

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

May 26, 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 Burt Ussery on Tuesday, May 26, 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 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; Austin Wood, Laura Papish, Paul Clark, Chris Griffin, Ron Marsh - Council Members were all present.

The following staff members were present:

Justin Givens, City Administrator; Courtney Meyer, City Clerk; Others staff members present were: Jason Gearhardt, Police Chief.

Others present: Kevin Cowan, Gilmore and Bell; Paul Rhodes, Times Sentinel News.

**PUBLIC FORUM**

None

**CONSENT AGENDA**

Griffin moved, Papish seconded to approve the minutes from regular council session on May 12<sup>th</sup>. Voted and passed unanimously.

Griffin moved, Wood seconded to move consent item b. Pay Increase for Seasonal Employee to an agenda item. Voted and passed unanimously.

**PAY INCREASE FOR SEASONAL EMPLOYEE**

Givens stated we have had a seasonal employee return for a third consecutive year. The employee has not had a pay increase since the year he was hired. Givens recommends moving forward with the requested increase.

Griffin moved, Clark seconded to approve the increase for the seasonal employee. Voted and passed unanimously.

**CONSIDER A RESOLUTION CALLING FOR THE SALE OF TEMPORARY NOTES**

Givens stated as part of the process for installing infrastructure in support of the Park Glen Estates Addition, the Governing body did accept and approve petitions for improvements and a development agreement for said improvements as well as an engineering services agreement. The resolution before the Governing Body is another step in the process for acquiring the funds to proceed with the project.

The resolution authorizes the offering of General Obligation Temporary Notes in the amount not to exceed \$510,000.00. This includes the Street Improvements, Water Improvements, Sanitary Sewer Improvements, and Drainage Improvements. Bids for the temp notes will be accepted until 11:00a.m. on June 9<sup>th</sup> at which time; the bids will be analyzed and presented to the Governing Body later that day at the regular meeting.

Papish moved, Griffin seconded to adopt Resolution 6-2015 calling for the sales of Temporary Notes. Voted and passed unanimously.

**SEASONAL POOL APPOINTMENTS AND NEW POSITIONS AND COMPENSATION**

Givens explains that according to the City of Clearwater Policy, the Mayor and Council are required to appoint seasonal pool personnel on an annual basis. These employees include the pool manager, water safety instructors, lifeguards and basket room attendants. Chuck Reitberger will return as the pool manager. Chuck is returning for his 20<sup>th</sup> season as the manager. Of the lifeguards six have four or more years of experience and the pool will be adding four new employees this year. Additionally, an Assistant Manager position has been created for 2015.

He further stated it is important for an identifiable person to be in charge when the pool manager is not present and the creation of the Assistant Manager position will allow for this designation and delegation of duties when the manager is not present. The Assistant Manager will be paid at a rate of \$8.50 per hour, which is in line with normal seasonal salaries.

The Recreation Director has requested that the pool manager salary be moved from an asset rate of \$6,000.00 per year to an hourly rate of \$10.00. The concern from a staff perspective is that paying this position at an hourly rate could result in a higher expenditure for the pool manager salary than budgeted. The pool manager's time has not been tracked over the past years and typically with managerial level employees they work above 40 hours per week and usually more than 80 hours in a pay period.

Council discussed moving the pool manager from salary to hourly and thought it best to further discuss with the Recreation Commission and Recreation Director the reasons for moving this position from salary to hourly. Their concern is the duties that are written for the pool manager does not fall under a non-exempt job.

Griffin moved, Clark seconded to accept the pool appointments. Voted and passed unanimously.

Marsh moved, Wood seconded to appoint the new position of Assistant Pool Manager

at \$8.50 per hour. Voted and passed unanimously.

Papish moved, Clark seconded to keep the pool manager salary as budgeted with further evaluation done on the position. Voted and passed unanimously.

### **NINNESCAH TOWNSHIP FIRE SERVICES AGREEMENT**

Givens explained at the April 28<sup>th</sup> meeting, the Governing Body directed staff to create an agreement for Fire Services with Ninnescah Township. Fire Services have been performed by the Clearwater VFD for the past five years in accordance with Clearwater Ordinance 911. The ordinance called Ninnescah township to pay the equivalent sum of six mills for fire protection within the township. The ordinance expired at the end of 2014. It was determined that both parties would be better serviced with an agreement as opposed to an ordinance.

The City Attorney crafted the agreement that provides for fire protection services to the township on a one year basis with an automatic renewal that maintains the current level of funding of six mills. The agreement allows both parties to terminate the agreement with written notice as well. The City Attorney also drafted Ordinance 997 to repeal Ordinance 911.

Clark moved, Wood seconded to adopt Ordinance 997 to repeal Ordinance 911. Roll call; Wood, yea; Papish, yea; Clark, yea; Marsh, yea; Griffin, yea.

Papish moved Clark seconded to authorize the Mayor to enter into an agreement with Ninnescah Township for fire services. Voted and passed unanimously.

### **CLAIMS & WARRANTS**

City Clerk Meyer presented the claims and warrants as of May 26, 2015 in the amount of \$38,870.65.

Papish moved, Clark seconded to authorize the payment of all Claims and Warrants in the amount of \$38,870.65. Voted and passed unanimously.

### **CITY ADMINISTRATOR REPORT**

Givens updated the Council on each department's activities.

#### **Administration**

- o Budget preparations continue. Department will start presenting budgets at the June 9<sup>th</sup> meeting
- o Staff met with the engineer for the lagoon project. A draft set of bidding documents were received for review and intend to have the authorization to proceed at the June 9<sup>th</sup> meeting.
- o Misty Bruckner of WSU on the Fire & EMS study will be available on June 23<sup>rd</sup> to give her report.
- o Staff is working on the RFP for Chisolm ridge lots. It will be presented to the Council at the June 9<sup>th</sup> Meeting.
- o A public hearing is scheduled for June 9<sup>th</sup> for Cereal Malt Beverage license for Armando's Mexican Grill.
- o Staff in also reviewing the personnel manual to make sure that it is up to date.

#### **Public Works**

- The asphalt milling project is coming along nicely. Millings from 135<sup>th</sup> St were at the Sports Complex on the east side parking area. More millings will be placed as the area is compacted to solidify it.
- Mowing will be taking place this week – weather dependent. They are behind but will be trying to catch up this week.
- The plumbing for the Well 3 Bulk Water Sale is complete and bulk water can now be sold directly from the well.
- There was sewer back up last weekend that was caught before any major damage was done. The staff will be looking at options to help minimize future occurrences in the area.

### **Park and Recreation**

- Baseball and Softball are in full swing.
- The pool was scheduled to open this weekend. Weather and the loss of the main circulation pump put a damper on weekend activities. The pump has been repaired and is operational.
- ADA ramps have been installed in the baby pool and wading pool.
- A load of mulch was delivered last week and will be placed in the park. Recreation Commission plan to have another Perk up the Park with the times comes to lay out the mulch.
- The work continues on the bridge. The weather has also had an impact on that project as portions of the sidewalk are being removed and re-poured. Wing walls will be added to the area to minimize the erosion from storm water that was discovered in the repairs of the bridge.

### **Library**

- Summer reading program is around the corner. The theme is Every Hero has a Story for those in K-6<sup>th</sup> grades.
- There are Summer Reading programs for 7<sup>th</sup> – 12<sup>th</sup> grades as well as adults.
- June 2<sup>nd</sup> Roy Riggs of the Clearwater PD will be a featured guest.
- Library Board will present its 2016 Budget Request at the June 9<sup>th</sup> Meeting.

### **Police**

- The Sedgwick County Sherriff K9 Units were at the Elementary East for training.
- There was an accidental discharge of a firearm over the weekend. His is the second such occurrence in the last several weeks. A Clearwater resident was taken to St. Francis for this incident.
- Officers responded to an animal in need at a resident's home. The resident picked up the stray and it was gravely ill. Animal Control recommended the euthanasia of the animal.
- A job posting for the chief position will be completed this week and sent out to various sources for posting.

### **Community Center**

- The Community Center will be hosting a seminar on Greymail by SKT on June 1<sup>st</sup>. the program is designed to help seniors familiarize themselves with the SKT's new mail platform. This is a bring your own device seminar.
- The carry in lunch will be June 9<sup>th</sup>.
- The Community Center will be hosting \$5.00 manicure special on June 11<sup>th</sup>.

**COUNCIL REPORTS**

Wood will be absent on the June 9<sup>th</sup> meeting

Papish has nothing to report

Griffin asked the City Attorney why we do appointment in the May. Parker stated it is due to the State Statues 14-204 and 15-209 that we do them in the first meeting in May.

Marsh will be absent on June 23<sup>rd</sup> meeting. Also the Girl Scout bridge on 103<sup>rd</sup> is closed for 3 days.

Clark inquired if it is City responsibility to keep the Cemetery entrances in good shape. They are muddy ruts due to the rain and if they are please have Public Works put some rocks in the.

Ussery stated the Governing Body Institute meeting he, Marsh, and Wood attended was very information and encourages the rest of Council to attend next year. He also attended the Regional Water Conference that he found very good as well. Ussery asked if Givens could get EBH back to one of the regularly scheduled meeting to give the Council an update on the project and where the City stands with KDHE.

**ADJOURNMENT**

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

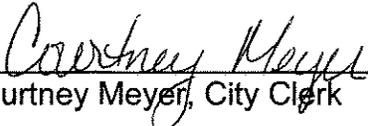
The Meeting adjourned at 8:30 p.m.

**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 May 26, 2015 City Council meeting.

Given under my hand and official seal of the City of Clearwater, Kansas, this 9th day of June, 2015.

  
\_\_\_\_\_  
Courtney Meyer, City Clerk

