

**City of Clearwater, Kansas**  
Sedgwick County  
City Council Meeting - **MINUTES**  
April 23, 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, Chris Griffin, Yvonne Coon and Tex Titterington were present.

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: Esther Harp, Brandy Keesling, Didrik Ytrehus.

**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 04/09/19 Council Meeting

Claims and Warrants

4/17/19 = \$69,770.36

Emergency Service Appointment – Donald Schauf Volunteer Paramedic/ Firefighter

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

**INSERT**

Mayor Ussery recognized Esther Harp for her phenomenal dedication she made to the city during her volunteering as a firefighter and an Advanced EMT. Mayor Ussery presented her with a plaque that also included her firefighter helmet badge and her firefighter name patch.

**6. Staff Reports**

- a. Police Department – Bill Hisle – Ask if there were any questions regarding his police report? Council noted the have been the same address locations showing up in numerous reports. How does the police handle those? Hisle answered they are handled on a case by case basis dependent on what the calls are for. Chief Hisle also introduced the two new officers. Austin Little was a former Marine who also worked at Spirit. He is coming along very well and will be attending the Academy in August. Brian Daily has an extensive history. He was a law enforcement trainer in Afghanistan and has worked for other Kansas law enforcement departments. He already certified. Chief Hisle also pointed out that a seat belt check was done at the school and out of 150 cars all the students had their seat belts on. Officer Harp had a part in that and is very proud of his efforts.
- b. Public Works – Ernie Misak – Misak stated that we are discharging now out of the sewer ponds and we have not sampled yet this month. There is an issue with bugs in the water and public works staff is monitoring that daily.
- c. Fire/ EMS – Ron Marsh – Marsh reported there were 17 EMS calls in last meeting, 5 were handled as first responders on the fire side, 3 where nobody responded except Sedgwick County. There have also been 3 fire calls since meeting. Our ground ambulance permit was renewed from April 2019 to April 2020.

**7. Business**

**a. Update: EMS Budget Increase**

Council opted to hire 3 full time EMS personnel plus 1 full time director for Fire and EMS. Council elected to hire full time personnel in order to try and keep EMS service local as well as keep our ground ambulance license with the State of Kansas. The 3 full time EMS personnel is an unbudgeted expense for 2019. Council asked staff to present ideas on how the budget will be rearranged in order to accommodate the changes.

3 full time EMS personnel with a Director will be an annual increase of approximately \$189,000 to the budget which will bring the total annual expense for EMS to approximately \$390,000. Because the new personnel are starting in the 2<sup>nd</sup> quarter the budget impact for 2019 will be approximately \$118,000.

Staff has reviewed the budget and has found items to defer to 2020 in order to accommodate the budget changes. The changes are as follows:

| <b>Account</b>                         | <b>Budgeted</b> | <b>Use for EMS<br/>Budget Change</b> | <b>Left for Budget</b> |
|--|-----------------|--------------------------------------|------------------------|
| Admin Discretionary                    | \$10,000.00     | \$ 3,000.00                          | \$7,000.00             |
| Admin City Hall Control Access         | \$ 3,000.00     | \$ 3,000.00                          | \$ -                   |
| Admin City Hall Office<br>Improvements | \$ 3,000.00     | \$ 3,000.00                          | \$ -                   |
| Admin PGE Incentives                   | \$25,000.00     | \$ 10,000.00                         | \$15,000.00            |
| Admin Abatements                       | \$15,000.00     | \$ 10,000.00                         | \$ 5,000.00            |
| PD Control Access                      | \$5,000.00      | \$5,000.00                           | \$ -                   |
| PD New Vehicle Payment                 | \$11,000.00     | \$8,000.00                           | \$3,000.00             |
| PD Equip New Vehicle                   | \$8,000.00      | \$3,000.00                           | \$5,000.00             |
| PW Garage Door Openers                 | \$2,000.00      | \$2,000.00                           | \$ -                   |
| EMS Target Solutions Removed           | \$2,750.00      | \$2,750.00                           | \$ -                   |
| EMS Medical Billing                    | \$15,000.00     | \$8,000.00                           | \$7,000.00             |
| Fire SG County Fire Agreement          | \$10,000.00     | \$10,000.00                          | \$ -                   |
| Fire Replace SCBA's                    | \$30,000.00     | \$10,000.00                          | \$20,000.00            |

|                               |              |                     |              |
|-------------------------------|--------------|---------------------|--------------|
| Fire Target Solutions Removed | \$2,750.00   | \$2,750.00          | \$ -         |
| PK Park/ Facility Director    | \$40,000.00  | \$20,000.00         | \$20,000.00  |
| Admin Reserve                 | \$418,000.00 | \$17,500.00         | \$400,500.00 |
| <b>TOTAL</b>                  |              | <b>\$118,000.00</b> |              |

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oCouncil did not have any questions or comments.

**b. Consider RFB's for Police Utility Vehicle**

At the April 9, 2019 meeting Council was presented with RFB's for the Police Utility Vehicle. Due to the increase in the EMS budget for 2019, Council directed staff to review the cuts necessary to meet the EMS budget and ensure purchase of the police vehicle was still fiscally possible.

As was presented in the previous agenda item, cuts to the 2019 budget have been identified in order to meet the EMS budget. The 2019 budget has \$11,000 budgeted for a new police vehicle payment and this is not was not identified as a cut.

Due to when the vehicle would be delivered, Staff expects to spend approximately \$1700 in payments for 2019. Well within the budgeted amount. The cost of outfitting the vehicle (lights, graphics, etc.) is also budgeted in 2019 as a separate item and has been adjusted to reflect expected cost.

As a reminder: 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.

The \$14,507.50 from the insurance company will be applied to the price of the vehicle. The City will finance approximately \$19,000 over 3 years.

Monthly payments on the lease purchase will be approximately \$550.00 per month based on today's rates. Payments will possibly start in 4<sup>th</sup> quarter which would be a \$1650 commitment for 2019.

Legal can review and comment as necessary. Staff recommends accepting the bid from Rusty Eck Ford in the amount of \$33,506.00 for a Police Utility Vehicle.

**Motion: Palmer-Witt** moved; **Titterington** seconded to award the bid to Rusty Eck Ford for \$33,506. Voted and passed unanimously.

**c. Consider PAB Recommendation to increase Fireworks Show Budget**

After the success of the 2018 Fireworks show by Victory Pyrotechnics, Staff was aware the City would need to increase its budget in 2019 in order to have a similar show and meet the expectations of the Public.

In past years the fireworks budget has been \$5000 and is run through the Special Parks Fund. The permit fee for fireworks sales is \$5000 and the City receives at least one per year which covers the cost of the fireworks show. Since the Park Advisory Board recommends spending from the Special Parks Fund, in order to meet the cost to maintain the show quality, the Board recommends the Governing Body approve an increase of \$10,000 (total \$15,000) for the fireworks show.

The additional \$10,000 will come from the Special Parks Fund. The Park Advisory Board does not anticipate spending the entire 2019 Special Parks fund and believes maintaining the level of fireworks

show is important. Any other fireworks sales permits sold will help offset the increased cost.

Council asked if there was any community support to fund the show? Is the money that is being raised for the concert going towards paying for the firework show? Did staff know the expense of the firework show before the Celebrate Clearwater was established? Marsh answered that staff has not asked for support from other organizations for the firework show at this time. The concert tickets prices are to cover the cost of the concert only and yes staff was aware of the price increase on the fireworks display. Marsh said it was his fault for not coming to the Council before now.

Titterington, who is on the Celebrate Clearwater committee, said the group needs to sell around 2000 tickets to break even with the concert. They will be seeking donations to help pay for the free activities for families that will be outside the stadium. He clarified that the stadium will open the gates as soon as the concert is over to allow others to enter the stadium to watch the firework show. However, the people who purchased concert tickets will most likely have better seats since they will already be in the stadium.

Council was not comfortable with the program to buy concert tickets in order to get a better seat to the fireworks show when the City fireworks show has always been a free event for citizens. Some council members felt they were being cornered with approving extra expense for a show that was already in motion also spending \$15,000 on fireworks that will be expended in a matter of minutes. Also, the space available will be limited for people who didn't buy concert tickets to watch the free City firework show.

Marsh stated extra bleachers will be brought in to help with space.

Council did agree that the idea of the fourth of July festivities is a great idea however the approach for funding could have been handled different. They suggest if this is to continue year after year then efforts to raise money needs to start on July 5<sup>th</sup> for the next year.

With no further discussion Mayor Ussery asked for a motion to increase the fireworks budget from \$5000 to \$15000 actively seek funding to offset the cost. Mayor Ussery also asked that the committee report to the City how the process will be for people who will be entering to see the firework show after the concert.

**Motion: Palmer-Witt** moved; **Titterington** seconded to increase the firework spending from \$5000 to \$15000. Voted and passed 3-2 (Griffin and Papish voted no).

**d. Approve moving annual fireworks show to Saturday July 6th**

City Code Section 14-46(c) allows for a public display of fireworks on the days of July 3<sup>rd</sup> and July 4<sup>th</sup>. Section 14-46(d) allows for an exception if July 5<sup>th</sup> falls on a Saturday. Any other date must be approved by the Governing Body.

July 4<sup>th</sup> falls on a Thursday in 2019. The Celebrate Clearwater events will be held Saturday, July 6<sup>th</sup> and the committee has requested to have the fireworks show part of the celebration.

Council asked if this would change the discharge for fireworks. Marsh stated no.

**Motion: Titterington** moved; **Palmer-Witt** seconded to move the fireworks display from July 4<sup>th</sup> to July 5<sup>th</sup>. Voted and passed unanimously.

**e. Placement and Concrete Pads for Benches and Exercise Equipment**

In November 2018 council approved using funds from the Special Parks fund in order to turn an old tree that was in front of the middle school into benches. Council asked staff to present a plan for

placement and anchoring at a follow up meeting. Council was also briefed about the exercise equipment the high school was able to buy from a KAYS grant they were awarded. The school and city are partnering on the project to place the equipment along the Chisholm Trail Sports Complex walking path. City was to provide the concrete pads and installation.

Both the benches and exercise equipment are ready to be installed once the locations and concrete pads have been finished.

The fitness stations include sit-up bench, back extension, balance beam and push up bars that will be placed on the path west of the soccer fields at the Sports Complex. The benches will be placed in City Park. 2 will be next to the Austin Wood memorial horseshoe pits and 1 will be placed along the walking path in the shade.

3 companies were contacted for quotes to pour all 7 pads. Only 2 companies were interested in bidding due to the time sensitivity of the project.

Jordan Ford – Kansas Fence Company - \$5241.60

Jason Martin – J Martin Company - \$5110.00

The funds will be used from the Special Parks Fund which has \$15,000 budgeted for park improvements for 2019.

**Motion:** *Titterington* moved, *Papish* seconded to approve the placement of the benches and fitness equipment and to award the bid to J Martin Company not to exceed \$5110. Voted and passed unanimously.

#### **8. Administrators Report**

- Department budget presentations will be advertised as open meeting and will be presented as follows:
  - PD/Court/Sr. Center – May 13<sup>th</sup> @2:00pm
  - Fire/EMS – May 20<sup>th</sup> @3:00pm
  - PW/Water/Sewer/Etc. – May 17<sup>th</sup> @2:00pm
  - Administration – May 21<sup>st</sup> @2:00pm
- Dedication for the Austin Wood Memorial Horseshoe Pits will be Friday, May 10<sup>th</sup> at 6pm in the City Park.
- Council workshop is scheduled for April 30<sup>th</sup> starting at 6:30pm until 8:30pm. We will be discussing two topics:
  - Capital Improvement Planning
  - Cybersecurity Vulnerability
- New FT EMT/Paramedic/Firefighter's have all passed their post offer employment testing and we anticipate beginning their on-boarding the week of May 20<sup>th</sup>.
- Closing for the sale of the business park lot to Jay Lauer is scheduled for Thursday, April 25<sup>th</sup> at 10am at Security First Title. The Mayor will be attending for the City.
- Waste Connections has notified the City and residents that the Recycling Perks program will be ending May 31<sup>st</sup>, 2019. You have a copy of the letter that is being sent to customers.
- The Governing Body approved \$8K in the 2019 budget for codification of the City's Zoning and Subdivision Regulations. The cost of the codification will be \$6708.00 so we will be moving forward with the project. City Staff (including Council) will have the opportunity to review proofs prior to final publication.
- 1<sup>st</sup> quarter financials will be handed out at the next meeting.
- The first meeting in May is when the Mayor presents his list of appointments to the various committees, commissions, and boards. Since appointments are staggered, each entity has at

least one, usually more, members whose terms expire. The following are the committee, commission or board with the number of terms expiring in 2019:

- o Rec Commission: 1
- o Park Advisory Board: 1 (plus one currently vacant)
- o Planning Commission: 4 (2 have already agreed to continue)
- o Public Building Commission: 1 (plus one currently vacant)
- o Historical Society Board: 1
- o Library Board: 2
- o Senior Community Center Advisory Board: 2 (plus one currently vacant)

**9. Governing Body Comments**

Griffin thanked Esther for all she has done.

Titterington had nothing to report

Palmer-Witt asked how quarterly financial are reported. Meyer said they were and excel document that showed the budgeted amount as well as year to date costs.

Papish said she will not be able to attend the April 30<sup>th</sup> meeting.

Coon pointed out that a property in the 200 block Gorin has had complaints. Staff stated County and City have followed up on all projects at the address and has confirmed the property is following all rules put in place.

Mayor Ussery pointed out that in order for the EMS program to work the volunteer program will need to make some changes. A document will be drafted for all EMS volunteers to review and sign stating they will need to serve a minimum of 2 6-hour shifts per week that will be mandatory. Mayor Ussery pointed out that having an EMS volunteer that does not sign up does the City no good. If there is refusal to sign up the volunteer will be removed from the roster. The 2 6-hour shifts if based off of the current roster on file. If there are any changes to the roster this will change the requirements for the volunteers. Mayor Ussery asked staff to have document created and presented at the next meeting.

Papish asked how the search for the Emergency Service Director was going. Marsh stated he has halted the search for now. Marsh is waiting to make sure the new EMS program will be a solid program before hiring a new director. He would hate to hire someone now and 90 days later let them go for a failed program.

**10. Executive Session: K.S.A. 75-4319(b) #4 To discuss data relating to financial affairs or trade secrets of corporations, partnerships, trusts, and individual proprietorships.**

**Motion:** *Titterington* moved, *Palmer-Witt* seconded to recess into executive session pursuant to the financial affairs or trade secrets of a second party to include the City Administrator. The open meeting will reconvene in the City Council Chamber 8:10 p.m.

Mayor Ussery called the meeting back to order at 8:10 p.m. stating there was no action taken in executive session

**11. Adjournment**

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

**MOTION:** *Papish* moved; *Palmer-Witt* seconded to adjourn the meeting. Voted and passed unanimously.  
The meeting adjourned at 8:11 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 23, 2019 City Council meeting.

Given under my hand and official seal of the City of Clearwater, Kansas, this 14<sup>th</sup> day of May 2019

\_\_\_\_\_  
Courtney Meyer, City Clerk