



COUNCIL MEETING

Council Chambers, City Hall – 131 N Main St

October 12, 2023 at 7:00 PM

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 7:01 pm. Council members Jeff Albers, Kassie Gile, Ryan Graf, Greg Kampling, and Greg Williams were present. Staff present were City Administrator Danielle Young, City Clerk Angie Gassmann, Police Chief Ken Winter, Maintenance Superintendent/Fire Chief Jerry Peitz, Director of Golf Kevin Fowler and Attorney Austin Parker. Guests present were Judd Weil-TSNews Jessica Keys, Brian Krenznel, Scott Bratcher, Ben Wahlers, Chad Inslee, Krystal Inslee, Zachary Heath, Shannon Heath, Pearl Heath, Wallace Heath, Jarrod Bartlett, Josh Murray, Laird Murray, Jennifer Bartlett, Logan Wright-American Red Cross, Shannon Wedge-American Red Cross, Than Underwood, and Miles Key. Kyan Wahlers and Elina Bartlett appeared via Zoom.

PLEDGE OF ALLEGIANCE TO THE AMERICAN FLAG

DETERMINE AGENDA ADDITIONS - None

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) Minutes of the September 26th, 2023 Special Meeting
Minutes of the September 14, 2023 Meeting

- B) Building Permits
 - Roofing - 322 E 4th - Ashbrook Roofing
 - Building - 127 N Garfield - Precision Contracting
 - Building - 224 N Adams - Illumicast
 - Building - 508 Aetna - Cathy Lee
 - Building - 542 Allison - Burwell Construction
 - Mechanical - 227 E South - RedBird
 - Sprinkler - 522 Wolf - Ryan Lawn
 - Electrical - 826 N Lincoln - Southwestern
 - Electrical - 303 N Washington - Cheney Electric
 - Building - 525 N Main - Evans Building
 - Roofing - 307 Harrison - Miguel Nunez

- C) Bills List Sept 8, 2023
Bills List Sept 28, 2023

Motion: Approve consent agenda as listed.

Motion made by Councilmember Kampling, Seconded by Councilmember Gile.

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

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

Shannon Wedge with the American Red Cross presented Lifesaving awards to Laird Murray, Kyan Wahlers, and Elina Bartlett.

Fire Chief Jerry Peitz and Firefighter Zac Heath presented a lifesaving award to Than Underwood.

OLD BUSINESS

NEW BUSINESS

CONSIDERATION OF SELECTING A CONTRACTOR FOR PARK SHELTER & RESTROOM DESIGN/BUILD SERVICES

The City sent out a Request for Proposals on September 15, 2023 to twelve firms to provide design/build and construction management services for a new 1500 sq ft Park Shelter and Restroom to be located at the Sports Complex at 731 S Main. The desired outcome of the project is for the construction of a facility that will serve as a restroom and covered picnic shelter located between the parking lot and basketball court. The facility will have a men/women's restroom, drinking fountain, covered shelter for picnic tables, and concrete parking/sidewalk. The intent of the city is to enter into a contractual agreement with a qualified firm that can handle both the design and construction of the project. The selected Design/Build firm will work in conjunction with city staff and the Cheney Governing Body to assist in the completion of the design, engineering and provide construction services for the project.

Proposals were due Wednesday, October 11th with the estimated budget at \$150,000. Dondlinger was the only proposal received estimating the cost of the project at \$300,000 to \$400,000. They stated the scope could be reduced with other designs but the City would need to be open to reducing the scope of work. Attorney Austin Parker stated since only one bid was received the City could legally reject and work towards a sole source procurement to find someone to work with that would be in our budget.

Motion: Reject all bids.

Motion made by Councilmember Albers, Seconded by Councilmember Graf.

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

Councilmember Albers felt it could be done as a community project utilizing the talent and resources in the community to build the structure for much less than \$300,000. Councilmember Williams asked what the cost of the bathrooms at the golf course would have been if a contractor was utilized. Director of Golf Fowler stated it was never priced out. Administrator Young stated the project was not only the bathroom/shelter project but also concrete work, ADA parking, and sidewalk. Councilmember Kampling stated he would speak with Steve Seiler and consider heading the project up.

Motion: For City Staff to move forward in the direction of sole source procurement.

Motion made by Councilmember Albers, Seconded by Councilmember Graf.

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

CONSIDERATION OF EMS USE AGREEMENT WITH SEDGWICK COUNTY

An agreement between the City of Cheney and Sedgwick County was presented to give access to Sedgwick County EMS for the south bay of the existing fire station to station their EMS equipment. Sedgwick County agreed to pay \$28,000 towards the construction costs of the fire station addition for the right to occupy and use a portion of the facility.

Motion: Approve the agreement with Sedgwick County and authorize Mayor Mize to sign.

Motion made by Councilmember Gile, Seconded by Councilmember Williams.

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

2022 DIVERSION OF WATER IN EXCESS OF AUTHORIZED QUANTITY OF WATER

Staff and Attorney Parker held a settlement conference with Division of Water Resources regarding a penalty for utilizing water in excess of authorized quantity. Repairs have since been made and operations have been reviewed for the city to be able to utilize all of the wells within the area. The city did not exceed the total allowance of water within the battery of wells, but did exceed the quantity on one of the three wells for each of the two file numbers; therefore, a penalty is being assessed and a reduction in water for 2024 for irrigation at the golf course.

Motion: Approve and pay the penalty to Kansas Department of Agriculture, Division of Water Resource and authorize Mayor Mize to sign.

Motion made by Councilmember Albers, Seconded by Councilmember Graf.

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

DISCUSSION OF ADDITIONAL PAYMENT ON THE CITY UTILITY LOW-INTEREST LOAN

In March 2021, the City obtained a loan through the City Utility Low-Interest Loan Program with the State of Kansas in the amount of \$1,472,116. The loan was originally set up at .25% interest and semi-annual payments. The interest rate increased to 2.68% January 2023 and is trending to increase again in January 2024 to 3.43%. The city has the option to pay an extra amount in November before the interest rate is set for January 1st. The regularly scheduled payment amount will be made in December. The loan payment is made with the \$3.15 service charge per MCF that is billed to the city's natural gas utility customers. When the \$3.15 rate was set in 2021, it was expected that the 10-year loan could be paid back in 6 years if the volume of natural gas sold remained constant.

Administrator Young discussed the excess funds could be invested in Certificate of deposits. The interest earned from the CDs would then be applied towards the balance of the loan. She recommended applying the excess funds towards a Certificate of Deposit given the City would earn more off the current interest rates of the CD's then they would save making an extra payment with the current interest rate of the loan. She requested to keep making the standard payment. By doing so she felt the City would have enough cash reserve built up to pay the loan off by 2028. Council felt if we were making more money in CDs versus what we would save paying down the loan to go ahead and invest the money in a CD for this year and see what happens to the loan interest rate next year.

REPORTS**Police Report**

Police Chief Ken Winter reported the new Tahoe had been upfitted and in service. The other 2023 Tahoe is in the process of getting the graphics added to it. Chief Winter requested a 15-minute executive session to discuss non-elected personnel.

Fire Report

Fire Chief Jerry Peitz reported the grant for the brush truck that they applied for was denied. They will now have to decide whether to repair the 6x6 or look for a smaller brush truck which would allow quicker access to grass fires. They picked up the new ladder truck. He reported they are working with Pfaff signs on decals for the new truck. The concrete for the new station has been poured. They are scheduled to do fire safety with the elementary kids.

Maintenance Report

Maintenance Superintendent Jerry Peitz reported they have completed $\frac{3}{4}$ of the work on relocating the water line for the fire station.

Golf Course Report

Director of Golf Kevin Fowler reported things were going well at the golf course. The last tournament on the books for the year is scheduled for November 4th. The equipment on Purplewave will be ending soon.

Administrator's Report

Administrator Young reported the 3rd Quarter financial numbers were looking good. The ARPA cash balance is \$302,000. October 15th is the cruise night in conjunction with Floyd's fall fest at Souders Museum. She also mentioned there will be a community pep rally and chili/soup cook-off on October 26th. 25 businesses signed up to participate in the event.

ATTORNEY'S ITEMS

Attorney Austin Parker had nothing to report.

Clerk Report

Clerk Angie Gassmann had nothing to report.

MAYOR'S ITEMS

Mayor Philip Mize had nothing to report.

COUNCIL ITEMS

Councilmember Albers asked about the concrete on the section of sidewalk in the 500 block of Marshall that had been removed and repaired by homeowner. Administrator Young stated it was being addressed.

Councilmember Gile had nothing to report.

Councilmember Graf wanted to thank the Fire Department for their quick response to a recent house fire.

Councilmember Kampling asked about Evergy replacing the utility pole at Second and Jefferson. He stated they set the new pole in center of sidewalk and they need to pour concrete 4 feet around the pole. Administrator Young reported she had contacted Evergy and they were supposed to come back and pour it.

Councilmember Williams voiced concerns over the newly installed walking trail on South Main. He felt the minimum was not being maintained and that parts of it could be better. Councilmember Kampling stated it was poured the same as the golf course cart paths utilizing the sled. Councilmember William felt it was not to ADA standard. Administrator Young stated she would follow up with Councilmember Williams to address the areas of concern. She also stated the volunteers worked hard on what had been poured and the City greatly appreciates their time.

EXECUTIVE SESSION

Motion to enter into executive session to discuss police personnel matters, including but not limited to employee performance, employee resignations and employment structure within police department pursuant to matters related to non-elected personnel KSA 75-4319(b)(1) at 7:58pm for 15 minutes with Administrator Young, Chief Winter, and Attorney Austin Parker.

Motion made by Councilmember Gile, Seconded by Councilmember Graf.

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

Motion to enter into executive session to discuss police personnel matters, including but not limited to employee performance, employee resignations and employment structure within police department pursuant to matters related to non-elected personnel KSA 75-4319(b)(1) at 8:13pm for 10 minutes with Administrator Young, Chief Winter, and Attorney Austin Parker.

Motion made by Councilmember Gile, Seconded by Councilmember Albers.

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

Motion to enter into executive session to discuss police personnel matters, including but not limited to employee performance, employee resignations, and employment structure within police department pursuant to matter related to non-elected personnel KSA 75-4319(b)(1) at 8:23pm for 10 minutes with Administrator Young, Chief Winter, and Attorney Austin Parker.

Motion made by Councilmember Albers, Seconded by Councilmember Gile.

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

Motion to enter into executive session to discuss police personnel matters, including but not limited to employee performance, employee resignations, and employment structure within police department pursuant to matters related to non-elected personnel KSA 75-4319(b)(1) at 8:33pm for 10 minutes with Administrator Young, Chief Winter, and Attorney Austin Parker.

Motion made by Councilmember Albers, Seconded by Councilmember Gile.

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

Motion to enter into executive session to discuss police personnel matters, including but not limited to employee performance, employee resignations, and employment structure within police department pursuant to matters related to non-elected personnel KSA 75-4319(b)(1) at 8:43pm for 10 minutes with Administrator Young, Chief Winter, and Attorney Austin Parker.

Motion made by Councilmember Albers, Seconded by Councilmember Gile.

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

Mayor Mize stated the Council was back in regular session with no binding action taken.

Motion to authorize Chief Winter to offer 3 officers' employment up to \$28.00 per hour.

Motion made by Councilmember Albers, Seconded by Councilmember Kampling.

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

Motion accept resignation from Grant Cook.

Motion made by Councilmember Graf, Seconded by Councilmember Williams.

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

ADJOURN

Motion to adjourn at 8:58 PM. Motion made by Councilmember Graf, Seconded by Councilmember Kampling.

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



Philip Mize, Mayor

Attest:

Angie Gassman, City Clerk