



COUNCIL MEETING

Council Chambers, City Hall – 131 N Main St
November 10, 2022 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 7:00 pm. Council members Kassie Gile, Ryan Graf, Greg Kampling, Greg Williams and Jeff Albers were present. Staff present were City Admin/Clerk Danielle Young, Police Chief Ken Winter, Maintenance Superintendent/Fire Chief Jerry Peitz, Director of Golf Kevin Fowler and Attorney Patricia Parker. Guests present were Kelly Patterson, Logan Mills, and Travis Mounts- TSNews.

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) Building Permits

- Fence - 544 E 6th - American Fence
- Fence - 532 Aetna - Macay Ewy
- Fence - 410 Roosevelt - Doug Lewis
- Sign - 223 N Main - TriMark
- Roof - 514 W Cherry Oaks - Eaton Roofing
- Roof - 432 Washington (house) - Eaton Roofing
- Roof - 432 Washington (garage) - Eaton Roofing
- Roof - 724 N Main - Eaton Roofing
- Roof - 802 N Main - Eaton Roofing
- Roof - 103 N Adams (house) - Eaton Roofing
- Roof - 103 N Adams (garage) - Eaton Roofing
- Fence - 569 E Bob White - Steven Hanner
- Roof - 611 Allison - Eaton Roofing
- Roof - 217 N Harrison - Eaton Roofing
- Roof - 820 N Lincoln - Partridge Roofing
- Roof - 420 Meadows Ct - Diamond Roof & Gutter
- Roof - 626 E 6th Ave - Landwehr Roofing

Roof - 734 N Lincoln (house) - Eaton
Roof - 734 N Lincoln (garage) - Eaton
Building - 635 Allison - Dal Eck
Building - 627 Allison - Dal Eck

- B) Minutes of the October 13, 2022 Meeting
Minutes of the October 19, 2022 Special Meeting
- C) BILLS LIST OCTOBER 2022

Motion: Approve the consent agenda as listed.

Motion made by Councilmember Graf, Seconded by Councilmember Gile.

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

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

Kelly Patterson addressed the Council and stated he owned the north half of Lot 7 of Northridge Estates. They would like to build a home on the lot and requested drive access from 383rd St N, instead of the 383rd St Court. Administrator Young explained that when the lot was split in 2006, access for the south lot off 383rd St N was granted, but access for the north half was not asked at that time. Council did not see an issue as there are plenty of other drives onto 383rd. Patterson stated they did not plan to back onto 383rd from their driveway.

Motion: Approve drive access off 383rd St N for north half of Lot 7 in Northridge Estates with issuance of a Right of Way Permit.

Motion made by Councilmember Albers, Seconded by Councilmember Graf.

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

OLD BUSINESS

NEW BUSINESS

DISCUSSION OF DEVELOPMENT BY ROGER ZERENER

Roger Zerner proposed a single-family home development of a 40+- acre tract in the far northeast corner of city limits at 23rd St & 375th St.

Logan Mills, engineer, presented the plan, estimating homes in \$350,000 range. The addition would have private water wells, private septic systems, propane and electric. Tim Wagner with Sedgwick County would inspect the sewers. The nearest City sewer is located 1/2 mile away. The layout showed six lots ranging in size from 3-9 acre lot sizes. Lot 5 would have a 40' wide access for a private drive. Mills stated it was hard to economically serve sewer for large lots.

Young mentioned the city offered natural gas utility and typically runs the natural gas line at no cost to owner and that propane tanks inside the city limits could be a public safety issue if people within the existing infill lots of the city also begin installing propane tanks.

Councilmember Albers wanted to make sure as the community continues to develop, they're not creating further issues down the road by people saying, "those guys have propane, and their own septic, why can't I have it too?"

Mayor Mize thought over the years that the city has told several people that this wasn't allowed. To allow it, several problems would need to be worked out in order to have a way to say yes. It needs to be a good use of

property, but the city needs to be careful on their decision and needs time for thought and discussion on the proposal.

Mills thought Zerener would be up for offering natural gas. It was mentioned that the homes on 383rd Ct had requested city water for some reason after their homes were built and wondered if this development would also make a similar request. Albers asked Mills if other cities had allowed lot development like this. Mills mentioned he worked with Clearwater and Mt Hope. The City could look at doing a no protest petition, so if water and sewer are extended in future the development would be forced to connect to the utilities and pay the costs. Albers asked if there were other cities that have their own sewer system and allow private septic systems?

Albers asked Mills about Zerener's other development he was working on and thought the city needed to be careful to not set precedence for the other development. Mills stated the lots north of Shadybrook could go in with city utilities, but Zerener couldn't attract builders interested in building homes. The development is not off the table. The part of the development, just north of the creek, could possibly have grinder pumps.

Mayor asked how the lots would be accessed. The lots would be accessed off of the county roads of 23rd and 375th.

Young mentioned that lot splits could become an issue as people don't want that much acreage, they could sell off portions of their lots and now instead of having 6 homes, there are 12 homes on private utilities. Mills stated restrictions on the plat could be put in place prohibiting lot splits.

Mills stated that the lots are undevelopable until sewer is closer. There are not a lot of costs involved with the layout. Albers stated that he wanted to make sure the city really talked through it and doesn't want to create problems down the road, as there have been nightmares with other private drives and access.

Councilmember Kampling mentioned to put in an alternative sewer, it used to cost \$17,000-\$20,000, and now it's upwards of \$40,000. Mills stated normal septic systems are \$10-\$15,000. Zerener had done some test holes with inspector, Tim Wagner, and the large lots south of the creek would also require alternative systems.

Albers thought the city needed to determine if this was the best option for the city to have for development in that area. Councilmember Gile asked about a sewer lift station to service the entire area. A low pressure sewer system was discussed. Young asked if a person was going to spend \$40,000 on an alternative sewer, couldn't they put that amount towards a lift station instead?

Mills stated the Bison Ridge development is still on the table and has 2 acre tracts. Young asked about the commercial part of Bison Ridge development and if a lift station would be needed for those lots. Young mentioned there might be grants out there to help build lift station for the commercial development.

Albers stated they were not trying to stunt growth of the city, but don't want to create more problems later on. He understood the increased costs are making it hard to develop inside smaller communities. Mills stated he would follow up with the city in a couple weeks.

DECLARE EQUIPMENT ITEMS SURPLUS AND SELL

The maintenance department requested to sell the following equipment on Purple Wave:

Four-wheeler and Forklift

The City will also sell the slurry truck and SCBA/fire radios that have already been declared surplus. Petiz stated they had removed the slurry box off of the ford truck and will sell just the chasis.

Motion: Declare items surplus and sell.

Motion made by Councilmember Williams, Seconded by Councilmember Graf.

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

CONSIDERATION OF ORDINANCES INCORPORATING BY REFERENCE THE INTERNATIONAL BUILDING CODE, 2018 EDITION, AS CURRENTLY AMENDED AND APPLIED BY SEDGWICK COUNTY RESOLUTION NUMBER 139-2019 BY AMENDING SECTION 4-202 OF THE CODE OF THE CITY OF CHENEY, KANSAS; UNIFORM PLUMBING CODE, 2021 EDITION, AS CURRENTLY AMENDED AND APPLIED BY SEDGWICK COUNTY RESOLUTION NUMBER 232-2021 BY AMENDING SECTION 4-402 OF THE CODE OF THE CITY OF CHENEY, KANSAS; INTERNATIONAL MECHANICAL CODE, 2021 EDITION, AS CURRENTLY AMENDED AND APPLIED BY SEDGWICK COUNTY RESOLUTION NUMBER 231-2021 BY AMENDING SECTION 4-801 OF THE CODE OF THE CITY OF CHENEY, KANSAS; NATIONAL ELECTRICAL CODE, 2020 EDITION, AS AMENDED AND APPLIED BY SEDGWICK COUNTY RESOLUTION NUMBER 167-2020 BY AMENDING SECTION 4-302 OF CODE OF THE CITY OF CHENEY, KANSAS AND REPEALING ALL CONFLICTING ORDINANCES OR PORTIONS THEREOF.

Young explained that since MABCD does the City's Code inspections, the City needs to adopt the same codes to align with Sedgwick County, since that's what is being inspected. They had had a contractor call asking which code to build to, since the city and MABCD were going off of different codes. The ordinances adopt new mechanical, plumbing, electrical and building codes.

Motion to adopt Ordinances 944, 945, 946, and 947.

Motion made by Councilmember Kampling, Seconded by Councilmember Graf.

Clerk Young called the vote. Albers- yea, Kampling-yea, Williams-yea, Albers-yea, Gile-yea, Graf-yea

LAND AND WATER CONSERVATION FUND PROGRAM

A project agreement was received on the LWCF grant with a 50/50 grant up to \$148,588 (\$74,294 is City share) from Kansas Department of Wildlife and Parks for the installation of irrigated multi-use fields, construction of full basketball court with goals, fencing, lighting, irrigation for water, water fountains and sidewalks at Cheney Sports Complex.

Motion: Approve project agreement and authorize Mayor to sign.

Motion made by Councilmember Albers, Seconded by Councilmember Graf.

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

REPORTS

Police Report

Chief Winter had nothing additional to report.

Fire Report

Fire Chief Peitz reported that two new tornado sirens were installed by Sedgwick County Emergency Management. They were having issues with their old sirens and the new ones are solar powered. They were placed in different locations because the tones project farther out. The County will still activate them. Peitz also mentioned that the Fire Department is over 400 runs on the year, which is more runs than in the past.

Maintenance Report

Maintenance Superintendent Jerry Peitz reported that parts are hard to get and have doubled in price. Some parts are 25-50 weeks out.

Golf Course Report

Director of Golf Kevin Fowler reported that revenue numbers are still good, but they have hit a plateau with the

weather. The golf course has already surpassed annual revenue from last year. The course received almost 3" of rain last week. The Assistant Superintendent is leaving employment on November 18th. Mayor Mize asked Fowler if he had received all of his mower parts. Fowler said mostly. Fowler will attend Annual Conference at the end of the month. Cherry Oaks is entering a new agreement with Golf Now, upgrading the Point of Sale System, and they will revamp pricing when doing inventory because can't keep absorbing price increases.

Administrator's Report

Administrator Young reported that with the KDOT Cost Share grant that was received for the ADA curb ramps, the city will be responsible for 15% of construction and design and construction engineering. Council agreed to send RFP out for engineering services.

Young stated they had met with some architects regarding the fire station project and may have proposals to present next month.

Closing will be November 16th on the Santa Fe lots with Grady Laverentz.

Young received word from Blue Cross/Blue Shield that insurance rates would be increasing 32%. Young has contacted KMIT to see if the City can join their insurance pool.

ATTORNEY'S ITEMS

Attorney Patricia Parker had nothing to report.

MAYOR'S ITEMS

Mayor Philip Mize mentioned Administrator Young had represented the City on receiving the grant and met Governor Kelly at Wichita Public Library. Eldorado and Hutchinson were also represented at the press conference.

COUNCIL ITEMS

Councilmember Albers had nothing to report.

Councilmember Gile had nothing to report.

Councilmember Graf had nothing to report.

Councilmember Kampling asked about finishing Field 4. He thought there was a lot of warm season grass out there already and city was behind schedule on being able to use it for next year. Young stated there was a group that had asked about putting up the "big red wall" in the outfield, but has not heard back from them. Young mentioned the dugouts also needed built. Kampling thought we needed to get going on Field 4 because it's going to sit there for another year not completed.

Councilmember Williams had nothing to report.

EXECUTIVE SESSION

Motion to enter into executive session to discuss employee performance pursuant to matters related to non-elected personnel KSA 75-4319 (b)(1) at 8:05 pm for 15 minutes with Administrator Young, Attorney Parker and Chief Ken Winter.

Motion made by Councilmember Graf, seconded by Councilmember Gile.

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

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

ADJOURN

Motion to adjourn at 8:27 pm.

Motion made by Councilmember Gile, Seconded by Councilmember Graf.

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

WORKSHOP- DISCUSSION OF NEW SWIMMING POOL



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