City of Clearwater, Kansas

Sedgwick County
City Council Meeting - **MINUTES**
January 28, 2019
Clearwater City Hall – Council Chambers
129 E. Ross Avenue Clearwater, KS 67026

1. **Call to Order/ Invocation and Flag Salute**
   Council President Palmer-Witt called the meeting to order at 6:30 p.m. followed the invocation and flag salute.

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

   Councilmembers; Justin Shore, Shirley Palmer-Witt, Chad Pike, and Chris Griffin were present.

   Mayor Burt Ussery and Yvonne Coon were absent.

   The following staff members were present:

   Ron Marsh, City Administrator, Courtney Meyer, City Clerk; Austin Parker, City Attorney.

   Others Present: Jared Dinwiddie, Makenzie Macy, Ivy Berline, Kirk Ives

3. **Approval of the Agenda**
   Council President Palmer-Witt asked if there were any modifications to the agenda. Marsh stated item 6 and item 11a needed to be removed.

   Council President Palmer-Witt called for a motion to approve the agenda as modified.

   Motion: ***Pike*** moved, ***Griffin*** seconded to accept the agenda as modified. Voted and passed unanimously.

4. **Public Forum**
   None

5. **Approve Consent Agenda**
   Council President Palmer-Witt asked if there was any question on the consent agenda and if not asked for a motion to approve.
   Minutes: 01/14/20 and 01/20/20 Council Meetings
   Claims and Warrants 01/22/20 = $87,669.03

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

6. **Census 2020 Presentation – Jason Dean, Census Bureau**
   Cancelled until next meeting

7. **Staff Reports**
   - **a.** Police Department – Jason Gearhardt – council had no questions.
   - **b.** Fire Department – Jared Dinwiddie – Councilmember Pike asked about the new door. Chief Dinwiddie explained the door is a training tool to assist fire volunteers proper techniques to

forcibly open a door.

c. Public Works – Ernie Misak – Council President Palmer-Witt asked about hiring a street sweeper. Marsh stated it was not in the budget to hire a street sweeper, but staff is looking at budget opportunities to hire one this year.

8. Business

a. Pioneer Cellular Lease Agreement Extension

In December 2006, the City entered into a sight lease agreement with Pioneer Cellular for the cell phone tower on City property north of the Sewer Lagoons. Pioneer agreed to pay an annual rent of $6000.00. The initial term was for 10 years with three extensions of 5 years. In 2014 Pioneer submitted the first 5-year extension (12/6/16 – 12/6/21) with a 3% increase for a total annual rent of $6180.00. The extension agreement was not returned to Pioneer Cellular until 2018 and still runs through 2021.

Pioneer has submitted the second extension with a 2% increase to take effect December 6, 2021 through December 6, 2026. The new proposed total annual rent is $6303.00.

No terms or conditions from the original signed agreement have changed. In the original lease an additional $2400.00 rent was included for a co-locate. At the end of November 2018, the co-locate dropped off.

Council questioned why the extension is for 2% instead of 3%. Parker answered that the City doesn't set the rate. The cell company is only required to pay us what they consider a reasonable amount.

Motion: ***Griffin*** moved, ***Shore*** seconded to authorize the Mayor to sign the lease agreement with Pioneer Cellular. Voted and passed unanimously.

b. Discuss 2020 Housing Incentive Program

Since the Governing Body has two new members the Mayor has directed staff to have as an agenda item a discussion of the Housing Incentive Program for the new Council members to have input.

Staff recommends eliminating multiple options and to move forward with what is currently Option #1. We feel this would be in the best interest of the home buyer.

Added language to clarify when the rebates began

The bullet point on "primary residence" is redundant and stated above.

The bullet point on minimum square footage only applies to Chisholm Ridge and is stated in the Chisholm Ridge application form.

Council discussed the properties in Prairie Meadows and since they don't have access to sewer, having the guidelines they must be hooked up to both water and sewer was not fair. The language should state "available" city utilities.

Council also discussed the intention of offering a tax rebate. The way the current incentive is presented, if someone closes or completes a home after September 1st in the incentive year the tax rebate will be on the undeveloped land and not the land WITH the new house. Council discussed and stated the intention was to give the incentive on new development and asked staff to prepare language that would state the that the tax rebate would start after the County appraised value included the new residence. All changes are to be brought back to council at the next meeting.

c. **Approve Contract with Midland GIS for Utility GIS Services**
At the January 14, 2020 City Council meeting the Governing Body approved the Request for Proposal from Midland GIS to provide the City of Clearwater with utility GIS services.

Midland has submitted the contract for their services for Council approval and the Mayor's signature.

Council asked if homeowners would be notified when mapping starts. Marsh stated that yes, we will be working with Midland GIS to communicate with residents.

Parker also stated the termination agreement he asked to be put in was agreed to by Midland. The termination agreement is to protect the City. If the City wants to the terminate the agreement for any reason they may do so and be able to keep all data that has been collected up to that point.

Motion: ***Pike*** moved, ***Shore*** seconded approve the contract with Midland GIS. Voted and passed unanimously.

9. Administrators Report

- We have applications to purchase four more lots in Chisholm Ridge P3. This will bring us to 7 city lots sold, with 11 remaining.
- The Mayor and I will be meeting with Sedgwick County to discuss the status of staffing an ambulance in Clearwater on February 13th.
- Park Glen Estates P2 design and engineering plans for water, sewer and street improvements are moving forward. These improvements will ultimately be assessed to the homeowners as special assessments. Over the next few months plans, and financing will be discussed with Council. At the same time the City will be having the new second entrance into PGE constructed along the east side of the Sports Complex.
- Mark your calendars – there will be a Council workshop on March 31st from 6:30pm – 8:30pm.
- Assisted Living reported they put lock boxes up on the garage doors and gave keys to the Fire Department and Police Department so they will be able to enter any of the residence without breaking their door down in case of an emergency.

10. Governing Body Comments
Griffin had nothing to report

Pike had nothing to report

Palmer-Witt had nothing to report.

Shore had nothing to report.

11. Executive Session

A. **K.S.A. 75-4319(B) (4) TO DISCUSS DATA RELATING TO FINANCIAL AFFAIRS OR TRADE SECRETS OF CORPORATIONS, PARTNERSHIPS, TRUSTS, AND INDIVIDUAL PROPRIETORSHIPS**
REMOVED

A. **K.S.A. 75-4319(B) (1) TO DISCUSS PERSONNEL MATTER OF NONELECTED PERSONNEL**

Motion: ***Pike*** moved, ***Shore*** seconded to enter executive session to discuss personnel matters and to include the City Attorney and the City Administrator. Council will reconvene the open meeting at 7:30PM. Voted and passed unanimously.

Council President Palmer-Witt called the meeting back to order at 7:30 and stated there was no action taken in executive session

12. Action as a Result of Executive Session

Motion: ***Pike*** moved, ***Shore*** seconded to authorize the City Administrator to enter into formal negotiations with a candidate for Chief of Police with the expectation of bringing back a form action item at the next City Council Meeting. Voted and passed unanimously.

13. Adjournment

With no further discussion Council President Palmer-Witt called for a motion to adjourn.

MOTION: ***Pike*** moved; ***Shore*** seconded to adjourn the meeting. Voted and passed unanimously. The meeting adjourned at 7:35 PM

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 January 28, 2020 City Council meeting.

Given under my hand and official seal of the City of Clearwater, Kansas, this 11th day of February 2020

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Courtney Meyer, City Clerk