

RESOLUTION NO. 17-2012

A RESOLUTION OF THE CITY OF CLEARWATER, KANSAS REQUESTING THE BOARD OF COUNTY COMMISSIONERS OF SEDGWICK COUNTY, KANSAS TO MAKE CERTAIN FINDINGS REGARDING THE ANNEXATION OF PROPERTY.

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF CLEARWATER, KANSAS:

SECTION 1. The governing body of the City of Clearwater, Kansas hereby finds that a request for annexation of the following described land has been presented to it by the following property owners.

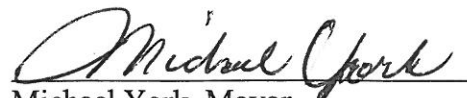
**Parcel #1: LOT 16, BLOCK 2 OF PRAIRIE MEADOW ESTATES
ADDITION
SEC 11-29-2W**

Property Address – 14311 Prairie Grass Circle, Clearwater, KS 67026
Property Key Number – NI – 00810
Property Owners - Neal & Marcia Dillon

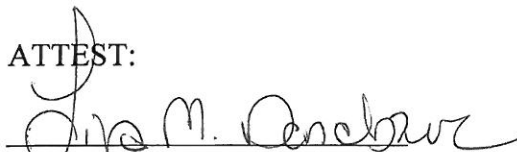
The governing body further finds that the above described properties do not adjoin land within the boundaries of the City of Clearwater. The governing body further finds that such annexation, at the request of the property owner, is advisable, desirable, beneficial and in the interest of the public.

SECTION 2. The City of Clearwater, Kansas hereby respectfully requests that the Board of County Commissioners of Sedgwick County, Kansas find and determine that the annexation of such land will not hinder or prevent the proper growth and development of the area or that of any other incorporated city located within Sedgwick County, Kansas all as provided in K.S.A. 12-520c.

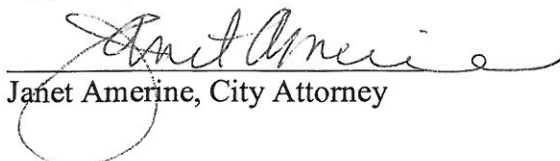
ADOPTED AND APPROVED by the Governing Body of the City of Clearwater,
THIS 12th OF June, 2012.


Michael York, Mayor

ATTEST:


Liza Donabauer, City Clerk

Approved as to Form:


Janet Amerine, City Attorney

CITY OF CLEARWATER, SEDGWICK COUNTY, KANSAS

CITY COUNCIL MEETING

MINUTES

JUNE 12, 2012

The regular meeting of the City of Clearwater, Sedgwick County, Kansas, City Council was held on Tuesday, June 12, 2012, at 6:30 p.m., in the Clearwater City Council Chamber, City Hall, 129 E. Ross Avenue, Clearwater, Kansas.

The following members were present: Mike York, Mayor; Jim Whitney, David FitzGerald, Lyle Berntsen, and Sandi Keeler, Council Members. Council Member Laura Papish was absent. The following staff members were present: Kent Brown, City Administrator; Liza Donabauer, City Clerk; Janet Amerine, City Attorney. Others present at the meeting were: Gene Garcia, Police Chief; Marvin Schauf, Fire Chief; Ernie Misak, Public Works Director; Mike Roth, USD 264 Superintendent; and Mary Schauf, Clearwater Fire Department; Beki Zook, Recreation Director.

Mayor York called the meeting to order at 6:30 p.m. York gave the invocation, which was followed by the Pledge of Allegiance. The Clerk called the roll to confirm the presence of a quorum.

1. Approval of the Minutes of the Regular Meeting of May 29, 2012

MOTION: Council Member David FitzGerald made a motion to approve the minutes of the 5-29-12 City Council Meeting. The motion was seconded by Council Member Lyle Berntsen and passed unanimously.

2. Consent Agenda

MOTION: On a motion by Council Member Lyle Berntsen, second by Council Member Jim Whitney, all voted to approve the Consent Agenda as presented:

- 1) Authorization to pay invoice from PP&J Construction (\$43,983.20) for work on Lee and Ross Avenue.

3. Mayor's Recommendations

No recommendations were made.

4. Public Forum

Beki Zook, Recreation Commission Director, provided a Recreation Commission

update. Zook stated that there are 17 baseball and softball teams for kids aged 5-15 years old. Zook stated that there are three district tournaments starting 7-05-12 and running through 7-15-12. The Recreation Commission is supporting several activities at the Aquatic Center. There is a Father's Day swim on Sunday, June 17 and a water aerobics class and adult lap swim on Tuesdays and Thursdays from 7:00 – 8:00 p.m. The Recreation Commission purchased bikes for the Cross Country team's summer running program. Zook stated that she is coordinating with Jeff Laha for a Disc Golf 101 orientation on 7-11-12 at 7:00 p.m. The Rec Commission meets on 6-13-12 to start the budget process.

5. Public Hearing of Dangerous Structure at 118 S. Byers

City Administrator Brown stated that a resolution was passed on 4-24-12 for tonight's public hearing. The Council received a report from Code Enforcement. The letter stated that the house is not maintained in a safe condition with several windows and doors showing damage to them. The trees growing near the structure are beginning to cause structural damage to the foundation and roof. The report recommends that the accessory structures, a shed and a carport, are in an unsafe condition of disrepair and should be demolished. The notification for tonight's public hearing was placed on the resident's door. Staff is unable to mail anything to the resident as all mail is returned to City Hall. The resident does not have a phone. City Attorney Janet Amerine turned the Council's attention to Willie Lynne's letter dated 3-27-12, which notes damaged doors, etc. The Council will have to make a finding for what they want done. The homeowner is not present at tonight's public hearing. If the Council wishes to demolish the accessory structures, then the Council must say so. Council Member FitzGerald asked how long the homeowner has to comply. FitzGerald asked if the City would have to pay for the destruction of the buildings. Brown stated that the City would initially pay for the service and then it would be placed on the tax rolls for that property. Amerine stated that the City has followed procedure. The Council has to make a decision, and a timeline should be set in place. Mayor Mike York asked if someone is currently living at the residence. Administrator Brown stated that the resident does live in the home.

Mayor York closed the public hearing at 6:47 p.m.

MOTION: Council Member David FitzGerald made a motion to pursue the three items listed in Resolution #11-2012. Council Member Lyle Berntsen seconded the motion. Council Member Jim Whitney stated that he would like to add that the homeowner hire a licensed contractor and complete the repairs within 30 days. Council Member Jim Whitney asked whether City Staff is allowed to enter the property. City Attorney Janet Amerine stated that staff would follow procedure. Whitney clarified that a licensed contractor must complete the first item listed in Resolution #11-2012. City Staff can take care of the remaining repair items. Council Member Berntsen withdrew his second.

MOTION: Council Member David FitzGerald made a motion that all repair items

within resolution #11-2012 be completed within 30 days; the first item in resolution #11-2012 to be completed by a licensed contractor and City Staff to take care of the remaining repair items. Council Member Lyle Berntsen seconded the motion. The motion carried unanimously.

6. Discussion of Dangerous Structure at 115 N. Lee Ave and Resolution Fixing Time and Place of Hearing

City Administrator Kent Brown stated that there is an unsafe structure at 115 N. Lee Avenue. Brown presented a draft resolution to set a hearing on 7-14-12. The property owner has promised to submit a zoning request to replace the building. City Staff has not received such request. Council Member David FitzGerald asked why Willie Lynn from Code Enforcement did not provide an inspection report on this property. City Administrator Kent Brown stated that the inspection findings were done on an Abatement Notice and Order form. It acts the same. City Attorney Janet Amerine stated that she would recommend adding the following paragraph from the Abatement Notice into the resolution:

Description of Public Nuisance(s) Found on Property: Damaged, faulty or defective structure of the building, in whole or part, constitutes an unsafe condition or hazard, including but not limited to, collapse, structural failure or other clear and present danger to constitute a threat to human life, safety or health.

MOTION: Council Member Lyle Berntsen made a motion to adopt Resolution #16-2012 to include additional language as recommended by City Attorney Janet Amerine. Council Member Jim Whitney seconded the motion. The motion carried unanimously.

Resolution No. 16 -2012

A RESOLUTION FIXING A TIME AND PLACE AND PROVIDING FOR NOTICE OF A HEARING BEFORE THE GOVERNING BODY OF THE CITY OF CLEARWATER, KANSAS, AT WHICH THE OWNER, HIS OR HER AGENT, LIENHOLDERS OF RECORD, OCCUPANTS AND OTHER PARTIES IN INTEREST OF STRUCTURES LOCATED WITHIN SAID CITY AND DESCRIBED HEREIN MAY APPEAR AND SHOW CAUSE WHY SUCH STRUCTURE SHOULD NOT BE CONDEMNED AND ORDERED REPAIRED OR DEMOLISHED AS AN UNSAFE OR DANGEROUS STRUCTURE.

Council Member David FitzGerald asked that legal counsel look at the resolutions prior to bringing before the Council.

7. Memorandum of Understanding for SRO with USD 264

Gene Garcia, Police Chief, stated that the Council has a copy of the Memorandum of Understanding in their packets. In addition, he attached a copy of the job description and the costs associated with the position. The SRO position would carry a similar schedule as a

teacher position: 175 days, 8 hours/day. The SRO would be required to be present at school functions. 67.3% of the officer's salary and benefits would be compensated by the school district for a rate of \$33,052.94. City Attorney Janet Amerine asked how this would be paid. Mike Roth, USD 264 Superintendent, stated that the school district would require an invoice. The total amount could be billed and divided into nine monthly payments. The invoice would be authorized for payment by the School Board at their meetings. Council Member David FitzGerald asked what the SRO officer would do when school is out. Chief Garcia stated that the officer would still do police duties for the City. This officer would also be a D.A.R.E. Instructor and divide his time between each of the schools. This officer would handle any cases that are generated in the school. Council Member Jim Whitney asked if the officer would generate overtime. Chief Garcia stated that there would be no overtime and this was explained to the officer. Chief Garcia suspects that much of his schedule would be spent at sporting and school events. The officer will have to adjust his schedule with the schools to fulfill a 40-hour week. The officer would still have a vehicle. Council Member David FitzGerald stated that he thinks this could save the City money. Chief Garcia explained that a portion of the liquor tax is used for D.A.R.E. Programming.

Council Member FitzGerald asked is there is a back-up plan for this position if the school district was not satisfied with the program. Administrator Kent Brown stated that there is a termination clause within the agreement. Chief Garcia stated that a different officer could be put in place if there were personnel issues. U.S.D. 264 Superintendent Mike Roth stated that the school district has been quite satisfied with the Clearwater Police Department and the services they have provided to the school. Any programming that the Police Department has done has been met with rave reviews from teachers. The School District had been talking about adding an SRO officer as part of its strategic plan five years ago. Roth is hoping this will be a long-term relationship. The School Board was unanimous in its decision to pursue an SRO. From the law enforcement standpoint, there is a lot of cooperation between the school district and the police department. Mayor Mike York inquired about item #4 in the agreement. He questioned whether a progress report could be done twice during the first year instead of once a year. Garcia stated that it is his intention to touch base with the school district on a monthly basis to find out how the officer is doing. City Attorney Janet Amerine stated that she did not think the agreement needed to be amended for York's request. She stated that both parties should be aware that frequent, or periodic, performance evaluations will be completed.

Amerine asked that the following be added to section 1 of the agreement:
"Compensation of SRO employee constitutes 67.3% of one city full-time officer's annual compensation. The amount will fluctuate upon the annual renewal of this agreement based on the actual costs to city. Compensation reimbursement pursuant to this agreement is \$33,052.94, payable in nine equal payments upon monthly invoice by the City beginning August 1, 2012."

Superintendent Mike Roth agreed that the billing could begin August 1st.

Garcia stated that he included half of the \$250 training costs for D.A.R.E. into the total cost of the position to be partially reimbursed by the school district.

Council Member Jim Whitney asked if the Council could approve the agreement with the changes noted.

MOTION: Council Member Jim Whitney made a motion to authorize the Mayor's signature on the SRO Memorandum with USD 264 to include the salary and specifications as outlined by City Attorney. Council Member David FitzGerald seconded the motion. The motion carried unanimously.

8. Review Request for Consent Annexation of 14311 Prairie Grass Circle

City Administrator Kent Brown stated that there is a new house being built at 14311 Prairie Grass Circle (Lot 16 Block 2 SW corner of the NE quadrant). The contractor is ready to have water. City Administrator Kent Brown asked the homeowners to sign the consent for annexation. The first action item is for the Council to accept the consent annexation. Council Member David FitzGerald asked if the homeowners know how much they will be charged. Brown stated that all of the properties in Prairie Meadows are being assessed. The resident will pay for the water meter. The line has already been installed to the property.

MOTION: Council Member David FitzGerald made a motion to accept the consent for annexation at 14311 Prairie Grass Circle. Council Member Lyle Berntsen seconded the motion. The motion carried unanimously.

9. Resolution to County Commissioners on Island Annexation

City Administrator Kent Brown stated that since this property does not adjoin the city, the City has to get permission from the County Commissioners to find and determine that the annexation of such property will not hinder or prevent the proper growth and development of the area or that of any other incorporated city within Sedgwick County.

MOTION: Council Member Jim Whitney made a motion to adopt Resolution 17-2012 as presented. Council Member Sandi Keeler seconded the motion. The motion carried unanimously.

Resolution No. 17-2012

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City Administrator Kent Brown stated that he does not know how long this process will be; but does not suspect there will be any problems. Brown asked for the Council's permission to set a water meter immediately. Mayor Mike York stated that the construction of this house has been a long drawn out process. The Council provided consensus to set the water meter. Brown stated that the City could pull the meter if the County Commissioners denied the request.

10. Water Emergency Plan

City Administrator Kent Brown stated that the City pumped 73 million gallons of water last year: 79 gallons per capita, or 200,382 gallons per day. The City Clerk, Fire Chief, Police Chief, Public Works Director, EMS Director and Administrator Brown have reviewed the plan. An annual review of the plan occurs every June.

MOTION: Council Member David FitzGerald made a motion to accept the Water Emergency Plan for 2012. Council Member Lyle Berntsen seconded the motion. The motion carried unanimously.

11. Proposal from PP&J to Remove and Replace Section of Wall on Ross Avenue

Kent Brown, City Administrator, stated that the proposal is to remove and replace approximately 74 lineal feet of retaining wall along the south side of Ross Avenue. This includes putting rebar within the wall. The contractor has already left town as they have completed their work as originally bid. The 74 lineal feet is from the edge of the bank property to the steps. Council Member David FitzGerald asked if the homeowners and bank should be financially responsible for the wall.

Council Member Sandi Keeler stated that she received a complaint from a citizen who stated that they would be upset if the City paid for the replacement of the wall since the homeowners along Lee and Ross had to pay for the curbing along their street. Mayor Mike York asked that Staff contact the homeowners and bank to get input on the replacement of the wall. The wall has been slowly leaning to the north for several years. Council Member Lyle Berntsen agreed with Mayor York. The Council gave consensus for staff to contact the two homeowners and the bank regarding paying for the replacement of the wall. Public Works Director Ernie Misak stated that it is his opinion that a permanent fix should be considered. Council Member Jim Whitney stated that an engineer would then have to become involved which would create a higher price tag.

Administrator Brown stated that staff would contact the property owners.

12. Request to Replace Police Vehicle

Gene Garcia, Police Chief, stated that his Department has done many patches with its fleet of vehicles in order to avoid replacement of its vehicles. However, it is time to replace Lt. Gearhardt's patrol vehicle. Garcia provided a summary of his research for the recommended Chevrolet Police Package Tahoe. It is approximately \$1,700 higher in price than the Charger. However, after observing other front wheel drive vehicles that the City has owned, Garcia would recommend a full-framed rear wheel drive vehicle. Chief Garcia stated that the lease for the Tahoe would be approximately \$750/month. Council Member Whitney noted that there would be another \$2-5,000 of equipment and graphics to be added to the new vehicle.

Council Member David FitzGerald stated that this is a very large vehicle. Chief Garcia stated that his staff would like a cage, and a lot of room for equipment and

technology. Council Member Jim Whitney asked what the warranty is on the Tahoe. Whitney asked if the warranty is terminated once it becomes a municipal vehicle. Chief Garcia stated that he will research this but thinks it is the same warranty that is normally offered to the general public. The Police Department has three patrol vehicles, a D.A.R.E. Vehicle, and his truck.

Council Member Jim Whitney stated that he thinks the Police Department and Council need to scrutinize whether the City needs that many vehicles for a City and police department of this size.

Police Chief Garcia stated that he includes the care of the vehicles in each employee's evaluation. Garcia stated that he believes that when a single vehicle is assigned to an employee, the vehicle is taken better care of. The mileage and care of each vehicle is accounted for.

Council Member David FitzGerald stated that perhaps a standby vehicle could be used as the SRO's vehicle. Council Member Jim Whitney asked how many vehicles the City is paying for. City Administrator Kent Brown stated that the City does not have any lease payments on the police vehicles at the current time. Chief Garcia stated that his Department could get by on three vehicles and a spare vehicle for the SRO. Garcia stated that there are approximately 67,000 miles on Lt. Gearhardt's 2005 vehicle. There are 24,000 miles on the 2008 Ford Truck.

Council Member Jim Whitney stated that he would be in favor of replacing Gearhardt's vehicle and consider negating the replacement vehicle in 2013. Council Member Berntsen stated that he would be more in favor of cutting vehicles than people.

Council Member Jim Whitney stated that he would be more in favor of the Tahoe than a Chrysler product. Council Member Lyle Berntsen stated that he too would be more in favor of the Tahoe than the Chrysler however, Berntsen suspects that the citizens of Clearwater will give the Council and Police Department a lot of flak for driving an SUV. Mayor York stated that he agrees with Whitney. Council Member Jim Whitney stated again that he is in favor of purchasing the vehicle and asking Garcia to consider that three vehicles would be enough.

City Administrator Kent Brown stated that Council needs to provide staff with a directive. The Council gave consensus to direct Chief Garcia to pursue a lease agreement for a Tahoe with the understanding that Garcia is consider whether the Department could function with three vehicles instead of four.

12.B. Replace Computer in Lieutenant's Office. Police Chief Gene Garcia then stated that the school donated computer equipment to the Department. The computer used for Open Fox, which is used for criminal checks, has died. The program requires a 32-bit computer. The State program is dated and is not compatible with newer computers. It must be loaded onto a 32-bit computer. Garcia stated that they received a competitive quote from SKT. Council Member Lyle Berntsen stated that it is Garcia's budget.

MOTION: Council Member David FitzGerald made a motion to authorize Chief Garcia to purchase a computer from SKT as a replacement workstation in the Lieutenant's office. Council Member Lyle Berntsen seconded the motion. The motion carried unanimously.

12.C. Appointment of Darrell Schenck and Jeremy Watts as PT Police Officers.

Police Chief Gene Garcia stated that he would also propose to the Council to appoint Darrell Schenck and Jeremy Watts as part-time officers to fill the gap the Police Department may have when the SRO position becomes effective. Chief Garcia noted that Saturday mornings will be the most challenging to schedule. The part-time officers would be a great fill in. Mayor Mike York recommended appointing Jeremy Watts and Darrel Schenck as part-time Clearwater police officers. The Council gave their consensus.

13. Proposal on Computer Software and Hardware for City Hall and Council Chambers

Kent Brown, City Administrator, requested tabling this item until the next Council meeting.

14. Present 2013 Budget – General Fund

Kent Brown, City Administrator, reviewed the General Fund Budget requests.

Council Member David FitzGerald asked how much the police radios increased the proposed 2013 budget. The police budget jumped from \$370,993 in 2012 to \$410,644 in 2013. Police Chief Gene Garcia stated that his initial quote was \$3-4,000 for each Motorola radio. Today, Garcia received a quote for \$7,800.33 for three radios. This may affect his overall budget for 2013.

Council Member David FitzGerald asked if the City could make additional money by charging out of town citizens and businesses to use the brush dump. City Administrator Kent Brown stated that the City is under strict monitoring by the EPA. Taking brush material from citizens outside of Clearwater may be too much material for the City to handle. Public Works Ernie Misak stated that an employee must be present during all burns at the dump. It would cost the City to staff the dump to monitor burns and accept out-of-town brush.

City Administrator Kent Brown asked the Council to consider whether to eliminate the recycling program. It currently costs the city \$2,500 to staff the recycle center and haul the recyclables to Harper. Council Member David FitzGerald asked how much the City earns for the recyclables. Administrator Kent Brown stated that the City does not receive any income for the recyclables. Council Member David FitzGerald asked what the City would do with the bailer if the Council decided to terminate the service. Administrator Brown and Council Member Jim Whitney stated that the bailer could be sold. Council Member Jim Whitney stated that it sounds as if staff needs to do a little research to determine if there is a vendor that could pick up cardboard, or whether Waste Connections could place dumpsters outside to collect recyclables.

15. Committee Reports

No meeting minutes were distributed in the Council Packets. The following committees are scheduled to meet and are open to the public to attend:

Planning Commission: Meeting scheduled for 7-03-12

Park Commission: Meeting scheduled for 7-16-12

16. Claims & Warrants

City Clerk Liza Donabauer presented the claims and warrants as of 6-08-12 for \$83,573.78. Since Friday, staff has received additional claims that are necessary for the Council's approval. Those claims total \$2,332.33. Staff is requesting that the Council approve the additional claims when considering authorizing payment of the claims and warrants.

Council Member Sandi Keeler asked about the purchase of t-shirts from the Circle High. Public Works Director Ernie Misak stated that the SCSLE is able to get t-shirts through Circle High for his staff. The t-shirts cost approximately \$2.25/each. The t-shirts will be lime green and will still need to be brought to Shirts Plus for monograms.

MOTION: After discussion, Council Member Sandi Keeler moved to authorize payment of the claims and warrants for \$83,573.78 and additional claims for \$2,332.33. The motion was seconded by Council Member Jim Whitney and passed unanimously.

17. Old Business

Council Member Jim Whitney stated that he drove by 137 N. Lee and there are many grocery store racks blocking the alley. Police Chief Gene Garcia stated that he spoke with the property owner who says he is trying to do the best he can. Council Member Jim Whitney asked what the next step is. City Attorney Janet Amerine stated that the police can ticket the property owner if he is blocking the alley. Legally, this may be the easiest action. Council Member Sandi Keeler stated that a No Dumping sign has not been placed at the property. Council Member Lyle Berntsen stated that the property owner should put a fence up. City Attorney Janet Amerine stated that the City could go through the process of citing him for running a salvage business within city limits. Council Member Sandi Keeler stated that if the City cites him for impeding in the alley then it would show him that the City is serious. She noted that the City Council discusses this property at every meeting.

Mayor Mike York asked Public Works Director Ernie Misak about the moss at the ponds at Chisholm Ridge. Misak stated that the moss is almost gone. Misak has not added any chemicals to the pond. City Administrator Kent Brown and Misak stated that the City has the product on hand if the moss would become worse.

18. Department Head Reports

Ernie Misak, Public Works Director, reported to the Mayor and Council:

- Public Works staff will need to start trimming over the City streets. Approximately 75% of the trees and brush growing into the fencing at the sewer ponds has been removed.

- The wastewater samples continue to be non-compliant for the Biological Oxygen Demand (BOD) for the last three months. The water flow was split between Wells 2 and 3. Public Works has followed the instructions from KDHE, but they do not have an answer for why it is not working.
- A portion of the roof at the Recycle Center was re-tarred in an effort to repair leak.
- Public Works sprayed the walking path at Chisholm Ridge.
- Misak spoke with Allen at ProComm who thinks they could re-program the Public Works radios for narrowband. The radios are not old enough for replacement.
- Misak stated that he received a quote for an edger from a different vendor for \$299.
- The old Tiger Shark was brought to United Industries to get a quote to get it operable. It will cost less than \$850 to change the motor. He asked for authorization to get it fixed in lieu of purchasing a new Tiger Shark in the 2013 budget. The Council gave their consensus.
- The aerator needs to be replaced and he would like authorization to purchase a new aerator.
- Misak stated that Public Works has not received any new vehicles in the last ten years. If the Police Department does not hand down their used vehicles, then he will have to start budgeting replacement vehicles in his budget or CIP plan. He stated that his budget would be directly affected by what the Council decides with the Police Department's budget.
- Misak stated that they trimmed the trees along Elaine and Ross but did not spray along the drainage. FitzGerald asked why staff left the large tree in the drainage between Wood and Elaine Avenues. Misak stated that a citizen specifically requested that the tree not be removed.

Gene Garcia, Police Chief, reported to the Mayor and Council:

- Garcia stated that the security cameras are working well for his department.
- Council Member David FitzGerald asked how close a vehicle could park next to a fire hydrant. Police Chief Garcia stated that a police car could park right next to it; any other vehicle must park 15' away. The Police Department has issued tickets for these types of violations.
- Council Member David FitzGerald stated that he received complaints about the Department ticketing students this morning. Police Chief Garcia explained the law regarding underage driving. Issuing tickets stemmed from complaints by school officials and parents. City Attorney Janet Amerine stated that this is the law.

Marvin Schauf, Fire Chief, reported to the Mayor and Council:

- The generator died during the Monday morning exercise. It only occurred during the test exercise and is being investigated.
- The Fire Department had to help Sedgwick County with a 100-acre field fire. It took two hours to put it out the fire.

19. Staff Reports

City Clerk Liza Donabauer stated that she does not have anything to report.

City Attorney Janet Amerine stated that she and City Administrator Brown had a

conference call with Ed Mikesell and his financial person. Mikesell stated that he is willing to get a letter of credit for the City if his finance person cannot produce a letter of credit.

City Administrator Kent Brown stated that he received a letter from TLC Services, formally Voornaam Pyrotechnics, a fireworks display company. He is willing to do the City's Fourth of July fireworks display. The agreement will be available by the next Council Meeting. The Council gave their consensus to pursue the contract with TLC Services.

City Administrator Kent Brown provided a site plan for Andy Jacob's SafetyTech business at the industrial park. Brown stated that Jacobs is requesting that the Council okay his site plan. Jacobs has drainage issues on the property that would require fill dirt. Council gave consensus to proceed with his site plan as presented.

City Administrator Kent Brown and City Clerk Liza Donabauer have a conference call with Standard & Poor's regarding the City's bond rating. The call is scheduled for Wednesday June 13, 2012 at 10:30 a.m.

City Administrator Kent Brown stated that he received a response from Today in America regarding the airtime and market distribution list for the \$24,900 marketing video they proposed for the City of Clearwater. After discussion, the Council declined pursuing the proposal.

The Consumer Confidence Report and City newsletter is due out by June 30th. City Administrator Kent Brown asked the Council for ideas to include in the newsletter. Council Member Jim Whitney asked whether the Council should educate the citizens about parking on the streets and in yards. Council Member David FitzGerald suggested publishing the brush dump hours. Gene Garcia proposed writing about how the school district is funding a portion of the Council approved SRO position. They also discussed a short article about crime prevention. Council Member Jim Whitney asked that staff contact Laura Papish regarding what she would like in the newsletter.

The Progress Edition will be published next week.

20. Council Reports

Council Member Lyle Berntsen stated that he had nothing to report

Council Member Sandi Keeler stated that Council recently discussed technology and going paperless. With consensus, the Council decided that they would rather receive one Council packet on Friday afternoon. Currently, they receive a Council packet on Fridays and another packet on Tuesdays. It was agreed that any new and pertinent information would be placed on the Council's chairs prior to the Tuesday meeting.

Council Member Jim Whitney stated that he had nothing to report.

Council Member David FitzGerald asked if the City gets paid for using its credit cards. He asked that staff consider using a Discover credit card which offers cash back based on annual expenditures.

21. Executive Session – Personnel Matters of Non-Elected Personnel

Kent Brown, City Administrator, requested that the Council meet in Executive Session to discuss personnel matters of non-elected personnel. He invited Ernie Misak,

Public Works Director, into Executive Session.

MOTION: At 10:55 p.m., Council Member Sandi Keeler made a motion to enter into executive session for personnel matters of non-elected personnel for ten minutes. The motion was seconded by Council Member David FitzGerald and passed unanimously.

At 11:05 p.m., Council returned to regular session with no action taken.

MOTION: Council Member David FitzGerald made a motion to increase the salaries of the two part-time public works employees from \$7.25 to \$8.00, and from \$8:00 to \$8.50 per hour. Council Member Sandi Keeler seconded the motion. The motion passed unanimously.

MOTION: Council Member David FitzGerald made a motion to increase the salary of the Deputy City Clerk by \$0.50/hour due to completion of mandated course work as part of Council Direction in January, 2012. Council Member Sandi Keeler seconded the motion. The motion carried unanimous.

22. Adjournment

MOTION: Being no further discussion to come before the Council, Council Member Lyle Berntsen moved for adjournment. The motion was seconded by Council Member David FitzGerald and passed unanimously.

The Meeting adjourned at 11:09 p.m.

CERTIFICATE

State of Kansas }
County of Sedgwick }
City of Clearwater }

I, Liza Donabauer, 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 12, 2012 City Council meeting.

Given under my hand and official seal of the City of Clearwater, this 26th day of June, 2012.

Liza Donabauer, City Clerk