

CITY OF CLEARWATER, SEDGWICK COUNTY, KANSAS

CITY COUNCIL MEETING

MINUTES

SEPTEMBER 11, 2012

The regular meeting of the City of Clearwater, Sedgwick County, Kansas, City Council was held on Tuesday, September 11, 2012, 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 York, Mayor; Jim Whitney, David FitzGerald, and Sandi Keeler, Council Members. Council Members Laura Papish and Lyle Berntsen were absent. The following staff members were present: Kent Brown, City Administrator; Liza Donabauer, City Clerk; Ernie Misak, Public Works Director; Gene Garcia, Police Chief; Janet Amerine, City Attorney. Others present at the meeting were: Mary Schauf, Clearwater Fire Department; Debbie Cox; C-Bar Saloon; Barbara Hufford, Peggy Brockman, Sonja Booth; Ol Sew and Sews; Seth Dills, Cedrik Tresner, Julie Garrison, Colton Smith, Cole Stearns, Kevin Morris, Daniel Jones, John Cleary, Brandon Cowles, Chelsea Ast, Shelby Johnson, Katelyn McFarland, and Demi Smith, High School Government Students.

Mayor York called the meeting to order at 6:30 p.m. York 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 28, 2012

MOTION: Council Member David FitzGerald made a motion to approve the minutes of the 8-28-12 City Council Meeting. The motion was seconded by Council Member Jim Whitney and passed unanimously.

2. Consent Agenda

MOTION: On a motion by Council Member David FitzGerald, second by Council Member Sandi Keeler, all voted to approve the Consent Agenda:

1. Authorize to pay invoice from J. Martin Co. (8,162.50) for drainage improvements along Fourth Avenue south of the middle school in between the parking lot entrance/exits.

3. Mayor's Recommendations

Mayor Mike York made the following recommendations:

Re-appoint Courtney Clymer as Clearwater EMT.

The above re-appointment of Courtney Clymer was accepted with Council consensus.

4. Mayor York: Proclamation – No Text on Board Day – September 19

City Administrator Kent Brown stated that Sedgwick County Association of Cities forwarded a proclamation from AT&T regarding A No Texting on Board on 9-19-12. Mayor Mike York read the following proclamation:

CITY OF CLEARWATER, KANSAS
PROCLAMATION

WHEREAS: Clearwater, Kansas holds the health and safety of its young adults as a chief concern; and
WHEREAS: Text messaging is the main mode of communication for most American teenagers with half of all teens sending between 21 and 70 texts a day; and
WHEREAS: 90% of American teenagers expect a reply to a text message within five minutes; and
WHEREAS: Texting takes one’s eyes off the road for an average of five seconds; and
WHEREAS: In a national survey 43% of American teenage drivers admitted to texting while driving even though 97% know it is dangerous; and
WHEREAS: A recent university study showed those who send text messages while driving are 23 times more likely to crash; and
WHEREAS: a driver that sends a text message while driving not only jeopardizes his or her safety, but also the safety of passengers, pedestrians, and other drivers.
NOW, THEREFORE, I, Mayor York, do hereby proclaim September 19, 2012 as: “No Text On Board – Pledge Day”.

5. Public Forum

Debbie Cox, C-Bar Saloon, requested permission to fence off the area behind the C-Bar building down to Dr. May’s building for a benefit on September 22, 2012. The benefit is for a Clearwater graduate who has been diagnosed with fibro-carcinoma. The fundraiser would raise money to help with medical expenses. The C-Bar has obtained permission from all of the renters and building owners in the alley. There will be a hog dinner and donations will be accepted. City Attorney Janet Amerine asked if the C-Bar has obtained a special event license. Amerine explained that Cox will have to come into the City Hall to obtain a special event license. City Administrator Kent Brown asked if she has spoken with Chief Garcia about the event. She said no. Mayor Mike York stated that if Cox were to obtain both licenses, then the Council would grant its consensus to hold the

event.

Peggy Brockman introduced herself and said that she is speaking on behalf of the Ole Sew-and-Sews. The Ole Sew-and-Sews are an organized group of 7-11 persons who started as an educational group with the intent to teach others how to sew quilts. The completed quilts were donated to veterans. Quilts have also been made and given to the children's hospital, and another quilt has been sewn for the community center as a quilt raffle. The group recently relocated to 130 S. Grant at the second home of Barbara Hufford. Recently, the Ole Sew-and-Sews were notified that they had to have water hooked up to the house. The group is in in the home for approximately four hours each week. The home is old and the group is not interested in paying the expense of heating the home. Prior to moving, there was never a need to raise money to sustain the group. Brockman stated that the group should only be charged the monthly minimum rate since the usage will be very low. Anything more than that would create a hardship for the group. She also expressed concern regarding the initial new water service fee of \$50. Mayor Mike York asked how long the house has been vacant. Brockman stated that it has been since 2008 since the house has been lived in. The house is over 100 years old. The group does not have the money to repair the home and Barbara Hufford does not want to make repairs to the house. Hufford stated that her insurance does not consider the building as a dwelling. It is considered a shed for storage. Mayor Mike York asked if it is a single story structure. Hufford stated that it has four rooms and a bathroom. It is not any larger than 1,000 square feet. It is a larger area for the group to use than at the Community Center. It is also more convenient because the members do not have to set up and take down the sewing machines. Mayor Mike York stated that the Council will take this under consideration and will talk this over with City staff to determine the next step. Brockman stated that she understands that this may be a unique situation.

6. **Public Hearing – Proposal to Vacate the Street Right of Way for the 100 Block of North Grain Avenue**

City Administrator Kent Brown stated that a public hearing is required before action can be taken to vacate the street right-of-way at the 100 block of North Grain Avenue; located north of the City shop by Hellar Avenue. There is a utility easement from a sewer line within that right-of-way. There are no plans to build another street there. This is a request from the property owners involved.

Mayor Mike York opened the hearing for public comments on the proposed vacation of the street right of way in the 100 block of N. Grain at 6:53 p.m. Mayor Mike York stated that he would leave the hearing open until 7:00 p.m.

7. **Agreement with Klausmeyer Dairy Farm Tours, LLC to Lease Bleachers**

City Administrator Kent Brown noted that the City has leased bleachers on a monthly basis in previous years. Klausmeyer Dairy is requesting to rent two bleachers for the month of October. The bleachers are used for a dairy tour. Council Member David

FitzGerald stated that this is not a moneymaker for the City but the tour is great for the Clearwater community.

MOTION: Council Member Jim Whitney made a motion to approve the agreement with Klausmeyer Dairy Farm as written. Council Member David FitzGerald seconded the motion. The motion carried unanimously.

8. Bid Award – 2012 Street Maintenance Project

City Administrator Kent Brown announced that the bid opening for the 2012 Street maintenance project took place on 9-10-12. The bid packet was delivered to three firms. Only two bids were received. Brown provided the following summary and recommendation:

LaGarge North America	\$124,272.55	60 day completion date
APAC-Kansas, Inc.	\$105,664.95	4-30-13 completion date

City Administrator Kent Brown recommends APAC-Kansas as they guarantee their price with the 4-30-13 completion date. Administrator Brown stated that staff was hoping for a quote for less than \$110,000.

MOTION: Council Member Jim Whitney made a motion to approve APAC’s price of \$105,664.95 for the 2012 Street Maintenance Project. Council Member Sandi Keeler seconded the motion. The motion carried unanimously.

9. Westar Energy – Estimate to Install Power to Clearwater Business Park

City Administrator Kent Brown stated that Council requested staff to obtain a proposal and an estimated cost for Phase I and Phase 3 power into the business park. The power is currently located along North 4th Avenue by the post office. Westar Energy has provided a preliminary map and an estimate for Phase 3 power cost of \$11,314.03 for approximately 300’ feet. The single-phase cost would be \$6,523.15 to run power underground for an extra 260 feet. This estimate was forwarded to Andy Jacobs, the sole property owner within the business park. Westar Energy has requested an additional easement at the post office’s property. Council Member Jim Whitney asked whether Westar could hook on at the post office. Whitney stated that the three-phase power would be 260’ further into the development. It would be available for future lots. City Council Member Jim Whitney asked if Andy Jacobs is responsible for bringing power to his property. City Administrator Kent Brown stated that the purchase agreement did not say either way.

Council Member David FitzGerald asked if a street light would be necessary within the development. City Administrator Kent Brown stated that at one point, a streetlight will be necessary. Council Member Jim Whitney stated that the City provided the street. Whitney asked if the sewer, water, and power would be put on specials. City Administrator Kent Brown stated that the street, water, and sewer would all be included in the specials.

Brown's research indicates that there is not too much commonality in this regard in other cities in how they treat these costs. City Attorney Janet Amerine stated that when marketing the property, the City would state, "Three phase power brought to the park". Attorney Amerine stated that it would be a marketing tool. City Attorney Amerine thinks that in other industrial parks, the power is typically brought to the entrance of the park.

City Administrator Kent Brown stated that he would recommend installing three phase into the park so that it does not have to be done twice in the future. Attorney Amerine stated that from here on out, a negotiation point might be in the installation costs of the power. Keeler stated that she agrees with installing the three-phase power. FitzGerald stated that he agrees. Brown stated that this is simply an estimate and he will go back to Westar to let him know that the Council has provided consensus. They will have to acquire the utility easement at the post office.

Mayor Mike York closed the public hearing for the proposal to vacate the street right-of-way for the 100 block of North Grain Avenue at 7:17 p.m.

10. Ordinance Vacating Street Right of Way for the 100 Block of North Grain Avenue

MOTION: Council Member David FitzGerald made a motion to approve Ordinance 956 vacating and discontinuing the public use of a portion of a public roadway of the 100 block of North Grain. Council Member Sandi Keeler seconded and the motion passed unanimously.

ROLL CALL VOTE: Keeler yea, Whitney yea, FitzGerald yea. Three Yea.
Motion carried.

11. Proposal by Terracon to Conduct a Phase I Environmental Site Assessment of the Clearwater Business Park.

City Administrator Kent Brown stated that engineers recommended Terracon. Terracon would be able to provide a Phase I Environmental Site Assessment as requested by City Council due to feedback at prior Town Hall meetings. This is a Phase One Assessment, which provides a lot of historical information. A Phase Two Assessment would be quite extensive and costly. They propose to conduct the Phase One Assessment for \$2,900. Staff recommendation is that the City should pursue this assessment sometime in the future. Council Member David FitzGerald stated that he is in favor of pursuing the phase one assessment. Council Member Jim Whitney stated that he agrees. City Administrator Kent Brown stated that site selectors ask if a phase one environmental study has been completed prior to asking about the price of land.

City Administrator Kent Brown stated that a motion would be needed if the Council would want to go ahead with the project.

MOTION: Council Member David Fitzgerald made a motion to authorize the

mayor to sign the agreement for services with Terracon Consultants.
Council Member Jim Whitney seconded the motion.

12. Discussion on Bulk Water Rates

City Administrator Kent Brown stated that currently, the City charges \$12/1,000 gallons of bulk water, or a portion thereof. City Administrator Brown stated that when the City changed the water rates in 2008 it was increased from \$10 to \$12. City Attorney Janet Amerine asked how often bulk water is consumed. Public Works Director Ernie Misak stated that it averages 2-4 customers a month. This issue came up in regard to APAC and the 71st Street project. Bulk Water requests are filled at the old shop out of a fire hydrant. Misak stated that APAC used 385,000 gallons. The water bill was approximately \$4,000. Misak stated that he asked APAC to give him information regarding other cities and their bulk water rate. Wichita's rate is \$2.44 for the first 20,000 gallons. After that, it is \$8.00 per 1,000 gallons. There are other costs involved such as \$1,200 charge for a meter. This is an annual cost. Then there is a \$300 monthly fee for meter usage. Misak stated that there should be some consideration for big bulk water users. Misak feels that the price the smaller users consume is fair. Misak stated that when he used Wichita's formula for water consumption, APAC's bill would be \$6,000. Council Member Jim Whitney stated that taxpayers are footing the bill for the water. Whitney stated that the city auditor has told the City Council that the only way for the City to make money is in its water and sewer rates. Whitney is not in favor of dropping its water rates. City Attorney Janet Amerine stated that earlier in the public forum, a group was expressing a hardship in paying their water bill. Attorney Amerine stated that everyone has to be treated fairly. The auditor recommended again this year to raise its water rate to cover the costs of treating and pumping water. Council Member Jim Whitney stated that pumping those hundreds of thousands gallons of water for APAC caused hardship on the pump and fire hydrants. Mayor Mike York stated that if one were to consider the time and the cost of gas to haul water from Wichita, it would equate to what the contractor would pay in Clearwater. York stated that he would be in favor of an initial meter fee. Council Member David FitzGerald stated that he would be in favor of a \$25 hookup fee. City Administrator Kent Brown stated that if the Council desired to have a hook up fee, then this could be brought to the Council at a future date.

City Attorney Janet Amerine stated that if the Council were to lower its water usage fee, it would not apply to water already consumed.

13. Tree House Benefit Concert

City Administrator Kent Brown stated that there is an alternate concert location at the sports complex. Jordan Freed has stated that he has many volunteers to assist with security. The concert will take place on Friday, 10-26-12. The concert would start at 7:00 p.m. with the idea of ending the concert at 10:30 p.m. Trash, port-a-potties, barricades were also discussed.

14. Department Head Reports

Ernie Misak, Public Works Director, stated that there is a leak at the pool. Don Paddock was contacted. The pump is still running. Misak is going to try and rule out that the return drains to the slides and mushroom as the source of the leak. Misak is guessing that it is the bottom drain, which is 14' under concrete. The pool will be shut down once Misak has ruled out that the two areas mentioned above are not causing the problem.

Ernie Misak, Public Works Director stated that the tree, as commented by Council Member David FitzGerald in a previous meeting, is dead. Misak stated that he has tried to contact the property owner and she has not answered her door or taken his calls. The tree is on her property. It is located in a drainage easement and is not on City property. City Administrator Kent Brown stated that the property is marked as an easement.

Public Works Director Ernie Misak stated that he mowed the softball diamond last week. The grass is nearly gone in diamond 2. It is his opinion that the field should be reseeded. Diamond 3 has spots that should be aerated and over seeded. The centerfield by the baseball diamond also needs to be aerated and over seeded. Misak stated that it is somewhat embarrassing having high school varsity softball playing on those fields. Council Member Jim Whitney stated that the success of reseeding depends on how much water the City wants to pay for watering. Whitney stated that if the pump ceases working, it would be a minimum of \$5,000 to replace. Whitney stated that if the City wants to use fescue, then it needs to be done by 10-15-12. If the City wants to use Bermuda, then it needs to be installed at the end of May. City Administrator Kent Brown inquired about using sod. Council Member Jim Whitney stated that sod is very expensive. Brown asked if the City could spot-use the sod. Whitney stated no because it is difficult to blend sod into the grass that is out there. Whitney stated that he would donate his time and tractor if the City would buy the seed. Whitney stated that he would like to talk to RSC to determine if he could get a renovator prior to 10-15-12. Whitney estimated that it would cost \$2-3,000 to reseed one field. Whitney stated that he could get some measurements for the project. This project would depend on the availability of a renovator.

Council Member Jim Whitney stated that the field that gets the most complaints is the big baseball diamond. Public Works Director Ernie Misak stated that the girl's softball diamond is the one that needs the most attention. Misak stated that he would attempt to get rid of the ridge around diamond 2 and mark the sprinkler heads. Council Member David FitzGerald stated that this sounds like a good deal. Council Member Sandi Keeler questioned whether there was any money for this project. Administrator Brown stated that there is a little bit of money in Park donations.

Public Works Director Ernie Misak stated that the wastewater at the ponds is still not being discharged.

Public Works Director Ernie Misak stated the handicapped ramp that was torn out at 4th and Ross will be replaced within two weeks.

Public Works Director Ernie Misak stated that a citizen reported to him that the City used to provide a meter to a fire hydrant and fire hose for him to pressure wash his swimming pool. Misak stated that he never heard of this. Misak asked for the Council's

feedback. Council Members Jim Whitney and David FitzGerald stated that they had never heard of this. Council Member Sandi Keeler stated that the citizen could be told to rent a power washer.

Public Works Director Ernie Misak stated that he had a discussion with Marvin Schauf regarding the use of Chadd Posch for fire emergencies. Misak stated that he wants to clarify that he did not want to grant a blanket offer to allow an employee to cover every fire emergency during the day. Misak stated that he did not think it was fair for taxpayers to send a city employee to fight fires. Misak stated that he would prefer that he be contacted directly and Misak would in turn determine whether Posch could provide fire assistance. Misak asked for the Council's clarification regarding whether a public works employee should address the fire call. Council Member David FitzGerald stated that it should depend on the situation. Misak asked the Council how they wanted him to treat fire calls. Council Member Jim Whitney stated that time delay is a problem. When there is a need for help, a time delay is critical. Whitney asked if Posch carries a fire radio. Misak stated no. The Public Works Department listens in on the city radio. Whitney stated that he does not have any problem with Misak getting to make the call on whether to send Posch to a fire but he does not want any delay. During the day, the City does not have very many qualified people responding to the calls. He stated that it was his opinion, that in a small town, qualified employees are used to the best of their ability in any capacity. Council Member Sandi Keeler stated that she does not have a problem with Misak needing to know where his employees are. However, with any emergency, time is critical. Council Member Jim Whitney stated that he understands each fire call will depend on the situation. Public Works Director Ernie Misak stated that there would be no delay because there is a priority of protection of property and life.

Police Chief Gene Garcia arrived at the meeting. Police Chief Gene Garcia stated that community service has been good. The new patrol car has the Columbia blue motif. Staff is trying to do most of the equipment installation itself. In the past, it has cost approximately \$1,500 to outfit other patrol cars. Staff is going to be able to save many of those costs and plans to purchase a conversion unit instead of purchasing an entirely new console. Rebecca Schauf and Beverly Jo Johnson attended their class regarding crime prevention and environmental design. They will be able to write up a projection to show businesses and home owners how to protect their properties. Schauf and Johnson would like to provide a short power point slide regarding what they learned.

Police Chief Gene Garcia stated that he has provided a couple of extensions regarding moving vehicles out of the backyards onto a dustless surface. The deadline for compliance is next week.

15. Committee Reports

No meeting minutes were distributed in the Council Packets. The 10-02-12 Planning Commission Meeting was canceled and rescheduled for Monday, 10-08-12 at 8:00 p.m. A Public Hearing will be held on that date. The following committees are scheduled to meet and are open to the public to attend:

Planning Commission: Meeting scheduled for 10-08-12
Park Commission: Meeting scheduled for 9-17-12

16. Claims & Warrants

City Clerk Liza Donabauer presented the claims and warrants as of 9-07-12 for \$27,000.47. Since Friday, additional claims were received from various vendors including Visa, which totaled \$13,426.21. Late this afternoon, staff received an email from Don Hattan Chevrolet regarding the first payment for the newly acquired Police Tahoe. The first payment is in the amount of \$813.50 and was due upon delivery of vehicle.

MOTION: After discussion, Council Member David FitzGerald moved to authorize payment of the claims and warrants for \$27,007.47, \$13,426.21, and \$813.50. The motion was seconded by Council Member Sandi Keeler and passed unanimously.

David FitzGerald asked about the charge from Sam's Club for the Fire Department for \$183.93. Clerk Donabauer responded that the charge was for hamburger buns, plates, cutlery, and napkins. Council Member David FitzGerald stated that he would prefer staff to buy locally if the savings is not significant. There are costs for the drive time to Wichita.

17. Old Business

Council Member David FitzGerald stated that the Intersection of Tracy & Wood contains high weeds.

Council Member Jim Whitney stated that the time has expired at 200 S. Gorin for work to be completed on property

Council Member Jim Whitney stated that the salvage operation has gotten worse and has spread out to the front yard of the house at 137 N. Lee. City Administrator Kent Brown stated that operating a business in that location is not acceptable. City Attorney Janet Amerine referred to Article XXIX (page 115) regarding a violation of zoning code. Attorney Amerine stated that each day could be considered a new fine of \$500 or 6 months in jail. The city zoning official shall administer the citation. City Administrator Kent Brown would be the city zoning official. Police Chief Gene Garcia stated that he would have Jo Johnson draft a letter for Brown's signature. City Administrator Kent Brown would have to come to the court date. A ticket could be issued every day for a fine of up to \$500. Each day is a separate offense. Police Chief Garcia stated that he will call Everett Jackson to come in, and will explain to him that it is a continuing violation; however Jackson has to appear in court. The Police Department is allowed to serve the citation but it will have to be signed by City Administrator Kent Brown. Garcia stated that he would make a copy of the violation and highlight the fine. By the time they are to appear in court, additional fines could be assessed. City Attorney Janet Amerine stated that the property-owner is not allowed to operate a salvage yard in a residential area. The resident is in violation of zoning ordinances for

operating a salvage yard in a residential area. Police Chief Garcia stated that the property owner has described how he salvages metal and separates it on his property for salvage. City Administrator Kent Brown states that the definition of a salvage yard states: “any land or building used for the collection, storage, or sale of waste paper, rags, trash, fibrous material, scrap metal or other discarded material; or for the collecting, dismantling storage or salvaging of machinery or vehicles not in running condition, or for the sale of parts thereof. The salvage is not screened from public view. Police Chief Garcia stated that there is a separate ordinance regarding storage of vehicles on a dustless surface. City Attorney Janet Amerine stated that the property owner is definitely collecting items. Chief Garcia stated that the property owner would have court cost and fines. Police Chief Garcia stated that the court does not have to go with his recommendation. City Attorney Janet Amerine stated that it is a collection point of resale and is a zoning violation in the City’s code.

Council Member Jim Whitney asked what Ready’s building is classified as. City Administrator Kent Brown stated that the building is collecting junk for the sake of collecting junk. It is not for a business. City Attorney Janet Amerine stated that this would be considered a violation of the City’s nuisance code.

18. Executive Session - Consultation With an Attorney on Matters that Would be Deemed Privileged in an Attorney-Client Relationship

MOTION: At 8:46 p.m., Council Member Sandi Keeler made a motion to enter into executive session for consultation with an attorney on matters that would be deemed privileged in an attorney-client relationship for 10 minutes. The motion was seconded by Council Member Jim Whitney and passed unanimously.

At 8:56 p.m., Council returned to regular session with no action taken.

At 8:56 p.m., Council Member David FitzGerald made a motion to enter into executive session for consultation with an attorney on matters that would be deemed privileged in attorney-client relationship for 5 minutes. The motion was seconded by Council Member Sandi Keeler and passed unanimously.

At 9:01 p.m., Council returned to regular session with no action taken.

19. Staff Reports

City Clerk Liza Donabauer stated the Fall Festival Committee has asked City Hall to assist in t-shirt sales, event button sales, and rubber ducks for the Ducky Dash. These items will be available for immediate sale at the front desk in City Hall. T-shirts are selling for \$10 and come in black and orange. The buttons are \$2 and are necessary for future funding of the annual Fall Festival. The rubber ducks are a fund raising effort for the Chamber. The Fall Festival will be held from 9-27-12 to 9-30-12. The Ducky Dash

event will take place on Saturday, 9-29-12 at 2:00 p.m. in City Park.

City Clerk Liza Donabauer stated that staff has requested permission to wear a Fall Festival t-shirt on casual Fridays until the end of Fall Festival. The Council provided consensus.

City Clerk Donabauer stated that she has the opportunity to attend the second year of Municipal Clerks Certification Institute, which takes place from 11-12-12 to 11-16-12. The early registration fee is \$460. The topics covered this year will include human resource practices, leadership skills, community partnerships, establishing internal controls, municipal bond basics, communication skills, emergency management, and ethics and values in local government. Last year's institute was extremely helpful for on-the-job knowledge that a City Clerk should obtain. It is also a great way to establish relationships with other cities as a go-to resource in the future, if the City were to have any questions about how other cities operate. Donabauer requested the Council's permission to attend the weeklong institute. The Council provided consensus.

Attorney Amerine stated she had nothing to report.

City Administrator Kent Brown stated that a previous employee is appealing a denial of unemployment benefits. Brown met with an employee from the Kansas Department of Commerce into what to provide for a business moving into town. Brown met again with the industrial park investment group. Brown stated that he received the preliminary plat on Indian Lakes today. Brown has not heard a counteroffer regarding the installation of the water line. The Planning Commission was moved to Monday, October 8th. The Planning Commission is down by two members. The National City Managers Meeting can be viewed on line rather than traveling to the conference. There would be approximately 20 conference meetings with four days' worth of materials.

There is a new chair in the City Administrator's office.

20. Council Reports

Council Member Sandi Keeler stated that Debbie Cox gave her a permission slip that needs to be signed so that a State License can be obtained for the 9-22-12 benefit at the C-Bar.

Council Member Jim Whitney stated that they are still looking at what to do with the lagoon water. Council Member Whitney received the water test results from the Hutchinson lab. The results indicate that the water is too salty to use on crops. Whitney spoke with a farmer who has to apply for an irrigation well permit. City Administrator Kent Brown stated that Bob and Brad Vincent from Ground Water Associates would be able to the farmer with the permitting process. Brown explained that the City could irrigate a park with the lagoon water but it could not be used on ball fields. Brown stated that he would inquire on how other cities dispense their sewer water that have similar test results.

Council Member David FitzGerald asked if there is any way to get a bigger school sign along the south end of the school zone. City Administrator Kent Brown stated that the City would have to pay for it. It is the same standard sign as the others. Brown proposed that the sign be changed to read "School Zone". FitzGerald stated that the school zone sign

is the same size as the parking signs.

Council Member David FitzGerald stated that there is a tree at Tracy & Hellar on the southeast corner that has brush coming out of it. It is difficult to see someone coming around the corner at the intersection. Pearson requested if someone could remove the side brush on the tree. City Administrator Kent Brown stated that it is typically the property owner’s responsibility, but seeing that it is vacant, it would be easier for the City to trim it up.

Mayor Mike York made a recommendation to waive the \$15 transfer of water service fee at the property at 130 South Grant, and to charge the minimum monthly fee for water and sewer (base rate) with council consensus. Council consensus was reached.

21. Adjournment

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

The Meeting adjourned at 9:26 p.m.

CERTIFICATE

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

I, Liza Donabauer, 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 11, 2012 City Council meeting.

Given under my hand and official seal of the City of Clearwater, this 25th day of September, 2012.

Liza Donabauer, City Clerk