

CITY OF CLEARWATER, SEDGWICK COUNTY, KANSAS

CITY COUNCIL MEETING

MINUTES

APRIL 26, 2011

The regular meeting of the City of Clearwater, Sedgwick County, Kansas, City Council was held on Tuesday, April 26, 2011, 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 York, Mayor; Lyle Berntsen, Jim Whitney, Sandi Keeler, Jim Frischenmeyer, and Laura Papish, Council Members. The following staff members were present: Kent Brown, City Administrator; Cheryl Wright, City Clerk; Janet Amerine, City Attorney; Gene Garcia, Police Chief. Others present at the meeting were Donald Schauf, Clearwater EMS; Marvin Schauf & Mary Schauf, Clearwater Fire Department; Johnny Mishler, Citizen; Bill Kenney, Owner Big John's/SnoZone; Adam Heppler, Richard Mitchell, Jeremy Mitchell, Steven Heppler, Boy Scouts; Andrew Harris, Hannah Tjaden, Max Fisher, Victoria Mallatt, Matt Alonzo, Jake Stevenson, Joseph Devore, Sariah Ast, Kristi Pangburn, Tayler Overton, Tyler Davis, Jake Tinkler, Tim Dommatt, Justin Demuth, Brittany Bishop, Matt Bayless, Nathan Vineyard, Cody Whitlock, & Shane Rhodes, Clearwater High School Government Students.

Mayor York called the meeting to order at 6:30 p.m. York 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 12, 2011

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

There were no appointments or recommendations at this time.

3. Public Forum

Bill Kenney, owner of Big John's Pizza & the SnoZone, addressed Council to request continued use of the concession stand building for his snow cone/ice cream business. Kenney stated he would continue to pay \$100/month rent to the City.

4. Department Head Reports

EMS Director Donald Schauf stated that the SADD mock car accident would be held on Thursday, April 28 at 1:10 p.m. at the High School. The accident is staged to show students the results of a drunk driver accident to hopefully keep students from drinking and driving at prom.

Police Chief Garcia stated that the Police Department has established a Facebook page to alert the public of information. Garcia stated that the Police Department is also looking into initiating Nixel. Nixel is a law enforcement based emergency messaging system that can send out mass alerts by voice message or text message. Individuals can sign up for the alerts. The Police Department will be participating in the Family Fun & Fitness night the school is having on April 29. Garcia stated they are working to get all the police vehicles outfitted with patrol rifles by trading in unused police weapons and looking into grants.

5. Changes in Tenant Farmer for Land at Clearwater Industrial Park

City Administrator Brown stated that Marion Barrow, the current tenant farmer at the Clearwater Industrial Park, is moving and will no longer be farming in the area. Brown stated that Mr. Barrow recommended four other farmers to replace him, Kris Noland, Max Tjaden, Roger Tjaden, and Doug Kohls. Brown stated he has spoken with all of the farmers except Roger Tjaden. Danny Lauer has also contacted Brown to request he farm the ground. The arrangement with the City & Mr. Barrow is that 2/3 of revenue and costs are assessed to Barrow and 1/3 of the revenue and costs are assessed to the City. Council Member Whitney suggested going to cash rent because expenses are rising rapidly and there is steady income stream. After a brief discussion, Council directed staff to request proposals from the farmers interested in farming the ground.

6. Review Aquatic Center Fees

City Administrator Brown reviewed the proposed fees for the Aquatic Center. Brown stated that staff does not recommend any changes from last year's rates. Council approved the aquatic center fees as presented.

7. Recommendation for 2011 Aquatic Center Staff

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

MANAGER
CHUCK REITBERGER

LIFEGUARDS

JORDAN MILLS (WSI)
ALLISON REITBERGER (WSI)
MORGAN KENNEY (WSI)
MARIAH PETERSEN
DANIELLE BROWN
LAUREN KENNEY
MICHELLE BABB
KRISTEN BABB
KRISTA MELLE
KAYLA YOST
BROOKE WINTER
HAYDEN BATES
ELLIE WATT
COLIN FRICKEY
MADISON PETERSEN
KYLIE MOLISEE
LAUREN AKIN

BASKET ROOM ATTENDANTS

RYAN YOST
BREANNA HAMILTON

8. Review Suggestion for Time and Activity Changes at the Aquatic Center

City Clerk Wright stated that she and other staff members are requesting some changes to pool hours. Wright explained that Recreation Director Zook would like to offer some recreation activities at the pool. In years past, recreation has offered water aerobics at 5:00 p.m. This makes it difficult for individuals who work full time in Wichita to take advantage of the class. If the pool discontinued the evening swim from 7:00-9:00 p.m. Monday through Thursday, then recreation would have those evenings to hold classes and activities. Wright stated that the pool would remain open on Friday nights from 7-9pm for family swim. Wright stated they would also like to offer the swim team an extra hour of practice during the first two weeks of swim team practice from 8:00 a.m.-10:00 a.m. Council agreed to try the changes for this swim season. If the changes don't work, then changes can be made again the following year. The regular pool hours tentatively be set for Monday-Thursday 1:00 p.m.-5:00 p.m., Friday 1:00 p.m.-5:00 p.m. and 7:00 p.m.-9:00 p.m., Saturday-Sunday 1:00-7:00 p.m. Staff will check with all concerned to confirm the proposed hours over the next couple weeks.

9. Agreement for "Automatic Aid" Between Clearwater Emergency Services and Sedgwick County Fire District No. 1

Fire Chief Marvin Schauf reviewed the agreement for automatic aid between Clearwater Emergency Services and Sedgwick County Fire District No. 1. Schauf stated that the agreement was brought about by contact from a Sedgwick County resident that his fire insurance was rising. Schauf contacted the Sedgwick County Fire Chief and they agreed that an “automatic aid” agreement might relieve some of that problem. Currently, Clearwater Emergency Services as a mutual aid agreement with Sedgwick County. Mutual aid means that each fire district has to request each other for help. Automatic aid means that each fire district will respond to structure fires on the first alarm without any request. With this agreement, both Sedgwick County Fire District No. 1 and Clearwater Emergency Services would automatically be dispatched to structure fires in the area between Tyler Road and 215th W. and 55th S. and County Line. City Administrator Brown stated that there is concern as to whether this agreement will require additional resources for Clearwater Emergency Services. The benefit would be that immediate back up for structure fires would automatically be sent from Sedgwick County Fire Department within the Clearwater Fire District. Schauf explained that the mutual aid agreement would remain in place for non-structure fires. Council Member Whitney stated that this agreement in no way guarantee people their insurance would go down. That is totally based on what the insurance company charges. Whitney agreed that the biggest benefit to Clearwater is that it will have professional firefighters responding to the first alarm with a ladder truck. This will also postpone the City from having to purchase a ladder truck. Whitney stated that this agreement is a win-win for Clearwater.

MOTION: Council Member Whitney made a motion to authorize the Mayor to sign the Agreement for “Automatic Aid” Response Between Clearwater Emergency Services and Sedgwick County Fire District No. 1. The motion was seconded by Council Member Berntsen and passed unanimously.

10. Review bids for Copier Service at City Hall

City Administrator Brown requested the item agenda be tabled until the next council meeting.

11. Consent Agenda

City Clerk Wright stated that the invoice from Renn & Co. for renewal of property, liability, automobiles, umbrella and other insurance is an estimated amount of \$32,024.00. The insurance is waiting on 2 more items before they have a final price. Wright stated that the Council could either approve the payment of the invoice upon the discretion of staff on the final amount or table the approval until staff receives final billing. After a brief discussion, Council gave consensus for Staff to pay the insurance bill at their discretion.

12. Reports

City Administrator Brown stated the Wicked Wind bicycle ride has a stop in

Clearwater City Park on Sunday, May 15 in the morning. The new roof is actually the roof kept from the former bathroom structure on the west side of the park

City Administrator Brown stated that the Public Works crew tore the roof off well house #4. They are replacing the roof because it was in poor condition.

City Administrator Brown stated that the street project for Clearwater Business Park will be starting next week. They will also be working to repair the drainage issue at First and Ross at the same time.

City Administrator Brown stated he received a letter from RC&D Recycling stating they have lost their federal funding. This is the company that sells the City's recycling. There are more questions than answers at this time as to what will happen with the program. Brown stated this will affect the recycling discussion Council will have at the next Council meeting when a representative from Waste Connections is scheduled to attend. Currently the recycle center is still open on the first and third Saturdays of the month. Public Works has informed Brown the recycle center is still receiving enough materials to have it hauled after each Saturday the recycle center is open.

City Administrator Brown stated that the swimming pool is being repaired. Mayer Specialty Services has been called in to make the repairs. Brown anticipates the cost to be a couple thousand dollars. The pool was losing thousands of gallons a day last summer. These repairs will hopefully alleviate that problem.

City Attorney Amerine stated that the Mertens' case has been filed at the Kansas Court of Appeals. There is nothing for the City to do until Mertens' attorney files a brief. They have approximately 30 days to submit the brief.

Council Member Papish had a citizen complaint regarding pit bulls running loose. The citizen asked if Council would consider a ban on pit bulls. City Administrator Brown stated that a ban on specific dog breeds tends to create other problems. Brown explained that there is a vicious animal provision in city ordinance that covers all breeds.

Council Member Papish stated she received a complaint about the amount of junk in the yard at the house directly east of Walt's. Mayor York stated he would contact the tenant of the house and also the landlord to have the yard cleaned up.

Council Member Whitney stated he has received several complaints about a dog breaking loose from a fenced yard and chasing people in the 100 block of north Tracy. Police Chief Garcia stated he would look into the situation.

Council Member Whitney asked when the water tower is scheduled to be painted. Brown stated that it is painted every 5 years. It was last painted in either 2005 or 2006.

Council Member Whitney requested that the well houses and propane tanks get

painted this summer.

Council Member Whitney asked that the gutter at Third and Kansas be cleaned out. Mud is collecting in the gutter.

Council Member Whitney asked how obtaining additional water rights were coming along. City Administrator Brown stated that last he contacted the company working to get the water rights they had contacted the Chief Engineer with the Division of Water. The Chief Engineer stated that the City's request is on the agenda for the spring.

Council Member Whitney requested that staff contact the homeowners of 210 S. Gorin and the small yellow house in the 100 block of N. Lee. Both homes are vacant and in need of major repairs. Police Chief Garcia stated that there have been problems with kids getting into the house in south Lee.

Appointment of Lee Harp

City Administrator Brown stated that Police Chief Garcia is requesting to appoint Lee Harp as a full time officer. Harp is currently a full time part time officer. Police Chief Garcia stated that with Harp's background and experience he would make an excellent addition as a full time officer. With Council consensus, Mayor York appointed Lee Harp as a full time police officer effective May 1st.

13. Adjournment

MOTION: Being no further discussion to come before the Council, Council Member Berntsen moved for adjournment. The motion was seconded by Council Member Whitney 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 26, 2011 City Council meeting.

Given under my hand and official seal of the City of Clearwater, this 10th day of May 2011.

Jodi McBee, Deputy City Clerk

