

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

March 10, 2015
Clearwater City Hall – Council Chambers
129 E. Ross Avenue
Clearwater, KS 67026

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, March 10, 2015 at 6:30 p.m., in the Clearwater City Council Chamber, City Hall, 129 E. Ross Avenue, Clearwater, Kansas.

INVOCATION & PLEDGE OF ALLEGIANCE

Mayor Michael York 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; Chris Griffin, Burt Ussery, Laura Papish, Jim Whitney, Paul Clark 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; Ernie Misak, Public Works Director; Marvin Schauf, Fire Department; Beki Zook, Recreation Director;

Others present: Shawn and Ashley Weaver, Marlene Parret, Rebecca Estes, Jeff Laha, Eric McGrath, Lauren Waymire, Logan Mills, Maggie Kunkel, Harlan Foraker, Cody Gerberding, Kent Wilkens, Brock Webb, Yvonne Coon.

Public Forum

No one addressed the City Council at this time.

Consent Agenda

Papish moved, Ussery seconded to approve the consent agenda as presented. Consent agenda was voted on and passed unanimously with the change. 5-0

Roll call was required to adopt the Ordinances 994, 995 and 996 in the consent agenda. Roll call: Whitney, yea; Ussery, yea; Papish, yea; Clark, yea; Griffin, yea.

NEW BUSINESS

Park Glen Estates

Recommendation on Zoning Variance Requests for Park Glen Estates

Heinicke, informed the Council that the Planning Commission has unanimously approved a request for two variances from the Subdivision Regulations for Park Glen Estates. A first request is to allow six foot side yard setbacks on the proposed patio home lots. The side yard setback would apply to Block 2, Lots 5 through 21.

The second request is to allow a 15 foot setback on the patio home cul-de-sac (Block 2, Lots 10-16) and corner lots Block 1, Lots 7 and 11 plus Block 2, Lots 5 and 21. The smaller setback on the corner lots is intended for the side of the lot which would actually become a side yard when the home is built.

The unanimous recommendation from the Planning Commission is to approve both requests.

Parker explained to the Council that it was up to them to authorize variances of these sub division regulations. In authorizing these variances there are three findings: 1. strict application of these regulations will create an undue hardship upon the sub divider. 2. That the proposed variances in harmony with the intended purpose of these regulations. 3. The proposed variance will not be detrimental the public welfare or injurious to the other property in the vicinity in which the property is situated.

Ussery moved, Whitney seconded to accept the zoning variance requests recommended by the Planning Commission and findings made by governing body in accordance with Article XI, Section 2 of the Cities subdivision regulations.

Drainage Plan for Park Glen Estates

Logan Mills, Certified Engineering Design, explained the drainage plan that was reviewed by the Planning Commission.

The reserve will decrease the peak discharge amount from 57.33 to 47.9 when Phase 1 is completed.

Park Glen Estates Home Owners Association will be responsible for the maintenance of the reserves

Shawn Weaver, Park Glen Estates, and Harlan Foraker, Certified Engineering Design, are working on an offsite drainage agreement. The water is draining onto the property to the south already and Weaver does not see a problem with getting an offsite drainage agreement. If no agreement can be made it will not affect the progress of the development. The engineer in the process will address the drainage if there is a problem.

Drainage will be constructed at the same time water, sewer, and streets are being done.

Final Plat

Heinicke stated the Planning Commission approved the Final Plat since it met all the City's requirements.

The Developer has expressed intent to initiate development of the first eleven lots on Park Glen Street. A second phase would come later if the first is successful. The second phase would include the proposed patio homes. The first eleven lots and the patio home area have been included in the Final Plat.

Whitney moved Clark seconded that the final plat be accepted two stated conditions; that the developers plan is included therein by reference and it states minimum and maximum pad elevations for each lot be stated on it.
Motion passed unanimously 5-0.

Developer Agreement

Council discussed pros and cons regarding the collector street addressed in the developer's agreement. Consensus of the Council was made to strike the paragraph that references the collector street in the developer's agreement.

The changes are to be made by City Attorney and Developer and brought back to Council at next meeting.

Residential Development Incentives

Heinicke addressed the Council and stated they need to have a serious discussion about potential residential development incentives.

Several options were discussed and council agreed they two they would like to discuss further are construction loan guarantee and a joint marketing campaign.

Water Well Fencing and Security

Misak shared with Council pricing and ideas for securing the three well houses.

It is a consensus by the Council that the first priority is to get alarms on the well houses and generator. The next step will be putting a perimeter fence around the acre property and chain link around the well house.

Council asked Misak to get bids for alarms to put on the well houses and generator for next meeting.

Department Head Reports

Garcia informed the Council the 135th street project has now been delayed to April 6th and Sumner County is doing construction on 151st Street and 6 miles of that road will be closed for 60 to 90 days.

Garcia also wanted to recognize the National Law Enforcement Officers Memorial Fund is recognizing Deputy Marshal Robert J Hammers.

Zook updated the Council on the Park project. The concrete pads are being poured, the new equipment is on order, Westar has been contacted to move and remove wiring and Saturday March 14th is Perk up the Park. This is an opportunity for the community to work together and get the park ready for the equipment.

Misak said he was approached by a contractor last Friday to purchase water from the City.

They wanted to purchase 500,000 gallons.

It was discussed since the City is only allocated so many gallons then it was not in the best interest to make an agreement.

Misak also stated the railroad on 4th Street was scheduled to be worked on the week of March 16th. The tracks would be closed for 2 days while they are working on them.

Misak asked permission to purchase a new mower that was budgeted for 2014 but never purchased. He stated funds were still available and asked if he could purchase it. The Council agreed as long as the money was available.

Whitney asked Misak to clean up the alleys where water pipes have been replaced.

Claims & Warrants

City Clerk Meyer presented the claims and warrants as of March 10, 2015 in the amount of \$180,227.24

Whitney moved, Clark seconded to authorize the payment of all Claims and Warrants in the amount of \$180,227.24. The motion was voted on and it passed unanimously. 5-0

Staff Reports

Heinicke informed Council; the City requires assistance in issuing bonds for future projects, such as the Sewer Lagoon project and subdivision improvements in Park Glen Estates. Financial advisors serve in an advisory capacity to help assure that appropriate processes are followed, that bond financing terms are advantageous to the City, and to sell bonds through a public bid process. The City currently has no such advisor.

Staff has interviewed four firms which have representatives licensed with the Securities and Exchange Commission to be able to provide such services. Firms interviewed were Central States Financial, Ranson and Company, Piper Jaffrey, and George K. Baum.

Heinicke recommended Ranson and Company because they are local, they work on grants in house as well as low interest loan programs, and he has worked with John Haas, a Financial Advisor, before and believes he would work well with the City.

Griffin moved, Ussery seconded to move into contract with Ranson and Company to be our financial advisors. All were in favor. 5-0

Heinicke notified Council that last year, the Council adjusted swimming pool rates. Each spring the City schedules a review of pool rates. The Recreation Director suggests that since rates were raised last year, the rates should remain the same for 2015.

Council agrees with recommendations from the Recreation Director and Interim City Administrator

Heinicke informed Council that at least two companies have expressed interest in taking over lease arrangements on the tower at 10740 S. 151St. The City owns the land but not the tower.

As a consensus the Council is interested in further inquiry on the tower lease proposals.

Meyer asked if Sue Koenig, Library Director, credit card could be increased from \$500 to \$1000. The Library Board has already approved it but the card is under the City of Clearwater and needs Council's approval too.

Ussery Moved, Clark seconded that Sue Koenig's credit card limit be raised to \$1000. All were in favor. 5-0

Meyer also informed Council that Trisha Nichols is putting on the Art Walk on March 27th from 7pm to 9:30pm and asked if she could use the council chambers as one of the art stops.

Council agreed as long as the partition is closed and only front half of the chambers is used. An employee of the City will also need to be present during that time.

Old Business

Papish would like to discuss Chisolm Ridge lots at next meeting.

Executive Session

Ussery moved Griffin seconded to enter into an executive session at 7:52p.m for 25 minutes with Austin Parker, City Attorney to discuss attorney/ client privileges.

Mayor Michael York reconvened the regular meeting at 8:17 p.m. He indicated no decisions were made and no action was taken.

Council Reports

Ussery updated the Council on the status of the Search Committee. Two interviews have been conducted. There is still one more interview next week. Out of the three reviews the Search Committee will review the applicants and make their recommendations on how to proceed with the Council.

Griffin will not be available March 17th – 24th.

Whitney asked if his formal complaint had been carried out. Garcia stated that pictures have been taken and the owner of the property has not been able to be reached. Parker will follow up with a contract.

Papish had nothing to report.

Clark had nothing to report.

Mayor Mike York asked for an Executive Session for Attorney/ client privileges for 10 minutes..

Whitney moved, Ussery seconded that an executive session be called for attorney client privileges for 10 minutes. All were in favor. 5-0

Council Members went into executive session at 9:41 p.m.

While in executive session Papish moved, Clark seconded that the executive session be extended for 5 more minutes. All were in favor. 5-0

Council came out of executive session at 9:57 with no action taken.

Adjournment

With no further discussion to come before the Council, Clark moved, Whitney seconded for adjournment. The motion was voted and passed unanimously.5-0.

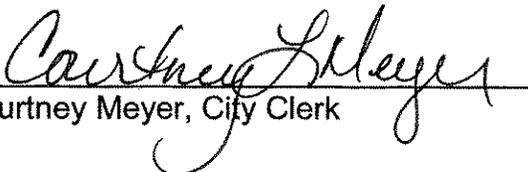
The Meeting adjourned at 9:59 p.m.

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 March 10, 2015 City Council meeting.

Given under my hand and official seal of the City of Clearwater, Kansas, this 24th day of March, 2015.



Courtney Meyer, City Clerk