

CITY OF CLEARWATER, SEDGWICK COUNTY, KANSAS

CITY COUNCIL MEETING

MINUTES

April 27, 2010

The regular meeting of the City of Clearwater, Sedgwick County, Kansas, City Council was held on Tuesday, April 27, 2010, at 6:30 p.m., in the Clearwater City Council Chamber, City Hall, 129 E. Ross Avenue, Clearwater, Kansas.

The following members were present: Mike Justice, Mayor, Mike York, Lyle Berntsen, Jim Whitney, Sandi Keeler, and Jim Frischenmeyer, Council Members. The following staff members were present: Kent Brown, City Administrator; Cheryl Wright, City Clerk; Janet Amerine, City Attorney. Others present at the meeting were Marvin Schauf, Clearwater Fire Department; Donald Schauf, Clearwater EMS; Paul Rhodes, Times Sentinel Newspaper; Kera Curley, Hannah Adams, Bob Modena, Sara Hoover, Sam Cargile, Rachael Stewart, Bryce Delgado, Katelynn Schmidt, Lucas Frickey, Dustin Cooper, Dylan Spencer, Hope Burke, Brian Blake, Hope Dale, Nick Pierce, James Armour, Krisi Colburn, Clearwater High School Government Students.

Mayor Justice called the meeting to order at 6:30 p.m. Justice gave the invocation, which was followed by the Pledge of Allegiance. The Clerk called the roll to confirm the presence of a quorum.

1. Approval of the Minutes of the Regular Meeting of April 13, 2010

City Clerk Wright stated that under item number three Jeremy Williams should read Jeremy Whitney.

MOTION: Council Member Frischenmeyer made a motion to approve the minutes of the meeting as amended. The motion was seconded by Council Member Whitney and passed unanimously.

2. Mayor's Recommendations

Mayor Justice, with Council consensus, appointed Jim Frickey to Park Advisory Board as an At Large Member.

3. Public Forum

No one addressed the Council.

4. Review Current Fireworks Ordinance

City Administrator Brown stated that Mayor Justice requested the review of the current fireworks ordinance. The item up for discussion is the retail sale of fireworks and use and discharge of fireworks after July 4th. Mayor Justice stated that he recommends extending fireworks sale and use to July 5th when the 5th falls on a Saturday, Sunday, or Monday. Justice suggested the time limit on July 5th would mirror the time on July 1-2, 10 a.m.-10 p.m. City Attorney Amerine stated she would suggest adding a provision to the ordinance as a special circumstance, such as inclement weather. Council Member Frischenmeyer asked if the time should be changed for July 5th regarding inclement weather, as well. Frischenmeyer suggested changing the time to 10 a.m. to 10 p.m. on July 5th when inclement weather prevents the use of fireworks on July 4th. Council directed staff to prepare an amendment to the fireworks ordinance with the recommended changes.

5. Department Head 2011 Budget Requests

EMS Director Donald Schauf reviewed his budget requests. Schauf stated he would like to replace the stair chair in ambulance 401. The new stair chair would be placed in ambulance 400 and the stair chair in 400 would be moved to 401. A new stair chair costs about \$3,200.00. Schauf requested new spine boards. The old spine boards are cracked and scuffed. The cost of the boards and straps is approximately \$4,000. Schauf stated Sedgwick County is planning on changing to narrow band radios by 2013. Schauf stated he has replaced one radio in ambulance 400 but still needs to replace radios in the back of 400 and in the front and back of ambulance 401 to comply with the change. The total replacement cost of all 3 radios is approximately \$11,000.

Fire Chief Marvin Schauf requested new bunker gear in the amount of \$11,200, new leather boots in the amount of \$1,120, and new fire hose at \$2,740. Schauf stated that all these items are becoming outdated and need to be replaced. Schauf stated that due to Sedgwick County requiring radio changes, the radio units in all 8 fire vehicles and the base

unit at the station needs to be replaced. The cost for replacement of the radios is approximately \$28,000.

Interim Police Chief Garcia stated that computer support costs are a top priority for the Police Department. Garcia has found a free service for obtaining criminal information from the Kansas Highway Patrol. Although the service is free, there needs to be a secure computer in the police station for that service. Garcia stated the next priority within the Police Department is keeping a competitive wage scale to retain quality staff. Garcia stated that all the police cars will need new radios for the radio conversion Sedgwick County is requiring. Garcia stated that the Police Department did receive a grant to assist with some of the cost. Training, camera/DVD equipment for the truck and a patrol car, carpet or tile for the station, and child identity equipment are other items that Garcia reviewed as budgetary requests. Finally, Garcia stated that the Sedgwick County District Attorney's office is requesting witness, victim and suspect interviews be video and audio recorded. The juvenile system already requires video and audio recording of witness, victim, and suspect interviews. The department lacks the adequate equipment to meet these needs. City Administrator Brown stated that he had requested that Garcia not include figures for his budget requests because he didn't have firm amounts on some of his requests.

6. Appoint Aquatic Center Staff for 2010 Season

With Council consensus, Mayor Justice appointed the following individuals as staff members for the 2010 season at the Aquatic Center.

MANAGER
CHUCK REITBERGER

LIFEGUARDS

ABBEE WIDLER (WSI)
KATIE REITBERGER
CODEE WIDLER (WSI)
JORDAN MILLS
ALLISON REITBERGER (WSI)
MORGAN KENNEY (WSI)
DANIELLE BROWN
MARIAH PETERSEN

LAUREN KENNEY
ZACH TERWORT
JENNIFER CALDERON (WSI)
MICHELLE BABB
KRISTEN BABB
KRISTA MELLEN
KAYLA YOST
KENT WELLS
BROOKE WINTER
HAYDEN BATES
ELLIE WATT

BASKET ROOM ATTENDANTS

MICHAEL PURDOM
RYAN YOST
KARSEN WOHLER
BRETT GORGES

7. Review Aquatic Center Gate Fee & Membership Fee

City Administrator Brown reviewed all gate and membership fees to the Aquatic Center and stated that there are two suggestions for changes. Brown stated that the first suggestion would be to change the coupon books from 11 coupons for \$25.00 to 12 coupons for \$30.00. This would still give individuals a \$0.75 per coupon savings on admission price. The second suggestion is to change the price for the family pass for families of more than 4. Currently, the family pass is \$135.00 for a family a four and each additional family member is an additional \$45.00. A citizen requested a change in the additional family member price to be changed to \$33.75. The change would reflect what a family membership costs per person. A tax return would still be required when obtaining a family membership. Council discussed admission prices and agreed to leave the gate admission at its current rate of \$3.25.

MOTION: Council Member Frischenmeyer made a motion to change the family membership to the Aquatic Center to \$33.75 per person and change the coupon books to 12 for \$30.00. The motion was seconded by Council Member Whitney and passed unanimously.

8. Ordinance for Animals

City Attorney Amerine reviewed the changes to the animal ordinance as discussed at the previous Council meeting. Amerine stated that there is an addition of a definition of livestock because the ordinance had not previously included any regulation of livestock. Amerine went on to state that with the change to 3 dogs and 3 cats or a combination of dogs and cats not to exceed 5, a provision was added that if an individual is found to have more than the limit they will be deemed to be running a business operation. Council Member Whitney pointed out a misspelling. City Clerk Wright assigned ordinance number 921.

MOTION: Council Member Keeler made a motion to adopt ordinance 921 regulating animals with corrections. The motion was seconded by Council Member Berntsen and passed on a roll call vote of 5-0.

9. Review Residential Curbside Refuse Collection Bid Process

City Clerk Wright stated that in the past the City's process for trash collection has been to go through a bid process every three years. The Waste Connections franchise contract ends July 31, 2010. Waste Connections has presented a proposal to continue service for the City at the current \$9.00 per month for the next two years and a \$0.25 increase for the following three years if the City agrees not to go out for bids for trash service. The offer also includes 2 citywide cleanups per year at no additional charge. Wright stated she asked Herschel West, District Sales Manager, about curbside recycling. West stated he would like to come to a council meeting to discuss Waste Connections' recycle program. West also stated that the recycle program would have to be a 100% resident offer or not offered at all. Council discussed Waste Connections proposal and agreed to discuss negotiation options in Executive Session.

10. Request from Jeff Laha for EMT Service for Clearwater Summer Scorchers

City Administrator Brown stated that Jeff Laha is requesting the use of EMT service and the use of city streets for the annual Clearwater Summer Scorchers road race on Saturday, August 14 from 6:30 a.m. to 8:30 a.m. Council gave consensus for use of the streets and EMT service on the date requested.

11. Consent Agenda

Council gave consensus to pay Protection Shelters, LLC invoice 1105 for plans for architectural and engineering services for the emergency shelter in the amount of \$11,000.00

and Hamilton Masonry invoice 3924 4 for labor on concession/restroom building at City Park in the amount of \$12,500.

12. Final Review of Personnel Rules and Regulations

City Administrator Brown reviewed the final changes to the personnel rules and regulations including holiday hours and grooming and dress. Council discussed the policy as a whole and agreed it was a good working document. City Clerk Wright stated that some additional forms and job descriptions will be part of the policy.

MOTION: Council Member Keeler made a motion to adopt the personnel rules and regulations with the corrections. The motion was seconded by Council Member Frischenmeyer and passed unanimously.

13. Reports

City Clerk Wright stated that the mileage rate is going down from \$0.55 to \$0.50 per mile as of April 1, 2010.

City Administrator Brown stated that Recreation Director is getting ready for summer baseball/softball to begin games on May 10.

City Administrator Brown stated that Public Works is working to finish painting the pool.

City Administrator Brown stated that well #8 is down. The pump rate has gone down from 400-500 gallons per minute to 200 gallons per minute. Public Works is assessing the situation to find a resolution to the problem.

City Administrator Brown stated he was contacted by the company that does the City's fireworks display on July 4th. Brown stated he informed him the City would be doing the firework display during Fall Festival in conjunction with the City's 125th anniversary celebration. Council agreed that the Friday of Fall Festival after the football game is when they would like to have the fireworks display.

City Administrator Brown stated that Hamilton Masonry has offered to lay the brick around the windmill for \$1,200, including the brick. Brown stated that the Historical Society had the bricks laid in front of the museum and then engraved in place. Brown stated then

there is no concern with bricks being stolen once they are laid and mortared. Council gave consensus to pay Hamilton Masonry \$1,200 to lay the bricks around the City Park windmill. Council agreed to charge \$35 per brick to the public for engraving.

City Administrator Brown stated the engineering firm working with John Dugan on the land just north of Clearwater on the west side of 135th St. is asking about the sewer line that runs to the Church of Christ. Brown stated they are trying to avoid taking a sewer line under the railroad tracks, which can be very costly. It is just an inquiry at this time.

Council Member York stated he would like to make a request to change the city tour and budget planning session to Monday, May 17 at 5:30 p.m. Council agreed to make the change.

Council Member Whitney requested that Public Works get the pump houses painted this summer.

Council Member Whitney stated that he noticed the school buses are using off road diesel fuel. Whitney asked staff to look into emergency vehicles using off road diesel fuel and save approximately \$0.50 per gallon.

Council Member Whitney asked if the transfer switch, concrete pad, and fuel system could be installed to be prepared for the generator. Whitney suggested staff look into a self-contained fuel system.

14. Executive Session-Personnel

MOTION: At 8:20, Council Member York made a motion to enter into executive session for personnel reasons for 5 minutes. The motion was seconded by Council Member Berntsen and passed unanimously.

At 8:25, Council returned to regular session with no action taken.

15. Executive Session-Legal

MOTION: At 8:25, Council Member Frischenmeyer made a motion to enter into executive session for legal reasons for 15 minutes. The motion was seconded by Council Member Berntsen and passed unanimously.

At 8:40, Council returned to regular session with no action taken.

Council directed staff to contact Waste Connections to counter offer their proposal.

16. Adjournment

MOTION: Being no further discussion to come before the Council, Council Member Berntsen moved for adjournment. The motion was seconded by Council Member Keeler and passed unanimously.

CERTIFICATE

State of Kansas }
County of Sedgwick }
City of Clearwater }

I, Jodi McBee, Deputy 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 April 27, 2010 City Council meeting.

Given under my hand and official seal of the City of Clearwater, this 11th day of May, 2010.

Jodi McBee, Deputy City Clerk