

**CITY OF CLEARWATER, SEDGWICK COUNTY, KANSAS**

**CITY COUNCIL MEETING**

**MINUTES**

**JUNE 22, 2010**

The regular meeting of the City of Clearwater, Sedgwick County, Kansas, City Council was held on Tuesday, June 22, 2010, 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; Lyle Berntsen, Jim Whitney, Sandi Keeler, and Jim Frischenmeyer, Council Members. Mike York, Council Member, was absent. The following staff members were present: Kent Brown, City Administrator; Cheryl Wright, City Clerk; and Janet Amerine, City Attorney. Others present at the meeting were Mary Schauf, Clearwater Fire Department; Bill Kenney, Clearwater EMS.

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Mayor Mike 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 June 8, 2010**

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

**2. Mayor's Recommendations**

There were no appointments or recommendations.

**3. Public Forum**

Bill Kenney addressed the Council to express his concern with the level of on going training the pool lifeguards receive. Kenney stated that the lifeguards' mandatory training on Mondays might not prepare them for an actual emergency. Kenney encouraged Council

to consider additional mandatory training for the guards. Kenney also suggested the pool invest in an AED (automated external defibrillator), which is a life saving device that assists with cardiac arrest victims. Kenney stated that the guards are already trained to use the device. Mayor Justice stated they would discuss Kenney's request later in the meeting.

4. **Ordinance Amending Certain Sections of City Code Required by Updating Personnel Policies**

City Administrator Brown stated that there are portions of the city code that are specifically mentioned in the new personnel policy the Council adopted recently. Those items now need to be changed within city code. Brown reviewed the items including salary for new employees, merit pay increases, annual longevity pay, and overtime work. City Clerk Wright assigned ordinance number 923.

**MOTION:** Council Member Berntsen made a motion to adopt ordinance number 923 amending certain sections of city code required by updating personnel policies. The motion was seconded by Council Member Keeler and passed on a roll call vote of 4-0.

5. **Ordinance Amending City Code Setting Forth Costs in Municipal Court**

City Attorney Amerine reviewed increases in municipal court costs. Amerine stated that in addition to increased existing court costs there is also an addition of a fee of \$35 per day if a "defendant is incarcerated pursuant to an order of the Municipal Court Judge and is being held solely on the Clearwater Municipal Court charges." Amerine stated that she and court staff have reviewed the ordinance and approved it to form. City Clerk Wright assigned ordinance number 924.

**MOTION:** Council Member Frischenmeyer made a motion to approve ordinance number 924. The motion was seconded by Council Member Whitney and passed on a roll call vote of 4-0.

6. **Fall Festival Request for Sponsorship**

City Administrator Brown stated that in years past the City has provided a bronze sponsorship to the Fall Festival. The City provides many other services for the Festival. City Clerk Wright stated that this year there is also \$5,000 budgeted for the 125<sup>th</sup> Celebration

and the fireworks have been moved to Fall Festival Weekend. Council agreed to a bronze sponsorship in the amount of \$150.

**7. Consent Agenda**

Council gave consensus to pay Ground Water Associates invoice number 6-1915-0 in the amount of \$3,000 for services rendered and invoice number 6-1916-0 in the amount \$600 for the application fees paid to the Division of Water Resources. Brown stated the applications for additional water rights for the wells east of Clearwater have been filed and assigned file numbers.

**8. Review of 2011 Budget for Funds Other Than General**

City Administrator Brown stated that this is the review of all other funds other than the General Fund. The Employee Benefit Fund is the fund used to pay KPERS, health insurance, and workman's compensation insurance for all the employees designated out of the General Fund. Benefit costs are increasing significantly. Brown stated that there will be a deficit in the fund for this year and something must be done to make up that deficit. Council discussed options for making up the deficit at length. Council asked staff to poll employees to get some feedback about whether they would prefer raises or assistance with insurance. Council also requested staff present some benefit scenarios at the next council meeting. Brown went on to review the Special Liability Fund, which covers insurance including general liability, umbrella, linebacker, and ambulance liability. The Special Highway Fund is used for the bi annual street project, partial personnel, and some contractual items. The money for this fund comes from the gas tax. The Senior Citizens fund gets it money from Sedgwick County Department on Aging. The fund was created to account for that money and includes general operating funds for the Senior Center. The Special Parks fund budget comes from the liquor tax and money received from the Division of Parks & Wildlife for care of the Chisholm Trail Fishing Ponds. A portion is being used to pay for part of the park concession stand building. No additional expenditures are budgeted from the Special Parks Fund in 2011. The Capital Building fund is used for the street project and the City's portion of the pool payment. The Emergency Medical Service fund is the \$2 charged to monthly utility bills for new ambulances. Brown stated that the majority of the Bond and Interest fund is supplied by special assessments and with the balance supplied by property and vehicle taxes. The estimate for special assessments has not been received yet. The Water Fund is funded by water sales. The capital expenditures for this fund include replacing water meters, installation of valves and fire hydrants, repairs to well #6, and partial

funds for GPS locators. Brown stated that water rates might have to be reviewed after the summer season. Sewer utility fees fund the sewer fund. The Sewer Fund capital projects include cleaning of the sewer lines, purchase of an aerator for cell #1, and purchase of larger motor/pump for wet well at Park Glen lift station. Mayor Justice asked if the GPS locator could be purchased solely out of sewer instead of splitting it between water and sewer. Brown stated that is a possibility. City Clerk Wright suggested paying Billing Clerk Carol Reitberger out of ½ water and ½ sewer instead of entirely out of the water fund. Brown stated that staff would bring recommendations for budget cuts to the next meeting.

**9. Windmill Plaque**

City Administrator Brown stated that it would take 4-6 weeks to get the plaque ordered for the windmill in City Park. Brown stated that staff recommends using Lee Reed Engraving to engrave an aluminum sign with a blue background. Council gave consensus to purchase an aluminum plaque for the windmill at City Park from Lee Reed Engraving in the amount of \$1,736. Brown stated that the next city newsletter will include a form to start selling bricks around the windmill.

**10. Reports**

City Administrator Brown stated that Jim Vulgamore submitted his resignation. His last day will be August 1.

City Administrator Brown stated that the hunter's safety course is scheduled for July 16-17 at the Clearwater EVS Building.

City Administrator Brown stated that the Police Department has contacted several owners of trailers parked illegally throughout town. All complied with moving their trailers.

City Administrator Brown stated that electrical work is finishing up at the park concession/restroom building. Hardware, insulation and sheetrock are currently being installed.

City Administrator Brown stated that a new fire hydrant was installed at Prospect and Nancy and the corner has been cleaned up.

Council Member Berntsen reported he received a citizen complaint that the drain caps haven't been placed at the sidewalk at Mimosa Arms.

Council discussed the request from Bill Kenney for additional weekly lifeguard training. Council requested a report from Pool Manager Chuck Reitberger on the level of training that currently happens at the pool. Council Member Whitney stated that an AED would be nice to have at the pool, but it would be unused for 8 months out of the year. Whitney suggested contacting the school to see about borrowing or renting one of their AEDs during the pool season.

**11. Executive Session-Legal**

**MOTION:** At 8:25, Council Member Berntsen made a motion to enter into Executive Session for personnel for 20 minutes. The motion was seconded by Council Member Keeler and passed unanimously.

At 8:45, Council returned to regular session with no action taken.

**12. Executive Session-Personnel**

**MOTION:** At 8:45, Council Member Berntsen made a motion to enter into Executive Session for personnel for 25 minutes. The motion was seconded by Council Member Keeler and passed unanimously.

At 9:10, Council returned to regular session with no action taken.

**13. Adjournment**

**MOTION:** Being no further discussion to come before the Council, Council Member Berntsen 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 June 22, 2010 City Council meeting.

Given under my hand and official seal of the City of Clearwater, this 13<sup>th</sup> day of July, 2010.

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Jodi McBee, Deputy City Clerk