



City of Clearwater Council Meeting Agenda
Tuesday September 25, 2018 at 6:30pm
129 E Ross Clearwater, KS 67026

1. CALL TO ORDER / INVOCATION AND FLAG SALUTE

2. ROLL CALL

3. APPROVAL OF AGENDA

4. PUBLIC FORUM

Members of the public can address the Mayor and City Council limited to not more than five minutes.

5. CONSENT AGENDA

Items on the Consent Agenda are considered by staff to be routine business items. Approval of the items may be made by a single motion, seconded, and a majority vote with no separate discussion of any item listed.

- a. [Minutes 09/11/18 Council Meeting](#)
- b. [Library Memorandum of Understanding](#)
- c. [Mayoral Appointment to Fire Service](#)

6. CLAIMS AND WARRANTS

7. STAFF REPORTS

8. BUSINESS

- a. [Approve Notice of Award to APAC Construction for Chisholm Ridge Phase 3 Street & Drainage improvements](#)
- b. [Authorize Mayor to Sign Construction Documents](#)
- c. [Consider an Appropriations Resolution](#)

9. ADMINISTRATORS REPORT

10. GOVERNING BODY COMMENTS

11. EXECUTIVE SESSION: TO DISCUSS DATA RELATING TO FINANCIAL AFFAIRS OR TRADE SECRETS OF CORPORATIONS, PARTNERSHIPS, TRUSTS, AND INDIVIDUAL PROPRIETORSHIPS.

12. ADJOURNMENT

Next Assignment Numbers

Charter Ordinance: 21

Ordinance: 1049

Resolution: 12-2018

NOTICE: SUBJECT TO REVISIONS

It is possible that sometime between 6:00 and 6:30 pm immediately prior to this meeting, during breaks, and directly after the meeting, a majority of the Governing Body may be present in the council chambers or lobby of City Hall. No one is excluded from these areas during those times.

City of Clearwater, Kansas
Sedgwick County
City Council Meeting - **MINUTES**
September 11, 2018
Clearwater City Hall – Council Chambers
129 E. Ross Avenue Clearwater, KS 67026

1. Call to Order/ Invocation and Flag Salute

Mayor Ussery called the meeting to order at 6:30 p.m. followed by a moment of silence in remembrance of the fallen during 9/11/2001 and the invocation and flag salute.

2. Roll Call

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

Mayor Burt Ussery and Councilmembers; Yvonne Coon, Laura Papish, Shirley Palmer-Witt, Tex Titterington, and Chris Griffin were present.

The following staff members were present:

Ron Marsh, City Administrator; Courtney Meyer, City Clerk; Bill Hisle, Chief; Scott Cooper, Director of Emergency Services; Ernie Misak, Director of Public Works; Austin Parker, City Attorney.

Others present: Justin Mills, Madie Bosley, Victoria Weddle

3. Approval of the Agenda

Mayor Ussery asked if there were any modifications to the agenda. Marsh stated no.

Mayor Ussery called for a motion to approve the agenda as presented.

Motion: Palmer-Witt moved, **Titterington** seconded to accept the September 11, 2018 agenda as presented. Voted and passed unanimously.

4. Public Forum

None

5. Approve Consent Agenda

Mayor Ussery asked if there was any question on the consent agenda and if not asked for a motion to approve.

Minutes 08/28/18 Council Meeting

Motion: Titterington moved, **Palmer-Witt** seconded to approve the consent agenda as presented. Voted and passed unanimously.

6. Claims and Warrants

Meyer stated that the claims and warrants were \$116,062.28 and stated this being the first check run of the month the direct expenses are in this check run.

Motion: Papish moved, **Titterington** seconded to pay the claims and warrants as presented. Voted and passed unanimously.

7. Staff Reports

- a. Scott Cooper, Emergency Service Director - Stated council had is report and asked if there were any questions. Council had no questions

- b. Bill Hisle, Police Chief – Stated council had his report and asked if there were any questions. Griffin stated that Sergeant Harp contacted him and asked if the church had a car seat and Griffin was wondering if that is something the department should already have. Chief said it was something they should have and is working on getting some.
- c. Ernie Misak, Public Works Director – Stated council had his report and asked if there were any questions. Mayor Ussery asked it would be a benefit to put a drain in the pool? Misak stated he looked into that in the previous year and that would be around a \$50,000 investment.

8. Business

a. Consider an Ordinance Requiring House Numbers

The City of Clearwater does not have an ordinance requiring address numbers to be displayed on a residence. There are several homes within the City that do not display the house number on the home which makes it difficult for Police, Fire, EMS and Public Works to locate the home if they are called to the house.

Last meeting the Governing Body reviewed a draft ordinance requiring house numbers to be displayed within the City of Clearwater. Council members suggested a couple of changes and those changes have been made by the City Attorney:

In Section 8-125, Definitions, Paragraph F is revised to remove reference to the United States Postal Service.

In Section 8-126, Minimum Requirements, Paragraph D, subparagraphs a and b are removed and changed to read, “mounted in such a way that is visible from an adjacent street...”

Marsh also explained to council that staff would send out a notice in the utility bill with this change and Public Works, Emergency Services, and Police would put door hangers on the resident’s doors that are not in compliance. He explained that someone might get several notices but hopefully they would take advantage of the free service and ask the City to put on numbers on their house.

Council questioned the fine of up to \$500 per day. Parker stated that it will be up to the judge to decide the fine. The lowest would be \$10 up to \$500 per day. After discussion council was fine with the wording.

Council asked if staff was going to document who received the door hangers and staff answered no as the task would be large to start out with. Council suggested rewording the door hanger to include the requirements and to notate who notices are going out to a month prior to the deadline.

Motion: *Palmer-Witt* moved, *Coon* seconded to adopt ordinance 1047. Coon, yea; Papish, yea; Palmer-Witt, yea; Titterington, yea; Griffin, yea. Voted and passed unanimously.

b. Consider an Ordinance Amending Chapter 14 of the Clearwater Municipal Code

Chapter 14 of the Clearwater Municipal Code details the function and responsibilities of the former Clearwater part-time Fire Chief position.

Since 2017 Clearwater has had a full-time Emergency Services director who assumes the duties and responsibilities of the Fire Chief position. Amending Chapter 14 will update the wording of the Code to reflect the new position.

Mayor asked if this was a house cleaning item or was there something that prompted this to be addressed. Marsh stated it was a house cleaning item.

Motion: *Coon* moved, *Titterington* seconded to adopt ordinance 1048. Coon, yea; Papish, yea;

Palmer-Witt, yea; Titterington, yea; Griffin, yea. Voted and passed unanimously.

c. Initial Discussion Considering an Appropriation Resolution

The City of Clearwater currently runs accounts payable to coincide with Council meetings. Because we only run accounts payable twice a month, staff process invoices up to the day of the Council meeting to try and reduce the number of late charges. By doing this, the Governing Body approves the checks prior to them being mailed. It should be noted that Council has already authorized these expenditures through the budget process or approval in prior Council meetings.

As the City frequently incurs late fees due the inconsistency of the payment process, staff would like to have the Governing Body consider a resolution that would prevent the accrual of late charges and allow the City to take advantage of discounts for early payment, if applicable. This process is authorized by K.S.A. 12-105(b), the Uniform Processing Claims Act, and recommended by the city auditor. With this change, staff would revise accounts payable procedures and the claims and warrants list would be included with the agenda packet for review and any questions could be addressed prior to the Council meeting.

If approved all payments must still be presented to the governing body for review. Any payments that are of an extraordinary nature will continue to require authorization of the governing body.

This process is already being utilized by the City as the Uniform Processing Claims Act allows for the biweekly payroll processing.

Any financial impact to the City would be savings associated with the elimination of late fees and the potential early payment discounts.

Marsh also mentioned that other cities designate a council member to review and sign on claims and warrants prior to them being sent out as another check and balance.

Griffin asked if the claims and warrants go out prior to the council meeting can he “reply to all” if he has a question? He believes that if there is a question or discussion with staff that all council members should be privy to the information.

Marsh asked for clarification on the subject and wanted to know why claims and warrants would be treated differently than any other item in the packet? If a council member calls him on Monday morning and asks a question about an item that conversation is not “reply all” or brought up before council during the meeting.

Mayor Ussery stated he sees this as a procedure issue not performance. He stated all the items that are being paid for have been approved by council one way or the other. Whether it was authorized through the budget process or staff has come to council prior to the purchase and requested to make the purchase. An example would be the Chamber of Commerce signs out on the highways. It was not a budgeted item, so staff and the Chamber brought the request to council prior to making the commitment and then council approved the expenditure. Then claims and warrants that council approves every council meeting are paying the obligations already made by the city. This process is a formality. If staff is spending money that was unauthorized then that would be handled as a performance issue.

Council discussed and agreed they would like to see the process more streamlined and take advantage of early discounts and avoid late penalties. They would like to see the appropriation resolution brought to the next council meeting.

9. Administrators Report

- Bids for the street and drainage improvement project in Chisholm Ridge Phase 3 were opened last Thursday. APAC was the low bid at \$277,773.55. The engineers estimate was \$362,091.00.

- Knowing the costs for streets and drainage improvements, we will be able to move forward with utility relocation and acquiring the drainage easement. Utility relocation will cost approximately \$8602.00 and acquiring the easement will cost \$6500.00 as part of the drainage portion of the bond. These costs will be covered by the bond issued for the project and will not be passed on to property owners.
- United Way will be giving their annual presentation to City employees next Tuesday, September 18th at 9am in City Hall. You are all welcome to attend if you desire.

10. Governing Body Comments

Griffin had nothing to report

Titterington had nothing to report

Palmer-Witt had nothing to report

Papish had nothing to report

Coon said by marriage she is part of the Herrington family and as such they have asked her to keep an eye out for the best interest of the family. She reminded council that the Herrington family donated the portion of the park where the ball diamond is. The family would like to see a plaque put at the park in the Herrington name and also have the plaque state “no organized games on Sunday” stated on it. If there are organized games the family would like to take back the property if the city cannot follow what was stated on the deed.

Mayor Ussery agreed that a plaque should be put up at the park in their name but he would like the city attorney to look into the statement “no organized games on Sunday” and see if there truly is a reversion clause in the deed. He recalled looking into this a few years ago and in 1920, when this property was deeded to the City, the phrase “organized games on Sunday” referred to horse racing, card games, gambling or something similar. Parker stated that the state of Kansas can only go off of case law with the era in mind because the term Sunday Games was never truly identified.

Mayor Ussery asked Parker to review the deed to see if there a reversal clause for the Herrington family to take the property back because if the city puts a plaque at the park and it says “no organized games on Sunday” we need to understand what that means.

Mayor Ussery reported the LKM conference is in October and they are having a Home Rule discussion that might be helpful if anyone is attending. He also asked if all department have been informed and have all the information they need for and from the Fall Festival committee. Marsh stated yes.

11. Adjournment

With no further discussion Mayor Ussery called for a motion to adjourn.

MOTION: *Coon* moved, *Palmer-Witt* seconded to adjourn the meeting. Voted and passed unanimously. The meeting adjourned at 7:32 PM

CERTIFICATE

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

I, Courtney Meyer, 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 September 11, 2018 City Council meeting.

Given under my hand and official seal of the City of Clearwater, Kansas, this 25th day of September 2018

Courtney Meyer, City Clerk

Unnapproved

**City of Clearwater
City Council Meeting
September 21, 2018**

**Consider a Memorandum of Understanding Concerning the
Operation and Funding of the Clearwater Public Library**

Background: Per K.S.A. 12-1218 The Clearwater Public Library operates as the public library for the City of Clearwater and per K.S.A. 12-1220 the City levies a tax for the operation of the library as determined by the Clearwater Library Board. Additionally, per K.S.A. 12-2225(a) the Clearwater Library Board makes and adopts rules and regulations for the administration of the Clearwater Public Library.

Analysis: The memorandum of understanding outlines the responsibilities the City of Clearwater has with regards to the operation of the library. The City maintains an operating fund for the library and makes payments from this fund as requested by the library, including payroll. The memorandum has been updated to reflect that within this fund the Library Board will now be responsible for the employee benefit portion of library employee payroll. The memorandum also addresses other funding streams as well as the library's inclusion in the City's annual audit process.

Financial: No financial considerations for the City.

Legal Considerations: The City Attorney and SCKLES have reviewed the document.

Recommendations/Actions: Approve the Memorandum of Understanding Concerning the Operation and Funding of the Clearwater Public Library.

**MEMORANDUM OF UNDERSTANDING CONCERNING THE OPERATION AND
FUNDING OF THE CLEARWATER PUBLIC LIBRARY**

WHEREAS, the Clearwater Public Library operates as the public library for the City of Clearwater pursuant to K.S.A. 12-1218 et seq.; and

WHEREAS, K.S.A. 12-1220 authorizes the Clearwater City Council to annually levy a tax for the maintenance of the Clearwater Public Library in such sum as the Clearwater Library Board shall determine within the limitations fixed by law; and

WHEREAS, K.S.A. 12-1225(a) empowers the Clearwater Library Board to make and adopt rules and regulations for the administration of the Clearwater Public Library.

NOW, THEREFORE, the City of Clearwater and the Clearwater Public Library hereby agree as follows:

1. Annually, the Clearwater Library Board shall determine and adopt a desired tax levy amount within the limitations fixed by the laws of the state of Kansas and the ordinances of the City of Clearwater, Kansas. The Clearwater Library Board shall inform the Clearwater City Clerk of such desired tax levy amount on or before June 1 of each year to provide the City of Clearwater adequate time to incorporate such tax amount levy into the ensuing year's proposed budget documents.
2. The City of Clearwater shall annually levy a Clearwater Public Library Tax ~~Levy~~ to support the Clearwater Public Library based upon the desired tax levy amount communicated by the Clearwater Library Board, within the limitations fixed by the laws of the state of Kansas and the ordinances of the City of Clearwater, Kansas. The Clearwater Public Library Tax Levy shall be levied and collected in like manner as other taxes of the City of Clearwater and, except for an amount to pay a portion of the principal and interest on bonds issued under the authority of K.S.A. 12-1774, and amendments thereto, by cities located in the county, shall be kept in a separate fund to be known as the Clearwater Library Operating Fund.
3. The City of Clearwater will maintain an operating fund for the benefit of the Clearwater Public Library and all taxes levied to support the operations of the Clearwater Public Library shall be credited to that fund, along with other revenue sources available to the Clearwater Public Library such as grants in aid, library fines and fees and other miscellaneous revenues generated by the Library. The City of Clearwater shall process and pay all payment orders requested by the Library and such orders shall be processed in the same manner and subject to the same controls as for all other City of Clearwater general bills payments. The City of Clearwater shall also process payroll/benefits for all Library Board employees and the Library Board shall provide authorized pay rates for all individuals, payroll withholding documentation for each employee and shall provide records of times worked or paid time off for each payroll period by individual employee (timesheets or time cards). Payroll shall be processed at the payroll periods that correspond with those of the City of Clearwater (currently biweekly).
4. The Library Board shall be responsible for all payroll taxes and benefits. The City of Clearwater, on behalf of the Library Board, shall make all payroll tax payments to the appropriate taxing authorities after processing the period payrolls for the Library Board.

5. The City of Clearwater will also maintain the following additional previously established funds on behalf of the Library Board: 1. The Library Capital Improvement Fund (established to provide funding for capital improvements (K.S.A. 12-1258: “The library board of any public library is hereby authorized to direct a transfer annually from the general operating fund of such library not to exceed 10% of the amount of money credited to such fund to a capital improvement fund. All money credited to such fund shall be used by the library board for the purpose of improving, furnishing, equipping, remodeling or making additions to the library. Such fund shall not be subject to the provisions of K.S.A. 79-2925 to 79-2937, and amendments thereto. If the library board determines that money which has been transferred to such fund or any part thereof is not needed for the purpose for which transferred, the library board is hereby authorized to direct a retransfer of such amount not needed to the general operating fund and such retransfer and expenditure thereof shall be subject to the provisions of K.S.A. 79-2925 to 79-2937, and amendments thereto.”)) 2. Library Donations Funds (established to account for public donations dedicated for use to support library materials and/ or activities.) The City of Clearwater will keep an accurate record of all money received within and disbursed from these funds and shall make a report thereof to the Clearwater Library Board monthly, or more frequently upon receipt of a request from the Clearwater Library Board.
6. The City of Clearwater shall include the Clearwater Public Library in its annual audit and will maintain financial records of all transactions processed on behalf of the Clearwater Public Library by the City of Clearwater. Such financial records shall be made available for review upon the City of Clearwater’s receipt of a request from the Clearwater Public Library Board to examine the same.
7. Notwithstanding any of the foregoing provisions of this Agreement and in accordance with the provisions of K.S.A. 12-1225, the City of Clearwater has no responsibility for the oversight, use and/or distribution of funds received by the Clearwater Public Library from the Levand organization. KSA 12-1225 provides, in part, that “Library boards shall have the following powers and duties: (g) to receive, accept and administer any money appropriated or granted to it by the state or the federal government or any agency thereof for the purpose of aiding or providing library service; (h) to receive and accept any gift or donation to the library and administer the same in accordance with any provisions thereof. If no provisions are specified, the board shall have the power to hold, invest or reinvest the gift and any dividends, interest, rent or income derived from the gift in the manner the board deems will best serve the interests of the library”.
8. The Clearwater Library Board Treasurer shall give a bond, in the same form and amount as the bond given to the City of Clearwater by the Clearwater City Treasurer, for the safekeeping and due disbursement of all funds that may come into the Clearwater Library Board Treasurer's hands. Such bond shall be filed with the Clearwater City Clerk.
9. The Clearwater Library Board shall make and adopt rules and regulations for the administration of the Clearwater Public Library. The Clearwater Library Board shall also be responsible for the employment, oversight and supervision of the Clearwater Public Library Director and all other employees and volunteers of the Clearwater Public Library.

10. The term of this Memorandum shall begin September 25, 2018 and end December 31, 2018; provided, that this Memorandum shall automatically renew for a period of one (1) year as of January 1, 2019, and for like one (1) year periods thereafter unless either party shall notify the other party of its intent to terminate this Memorandum in writing at least six (6) months preceding the end of the then current term. In the event such notice is given, this Memorandum shall terminate and be of no further force or effect at the end of the then current term.

IN WITNESS WHEREOF, the parties hereto have executed this Memorandum of Understanding to be effective on the date written above and upon its adoption and execution by both parties.

Adopted by the Clearwater Public Library Board and executed this ____ day of _____, 2018.

CLEARWATER PUBLIC LIBRARY:

ATTEST:

_____, CHAIRPERSON

_____, SECRETARY

Adopted by the Clearwater City Council and executed this 25th day of September 2018.

CITY OF CLEARWATER, KANSAS:

ATTEST:

BURT USSERY, MAYOR

COURTNEY MEYER, CITY CLERK

**City of Clearwater
City Council Meeting
September 21, 2018**

Item: Emergency Services Mayoral Appointment

Background: Per City Code all volunteers are to be appointed by the Mayor with approval of the City Council.

Analysis: The Mayor is presenting the following individual for appointment to Clearwater Emergency Services:

Mandy Guy – Firefighter

Mrs. Guy has moved to Clearwater with her family and would be a probationary firefighter.

Financial: There is no financial consideration

Legal Considerations: Review and comment as necessary

Recommendations/Actions: Approve the request for appointment

To: Mayor and City Council

From: Scott Cooper, Emergency Services Director

Date: September 25, 2018

Re: Emergency Services Staff Report

- Calls:
 - EMS: 11
 - Fire: 3
- PR events and Standby's: 2
- 9/15: KU Exterior Firefighting trailer was at fire station for training 8a-12p. 13 people showed up from Clearwater, Mulvane and Wellington.
- Fall Festival Planning is completed
- EMS members are preparing for the Sedgwick County EMS Credentialing process.
- Preparing for the Assistance to Firefighter Grant for 2018 which opens Sept 24, 2018.

To: Mayor and City Council

From: Bill Hisle, Police Chief

Date: September 21, 2018

Re: Police Department Staff Report

- On Sunday, Sept. 16, Sedgwick County S.O. Deputy Bob Kunze was killed in the line of duty while responding to a “suspicious subject” call. Deputy Kunze was well known to our department as he often stopped by when working in our area, and our officers responded to many calls with Deputy Kunze both in Clearwater and in the county. Several members of the department attended Deputy Kunze’s funeral on Friday, 9/21. Bob will be missed. Please keep his family in your prayers.
- 09/13 DUI
- 09/13 Reckless Driving
- 09/14 Info on attempted Fraud (no loss)
- 09/15 Driving while Suspended
- 09/15 71 S and 135 W. Assisted the S.O. with an Injury Accident
- 09/20 Assisted WPD & DCF with a possible abuse situation at Elementary West that occurred in Wichita.
- We also answered a variety of other calls over the past two weeks, but overall the call load and variety were fairly calm.
- And I am in Manhattan, KS this week at the Kansas Association of Chiefs of Police Conference.

To: Mayor and City Council

From: Ernie Misak, Public Works Director

Date: September 25, 2018

Re: Public Works Staff Report

- Most of our time since the last Council Meeting has been dedicated to preparations for the Fall Festival and will be for the rest of the week.
- Ball diamonds have been weeded and worked up. We still need to drag them to make them playable for the softball tournament.
- Air stripper at Well #2 has been temporarily discontinued and the well has been left idle. I am working with the State to investigate possibilities of permanently removing the air stripping treatment from use. This will remove a potential contamination issue and will reduce the electric cost for production at this well.
- Repaired/replaced water service at residence located at 5415 W. 63rd. S.
- Lift station pump for wastewater ponds has been repaired and is now in stock for backup.
- Back up pump(s) for Park Glen Lift Station have been ordered as it was not feasible to repair the old ones.
- Chisholm Ridge water and sewer installations have been completed and is ready for meter setting as homes are built.
- Repaired/replaced ballast and lights at Museum.
- Due to the heavy rain in the last month, it is anticipated that we will again discharge from wastewater ponds in October rather than what I had hoped to delay until November.
- Completed Stage 1 assessment for our water system.
- Cleaning up the asphalt and railroad ties at Fourth and Diagonal, even though it should have been done by the Railroad. Attempting to clean up the entrance to the City.
- Monthly water meter reading and rereads for verification of high variances.

Thanks, and have a good day!

To: Mayor and City Council

From: Kristina Rey, Senior & Community Center Director

Date: September 21, 2018

Re: Center Staff Report

- Attended SHICK counseling on the 19th and got my certification
- Attending CPAAA on the 24th to finish SHICK requirements
- Planning a Health Fair for November- already have Glen Carr House, Angel's Home Health, Home Buddy, Physicians House Calls, and Always Their Senior Care locked in for a booth. Still contacting other businesses to see if they are interested.
- Cooking/Nutrition Classes to start back up in October

**City of Clearwater
City Council Meeting
September 21, 2018**

Item: Approve “Notice of Award” for Chisholm Ridge Phase 3 Street & Drainage Improvements

Background: At the April 10, 2018 meeting the Governing Body Approved Resolution 9-2018 authorizing street, water, sewer and drainage improvements for Chisholm Ridge Phase 3.

Analysis: Street and drainage improvement bids were opened Thursday, September 6, 2018 at 1:30 pm. Three responses were received with APAC Construction being the low bid at \$277,773.55. Logan Mills, P.E. with Certified Engineering Design, P.A. will be present to answer any questions.

Financial: The engineers estimate for the street and drainage improvements was \$362,091.00, saving the City \$84,317.45 in costs.

Legal Considerations: Review and comment as necessary.

Recommendations/Actions: Authorize the mayor to sign the “Notice of Award” for APAC Construction in the amount of \$277,773.55.

TABULATION OF BIDS FOR: Chisholm Ridge Phase 3 - Street and Storm Sewer Improvements									
Chisholm Ridge Phase 3				APAC-Kansas, Inc.		Conspec Inc., DBA Kansas Paving		Cornejo and Sons, LLC	
Bid Date: September 6, 2018, 1:30PM									
Item No.	Description	Quantity	Unit	Unit Cost	Extension	Unit Cost	Extension	Unit Cost	Extension
BASE BID									
1	Site Clearing & Restoration	1	LS	\$15,000.00	\$ 15,000.00	\$35,000.00	\$ 35,000.00	\$55,000.00	\$ 55,000.00
2	Contractor Construction Staking	1	LS	\$2,500.00	\$ 2,500.00	\$3,300.00	\$ 3,300.00	\$2,500.00	\$ 2,500.00
3	Street Signage	1	LS	\$3,100.00	\$ 3,100.00	\$3,100.00	\$ 3,100.00	\$3,100.00	\$ 3,100.00
4	Common Excavation	2967	CY	\$3.00	\$ 8,901.00	\$6.00	\$ 17,802.00	\$9.00	\$ 26,703.00
5	Compacted Fill (95% ASTM D-698)	67	CY	\$1.00	\$ 67.00	\$1.00	\$ 67.00	\$2.00	\$ 134.00
5a1	Compacted Fill (TYPE B, MR-90)	2900	CY	\$0.40	\$ 1,160.00	\$3.00	\$ 8,700.00	\$1.00	\$ 2,900.00
6	Remove & Replace Inlet Hookup	2	EA.	\$850.00	\$ 1,700.00	\$550.00	\$ 1,100.00	\$850.00	\$ 1,700.00
7	6" Full Height Curb & Gutter	1224	LF	\$12.00	\$ 14,688.00	\$9.00	\$ 11,016.00	\$14.00	\$ 17,136.00
8	3-5/8" Roll Curb & Gutter	1254	LF	\$12.00	\$ 15,048.00	\$9.00	\$ 11,286.00	\$13.40	\$ 16,803.60
9	Monolithic Curb	197	LF	\$3.00	\$ 591.00	\$1.00	\$ 197.00	\$6.30	\$ 1,241.10
10	6" Concrete Pavement (Valley Gutter)	358	SY	\$40.00	\$ 14,320.00	\$36.00	\$ 12,888.00	\$42.75	\$ 15,304.50
11	6" A.C. Pavement (2" SC-1 Surface w/ 0% RAP)(4" BC-1 Base w/ 35% RAP)	2762	SY	\$18.00	\$ 49,716.00	\$18.00	\$ 49,716.00	\$23.00	\$ 63,526.00
12	5" A.C. Pavement (2" SC-1 Surface w/ 0% RAP)(3" BC-1 Base w/ 35% RAP)	2353	SY	\$16.00	\$ 37,648.00	\$16.00	\$ 37,648.00	\$19.40	\$ 45,648.20
13	4" AB-3 Gravel Hammerhead	160	SY	\$7.00	\$ 1,120.00	\$10.00	\$ 1,600.00	\$16.30	\$ 2,608.00
14	5" Reinforced Crushed Rock Base	6459	SY	\$7.75	\$ 50,057.25	\$7.50	\$ 48,442.50	\$9.75	\$ 62,975.25
15	Area Inlet Protection	3	EA	\$65.00	\$ 195.00	\$40.00	\$ 120.00	\$65.00	\$ 195.00
16	Erosion Blanket	2292	SY	\$0.85	\$ 1,948.20	\$0.50	\$ 1,146.00	\$0.85	\$ 1,948.20
17	Maintenance of Existing BMPs	1	LS	\$400.00	\$ 400.00	\$150.00	\$ 150.00	\$400.00	\$ 400.00
18	Fescue Sod	960	SF	\$0.90	\$ 864.00	\$0.78	\$ 748.80	\$0.89	\$ 854.40
19	Fertilizing & Seeding (Premium Fescue Blend)	34236	SY	\$0.25	\$ 8,559.00	\$0.18	\$ 6,162.48	\$0.24	\$ 8,216.64
BASE BID SUBTOTAL:					\$ 227,582.45		\$ 250,189.78		\$ 328,893.89
ADD-ALTERNATE 1: DITCH GRADING DRAINAGE IMPROVEMENTS									
20	Common Excavation (3' Wide Flat Bottom Ditch)	2508	CY	\$2.55	\$ 6,395.40	\$6.00	\$ 15,048.00	\$7.15	\$ 17,932.20
21	Compacted Fill (TYPE B, MR-90)	2453	CY	\$0.40	\$ 981.20	\$1.00	\$ 2,453.00	\$1.00	\$ 2,453.00
22	30"x19" Elliptical Concrete Pipe	32	LF	\$88.00	\$ 2,816.00	\$240.00	\$ 7,680.00	\$88.00	\$ 2,816.00
23	30"x19" Elliptical Concrete End Section with End Grate	2	EA	\$2,125.00	\$ 4,250.00	\$2,000.00	\$ 4,000.00	\$1,950.00	\$ 3,900.00
24	6" d50 Riprap	89	SY	\$85.00	\$ 7,565.00	\$75.00	\$ 6,675.00	\$49.60	\$ 4,414.40
25	12" d50 Riprap	31	SY	\$49.00	\$ 1,519.00	\$75.00	\$ 2,325.00	\$49.00	\$ 1,519.00
26	Log Ditch Checks	240	LF	\$5.50	\$ 1,320.00	\$1.00	\$ 240.00	\$5.50	\$ 1,320.00
27	Fertilizing, Seeding, & Mulching (Premium Fescue Blend)	6210	SY	\$0.45	\$ 2,794.50	\$0.30	\$ 1,863.00	\$0.40	\$ 2,484.00
ADD-ALTERNATE 1 SUBTOTAL:					\$ 27,641.10		\$ 40,284.00		\$ 36,838.60
ADD-ALTERNATE 2: STORM SEWER DRAINAGE IMPROVEMENTS									
28	Backyard Inlet	1	EA	\$2,500.00	\$ 2,500.00	\$2,875.00	\$ 2,875.00	\$2,500.00	\$ 2,500.00
29	24" SWS RCP	311	LF	\$58.00	\$ 18,038.00	\$65.00	\$ 20,215.00	\$58.00	\$ 18,038.00
30	Connect into Existing SWS Manhole	1	EA	\$1,275.00	\$ 1,275.00	\$1,000.00	\$ 1,000.00	\$825.00	\$ 825.00
31	SWS Concrete Collar	1	EA	\$600.00	\$ 600.00	\$1,400.00	\$ 1,400.00	\$600.00	\$ 600.00
32	Area Inlet Protection	1	EA	\$65.00	\$ 65.00	\$5.00	\$ 5.00	\$65.00	\$ 65.00
33	Erosion Blanket	36	SY	\$2.00	\$ 72.00	\$1.00	\$ 36.00	\$2.00	\$ 72.00
ADD-ALTERNATE 2 SUBTOTAL:					\$ 22,550.00		\$ 25,531.00		\$ 22,100.00
TOTAL					\$ 277,773.55		\$ 316,004.78		\$ 387,832.49

**City of Clearwater
City Council Meeting
September 21, 2018**

Item: Authorize Mayor to sign Chisholm Ridge Phase 3 Construction Documents

Background: If Council approves authorizing the Mayor to sign the “Notice of Award” for APAC Construction, they will have 10 days to submit their construction documents for approval.

Analysis: Construction documents include performance bond, maintenance bond, statutory bond, certificates of insurance, etc. APAC Construction submits them to Certified Engineering Design, P.A. (CED) for review, then they would come back to council at the next meeting for approval. To eliminate this step, the Governing Body can authorize the Mayor to sign the documents when they are submitted. This allows the preconstruction conference to be scheduled and notice to proceed issued.

Financial: None

Legal Considerations: Review and comment as necessary.

Recommendations/Actions: Authorize the Mayor to sign the construction documents from APAC Construction when they are submitted.

**City of Clearwater
City Council Meeting
September 21, 2018**

Consider an Appropriation Resolution

Background: As was discussed last Council meeting, the City of Clearwater currently runs accounts payable to coincide with Council meetings. Because we only run accounts payable twice a month, staff processes invoices up to the day of the Council meeting to try and reduce the number of late charges. By doing this, the Governing Body approves the checks prior to them being mailed. It should be noted that Council has already authorized these expenditures through the budget process or approval in prior Council meetings.

Analysis: As the City frequently incurs late fees due the inconsistency of the payment process, staff would like to have the Governing Body consider a resolution that would prevent the accrual of late charges and allow the City to take advantage of discounts for early payment, if applicable. This process is authorized by K.S.A. 12-105(b), the Uniform Processing Claims Act, and recommended by the city auditor. With this change, staff would revise accounts payable procedures and the claims and warrants list would be included with the agenda packet for review and any questions could be addressed prior to the Council meeting.

If approved all payments must still be presented to the governing body for review. Any payments that are of an extraordinary nature will continue to require authorization of the governing body.

This process is already being utilized by the City as the Uniform Processing Claims Act allows for the biweekly payroll processing.

Financial: Any financial impact to the City would be savings associated with the elimination of late fees and the potential early payment discounts.

Legal Considerations: The City Attorney has drafted an appropriations resolution for your consideration and the Auditor, Gary George, has reviewed and approved the resolution.

Recommendations/Actions: Discuss and approve Resolution 12-2018.

CITY OF CLEARWATER, KANSAS

RESOLUTION NO. 12-2018

A RESOLUTION PROVIDING FOR THE APPROPRIATION, BY FUND, OF THE BUDGET OF THE CITY OF CLEARWATER, KANSAS FOR THE YEAR BEGINNING JANUARY 1, 2018; AND APPROPRIATING MONEY FROM THE VARIOUS FUNDS THEREOF TO PAY PAYROLL AND CLAIMS AGAINST THE CITY OF CLEARWATER FOR THE 2018 CALENDAR YEAR.

WHEREAS, the 2018 proposed annual budget and financial statement for the City of Clearwater, Kansas, as shown on standard State budget forms and subject to notice of hearing and public hearing, has been approved, adopted and appropriated, by fund, by the governing body of the City of Clearwater, Kansas, as the maximum amount of funds to be expended by the City of Clearwater, Kansas for the budget year starting January 1, 2018; and

WHEREAS, the governing body of the City of Clearwater, Kansas has determined it to be prudent and expedient to capitalize on the capabilities of City staff to pay payrolls and claims as provided in the 2018 approved budget for the City of Clearwater, Kansas, without the need to wait on formal approval of such payrolls and claims by the governing body of the City of Clearwater, Kansas during a regular City Council meeting.

NOW, THEREFORE BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF CLEARWATER, KANSAS:

Section 1. Appropriation.

The 2018 Approved Budget of the City of Clearwater, Kansas, as adopted by the governing body of the City of Clearwater, Kansas, shall hereby constitute an appropriation of the money so budgeted, and the City Administrator of the City of Clearwater, Kansas shall be authorized to adjust all salaries, including exempt positions, and to pay payrolls and claims as provided in said Budget of the City of Clearwater; provided that all such payments made shall be deducted from the accounts so appropriated and that the total of all payments made shall not exceed the amount appropriated within said budget and that all claims and charges against each fund shall, at all times, comply with the provisions of the cash basis law of the State of Kansas.

Section 2. Regulations.

The City Administrator shall establish regulations as to the manner of payment and the periodic dates on which payroll and claims shall be paid, provided, that all employees of the City of Clearwater, Kansas shall continue to be paid biweekly and no payroll or claim shall be paid until it has been approved by the Mayor, City Administrator, City Clerk and/or the City Treasurer.

Section 3. Method of Payment.

The payment of payrolls, claims, and line item appropriations shall be by warrant check, as provided by law, and such warrant checks shall be signed by the following three people, in accordance with K.S.A. 10-803 and K.S.A. 10-805: the Mayor, or in his absence the City Council President or other City Councilmember authorized by the governing body of the City of Clearwater to act as City Council President in the absence of the City Council President, the City Clerk, and the City Treasurer. All such warrant checks issued in payment of payrolls and claims shall be delivered to the officers, employees, agents, vendors and other claimants of the City by the City Treasurer, and it shall be his/her duty to maintain a record of all warrant checks so delivered in accordance with K.S.A. 10-805.

Adopted by the City Council this ____ day of _____, 2018.

Approved by the Mayor this ____ day of _____, 2018.

BURT USSERY, MAYOR

ATTEST:

SEAL

COURTNEY MEYER, CITY CLERK

To: Mayor and City Council

From: Ron Marsh, City Administrator

Date: September 25, 2018

Re: City Administrator's Report

- Wildcat Painting has completed repainting the pool. This was at no cost to the City as the original paint job they did last year was chipping in several areas.
- Welcome to Clearwater sign is up at K-42 and 135th St.
- The Park Advisory Board met 9/20. They are working on several projects:
 - Fitness stations along the sports complex walking path
 - Park shelters
 - Tree trunk sculpture
 - Horseshoe Pits (Austin Wood memorial)
 - Pickleball Courts
 - Scoreboard for Field 1

The Board is working towards having some of these projects ready to bring to Council in November for approval.

- The Recreation Commission is continuing to work towards the potential of having a recreation center. They have been meeting with Rec Directors from towns that have a recreation center to learn how those facilities are managed through the recreation commission or board.