

CITY OF CLEARWATER, SEDGWICK COUNTY, KANSAS

CITY COUNCIL MEETING

MINUTES

January 11, 2011

The regular meeting of the City of Clearwater, Sedgwick County, Kansas, City Council was held on Tuesday, January 11, 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 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; Ernie Misak, Public Works Director; Gene Garcia, Police Chief. Others present at the meeting were Donald Schauf, Clearwater EMS, Linda Evans & Laura Papish, citizens; Kourtney Konkell, Clearwater High School Government Student.

Council Member 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 December 28, 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

There were no recommendations or appointments.

3. Public Forum

Linda Evans, 141 N. Longhorn Ct., addressed Council regarding the lawsuit involving a deck on her home. Evans expressed her concern that the city is wasting tax

dollars. City Administrator Brown stated that there isn't a lot that can be discussed during open meeting regarding a pending legal case. Brown stated that there are issues between the city and the builder of Evans' house, Don Mertens, that cannot be resolved and that is why the case is going before a judge. Evans thanked the Council for their time.

4. Department Head Reports

Public Works Director Misak reported on his department's recent activities including replacing a water meter on Elaine due to a water leak, picking up leaves in the parks, streets, storm sewer, & culverts, trimming low hanging tree limbs, winterizing the sprinkler system at the sports complex, removing dead trees from the sports complex, repairing a sewer line, and crack sealing 10 blocks of streets.

Police Chief Garcia reported that there have been low incidents of cases over the holidays, which can be a busy time for domestic violence cases. The application process has begun for the open police officer position. Interviews have been scheduled. Garcia stated he hoped to have an individual for Council approval by the first meeting in February. The police department has been monitoring trailer parking and has had success keeping them off the streets.

5. Designate Times Sentinel as Official Newspaper for Legal Publication

City Administrator Brown stated that every year Council must designate an official newspaper for legal publications. The Times Sentinel is the local newspaper and they are requesting to be designated again this year. Council gave consensus to designate Times Sentinel as official newspaper for legal publications.

6. Designate First State Bank as Official Depository for the City of Clearwater

City Administrator Brown stated that every year Council must designate an official depository for the City of Clearwater. The City is currently in the third year of a three-year contract with First State Bank for depository services. Emprise Bank has bought the Clearwater branch of First State Bank and the purchase will be complete in March. Brown stated that staff will request that Emprise is designated as official depository when the purchase is complete. City Clerk Wright stated that they can only assume that Emprise Bank will honor the current contract. Council gave consensus to designate First State Bank as official depository for the City of Clearwater.

Mayor Justice joined the meeting.

7. Department Head Reports-Continued

EMS Director Donald Schauf reviewed ambulance runs for 2010 and previous years. Schauf reviewed medical calls versus trauma calls, hospital destinations, and call disposition. Schauf stated that they are still reviewing patient reporting software. The committee hopes to make a decision by the end of the month.

8. Annual Water & Sewer Increase of 1%

City Administrator Brown stated that the water and sewer rate ordinances included a 1% annual increase to the base rates. The usage rates will remain the same. Brown reviewed the history of the sewer and water rates. Council gave consensus to increase the water and sewer base rates.

9. Chisholm Trail Bicycle Riders Designated Overnight Stop in City Park

City Administrator Brown stated that a group is organizing a bicycle route along the Chisholm Trail from Caldwell to Abilene. The group contacted city staff to request to put Clearwater on a map as a designated overnight stop. Bicycle riders could choose Clearwater as a place to camp along the trail. Mayor Justice asked if the riders would be required to check in at City Hall. Brown stated that could be a requirement so the police department would be aware that there would be people camping in City Park. After a brief discussion, Council agreed to allow Chisholm Trail Bicycle Riders to designate Clearwater City Park as an overnight stop.

10. Consent Agenda

Council gave consent to pay the League of Kansas Municipalities annual membership in the amount of \$1,072.71, Kansas Municipal Insurance Trust (KMIT) annual premium for worker's compensation in the amount of \$24,243.00, and REAP assessment for 2011 in the amount of \$841.00.

11. Reports

City Clerk Wright stated that the Clearwater Cemetery District is asking what they will be charged to use the brush dump. After a brief discussion, Council agreed to waive the brush dump fee for the Clearwater Cemetery District.

City Administrator Brown stated that there is a hearing scheduled for Thursday for the case between Don Mertens and the City of Clearwater.

City Administrator Brown stated that there is a request from Recreation Director Zook about holding a tournament at the sports complex. Zook wanted to know if the Council wants to charge a rental fee for use of the baseball/softball fields. Council agreed that the City should recoup the costs for groups from outside of Clearwater that use the sports complex. Costs include field maintenance, utilities and personnel. Brown stated that Zook has started researching what other cities charge for use of sports fields and many cities also require liability insurance. Council stated that they would like Zook to do some additional research regarding sports field use charges and come back with a proposal for Council to review at the next meeting.

Mayor Justice stated that he met with Jason Martin regarding dirt work for the proposed disc golf course on the sports complex property. Martin stated that he could do a gentle slope with a blade from the bridge to the north side of Park Glen to relieve some of the water pooling that occurs along where the proposed course will be located. Martin also suggested a small retention pond to slow the flow of water into Park Glen. Justice stated that Martin estimated the cost to be \$4,000-\$5,000. Justice stated there is no money in drainage, so the money would have to come from Special Highway or Parks. The design of the disc golf course has been changed to avoid the flooding area, so the grading may have to wait another year.

Mayor Justice stated that the Clearwater Cemetery District is looking to purchase more land. Justice stated the Clearwater Cemetery is not full, but the Cemetery Board needs to start the process of expanding. They would have to go through the condemnation process to purchase ground surrounding the current Clearwater Cemetery, so they are looking at alternate locations. Chuck Garretson has offered to sell some ground at the end of Wood Ave. in the northwest corner of town. Council went on to discuss what it would take to improve the road to the new possible location and costs of purchasing land versus the condemnation process.

City Administrator Brown stated that the temporary notes used to purchase the business park property are coming due in three months. Brown stated there are two options. The first option is to renew the temporary notes for an additional two years and add on the additional temporary financing for the sewer and streets. The second option would be to go through the bonding process and make special assessments. Brown stated the second option would require the City to start paying the special assessments since the City is the property owner. Brown stated he would recommend the first option. Council agreed to renew the temporary note for two years and add the additional financing for the street and sewer.

City Administrator Brown stated that he asked Harlan Foraker, City Engineer, to speak to Nowak Construction about finishing the sewer project at the business park rather than going out for bid. Council agreed that going to Nowak first rather than going out for bid is the best decision since Nowak did the initial sewer work and they were willing to stop work when Council decided to stop the sewer project at the edge of the business park property.

8. Adjournment

MOTION: Being no further discussion to come before the Council, Council Member Berntsen moved for adjournment. The motion was seconded by Council Member Frischenmeyer 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 January 11, 2010 City Council meeting.

Given under my hand and official seal of the City of Clearwater, this 25th day of January, 2011.

Jodi McBee, Deputy City Clerk