

City of Clearwater, Kansas
Sedgwick County
City Council Meeting - **MINUTES**
October 27, 2015
Clearwater City Hall – Council Chambers
129 E. Ross Avenue Clearwater, KS 67026

1. Call to Order

Mayor Burt Ussery called the meeting to order at 6:30 p.m.

2. Invocation and Flag Salute

Mayor Ussery gave the invocation which was followed by the pledge of allegiance and flag salute.

3. Roll Call

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

Mayor Burt Ussery, Laura Papish, Ron Marsh, Paul Clark, Chris Griffin were all present.
Austin Wood was absent.

The following staff members were present:

Justin Givens, City Administrator; Courtney Meyer, City Clerk; Austin Parker, City Attorney; Jason Gearhardt, Interim Police Chief; Ernie Misak, Public Works Director;

Others Present:

Shawn Weaver, Park Glen Estates; Cade Gentry, Sarah Cowles, Kinley McQueary, Elise Oberlechner, Sofia Przystanski, Mason Kerr, Brandon Bates, Lauren Morris, CHS Students.

4. Approval of the Agenda

Administrator Givens asked to add a line item and make it number fourteen titled letter of support for Sedgwick County Department on Aging.

Mayor Ussery called for a motion to approve the October 27th agenda with the addition.

Motion: *Griffin* moved, *Clark* seconded to accept the October 27, 2015 agenda as modified. Voted and passed unanimously.

5. Public Forum

None

6. Consent Agenda

Mayor Ussery called for a motion to approve the consent agenda.

Motion: *Marsh* moved, *Clark* seconded to approve the consent agenda as presented. Voted and passed unanimously.

7. Adopt Ordinance 1003 – Parking in Front Yards

Administrator Givens stated that at the October 13, 2015 meeting, staff requested clarification of Ordinance #965 and Section 10.20.110 of the Clearwater Municipal Code. The intent of the ordinance was not clear to staff and several complaints had been made about recreational vehicles being parked in

front yards on grass. During the discussion with the Governing Body it was determined that the intent of the ordinance was to restrict parking of any vehicle in a front or side yard to hard surfaced areas only and that parking on grass for any vehicle was not allowed. Staff was directed to craft an ordinance that reflected the desire of the Governing Body.

City Attorney, Austin Parker crafted the proposed ordinance that reflects the desired changes in the code. C.A. Parker amended it by striking motor from the section so that it covers all vehicles and includes recreational vehicles in the definitions of the section.

Motion: *Clark* moved, *Marsh* seconded to approve Ordinance 1003.

Roll Call: Clark, yea; Papish, yea; Marsh, yea; Griffin, yea.

8. Adopt Ordinance 1004 – Backing and Turning Left over two adjacent yellow lines

Givens stated at the October 13, 2015 meeting, staff requested clarification of Ordinance #979 and Section 10.08.080 of the Clearwater Municipal Code. The intent of the ordinance was not clear to staff and several instances of Officers stopping vehicles for backing across double yellow lines had occurred. Through the discussion with the Governing Body it was determined that the intent of the ordinance was to allow the practice for vehicles entering and exiting private property but for the practice to remain illegal while in public parking areas such as downtown. Staff was directed to craft an ordinance that reflected the desire of the Governing Body.

City Attorney, Austin Parker has crafted the proposed ordinance that reflects the desired changes in the code. C.A. Parker amended the language as follows:

“10.08.080 – Backing across two adjacent yellow lines marked on a roadway – Prohibited. It shall be unlawful for the driver of any vehicle to back across two adjacent yellow lines marked on a roadway unless such backing is into or from a private road, parking lot or driveway.”

Motion: *Marsh* moved, *Papish* seconded to adopt ordinance 1004.

Roll Call: Clark, yea; Papish, yea; Marsh, yea; Griffin, yea.

9. Award Park Glen Estates Street and Drainage Improvement Bid

Bids for Park Glen Phase 1 Street Construction were opened on October 22, 2015. Bids were solicited from various contractors in the area. The plans call for the installation of approximately 600 feet of roads for the new development. The plans and specifications were crafted by City Engineer Harlan Foreacre.

Additionally, it has been requested by contractors that they be allowed to use temporary construction access via the Chisholm Trail Sports Park. The use of this area eliminates everyday construction traffic as well as heavy equipment loads from traveling along Park Glen Street. It should be noted that this access point will only be for construction traffic during the installation of infrastructure. This is not a permanent access point or travel way. Additionally, language was placed as an addendum in the contract to notify contractors that any damage or degradation of the millings or rutting of grasses areas would be required to be repaired as part of the site restoration if this temporary access point is used.

Cornejo and Sons were the low bid of \$267,215.45 for the project. A bid tabulation sheet was presented to the Governing Body.

The \$267,215.45 is funded through the temporary notes that the city issued earlier this year for Park Glen Estate improvements. Once completed those notes will be rolled into permanent financing and the property owners will re pay the bonds thru special assessments.

Council discussed using the Chisholm Trail Sports Complex entrance for construction equipment versus using Park Glen Street. Their discussions included that it would be easier to repair millings and grass than it would to repair streets. In Park Glen residents park on either side of the street and it would make it difficult for large equipment to travel down.

Council agreed to allow for a temporary access through Chisholm Trail Sports Complex for construction equipment for the Park Glen Estates project.

Motion: *Papish* moved, *Griffin* seconded to award bid to Cornejo & Sons for the Park Glen Estates street project. Voted and passed unanimously

10. Authorize the Mayor to sign Contract with Cornejo & Sons

Motion: *Marsh* moved, *Griffin* seconded to authorize the Mayor to sign the contract with Cornejo & Sons for the Park Glen Estates street project. Voted and passed unanimously

11. Senior Request for Funds

For the last several years students from Clearwater High School have assisted in both the spring and fall community wide clean up. Students this year not only assisted with unloading but also with painting at the Chisholm Trail Sports Complex. Trip sponsors organize the student volunteers and track hours spent in community service. Those credited hours are then used to portion out funds to help offset the cost of the annual Senior Trip to Washington D.C.

Past Councils have approved up to \$1,500 in monies to help offset the cost of the trip and as a donation for assistance during the community clean ups. In 2015, 21 students participated in city related projects with a total of 79 hours being credited to them.

Motion: *Griffin* moved, *Clark* seconded to approve donating \$1500.00 to the Senior Trip to Washington D.C. Voted and passed unanimously

12. Generator Service Agreement

Routine maintenance and inspection is critical to prolonging the life and operation of emergency generator equipment that serves the city. In 2012, the city entered into an agreement with Foley for the servicing and inspection of generators at the city water wells (3) as well as the Wastewater Facility and Fire/EMS facility. That contract term was for three years.

Staff has been pleased with the service from Foley but in an effort to maximize public dollars bids were solicited from several companies since the service contract was expiring. Foley's total price reduced slightly from \$1,194.00 during the last contract cycle to \$1,185.00 for this three year contract. Central Power Systems provided a bid price of \$1,050, which is lower but CPS does not provide or perform laboratory analysis of oil and water in the units. Foley provides this service and it is beneficial in indicating wear or potential problems with the units.

Motion: *Clark* moved, *Marsh* seconded to approve the generator service agreement with Foley. Voted and passed unanimously

13. Claims and Warrants

Meyer presented the claims and warrants in the amount of \$107,942.35 and asked Council if they had any questions.

Motion: *Papish* moved, *Clark* seconded to pay the claims and warrants in the amount of \$107,942.35. Voted and passed unanimously.

14. Authorize the Mayor to sign Support Letter for Department on Aging

Givens explained the Department on Aging provides rides for the elderly to the store, medical appointments, or other errands. Sedgwick County Department on Aging will reimburse people if they help out with these services with funding they received from a Kansas Department of Transportation Grant. SCDOA is asking City of Clearwater to send a letter in support to the KDOT.

Motion: *Marsh* moved, *Clark* seconded to authorize the Mayor to sign the letter of support. Voted and passed unanimously.

15. City Administrators Report

• Administration

- Staff will be at CHS' Reality U on November 3rd. the program is designed to help students understand real world life.
- Staff will be working with CHS Market Day on October 29th. The program designed to promote entrepreneurship among students.
- KOMA/KORA WSU Training: Will take place November 3rd at 6:30PM in the SKT Board Room.
- Sewer Rate Open Forum: Dates are October 29th and November 17th. Both dates are at the City Hall and start at 7:00PM. Staff will have a brief presentation for the event.
- The City Clerk will be at the Clerk's Institutes in Wichita the week of November 2nd – 6th.
- Open enrollment for city staff concludes October 31st. Supplemental Insurance enrollment will be in November.
- It is anticipated that Eaton Roofing will start sometime either this week or next for work on the city buildings.
- Staff spoke on behalf of the city at the Sedgwick County Commission meeting in reference to the Zoning Areas of Influence. The board of commissioners approved a compromise of the recommendation from the MAPC/ Small Cities and what one Commissioner proposed. The city will still continue to receive notice and formal input in a much smaller area than originally stated. They did leave in language for amending the area that staff will follow up on to try and get our municipal service area included.

• Public Works

- Staff will be working on the Charles Engineering water line this week.
- Staff repaired a water leak on Prospect this week as well as another one on Rolling Hills Dr.
- Staff identified a second leak at Garvey Grain and will be looking into the leak mentioned at the last meeting.
- Contractors struck an unknown drain line in the lagoon cell 2 while removing sludge. The line was immediately plugged by staff.

Public Works Director Misak mentioned another drain was uncovered in cell 4. Both the drains in cell 2 and cell 4 that were not marked on maps will be abandoned because they are lower than the cell.

Mayor Ussery asked how much longer it will be until the project is done.

Misak didn't have an exact date but indicated it is still a few weeks out from being completed.

- Approximately 6 bins of trash was collected at the fall City Wide Clean Up.
 - Residents can still get bulky waste coupons from Sedgwick County.

• Parks and Recreation

- Basketball will begin with a coaches meeting on November 3rd.

• Library

- The Library officially promoted Taylor Wilkens to Director at their board meeting.
- The Library has an open part time position for an inter library loan clerk.

• Community Center

- Commodities distribution started today.
- Open Enrollment for Medicare is ongoing. Staff has reported that they have worked with one person to save approximately \$1,500 a year and another \$600 a year thru reviewing plans

- If you know anybody looking for help have them call the Community Center to set up an appointment.

- Police

- Staff worked another accident last week. As well as recovered a stolen vehicle from Wichita that was found in Clearwater.
 - Patrol Officer interviews concluded last week. Staff has scheduled one candidate for required psychological evaluation. Upon results a final candidate will be selected.
 - Interviews for the Chief position are ongoing. Four candidates will be interviewed in a second round of interviews.
 - Staff would like to remind residents about garage door safety. Open garage doors are an invitation for thieves.
- The Planning Commission will meet November 3rd for a request for a variance form the maximum accessory structure size.

16. Council Reports

Papish had nothing to report

Clark had nothing to report.

Griffin had nothing to report.

Marsh stated the 4th street construction will start in April. Sedgwick County will start at the North end and work south. There will always be access down the road at least one-way.

Griffin asked how many easements are left to get.

Givens stated there is only two left and it looks like it will take going and knocking on doors to get their signatures.

Mayor Ussery stated he has a concern about obtaining these last two signatures since they were all supposed to be done in July. He would like them taken care of immediately so the City has their portion done on time.

Misak said they have found sewer lines in the middle of 4th street, gas lines along 4th, and private sewer lines that need to be moved as well.

Marsh mentioned he would speak with the engineer about those lines and see how to proceed.

Ussery wanted to remind everyone that the public forum for sewer rates in Thursday night at 7:00PM at City Hall. Since there will be more than three council members we will need to post a special meeting notice.

Adjournment

With no further discussion Ussery called for a motion to adjourn.

MOTION: Clark moved, **Papish** seconded to adjourn the meeting. Voted and passed unanimously

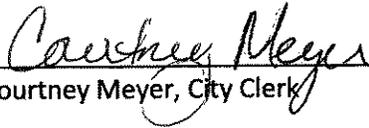
The meeting adjourned at 7:20 p.m.

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 October 27, 2015 City Council meeting.

Given under my hand and official seal of the City of Clearwater, Kansas, this 10th day of November, 2015.



Courtney Meyer, City Clerk