

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

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**1. Call to Order/ Invocation and Flag Salute**

Mayor 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; Laura Papish, Chris Griffin, Shirley Palmer-Witt, Yvonne Coon and Chris Griffin were present.

Tex Titterlington was absent

The following staff members were present:

Ron Marsh, City Administrator; Courtney Meyer, City Clerk; Bill Hisle, Chief; Ernie Mlsak, Director of Public Works; Austin Parker, City Attorney.

Others present: Bill Kenney, Gary Berger, Carl Fry, Justin Patrick, Michael Cowherd, Esther Harp, Ruth Glenn, Derrek Jeardoe, Ron Witt, Kate Kinkald-Brinkerhoff, Tim Robben, Lonnie Stieben, Darin House, Gabby Simon.

**3. Approval of the Agenda**

Mayor Ussery asked if there were any modifications to the agenda. Marsh stated the Derek Jeardoe is here to request the use of the facilities for the Fall Festival and that will need to be added before 8a.

Mayor Ussery called for a motion to approve the agenda as modified.

**Motion:** *Palmer-Witt* moved, *Griffin* seconded to accept the agenda as modified. 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 02/26/19 Council Meeting  
Claims and Warrants  
3/6/19 - \$90,288.21  
EMS Appointment – Clara Warren EMT

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

**6. Citizen Recognition Award**

Mayor Ussey stated this citizenship award is for 2018 but do to travel and vacation scheduling this is the first opportunity to award this.

Mayor Ussey went on to list the many accomplishments and activities of the awarding party such as

Family Physician in the Clearwater community from 1979 – 1995 and 2005 – 2018

Has been appointed to the Via Christ Regional Medical Center Associate Staff and the Sumner Regional Medical Center Courtesy Staff

Community Activities have included; Clearwater Community Development Foundation, Medical Director for Clearwater EMS, Medical Director for Conway Springs EMS, Clearwater Chamber of Commerce, Clearwater Lions Club, American Cancer Society Relay for Life, Clearwater PRIDE Committee, Clearwater Committee

And was awarded in 2004 the Clearwater Chamber of Commerce Distinguished Service Award  
Mayor Ussey presented the Outstanding Citizenship Award 2018 to Dr. David Papish in grateful recognition of his outstanding, dedication and countless hours of service to the people in our community with gratitude from the City of Clearwater.

**7. Staff Reports**

- a. Police Department – Bill Hisle – asked if council had any questions about his report. No questions
- b. Public Works – Ernie Misak asked if council had any questions about his report. No questions.

**8. Business**

**INSERT – Fall Festival Facility Request**

Derek Jeardo, Fall Festival President, informed council the dates for the fall festival will be September 19 – 22, 2019. Jeardo, on behalf of the Fall Festival Committee, is requesting the use of the city facilities during that time.

**Motion: *Papish* moved, *Palmer-Witt* seconded to approve the use of the City facilities as requested. Voted and passed unanimously.**

**a. Real Estate Sales Agreement – Business Park**

Marsh explained the City has been in talks for several months with Jordan (Jay) Lauer to purchase a lot in the business park. He is purchasing the north half of Lot 1, Block 4, Clearwater Business Park.

A letter of intent with purchase terms was accepted by Mr. Lauer in December 2018 and Council directed Staff to move forward with a Real Estate Sales Agreement. The City Attorney drafted the agreement and Mr. Lauer has signed. If the Governing Body approves the sales agreement, we will work with a title company to complete the sale.

The City will receive \$4000 for the price of the lot and will pay up to \$2000 towards leveling the lot. The City will also bear the cost of removing the storage containers and asphalt millings on the lot.

The City Attorney has drafted the Sales Agreement and will be involved in the sale.

Council had no discussion

**Motion: *Coon* moved, *Palmer-Witt* seconded to approve sale of the north half of Lot 1 Block 4 of the Clearwater Business Park for \$4000 and pay up to \$2000 towards leveling the lot. Voted and passed unanimously.**

**b. EMS Service**

Mayor Ussery began by stated the council has had two separate community events with the county in attendance and has given the governing body options to consider. The two options are

1. To turn EMS service over to the county. Sedgwick County has agreed to utilize their closest available source to service Clearwater. This would be at no additional cost to the city or citizens. Sedgwick County would not cover any of Clearwater's current coverage into Sumner County. All Sumner County would be covered by Conway Springs or Sumner County.
2. Continue down the path set forth on January 12, 2019 to hire full-time staff to maintain the EMS service. Hiring full-time staff would allow the EMS service to be housed in Clearwater. When an ambulance is dispatched out it would come back to Clearwater

Mayor Ussery stated during the original workshop to discuss the EMS service council asked staff to pursue hiring full-time thinking that it was the cheaper option. New information was revealed after the workshop that stated Sedgwick County wouldn't cost Clearwater so council has put the hiring of full-time people on hold until all avenues could be considered with the new understanding of cost. Mayor Ussery said at the end of this discussion he will ask for a motion to continue the path approving the original plan of hiring a full-time service, if that fails the service will be turned over to the county.

Councilmember Griffin wanted to be clear that whatever decision is made the volunteers that have dedicated their time to the service is very appreciated and any decision that is made should not reflect on their service. However, much Griffin would like to keep the service local he does not feel comfortable raising the taxes in order to keep it.

Councilmember Palmer-Witt understand there is an increased cost, but the community should be covered as long as we have the staff and volunteers to make it work.

Council President Papish said she has been hearing feedback about property taxes increase this year and by keeping the EMS service local the taxes will only go up more. Her concern is if we move to keep it, we will still have to depend on volunteers and how long will that sustain because we are having issues filling the roster still. She stated in other rural areas, utilizing first responders to give initial aid has worked in other communities and she thinks it can work here.

Councilmember Coon complimented the wonderful group of volunteers and she understand that the volunteers do want to spend more time with their families. She doesn't want the mill increase but believes if the EMS service is turned over Clearwater would never get it back so she would like to try and keep it as long as possible.

Mayor Ussery explained the taxes on a \$100,000 home would increase approximately \$110 to \$120 based on the estimated figures. He pointed out that a lot of home in Clearwater are valued higher than \$100,000. Ussery pointed out we have calls right now we can't fill. If we move to hire full-time people, we have to understand that Clearwater service will be a stepping stone for people so we could have turnovers. During those turnover periods the volunteers will have to fill the 100% not just 50% when we have full-time staff. If that is the case the State will pull our transport license anyway. Ussery said we have EMS volunteers that will go on runs but will not sign up on the roster and unfortunately the roster is what the State is looking at first. Ussery pointed out the participation has increased but not where we need to be. If council decides to go with turning the service over to Sedgwick County the city will submit a request for 24/7 coverage

In the city but ultimately it will be up to the county and where they determine the best use of their resources will be. Ussery said sustainability of keep the EMS service with Clearwater is the real question. Mayor Ussery then asked the audience if they would like to state a brief opinion on the matter.

Tim Robben, Clearwater EMS volunteer and Sedgwick County paramedic, stated he didn't think the county would put a crew in Clearwater. He said the county gets depleted quite often and he is in favor of keeping it with Clearwater. He believes if we lose it then we'd have a hard time getting it back. He would like the governing body to keep the service because he believes there will be a delay with Sedgwick county response.

Gabby Simon, Clearwater EMS volunteer and Sedgwick County paramedic, stated when it comes to life the money doesn't matter. You can't put a price on a life. She said she would try and step up more and Clearwater owes it to their citizens to keep it here. She is not in favor of the taxes going up but doesn't want to put a price on a life.

Justin Patrick, Interim Clearwater EMS Director and Wellington EMS, stated he has continually seen an increase on the roster and thinks Clearwater can really make it work.

Darrin House, resident, gave names of people who would no longer have local service just over the Sumner County line if Clearwater were to release the EMS service to Sedgwick County.

After discussion Mayor Ussery called for the motion to hire full-time position and give staff direction to maintain our own EMS.

**Motion:** *Coon* moved, *Palmer-Witt* seconded maintain direction given on January 12, 2019 to hire three full-time EMS staff and a full-time director. Voted and passed 3-1 (Griffin voted no).

c. **Homebuyer Incentive Program**

Marsh stated at the last City Council meeting the Governing Body discussed potential City-Wide Incentive programs to try and spur new housing construction.

It was clear that Council members wanted an Incentive program to benefit the buyer versus the builder/developer. After discussion of several options, staff was directed to bring 2-3 options to the next Council meeting for the Governing Body to decide. Based on the 2/26/19 discussion the following options were determined:

Option 1: 3 year sliding scale rebate on City property taxes, 75% - 50% - 25% or 25% - 50% - 75% and/or a \$1500 homebuyer credit at closing.

Option 2: 3-year flat rate rebate on City property taxes, either 50%, 75% or 100%. Or a \$2000 homebuyer credit at closing.

The spreadsheet shows the cost to the city of each program on a \$200,000 house. The spreadsheet assumes an approximate 6% annual increase in valuation (consistent with the past several years) to provide a more realistic cost. Included on the spreadsheet is the annual cost of offering a \$1500 or \$2000 homebuyer rebate.

## BUYER INCENTIVES

**APPRAISED VALUE** \$ 200,000.00

### Homebuyer Credit ONLY for 10 Homes

\$1,500 \$15,000

\$2,000 \$20,000

### OPTION #1

#### FLAT RATE

#### 3YRS for 10 Homes w/ Mil Levy Increase Adjustment

100% \$ - \$ 43,700.10

75% \$ - \$ 32,775.07

50% \$ - \$ 21,850.05

OR

#### Homebuyer Credit

\$2000 \$ 20,000.00 \$ 20,000.00

### OPTION #2

#### SLIDING SCALE

#### 3YRS for 10 Homes w/ Mil Levy Increase Adjustment

Year of Closing 75% \$ - \$ 1,029.50

Year 2 50% \$ - \$ 727.51

Year 3 25% \$ - \$ 385.58

Per Home Cost \$ - \$ 2,142.59

**Total for 10 homes** \$ - \$ **21,425.90**

Homebuyer Credit Option (\$1500) \$ 15,000.00 \$ 15,000.00

**\$ 15,000.00 \$ 36,425.90**

Year of Closing 25% \$ - \$ 343.17

Year 2 50% \$ - \$ 727.51

Year 3 75% \$ - \$ 1,156.74

Per Home Cost \$ - \$ 2,227.42

**Total for 10 homes** \$ - \$ **22,274.20**

Homebuyer Credit Option (\$1500) \$ 15,000.00 \$ 15,000.00

**\$ 5,000.00 \$ 37,274.20**

Marsh also stated there is not rebates for water, sewer, or building permits. A combination of the options can be used if council wants to mix it up.

Council discussed and like offering the buyer to be able to choose from a sliding scale 3-year city portion of the taxes rebate with a \$1500 closing bonus. It was discussed that by offering a 3 year it might encourage people to stay in the house longer. Council also discussed when the program would be initiated. It was decided that the application for incentive must be within 2019 as each year the program would be evaluated. Restrictions should be considered on how long it takes to build a home and if the buyer is also the builder a certificate of occupancy should be considered as taking possession and if a builder is selling then the ownership will be determined by the closing.

Council has a consensus for staff to put together a housing incentive program with the sliding scale option for buyers to choose from and bring it back to the next council meeting.

#### 9. Administrators Report

- Community Meeting on March 20<sup>th</sup> at 6:00pm in the Middle School Auditorium. This is a meeting requested by Commissioner O'Donnell after he was contacted by citizens and a Council member about the 135<sup>th</sup> St. & 71<sup>st</sup> St. Intersection. He has said he will be bringing County staff with him, the Sheriff and PW Director.
- Horseshoe Pits are almost done. We will have a dedication later this spring once the benches are completed and installed.
- The League of Kansas Municipalities Leadership Summit & Mayors Conference is April 12-13 in Salina. If you are interested in going please let Courtney or I know.
- New back door has been installed. It is more secure and allows for free egress.

#### 10. Governing Body Comments

Griffin will not be at the next couple of meetings.

Palmer-Witt asked for a scoreboard update. Marsh said it's in production and it will be in the middle of the high school season.

Papish had nothing to report.

Coon said she mentioned drainage at the last meeting, and nothing has been done about it. She would like to see that taken care of and an assessment done on our drainage.

Mayor Ussery said there will be another Chisholm Trail ride but without the cattle on June 7<sup>th</sup>. Horseback riders will be coming through town and camping at the rodeo grounds. A city organization will possibly be putting something on in the park for the riders.

#### 11. Executive Session

**MOTION:** *Palmer-Witt* moved, *Coon* seconded to recess into executive session pursuant to non-elected personnel to discuss specific personnel matters, to include the police chief, city administrator and city attorney. The City Council will reconvene the open meeting in the City Council Chamber at 8:40 p.m.

Mayor Ussery called the meeting back to order at 8:40 and stated there was no action taken in executive session.

**MOTION:** *Griffin* moved, *Palmer-Witt* seconded to approve the hiring of James Baney for part-time officer and Austin Little for full-time officer. Austin Little to start out at \$16.00 per hour upon hiring with a retention bonus of \$1500.00. Voted and passed unanimously.

**12. Adjournment**

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

**MOTION:** *Coon* moved, *Palmer-Witt* seconded to adjourn the meeting. Voted and passed unanimously. The meeting adjourned at 8:41 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 March 12, 2019 City Council meeting.

Given under my hand and official seal of the City of Clearwater, Kansas, this 26<sup>th</sup> day of March 2019

  
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Courtney Meyer, City Clerk



