

MINUTES
CITY OF CLEARWATER, SEDGWICK COUNTY, KANSAS
CITY COUNCIL MEETING

October 14, 2014
Clearwater City Hall – Council Chambers
129 E. Ross Avenue
Clearwater, KS 67026

CALL TO ORDER

The regular meeting of the City of Clearwater, Sedgwick County, Kansas, City Council was called to order on Tuesday, October 14, 2014 at 6:30 p.m., in the Clearwater City Council Chamber, City Hall, 129 E. Ross Avenue, Clearwater, Kansas.

INVOCATION & PLEDGE OF ALLEGIANCE

The Mayor Mike York gave the invocation which was followed by the pledge of allegiance and flag salute.

ROLL CALL

The Clerk called the roll to confirm the presence of a quorum. The following members were present:

Mike York, Mayor; Jim Whitney, Chris Griffin, Laura Papish, Paul Clark, Burt Ussery, Council Members.

The following staff members were present:

Kent Brown, City Administrator; Barbara Salinas, City Clerk and Austin Parker, City Attorney. Others staff members present were: Police Chief, Gene Garcia.

REVIEW OF THE MINUTES

Council Member Ussery made a motion to approve the minutes of the September 23, 2014 City Council Meeting. The motion was seconded by Council Member Griffin. The motion passed unanimously, 5-0.

PUBLIC FORUM

No one addressed the City Council at this time.

NEW BUSINESS

Public Hearing - Structure at 142 N. Tracy

Mayor York opened the Public Hearing at 6:35 pm. City Administrator Brown provided the Council with background information and a status update of the property.

With no comments from the audience, the Mayor then closed the Public Hearing at 6:45 p.m.

Council Member Ussery asked for clarification on the time frame. City Attorney Parker stated that the time frame is set at the Council's discretion and will not change the Resolution.

City Attorney Parker stated that this is the second Resolution the Council has approved and allows the City to move forward and set a timeline for removal of the structure. He asked that once Council determines a date, to reference the date in the motion.

Council Member Whitney recommended a date of December 1, 2015.

Council Member Whitney made a motion to approve Resolution No. 6-2014 with a December 1, 2014 deadline, to be reported at the December 9, 2014 City Council Meeting. Council member Ussery seconded the motion. A vote was taken and the motion passed unanimously, 5-0.

Request on Financing of Required Improvements for Park Glen Estates

Shaun Weaver, Park Glenn Estates made a presentation illustrating the phases of his proposed development. Mr. Weaver displayed a visual map of the proposed development and provided the Council costs for a twenty lot development.

There was discussion regarding the single access road to the development. Council Member Ussery questioned fire/police safety concerns with only one entrance. Council Member Whitney also expressed his concerns with only one entrance. Mr. Weaver stated that he had no problem with another entrance. Council Member Whitney stated that the Council will need to discuss further as we get into the process. Council Member Ussery stated his concerns with a control issue of a second entrance, citing this as a cut through with school traffic. Council Members Clark and Griffin concurred with the second entrance concerns.

There was discussion regarding the sale of lots and the percentage reduction.

Council Member Papish asked about the dollar amount of the proposed homes. Mr. Weaver pointed out the area of homes between \$250,000 to \$350,000 homes, with larger lot homes priced at \$350,000. He pointed out the middle lots as \$500,000 homes. Council Member Papish asked about Patio Homes. Mr. Weaver pointed out 16 lots in the middle of the subdivision for that purpose.

Council Member Ussery made a motion to 35% subject to a letter of credit variance. Council Member Whintey seconded the motion.

Council Member Ussery wanted to clarify that this is only for Phase I and it was confirmed that this was the understanding by those present. There was discussion before the vote involving a percentage reduction after a stated number of lots sold or permitted.

Council Member Ussery amended his motion. The motion re-stated was for 35% up to 10 lots; 25% on final 10 lots, only on Phase I. Council Member Whitney seconded the motion. A vote was taken and the motion passed unanimously, 5-0.

Review of Waste Connections Franchise Agreement

Herschel West, Waste Connections, was present to address the Council on the franchise agreement. City Administrator Brown stated that the Council was provided an agreement from Waste Connections that differed slightly from what was provided previously. He stated that he only provided the 5 year agreement. It was the consensus of the Council to go with the 5 year contract.

City Attorney Parker asked about the fuel formula. It was stated by Mr. West that the final formula is figured using the price in the last week of November. City Attorney Parker asked if we could have “once a year” spelled out, as the agreement states “anytime”.

Council Member Whitney expressed his concerns regarding the fuel prices. He stated that an increase was referenced three times. WC stated that was put in case of federal or state tax increases, as that is something that Waste Connections cannot regulate this and it is passed on to the customers. Council Member Griffin asked if this was in the last contract. Administrator Brown stated that it was not written into the last contract. However, the ability to adjust fuel costs was an option. He stated that fuel costs have increased 10% over a 5 year period. Mr. West stated that equated .75 over a 7.5 year period.

Council Member Ussery asked if we could approve this contract this evening. City Attorney Parker stated we could approve a counter offer with changes or send it back to Waste Connections to make changes.

Council Member Ussery made a motion to approve the agreement with Waste Connections with the following changes: A one-time fuel review in January; 5 roll offs for a Spring Clean Up and 5 roll offs for a Fall Clean Up. Council Member Griffin seconded the motion. A vote was taken and the motion passed, 5-0.

Consideration of an Agreement between the City and the Clearwater Historical Society

City Administrator Brown provided some background on the proposed agreement, but asked the Council to table this item until the next regular meeting.

It was the Council consensus to table the item until the next regular meeting.

Review Recreation Commission Recommendation on Pool Manager Job Description

Recreation Director Beki Zook addressed the Council on the recommendations for the pool manager job description. She stated that Council had asked for this update and changes were made. She stated that the life guard training transportation had been questioned and has been eliminated. However, they will still actively recruit and hire lifeguards.

Council Member Papish asked what it cost to run the pool each summer. Administrator Brown stated costs in 2014 totaled \$63,460.10, but that included \$3,600 for painting the pool. He stated a cost of \$59,800 with revenues of \$57,000. He stated the pool salaries include anyone associated with the pool and that benefit costs were not included.

Council Member Ussery asked for some of the highlights of 2014 season. Recreation Director Zook stated that the pool staff did hold successful night swims, at a reduced admission cost and they plan to provide activity/informational flyers to daycares next season. Council Member Ussery asked about the lifeguard staff. Director Zook stated that they had a good lifeguard staff this summer.

Council Member Ussery asked about the pool closing date. Council Member Whitney stated that the Clearwater pool closes later than most other pools in the area.

Council Member Ussery made a motion to accept the Recreation Commissioners recommendation for the job description for the Clearwater Pool Manager, eliminating the transportation of life guards. Council Member Clark seconded the motion and the motion passed unanimously, 5-0.

Proposals on Video Presentation Equipment in City Hall

City Administrator Brown addressed the Council on the proposal for Video equipment for City Hall. He stated that the City did have a demo unit at City Hall for a few weeks and a demonstration was provided to city staff. Brown stated that the Council was provided two proposals for video presentation equipment for their review and consideration. He stated that one was for the 55" Mondopad, demonstrated unit, and for a 60" Sharp. A third solicited bid was not submitted.

Council Member Griffin asked for more details about the difference in both technologies. Council Member Ussery requested the option to have a split screen so that the Council Agenda could remain on the screen along with supporting materials for audience viewing.

It was the consensus of the Council to have an RFP put together with an explanation of services.

Department Head Reports

Police Chief, Gene Garcia

Garcia reported on the 2014 Fall Festival and referred to a report provided to Council. He stated that this year's numbers were close to those of last year. Garcia also reported that he would like to present a letter of commendation to Officer Roy Riggs. Chief's letter commended Officer Riggs for his work investigating a recent case in which in discovered a piece of evidence. Garcia reported that the DARE program has started.

Council Member Griffin asked about putting up a one-way sign at the exit of the alleys way leading onto Kansas Avenue where Kansas Avenue is one-way traffic only. Garcia estimated sign costs of \$30 to \$40 each. He will check with Public Works Director Misak about the signs and clarified that three signs would be required for the area Council Member Griffin has designated.

Chief reported that the Clearwater Police Officer Hammers who was killed in the line of duty will have his name added to the Law Enforcement Memorial during a ceremony the second week of May.

Recreation Director Beki Zook

Director Zook provided an update on the Recreation activities. She stated that the Recreation Commission discussed costs associated with moving playground equipment at City Park. She reported that work has begun on the softball fields.

Council Member Ussery asked about the recent safety issues associated with AstroTurf. Recreation Director Zook reported that the turf they are considering is going to have sand as fill not the material that has recently been associated with safety issues.

Claims & Warrants

City Clerk Barbara Salinas presented the claims and warrants as of October 14, 2014 in the amount of \$56,217.14.

The purchase from Mobile Tek Consulting was questioned by Council Member Ussery, as it was noted under three different accounts. Chief Garcia addressed the Council stating this was an approved purchase of computer equipment taken from three separate line items, but within the Police budget.

Council Member Ussery made a motion to authorize the payment of all Claims and Warrants in the amount of \$56,217.14. Council Member Clark seconded the motion. A vote was taken and the motion passed, 5-0

Old Business

There was some discussion regarding the Fireworks ordinance. Council Member Whintey stated that he is in favor of eliminating the 5th of July that currently allows fireworks to be used and discharged. City Administrator Brown stated that he has provided the current ordinance as background information.

Council Member Ussery stated that he noticed a gentlemen in a wheelchair at the City Pool recently and asked if this was related to the ADA study. City Administrator Brown stated that Mr. Farney has visited the pool facility twice and is currently conducting a study of all city facilities as part of the ADA study and will have a report completed for the city in the near future.

Staff Reports

City Clerk Salinas had nothing to report.

City Attorney Parker had nothing to report, but requested an Executive Session for Personnel/Attorney Client Privilege.

City Administrator Brown reported that work has begun at the softball field. He stated that the intent of the renovation was to permanently remove the score keepers stand. If so, it could be utilized at the shooting range. Brown stated that since they are starting dirt work, he would like wanted to clarify with the Council that the score keepers stand could be removed.

Council Member Ussery asked if this was the intent when the agreement was approved. Recreation Commission Zook stated the Recreation Commission was fine with removing the score keepers box. Administrator Brown stated that if the Parks and Recreation Board has no objections to its removal, Chief Garcia can utilize it at the shooting range. Council consensus was to move the score keepers stand to the shooting range.

Brown reported that a formal letter of approval was received from KDHE on the lagoon project, to date. He stated that we are currently finalizing the next issue with this project.

Council Reports

Council Member Griffin had nothing to report.

Council Member Ussery reported that he received notification of fees for WAMPO of \$250 were due. He stated that he believes that Clearwater should continue to be involved so that we would have an active voice.

Council Member Papish asked about the status of the Duckwall's store and if this is a possible location for the hay bales. Council Member Papish provided a visual of a stack of files accumulated from EMS runs in an effort to promote digital/electronic storage of records.

Council Member Clark asked the status of the EMS/Fire suggestion for coverage. City Administrator Brown stated that we are in the process of hiring a consultant to develop a plan.

Council Member Whitney asked if the Public Works could put up markers for well lots and suggested 8' X 2" pipe to be placed 2' in the ground and painted to be visible. He reported that he repaired sprinkler system pipe that was damaged at the softball field.

Council member Whitney stated that for future hydrant testing, we should borrow a 2 1/2" down turn double male that will allow the hydrant to shoots to the center of the street not on yards. He stated this could be borrowed from Chief Schauf.

Council Member Whitney reported that he recently watched a documentary by Jack Nicklaus on the state of golf course in the United States, citing a 65% decline in course use in the United States.

Council Member Whitney stated his concerns regarding the traffic back up at 4th Street intersection, especially with Walmart opening

Mayor York inquired about the some of the old bleachers that are not being used. He stated that a church was looking for bleachers. City Administrator Brown stated that some of the older ones were donated to Klasmyers.

Executive Session for Personnel Issues of Non-Elected Personnel

At 9:00 p.m. Council Member Griffin made a motion to adjourn into executive session for 15 minutes for Attorney Client Privilege. Council Member Ussery seconded the motion and passed unanimously. 5-0

At 9:20 p.m. Council Member Clark asked for 15 additional minutes. Council Member Griffin seconded the motion and passed unanimously. 5-0

At 9:45 p.m. Council Member Clark asked for 15 additional minutes. Council Member Griffin seconded the motion and passed unanimously. 5-0

At 10:15 p.m. Council returned from executive session with no action taken.

Adjournment

With no further discussion to come before the Council, Council Member Clark moved for adjournment. The motion was seconded by Council Member Ussery 5-0.

The Meeting adjourned at 10:15 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 October 14, 2014 City Council meeting.

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

Barbara Salinas, City Clerk