

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

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**1. Call to Order**

Council President Papish called the meeting to order at 6:30 p.m.

**2. Flag Salute**

Council President Papish led 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:

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

Mayor Burt Ussery 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: Carl Fry, Kurtis Lauterbach, Breanna Fry, Kelly Jackson, Journey Schule, Olivia Seiter, Ruth Glenn, Ron Witt, Beki Zook, Sydni McBee, Molly Blasi, John Graham.

**4. Approval of the Agenda**

Council President Papish asked if there were any modifications to the agenda. Marsh stated item 14 executive session needed to be stricken.

Council President Papish called for a motion to approve the agenda as modified.

**Motion: *Coon* moved, *Palmer-Witt* seconded to accept the March 13, 2018 agenda as modified.  
Voted and passed unanimously.**

**5. Public Forum**

None

**6. Approve Consent Agenda**

Minutes February 27, 2018 Council Meeting Minutes

Mayoral Appointments

John Graham – Planning Commission 2015-2019

**Motion: *Titterington*, moved, *Coon* 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 21<sup>st</sup>. All items must be at curbside by 7:00 am.
- Still looking for people to serve on PAB, Library Board and Historical Society Board.

- **Reminder: please let me know if there is anything you would like to see done or budgeted so Staff can get costs/prices/etc. prior to the budget workshop.**
- **The selection committee for the Planning Walkable Spaces RFP met March 7<sup>th</sup> to evaluate the 2 responses received. Responses were received from Vireo and SE3; both are out of Kansas City and SE3 has a Wichita branch. The committee agreed to have both companies interview before making a final decision. The interviews will be on March 15<sup>th</sup>.**
- **Chipping at the brush dump is complete and Evergreen finished in the 16-hour window. However during the process, it was discovered we needed a loader and the City doesn't have one so I authorized an additional \$1000 for Evergreen to bring their loader. Starting today, we will post on the City website and FB page there is free, untreated wood chips available at the brush dump during normal operating hours and it is load your own.**
- **The developer interested in Chisholm Ridge Phase III has stepped away from the project due to another project he has going. Staff fields several calls per day asking when Phase III will open; when improvements will be made; etc. To keep momentum going in the development, staff has begun moving forward in the process (contacting financial advisor & bond council). We expect to start having decision documents beginning on the March 27 or April 10 agenda.**
- **Painted striped crosswalks are not required in the downtown area. We have low speeds (20 mph) and not too much traffic. The only way pedestrians are supposed to cross the street is at the intersections, however many people don't obey this rule in our downtown. As for the midblock crossing, if we do one, the county may or may not restripe it (during a brand-new mill and overlay) depending on where it is located and if it doesn't create a safety concern for them. The engineer's opinion is that we don't need "painted" crosswalks at the intersections unless the Governing Body desires them, or we are having problems with people not paying attention to pedestrians at the intersection when they are driving. Ideally you keep crosswalks at intersections because usually people pay more attention at intersections for cars and people. If a mid-block crossing is desired, then it should be painted. For the area between Lee and Tracy, we will need 4 crossings for Ross Avenue at each of the two intersections (2 per intersection).**
- **Recurring Business was left on the desk for council to review. If there are any questions, please contact me.**
- **Also, a copy The Windmill is in front of you for your review. This copy will go in the next utility bill.**

**Public Works – Ernie Misak**

- **Staff is setting a new meter at 8010 Butterfly Street.**
- **Kansas Ave between 2<sup>nd</sup> and 3<sup>rd</sup> will be closed next week for repairs in the road.**
- **2<sup>nd</sup> sample that was taken at the sewer ponds failed. EBH has sent a recirculation proposal was sent over and preliminary material costs will be \$6000. Public works will do the install.**

**PD – Bill Hlsle**

- **3 DUI arrest were made in the last 10 days**
- **Hoover is doing well at the academy and is due to graduate on March 30 at 1PM.**
- **Officer Riggs and Lieutenant Gearhardt will be attending PTSD training.**
- **Chief Hlsle will be attending training for Traumas of Law Enforcement.**
- **Sergeant Harp will be attending training on child abduction.**

**Emergency Service – Scott Cooper**

- **5 EMS calls in the last few weeks. 3 Transports and 2 Refusals**
- **4 Fire calls**
- **On March 5 there were 16 people who attended the annual Severe Weather training at the Senior & Community Center.**
- **Chief Cooper attended Good Shepard preschool for a Read-a-Thon and had truck demo.**
- **Chief Cooper will be attending the Career Resource Management Training this week.**

**8. Victory Pyrotechnics**

**Marsh explained that Cody Hanna, a Clearwater High School graduate, founded his company Victory Pyrotechnics while a student in the Youth Entrepreneurs class at CHS. He has been staging fireworks displays for several years and has teamed up with a light show expert and laser expert to produce musically themed fireworks laser light shows. Cody reached out to staff earlier this year about producing the Clearwater 4<sup>th</sup> of July fireworks show.**

After a demonstration of the company's capabilities, staff wanted to bring the concept to Council for their input. The laser and light part of the show would use the football stadium while the fireworks would be launched from city property northeast of the stadium. If Council agreed to move forward, Cody would present to the School Board in April for their approval to use the stadium.

The city has budgeted \$5000.00 for the fireworks show this year. Victory Pyrotechnics will work within our budget.

Cody is licensed to handle the commercial grade of fireworks consistent with our show; carries \$1,000,000 of insurance; the laser and light personnel are also licensed to handle their respective equipment.

Marsh stated that Victory Pyrotechnics is offering a 15-20-minute show to include laser display, intelligent fixtures, RGB Pixel Net & wash lights, and flame projectors all within the city's budget of \$5000

The proposed shoot site will be, for the laser and light show, at the school football stadium and for the fireworks display, the open field Northeast of the stadium. Marsh explained if council approves to move forward with this company the next step would be to go to the school board and ask their permission for use of the stadium and their land for the show. If the school board does not approve, Victory would do a standard firework show in the designated field it has been on in the past.

**Motion:** *Coon* moved, *Palmer-Witt* seconded to move forward with Victory Pyrotechnics as long as their ATF 1.4G certification is approved. Voted and passed unanimously.

#### **9. Nuisance Abatement Resolution 8-2018**

The property located at 211 S. Lee has a history of nuisances dating back to at least 2012. Nuisance abatement letters were sent on 11/27/17 and 1/22/18 to the property owner, Dale Blubaugh, who resides in Mulvane. Mr. Blubaugh contacted staff in January stating he would take care of the problem but has never followed through. A final letter of abatement was sent certified mail on 2/28/18.

Before any formal action can be taken, the Governing Body needs to approve Resolution 8-2018 issuing a formal order for removal and abatement on said property if the nuisance is not removed within 10 days of the date of the resolution. At that time the City will contract to have the nuisance removed.

The City will front the cost of abatement and bill the property owner upon completion. If the property does not pay within 30 days, the City will add the cost of abatement to the property owners tax bill, IAW K.S.A. 12-1, 115 and Clearwater Code 6.23.090.

Counsel has reviewed and approved the documents.

Marsh stated, since the last letter was sent out the owner has been in contact with Marsh and Marsh has confirmed the owner is making progress on this property.

By moving forward with the resolution this will allow the City Administrator to abate the property if the home owner does not continue to make progress on the property and remove all the violations.

**Motion:** *Palmer-Witt* moved, *Titterington* seconded to adopt Resolution 8-2018 abating the property at 211 S Lee. Voted and Passed unanimously.

#### **10. Summer Baseball MOU**

The Clearwater Outlaws are a summer Collegiate Baseball team that plays in the Kansas College Baseball summer league. The Outlaws began in 2017 under the direction of Scot Palmer, a Clearwater native and had a successful first year. A meeting was held with Scot Palmer, Clearwater Indians; Beki Zook, Parks & Recreation Director and Ron Marsh, City Administrator to discuss and outline various duties and responsibilities.

The MOU covers all the basics pertaining to an agreement between two parties and it focuses on 3 areas: Field Maintenance, Scheduling and Concessions. The parties involved have reviewed and agreed to the provisions of the MOU.

The City waives all fees associated with field usage.

Marsh mentioned there were some minor changes to the MOU since it went out in the packet. The changes consist of cleaning up the language on the scheduling. The way it was worded indicated the city could make changes after the schedules were set and the other change was the contract cancellation time was changed to December 1<sup>st</sup> of the year prior instead of 30 days prior to the season.

**Motion: Griffin moved, Titterington seconded to authorize the Mayor to sign the Memorandum of Understanding for the Summer Baseball. Voted and passed unanimously.**

**11. Chisholm Ridge Discussion**

Marsh stated, during heavy rains in 2016, the City received complaints of flooding at two addresses in Chisholm Ridge. Drainage for Chisholm Ridge is in to the two ponds south of the development, which then drain under 103<sup>rd</sup> St. through the Chisholm Trail Sports Complex to the south of town. Initially it was thought the flooding was caused by poor drainage flow through the Sports Complex which kept the ponds from draining adequately and constructing a drainage ditch through the complex would address the problem.

After meeting with the Certified Engineering Design, the City Engineer, it was decided to have CED complete a drainage study to ensure we were addressing the problem. The drainage study has been completed and the determination was as follows:

The berm that ran along the north and East side of the addition has been broke allowing 4 times more water to run into the storm water drainage system than was intended. By reconstructing the berm this will divert the water South where it was designed to go. Also, to construct a detention pond North of the addition was help alleviate run off into the addition.

Marsh said the City would have to obtain an easement from the property owner, Clearwater Cemetery District, to construct the berm and detention pond. He stated the city will be looking into financing these fixed with the Chisholm Ridge Phase 3 project.

**12. Claims and Warrants**

Meyer stated that the claims and warrants were \$60,712.49. Meyer stated that this check run consists of direct expenses.

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

**13. Council Reports**

Griffin had nothing to report

Titterington asked about the Welcome signs the Chamber was to be bringing to the Council. Papish reported the Chamber will be bringing the information to the council soon.

Palmer-Witt said she was asked to bring up the council to speak up or wear their microphone. There are time they can't be heard.

Coon asked that 116 S. Gorin be looked at for yard cleanup.

Papish had nothing to report

**14. Adjournment**

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

**MOTION: Coon moved, Palmer-Witt seconded to adjourn the meeting. Voted and passed unanimously. The meeting adjourned at 7:33 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 March 13, 2018 City Council meeting.

Given under my hand and official seal of the City of Clearwater, Kansas, this 27<sup>th</sup> day of March 2018

*Courtney Meyer*  
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Courtney Meyer, City Clerk



