



City of Clearwater Council Meeting Notice

Tuesday, December 22, 2015 at 6:30pm

129 E Ross Clearwater, KS 67026

www.clearwaterks.org

Please call the Clerk's office at 620-584-2311 or the Kansas Relay Service 800-8766-3777 at least 48 hours in advance if you require special accommodations to participate in this meeting. We make every effort to meet reasonable requests.

AGENDA

[Please note that the meeting agenda is subject to change during the meeting.]

1. Call meeting to order and welcome

Burt Ussery, Mayor

2. Invocation and flag salute

3. Roll Call

Courtney Meyer, City Clerk

Burt Ussery, Mayor

Laura Papish, Councilmember President

Austin Wood, Councilmember

Paul Clark, Councilmember

Ron Marsh, Councilmember

Chris Griffin, Councilmember

4. Action: Approve December 22, 2015 meeting agenda

5. Public Forum

Pursuant to Ordinance No. 917 and Section 2.08.010 adopted by the governing body and approved by the Mayor on November 24, 2009, members of the public are allowed to address the Mayor and City Council for a period of time limited to not more than five minutes.

6. Action: Approve Consent Agenda

a. [Minutes 12/08/15 Council Meeting](#)

b. Appoint Michael Bowman as Volunteer Firefighter

7. Action: 2015 Amended Budget Hearing

8. Action: Approve Request for Proposal for Cleaning Services

9. Action: Accept a Petition and Consent for Annexation

10. Action: Adopt a Resolution # 14-2015 Concerning an Island Annexation

11. Action: Ordinance #1008 Court Cost Increase
Roll Call

Paul Clark, Councilmember
Laura Papish, Councilmember President
Austin Wood, Councilmember

Ron Marsh, Councilmember
Chris Griffin, Councilmember

12. Discussion: 4th Street Project

13. Action: Claims and Warrants
Courtney Meyer, City Clerk

14. City Administrator Report
Justin Givens, City Administrator

15. Council Reports

16. Executive Session – Matters of Non-Elected Personnel

17. Adjournment

NOTICE: SUBJECT TO REVISIONS

It is possible that sometime between 6:30 and 7:00 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.

Honorable Mayor and City Council

**From: Justin S. Givens,
City Administrator**

Re: Agenda Summary 12 22 2015

- Item 6:**
- a. Review and Approve Minutes of the December 8, 2015 City Council Meeting
 - b. Mayor Appointment to the Fire Department. The Fire Chief has requested that the following individual be appointed to the Fire Department: Michael Bowman. Mr. Bowman is currently a fireman for the City of Derby.

-----end of Consent Items

Item 7: Expenditures were exceeded for the Special Assessment Fund for 2015. Those expenditures were offset by additional revenue that was brought in for the fund. No other fund will exceed its expenditure authority in a manner that would require an amended budget. This process does require a public hearing and the adoption of an ordinance that will increase the expenditure authority for the Special Assessment Fund in 2015.

Item 8: The City was informed that our current contract cleaning service provided would no longer be providing the service for City Hall and the Fire/EMS Facility. In consultation with other staff it was determined that a Request for Proposals for Cleaning Service be distributed to ensure that all city facilities are receiving the best possible cleaning service and to establish a clear line of vendor contracting.

Item 9: The property owners of 14300 W Prairie Grass Circle in the Prairie Meadows Estates have petitioned for annexation to the city in return for city water service. The city must accept the petition and consent for annexation before moving forward with the annexation process.

Item 10: The second step in the annexation process for 14300 W Prairie Grass Circle is to adopt a resolution for the island annexation and to request the same from the Sedgwick County Board of County Commissioners. Once approved by Sedgwick County, the city will need to adopt an ordinance before the property is officially annexed into the city.

Item 11: The court was informed in November that a fee increase of \$.50 was being passed down from the state for training and other associated funds. The Court Clerk in consultation with the Municipal Judge has requested the increased costs be reflected in our court costs. Additionally, the Ordinance will include a new fee for expungement applications.

Item 12: A full report on the status of the 4th Street Drainage and Road Project will be presented at the meeting on Tuesday. The report will include updates on

easement acquisitions, additional costs for sewer and water service relocation and other miscellaneous costs involved with the project.

Item 13: A full report of Claims and Warrants will be presented at the meeting on Tuesday.

Item 14: A full report from the City Administrator will be presented at the meeting Tuesday.

Please do not forget City Offices will be closed on Thursday, December 24th and Friday, December 25th.

City of Clearwater, Kansas
Sedgwick County
City Council Meeting - **MINUTES**
December 8, 2015
Clearwater City Hall – Council Chambers
129 E. Ross Avenue Clearwater, KS 67026

1. Call to Order

Mayor Burt Ussery called the meeting to order at 6:30 p.m.

2. Invocation and Flag Salute

Mayor Ussery gave the invocation which was followed by the pledge of allegiance and flag salute.

3. Roll Call

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

Mayor Burt Ussery, Austin Wood, Ron Marsh, Paul Clark, Chris Griffin, Laura Papish were all present.

The following staff members were present:

Justin Givens, City Administrator; Courtney Meyer, City Clerk; Austin Parker, City Attorney; Jason Gearhardt, Interim Police Chief; Ernie Misak, Public Works Director.

Others Present:

Harlan Foraker, Certified Engineering; Paul Rhodes, Time Sentinel News; Kyler Frost, Treyson Layton, Max Whetstone, Matthew Cleary, Landon Rhoadarmer, Nathan McDonough, Bailey Rich, Jared Emery, Gregory Clark, Amelia Pitcher.

4. Approval of the Agenda

Mayor Ussery called for a motion to approve the December 8th agenda as presented.

Motion: *Papish* moved, *Marsh* seconded to accept the December 8th, 2015 agenda as presented. Voted and passed unanimously.

5. Public Forum

None

6. Consent Agenda

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

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

7. Ordinance 1006 Authorizing Complementary Alcohol for the 2016 Art Walk

Administrator Givens stated in 2015, the Clearwater Chamber of Commerce hosted a Spring Art Walk in various locations in the downtown area of Clearwater. At that time several of the participating businesses requested permission to provide complimentary wine and other alcoholic beverages at their particular place of business. The City Attorney prepared an Ordinance that was adopted by the Governing Body that allowed the serving of complimentary alcohol.

The Clearwater Chamber has made a similar request for the 2016 Spring Art Walk. The event will be held April 8th from 7:00pm – 10:00pm in various locations. The Chamber has requested that the Governing Body adopt a similar ordinance that would allow for the serving of complimentary alcoholic drinks.

After discussion Mayor Ussery called for a motion to adopt Ordinance 1006.

Motion: *Marsh* moved, *Clark* seconded to adopt ordinance 1006.

Roll Call: Papish, yea; Clark, yea; Wood, yea; Marsh, yea; Griffin, no.

8. Ordinance 1007 Authorizing a Sewer utility Debt Service Fee

Givens stated in the creation of the budget for 2016 it was determined based on long range financial projections that an increase would be needed for the sewer utility to maintain a healthy reserve account, continue operations and pay for debt issuances. During discussions of the budget, a plan was formulated to create a debt service fee to offset the cost of bond payments on a yearly basis for the sewer utility. The city is and will be paying on two bond issuances, the first for the expansion of the lagoon system and the second for the installation of an aeration and re-circulation system as well as the removal of sludge from the existing lagoons. The second changes were required by the Kansas Department of Health & Environment so that the city could meet increased discharge limits.

The city hosted two open forums that provided opportunities for the public to gather more information on the debt service fee as well as to provide feedback to the Governing Body on concerns that they may have had. During those discussions and during open meetings of the Governing Body it was determined that a tiered debt service fee plan be created to ensure fairness to the sewer utility customers.

Staff has prepared an ordinance that would go into effect on January 1, 2016 to begin collecting the debt service fee based on the four tiered system. Those tiers are broken out as follows;

| Class | # of Users | Gallons Used Per Month | Per Month Fee | Generated Revenue |
|------------|------------|------------------------|---------------|-------------------|
| Low | 186 | 0 – 2,999 | \$11.25 | \$25,110.00 |
| Average | 486 | 3,000 – 5,999 | \$15.00 | \$87,480.00 |
| High | 174 | 6,000 – 10,999 | \$18.75 | \$39,150.00 |
| Ultra-High | 37 | 11,000 - + | \$21.75 | \$9,657.00 |
| | | | | \$161,397.00 |

Based on the required debt service payment, the four tiered system will allow the city to meet its financial obligations to bond holders while maintaining a healthy reserve account as well as being able to fully fund operations of the sewer utility.

The tiered system will be in place thru 2023 at which time the first bond issuance will be retired and a lower yearly bond payment will be needed. That fee of \$7.22 will be implemented across the board for all utility users without respect to consumption or usage.

It is important to note that the debt service fee goes directly to the repayment of the debt issuances and does not supplement or factor into the operating costs for the sewer utility. A previous action by the Governing Body set in place a 1% per year increase for operating costs for the sewer utility.

Motion: *Marsh* moved, *Wood* seconded to adopt ordinance 1007.

Roll Call: Papish, yea; Clark, yea; Wood, yea; Marsh, yea; Griffin, yea.

9. Consider a Change Order for Park Glen Estates Phase I

Givens addressed the council and stated that at the October 27th meeting the Governing Body authorized improvements in the amount of \$267,215.45 for streets and drainage and other improvements for Park Glen Estates. A portion of that amount was for dirt work within the development. That work enabled fill dirt from the retention pond to be placed within street right-of-ways to match the existing development to the west as well as the construction of 11 building pad sites within the development.

The change order as presented is an up to amount. The additional dirt is being required to even lots out with the grade at the curb. The developer requested that dirt originally only be used for the building pad sites but when observed in the field it was agreed that additional dirt would need to be brought back from the curb to the front of the pad site. This additional dirt will be drawn from expanding the retention pond. Because of rains in the last several weeks the pond, which was complete, filled and needed to be dewatered (pumped out) prior to the removal of any dirt and regrading of the detention pond. The changes will not have a negative effect on the hydrology within the development and the additional capacity will slow downstream discharge. The developer and engineer have approved of the change order. It is estimated that this time that 5,000 cubic yards of dirt will be required to complete the work. Based on computer models, the actual amount of dirt maybe less than the requested amount.

The cost of the change order is \$21,125.00, which would create a total project cost of \$288,337.45 for street and drainage improvements.

After brief discussion with the City Engineer the mayor asked for a motion to approve the change order.

Motion: *Wood* moved, *Clark* seconded to approve the change order for Park Glen Estates Phase I for the amount of \$21,125.00 Voted and passed 4-1, Griffin voted no.

10. Approval of 2016 Cereal Malt Beverage, Drinking Establishments, and Retail Liquor Sales Licenses.

Givens stated that annually, those businesses that sell Cereal Malt Beverages for either consumption on premises or in original packaging are required to be issued a Cereal Malt Beverage license from the city as well as drinking establishments and those businesses that sell alcoholic liquor.

The following locations have applied for Licenses in 2016:

Consumption on Premises (CMB):

Armondo's Mexican Grill (117 E Ross)
Pizza Hut (200 E Ross)

Retail Sales (CMB):

Casey's General Store (152 N 4th)
Walmart Neighborhood Market (900 E Ross)
Mize's Food Store (449 N 4th)

Drinking Establishments

First and Last Bar (122 E Ross)

Alcoholic Liquor

Clearwater Liquor Store (560 N 4th)

Motion: *Papish* moved, *Marsh* seconded to approve the CMB licenses for 2016. Voted and passed 4-1, Griffin voted no.

11. Award a Bid for an Air Conditioner for the Museum

Givens stated that in the 2015 Budget the Council budgeted \$4000 to replace the 2nd air conditioner in the Historical Museum Building. When the bids came back to the city they came in higher than the amount that was budgeted. Becker Brothers provided the low bid at \$5,342.00

The Historical Museum has used \$3,986 of their \$10,025 budget. If approved, they will not exceed their budget.

Motion: Griffin moved, **Marsh** seconded to award the bid to Becker Brother in the amount of \$5,342.00. Voted and passed unanimously.

12. Authorize the City Clerk to Write Off Certain Accounts in Accordance with GAAP Procedures.

Givens stated annually, the City Clerk prepares a list of outstanding accounts for write off in accordance with generally acceptable accounting principles (GAAP) standards. These accounts had been inactive for a minimum of five years or have extenuating circumstances that would led staff to believe they should be written off. The accounts have been sent to the state set off program and will remain in collections.

A total of 11 accounts with an accumulated balance of \$1,151.83 have been submitted for write off. Two of the accounts submitted are for deceased account holders and one was a bankruptcy case.

Motion: Clark moved, **Wood** seconded to authorize the City Clerk to write off \$1,151.83 in outstanding accounts. Voted and passed unanimously.

13. Claims and Warrants

Meyer presented the claims and warrants in the amount of \$396,487.93 and asked Council if they had any questions.

Motion: Wood moved, **Clark** seconded to pay the claims and warrants in the amount of 396,487.93. Voted and passed unanimously.

14. City Administrators Report

- Administration
 - Staff submitted the public notice for an amended budget for the December 22nd meeting. The bond and interest line item exceeded its budgeted expenditures. There was a correlating revenue offset so the line item is still in the positive.
 - Staff will implement a year end invoicing system and purchase date to minimize the amount of encumbrances from the 2015 to 2016 year.
 - Staff will be presenting a RFP for cleaning services for city facilities at the next meeting.
 - Senator Jerry Moran will be hosting his Sedgwick County town hall at Clearwater Community Center on Tuesday, December 29th from 2:00pm to 3:00pm.
 - Staff is asking for clarification on the Purchase Policy. Based on the Policy items in excel of \$10,000 require council approval. Was the intent of this policy to include items that were approved in department's capital improvement programs?
 - Council clarified that if the specific items were already budgeted they did not need to go in front of council again unless there was a pricing variance.
- Public Works
 - All generators have been serviced. Some repairs where done to the Fire/EMS Generator.
 - Staff will be doing some narrow crack filling this week.
 - Street work will be continuing for Park Glen Estates. Due to the weather, they will need to access the site from Park Glen, They will be finishing curb and guttering as well as laying the first two lifts of asphalt.

- Staff should be completed with the identification of service needs for the 4th St project this week and that information will be presented at the next meeting.
- Parks and Recreation
 - The first week of basketball is complete. The season will run five more weeks.
 - Reminder of the joint meeting tomorrow night – 6:30pm at City Hall.
- Library
 - Hired Jennifer Clark for the Inter-Library Loan Assistant position.
 - Lego Club and Storytime will be this week.
- Community Center
 - Medicare counseling closed on December 7th. Staff was able to counsel 15 residents and helped 5 senior enroll in Part D Plans that saved them more than \$5,000.
 - The Holiday Lights Tour still has spots available if interested contact the Community Center. The tour is December 21st at 5:30pm and costs \$10.00.
 - The Senior Center will be hosting a trip to the Nutcracker in Wichita on Thursday, December 10th.
- Police
 - Officers made two DUI arrests which will be transferred to Sedgwick County as felony DUI's.
 - Gareth Adams has started field training. He will be attending the KLETC February 15th thru May 20th 2016.
 - Officers worked an accidental shooting over the weekend. The victim discharged their weapon and struck themselves in the hand.
- Past Governing Bodies seen fit to provide Christmas gifts to employees in the amount of \$25.00. Is this something the Governing Body would like to do again?
 - Consensus amongst the council was to provide \$25.00 gift cards to employees.

15. Council Reports

Papish – (1) Asked the administrator to update the residents that are out of the city limits on the sewer rates. (2) Tracy and Ross leaves need to be cleaned up. (3) Fence at Dollar General has fallen down and has been down for over a month. (4) Chamber of Commerce will be hosting a wine and cheese event on December 10th from 7:00pm to 9:00pm.

Griffin has nothing to report.

Marsh asked Givens how the easements on 4th street were coming. Givens stated there were still two easements to get and he is working with the city engineer to find a solution.

Clark had nothing to report.

Wood had nothing to report.

Ussery wanted to thank everyone for the Christmas party.

16. Executive Session

None

17. Adjournment

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

MOTION: *Wood* moved, ***Clark*** seconded to adjourn the meeting. Voted and passed unanimously

The meeting adjourned at 7:44 p.m.

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 November 24, 2015 City Council meeting.

Given under my hand and official seal of the City of Clearwater, Kansas, this 8th day of December, 2015.

Courtney Meyer, City Clerk

REQUEST FOR PROPOSAL

JANITORIAL SERVICES CITY OF CLEARWATER

The City of Clearwater, Sedgwick County, Kansas, will accept bids for janitorial services of City owned buildings.

Carefully review this Request for Proposals. It provides specific information necessary to aid participating firms in formulating a response. Should firms elect to participate, three (3) copies of the response must be completed and returned with any supporting data in a sealed envelope/package marked on the lower left hand corner with a firm name and address, and returned to Clearwater City Hall, 129 E Ross. Attention: Justin Givens no later than 2:00 p.m. on Thursday, January 21st 2016. Late or incomplete responses will not be accepted and will not receive consideration for final award.

Any questions regarding this solicitation must be emailed to Justin Givens at jgivens@clearwaterks.org

OVERVIEW: The City of Clearwater currently has three (3) facilities that need regular janitorial services (City Hall, City Library, and Community Center). The City is looking to receive a bid for cleaning once per week at each of these facilities. Monthly and quarterly tasks typically take place at the same time as regular cleanings unless an alternative time is scheduled through City staff.

Cleaning is to follow the cleaning schedule provided in this Request for Proposal. Bidders may schedule a walk through inspection of the facilities. Appointments to visit City facilities will take place during normal business hours of 8:00am-4:30pm Monday through Friday. For an appointment, please contact Justin Givens at 620.584.2311.

Required materials

- Completed Bid Response Form for the specified cleaning schedule, three (3) copies.
- Pricing list for additional cleaning services.
- 3 professional references.
- List of staff that will be performing services if the bid is awarded.

Continued on Next Page

Required Cleaning Schedule

| | Restrooms | City Hall | Library | Community Center |
|-------------|--|-----------|---------|------------------|
| 1x per week | Mop floors with a disinfectant solution and spot clean stall partitions, knobs, doorjambes and walls | | | |
| | Wash and dry mirrors | | | |
| | Clean washbasins inside and out | | | |
| | Check/refill all towel , toilet paper, and soap dispensers | | | |
| | Clean all restroom structures with a disinfectant (toilets and urinals) | | | |
| | Empty the trash bin and replace plastic lining | | | |
| | | | | |
| Monthly | Thoroughly scrub and disinfect restrooms | | | |
| | Clean all baseboard and ledges of all stalls | | | |
| | | | | |
| Quarterly | Completely wash and clean restroom walls and partitions | | | |
| | Clean all light fixtures | | | |

| | Flooring | City Hall | Library | Community Center |
|-------------|---|-----------|---------|------------------|
| 1x per week | Sweep and mop hardwood/tile floors | | | |
| | Clean floor mats | | | |
| | Vacuum all carpets and remove all spots | | | |
| | | | | |
| Quarterly | Shampoo carpet areas- schedule cleaning with City staff | | | |

| | Cleaning | City Hall | Library | Community Center |
|-------------|--|-----------|---------|------------------|
| 1x per week | Wipe off tables and counter tops | | | |
| | Clean entry way doors, and glass | | | |
| | Clean additional sinks and water fountains throughout buildings | | | |
| | Clean and disinfect trash cans | | | |
| | Replace plastic lining in trash cans | | | |
| | | | | |
| Monthly | Spot clean door jams and walls | | | |
| | Spot clean windows of fingerprints and smudges, inside and outside | | | |

| | Dusting | City Hall | Library | Community Center |
|-------------|---|-----------|---------|------------------|
| 1x per week | Dust furniture, desks, lamps, and tables using a treated dust cloth or duster | | | |
| | | | | |
| Quarterly | Dust and clean all baseboards | | | |
| | Dust air vents | | | |
| | Dust all shelves and ledges above 6ft | | | |
| | Dust all files and storage cabinets | | | |
| | Dust windowsills and ceiling fans | | | |

Professional References

| | |
|---|-------|
| NAME OF BUSINESS | _____ |
| ADDRESS | _____ |
| PHONE | _____ |
| # OF YEARS SERVICES HAVE BEEN PROVIDED | _____ |
| CONTACT NAME | _____ |

| | |
|---|-------|
| NAME OF BUSINESS | _____ |
| ADDRESS | _____ |
| PHONE | _____ |
| # OF YEARS SERVICES HAVE BEEN PROVIDED | _____ |
| CONTACT NAME | _____ |

| | |
|---|-------|
| NAME OF BUSINESS | _____ |
| ADDRESS | _____ |
| PHONE | _____ |
| # OF YEARS SERVICES HAVE BEEN PROVIDED | _____ |
| CONTACT NAME | _____ |

BID RESPONSE FORM

| | |
|---------------------------|-------|
| BID FOR SCHEDULED SERVICE | |
| (MONTHLY RATE*) | |
| CITY HALL | _____ |
| PUBLIC LIBRARY | _____ |
| COMMUNITY CENTER | _____ |
| TOTAL MONTHLY RATE | _____ |

*Monthly rate to include weekly, monthly, and quarterly cleaning costs
Bid includes both supplies and labor for service provided. Based on annual contract.

Service in schedule that cannot be provided (Please specify) _____

Any other expected charges (Please specify) _____

Please list names staff that will be performing services if the bid is awarded:

CONTRACT PERIOD AND PAYMENT TERMS:

The prices stated must remain firm for one year after award approval.

INDEPENDENT CONTRACTOR

It is understood, agreed, and recognized the successful vendor awarded the contract will be an independent contractor and not an employee of the City of Clearwater.

COLLUSION

Any agreement or collusion among vendors or shall cause such vendors to be disqualified from submitting proposals to the City of Clearwater.

TERMINATION

Clearwater reserves the right to cancel the contract and discontinue services with a 30 day notice as a result of a failure of the contracting party to provide acceptable services as delineated in the response to this document. In the event of termination of this agreement as a result of a breach of contractor hereunder, Clearwater will not be liable for any amount other than payment for series that were, in the sole determination of Clearwater, provided in conformity to the requirements of this contract. In the event of termination, Clearwater reserves the right to award an agreement for the same services to another qualified firm submitting a proposal, or may call for new proposals.

COMPLETE DOCUMENTATION

All requested information must be supplied. If bidders cannot respond to any part of this request, bidders should state the reason they cannot respond and note an exception. Bidders may provide supplemental information to assist Clearwater in analyzing its bid.

The undersigned, on behalf of the Proposer, certifies that (1) this offer is made without previous understanding, agreement or connection with any person, firm or corporation submitting a bid on the same project; (2) is in all respects fair and without collusion or fraud; (3) the person whose signature appears below is legally empowered to bind the firm in whose name the proposal is entered; (4) they have ready the complete Request for Proposal and understands all provisions; (5) if accepted by Clearwater, this proposal is guaranteed as written and amended and will be implemented as stated; and (6) mistakes in writing of the submitted proposal will be responsibility of the Proposer.

Name _____

DBA (if any) _____

Contact person _____

Address _____ City _____ State _____ Zip _____

Phone _____

In submitting a response to this document, vendor acknowledges acceptance of all section of the entire document and has clearly delineated and detailed any exceptions

Signature _____ Title _____

Print Name _____ Date _____

**City of Clearwater
City Council Meeting
December 22, 2015**

TO: Mayor and City Council
SUBJECT: Accept a Petition/Consent for Annexation and Adopt a Resolution Authorizing said Annexation – 14300 W. Prairie Grass Circle
INITIATED BY: City Administrator
PREPARED BY: City Administrator
AGENDA: New Business

Background: On December 14th, 2015 the city received a Consent for and Petition to Annex into the corporate limits of the City of Clearwater from the property owners at 143000 W. Prairie Grass Circle. The property is part of the Prairie Meadows Estates Sub-division and as such is required to petition for annexation in order to receive city water service. A similar action was taken earlier this year for another property in the area.

Analysis: When developed the Prairie Meadows Subdivision did not have adequate ground water for domestic water service. As such the developers and city of Clearwater negotiated an agreement that the city would provide water service in the area and that the property owners once necessary, would consent and petition for annexation into the city in exchange for the water service. Due to changes in Kansas Annexation Law, the city is required to present the request to the Sedgwick County Board of County Commissioners for approval. Once approved a separate Ordinance will be adopted officially annexing the property into the city. The city however does proceed with the installation of water service for the property owners pending approval.

Financial: Property owners in the area pay approximately \$800 per year in special assessments for the water line that was installed in 2007. Additionally, property owners will be required to pay a connection fee of approximately \$1,400 for new residential service. Once finished the new residential home would generate approximately \$1,500 in city property taxes based on similarly constructed homes in the area.

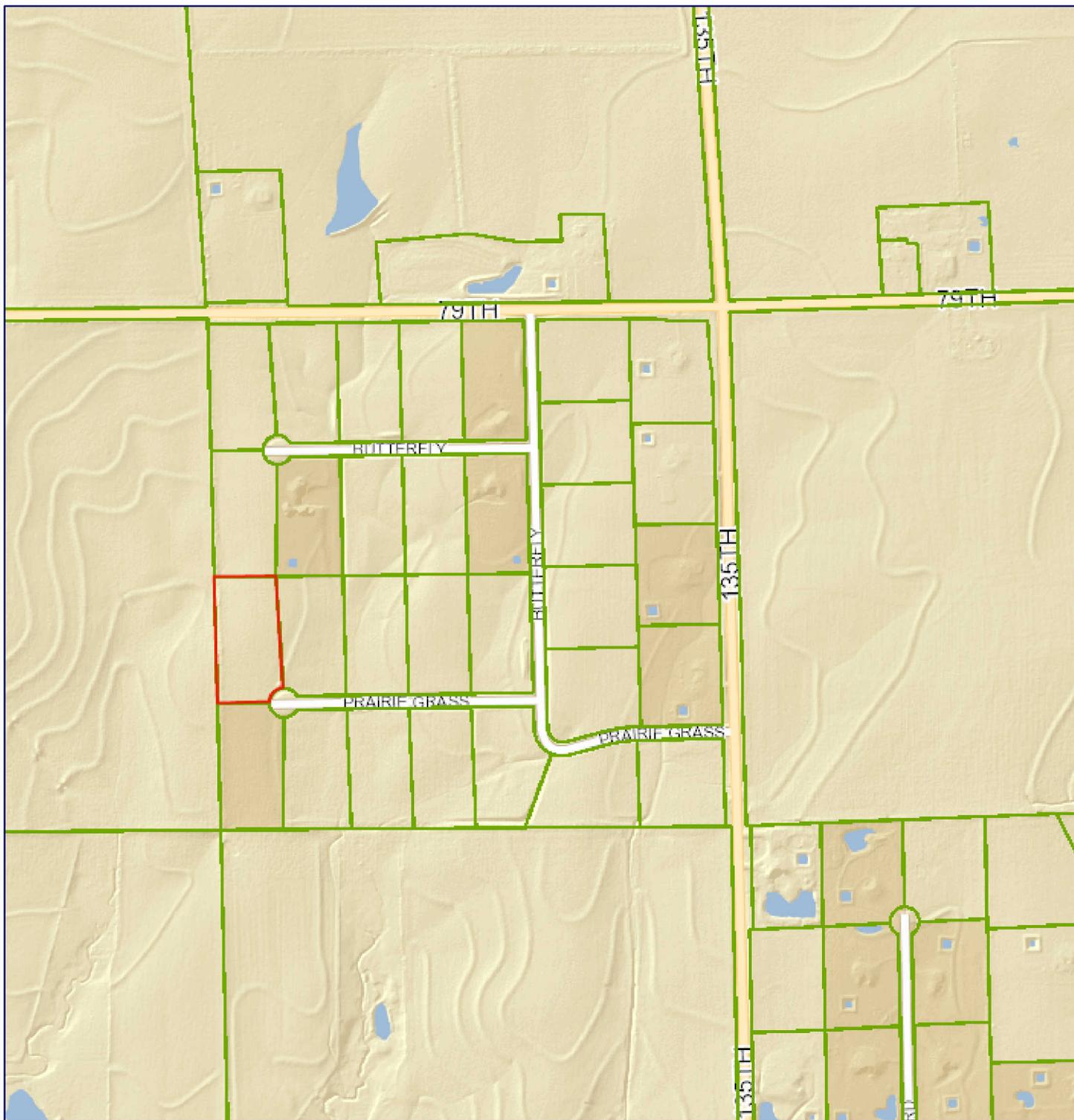
Legal Considerations: Review and Comment as Necessary.

Recommendations/Actions: It is recommended the City Council:

- 1) Accept the Petition and Consent for Annexation. Adopt the Resolution as Presented;
- 2) Accept the Petition and Consent for Annexation. Adopt the Resolution as Amended;
- 3) Not Accept the Petition and Consent for Annexation. Not Adopt the Resolution;
- 4) Take No Action.

Attachments: Consent for Annexation (1-pages); Resolution for Annexation (2-pages)
Area Sketch (1-page)

My Map



Geographic Information Services
Division of Information & Operations
www.sedgwickcounty.org/gis
525 N. Main, Suite 212, Wichita, KS 67203
Tel: 316.660.9290 Fax: 316.262.1174
Thu Dec 17 16:17:45 GMT-0600 2015

DISCLAIMER: It is understood that, while Sedgwick County Geographic Information Services (SCGIS), City of Wichita GIS, (for purposes of the road centerline file), participating agencies, and information suppliers, have no indication or reason to believe that there are inaccuracies in information provided, SCGIS, its suppliers make no representations of any kind, including, but not limited to, warranties of merchantability or fitness for a particular use, nor are any such warranties to be implied with respect to the information, data or service furnished herein. In no event shall the Data Providers become liable to users of these data, or any other party, for any loss or damages, consequential or otherwise, including but not limited to time, money, or goodwill, arising from the use, operation or modification of the data. In using these data, users further agree to indemnify, defend, and hold harmless the Data Providers for any and all liability of any nature arising out of or resulting from the lack of accuracy or correctness of the data, or the use of the data. No person shall sell, give or receive for the purpose of selling or offering for sale, any portion of the information provided herein.



CONSENT FOR ANNEXATION

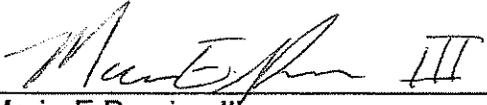
TO: The Governing Body of the City of Clearwater, Kansas

The undersigned owners of record of the following described land hereby petition the Governing Body of the City of Clearwater, Kansas, to annex such land to the City. The land to be annexed is described as follows:

LOT 15 BLOCK 2 PRAIRIE MEADOW ESTATES ADD
SEC 11-29-2W and commonly known as

14300 W Prairie Grass Circle, Clearwater, KS 67026

The undersigned further warrant and guarantee that they are the only owners of record of the land.



Mario E Pereira, III



Joann M Pereira

THE CITY OF CLEARWATER, KANSAS

RESOLUTION NO. 14-2015

A RESOLUTION FINDING IT ADVISABLE, DESIRABLE, BENEFICIAL AND IN THE INTERESTS OF THE PUBLIC TO ISLAND ANNEX CERTAIN LAND AND REQUESTING THE BOARD OF SEDGWICK COUNTY COMMISSIONERS TO FIND AND DETERMINE THAT THIS ANNEXATION WILL NOT HINDER OR PREVENT THE PROPER GROWTH AND DEVELOPMENT OF THE AREA OR THAT OF ANY OTHER INCORPORATED CITY LOCATED WITHIN SEDGWICK COUNTY, KANSAS PURSUANT TO K.S.A. 12-520c.

WHEREAS, during October 2015, a written Consent to and Petition for Annexation was filed with the City Clerk of the City of Clearwater, Kansas, a copy of which is attached hereto; and

WHEREAS, the land described in said written Consent to and Petition for Annexation is legally described as Lot 15, Block 2 of the Prairie Meadow Estates Addition to Sedgwick County, Kansas, with a commonly known address of 14300 West Prairie Grass Circle, Clearwater, Kansas 67026-8585, and is located between 79th Street South on the north, 135th Street West on the east, 87th Street South on the south and 151st Street West on the west; and

WHEREAS, said tract does not currently adjoin the boundaries of the City of Clearwater, Kansas but is proximate to and within the natural growth area of the City of Clearwater, Kansas and may be served with potable water from an existing adjacent City of Clearwater, Kansas water main; and

WHEREAS, K.S.A. 12-520c (c) requires that the Board of County Commissioners of Sedgwick County, Kansas, by a 2/3 vote of the members thereof, find and determine that the annexation of such land will not hinder or prevent the proper growth and development of the area or that of any other incorporated city located within Sedgwick County, Kansas before the City of Clearwater, Kansas may annex such land.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF CLEARWATER, KANSAS:

Section 1. Findings

The Governing Body of the City of Clearwater, Kansas finds it advisable, desirable, beneficial and in the interests of the public to annex into the corporate boundaries of the City of Clearwater, Kansas the following real property, to-wit:

Lot 15, Block 2 of the Prairie Meadow Estates Addition to Sedgwick County, Kansas, with a commonly known address of 14300 West Prairie Grass Circle, Clearwater, Kansas 67026-8585.

Section 2. Request

The City of Clearwater, Kansas hereby respectfully requests that the Board of County Commissioners of Sedgwick County, Kansas, by a 2/3 vote of the members thereof, find and determine that the annexation of said tract will not hinder or prevent the proper growth and development of the area or any other incorporated city located within Sedgwick County, as required under K.S.A. 12-520c (a)(3).

Section 3. Filing

The City Clerk of the City of Clearwater, Kansas, is hereby authorized to file a certified copy of this Resolution with the Board of County Commissioners of Sedgwick County, Kansas.

Adopted by the City Council this 22th day of December, 2015.

Approved by the Mayor this ____ day of December, 2015.

MAYOR, BURT USSERY

SEAL

ATTEST:

CITY CLERK, COURTNEY MEYER

CERTIFICATION

STATE OF KANSAS)
) ss:
COUNTY OF SEDGWICK)

On this ____ day of _____, 2015, I, Courtney Meyer, City Clerk of the City of Clearwater, Kansas, hereby certify that the foregoing is a true and correct copy of City of Clearwater, Kansas Resolution No. _____, as adopted by the Clearwater City Council on the 27th day of October, 2015 and approved by Mayor Burt Ussery on the ____ day of October, 2015.

SEAL

CITY CLERK, COURTNEY MEYER

**City of Clearwater
City Council Meeting
December 22, 2015**

TO: Mayor and City Council
SUBJECT: Consider an Ordinance Increasing Fees for the Municipal Court
INITIATED BY: Municipal Court Clerk
PREPARED BY: City Administrator
AGENDA: New Business

Background: On November 18, 2015, the City was informed by the Kansas Judicial Center that required court fees would increase effective January 1, 2016. Those fees are set by the Supreme Court of Kansas and are used in offsetting costs for municipal judge training, the Kansas Law Enforcement Training Center, programs for victims' assistance and protection from abuse as well as the Kansas Department of Corrections Forensic Psychologist Fund.

Analysis: Fees for the Municipal Court were last set in 2010. The fee proposal will increase Municipal Court fees for traffic and other minor violations from \$64.00 to \$70.00 and from \$109.50 to \$110 for more serious municipal offenses. Additionally, a new fee, if approved, will be implemented for expungement filings. That fee, of \$100.00, would offset the necessary cost involved processing expungements.

Financial: In 2015, the Municipal Court received \$40,382 in fines from court users. These fees are only paid by those that are ticketed with a municipal court ticket. The budget for 2016 included \$35,000 in fines but did not account for the additional \$0.50 increase from the state of Kansas.

Legal Considerations: Review and Comment as Necessary.

Recommendations/Actions: It is recommended the City Council:

- 1) Adopt the Ordinance as Presented;
- 2) Adopt the Ordinance as Amended;
- 3) Not Adopt the Ordinance;
- 4) Take No Action.

Attachments: Letter from State of Kansas (2-pages)