

CITY OF CHENEY

MINUTES OF THE REGULAR CITY COUNCIL

**131 N MAIN ST
COUNCIL CHAMBERS, CITY HALL
November 8, 2012; 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, November 8, 2012. Council members present were Jeff Albers, Carl Koster, Angie Gregory, and Philip Mize. Staff present were City Administrator Randall Oliver, City Clerk Danielle Young, Police Chief Howard Bishop, Cherry Oaks Maintenance Superintendent Kevin Fowler, Cherry Oaks Pro Shop Manager James Richmond, Fire Chief and Maintenance Superintendent Brad Ewy, and Attorney Lee Parker. Guests present were Attorney Austin Parker and Eric Meyer- George, Bowerman, and Noel.

PLEDGE OF ALLEGIANCE TO THE AMERICAN FLAG

DETERMINE AGENDA ADDITIONS

City Administrator Randall Oliver stated there were no 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 18, 2012 City Council meeting
- c) Building Permit- Howard Bishop- 312 Greenwood Ct
- d) Building Permit- Mike Farrell- 113 E 1st Ave
- e) Building Permit- James Hern- 427 E 6th Ave
- f) Mobile Home Permits- Edward Hornbeck- 657 Shadybrook Dr
- g) Roofing Permit- Craig Roberts- 202 S Adams
- h) Roofing Permit- Chad Maples- 204 Wolf St

Council member Carl Koster moved to adopt the Consent Agenda as listed.
Council member Phil Mize seconded the motion. Motion carried unanimously.

PUBLIC AGENDA

No one spoke during the public agenda.

OLD BUSINESS

NEW BUSINESS

CONSIDERATION OF AN ORDINANCE ADDRESSING DAMAGED STRUCTURE INSURANCE PROCEEDS WITHIN THE CORPORATES LIMITS OF THE CITY OF CHENEY, KANSAS BY ADDING NEW ARTICLE 14 TO CHAPTER IV OF THE CODE OF THE CITY OF CHENEY, KANSAS.

Administrator Randall Oliver stated the item should be removed from the agenda as it is already included in the City Code.

CONSIDERATION OF PRESENTATION BY ERIC MEYER OF GEORGE, BOWERMAN, AND NOEL, P.A. CONCERNING THE 2011 YEARLY AUDIT.

Eric Meyer, with George, Bowerman, and Noel, presented the 2011 audit. Meyer reviewed the Bank Reconciliation, Golf Course Reporting, Fire Department bank account, Utility Billing, and Timecards, as well as the financial reports.

CONSIDERATION OF A MOTION TO RATIFY THE FINAL VERSION OF THE SOLID WASTE CONTRACT WITH WASTE CONNECTIONS.

Administrator Oliver stated that the sold waste contract price will increase in the 4th and 5th year and the recycle will increase \$1.00. In 4th year trash will increase .25 and in 5th year trash will increase another .25.

Council member Carl Koster moved to accept the 5 year contract with Waste Connections. Council member Angie Gregory seconded the motion. Motion carried unanimously.

CONSIDERATION OF AN ORDINANCE ADDRESSING PREPAYMENT FOR GASOLINE AND DIESEL FUEL AT RETAIL BUSINESSES WITHIN THE CORPORATE LIMITS OF THE CITY OF CHENEY, KANSAS BY ADDING NEW ARTICLE 2 TO CHAPTER V OF THE CODE OF THE CITY OF CHENEY, KANSAS.

It has been reported that a number of motorists are filling their fuel tanks and driving off without paying; and, the Cheney Police Department expends time and expense in investigating these incidents; and these investigations result in costs to the City and its taxpayers. KAPS and Police Chief Howard Bishop have recommended the City passing this ordinance. Police Chief stated they are having 2-4 drive offs a month. Administrator Oliver stated no other cities in the area have this ordinance.

Council member Carl Koster moved to table indefinitely.

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

Law enforcement procedures for loss prevention were also discussed.

POLICE REPORT

Police Chief Howard Bishop asked about police employees taking off their birthday in 2012.

Bishop stated the police department will have to pay overtime if the officers take off their birthday. Council requested staff to find out how other cities pay police officers for vacation if they work over 8 hour shifts. Police Chief also stated that an officer had not taken the required 40 hours of vacation in 2012. That officer would not be able to take it without having to pay overtime because the department is currently one officer short.

Council member Carl Koster moved because of extraordinary circumstances, a one time solution to the current problem is to pay the birthday pay to police officers and pay Officer Davis his 40 hours vacation in 2012 without taking the time off.

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

FIRE REPORT

Fire Chief Brad Ewy addressed auditors note about Fire Association accounts.

MAINTENANCE REPORT

Maintenance Superintendent Brad Ewy asked to purchase sewer overflow monitors for early warning detection.

Council member Jeff Albers moved to purchase 2 overflow monitors from Eastech Flow Controls in the amount of \$3,990.

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

GOLF COURSE REPORT

Pro Shop Manager Jim Richmond reported that the October numbers were up from 2011.

Cherry Oaks Superintendent Kevin Fowler had nothing to add to his report.

ADMINISTRATOR'S REPORT

Administrator Oliver stated the City had several items for sale on Purple Wave.

Oliver also noted that the Safe Routes to School sidewalk project would begin by March.

ATTORNEY'S ITEMS

Attorney Lee Parker requested executive session.

CLERK'S ITEMS

Clerk Danielle Young mentioned the Veteran's Parade and Memorial Dedication on Nov 10th.

Make A Difference Day would be held on Saturday, Nov 17th and Come Home for Christmas is scheduled for Dec 1st.

MAYOR'S ITEMS

Mayor Ball had nothing to report.

COUNCIL ITEMS

Council member Carl Koster asked about the digital sign going too fast. Clerk Young mentioned that items on the sign can also be found on the community calendar on the City's website.

Council member Philip Mize asked about a sidewalk from the Back 9 into town.

Council member Angie Gregory thanked the police and fire for helping with the pumpkin run.

EXECUTIVE SESSION

Council member Phil Mize requested that the city council recess into executive session pursuant to the attorney-client privilege, K.S.A. 75-4319(b)(2) and non-elected personnel K.S.A. 75-4319(b)(1) for 25 minutes at 8:55 pm, the open meeting to resume in the city council chamber at 9:20 pm, inviting Police Chief Howard Bishop.

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

Mayor Linda Ball stated Council was back in session at 9:20 pm with no binding action taken.

Council member Jeff Albers requested that the city council recess into executive session pursuant to the attorney-client privilege, K.S.A. 75-4319(b)(2) and non-elected personnel K.S.A. 75-4319(b)(1) for 15 minutes at 9:25 pm, the open meeting to resume in the city council chamber at 9:40 pm.

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

Mayor Linda Ball stated Council was back in regular session at 9:40 pm with no binding action taken.

Council wished to express their sympathy to Council Member Kampling.

ADJOURN

Council member Carl Koster moved to adjourn at 9:50 pm.

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

(seal)

Attest:

Mayor Linda Ball

City Clerk Danielle Young