

CITY OF CLEARWATER, SEDGWICK COUNTY, KANSAS

CITY COUNCIL MEETING

MINUTES

September 8, 2009

The regular meeting of the City of Clearwater, Sedgwick County, Kansas, City Council was held on Tuesday, September 8, 2009, at 6:30 p.m., in the Clearwater City Council Chamber, City Hall, 129 E. Ross Avenue, Clearwater, Kansas.

The following members were present: Mike Justice, Mayor, Mike York, Lyle Berntsen, Jim Whitney, Sandi Keeler, and Jim Frischenmeyer, Council Members. The following staff members were present: Kent Brown, City Administrator; Jodi McBee, Deputy City Clerk; and Janet Amerine, City Attorney. Others present at the meeting were Mary Schauf, Clearwater Volunteer Fire Department; Mary Horsch, Matt Gress, Holly Hartman, Katelyn Buck, Tricia Vogel, Seda Oezel, Cheyenne Swan, Radam Katric, Ameris Campbell, Dustin Cooper, Clearwater High School Government Students.

Mayor Justice called the meeting to order at 6:30 p.m. Justice gave the invocation, which was followed by the Pledge of Allegiance. The Clerk called the roll to confirm the presence of a quorum.

1. Approval of the Minutes of the Regular Meeting of August 25, 2009

MOTION: Council Member Berntsen made a motion to approve the minutes of the meeting. The motion was seconded by Council Member Keeler and passed unanimously.

2. Mayor's Recommendations

With Council consensus, Mayor Justice appointed Farol McMillan as Senior/Community Center Building Assistant.

3. Public Forum

No one addressed the Council.

4. Bids for 2009 Street Maintenance Project

City Administrator Brown stated the bids for the 2009 street maintenance project were received early today. Brown reviewed the streets involved in the project. The bids are as follows:

	<u>Lafarge North America</u>	<u>Cornejo & Sons</u>	<u>APAC – Kansas, Inc.</u>
Base Bid	\$163,083.90	\$160,039.00	\$142,954.60
Alt. Bid #1	\$12,000.00	\$10,658.00	\$10,412.00
Total	\$175,083.90	\$170,697.00	\$153,366.60

Brown stated that the base bid includes 2 inch overlay of several blocks and slurry seal of several streets. The alternate bid #1 is to replace the block curb and gutter at the southeast corner of Ross & Lee that is falling away from the sidewalk. Brown stated that staff recommendation is to accept the low bid with the alternate bid #1. Mayor Justice asked if any quotes were received from the bidders regarding the drainage problem at First and Ross. Brown stated that he plans to work with the low bidder to find a solution to the problem, possibly a valley gutter. Brown stated that there is no estimate for what the valley gutter might cost. Brown stated he would have to wait to see what the valley gutter cost estimate is before committing to having the drainage problem at First and Ross fixed. Brown stated that budgeted amount of the street project is approximately \$180,000. Money for small and wide crack repair and the portion of sidewalk on Fourth from Wood to Janet will also come out of the budgeted funds. Council Member Whitney asked what the time frame was for project completion. Brown stated that completion was estimated at 30 days. Council Member Frischenmeyer asked if the residents along the streets being maintained would be notified. Brown stated that letters or door hangers would notify residents.

MOTION: Council Member Whitney made a motion to accept the base bid and alternate #1 bid totaling \$153,366.60 from APAC of Kansas, Inc. for the 2009 Street Maintenance Project. Council Member Frischenmeyer seconded the motion and it passed unanimously.

5. Review Financing Policy for New Improvements

City Administrator Brown stated that the financing policy for new improvements is being reviewed because the ordinance was overwritten when the subdivision regulations were revised. The policy puts in place requirements for letters of credit for special assessments when streets and other improvements are constructed in a new subdivision. Brown stated that he is requesting direction from Council to draft a new ordinance to regulate the requiring letters of credit from a developer. Brown continued that the previous

ordinance included some of the highest percentages for the letters of credit required by cities in the Wichita area for down payment on the bond principal. Council directed staff to draft the ordinance and survey local communities to find out what surrounding communities are using for percentages.

6. Agreement with Klausmeyer Dairy Farms Tours, LLC to Lease Bleachers

City Administrator Brown stated that Klausmeyer Dairy Farms Tours, LLC is requesting to lease bleachers from the City. The agreement is for the City to deliver the bleachers and the dairy farm to lease the bleachers monthly. The City will receive a delivery/pickup charge of \$25 per bleacher and rental fee of \$25 per bleacher per month. An additional delivery/pickup fee will be charged because the bleachers will have to be brought back into town for Fall Festival.

MOTION: Council Member Keeler made a motion to authorize the Mayor to sign the agreement with Klausmeyer Dairy Farms Tours, LLC to lease bleachers. Council Member Berntsen seconded the motion and it passed unanimously.

7. Windmill Installation and Fencing Options

City Administrator Brown reviewed windmill installation and fencing options. Brown stated he has received a quote from Flint Hills Windmill and Pump Service to erect the windmill tower and install the mill on the tower. The quote is in the amount of \$170. The City would be responsible for digging anchor holes and pouring concrete. After brief discussion regarding installation, Council agreed to accept the bid from Flint Hills Windmill & Pump Service in the amount of \$170.

City Administrator Brown stated he spoke to a fencing vendor to get recommendations for ornamental fencing to go around the windmill. The vendor strongly recommended using 8-foot x 8-foot fencing. Brown stated that the vendor said that the fence panels are in 8-foot sections and it would be much cheaper to install a fence at 8-foot x 8-foot so no additional panels or posts have to be used. Commercial or industrial grade fencing was also recommended. The vendor also recommended using black fence over white or copper/bronze. Council Member Whitney stated that commercial grade fence is much cheaper than industrial strength, and is very sturdy. Council went on to discuss windmill and fencing at length. After the discussion, Council directed staff to send bids for an 8-ft x 8-ft commercial grade ornamental fence without a gate and work with Triple B Construction for the concrete pad. The Council requested two quotes, one for the concrete pad should be for a 9-ft X 9-ft slab and one for a 17.5-ft X 17.5-ft, which includes a sidewalk and inserts for brick. Council also directed staff to get a quote to install electrical conduit in

the concrete for future lighting of the windmill. Brown stated that the representative from Flint Hills Windmill is pretty certain that the windmill that is going to be erected at City Park is not the windmill from the early 1900s that was at Tracy and Ross. The gentleman says it is probably a 1930s model because it is metal.

8. Notice to Abate Nuisance

City Administrator Brown stated that a Notice to Abate Nuisance was sent to the owner of the property on East Janet, east of the senior residences. There are tall weeds and an abandoned trailer that needs to be removed. Brown stated that if the owner doesn't comply with the request within ten days, the City would remove the weeds and trailer at the expense of the property owner.

9. Resolution Authorizing the Compliance Officer to Abate the Nuisance

Deputy City Clerk McBee assigned Resolution number 8-2009 to abate the nuisance on East Janet.

MOTION: Council Member Berntsen made a motion to adopt Resolution 8-2009 Authorizing the Compliance Officer to Abate the Nuisance. Council Member Frischenmeyer seconded the motion and it passed unanimously.

10. Consent Agenda

Council gave consensus to pay Randal Steiner Architect \$5,999.18 for drawings for the City Park restrooms/concession building and Caro Construction \$20,013.75 for City Hall entry remodel. Council Member Frischenmeyer asked if there were any plans to put an automatic door opener on the exterior door to City Hall to make it more handicap accessible. City Administrator Brown stated that there were no plans to add a door opener at this time. Council directed staff to get a price on an automatic door opener for the exterior door to City Hall.

11. Reports

City Administrator Brown stated that Public Works has sealed about 20 street blocks with crack sealer. They did look at the used melter that was talked about at a previous

meeting. They have not tested the melter to date.

City Administrator Brown stated that Public Works Director Misak is attending a class regarding how long the minimum amount of time is required before chlorine that is added to drinking water must be in the water system before it reaches a residence. Brown stated the rules have changed and a very slim possibility that the city would have to reroute some water to a few residences.

City Administrator Brown stated the City has been asked to move a water line on 103rd St. W. (Maize Rd.) due to a bridge replacement. After speaking to the construction crew in charge of the project, the water line won't have to be moved as far to the west as originally estimated. There won't have to be any trees removed like initially planned.

City Administrator Brown stated that a building at the Sports Complex was broken into recently. A window was broken out in the press box at field #1.

City Administrator Brown stated that there is a water leak at the northwest corner of Hellar and Byers. Public Works will be working to repair the leak.

Council Member Whitney stated he is concerned about the door that is to be installed in the arts and crafts room at the Senior Center. Whitney stated that when it rains, water stands on the north end of the building where they are purposing the door is to be placed. Whitney stated that putting a door there would cause water to come into the building. City Administrator Brown stated that he would consult with the Senior Center Director to discuss some alternatives for the door installation.

Council Member Frischenmeyer stated the property at 204 S. Gorin has high weeds and a fence that is edging into the street.

12. **Adjournment**

MOTION: Being no further discussion to come before the Council, Council Member York moved for adjournment. The motion was seconded by Council Member Keeler and passed unanimously.

CERTIFICATE

State of Kansas }
County of Sedgwick }
City of Clearwater }

I, Jodi McBee, Deputy 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 September 8, 2009 City Council meeting.

Given under my hand and official seal of the City of Clearwater, this 22nd day of September, 2009.

Jodi McBee, Deputy City Clerk