

City of Clearwater, Kansas
Sedgwick County
City Council Meeting - **MINUTES**
January 14, 2020
Clearwater City Hall – Council Chambers
129 E. Ross Avenue Clearwater, KS 67026

1. Call to Order/ Invocation and Flag Salute

Mayor Burt Ussery called the meeting to order at 6:30 p.m. followed the invocation and flag salute.

2. Oath of Office

Courtney Meyer, City Clerk, administered the oath of office for the new council members, Chad Pike and Justin Shore, as well as Burt Ussery as Mayor, new 4-year term.

3. Roll Call

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

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

Yvonne Coon was absent.

The following staff members were present:

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

Others Present: Jared Dinwiddie, Kurtis Lauterbach, Kirk Ives, C. Bruce Timpson, Jenny Pero, Sandy Wells, Mike Pike, Victoria Larsen, Maranda Pike and Zane Pike, Kylee Blythe, Taylin Petersen

4. Approval of the Agenda

Mayor Ussery asked if there were any modifications to the agenda. Marsh stated item 12b needed to be removed.

Mayor Ussery called for a motion to approve the agenda as modified.

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

5. Elect Council President

Mayor Ussery explained that council needed to elect a new Council President. This position is considered the senior member of council and will act as mayor in his absence. If anything happens to the Mayor, the council president will move up to the Mayor position and appoint a new council member in their place.

No council member made a nomination so Mayor Ussery nominated council member Shirley Palmer-Witt for the 2-year Council President.

Motion: *Shore* moved, *Palmer-Witt* seconded to elect Palmer-Witt as the Council President. Voted and passed unanimously.

6. Public Forum

Mayor Ussery began by stating that there have been signs posted around town about attending the council meeting to speak about the Cemetery. He informed the crowd that the City Council does not

have anything to do with the Cemetery. However, the Mayor sits on both the Council and Cemetery board. Whatever is said at the Council meeting the Mayor will take to the Cemetery board and ask them to schedule a meeting for all grievances to be heard. He will only allow one person to speak tonight about the cemetery but will inform citizens when a cemetery board meeting will be scheduled so they all can attend and voice their opinions in the correct setting.

Jan Knottingham stated there has been problems with the Cemetery maintenance since the new Sexton came on in 2016. She stated headstones have been scratched, weeds are everywhere, the area is not being weeded often enough that visitors are cutting grass around the headstones they visit.

Mayor Ussery stated he will inform Jan when the Cemetery Board meeting is so she and others can attend and voice their concerns.

7. **Approve Consent Agenda**

Mayor Ussery asked if there was any question on the consent agenda and if not asked for a motion to approve.

Minutes: 12/10/19 and 12/17/19 Council Meetings

Claims and Warrants 12/26/19 = \$62,618.58 and 01/08/20 = \$73,452.19

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

8. **Staff Reports**

- a. Police Department – Jason Gearhardt – council had no questions.
- b. Fire Department – Jared Dinwiddie – reported Clearwater Fire responded to Cowley County as part of the Wildland Fire task force. Council had no questions
- c. Public Works – Cole Hollis – council had no questions

9. **Business**

a. **Resolution 01/2020, Salary Resolution**

The 2020 adopted budget for Clearwater includes up to a 3% across the board raise for full time employees. Per City Code 2-71 the City Council is required to approve the annual pay plan for City employees.

Resolution 01-2020 establishes 2020 pay for city employees and by approving this resolution, the Governing Body will also be approving the 3% raise as budgeted. The Police Department pay is per the approved 2020 budget and may be more than 3% for most employees. Starting pay for part-time officers has been adjusted to \$16.00/hour from \$15.50/hour discussed at budget. In discussions with Police Department staff it became apparent that these officers are required to have the qualifications of full-time officers and should start at the same rate of pay. Staff looked at the budget and is recommending increasing part-time starting pay to \$16.00/hour for 2020 and will request to increase to \$16.50/hour in 2021.

All employee evaluations have been completed.

All pay adjustments are accounted for in the 2020 budget. Personnel Services represents 29% of all City expenditures.

Motion: Palmer-Witt moved, **Shore** seconded to adopt Resolution 01-2020. Voted and passed unanimously.

b. **Resolution 02-2020, Fee Schedule**

The city by resolution, ordinance or other means has established fees for a variety of municipal

services. These fees are spread throughout our Municipal Code and are reviewed on an annual basis.

The fees established in the resolution are reflective of current fees that the city charges and any changes required by ordinance or suggested by staff. Changes to the fee schedule are indicated in red in the backup material.

The increases in water and sewer are annual increases (1%) established by ordinance; the \$25 background check fee for CMB licenses is a new fee the City will be charging to perform background checks on applicants for a CMB license. The City has always had to pay for the background check and starting in 2020 we will pass it on to the applicant.

Motion: *Palmer-Witt* moved, *Shore* seconded adopt Resolution 02-2020. Voted and passed unanimously.

c. Ordinance 1056, Annexation

In November 2019 the city received a Consent for and Petition to Annex into the corporate limits of the City of Clearwater from the property owners at Lot 17, Block 2 in the Prairie Meadows Estates Sub-division. Annexation is required to receive city water service. At the November 12, 2019 meeting the Governing Body adopted Resolution 10-2019 finding it advisable to annex the referenced property. Per state statute, that resolution was sent to the Sedgwick County Board of County Commissioners and at their December 18, 2019 meeting the Sedgwick County BOCC adopted a resolution releasing the property for the City to annex.

The Governing Body needs to adopt a separate ordinance officially annexing the property into the city.

Property owners in the area pay approximately \$800 per year in special assessments for the water line that was installed in 2007. Once finished the new residential home would generate approximately \$1,500 in city property taxes based on similarly constructed homes in the area.

Motion: *Shore* moved, *Palmer-Witt* seconded adopt Ordinance 1056. Shore, yea; Palmer-Witt, yea; Pike, yea; Griffin, yea. Voted and passed unanimously.

d. RFP for Utility GIS System

During the 2020 budget cycle, Council recognized the importance of managing our utility infrastructure and allocated the funds for 2020 to purchase a Utility GIS System.

The City of Clearwater sent out an RFP for a Utility GIS System at the beginning of December. The RFP was sent to 4 vendors with 1 responding:

VENDOR	One-time costs for mapping and data entry	Annual Costs
Midland GIS Solutions	\$41,328	\$3600
	Total	\$44,928

We contacted the vendors who did not respond. Two said they didn't think they would have time to do the project; one didn't use RTK technology to locate the fixtures and wouldn't be able to meet the scope of the RFP.

Midland GIS Solutions meets all the requirements of the RFP and their proposal is within the approved budget authority for the project.

The City has budgeted \$45,441 for Utility GIS System for 2020. These funds are allocated between water, sewer, special highway and administration.

Council member Griffin asked how we find vendors to send RFP/RFB's out to. Marsh explained that staff members meet vendors at trade shows, vendors make cold calls, and we utilize Google searches to help find vendors as well. Council member Griffin was concerned if our method was legal and would the City receive any ramification for not sending a RFP/RFB out in another method.

City Attorney Parker explained that medium and small sized cities do not generate enough business to have their own bid rooms where bids or proposals are released. He stated Derby, KS uses the same method of disbursement as Clearwater does and there is nothing illegal or wrong about how we are getting bids and proposals.

Mayor Ussey stated there is possibly other ways we could get information out and that staff should look at options.

Motion: Palmer-Witt moved, **Pike** seconded to award the proposal to Midland GIS for \$44,928.00. Voted and passed unanimously.

e. **Police Department Remodel RFB**

In September 2019 the City began working with an Architect to design plans and create an RFB for the police department remodel. Over the following months the plans were developed, the RFB was issued and responses were opened on January 7th.

Due to the expected cost of the overall project, the RFB was broken down into two phases in order of importance:

Base Bid: remodel the lobby area to include constructing a ballistic wall and counter.

Alternate 1: remodel the current restroom into the Chiefs office and turn the current office into the property and evidence room.

A second alternate was added later, a charging station for items that needed daily charging.

The RFB was sent to multiple vendors with two responding. Bid tabulation is included in the backup material. Van Asdale Construction was low bid for all three phases of the project.

There is money in the Police equipment reserve fund to cover the cost of the base bid (\$27,700) and alternate #2 (\$1700) for a total of \$29,400.

City Attorney Parker explained the architect, Randal Steiner, uses AIA forms with is a standard form for a project.

Motion: Griffin moved, **Shore** seconded to award the base bid and Alternate #2 to Van Ardale and reject Alternate #1, total cost \$29,400. Voted and passed unanimously.

10. Administrators Report

- We will be reviewing the new housing incentive program at the January 28 meeting. Please come prepared to discuss any modifications you would like to see made.
- Local Government Day sponsored by LKM is January 22nd in Topeka. Justin and I are going, if you would like to attend please let me know before COB tomorrow.
- I met with some of the Celebrate Clearwater committee last week. They have requested to have the fireworks show on Friday, July 3rd as they have a show already scheduled for July 4th.
- Staff is looking at options to get the 2006 Osage Ambulance sold. We are currently waiting on a proposal from an auctioneer.

- Census update: Clearwater has received a \$200 grant from League of Kansas Municipalities to help with promoting the Census on social media.

Council commented on the 4th of July fireworks and there was a consensus that the City firework show should be on the 4th.

11. Governing Body Comments

Griffin had nothing to report

Pike is excited to serv on the Council. He also asked for the website to be updated with current council member information.

Palmer-Witt had nothing to report.

Shore stated is looking forward to working with Council.

Ussery stated there are lots of things to focus on these coming months. We are in the finalizing the Chief of Police position. Once that is filled, they will be working on find more officers. Sedgwick County EMS has not committed to putting staff in Clearwater yet. Clearwater Fire Volunteers are still committed to serving the community and will strive to be the first line of defense for Clearwater residents. He also stated he would like to see the Industrial Park populated and thriving by the end of his term. He would like Clearwater to continue to grow with residents. If the City is not growing it's dying. He considers Clearwater a high-end bedroom community for Wichita. As costs rise the cost is spread over each resident. If there are more residents the cost per person isn't as high. He also welcomed the new Council members.

INSERT – Marsh stated the wrong item was removed from the agenda. Item 12a needs removed and 12b reinstated.

Motion: Palmer-Witt moved, **Shore** seconded to modify the agenda as stated. Voted and passed unanimously.

12. 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: Griffin moved, **Palmer-Witt** seconded to enter executive session to discuss personnel matters and to include Lieutenant Gearhardt and the City Administrator. Council will reconvene the open meeting at 7:35PM. Voted and passed unanimously.

Mayor Ussery called the meeting back to order at 7:35 and stated there was no action taken in executive session

Motion: Shore moved, **Palmer-Witt** seconded to appoint Zachary Nolan as a full-time police officer to start 2/1/2020 at \$16.50/ hr and after completion of KLETC training \$17.25. Voted and passed unanimously.

13. Adjournment

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

MOTION: *Palmer-Witt* moved; *Shore* seconded to adjourn the meeting. Voted and passed unanimously. The meeting adjourned at 7:37 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 14, 20120 City Council meeting.

Given under my hand and official seal of the City of Clearwater, Kansas, this 28th day of January 2020

Courtney Meyer, City Clerk