

CITY OF CHENEY

MEETING OF THE REGULAR CITY COUNCIL

131 N MAIN ST
COUNCIL CHAMBERS, CITY HALL
March 10, 2011; 7:00 P.M.

HONORABLE MAYOR BALL AND MEMBERS OF THE COUNCIL

CALL 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, March 10, 2011. Council members present were Jeff Albers, Angie Gregory, Greg Kampling, and Carl Koster. City staff present were Randall Oliver, City Administrator; Danielle Young, City Clerk; Atty. Lee Parker; Brad Ewy, Fire Chief and Maintenance Superintendent; Howard Bishop, Police Chief; Patrick Jordan, Golf Clubhouse Manager and Kevin Fowler, Golf Course Superintendent. Guests present were Paul Wrablica, Austin Parker and Terry Spexarth.

PLEDGE OF ALLEGIANCE TO THE AMERICAN FLAG

DETERMINE AGENDA ADDITIONS

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 February 10th City Council meeting
- c) Building Permit (fence) – Henry Sanford- 211-213 N. Main
- d) Building Permit (sign) - American Legion- 1753 N. Main St
- e) Roofing Permit – Travis Roberts- GCS Construction- 403 Garfield
- f) Mechanical Permit – Roger Zerener- 227 N. Main
- g) Electrical Permit – Roger Zerener- 227 N. Main

Council member Jeff Albers moved to approve Consent Agenda as listed.

Council member Greg Kampling seconded the motion.

PUBLIC AGENDA

Dan Ralstin was present and requested permission to sell fireworks with free use of the City lot and for the \$2,000 permit fee to be waived. In the last two years, Police Reserves have raised \$4,000 and have bought a County radio for \$2500 and taser and supplies. Ralstin would like to buy six body cameras with additional funds earned this year from the fireworks stand.

Last year, the fireworks stand profited \$1,600 and a taser was bought with this money. Administrator Randall Oliver thanked Ralstin for his contributions to the police reserve and informed him that the City would need accounting records of the funds.

Ralstin stated that in order for him to accept credit cards last year he had to create his own company, so the credit card accounting was under his company's name. Koster asked to see the accounting records before making a decision.

Administrator Oliver asked Ralstin to come back next month with a proposal.

OLD BUSINESS

NEW BUSINESS

CONSIDERATION OF PURCHASING 2 SENSUS HANDHELD AUTO METER READING BOOKS TO REPLACE 2 OUTDATED UNITS.

This handheld readers would replace two Sensus AR4001 handheld meter books with two AR5501 meter books. The current books record water and gas readings and cannot be upgraded anymore.

Council member Carl Koster moved to approve the purchase of 2 Sensus Auto Read meter books for \$7,800.00 from HD Supply Waterworks, LTD.

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

CONSIDERATION OF PLANNING COMMISSION'S RECOMMENDATION TO APPROVE THE SPECIAL USE PERMIT REQUEST FOR A WIRELESS TELECOMMUNICATIONS FACILITY CONSISTING OF A 300 FOOT SELF SUPPORT TOWER WITH ASSOCIATED GROUND BASE EQUIPMENT SHELTERS, CABINETS AND GENERATORS, ON PROPERTY OWNED BY THE CITY OF CHENEY LOCATED AT APPROXIMATELY 320 SOUTH GARFIELD STREET.

The Planning Commission held a public hearing for a Special Use Permit to erect a Wireless Telecommunications Facility zoned M-1 Industrial. A public hearing was held on March 7, 2011 with proper publication and notice to surrounding property owners.

Council member Greg Kampling moved to accept the planning commission's recommendation to approve the special use permit and for Mayor to sign approved plans.

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

CONSIDERATION OF ORDINANCE 839 REGULATING STREET PARKING BY PROHIBITING THE PARKING OF VEHICLES ON A CERTAIN ROADWAY WITHIN THE CITY OF CHENEY, KANSAS AND PROVIDING PENALTIES FOR THE VIOLATION THEREOF BY AMENDING SECTIONS 14-222 AND 14-223 OF THE CODE OF THE CITY OF CHENEY, KANSAS

This ordinance establishes one 15 minute parking space in front of City Hall during office hours and sets penalties.

Council member Angie Gregory moved to approve ordinance No. 839 establishing one 15 minute parking space and penalties.

Council member Carl Koster seconded the motion.

Call the Vote- Albers-yes, Kampling- yes, Koster- yes, Mize- absent, Gregory-yes

CONSIDERATION OF ORDINANCE 840 CONCERNING ALCOHOLIC LIQUOR WITHIN THE CITY OF CHENEY, KANSAS BY AMENDING SECTIONS 3-302 AND 3-502 OF THE CODE OF THE CITY OF CHENEY, KANSAS.

This ordinance changes the City's licensing from a one year to a biennial license to correspond with the States new two year license changes. Attorney Lee Parker stated that by changing the alcoholic licensing to biennial, the fee would be doubled since it is now for two years. At the time of application, the applicant may choose to pay both years or if only paying one year a 10% fee will be charged for the second half.

Council member Jeff Albers moved to approve ordinance No. 840.
Council member Angie Gregory seconded the motion.

Call the Vote- Albers- yes, Kampling-yes, Koster-yes, Mize-absent, Gregory- yes

CONSIDERATION OF A DRAWING TO OFFER \$50.00 OFF UTILITY BILL FOR FILLING OUT NATURAL GAS SURVEY.

As part of the City's public notification program for the Kansas Corporation Commission, a natural gas survey will be included in utility bills. The City would like to offer a \$50 drawing for customers who fill out the survey.

Council member Greg Kampling moved to offer one customer a \$50.00 coupon to be used towards their utility bill payment.

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

CONSIDERATION OF ADOPTING THE SWIMMING POOL POLICIES & PROCEDURES MANUAL

After reviewing the policies and procedures, Council member Angie Gregory suggested offering some swimming lessons in the evening, instead of just during the day. Other members of the council agreed to offer lessons in the evening and liked the idea of giving lifeguards a percentage of the swimming lessons income. Gregory also mentioned capping staff points at 15.

Council member Carl Koster moved to adopt the Cheney Swimming Pool Policies and Procedures Manual with suggested 2011 fees, and capping staff points at 15 max.

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

CONSIDERATION OF ADOPTING RESOLUTION 225-2011 DECLARING THE ELIGIBILITY OF THE CITY OF CHENEY TO SUBMIT AN APPLICATION TO THE KANSAS DEPARTMENT OF TRANSPORTATION FOR USE OF SAFE ROUTES TO SCHOOLS FUNDS SET FORTH BY SAFETEA-LU FOR THE CHENEY SRTS PLAN (PHASE II) PROJECT IN USD 268 AND AUTHORIZING THE MAYOR TO SIGN THIS APPLICATION

This resolution shows support of the Safe Routes to School program which includes educating, enforcing, and encouraging students to walk and ride their bike to school. A grant application to KDOT is being completed for the construction costs of installing sidewalks to complete the plan.

Council member Greg Kampling moved to adopt Resolution 225-2011.

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

CONSIDERATION OF RESOLUTION NO. 226-2011 IN SUPPORT OF CONTINUED STATE FUNDING FOR THE KANSAS AFFORDABLE AIRFARES PROGRAM-

Support of the Kansas Affordable Airfares Program Dollars is beneficial to the area because if it is not supported, dollars could leave the area. Council member Carl Koster mentioned the program helps prevent predatory pricing.

Council member Carl Koster moved to adopt Resolution 226-2011 in support of the Kansas Affordable Airfares Program.

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

POLICE REPORT

Police Chief Howard Bishop reported that they have had some luck finding those that illegally dumped at the brush site. They have been charged in court. The police department is still working on a recent burglary at the liquor store. Chief Bishop had information on the firing range that he had discussed with Council at the last meeting. He received information from the NRA covering firing range requirements. Bishop presented a picture of the firing range at the Lake and stated the covering over the one at the lake was for a sound barrier. Bishop stated that the firing range he would like to construct would be for private use only.

Council member Jeff Albers asked about getting something in writing from nearby property owners stating they had no problems with the firing range being constructed. Council member Greg Kampling asked if a public hearing should be held. Attorney Lee Parker stated they could treat the firing range permit as a Special Use Permit, or as an Occupancy permit. He stated that an Occupancy permit is done administratively and would show the plan and process, the information from the NRA. By doing this, it would cover the entire basis for the City, in case someone came along later asking questions.

Council member Carl Koster also mentioned filing it with the Register of Deeds. Chief Bishop stated that he would write a letter to the property owners to the south to inform them of the project, since he had already spoken to the property owner to the north. Council member Jeff Albers asked about future houses being built near the firing range and if the occupancy permit would be held up. Attorney Lee Parker stated if the firing range is already established, then the property owners would not be able to say anything since they would be aware of it before building a house.

Council member Jeff Albers moved to allow police department to construct a firing range with NRA guidelines and standards and authorize city to issue an occupancy permit upon completion.

Council member Angie seconded the motion. Motion carried unanimously.

FIRE REPORT

Fire Chief Brad Ewy reported that the fire department had been busy and currently have one truck broken down.

MAINTENANCE REPORT

Maintenance Superintendent Brad Ewy reported that a slide had been ordered for the pool. Plans are also being made to cut a window out and put in a door at the pool concession stand area so kids will be able to see the candy. Ewy would also like to replace three of the windows in the bathhouse for approximately \$150/window. Ewy also reported that they will proceed with plans to erect a new Cheney sign at Highway 54 and 383rd. This sign will have the same design as the one near the Golf Course.

GOLF COURSE REPORT

Golf Course Superintendent Kevin Fowler reported he had purchased two used mowers in Wichita. He is planning on fertilizing next week. The Golf Course had some vandalism Saturday night with missing flags, tee markers, sand buckets, and bench.

The golf course also had damage done by a horse and cow on the back nine. Council agreed that a letter should be sent to the property owner and the owner should be billed for any future damages to the course.

Fowler also showed pictures to the Council of turf damage that was done from the negative temperatures this winter.

Clubhouse manager Patrick Jordan stated that February showed decent revenues. He also reported that the PGA South Central Section has picked Cherry Oaks to host a

Junior Golf Tournament on a Monday morning. This will include a 30 minute instruction and then nine hole play.

ADMINISTRATOR'S REPORT

City Administrator Randall Oliver stated that gas usage on the March 1st utility bills sold 20% more gas compared to last year and the customers saved \$41,000 total.

The City has received \$1000 from AT&T for the option to lease.

Oliver reported on the Land Farm Agreement with KDHE. The City has stated they would accept the dirt with gasoline vapors and KDHE has offered to pay \$2500 for hauling the dirt. Someone will then have to disk the dirt until it is given a clean bill of health.

Oliver asked the Council about setting up a workshop on April 4th- everyone was going to check their calendars.

Oliver also reported that the Chamber would be starting a Shop at Home Campaign to promote local businesses. The Chamber put \$1000 towards advertising for this campaign. The Chamber is also working on putting up a new sign on 21st St N. and Lake Road.

ATTORNEY'S ITEMS

Attorney Lee Parker requested they enter into executive session for attorney client relationship and to include City Administrator and Chief of Police.

Council member Jeff moved to accept the attorney's request to enter into executive session for 25 minutes at 8:32 PM. Council member Carl Koster seconded the motion. Motion carried unanimously.

Mayor Ball stated Council was back in regular session at 8:57 PM with no binding action taken.

Council member Carl Koster moved to go into executive session for five minutes at 8:58 PM.

Council member Angie Gregory seconded for additional 5 minutes. Motion carried unanimously.

Mayor Ball stated Council was back in regular session at 9:03 PM with no binding action taken.

CLERK'S ITEMS

City Clerk Danielle Young had nothing to report.

MAYOR'S ITEMS

Mayor Ball read a thank you from the person who won Bull Blowout tickets from the Cheney booth at The Home Show.

Mayor Ball asked how much it costs to replace street signs. She has noticed some signs are unreadable. Administrator Oliver mentioned there are new laws about going to six inch signs.

COUNCIL ITEMS

Carl Koster mentioned that the Sedgwick County Officials would like to hold one of their meetings in Cheney sometime.

Jeff Albers attended the Economic Development meeting with Randall and thinks it's good that Randall is pushing a shop at home campaign with the Chamber.

Angie Gregory had nothing to report.

Greg Kampling asked about the trailer house located west of the water tower. Administrator Oliver stated that he had called the property owner a few weeks ago and someone is supposed to move it, but it has not been done.

ADJOURN

Council member Angie Gregory moved to adjourn at 9:07 p.m.
Council member Carl Koster seconded the motion. Motion carried unanimously.

Linda Ball, Mayor

Seal

(Attest)

Danielle Young, City Clerk