



City of Clearwater Council Meeting Notice

Tuesday, January 12, 2016 at 6:30pm

129 E Ross Clearwater, KS 67026

www.clearwaterks.org

Please call the Clerk's office at 620-584-2311 or the Kansas Relay Service 800-8766-3777 at least 48 hours in advance if you require special accommodations to participate in this meeting. We make every effort to meet reasonable requests.

AGENDA

[Please note that the meeting agenda is subject to change during the meeting.]

1. Call meeting to order and welcome

Burt Ussery, Mayor

2. Invocation and flag salute

3. Roll Call

Courtney Meyer, City Clerk

Burt Ussery, Mayor

Laura Papish, Councilmember President

Austin Wood, Councilmember

Paul Clark, Councilmember

Ron Marsh, Councilmember

Chris Griffin, Councilmember

4. Action: Approve January 12, 2016 meeting agenda

5. Public Forum

Pursuant to Ordinance No. 917 and Section 2.08.010 adopted by the governing body and approved by the Mayor on November 24, 2009, members of the public are allowed to address the Mayor and City Council for a period of time limited to not more than five minutes.

6. Action: Approve Consent Agenda

a. [Minutes 12/22/15 Council Meeting](#)

b. Designate Official Publication for the City

c. Designate Official Depository for the City

d. [Designate Official Auditor for the City](#)

7. Action: Boundary Resolution 01-2016

8. Discussion: 4th Street Project

9. Executive Session – Matters of Non-Elected Personnel

10. Action: Salary Resolution 02-2016

11. Action: Claims and Warrants

Courtney Meyer, City Clerk

12. City Administrator Report

Justin Givens, City Administrator

13. Council Reports

14. Adjournment

NOTICE: SUBJECT TO REVISIONS

It is possible that sometime between 6:30 and 7:00 pm immediately prior to this meeting, during breaks, and directly after the meeting, a majority of the Governing Body may be present in the council chambers or lobby of City Hall. No one is excluded from these areas during those times.

Honorable Mayor and City Council

**From: Justin S. Givens,
City Administrator**

Re: Agenda Summary 01 16 2015

- Item 6:**
- a. Approval of Minutes as submitted
 - b. The city must select an official publication on a yearly basis. The Times-Sentinel Newspaper has served as the official publication for the city for some time. Staff recommends approving the Times-Sentinel as the official publication for the city in 2016.
 - c. The city must designate an official depository on a yearly basis. Staff would recommend continuing to use Emprise Bank for the process
 - d. The city must designate an official auditor on a yearly basis. Gary George, has provided this service and staff would recommend continuing to engage him as the official auditor for the city in 2016

-----end of Consent Items

Item 7: Boundary Resolution – staff will present a boundary resolution that will include changes made to the corporate limits for the City of Clearwater. This resolution is approved on a yearly basis if changes are made to the city limits.

Item 8: 4th Street Drainage Discussion – Any direction on this topic was delayed tabled at the previous meeting in order for all councilmembers to be present during the discussion. At hand is whether the drainage improvements on 4th Street will provide the desired results and are they necessary at this time. Staff has previously submitted a comprehensive list of additional costs involved with the project that are to be paid outside of the bond proceeds for the project including sewer and water line relocation as well as reimbursements for landscaping and other items within the construction footprint. Staff did receive the easement from the property owner that was included in the redesign.

Item 9: It is recommended that a brief executive session be conducted prior to the adoption of the 2016 Salary Resolution.

Item 10: The city as a policy adopts a resolution on a yearly basis that authorizes the salaries for employees for the coming year. That resolution will be presented for adoption at the meeting.

Item 11: A full report of Claims and Warrants will be presented at the meeting on Tuesday.

Item 12: A full report from the City Administrator will be presented at the meeting Tuesday.

Items of Note:

City offices will be closed on Monday, January 18th in observation of the Martin Luther King, Jr. Holiday

Water Rates will increase 1% for the January bill which will go out on the 28th.

The Sewer Debt Service Fee will also be included on that bill.

City of Clearwater, Kansas
Sedgwick County
City Council Meeting - **MINUTES**
December 22, 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

Councilmember Chris Griffin 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, Councilmembers Laura Papish, Paul Clark, Chris Griffin, were present.

Councilmembers Ron Marsh and Austin Wood were absent

The following staff members were present:

Justin Givens, City Administrator; Courtney Meyer, City Clerk; Austin Parker, City Attorney; Bill Hisle, Police Chief; Ernie Misak, Public Works Director.

Others Present:

Harlan Foraker, Certified Engineering; Paul Rhodes, Time Sentinel News.

4. Approval of the Agenda

Mayor Ussery called for a motion to approve the December 22nd agenda as presented.

Motion: *Griffin* moved, *Papish* seconded to accept the December 22, 2015 agenda as presented. Voted and passed unanimously.

5. Public Forum

None

6. Consent Agenda

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

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

7. 2015 Amended Budget Hearing

Givens explained that expenditures were exceeded for the Special Assessment Fund for 2015. Those expenditures were offset by additional revenue that was brought in for the fund. No other fund will exceed its expenditure authority in a manner that would require an amended budget. This process does require a public hearing and the adoption of an ordinance that will increase the expenditure authority for the Special Assessment Fund in 2015.

Mayor Ussery called for a motion to open the public hearing.

Motion: Papish moved, **Griffin** seconded to open the public hearing at 6:35PM. Voted and passed unanimously.

Mayor Ussery called for any public comment on the amended budget. It was noted that there were no comments from the public during the hearing. Mayor Ussery then called for a motion to close the public hearing.

Motion: Clark moved, **Griffin** seconded to close the public hearing at 6:36PM. Voted and passed unanimously.

With no further discussion the Mayor called for a vote to adopt the amended 2015 budget.

Motion: Papish moved, **Clark** seconded to adopt the amended 2015 budget. Voted and passed unanimously.

8. Approve Request for Proposal for Cleaning Service

The City was informed that our current contract cleaning service provided would no longer be providing the service for City Hall and the Fire/EMS Facility. In consultation with other staff it was determined that a Request for Proposals for Cleaning Service be distributed to ensure that all city facilities are receiving the best possible cleaning service and to establish a clear line of vendor contracting.

Council discussed and asked the staff to move forward with the request for proposal.

9. Accept a Petition and Consent for Annexation

The property owners of 14300 W Prairie Grass Circle in the Prairie Meadows Estates have petitioned for annexation to the city in return for city water service. The city must accept the petition and consent for annexation before moving forward with the annexation process.

Council discussed if it would be better to annex the whole subdivision. Attorney Parker explained due to the location and current laws it would not be possible.

Motion: Griffin moved, **Clark** seconded to accept the petition for annexation for 14300 W Prairie Grass Circle.

10. Adopt Resolution 14-2015 concerning and Island Annexation

The second step in the annexation process for 14300 W Prairie Grass Circle is to adopt a resolution for the island annexation and to request the same from the Sedgwick County Board of County Commissioners. Once approved by Sedgwick County, the city will need to adopt an ordinance before the property is officially annexed into the city.

Motion: Papish moved, **Griffin** seconded to adopt resolution 14-2015. Voted and passed unanimously.

11. Ordinance #1008 Court Cost Increase

The court was informed in November that a fee increase of \$.50 was being passed down from the state for training and other associated funds. The Court Clerk in consultation with the Municipal Judge has requested the increased costs be reflected in our court costs. Additionally, the Ordinance will include a new fee for expungement applications.

Motion: Griffin moved, **Clark** seconded adopt ordinance 1008. Voted and passed unanimously.

12. 4th Street Project.

Givens explained several version of improvement have been proposed for 4th Street. Originally, a three lane road was designed by the county but was determined by a public vote to be cost prohibitive to the city. During the design phase, new drainage improvements were designed to slow the amount of water that would cross over 4th from east to west and then travel down city streets and drainage ways thru the park and eventually cross back into the drainage ditch on the east side of 4th south of Ross.

The project, a mill and overlay will be constructed by the county and the drainage improvements will be financed by the City. The cost of the improvements for the drainage work alone will be approximately \$240,000. These costs along with other drainage improvements will be bonded and paid over time. Additionally, the city will be required to move sewer and water services for many of the properties along 4th Street, as well as pay property owners for specific items such as trees and landscaping within the drainage area that will need to be removed. The total cost of relocation and reimbursement will be approximately \$59,500. Also, one property owner has not signed the required drainage easement. A proposed re-design for this property will be approximately \$20,000 and would include the installation of below ground drainpipe.

Council discussed further the advantages and disadvantages of the drainage work that is to be done and decided to table the discussion until all Councilmembers were available.

13. Claims and Warrants

Meyer presented the claims and warrants in the amount of \$56,663.91 and asked Council if they had any questions.

Motion: *Papish* moved, *Clark* seconded to pay the claims and warrants in the amount of \$56,663.91. Voted and passed unanimously.

14. City Administrators Report

- Administration
 - Senator Jerry Moran will be hosting his Sedgwick County Town Hall at the Clearwater Community Center on Tuesday, December 29th from 2:00pm to 3:00pm.
 - Roof work started this week today on City Hall.
 - Staff discovered that the special assessment roll for Indian Lakes was not received by the County in 2014. Staff is working with the County, City Legal and the property owner for a viable solution.

- Public Works
 - Street work for the most part was completed for Park Glen Estates. They were able to work in between weather windows to get the weather related aspects of the project completed.
 - Meter reading was completed this week
 - Start up for the recirculation system at the sewer lagoon took place this week. A full punch list of items will be created before the project is completed but the systems worked properly. A few repairs will be need although no increases are anticipated.
 - Work on the heating and air system for the Museum started today.
 - The skylight for Public Works will be repaired early in 2016.

- Parks and Recreation

- In conjunction with the Library, a sugar cookie decorating activity along with a holiday movie is scheduled for tomorrow. A majority of the frosting and decorations for the cookies was privately donated.
 - Youth Basketball is in full swing but will take a hiatus during the Christmas break with games resuming January 9th and going thru the 23rd
 - Based on discussions from the joint Park Advisory Board meeting. Quarterly meetings will be scheduled with the City Council.
- Library
 - The new board meet for the first time last month and reported having a good meeting. City Staff will continue to work with the board in the preparation of financial reports.
 - Staff is continuing to work on grant applications.
- Community Center
 - The Holiday Lights Tour was a successful trip that was completely sold out based on the reserved bus (20 people)
 - The center received a grant from the Community Foundation to help replace the chairs at the community center. They should be delivered after the first of the year.
 - The Community Food Bank that is sponsored at the Community Center will be distributing food on the 29th.
- Police
 - Chief Hisle has started his tenure with the city. An open house meet and greet for the community is tentatively scheduled for January 7th.
 - A Facebook post caused some confusion for the area. It involved a missing person and abandoned car but the Clearwater in question was for Clearwater, Minnesota and not here.
 - Night shift officers have made a conscious effort to log and report street lights that are out to Westar. Those lights are being replaced with energy efficient LED lights.
- City Hall will be closed on Thursday, December 24th and Friday, December 25th for the Christmas Holiday.

Attorney Parker stated he has taken on an additional assignment to work with a firm in Topeka as a municipal consultant. He is keeping his firm in Wichita he will just be traveling a little bit more.

15. Council Reports

Papish – Wood Street is a mess with potholes. She asked if there were any solutions. Givens stated staff will bring solutions at the beginning of the year.

Griffin has nothing to report.

Clark had nothing to report.

Ussery had nothing to report

16. Executive Session

MOTION: *Papish* moved, *Clark* seconded to recess into executive session pursuant to non-elected

personnel to discuss specific personnel matters, to include the City Administrator. The City Council will reconvene the open meeting in the City Council Chambers at 9:00PM. Voted and passed unanimously.

Mayor Ussery called the meeting back to order at 9:00PM and stated no binding action was taken.

17. Adjournment

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

MOTION: Clark moved, **Griffin** seconded to adjourn the meeting. Voted and passed unanimously
The meeting adjourned at 9:01PM.

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 November 24, 2015 City Council meeting.

Given under my hand and official seal of the City of Clearwater, Kansas, this 8th day of December, 2015.

Courtney Meyer, City Clerk

George, Bowerman & Noel, P.A.

*Certified Public Accountants
Management Consultants
Tax Advisors*

Paul R. Bowerman
Gary L. George

Epic Center 301 N. Main, Suite 1350 Wichita, Kansas 67202 Telephone (316) 262-6277 Fax (316) 265-6150

December 28, 2015

The Honorable Mayor and City Council
129 East Ross
P.O. Box 453
Clearwater, Kansas 67026

Mr. Mayor and Council Members:

We are pleased to confirm our understanding of the services we are to provide the City of Clearwater, Kansas, for the year ended December 31, 2015. We will audit the financial statements of the governmental activities, the business-type activities, the discretely presented component units, each major fund and the aggregate remaining fund information, including the notes to the financial statements, which collectively comprise the basic financial statements of the City of Clearwater, Kansas, as of and for the year ended December 31, 2015. Accounting standards generally accepted in the United States of America provide for certain required supplementary information (RSI), such as management's discussion and analysis (MD&A), to supplement the City of Clearwater's basic financial statements. Such information, although not a part of the basic financial statements, is required by the *Governmental Accounting Standards Board* who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. As part of our engagement, we will apply certain limited procedures to the City of Clearwater's RSI in accordance with auditing standards generally accepted in the United States of America. These limited procedures will consist of inquires of management regarding the methods of methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We will not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance. The following RSI is required by generally accepted accounting principles and will be subjected to certain limited procedures, but will not be audited.

1. Management's discussion and analysis.
2. Required Supplementary Information for the KPERS Pension Plan:
 - a. Schedule of District's Proportionate Share of the Net Pension Liability
 - b. Schedule of District's Contributions

We have also been engaged to report on supplementary information other than RSI that accompanies the City of Clearwater's financial statements. We will subject the following supplementary information to the auditing procedures applied in our audit of the financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the financial statements or to the financial statements themselves, and other additional procedures in accordance with auditing standards generally accepted in the United States of America and will provide an opinion on it in relation to the financial statements as a whole.

1. The combining and individual fund financial statements and schedules of the City of Clearwater, Kansas, as of and for the year ended December 31, 2015.
2. The financial statements of the Clearwater Public Library, a component unit of the City of Clearwater, Kansas, as of and for the year ended December 31, 2015.
3. The financial statements of the Clearwater Public Building Commission, a component unit of the City of Clearwater, Kansas, as of and for the year ended December 31, 2015.

We will also audit the financial statements, which will be presented on the regulatory basis of accounting to demonstrate compliance with the cash basis and budget laws of the State of Kansas, of the Clearwater Firemen's Relief Association (a separate legal entity from the City of Clearwater) as of and for the year ended December 31, 2015, which will be issued under separate cover.

Audit Objective

The objective of our audit is the expression of opinions as to whether your basic financial statements are fairly presented, in all material respects, in conformity with generally accepted accounting principles and to report on the fairness of the supplementary information referred to in the second paragraph when considered in relation to the financial statements taken as a whole. Our audit will be conducted in accordance with auditing standards generally accepted in the United States of America and the *Kansas Municipal Audit and Accounting Guide* and will include tests of the accounting records and other procedures we consider necessary to enable us to express such opinions. We cannot provide assurance that unmodified opinions will be expressed. Circumstances may arise in which it is necessary for us to modify our opinions or add emphasis-of-matter or other-matter paragraphs. If our opinions on the financial statements are other than unmodified, we will discuss the reasons with you in advance. If, for any reason, we are unable to complete the audit or are unable to form or have not formed opinions, we may decline to express opinions or to issue a report as a result of this engagement.

Audit Procedures – General

An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements; therefore, our audit will involve judgment about the number of transactions to be examined and the areas to be tested. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluating the overall presentation of the financial statements. We will plan and perform the audit to obtain reasonable rather than absolute assurance about whether the financial statements are free of material misstatement, whether from (1) errors, (2) fraudulent financial reporting, (3) misappropriation of assets, or (4) violations of laws or governmental regulations that are attributable to the entity or to acts by management or employees acting on behalf of the entity.

Because of the inherent limitations of an audit, combined with the inherent limitations of internal control, and because we will not perform a detailed examination of all transactions, there is a risk that material misstatements may exist and not be detected by us, even though the audit is properly planned and performed in accordance with U.S. generally accepted auditing standards. In addition, an audit is not designed to detect immaterial misstatements, or violations of laws or governmental regulations that do not have a direct and material effect on the financial statements. However, we will inform the appropriate level of management of any material errors or any fraudulent financial reporting or misappropriation of assets that come to our attention. We will also inform the appropriate level of management of any violations of laws or governmental regulations that come to our attention, unless clearly inconsequential. Our responsibility as auditors is limited to the period covered by our audit and does not extend to any later periods for which we are not engaged as auditors.

Our procedures will include tests of documentary evidence supporting the transactions recorded in the accounts, and may include tests of the physical existence of inventories, and direct confirmation of receivables and certain other assets and liabilities by correspondence with selected individuals, funding sources, creditors and financial institutions. We will request written representations from your attorneys as part of the engagement, and they may bill you for responding to this inquiry. At the conclusion of our audit, we will also require certain written representations from you about the financial statements and related matters.

Audit Procedures – Internal Control

Our audit will include obtaining an understanding of the entity and its environment, including internal control, sufficient to assess the risks of material misstatement of the financial statements and to design the nature, timing and extent of further audit procedures. An audit is not designed to provide assurance on internal control or to identify deficiencies in internal control. However, during the audit we will communicate to management and those charged with governance internal control related matters that are required to be communicated under AICPA professional standards.

Audit Procedures - Compliance

As a part of obtaining reasonable assurance about whether the financial statements are free of material misstatement, we will perform tests of the City of Clearwater's compliance with applicable laws and regulations and the provisions of contracts and agreements. However, the objective of our audit will not be to provide an opinion on overall compliance and we will not express such an opinion.

Other Services

We will also prepare the financial statements, notes to the financial statements and the required supplementary information schedules of the City of Clearwater, Kansas, in conformity with generally accepted accounting principles based on the information provided by you.

Management Responsibilities

Management is responsible for establishing and maintaining effective internal controls, including monitoring ongoing activities; for the selection and application of accounting principles; and for the fair presentation in the financial statements in conformity with U.S. generally accepted accounting principles.

Management is also responsible for making all financial records and related information available to us and for the accuracy and completeness of that information. You are also responsible for providing us with (1) access to all information of which you are aware that is relevant to the preparation and fair presentation of the financial statements, (2) additional information that we may request for the purpose of the audit, and (3) unrestricted access to persons within the government from whom we determine it necessary to obtain audit evidence.

Your responsibilities include adjusting the financial statements to correct material misstatements and for confirming to us in the written representation letter that the effects of any uncorrected misstatements aggregated by us during the current engagement and pertaining to the latest period presented are immaterial, both individually and in the aggregate, to the financial statements taken as a whole.

You are responsible for the design and implementation of programs and controls to prevent and detect fraud, and for informing us about all known or suspected fraud affecting the government involving (1) management, (2) employees who have significant roles in internal control, and (3) others where the fraud or illegal acts could have a material effect on the financial statements. Your responsibilities include informing us of your knowledge of any allegations of fraud or suspected fraud or illegal acts affecting the government received in communications from employees, former employees, regulators or others. In addition, you are responsible for identifying and ensuring that the entity complies with applicable laws and regulations.

You are responsible for the preparation of the supplementary information in conformity with U.S. generally accepted accounting principles. You agree to include our report on the supplementary information in any document that contains and indicates that we have reported on supplementary information. You also agree to include the audited financial statements with any presentation of the supplementary information that includes our report thereon OR make the audited financial statements readily available to users of the supplementary information no later than the date the supplementary information is issued with our report thereon. Your responsibilities include acknowledging to us in the representation letter that (1) you are responsible for presentation of the supplementary information in accordance with GAAP; (2) that you believe the supplementary information, including its form and content, is fairly presented in accordance with GAAP; (3) that the methods of measurement or presentation have not changed from those used in the prior period (or, if they have changed, the reasons for such changes); and (4) you have disclosed to us any significant assumptions or interpretations underlying the measurement or presentation of the supplementary information.

You agree to assume all management responsibilities for financial statement preparation services and any other nonattest services we provide; oversee the services by designating an individual, preferably from senior management, with suitable skill, knowledge, or experience; evaluate the adequacy and results of the services; and accept responsibility for them.

Audit Administration, Fees and Other

Our fees are based upon rates applied to time expended in performing services and out-of-pocket expenses. Our fee for the examination of the City of Clearwater's 2015 financial statements, which will include the operations of the Clearwater Public Library and the Clearwater Public Building Commission, component units of the City of Clearwater, will not exceed \$11,300. You will also be billed for our out-of-pocket costs such as travel, postage, copies, telephone, etc. This fee also includes the audit of the Clearwater Firemen's Relief Association, which will be issued under separate cover.

The above fee is based on anticipated cooperation from your personnel and the assumption that unexpected circumstances will not be encountered during the audit. Billings, based on our estimate of current percentage of completion up to 75% of the total contract, will be made on a periodic basis as work progresses and are due when rendered.

Our estimated fee is based on the premise that City personnel will be instructed to provide us with assistance in the preparation of various schedules and locating invoices, statements and other supporting documents that we will require during the audit. This will enable us to spend a minimum amount of time performing clerical tasks and thus concentrate strictly on audit functions.

If at any time during the engagement any extraordinary matters come to our attention and an extension of our services appears to be required, we reserve the right to increase our fee, but only after consultation with you.

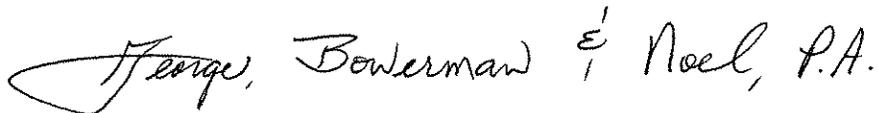
The Honorable Mayor and City Council
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We will be available for technical assistance throughout the year at no additional cost to the City provided that additional time for research or out-of-pocket expenses are not incurred.

Please note that it is our policy to require that master or printers' proofs be submitted to us for review if reproduction or publication of the financial statements, or any portion of them is intended. With regard to the electronic dissemination of audited financial statements, including financial statements published electronically on your Internet website, you understand that electronic sites are a means to distribute information and, therefore, we are not required to read the information contained in these sites or to consider the consistency of other information in the electronic site with the original document.

We appreciate the opportunity to be of service to the City of Clearwater, Kansas, and believe this letter accurately summarizes the significant terms of our engagement. If you have any questions, please let us know. If you agree with the terms of our engagement as described in this letter, please sign the enclosed copy and return it to us.

Sincerely,



RESPONSE:

This letter correctly sets forth the understanding of the City of Clearwater, Kansas.

Management Signature:

Title _____

Date _____

Governance Signature:

Title _____

Date _____