18 months ago. They showed their gratitude to the City by presenting a picture to the Mayor.

Laura Quick presented information about the Cheney Diamond Dawgs. She explained that the players are from all over the US and the players and coaches are not paid. They fund the program through gate admission and sponsorships. Last year the team finished 2nd in the League and placed 3rd in the NBC Tournament. This year the team has been more involved in the community and the goal is to increase community awareness and community involvement to benefit the City of Cheney for sustainability and growth for Cheney.

J.C. Moore is running for House of Representatives against Rep. Whitmer. Moore decided to run for Representative because he lived in an area near Clearwater where Tyson was going to build a plant. He thinks our State needs to be fiscally responsible and invest in schools. He spoke on matters regarding water rights, silt and at runoff at Cheney Lake, and Highways and Roads.

OLD BUSINESS

NEW BUSINESS

CONSIDERATION OF ORDINANCE 908 PROHIBITING THE USE OF TOBACCO PRODUCTS AND E-CIGARETTE DEVICES WITHIN OUTDOOR CITY PARKS AND RECREATIONAL FACILITIES OF THE CITY OF CHENEY KANSAS AND REPEALING ALL CONFLICTING ORDINANCES AND PARTS OF ORDINANCES OF THE CITY OF CHENEY, KANSAS

Vinita 4H Club Member, Cash Young, presented information on the topic regarding the program *Young Lungs at Play!* and requested the City Council adopt an Ordinance pertaining to banning Tobacco-use in City Parks.

Council member Jeff Albers moved to adopt Ordinance 908.

Council member Greg Williams seconded the motion.

Vote- Albers-yes, Gile-yes, Kampling-yes, Mize-yes, Williams-yes

CONSIDERATION OF ORDINANCE 909 ESTABLISHING PENALTIES FOR THE VIOLATION OF CURFEW PROVISIONS OF THE CHENEY CITY CODE BY AMENDING SECTION 11-209 OF THE CHENEY CITY CODE AND REPEALING ALL CONFLICTING ORDINANCES AND PARTS OF ORDINANCES OF THE CITY OF CHENEY, KANSAS

Staff requested that the City Code regarding penalties for curfews be updated. Currently the Police Department is unable to write a ticket for curfew violations.

Council member Philip Mize moved to adopt Ordinance 909.

Council member Greg Kampling seconded the motion.

Vote- Albers-yes, Gile-yes, Kampling-yes, Mize- yes, Williams-yes

CONSIDERATION OF CHENEY SOCIAL MEDIA POLICY

The City's Social Media Policy was adopted in March 2014. Staff recommended an update to the policy. Young explained that she attended a LKM webinar regarding Social Media Policies and has updated the City's policy to include additional suggested information. The "Off-Duty Use of Social Media by Employees" section was updated and an Organizational Use and Terms of Use section was also added.

Council member Kassie Gile moved to adopt the Social Media Policy

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

PURCHASE OF EQUIPMENT FOR CHRISTMAS LIGHT DISPLAY

Young reported that the Christmas Light Display has not worked properly for the past few years and is not syncing properly to the music. In order to correct the display, new controllers and electrical equipment needs to be purchased. The original Christmas Display items was purchased in 2014 for \$11,985. Funds were budgeted in the Parks Budget for Christmas Lights in 2018.

Council member Phil Mize moved to purchase equipment for the Christmas light display from Jolt Lighting LLC in the amount of \$4265.90.

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

CONSIDERATION OF BIDS FOR BALLFIELD FENCE INSTALLATION

Three bids were received to install the 5' perimeter chain link fence at the new ballfield. The City purchased the chain link fence from Oklahoma but Staff has requested a company install it. The original bid from American Fence to install the backstop and perimeter fence was \$35,915. Instead, the City purchased used fencing material for \$5,000 and had a separate backstop installed for \$18,981. The grant will reimburse 50% of the cost. Council member Jeff Albers asked how much of the total grant had been expended. Young reported they still had \$32,941 left to remit to the grant and would be reimbursed for 50% of that cost.

Council member Jeff Albers moved to approved Versasport of Kansas to install ballfield fencing in the amount of \$7,600.

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

SBA LEASE EXTENSION

Last month Council requested SBA offer an immediate financial benefit to the City on their request to extend the City's cell tower lease. Young presented two additional proposals with the best option including:

- ✓ On 04/02/2022, the rent will receive an one-time 20% increase;
 - ✓ Same escalations: 3% every year (except 2022);
 - ✓ The term of the lease will be extended an additional 35 years;
 - ✓ The City of Cheney will receive a \$3,500.00 signing bonus upon execution of the Lease Amendment.
- Council didn't see any immediate financial benefits and thought the City should wait to extend the lease.

Council member Jeff Albers moved to table the proposed option indefinitely.

Council member Phil Mize seconded the motion. Motion carried unanimously.

DECLARE CITY EQUIPMENT AS SURPLUS

The Police Department requested approval to sell the 2016 Ford Explorer. The vehicle is being replaced by a 2018 Ford Explorer set to arrive July 1st. The Police Department has been in contact with other departments and Mt Hope Police Department would like to purchase it for \$20,000.

Council member Kassie Gile moved to declare the 2016 Ford Explorer as surplus and sell it.

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

DISCUSSION OF CHANGES TO THE ZONING CODE

A Public Hearing is scheduled for June 18th at 7 pm and the Planning Commission has recommended the following changes be made to the Zoning Code:

- (1) amending the minimum rear yard setback requirements to twenty (20) feet from 25 feet from the property line in zones R-3, R-4, MHP and GH of the City of Cheney, Kansas,
- (2) removing the maximum height provisions for non-residential structures in the MHP zone of the City of Cheney, Kansas, and
- (3) amending the maximum height of garage, carport and shed accessory structures in residential districts of the City of Cheney, Kansas to twenty-five (25) feet from 15 feet as measured from the ridgeline by amending Sections 11.02, 12.02, 15.02 and Subsection D of Section 22.03 of the Zoning Ordinance for the City of Cheney, Kansas.

A Public Hearing will be held with the Planning Commission on June 18, 2018 at 7 pm. If the changes are approved, formal adoption by an Ordinance will be presented to the Council in July. Council had no comment regarding the changes.

RENEWAL OF NEC SOFTWARE ASSURANCE

The City Office updated the phone system in 2015 and the phone's software assurance will expire on 7/4/2018. The cost to renew is \$1150 and covers the phone system for 5 years, which comes out to \$230/year. If this is not renewed and we have issues with our phone system, the cost is \$850 per phone call for support.

Council member Greg Kampling moved to approve the Software Assurance for 5 years for \$1,150. Council member Greg Williams seconded the motion. Motion carried unanimously.

POLICE REPORT

Chief Winter introduced Officer Mason Schell as the newest certified police officer. Schell graduated from KLETC on June 1st.

Chief stated they had 315 calls for service in May. Winter reviewed the "Seatbelts are for Everyone" program that Sergeant Martinez helps with and reported that they still struggle with getting passengers to wear their Seatbelts. Troy Wells from KDOT met with City Staff to look at creating a Safety Coalition committee. Winter would like to discuss the City's Truck Route as part of the Safety Coalition.

FIRE REPORT

Chief Brad Ewy thanked City for letting them use the golf course for their Fire Department Tournament, which made approximately \$9,700.

Ewy stated training with the National Guard allowed several items to be accomplished, from training to community service projects. He looks forward to them coming back in two years.

MAINTENANCE REPORT

Maintenance Superintendent Brad Ewy said the department is looking to get starting on slurry sealing the streets before school starts. The development at South Main was discussed regarding the dugout design, electrical needs, and possible shade structures. Mayor Ball asked about the City spraying for Bindweed.

GOLF COURSE REPORT

Director of Golf Kevin Fowler stated May and June had been busy with tournaments. The course is extremely dry and there are valves that need replaced in the ponds. The Friends of Cherry Oaks fundraiser is on June 24th. The Sunflower Baseball League will have their tournament at Cherry Oaks again.

ADMINISTRATOR'S REPORT

Young reported that they have been working on getting several nuisance properties in the City cleaned up. If they are not taken care of, Resolutions may be presented at the July meeting.

The 2019 Budget will be presented at the July meeting. Assessed valuations increased, which should allow the City to work on some 'wish list' projects without increasing the mill levy.

Mayor needs to sign a revised agreement for MCMC.

Young asked Albers about an update to the employment at Albers Finishing and Solutions. The City is waiting for SCKEDD to assess a \$4,250 bill. An extension has been applied for on the employment requirements. Austin said the City can wait to do the special assessments until it's completed or can do it without the \$4250 but would have to pay the \$4250 out of pocket. Council member Mize thought the City could just wait a year.

Young stated that a new plat, Ninnescah Estates, has been presented to Sedgwick County and is located south of MacArthur and Main Street. It will include 26 lots. The City has the right to review and comment on the development. The lots are around 3 acres each. The developer is not requesting utilities but wants a statement from the City that the property will remain outside the City limits. Young seen the main concern of keeping the property outside the city limits as no tax revenue for police protection. An estimate to extend water to the development was just under \$325,000. Gas is also available in the area. Another concern would be the road requirements of the City to be paved. Council member Albers expressed concern of the city running out of lots to develop. Attorney Parker reminded the Council that they can't bind themselves to future decisions so giving the developer a statement regarding future annexation would not be allowed. Council member Philip Mize was concerned about 26 new water wells.

Chief Winter expressed concern about Sedgwick County Deputies being unavailable to take calls and there being no benefit to the City to cover this development.

Council member Greg Kampling explained that the developer's specials would be extremely high, so that is why bigger acreage lots were probably being proposed. Attorney Parker agreed and stated that other communities seeing the same thing and annexing rural residential lots one at a time to provide them water. Council member Albers thought the City should talk to the developer and explain the utilities that the City can offer. Parker mentioned offering rural water standards and fire protection of a fire hydrant within 1000 feet could give them better fire rating coverage for their homeowners insurance.

ATTORNEY'S ITEMS

Attorney Austin Parker had no additional items to discuss.

MAYOR'S ITEMS

Mayor Ball did not have any additional items to discuss.

COUNCIL ITEMS

Council member Greg Williams did not have anything to report.

Council member Jeff Albers asked about doing a Buy-Out night for the Cheney Diamond Dawgs game. The cost was reported as \$200 for games on Sunday-Thursday \$200 and \$400 for Friday/Saturday. It was decided for the City to Sponsor the July 8th Cheney Dawgs game and provide free popcorn.

Jeff moved to approve to spend up to \$400 to buy out the Diamond Dawg game on July 8th.

Council member Philip Mize had nothing to report.

Council member Kassie Gile asked if the roughness of the railroad tracks could be fixed on Main Street.

Council member Greg Kampling asked if the City could do anything with the house across from the elementary school since it had been four years since the taxes had been paid. It was reported there were two more tax foreclosure sales in 2018. Attorney Austin Parker didn't recommend condemning the property and stated he would check into additional options.

ADJOURN

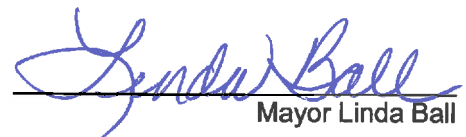
Council member Philip Mize moved to adjourn at 9:13 p.m.

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

(seal)

Attest:




Mayor Linda Ball


Danielle Young, City Clerk/Administrator