



## **COUNCIL MEETING**

**Council Chambers, City Hall – 131 N Main St**

**September 09, 2021 at 7:00 PM**

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## **MINUTES**

### **HONORABLE MAYOR MIZE AND MEMBERS OF THE COUNCIL**

#### **CALL REGULAR MEETING TO ORDER**

#### **MEMBERS PRESENT**

Mayor Philip Mize called the meeting to order at 7:00 pm. Council members Jeff Albers, Kassie Gile, Ryan Graf, and Greg Kampling were present. Staff present were City Administrator/Clerk Danielle Young, City Attorney Austin Parker, Police Chief Ken Winter, and Maintenance Superintendent/Fire Chief Jerry Peitz. Director of Golf Kevin Fowler and Councilmember Greg Williams arrived at the end of the meeting. Guests present were John McKee.

#### **PLEDGE OF ALLEGIANCE TO THE AMERICAN FLAG**

#### **PUBLIC HEARING FOR REVENUE NEUTRAL RATE**

The hearing was held for public comments on the proposed mill levy to exceed the Revenue Neutral rate of 57.967. The budget summary was published in the Times Sentinel on August 26th, 2021 and on the City of Cheney's website advertising this public hearing and setting the 2022 mill levy at 60.378. No one spoke at the public hearing.

Motion: Close the Revenue Neutral Rate Hearing at 7:03 pm.

Motion made by Councilmember Graf, Seconded by Councilmember Gile.

Voting Yea: Councilmember Kampling, Councilmember Albers, Councilmember Gile, Councilmember Graf

#### **RESOLUTION NO. 307-2021: A RESOLUTION OF THE CITY OF CHENEY, KANSAS TO LEVY A PROPERTY TAX RATE EXCEEDING THE REVENUE NEUTRAL RATE**

The Revenue Neutral Rate was calculated at 57.967 mills by the Sedgwick County Clerk. The proposed budget sets the mill levy at 60.378. The Resolution will need to be adopted in order for the Mill levy to be set above the Revenue Neutral Rate of 57.967.

Motion: Adopt Resolution No. 307-2021 to Levy a Property tax rate exceeding the Revenue Neutral Rate.

Motion made by Councilmember Albers, Seconded by Councilmember Graf.

Voting Yea: Councilmember Kampling, Councilmember Albers, Councilmember Gile, Councilmember Graf

#### **PUBLIC HEARING ON THE PROPOSED 2022 CITY OF CHENEY BUDGET**

The public hearing opened at 7:05 pm and was held for public comments on the proposed 2022 City of Cheney Budget. The budget summary was published in the Times Sentinel on August 26th, 2021 and on the City of Cheney's website advertising this public hearing. The mill levy published on the Budget Summary cannot be increased, but can be decreased. No one spoke during the hearing.

Motion: Close the Public Hearing on the Proposed 2022 Budget at 7:06 pm.

Motion made by Councilmember Gile, Seconded by Councilmember Graf.

Voting Yea: Councilmember Kampling, Councilmember Albers, Councilmember Gile, Councilmember Graf

**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) Building Permits**

Fence Permit - 217 N Marshall - Christopher Construction  
Sprinkler - 427 N Adams - Bapson Landscape Mgmt  
Building Permit - 449 E Quail Run Ct - Greg Rosenhagen  
Sign Permit - 202 N Main - Don Albers  
Curb Cut - 744 Wolf - Steve Zimmerman  
Building Permit - 416 Jefferson - John Hemken  
Building Permit - 210 E South Ave - JYC Construction  
Fence Permit - 214 Taylor St - Chris Harris  
Roofing Permit - 300 Greenwood Ct - Farha Roofing  
Fence Permit - 215 N Wolf St - American Fence  
Shed Permit - 627 W 2nd Ave - Jackson Chance  
Roofing Permit - 314 N Marshall - Partridge Roofing Services

B) August 12, 2021 Minutes

C) Bills List August 31, 2021

Motion made by Councilmember Albers, Seconded by Councilmember Graf.

Voting Yea: Councilmember Kampling, Councilmember Albers, Councilmember Gile, Councilmember Graf

**PUBLIC AGENDA (Please limit comments to 5 minutes)**

John McKee asked for guidelines to be produced when officers work the County Fair. He didn't know how many were aware of his incident at the County Fair that turned into a very ugly scenario that he didn't feel was necessary. McKee read a statement that he sent to the police department and wasn't sure if an accident report was ever filed.

McKee explained that at about 8:30 on 7/9/21, he and his wife were listening to music at the fairgrounds and they had been there every day supporting the fair and he was leaning back on the wooden bench directly in front of the metal building and the back of the board broke. He took the board and went to find someone to report it to. They decided they would leave, but thought they should tell someone about it. He looked around and found an uniformed officer by the beer garden and went to chat with him. The officer was talking with a young man for a few minutes, so McKee stood and waited respectfully. McKee said the Officer made eye contact with him, but never acknowledged McKee and then turned his back to them. McKee made a comment that they could stand there all night if he needed to until he was acknowledged. The officer then turned around and asked McKee if he had a problem. McKee stated he had a problem as a bench had broke and it needed taped off so someone else didn't get hurt. The Officer responded by telling McKee that he needed to leave the fairgrounds because he was being disruptive and argumentative. McKee questions why he needed to leave for reporting a problem.

McKee then stopped his statement and said he should just wait to do this another time if people were too busy to listen to a citizen. Councilmember Kampling asked what everyone was too busy with and McKee implied Kampling was talking. Kampling stated he was trying to adjust his chair and McKee said it bothered him. Kampling told McKee he could leave then as he was asking someone how to adjust his chair and Kampling told McKee to go on and talk for his 5 minutes and Kampling would move his chair if he wanted to.

McKee resumed by saying the bottom line is he was told to leave the fairgrounds or would be arrested. McKee told the officer to arrest him then because he hadn't done anything to be thrown out. His wife told him to just leave because it wasn't worth it and McKee thought some things are worth bringing to the forefront. McKee said he was challenged to find why people say they've been mistreated by the city or police department. McKee shared his personal experience of refusing to leave and the officer called 6 other officers and said McKee was argumentative and disruptive. McKee said his wife freaked out because she thought he was going to be arrested or hurt and begged McKee to leave. After other officers showed up and McKee was able to show broken board and show the broken bench, he also suggested that McKee leave.

McKee then called the police department later that evening to talk to them because he felt they should have taken a police or accident report. In one of the responses, he was told it wasn't a law enforcement activity and McKee has been told there is no SOP when working the fairgrounds and he thinks there should be because he was asked to leave a public venue. McKee said he knows he can get argumentative, but he's been pushed around and taken advantage of most of his life, and he's not allowing that to happen and standing up for his and others' rights. McKee called the police department and was told they don't have the right to tell him to leave. McKee left for the sake of making things work.

McKee asked for reports of video to show that he was told to leave and found out of 11 cameras that the department has, only 3 cameras were activated out of the 6 officers that responded. The officer that he was involved, McKee said he did not know the part-time officer who refused to give McKee his name. While he was in uniform, his video recording was not working because it was apparently on the fritz so there's no video. McKee asked why was he positioned at the beer garden, where the most people have potential to get rowdy, with a video camera that doesn't work and why was it not inspected and known in advance. McKee said he did not receive a response to when it was reported not working and also said he hadn't gotten other items he'd asked for under the Open Records Act. McKee felt he deserved access to those. McKee stated the officer's statement accused McKee of threatening the officer with his stick by waving it around. Chief reported in a prior response to McKee that the Officer had never had any complaints. McKee said his wife didn't make a complaint and felt that Chief wasn't going to investigate it any further because his wife wouldn't make a complaint. McKee felt there are officers doing things that they shouldn't be doing and this officer didn't know how to de-escalate. McKee stated there are three things in the Officer's statement that are blatant lies.

Attorney Parker introduced himself to McKee as the City Attorney and gave a quick background on himself. Parker stated as a Prosecutor, McKee had already admitted enough at the meeting that he's guilty of disorderly conduct and Parker read the definition of disorderly conduct and stated McKee had admitted to yelling. McKee interrupted Parker and Parker reminded McKee that the city had let him go 2.5 minutes over his allotted time. Parker said he has been made aware of the situation and facts surrounding it and, in his opinion, as alternate city prosecutor, he would charge McKee under Section 9.1 Subpart A Subpart 2. of Disorderly Conduct. Yet he is not facing any criminal charges at this time. McKee asked for clarification and Parker stated from the fair. Parker stated McKee has met in front of the governing body several times and Parker has been made aware that he's met with staff almost on a daily basis up until three weeks ago and sometimes for multiple hours. Parker said he also understands McKee has met, in any way other than non-confrontational. Parker said that the bottom line is that city staff and the governing body have been courteous and they have heard his complaint and found nothing legally wrong with the action of the police chief, city administrator or the city. Parker didn't believe the city had violated any request he had made to date. Based on the way McKee has acted in City Hall, Parker stated that the city had chosen not to charge McKee with interference with the conduct of public business in a public building, or interference of duties of law enforcement officer. Parker said the city had been trying to be accommodating and understood that he had had bad experiences in the past, but the chief of police and city administrator were two of the finest he had ever worked with.

McKee asked Parker if Chief told him that he threw McKee out of his office for questioning his deputy. After not charging McKee with interference of a law enforcement officer multiple times and McKee thought that was reaching. Parker stated the only reason he had not taken this to court to date to file legal action to prevent McKee legal access to city hall is because of the request of the police chief and city administrator. Parker stated there is no business that he's aware of that requires McKee to have continues access to talk to them on a daily basis or requires entrance to city hall. Parker stated he could not speak on behalf of the governing body if they chose to let him speak for 5 minutes at a City Council meeting and that there is no right in Kansas for a public hearing at any council meeting. Parker also couldn't speak to a restraining order against McKee, but the two people McKee dislikes the most are the reason action had not been taken against him. Legally, Parker saw no reason not to move forward. Parker stated McKee's time this evening had concluded and the city appreciated his comments and would take them under advisement.

Mayor Mize added that he was at City Hall the day he was asked to leave the office. Mayor stated the McKee is always talking about being intimidated by parties and the Council and Mize stated none of them had ever called McKee a name. Mize stated McKee had called Police Chief a name. McKee responded that he certainly did in the heat of a discussion in his office and thought that the law says during a heated discussion there are some liberties. McKee said calling someone a name is not a chargeable offense. Mayor Mize told McKee that when they had previously spoken on the phone, McKee implied Mayor was intimidating him and McKee indicated on the phone that elected officials and staff members should be

able to take being treated this way. Mize didn't think he could treat people that way and not get a reaction sometime. Mize explained to McKee that if he came in with that attitude, he may not get the response he's looking for. Mize said the governing body had listened to him each month about a complaint on something they're doing wrong, we have no right to do, and trying to put people out on the street. Mayor stated they're trying to be as even as they can, as pleasant as they can to get things done. It's not to be derogatory towards anyone and thought things could be approached differently.

McKee said he's willing to sit down and have a conversation and that he doesn't dislike the Chief or whoever else he's referring to and doesn't have a vendetta against any one person. McKee was challenged in looking for support and did think elected officials should have more latitude in talking and thicker skin when the public responds to them. McKee said on a personal level no one likes to be challenged. Mayor responded saying in their conversations he didn't remember challenging him. McKee then pointed at Councilmember Albers and asked if he had challenged him. Albers said that in a prior conversation when McKee said the City was headed in the wrong direction, he asked for examples such as that. Albers also mentioned that the fair is the Sedgwick County Fair and is not City of Cheney property and thought the complaint was being made at the wrong meeting. It was mentioned there is a fair board and since the County doesn't supply officers for the County Fair, the City does. When the officers are there, they're there to support the Fair Board and the Fair board should have an SOP for the Officers. Parker clarified the Police Department has hundreds of pages of SOP. McKee asked about reporting an incident and Parker stated he's talking about something that happened on private property so it would be up to the Fair Board. McKee said he was told by the Fair to come to City. McKee stated he wanted a copy of the meeting. It was mentioned the minutes are published on the website. McKee stated the sound on the website is not very good. Young stated she doesn't post any sound to the website and just the minutes are posted. McKee stated he wanted the minutes and the whole thing. Young stated he could make an open records request for what he wanted. McKee found it ironic that he's been down here every day when he's only been here six or seven times in the past 3 months.

Mayor stated he had carried this on longer than it should. McKee said it could have been taken care of weeks ago if they had all sat down and discussed this instead of getting bent out of shape and causing McKee problems. Attorney Parker asked McKee what he is wanting. McKee wants the officer to retract his statement that McKee threatened him. Kampling asked McKee if he was swinging his cane. McKee said yes, threatening him with his stick was the comment. McKee understood being disorderly verbally, but a citizen has a lot of latitude addressing an officer. Parker stated now that he knows what McKee's request is, Parker could legally instruct him for proper source of the request. Parker asked Chief Winter if he's charged right now in municipal court with any crime. It was reiterated that despite all of the activities to date, he has not be charged within municipal court; therefore the City has no interest with anything to do with this. There is nothing public about this statement. If he is charged with a crime regarding the activities in question, then has opportunity to present defense to the court judge. At this time, it is irrelevant. Chief stated at this time there were no plans to charge him under municipal court.

#### **OLD BUSINESS**

#### **NEW BUSINESS**

##### **CONSIDERATION OF ADOPTING THE 2022 BUDGET**

The 2022 budget was discussed at the July 15, 2021 City Council meeting. The summary and notification of public hearing was published in the Times Sentinel Newspaper on August 26th, 2021 and a public hearing for the budget and exceeding the Revenue Neutral rate was held earlier in the meeting. The proposed mill levy of 60.378 exceeds the Revenue Neutral Rate of 57.967. The 2021 mill levy was set at 60.608 and the mill levy has remained steady at around 60 mills since 2016. Young stated the only changes that were made to the Budget since the July meeting were decreasing the funds for the Police Station update and Golf Course lean-to due to increased budgeted costs in work comp insurance.

Motion: Adopt the 2022 budget as presented.

Motion made by Councilmember Albers, Seconded by Councilmember Graf.

Voting Yea: Councilmember Kampling, Councilmember Albers, Councilmember Gile, Councilmember Graf

##### **CONSIDERATION OF VOLUNTEER TRANSPORTATION SERVICES AGREEMENT WITH SEDGWICK COUNTY, KANSAS**

In June 2020, the City entered into an Agreement with Sedgwick County allowing the Senior Center to coordinate volunteer

transportation services. A volunteer at the Senior Center acts as the coordinator and provides rides to non-family members. The County reimburses the Senior Center \$7.00 per coordinated ride, not to exceed \$2,975. Sedgwick County has requested the agreement be renewed. Young explained that there were existing volunteers through RSVP at the Cheney Senior Club that gives rides and funds are given to the Senior Center for these rides.

Motion: Approve the agreement and authorize the Mayor to sign.

Motion made by Councilmember Gile, Seconded by Councilmember Kampling.

Voting Yea: Councilmember Kampling, Councilmember Albers, Councilmember Gile, Councilmember Graf

#### **CONSIDERATION OF AGREEMENT WITH KDOT FOR COST SHARE PROGRAM**

The City of Cheney was awarded a Cost Share Grant for the construction of a 6' wide sidewalk along Main Street to the Activities Complex on South Main. The grant covers construction costs and was awarded in the amount up to \$115,923 with a 10% local cash match. The city is responsible for covering the costs of preliminary and design engineering, right-of-way, utilities, non-participating items and all costs exceeding the awarded amount. The bid will need to be let within 6 months of January 2022. Schwab Eaton engineers have already started the surveying of the project. It was noted the agreement is a standard KDOT agreement and the attorney had reviewed it.

Motion: Approve the Agreement with Kansas Department of Transportation for the Cost Share Grant and authorize the Mayor to sign.

Motion made by Councilmember Gile, Seconded by Councilmember Graf.

Voting Yea: Councilmember Kampling, Councilmember Albers, Councilmember Gile, Councilmember Graf

#### **CONSIDERATION OF VOTING DELEGATE FOR THE LEAGUE MEETING OCTOBER 9-11, 2021.**

Each year the Council elects a voting delegate and alternate delegate for the Annual League meeting to represent the City. It was mentioned that no one had signed up for the LKM Conference yet.

Motion: Elected any city staff that plans to attend the conference as the voting delegate.

Motion made by Councilmember Albers, Seconded by Councilmember Graf.

Voting Yea: Councilmember Kampling, Councilmember Albers, Councilmember Gile, Councilmember Graf

#### **CONSIDERATION OF EXTENDING THE LOCAL EMERGENCY DISASTER PROCLAMATION**

A Proclamation for COVID-19 was adopted for 180 days on March 18th, 2020, extended on September 10th and again on March 11th 2021 and is now set to expire. Young stated that the proclamation gives the Mayor and Administrator the ability to make decisions. Attorney Parker stated having the proclamation may also give possible funding from FEMA.

Motion: Adopt the Local Emergency Proclamation for 180 days.

Motion made by Councilmember Kampling, Seconded by Councilmember Albers.

Voting Yea: Councilmember Kampling, Councilmember Albers, Councilmember Gile, Councilmember Graf

#### **REPORTS**

##### **Police Report**

Chief Ken Winter mentioned that the department was still short staffed one full-time officer and they were not having any luck with applicants. Challenge across the board as bigger departments are paying more. Executive session for non-elected personnel. Councilmember Albers mentioned that he thought the police department does an excellent job in school zones and mentioned a photo that was posted online of Officer Martinez fixing a kid's bicycle.

##### **Fire Report**

Chief Pietz reported that the costs of the Fire Station update continue to keep going up due to the price of steel.

##### **Maintenance Report**

Maintenance Superintendent Jerry Peitz reported that the water tower repairs were finally finished. The VFD helped maintain water pressure in town while the project drug out for longer than anticipated. Peitz is still looking at numbers on how much water was discharged. Parker thought KDHE might allow a transfer of water rights between the wells.

Applications to hire a full-time maintenance position to replace an employee who is retiring have been opened up.

Councilmember Kampling asked for the status of street work. Peitz stated the cost of oil has increased some, but not a significant amount. They have been working on the truck to make sure it is in operating condition, but if it breaks down then they will have to work something out for another company to come in and finish street work. Crossing fingers that things go better with truck than last year. Put team together to look truck over and see if things are set up- said he would get back with Peitz, but hasn't. Mayor asked if he had contacted Circle C, Peitz said he had, but has not heard back from them.

#### **Golf Course Report**

Director of Golf Kevin Fowler was not present for his report, but Mayor noted that things seemed to be looking good.

#### **Administrator's Report**

Young mentioned that KMIT is working to create a group for health insurance, in addition to work comp. Young wasn't sure if the rates and coverage would be a benefit to the City, but she would learn more on September 22<sup>nd</sup>.

The Community Foundation is having a Cruise Night on October 17<sup>th</sup> and the Chamber will have their Chili Cook-off on October 28<sup>th</sup>.

Young read an update from Evergy regarding the purple street lights and that they should be fixed by the end of 2021.

Young brought up the City's livestock Code and stated there had been a request by the property who holds a livestock license to not be required to obtain written approval every year. Since the owner has to get written approval from adjacent property owners upon getting the license, and then as the property invests in fencing, it didn't seem right that someone moving in later and only living there a short time could not sign off on their livestock license renewal even though there were no previous complaints. Councilmember Albers thought the code could be amended for the renewal, but to still require the written approval at the beginning. Attorney Parker thought if there had been no more than 1 or 2 complaints within a year-, then there was no need for written consent. The Ordinance would be re-written and brought back next month.

Young asked how to proceed with the Santa Fe property that was recently purchased by the City between Main and Garfield. Young mentioned that the property was 125' wide and if the street right of way needed to be a minimum of 60', it would leave a platted lot 65' wide. The minimum lot width for R4 is 70', but lots in the older part of town are only 60-65'. Parker thought there would be a strong case for a variance to allow for the 65' wide lot as part of the plat since the City was trying to turn the land into a usable lot and fixing a street.

Young stated that the business on Main Street is renting part of the Santa Fe vacant lot and asked the Council if they wished to continue renting the lot space. Councilmember Albers thought the City should continue renting the retail space until everything is platted.

Motion: Authorize City to draft a short-term rental lease for property rental to be finalized with City staff.

Motion made by Councilmember Gile, seconded by Councilmember Graf.

Voting Yea: Councilmember Kampling, Councilmember Albers, Councilmember Gile, Councilmember Graf, Councilmember Williams.

Motion: Proceed with the platting process to sell the lots.

Motion made by Councilmember Kampling, Seconded by Councilmember Albers.

Voting Yea: Councilmember Kampling, Councilmember Albers, Councilmember Gile, Councilmember Graf, Councilmember Williams.

Motion: Offer lots for sale at \$40,000 (Main Street) \$30,000, \$15,000, 15,000

Motion made by Councilmember Albers, Seconded by Councilmember Graf.

Voting Yea: Councilmember Kampling, Councilmember Albers, Councilmember Gile, Councilmember Graf, Councilmember Williams.

Parker discussed adverse possession and open and exclusive use of the property, since the street runs through the lots.

Young asked Council if they would allow the Santa Fe rental tenant to build a fence. Council wanted a signed contract first and then may allow for fence to be built. Attorney Parker stated he would send over the Real Estate agreement for use.

Young asked Council if they wish to remove the siding track west of Main Street for better maintenance since weeds and trees were growing up over the track. Kampling asked if round-up could be used to kill the overgrowth. Graf and Albers asked if there was way to get it removed for scrap at no cost to City.

Young brought up the request from last month regarding developer's agree for the Back 9. Last month, Council asked the developer for a letter of credit for 100% of the existing specials that are owed. Young explained Southwind Property has a Letter of credit covered at 100% because it hasn't met the release mechanism. The original Letter of credit was for 50% cost with release at 80% of build-out. Young shared an email from the owner of Southwind on his thoughts of the City requiring 100% letter of credit on the existing specials. Young stated the existing specials are caught up with 2021 due December 20<sup>th</sup>. The current balance owned by Lehner is \$76,346 and upon closing the existing developer will have to pay a pro-rated amount of specials as a credit to the buyer. When the new developer pays all of 2021 taxes in December, it will leave a balance of existing specials owned by Southwind of \$60,857. Young stated a developer's agreement will be presented in the future and it has been discussed at 35% on all new costs. Councilmember Albers thought they needed to keep the City growing and made a motion to approve agreement with 50% on old specials and 35% on new.

It was mentioned that if the city is going to have all the risk, then City might as well develop it. Kampling thought it would take a boat load of money to do the development and developers in small towns struggle. Albers stated he was nervously cautious. Attorney Parker said the reality is houses are selling for more than what they should and doesn't think people are sitting on stuff like in the 2008-2009 housing crisis. Parker asked Council if they were willing to take on the amount not covered from the letter of credit. Albers said we'll have to take risk whether it's this developer or the next if they want new homes built. Albers wanted to keep momentum going, but doesn't want to stick their neck out too far.

John McKee, member of the audience, said he worked for 20 years in Real Estate/Mortgage and mentioned that a small incentive goes a long way. Offering no taxes for a specific period of time for people willing to buy/build is a small incentive to encourage building. McKee also mentioned up front incentive versus long-term incentives.

Council was agreeable to allowing the letter of credit for \$30,428 on the existing specials and it was decided a motion was not required since it would be part of the Developer's Agreement, approved by Council at a later time. Albers retracted motion.

Young asked about the Ordinance regarding parking of RVs and trailers that is supposed to be brought back up in October. Mayor Mize thought there had been good points brought up at the public meeting and there were parts of the Ordinance that should be reconsidered. Mayor thought the Council need to figure out what are they really trying to do with the Ordinance, how it will be enforced and how the exceptions will be taken care of. He thought Kampling had started out with not wanting to allow items to be stored in front of their house year around. Mayor asked about people that don't have a front yard. Councilmember Kampling thought some people were already violating current ordinances. Albers thought the intention of the Ordinance was to keep them out of the grass.

Attorney Parker mentioned that the city could enforce the STO regarding RVs not in good or operable condition. If they are not tagged, then they could be a nuisance, condemned and pulled-out and sent to the dump if the nuisance is not taken care of. The STO discusses items can't be parked on a sidewalk, crosswalk, or in front of a driveway. Parker thought addressing the items as nuisance abatement might save them from having to adopt the additional ordinance.

Councilmember Williams thought if they were not going to get together as a council and discuss items to be changed, then the Ordinance shouldn't come back on the agenda. He didn't think they'd get very far without all being in the same room to discuss it. Mayor asked about giant cookers sitting in front yards and Council agreed that there were a lot of other items to address. Parker had a thought to address any vehicle that has not moved within 30 days to be deemed a nuisance. Albers

asked how they were going to enforce that. Parker mentioned they could base it off of citizen complaint. Albers agreed that they needed to figure out what they were trying to do with the Ordinance.

Councilmember Kampling didn't think there should be new codes if they weren't going to enforce existing ordinances. McKee mentioned a community wide clean-up from the audience. Chief Winter stated that since he became Chief, he has worked to clean up the streets to make sure campers, and trailers are off the street. They need to have a plan where people should go with their trailers if they're not allowed in driveways.

Kampling didn't think Council was ever going to get things figured out. Mayor thought they were trying to keep things off of the grass. An ordinance regarding parking along the curb and within the street easement was discussed. Albers thought there should be healthy discussion and is willing to look at solutions. McKee from the audience mentioned going to property owners and telling them how the City and their neighbor's view conditions on their property.

Attorney Parker again mentioned that items could be deemed not safe, harboring of rodents, and gone after as a nuisance. In Section 8-201, nuisances are defined as all articles kept by any person to the annoyance or inconvenience of public or neighborhood. Parker stated that neighbors could sign a complaint that they want something removed and then put it on the docket to get it removed and let the judge deal with it.

Councilmember Williams asked if there was a way to get public comment to get more people to say they don't like these things to get more people involved and wondered about doing a poll to get additional feedback. Parker again thought if people wanted this changed, then they needed to sign a complaint.

Mayor didn't think the Council was together enough to proceed forward with anything. Mayor thought the City could follow the items brought up by Attorney Parker and address the items that fall under those categories. Mayor did not want the item listed on the agenda for discussion until the Council had everything gathered and determined what they wanted to accomplish.

Mayor wanted to indefinitely table the item until it's brought back. McKee mentioned from the audience that they could set a time limit on a discussion and if an agreement hasn't been met by the time limit then they move on to something else.

Motion to table the RV ordinance changes indefinitely.

Motion made by Gile, seconded by Graf.

Voting Yea: Councilmember Kampling, Councilmember Albers, Councilmember Gile, Councilmember Graf, Councilmember Williams.

#### **ATTORNEY'S ITEMS**

Attorney Parker had nothing additional to report.

#### **MAYOR'S ITEMS**

Mayor Philip Mize asked about gas prices from KMGa and thought people should be prepared that the days of reasonably priced natural gas may be over. Councilmember Williams stated he tried to ask about the gas investigation on a Town Hall meeting, but didn't get a chance.

Mayor also mentioned the pool committee had met on the concept plan and thought they needed to give thought on how to pay for it, how far to go with it and what direction to take.

#### **COUNCIL ITEMS**

Councilmember Albers had nothing to report. .

Councilmember Gile had nothing to report.

Councilmember Graf had nothing to report.

Councilmember Kampling had nothing to report asked for a 5-minute executive session to discuss non-elected personnel with Attorney Parker, City Administrator Young and Chief Winter.

Councilmember Williams had nothing to report.



**EXECUTIVE SESSION**

Motion: City Council enter into executive session to discuss personnel matters related to non-elected personnel of the police department pursuant to KSA 75-4319(b)(1) with Attorney Parker, Police Chief Winter, and Administrator Young for 20 minutes at 9:36 pm.

Motion made by Councilmember Graf, Seconded by Councilmember Albers.

Voting Yea: Councilmember Williams, Councilmember Albers, Councilmember Gile, Councilmember Graf, Councilmember Kampling

**ADJOURN**

Motion to adjourn 10:04 pm.

Motion made by Councilmember Albers, Seconded by Councilmember Kampling.

Voting Yea: Councilmember Williams, Councilmember Albers, Councilmember Gile, Councilmember Graf



A handwritten signature in blue ink that reads "Philip Mize".

Philip Mize, Mayor

Attest:

A handwritten signature in black ink that reads "Danielle Young".

Danielle Young, City Clerk