

CITY OF CLEARWATER, SEDGWICK COUNTY, KANSAS

CITY COUNCIL MEETING

MINUTES

JUNE 28, 2011

The regular meeting of the City of Clearwater, Sedgwick County, Kansas, City Council was held on Tuesday, June 28, 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, Laura Papish and Sandi Keeler, 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; Marvin and Mary Schauf, Clearwater Fire Department; Paul Rhodes, Times Sentinel.

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 June 14, 2011

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

2. Mayor's Recommendations

There were no appointments or recommendations at this time.

3. Public Forum

No one addressed the Council at this time.

4. Department Head Reports

Marvin Schauf, Fire Chief stated to the Council that the radio repeater was not working. Pro-Com put a new program on the radio. Later in the day the radio still was not working and Pro-Com came back and took the radio to the shop. Pro-Com found something wrong with the keyboard and since it is still under warranty will replace the keyboard.

5. Review Recycling with Waste Connection Representative

Herschel West from Waste Connection addressed the Council about recycling in Clearwater. Waste Connections will replace the recycle carts on Monday or Thursday when a driver is in town. West stated a few extra carts could be kept at the City Shop for new residents if necessary. City Clerk Wright said she did not think that would be necessary since every house should have a cart. West stated that the City would be on the honor system for the carts and the City will email the recycle cart count the same as the trash count. The Recycle Bank agreement will become part of the 4 year Trash Service Agreement. West will talk to the Business owner in Clearwater and check to see if they are interested in being reward partners with Recycle Bank. City Administrator Brown stated he will send an email to Mike Roth, Superintendent of Schools, to let him know about the possibility of recycle carts being left at the schools at no charge. West brought a few bungee cords to give to City customers that are interested. West stated that business could recycle for \$10.00 a month and will be billed directly from Waste Connections. Wright stated there is a recycle cart that has been in the street in the south part of town since January. Customer will have to sign a waiver that they do not want service but acknowledge that the charge will still apply. West stated that Waste Connection will make the switch of trash cans for those customers wanting the smaller 65 gallon container. The small containers will be delivered the last few days of July so the lower charges will apply in August.

Council and City Staff discussed the possibilities of an Ordinance to clarify the new Recycling Program that is in effect as of July 1, 2011. The charge that will appear on city resident's bill is recycling fee of \$3.75. The trash line will go down \$2.00 if the resident would like the smaller 65 gallon can. The trash rate would then be \$11.00 instead of the \$13.00. The Ordinance would state that there would be a mandatory fee for the recycling program but voluntary participation. Customers could choose not to recycle but still would be required to pay the fee.

MOTION: Council Member Papish made a motion for City Attorney Amerine to prepare an ordinance that will be ready for the July 12 meeting that states the mandatory fee of \$3.75 for each city resident for recycling will be in effect even though the participation is voluntary. The motion was seconded by Council Member Whitney and passed unanimously.

Council and City Staff discussed the Recycle center at the old shop and the possibilities of closing or keeping the doors open. Council Member Whitney questioned if there was budget money to keep it open for the year 2011. Administrator Brown stated that there is budget money to keep it open until the end of 2011. The businesses bring their cardboard and out of city residents bring in their recyclables. The city taxpayers are paying for the service. Council consensus was to think of ideas to keep it open and city staff will have the workers keep track of how much it is actually used to come up with a plan for 2012 budget.

6. Staff Recommendation to Change City Credit Cards to Emprise Bank

City Clerk Wright addressed the council about credit cards that are used by employees for purchases. Wright stated that it was too hard to use the First State Bank cards and that it is so much easier to walk across the street to Emprise Bank with questions. Clerk Wright presented the Council with a list of those employees to get credit cards. The list also had the credit line for each employee. Wright explained that the employees also have a Coop card for gas and a Casey's card for gas. Several Council Members questioned why every police officer needs a credit card. Council would ask Police Chief Garcia to come and make a request for the officers to have a card. The Council, by consensus, approved a partial list of people to receive Emprise Visa credit cards.

7. Discussion of Condemnation Procedures

City Administrator Brown addressed the Council about three houses that have been looked at by a County Building Inspector and Fire Chief Marvin Schauf for repair or condemnation. The garage at 250 N. Prospect has large holes in the roof and the garage door is open all of the time. There is a pickup truck, lawn mower gas can, weed eater and various other items in the garage. The back door of the home was unlocked with a lot of paper products piled about 3 to 4 feet deep in front of the door. If there would be a fire in this home the Fire Department would have a very difficult time getting into the home to fight the fire. There is also a storage shed in the back yard of the property that should be demolished. The second home at 112 N. Prospect has a lot of wood rot. The walls of the garage can be pushed in and out. The windows are either missing or have wood rot. There is a big hole on the east side on the eve of the house where birds and squirrels could get in. Paper is right inside the window and is a fire hazard. Fire Chief Marvin Schauf recommends this house be demolished. The third property in question is the white concrete block garage at 201 N. Gorin. The garage has fallen in and the rest of the garage is being held up by supports. The Sedgwick County Inspector noticed the roof is pushing out the brick walls of the garage. Brown would like direction from the Council on how to proceed with the handling of these properties in addition to others mentioned at previous council meetings. Two of the property owners from a previous council meeting have talked to Brown and stated that something will be done but nothing has been done yet. It was discussed to send a certified letter at this time to give the property owners time to get their properties fixed. City Attorney, Janet Amerine stated the process could start with a resolution being published once each week for two consecutive weeks. 30 days after the last publication a date shall be set for the hearing. If the governing body of the city finds structure is unsafe or dangerous, such resolution shall direct the structure to be repaired or removed and the premises made safe and secure. However, there may be a time lag or the inability to collect the money from the property owner for the cost of demolishing the structure. Consequently, there may need to be a budget line item included for 2012 to pay for demolishing structures until reimbursement is obtained from the property owner. After discussion the Council approved City Staff to move ahead with certified letters.

8. Staff Reports

City Administrator Brown stated there has been a request for special pool party on Friday night August 26, 2011. It will be a back to school gathering for the high school students. In previous years there have been between 140 – 150 students attending the Friday night pool party. By consensus the Council approved the Friday night pool party.

City Administrator Brown stated there has been an issue with a farmer east of town. There is a leak from the air release valve on the transmission line across his property at 103rd St S and Ridge road. It does not leak all of the time but the farmer's tractor got stuck in mud while working in the field. The valve will be dug up and fixed after a Kansas One Call has been completed.

City Administrator Brown has had a visit with the resident on N. Lee about cleaning up the property. The resident has done some work cleaning up the property but still needs to work on the alley.

City Administrator Brown stated there is a problem with the flagpole on the city building. There is not enough support to have it on the side of the building. The American Legion is interested in taking this on as a project to put it in a cement base at the edge of the sidewalk in front of the city building. Council approved by consensus.

City Administrator Brown said the fireworks are set for Monday night July 4, 2011. There will be an extra Police Officer on duty July 3rd and July 4th for the extra activities.

Council Member Frischenmeyer inquired if the alley behind the city building had been fixed. There is lots of activity in the alley with trucks making deliveries to Shackelford Machine. City Administrator Brown has received no complaints. Frischenmeyer also inquired about any ordinances against the free newspaper ads that someone throws in residents driveways.

City Administrator Brown stated there had been an accident at the Aquatic Center on Friday morning during swim team practice. An ambulance was called to the scene. The victim was an 11 year old girl who was practicing a shallow dive and did not go shallow enough and hit her head on the bottom of the pool. The lifeguards responded appropriately and stabilized the head and neck until paramedics arrived. The girl was back boarded by 4 EMT's and taken to the hospital. She has a cracked vertebrae in her neck and was released from the hospital the next day.

9. Executive Session-Personnel Issues of Non-Elected Personnel

MOTION: At 8:05 p.m. Council Member Lyle Berntsen moved to enter into executive session for 10 minutes to discuss personnel issues. Council Member Jim Frischenmeyer seconded the motion and it passed unanimously.

At 8:15 p.m. the Council returned to regular session with no action taken.

10. 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, Carol Reitberger, 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 June 28, 2011 City Council meeting.

Given under my hand and official seal of the City of Clearwater, this 12th day of July 2011.

Carol Reitberger, Deputy City Clerk