

CITY OF CLEARWATER, SEDGWICK COUNTY, KANSAS

CITY COUNCIL MEETING

MINUTES

OCTOBER 12, 2010

The regular meeting of the City of Clearwater, Sedgwick County, Kansas, City Council was held on Tuesday, October 12, 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; Mike York, Sandi Keeler, Lyle Berntsen, and Jim Frischenmeyer, Council Members. Council Member Jim Whitney was absent. The following staff members were present: Kent Brown, City Administrator; Cheryl Wright, City Clerk; Janet Amerine, City Attorney. Others present at the meeting were Marvin Schauf & Mary Schauf, Clearwater Fire Department; Herschel West and Tiffany Rau, Waste Connections; Lonnie Stieben, SKT and citizen; Red Williamson, citizen; Rachelle Pelz, Brittney Patton, & Mia Dickerson, 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 September 28, 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

No one addressed the Council.

4. Department Head Reports

Fire Chief Marvin Schauf stated that there has been a request by a resident to dig a fire pit in their backyard. Council agreed they didn't have a problem with chimineas or portable fire pits, but they didn't want people having open fires in their yards. Schauf stated there is a recall on the new fire tanker. An electronic error may cause the engine to overheat. Schauf stated he has taken the tanker in for repair.

Fire Chief Marvin Schauf stated that he had given a presentation to the Senior Center about the new emergency shelter. Several individuals asked for a tour of the facility. Mayor Justice stated that the City should hold an open house for the public to view the shelter. Council Member Frischenmeyer asked what amenities are available to people that need to use the shelter. Brown stated that there are restrooms, but otherwise the building is empty and can hold about 100 people. Frischenmeyer stated it may be hard for some people to stand for a length of time while in the shelter. Brown stated that he would contact the builder of the shelter to see what the options are for providing for disabled citizens or the elderly.

5. Council Discussion with Waste Connection on RecycleBank

Herschel West addressed Council regarding the RecycleBank program that Waste Connection is offering to the City of Clearwater. City Administrator Brown reviewed some questions that West had answered via e-mail. First, Council had inquired whether during the 6 month trial period would customers will be able to take advantage of the points system with RecycleBank that allows for discounts at retailers. West replied that customer would be able to redeem their points just as a normal paying customer does. Brown stated the next question was whether the smaller 65-gallon trash cart was going to be available to residents who wish to get a smaller trash cart for a small discount. West stated that the 65-gallon cart will be available, but there will be no additional trash picked up with the smaller cart without an extra cost. Brown stated that the school and some local businesses have expressed interest in taking part in the RecycleBank program as customers. West stated the price for a commercial customer is \$10.00 per month and commercial customers do not have access to the rewards program. West stated he would have to check what the price is for schools. Mayor Justice asked what the charge is for a 2nd residential recycle cart. West stated that a 2nd residential recycle cart will be \$3.75 per month, the same cost as the 1st recycle cart. Justice asked if the recycling carts would be picked up the same day as the trash carts. West stated that if your trash is picked up on Monday/Thursday, your recycle cart will be picked

up every other Monday/Thursday. West stated that Waste Connections would mail customers a calendar of scheduled recycle pickups. Brown asked if there are other communities that offer discounts as part of the rewards program. West stated that there are other cities that offer rewards, like money off the utility bill, but they limit it to the first 50 customers per month. Justice suggested starting the RecycleBank program January 1, 2011. A question from the audience was asked whether the recycle center is going to be left open. Justice stated that Council hasn't made that decision yet. That decision may have to be made after the RecycleBank program begins to gauge what the use of the recycle center is with curbside recycling in place. Mayor Justice explained that there is \$3,000 budgeted annually to run the recycle center. If city residents stop using the recycle center and only county residents are using it, then city tax dollars shouldn't be spent to support the recycle center. Council continued to have a lengthy discussion regarding whether to leave the recycling center open. Frischenmeyer asked whether the City would send out some communication that the RecycleBank program will start at the beginning of the year. Brown stated that residents will be notified and that Waste Connections has flyers available to assist with education of the public regarding the program. The City will also host at least one open meeting for questions.

MOTION: Council Member Frischenmeyer made a motion to begin the RecycleBank program 6-month free trial beginning January 1, 2011. The motion was seconded by Council Member Keeler and passed unanimously.

6. Request from Chamber of Commerce for Halloween Event

Mayor Justice stated that the Clearwater Area Chamber of Commerce is requesting to block Ross from Tracy to Lee for the annual Halloween Downtown Trick or Treat Event. Council gave consensus to block the street from 5:00 p.m. to 7:30 p.m. on Sunday, October 31, 2010.

7. Department Head Reports - Continued

Police Chief Garcia stated they are painting the Police Department office and reception area. Garcia stated he attended a Police Expo at the Sedgwick County Extension Office. The Police Department is working on a calendar for next year. There is no cost to the City and part of the proceeds from calendar sales will come back to the Police Department. Garcia stated he hoped the proceeds would help make improvements to the firing range. The Police Department is also working on designing a patch. Garcia dispersed

a mock up of the design. The two reserve officers appointed recently have helped with the security at school sporting events. Kyle Berger, one of the reservists, is enrolled in a two-week training course. Garcia stated that because of budget constraints, he has been exploring a program called COPS. The program is through the Department of Justice. If a police department is short staffed, the program will supply funds to pay an officer for three years as long as the police department supplies the money for the fourth year. Council agreed that the program is worth reviewing.

8. Discussion on Handicap Accessible Parking

City Administrator Brown stated that he received some input regarding handicap accessible parking from Sedgwick County. The handicap-parking stall in front of Dr. Papish's office at the southeast corner of Ross and Tracy is too steep. Sedgwick County suggested placing a pipe in the guttering and paving over it to make the space flatter. Brown stated that he was concerned about doing that because there is a lot of drainage that comes to that corner. At the last council meeting, Council discussed an option of creating a handicap spot along Tracy to the west of Dr. Papish's office. Brown and Council Member Frischenmeyer inspected that option and the gutter is just as deep along Tracy as it is on Ross. There is a handicap space behind the library to the east of Dr. Papish's office with room for adding an additional handicap space. Brown stated they are still exploring other options for the handicap space on Ross. Council continued to discuss options for handicap parking. Mayor Justice stated that the whole intersection of Tracy and Ross needs improvement and that may have to be a focus in the upcoming street project in 2011.

9. Discussion on Benefit District for Proposed Street Improvements to Industrial Park

City Administrator Brown reviewed the benefit district for the proposed street improvements to the Clearwater Business Park. Brown stated that the original petition for the sewer improvements only includes a portion of the lots in the business park. Brown spoke to the bond attorney and they say that since the sewer is for the benefit of the entire business park, the petition should be changed to include all of the lots in the business park. Brown stated that he also suggests doing the same for the entrance along Fourth Ave. to the business park, with the exclusion of a lot that will only have access along 95th Street. The petition sets up the resolution for how the improvements will be paid. Brown stated that he is recommending the sewer petition be changed to include all the lots in the business park and the street improvement petition be written to include all the lots in the business park excluding lot 1, block 5. Council gave consensus to go ahead with Brown's

recommendations. Brown stated that city staff has requested that the engineer give the City an estimate of what the cost will be to construct the entrance to business park up to 390 feet. The 390 feet will allow the street to approach the first lot in which a proposed buyer is interested. Constructing the street will also solve the drainage problem behind the post office, bringing the water from behind the post office through storm sewer into the ditch along Fourth Ave.

10. Consent Agenda

Council gave consensus to pay Corrpro annual service agreement for cathodic protection for the water tower in the amount of \$1,115.00.

11. Reports

City Clerk Wright stated that Gary George has been in City Hall this week auditing the 2009 financial records of the City, Library, Cemetery District, and Fireman's Relief Fund. Wright stated that they have already scheduled the 2010 audit for February of 2011.

City Attorney Amerine stated she will be attending the City Attorneys Meeting next week in Kansas City.

City Administrator Brown stated that the alley in the south 100 block between Byers and Grant is blocked off due to a sewer issue at a residence. It is currently unknown what is causing the problem. Public Works will be working to find the issue.

City Administrator Brown stated there was a water leak on the 100 block of north Tracy. Public Works repaired the leak.

Mayor Justice requested that staff bring the trailer parking ordinance back to the next council meeting for review.

Mayor Justice stated that Fall City Wide Cleanup is October 15-16.

12. Executive Session-Legal

MOTION: At 8:05, Council Member York made a motion to enter into Executive Session for legal for 15 minutes. The motion was seconded by Council

Member Berntsen and passed unanimously.

At 8:20, Council returned to regular session with no action taken.

13. Executive Session - Personnel

MOTION: At 8:20, Council Member Keeler made a motion to enter into Executive Session for legal for 10 minutes. The motion was seconded by Council Member Frischenmeyer and passed unanimously.

At 8:30, Council returned to regular session with no action taken.

14. Executive Session - Personnel

MOTION: At 8:30, Council Member Berntsen made a motion to enter into Executive Session for legal for 10 minutes. The motion was seconded by Council Member Keeler and passed unanimously.

At 8:40, Council returned to regular session with no action taken.

MOTION: Council Member Berntsen made a motion to authorize the Mayor to sign the new City Prosecutor, J. Larry Linn, employment contract. The motion was seconded by Council Member Keeler and passed unanimously.

15. Adjournment

MOTION: Being no further discussion to come before the Council, Council Member Keeler moved for adjournment. The motion was seconded by Council Member Berntsen 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 October 12, 2010 City Council meeting.

Given under my hand and official seal of the City of Clearwater, this 26th day of October, 2010.

Jodi McBee, Deputy City Clerk