



## COUNCIL MEETING

Council Chambers, City Hall – 131 N Main St  
January 12, 2023 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 Greg Kampling, Kassie Gile, Ryan Graf, 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 Austin Parker. Guests present were Tricia Parker, Greg Tremblay, and Apostle Bikeworks.

### 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**
  - Building - 208 Cherry Oaks - Steve Burns Construction
  - Mechanical - 127 N Main - Service Experts
  - Roofing - 604 W 5th - Vega Roofing
  - Electrical - 637 Leighty Dr - Eck Services
  - Plumbing - 604 W 5th - Padgett Excavation
  - Roofing - 209 N Taylor St - Erie Construction Mid-West
  - Well - 423 Wolf - Chase Drilling
  - Roofing - 132 Crestview - Burwell Construction
  - Sign - 324 E South Ave - Ryan Runnells
- B) Minutes of the December 8, 2022 Council Meeting
- C) **BILLS LIST**

Motion to approve consent agenda as listed.

Motion made by Councilmember Albers, Seconded by Councilmember Graf.

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

**PUBLIC AGENDA** *(Please limit comments to 5 minutes)**Greg Tremblay- Race Against the Chaining*

Greg Tremblay introduced Apostle Bikeworks and they discussed the "Race Against the Chaining" gravel bike race that was held in Cheney last year and will be held in Cheney again this year. They had their biggest turnout in Cheney with 215 entries. They wanted to thank everyone. Councilmember Albers asked if there was something to make the event better? It was mentioned Chamber gave Cheney Bucks to the racers. Councilmember Williams asked if there were any safety concerns. Tremblay mentioned with the bridge being out, they will have to re-route the course this year. The police will again lead the racers out of town.

**OLD BUSINESS****NEW BUSINESS****CONSIDERATION OF 2023 SIDEWALK INSTALLATION/REPLACEMENT PROGRAM**

The 2023 budget contains \$10,000 for sidewalk and curb ramp improvements. The policy was established in 2005. In 2018, the program increased the grant from \$500 to \$750 per homeowner to replace sidewalks. In 2021, the policy changed to allow 2/3 reimbursement, instead of 50%.

The City received two applications in 2022 and funded one grant. The one additional applicant did not get their projects completed by year end and plan to apply again in 2023. Councilmember Albers asked what happened to the funds not utilized. Young stated that those funds are within the street budget and have been transferred to use on other sidewalk projects. Councilmember Kampling thought we should go around and make people repair their sidewalks.

Motion: Approve the 2023 sidewalk replacement program and allocate \$5,000 towards sidewalk grants.

Motion made by Councilmember Gile, Seconded by Councilmember Williams.

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

**CONSIDERATION OF RESOLUTION 328-2023 REQUESTING THE KANSAS DIRECTOR OF ACCOUNTS AND REPORTS TO WAIVE THE STATUTORY REQUIREMENTS OF USING GENERALLY ACCEPTED ACCOUNTING PRINCIPLES FOR THE CITY OF CHENEY**

This Resolution exempts the City of Cheney from the statutory requirement of using Generally Accepted Accounting Principles. In recent years, Cities have been under increasing burden to account for assets that have no actual market value. And while these things do not have a fair market value, they still are required to be in conformance with GAAP. Therefore, smaller municipalities in Kansas have opted to go with another form of cash basis of accounting that is in conformance with Kansas's law. (Requirements of K.S.A. 75-1120a (a))

Motion: Approve Resolution 328-2023 requesting the Kansas Director of Accounts and Reports to waive the statutory requirements of using generally accepted accounting principles for the City of Cheney, Kansas.

Motion made by Councilmember Albers, Seconded by Councilmember Kampling.

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

**CONSIDERATION OF ANNUAL RENEWAL OF SCHWAB-EATON ENGINEERING SERVICES**

Schwab-Eaton has acted as the City's engineer for several years. They have presented a renewal contract for 2023 with some hourly rates increasing.

Motion: Approve the renewal contract for engineering services from Schwab-Eaton, P.A. for 2023.

Motion made by Councilmember Williams, Seconded by Councilmember Graf.

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

#### **CONSIDERATION OF AN AGREEMENT WITH GEORGE, BOWERMAN & NOEL P.A. TO PERFORM THE YEAR ENDING 2022 CITY OF CHENEY AUDIT**

George, Bowerman & Noel have conducted financial audits of the City's financial statements for the last several years. Staff is very comfortable with this firm and the accountants conducting the audit. Staff recommends continuing this relationship and approving the letter of engagement.

Motion: Approve the letter of engagement with George, Bowerman & Noel for a fee not to exceed \$10,200 plus out of pocket expense with audit completed by July 1st, 2023.

Motion made by Councilmember Albers, Seconded by Councilmember Graf.

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

#### **CONSIDERATION OF PURCHASING 2023 CHEVY TAHOE**

The Police Department requested the purchase of a 2023 Chevy Tahoe from SERV in the amount of \$48,500 and upfitting costs of \$8,334.40 for a total price of \$56,834.40. The Tahoe is an increase of \$9,550 over last year's price.

The oldest vehicle in the fleet is a 2020 Tahoe, purchased in August 2020 for \$37,500 + \$4,317.48 upfit costs (discounted due to utilizing items off wrecked Tahoe.) = \$41,817.48. SERV offered a trade-in on it for \$26,000, but Council Grove would like to purchase it for \$33,000, and wants it immediately.

Last year, a 2021 Chevy Tahoe was purchased from SERV in the amount of \$38,950 + \$7,902.90 = \$46,852.90 - \$26,000 for trade in of 2020 Chevy Tahoe. Pricing this year was also received on a 2023 Durango and 2023 Ford Explorer. The Tahoe is available now, the Explorer is 6-9 month out and the Durango would be available in April-May. Chief Winter reported that costs have gone way up for the Chevy Tahoe, by about \$10,000. Mayor asked how many miles the Tahoe had on it that we were trading off. Chief reported 42,000 miles.

Motion: Approve purchase of 2023 Chevy Tahoe in the amount of \$56,834.40 including upfitting costs from SERV.

Motion made by Councilmember Albers, Seconded by Councilmember Williams.

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

Motion: Declare the 2020 Chevy Tahoe as surplus and sell to Council Grove for \$33,000.

Motion made by Councilmember Gile, Seconded by Councilmember Graf. Voting Yea: Councilmember Kampling, Councilmember Williams, Councilmember Albers, Councilmember Gile, Councilmember Graf

Budget: 2023 Police Machinery & Equipment- \$49,500

Budget: 2023 Capital Equipment- \$7334.40

#### **REPORTS**

##### **Police Report**

Chief Winter mentioned that Administrator Young and he had discussed a lease purchase for future vehicles. He thought Enterprise had a leasing option, but wasn't sure if one car could be leased or if an entire fleet had to be leased.

**Fire Report**

Fire Chief Jerry Peitz reported that the Fire Department would be serving breakfast on Saturdays in January. They had provided the architect with some elevation and grade shots for the fire station addition. The Fire and EMS runs in 2022 were up 98 runs from 2021.

**Maintenance Report**

Maintenance Superintendent Peitz reported that they had been working to install the Santa Fe water line.

**Golf Course Report**

Director of Golf reported that in 2022, rounds were down, but revenues were up. This means the dollar per round has increased by \$4.5 since 2020 and golfers are spending more money while they're on property. Fowler reported that he does not have an assistant hired. Provided year end numbers.

Fowler updated Council on the price of equipment. He asked for numbers from his Toro rep. He could lease a \$65,000 greens mower for \$1300/month for 60 months or pay \$79,000 over the 60 months. There has been another price increase on equipment and doesn't know when items will be available.

**Administrator's Report**

Administrator Young stated they had sent out an RFQ for engineering services on the ADA curb ramps. The RFQ is due back Feb 3<sup>rd</sup> and will be presented at the next meeting.

Young read the resignation from David Woodard from the Planning Commission. Young reviewed 2022 4<sup>th</sup> Quarter financials.

Young discussed the recent increase in the interest rate for the Natural Gas Loan, but felt the city would still be able to pay the loan off before the maturity date.

Pool raffle tickets are being sold to raise money for the pool project.

Administrator Young brought up the property Roger Zerener would like to develop at 375<sup>th</sup> and 23<sup>rd</sup>, which is located inside the city limits. Zerener had asked about the possibility of proceeding with the development from the previous meeting or if a single homesite would be allowed. Zerener is requesting a private water well and private alternative sewer systems. He doesn't see any reason why they would request city water and asked about an agreement by the owners to hook up to city sewer when it's available.

Attorney Parker mentioned that if the city didn't require public sewer/water up front, then the city could require the property owners to tie on to city utilities when city water/sewer are available. It was mentioned the city code would have to be amended to allow this. Administrator Young asked what happened if the City allowed the property to have a private well water and then there were issues with the well water. Would the city be required to provide a water line to service the property? Councilmember Albers thought the city would be better de-annexing the property until utilities are available, but didn't know that we wanted to actually de-annex property from the city limits.

It was discussed that the house on East 2nd Ave had to extend water/road before a home was built on that land.

Attorney Parker mentioned that no water and no sewer on a lot inside the city is not a city level service provision and the property should have to have some level of municipal infrastructure that they're paying for. Historically, landowners would come back to city and request utilities after something has been built. Parker threw around the idea of asking Zerener to pre-sell lots to make money back on the large lots and then committing to install the proper infrastructure once the lots were pre-sold.

Council stated Zerener could come to a meeting to discuss this further as they were happy to have a conversation with him; however, Council wanted to stress that they were not interested in a development inside the city without proper infrastructure, as they would be setting precedence and creating additional problems in the future. As much as they want development and houses, they still have to maintain consistency.

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

Attorney Austin Parker had nothing to report.

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

Mayor Philip Mize asked about the truck route and was concerned with the trucks going through the intersection of 6<sup>th</sup> Ave and Main during school zone hours. It was stated that 6<sup>th</sup> Ave is a truck route, as well as Main Street and Santa Fe. Illegal J-turns on Main Street were also brought up and vehicles not yielding properly at unmarked intersections. It was asked if information could be shared with the public.

#### **COUNCIL ITEMS**

Councilmember Williams asked about the speed limit on E. 6<sup>th</sup> Ave and stated some pedestrians had almost been hit from a vehicle speeding on E 6<sup>th</sup> that had come from the dirt road (375<sup>th</sup>). Councilmember Albers asked about putting up a 4-way stop sign at Sunset and 6<sup>th</sup> Ave to slow traffic down. It was also discussed about putting up a flashing light on 6<sup>th</sup> Ave, like the one on W. 6<sup>th</sup> Ave. Staff discussed that a traffic study had been conducted on E. 6<sup>th</sup> several years ago and it was determined vehicles were not speeding above the 30-mph speed limit. Staff also wondered if the radar speed limit sign could be moved from Main to East 6<sup>th</sup>.

Councilmember Albers had nothing to report.

Councilmember Gile had nothing to report.

Councilmember Graf had nothing to report.

Councilmember Kampling brought up the City maintaining 375<sup>th</sup> and that the township thought the City should maintain the half closest to the city limits. It was discussed that the township receives funds from the city's assessed valuation and they are to maintain dirt roads along the boundary lines with those funds, KSA 80-1404.

#### **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 8:43 pm for 5 minutes with Attorney Parker, Chief Winter and Administrator Young.

Motion made by Councilmember Gile, seconded by Councilmember Graf. Voting Yea: Councilmember Albers, Councilmember Gile, Councilmember Graf, Councilmember Kampling, Councilmember Williams. Motion carried 5-0.

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

Motion to enter into executive session to discuss employee performance pursuant to matters related to non-elected personnel KSA 75-4319(b)(1) at 8:53 pm for 5 minutes.

Motion made by Councilmember Gile, seconded by Councilmember Graf. Voting Yea: Councilmember Albers, Councilmember Gile, Councilmember Graf, Councilmember Kampling, Councilmember Williams. Motion carried 5-0.

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

Councilmember Kassie Gile made a motion to appointment Angie Gassmann for position of City Clerk with pay adjust according to salary schedule. Councilmember Ryan Graf seconded the motion. Voting Yea:

Councilmember Albers, Councilmember Graf, Councilmember Kampling, Councilmember Williams, Councilmember Gile. Motion carried 5-0.

**ADJOURN**

Motion made by Councilmember Graf, Seconded by Councilmember Gile to adjourn at 9:02 pm.

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

**POOL WORKSHOP**



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Philip Mize, Mayor

Attest:

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Danielle Young, City Administrator