

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

June 9, 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 Burt Ussery on Tuesday, June 9, 2015 at 6:30 p.m., in the Clearwater City Council Chamber, City Hall, 129 E. Ross Avenue, Clearwater, Kansas.

**Invocation**

Mayor Ussery 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:

Burt Ussery, Mayor; Laura Papish, Paul Clark, Ron Marsh - Council Members were all present.

Wood and Griffin was absent.

The following staff members were present:

Justin Givens, City Administrator; Courtney Meyer, City Clerk; Austin Parker, City Attorney; Others staff members present were: Jason Gearhardt, Police Chief, Jo Johnson, Police/ Court Clerk; Pam Riggs, Community Center Director; Beki Zook, Rec Director.

Others present: Jim Kohman, EBH & Associates; John Haas, Ranson Financial.

**Approval of the Agenda**

Givens moved to strike 6b because the contract for American Cell Tower was not ready and Item 18 because there was no executive session needed.

Griffin arrived to meeting

Papish moved, Clark seconded to approve the agenda. Voted and passed unanimously.

**Public Forum**

None

**Consent Agenda**

Marsh moved, Papish seconded to approve the minutes from regular council session on

May 12<sup>th</sup> and Resolution 7-2015. Voted and passed unanimously.

**Consider Bid Proposals and Awards for Park Glen addition Temporary Notes**

Bids were accepted at 11am on June 9<sup>th</sup> for Temporary Notes. UMB Bank was low bid.

**Consider Resolution Authorizing \$510,000 in General Obligation Temporary Notes Series 2015**

Papish moved, Clark seconded to adopt Resolution 9-2015 authorizing \$510,000 in General Obligation Temporary Notes Series 2015. Voted and passes unanimously.

**PUBLIC HEARING – Consider Waiving of the Restriction on Location for the Sale of Cereal Malt Beverages at 117 E Ross St.**

Marsh moved, Clark seconded to open a public hearing.

Mayor Ussery opened the public hearing at 6:40.

No one approached council for comment.

Clark moved, Marsh seconded to close the public hearing.

Mayor Ussery closed the hearing at 6:41pm

**Consider a Resolution Waiving the Restriction on Location for the Sale of Cereal malt Beverages at 117 E. Ross**

The city has received an application for a Cereal Malt Beverage License from A&R Perez Corporation doing business as Armandos Mexican Grill at 117 E Ross. Mr. Guerrero has recently re-opened the former Cancun Mexican Restaurant. Mr. Guerrero was the cook at the restaurant in Clearwater under the former owners.

It was determined at the time of the initial application that the location is approximately 50 feet from the Clearwater Public Library. While previous establishments have had licenses to serve Cereal Malt Beverages, it could not be ascertained if a waiver had been granted to those other establishments.

Papish moved, Clark seconded to adopt Resolution 8-2015 waiving the restriction on location for the sale of cereal malt beverages at 117 E. Ross. Voted and passed 3-1.

**Consider a Cereal Malt Beverage License for A & R Perez Corporation dba Armandos Mexican Grill at 117 E. Ross**

Marsh moved, Clark seconded to approve a cereal malt beverage license for A&R Perez Corporation. Voted and passed 3-1.

**Authorize Staff to Solicit Bids for Waste Water Treatment Facility Phase I Improvements**

In September of 2013, the City received an administrative order from the Kansas Department of Health and Environment stating that the Waste Water Treatment Facility was non-compliant with effluent discharge levels.

In November 2013, the City entered into a contact for services with EBH and Associates for services related to the mitigation of the administrative order including the study, monitoring and reporting to KDHE.

Subsequently to that agreement, EBH presented a report on preliminary findings to KDHE in April 2014. KDHE returned comments in May 2014, approving the approach to further define mitigation measures. In September 2014, EBH presented an update report proposing plan for installing a recirculation system and removing sludge from cells 2, 3 and 4. The plan for compliance was approved by KDHE in October of 2014.

In February 2015, the agreement between EBH and the city was amended to include design and construction of measures to improve the treated effluent from the lagoons. In May of 2015, a draft set of bid documents were submitted to the city and staff is now prepared to move forward with the release of the project to bid and move

Papish moved, Marsh seconded to authorize staff to solicit bids for the WWTF Phase I Improvements. Voted and passed unanimously.

#### **Approve and Authorize Staff to Post Chief of Police Vacancy**

At the May 26, 2015 meeting staff noted that a vacancy announcement for the open Police Chief position would be prepared for comment at the June 9<sup>th</sup> meeting. Staff has prepared a draft announcement to review and comment.

Papish moved, Marsh seconded to authorize staff to post the Chief of Police vacancy. Voted and passed unanimously.

#### **Mayoral Appointments to Chief of Police Search Committee**

Mayor has requested the appointment of two council members to serve and a selection committee along with the City Administrator and as well as a member of the community to review applicants, hold preliminary interviews and present the Governing Body as a whole with a qualified candidate for consideration.

The Mayor has asked Chris Griffin and Ron Marsh from the Council, Aaron Tjaden from the community and someone from the law enforcement field.

Clark moved, Marsh seconded to approve the Mayor's appointments. Voted and passed unanimously.

#### **Authorize Staff to Issue Request for Proposals for Chisholm Ridge Addition**

Staff is proposing to publish the attached Request for Proposals and distribute the announcement thru various trade organizations to encourage development and the construction of new homes in the Chisholm Ridge Addition. Thru the proposal process the City will be able to more accurately compare and consider options for new home construction. Based on the RFP, the City is not obligated to select any option and may if they desire follow up and negotiate with any entity providing a proposal.

Council discussed making one of the lots a playground. It was a consensus to not list the number of properties available in the RFP in case one of the properties that are ready to build on is a suitable site for a playground. Council to discuss further.

Marsh moved, Clark seconded to authorize staff to issue requests for proposals for

Chisholm Ridge. Voted and passed unanimously.

**Budget Presentation – Police/ Court**

Gearhardt and Johnson presented Police and Court budgets. Initial review of the budget did not indicate a request for increase in funds over last year.

**Budget Presentation – Community Center**

Riggs presented for the Community Center. The Community Center has been operating at a Level 2 facility but receiving funding for a level 1 from the Department on Aging. Riggs has applied for the increase funding but has been denied in the past. The difference is being paid out of the general fund.

Initial review of the budget did not indicate a request for increase in funds over last year.

**Budget Presentation – Parks and Recreation**

Givens presented the budget for parks and recreation. Initial review of the budget for the pool and park did not indicate a request for increase in funds over last year.

Zook was asked by Council to have the Recreation Commission present a list of projects they would like to see done in budget year 2016.

**Claims and Warrants**

Meyer presented the claims and warrants in the amount of \$57,272.79. Papish moved, Griffin seconded to approve the claims and warrants. Voted and Passed unanimously.

**Administration Report**

- o Budget preparations continue. Council workshop is June 20<sup>th</sup> 8am
- o Staff is continuing to review the personnel manual.
- o Department heads will be reviewing budgeted expenditures as well as overall budget to determine 3<sup>rd</sup> and 4<sup>th</sup> quarter purchases
- o Water rights were approved from the Division of water Resources for our water wells as well as the ball fields.

**Public Works**

- o Staff has caught up on most of the mowing.
- o Staff replaced the driveway entrance at the Liquor Store
- o Staff repaired and replaced the brakes on the grader.
- o Staff is in the process of upgrading the middle soccer field.
- o Staff repaired a water leak at 9800 w. 103<sup>rd</sup>.

**Park and Recreation**

- o The work on the baby pool as been completed and it was opened over the weekend.
- o 19 home games scheduled Monday-Thursday for baseball and softball.
- o BlastBall for 3 and 4 year olds, started and has 57 participants register for the 4 Mondays in June.
- o The Recreation Commission will meet on Wednesday to discuss/ approve Director job description that was discussed with City Council last year.

**Library**

- o Summer reading program is around the corner. The theme is Every Hero has a

Story for those in K-6<sup>th</sup> grades.

- o Library Board will present 2016 budget request at the June 23<sup>rd</sup> meeting
- o The Library did receive a \$1500 grant over the past two weeks. Staff is looking into ways to better process grant monies so that it does not affect the overall budgeted expenditure authority requiring the city to republish the budget.

**Police**

- o Officer Harp was active during garage sales reminding citizens to secure cash boxes.
- o Officer Patterson-Rickstrew and Jo Johnson completed a CPTED survey on the church of the Nazarene.
- o A residential burglary/ bike thefts/ forgeries ring was stopped Wednesday in Clearwater
- o Sgt. Luckner has been selected for advanced training at KLETC for administration and management. He will be at training the 12<sup>th</sup> thru the 17<sup>th</sup>.

**Attorney**

- o Parker stated he would like an executive session for 45 minutes. To discuss consultation with an attorney for the body for agency this would be deemed privilege in the attorney/ client relationship being the City Attorney.

**COUNCIL REPORTS**

Wood has nothing to report

Papish has nothing to report

Griffin has nothing to report.

Marsh has nothing to report

Clark has nothing to report

Ussery has nothing to report

**Executive Session**

Griffin moved, Clark seconded to go into executive session for 45 minutes to discuss consultation with an attorney for the body for agency this would be deemed privilege in the attorney/ client relationship being the City Attorney at 9:30pm.

Meeting was resumed with no binding action taken in executive session.

**Adjournment**

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

The Meeting adjourned at 10:20 p.m.

**CERTIFICATE**

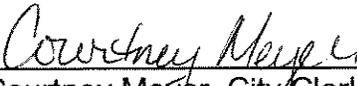
Clearwater City Council Minutes – June 9, 2015

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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 June 9, 2015 City Council meeting.

Given under my hand and official seal of the City of Clearwater, Kansas, this 23rd day of June, 2015.

  
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Courtney Meyer, City Clerk