

**City of Clearwater, Kansas**  
Sedgwick County  
City Council Meeting - **MINUTES**  
April 10, 2018  
Clearwater City Hall – Council Chambers  
129 E. Ross Avenue Clearwater, KS 67026

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**1. Call to Order**

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

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

Chris Griffin 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; Kristi Rey, Senior Center Director.

Others present: Mike Martin, Shaun Weaver, Heather Westerhaus, Ruth Glenn, Chuck Reitberger, Cassidy Terrell, Larry Kleeman, Emily Colquette.

**4. Approval of the Agenda**

Mayor Ussery asked if there were any modifications to the agenda. Marsh stated 2 more executive sessions needed to be added.

Chris Griffin enters at 6:31pm

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

**Motion: *Papish* moved, *Coon* seconded to accept the April 10, 2018 agenda as modified. Voted and passed unanimously.**

**5. Public Forum**

None

**6. Approve Consent Agenda**

Minutes March 27, 2018 Council Meeting Minutes

Mayoral Appointments

Trevor Carney – Firefighter

John Vanklel – Firefighter

Andrew Rakes – Cadet

Luke Davls - Cadet

City Park Concession Agreement

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

and passed unanimously.

## **7. Claims and Warrants**

Meyer stated that the claims and warrants were \$45,200.45.

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

## **8. Staff Reports**

Senior & Community Center – Kristi Rey

- The Center and Library are doing a joint fundraiser on May 26<sup>th</sup>. The fundraiser is a Murder Mystery show and dinner.
  - Dinner was donated by Texas Roadhouse and Olive Garden. Dessert donated by Village Inn
  - Price will be \$15/ Adult and \$8/ child
  - The fundraiser is helping to raise money for new chairs at the Center and books for Teens
- Cook booking is going on. Still need more recipes.
- Putting together a mother/daughter tea party that will take place May 2<sup>nd</sup>.

Public Works – Ernie Misak

- Public works is still working on the ditch on Kansas between 2<sup>nd</sup> and 3<sup>rd</sup>.
- Modifying the sewer lagoons to what EBH has directed to help pass testing set by KDHE.

PD – Bill Hisle

- Hoover graduated on the 30<sup>th</sup>. He did very well at the academy with all positive reviews
- Reported there are car burglaries still happening and wants to stress that people need to lock their car doors.
- Will order 3 new patrol rifles through the equipment reserve. These will be replacing the antiquated models currently in use.

Emergency Service – Scott Cooper

- 1 Fire call – Motor vehicle accident
- 10 EMS Calls – 6 transports, 2 refusals, 2 other
- Will be attending Trucks On Clearwater Monday
- Hose testing will happen this month and fire hydrant testing next month
- Brush truck bids are due Friday
- Burn ban still in effect until May 1<sup>st</sup>
- Will be attending the FDIC conference April 24 – 29
- Wrapping up final touches on EOC

Mayor Ussery asked Ron to put a date on when that will be completed

## **9. Business**

### **a. Consider Extending the Sale of Fireworks for the Fourth of July**

Marsh stated Section 14-46 of the City Code allows for the sale and discharge of fireworks in the City of Clearwater from July 1 – 4 each year.

The Government class firework sales are the most profitable fundraiser for the annual Washington, DC Senior trip. July 4<sup>th</sup> is on a Wednesday this year putting the 1<sup>st</sup> on a Sunday. Two of the busiest selling days for fireworks are traditionally the Friday & Saturday before the holiday and the Government Class would miss out on the opportunity to sell on those days. Chuck Reitberger, DC Trip Sponsor, is present to ask the Council to consider extending the sale days.

Staff is asking council to consider amending the sale and discharge of fireworks to include June 29<sup>th</sup> and 30<sup>th</sup> 2018. Marsh said the State Fire Marshal states the sales and discharge of fireworks can start on June 27 through July 5.

Chuck Reitberger stated the concern he has is for the kids not to be able to take advantage of sales over the weekend as he believes families will be out buying fireworks at other locations

over the weekend if Clearwater is not allowed to even open the stand until Sunday July 1. He stated he is not asking to change the discharge rules just the sale of the fireworks.

Staff stated that the assumption is that there might be a lot of 4<sup>th</sup> of July parties over the weekend since the holiday falls on a Wednesday. If sales aren't going allowed in town until the 1<sup>st</sup> then the DC Trip kids will miss out on the opportunity to raise money for their trip.

Council discussed and tried to recall the reasons for limiting the discharge and sales of fireworks to July 1 through 4. What some of the members remembered was there were a lot of complaints about the discharge for several nights in a row and animals upset from the loud noises. That is why council, in 2014, adjusted the rules.

Council agreed that the sale of fireworks wouldn't be the problem. Some council saw that extending the discharge would cause problems, while others thought that extending the discharge by 1 day shouldn't be an issue.

Council agreed to allow the sale of fireworks to be extended to June 29 and June 30, 2018 but the discharge will not change until staff can bring back to council the discussions on why the rules were changed in the first place for their review.

**Motion:** *Griffin* moved, *Titterington* seconded to extend the sale of fireworks for 2018 to June 29<sup>th</sup> and June 30<sup>th</sup>. Voted and passed 4-1 (Coon).

**b. Consider Chamber of Commerce Sign Proposal**

Clearwater Chamber of Commerce informed council last year that they were working on putting together pricing for signs located on Highway 81 and K42.

The Chamber reached out to NuLine signs to work with them on coming up with signs that will be able to work with the existing poles. Shaun Weaver will be on hand to give the proposal for a shared cost between the City and the Chamber.

Shaun Weaver stated the Chamber has selected signs to replace the highway directional signs for Clearwater. The total cost for both signs is \$10,710. Shaun stated the Chamber currently has a lease for the K42 sign, which is \$300/year, and no lease for the Highway 81 signs. Chamber has asked both property owners for an extended lease, but neither were interested. Shaun pointed out the Chamber has already put \$3000 to move the sign on K42 several years ago because the owner did not want a certain tree taken down that was blocking the sign.

Shaun stated the Chamber is asking the City to pay for both signs, however the Chamber would be willing to loan half of the money to the City this year but would expect payment next year.

Council asked Shaun to clarify that the Chamber would not have any investment in the new signs and that City would be paying for 100% of them.

Shaun said yes.

Council asked how long the quote was good for and it was stated 60 days.

Staff explained that there is \$16,000 in discretionary funds that could pay for the signs however there is only \$16,000 in discretionary and it is only April. Once the money is spent for the year it is spent. If there were other items to come up later in the funds for those items would be limited.

Council did not approve the expenditure but asked staff to ask for assistance through the Clearwater Foundation to help fund the sign and come back to the next meeting with that information.

**c. Consider a Resolution Authorizing Chisholm Ridge Phase 3**

As part of the process for installing infrastructure in support of Chisholm Ridge Phase 3, the Governing Body did accept and approve petitions for improvements.

The resolution authorizes the improvements requested and establishes the method of which

those improvements would be paid for as well as cost. The improvements will include Street Improvements at \$469,627, Water Improvements at \$154,810, Sanitary Sewer Improvements at \$95,331 and \$50,231 in Drainage Improvements.

The City at Large will be responsible for levying enough taxes to pay for the drainage improvement costs of the temporary notes. All other improvements will go through the special assessment process. The City will have 3 years to sell the city owned lots prior to final financing where the payments for special assessments will start.

The Resolution and supporting documents have been crafted by Bond Counsel Kevin Cowan and he will be available for comment as necessary.

**Motion:** *Titterington* moved, *Coon* seconded to adopt Resolution 9-2018 authorizing the Chisholm Ridge Phase 3 project. Voted and passed unanimously.

**d. Consider a Resolution Calling for Temporary Note Sale**

Marsh explained this resolution is the next step in the process and would allow the be taking the project cost and going out to bid for the sale of temporary notes.

The Resolution and supporting documents have been crafted by Bond Counsel Kevin Cowan and he will be available for comment as necessary.

**Motion:** *Palmer-Witt* moved, *Titterington* seconded to adopt Resolution 10-2018 calling for the Temporary Note Sale. Voted and passed unanimously.

**10. City Administrators Report**

- **Reminder:** Curbside City-wide cleanup will be April 21<sup>st</sup>. All items must be at curbside by 7:00 am.
- The fire that burned much of the vegetation at the welcome rock north of town was caused by a faulty transformer. We have contacted Westar to see about filing a claim to help pay for the cost of replacing what was lost.
- The new plaque for the streetscape project is up on the east side of the building.
- The front office remodel continues. This was a budgeted item for 2018 and will improve customer service and help make City Hall more customer friendly. Work should be completed by the end of next week.
- Bike Across Kansas will be in Clearwater June 12-13. They will stay at the high school the night of the 12<sup>th</sup>. School groups will be serving lunch and dinner and the Lions Club will be serving breakfast, all as fundraisers. If you want to get involved in any way, let me know.
- Annual audit begins tomorrow, April 11<sup>th</sup>.
- Courtney and I will be at a grant writing workshop, specifically Community Development Block Grants, next Tuesday in Newton.

**11. Governing Body Comments**

Griffin had nothing to report

Titterington will be absent next meeting

Palmer-Witt asked if there is anything being done about 150 N Gorin. Marsh stated yes.

Papish will be absent next meeting. Also, the outlet at open lot did not work for food truck during the Art Walk. There is a chunk of concrete at Tracy and Kansas that needs picked up. She also asked if there will be hydrant contest this year and staff said yes.

Coon had nothing to report

Ussery stated the high school graduation will be on May 6 at 2pm

## **12. Executive Sessions**

Mayor Ussery called for a motion to recess into executive session pursuant to the financial affairs or trade secrets of a second party to include the City Administrator and the City Attorney. The open meeting will reconvene in the City Council Chamber at 8:15 p.m.

**Motion: *Palmer-Witt* moved, *Coon* seconded to recess into executive session pursuant to financial affairs. Voted and passed unanimously.**

Mayor Ussery called the meeting back to order at 8:15 and stated there was no action taken during executive session.

Mayor Ussery called for a motion to recess into executive session pursuant to non-elected personnel to discuss specific personnel matters, to include the City Administrator and the City Attorney. The City Council will reconvene the open meeting in the City Council Chamber at 8:30 p.m.

**Motion: *Palmer-Witt* moved, *Papish* seconded to recess into executive session pursuant to non-elected personnel. Voted and passed unanimously.**

**Motion: *Griffin* moved, *Palmer-Witt* seconded to give the Police Chief 3 weeks of vacation per year instead of the standard 2 weeks. Voted and passed unanimously.**

Mayor Ussery called the meeting back to order at 8:30 and stated there was no action taken during executive session.

Mayor Ussery called for a motion to recess into executive session pursuant to non-elected personnel to discuss specific personnel matters, to include the City Administrator and the City Attorney. The City Council will reconvene the open meeting in the City Council Chamber not before 9:00 p.m.

**Motion: *Palmer-Witt* moved, *Titterington* seconded to recess into executive session pursuant to non-elected personnel. Voted and passed unanimously.**

Mayor Ussery called the meeting back to order at 9:32 and stated there was no action taken during executive session.

## **13. 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 9:33 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 April 10, 2018 City Council meeting.

Given under my hand and official seal of the City of Clearwater, Kansas, this 24<sup>th</sup> day of April 2018

  
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Courtney Meyer, City Clerk