

**MINUTES**  
**CITY OF CLEARWATER, SEDGWICK COUNTY, KANSAS**  
**CITY COUNCIL MEETING**  
**September 10, 2013**

The regular meeting of the City of Clearwater, Sedgwick County, Kansas, City Council was held on Tuesday, September 10, 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, Council Members; Laura Papish, Council Member was absent. 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; Ken Friedline, citizen; Sherri Thomas, Julie Jacobs, Fall Festival Committee; Josie Ray, Leah Harris, Clearwater High School Students.

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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.

**Approval of the Minutes of the Regular Meeting of August 27, 2013**

Council Member Ussery made a motion to approve the minutes of the August 27, 2013 City Council Meeting. The motion was seconded by Council Member Clark and passed unanimously.

**Approval of the Minutes of the Special Meeting of August 30, 2013**

Council Member Whitney made a motion to approve the minutes of the August 30, 2013 Special City Council Meeting with corrections as noted. The motion was seconded by Council Member Ussery and passed unanimously.

**Consent Agenda**

- 1 Renew Membership in Kansas Rural Water Association (KRWA). 2012-2013 Membership Fee is \$867.80.

Council Member Whitney made a motion to renew membership in the Kansas Rural Water Association. The motion was seconded by Council Member Griffin and passed unanimously.

**Mayor's Recommendations**

Mayor Mike York did not have any recommendations.

**Public Forum**

No one came forward to address the Council.

**New Business****Review Stage and Carnival Location, Parade Route, for Fall Festival Events Scheduled for September 25-29, 2013.**

Sherri Thomas with the Fall Festival Committee stated to the Council that the Committee would like Ross Street blocked off from 4<sup>th</sup> to Tracy on Saturday for the Parade. Council Member Ussery brought up the carnival in the park and raising a question about the sidewalks and field having possible damage because of the rides being set up in the park. Fall Festival Committee carries insurance for any damage to the park or the sidewalks getting the trucks in and out of the park. Police Chief Garcia suggested having Ross blocked between 4<sup>th</sup> and 1<sup>st</sup> Street throughout the festival Friday through Sunday. Blocking the street will be safer for drivers getting around town and pedestrians trying to get to the City Park for the activities. Fall Festival Committee wants a set of bleachers put in front of the Emprise Bank for the parade judges to sit on Saturday morning. Fall Festival Committee would also like the Aquatic Center parking blocked off Friday and Saturday for the vendors to park. City Council advised Fall Festival Committee to work with Chief Garcia on making sure all areas are blocked off for the events.

**Approval of a Resolution Regarding the Structure located at 250 N. Byers, Clearwater, Sedgwick County, Kansas**

Ken Friedline reported the barn has been dismantled and waiting to be hauled off. Council Member Griffin asked about a refrigerator on the property. Friedline responded that it was an icebox that was used for storage years ago. It has been secured and will be removed as soon as the anchoring can be removed. City attorney Amerine stated that since the structure has been removed, the resolution is no longer necessary. Friedline has contractors that will be starting on the house soon with new windows and siding. Friedline has made progress since last meeting so Council decided to work with resident.

**Consideration of an Agreement between Klausmeyer Dairy Farm Tours, LLC and the City of Clearwater, Kansas.**

City Administrator Kent Brown went over the agreement with the Council. The Dairy is operated outside the city limit on 119<sup>th</sup> West. Local schools tour the facility and need a place for the children to sit. Council Member Ussery asked if this was cost efficient to cover labor and gas costs. Public Works Director Misak stated he thought it covered the costs.

Council Member Whitney made a motion to approve the agreement between the City and the Klausmeyer Dairy Farm. Council Member Griffin seconded the motion. The motion carried unanimously.

**Discuss and Consider Health Insurance Renewal.**

City Administrator Brown provided a spread sheet to the Council. The insurance is coming due for renewal soon. The City now has insurance with the State of Kansas. The Employee can choose a plan that best fits their needs. The spreadsheet only covers health insurance. Dental is actually covered by the city. Preferred Health plan C500 saves the city 11% and the SA1000 saves the City 24.4% for the first year but no guarantee of not increasing rates after the first year. The State of Kansas Plan is a little higher but no expected rate increases through 2014. The State of Kansas Plan offers a BCBS and a HMO plan. The employee can now choose which plan they would like to use

that includes the doctors they like to use. The total costs for the city on the insurance plan currently is \$15646.40 a month in premiums. Council Member Griffin asked about the employee numbers from 2001 to 2013. Administrator Brown stated the staff has only increased by two employees. Once an Employer gets out of the State of Kansas Plan there is a waiting period to get back on the plan to prevent bouncing back and forth. Council Member Whitney stated that the increase is only 6% or 7% since 2004 on the State of Kansas Plan. The other plan offers a lower starting rate but no guarantees after 2014.

Council gave consensus to stay with the State of Kansas Plan for the renewal which is three years.

**Designate Voting & Non-Voting Delegate to the League of Kansas Municipalities Conference.**

City Administrator Kent Brown stated at the League of Kansas they request a representative to vote. League Conference is in Overland Park the second weekend of October. If Council won't be able to attend, Council can appoint City Administrator as the voting representative with City Clerk as alternate.

Council Member Whitney made a motion to appoint City Administrator as the voting delegate with the City Clerk as the alternate. Council Member Clark seconded the motion. The motion carried unanimously.

**Department Head Reports**

Chief Gene Garcia stated to the Council that the department has a patrol car to be disposed of. Chief Garcia would like direction from the Council. Chief Garcia was thinking Purple Wave, Gene Francis or sealed bids. The car is in good condition. Council Member Ussery suggested keeping the vehicle for city use. The city already leases a Honda for City employees to use as needed. After discussin, Council suggested the easiest option is to take it to Gene Francis auction.

Council Member Whitney made a motion to send the police patrol car to the Gene Francis Auction. Council Member Clark seconded the motion. The motion carried unanimously.

Chief Gene Garcia stated plan is in the works for a City Recognition Dinner. Several options were discussed including having a dinner at the High School or the South Central Education Center. The Service Center would be big enough and more intimate and no worries about a school event. Chief Garcia will check on the availability for Monday, December 2<sup>nd</sup> at the Service Center

Council Member Ussery will forward an email to Chief Garcia about a conference on "Incident Management Training." It is to be held on October 1<sup>st</sup> and 2<sup>nd</sup>.

Chief Gene Garcia reported that Officer Rebekah Schauf received a grant to a conference on a project about traffic safety and child safety seats.

Chief Gene Garcia stated that the Ministerial Alliance had recognized the Fire, Ambulance and Police Departments as First Responders for their service some time ago. The Ministerial Alliance planted a tree in City Park for the occasion and there will be a dedication on Wednesday September 11, 2013 at 2:00 p.m. Chief Garcia invited the Council to the ceremony.

Public Works Director Ernie Misak stated the DeWeze mower is down in Harper being fixed. It needs work to get it repaired from an incident and it has overheating issues. The mower should be fixed at the end of the week. The cost of fixing the mower is between \$3,000 and \$4,000 and there is budgeted money in the sewer fund.

The tractor 2155 that was to be used for the trade in has some exhaust problems and the cost to fix it is \$1,000. Six parts had to be ordered and the cost of labor totals \$6,000. The trade in value was \$5,000. The cost to the City of Clearwater will be \$500. Council Member Whitney asked if the tractor was running at the time of trade in. The Company should have picked up the tractor the day after the bid was accepted. The City should not be responsible for the additional costs. Public Works Director Misak stated that the company in Wichita is going to give the city an upgrade on the tractor that was originally approved by the City Council. Council Member Whitney stated that the changes should have come back to City Council if the original tractor could not be delivered at the time of purchase. It should have been re-opened for bids at the time. Council Member Whitney further stated since it is a cost of \$500 and the city did get an upgrade he would be in favor of keeping the tractor. Council Member Ussery agreed with Council Member Whitney.

Public Works Director Misak reported to the Council that there is a need for an additional switch to the generator. The one we have is fine but the city does not have the capability to manually switch from one well to another if something were to happen. Council Member Whitney stated that he thinks the City should find some money to purchase a switch for the generator instead of waiting until something happens and counting on only one operating well if power goes out. Council Member Ussery stated that the City is  $\frac{3}{4}$  of the way through the year's balance and would like to know if there is money available to use for this project. City Administrator Kent Brown stated that the city has a cash balance in the sewer fund that would be able to pay for this. At the end of the year a budget amendment would authorize spending over the budget for 2013. Council Member Whitney would like to send it out for bids to get a transfer switch for the generator.

Public Works Director Misak stated that two fire hydrants will be replaced at the end of the week. The residents have been notified since several will be without water for a while during the replacement process.

Public Works Director Misak stated that a set of bleachers will be set up at Elementary East on Thursday for use during the Fall Festival. The bleachers will be available for the parade and Street Dance on Saturday. Misak will let the Superintendent of Schools, Mike Roth know the bleachers will be delivered to school property.

Public Works Director stated there is a red fire truck tanker that needs to be gotten rid of and sold. The tank leaks and the brakes don't work. There is no value to City and it is costing money for the city to insure it.

Council Member Jim Whitney made a motion to put the fire truck tanker out for sale by sealed bids with a minimum bid for \$300. Council Member Burt Ussery seconded the motion. The motion carried unanimously.

Council Member Burt Ussery asked Director Misak for an update on the water pressure on 63<sup>rd</sup> St and the complaint about the water pressure. Director Misak stated that the resident is not at the end of the water line and there are residents on either side that do not have complaints. Public Works and City Administrator Kent Brown will put together a plan to present to the Council soon. Council Member Whitney stated that of all the 900 customers and only one complaint that the problem could be at the residence only. Director Misak will check the fire hydrants in the line and make sure nothing is blocking the line for a sudden added pressure in the line.

Council Member Jim Whitney stated that Holland Paving was to be in town this week to start on the alley way between the bank and SKT. Holland Paving needs to be reminded that the small alleyway on Nancy was part of that project. City Administrator Kent Brown stated that they had been notified earlier in the week.

### **Committee Reports**

The following committees are scheduled to meet and are open to the public to attend:

Park Commission: Meeting Scheduled for September 16, 2013

### **Claims & Warrants**

City Clerk Barbara Salinas presented the claims and warrants as of September 10, 2013 in the amount of \$90,635.13.

After discussion, Council Member Ussery moved to authorize payment of the claims and warrants for \$90,635.13. The motion was seconded by Council Member Whitney and passed unanimously.

### **Old Business**

Council Member Chris Griffin stated that the dirt work will be started this week for the parsonage on Second Street. Griffin also asked about the Dollar General and their weed situation. City Administrator Kent Brown stated he has been in touch with their corporate office and they will find someone to take on the lawn work. Council Member Jim Whitney stated that he has submitted a bid to do the work and is also waiting to hear back from Dollar General corporate office.

### **Staff Reports**

City Clerk Barbara Salinas reported the League Conference will be in Overland Park.

City Administrator Kent Brown stated that he received a file number regarding the water rights application to the sports complex and the wells. The next step would be to file for a temporary application. City Administrator Brown stated that Council Member Whitney had spoken to Harp Well about digging close to the Business Park. Harp Well did not think that was a good idea but will work with Administrator Brown on a few other options to be presented later.

### **Council Reports**

Council Member Burt Ussery reported that there is Economic Development meeting this Thursday. Ussery would like to attend. Council Member Ussery also attended a WAMPO meeting and KDOT spokesperson announced it was working on a rail from OKC to KC in the next couple of years pending the funding. There may also be a change in the fuel tax. The revenue generated by this tax has leveled off. There is a proposal to tax a vehicle based on weight and usage. Council Member Ussery will attend the next meeting and keep the Council informed.

Council Member Paul Clark stated that he had a complaint about the house on the corner of Hellar and Gorin. There is a tree that is blocking the view at the intersection. The house is in repossession so just wanted to report it. City Administrator Brown stated it would be handled.

Council Member Jim Whitney asked about the date for Fall Clean-up. It has been scheduled for October 18<sup>th</sup> and 19<sup>th</sup>. Spring Cleanup for the spring of 2014 has not yet been scheduled but City Administrator Brown will try to schedule for third weekend in April.

Council Member Chris Griffin asked about the railroad tracks on 4<sup>th</sup> Street. Griffin reported that the area is getting rougher. The road is actually a Sedgwick County road and they would have to work with the Railroad.

City Administrator Kent Brown stated the City office will be selling t-shirts for Fall Festival. Brown asked about buying the city offices staff a shirt to wear on Fridays at a cost of \$10 each. The Mayor and Council approved. Council Member Burt Ussery asked about a obtaining catalogue for ordering a City of Clearwater shirt.

### **Adjournment**

Being no further discussion to come before the Council, Council Member Jim Whitney moved for adjournment and the motion was seconded by Council Member Paul Clark. The motion carried unanimously.

The Meeting adjourned at 8:47 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 September 10, 2013 meeting.

Given under my hand and official seal of the City of Clearwater, this 24th day of September, 2013.

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Barbara Salinas, City Clerk

