

**City of Clearwater, Kansas**  
Sedgwick County  
City Council Meeting - **MINUTES**  
May 26, 2020  
Clearwater City Hall – Council Chambers  
129 E. Ross Avenue Clearwater, KS 67026

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

Mayor Burt 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; Justin Shore, Shirley Palmer-Witt, Chris Griffin, and Chad Pike were present.

Yvonne Coon was absent.

The following staff members were present:

Ron Marsh, City Administrator, Courtney Meyer, City Clerk.

Others: Jared Dinwiddie, Kirk Ives, Ernie Misak, Justin Patrick, Chadd Posch, Austin Parker, City Attorney; Karl May

**3. Approval of the Agenda**

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

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

**Motion: *Shore*** moved, ***Palmer-Witt*** seconded to accept the agenda as presented. Voted and passed unanimously.

**4. Public Forum**

Karl May addressed the council and asked that they address the following topics. 1) The posts next to his building are a big issue. He said they are on his property and he would like them removed. 2) There is a crack in the sidewalk in front of his business that he would like address. A patient with crutches almost fell because of it. 3) Rolling Hill Ct street has bad road issues. The curb and gutters are low and causes driveways to hold water which creates problems with the road. He believes the issues are affecting his home value. He has asked Council to review his concerns and respond to him in writing for his record.

Mayor Ussery stated that staff and he would respond to him in writing on how they would address the three topics.

**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: 05/12/20

Claims and Warrants

RSVP Transportation Agreement

Victory Pyrotechnics Firework Agreement

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

## 6. Staff Reports

- a. Police Department – Kirk Ives –Griffin asked if it was feasible to keep the Tahoe since we just added a vehicle. Ives explained that by keeping the older vehicle that was still usable it will help keep the miles down on the new vehicles, so they last longer. The expense for the Tahoe is less than \$1000 for insurance and then the cost of annual maintenance. Ives stated that once the vehicle cost more than to keep it then he would get rid of it. Griffin then asked what staff was doing about the damage to the Mikesell treehouse. Ives stated the police department is monitoring it the best they can. The treehouse has been roped off because it is now a safety concern with the age of it. Mayor Ussery suggested when the vandalism happens to use Facebook to spread the word and maybe the citizens can help keep an eye on it. Mayor Ussery also asked if there was a way to record the level and cost of damage this year. Council had no other questions.
- b. Fire Department –Jared Dinwiddie –Council had no questions.
- c. Public Works – Ernie Misak – Misak stated that a wastewater sample has been pulled but the results are not it. Council had no questions.
- d. Parks & Maintenance – Chadd Posch – Council had no questions.

## 7. Business

### a. Remote Collection Site Agreement

Each year the Sedgwick County Household Hazardous Waste facility holds one remote collection event in each of the five commission districts. This year Commissioner O'Donnell requested the 2<sup>nd</sup> District event be held in Clearwater.

The remote collection will be set up in the Sports Complex parking lot from 9am – 1pm on Saturday, June 20, 2020. Citizens can bring common household hazardous waste items for disposal. This includes but is not limited to, used oil, paint, herbicides, insecticides, pool/spa chemicals, and much more. Sedgwick County and the City will be promoting the event to reach the largest number of people.

Council had no discussion

**Motion:** *Griffin* moved, *Shore* seconded to approve the Remote Collection Site Agreement. Voted and passed unanimously.

### b. Review 1<sup>st</sup> Quarter Financials

Council reviewed the 1<sup>st</sup> quarter financials and asked what affects the COVID-19 has caused in the revenues. Meyer and Marsh reported that at this point there has not been any revenue loss. We do expect to see a decrease in gas tax since gas prices are down.

### c. Sale of Surplus Property

Council reviewed the request for sale of surplus property that was included with the packet and asked City Attorney Parker if the City could accept an internal offer on any item before it was available to the public. Parker stated that since we are a City of the 3<sup>rd</sup> class that there is no need to release it to the public prior to an offer internally.

Griffin asked if we sold the speed limit signs to another agency, are we liable if they are problems, they may have with an item they purchased from the City of Clearwater. Marsh and Parker answered no items are sold “as-is” and the City holds no responsibility for the item once it is sold.

Council had no other discussion

**Motion:** *Shore* moved, *Griffin* seconded to approve the sale of surplus property. Voted and passed unanimously.

**d. Approve use of Discretionary Funds for Server Replacement**

In 2019 staff was aware of the need to upgrade the server host. We were waiting until the new IT company was hired and on boarded before we started the process. Gilmore has now informed us what the cost to upgrade the server host is \$12,000 and at this time the Police Department virtual server software also needs upgraded since it is running on 2008 R2. That cost is estimated at \$7000. Administration has \$17,000 in equipment reserve for this project but is short the difference. Staff would like authorization from council to use equipment reserve discretionary funds to supplement the cost difference. There is \$23,400 in equipment reserve discretionary for Administration.

The discretionary funds were moved to equipment reserve when administration came in under budget in 2019 and are not identified for a specific project at this time. Staff will continue budget for server replacement as an equipment reserve line item. We now know the approximate cost and will be able to budget more appropriately in the future for this project.

Council review and asked if the migration of the servers was included. The answer is yes. Palmer-Witt questioned if the police department budget was covering any of the cost. Meyer answered no, because of lack of knowledge when creating the equipment reserve fund. The administration has been budgeting to replace the servers out their budget. We now know the cost and can allocate the appropriate amount in their department moving forward.

**Motion:** *Griffin* moved, *Shore* seconded to approve the use of discretionary funds to pay for the server upgrade. Voted and passed unanimously.

**e. Well #2 Upgrade Proposal**

Misak explained, Well #2 was taken out of service due to assumed bacterial contamination. The methods of introducing air into the blower system utilized outside and unfiltered air to remove the ground contaminate that had occurred in the 1970's. This system was installed by a State contracted engineering firm and was paid for by the State. During the past few years, there have been a few false positives of coliforms in samples of water that are taken monthly. Each of these required retesting and all but one resulted the in dismissal of the false positive results, resulting in compliance with State and Federal Regulations. The one sample that failed for a second time and after further sampling resulted in "in compliance" sample with negative findings of coliforms, also required a thorough investigation of our entire system for any potential contamination possibilities.

During his investigation, he narrowed the potential contamination down to the air stripper. At that time, he contacted the State and reported his findings. After consultation with the KDHE, he elected to request authorization from the State to discontinue the use of the air stripper and pump water directly into the system. The annual State sampling to monitor the ground water for the contamination that required the use of air stripper in the first place resulted in findings and determination by the State that the groundwater was absent of contamination for the prior three years. Therefore, his request to bypass was approved and we proceeded to disconnect the stripper from the system.

Unfortunately, the well pump that was provided by the State in the rehab installation was under sized (3HP) and insufficient to pump directly into the POTW system. He would not that the original pump, assisted by a booster pump leading from the system would produce approximately 83 GPM.

He had Layne Company pull the pump and provide me with a quote for upgrading the well house to enable use of this well as a valuable producer of water for our system. The proposal will increase the amount of water from this well to approximately 150 GPM and will have enough horsepower (15HP) to push water system. This well upgrade will facilitate our ability to provide potable water to the City, in the event that we might lose use of the eastern wells, due to line breakage or other cause.

The quote for the entire project is 10,927, \$1950 has already been spent to pull the old pump and engineer the system. Misak stated he has money available through contract labor and equipment repair line items to cover the cost.

Misak did add that there is a backup well in the event well's 6, 7, & 8 fail. Well #3 is the "backup" well. It has a high nitrate content and is tagged as emergency use only.

Palmer-Witt questioned when the undersized pump was installed and who installed it. Misak stated it was done around 2006 or 2007 and the State contracted the project.

Mayor Ussery questioned if the air stripper will be usable in the future. Misak said it is not necessary to use an air stripper since the contaminants in the ground water are no longer there. The air stripper will not be used in the future.

Council asked if other bids were received and Misak stated no since this company is the only one in the area that does big wells.

Council asked Meyer if the funds were available. It was reported that as of May 12<sup>th</sup> the funds were available but will not be once the project is over. It will no longer leave any more funds to complete other projects, if needed. However, there is a discretionary fund in the equipment reserve that if an emergency were to arise then those funds could be used.

**Motion:** *Griffin* moved, *Pike* seconded to the project at \$8977 to complete the well upgrade project. Voted and passed unanimously.

**f. Pool Opening**

Mayor Ussery relayed to Council that the pool opening has been moved up to June 8<sup>th</sup>. Staff will work on specific guidelines on how the pool should be managing the daily cleaning. Staff plans on providing bullet points for the manager as a guideline. Mayor Ussery believes some of the guidelines for the pool will be to offer only packaged snacks and bottled drinks at concession, masks will be optional, and all reports and meetings he has attended says there is no issues with social distancing in water.

The update from the Governor stated that the Open Kansas Phase out Program are now just guidelines and restrictions will now lie at the County level. Sedgwick County Commissioners were having an emergency meeting tomorrow, May 27<sup>th</sup>, to discuss how Sedgwick County will handle the new orders from the Governor.

**8. Administrators Report**

- Update: Executive Order 20-28 extended executive order 20-05 temporarily prohibiting utility disconnects until May 31, 2020. Unless extended again, the City will be shutting off those customers who have not paid their utility bill or made other arrangements. We have not seen an increase in the number of non-payments.

- Sedgwick County Health Department has contacted the City about possibly using the Senior Center as a testing facility for COVID-19. They are drafting a Memorandum of Understanding which will be brought to Council for approval at a later meeting.
- The State has released Community Development Block Grant (CDBG) funds to help local small business deal with the loss of revenue. These funds are administered through Cities and Counties and the businesses apply to the City for funds. Clearwater has begun the process of applying for these funds. The CDBG process is long and arduous, including a Public Hearing and Resolution of Intent. To help with the application process and administration of the funds we have sent out Requests for Proposal for a Grant Administrator. The Public Hearing, Resolution and approving a grant administrator will all be on the next Council agenda.
- The business park replats have been completed and the preliminary & final replats will be reviewed at the next Planning Commission meeting on June 2<sup>nd</sup>. If accepted by the Planning Commission the replats will be on the next Council meeting for approval.
- Just a reminder: Department Budget Presentations start next week. Tuesday at 2pm will be Parks and Senior Center and Wednesday at 2pm will be Public Works. Courtney has sent out meeting notices to your city emails.

9. **Governing Body Comments**

Griffin had nothing to report.

Pike had nothing to report.

Palmer-Witt had nothing to report.

Shore had nothing to report.

Ussery asked staff to pull together a response to the public forum covering the three topics. With the report he would like to know if there were any reports filed for the incident when someone almost fell in front of his office and would like any reports and/or plans for Rolling Hills Ct. All this should be brought to the next council meeting for their review. The survey on the open lot should also be included in the response.

There is no update yet on the nursing home.

10. **Adjournment**

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

**MOTION:** *Palmer-Witt* moved; *Shore* seconded to adjourn the meeting. Voted and passed unanimously. The meeting adjourned at 7:47 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 May 26, 2020 City Council meeting.

Given under my hand and official seal of the City of Clearwater, Kansas, this 9<sup>th</sup> day of June 2020

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Courtney Meyer, City Clerk