



City of Clearwater Council Meeting Notice

Tuesday, November 24, 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 November 24, 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 11/10/15 Council Meeting](#)

7. Action: Ordinance #1005 Prairie Meadows Annexation

Roll Call

Paul Clark, Councilmember

Laura Papish, Councilmember President

Austin Wood, Councilmember

Ron Marsh, Councilmember

Chris Griffin, Councilmember

8. Discussion: Sewer Debt Service Fee Discussion

9. Action: Claims and Warrants

Courtney Meyer, City Clerk

10. City Administrator Report

Justin Givens, City Administrator

11. Council Reports

12. Executive Session

13. 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 11 24 2015

Item 6: a. Review and Approve Minutes of the November 10, 2015 City Council Meeting

-----end of Consent Items

Item 7: Staff attended the Wednesday November 18, 2015 Board of Sedgwick County Commissioners Meeting. At that meeting the Commissioners approved a Resolution Authorizing the Island Annexation for the property located at 14111 Prairie Grass. The Clearwater Governing Body accepted the consent for annexation at a previous meeting and as is state law was required to receive approval from Sedgwick County before a final ordinance annexing the property can be adopted. That Ordinance will need to be approved.

Item 8: Sewer Debt Service Fee Discussion. Staff will present several options for discussion on the proposed debt service fee. Based on the discussion brought forth at the open forums staff will have information on a Flat Rate Debt Service Fee for all customers plus scenarios for a staggered Debt Service Fee based upon consumption rates.

Item 9: Claims and Warrants will be presented in full at the meeting.

Item 12: Staff anticipates a brief Executive Session for Non-Elected Personnel.

City of Clearwater, Kansas
Sedgwick County
City Council Meeting - **MINUTES**
November 10, 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, Laura Papish, Austin Wood, Ron Marsh, Paul Clark, Chris Griffin 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; Beki Zook, Recreation Director

Others Present:

Don Hellar, EBH Engineers; Todd Dannenberg and Mike Champa, Clearwater Recreation Commission; Cliff Pray, Clearwater Fall Festival; David Lawrence, Peyton Earp, Jennifer Palma, Cara Wiens, Brenda Hastings, Andy Jacobs, Sherri Thomas, Mary Schauf.

4. Approval of the Agenda

Administrator Givens asked to add a change order for the waste water project.

Mayor Ussery called for a motion to approve the November 10th agenda with the addition.

Motion: *Marsh* moved, *Clark* seconded to accept the November 10, 2015 agenda as modified. Voted and passed unanimously.

5. Public Forum

None

6. Consent Agenda

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

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

7. Change Order for the Waste Water Project

Administrator Givens stated that UCI discovered a discharge pipe elevated more than expected when cleaning out the cells. Based on existing conditions that were unexpected it is necessary to protect the pipe from sludge being able to enter into the discharge area. UCI has built a berm around the pipe for the time being but to ensure that the berm is not eroded over time allowing sludge to enter the discharge a

rip-rap covering is being requested at this time. The cost of the change order will be \$4,882.00. This would bring the total project cost to \$381,833.

Motion: Griffin moved, **Clark** seconded to approve the change order for the waste water project in the amount of \$4,882.00. Voted and passed unanimously.

8. 2016 Fall Festival

Representatives from Fall Festival and Park and Recreation Committee came to discuss this past year's event as well as plans for 2016 Fall Festival.

Mayor Ussery stated there would be no action taken tonight by Council for this agenda item. If action is necessary it will be moved to another meeting.

Council listened to representatives from the Fall Festival, Recreation Commission, Police Department, and Public Works on their opinion as to a location for the carnival.

During the discussion it was determined that; the Carnival, if approved, by the City Council, could be located in the Park as long as heavy equipment is not placed inside of the 225 foot baseball area and that precautions should be put in place to protect sidewalks and other park fixtures as well as requiring provisions from the carnival provider that would protect the park including but not limited to a retainage in ticket sales to ensure proper site restoration.

9. 2016 Council Work Plan and Priorities

Administrator Givens addressed the Council and asked, going forward, what projects they would like to see put at a higher priority in 2016.

Council discussed they would like to see a new personnel policy, a long term lease on the building next door before any renovations can be done, quality of life initiatives; continued ADA improvements and the implementation of policies and procedures in the administration department such as; social media and utility policies.

10. Claims and Warrants

Meyer presented the claims and warrants in the amount of \$186,712.57 and asked Council if they had any questions.

Motion: Griffin moved, **Wood** seconded to pay the claims and warrants in the amount of \$186,712.57. Voted and passed unanimously.

11. City Administrators Report

- Administration
 - Staff will be at the Sed. Co. Commissioners meeting on November 18th. The Commission will be considering the island annexation for the property in Prairie Meadows.
 - On December 1st staff along with its regular safety meeting will have a presentation from EMPAC on the services that they offer.
 - Aflac will be doing sign ups on November 18th
 - Staff will be participating in the United Way Fundraising Campaign. Information will be distributed at the November 17th safety meeting.
 - Annual reviews are taking place this week and will be finished next week.
- Public Works
 - Staff will have the Charles Engineering water main completed this week.

- Mayer Specialty cleaned and recorded a section of main on 4th Street in advance of the 135th ST project.
- Streets are in the process of being swept this week.
- Staff is identifying sewer mains and water services for the 4th Street project. Relocating costs will be billed to the city

- Parks and Recreation
 - Basketball is underway. There are 47 3-6 year olds participating in the clinic and 17 teams in the 1st thru 6th grades competing in a three town league with Haysville and Mulvane
 - The Rec Commission board meeting is tomorrow night
 - The Rec and the Library will be hosting a Giving Thanks Party at 10:00 am on November 25th. They are asking for a canned food donation but the event is free.
 - The Rec Commission is also having a Turkey coloring contest for children 4-12. The contest ends on November 25th.

- Library
 - Lego and Story Time are tomorrow.
 - The Library has an open part time position for an inter library loan clerk. Applications are due on Friday, November 13th.
 - The Library Board has two open positions to fill also.

- Community Center
 - The Center received a grant from Walmart for a new flat screen TV.
 - Pizza Hut will be hosting a fundraiser for the Community Center on November 16th as well. The fundraiser will help purchase new chairs for the center.
 - The Senior Center will be hosting a trip to the Nutcracker in Wichita on Thursday, December 10th.

- Police
 - Actually had a quiet two weeks with only one wreck.
 - Staff is replenishing the supply of ammunition for range training.
 - Interviews for the Chief position are ongoing. The final candidate will be interviewed on Thursday, November 12th

- The Planning Commission approved a request for a variance from the maximum accessory structure size for 205 S 1st Street. The structure is 24' x 36'.

12. Council Reports

Wood mentioned street signs are turned and don't face the proper direction. Ross and Byers and Hellar and Gorin.

Papish will be absent on November 24th.

Clark had nothing to report.

Griffin had nothing to report.

Marsh had nothing to report.

Griffin had nothing to report.

Ussery had nothing to report.

13. Executive Session

Givens requested an executive session for non-elected personnel and real-estate.

MOTION: *Griffin* moved, *Marsh* seconded to recess into executive session pursuant to non-elected personnel to discuss specific personnel matters and acquisition of real estate to include the City Administrator. The City Council will reconvene the open meeting in the City Council Chambers at 8:37pm. Voted and passed unanimously

Mayor Ussery called the meeting back to order at 8:37 and stated no binding action was taken in executive session.

14. Adjournment

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

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

The meeting adjourned at 8:42 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 October 27, 2015 City Council meeting.

Given under my hand and official seal of the City of Clearwater, Kansas, this 10th day of November, 2015.

Courtney Meyer, City Clerk

(Summary First Published in the Times-Sentinel
on the ____ day of _____, 2015.)

THE CITY OF CLEARWATER, KANSAS

ORDINANCE NO. ____

AN ORDINANCE ANNEXING AND INCORPORATING
CERTAIN LAND WITHIN THE BOUNDARIES OF THE CITY
OF CLEARWATER, KANSAS PURSUANT TO AND IN
ACCORDANCE WITH THE PROVISIONS OF K.S.A. 12-
520c.

WHEREAS, in October of 2015, a written Consent to and Petition for Annexation was filed with the City Clerk of the City of Clearwater, Kansas; and

WHEREAS, the land described in said written Consent to and Petition for Annexation is legally described as Lot 18, Block 2 of the Prairie Meadow Estates Addition to Sedgwick County, Kansas, with a commonly known address of 14111 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; and

WHEREAS, on October 27, 2015 the governing body of the City of Clearwater, Kansas adopted Resolution Number ____ finding it advisable, desirable, beneficial and in the interests of the public to island annex said land and requesting the Board of Sedgwick County Commissioners to find and determine that such 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; and

WHEREAS, on _____, 2015 the City of Clearwater, Kansas filed with the Sedgwick County Board of County Commissioners a certified copy of Resolution Number _____, pursuant to K.S.A. 12-520c; and

WHEREAS, on _____, 201_ the Sedgwick County Board of County Commissioners, by a 2/3 vote of the members thereof, adopted Resolution Number _____ finding and determining that based upon the available evidence, the proposed 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.

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

Section 1. Annexation

Pursuant to K.S.A. 12-520c, the following described land is hereby annexed and incorporated within the corporate limits of the City of Clearwater, Kansas, to-wit:

Lot 18, Block 2 of the Prairie Meadow Estates Addition to Sedgwick County, Kansas, with a commonly known address of 14111 West Prairie Grass Circle, Clearwater, Kansas 67026-8585.

Section 2. Effective Date

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

Adopted by the City Council this ____ day of _____, 201_.

Approved by the Mayor this ____ day of _____, 201_.

MAYOR, BURT USSERY

SEAL
ATTEST:

CITY CLERK, COURTNEY MEYER