

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

October 28, 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 28, 2014 at 6:30 p.m., in the Clearwater City Council Chamber, City Hall, 129 E. Ross Avenue, Clearwater, Kansas.

INVOCATION & PLEDGE OF ALLEGIANCE

Council Member Griffin 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; Public Works Director, Ernie Misak; EMS Director, Donald Schauf.

REVIEW OF THE MINUTES

Council Member Papish suggested a change on page 4 of the City Council Minutes from October 14, 2014. Council Member Papish stated the word “applicable” should be changed to “included”.

Council Member Ussery made a motion to approve the modified minutes of the October 14, 2014 City Council Meeting. The motion was seconded by Council Member Clark. The motion passed unanimously, 5-0.

MAYOR APPOINTMENT

Mayor Mike York would like to appoint Cody Corbett to the Clearwater Fire Department.

Council consensus for this appointment.

Council Member Ussery stated that he would like to include with the application a list of qualifications and accomplishments that qualify the applicant for this position. EMS Director Schauf stated that Corbett worked for Sedgwick County Fire Department and

the Sedgwick County Hazardous Waste Building in Wichita. Council Member asked if the volunteer signs any kind of agreement to volunteer with the Fire Department. Director Schauf stated all they have is the application at this time.

PUBLIC FORUM

No one addressed the City Council at this time.

NEW BUSINESS

Presentation from Harlan Foraker, P.E., Certified Engineering Design, regarding the 4th Street Construction Project.

Harlan Foraker thanked the Council for having him speak at the meeting. Foraker stated the first thing to discuss would be the intersection at Tracy and Ross. Foraker stated that the initial design was to have valley gutters from east to west to keep the water off of the street. Foraker stated he had a meeting with City Administrator Brown and Public Works Director Misak and asked them the main concern of this project. Both stated to improve drainage at the intersection at Tracy and Ross. Foraker took the information back to the office and in order to improve the drainage there will have to be a total reconstruction done at the intersection.

Foraker directed the Council to look at the plan sheet that he brought to show the Council. Foraker states he would like to install a large curb inlet that has an opening in the curb and the water actually goes in and drops down and then goes across and 18” pipe and it would meet with an existing then install a 24” pipe across Tracy to a point that would tie into the existing gutter. Foraker stated there will be small curb inlets installed for side street drainage on Tracy. The curb would be flush with the sidewalk and would cover up the trenches. The only thing you would see would be the grate. Foraker would like to finalize the plans with the Council approval. Foraker stated this will not fix a 100 year rain storm which is a 7.8 inch rain but will be able to handle a 3 or 4 inch rain. This project can be accomplished in several days with some short time road closings or flagging to run traffic around the area when the concrete will be removed.

Mayor Mike York asked Foraker how heavy the grates will be on the north side by True 2U Automotive. Foraker handed out a catalog that showed some different grates that could be used for the project. Council Member Papish asked about leaves collecting in the grates. Foraker stated that inlets would have to be vacuumed out for maintenance. Foraker stated to the Council that they would see a world of difference at the culvert when this project is completed compared to what is there now. This project also will be ADA accessible with the installation of truncated domes on the sidewalk at the intersection corners.

Council Member Ussery asked about rebuilding the intersection instead of making this diversion to have the water naturally go down the street. Foraker stated in a new installation a valley gutter would be his recommendation. Foraker stated the construction would still have to start in the middle of the street. Foraker stated that if he went back to constructing this intersection from day one there would be valley gutters but this storm system that he is proposing is a sufficient system to hold the rains and would be the most cost effective for the current setup.

Council Member Griffin asked about the overlay on Ross Street and what effect it would have on this project. Foraker stated that the overlay is built up enough that it could be leveled off and still have enough cover on the storm system that he plans to install at the intersection of Ross and Tracy.

Council Member Papish asked about accumulation of ice in the winter on the street at that intersection. Foraker commented that with the drainage problem solved most of the water should run off but there will still be ice if it is cold enough.

Foraker stated that this is how he would recommend proceeding. The estimated cost of this project is \$96,000. Foraker reminded Council that in the agreement with Sedgwick County they were going to pay 50/50 price share on this project. Foraker stated that these are estimated prices but are in the realm of the cost estimate that was originally proposed for this project.

Council Member Ussery asked if this money from Sedgwick County was specifically for the intersection at Ross and Tracy. Foraker stated yes but reminded Council that there is an agreement for the 4th Street project as well.

Foraker stated that the other thing that City Administrator Brown wanted him to look at was the Lee and Ross Street intersections because of the fault that is created by the valley gutter. Foraker stated the problem with the valley gutter is the overlay on Ross Street is so high and you have to come down so far to get through the intersection and then right go right back up. Foraker is proposing to expand that valley gutter and move the flow line back further away from the edge of the road on both sides of the street. Foraker suggested addressing Ross Street overlay with Sedgwick County and possibly having them take that level down so it is not such a big bump onto the side streets off of Ross. Foraker told the Council that preliminary figures for working on the Ross and Lee intersection would be \$34,000 and this is not included in the agreement with Sedgwick County. This would have to come from City at large funds.

Council Member Papish asked if this was a flooding issue or a bump issue. Papish asked if this would be corrected if Sedgwick County would take off some layers of Ross Street. Foraker stated yes. Council Member Whitney stated that he thinks that the flow line will be an issue until it is moved back further off Ross Street down the side streets. Foraker stated it should be moved back 6 to 8 feet so the intersection can be leveled off.

City Administrator Kent Brown stated that now he has some answers for the residents who have asked about fixing the Ross and Lee intersections on both sides of Ross. Council Member Whitney stated that when you have construction projects going on and you can make things in a package sometimes the better rates you get because the machinery is already here.

Foraker stated that he would like to go over the Fourth Street project from Ross to 95th with the Council. In December of 2012 the City of Clearwater entered into an agreement with Sedgwick County for a mill and overlay project on 4th Street. This project extends from Ross Street on 4th Street to the north side of the railroad tracks.

There will be a 2" mill of the existing pavement and then a 2" overlay so the grade of 4th Street will not change. It will essentially go back the way it is and the crown of that road will be put back right where it is now. In addition to the project one of the things the city will be doing in conjunction with that project is the improvement of drainage that currently runs through the residential area to the city park that starts on Fourth Avenue near Mize's. Foraker is proposing to put a large pipe at the entrance of the Village on Janet Street. It will improve the drainage from north of Janet to the approximate area of Wood Street. A 5 foot ditch with slopes will be installed on the east side going down Fourth Street to Casey's and then an underground storm sewer system will be installed to the south side of Ross and the existing east side ditch that heads further south.

Foraker reported north of the railroad tracks on Fourth from the railroad tracks will be a phase of the Sedgwick County project. This part of 135 will have the extended shoulders and the road will be repaved. The Coop entrances will be paved and new culverts put in and all will tie into the Diagonal Road.

Mayor Mike York asked about the culvert that goes by the liquor store driveway. Foraker said he and City Administrator Brown had a meeting and discussed this issue. Foraker recommends a small layer of asphalt over the driveway will help. Foraker reports the costs for the storm sewer and manholes would be approximately \$176,000, the driveway paving costs would be approximately \$45,000 for a total of \$221,000. Foraker suggested the city see if the County would pay for the driveway paving.

Foraker and Council discussed traffic disruptions during these different phases of the projects. Foraker thanked the Council for their time.

Consideration of Ordinances Authorizing Sewer & Drainage Projects

City Administrator Kent Brown stated that Kevin Cowen will not be at the meeting this evening. Brown stated that Sedgwick County is going to put out for bids the street project for the City of Clearwater in December. KDHE has also approved the sewer project that was submitted by EBH & Associates. The first step in doing that is to authorize a resolution. The resolution states that Council is authorizing these projects and the expected costs. There are resolutions and ordinances in subsequent meetings that set up the actual debt issue and other terms. This resolution is the first document passed by Council in the process.

Council discussed several options of bond dollar amounts and if the projects should be together or separate. Council would like to wait until Kevin Cowen can be at a meeting to answer questions regarding the breakdown of costs.

Council Member Griffin made a motion to table the resolution until Cowen can be present at the meeting. Council Member Ussery seconded the motion and it passed unanimously. 5-0

Consideration of a Memorandum of Understanding between the City and the Clearwater Historical Society

City Attorney Austin Parker stated to the Council that this Memorandum of Understanding was drawn up after talking to City Administrator Brown and the Council.

The previous agreement that served as foundation for roles for city and historical society in the care of museum building and the contents thereof was approved in 1992. Museum Director and city staff have reviewed the parameters to update agreement to include security system. City Attorney Parker stated he revised this proposed agreement into a memorandum of understanding.

Parker states that in this memorandum the Historical society agrees to maintain and operate the Museum, supervise the staff and volunteers, make the Museum available for the public and hold the City harmless from any and all liability. The City agrees to allow the Society to supervise the City's historical collection and perform any maintenance the City deems necessary. The memorandum also states the City agrees to a certain mill levy go to the Historical Society.

After discussion, Council would like to change the language about the mill levy. City Attorney Parker suggested changing the wording in the memorandum to set aside funds to assist the Historical Museum as needed.

Council Member Ussey made a motion to approve the memorandum of understanding with the word changes "set aside funds to assist the Historical Museum" instead of the mill levy. Council Member Whitney seconded the motion and passed unanimously. 5-0

Proposal for Community Fire and EMS Study

City Administrator Kent Brown stated there is one proposal from Center for Public Safety Excellence to do a service assessment to determine improvement recommendations and options for efficient, effective emergency services. City Administrator Brown states there will be another proposal from WSU in mid-November that can be used to compare with this proposal.

Council discussed this option and will discuss the WSU proposal at the next meeting.

City Attorney Austin Parker stated this proposal is good for 45 days so there is time to wait and compare the proposals at the next meeting.

Council consensus to wait for the second proposal at the next meeting and then compare the two before voting.

Consideration of a Donation Request from the Clearwater High School Government Class

City Administrator Brown stated there has been a written request from Clearwater High School for a donation for the Washington D.C. trip. Administrator Brown stated that high school students have helped with the spring and fall city wide clean ups.

Council Member Griffin made a motion to make a donation of \$1,500 to the Clearwater High School students going on the Washington D.C. trip. Council Member Clark seconded the motion and passed unanimously. 5-0

Department Head Reports

Police Chief, Gene Garcia

Police Chief Gene Garcia stated he did not have anything specific to report. Council Member Papish asked if the carpet had been installed in the Police Department yet. Garcia stated the carpet layer is backed up and will be a couple of weeks. Garcia stated he had received a complaint from a Council Member earlier in the day but wanted to do more research before responding.

Public Works Director, Ernie Misak

Public Works Director Ernie Misak stated the Public Works Department has been doing the annual fire hydrant testing. Misak stated he knew there were concerns about water going in Resident's yards. Council Member Whitney stated there are some parts you can order to adjust the hydrant water flow to the street instead of in the yards. Council Member Whitney suggested having Fire Chief Schauf order the needed parts.

Public Works Director Ernie Misak stated the Public Works Department have put up the posts at the wells, winterized the pool, and replaced a valve at 4th and Elaine. There is also a leak in the fire hydrant at the corner of Tracy and Ross that will be replaced. The press box has been moved to the shooting range and placed on a concrete pad with Jason Martin's help. The street sweeper had a flat tire and was replaced with a foam filled tire for \$350. There is a leak on 63rd Street that has been leaking for a while and the algae problem still exists at the sewer ponds.

EMS Director Donald Schauf

EMS Director stated he had nothing to report. Council Member Papish asked if Schauf had received paperwork from Dr. Papish. Papish also stated that she had talked with Conway Springs and they would be willing to share the information and the computer program they use for their ambulance paperwork.

Claims & Warrants

City Clerk Barbara Salinas presented the claims and warrants as of October 14, 2014 in the amount of \$41,101.37.

Council Member Griffin made a motion to authorize the payment of all Claims and Warrants in the amount of \$41,101.37. Council Member Clark seconded the motion and passed unanimously. 5-0

Old Business

Council Member Papish asked about changing the date for the ADA contract and review of the findings as stated on the old business report. City Administrator Brown stated that he had received the report and the billing from Complete Access Solutions. Council Member Papish also asked about the water rights and if it should be added to old business. Council discussed options on the subject of water rights. City Attorney Parker gave an overall explanation on water rights that he heard at the League meeting.

Council Member Burt Ussery would like everything from the City Council work session to be added to Old Business so it remains visible for discussion throughout the year, not just at budget time.

Staff Reports

City Clerk Salinas had nothing to report.

City Attorney Parker stated that negotiations went well with Waste Connections. They did approved 10 roll offs to use for the spring and fall Clean up with no extra charge for those. Parker did state the city could pay for more roll offs if needed for the fall clean up. Parker also requested an Executive Session for Personnel/Attorney Client Privilege.

City Administrator Brown stated that he has part of the estimate for the Charles Engineering project and is still waiting on the other estimate for just a service line. The Charles Engineering project with an 8" line is approximately \$31,000.

City Administrator Brown stated there may be two properties owners with issues about the 5 foot easements on the 4th Street project. City Attorney Parker will be in discussion with those property owners.

Council Reports

Council Member Ussery had nothing to report.

Council Member Papish stated the property at 118 S. Byers is looking messy again. Council Member Griffin stated there is a new property owner at that address. Council Member Papish stated that the Duckwall's property was cleaned up.

Council Member Clark had nothing to report.

Council Member Whitney asked about the SKT property on N. Gorin that is for sale. It would make a great City Hall. Council Member Papish asked that this topic be put on old business.

Council Member Griffin had nothing to report.

Mayor Mike York had nothing to report.

Executive Session for Personnel Issues of Non-Elected Personnel

At 8:40 p.m. Council Member Whitney made a motion to adjourn into executive session for 20 minutes for Attorney Client Privilege. Council Member Clark seconded the motion and passed unanimously. 5-0

At 9:00 p.m. Council returned from executive session with no action taken.

Adjournment

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

The Meeting adjourned at 9:00 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