

# CITY OF CHENEY

## MEETING OF THE REGULAR CITY COUNCIL

---

131 N MAIN ST  
COUNCIL CHAMBERS, CITY HALL  
October 8, 2015; 7:00 P.M.  
HONORABLE MAYOR BALL AND MEMBERS OF THE COUNCIL

### CALL MEETING TO ORDER

Mayor Linda Ball declared a quorum present at 7:00 pm and called the regularly scheduled meeting to order.

### MEMBERS PRESENT

Council members present were Jeff Albers, Carl Koster, Philip Mize, Greg Kampling and Judy Lehner. Staff present were Police Sergeant Craig Pittman, Maintenance and Fire Chief Brad Ewy, Director of Golf Kevin Fowler, City Clerk Danielle Young, City Attorney Lee and Austin Parker, City Administrator Randall Oliver. Guests present were Tricia Parker.

### PLEDGE OF ALLEGIANCE TO THE AMERICAN FLAG

### PRAYER

Pastor Doug Hasty led the prayer.

### DETERMINE AGENDA ADDITIONS

Administrator Oliver added Agenda Item 2 for a Nuisance Resolution.

### 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 September 10, 2015 City Council meeting
- c) Approval of minutes for the September 30, 2015 Joint Council meeting
- a) Approval of minutes for the October 1, 2015 Special City Council meeting
- b) Building Permit- Todd Rosenhagen Construction- 826 N Lincoln
- c) Building Permit- All Sheds- 506 N Garfield
- d) Building Permit- Kampling Construction- 827 N Lincoln
- e) Mechanical Permit- Albers Finishing & Solutions- 38628 W 15<sup>th</sup> St S
- f) Roofing Permit- Eaton Roofing- 637 N Lincoln
- g) Roofing Permit- Brian Leis- 415 Roosevelt
- h) Roofing Permit- Landwehr Roofing- 319 E 2<sup>nd</sup> Ave
- i) Siding Permit- Ewy Rentals- 111 E 4<sup>th</sup> Ave

Council member Judy Lehner moved to adopt the Consent Agenda as listed.  
Council member Greg Kampling seconded the motion. Motion carried 4-0-1.

Council member Carl Koster abstained from voting because he did not attend the Oct 1 meeting.

Attorney Lee Parker requested the Council enter into executive session for attorney-client privilege.

Council member Carl Koster moved that the City Council recess into executive session pursuant to non-elected personnel KSA 75-4319 (b) (2) at 7:05 pm for 20 minutes with City Attorney Lee and Austin Parker and City Administrator Randall Oliver.

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

Mayor Ball stated Council was back in session at 7:25 pm.

## **PUBLIC AGENDA**

Terry Hague was at the September meeting and returned to find out what was determined by the engineer.

Administrator Oliver stated Schwab Eaton took surveyed the land and compared it to the elevations on the plat. It was found the home foundations are approximately 2 foot lower than the elevations on the plat. Oliver also spoke to Poe and Associates and the drained is designed to flow north. Poe suggested a 6 inch swell be built to carry the water north in the utility easement. Oliver contacted the developers and they are willing to work on the drainage.

Council member Carl Koster asked if the swell would be concrete or sod. Oliver stated he did not know, Poe just stated a 6" swell.

Hague asked Council member Greg Kampling what size of wall or burm he would create. Attorney Parker stated the City can't move forward or make estimates. If we say one thing and an engineer says something else, then it puts the City in a situation.

Parker stated that it's in the hands of the engineers.

Hague asked who will take the problem with the utilities. Parker stated that it's not a utility problem, it's a drainage problem. Parker stated that the platting engineers are involved, but the City paid for the city engineer to come out and take a look. The City engineer stated in looking at the plan it appears to be proper. Parker stated that if there is a problem beyond that then that is beyond our platting process. The City has contacted those that are responsible and they have said they are willing to work with Hague.

Hague asked who the other developers are. Oliver stated Todd Rosenhagen, Monte Viner, and John Mies are the ones who purchased the lots. It was stated the company is RVM and Oliver suggested Hague contact further questions to them. Attorney Parker stated the City did more than most other cities would have done. Oliver provided Hague with a copy of the elevations from Schwab Eaton.

## **OLD BUSINESS**

## **NEW BUSINESS**

## **CONSIDERATION OF B & E INVESTMENTS INVOICE FOR MOWING**

The city recently invoiced B & E Investment for mowing their lots. A return letter was received from B & E Investments. Council discussed the letter from B & E, City's invoice, and the letter from the City regarding the grass issues at his lots. Oliver stated he called the property owners once or twice during the summer regarding the height of the grass/weeds. The City had 2 guys mow the lots when the grass/weeds reached 2'+ high.

Oliver stated the invoice was created based off of the fee schedule that sets the fee at \$150/hour for mowing. Oliver mentioned that a letter was also sent last year and the City had to mow the lots last year also. The unpaid invoice was sent to the County and an assessment was placed against each lot. The amount was included on the letter.

Oliver stated he emailed him and invited him to the meeting.

Austin Parker stated another city has contracted their mowing out and the invoice amount the City sent seemed reasonable. Council stated if he doesn't pay the invoice, then to place the amount on his taxes.

## **RESOLUTION 265-2015**

Oliver stated the City has not been able to serve the owner of the property at 529 N Marshall with a junk and dilapidation letter. The owners of the property have passed away and it is still listed in their name. The City has tried to send a notice under the City's ordinance and it has not been claimed and was returned.

Attorney Parker has created a resolution that allows the City to post a 10 day notice on the property. Oliver will also call the individual who is taking care of the property.

Oliver stated he had also sent Mr. Grover an email at the school regarding the property. Council member Carl Koster moved to adopt Resolution 265-2015.

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

## **POLICE REPORT**

Sergeant Craig Pittman reported that everything was going well.

## **FIRE REPORT**

Fire Chief Brad Ewy had nothing to add to his report.

## **MAINTENANCE REPORT**

Maintenance Superintendent Brad Ewy stated that patching of streets would begin where the trash trucks have tore up the streets. Crack sealing has not begun yet. Ewy reported they have 1300' of gas line if left to lie. Ewy stated that to finish laying the gas line, there are five driveways to go under. Ewy looked at renting an air mole, but has found a 4' air mole to purchase for \$1500 for 4".

Council member Carl Koster moved to purchase a 4" air mole for \$1500.

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

Council member Carl Koster asked about Santa Fe being bumpy. Ewy stated they are hoping for hard pounding rain, and then grade it, roll it, and slurry seal it.

## **GOLF COURSE REPORT**

Director of Golf Kevin Fowler reported that the 3-2-1A State Girls golf tournament will be held on October 19th.

Fowler has been asked by the Gorges brothers to borrow the tree spade and in return they will donate 15-20 trees. Parker stated an agreement should be drafted in case the tree space is damaged or breaks down.

Fowler was contacted by Pretty Prairie Golf Advisory Board. They are hosting the regional tournament and Cherry Oaks is hosting the state tournament the following weekend. At these tournaments, the courses have to provide a cart to markers at no cost. Pretty Prairie has asked Cherry Oaks to loan them 10 carts for their tournament and they would loan us 10 carts for the state tournament. Fowler checked and the city's trailer would only haul 2 carts.

Council member Koster stated he was concerned about the cost of transportation. Council member Kampling was concerned if a cart was damaged. City Attorney did not advise to enter the trade.

Fowler stated numbers are better than 2014, with roughly a \$50,000 increase in revenue and decrease in expenses. Fowler stated he has 10 winter covers on order for the golf carts and the course will continue with the \$25 special.

## **ADMINISTRATOR'S REPORT**

Oliver reported that he was setting up a workshop with Google to help train businesses in setting up their business on Google maps.

Oliver discussed Wichita Mayor Longwell's proposal of changing the sales tax allocation. Numbers show that Cheney collects 40% less than what is generated by the town. Koster didn't think the proposal would go anywhere anytime soon.

Oliver stated that the water tower needs and the colors need to be speeded. Koster didn't think anyone had ever objected to the current color. Additional logo options were provided to the Council. Kampling didn't think "Kansas" needed to be on the tower, just Cheney. Council also wanted to see Cheney in blue, not black. Oliver will write specs to keep the colors the same of the water tower.

## **ATTORNEY'S ITEMS**

Attorney Lee Parker had no other items to add.

## **CLERK'S ITEMS**

Clerk Young asked about selling the City's wheat crop that was harvested. Council instructed Young to sell the grain in the morning.

## **MAYOR'S ITEMS**

Mayor Ball asked Oliver to send a grass letter to Andy Kerr.

**COUNCIL ITEMS**

Council member Carl Koster reported that the REAP legislative summit is November 12<sup>th</sup>.

The Sustainability Conference will be in Maize on October 29<sup>th</sup>.

Council member Jeff Albers had nothing to report.

Council member Philip Mize asked if the situation with Murray’s sewer was taken care of. Ewy stated the pump company had been contacted and they will get them a new pump. Mize stated he appreciated them coming out to take care of it.

Council member Judy Lehner had nothing to report.

Council member Greg Kampling had nothing to report.

**ADJOURN**

Council member Phil Mize moved to adjourn at 8:34 pm.

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

---

Mayor Linda Ball

(seal)

Attest:

---

Danielle Young, City Clerk