

City of Clearwater, Kansas
Sedgwick County
City Council Meeting - **MINUTES**
April 9, 2019
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 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; Laura Papish, Shirley Palmer-Witt, Yvonne Coon and Tex Titterington were present.

Chris Griffin was absent

The following staff members were present:

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

Others present: Zane Graham, McKenzie Graves, Lynae Rhoadarmer, Arin Pitcher, Rece Walker, Mason McCray

3. Approval of the Agenda

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

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

Motion: *Papish* moved, ***Palmer-Witt*** seconded to accept the 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 3/26/19 Council Meeting
Claims and Warrants
4/03/19 = \$31,317.52

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

6. Staff Reports

- a. Police Department – Bill Hisle – Chief Hisle stated Jo Johnson will be on vacation the remainder of the week and asked if council had any questions about his report. No questions
- b. Public Works – Ernie Misak – Misak stated waste water will be sampled tomorrow and if it passes then they will begin discharging. There has been some issues with the electric for the scoreboard

that they are working through and Cole Hollis passed the Water 3 testing. It is required by the state to have at least one operator with their water 3 certification since Clearwater is a Class 3 operation, according to the state.

- c. Fire/ EMS – Ron Marsh – Marsh reported there were 5 fire calls since last meeting. 2 were a control burn. The Kansas State Firefighter meeting will be held in Clearwater on May 18th and 19th. There were 7 EMS calls since last meeting. 1 was no response from Clearwater and 1 was a transfer.

7. Business

a. Consider RFB's for Police Utility Vehicle

In 2018 one of the police vehicles was involved in an accident that our insurance company ultimately determined to be a total loss. The value received for the vehicle was \$14,507.50.

Earlier this year RFB's were sent to five (5) vendors soliciting bids for a Police Utility Vehicle to replace the totaled vehicle. The vendors were: Rusty Eck Ford, Mel Hambleton Ford, Davis-Moore, Don Hattan, Traffic Control Services Kansas.

Two bids were received, Rusty Eck Ford in the amount of \$33,506.00 and TCS Kansas in the amount of \$36,552.25. The TCS Kansas bid was for a Chevy Tahoe with delivery in 90 days. The Rusty Eck bid was for a Ford Explorer with delivery in 5-6 months.

After reviewing the bids with Chief Hisle, since the Police department is short 1/3 of its full staffing, waiting the extra 2-3 months for the Ford Explorer would not be a hinderance to the department. This would give the department time to get the open positions filled and having the new vehicle will be more critical.

The \$14,507.50 from the insurance company will be applied to the price of the vehicle. The rest will be financed as our other vehicles are done.

Staff recommends accepting the bid from Rusty Eck Ford in the amount of \$33,506.00 for a Police Utility Vehicle.

Council questions Chief Hisle on SUV vs a car and Chief Hisle answered that the officers have a lot of equipment that is to be carried in the vehicles and the SUV is more conducive to holding the equipment and also the SUV has more room for the officers. Hisle also stated the Explorer has been getting good mileage over the other vehicle they have had. It is averaging 15 MPG.

Hisle informed council that there will be an additional charge of \$4-5,000 to outfit the vehicle which is budgeted for 2019.

Council asked staff to review the budget and see if this is an item that will need to be pushed to 2020 due to the unbudgeted EMS change this year.

b. 2020 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, 2019. The City of Clearwater will need to hold a public hearing and adopt the budget at the meeting prior to then, August 13th. Notice of public hearing will need to be published in the August 1st edition of the Times-Sentinel so the Council will need to approve publication of the budget at the July 23rd meeting. County Clerk notifies us of our estimated assessed value by July 1st, and we will hold a budget workshop on Saturday, June 29th.

In past years department heads would present their budgets to the Governing Body during a couple of regularly scheduled Council meetings. This would lead to long, drawn out meetings with Council

members being overloaded & overwhelmed with a lot of information in a short period of time. I would like to try a different approach this year. I would like to have department heads present their budgets to the City Administrator over 3-4 afternoons during the week (May 13 – June 7). A schedule will be published with the date, time and department presenting. All Council members will be asked to attend in order to hear firsthand and ask questions. These will be advertised as special meeting with an agenda of strictly department budget presentations. Once all departments have presented in this fashion, the City Administrator will present a rollup (overview) of the entire budget to Council during the June 11th or 25th regular meeting.

I believe this will allow Council members more time to absorb the budget information being presented; it won't tie up regular meetings; Council have two chances to hear and review each budget prior to the budget workshop and will have more opportunities to ask questions and give staff more opportunity to follow up; and I believe a more lowkey setting will allow for better discussion.

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. Of note, if the increase of >1.3% is for Emergency Services i.e. fire, EMS, LE then no special election is necessary.

Marsh stated he thinks this will be an easier way to absorb the budget by department for the council so they will have more time to look at each department individually instead of multiple in one council meeting. The budget presentations will be published as an open meeting for anyone to attend but they will be held during office hours

Council mentioned that June 22nd would be a better workshop date than the 29th also they asked that staff bring back to the next meeting a calendar of when the staff budget presentations would be so council will have an opportunity to make arrangements if they want to attend.

c. Resolution 05-2019 Releasing LOC for Park Glen Estates

In the Developer Agreement for Park Glen Estates signed in July 2015, one of the requirements was that the developer provide an irrevocable letter of credit for 35% of the petitioned cost of improvements. Said irrevocable letter of credit may be removed by the City when occupancy certificates are issued for homes constructed upon 35% of lots subject to said petition.

The irrevocable letter of credit was for the petitioned improvement in phase I of Park Glen Estates. Phase I consists of 11 lots. To date the City has received the certificate of occupancy for 5 homes with a sixth under construction. Five certificates of occupancy equate to 45% of the total lots subject to petition.

The City Attorney has drafted a resolution releasing the irrevocable letter of credit.

With no discussion Mayor Ussery asked for a motion to adopt resolution 5-2019

Motion: *Papish* moved; *Coon* seconded to adopt Resolution 5-2019. Voted and passed unanimously.

d. Resolution 6-2019 Authorizing the Sale of Land in the Business Park

With the sale closing of the business park the title company is requesting a council to adopt a resolution that authorizes the sale and to name the person who has authorization to sign at the closing. City Attorney Austin Parker created the resolution which authorizes the sale and name Mayor Burt Ussery as the authorizing party to sign.

Council stated there was no mention of the ingress egress in the closing documents which needs to be mentioned in accordance with the sale documents. Also, it was asked who was to pay for the survey and Marsh stated Lauer was paying for the survey

With no further discussion Mayor Ussery asked for a motion to adopt resolution 6-2019

Motion: *Coon* moved; *Palmer-Witt* seconded to adopt Resolution 6-2019. Voted and passed unanimously.

Motion: *Titterington* moved, *Palmer-Witt* seconded to accept the ingress & egress easement in accordance with the sale agreement at the closing. Voted and passed unanimously.

e. Resolution 7-2019 Amending the Pool Employee Pay Plan

Marsh explained to council the pay rates for the pool were adopted in December of 2018 for the 2019 year. As staff is discovering it is becoming challenging retaining guards year over year and enticing new guards due to the hourly wages. Staff is asking to increase the lifeguard hourly rates by \$.50 and to add the position of assistant pool manager with an hourly rate of \$10.00. All proposed rate changes are within budget for 2019.

With no discussion Mayor Ussery asked for a motion to adopt resolution 7-2019

Motion: *Papish* moved, *Coon* seconded to adopt Resolution 7-2019. Voted and passed unanimously.

8. Administrators Report

- City-wide cleanup is this Saturday, April 13th. It is curbside and all items need to be placed at the curb no later than 7:00am on the 13th.
- APAC finished the street improvements for Chisholm Ridge Phase 3 and we had a final walk through last Thursday with the Contractor and Engineer.
- Candidate filing deadline for Council and Mayor is June 3, 2019 at noon. 3 openings – 2 council positions and mayor. Register at Sedgwick County Election Office in the historic courthouse.
- We will be advertising for WSI (Water Safety Instructor) certified individuals to teach swim lessons this summer. We have not received enough applicants to meet the expected sign up. We will utilize Channel 2, social media and the newspaper.
- Park Advisory Board update:
 - Scoreboard for baseball field is scheduled to ship April 19th. Athco will be coordinating installation.
 - Horseshoe pits are finished. Big thank you to the Public Works crew for building them. We will be coordinating with the family for a dedication sometime in May.
 - Park benches made from the tree removed from the middle school are also complete. Working on getting pads poured to install them.
 - Lions Club would like to build a press box at both the baseball field and softball field (fields 1 & 2). PAB is working with both the Lions Club and school district.
 - Agreed to an increase in spending for the fireworks show. The increase could be offset by additional firework sales permit fees the City receives.
 - Continuing to work on designs and preliminary costs for replacement of the park shelters.
- Tentatively plan to have a workshop on the 5th Tuesday in April (April 30th)

9. Governing Body Comments

Titterington had nothing to report

Palmer-Witt has nothing to report

Papish asked staff to talk with Chamber of Commerce about the highway signs and welcome rock and considering working in cost of maintenance for 2020

Coon had nothing to report

Mayor Ussery had nothing to report.

10. Executive Session: S.S.A. 75-4319(b) #1 To discuss Personnel Matters of Nonelected Personnel

Motion: Palmer-Witt moved, **Titterington** seconded to recess into executive session pursuant to non-elected personnel to discuss specific personnel matters, to include the City Administrator and the Chief of Police. The City Council will reconvene the open meeting in the City Council Chamber at 7:20 p.m. Voted and passed unanimously.

Mayor Ussery called the meeting back to order at 7:20pm stating there was no action taken in executive session

Mayor Ussery stated he would like to present the following people for appointment

- William Brian Daily – Police Officer - \$17/hr
- Kalib Luckner – Public Works Seasonal - \$10/hr
- Devon Stwalley – Firefighter/ EMT - \$13/hr
- Baily Mathews – Firefighter/ Paramedic - \$14/hr
- Evan Eisenman – Firefighter/ EMT - \$11/hr

Motion: Coon moved; **Palmer-Witt** seconded to appoint the new people at the rate listed. Voted and passed unanimously.

Mayor Ussery stated he has chosen not to pursue re-election for Mayor. He said the decision did not come easily and did not want to wait until ballots were out to reveal that he was not running.

11. 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 7:40 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 April 9, 2019 City Council meeting.

Given under my hand and official seal of the City of Clearwater, Kansas, this 23rd day of April 2019

Courtney Meyer, City Clerk