

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

**CITY COUNCIL MEETING**

**MINUTES**

**March 9, 2010**

The regular meeting of the City of Clearwater, Sedgwick County, Kansas, City Council was held on Tuesday, March 9, 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, Jim Whitney, Sandi Keeler, Lyle Berntsen and Jim Frischenmeyer, Council Members. Mike York, Council Member, was absent.

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; Judy Cumming, Mary Hawley, Glenda Gladfelter, Gary Morehead, Clarice Sparr, Aileen Lauterbach, Charles Becker, Nancy Porter, & Walt Porter, Clearwater Historical Society; Greg Kite, Sedgwick County Preservation Society; Joseph Devore, Boy Scout; Paul Rhodes, Times Sentinel Newspaper; Charles Brooksher, Jack Haivala, Janetta DeVore, & Murray DeVore, citizens; Ashley Lauer, Kara Molisee, Allie Reitberger, Brooke Finney, & Cody Bech, Clearwater High School Government Students.

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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 February 23, 2010**

**MOTION:** Council Member Keeler 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**

There were no recommendations.

### **3. Public Forum**

Charles Brookshire addressed the Council to request action on the semi tractor-trailer parking at the Chisholm Trail Sports Complex. Brookshire stated he is a resident of the Chisholm Ridge housing development and the noise from the refrigeration semi trailer, that parks in the west parking lot at the sports complex, impacts the residents of Chisholm Ridge. Mayor Justice stated that currently the Planning Commission has the trailer parking ordinance under review and they will make recommendations for changes to Council. Council Member Whitney stated he has also received numerous complaints regarding the noise from the trailer at the sports complex. Brookshire also stated that he and other residents of Chisholm Ridge would like to see the speed limit reduced from 30 miles per hour to 20 miles per hour. Justice stated that would be an issue that Council would request a recommendation from Interim Police Chief Garcia. Justice went on to state that a petition from the residents would have great impact on the Council's decision to reduce the speed limit. Jack Haivala addressed the Council in support of Brookshire and his request for action to remove tractor-trailer parking on public property. Haivala played a recording of noise of the refrigeration trailer currently parked at the Chisholm Trail Sports Complex and expressed he and his wife's frustration with the noise from the generator.

### **4. Update on Grant for Old Schoolhouse at Historical Museum**

Greg Kite, President of the Sedgwick County Preservation Society, stated that he has been working diligently on obtaining the grant to restore the old schoolhouse at the Historical Museum. The schoolhouse has been placed on the Kansas State Historic Register. Kite reviewed what has been happening behind the scenes in obtaining national historic registry status to obtain the Heritage Trust Fund Reimbursement Grant Program 2011 for the Richmond Hill Schoolhouse. Kite stated the biggest hurdle has been that one of the National Parks Service's requirements for obtaining national historic registry status is that the structure cannot be relocated. Since the schoolhouse has been moved from its original location, Kite was notified the schoolhouse could not receive national registry status. Kite stated he and Judy Cumming, Clearwater Historical Museum Director, went to Topeka to talk with the Kansas State Historical Society and the National Parks Service about changing the criteria regarding relocation. Kite stated that his and Cumming's argument were that if a building was moved out of harms way to be preserved then that should be rewarded. The National Park Service is now looking at changing their criteria to include relocated structures as eligible for national historic registry status. Kite stated they should be notified whether the Richmond Hill Schoolhouse receives national historic registry status in August 2010. Then, once they receive national registry status, the application for the grant can be

submitted by November 1, 2010. Kite stated the results of the application would be in February 2011. Council Member Berntsen asked what the fall back plan was if the schoolhouse didn't get on the national historic registry. Kite stated that he would go ahead and apply for the grant with just the state historic registry status. Council Member Whitney asked what was the soonest any improvements might begin after obtaining the grant. Kite stated that it would be about 30-60 days after receipt of the grant, which would mean May 2011. Kite stated that any improvements made before receiving the grant would undercut the grant. Whitney stated that he has received several complaints from individuals that the City is allowing a structure on its own property to dilapidate, and then expects other community residents to cleanup their properties. Kite stated that working towards preserving the structure to its 1875 condition is a long process and will take some time to turn it into the community treasure it could be. Justice stated he would like to see a backup plan in case the grant does not come through. Judy Cumming, Clearwater Historical Museum Director, stated that there are private donations that have been promised to help improve the building if the grant doesn't come through. Cumming stated getting the foundation and putting in windows would be the priority. Kite stated he would forward any paperwork regarding the schoolhouse to City Hall for informational purposes.

5. **Joseph DeVore Eagle Scout Project Flag Disposal**

Joseph DeVore stated that he is a junior at Clearwater High School and he is working on an Eagle Scout project. DeVore stated he would like to place receptacles in town for residents to drop their flags to be disposed of properly. DeVore stated he has made arrangements with the local Boy Scout organization to keep the program going and maintain the receptacles after he is gone. DeVore stated he would like to place the receptacles at City Hall, Mize's and the recycling center. Council agreed the project would help educate the public how to properly dispose of their flags. Council gave consensus for DeVore to continue with his project.

6. **Cooperative Agreement Between Kansas State University, Kansas Forest Service, and City of Clearwater**

City Administrator Brown stated that the Clearwater Fire Department has two vehicles on loan from the Kansas Forest Service, the tanker and the command vehicle. The agreement between Kansas State University, the Kansas Forest Service and City of Clearwater is for the continued use of those vehicles.

**MOTION:** Council Member Whitney made a motion to authorize the mayor to sign the

cooperative agreement between Kansas State University, Kansas Forest Service and City of Clearwater. The motion was seconded by Council Member Berntsen and passed unanimously.

7. **Follow-Up of Meeting on 125<sup>th</sup> Anniversary & Fall Festival**

City Administrator Brown stated that the 125<sup>th</sup> Anniversary Committee, Fall Festival Committee, members of the Clearwater United Methodist Church, and city staff met to coordinate ideas for Clearwater's 125<sup>th</sup> anniversary year. The 125<sup>th</sup> Anniversary Committee has several ideas for mini-events throughout the year. Brown reviewed proposed ideas, which include a buffalo burger feed for May 29<sup>th</sup>, an old-fashioned picnic and ballgame for July 3<sup>rd</sup>, and a dunk tank and watermelon seed spitting contest the second weekend of August with the rodeo. Brown stated the Fall Festival Committee has confirmed a western show, the carnival company, and a cricket expo. They are still working on several other ideas. The fireworks are scheduled to be moved from July 4<sup>th</sup> to Fall Festival weekend for the anniversary year only. Council agreed they would still like to look into coordinating with the group that does the Sunday lunch meal.

Mayor Justice stated that he would like to revisit the issue regarding semi tractor-trailer parking from public forum. Council Member Whitney stated he believed the City didn't need to provide parking for trailers. Council Member Whitney and Berntsen both stated that they didn't mind providing parking on public property as long it wasn't a nuisance to anyone; now there are complaints from residents. Council gave consensus to disallow semi tractor-trailer parking on city property.

At 8:00, Council recessed for 5 minutes.

8. **Review Personnel Rules and Regulations XV Purchasing Procedure**

At 8:05, City Administrator Brown began the review of personnel rules and regulations XV regarding purchasing procedure. Brown stated that Section 15 pertaining to initiating a purchase is a new policy and may need some time to implement in a way that is efficient. Council agreed that \$250 is an appropriate amount to set as the minimum for the initiating purchase policy because the purchase cards maximum limit is set at \$250.

9. **Consent Agenda**

Council gave consensus to release \$7,000 to the Clearwater Area Chamber of Commerce pledged in the 2010 budget.

## **10. Reports**

City Clerk Wright stated that she and Deputy Clerk McBee will be attending the City Clerks Conference from March 10-12 in Wichita.

City Administrator Brown stated that Interim Police Chief Garcia would like some direction on expired tagged vehicles. Garcia would like to know if Council wants vehicles parked on private property that have expired tags to be removed or if they only want to deal with those only where there are complaints. City Attorney Amerine stated that vehicles on blocks, vehicles missing parts or vehicles used for storage could be categorized as a nuisance. The City can request those vehicles be removed from the property. Mayor Justice stated there are also several vehicles in town that are parked on property illegally, according to city code. Vehicles must be parked on a dustless surface and not in the yard on grass. Council agreed the ordinances should be enforced at all times, not only when a complaint arises.

City Administrator Brown stated that there was a major water main break at the tap for Casey's. Mayer Services was doing the tap on the City's behalf. At this point, they have paid for all the repairs.

City Administrator Brown stated the transfer switch will be installed at the EVS building for the generator in the next two weeks. Reeves Electric will be installing the switch.

City Administrator Brown stated that he received a neighbor complaint regarding a property in the 200 block of south Tracy. Council discussed spring cleanup coming up and sending volunteers to several local addresses that may need assistance cleaning up items on their property.

**11. Executive Session - Legal**

**MOTION:** At 9:00, Council Member Berntsen made a motion to enter into Executive Session for personnel reasons for 20 minutes. The motion was seconded by Council Member Keeler and passed unanimously.

At 9:25, Council returned with no action taken.

**14. Adjournment**

**MOTION:** Being no further discussion to come before the Council, Council Member Keeler moved for adjournment. The motion was seconded by Council Member Berntsen 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 March 9, 2010 City Council meeting.

Given under my hand and official seal of the City of Clearwater, this 23rd day of March, 2010.

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Jodi McBee, Deputy City Clerk

