



COUNCIL MEETING

Council Chambers, City Hall – 131 N Main St

March 14, 2024 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 Greg Williams, Tyler Cramer, Ryan Graf, and Kassie Gile were present. Staff present were City Administrator Danielle Young, City Clerk Angie Gassmann, Chief of Police Ken Winter, Director of Golf Kevin Fowler and Attorney Austin Parker. Council member Jeff Albers was absent. Guests present were Travis Mounts-TSNews, Lyn Packer-Sedgwick County Director of Public Works/County Engineer, Patricia Parker, Bryant Parker.

PLEDGE OF ALLEGIANCE TO THE AMERICAN FLAG

DETERMINE AGENDA ADDITIONS - no

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
 - Shed Permit - 312 E First - Josh Tabor
 - Shed Permit - 737 E Second - James Adolph
 - Sprinkler Permit - 313 Cherry Oaks - Turf Etc
 - Gazebo Permit - 804 Filmore - Kenneth Terrell
 - Fence Permit - 911 Garfield - Logan Wilson
 - Shed Permit - 814 Lincoln - Karlous Molyneux

- B) Minutes of February 8, 2024 regular meeting
Minutes of February 28, 2024 special meeting

- C) Bills Lists for February 2024

Motion: Approve consent agenda as listed.

Motion made by Councilmember Graf, Seconded by Councilmember Williams.

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

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

No one spoke during the public agenda.

OLD BUSINESS**DISCUSSION OF CLUBHOUSE MANAGER**

After further review of the clubhouse manager position from last month, staff had talked to the city attorney regarding the position being moved to an exempt-salaried position.

Motion: Approve update to clubhouse manager job description to an exempt-salaried position as it falls under the FLSA's executive and/or administrative personnel exceptions.

Motion made by Councilmember Cramer, Seconded by Councilmember Graf.

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

NEW BUSINESS**DISCUSSION OF ANNEXATION OF PUBLIC RIGHTS OF WAY**

Sedgwick County Public Works recently reviewed the status of roads in unincorporated public rights of way in the vicinity of all municipalities in the county and discovered locations where annexation of the road should occur. All areas eligible for annexation are noted on the attached map, but the circled locations are proposed for annexation on 383rd, 391st and MacArthur. The request is to reduce the maintenance burden on Sedgwick County. Following annexation, these roads would be classified as county connecting links meaning the County would perform maintenance overlays and complete the pavement markings on these roads, as needed. The city would have jurisdiction of these roads so the city could set and enforce the speed limit. Outside of maintaining the pavement, the responsibilities for the right of way would fall to the City, such as mowing, signage, ditches, culverts, storm sewer, permitting, etc. Sedgwick County would maintain the roads as connecting links until the city reaches a population of 5,000 and then the city would assume all responsibilities.

It was determined that a bridge exists along 383rd just north of the annexation and is in the County's CIP for replacement. City Staff requested Sedgwick County to inspect the other structures within the ROW and a report is attached. There are two cross road culverts on 391st St that need to be improved within the near future and the County has agreed to take on that expense. There are four other structures that the city would be responsible for in the future.

Lynn Packer, director of public works for Sedgwick County discussed the evaluations of the right of ways done by the County, on areas that have not been annexed, areas where we can extend connecting links and segments through cities of 3rd class. Administrator Young reviewed the condition report for the structures in the proposed areas. She discussed their condition and the plans for county replacement for certain structures. It was noted that the culvert on North Main by the Golf Course and Lubbers are in fair condition but there is concern it is undersized. It was suggested to make it bigger when replaced. Lynn Packer discussed wanting to run one resolution through the County for all Cities. A letter would then be issued and the City would meet and accept it. Mayor Mize referred to the City Attorney and asked for his thoughts. Attorney Austin Parker referenced State Statue 12-520E which refers to highways, not streets. He also discussed townships having a distinct mill levy to maintain roads. He stated he would look at it further to determine highway vs. roadway. Council was concerned about the replacement of structures by County, materials used for replacement, and the possibility of the County changing their Mill Levy to help cover the costs of repairs. Attorney Parker will research the annexation further.

CONSIDERATION OF MAYOR MIZE'S APPOINTMENT FOR THE LIBRARY BOARD

Mayor Mize requests Council's confirmation on the following appointment to the Library Board:

Library Board member Ciara Haworth 4-year term

Motion: Confirm the Mayor's appointment.

Motion made by Councilmember Graf, Seconded by Councilmember Cramer.

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

CONSIDERATION OF MAYOR MIZE'S APPOINTMENT

Cheney Fire Department has requested the appointment of Joshua Roberts

Motion: Confirm the Mayor's appointment.

Motion made by Councilmember Graf, Seconded by Councilmember Gile.

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

DISCUSSION OF 4TH AVE PROJECT

APAC submitted a price to tear out and replace 4th Ave from Main St to Wolf. The project was discussed between staff and Schwab Eaton and it was decided to get a bid from APAC directly instead of going out to bid, due to limited number of asphalt contractors and history of utilizing APAC for street tear-outs. APAC's bid includes replacing 4 valley gutters. These are not required, but they are the last 4 valley gutters along 4th Ave that need replaced and are severely cracked. We have received a bid from another company to replace the valley gutters.

APAC's bid received was for \$293,360 with \$295,000 being budgeted. This includes replacing the 4 valley gutters and 2 ADA curb ramps. It was discussed on doing the valley gutters and ADA ramps separately, but there was only a \$375 price difference. It was felt this was not enough of a savings to use 2 different companies on the project. The project is expected to begin as soon as school is out for the Summer with completion in approximately 2 weeks, weather permitting. The City will supply the base.

Motion: Approve bid in the amount of \$293,360 from APAC.

Motion made by Councilmember Graf, Seconded by Councilmember Williams.

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

UPDATE OF UTILITY DEPOSIT POLICY

Staff updated the Utility Deposit Policy to include information about if a customer enrolls in auto-debit.

Motion: Update the utility deposit policy.

Motion made by Councilmember Graf, Seconded by Councilmember Gile.

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

CONSIDERATION OF ORDINANCE 955: AN ORDINANCE REGULATING THE PAYMENT, COLLECTION AND TRANSFER OF UTILITY ACCOUNTS WITHIN THE CORPORATE LIMITS OF THE CITY OF CHENEY, KANSAS BY AMENDING SECTION 15-112 OF AND ADDING SECTIONS 15-115 AND 1-119 TO THE CHENEY CITY CODE OF THE CITY OF CHENEY KANSAS.

Staff requested the addition of a section regarding deceased utility customers, returned payments and the addition of a transfer fee when someone moves properties.

Motion: Adopt Ordinance 955

Clerk Gassmann called the Roll Call Vote: Albers-absent, Cramer-yes, Gile-yes, Graf-yes, Williams-yes.

CONSIDERATION OF APPOINTMENTS FOR THE KMGMA BOARD OF DIRECTORS IN ACCORDANCE WITH KMGMA'S BYLAWS, THE BOARD OF DIRECTORS SHALL CONSIST OF ONE DIRECTOR FOR EACH MEMBER CITY

Currently Jerry Peitz serves as the Director. With the vacancy of our Assistant Maintenance Superintendent position, someone will need to be appointed to fill the alternate director position.

Motion: Appoint Danielle Young to serve as the alternate Director until August 31, 2025, entitling alternate director to vote on the behalf of the city.

Motion made by Councilmember Graf, Seconded by Councilmember Gile.

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

REPORTS

Police Report

- Police candidate is in second week of academy. The other candidate will start on the 25th.

Fire Report

- Fire Chief Jerry Peitz was absent. Nothing to report.

Maintenance Report

- Maintenance Superintendent Jerry Peitz was absent. Nothing to report.

Golf Course Report

- February weather was good but extremely dry.
- Hired a new clubhouse manager who will start Monday, March 18th.
- Planted 25 trees – 24 at the golf course and 1 for the gas awareness survey winner.
- Discussed the cost of equipment and refurbishing some of the mowers through Toro to extend the life of those machines.
- Golf cart lease will expire at the end of 2024. In process of discussing with a couple companies and hopes to have a contract ready by end of summer.

Administrator's Report

- Discussed plans for picnic shelter.
- Discussed the swimming pool replacement. Reached out to Waters Edge who did original concept plan in regards to design work. Working on some quotes for possible pool refurbishing option with a couple companies. There are optional ways to save money using existing pool site with upgrades and new plumbing.
- May 4th the Fire Department will be hosting their annual car show. Plan is to do a ribbon cutting for the new addition of the Fire Station.
- Discussed plans for picnic shelter. not back yet. waiting on.
- Discussed recent gas reading/billing errors. The meters were working correctly, there was human error on the programming of the MIU-auto read device. Our current code does not state for past billing error, only if the meter is slow or fast. Council, Attorney, and staff discussed how far back to bill for the usage, Council decided to bill back for 12 months due to another incident that set precedence. Staff plans to physically read meters twice a year – April & October – this should negate any future problems with this.

ATTORNEY'S ITEMS

- Discussed the opioid settlement and the ability to vote on the restructuring. Attorney Parker does not recommend voting on it.
- Discussed the road right of ways and need for documentation. Attorney Parker plans to discuss with County Counselor.

CLERK REPORT

- Clerk Angie Gassmann had nothing to report.

MAYOR'S ITEMS

- Had questions and concerns regarding the culverts and bridges included on the annexation.

COUNCIL ITEMS

- Councilmember Albers was absent.
- Councilmember Gile had nothing to report.
- Councilmember Graf had nothing to report.
- Councilmember Kampling had nothing to report.
- Councilmember Williams had nothing to report.

ADJOURN

Motion to adjourn 8:33 pm. Motion made by Councilmember Gile, Seconded by Councilmember Graf.
Voting Yea: Councilmember Williams, Councilmember Gile, Councilmember Graf, Councilmember Cramer



Philip Mize, Mayor

Attest:

Angie Gassmann, City Clerk