

City of Clearwater, Kansas
Sedgwick County
City Council Meeting - MINUTES
June 26, 2018
Clearwater City Hall – Council Chambers
129 E. Ross Avenue Clearwater, KS 67026

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, Tex Titterington and Chris Griffin were present.

Shirley Palmer-Witt was absent.

The following staff members were present:

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

Others present: Glenda Light, Trent Zimmerman, Haley Roberts, Luke Davis, John VanKlel III, Ruth Glenn, Michael Cowherd, Jack Haivaala.

4. Approval of the Agenda

Mayor Ussery asked if there were any modifications to the agenda. Marsh stated Item 9b will need to be scratched as the person making the request was not here.

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

Motion: *Papish* moved, *Coon* seconded to accept the June 26, 2018 agenda as amended. Voted and passed unanimously.

5. Public Forum

Glenda Light, Park Glen Homeowners Association, heard the council was considering changing the drainage in the Chisholm Trail Sports Complex that would then in turn affect Park Glen retention pond. The Park Glen HOA has concerns with the condition of the rip rap round their retention pond and said it needs to be rebuilt. The HOA is asking for the City Council to make the donation since it is not only Park Glen drainage that ends up in Park Glen. The other costs would be assessed to the homeowners in Park Glen.

Mayor Ussery informed Glenda Light that preliminary discussions on dispersing the water in the Sports Complex but after we got the City Engineer involved there was a different solution. Mayor Ussery asked Administrator Marsh to work with the HOA to determine what they are asking and report back to City Council.

6. Approve Consent Agenda

Minutes June 12, 2018 Council Meeting Minutes
Mayoral Appointment – EMT – Trent Zimmerman

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 \$20,528.70.

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

8. Staff Reports

- a. Police – Bill Hisle – Hisle reported there was a burglary at the Car Wash on Ross; there were a couple of DU's this week; Hoover continues to do well and has shown good judgement; the F150 has the new graphics on it.
- b. Emergency Services – Scott Cooper – Cooper reported there was 14 EMS calls and 3 Fire calls; they had a successful EMT class meeting, there were 14 attendees; training this month included brushing up on pump operating; getting ready for Shred IT day.
- c. Public Works – Ernie Misak – Misak said that they are still not discharging; started street work; now that ball season is over the mowing schedule will change.

Titterington commented that the crosswalk at the pool looks good
Mayor Ussey asked that "traffic patterns have changed" signs need to be up for the next couple of weeks on Kansas where the one way is changing to two way.

9. Business

a. **Softball Tournament Temporary Use Permit**

Derrek Jeardoe with the Fall Festival committee is organizing a softball tournament as part of the Fall Festival activities and would like to allow alcohol to be consumed in designated areas. The request to lift the ban would only be for the day the tournament takes place, September 29th.

Derrek is asking for the entire ball diamond area to be considered as designated consumption area. His second option would be a much smaller area in between two ball diamonds. Derrek said the event would start at 11am and end no later than 9pm. He stated there would not be alcohol allowed on the playing field or in the dugout. If any person is found with alcohol in any of those places it will be cause for disqualification of that individual and team. It will be the team manager/ coach to ensure that no alcohol is in those spaces. They will be informed before every game of that rule. Derrek also stated there will be a zero tolerance for underage drinking as well. If a minor is found consuming alcohol, the city police department will be notified to handle the situation. Derrek also said that he could hire an off-duty officer to help police the area during the tournament.

Council discussed that beer gardens have been approved in the past and have been controlled areas where underage people can't go in and out. Having a larger area where drinking can happen anywhere is not what the council has approved in the past and doesn't feel comfortable opening it up to larger areas without borders because would set a precedence for future that council does not feel comfortable with. The other thing to consider is beer gardens there is regulated sales where this request people would be able to consume and bring whatever they wanted. Also, as people bring in their own coolers they are bringing them in and taking them out of the designated drinking area. What would prevent them from taking the cooler to the parking lot and continuing to drink there?

Derrek said that only cans would be allowed, and he could have volunteers watch the roped off area and also stated the Fall Festival liability insurance does cover this.

Council discussed and thought the City doesn't have set standards listed on the permit application for what will be required by the City. Council asked staff to update the permit application, so we can get a more standard set of information from each application.

No action was taken.

b. **Temporary Use Permit for Clearwater Outlaws**
Stricken

c. **Final Debt Resolution Letter**

At the June 12, 2018 meeting the Governing Body asked staff to draft a final letter to send to those individuals whom CBK had not been able to resolve the amount owed for ambulance services. Council requested this letter and a request for financial assistance form be sent to everyone prior to CBK turning the accounts over for legal action.

Council reviewed the letter prepared by Austin Parker and the letters from CBK. They decided they would like a letter to come from the City before it ever goes to collection to make a last attempt to collect on the debt before it goes to collection. With that letter they would like for the application for financial assistance to go out in that letter. Council would also like to give the customers 60 days from the time the letter goes out to make contact with the City before it is considered uncollectable.

Council asked for counsel to clean up some language in the letter to show that it is coming from the City also for City staff to review the rate charges again for what the City charges for EMS services.

d. **Consider funding for EMT Class**

Clearwater Emergency Services is tentatively scheduled to contract with PRISM Training out of Norwich, Kansas to conduct an EMT class in Clearwater. The class would be held in Clearwater on Mondays, Thursdays and Saturdays from mid-July to early December. The cost for the class is \$12,000 which is for the instruction of the EMT course, including didactic and lab components only. The remaining costs associated with the course, outside of the instructional fees, are the responsibility of the student or Clearwater EMS. This includes:

KBEMS app:	\$50/per
NREMT Test fee:	\$80/per
Practical Test:	\$125/per
Books:	<u>\$300 est./per</u>
	\$555/per student

Currently there are 14 people interested in signing up for the class, 8 from Clearwater (4 current CES members) and the rest from other agencies. Those from Clearwater can qualify for the Educational Incentive Grant from the Kansas Board of EMS which would reimburse the City up to \$1150 per student for their enrollment if they agree to a minimum service obligation of 240 hours in one year with Clearwater EMS. If they don't, either they or the City of Clearwater incurs the full cost of the class. With the additional costs the total cost for each student is \$1755. If all 8 from Clearwater agree to the service obligation for the EIG grant, the cost per student is \$605. Either the student covers the remaining costs, or the City does. The other 2 attendees' pay the full cost out of pocket or a sponsoring agency pays.

If the City covers the additional costs for the Clearwater residents, the potential cost for the City would be \$4840 (8 x \$605). Additionally, the City would need to cover the initial payment of \$5250 for the instruction until the EIG grant is received in October/November. Total cost is \$10,090.

Council asked if the other agencies have signed an agreement of some sort or written a letter stating they will be financially responsible for their own employee? Staff stated no, but that will be possible.

It was also asked if they don't meet the minimum requirements how is that handled? Cooper

explained that since the State would be funding the program for the person then the State would collect on the cost of the class if they student did not meet the requirements.

Staff stated the initial funding will be able to come out of the EMS donation fund.

Motion: *Griffin* moved, *Titterington* seconded to authorize the funding for the EMT class not to exceed \$10,090. Voted and passed unanimously.

10. LEOP Update

Cooper explained the changes that were discussed during the table top back in October are now represented in the update Local Emergency Operations Plan.

Council asked for the booklet to be made and handed out to all departments and Council for them to read. Council also stated this document needs to be at least annually.

11. Administrators Report

- Received one bid for the Police Department remodel. It was more than the budgeted amount and we are evaluating our direction at this point.
- Second conference call with Vireo about the Pedestrian Transportation Plan is scheduled for Wednesday, June 27th.
- The Public Building Commission met Friday, June 15th and approved purchasing a new shade canvass and shed for the pool. Those items will not be included in the 2019 budget.
- July 4th fireworks show by Victory Pyrotechnics. They have been working hard and it should be a one of a kind show for Clearwater.
- Fireworks sales start Friday, June 29th. Discharge not allowed until July 1st.
- Budget workshop is this Saturday from 8am – 12pm. Chamber sponsored shred day is Saturday at the Executive Center and the City swim meet is also Saturday.

12. Governing Body Comments

Griffin had nothing to report.

Titterington had nothing to report

Papish said a letter needs to be sent to the owner at the NW corner of Ross and Byers. The grass is tall.

Coon had nothing to report

Mayor Ussery had nothing to report

13. Executive Session

Mayor Ussery asked for a motion to recess into executive session pursuant to non-elected personnel to discuss specific personnel matters. The City Council will reconvene the open meeting in the City Council Chamber at 8:00 p.m.

Motion: *Griffin* moved, *Papish* seconded to recess into executive session. Voted and passed unanimously.

Mayor Ussery called the meeting back to order at 8:00pm and stated there was no action taken in executive session.

Motion: *Griffin* moved, *Coon* seconded to execute the agreement between the City of Clearwater and Ron Marsh for his salary to be raised from \$78,000 to \$80,000. Voted and passed unanimously.

14. Adjournment

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

MOTION: *Papish* moved, *Titterington* seconded to adjourn the meeting. Voted and passed unanimously. The meeting adjourned at 8:01 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 26, 2018 City Council meeting.

Given under my hand and official seal of the City of Clearwater, Kansas, this 10th day of July 2018

Courtney Meyer

Courtney Meyer, City Clerk



