

CITY OF CLEARWATER, SEDGWICK COUNTY, KANSAS

CITY COUNCIL MEETING

MINUTES

SEPTEMBER 14, 2010

The regular meeting of the City of Clearwater, Sedgwick County, Kansas, City Council was held on Tuesday, September 14, 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, Jim Whitney, Sandi Keeler, Lyle Berntsen, and Jim Frischenmeyer, Council Members. The following staff members were present: Kent Brown, City Administrator; Cheryl Wright, City Clerk; Janet Amerine, City Attorney; Carol Reitberger, Receptionist; Ernie Misak, Public Works Director; Gene Garcia, Interim Police Chief. Others present at the meeting were Marvin Schauf and Mary Schauf, Clearwater Fire Department; Donald Schauf, Clearwater EMS; Dylan Delyria, Justin Alexander, Jordan Currie, Michaela Wahl, Jake Stevenson, Tyler Davis, Austin Adams, Chase Reibenspies, Andrew Harris, Dustin Blakely, Brittany Bishop, Cassi Slates, Ryan Free, & Cole Cotham Clearwater High School Government Student.

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 24, 2010

City Attorney Amerine stated there should be a correction in the discussion regarding court costs. Current court costs should be listed as \$55.00 and the new court costs are \$65.00 and \$130.00.

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

2. **Approval of the Minutes of the Special Meeting of August 31, 2010**

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

3. **Mayor's Recommendations**

With Council consensus, Mayor Justice appointed Kyle Berger and Rebekah Schauf as Reserve Police Officers.

4. **Public Forum**

No one addressed the Council.

5. **Department Head Reports**

EMS Director Donald Schauf stated his department received donations to purchase a laptop computer to do electronic patient care reporting. Schauf stated he would be purchasing the laptop from Turn Key Mobile. Sedgwick County purchases their laptops from this company and Schauf was able to get the county's price. Schauf stated that two volunteer EMTs are going to get certified to do car seat inspections. Once they get certified they will hold car seat inspection check points to assist people in insuring their car seats are installed properly. Schauf stated there is a change in how EMTs are certified. The individual that is currently the EMT trainer in Clearwater will be attending a training course to get the information on the new procedure.

Public Works Director Misak stated he has his staff enrolled in a safety training class. Misak stated that the pool is losing water. They are working to find the leak. Misak stated the pool has been drained. Council Member Whitney asked why the pool was drained if there are still leaks to be fixed. City Administrator Brown stated that Public Works has checked several other areas of the pool and the problem may be in the deep end. They have to drain to pool to get access. Whitney stated that he doesn't want them to be scrambling to fix the pool when it is time to open next summer. Misak stated that they might have to call someone in if they cannot find the leak. Misak stated that he would like to rent a tree spade and move some trees to the tennis courts to form a windbreak. There is a local gentleman that has a field full of red cedar trees that can be used. Misak reviewed the progress on the

concession stand building at City Park. Misak stated that there is still a furnace to install and a sidewalk to be poured to the baseball field backstop. Misak estimates his final costs on the building to be \$86,430.00. Including architect fees, blue print costs and concrete for sidewalks required by Sedgwick County that was not included in original estimates the building cost is approximately \$93,700.00.

6. City Employees Health Insurance

City Administrator Brown stated that city employees' health insurance is up for renewal. Brown stated that the City currently has insurance through the State of Kansas Health Plan. Staff has received proposals from State of Kansas Health Plan, Preferred Health and Blue Cross/Blue Shield. Brown reviewed the proposals as follows:

	Blue Cross/Blue Shield Option 1	Preferred Health SA1000	State of Kansas Plan Plan A			
Deductible	500/1000	1000/3000	300/600			
Coinsurance	20% of allowed amt after ded.	None	1400/2800			
Out of Pocket	1500/3000	1000/3000	1700/3400			
Doctor Visits	25.00 CP	20.00 CP	25.00 CP			
Specialist	25.00 CP	40.00 CP	45.00 CP			
Health		<u>HMO TYPE</u>	<u>PCP REQUIRED</u>			
Employee (4)	385.27	346.21	476.11			
Empl/Child (1)	768.85	605.87	924.73			
Emp/Spouse (3)	827.32	744.35	1011.71			
Emp/Dep (9)	<u>1210.91</u>	<u>986.7</u>	<u>1210.87</u>			
	3192.35	2683.13	3623.42			
Monthly Total	16,763.19	14,424.25	17,900.93			
Dental	<u>1073.11</u>	<u>1320.19</u>	<u>1138.8</u>			
Total Plus Dental	17,836.30	15,744.44	19,039.73			
	No Ortho	Ortho	Ortho			
Dental	27.33	109.32	27.49	109.96	33.32	133.28
	52.57	52.57	70.86	70.86	64.12	64.12
	58.76	176.28	54.41	163.23	70.41	211.23
	<u>81.66</u>	<u>734.94</u>	<u>108.46</u>	<u>976.14</u>	<u>81.13</u>	<u>730.17</u>
	220.32	1073.11	261.22	1320.19	248.98	1138.8

Brown stated that under Blue Cross/Blue Shield and Preferred Health there would be 3 employees that would not be covered because of health insurance rules that disallow

employees over retirement age and part time employees from obtaining those plans as primary coverage. Brown stated that Preferred Health is the most restrictive of the 3 options because it is more of an HMO relationship. State of Kansas Health Plan has said that the City wouldn't be considered to rejoin the plan for 5 years if Council chooses to go with another plan. Brown stated the reason the City went to the State Health plan 6 years ago was because they were seeing 20% to 30% annual rate increases with Blue Cross/Blue Shield. With the State Health Plan, rate increases have been less than 10% annually. Brown stated that staying with the State of Kansas plan would be the least disruptive. Mayor Justice asked what was budgeted for next year. Brown stated they budgeted enough to cover the current plan's cost. Council Member Frischenmeyer asked if the City could pay for Medicare coverage for the 2 employees over retirement age. Brown stated that that is against current employee policy. Council Member Whitney stated that the State of Kansas Health plan is a very good health plan and a very good benefit to city employees. After a discussion regarding unforeseen health care increases, Council agreed to stay with the State of Kansas Health Plan.

MOTION: Council Member Keeler made a motion to renew the State of Kansas Health Plan. The motion was seconded by Council Member York and passed unanimously.

7. **Library Board Request Through Home Rule to Change the Way Board Members are Appointed**

City Administrator Brown stated that the library has requested a change to the way board members are appointed. State law requires that a library board member must be a resident of the municipality in which the library is located. The library would like to have a broader base from which to recruit board members, so they are requesting to opt out of that law by charter ordinance. Brown stated that library board members will still be recommended by the Mayor and approved by the Council. After a brief discussion, Council directed staff to draft a charter ordinance allowing no more than 3 library board members from outside the City of Clearwater.

8. **Fixed Inventory, Write-Offs and Deletions**

City Clerk Wright stated that city hall staff requested that all department heads review the fixed asset listing and inventory what they have. Wright stated there are also items on the lists that never should have been included on a fixed asset list. Wright stated

that staff is requesting Council approve the listed deletions and write-offs.

MOTION: Council Member Berntsen made a motion to approve the write-offs and deletions from the fixed asset inventory listing. The motion was seconded by Council Member Keeler and passed unanimously.

9. Council Discussion of Proposal for Fireworks Show at Fall Festival

Mayor Justice excused himself from the conversation because of a conflict of interest. City Administrator Brown stated that at the previous meeting, Council requested clarification on the Voornam Pyrotechnics proposal for the fireworks show at Fall Festival. Voornam resubmitted his proposal to list types of fireworks included in the show and changed the time frame of the show from lasting at least 10 minutes to approximately 20 minutes. Brown stated another company, Larry Kohlman Fireworks, has also submitted a proposal. The City has used Kohlman in the past for the City 4th of July fireworks shows. After a brief discussion, Council agreed to use Voornam Pyrotechnics.

MOTION: Council Member Frischenmeyer made a motion to accept the proposal from Voornam Pyrotechnics for the Fall Festival fireworks show. The motion was seconded by Council Member Berntsen and passed unanimously.

Mayor Justice rejoined the meeting.

10. J. Martin Invoice for City Portion of Construction on Ross Avenue & Corner of First

City Administrator Brown reviewed the invoice from J. Martin Co. for the City portion of construction on Ross Ave. and corner of First Ave. At a previous meeting, Council agreed to finish the project to clean up the Ross and First Ave. corner. Brown stated Council had previously approved to spend up to \$15,000 for the project. The invoice total is in the amount of \$58,950.00, with the City portion totaling \$17,270.00.

MOTION: Council Member Whitney made a motion to approve to pay J. Martin Co. \$17,270 for construction on Ross Avenue and corner of First Ave. The motion was seconded by Council Member Frischenmeyer and passed unanimously.

11. Consent Agenda

Council gave consensus to pay the invoice from Tyler Technology in the amount of \$3,226.30 for financial software and the annual membership to the Kansas Rural Water Association in the amount of \$667.50.

12. Reports

City Administrator Brown reviewed the agreement for the improvements at the baseball field at Chisholm Trail Sports Complex between H.D. Mills & Sons and the City. Council Member Keeler pointed a numbering error on the article listing. Brown stated he finally received information from the Department of Commerce that there is no way to get a tax credit to the contractors for the project.

MOTION: Council Member Whitney made a motion to authorize the Mayor to sign the agreement between the City and H.D. Mills & Sons for improvements at Field #1 at the Chisholm Trail Sports Complex. The motion was seconded by Council Member Berntsen and passed unanimously.

City Administrator Brown stated City Hall continues to receive feedback from the RecycleBank surveys. Staff will review the surveys and present them to Council at a later meeting.

Council Member Frischenmeyer stated he has been working with the individuals living at the Senior Residences to have the mailbox bank moved to be made handicap accessible. Frischenmeyer stated he has met with the Postmaster to help get the issue resolved. The Postmaster told Frischenmeyer that if the slab were poured, he would have the mailbox bank moved. City Administrator Brown stated the mailbox bank is the responsibility of the owner of the residences. Brown stated he contacted the owner, Mark Cox. Cox told Brown that he would email a response to the problem, but Brown has not heard from him at this time.

Council Member Whitney stated that weeds need to be mowed at the variety store and at the Senior Residences vacant lots.

Council Member Whitney stated that the grass clippings at the brush dump needs to be piled. People are running out of room to dump grass clippings.

Council Member Whitney stated that the drainage grate at Mimosa Arms still has not been installed.

Council Member Whitney stated that the crosswalk was moved but the signs haven't been moved. City Administrator Brown stated that Sedgwick County will move the signs.

Council Member Keeler stated that she has received several phone calls regarding the recycle survey. Keeler stated she has received some phone calls regarding people on fixed incomes that can't afford an increase in expenses. City Clerk Wright stated that she has reviewed some of the surveys for additional questions that residents have for Waste Connections. All the information can be reviewed at a later Council meeting.

13. Executive Session-Personnel

MOTION: At 8:35, Council Member Keeler made a motion to enter into Executive Session for personnel for 10 minutes. The motion was seconded by Council Member Berntsen and passed unanimously.

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

14. Executive Session-Personnel

MOTION: At 8:45, Council Member York made a motion to enter into Executive Session for personnel for 5 minutes. The motion was seconded by Council Member Berntsen and passed unanimously.

At 8:50, Council returned to regular session with no action taken.

15. Executive Session-General Contractor

MOTION: At 8:50, Council Member Berntsen made a motion to enter into Executive Session to discuss general contractor business for 15 minutes. The motion was seconded by Council Member Keeler and passed unanimously.

At 9:05, Council returned to regular session with no action taken.

With Council consensus, Mayor Justice appointed Cole Hollis to the maintenance department effective September 1, 2010.

16. **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 September 14, 2010 City Council meeting.

Given under my hand and official seal of the City of Clearwater, this 28th day of September, 2010.

Jodi McBee, Deputy City Clerk