

# CITY OF CHENEY

## MINUTES OF THE REGULAR CITY COUNCIL

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131 N MAIN ST  
COUNCIL CHAMBERS, CITY HALL  
November 17, 2011, 7:00 P.M.

### HONORABLE MAYOR BALL AND MEMBERS OF THE COUNCIL

#### CALL THE REGULAR MEETING TO ORDER

#### MEMBERS PRESENT

Mayor Linda Ball; Council Members: Jeff Albers, Angie Gregory, Greg Kampling, Carl Koster, Philip Mize; Police Chief, Howard Bishop; Golf Course Pro Shop Manager Patrick Jordan; Golf Course Superintendent Kevin Fowler; City Clerk, Danielle Young; City Administrator, Randall Oliver; Attorney Austin Parker; Charlie Young, Public Finance Group.

#### PLEDGE OF ALLEGIANCE TO THE AMERICAN FLAG

#### DETERMINE AGENDA ADDITIONS

#### 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 October 13, 2011 City Council meeting
- c) Building Permit- Todd Rosenhagen Construction- 303 Evergreen
- d) Electrical Permit- AC Electric- 127 N. Main
- e) Plumbing Permit- Brand Plumbing- 127 N. Main
- f) Roofing Permit- Bill Hoffine Roofing (Bill Hoffine)- 528 Jefferson
- g) Roofing Permit- Mid Kansas Exteriors (Dan Ralstin)- 527 Lincoln St
- h) Roofing Permit- Bill Hoffine Roofing (Jason Jackson)- 312 N. Garfield
- i) Roofing Permit- Heartland Roof (Rusty Wulf)- 420 Garfield
- j) Roofing Permit- Wichita Roofing (Mary Robertson)- 408 Wolf
- k) Roofing Permit- Truett Construction (Marc Bennett)- 3 Heather Lane
- l) Roofing Permit- Equity Builders (Karen Compton)- 549 Aetna Dr.
- m) Roofing Permit- Design One Contractor (Larry Denney)- 118 N. Garfield
- n) Roofing Permit- Bill Hoffine (Roger Brown)- 318 Adams
- o) Roofing Permit- Wichita Roofing (Ruth Blocker)- 615 Jefferson
- p) Roofing Permit- Bill Hoffine Roofing (Ramona Kohler)- 112 N. Marshall
- q) Roofing Permit- Wichita Roofing (Dorothy Kohler)- 605 Jefferson
- r) Sidewalk Permit- Greg Kampling- 517 Adams
- s) Sprinkler Permit- Craig Higgins (Jamie Rumford)- 313 Birch Ct.
- t) Sprinkler Permit- Craig Higgins (Matt Albers)- 330 Evergreen

Council member Phil Mize 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)*

No one was present for the public agenda.

**OLD BUSINESS**

**NEW BUSINESS**

**CONSIDERATION OF ORDINANCE NUMBER 847 AN ORDINANCE ESTABLISHING INCARCERATION FEES IN CASES BEFORE THE CHENEY MUNICIPAL COURT BY ADDING NEW SECTION 9-117 TO THE CODE OF THE CITY OF CHENEY, KANSAS.**

The ordinance would set the fee at \$2.00 per hr and would be collected by Cheney's Municipal Court system whenever someone is ordered to jail and the City is assessed a fee for their stay. Attorney Austin Parker noted the ordinance assessing the fees would not violate state statute and the ordinance was modeled after the City of Wichita's.

Council member Carl Koster moved to approve and the Mayor to sign ordinance 847 to establish incarceration fees.

Council member Angie Gregory seconded the motion.

Clerk Young called the Vote, Albers- yes, Gregory-yes, Kampling-yes, Koster-yes, Mize-yes

**CONSIDERATION OF AN ORDINANCE AUTHORIZING AND PROVIDING FOR THE ISSUANCE OF GENERAL OBLIGATION REFUNDING BONDS, SERIES 2011, OF THE CITY OF CHENEY, KANSAS, FOR THE PURPOSE OF PROVIDING FUNDS TO REFUND THE CITY'S OUTSTANDING GENERAL OBLIGATION BONDS, SERIES A, 2003; PROVIDING FOR THE LEVY AND COLLECTION OF AN ANNUAL TAX FOR THE PURPOSE OF PAYING THE PRINCIPAL OF AND INTEREST ON SAID BONDS AS THEY BECOME DUE; AUTHORIZING CERTAIN OTHER DOCUMENTS AND ACTIONS IN CONNECTION THEREWITH; AND MAKING CERTAIN COVENANTS WITH RESPECT THERETO.**

Charlie Young, with the Public Finance Group, spoke with Council in October and Council had then agreed to go into the market with refunding the City's Public Building Commission and GO Bonds. Piper Jaffrey put bonds in the market when they saw fit. The bond market rebounded earlier in the week and they were able to get a decent price on the bonds. PBC held a meeting earlier in the evening and the committee passed the refunding and issuance of their bonds.

Charlie Young stated the City would see a total savings of \$64,783.01 after the costs are paid. The GO Bonds would see a 5.78% savings and the PBC Bond would see a 4.09%. The average interest rate was 4.17% on the GO Bonds, but would drop to 2.05% by refunding the bonds. On the PBC bond, the average interest rate was 4.28% and the new rate is 3.38%. The average savings is \$5,600/annually.

Council member Jeff Albers moved to approve and the Mayor to sign ordinance 848 and publish one time in the official newspaper of the City.

Councilmember Carl Koster seconded the motion to adopt the ordinance.

Young Called the Vote, Albers- yes, Gregory- yes, Kampling- yes, Koster-yes, Mize-yes

**CONSIDERATION OF A RESOLUTION PRESCRIBING THE FORM AND DETAILS OF AND AUTHORIZING AND DIRECTING THE SALE AND DELIVERY OF GENERAL OBLIGATION REFUNDING BONDS, SERIES 2011, OF THE CITY OF CHENEY, KANSAS, PREVIOUSLY AUTHORIZED BY ORDINANCE NO. 848 OF THE ISSUER; MAKING CERTAIN COVENANTS AND AGREEMENTS TO PROVIDE FOR THE PAYMENT AND SECURITY THEREOF; AND AUTHORIZING CERTAIN OTHER DOCUMENTS AND ACTIONS CONNECTED THEREWITH.**

Councilmember Carl Koster moved to adopt Resolution # 229-2011 and the Mayor to sign.

Councilmember Phil Mize seconded the motion. Motion carried unanimously.

**CONSIDERATION OF A RESOLUTION AUTHORIZING THE CITY OF CHENEY, KANSAS TO ENTER INTO A SUPPLEMENTAL BASE LEASE WITH THE CITY OF CHENEY, KANSAS PUBLIC BUILDING COMMISSION, WHEREBY THE CITY WILL CONTINUE TO LEASE CERTAIN PROPERTY TO THE PUBLIC BUILDING COMMISSION AND ENTER INTO SUPPLEMENTAL LEASES WHEREBY THE CITY WILL LEASE FROM THE PUBLIC BUILDING COMMISSION CERTAIN FACILITIES LOCATED THEREON; AUTHORIZING THE PREPARATION OF SAID SUPPLEMENTAL BASE LEASES AND SUPPLEMENTAL LEASES; AND AUTHORIZING THE EXECUTION THEREOF AND CERTAIN RELATED DOCUMENTS.**

Councilmember Angie Gregory moved adopt Resolution # 230-2011 and the Mayor to sign.

Councilmember Jeff Albers seconded the motion. Motion carried unanimously.

**CONSIDERATION OF BOND PURCHASE AGREEMENT**

The Bond Purchase agreement outlines the purchase, sale and delivery of the bonds, and is between the City of Cheney, and Piper Jaffray & Co. Charlie Young state this is the contract with the City and Jaffray Piper to finalize the sale of the bonds.

Council Member Carl Koster moved to authorize the Mayor to sign the Bond Purchase Agreement.

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

**CONSIDERATION OF ENTERING INTO A CONTRACT WITH THE BOARD OF COUNTY COMMISSIONERS OF SEDGWICK COUNTY, KANSAS, AND THE CITY OF CHENEY.**

A Treecycle contract was presented for the City of Cheney and Sedgwick County to provide site set-up, site monitoring and maintenance, Christmas tree grinding and hauling, mulch production and distribution for public use, closing down, and making final site clean-up, for this program, hereinafter referred to as "TreeCycle." The contract is good for five years, and was last signed five years ago.

Council member Greg Kampling moved to enter into a contract between the Board of County Commissioners of Sedgwick County and the City of Cheney for the Christmas Treecycle program agreement.

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

## **CONSIDERATION OF CHANGES TO THE CHERRY OAKS POLICIES AND PROCEDURES**

Pro Shop Manager Patrick Jordan made changes to the policy and procedure manuals and asked Council to adopt the changes. Patrick stated that 2006 was the last time the manuals were adopted. There were not many changes to the policies. Most updates were made with the pro shop employee procedures.

Mayor Ball asked if weather conditions were posted on the website. Jordan stated that usually golfers call before coming to golf.

Council member Gregory verified that the times were correct on the policy and procedures. Jordan stated they were.

Councilmember Angie Gregory moved to approve the changes to the Cherry Oaks Policies and Procedures manual as presented.

Councilmember Carl Koster seconded the motion. Motion carried unanimously.

## **POLICE REPORT**

Police Chief Howard Bishop stated everything had been ordered on the radios.

Council member Albers asked how Officer Davis was working out. Bishop stated he was doing very well.

## **FIRE REPORT**

Chief Ewy was not present.

## **MAINTENANCE REPORT**

Maintenance Superintendent Ewy was not present.

## **GOLF COURSE REPORT**

Cherry Oaks Maintenance Superintendent Kevin Fowler reported that he had cut down seven dead pine trees on the golf course and he had also planted a tree in memory of Monte Williams. A memorial bench will also be set in memory of Monte.

Fowler reported that November 21, would be the last day for part time help.

Cherry Oaks Pro Shop Manager Patrick Jordan stated October numbers were decent. Jordan showed a 2012 pricing structure sheet with his pricing recommendations. He would like to add a five hole junior loop rate and a family rate. He has looked at competitors and believes the new 2012 prices are still competitive. Jordan would also like to add a monthly payment plan in 2012. Jordan felt like increasing tournament fees would still make Cherry Oaks competitive. Jordan noted that the proposed fees would be added to the fee resolution in December.

Phil asked about season passes being good from June-June instead of the calendar year. Oliver stated that it was looked at and it was determined that there were several problems in doing the season passes that way.

Albers asked about golf cart rental fees. Jordan felt like raising those fees would put Cherry Oaks on the high side compared to other courses.

## **ADMINISTRATOR'S REPORT**

Administrator Randall Oliver stated that he had sent three letters out to property owners regarding annexation. Council stated they would like Oliver to send one more letter to the property owner north of KAPS before taking action to annex. Council would also like for the annexation to be on the agenda in December. Oliver stated he would also try to contact the property owners by phone.

Oliver reported that he and Clerk Young had met with Schwab Eaton on the Safe Routes to School grant. Schwab-Eaton estimated the engineering cost at \$17,000-\$22,000. The engineers have been working on the ground work. Oliver would like to ask the school to pay for half of the engineering cost.

Oliver also reported that construction had started across the street on the KDHE gas contamination project. KDHE will be at the December meeting to discuss the project. Oliver and Young met with Blue Cross/Blue Shield and the City's health insurance cost will decrease 13.4% in 2012.

Oliver stated there will need to be a special meeting at the end of December to republish the budget. He asked Council members to look at their calendars, and proposed December 29<sup>th</sup> as the meeting date.

### **ATTORNEY'S ITEMS**

Attorney Austin Parker asked for 20 minutes of executive session for attorney client privileges.

### **CLERK'S ITEMS**

Clerk Danielle Young mentioned that the Christmas Party is December 11<sup>th</sup> and that everyone should RSVP to her.

### **MAYOR'S ITEMS**

Mayor Ball commented on the fence at Max Slusser's.

### **COUNCIL ITEMS**

Carl Koster had nothing to report.

Jeff Albers had nothing to report.

Angie Gregory asked about the welcome bags for new residents. Clerk Young stated that the City was out for a short period of time, but recently received more from the Chamber.

Greg Kampling had nothing to report.

### **EXECUTIVE SESSION**

Consultation with an attorney on matters that would be deemed privileged in an attorney-client relationship, *such as litigation or claims against the city.*

Council member Carl Koster moved to go into executive session for attorney-client privileges for 20 minutes at 8 p.m.

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

Mayor Ball stated Council was back in session at 8:21 pm with no binding action taken.

Council member Carl Koster moved to enter into executive session for attorney-client privileges for 10 minutes at 8:22 pm.

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

Mayor Ball stated Council was back in session at 8:33 pm with no binding action taken.

### **ADJOURN**

Council member Angie Gregory moved to adjourn at 8:51p.m.

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

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Mayor, Linda Ball

(Seal)

Attest:

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Danielle Young, City Clerk