

**MINUTES
CITY OF CLEARWATER, SEDGWICK COUNTY, KANSAS
CITY COUNCIL MEETING
January 14, 2014**

The regular meeting of the City of Clearwater, Sedgwick County, Kansas, City Council was held on Tuesday, January 14, 2014, 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; Jim Whitney, Paul G. Clark, Chris Griffin, Laura Papish, Burt Ussery, Council Members; The following staff members were present: Kent Brown, City Administrator; Barbara Salinas, City Clerk; Janet Amerine, City Attorney. Others present at the meeting were: Gene Garcia, Police Chief; Ernie Misak, Public Works Director; Donald Schauf, EMS Director; Marvin Schauf, Clearwater Fire Department; Paul Rhodes, Times Sentinel Newspaper.

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. Councilwoman Papish was absent at roll call, but joined the meeting in progress at 6:37 p.m.

Approval of the Minutes of the Regular Meeting of December 10, 2013

Council Member Ussery made a motion to approve the minutes of the December 10, 2013 City Council Meeting. The motion was seconded by Council Member Clark and passed unanimously.

Consent Agenda

1. Authorization for payment to KMIT in the amount of \$26,776 for the 2014 workers Compensation Insurance Premium.
2. Authorize payment for membership fee of \$849.00 for 2014 Regional Economic Area Partnership (REAP).

Council Member Ussery had a question regarding Consent Agenda Item 1. He asked about the number of claims in 2013. Administrator Brown stated that we had minimal claims in the past year. The claims from previous years are still having an effect on the total bill for KMIT.

Councilman Whitney made a motion to accept the Consent Agenda as presented. Council Member Ussery seconded the motion and passed unanimously.

Mayor's Recommendations

Accept Resignations

Karen Matzen – Clearwater EMS & Fire Departments

Darrel Schenck, Clearwater Police Department

Mayor York accepted the resignations with regret, recognizing Karen Matzen for her 20 years of service.

Public Forum

EMS Director, Donald Schauf asked the Council about getting Wi-Fi at City Hall. Administrator Brown stated that staff could explore this option.

NEW BUSINESS**Consideration of an Ordinance Annexing a Portion of the Southeast Quarter of Section 26, Township 29 south, Range 2 West of the 6th Principal Meridan, Sedgwick County, Kansas.**

Administrator Brown provided a brief history of the request and described the location. He stated that it is the intent of the owners to construct a house on the 1.5 acre property. There was some discussion regarding the logistics of services and access to the property.

Brown stated that the annexation process does not require notification of the surrounding property owners and that the zoning would be R1. Any requests to change the zoning would initiate the zoning process and include notification and publications.

Council Member Whitney made a motion to approve Ordinance 978 annexing a Portion of the Southeast Quarter of Section 26. Council Member Papish seconded the motion. A roll call vote was conducted and the motion carried unanimously.

Designate Times Sentinel as Official newspaper for Legal Publication.

Administrator Brown stated that this is an annual action item and recommended approval to designate the Times Sentinel as the official newspaper for the City of Clearwater.

Council Member Ussery made a motion to designate the Times Sentinel as the official newspaper for Legal Publication. Council Member Clark seconded the motion and passed unanimously.

Designate Emprise Bank as official Depository for the City of Clearwater.

Administrator Brown stated that this is an annual action item. He stated that in the past the City had designated Home Bank, but currently uses Emprise and has a good working relationship with Emprise.

Councilman Ussery asked about fee comparison between the local banks. Administrator Brown stated that in the past we have accepted bids from both local banks to provide a service to the city. Councilman Ussery asked if there were financial considerations involved in switching banks. Administrator Brown stated that there were some financial considerations, but most were those of the conversion to a new financial institution. After further discussion, Brown stated that staff would review the history of the official depository agreements and that the Council will revisit this item before the end of 2014 for 2015 considerations.

Council Member Ussery made a motion to designate Emprise Bank as official depository for the City of Clearwater. Council Member Clark seconded the motion and passed unanimously.

Department Head Reports

Chief Garcia stated that the Police Department's case load increased by approximately 100 in 2013. He reported that they are working on a grant for video systems that would provide 85%

funding.

Garcia asked for direction from the Council with regard to the pending matter of the trailer at the property on Grant Avenue. It was the consensus of the Council that the Police Department proceed with the legal process necessary and enforce the removal of the trailer.

Fire Chief Schauf reported that the generator at the Fire Station is not operating. He has an estimate of \$1,000 for repair. He reported that the generator is used as a backup for the Fire Station and intended as a back up to the community in case of an emergency. Councilman Whitney stated that the generator needs to be repaired and asked Chief Schauf to contact Foley's and get it repaired. Councilman Ussery made a motion to authorize repair of the generator in the amount of \$1,000. Councilman Whitney seconded the motion. The motion carried unanimously.

EMS Director, Donald Schauf reported that the ambulance has sold at \$6,800. He also stated that they still have the cots but that there was inquiry of interest and feels that they will also be sold this week. Councilman Whitney would like for the money from the sale of the ambulance to be returned to the EMS fund to provide needed supplies. The Council concurred. Schauf also reported that calls were up by 6% in 2013.

Public Works Director Misak reported that he included reports for the Council in their packet. He stated that the tree on Elaine was removed and residents have requested temporary barricades. He also reported that the residents are taking up a collection to replace the tree. Councilman Ussery stated that he would like for the residents to come before council to discuss future issues involved with replanting a tree prior to doing so. Councilman Whitney would like to see an itemization of what was spent on the removal of the tree. Director Misak stated that it took 6 hours and 3 employees to remove the tree. It was the general consensus of the Council that they would like for the residents to come before the council to discuss some of the ideas and issues involved with replacing the tree.

Director Misak referenced the water loss report included in the Council packet. There was some discussion on the impact of the Garvey water line on the numbers. Director Misak reminded the council of the water line that was run over by the County and the time lapse before it was noticed. Councilman Whitney would like to see a report on what is spent on repairs. He asked that it include itemized detail on hours and equipment. Councilman Griffin asked how accurate the pumps are with regard to accurate gallon measurements. Director Misak stated that the pumps were accurate. Councilman Ussery agrees that we need to look at the data closer.

Councilman Whitney stated that he would like to commend the employee who maintains the public restrooms. He said she does a great job and has witnessed her removing snow and picking up trash as far as Fourth Street. Director Misak stated that Ms. Seiler does what she can to work the entire hour she is paid. Councilman Griffin stated that she has an inspiring work ethic.

Claims & Warrants

City Clerk Barbara Salinas presented the claims and warrants as of January 10, 2014 in the amount of \$41,432.31. Additional claims and warrants came in to city office since Friday in the amount of \$2,234.14.

Councilwoman Papish asked about the number of charges to Mizes. Clerk Salinas stated that all city departments utilize the charge account at Mizes. She stated that she uses it for paper products and refreshments, such as those provided at Saturday's worksession. Chief Garcia stated that their department uses Mizes for batteries and to make keys. There was some question regarding a \$250 charge by the Police Department. Clerk Salinas stated that she would get back to the Council on this specific charge.

Councilman Ussery asked about the charge for the volunteer dinner sponsored by the Senior Center. He asked why these volunteers were not included in the city's holiday dinner and would like for staff to look at this possibility for next year. Administrator Brown stated that the Senior Center has recognized their volunteers at a separate event in the past.

Councilwoman Papish asked about the SKT sign at the corner of 4th and Ross, stating that she has noticed that it is blank most of the time. Clerk Salinas reported that the messages are set on a timer and will go off after an event to avoid displaying old news. Councilwoman Papish stated that she feels it is blank quite often. Clerk Salinas stated that she would follow up on this issue.

After discussion, Council Member Papish moved to authorize payment of the claims and warrants for \$43,666.45. The motion was seconded by Council Member Ussery with the stipulation that we research the \$250 charge made by the Police Department. The motion was amended and passed unanimously.

Old Business

Council reviewed each items on the old business report and directed staff to remove and update some of the items listed.

Updated Items:

Vehicles in Back Yards: Chief Garcia will provide a draft ordinance at the second meeting in February.

Lifeguard Transportation: More information requested.

2nd Street Ditches: Status the same; sign has been put back up.

Remove:

410 South Third

Simply Perfect Property

Dollar General Property

Councilman Papish asked staff to follow up with a thank you note to the Mikesell's for their donation to the park.

Staff Reports

City Clerk Salinas had nothing to report.

City Attorney Amerine had nothing to report.

Administrator Brown referenced the letter from Cathleen Smothers regarding a recent fall. There was discussion on the state of the curbing and sidewalks. Brown stated the city is responsible for the curbing only. He stated that any improvements to the sidewalks would

require an agreement to costs from the downtown merchants affected.

Councilman Whitney asked for the location of Ms. Smother's fall. It was reported to have occurred in front of Bales Pharmacy and may be a result of an uneven curb/sidewalk. Councilman Whitney asked Director Misak if there was a temporary fix for this issue until it can be studied further. Councilman Ussery agreed that we do need to take a look at the curb/sidewalk issues.

Council Reports

Councilman Ussery reported that he had attended a WAMPO meeting in Wichita and reported on topics of discussion. He stated that he expressed his concerns for the road construction and detour signage involving 135th Street. He stated that his concerns are directed at the motorist who are not familiar with the Clearwater area and could be confused by the detour signs on K42. He stated that the local golf course outside business is approximately 80% and has concerns that the detour could affect all local businesses. Councilman Ussery stated that Commissioner Norton would follow up on his signage concerns. Councilman Griffin also expressed safety issue concerns, i.e. EMS and Fire. Councilman Ussery provided some handouts he drafted from the Saturday worksession. He also discussed formation of a Mission, Vision and Value statement by year's end.

Councilwoman Papish asked about recognition for Karen Matzen and suggested a plaque. EMS Director Schauf stated that they were planning to recognize Karen departmentally and that he would notify the Council of that date so that they could make a presentation to her. Councilwoman Papish inquired about the visibility issue referenced in the Police report. City Attorney Amerine stated that there was a request for information regarding said intersection and that she advised staff they were not required to generate a report that did not exist. Chief Garcia was asked to conduct a visibility study on the reference intersection as a result of a citizen's concern. Councilman Ussery stated that all responses to issues need to come before the Council before staff responds. Chief Garcia conducted a study and found no legal violations contributing to the visibility issue and no formal response was provided.

Council Member Whitney asked about the cleanup of sand piles at various intersections.

Council Member Griffin followed up on Councilman Ussery's 135th detour concerns and suggested that we take a pro-active approach by using all means of media to notify the public. City Attorney Amerine suggested contacting a local realtor to share with their professional group association.

Council Member Clark had nothing to report.

Councilman Whitney made a motion to adjourn into Executive Session at 9:00 p.m. for one hour to discuss Non-elected Personnel Matters. Councilman Clark seconded the motion and the motion carried unanimously

The Council reconvened into regular session at 10:00 pm. No action was taken as a result of the Executive Session.

Councilman Clark made a motion to adjourn into Executive Session at 10:00 p.m. for one and one-half hours to discuss Non-elected Personnel Matters. Councilwoman Papish seconded the motion and the motion carried unanimously.

The Council reconvened into regular session at 11:40 p.m. No action was taken as a result of the Executive Session.

Adjournment

Being no further discussion to come before the Council, Council Member Ussery moved for adjournment and the motion was seconded by Council Member Clark. The motion carried unanimously.

The Meeting adjourned at 11:40 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 January 14, 2014 meeting.

Given under my hand and official seal of the City of Clearwater, this 28th day of January, 2014.

Barbara Salinas, City Clerk