

**MINUTES  
CITY OF CLEARWATER, SEDGWICK COUNTY, KANSAS  
CITY COUNCIL MEETING**

**April 14, 2015  
Clearwater City Hall – Council Chambers  
129 E. Ross Avenue  
Clearwater, KS 67026**

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**CALL TO ORDER**

The regular meeting of the City of Clearwater, Sedgwick County, Kansas, City Council was called to order by Mayor Michael York on Tuesday, April 14, 2015 at 6:30 p.m., in the Clearwater City Council Chamber, City Hall, 129 E. Ross Avenue, Clearwater, Kansas.

**INVOCATION & PLEDGE OF ALLEGIANCE**

Council Member Chris Griffin gave the invocation which was followed by the pledge of allegiance and flag salute.

**ROLL CALL**

The City Clerk called the roll to confirm the presence of a quorum. The following members were present:

Mike York, Mayor; Burt Ussery, Laura Papish, Jim Whitney, Paul Clark, Chris Griffin Council Members were all present.

The following staff members were present:

Jim Heinicke, Interim City Administrator; Courtney Meyer, City Clerk; Others staff members present were: Gene Garcia, Police Chief; Marvin and Mary Schauf, Fire Department; Donald Schauf, EMS Director; Beki Zook, Recreation Director; Carol Reitberger, Deputy City Clerk

Others present: Casey Riddel, Beverly Scott, Caitlynn Skinner, Cornthey Showalter, Calin Meyer, Lonnie Stieben, Alyssa Hartman, Justin and Katie Givens, Jason Martin, Steve Lill, Cindy and Margaret Ussery

**REVIEW OF THE MINUTES**

Ussery moved, Griffin seconded to approve the minutes from March 24<sup>th</sup> meeting. Voted and passed unanimously.

**RECOGNIZE MIKE YORK AND JIM WHITNEY**

On behalf of the city staff, citizens, employees, and volunteers, Laura Papish, Council President, thanked the outgoing Mayor Mike York and Council Member Jim Whitney and presented them each with a plaque in appreciation for their service to the City of Clearwater.

**OATH OF OFFICE FOR NEW COUNCIL MEMBERS**

City Clerk, Courtney Meyer administered the Oath of Office to Laura Papish and Austin

Wood as Council Members. Council Members Papish and Wood took their place on the dais.

City Clerk, Courtney Meyer administered the Oath of Office to Burt Ussery as Mayor. Mayor Ussery took his place on the dais.

### **CALL TO ORDER**

The meeting of the City of Clearwater, Sedgwick County, Kansas, City Council was called to order by Mayor Burt Ussery on Tuesday, April 14, 2015 at 6:40 p.m., in the Clearwater City Council Chamber, City Hall, 129 E. Ross Avenue, Clearwater, Kansas.

Mayor Ussery urged citizens to join the City Council in positive efforts to improve the community.

### **ROLL CALL**

The City Clerk called the roll to confirm the presence of a quorum. The following members were present:

Burt Ussery, Mayor; Austin Wood, Laura Papish, Paul Clark, Chris Griffin Council Members were all present.

### **PUBLIC FORUM**

Steve Lill and Jason Martin came before council to inform them that the ball fields at the sports complex have been completed. Four keys have been made and given to Beki Zook, Recreation Director, Mike Peterson, Coach Schrader, and Bob Miller, Principal. The project was completed on schedule and on budget.

Jason Martin wanted to recognize and say thank you to all who helped complete the project. Steve Lill, Kansas Paving, Rude Concrete, CMC Concrete, Bill Budd from Donlinger, Youngers & Sons, Kevin Siler, Jason Gordon of Gordon Custom Homes, Martin Welding, tri county electric, Miksell Foundation, Todd Allen, Matt Freeman of Freeman Construction, Dave Wells, Kansas Fence, Jim Whitney of Whitney Landscaping, and Shelby Robinson Photography. It took about 600 hours of volunteer time to complete the project.

Lonnie Steiben with Clearwater Chamber of Commerce stated county kids 4H Club will be working on the putting in volunteer time by planting plants on April 27<sup>th</sup> at the Clearwater welcome sign.

### **NEW BUSINESS**

#### **Cell Tower Lease Proposals**

Heinicke presented council with four tower lease proposals, American tower, Landmark Dividend, Unison, and Tower Point Capital. Heinicke explained that two companies would pay a lump sum at the beginning of the contract, 1 would pay a set dollar amount annually for 11 years and the last one would pay a monthly rent. In comparison looking 12 years ahead the company that paid on a monthly basis would bring in more revenue than the other three companies.

Council discussed and asked that a \$40,000 removal bond be added to the contract.

Clark moved, Papish seconded to revised the lease agreement with American Tower to a monthly lease payment of \$775 and add a \$40,000 removal bond to the contract. Voted and passed unanimously.

### **Proposed Contract for City Administrator**

Council interviewed the city administrator candidate on April 1st. A contract and offer of employment have been negotiated subject to Council approval.

Justin Givens addressed the council and stated he had reviewed the contract and agrees to the terms of the contract. He can start on May 4<sup>th</sup>

Griffin moved, Clark seconded to accept the contract and offer Justin Givens the position. Voted and passed unanimously.

Clark moved, Papish seconded to accept a start date for Justin Givens as City Administrated on May 4 2015. Voted and passed unanimously.

### **Chisolm Ridge**

Heinicke asked the council if it is possible that a private sector parties may be interested in proposing a specific solution that the council be willing to accept proposals from interested parties for disposition of the lots in Chisolm Ridge. This would not foreclose the possibility for the City pursuing its own options.

Council came to a consensus to allow builders and/or realtor to make proposals.

### **Request to Purchase Water for 135<sup>th</sup> Construction**

Misak informed council the road contractors for the 135<sup>th</sup> Street reconstruction project has requested to purchase water from the City of Clearwater. The total amount of water requesting would be less than 1% of the city's total allocation.

Misak asked he be allowed to negotiate terms with the contractors to sell the non-potable water.

Ussery asked if there is any liability if we sell non-potable water and the contractors decide to drink it. Parker answered no as long as we are marketing and selling it as non-potable.

Wood moved, Papish seconded to authorize staff to continue negotiations and finalize a sale price for bulk water sales non-potable. Voted and passed unanimously.

### **Department Head Reports**

Garcia had nothing to report.

Don Schauf reported one of his trucks was out of alignment and had to be taken into Mel Hambelton Ford to be fixed. Two new tires were put on the truck.

Misak reported three trees had to be removed from the park and two more were rotten and were removed as well

Griffin asked Misak to look at the alley between 2<sup>nd</sup> and 3<sup>rd</sup> behind the school because the manhole cover is a foot below the grade and there is a large hole in the alley.

Misak stated he would take a look at it and will order new manhole cover for it.

### **Claims & Warrants**

City Clerk Meyer presented the claims and warrants as of April 14, 2015 in the amount of \$118,576.26 stating the reason for the high dollar is Sedgwick County taxes are due on the lots owned by the City in Chisolm Ridge.

Parker wants to review the invoices from Sedgwick County to make sure the City owes those taxes.

Griffin moved, Papish seconded to authorize the payment of all Claims and Warrants in the amount of \$118,576.26 with clarification on Sedgwick County invoices. Voted and passed unanimously.

### **Staff Reports**

Heinicke updated the council on the transload facility. They sent out an additional questionnaire and we returned it to them.

Heinicke also mentioned one of the city employees completed a level certification and it has been the practice to give a raise. He asked if he could draw up a policy and bring it to back to council. There was a consensus from the council.

Heinicke updated the council on the SRO program with USD 264. The school is terminating the agreement at the end of this school year.

Heinicke stated his last day will be April 30, 2015

Ussery made mention he would like to have an emergency preparedness plan meeting with department heads around the third week in May.

### **Executive Session**

Papish moved, Clark seconded to enter into an executive session at 7:46 p.m. for 10 minutes with Austin Parker, City Attorney to discuss attorney/ client privileges.

Mayor Ussery reconvened the regular meeting at 7:56p.m. with no action taken.

### **Council Reports**

Griffin asked if a study could be done on the 4<sup>th</sup> Street Intersections. There is a lot more trailer traffic has increased.

Wood had nothing to report.

Papish had nothing to report.

Clark had nothing to report.

Mayor Ussery had nothing to report.

**Adjournment**

With no further discussion to come before the Council, Papish moved, Wood seconded for adjournment. Voted and passed unanimously

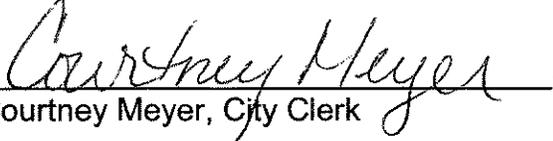
The Meeting adjourned at 7:57 p.m.

**CERTIFICATE**

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

I, Courtney Meyer, 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 April 14, 2015 City Council meeting.

Given under my hand and official seal of the City of Clearwater, Kansas, this 28th day of April, 2015.

  
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Courtney Meyer, City Clerk

