

**City of Clearwater, Kansas**  
**Sedgwick County**  
**City Council Workshop - MINUTES**  
**January 12, 2019**  
**Clearwater City Hall – Council Chambers**  
**129 E. Ross Avenue Clearwater, KS 67026**

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**1. Call to Order**

Mayor Ussery called the meeting to order at 9:00 a.m.

**2. Roll Call**

Members of Council and staff present – Mayor Burt Ussery, Laura Papish, Tex Titterington, Yvonne Coon, Shirley Palmer-Witt, Chris Griffin, Ron Marsh, Courtney Meyer, Esther Harp, Justin Patrick, Gary Berger, Ernie Misak, Bill Hisle.

**3. Business**

**a. EMS Structure Discussion**

Marsh started out by giving a recap on why this discussion has to take place. He stated KBEMS Requires the following to hold an ambulance permit are as follows: no matter how large or small, private or public, paid or volunteer, each service has to meet the same requirements to hold a permit. K.A.R. 109-2-6(1); Each ambulance must be staffed with a minimum of two certified personnel; EMR, EMT, AEMT, Paramedic, etc. Must have roster showing coverage 24/7/365. Rosters are inspected during the annual state inspection. In 2017 it was noted on the inspection that we had gaps in our roster coverage; no formal action was initiated. In 2018 we again had gaps in our roster that prompted an investigation by the KBEMS as to whether Clearwater could regulatorily staff an ambulance.

Currently Clearwater has 4 paramedics, 2 AEMT's, and 7 EMT's appointed to the service. What drive our ability to maintain an ambulance permit is not the number of volunteers or types of certifications. If we cannot produce a roster that shows 24/7/365 coverage, we are in violation of K.A.R. 109-2-6(1). Currently we have 7-8 certified EMS personnel who consistently sign up on the duty roster. There are 5-6 who continually refuse to sign up. Whether or not volunteers sign up, most of the time, we are able to get two certified personnel on calls. If the roster continues to not be filled 24/7/365 by volunteers, the state will shut down the ambulance service. (We will lose our license to transport). The state will NOT take into account that most of the time we have 2 people respond. They are basing the permit violations strictly on the roster

The following are the steps the department has taken to get roster filled. \$2/ hour on call pay, persistent calling volunteers to ask them to commit to the roster – multiple times, relying on a handful of people to make sure most shifts are covered – this is not sustainable because people will get burned out. Numerous meetings with volunteers have been held to explain the situation the department is in. It has been decided that moving forward we need to implement mandatory sign ups and have penalties for non-compliance i.e. not signing up or failing to respond to calls while on shift. This still needs to be developed.

Moving forward staff and leadership from Emergency Services has come up with 3 different options.

- Option #1 - Continue as we are – Hire a FT Director – Hope that volunteers will step up and fill the roster
- Option #2 - Contract with Sedgwick County ems to take over our ems function - no longer be a city of clearwater responsibility
- Option #3 - Hire full time staff to help ensure roster coverage

**OPTION #1**

- Hire a FT Director

- 2019 We started paying for On Call Pay
- Hope that this will encourage volunteers to write their names in
- Still not getting complete roster coverage
- Financial Impact as follows

	Option #1
711.001 SALARIES	\$ 30,000.00
711.001 SALARIES FT PARAMEDIC	
711.001 SALARIES FT AEMT	
711.001 SALARIES FT EMT	
SALARIES OVERTIME	
711.011 VOLUNTEER - EMS	\$ 40,000.00
712.000 SOCIAL SECURITY	\$ 4,340.00
712.100 MEDICARE	\$ 1,015.00
713.000 KPERS	\$ 3,144.00
714.000 HEALTH INSURANCE	\$ 10,000.00
715.000 WORKMEN'S COMPENSATION	\$ 2,975.00
716.000 UNEMPLOYMENT TAXES	\$ 315.00
WELLNESS CENTER	\$ 180.00
Personnel Services	\$ 91,969.00
Supplies and Materials	\$ 35,125.00
Contractual	\$ 33,925.00
Capital Outlay	\$ 14,675.00
Transfer Out (Equip Res)	\$ 5,000.00
<b>TOTAL</b>	<b>\$ 180,694.00</b>
Budgeted	\$ 184,198.90
Variance	\$ 3,504.90

While review option #1, all in attendance of the meeting were asked to write down pros and cons of option #1 and put them on the board. Pros and cons are as follow:

Pros	Cons
Better Cost	Lack of volunteers – that will not change
FT Director can fulfill a lot of roster requirement	You cannot expect the full-time employee to be available 24/7/365
Cost is lower	Long term sustaining volunteers
Lower Cost	Volunteers will not step up stand sign up on the roster
	It hasn't worked in the past. Past performance is the best predictor of future performance

**OPTION #2 – CONTRACT WITH SEDGWICK COUNTY – CITY WOULD HAVE NO EMS RESPONSIBILITY**

- #'s are approximate subject to adjustments by county HR and Finance
- The ambulance maintenance cost is based on avg. motor pool cost for ambulances in August of 2018 and a Kansas license for both units currently owned by Clearwater
- The facility estimate is simply utility estimates pending an inspection of our facility and what furnishings we have.
- There are incremental costs not included in the overall cost presented such as Telestaff as that is based on numbers to be scheduled and Ninth Brain based on use of online training.

	Option #2
711.001 SALARIES	
711.001 SALARIES FT PARAMEDIC	
711.001 SALARIES FT AEMT	
711.001 SALARIES FT EMT	
SALARIES OVERTIME	
711.011 VOLUNTEER - EMS	
712.000 SOCIAL SECURITY	
712.100 MEDICARE	
713.000 KPERS	
714.000 HEALTH INSURANCE	
715.000 WORKMEN'S COMPENSATION	
716.000 UNEMPLOYMENT TAXES	
WELLNESS CENTER	
Personnel Services	
Supplies and Materials	
Contractual	\$ 522,102.00
Capital Outlay	\$ 11,000.00
Transfer Out (Equip Res)	
<b>TOTAL</b>	<b>\$ 533,102.00</b>
Budgeted	\$ 184,198.90
Variance	\$ (348,903.10)

While review option #2, all in attendance of the meeting were asked to write down pros and cons of option #2 and put them on the board. Pros and cons are as follow:

Pros	Cons
State regulations covered	Higher cost
City would have a set budget	No local ambulance
County manages all changes	Ambulance not always located in Clearwater
No issue with managing turnover	Paying for a service that is covering other towns.
No longer a city problem	Response times increase
	Loss of control of department
	Summer county not covered

**OPTION #3 – HIRE FULL TIME STAFF**

- Hire three full time personnel, EMS and Fire certified, to run 24/48-hour shifts
- 24 hours on, 48 hours off
- Hire a full time or part time Director to provide direction and handle the administrative side of both fire and EMS
- Volunteers will fill the second slot on the duty roster, still required to sign up

	Option #3 PT	Option #3 FT
711.001 SALARIES	\$30,000.00	\$60,000.00
711.001 SALARIES FT PARAMEDIC	\$38,000.00	\$38,000.00
711.001 SALARIES FT AEMT	\$32,500.00	\$32,500.00
711.001 SALARIES FT EMT	\$28,500.00	\$28,500.00
SALARIES OVERTIME	\$15,500.00	\$15,500.00
711.011 VOLUNTEER - EMS	\$40,000.00	\$40,000.00
712.000 SOCIAL SECURITY	\$11,439.00	\$13,299.00
712.100 MEDICARE	\$2,675.25	\$3,110.25

713.000 KPERS	\$14,988.60	\$18,132.60
714.000 HEALTH INSURANCE	\$57,600.00	\$76,800.00
715.000 WORKMEN'S COMPENSATION	\$7,841.25	\$9,116.25
716.000 UNEMPLOYMENT TAXES	\$ 830.25	\$ 965.25
WELLNESS CENTER	\$ 540.00	\$ 720.00
Personnel Services	\$280,414.35	\$336,643.35
Supplies and Materials	\$32,375.00	\$32,375.00
Contractual	\$25,925.00	\$25,925.00
Capital Outlay	\$14,675.00	\$14,675.00
Transfer Out (Equip Res)	\$5,000.00	\$5,000.00
<b>TOTAL</b>	<b>\$358,389.35</b>	<b>\$414,618.35</b>
Budgeted	\$234,980.00	\$234,980.00
Variance	\$(123,409.35)	\$(179,638.35)

Possible pay structures are as follows for FT staff – FT Director: \$55,000 - \$60,000, PT Director: \$27,500 - 30,000, Paramedic \$12.00 - \$16.00/hour (based on experience), AEMT: \$11.00 - \$15.00/hour (based on experience), EMT: \$10.00 - \$14.00/hour (based on experience).

**Proposed Budget Cuts to support options**

Account	Budgeted	Use FOR Option #3	Left for Budget
Admin Discretionary	\$ 10,000.00	\$ 3,000.00	\$ 7,000.00
Admin City Hall Control Access	\$ 3,000.00	\$ 3,000.00	\$ -
Admin City Hall Office Improvements	\$ 3,000.00	\$ 3,000.00	\$ -
Admin Update recording software	\$ 3,000.00	\$ 3,000.00	\$ -
Admin Transfer to Sp Parks	\$ 40,000.00	\$ 20,000.00	\$ 20,000.00
Admin Business Park Incentives	\$ 10,000.00	\$ 10,000.00	\$ -
PD Control Access	\$ 5,000.00	\$ 5,000.00	\$ -
PW Garage Door Openers	\$ 2,000.00	\$ 2,000.00	\$ -
Fire SG County Fire Agreement	\$ 10,000.00	\$ 10,000.00	\$ -
Fire Replace SCBA's	\$ 30,000.00	\$ 10,000.00	\$ 20,000.00
Park UTV	\$ 2,000.00	\$ 2,000.00	\$ -
Admin Increase Sewer Transfer		\$ 4,000.00	
Fire Target Solutions Removed	\$ 2,750.00	\$ 2,750.00	\$ -
EMS Target Solutions Removed	\$ 2,750.00	\$ 2,750.00	\$ -
Admin PGE Incentives	\$ 25,000.00	\$ 25,000.00	\$ -
Admin Abatements	\$ 15,000.00	\$ 10,000.00	\$ 5,000.00
EMS Medical Billing	\$ 15,000.00	\$ 8,000.00	\$ 7,000.00
Admin Reserve	\$ 418,000.00	\$ 56,500.00	\$ 361,500.00
<b>TOTAL</b>		<b>\$ 180,000.00</b>	

**Housing Full Time Personnel with current building**

- No Structural Changes needed at EVS Building
- Will have to purchase and install the following – Price Approx. \$2500
- Stove, Bunk beds, Couch and Recliner, Lockers, refrigerator
- Need to purchase 3 sets of bunker gear approx. \$7500 – Have budgeted \$6000 already for 2019

Marsh also explained FLSA rules for positions Full Time EMS/ Fire staff. They are as follows:

- Fire protection personnel include firefighters, paramedics, emergency medical technicians, rescue workers, ambulance personnel, or hazardous materials workers who:
  1. are trained in fire suppression;
  2. have the legal authority and responsibility to engage in fire suppression;
  3. are employed by a fire department of a municipality, county, fire district, or State; and
  4. are engaged in the prevention, control and extinguishment of fires or response to emergency situations where life, property, or the environment is at risk.
- There is no limit on the amount of nonexempt work that an employee employed in fire protection activities may perform. So long as the employee meets the criteria above, he or she is an employee "employed in fire protection activities" as defined in section 3(y) of the FLSA.
- Section 7(k) of the FLSA provides that employees engaged in fire protection or law enforcement may be paid overtime on a "work period" basis.
- A "work period" may be from 7 consecutive days to 28 consecutive days in length.
- For work periods of at least 7 but less than 28 days, overtime pay is required when the number of hours worked exceeds the number of hours that bears the same relationship to 212 (fire) or 171 (police) as the number of days in the work period bears to 28.
- For example, fire protection personnel are due overtime under such a plan after 106 hours worked during a 14-day work period, while law enforcement personnel must receive overtime after 86 hours worked during a 14-day work period.

Marsh explained it is important that the full-time positions be able to cover both Fire and EMS since FLSA rules apply to fire protection for 24-hour coverage. All full-time personnel will have responsibility to both Fire and EMS.

While review option #3, all in attendance of the meeting were asked to write down pros and cons of option #3 and put them on the board. Pros and cons are as follow:

Pros	Cons
We continue with current staff and resources that we've invested in	Volunteers still in question – Sustainability
Local staff and ambulance	Other funds are being used to support the change in 2019
Less stress and strain on volunteer staff – could increase participation	Option is not budgeted
Less cost than Sedgwick County	Might be a loss of volunteers to fill paid positions
Better response time	Not convinced its affordable for long term
This plan is very workable and the only option that shows any promise of success	Managing hire staff
Keeps coverage in Clearwater	

It was discussed that it will be recommended to budget for full-time director position, but it is possible we will be able to fill the position with a part-time person. The full-time director will have the responsibility of setting expectations for both fire and EMS, set up for success and build up to it, financial, budgeting, etc. The Director will still have under him/her a volunteer Fire Chief that will be head of fire and a volunteer EMS Captain. A part-time person could help us be successful until the full-time person is found.

It was discussed that the volunteers will need to re-commit to the department by signing an agreement acknowledging a set of expectations that will need to be met for the volunteer service. The City plans to continue to pay volunteers for on call pay as well as for runs that are made by them.

Mayor Ussery stated that within the next two weeks at least two meetings need set up to inform

the public as well as a letter to go out to all residents in the area. A meeting with the volunteers will also need to be held informing them of the changes that are being discussed.

Mayor Ussery then went around the table and asked individually which option each person was in favor of. All in attendance were in favor of option 3 as it was able to keep service local, utilize volunteers, satisfy the state regulations, and have a lesser impact on the budget.

Mayor Ussery called for a motion to approve funding for 4 full-time EMS positions to include 1 director and 3 paid positions at the financial plan given by staff plus funds to ready the station to house 24-hour staff also to recruit to hire the full-time positions.

**Motion:** *Griffin* moved, *Titterington* seconded the motion to approve funding for 4 full-time EMS positions to include 1 director and 3 paid positions at the financial plan given by staff plus funds to ready the station to house 24-hour staff also to recruit to hire the full-time positions. Voted and passed unanimously.

**4. Adjournment**

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


**MOTION:** *Papish* moved, *Palmer-Witt* seconded to adjourn the meeting. Voted and passed unanimously. The meeting adjourned at 12:00 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 January 12, 2019 City Council workshop.

Given under my hand and official seal of the City of Clearwater, Kansas, this 22<sup>nd</sup> day of January 2019

  
Courtney Meyer, City Clerk

