

City of Clearwater Council Meeting Agenda
Tuesday August 13, 2019 at 6:30pm
129 E Ross Clearwater, KS 67026

1. CALL TO ORDER / INVOCATION AND FLAG SALUTE
2. ROLL CALL
3. APPROVAL OF AGENDA
4. PUBLIC FORUM
Members of the public can address the Mayor and City Council limited to not more than five minutes.
5. CONSENT AGENDA
Items on the Consent Agenda are considered by staff to be routine business items. Approval of the items may be made by a single motion, seconded, and a majority vote with no separate discussion of any item listed.
 - a. [Minutes 7-23-19 Council Meeting](#)
 - b. [Claims and Warrants](#)
 - c. [Mayor Appointments](#)
 - d. [Klausmeyer Dairy Farm Bleacher Rental Agreement](#)
6. [STAFF REPORTS](#)
7. [PUBLIC HEARING – 2020 BUDGET](#)
8. BUSINESS
 - a. [Action: Consider Facility Agreement](#)
 - b. [Action: Consider Ordinance 1051 adopting 2019 Uniform Public Offense Code Ordinance](#)
 - c. [Action: Consider Ordinance 1052 adopting 2019 Standard Traffic Ordinance](#)
9. ADMINISTRATORS REPORT
10. GOVERNING BODY COMMENTS
11. EXECUTIVE SESSION: K.S.A. 75-4319(B) #1 TO DISCUSS PERSONNEL MATTERS OF NONELECTED PERSONNEL
12. ADJOURNMENT

Next Assignment Numbers

Charter Ordinance: 21

Ordinance: 1051

Resolution: 09-2019

NOTICE: SUBJECT TO REVISIONS

It is possible that sometime between 6:00 and 6:30 pm immediately prior to this meeting, during breaks, and directly after the meeting, a majority of the Governing Body may be present in the council chambers or lobby of City Hall. No one is excluded from these areas during those times.

City of Clearwater, Kansas
Sedgwick County
City Council Meeting - **MINUTES**
July 23, 2019
Clearwater City Hall – Council Chambers
129 E. Ross Avenue Clearwater, KS 67026

1. Call to Order/ Invocation and Flag Salute

Council President Laura Papish called the meeting to order at 6:30 p.m. followed the invocation and flag salute.

2. Roll Call

The City Clerk called the roll to confirm the presence of a quorum. The following members were present:

Councilmembers; Chris Griffin, Tex Titterington, Shirley Palmer-Witt, Laura Papish, and Yvonne Coon were present

Mayor Burt Ussery was absent.

The following staff members were present:

Ron Marsh, City Administrator; Courtney Meyer, City Clerk; Bill Hisle, Chief; Ernie Misak, Public Works Director; Austin Parker, City Attorney; Justin Patrick, Interim EMS Director;

Others Present: Justin Shore and Michelle Leidy-Franklin

3. Approval of the Agenda

Council President Papish asked if there were any modifications to the agenda. Marsh stated no.

Council President Papish called for a motion to approve the agenda presented.

Motion: *Palmer-Witt* moved, *Coon* seconded to accept the agenda as presented. Voted and passed unanimously.

4. Public Forum

None

5. Proclamation

Council President Papish read a proclamation stating the City of Clearwater's commitment as a partner with the U. S. Census Bureau for an accurate count in 2020.

6. Approve Consent Agenda

Council President Papish asked if there was any question on the consent agenda and if not asked for a motion to approve.

Minutes 07/09/19 Council Meeting

Claims and Warrants

07/10/19 = \$68,427.80

Mayoral Appointments

Maureen Bailey – Senior Advisory Board

Tom Wallace – Senior Advisory Board

Motion: *Titterington* moved, *Coon* seconded to approve the consent agenda as presented. Voted

and passed unanimously.

7. Staff Reports

- a. Police Department – Bill Hisle –asked if council had any questions from his report. Council had no questions. Chief Hisle stated the Celebrate Clearwater event went well.
- b. Public Works – Ernie Misak – stated the last waste water samples passed testing – Council had no questions.
- c. Fire/ EMS – Ron Marsh – Marsh reported 4 EMS calls since last meeting with 1 that was not able to be responded to since they were already on another call and 3 fire calls.

8. Business

a. Consider Funding Request: Fall Festival BBQ Cook Off

In 2018 the Fall Festival committee approved a new event, the BBQ Cookoff, and will be having the event again this year. For 2018 the City approved \$650 in funding. This year they are asking for \$250. If approved this amount would come from the Public Relations line item. Staff recommendations are to approve the request

Motion: *Coon* moved, *Palmer-Witt* seconded to approve the Fall Festival BBQ event for the amount of \$250. Voted and passed unanimously.

b. Consider Field Usage Agreement with USD 264

The current field usage agreement between the City and USD 264 has been in place since 2014. This agreement updates recent changes and allows the school district to use Chisholm Trail Sports Complex for their activities.

Staff meet with the school district and discussed updating the agreement to reflect current conditions. Specifically, clarifying field maintenance responsibilities and removing the section requiring the State Attorney Generals approval.

The City Attorney has drafted the agreement and it has been reviewed by both him and the USD 264 attorney. The Park Advisory Board has reviewed the agreement and recommends approval. The school district approved and signed the agreement at their July meeting. Recommend approving the agreement.

Council questioned if this new agreement was going to put more work on Public Works and the answer was no. This agreement is outlining what is already in place. The city's responsibility is to maintain the fields. Currently the high school coach maintains the infield because he prefers to. If the coach decided to not do it anymore the responsibility would still be the City's. City Attorney stated it would not do good for the City to spell out all details of what is going on at this point in time. If the coach decides to stop maintaining the field the City has the understanding that it will be our job. Also, if at some point it is not up to our standards on maintenance, we will be able make those changes without modifying the agreement.

Motion: *Titterington* moved, *Palmer-Witt* seconded to approve the Field Usage Agreement with USD264. Voted and passed unanimously.

c. Consider State Employee Health Plan Contract Renewal

The City of Clearwater piggybacks off the State of Kansas Health Plan (SEHP) in order to offer affordable medical, dental and vision insurance plans for city employees. The contract is for a three-year period beginning January 1, 2020. Our current three-year contract with the State Employee Health Plan expires this year. The terms and conditions of the contract are the same as previous SEHP contracts.

Per Article V of the contract. Our monthly payment for both employee and employer contributions are approximately \$21,400. The employer portion is accounted for in the 2020 budget. The City Attorney has reviewed the document.

Council had not discussion

Motion: Palmer-Witt moved, **Titterington** seconded to approve the State Employee Health Plan Contract. Voted and passed unanimously.

d. Consider Resolution 08-2019 Start Date for Terms of Local Offices

Senate Bill 105 authorizes a city to determine the start date of a regular term of office for a city officer by resolution of the city.

The bill requires the start date be on or after December 1 following certification of the election and no later than the second Monday in January. If the city does not establish an alternative date, the bill specifies such term will begin on the second Monday in January. The law is effective July 1, 2019.

Clearwater currently has no ordinance or resolution establishing a term start date. Charter Ordinance 19 changes the tenure of elected officials due to reflect the 2016 State change in when local elections are held.

Resolution 08-2019 sets the first business day in January after an election year as the start date for a regular term of office for elected officials. All new and re-elected officials will need to come to City Hall to take the oath of office prior to the second Tuesday in January.

The City Attorney drafted the resolution and can comment as necessary. Staff recommends adopting resolution 08-2019.

Marsh clarified that the 1st business day in January the new elected candidates would have to come to City Hall to take the Oath of Office. Any Council person or Mayor that was leaving the governing body would not have to attend any January meetings. They would still be the elected official until the new elected official took office.

Motion: Palmer-Witt moved, **Titterington** seconded to adopt resolution 08-2019. Voted and passed unanimously.

e. Budget Discussion

Since last meeting, staff has made several requested changes to the budget. Marsh stated Courtney Meyer had already sent this information to council for review and this is just a recap of changes made since last meeting.

Through the update on the equipment reserve spreadsheet staff found in 2018 we put \$10,000 in equipment reserve for Heating the Shop; \$2500 from four funds (Parks, Special Parks, Water, Sewer). Initially we thought only \$2500 was coming from the Parks budget (in 2018). Ernie was requesting \$3500 to come out of the General Public Works Budget to help pay for the \$6,000 investment of heating the shop for 2020. With the new information, we have removed the request from the budget and noted that all funds will come out of Equipment Reserve.

When entering our budget into the State Budget form we noticed a couple of discrepancies. In the General Administration Budget, Council directed staff to move \$4000 out of Capital Outlay for the Electronic Sign and put it in the Transfer Out (Equipment Reserve). The change was noted in Capital Outlay however not in the Transfer Out rollover. The change is now reflected.

In the General Senior Center Budget, we had removed \$2200 for the chairs from Capital Outlay because we are now going to apply for a grant from the Clearwater Foundation. The item was removed from the "LIST", but the rollup number didn't reflect the change. It is now reflected.

The variance from last Council meeting to today on the mills is -.20. Instead of a 2.91 increase We show a 2.71 increase (\$44,426) over 2019.

An adjustment was made to the starting cash amount for 2020. After reviewing the State Budget Form there were a couple of adding errors in the rollup on our budget worksheet that didn't match the State. The error has been corrected and the starting balance is now \$820,209.69 instead of \$819,997.69 (+\$212.00 starting balance increase).

In addition to the above Marsh reported that previous staff had put together a police vehicle replacement schedule that established a 4-year rotation for replacing police vehicles. Last week Chief Hisle asked about replacing the 2013 Tahoe as part of this police vehicle replacement schedule. Unaware of the schedule, Staff found the original document and modified it to reflect a 5-year rotation. We sat down with Chief and agreed to cuts in his budget to allow for 10 months of lease payments in 2020. We anticipate the cost for next year to be \$9000.00. To offset this expense, \$5000 was removed from Capital Outlay for Access Control (move to 2021 budget) and \$3850 was removed from Equipment Reserve for weapons. Chief indicated the current balance for weapons is more than enough for the scheduled purchase in 2020, and this will be reestablished in the 2021 budget. Additionally, the Gas, Oil, Diesel line item (734.001) was reduced by \$150 to complete the cost match. This change in the police budget did not create a change in the overall budget from last meeting.

Marsh stated he put information and pictures of the 2013 Tahoe that Chief Hisle was asking to be replaced in the 2020 budget

Council had no further discussion

f. Approve 2020 Budget for Publication

Marsh stated the budget hearing is set for August 13, 2019, the proposed mill levy is 62.357, total Ad Valorem taxes requested is \$1,022,230 and the expenditures are \$4,405,709.

Motion: *Coon* moved, *Palmer-Witt* seconded approve the 2020 Budget for Publication. Voted and passed unanimously.

g. Pool Handout Review

Marsh stated that council asked for a one sheet paper of the pool schedule so they could understand what the hours of operation were. The daily schedule is as follows:

	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
9 - 10	Swim Team	Swim Team	Swim Team	Swim Team	Swim Team		
10 - 11	Lessons	Lessons	Lessons	Lessons	Lessons		
11 - 12							
12 - 1	PREP	PREP	PREP	PREP	PREP	PREP	PREP
1 - 2	Open Swim	Open Swim	Open Swim	Open Swim	Open Swim	Open Swim	Open Swim
2 - 3							
3 - 4							
4 - 5							
5 - 6	Swim Team	Swim Team	Swim Team	Swim Team	Swim Team		
6 - 7	Lessons	Lessons	Lessons	Lessons	Lessons	Parties	Parties
7 - 8	Night Swim	Parties	Night Swim	Parties	Night Swim		
8 - 8:30							

Marsh pointed out that swim team and lessons are now over, so those time slots are open right now.

Council discussed and asked staff to review if the parties on Tuesday and Thursday are filling up and would it be better for the community if there was night swim on those evening instead of parties. Also, Council suggested looking at extending the open swim hours in the month of August after swim team and lessons are over.

h. 2nd Quarter Financials

Meyer reviewed the 2nd quarter financials with the council and identified that all accounts are look good as of end of 2nd quarter.

9. Administrators Report

- One of our newer EMT's who went through the EMT class last year and received the EIG grant from the State (\$1150) will not be able to fulfill the requirements for the grant due to Clearwater eliminating their service. The State invoiced her for the reimbursement, however since it is not her fault, she can't complete the requirements and the grant was paid to the City, we returned the funds to the State to satisfy her obligation.
- We have notified Delisa, our Medical Billing Company, that as of August 1, 2019 we will no longer need to bill for ambulance service. They will continue with any existing billings and the collection procedure will remain the same.
- As part of marketing the Chisholm Ridge Phase 3 lots, staff has researched putting a two-sided 4X8 construction sign at the entrance to Chisholm Ridge. The sign would be durable acrylic and metal with logo and lot availability description. Final design would be subject to Council approval. Ballpark figure to do this would be \$1750. In the 2020 budget we have earmarked \$5000 for marketing these lots. If Council agrees to move forward in 2019, we have available funds in economic development.
- There is another contract in motion for the sale of another Chisholm Ridge lot.
- Met today with Sedgwick County, USGS and NWS for initial discussions on putting a river gauge along the Ninnesah River upstream from Clearwater. Currently the closest upstream gauge is 26 river miles from Clearwater and the closest downstream gauge is at Peck. The County will continue to develop what this process will look like and we will be involved.

Council asked what vehicle will be used as of August 1st since we won't have an ambulance service. Staff answered the Squad will be used.

Also, the scoreboard is not up due to winds. Marsh stated he is in contact with them every week. Council asked how much we have paid for the scoreboard to date and Marsh stated we haven't paid them yet. Not until it is installed.

10. Governing Body Comments

Griffin had nothing to report

Titterington asked staff to check with the County about the ditch at Tracy and Michelle.

Palmer-Witt had nothing to report

Papish said she noticed a bill for the lights in the chambers and wanted to know when they'd be installed. Meyer stated two quotes have been received as of today and she is waiting to hear from the low bid to see when they can be installed. If the wait is too long, we will go with the other company. She also asked if everything was going smooth for Lauer in the business park. Marsh stated yes.

Coon had nothing to report

11. Adjournment

With no further discussion Council President Papish called for a motion to adjourn.

MOTION: *Coon* moved; *Palmer-Witt* seconded to adjourn the meeting. Voted and passed unanimously. The meeting adjourned at 7:31 PM

CERTIFICATE

State of Kansas }
County of Sedgwick }
City of Clearwater }

I, Courtney Meyer, City Clerk of the City of Clearwater, Sedgwick County, Kansas, hereby certify that the foregoing is a true and correct copy of the approved minutes of the July 23, 2019 City Council meeting.

Given under my hand and official seal of the City of Clearwater, Kansas, this 13th day of August 2019

Courtney Meyer, City Clerk

Check Register Report

Date: 08/06/2019

Time: 2:12 pm

Page: 1

City of Clearwater

BANK: EMPRISE BANK

Check Number	Check Date	Status	Void/Stop Date	Vendor Number	Vendor Name	Check Description	Amount
EMPRISE BANK Checks							
45306	08/07/2019	Printed		AMAZ	AMAZON BUSINESS	COMPUTERS FOR BULLPEN	1,418.60
45307	08/07/2019	Printed		AFF1	AMERICAN FUN FOOD CO., INC.	CONCESSIONS	64.93
45308	08/07/2019	Printed		BBL1	B & B LUMBER	MISC FASTENERS/BITS	216.50
45309	08/07/2019	Printed		B & T	BAKER & TAYLOR	MATERIALS	99.60
45310	08/07/2019	Printed		BH01	BECKY C. HURTIG	PROFESSIONAL SERVICES	915.00
45311	08/07/2019	Printed		BROAD	BROADSTROKE INC	UTILITY BILLS	658.18
45312	08/07/2019	Printed		CPSS1	CENTRAL POWER SYSTEMS & SERV	PARK GLEN WET WELL	443.93
45313	08/07/2019	Printed		CR03	CHARLES REITBERGER	MILEAGE	60.32
45314	08/07/2019	Printed		CI W	CIRUS WATER	SENIOR CENTER	27.00
45315	08/07/2019	Printed		CLEAR	CLEARWATER BOOSTER CLUB	BLUE BUSINESS MEMBERSHIP	125.00
45316	08/07/2019	Printed		CFF1	CLEARWATER FALL FESTIVAL	BBQ CONTEST	250.00
45317	08/07/2019	Printed		CONT	CONTINENTAL RESEARCH CORP	SURGE/ACTIVATION KIT	487.40
45318	08/07/2019	Printed		DSMI	DALE SMITH	TRANSPORT RECYCLE	100.00
45319	08/07/2019	Printed		DAVID	DAVID W. KIMPLE	CITY HALL EXTERIOR/1ST PAY	6,000.00
45320	08/07/2019	Printed		GLENDA	GLENDA GLADFELTER	REIMBURSED EXPENSE	27.00
45321	08/07/2019	Printed		LA LI	J. LARRY LINN	PROSECUTION SERVICES	885.00
45322	08/07/2019	Printed		AOM1	KATHLEEN KINKAID BRINKERHOFF	SIGN/BANNER	45.00
45323	08/07/2019	Printed		LFP1	LEASE FINANCE PARTNERS	COPIER LEASE	540.45
45324	08/07/2019	Printed		MERI	MERIDIAN ANALYTICAL LABS, LLC	WATER ANALYSIS	45.00
45325	08/07/2019	Printed		MC05	MULVANE COOP	GLYPHOSA	249.42
45326	08/07/2019	Printed		PCA1	PETTY CASH	CITY	17.00
45327	08/07/2019	Printed		REC BK	RECORDED BOOKS, LLC	MATERIAL	35.99
45328	08/07/2019	Printed		STA	STAPLES	PRINTER INK	201.88
45329	08/07/2019	Printed		TSN1	TIMES-SENTINEL NEWSPAPERS	SG CO FAIR RESULTS/AD	70.00
45330	08/07/2019	Printed		T2UL	TRUE2U AUTOMOTIVE, LLP	2000 CHEV	355.30
45331	08/07/2019	Printed		VER	VERIZON WIRELESS	STATEMENT	160.04
45332	08/07/2019	Printed		VICTORY	VICTORY PYROTECHNICS & SFX	FIREWORKS SHOW BALANCE	10,500.00
45333	08/07/2019	Printed		WWE1	WATERWISE ENTERPRISES	CHEMICAL	820.00
45334	08/07/2019	Printed		WTC1	WICHITA TRACTOR CO.	LANDPRIDE MOWER	929.27
45335	08/07/2019	Printed		WWW1	WICHITA WINWATER WORKS	CLAMP	51.21
45336	08/07/2019	Printed		WILL	WILLIAM HISLE	REIMBURSED EXPENSE	211.25
45337	08/07/2019	Printed		APS1	AAA PORTABLE SERVICES, INC.	RENTAL 7-6 - 8-2	70.00
45338	08/07/2019	Printed		ASC1	ASCAP	STATEMENT	11.00
45339	08/07/2019	Printed		ATHCO	ATHCO L.L.C.	CTSC SCOREBOARD	33,050.00
45340	08/07/2019	Printed		BBL1	B & B LUMBER	PAINT	22.94
45341	08/07/2019	Printed		BKIT	B.J. WHITING	PROBATION FEE PAID	470.00
45342	08/07/2019	Printed		B & T	BAKER & TAYLOR	MATERIALS	66.21
45343	08/07/2019	Printed		CAL PR	CALIBRE PRESS	REGISTRATION GEARHARDT	349.00
45344	08/07/2019	Printed		CI W	CIRUS WATER	POLICE DEPT	4.50
45345	08/07/2019	Printed		CWC02	CLEARWATER WELLNESS CENTER	STATEMENT	45.00
45346	08/07/2019	Printed		CYBER	CYBERTRON INTERNATIONAL, INC	STATEMENT	912.95
45347	08/07/2019	Printed		ERE1	EMERGENCY FIRE EQUIPMENT	BOOSTER HOSE GASKET/LABOR	42.40
45348	08/07/2019	Printed		GAL1	GALL'S INC.	DOUBLE MAG POUCH	26.99
45349	08/07/2019	Printed		GT	GT DISTRIBUTORS, INC	WEAPONS	1,198.00
45350	08/07/2019	Printed		JHS1	J & H STORAGE	STATEMENT	65.00
45351	08/07/2019	Printed		JJ01	JO JOHNSON	MILEAGE	17.40
45352	08/07/2019	Printed		KOC1	KANSAS ONE CALL SYSTEM, INC.	66 LOCATES	79.20
45353	08/07/2019	Printed		AOM1	KATHLEEN KINKAID BRINKERHOFF	2 RE-LETTER BANNERS	35.00
45354	08/07/2019	Printed		LOK1	LEAGUE OF KS MUNICIPALITIES	2019 TRAFFIC ORDINANCE/CODES	387.63
45355	08/07/2019	Printed		LIFE	LIFEGUARD TRAINING	PAUL SCHULE (SAVANNAH)	100.00
45356	08/07/2019	Printed		LIFE	LIFEGUARD TRAINING	CADE SMITH	100.00
45357	08/07/2019	Printed		LIFE	LIFEGUARD TRAINING	ABBY HUTCHINSON	100.00
45358	08/07/2019	Printed		LIFE	LIFEGUARD TRAINING	BRYNNE NOLAND	100.00

Check Register Report

Date: 08/06/2019

Time: 2:12 pm

Page: 2

City of Clearwater

BANK: EMPRISE BANK

Check Number	Check Date	Status	Void/Stop Date	Vendor Number	Vendor Name	Check Description	Amount
EMPRISE BANK Checks							
45359	08/07/2019	Printed		LIFE	LIFEGUARD TRAINING	MAKENZIE HASLETT	100.00
45360	08/07/2019	Printed		LIFE	LIFEGUARD TRAINING	JACK RAUSCH	90.00
45361	08/07/2019	Printed		LIFE	LIFEGUARD TRAINING	TANNER CASH	90.00
45362	08/07/2019	Printed		LIFE	LIFEGUARD TRAINING	NOLAN STREIT	90.00
45363	08/07/2019	Printed		LIFE	LIFEGUARD TRAINING	BRIONA WOODS	90.00
45364	08/07/2019	Printed		LIFE	LIFEGUARD TRAINING	KALIA SPENCER	100.00
45365	08/07/2019	Printed		LIFE	LIFEGUARD TRAINING	LEXI CASH	80.00
45366	08/07/2019	Printed		NATW	NATIONAL ASSOC OF TOWN WATCH	SHIRTS	142.00
45367	08/07/2019	Printed		TSN1	TIMES-SENTINEL NEWSPAPERS	BUDGET HEARING	182.75
45368	08/07/2019	Printed		T2UL	TRUE2U AUTOMOTIVE, LLP	REPLACE/REPAIR/LABOR	663.61
45369	08/07/2019	Printed		USBAN	U.S. BANCORP EQUIPMENT FINANCE	COPIER LEASE	248.02
45370	08/07/2019	Printed		USC1	UTILITY SERVICE CO., INC.	ANNUAL PRESSURE EAST ROSS	7,226.89
45371	08/07/2019	Printed		VICTORIA	VICTORIA SCHMEISSNER	DARE SCHOLARSHIP	500.00
45372	08/07/2019	Printed		WL01	WHITNEY LANDSCAPING	SENIOR CENTER	154.00
45373	08/07/2019	Printed		WTC1	WICHITA TRACTOR CO.	BADBOY MOWER	500.88
45374	08/07/2019	Printed		WILSON	WILSON BUILDING MAINT INC	JANITORIAL SALES	757.74

Total Checks: 69

Checks Total (excluding void checks):

74,279.38

Total Payments: 69

Bank Total (excluding void checks):

74,279.38

Check Register Report

Date: 08/06/2019

Time: 2:12 pm

Page: 3

City of Clearwater

BANK:

Check Number	Check Date	Status	Void/Stop Date	Vendor Number	Vendor Name	Check Description	Amount
Checks							
254	08/07/2019	Printed		AFL1	AFLAC	STATEMENT	554.02
255	08/07/2019	Printed		CGSI	CASEY'S	STATEMENT	2,040.21
256	08/07/2019	Printed		HSB1	EMPRISE BANK	FORD F-150	868.23
257	08/07/2019	Printed		VER	VERIZON WIRELESS	STATEMENT	80.02

Total Checks: 4

Checks Total (excluding void checks): 3,542.48

Total Payments: 4

Bank Total (excluding void checks): 3,542.48

Total Payments: 73

Grand Total (excluding void checks): 77,821.86

**City of Clearwater
City Council Meeting
August 9, 2019**

Mayoral Appointments

Background: Per State statute K.S.A. 12-1222, the Mayor with Council approval appoints representatives to the Library Board annually and as vacancies occur.

Analysis: The following individual has agreed to serve out the remaining term:

Kelly Mize 2016-2020

Financial: There is no financial consideration

Legal Considerations: Review and comment as necessary

Recommendations/Actions: Approve Mayoral appointments

AGREEMENT

THIS AGREEMENT is entered into this 13th day of August 2019, between Klausmeyer Dairy Farm Tours, LLC, hereinafter referred to as “Dairy” and the City of Clearwater, Kansas, hereinafter referred to as “City”.

WHEREAS, Dairy operates its business at 8135 South 119th West, Clearwater, Kansas and seeks to lease bleachers for use at its business;

WHEREAS, City owns and seeks to lease bleachers to Dairy;

NOW, THEREFORE, for and in consideration of the mutual covenants and agreements contained herein, it is agreed by and between the parties as follows:

1. **Payment:** In consideration for the lease of City’s bleachers, Dairy agrees to pay to the City the sum of \$35.00 per bleacher unit per month. Said payment shall be due and payable to the city clerk on the first day of each month.
2. **Relationship of parties:** Dairy is the lessee and the City the lessor of the property (bleachers) owned by the City.
3. **Term:** The term of this Agreement shall be from October 1, 2019, to November 1, 2019. The term of this agreement may be extended by written agreement of the parties.
4. **Delivery charges:** Dairy agrees to pay \$25 per bleacher unit for the cost of delivery by City of its bleachers to Dairy (includes the return delivery to City).
5. **Insurance; indemnification:** Dairy shall provide a copy of their liability insurance covering all incidents which might occur pertaining the use of the bleachers in the amount of \$500,000 per incident and shall hold City harmless for any incidents occurring in reference to City’s bleachers.
6. **Damages to bleachers:** Dairy is responsible for any and all damage to bleachers during the term of this Agreement.

IN WITNESS WHEREOF, the undersigned affirmatively state that they are authorized to enter into this Agreement and execute this Agreement on the date first written above.

Klausmeyer Dairy Farm Tours, LLC

City of Clearwater

Owner

Burt Ussery, Mayor

Attest:

Courtney Meyer, City Clerk

To: Mayor and City Council

From: Bill Hisle
Police Chief

Date: August 13, 2019

Re: Police Department Staff Report

19-0663 07/23/19 100 block of S. Tracy - Runaway Juvenile, later returned. Juvenile leaving the house in the middle of the night. This has become a chronic problem. Referred to DCF.

19-0669 07/24/19 600 block of E. Elaine – CINC. FB report of possible child abuse. Investigation revealed this case was unfounded.

19-0670 07/24/19 Report of two parents feuding over their teenaged daughters extracurricular activities after dark.

19-0674 07/25/19 300 block of S. 1st – Runaway. Ungovernable Teenage female. Located and taken to Children's Home at parent's request.

19-0675 07/25/19 700 block of E. Janet – Domestic Disturbance. Male half taken to jail after battering his girlfriend and taking her phone.

19-0682 07/28/19 300 block of E. Nancy – Domestic Disturbance between 15 year old and step father after Stepson was found smoking marijuana in the garage. Referred to DA (reported several days after disturbance actually occurred).

19-0692 07/31/19 500 block of N. Tracy. Criminal Damage to Property, Attempted Theft. Copper wire cut on irrigator in corn field causing over \$1300 in damage. Alarm rang to owners house who responded, and probably scared off the thief. Shoe prints located and photographed. A suspect was later developed and arrested at 622 E. Rolling Hills Ct. The shoes being worn by the suspect appeared to be a perfect match to the prints left by the irrigator. Suspect also arrested for a felony warrant, violation of probation.

19-0693 07/31/19 300 block of E. Wood. Unknown kicked in door of duplex, believed to be drunken next door neighbor.

19-0701 08/01/19 600 block of E. Rolling Hills Ct. Auto Burglary. Two vehicles at residence burglarized while owner was out of town from 07/28 to 07/31. Possible suspect is individual in 19-0692. Owners manuals from both vehicle stolen, no other loss.

19-0704 08/02/19 800 block of E. Ross DUI – Subject driving from a friends house in Andover to his house in Greenwich and Kellogg ended up speeding in Clearwater. .206 BAC

19-0705 08/02/19 200 block of N. Grant Teenaged juvenile threatened to kill his mother after she flushed his dope. Given a ride to St. Joe for metal evaluation. Now on 30 day hold for treatment.

19-0716 08/06/19 600 block of E Rolling Hills Ct. Subject stopped for traffic violation and Driving While Suspended. Release on citations.

19-0717 08/07/19 600 block of E. Rolling Hills Ct. Same subject stopped again for Driving While Suspended. Taken to jail.

19-0725 08/08/19 100 block of S. Tracy - Runaway Juvenile. See 19-0663 above.

On Tuesday, 08/06/19 we again celebrated National Night Out at the City Park. We served an estimated 235 people with 280 hot dogs, chips, cookies and drinks. This night recognized the partnership between our community, city and police department. Everyone seemed to have a lot of fun.

We'd also like to commend Jason Gearhardt for his arrest in case # 19-0692. This was an excellent arrest of a felony suspect supported by his efforts of evidence collection and comparison. This person is also the suspect in several other copper wire thefts from around the county.

Last week Sedgwick County Dept. of Health and Environment placed a Med-Safe in our front lobby. It is for safely disposing of unused prescription medications, and we've already had several people take advantage of this program by bringing in their old prescription meds and placing them in the drop box style safe. This is not for disposing of illegal drugs or sharps (needles).

Tonight, we are also asking the Mayor/Council appoint Ryan Aden as our newest police department. Ryan has previously worked for the Kansas Dept. of Corrections and the Reno Count Sheriff's Dept. as a jailer. He also is currently employed with Cheney PD as a part time police officer. We look forward to bringing Ryan on board. This appointment will bring the department up to full staff.

To: Mayor and City Council Members

From: Ernie Misak, Public Works Director

Date: August 13, 2019

Subject: Public Works Summary

1. Repaired 2 water leaks at Garvey Center.
2. Spraying weeds at Sport Complex and on streets.
3. Painted all crosswalks in preparation for School resuming on Aug. 14.
4. Mowing and weed eating normally maintained areas.
5. Wastewater samples to lab.
6. Weed (excessive) at the corner of Tracy and Nancy. Mowed to promote visibility for cars, etc..
7. Weeds and trees (excessive) removed around bridge and corner of Wood and Tracy. Again visibility.
8. Mowed east of shop at railroad tracks.
9. Put up new signs for school crossings and speed zones on Ross and around schools.
10. Cleaned drainage at the nw corner of Ross and Fourth.
11. Cleaned up shop parking area.
12. Burned the limbs/brush at the dump.
13. Other normal duties and responsibilities.

Clearwater Senior & Community Center

Staff Report

August 9, 2019

To: Mayor & City Council

From: Sonja Froggatte, Director

1. We will soon begin a chair yoga class on Mondays at 10:15, 10:30 or 1:00; the time has not yet been firmed up.
2. At 9:00 on Tuesdays and Fridays Marlene leads an exercise class for individuals 55 and over. We also have a basic computer workshop at 10:30 on Tuesdays.
3. Every Wednesday at 9:00 we enjoy coffee and visit with attendees. At 10:00 on the first Wednesday of the month we will play balloon volleyball, if anyone is interested.
4. Thursdays at 10:00 Pastor Joe comes from the Evangelical Free Church to offer Bible Study; at 1:00 we welcome Bridge players as well as Bingo in the back room.
5. After exercise at 9:00 on Friday; on the first and last Fridays of the month we will show free movies with popcorn at 1:00.
6. API serves up a pretty good lunch at the Center weekdays and volunteers deliver lunch to homebound or recovering individuals.
7. I am working on SHIP certification from the Kansas Department for Aging and Disability Services in order to assist those who are disabled or 62 & over determine the best Medicare/Medigap or Medicare Advantage choice. I will attend level 4 SHIP in Ottawa on 8/15.
8. On 8/16 Stacy Nilles, with the Sedgwick Co. Dept. on Aging will be here for an annual review. I have two categories for a level 2 Senior Center covered. I'm still working on connecting with those who can offer educational presentations. Ideas are welcome!
9. At 1:00 on 8/17 the Center is rented for Ruby Fisher's birthday party and all are invited.
10. Hermes Health Care will be at the Center all day on 8/21 for foot care. Connect with them at 316-260-4110 to schedule an appointment.
11. On 8/24 we'll have our third jam session!
12. Shirley Lewis, with the Sedgwick Co. Extension Office will be here at 1:00 on 8/26 to present "Choosing to Move Throughout the Day".
13. On 8/27 we will deliver Commodities.
14. Becky Estes, with Aging Projects, Inc., and I will deliver informational folders for new and current senior residents at Mimosa Arms.

CERTIFICATE

To the Clerk of Sedgwick County, State of Kansas

We, the undersigned, officers of

City of Clearwater

- certify that: (1) the hearing mentioned in the attached publication was held;
 (2) after the Budget Hearing this budget was duly approved and adopted as the maximum expenditure for the various funds for the year 2020; and
 (3) the Amount(s) of 2019 Ad Valorem Tax are within statutory limitations.

		2020 Adopted Budget			
		Page No.	Budget Authority for Expenditures	Amount of 2019 Ad Valorem Tax	County Clerk's Use Only
Table of Contents:					
Computation to Determine Limit for 2020		2			
Allocation of MVT, RVT, and 16/20M Veh Tax		3			
Schedule of Transfers		4			
Statement of Indebtedness		5			
Statement of Lease-Purchases		6			
Computation to Determine State Library Grant		7			
Fund	K.S.A.				
General	12-101a	8	3,199,810	808,604	
Debt Service	10-113	9	731,454	115,274	
Library	12-1220	9	112,292	98,352	
Library Emp Benefits 202	12-16,102	10	3,000		
Employee Benefits 203	12-16,102	10	1,000		
Special Building 212	12-1736	11	27,000		
Special Liability 205	75-6110	11	1,600		
Special Highway 206		12	33,172		
Special Parks 209		12	90,000		
Dept on Aging 207		13	19,973		
Ambulance 215		13	21,679		
Water 501		14	433,640		
Sewer		14	600,406		
Non-Budgeted Funds		15			
Totals		xxxxxx	5,275,026	1,022,230	
Budget Summary		16			County Clerk's Use Only
Neighborhood Revitalization					

**Tax Lid Limit (from Computation Tab)
 Does the City Need to Hold an Election?**

**1,089,498
 NO**

Nov 1, 2019 Total Assessed Valuation

Assisted by: _____

Address: _____

Email: _____

Date Attested: _____, 2019

 County Clerk

 Governing Body

City of Clearwater
City Council Meeting
August 9, 2019

Consider a Facility Agreement between
Aging Projects, Inc. Meals on Wheels/Friendship Meals and
The Clearwater Senior Center

Background: Aging Projects, Inc. (API) provide Title III Nutrition Program to persons 60 years of age and older.

Analysis: The agreement is for one year and outlines the responsibilities of both parties in providing this valuable service to the senior citizen population of Clearwater.

Financial: No financial considerations

Legal Considerations: The City Attorney has reviewed and approved the document.

Recommendations/Actions: Authorize the Senior Center Director to sign the facility agreement.

FACILITY AGREEMENT
Between
AGING PROJECTS, INC. MEALS ON WHEELS/FRIENDSHIP MEALS
And
CLEARWATER SENIOR CENTER

ADDRESS: 921 Janet Avenue
CITY: Clearwater **STATE:** Kansas **ZIP:** 67026
TELEPHONE: 620-584-2332
CONTACT: Sonja Froggatte, Director

This agreement is made in order to provide TITLE III Nutrition Program to persons 60 years of age and older. It contains policies mutually agreed to by the above agencies and approved by the Central Plains Area Agency on Aging (CPAAA).

AGING PROJECTS, INC. (API) agrees to:

1. That the dining room is to be used by Aging Projects Inc. Meals on Wheels/Friendship Meals (API) from 10:00 a.m. to 1:00 p.m. each Monday through Friday, October 1, 2019 through September 30, 2020. Excluded days shall be: November 28 and 29, 2019; December 23, 24 and 25, 2019; January 1, 2020; April 10, 2020; May 25, 2020; July 3, 2020; and September 7, 2020. Additional closing or open dates and/or times may be requested.
2. Employ and supervise a Center Manager to oversee the program and coordinate the work of the volunteers. The Center Manager will be an employee of API, and will be fully responsible for the operation of the site in compliance with program regulations, and under the sole supervision of the API staff.
3. Provide equipment and supplies necessary to deliver and serve the meals, and clean the equipment and tables used for the program before and after meals.
4. Provide services of the Area Supervisor to supervise the Site Supervisor in the operation of the site.
5. Pay all bills for meals, consumable supplies, staff training, and incidental expenses directly related to the meals.
6. Send to the Dining Center all communications from the central office that are sent to other centers, and at all times give the same consideration as the other centers receive.

7. **Handle registration, meal reservations and deposit of contributions according to the API Policy. Participants will be informed of the cost to provide the meal and be encouraged to contribute according to their ability.**
8. **Acknowledge the cooperation of the Clearwater Senior Center in Nutrition Program publicity whenever possible.**
9. **Assist Clearwater Senior Center Senior Director in arranging occasional activities at time that would encourage participation in the meal program.**

THE CLEARWATER SENIOR CENTER agrees to:

1. **Provide in kind space, chairs and tables for serving customers between approximately 10:00 a.m. and 1:00 p.m. on days the program operates and provide secure storage for API equipment and supplies related to the meals. (API equipment and program supplies will not be used for any other reason/events without prior approval of the API Executive Director and/or Area Supervisor).**
2. **Arrange for the opening and closing of the facility for food delivery, unless special arrangements are made with the API Executive Director and/or Area Supervisor.**
3. **Provide use of refrigerator and stove, in good repair, as needed.**
4. **Clearwater Senior Center staff will clean the equipment and tables used for the program before and after the meals. Assure that the program may be conducted in a safe, clean and sanitary manner by providing basic custodial service, including care of floors in the meeting room and regular cleaning of the bathrooms. Assure that the area designated for API use will be in the same condition, at the start of each serving day, that it was left in after the end of each API serving day and that the State of Kansas Department of Agriculture standards for kitchen and dining room cleanliness shall be enforced.**
5. **Provide space for a bulletin board and a sign designating the Nutrition Program.**
6. **Arrange for timely inspection of fire extinguishers and smoke alarms and furnish copies of the inspections to API central office to comply with CPAAA requirements.**
7. **Include API in all publicity related to the program. This includes Clearwater Senior Center newsletters and calendars. Show the API Meals on Wheels/Friendship Meals as a regular scheduled activity.**

8. Assure that persons in the community who are under age 60, are informed that they are not eligible for the nutrition program unless they choose to volunteer the day that they eat. (Any person under 60 may participate by making a reservation and by paying the full non-participant price for the meal if under 60 years of age.) The Clearwater Senior Center further agrees that they will not keep and/ or use any leftover API foods for any purpose due to health codes, CPAAA regulations and liability issues.
9. Allow use of the building office telephone.
10. Purchase a license for food service from the authority designated by the state to issue the license and provide a copy of the license to API. The license must be clearly displayed to meet code requirements.
11. Schedule occasional activities at a time to encourage participation in the meal program and take into consideration the impact to the program and API customers when scheduling group activities at such a time that API participants would need to choose between a API meal or participating in another center activity.
12. That equipment shall be the responsibility of the buyer/owner.
13. That all electrical, lighting, sewer and other building maintenance problems shall be the responsibility of the building owner.
14. That no one shall be discriminated against on the basis of race, religion, color, sex, disability, national origin, or ancestry.

Any changes to this agreement will be negotiated by the persons listed below or their designee. This agreement will remain in effect for the balance of the Aging Projects, Inc. Meals on Wheels/Friendship Meals contract (October 1, 2019 - September 30, 2020.) It may be renewed by mutual agreement. Changes can be made only with the approval of parties listed below.

Date: _____

 Rozanna M. O'Brien, Executive Director
 Aging Projects, Inc.

Date: _____

 Sonja Froggatte, Director
 Clearwater Senior Center

(Summary First Published in the Times-Sentinel
on the ____ day of August, 2019.)

THE CITY OF CLEARWATER, KANSAS

ORDINANCE NO. 1051

AN ORDINANCE REGULATING PUBLIC OFFENSES WITHIN
THE CORPORATE LIMITS OF THE CITY OF CLEARWATER,
KANSAS; INCORPORATING BY REFERENCE THE
"UNIFORM PUBLIC OFFENSE CODE FOR KANSAS CITIES,"
EDITION OF 2019, WITH CERTAIN CHANGES AND
ADDITIONS; AND REPEALING SECTION 1 OF ORDINANCE
1030 AND ALL OTHER CONFLICTING ORDINANCES.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF CLEARWATER,
KANSAS:

Section 1. Amending Section 26-1 of the Code

Section 26-1(a) through (c) of the Code of the City of Clearwater, Kansas are hereby
amended to read as follows:

"Section 26-1. - INCORPORATING UNIFORM PUBLIC OFFENSE CODE

- (a) *Adopted.* There is hereby incorporated by reference for the purpose of regulating public offenses within the corporate limits of the City of Clearwater, Kansas, that certain uniform public offense code known as the "Uniform Public Offense Code for Kansas Cities," Edition of 2019, prepared and published in book form by the League of Kansas Municipalities, Topeka, Kansas, save and except certain articles, sections, parts or portions as are hereafter omitted, deleted, modified or changed.
- (b) *Copies to be maintained by clerk.* No fewer than three (3) copies of said Uniform Public Offense Code shall be marked "Official Copy as adopted by Ordinance No. 1051," with all sections or portions thereof intended to be omitted or changed clearly marked to show any such omission or change and to which shall be attached a copy of this Ordinance and filed with the City Clerk to be open to inspection and available to the public at all reasonable hours.
- (c) *Copies to be provided to City staff.* The Police Department, Municipal Judge and all administrative departments of the City charged with enforcement of the Code shall be supplied, at the cost of the City, such number of official copies of such Uniform Public Offense Code similarly marked, as may be deemed expedient.

Section 2. Repeal

All other ordinances or parts of other ordinances in conflict herewith are repealed. However, any section of an existing ordinance not in conflict herewith is not repealed and remains in full force and effect.

Section 3. Effective Date

This Ordinance shall take effect and be in force from and after publication in the official city newspaper.

Passed by the City Council this 13th day of August 2019.

Approved by the Mayor this 13th day of August 2019.

MAYOR, BURT USSERY

SEAL

ATTEST:

CITY CLERK, COURTNEY MEYER

(Summary First Published in the Times Sentinel
on the ____ day of August, 2019.)

THE CITY OF CLEARWATER, KANSAS

ORDINANCE NO. 1052

AN ORDINANCE REGULATING TRAFFIC WITHIN THE CORPORATE LIMITS OF THE CITY OF CLEARWATER, KANSAS; INCORPORATING BY REFERENCE THE "STANDARD TRAFFIC ORDINANCE FOR KANSAS CITIES," EDITION OF 2019, WITH CERTAIN CHANGES AND ADDITIONS; AND REPEALING ALL OTHER CONFLICTING ORDINANCES.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF CLEARWATER, KANSAS:

Section 1. Amending Section 34-1(a) through (c) of the Code

Section 34-1(a) through (c) of the Code of the City of Clearwater, Kansas is hereby amended to read as follows:

"Section 34-1. INCORPORATING STANDARD TRAFFIC ORDINANCE

- (a) *Adopted.* There is hereby incorporated by reference for the purpose of regulating traffic within the corporate limits of the City of Clearwater, Kansas, that certain standard traffic ordinance known as the "Standard Traffic Ordinance for Kansas Cities," Edition of 2019, prepared and published in book form by the League of Kansas Municipalities, Topeka, Kansas, save and except certain articles, sections, parts or portions as are hereafter omitted, deleted, modified or changed.
- (b) *Copies to be maintained by Clerk.* No fewer than three (3) copies of said Standard Traffic Ordinance shall be marked "Official Copy as adopted by Ordinance No. 1052," with all sections or portions thereof intended to be omitted or changed clearly marked to show any such omission or change and to which shall be attached a copy of this Ordinance and filed with the City Clerk to be open to inspection and available to the public at all reasonable hours.
- (c) *Copies to be provided to City staff.* The Police Department, Municipal Judge and all administrative departments of the City charged with enforcement of the Ordinance shall be supplied, at the cost of the City, such number of official

copies of such Standard Traffic Ordinance similarly marked, as may be deemed expedient."

Section 2. Repeal

All ordinances or parts of other ordinances in conflict herewith are repealed. However, any section of an existing ordinance not in conflict herewith is not repealed and remains in full force and effect.

Section 3. Effective Date

This Ordinance shall take effect and be in force from and after publication in the official city newspaper.

Passed by the City Council this 13th day of August 2019.

Approved by the Mayor this 13th day of August 2019.

MAYOR, BURT USSERY

SEAL

ATTEST:

CITY CLERK, COURTNEY MEYER