

**City of Clearwater, Kansas**  
Sedgwick County  
City Council Meeting - **MINUTES**  
June 25, 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; Chris Griffin, Tex Titterington, Shirley Palmer-Witt, Laura Papish, Yvonne Coon 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; Justin Patrick, Interim EMS Director;

Others Present: Justin Shore, Devon Stwalley, Carl Fry, Lonnie Stieben, Evan Eisenman, Michelle Leidy Franklin, Rick and Elizabeth Kindle, Esther Harp, Don Schauf.

**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 presented.

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

**4. Public Forum**

Lonnie Stieben thanked council and the police department for the coordination for the Chisholm Trail ride. Nothing but compliments for Clearwater.

**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 06/11/19 Council Meeting

Claims and Warrants

06/26/19 = \$42,797.67

Emergency Service Un-Appointment

Kyler Berger – requested to be removed from EMS

Chad Sterrett – removed due to relocation

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

**6. Staff Reports**

- a. Police Department – Bill Hisle –asked if council had any questions from his report. Council had no questions.

- b. Public Works – Cole Hollis – Asked if council had any questions from his report – Council had no questions.
- c. Fire/ EMS – Ron Marsh – Marsh reported 16 EMS calls with 1 being a county transport. Out of the 16 calls 4-5 were for the same address for lift assistance. There were 2 fire calls.

**7. Business**

**a. Change in Zoning 228 W Ross**

Richard Horsch bought the house and land at 228 W. Ross at auction earlier this year. While researching what the property was zoned it was discovered that four City lots make up the parcel that is 228 W. Ross, 206, 208, 210, 212. Three of the city lots (208, 210, 212) are zoned I-2, Heavy Industrial, while lot 206 is zoned R-1, Residential. In order to make the parcel of property consistent, City Staff initiated the re-zoning of the three I-2 lots to R-1, accurately reflecting the use of the property.

The Planning Commission/Board of Zoning Appeals met on June 10, 2019 to hear the request. The Commission found the request does not adversely affect surrounding properties; is consistent with current zoning for the property itself and surrounding properties; adequate public services are in place; and the request aligns with the City of Clearwater Comprehensive Plan. The Planning Commission voted unanimously to approve the request for re-zoning.

State statute requires a 14-day protest period for all re-zoning cases. It is recommended the Council adopt the ordinance for re-zoning effective 6/25/19 if no protests have been presented.

**Motion:** *Griffin* moved, *Titterington* seconded to adopt ordinance 1050. Coon, yea; Papish, yea; Palmer-Witt, yea; Titterington, yea; Griffin, yea. Voted and passed unanimously.

**b. Consider City hall Exterior Restoration**

For 2019 the Governing Body approved an expenditure up to \$15,000 (City Capital Improvement/Special Building Fund) for restoration work on the exterior of City Hall.

As the City Hall building continues to age noticeable signs of deterioration are occurring and it is important from an aesthetic and financial standpoint to take care of this deterioration while it is still manageable.

Staff sent out an RFP to 7 vendors requesting proposals for exterior restoration work to City Hall. We received 2 replies, Mid-Continental Restoration Company and David Kimple. Mid-Continental is out of Ft. Scott and their price is \$13,944.00. David Kimple is local (Conway Springs) and has done a couple of projects for the City. His price is \$12,200.00.

The bids are attached for your review.

Both proposals fall within the budgeted amount of \$15,000.

Staff would recommend approving Mid-Continental Restoration for the work. Although their bid was higher, it fell within the budgeted amount and is more detailed and complete.

Council discussed and since Dave Kimple has done work in the City and the work has been good, he was also low bid they would like to go with him.

**Motion:** *Titterington* moved, *Palmer-Witt* seconded award the bid to Dave Kimple in the amount of \$12,200. Voted and passed unanimously.

**c. EMS Discussion**

Mayor Ussery started out by stating to council that a decision to fund EMS and continue as is or choose to fund a first responder program only and utilize Sedgwick County.

In March the city held a couple of open houses for the public at the Senior Center in the evenings. The first and second meeting had 25-30 people in attendance however the second meeting was comprised mainly of Sedgwick County personnel on hand to answer concerns for citizens. At the council meeting where it was voted to move forward and fund EMS for 2019 there were a few EMS volunteers spoke out in favor of funding the service.

Mayor Ussery explained again that in 2017 State statute changed to say an ambulance service must be staffed with two certified people 24/7/365 on a duty roster no matter if they are volunteer or paid service. Back in March there were 13 trained volunteers and currently there is 12 volunteers.

The decision to be made today is to 1) turn over ambulance transport to Sedgwick County or 2) maintain local service with 3 full-time personnel plus a director. The budget for a volunteer service and 1 director in 2019 was budgeted at \$184,000 and to move forward with the 3 full-time, 1 director, and volunteer personnel in 2020 the city is looking at a budget of \$364,000. Back in March when this was brought up for vote the budget, we were looking at was \$367,000 and that was due to the difference is assessed valuation.

Earlier this month volunteers signed an agreement to put in a minimum number of hours in a 2-week period to cover the roster. The roster has been filled 100% for the couple of weeks however leadership is working daily to make sure the shifts get covered. The question that must be asked is "is this sustainable?". The State has informed us that we are still under investigation. As of July 1, 2019, we lose our joint agreement auto aid with Mulvane, Sedgwick County, and Conway Springs. At that point the state will view Clearwater as a stand-alone operation. Sedgwick County will still assist but Clearwater will be responsible for having a 24/7/365 duty roster and those on there must respond.

Mayor Ussery explained that total beginning cash for all mill levy funds combined in 2020 is estimated to be \$1,050,112. The expected revenues will be \$2,099,910 for a total cash available of \$3,150,022. The budgeted expenses, with EMS included, roll up to \$3,568,616. The budgeted cash carryover for 2021 is \$741,500 for the mill levy funds. With those numbers the city will need to levy \$1,160,094 in Ad Valorem taxes which equates to 70.77 mills (11.12 difference over 2019).

Mayor Ussery pointed out that the last 5 years the City of Clearwater has kept in the 59 mill range.

In looking at what 2020 would look like without funding an ambulance service the mill levy would equate to 62.31 mills (2.66 difference over 2019). This would include a cash carryover of \$891,500 and \$65,000 in the budget for a 1<sup>st</sup> responder program.

Mayor Ussery pointed out that is a financial discussion with the impact on a long term plan to fund a program, this is not about the EMS program and whether it is working or not right now.

As discussed at the budget workshop there is a compounding effect when it comes to future budgeting for 2021. When using cash carryover for the 2020 budget that amount will not be available in the 2021 budget therefore there is a compounding mill levy effect. With the numbers rolling up to next year and EMS being funded we would see about another 16.68 mill increase in 2021 which would take the mill levy from 59.651 in 2019 to a mill levy of 76.331 by 2021. The Mayor pointed this is as much to do with cash carryover as the continuation of EMS. This does

not mean that EMS will cost more in 2 years' time.

If we take a look at a 2021 without funding EMS, there is still a compounding problem but the mill levy increase is 7.53 which would take the mill levy to 69.85. This would keep the 3-month reserve amount available in case of a crisis which is recommended by our city auditor.

In Saturday's discussion the question was "in reality can Clearwater sustain the EMS transport"? Our records indicate we are on mark to make 200 calls this year. If we take the proposed budget of \$364,000 and divide it by the number of calls (200) that would mean that each call would cost the city \$1,820. That is just to make a call that doesn't mean we are charging for that call.

The Mayor stated that we must put emotion aside and make a financial decision.

Mayor Ussery said that Justin Patrick is doing a phenomenal job working day to day, week to week to ensure we have coverage on the roster. What happens if we decide to move forward and budget for the department what happens if the we are unable to meet the state requirements and the state pull the license? The reality is the citizens will still be taxed because that is how the budget was set. It would not be available for review until 2021. Is this a cost the city should incur or take the Sedgwick County service that residents are already paying for?

Papish asked about the first responder program. Marsh said he has spoken to Cheney, who uses first responders and Sedgwick County, and has some ideas. It would take a while to iron out what Clearwater's first responder program would look like. Patrick stated he would like to see BLS and ALS capabilities. ALS bag for the paramedics and BLS bag for EMT's. The first responder would be limited to the level of training, i.e. EMT, AEMT, or Paramedic, as it is now on an ambulance. Once the first responder is on scene, they would give the level of care they are certified to give and wait for transport for Sedgwick County if that is needed. If a transport or additional care is not needed, then the first responders will handle the situation and call of Sedgwick county transport.

Council questioned if there was a liability for the city to say we were going to have a first responder program, but nobody is available at the time a call comes in and the patient must wait for Sedgwick County. City Attorney Parker stated there was no liability there.

Council asked what a monthly impact on a home would be if the mill levy went up the 11 mills.

Appraised Value	\$100,000	\$150,000	\$175,000	\$200,000	\$250,000
Monthly Impact	\$10.54	\$15.81	\$18.45	\$21.08	\$26.35

Titterington pointed out if someone has an escrow account, they payment could be twice as high.

It was asked from the audience what the savings would be if a full-time director was not hired. The answer was about 5 mills.

Mayor Ussery and Marsh stated that for the County's 2020 budget they are requesting to budget a 7/12 operation out of Clearwater but no certainty that vehicle would stay in Clearwater.

Some volunteers voiced their opposition to no longer funding EMS stating that transport can be important and wait times will be longer for transport.

Mayor Ussery pointed out that at this point it is not about wanting the services or whether it is working or not, but it is a matter of whether the community, as a whole, can afford the service. Is it responsible for a city to pay for a service it is already paying for especially when we are so close to Wichita? If we were 45 minutes away, we probably wouldn't be having this discussion.

Council discussed some of their "aha" moments through this discovery. This included that the roster has only been filled for 3 weeks; Volunteers are a thing of the past; Clearwater is the last city trying to fund a volunteer EMS in Sedgwick County; It is not cost effective per call when we see it costs \$1800 per run. Looking forward to 2021, history has proven that things don't get cheaper with times. Costs for medical supplies will most likely continue to increase. Only the people in the city limits of Clearwater pay the taxes for this service. People who have a Clearwater address yet don't live in the City don't have to pay the increased taxes. It was an eye opener at what other town mill levies are in Kansas and if Clearwater moves forward with the mill increase it could hurt Clearwater further when it comes to growth.

It was discussed if Council decides to not move forward with funding then what will happen for 2019 ambulance service. The probably won't continue the ambulance service for the remainder of 2019, Sedgwick County would use available resources they have to cover the area, we would hope that volunteers would continue to volunteer and help when they can, and work on a first responder program.

Mayor Ussery asked for a motion to move forward with the 2020 budget with EMS still included. The question died due to lack of a motion.

Mayor Ussery then asked for a motion to move forward with the budget with EMS taken out and with a First Responder program added. **Tex Titterington** made the motion, **Yvonne Coon** seconded. The vote carried 5-0.

**d. Budget Discussion**

Mayor Ussery said to council that everyone was given a list of enhancement requests for the 2020 budget. Some council members sent suggestions for cuts and they are as follows:

Remove the \$10,000 from Public Works for the Dump Truck

Remove the \$2000 for Downtown Light Décor

Remove the \$5,000 for City Hall Control Access and New Hallway Door

Remove the \$2200 for folding chairs from the Senior Center and apply for a grant

Increase the annual Firework Budget to \$8,000 instead of \$5,000

Discussion on the Park and Facility Superintendent ended decreasing the salary from \$40,000 to \$31,200. The job description has not been outlined and it sounds as though this will be a labor job. Marsh assured council that any new position description will be brought before them for approval.

Discussion on the On Call pay for public works employees ended in a consensus of 3-2 to move forward.

At the last meeting it was asked for staff to give a presentation on the GIS development, what it will do and who will be responsible for it. After the discussion council decided it was a good and necessary investment. Meyer explained the following:

- The system will be a Collection of assets
  - Water
    - Hydrants
    - Hydrant valves
    - Valves

- Lines w/ their sizes
  - Sewer
    - Manholes and their attributes (incoming and outgoing main lines, manhole depth and pipe size)
    - Lift Stations
    - Force Main Valves
    - Lamp Holes
    - Pre-Located Force Main Locations
  - Streets
    - Length and wide
    - Materials the road segments are comprised
  - Zoning
    - Zoning map in one location
- Store all GIS-related data in a centralized location
- Apply rules and relationships to data
- Create a consistent and accurate database of spatial data
- Define relationship classes and topological enforcement rules
- Work in an environment that supports multi-user access and editing
- Advanced search and query; functionality
- Print maps
- Update zoning
- Record and Track nuisance
- Code Enforcement Reports
- Tracking water main breaks
- Tracking sewer cleaning and jetting
- Pavement Management
- CIP Areas and Project Layout
- Ability to link pdf documents and other medio or hard copy maps to the program or specific locations

GIS SERVICE	ONE-TIME FEE	DEPARTMENT RESPONSIBLE FOR UPKEEP
Sewer	\$21,279.00	Public Works
Water Utility	\$14,249.00	Public Works
Zoning Map	\$1,000.00	City Administration
Pavement Management	\$2,800.00	Public Works
Website Development	\$3,000.00	N/A
<b>TOTAL ONE-TIME REQUEST</b>	<b>\$42,328</b>	

GIS Service	ANNAUL FEE	DEPARTMENT RESPONSIBLE FOR UPKEEP
Website Hosting	\$3,600.00	Admin/Water/ Sewer (10%/45%/ 45%)
OPTIONAL: Sewer Cleaning added to GIS mapping w/ video & pics	\$3,000.00	Sewer
<b>TOTAL ANNUAL REQUEST</b>	<b>\$6,600.00</b>	

**8. Administrators Report**

- Due to an equipment problem the scoreboard was not installed on June 13<sup>th</sup>. We are scheduled for this Friday, June 28<sup>th</sup>.

- Park Advisory Board met last week, and they are working on a priority list for parks to present to Council.
- The government fireworks tent will open Friday, June 28<sup>th</sup>. Signs with the City’s discharge policy will be posted throughout the tent.
- League of Kansas Municipalities will be having a KOMA/KORA training for all levels of government to include elected officials. The training will be August 2<sup>nd</sup> in Lyons, KS from 10a – 2p. Please let me know if you are interested in attending.
- Celebrate Clearwater is July 6<sup>th</sup>.

**9. Governing Body Comments**

Griffin had nothing to report

Titterington had nothing to report

Palmer-Witt had nothing to report

Papish said she would not be at the next meeting

Coon asked what the status was on the junk yard next door

Mayor Ussery said he would work with staff on a statement out to the community about the decision that was made tonight.

**10. 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 8:41 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 June 25, 2019 City Council meeting.

Given under my hand and official seal of the City of Clearwater, Kansas, this 09<sup>th</sup> day of July 2019

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Courtney Meyer, City Clerk