

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

**CITY COUNCIL MEETING**

**MINUTES**

**JULY 9, 2013**

The regular meeting of the City of Clearwater, Sedgwick County, Kansas, City Council was held on Tuesday, July 9, 2013, 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, Paul G. Clark, Chris Griffin, Burt Ussery, Laura Papish; Council Members. The following staff members were present: Kent Brown, City Administrator; Barbara Salinas, City Clerk; Janet Amerine, City Attorney. Others present at the meeting were: Mary Schauf, Clearwater Fire Department, Gene Garcia, Police Chief, Ernie Misak, Public Works Director; Todd Dannenberg, Lonnie Stieben; SKT and Jay Baumann, citizen.

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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 June 25, 2013**

**MOTION:** Council Member Burt Ussery made a motion to approve the minutes of the 6-25-13 City Council Meeting. The motion was seconded by Council Member Jim Whitney and passed unanimously.

**2. Consent Agenda**

Authorization to pay invoice from Utility Service Company (\$5,464.57) for annual water tower inspection and maintenance.

**MOTION:** On a motion by Council Member Laura Papish, second by Council Member Paul Clark, all voted to approve the Consent Agenda.

City Administrator Kent Brown stated this is a 5 year contract.

**3. Mayor's Recommendations**

Mayor Michael York made the following recommendations:

1. Appoint Chrissy Terronez, Fire Department
2. Appoint Jeremy Watts, Police Officer Full Time

The above appointments of Chrissy Terronez to the Fire Department and Jeremy Watts as Police Officer were accepted with Council Consensus.

4. **Public Forum**

Lonnie Stieben with SKT updated the Council on the Golf Course. Stieben also stated there had been a good turnout at the last Focus on the future meeting. One of the speakers at the meeting discussed change. It is a natural reaction to not like change but sometimes it is a good thing. People can work together and the change can be a positive thing. One of the other things discussed at the Focus meeting was looking at the downtown project again. There will be an upcoming Focus on the Future meeting on the 5<sup>th</sup> Monday of July, July 29.

5. **Public Hearing for the Proposed Assessment for the Lee and Ross Avenue Curb and Gutter Project**

Mayor Mike York opened the Public Hearing at 6:50 p.m. and invited anyone who wanted to speak on the proposed assessment to come forward.

City Administrator Kent Brown provided a summary of the Lee and Ross Avenue curb and gutter project. Property Owner, Jay Baumann addressed the Council regarding the assessed cost to the property owners. Baumann asked if the entire cost was set for the property owners. City Administrator Brown replied that the cost for the curb and gutter was the property owners' responsibility; but, the asphalt that was replaced between the curb and the street and the certain identified sections were paid by the city at large.

Mayor Mike York asked if there was anyone else who wished to address the Council. There being no response, Mayor York closed the public hearing at 7:00 p.m.

6. **Ordinance to Authorize the Proposed Assessment for the Lee & Ross Avenue Curb and Gutter Project**

City Administrator Brown stated that the original title that went out for this Ordinance was incorrect. A revised title was included in the notebooks.

**MOTION:** Council Member Jim Whitney made a motion to adopt Ordinance No. 971 as presented. Council Member Burt Ussery seconded the motion.

**ROLL CALL VOTE:**

Ussery yea, Papish yea, Clark yea, Whitney yea, Griffin yea. Five Yea.  
Motion carried.

7. **Request to Purchase Document Management System for Police and Municipal Court**

Police Chief Gene Garcia reviewed the request providing details on the need for the proposed document management system. The Police Department plan is to make all the paperwork digital so they do not need the extra storage place for documents. The Council had approved \$3000 from last year's budget and the proposal is for \$3537.67. After further discussion on security and the system requirements,

**MOTION:** Council Member Burt Ussery made a motion to authorize the purchase of the Document Management System for the Police Department. Council Member Chris Griffin seconded the motion. The motion carried unanimously.

8. **Proposal for Street Repair on Nancy Avenue**

City Administrator Brown reviewed the proposal from Holland Paving for street repairs on Nancy Avenue. There is an alleyway on Nancy between Gorin and Lee that is in need of repair because of wear and tear from the trash trucks using the alley. The proposal is for \$1448.55 which includes the saw cut, remove and dispose of damaged area off site. Holland Paving will use commercial grade asphalt and apply tack oil to paved edges.

**MOTION:** Council Member Laura Papish made a motion to authorize the street repair on Nancy Avenue. Council Member Jim Whitney seconded the motion. The motion carried unanimously.

Administrator Kent Brown asked the Council for consensus to ask Holland paving about fixing the road and culvert by the liquor store that was damaged during the set up for the drainage project with Commercial Avenue. Council consensus gave authority to ask for a proposal and staff direction on the parameters on whether to approve the proposal.

9. **Update on WAMPO Agreement.**

City Administrator Kent Brown presented an update from Kristen Zimmerman from WAMPO for Council consideration and direction. Zimmerman had written that 99 percent of the communities had approved the agreement. Consequently, the cost would be \$250-\$300 for the annual fee to be a part of the organization. The first Assessment would be due in January 2014.

**MOTION:** Council Member Burt Ussery made a motion to authorize the Mayor to enter into an agreement with WAMPO designating a City Representative and alternate representative. Council Member Chris Griffin seconded the motion. The motion carried unanimously.

**10. Review Proposal from Postal Presort, Inc.**

City Administrator Kent Brown reviewed the proposal from Postal Presort, Inc.

**MOTION:** Council Member Burt Ussery made a motion to authorize the City of Clearwater to enter into an agreement with Postal Presort, Inc at the stated costs. Council Member Jim Whitney seconded the motion. The motion carried unanimously.

**11. 2014 Budget Discussion**

City Administrator Brown stated that the proposed budget would require \$129,621 more in revenue than the 2013 budget to meet all the requested items. Brown reviewed a list of cuts in various areas and proposed changes to revenue expectations. Brown reviewed a preliminary list of items that could be done to cut the shortfall by \$80,812. The remainder of the cuts or changes would have to be given Council direction. Council discussed at length the various items under consideration. Council consensus was the biggest priority was the uniform replacement for the fire department. Council continued to review the other priorities. City Administrator Brown reminded the Council that the notice of hearing on the proposed budget would have to be approved at the next meeting. Mayor York asked staff to prepare proposals for Council consideration at next meeting that kept property taxes level and raised property taxes slightly to meet the budget demands.

**12. Department Head Reports**

Police Chief Gene Garcia reported that the 4<sup>th</sup> of July went by without incident. The Hunter Safety Class will be on July 12<sup>th</sup> and 13<sup>th</sup> of July as well. At the Senior Center an elderly abuse class was held.

Public Works Director Ernie Misak reported that a pond survey checks the depth and sludge. The boat has a hole in it and takes in water. Misak is looking for a new boat to use. The city employee picking up trash will now go to 2 hours a day and will clean the restrooms in City Park. After the warm weather is gone, she will clean only the family bathroom on a daily basis.

Council Member Chris Griffin asked about Public works checking the open hole in front of the Nazarene Church. Mayor Mike York asked about a pipe sticking up on the west side of a house on North Tracy. Council Member Jim Whitney stated at the girls softball field in the sports complex there are tree stumps two feet high that need to be removed. There is also a tree that is broke off behind the dugout that also needs to be removed. Council Member Jim Whitney would like the tree farm taken out by the disc course.

**13. Committee Reports**

No meeting minutes were distributed in the Council Packets.

**14. Claims & Warrants**

Claims and warrants were presented as of 7-9-13 in the amount of \$ 60,345.26.

**MOTION:** After discussion, Council Member Jim Whitney moved to authorize payment of the claims and warrants for \$60,345.26. The motion was seconded by Council Member Burt Ussery and passed unanimously.

**15. Old Business**

Council Member Burt Ussery asked if there had been any resolution to the letters that were sent to the water rights residents. No letter has been signed and brought back to the city building.

Council Member Jim Whitney would like another letter written to the bank about the house at 410 S. Third.

City Administrator Kent Brown stated that the yard had been mowed at 250 N. Byers and has been cleaned up some. Council Member Jim Whitney would also like a letter mailed to this address.

Council Member Chris Griffin asked about the east side of South Second and why the ditch has been marked in orange all the way down the block. Public Works Director Misak replied that area had been called in for locates of utilities.

**16. Executive Session**

**MOTION:** At 10:18 p.m., the Mayor made a motion to enter into executive session for 5 minutes for Personnel matters of non-elected personnel. The motion was seconded by Council Member Chris Griffin and passed unanimously.

At 10:23 p.m., Council returned to regular session with no action taken.

**17. Staff Reports**

City Clerk Barbara Salinas stated she had nothing to report.

City Attorney Janet Amerine stated she is working with the Chief of Police and the Prosecutor on the parking ordinance and will have a draft soon for the Council to look at and approve. Attorney Amerine stated that as she was working on the Tribal Dash paperwork the special event format was designed to work with the ABC regulations. The Tribal Dash only wants to have cereal malt beverage so the paperwork does not work together. The Chief of Police has talked to Casey Carlson and he is willing to work out the details with the Chief of Police. City Attorney Janet Amerine will work on the paperwork so it is ready if this event would happen again.

City Attorney Amerine stated that the city has received a request to release the pledge agreement for the Indian Lakes development. The request stated that seven duplexes have been built and the commercial business, Dollar General, along Ross Avenue has also been built.

**MOTION:** Council Member Jim Whitney made a motion to release the letter of credit for Ed Mikesell. Council Member Paul Clark seconded the motion and passed unanimously.

City Administrator Kent Brown stated that School Board is willing to schedule a joint meeting. Council consensus was to set a meeting date and as many as possible from the Council would attend the meeting.

City staff is still receiving phone calls from city residents regarding brush pick up. City Administrator Brown stated that staff requests that no more staff time be spent on this activity. Council Member Jim Whitney stated that the city personnel have already provided enough services to residents to pick up limbs from the recent storm. After discussion, Council consensus was to state that any more limbs will need to be taken care of by the property owners.

## 18. **Council Reports**

Mayor Mike York stated there has been good feedback on the fireworks show.

Council Member Burt Ussery stated he would like to make July 4<sup>th</sup> more of a community event.

Council Member Laura Papish asked about the minimum age for a lifeguard.

Council Member Paul G. Clark had nothing to report.

Council Member Jim Whitney had nothing to report.

Council Member Chris Griffin had nothing to report.

## 19. **Adjournment**

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

The Meeting adjourned at 10:45 p.m.:

**CERTIFICATE**

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

I, Barbara Salinas, 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 July 9, 2013 City Council meeting.

Given under my hand and official seal of the City of Clearwater, this 9<sup>th</sup> day of July 2013.

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Barbara Salinas, City Clerk

UNAPPROVED