

MINUTES
CITY OF CLEARWATER, SEDGWICK COUNTY, KANSAS
CITY COUNCIL MEETING
December 10, 2013

The regular meeting of the City of Clearwater, Sedgwick County, Kansas, City Council was held on Tuesday, December 10, 2013, at 6:30 p.m., in the Clearwater City Council Chamber, City Hall, 129 E. Ross Avenue, Clearwater, Kansas.

The following members were present: Jim Whitney, Chris Griffin, Paul Clark, Council Members; Laura Papish, Burt Ussery, Council Members were absent. Mike York, Mayor was absent. The following staff members were present: Kent Brown, City Administrator; Barbara Salinas, City Clerk; Janet Amerine, City Attorney; Paula Downs, WSU; Others present at the meeting were: Jeremy Mitchell, Will Snyder, Forrest Morrow; Clearwater High School Government Students.

Council President, Jim Whitney called the meeting to order at 6:30 p.m. Whitney gave the invocation, which was followed by the Pledge of Allegiance. The Clerk called the roll to confirm the presence of a quorum.

Approval of the Minutes of the Regular Meeting of November 26, 2013

Council Member Griffin made a motion to approve the minutes of the November 26, 2013 Council Meeting. The motion was seconded by Council Member Clark and passed unanimously.

Public Forum

No members of the public addressed the Council

New Business

Presentation by South Central Kansas Prosperity

Paula Downs, Project Director, WSU introduced herself to the Council. Downs has been working on a planning project for the past 18 months. The grant was initiated to provide a forum for legislative bodies to come together on issues. The Planning project was for individual communities to consider different topics and share those thoughts as one region. REAP has been gathering for 14 years to discuss regional issues that effecting the region. The addition of the Casino and the aircraft industry doing well in the Wichita area benefits everyone in the region. The planning grant was to discuss six issues areas; built environment, healthy community design, natural resources, transportation, water, and workforce and business development. For the last several months, work teams comprised of local elected officials, business men and women and a wide group of citizens have been assessing existing conditions and begun to identify focus areas for each of the six categories. The public has begun weighing in on those focus areas through a series of opportunities. The average household in the 5-county region spends more than 50% of total income on housing and transportation costs. Of this total, more than 30% is attributable to transportation costs. In all counties, over 50% of the restaurants are fast food restaurants, compared to the national average of 27%. These are just a couple examples brought forward. Ms. Downs reviewed focus areas in each of the 6 issue areas. Downs requested the Clearwater City Council provide their own feedback to the process and the issues brought forth so far. She stated that she is available for any additional information requested by the City Council. Mayor York thanked her for the presentation and the

opportunity for the Clearwater City Council to provide input.

Public Hearing for Amending 2013 Budget

Council President Whitney opened the public hearing for amending the 2013 budget at 7:01 p.m. No one came forward for comment. Council President Whitney stated that the Public Hearing will remain open for 15 minutes. Council moved on to the next agenda item.

Review Brush Dump Fees for 2014

City Administrator Brown stated that the fees for the dump were set 3 or 4 years ago. There has been a small decline in revenue. The \$3,000 in revenue for the year 2013 is \$500 less than the 2012 revenue. City residents are familiar with the current fee schedule. Council Member Clark asked about traffic to the brush dump. City Administrator Brown stated that 122 annual dump passes were sold for the year 2013. Council Member Griffin asked what is taken to the brush dump. City Administrator Brown stated that grass clippings, brush and leaves are allowed. Council Member Whitney stated he was in favor of keeping the service for residents to use.

After discussion, Council Member Clark made a motion to raise the single dump fee to \$8 for 2014 and keep the annual passes and other fees the same. Council Member Griffin seconded the motion and it passed unanimously.

Reviews Annual Changes in Monthly Water and Sewer Charges

City Administrator Brown stated that last year the city approved a \$1 increase in water and sewer charges. City code does provide a 1% increase which computes to .12 on base of the water and .22 to sewer. The extra percentage is added to water in January and the extra percentage is added to sewer when the rates change in March of the year. Administrator Brown stated that the water and sewer funds are a bit healthier after the increase of last year. The water and sewer funds have increased about \$10,000 for the last two years. There is still some major work that needs to be done. After some discussion, Council President Whitney directed staff to go ahead with the percent already approved and Council will talk about raising more at a future meeting when all Council is present.

Council President Whitney resumed the Public Hearing and asked if there was anyone present who wished to comment on the proposed 2013 budget amendments. No one came forward and the public hearing was closed at 7:17 p.m.

Council Member Clerk made a motion to accept the amended budget of 2013 as presented. Council Member Griffin seconded the motion and passed unanimously.

Write-Off of Uncollectible Utility Bills

Council Member Clark asked what constitutes a write off on a utility bill. City Clerk Salinas stated that a utility bill becomes uncollectible in four situations. First, the account was sent to set off Program and after 5 years no collection has been received. Second, the customer has declared chapter 7 bankruptcy. Third, there is not a social security number on file so the account cannot be placed for collection. Lastly, a citizen passed away and staff was provided a death certificate.

Council President made a motion to write off uncollectible utility bills as presented. Council Member Clark seconded the motion and passed unanimously.

Approve renewal of Cereal Malt Beverage Licenses for 2014 for: Pizza Hut, Casey's General Store, and Mize Food Store, Inc

City Administrator Brown stated that City Clerk and staff have completed the application process and Brown would ask Council to approve as presented. Council Member Griffin asked if any extra checks were made on the applications. City Administrator Brown stated that if a new owner is listed, that is researched.

Council Member Clark made a motion to approve renewal of Cereal Malt Beverage Licenses for 2014 as presented. Council President Whitney seconded the motion. Council Member Griffin opposed. Motion passed 2-1.

Approve renewal of Alcoholic Beverage License for 2014 for Clearwater Liquor Store, Cancun Mexican Grill, C-Bar Saloon

City Administrator Kent Brown stated that the licenses are presented for 2014. Council Member Clark stated that the Cancun Mexican Grill license was not completed because the type of license was not checked on the application. The application for 2013 was reviewed and since the operations of the business had not changed, the same type of permit was indicated.

Council Member Clark made a motion to approve renewal of Alcoholic Beverage Licenses for 2014 as presented. Council President Whitney seconded the motion. Council Member Griffin opposed. Motion passed 2-1.

Consideration of the Cellular Telephone Tower Lease Agreement

City Administrator Brown stated that the Cellular lease agreement is an example of a lease agreement with less years attached to it. The current lease agreement expires in 2034 and the example lease agreement was amended to include an additional 20 years.. The revenue increases at the end of the contract, however that will not affect our immediate situation. Administrator Brown stated that with no other offers he would recommend to reject this addition to the current lease agreement.

Council consensus to deny the addition to the current lease agreement.

Department Head Reports

Chief Gene Garcia reported that the weather dampened the Christmas in Clearwater event. Garcia reported a slight increase in cases worked over the year in 2013. Council Member Griffin thanked Chief Garcia for his hand in the Christmas Dinner for the employees and volunteers. Chief Garcia thanked the Council for allowing the City to have the Christmas Dinner.

EVS Director Donald Schauf stated that in September EMS set a record with 42 for calls for the month. Director Schauf stated that there was some miscommunication between Purple Wave and himself. Schauf talked to the Regional Manager and will get the old ambulance under contract soon. Schauf asked Council about recognizing Fire Chief Schauf for 25 years of service as Fire

Chief and being part of the Fire Department for longer than that. Council President stated to Schauf to have Fire Chief Marvin Schauf come to a Council meeting in January 2014 for recognition for the Council and Staff. Council President Whitney asked if there was a time limit for the ambulance sale on Purple Wave. Director Schauf stated that he was not aware of a time limit, but that most items on Purple Wave averaged a month before a sale. Council President Whitney stated that after 30 days there should be an alternative plan to try to sell the ambulance. Council Member Whitney stated if the ambulance cannot be sold it should be stored inside the old shop building to protect it from the elements.

Committee Reports

There are no reports at this time.

Claims & Warrants

City Clerk Barbara Salinas presented the claims and warrants as of December 10, 2013 in the amount of \$45,560.29.

After discussion, Council Member Griffin moved to authorize payment of the claims and warrants for \$45,560.29. The motion was seconded by Council Member Clark and passed unanimously.

Old Business

Council President Whitney stated asked if Simply Perfect had paid for the mowing from summer of 2013. City Clerk Salinas reported that had not. Council President Whitney asked if a reminder notice could be sent to the customer. Council President Whitney stated that the options for dispensing effluent water could be removed from old business since the process has moved on passed this step. City Administrator Brown stated that the lifeguard transportation will be revisited in 2014.

Staff Reports

City Clerk Barbara Salinas had nothing to report.

City Attorney Amerine will be out of town from December 22nd-January 7th.

City Administrator Kent Brown stated that every year the Council gives Mize's gift cards to staff and would like to ask Council if this is something to continue for 2013. Council all stated yes.

City Administrator Kent Brown stated that the pumping test report from Ground Water Associates was back. Administrator Brown stated that 2 of 3 homeowners had been notified. The pump test was run on Well #7 which ran for 3 hours. Usually, Well #7 is only run at the most 30-40 minutes before the system is back at full capacity. During the test, the draw down was 19' inside Well #7. The draw down was consistent from within the 1st hour of the test to the completion of the test. The Hack residence draw down was 3 ½ - 4' at most during the entire test. In addition, the well on the residential property had 50' of water. The drawdown for Well #6 was less than a foot and the draw down for Well #8 was less than a couple inches. The wells were checked an hour after the pump test was completed and well #7 tested a foot at the end of the hour which shows the recharge rate was not affected by the length of the pump test. This test was conclusive and provides solid

evidence that the city's pumping has minimal effect on the neighboring wells even during the most severe circumstances. It is not going to affect the neighbors of the wells and their properties. The pump test and the letter from Ground Water Associates were forwarded to the State.

City Administrator Kent Brown stated that a homeowner that lives on 87th is requesting to be annexed into the city for water. The home is $\frac{3}{4}$ of a mile west of Hoover Rd. Administrator Brown thinks that is too far to be annexed into the City when Haysville has wells that are about 1 mile away. Administrator Brown will respond to the request.

City Administrator Kent Brown stated the furnace is working at the old shop. The furnace will be fixed at well #2 which is the well next to the water tower. Staff has been looking into getting gas for the heat. Staff is looking into getting a gas line for the water tower. It is complicated because of the water lines and the pool. The scoreboards for the ball fields that were approved at an earlier meeting will be delivered in the third week of January. The scoreboards will be installed the third week of February.

Council Reports

Council Member Chris Griffin thanked the City for the tree that was decorated for the Winter Wonderland. Council Member Chris Griffin also wanted to thank everyone involved in the Employee Christmas Dinner. Council Member Chris Griffin stated that his front porch is almost completed on the front of his home and are taking bids for sidewalks to be put in next. The Occupancy permit was granted an extension so just keeping the Council informed. City Administrator stated that staff has received no complaints on the property from surrounding neighbors.

Council Member Paul Clark had nothing to report.

Council President Whitney made a motion to go into executive session regarding real estate. Council Member Griffin seconded the motion and passed unanimously. Council went into executive session at 8:25 p.m. for 13 minutes.

Council returned from executive session at 8:38 with no action taken.

Adjournment

Council President Whitney made a motion to adjourn the meeting. Council Member Clark seconded the motion and passed unanimously.

The Meeting adjourned at 9:17 p.m.

CERTIFICATE

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

I, Barbara Salinas, 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 10, 2013 meeting.

Given under my hand and official seal of the City of Clearwater, this 14th day of December, 2013.

Barbara Salinas, City Clerk

UNAPPROVED