

**CITY OF CLEARWATER, SEDGWICK COUNTY, KANSAS**

**CITY COUNCIL MEETING**

**MINUTES**

**JULY 27, 2010**

The regular meeting of the City of Clearwater, Sedgwick County, Kansas, City Council was held on Tuesday, July 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 Herschel West, Waste Connections; Marvin Schauf and Mary Schauf, Clearwater Fire Department; Kevin White and Anna White, Citizens.

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Mayor Mike 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 July 13, 2010**

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

**2. Mayor's Recommendations**

With Council consensus, Mayor Justice accepted the resignation of Eugene Hiebert from the Police Department.

With Council consensus, Mayor Justice appointed Courtney Clymer and Jason Templin as EMTs with the Clearwater Volunteer Ambulance Service.

3. **Public Forum**

No one addressed the Council.

4. **Presentation by Herschel West on the Recycle Bank Service Provided by Waste Connections**

Herschel West with Waste Connections addressed the Council to explain the Recycle Bank service. West stated that Recycle Bank is a curbside recycling service. Waste Connections provides customers with a 95-gallon recycle cart to be used for all recyclable material. The carts have a sticker on them that gives a listing of what can and cannot be included for recycle. The cart is picked up every other week. The cart also contains a tag that identifies it to the address. The recycle truck scans the tag when the recyclables are picked up and awards the resident points per pound of recyclables. The points are then used as rewards for recycling. Points are redeemable at recyclebank.com or by phone. There are local and national partners affiliated with Recycle Bank where the points are redeemable for discounts. West stated that if the City were to use the Recycle Bank service, Waste Connections would work with Clearwater businesses to become Recycle Bank partners. West stated that with current Sedgwick County customers of Recycle Bank, the average cart is collecting approximately 50 pounds of recycling per month. Council Member Frischenmeyer asked if residents with alley trash pickup will also have alley recycle pickup.

West explained that the recycle service is a curbside service; the recycle truck needs to be on a solid street surface to weigh the cart. West stated that if Clearwater agrees to use Recycle Bank, Waste Connections will offer the smaller 65-gallon trash cart to Clearwater residents, which costs \$2.00 less than the larger 95-gallon carts. Waste Connections would also offer the Recycle Bank service to the City of Clearwater for free for the first six months.

After the that six month period, if Clearwater doesn't like the service Waste Connections will remove the recycle carts. If Clearwater agrees to stay with the Recycle Bank program after six months, there is a \$3.75 per customer charge. Waste Connections requires this service to include all residents or not be used at all. Council agreed that Recycle Bank is a good program, but that they would like to do a community survey to see the response from residents. Council requested staff draft a letter to go out to residents explaining the program and why it would be beneficial to city residents to take advantage of Waste Connections offer at this time.

5. **Request from Brian Leabo to have a Motor Bike Rally Benefit for Kurt Layton on August 28**

Brian Leabo did not attend the meeting. City Administrator Brown stated that he understood that Clearwater is going to be the meeting point for the beginning of a benefit motorcycle run to benefit Kurt Layton on August 28. After a brief conversation, Council gave consensus for staff to inform the group that they could advertise Clearwater as the starting point.

6. **Ordinance Regulating Parking of Certain Commercial Vehicles Within the City Limits**

City Attorney Amerine reviewed the amended ordinance regulating parking of certain commercial vehicles within the city limits. The ordinance designates commercial truck parking to particular areas. City Clerk Wright assigned ordinance number 926.

**MOTION:** Council Member Berntsen made a motion to adopt Ordinance Number 926 regulating parking of certain commercial vehicles within the city limits. The motion was seconded by Council Member York and passed on a roll call vote 5-0.

Council designated the south end of Flyers Field for commercial vehicle parking.

7. **Staff Requests for Changes to the Personnel Policies that were Approved June 2010**

City Administrator Brown reviewed the requests for changes to the personnel policies that were approved June 2010. Brown stated that the work week in the personnel policy reads the work week begins on 0700 hours on Sunday and ends at 0659 hours the following Sunday. Brown stated that the time schedule interferes with the on-call weekend and should be changed to begin 0700 hours on Monday and end at 0659 hours the following Monday. The second change involves holiday pay and whether all employees or only full time employees receive holiday pay. Council agreed that all employees, full and part time, should receive double time holiday pay for hours worked. Brown stated the final item staff would like clarification on is how many hours should be paid as double time for a holiday. Council agreed that the employees should get paid double time for all hours worked on a holiday.

**MOTION:** Council Member Berntsen made a motion to change Article II, Section B, Item 1 and to delete Article V Section H from the Personnel Policy. The motion was seconded by Council Member Frischenmeyer and passed unanimously.

**8. Report from Harlan Foraker, Certified Engineering Design, on Sewer Capacity**

City Administrator Brown reviewed the report from Harlan Foraker, Certified Engineering Design, on sewer capacity. The report indicates what it would cost the City overall per gallon basis for installing a wastewater treatment plant. This is a cost estimate that could be forwarded to perspective buyers of the Clearwater Business Park. Council gave consensus to forward the information on to Steve Martens, the business park broker, and the GWEDC (Greater Wichita Economic Development Committee) for perspective buyers.

**9. Consent Agenda**

Council gave consensus to pay invoice 1123 from Protection Shelters for pouring the floor & roof for the Emergency Shelter in the amount of \$35,000, invoice 2842 from Reeves Electric to install a 50 KW generator with transfer switch for Emergency Services Building for the amount of \$4,256, and invoice 242754 from Utility Services Co., Inc. for annual water tank maintenance program in the amount of \$5,464.57.

City Administrator Brown stated that Foley Equipment indicated another fuel tank would not be necessary to place next to the generator. The generator fuel tank holds enough diesel to run the generator for an entire day. Brown stated Hampel would come and set a fuel tank for no additional charge if the Council so chooses. Brown stated that at this time he did not recommend setting an additional fuel tank. Council Member Whitney stated that he felt that an additional fuel tank is necessary to have because fuel maybe hard obtain in an emergency situation. After a brief conversation Council agreed that the generator should be tested to see how long the fuel lasts before they decide whether to set an additional fuel tank.

**10. Review of 2011 Budget**

City Administrator Brown stated that at a previous meeting the Council set a budget goal of keeping the mill levy at 45 mills, which would be a tax increase. That mill levy

would generate \$621,900. Brown went on to review staff suggestions for budget modifications as follows:

- In 2010 – transfer approximately \$10,000 from General to Employee Benefit and transfer approximately \$27,000 from Special Highway to Bond & Interest.
- In 2011
  - Move person to Special Highway (1/2 or all)
  - 35 weeks of Police #6
  - Employees pay 5%/45% of Health Insurance
  - No radios (Police/Fire/EMS)
  - Limited brush dump personnel
  - No drainage
  - No Chamber donation
  - No Economic Development
  - Everything else limited
  - Most Capital Outlay eliminated

Brown asked Council for items that they would like to see included in the budget. Council Member York suggested putting money aside for future radio purchases. Mayor Justice stated that the \$16,700 from the staff suggested budget cuts could be set aside for radios. Council Member Frischenmeyer stated that raising the mill levy another mill would generate an additional \$13,820. Then there would be some additional room for any emergency repairs or purchases that the City may not foresee. City Clerk Wright suggested creating an equipment reserve. Brown went on to highlight specific items which were eliminated from the budget such as spine boards, fire hose, pool tiger shark, radios and bunker gear. Mayor Justice asked Brown what budget option staff was most comfortable. Brown stated that staff would be comfortable with option D of the budget options supplied to Council. Brown stated that Frischenmeyer brought up a good point of adding an additional mill to the mill levy. Brown stated that the tax increase is going to be upsetting no matter what the increase is. Justice stated that a portion of the increase is due to an error on the County side and was out of the City's control. After a lengthy conversation, Council agreed to go with budget option D and increase the mill levy to 46 mills. Brown stated that staff will come back with a final draft of the budget at the next council meeting and the budget hearing will be at the August 24<sup>th</sup> council meeting.

Mayor Justice stated that another way to generate additional income would be to start charging for use of the brush dump. Justice suggested creating a pass system where individual users would pay an annual \$20 fee, commercial users would pay an annual \$40

fee, and one-time users would pay a \$5 fee. Justice stated that unfortunately the time has passed where the City is able to provide free services. Council Member Whitney stated that he thought the commercial user fee should be higher. Commercial users generate a much higher volume of yard waste than a single resident. Whitney suggested making the commercial fee \$75. Justice stated in cases when there is a storm, the brush dump would then be free to city residents for a one or two-week period to allow for clean up. Council directed staff to draft a resolution on brush dump fees.

## **11. Reports**

City Administrator Brown stated that portions of the city's sewer lines are being cleaned this week.

City Administrator Brown stated that the floor has been poured for the Emergency Shelter. The roof will be poured this week as well.

City Administrator Brown stated the concession stand/restroom building at City Park is finished. Some additional dirt work needs to be completed.

City Administrator Brown stated that he has a meeting set at the end of August with the property owner of the land at 95<sup>th</sup> and 135<sup>th</sup> regarding issues with their plat.

Council Member Whitney asked when APAC would return to finish repairing the asphalt on Lee in front of the bank. City Administrator Brown stated APAC had patched the areas a few weeks ago, but hasn't been back to make the repairs.

Council Member Whitney stated he received a complaint of some debris in the ditch at the corner of Second and Kansas.

## **12. 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 July 27, 2010 City Council meeting.

Given under my hand and official seal of the City of Clearwater, this 10<sup>th</sup> day of August, 2010.

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Jodi McBee, Deputy City Clerk