

City of Clearwater, Kansas
Sedgwick County
City Council Meeting - MINUTES
August 14, 2018
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 by 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 and Councilmembers; Yvonne Coon, Laura Papish, Shirley Palmer-Witt and Chris Griffin were present.

Tex Titterington was absent

The following staff members were present:

Ron Marsh, City Administrator; Courtney Meyer, City Clerk; Bill Hisle, Chief; Austin Parker, City Attorney.

Others present: Tim and Dorothy Erwin, Dana Benders, Derrek Jeardoe, Esther Harp, Sandi Keeler

3. Approval of the Agenda

Mayor Ussery asked if there were any modifications to the agenda. Marsh stated Item 9c will be pushed to next meeting and Item 9e: Builders Incentive Payment was added.

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

**Motion: *Papish* moved, *Coon* seconded to accept the August 14, 2018 agenda as amended.
Voted and passed unanimously.**

4. Public Forum

Sandi Keeler, 150 N Byers, stated she had a concern with the property across the street from her. She constantly must call to report a nuisance and when she does it gets taken care of. She would like to know if the lawn could be taken care of without her notifying the City every time.

Marsh said he would investigate the matter.

Denise Lewis, 14800 Mourning Dove, has a son, Caven Lewis, in the cadet program with Emergency Services and wanted to thank the city for the program as it has given her son an opportunity to find what he wants to do in life. He will be attending the Hutchinson Junior College Fire Science program and also has a desire to get his EMT. She also stated she has been following the budget process and asks the City to keep in mind the changes that Sedgwick County will be making due to the changes City of Wichita has made with their Fire Department and cutbacks. She feels that Clearwater really needs to budget accordingly for equipment to be able to fight fires. She understands the new brush truck was cancelled and feels the City needs to make sure they can fight fires because the County might have other obligations and won't be able to come to the rescue.

Mayor Ussery stated the City and County arrangements are continually being reviewed and advised Mrs. Lewis as a county resident to voice her concerns with the County Fire Department. He also thanked her for being informed about the budget process.

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.

Marsh stated Item 5c: Mayor Appointments – Firefighters & Cadets needed to be moved to a discussion after Business 9e.

Minutes 07/10/18 Council Meeting

LKM Voting Delegates – Mayor Burt Ussery, City Administrator Ron Marsh (Alternative)
Mayor Appointments – Library Board - George Wesley Wilbur - 2018-2021

Motion: *Coon* moved, *Papish* seconded to approve the consent agenda as amended. Voted and passed unanimously.

6. Claims and Warrants

Meyer stated that the claims and warrants were \$133,703.52.

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

7. Staff Reports

- a. Police – Bill Hisle – National Night Out had a great turnout. Jo Johnson did a phenomenal job with the event with the help of Tina Welch and Kristi Rey. Gareth Adams has resigned and his last day will be August 17. Chief Hisle also informed council of various police cases.
- b. Emergency Services – Ron Marsh – reported for Director Scott Cooper – 1 Fire call, 9 EMS calls and only 1 unanswered EMS call by Clearwater and was picked up by Sedgwick County. EMT Esther Harp was awarded Kansas EMT of the Year. Training for the new boat will be August 25th.
- c. Public Works – Ernie Misak – Will be putting up No Parking signs on Kansas at the school. Discharging at the sewer ponds but the results are not in yet. There are a lot of minnows in the sewer ponds and staff is working on a solution to get rid of them and they are using the oxygen that helps break down matter. In the process of rebuilding the fence at the Library. Lift station pumps were sent in to be worked on.

8. Public Hearing – 2019 Budget

Mayor Ussery called for a motion to open the public hearing for the 2019 Budget

Motion: *Papish* moved, *Coon* seconded to open the public hearing at 6:53. Voted and passed unanimously.

Marsh stated the spending authority is set for \$4,871,116 and the city will be collecting \$947,525 in taxes.

Mayor Ussery said staff is working on a newsletter to inform the citizens of the 2019 budget

Mayor Ussery saw no one was approaching the podium for the public hearing and asked for a motion to close the hearing.

Motion: *Palmer-Witt* moved, *Coon* seconded to close the public hearing at 6:54. Voted and passed unanimously.

Motion: *Coon* moved, *Papish* seconded to adopt the 2019 Budget as presented. Voted and passed unanimously.

9. Business

a. Ninnescah Township Fire Agreement

The City of Clearwater has a contract with Ninnescah Township to provide firefighting services within Ninnescah Township. The most recent contract is dated May 27, 2015 and automatically renews each year.

Tim Erwin with Ninnescah Township is here to discuss possible adjustments to the agreement. Currently, the Township pays the City an annual sum equal to 6 mills of assessed valuation. Per the contract that amount should increase or decrease as the Township's assessed valuation increases or decreases.

Erwin explained in the contract it's stated the Township is to pay 6 mills for fire services however the County reported they will only draw in 5.442 mills for fire service from the township. The Township Board is asking the contract to be modified to state the Township is only obligated to pay the number of Mills it will levy for fire service.

Mayor Ussey stated the council is in support of this action and asked the City Attorney to revise the contract to say as such.

b. Ninnescah Township Road Maintenance Agreement

Ninnescah Township has an agreement with the City of Clearwater to provide road maintenance on certain roads located within City limits. The current agreement is dated February 9, 2012.

Tim Erwin with Ninnescah Township would like to discuss possible adjustments to the agreement. Currently, the City pays the Township for road maintenance of two properties on 129th St. and nine properties on 133rd St. These properties are within City limits. The City also pays for the houses in Prairie Meadows that have been annexed.

Erwin explained the City is paying for all annexed properties however the agreement only states properties on 129th and 133rd. The Township Board would like the agreement to state properties in Prairie Meadows as well in order to protect the Township in the future.

The Council agrees with Erwin and asked the City Attorney to provide the modified agreement for the next meeting.

c. Consider an Ordinance Requiring House Numbers.

Tabled until next meeting.

d. Consider Request for Temporary Alcohol Permit at Sports Complex

Derrek Jeardoe with the Fall Festival committee will be on hand to request a temporary alcohol permit at the Chisholm Sports Trill Complex.

Derrek 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 is for the day the tournament takes place, September 29th from noon to 10pm.

Jeardoe formally asked council to lift on the ban of no alcohol at the sports complex for Saturday the 29th of September. On Saturday, Fall Festival is organizing a softball tournament for that day. The event will start at 11 A.M. and end no later than 9 P.M. He requested to have an area roped off between the two south fields. Jeardoe said there will not be any 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. 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. Jeardoe further informed the council that Scot Palmer will be running the Beer Garden as raise money for the

summer baseball team, Outlaws. Jeardoe will hire a Sedgwick County Sheriffs off duty officer as a security guard for the event.
Council asked if the Fall Festival insurance would cover the event. Benders stated yes it would.
Marsh stated the City would run background checks on anyone who will be running the beer garden and charge a \$25.00 fee per check.

Motion: *Papish* moved, *Palmer-Witt* seconded to approve the Temporary Alcohol Permit for 9/29/18 from Noon to 10PM or after last game subject to receiving a State Permit. Voted and passed 2-2 (Coon and Griffin, No) Mayor Ussery voted Yes.

e. Builders Incentive Payment for 1112 Park Glen

Shaun Weaver has submitted documents to collect on the builder's incentive for construction in Park Glen Estates per Resolution 5-2016.

This payment of \$11,584.01 is for 1112 Park Glen, the spec home built under the original incentives for Park Glen Estates. In reviewing the request, it falls within the provisions of this incentive. The builder's incentive for this lot was not carried over into 2018 and is an unfunded request. This is because the incentives were expected to be paid in 2017, so during the 2018 budget cycle the builder's incentive was not carried over.

This builder incentive was originally denied October 2017 because Shaun Weaver did not take out a loan for 1112 Park Glen. The resolution stated the builder credit was to be paid based on a loan for a period not to exceed 9 months at a rate of .4167.

In August of 2018 Shaun was able to provide documentation showing that Weaver Ventures made a loan to Park Glen Estates for the amount to construct the property at 1112 Park Glen.

Council discussed and asked if all the documentation and request was legal? Parker stated it was. Technically even though there was not interest charged from one entity to another there is nothing in the resolution that states there had to be interest charged in order to receive the incentive.

Motion: *Papish* moved, *Coon* seconded to approve builder incentive. Voted and passed unanimously.

INSERT: Mayor Appointments – Firefighters and Cadets

Marsh stated the only change that needed to happen was Noa Pace be removed until he had an opportunity to speak with Scott Cooper.

Brianna Daffron – Probationary Firefighter
Madison Carney – Probationary Firefighter
Jacob Terrell – Probationary Firefighter
Jack Metzger - Cadet

Motion: *Coon* moved, *Papish* seconded to approve the Mayor appointments as modified. Voted and passed unanimously.

10. Administrators Report

- The two-day charrette with Vireo was productive. The work sessions produced many good ideas that were presented at the Community meeting. The first night saw 14 people and day 2 saw 4. We will receive a final report/plan from Vireo in the next couple of weeks and I will present it at an upcoming Council meeting.
- The online survey is still going on. It will close on 8/20/18
- Pool closed Sunday to the Public, the high school PE classes will be using it August 16-22.

- New phone installation begins Wednesday with City Hall and PD. Emergency Services is Thursday, Senior & Community Center is Monday, Public Works is Tuesday.
- Report from the City representatives on the Recreation commission: discussed payroll (Beki) and future plans.
- Park Advisory Board meets Thursday.
- League of Kansas Municipalities annual conference is October 7-8 in Topeka. Please let Courtney know if you want to attend.

Chris Griffin mentioned he has someone for Park Advisory Board. Mayor Ussery asked him to send the name so he can reach out.

Parker mentioned the vacant lot at Ross and Tracy is still under review by the Board of Tax Appeals

11. Governing Body Comments

Griffin had nothing to report.

Papish had nothing to report.

Palmer-Witt had nothing to report.

Coon had nothing to report.

Mayor Ussery acknowledged the EMT of the Year of again, Esther Harp. He couldn't be more proud of Clearwater and the things the community does as well as the great people who support it.

12. 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 7:32 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 August 14, 2018 City Council meeting.

Given under my hand and official seal of the City of Clearwater, Kansas, this 28th day of August 2018


 Courtney Meyer, City Clerk

