



City of Clearwater Council Meeting Agenda
Tuesday September 10, 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. [PROCLAMATION – AMERICAN LEGION](#)
6. 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 8-27-19 Council Meeting](#)
 - b. [Claims and Warrants](#)
7. [STAFF REPORTS](#)
8. BUSINESS
 - a. [UPDATE: 100 E. ROSS SURVEY](#)
9. ADMINISTRATORS REPORT
10. GOVERNING BODY COMMENTS
11. ADJOURNMENT

Next Assignment Numbers

Charter Ordinance: 21

Ordinance: 1053

Resolution: 10-2019

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.

PROCLAMATION

American Legion Centennial Day

WHEREAS, The American Legion has been a staunch advocate for veterans and their families since 1919; and

WHEREAS, The American Legion was founded on the four pillars of care for veterans, a strong national defense, Americanism, and children and youth; and

WHEREAS, The American Legion has played a leading role in initiatives and breakthroughs that have affected the lives of Americans in every community, from U.S. Flag Code to the GI Bill; and

WHEREAS, Post 93 has fulfilled the Legion's mission since 1920 through programs such as Veterans Day salutes, Boys State, Girls State and Americanism; and

WHEREAS, The American Legion is celebrating its centennial in 2018-2019;

NOW, THEREFORE, I, Burt Ussery, Mayor of the City of Clearwater, Kansas do hereby proclaim September 16, 2019 as "American Legion Centennial Day".

Mayor Burt Ussery, City of Clearwater

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the official seal of the City of Clearwater on this 13th Day of September 2019.

City Clerk, Courtney Meyer CMC

City of Clearwater, Kansas
Sedgwick County
City Council Meeting - **MINUTES**
August 27, 2019
Clearwater City Hall – Council Chambers
129 E. Ross Avenue Clearwater, KS 67026

1. Call to Order/ Invocation and Flag Salute

Mayor Burt Ussery 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:

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

Others Present: Justin Shore, Bryce Pfanenstiel, Jesse Whitleo, Luke Davis, Adam Rordan

3. Approval of the Agenda

Mayor Ussery asked if there were any modifications to the agenda. Marsh stated no.

Mayor Ussery called for a motion to approve the agenda presented.

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

4. Public Forum

None

5. Approve Consent Agenda

Mayor Ussery asked if there was any question on the consent agenda and if not asked for a motion to approve.

Minutes 08/13/19 Council Meeting

Claims and Warrants

08/21/19 = \$45,050.22

LKM Delegates

Mayor Burt Ussery and City Administrator Ron Marsh

Motion: *Papish* moved, *Palmer-Witt* seconded to approve the consent agenda as presented. Voted and passed unanimously.

6. Staff Reports

a. Police Department – Bill Hisle –asked if council had any questions from his report. Council had not questions.

b. Public Works – Ernie Misak – asked if council had any questions from his report. Council had no questions.

c. Fire – Ron Marsh – Marsh reported that were 12 Medical calls and 0 Fire calls since the last

council meeting. There was someone available from Clearwater who was at every call.

7. Park Advisory Update

Marsh updated council on the Park Advisory Board plans. He stated they have come up with different projects and has started prioritizing a 5 year plan. He explained the plan is still being developed but the following items have been discussed.

PROJECT	ESTIMATED COST	YR TO COMPLETE	RESERVE/ SPEND			
			2020	2021	2022	2023
#1 Park Shelters (Raffle/ Fundraising)	\$ 231,127		\$ 50,000			
#2 New Concession Stand @ Sports Complex (Grants)	\$ 150,000		\$ 10,000			
#3 Lights along walking path						
#4 Pocket Park @ Sports Complex	\$ 50,000					
#5 Picnic Area @ Sports Complex						
Dugout Protective Fencing	\$ 5,500	2020	\$ 5,500			
Batting Cage Upgrade						
New Surface / Parking Blocks for Sports Complex						
Volleyball Court						
2nd Basketball Court						
Dog Park / Dog Waste Stations						
Rip Rap around Chisholm Ridge Ponds	\$ 25,000					
Storm Shelter on East side of Town						
Bleacher Replacement (2 more)	\$ 5,000	2020	\$ 5,000			

Marsh stated the Park Advisory Board would like council to consider authorizing to spend \$1000 from the general fund in order to purchase items to raffle off in order to raise money for the park shelters. He explained that the first \$1000 made from the raffle would go back to the general fund and anything above and beyond would go towards the park shelter project.

Mayor Ussery suggested Council authorize a revolving \$1000 for this purpose so the Board doesn't have to continue to come back each time they want to do a raffle to raise money for the parks.

Motion: Palmer-Witt moved, **Titterington** seconded to authorize a revolving \$1000 budget for

the Park Advisory Board Fundraising. Voted and passed unanimously.

8. Business

a. Consider Spending Authorization for a Squad Vehicle

Marsh explained due to the ending of EMS operations and ambulance transport, the Fire leadership would like to have a squad vehicle equipped with the equipment and Go Bags necessary for our medical first responders. The current fire squad vehicle (71) is also the primary brush truck and doesn't have the room for the medical equipment.

Purchasing a vehicle to use as a true squad vehicle would keep the mileage and wear and tear down on Squad 71. The new squad vehicle would respond to all calls and serve as a rehab unit for fire calls. Staff has been looking at various government auction sites, other governmental agencies (KHP, City of Hutchinson), etc. and have identified several potential vehicles. These require a bid or quick response that doesn't always coincide with Council meetings for Governing Body approval to commit the funds. Staff is requesting the Council authorize the City Administrator to bid or make an offer within a set spending limit to purchase the vehicle.

The \$2 ambulance fee fund will have \$23,944 remaining after the last ambulance payment is made this month. Staff would like to earmark that remaining money to purchase and outfit the new squad vehicle. Staff is confident a good used vehicle can be found for under \$17,000. The remaining funds would be used to outfit the new vehicle and any remaining amount beyond that would go to the General Fund.

Staff recommends authorizing the City Administrator to commit up to but not more than \$17,000 for the purchase of a squad vehicle for the Fire Department.

Marsh followed up by stating there was an opportunity to put in a bid on a vehicle, but staff didn't have the authority to make the purchase and the opportunity was purchased by another organization.

Council asked what was going to happen to the ambulances. Marsh stated that one will go on the market shortly but the newer one, the Traumahawk, Sedgwick County wanted to view it and see if they want to make an offer on it.

Motion: *Griffin* moved, *Papish* seconded to authorize up to \$17,000 to be used to purchase a vehicle for the fire department. Voted and passed unanimously.

b. Consider Agreement with Sedgwick County Volunteer Transportation Services

Marsh stated the RSVP Volunteer Transportation Program provides transportation services to rural residents in Sedgwick County including Clearwater. The program is administered at the local level by the Sedgwick County Department on Aging and is part of Senior Corps, a federal program that supports service and volunteering programs for senior citizens to improve lives, strengthen communities, and foster civic engagement.

The contract is on a fee-for-service basis, which is \$7.00 per coordinated ride. A coordinated ride is defined as a single round trip ride for one single rider or for multiple riders who have the same origin or destination. The contract as presented is through June 30, 2020 and may be extended on a month to month basis while developing an agreement for July 2020 – June 2021. Under no circumstances will compensation paid under the agreement exceed available program funds.

In 2018, the city received \$287.00 in funds from the program and YTD 2019 we have received \$161.00. These funds are generally used to subsidize the annual volunteer appreciation dinner and other events for volunteers.

The City Attorney has reviewed the agreement. Staff recommends authorizing the Mayor to sign

the agreement as presented.

Motion: *Papish* moved, ***Griffin*** seconded to authorize the Mayor to sign the RSVP agreement. Voted and passed unanimously.

c. Consider Resolution 09-2019 Adopting the Kansas Homeland Security Region G Hazard Mitigation Plan

Marsh explained that mitigation is commonly defined as sustained action taken to reduce or eliminate long-term risk to people and their property from hazards and their effects. Hazard mitigation planning provides communities with a roadmap to aid in the creation and revision of policies and procedures, and the use of available resources, to provide long-term, tangible benefits to the community. A well-designed hazard mitigation plan provides communities with realistic actions that can be taken to reduce potential vulnerability and exposure to identified hazards.

This Hazard Mitigation Plan (HMP) was prepared to provide sustained actions to eliminate or reduce risk to people and property from the effects of natural and man-made hazards. This plan documents the State of Kansas Homeland Security Region G (hereafter referred to as Kansas Region G) and its participating jurisdictions planning process and identifies applicable hazards, vulnerabilities, and hazard mitigation strategies. This plan will serve to direct available community and regional resources towards creating policies and actions that provide long-term benefits to the community. Local and regional officials can refer to the plan when making decisions regarding regulations and ordinances, granting permits, and in funding capital improvements and other community initiatives.

As stipulated in the Disaster Mitigation Act of 2000 (DMA 2000) Section 322, federally approved mitigation plans are a prerequisite for mitigation project grants. Development and Federal Emergency Management Agency (FEMA) approval this plan will ensure future eligibility for federal disaster mitigation funds through the Hazard Mitigation Grant Program (HMPG), Pre-Disaster Mitigation Grant Program (PDM), Repetitive Flood Claims, and a variety of other state and federal programs. This HMP was prepared to meet the requirements of the DMA 2000, as defined in regulations set forth by 44 CFR Part 201.6.

The City Attorney has reviewed the document. Staff recommends adopting Resolution 09-2019.

Motion: *Titterington* moved, ***Palmer-Witt*** seconded to adopt resolution 09-2019 Kansas Homeland Security Region G Hazard Mitigation Plan. Voted and passed unanimously.

d. Consider Fall Festival Fireworks Discharge Permit

Marsh stated per City Code 14-45 and 14-46, the Governing Body must approval a public display of fireworks that does not fall within the July 4th window.

The Fall Festival committee has asked Victory Pyrotechnics to conduct a firework show on Saturday, September 21st as part of the fall festival activities. The fireworks would be discharged from the sports complex parking lot. Victory Pyrotechnics has submitted a Fireworks Discharge Permit Application along with their Certificate of Insurance.

There is no cost to the City.

Council questioned if there was a radius around the discharging of fireworks that needed to be met and also if there was, was it going to be able to be met within sports complex parking lot?

Marsh stated he wasn't aware of any code or rules that stated such requirements but he would

ask the Fire Chief Jared Dinwiddie.

Motion: *Griffin* moved, *Palmer-Witt* seconded to approve the discharge of fireworks on September 21st. Staff must confirm the adequate setbacks are met with any applicable standards. Voted and passed unanimously.

9. Administrators Report

- The layout for the marketing sign at the entrance to Chisholm Ridge is on the monitors. The cost is \$3775.00, and we will be getting it installed.

Council discussed and thought the words City Owned were necessary in the advertisement as not to confuse any one of the other lots owned by someone else.

- The Sedgwick County Fire Chiefs met this past Saturday and one item of interest is an MOU with Emergency Management outlining procedures to be followed when the NWS sends a notification of a satellite-detected hotspot within Sedgwick County. If conditions are met, the NWS will send notice to Sedgwick County distribution list to indicate a possible wildfire at a specified location. The closest jurisdiction will respond to check out the hotspot to see if it warrants more attention or not. The purpose is to hopefully handle a potential wildfire while it is small, and it does not develop into a large-scale problem.
- The city has announced the closing of the recycle center on its web page, FB page and we placed “closed” decals on the signs at the facility. After a period the signs will be taken down.
- Reminder: The League of Kansas Municipalities annual conference is Oct 12-14 in Overland Park.
- Council workshop is scheduled for October 29th from 6-8pm.

10. Governing Body Comments

Griffin stated he received an email from a citizen but has not had the opportunity to speak with staff and wasn't sure if it was appropriate to bring up in an open meeting. Mayor Ussery suggested since the rest of council didn't receive it then Griffin should speak with staff afterwards.

Titterington had nothing to report.

Palmer-Witt noticed the city paid \$300 for a survey and wanted to know the results from it. Marsh said he has the results but has not yet had time to review the options. He stated that all posts are on city property.

Council had a consensus that the posts act as a deterrent and would not like to see the posts gone. They asked staff to create a letter and send it to the neighboring property owner stating the opinion.

Papish asked if we would put a sign that the recycle center is closed. She also mentioned that the City of Oxford had a First Responder program to look at if we were still developing ours. She also mentions the truck and trailer she has mentioned is still there. Palmer-Witt also asked since the 2020 budget has been voted on and passed when will request for proposals and bids be going out for the big-ticket items for 2020. Marsh stated those won't go out until around November.

Coon mentioned there is still a junk yard next to her.

11. Executive Session

MOTION: *Titterington* moved; *Griffin* seconded to recess into executive session pursuant to the

employer-employee relations exception to negotiate terms of employment, to include the City Administrator and the City Attorney. The open meeting will reconvene in the City Council Chamber at 7:30 p.m.

Mayor Ussery called the meeting back to order and stated there was no action taken in executive session.

12. Adjournment

With no further discussion Mayor Ussery called for a motion to adjourn.

MOTION: *Palmer-Witt* moved; *Papish* seconded to adjourn the meeting. Voted and passed unanimously. The meeting adjourned at 7:32 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 August 27, 2019 City Council meeting.

Given under my hand and official seal of the City of Clearwater, Kansas, this 10th day of September 2019

Courtney Meyer, City Clerk

To: Mayor and City Council

From: Bill Hisle
Police Chief

Date: Sept. 13, 2019

Re: Police Department Staff Report

19-0795 06/27/19 Roy Riggs collected a 4-year-old male who was running back and forth in the street on Ross at Lee. The boy had a difficult time giving Roy his name and did not know his address. Roy drove the boy around the general vicinity and stopped at several different houses looking for the boy's mother, without success. Finally, the boy's mother called the PD and the boy was returned to his mom in the 100 block of N. Gorin. The family had just moved to Clearwater 2 days prior.

19-0800 08/29/19 Lt. Gearhardt stopped a vehicle at 0150 in the morning for driving without it's lights on. The occupant, a 17-year-old female from Augusta, advised she was there to pick up her 16-year-old friend from the 200 block of S. 3rd. The odor of marijuana emanating from the vehicle lead to the 17-year-old's arrest. A parent responded to the PD to pick her up.

19-0810 08/31/19 Report of a 14-year-old Runaway from the 100 Block of S. Tracy (we've taken several other similar reports at this address). We later received a phone call from the juvenile's biological mother who advised she had picked up her daughter and was traveling to her home in South Dakota. Paperwork was later faxed to us by the mother indicating she was awarded custody of the child by the U.S. Tribal Court in S.D. Bureau of Indian Affairs Police checked the girl's welfare and found that she was fine. This is a civil matter and the parties will need to hire attorneys to argue this custody issue in court. Neither party seemed willing to do so.

Monday, Sept. 9, is a big day for the Police Department. Austin Little will start the Kansas Law Enforcement Training Academy on that date. It will also be the first day for our newest officer, Ryan Aden. Ryan's first couple of days will be spent filling out city paperwork, qualifying on the range, and going over policies before he starts into the Field Training program.

To: Mayor and City Council Members

From: Ernie Misak, Public Works Director

Date: September 10, 2019

Subject: Public Works Summary

1. Most of the hours have been spent mowing, weed eating and edging in preparation for Fall Festival.
2. Repaired service line leak on South First Ave.
3. New School Zone Sign(s) relocated and/or changed out.
4. Inspection by the Dept. of Agriculture, Division of Water, of our irrigation wells and meters, as well as all other City Wells, including POTW wells. Condition, meters, volumes and gpm were collected and recorded. Additionally, all were GIS located for their records. Have not received a report as of this date.
5. Most of the next week will continue to prioritize for the Fall Festival.
6. Summer temporary has resigned for other employment.
7. Other normal duties and responsibilities.

Clearwater Senior & Community Center

Staff Report

September 5, 2019

To: Mayor & City Council

From: Sonja Froggatte, Director

1. I completed SHIP/SHICK certification from the Kansas Department for Aging and Disability Services in order to assist those who are disabled or 65 & over to determine the best Medicare/Medigap or Medicare Advantage choice.
2. On 9/10 we'll have our Carry-In Luncheon! Todd Volkmann, Naturalist, with the Great Plains Nature Center will speak. Jami Tabor with Angels Care Home Health will speak briefly about fall prevention. Amy McDermott with Home Health & Hospice will offer blood pressure checks.
3. Teresa Hatfield with the Sedgwick Co. Extension Office will be here on 9/11 at 1:00 to speak about Advance Directives for which she will provide a written guide.
4. Our second Rummage Sale to raise funds will be 9/19th and 20th from 8:00 to 5:30. We are currently taking donations.
5. Becky Estes with Aging Projects, Inc. (API) and I will staff a table in the park and handout information on both the Center activities and API on Saturday 9/21, after the parade.
6. On 9/24 we will deliver Commodities.
7. Our fourth Jam Session will be Saturday at 6:00 on 9/28.



Armstrong Land Survey, P.A.

1601 E. Harry
WICHITA, KS 67211

Ph. (316)263-0082
surveys@armstrong.kscoxmail.com

State of Kansas)
County of Sedgwick) SS

I, Donald C. Armstrong, registered and authorized to practice Land Surveying in said state and county do hereby certify that I caused to be surveyed:

Lots 166 and 168, City of Clearwater Addition, Sedgwick County, Kansas.

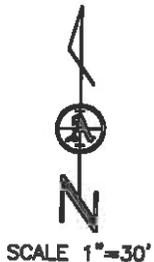
The accompanying sketch is a true and correct exhibit of said survey.

Date: August 12, 2017



Donald C. Armstrong R.L.S.#780





- - "Armstrong" capped rebar found
- ⊙ - #4 rebar found and set 60D nail over
- ⊗ - 1/2" Iron pipe found
- - "JLA" capped rebar found
- M - measured distance
- P - plat distance

