

CITY OF CLEARWATER, SEDGWICK COUNTY, KANSAS

CITY COUNCIL MEETING

MINUTES

DECEMBER 13, 2011

The regular meeting of the City of Clearwater, Sedgwick County, Kansas, City Council was held on Tuesday, December 13, 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, Jim Frischenmeyer, and Sandi Keeler, Laura Papish, Council Members. The following staff members were present: Kent Brown, City Administrator; Liza Donabauer, City Clerk; Janet Amerine, City Attorney. Others present at the meeting were: Mary Schauf, Clearwater Fire Department; Rob Hartman, Ed Mikesell, Duckhorn Properties; Lonnie Stieben, SKT; Stephanie Carlson, Brenda Hastings, City Residents; Chelsea Donham, Ashley Rumsey, Kane Howell, Braedan Bates, Trevor Dargatz, Clara Maus, Zach Hill, Mariah Petersen, Brett Gorges, Lucas Rinke, Miranda Flores, Chris Mulero, Thomas Klausmeyer, Megan Howard, Kirsty Skinner, Alexis Hill, 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 November 22, 2011

MOTION: Council Member Lyle Berntsen made a motion to approve the minutes of the 11-22-11 City Council Meeting. The motion was seconded by Council Member Jim Frischenmeyer and passed unanimously.

2. Mayor's Recommendations

No recommendations were made at this time.

3. Public Forum

No members of the public came forward to speak.

4. Department Head Reports

No Department Heads were present.

5. **Notice of Budget Amendment Hearing**

City Administrator Kent Brown requested that the 2011 Budget Amendment Agenda Item be moved to the top of the agenda. With Council authorization, the Notice of Public Hearing will be sent to The Times Sentinel for publication in the 12-15-11 newspaper. The Public Hearing would be held on 12-27-11 at the City Council Meeting. Brown stated that the amendment encompasses two transfers. One transfer is for \$20,000 from the General Fund to Debt Service. The other transfer is for \$7,100 from the Library Fund to the Library Capital Fund. The Library Board requested the transfer. Brown noted that the amendment process is an accounting and cleanup process. The \$20,000 transfer is to cover a shortfall in special assessments. Brown forewarned the Council Members that there needs to be a quorum at the 12-27-11 meeting. The amendment would not affect taxes or tax rates. It applies to the 2011 budget year, which is nearly over. Brown explained that there was an amended expenditure amount in the Special Parks & Recreation Fund for the purchase of fireworks. The expense in that line item was not part of the original budget.

MOTION: City Council Member Sandi Keeler authorized publication of the Notice of Public Hearing to conduct a Public Hearing for the 2011 Budget Amendment at the 12-27-11 City Council Meeting. Council Member Jim Whitney seconded the motion. Motion passed unanimously.

6. **Petitions for Phase I Improvements – Indian Lakes Additions**

City Administrator Brown stated that the City received four petitions from the developer: Water, Sewer, Street Paving, and Storm Water Drainage. After the final plat is approved, they have to construct some improvements, and submit petitions to the City. They then set up a benefit district on how the City will be paid for those improvements. The amounts in the petitions will be set realistically. Rob Hartman of PEC and Ed Mikesell of Duckhorn Properties were present. Rob Hartman stated that there are two phases to the project. A phase map of each infrastructure improvement has been included. Each phase has been identified by a color. The lots circled will be assessed according to phase. For Phase I, the total cost of the infrastructure for all four petitions would be \$820,300. In the storm water petition, since it benefits the entire development, the commercial and residential lots would be assessed for both phases of the project. Every lot pays approximately the same amount based on share percentage. Hartman noted that in the paving petition, a cost estimate was conducted. To keep costs down, the developer is requesting to have a 29' wide street. By decreasing the width, there would be extensive saving in the paving costs, which translates in special assessment costs. The proposed total construction estimate amounts for each phase was:

Water: \$72,900
Sewer: \$82,200
Street Paving: \$408,700
Storm Water Drainage: \$256,500

There can be a savings in the monthly cost of approximately \$220 to \$185 by changing to 15-year assessments in lieu of 20 years.

Mayor Mike York asked City Administrator Kent Brown about the street widths in Park Glen. City Administrator Brown stated that the streets are 39' wide. Chisholm Ridge streets are 34' wide. Hartman stated that those developments are proposed for on-street parking and this development is not set for on-street parking. City Administrator Brown stated that the City's current standard is 9ft driving lanes on each side, 8ft parking lanes, and 2.5 ft. curbs on each side for a total of 39 feet. For the Indian Lakes Drive project there is 12 feet on side and 2.5 feet curb on each side for 29' total.

Council Member Laura Papish asked Hartman if there is an area for people to park in if someone were to have a party. Hartman stated that there would be areas with a restricted covenant allowing two parking spots in the garage and 2 additional spaces in the driveway. In this case, the lots are laid out where the majority of lots are on the cul-de-sacs.

There are no two houses that directly face each other on the streets. Council Member Jim Whitney stated that there is no easy flow through the street if there are emergency vehicles enroute. Whitney stated that he did not think on-street parking should be allowed because of emergency vehicles. Council Member Whitney stated that Council would be receiving complaints from citizens when parking tickets are issued by the Clearwater Police Department. Council Member Papish suggested putting 2 or 3 additional spaces between homes for additional parking. Hartman stated that he has done that on other projects but having double car garages and spaces for two more cars in the driveway alleviates that problem. The total project cost would not be feasible if the Council would increase the width of the street. An extra wide street would make this project less cost competitive.

City Attorney Janet Amerine asked Hartman if Reserve D would be for drainage. She asked whether additional parking could be placed there. Hartman stated there could be five additional parking spaces near Reserve D. Hartman stated that he would be agreeable to Amerine's suggestion. Council Member Whitney asked if it would be cost effective. Amerine stated that it could be tested during Phase I to determine if this would be a solution for Phase II prior to that portion of the project. Mayor Mike York expressed his concerns with the lack of on-street parking.

Ed Mikesell, Duckhorn Properties, stated that he was unable to be at the Town Hall Meeting but understood one of the concerns for Clearwater was the lack of affordable and variety of homes. This is something that Duckhorn Properties is trying to alleviate. The intent is to build eight homes immediately, and continue development if it is successful. Mikesell requested a 35% letter of credit. This is the standard rate among other Wichita communities and a win for everyone. Going higher than 35% ties up a lot of initial funding that could be used for other commercial and residential projects. Mikesell is asking for the City Council's approval.

Mayor Mike York stated it would be a nice addition to the City. York further stated that the only problem in his mind with the project is the 29' width of street. The narrow width could be an ongoing problem for the community. Mikesell asked City Administrator Brown if there is a lot of parking available at the Senior Center. Brown stated that the areas in Reserve D would help, but Brown did agree that there would be some parking and neighbor issues. Maneuverability and on-street parking is problematic in the Chisholm Ridge Addition. The benefit to the City with a smaller street would be less maintenance

costs and a smaller amount of debt. The costs would be in the neighbor and emergency service issues.

Ed Mikesell and Rob Hartman have a group that is going to manage the Homeowner Association. There would be a set of covenants. Mikesell explained that the extension of Janet Street of approximately 100' might alleviate some of the parking concerns. Mikesell explained that Phase I is approximately 1,000 linear feet. Administrator Brown stated that the petitions are only for Phase 1. Attorney Amerine stated that if changes were needed, they could be made in Phase II. Hartman clarified that paving width would not affect sewer and water lines. Jim Whitney expressed concern about the enforcement of the no parking signs in the new addition. Mikesell stated earlier that he would have a management company that would be responsible for all issues related to the addition. Whitney would like to see the project go. The police could contact the management company to address parking issues. If Reserve D could be used for extra parking it would be less expensive than widening the streets.

MOTION: Council Member Lyle Berntsen made a motion to accept the petition of \$82,181.21 for Phase 1 sanitary sewer for the Indian Lakes Addition. Council Member Papish seconded the motion. The motion carried unanimously.

MOTION: Council Member Jim Frischenmeyer made a motion to accept the petition of \$72,832.50 for Phase 1 water for the Indian Lakes Addition. Council Member Jim Whitney seconded the motion. The motion carried unanimously.

MOTION: Council Member Jim Whitney made a motion to accept the petition of \$408,700.00 for Phase 1 paving and incidental drainage for the Indian Lakes Addition. Council Member Jim Frischenmeyer seconded the motion. The motion carried unanimously.

MOTION: Council member Jim Frischenmeyer made a motion to accept the petition of \$256,500 for Phase 1 for Storm Water Drain for the Indian Lakes Addition. Council Member Jim Whitney seconded the motion. The motion carried unanimously.

City Administrator Brown stated to the Council that at the next meeting, the contracts for the engineer would be reviewed and presented. Typically the City works with the developer's engineers.

Council Member Jim Whitney asked Council and City Administrator Brown whether there should be some discussion about the 35% letter of credit. Letter of credit is a guarantee from the developer to the City. The City of Clearwater has the most stringent requirement within the Wichita area with a 60% letter of credit. Most communities around Wichita have a 35% letter of credit. A letter of credit is a guarantee that if something was to happen before the specials go into effect, and before the building begins, that the City will be able to draw on the letter of credit. City Attorney Janet Amerine asked City

Administrator Brown if this information appears in the subdivision regulations. Brown stated that it is in the regulations but there will need to be an amendment at the next Council meeting for review and discussion. Brown stated that he doesn't have an answer whether a 60% letter of credit makes the project more viable than a 35% letter of credit.

7. **Proposed Ordinance Amending Ordinance No. 835 Regulating the Use of Cargo Containers Within City Limits**

City Administrator Kent Brown stated that Council asked the Planning Commission to address the use of shipping and cargo containers. This topic was discussed over multiple meetings. A conclusion was reached that they liked the definition of "Cargo Container". He read the following description:

"Cargo Container. Any portable weather resistant receptacle, container or structure that is designed for the storage or shipment of goods, commodities, furniture or building materials or merchandise."

Under Section I, items C and D distinguish between the use of cargo containers in commercial/Industrial and Residential zones. City Administrator Brown stated that a few residents have asked about the use of shipping containers for storage. The Planning Commission determined it was not a look the Commission liked for the community. The Planning Commission also considered that an exception could be made for a temporary situation if there were to be a natural disaster or emergency

Lonnie Stieben stated that this ordinance was constructed with residential in mind. Mayor York asked if this was related to an incident in town. Stieben stated that the question has come up whether the community wants to see shipping containers throughout the residential neighborhoods. A determination was made that it needs to be a permanent structure. City Attorney Amerine stated that a resident could apply for a variance if they wanted to modify a shipping container as a permanent structure. City Attorney stated that Section 2.3.D. addresses the use of a temporary cargo container for a maximum of 30 days. City Administrator Brown stated that the local franchise owner of PODS came to the Planning Commission meeting and explained how the rental process works.

City Attorney Janet Amerine stated that the temporary plywood containers are grandfathered in until this Ordinance is adopted and then residents would be asked to file for a variance in the future. Amerine stated that there is a blank spot in the zoning ordinance if the structure is less than 200' square feet. Amerine further stated that the zoning ordinance, if approved today, would begin on today's date and all cargo containers prior to this date would be grandfathered in. Berntsen stated the plywood ones will eventually fall apart and then they would have to be removed. They could not be replaced with different plywood shipping containers.

MOTION: Council Member Lyle Berntsen made a motion to adopt Ordinance #946 as written. Council Member Jim Whitney seconded the motion. The Motion passed unanimously with a roll call vote.

8. **Proposed Street Improvements at N. Lee Avenue and E. Ross Avenue**

City Administrator Kent Brown explained the proposed street improvements in two locations on N. Lee Avenue and E. Ross Avenue. Brown explained the curb by Elementary West has worked well and residents want the same curb and gutter added to the north side of Ross. The Pedestrian lanes could be moved back remain as is depending on what Council would like to see happen. The sidewalk will have to be replaced on this block to be handicapped accessible. Council Member Whitney stated that the Council should move with caution because the First and Ross project is working really well. Brown stated that he is waiting for the cost estimates. Brown stated that it would be the City's responsibility to asphalt the road. Council Member Whitney stated that he'd prefer one contractor to do the project and get bids for both projects at the same time. One person or one company would be responsible for any repairs or problems associated with the project. Brown stated the bids will be sought sometime in January and work could begin in February 2012.

9. **Cereal Malt Beverage License for Mize's Food Store Inc. and Casey's General Store**

City Clerk Liza Donabauer reviewed the applications. It was noted that Police Chief Garcia has also reviewed the applications.

MOTION: Council Member Lyle Berntsen made a motion to approve the Cereal Malt Beverage License for Mize's to sell the liquor in packages but no consumption on property. Council Member Laura Papish seconded the motion. The motion carried unanimously.

MOTION: Council Member Sandi Keeler made a motion to approve the Cereal Malt Beverage License for Casey's General Store to sell liquor in packages but no consumption on property. Council Member Jim Whitney seconded the motion. The motion carried unanimously.

9. **Cereal Malt Beverage for Pizza Hut of Southeast Kansas, Inc. for Consumption on the Premises**

Mayor York reviewed the application.

MOTION: Council Member Laura Papish made a motion to approve the Cereal Malt Beverage License for Pizza Hut of Southeast Kansas to allow alcohol to be consumed on the premises. Council Member Sandi Keeler seconded the motion. The Motion carried unanimously.

10. **Alcoholic Beverage License for Clearwater Liquor LLC for Sale of Package Liquor**

Mayor York reviewed the application.

MOTION: Council Member Jim Whitney made a motion to approve the Alcoholic

Beverage License for Clearwater Liquor LLC. Council Member Jim Frischenmeyer seconded the motion. The motion carried unanimously.

11. Update on Order of Violation Regarding Nuisance at 137 N. Lee Ave

City Administrator Brown stated that he provided photographs within the Council packets for their review. The photos are before and after pictures of 137 N. Lee. The owner promises to dump the trailer. The automobile hoods and tires are for sale on the Internet.

Mayor Mike York stated that there are improvements. Whitney stated that the homeowner has improved. He will have to be reminded. Council Member Laura Papish asked whether the homeowner has been reminded that he cannot operate this type of business within city limits. Brown stated yes.

12. Resolution Re: 457 Deferred Compensation Plan Default Provision and Authorized Executor

City Clerk Liza Donabauer explained Security Benefits document which contains proposed revisions to the Deferred Compensation Plan. A vote is required on the resolution and other related documents.

MOTION: Council Member Lyle Berntsen made a motion to adopt Resolution 11- 2011 as presented. Council Member Laura Papish asked for clarification on 2.3 Deferrals. Brown clarified that this is a voluntary retirement plan. Council Member Sandi Keeler seconded the motion. The motion carried unanimously.

Resolution No. 11-2011

A RESOLUTION BY THE GOVERNING BODY OF THE CITY OF CLEARWATER, KANSAS RELATING TO THE ADOPTION OF A RESOLUTION TO 457 DEFERRED COMPENSATION PLAN DOCUMENTS.

MOTION: Council Member Lyle Berntsen made a motion to adopt Resolution 11-2011 to 457 deferred compensation plan as specified. Council Member Laura Papish seconded the motion. Motion carried.

14. Follow Up Discussion from Chamber of Commerce's 11-29-11Town Hall Meeting

City Administrator Kent Brown stated that Tim Norton, County Commissioner who recapped the visioning process from five years ago, facilitated the event. The topics of discussion at the Town Hall Meeting were: Better Communication, General Merchandise Store, Industrial Park capacity, diversified and affordable housing, and "Shop at Home" Campaign. Lonnie Stieben stated that SKT now has the capability to offer the same type of call system the school has used in the last couple of years. Lonnie Stieben also stated that he

was pleased with the town hall meeting process and another meeting would be held in January.

15. Consent Agenda

Mayor Mike York reviewed the 2012 dues and subscriptions from the League of Kansas Municipalities in the amount of \$1088.29. Council agreed, with consensus, to pay invoice #12-210.

16. Staff Reports

City Administrator Kent Brown stated that SKT has sent a letter reminding the City that they provide service to nine locations in the City for free, saving approximately \$10,000 annually. SKT would like to post signs in those locations if the Council agrees. The Council approved with consensus.

City Administrator reported to the Council that the Green School Program was awarded to Clearwater School District #264. City Residents can now donate their recycle points to the school district to allow them to purchase items.

There was an issue with Elementary West and their water bill. They used approximately 30,000-40,000 gallons of water per month. This past bill read 198,000 gallons and was unusually high with a cost of \$937. The School District does not have record that anything was repaired. Public Works put a new meter at that location in October. The City does not have any unusual circumstances to justify lowering the bill. After the new meter was installed, the water usage returned to normal at 33,000. The school has developed a procedure that school maintenance staff will check their meters weekly.

City Administrator Kent Brown reported that the City car is nearing the end of its lease. It first came due in July and Brown extended it until the end of December. Brown presented a proposal for a replacement car. Council Member Jim Whitney asked Administrator Brown if a City car was necessary. Brown stated that the City uses the car approximately 8,000-9000 miles a year. The City would have to reimburse employees at 55.5 cents a mile.

Council Member Jim Whitney asked Administrator Brown about the fuel services, insurance, license tags, maintenance, and taxes. Whitney asked how much the City could save if only mileage was paid. City Attorney Amerine stated that the total cost would need to be considered. Administrator Brown stated there would be minimal savings by paying mileage. Council Member Keeler stated that she thought that either option would be comparably close if all costs were taken into consideration. Mayor York questioned what was involved in the reimbursement of mileage. City Attorney Amerine stated that an employee calculates and requests mileage reimbursement from the City Clerk on the 15th and the last day of the month. City Administrator Brown stated that the advantage is that everybody uses the car. City Administrator Brown stated that the Pool Manager used the car this summer to get concessions for the pool. Donald Schauf, EMS Director, was able to use the car to go to Great Bend for his EMT class. The Public Works and Police Departments use their own vehicles mostly but on occasion will use the city car for better gas mileage. Council Member Keeler stated that another benefit would be an employee may not have a

reliable vehicle and would be unable to drive to a meeting or conference destination.

City Administrator Brown distributed copies of a lease agreement for a 2012 Honda Civic. Brown explained that the City has had a city car for 10 years. The Ford was used for a couple of years. The Honda economically saves on gas. Council Member Berntsen stated that Hondas are good cars. Administrator Brown explained that the new lease is \$10 more a month. The Ford Taurus was \$100 more. This lease does not require a large cash down payment. The first month's lease payment would be the down payment. Council Member Berntsen understood Whitney's point of saving money, but it is nice to know that employees have a reliable vehicle to get around in. Council Member Whitney stated if the city car is available, employees should be required to take the city car. Council Member Berntsen is in favor of requiring employees to use the city car if available instead of requesting mileage reimbursement. Brown stated that he did not think that there was language within the personnel manual specifying that it is strongly encouraged for employees to take the city car. City Administrator Brown asked Council about pursuing the proposed Honda lease. The Council, with consensus, authorized City Administrator Brown to obtain a lease for a 2012 Honda Civic.

City Administrator Brown received a letter from Dennis Woods regarding 2010-2011 Improvements to Field #1, Chisholm Trail Sports Complex. Brown asked that Mayor York sign a letter for Woods to supply to his tax accountant.

City Administrator Brown stated that the City is moving ahead with the security cameras at the City park. The cameras should be operational after the first of the year and the surveillance project will begin at that time.

City Administrator Brown stated that there is a grant application for the Historical Museum for the schoolhouse. The City will be notified on or after 2-17-11 as to whether the Museum will receive the grant. The City will receive an official notice of resignation from Judy Cumming, Historical Society Director, as of February 1st. She has a recommendation for her replacement. Mayor Mike York asked when Mike Weakley's last day of work would be. Administrator Kent Brown stated that January 3, 2012 is Weakley's last day.

City Attorney Amerine stated to the Council that the Amended Road Maintenance Agreement between the City and Ninnescah Township would be ready for the next City Council meeting. Amerine asked for Council's input on the payment due date. Council agreed to use September 1 as the payment due date to the township.

City Administrator Kent Brown announced that employee evaluations and salaries are discussed at a January Council meeting. Council Member Keeler requested that there be a short agenda in January and conclude with an executive session to read performance evaluations. Council agreed with consensus. Administrator Brown will have copies of evaluations ready for that meeting.

City Clerk Liza Donabauer has spoken to the City's Insurance Company, Renn and Company about earthquake coverage. Due to another moratorium, the City will not be able to get a quote until after December 20th. City Clerk Donabauer stated that City Staff asked City Attorney Amerine to look at the language within the City's water application. Amerine suggested adding new wording which would link two properties together when a customer moves to another home within city limits. City Clerk Donabauer also reported to the Council that Staff is making new ID badges and would have them ready soon. City Clerk Donabauer also thanked the Council for hosting the Volunteer and Employee Christmas

Dinner on 12-05-2011 at the Clearwater High School.

City Attorney Amerine received the brief from the Mertens case today. Amerine will review the brief and return it to him on Thursday so they can file it on Friday. They will have a chance to rebut what the City did.

16. Council Reports

Council Member Lyle Berntsen had nothing to report.

Council Member Laura Papish asked a question about the KETCH program and if there was a way to obtain the occupant's criminal activity. City Attorney Amerine stated that the resident is a juvenile and the records are sealed. There are no filed charges against him. There is nothing involved with the criminal courts at all. He is the only resident. Amerine was assured by the KETCH CEO that the house setting was for him alone and two Ketch employees. He is developmentally disabled that was determined by a third party that was determined prior to KETCH taking him in. There is no place to put any other client with that person. They purchased the house over a year ago, and this house was purchased for this type of person, a person who needs isolation. Council Member Berntsen stated there is nothing that we can do about it. Amerine stated that more money is spent on this person than they receive. They are a non-profit organization. Administrator Brown further stated that Police Chief Garcia notices the car leaving the house every morning with the three people in it.

Council Member Sandi Keeler stated that the four-way North and West stop sign lights are not working. City Administrator Brown stated they are battery operated and Brown would have someone look at them.

Council Member Jim Whitney asked City Administrator Kent Brown if the dress code policy could be ready to review by the February 14th Council Meeting. Whitney is anxious to get it into affect by March 1st. He would like to include what the insurance carrier wants as well as what the employee would like so a good decision could be made.

Council Member Whitney also would like to have the pothole filled that is by the Verizon driveway on the cemetery road. Council Member also would like a nuisance letter sent to 130 N. Tracy for an overflow of trash and cars and truck and a boat that are not properly tagged. Whitney asked if a letter was sent to Merten's near Chisholm Ridge. Some properties need to be mowed and a cottonwood tree needs to be removed. Whitney, we sent a letter, so we can mow and charge him. Whitney stated that we don't want to repair our mowers. Whitney also asked about letters to 634 Rolling Hills Court and 9941 S 135 W for woodpiles and 118 N. Byers for car with no tag. Administrator Brown stated that Garcia has been working on a list. He is down from 27 to 9 cars.

17. Executive Session - Personnel

Council Member Jim Frischenmeyer stated that he would like to request a ten-minute executive session to discuss personnel matters with City Council and the Mayor.

MOTION: Council Member Sandi Keeler made a motion to enter into Executive Session with City Council and the Mayor for ten minutes to discuss a

personnel related matter. Council Member Lyle Berntsen seconded the motion. The motion carried unanimously.

Council Member Berntsen requested an additional five minutes for further discussion in the Executive Session. Council returned from executive session with no action taken at 9:30. No action was taken.

Mayor Mike York proposed that after the New Year, City Clerk Donabauer keep an ongoing list of to do items reported during Staff and Council Reports. He requested that Clerk Donabauer provide a status report at each Council Meeting of items. City Attorney Amerine stated that other cities have an agenda item for Old Business. With Council Consensus, all agreed that reporting on status items would be beneficial.

City Administrator Brown stated that he has a correction to his statement at the 11-22-11 City Council Meeting where he noted the one percent sewer base increase would occur in January. He clarified that the one percent increase on sewer would be done in March rather than in January.

18. Adjournment

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

CERTIFICATE

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

I, Liza Donabauer, 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 December 13, 2011 City Council meeting.

Given under my hand and official seal of the City of Clearwater, this 13th day of December, 2011.

Liza M. Donabauer, City Clerk