

**MINUTES
CITY OF CLEARWATER, SEDGWICK COUNTY, KANSAS
CITY COUNCIL MEETING
February 11, 2014**

The regular meeting of the City of Clearwater, Sedgwick County, Kansas, City Council was held on Tuesday, February 11, 2014, 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 arrived late to meeting. Others present at the meeting were: Gene Garcia, Police Chief; Ernie Misak, Public Works Director; Chief Marvin Schauf, Carl Fry, Josh Hecker, Jason Templin, Clearwater Fire Department; Pamela Riggs, Senior Center Director; Robert Pugh, Art Gentry, City Residents.

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 January 28, 2014

Council Member Ussery made a motion to approve the minutes, with corrections made on page 5, of the January 28, 2013 City Council Meeting. The motion was seconded by Council Member Clark and passed unanimously.

Consent Agenda

1. Authorization of Payment to Daktronics, Inc. in the amount of \$7,571.00 for Payment of 2 Electronic Scoreboards.

Council Member Ussery asked for clarification that the school, recreation and City were each paying 1/3 of the invoice presented.

Council Member Ussery made a motion to authorize payment in the amount of \$7,571.00 to Daktronics to pay for 2 scoreboards. Council Member Paul Clark seconded the motion and passed unanimously.

Mayor's Recommendations

Kyle Berger, Clearwater EMS
Cole D. Cotham, Reserve Police Officer

Council Member Ussery asked Police Chief Garcia to explain the role of reserve status; if reserve officer is armed and if they work independently. Police Chief Garcia responded that the reserve officer is armed and will not work independently. The Reserve Officer will be trained and certified. Chief Garcia stated that there is an academy that is offered by Sedgwick, but the class is difficult to attend because it is conducted over a 2 week time period. Garcia stated that

the Reserve Officer will be used for Community Events including Fall Festival and ride along hours.

By Council Consensus both were appointed.

Public Forum

No one came forward to address the Council.

NEW BUSINESS

Consideration of an Ordinance Repealing Section 1 of Ordinance 663, Section 1 of Ordinance 604 and 10.08.080 of the City of Clearwater Code

Chief Garcia stated that this ordinance is a result of the discussion at the last regular meeting of January 28, 2014. Council consensus was to direct staff to prepare an ordinance repealing this portion of the city code and Ordinance 604. City Attorney Amerine prepared the ordinance for council consideration.

Council Member Ussery made a motion to approved Ordinance 979 as presented. Council Member Griffin seconded the motion. A roll call vote was taken and the motion passed unanimously.

Chief Garcia took this opportunity to address the council regarding a request to ask for public input on the proposed storage and parking ordinance. Garcia stated that they will use the input in moving forward with this ordinance. Garcia stated that he will have a draft ordinance to the council at the March 11, 2014 regular meeting. It was the consensus of the council to approve the request for public input.

Consideration of Engagement Letter from George, Bowerman & Noel, P.A., for Services to the City of Clearwater for the Years Ending December 31, 2013; Authorizing the Mayor's Signature.

Administrator Brown addressed the council and referenced the letter from George, Bowerman & Noel, P.A., for 2013 auditing services. Brown recommended approval.

Councilman Ussery asked if this is the firm that also reviews the Recreation Commission financials. Brown stated that the Recreation Commission uses the school districts auditor. Councilman Ussery stated that the city has repeatedly used this firm and asked if we have considered any other auditing firms and asked when the 2013 audit will start. Brown stated that we have used this firm for years and one advantage is that they are familiar with our process and are able to navigate through our financials easily. Councilman Griffin stated that new eyes might be an advantage. There was some discussion on competitive costs that the city may wish to explore.

Council Member Whitney made a motion to authorize the Mayor's signature to engage the financial auditing services of George Bowerman & Noel, P.A. Council Member Ussery seconded the motion and passed unanimously.

Approve the Statement of Final Costs for Indian Lakes 1st Addition (residential properties) Infrastructure and Establish a Date and Time for a Public Hearing on Proposed Assessment for Such Project.

City Administrator Brown stated that back up documents for agenda item B & C are combined. Councilman Ussery asked that Brown explain the bond process.

Administrator Brown stated that the action by council is only to set a date and time for a public hearing.

Council Member Whitney made a motion to set the date and time for a public hearing for February 25, 2014 at 6:30 pm on the proposed Indian Lakes 1 & 2 assessments. Council Member Ussery seconded the motion and passed unanimously.

Approve the Statement of Final Costs for Indian Lakes 2nd Addition (commercial properties) Infrastructure and Establish a Date and Time for a Public hearing on Proposed Assessment for Such Project.

This action was approved with a motion to set the date and time for a public hearing for February 25, 2014 at 6:30 p.m. on the proposed Indian Lakes 1 & 2 assessments.

Review Proposed Revision to Floodplain Maps in the panels for Clearwater and adjoining sections.

Administrator Brown reviewed the floodplain maps as provided to the council. There was discussion and explanation of map references and map coding. There was discussion regarding the recently annexed property and floodplain issues that could affect the property owners, such as driveway access and utility access. Councilman Ussery asked how property owners would be notified of the availability and findings of the proposed revisions to the floodplain maps. Brown stated that the residents will be notified individually. Brown stated that the maps are provided as information to the city. The city can submit comments and concerns in reference to boundaries and elevations, but the areas have been determined. It was a consensus of the council that they had no comments to submit. Councilman Ussery asked that the city display maps for residents and advertise publicly where they are available for viewing.

Department Head Reports

Public Works Director, Ernie Misak stated that they have been busy with snow removal. He stated that they did receive some complaints about the placement of snow in city streets and how it affected intersections. Councilman Whitney stated that he felt they did a good job and to keep the snow piled in the center of the streets.

Director Misak made reference to the consent agenda item that was approved earlier. He stated that the invoice from Daktronics, Inc. in the amount of \$7,571.00 is only the cost of the scoreboards and does not include installation. He stated that only 1/3 of this cost should be the city's portion and that a separate invoice will be issued for the installation, probably from

Decker. Misak stated that there was a quote from Decker on the installation costs.

Councilman Ussery made a motion to rescind the motion to approve payment to Daktronics, Inc. in the amount of \$7,571.00. Councilman Griffin seconded the motion and the motion carried unanimously.

Director Misak reported that the generator at the Fire Department was repaired on Monday at a cost of \$703. Foley Equipment did absorb the other half of the cost due to the recall notice that they received earlier.

EVS Director Donald Schauf reported that he is working with the Fire Department in ordering new bunker gear. He referred to a hand out provided to the council to explain the needs. He also stated that they are pursuing a grant that could reimburse them up to 50% of their gear.

Councilman Whitney stated that he would like to see the department consider going in with a coop to lower the cost of purchase. He also suggested that the department send out a request for bids to get the best cost available. He stated that he understood the equipment is needed and it has been budgeted, but he would like to see the department explore means of purchasing new gear. After discussion, Schauf stated they would send out request for bids. Councilman Whitney asked Schauf if he has had any issues with the new ambulance. Schauf stated that issues have been minor and corrected.

Fire Chief Marvin Schauf stated that the Fire Department needs a set of tires for the tanker truck.

Chief Garcia reported that court has been rescheduled for 2/12/14, due to the weather. He reported that he has an officer on sick leave and he is now out of sick leave. He stated that the officer will require 4 days of additional sick leave. Administrator Brown stated that there is a procedure in place that allows employees to use hours from a shared sick leave bank. It requires approval from the Mayor, Council President and City Administrator will determine approval. It was council consensus to start the process.

Chief Garcia asked councils approval to explore utilizing a different phone service, specifically Verizon. He stated they would receive better coverage and they offer a cost adjustment to law enforcement. City Administrator Brown asked Garcia to come back to council with costs.

Claims & Warrants

City Clerk Barbara Salinas presented the claims and warrants as of February 7, 2014 in the amount of \$40,183.66. Additional claims and warrants came in to city office since Friday in the amount of \$1961.52.

After discussion, Council Member Ussery moved to authorize payment of the claims and warrants for \$42,145.18. The motion was seconded by Council Member Whitney.

Councilman Ussery inquired if this report could be run by vendor. Clerk Salinas stated that they would provide new format with the next council packet.

Old Business

Police Chief Garcia would like to notify the public on vehicle Ordinance. Council received the request for public input. Chief Garcia would like to push the date back to the first meeting in March.

Staff Reports

Clerk Salinas reported that with council's approval, staff would like to purchase a file cabinet and make the front area secure, efficient and organized. She stated that a file cabinet could be obtained for \$200 for used office furnishings from SKT. It was by council consensus to move forward with the purchase.

City Attorney Amerine requested an Executive Session; legal matters. Council Member Ussery made a motion to adjourn into executive session at 8:05 p.m. for legal matters for 20 minutes with city attorney Amerine and Donald Schauf. Council Member Clark seconded the motion and passed unanimously.

Council reconvened in to regular session at 8:25 p.m. with no action taken.

City Administrator Brown stated that the city would like to send out a request for bids for the sidewalk and curbing repairs on the 100 block of Ross Avenue. Councilman Griffin asked if we could get bids for the price per square foot also. Brown stated that we could request an overall cost and price per square foot.

Councilman Ussery asked about the city's bid process. Administrator Brown stated that request for bids are sent out to a list of contractors. Councilman Ussery asked if this could be posted to the city's website also. It was the consensus of the council to send out the request for bids.

Administrator Brown mentioned the grant that EVS Director Schauf brought up earlier. He stated this grant is due by April 1st and has a max of \$10,000. He stated it is a VFA program and eligible to city with a population of 10,000 or less. Councilman Whitney provided a resource for someone familiar with availability and writing grants.

Council Reports

Council Member Paul Clark had nothing to report.

Council Member Jim Whitney wanted to make sure that the Senior Center sidewalks and driveways are cleared. He commended staff for the good job they did on snow removal. He also would like to review the purchasing procedures at an upcoming meeting.

Council Member Chris Griffin had nothing to report.

Council member Burt Ussery had nothing to report.

At 8:35 pm, the Mayor asked for an executive session for 45 minutes for personnel matters. Council Member Ussery motioned for an executive session. Council Member Clark seconded the motion and passed unanimously.

At 9:20 p.m. the Council reconvened in to regular session with no action taken.

Adjournment

Being no further discussion to come before the Council, Council Member Ussery moved for adjournment and the motion was seconded by Council Member Griffin. The motion carried unanimously.

The Meeting adjourned at 9:20 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 February 11, 2014 meeting.

Given under my hand and official seal of the City of Clearwater, this 25th day of February, 2014.

Barbara Salinas, City Clerk