

**City of Clearwater, Kansas**  
**Sedgwick County**  
**City Council Meeting - MINUTES**  
**February 26, 2019**  
**Clearwater City Hall – Council Chambers**  
**129 E. Ross Avenue Clearwater, KS 67026**

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**1. Call to Order/ Invocation and Flag Salute**

Mayor Ussery called the meeting to order at 6:30 p.m. followed 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, Councilmembers; Chris Griffin, Shirley Palmer-Witt, Yvonne Coon and Tex Titterington were present.

Laura Papish was absent

The following staff members were present:

Ron Marsh, City Administrator; Courtney Meyer, City Clerk; Bill Hisle, Chief; Ernie Mlsak, Director of Public Works; Austin Parker, City Attorney.

Others present: Robert Pugh, Joneva Flowers, Shoshanna Moore, Debbie Whitcomb, Tina Welch, Capsa Reed, Jamie Tjaden, Vicki Wise, Ron Witt, Jerry Warren

**3. Approval of the Agenda**

Mayor Ussery asked if there were any modifications to the agenda. Marsh stated the library presentation needs moved before staff reports.

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

**Motion: *Coon* moved, *Palmer-Witt* seconded to accept the February 26, 2019 agenda as modified. Voted and passed unanimously.**

**4. Public Forum**

Robert Pugh with the America Legion #93 located in Clearwater informed the council that the American Legion is 100 years old this year. Robert Pugh came to ask city council and Mayor if the city would recognize the American Legion September 16, 2019 and read a proclamation.

Mayor Ussery stated the council would be more than honored to do that.

**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 01/22/19 Council Meeting

Claims and Warrants

2/6/19 - \$60,899.50

2/20/19 - \$43,373.66

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

Voted and passed unanimously.

**6. Library Year End Report**

Tina Welch updated council on the programs and events the library held in 2018

**7. Recreation Commission Update**

Jamie Tjaden gave an update on the Chisholm Trail Recreation Commission and stated the basketball season was over and they are gearing up for baseball. Also, the recreation commission is exploring the idea of a Recreation Center. They are in the very early stages and have nothing else to add except they are now starting to explore the idea.

**8. Staff Reports**

- a. Police Department – Bill Hisle - Stated they have found a candidate for an officer and will bring the request for appointment to the next meeting. He also stated the council had his report and asked if there were any questions. Council had no questions
- b. Public Works – Ernie Misak stated council had his report and asked if there were any questions. Council had no questions.

**9. Business**

**a. Jump Start CMB Sales**

Marsh explained Jump Start Stores Inc. per K.S.A. 41-301 et seq. has applied for a Cereal Malt Beverage (CMB) license as a Retail Package Store.

Marsh explained when a CMB application has been submitted, city staff gathers the required data and presents it to the Governing Body for their review. Per K.S.A. 41-2703(b) the city must verify that the qualifications of licensure have been met by businesses applying for a CMB license. The Governing Body may deny the license if the applicant does not meet the set City and State qualifications.

For the Jump Start Stores Inc. application, the Officers of the Corporation have qualified background investigations thus meeting state statute (K.S.A. 41-2703). The application also meets city municipal code 4-41 by applying for the license, and city zoning code as allowed by state statute K.S.A. 41-710; the property is zoned General Commercial District C-2 and Zoning Ordinance 835 allows for Retail Package stores in C-2.

The City receives \$75 for the initial CMB application and an annual occupation tax per City Code 4-42.

Staff recommends because the Jump Start application meets both City and State qualifications, recommend approving the CMB license application for Jump Start Stores Inc.

Griffin questioned if Marsh was telling him he had to vote yes. Marsh stated no. Council can vote however they want to but when approving the CMB licenses, the City should be considering if the applicant meets the requirements mandated by the State of Kansas. He pointed out the approval is based on the legality of the license not the morality.

With no further discussion Mayor Ussery called for a vote.

**Motion:** *Titterington* moved, *Palmer-Witt* seconded to approve the CMB License for Jump Start Store. Voted and passed with the Mayor Breaking the 2-2 tie (Griffin and Coon voted no).

**b. New Scoreboard for Baseball Field**

Marsh stated during the 2019 budget cycle the Governing Body approved \$25,000 for the purchase of a new scoreboard for Field 1 (Baseball) at the Chisholm Trail Sports Complex.

During the 2018 high school baseball season there were numerous occurrences of the scoreboard on Field 1 not operating correctly or not operating at all. While investigating the problems staff contacted Athco LLC, the manufacturer of the scoreboard, and discovered that due to the age of our scoreboard (over 20 years old) repair & replacement parts were no longer available. Additionally, the controller for the scoreboard was not working correctly and unable to be repaired. A temporary fix was found by purchasing an updated controller (used) so there would be a functioning scoreboard for the High School Baseball Regional tournament and summer ball.

The Park Advisory Board has been working with Athco LLC on the design and costs of a new scoreboard. Athco was chosen because of their familiarity with our current setup, installation, community, and their willingness to work with us to find an inexpensive solution last spring.

After looking at numerous designs and layouts, the Park Advisory Board recommends the Fair-Play BA-7136PC-2 LED baseball scoreboard (see attached picture). The cost of the scoreboard is \$25,630 plus installation costs of \$7420 for a total of \$33,050 (see attached quote). The scoreboard includes a wireless controller and will be hardwired for backup. The scoreboard is the same size (36' wide) as the current one.

In addition to the already approved budget, USD 264 has agreed to contribute \$5000 and the Recreation Commission will contribute \$3000 towards the purchase and installation of the scoreboard. Park Advisory Board members are also reaching out to several larger local businesses to secure additional funding. It has been confirmed that SKT will be donating to help with the purchase, but we don't know how much at this time.

**c. Housing Incentive Program**

Earlier this year the Governing Body discussed continuing incentives for Park Glen Estates. During the discussion it was decided to look at making the incentive program available to all new construction in the City, not limited to a specific development.

One of the incentives discussed is a property tax rebate for the city portion of property taxes. At the end of the discussion, Council requested City Staff to prepare a spreadsheet showing the costs to the City for different percentages of rebate on a typical range of houses for different time frames.

The spreadsheet will show houses ranging from \$100,000 to \$250,000; the cost of a 50% and 100% rebate; and the extended costs for a 3 year and 5-year program. The spreadsheet assumes an approximate 6% annual increase in valuation (consistent with the past several years) to provide a more realistic cost. Included on the spreadsheet is the annual cost of offering a \$1000 or \$1500 homebuyer rebate.

Mayor Ussery explained when the Chisholm Ridge lots went up for the tax sale the only people who went to the sale was himself and City Attorney Austin Parker. When the sale came up for the lots the City of Clearwater bid the minimum. It was determined by Council at that time in the best interest of the City to obtain the lots to make sure they get developed as the City was still obligated to pay for the improvements. Mayor Ussery also stated it is still in the best interest of the City to see the remainder of the Chisholm Ridge lots are developed as well as Park Glen

Estates and Indian Lakes. Mayor Ussery compiled information so he could get a better understanding of what the City has invested in the previous incentives. The summary of the findings is below:

ADDITION	YTD INCENTIVES PAD	NUMBER OF LOTS	AVERAGE ROI
Chisholm Ridge	\$50,454.75	13 Lots	2 years
Indian Lakes	\$7,455.46	2 Lots	2.5 Years
Park Glen Estates	\$69,918.66	5 Lots	7.75 Years
	\$127,828.87		

PD OUT TO BUILDER	PD OUT TO BUYER
\$81,152.16	\$32,297.62

Mayor Ussery informed council that Valley Center is doing a 100% rebate on City taxes for all new builds in the city for a set period.

Council discussed and decided they would like to concentrate on the buyers instead of the builders. Mayor asked staff to prepare 3 options for council to choose from for buyer-based incentives. He also asked council to let staff know what incentive they would like to see models of.

Council stated they would like to see a flat fee, decreasing tax rebate, and a option with either a flat fee or tax rebate.

**10. Administrators Report**

- Update on YTD water sales compared to last year:
  - 1 QTR 2017 – 23% total projected revenue      1 QTR 2018 – 26.9% total projected revenue
  - 2 QTR 2017 – 46.8% total projected revenue      2 QTR 2018 – 54.8% total projected revenue
  - 3 QTR 2017 – 75.1% total projected revenue      3 QTR 2018 – 82.4% total projected revenue
  - 4 QTR 2017 - 99.0% total projected revenue      4 QTR 2018 – 107.8% total projected revenue
- Courtney Meyer received a scholarship from CCFMOA to attend the spring conference in Manhattan March 13-15. She and Carol will be attending.
- At the last Park Advisory Board meeting members had decided to put pickle ball courts on hold. The cost to resurface the existing courts would be \$11,800 because the courts are not in good shape. There is an additional cost to convert the court(s) for pickle ball. The PAB thought the need for new shelters was a priority and is opting to save the money now to put towards the shelters in the future.
- Over the next several weeks Westar will begin the work to install underground electrical services for Chisholm Ridge Phase 3. There are 12 lots that currently do not have electricity and need the electrical services installed.

- On March 4<sup>th</sup> there is a community meeting at 6PM over EMS and at the Storm Spotter class at the Emergency Service building is the same day at 6:30PM

**11. Governing Body Comments**

Griffin had nothing to report

Titterington asked if there is call for snow and ice if Public Works could put down ice melt or sand on the intersections that have problems.

Palmer-Witt asked if any of the staff knew if the restrictions on the old Stars and Stripes building were still in place after Casey's sold the building. Marsh stated he didn't know for sure, but he had heard that some of the restrictions were lifted.

Coon asked that the drainage at 4<sup>th</sup> and Ross to be looked at. She suggested cleaning the culverts completely to help with the drainage. Also, drainage on Prospect near her house should be looked at because there are a lot of leaves that have gathered and staying in front of her property.

Mayor Ussery gave an update on the EMS situation. He said the City is talking to Sedgwick County to see if they would be willing to house an ambulance in Clearwater for their 2020 budget. Options for Council to consider will be to hire full time positions for the EMS or utilize volunteer first responders to respond to calls and give first aid until Sedgwick County ambulance to arrive, County will support whatever decision the City decides to move forward with. If the city chooses to use Sedgwick County, they are prepared to take over the following day. Mayor Ussery encouraged the council to think of any questions they want answered about EMS and to ask anybody they meet, what their questions, concerns, or opinions are. Rusty Leeds with Sedgwick County will be attending the community meeting about EMS and will be there to answer questions that are directed at Sedgwick county.

**12. Adjournment**

With no further discussion Mayor 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 8:36 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 26, 2019 City Council meeting.

Given under my hand and official seal of the City of Clearwater, Kansas, this 12<sup>th</sup> day of March 2019

  
 Courtney Meyer, City Clerk



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