

City of Clearwater, Kansas
Sedgwick County
City Council Meeting - MINUTES
February 13, 2018
Clearwater City Hall – Council Chambers
129 E. Ross Avenue Clearwater, KS 67026

1. Call to Order

Mayor Burt Ussery called the meeting to order at 6:30 p.m.

2. Invocation and Flag Salute

Mayor Ussery gave the invocation which was followed by the pledge of allegiance and flag salute.

3. Roll Call

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

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

Tex Titterington and Laura Papish was absent.

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, Public Works Director.

Others present: Tina Welch, Shoshanna Moore, Capsa Reed and Katie Gives, Clearwater Public Library; Dana Benders, Clearwater Fall Festival; Kevin McCune, Samantha Dillon, Donald Schauf, Marvin and Mary Schauf.

4. 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 modified.

**Motion: *Griffin* moved, *Coon* seconded to accept the February 13, 2018 agenda as modified.
Voted and passed unanimously.**

5. Public Forum

None

Titterington enters at 6:35PM

6. Approve Consent Agenda

Minutes January 23, 2018 Council Meeting Minutes

Mayoral Appointments

John Hurley – Recreation Commission (2015-2019)

Kevin McCune – Park Advisory Board (2018 – 2021)

Samantha Dillon – Park Advisory Board (2018 – 2021) and Historical Society Board (2016 – 2020)

Request to auction old SCBA refill unit

George Bowerman and Noel Engagement Letter

Mayor Ussery called for a motion to approve the consent agenda.

Motion: *Griffin*, moved, *Titterington* seconded to approve the consent agenda as presented.

Voted and passed unanimously.

7. Staff Reports

Administration – Ron Marsh

- **Reminder: Curbside City-wide cleanup will be April 21st. All Items must be at curbside by 7:00 am.**
- **Still looking for people to serve on PAB, Library Board and Historical Society Board.**
- **The Planning Walkable Places Study (Clearwater Pedestrian Plan) RFP letting is Feb. 23rd. We will receive copies of the proposals the following week.**
- **Work shop for the strategic plan tentatively scheduled for either April 14th or May 5th.**
- **Tree carving project: The City has staked a claim to one of the tree's removed from near CMS. Staff is working on getting idea's and costs to present to the citizens for a vote to decide what and where.**
- **Bike Across Kansas is June 12-13. Riders will overnight at the high school; School organizations will use meals as fund raising efforts.**
- **SKT will be connecting City Hall & PD to fiber on 2/28.**
- **Breakfast at the Community Center is this Saturday.**

Library

- **Books and Beyond have created their logo and design for t-shirts**
- **Comic Con will be in October**
- **Teen Club (Books & Beyond) teamed up with the Senior Center to do an interactive dinner theater. Profits will be split between the two groups. The dinner theater will be May 26th.**
- **The teen club raised money to redecorate the teen section of the library.**
- **Working on the Library Policy**
- **Working on more adult programming.**
- **Writers workshop this Saturday. Short stories are being collected to create a book. If your story is published, you will receive part of the proceeds.**

Public Works – Ernie Misak

- **Working on ball diamond**
- **Getting batting cage nets up this week**
- **EBH came out and gave suggested changes to sewer ponds**
- **While installing a water meter at Chisholm Ridge a gas line was hit. City may have to pay for the repairs.**

PD – Bill Hisle

- **Hoover is doing well in the academy**
- **Staff had training on AED's that will be carried in the police vehicles.**
- **Also had training on Over dose medications as well as trauma kits.**

Emergency Service – Scott Cooper

- **Was on a call at the time of staff reports**

8. Fall Festival Update

Dana Benders stated the primary reason to be at the council meeting was to get approval of the date for use of the city parks and facilities. The Fall Festival Committee has proposed the dates of September 27 – 30th this year's festival. The theme is "Keeping Small Town Pride Alive".

Motion: Titterington moved, Palmer-Witt seconded to approve the dates for use of the City parks and facilities. Voted and passed unanimously.

9. Firefighter Relief Association Retirement

Marsh stated IAW Kansas Statute 40-1701 et seq. Firefighters Relief Act, section c(1), "In any fire department consisting of volunteer firefighters, such moneys may be used to establish an annuity for each firefighter who served for not less than 20 years with such fire department and who attended and fought not less than 75% of the fires which were attended by such fire department during such period of time and which the firefighter was available to attend, as verified by the governing body of such fire department, but such annuity shall not exceed the amount paid to fully paid members of fire departments of comparable size to such volunteer department."

The Clearwater Firefighter Relief Association is requesting Governing Body verify the following two retiring firefighters meet the above requirements to qualify for a lump sum payment:

Name	Join	Retire	2017*	2016*	2015*	2014*
Darin House	1989	2017	2.3%	1%	4%	0%
Bruce Bernsten	1994	2017	13.6%	6%	16%	8.57%

*Participation rates for all calls

There is no financial obligation to the City.

Kansas law concerning certification of certain firefighter's relief association expenditures by the city attorney. K.S.A. 40-1706 (g) requires "In all cases involving expenditures or payments in an amount of \$1,500 or more prior certification shall be obtained from an attorney designated by the governing body of the city, township, county or fire district that such expenditure or payment complies with the requirements of the firefighter's relief act." This certification occurs in the form of a letter. A copy of the letter is in your backup material and has been given to the Treasurer of the FRA.

Mayor Ussey asked Marvin Schauf, former Fire Chief, if he could verify that these two people fulfilled the requirements.

Marvin Schauf nodded, yes.

Motion: *Palmer-Witt* moved, *Coon* seconded that these two meet the requirements. Voted and passed unanimously.

10. Brush Dump Piles

In 2017 the Governing Body entered into agreement with Braik Brothers out of Missouri to grind trees and brush at the brush dump not less than twice per year. This was at no cost to the City as Braik Brothers kept the chippings to sell. To date, Braik Brothers has not done any grinding or chipping at the brush dump and have not returned our calls. The tree pile and brush piles have gotten to the point that for safety purposes they need to be reduced and burning them would not be an efficient use of resources.

Staff contacted several tree companies and after discussions with them learned that the only company in Wichita with a big enough grinder to handle the debris in our brush dump was Evergreen Recycling. We did receive a quote from Wichita Tree Service in the amount of \$20,000 to split the some of the wood and grind the two brush piles. Evergreen Recycling will grind all the wood and the brush piles leaving the chippings for the City to sell or give away.

Cost to the City would be \$6400: \$400/hour and there is approximately 16 hours of grinding time. The money can be absorbed in the Administration expenditures from Health Insurance savings and ICMA RC Contribution savings.

Marsh then stated the piles are past the point of burning because the piles are too large.

After discussion council stated that the wood chips can be given away as long as a sign is put up "free but untreated". Misak did state that it would be easier to burn the wood chips if need be.

Motion: *Palmer-Witt* moved, *Titterington* seconded to hire Evergreen Recycling not to exceed \$6400. Voted and Passed 3-1 (Griffin no).

11. Streetscape Recognition Plaque

Marsh stated, as part of the streetscape project completed in 2017, Council agreed to a plaque recognizing important contribution to the project.

Courtney has researched and found a style of plaque that will blend nicely with the brick façade of the building. It will be placed on the northeast corner of the building and is 18" x 24".

The cost of the plaque is \$1239.00 which will come from Administration discretionary funds.

Council agreed that the group who organized the project should be recognized as well on the plaque.

Motion: *Titterington* moved, *Palmer-Witt* seconded to authorize staff to spend up to \$1500 on

the recognition plaque with the added names. Voted and passed unanimously

12. Pioneer Cellular

Marsh explained, In August 2014, Pioneer Cellular proposed a renewal agreement for the tower they own on City property north of the Sewer Lagoons. The renewal agreement is for 5 years with a 3% increase. The 2014 agreement was never returned to Pioneer Cellular and they have continued to annually pay their original negotiated amount. Recently finding the agreement, staff reached out to Pioneer Cellular and they have sent an amended agreement for the remaining term of the 5-year renewal with the 3% increase.

No terms or conditions from the original signed agreement have changed. The original lease payment was \$6000.00 for the rent and an additional \$2400.00 rent for a co-locate. At the end of November 2018, the co-locate will drop off and the payment will be \$6000.00, plus \$180.00 (3%) for a total of \$6180.00 annually for the next 3 years.

Motion: *Coon* moved, *Griffin* seconded authorize the mayor to sign the contract with Pioneer Cellular. Voted and passed unanimously

13. Budget Calendar

State law requires that each year the City put together an operating budget for the following year. Timeline requirements for publication, adoption and submittal create the need for a budget planning calendar to ensure no deadlines are missed.

Budgets are due to Sedgwick County by August 25, 2018. The City of Clearwater will need to hold a public hearing and adopt the budget at the meeting prior to then, August 14th. Notice of public hearing will need to be published in the August 2nd edition of the Times-Sentinel so the Council will need to approve publication of the budget at the July 24th meeting. Departments will present to Council at the June meetings; County Clerk notifies us of our estimated assessed value by July 1st, and we propose to hold the budget workshop on Saturday June 30th at 8:00am.

There is no financial impact if the mil levy does not increase more than 1.3% of CPI (Consumer Price Index). Otherwise, there is a cost to hold a special election (see legal considerations).

If the Governing Body elects to increase the mil levy greater than 1.3% of CPI, Clearwater will have to hold a special election for the citizens to vote on whether they want the mil levy to increase. This would be held in September and is a mail-in vote. The cost to hold such an election would be approximately \$2500.

14. EMS Volunteer Pay

During the 2018 Budget process, city council asked staff to review the EMS pay rates. It was concluded the rates the city is currently paying the EMS volunteers at was not a sustainable amount.

During research staff found the rates the EMS volunteers were paying was outside the national average and has prepared, what we believe is a more sustainable rate.

CURRENT RATES

Credential	Flat Rate
Paramedic	\$95.00
AEMT	\$85.00
EMT	\$75.00
Firefighter Driver	\$50.00

PROPOSED RATES

CREDENTIALS	TRANSPORT	NON-TRANSPORT	ON CALL PAY/ HOUR
Paramedic	\$60.00	\$45.00	\$2.00
AEMT	\$50.00	\$35.00	\$2.00
EMT	\$25.00	\$10.00	\$2.00
EMR	\$20.00	\$5.00	\$2.00
Firefighter Driver	\$10.00	-	-

To keep our EMS department certificate with the State of Kansas, we must turn in a duty roster each month to show our department is covered 24/7/365. The on-call pay would be an incentive for people to sign up for available times on the required roster.

Administration attended the last EMS meeting to discuss these changes with the volunteers. After discussion tonight, if Council is comfortable with the proposed structure we will present to the volunteers at the next EMS meeting and bring to Council on March 13th for final approval.

City Council budgeted \$50,000 to go towards EMS volunteer pay. With the new structure we estimate the EMS volunteer pay out to be approximately \$47,000.

Mayor Ussery asked if Sedgwick County could be part of the duty roster since they are a responder for Clearwater.

Also, with the roster how will it work if there are people signed up for duty and others respond that are not on duty? Cooper stated the most senior person at the scene will make the call who needs to be present and who doesn't. Cooper stated all the pay and duties will be outlined in the personnel policy.

15. Sewer Pond Presentation

Marsh went through a presentation on the sewer ponds, what was the reason for the improvements, what were the improvements supposed to do, and what is the next step.

16. Claims and Warrants

Meyer stated that the claims and warrants were \$81,763.84.

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

17. Council Reports

Coon had nothing to report

Palmer-Witt had nothing to report

Titterington had nothing to report

Griffin asked about the fire alarm at the Elementary West. Cooper stated he is still waiting to hear from the alarm company.

Ussery stated that Sedgwick County was contracted regarding Karl May's inquiry on the location of the electrical on the new city lot at Tracy and Ross. Sedgwick County reported that even though the facility next door (May Chiropractic) that does not affect their ruling on the safety of the location of the electrical box. Ussery stated that May claims his insurance will increase if this is not moved and Ussery asked May to acquire a letter from his insurance company on their letterhead stating as such and then the City will review this further. May has not brought forth the letter yet.

18. Executive Session

Motion: *Titterington* moved, *Palmer-Witt* seconded to recess into executive session to discuss the acquisition of real estate to include the City Attorney and City Administrator. The open meeting will reconvene in the City Council Chambers at 9:20 PM. Voted and passed unanimously.

Mayor Ussery called the meeting back to order at 9:20 PM stating there was no action taken in executive session.

19. Adjournment

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

MOTION: *Palmer-Witt* moved, *Coon* seconded to adjourn the meeting. Voted and passed unanimously. The meeting adjourned at 9:20 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 February 13, 2018 City Council meeting.

Given under my hand and official seal of the City of Clearwater, Kansas, this 27th day of February 2018

Courtney Meyer
Courtney Meyer, City Clerk

