

City of Clearwater, Kansas
Sedgwick County
City Council Meeting - **MINUTES**
January 9, 2024
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. Zane Gill led the 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, Crystal Walter, Samantha Warkins and Shirley Palmer-Witt. Tim Robben was absent.

The following staff members were present:

City Administrator Zollinger, City Clerk Poe, Amber Ives, Cole Hollis and Kirk Ives. Jared Dinwiddie and Scott Ufford were present via GoTo Meetings.

Others present:

Douglas Flagg and Herschel West.

3. Approval of Agenda

Mayor Ussery asked if there were any modifications to the agenda, Zollinger stated Item 8d needed removed.

Motion: *Walter* moved; *Palmer-Witt* seconded to approve the agenda as modified. Voted and passed unanimously.

4. Council Recognition

Mayor Ussery thanked Chad Pike for all his work on City Council during his 4-year term. There were many improvements made during this time. He served from 2020-2024. Chad Pike and his family was presented with a special plaque to recognize this time and pictures were taken.

Mayor Ussery welcomed Samantha Warkins to the City Council and is excited to see what all they will get accomplished.

5. Public Forum

None.

6. Consent Agenda

Mayor Ussery asked if there was any question on the consent agenda and if not asked for a motion to approve.

Previous Council Meeting Minutes

Claims and Warrants

Boundary Resolution 01-2024

Appropriation Resolution 02-2024

Judge Agreement 2024

Prosecutor Agreement 2024

Councilmember Shore asked if Diagonal rd. should be on the boundary resolution, Zollinger stated that it has not officially been annexed into the City.

Motion: *Shore* moved; *Palmer-Witt* seconded to approve the consent agenda as submitted. Voted and passed unanimously.

7. Staff Reports:

- Administration Office – Courtney Zollinger – Council discussed the Lead and Copper survey. The information is due to KDHE by October 2024. Mayor Ussery stated the link on the City Facebook page for the survey was not working.
- Fire Department – Jared Dinwiddie – Dinwiddie congratulated Justin, Samantha, and Mayor Ussery on their elections.
- Police Department – Kirk Ives – None.
- Public Works/Parks – Cole Hollis – None.

- Senior Center –Amber Ives – Amber thanked Chad Pike for his time and welcomed Samantha and Justin onto City Council.

8. Business

a. Elect Council President

Mayor stated there were two main duties of Council President: 1. Run the meeting when the Mayor is absent, sign checks, etc. 2. This person would become Mayor if for any reason the Mayor was no longer able to do so.

Shirley, Crystal and Samantha all nominated Justin Shore for Council President. This is for a two-year period. Justin Shore accepted.

Motion: *Walter* moved; *Warkins* seconded to elect as Justin Shore Council President as presented. Voted and passed unanimously.

b. Special Assessments – Park Glen Estates Phase 2

On June 23, 2020, the governing body approved improvements for Park Glen Estates Phase 2 addition (Resolution 08-2020). This included Yvonne Drive. At the December 12, 2023, meeting an amendment was accepted to spread the sanitary sewer special assessments to include lots in Park Glen Estates 2nd Addition (Resolution 26-2023) At the December 12, 2023, meeting, City Council approve the Final Costs certified the assessment roll, and approved the date of the public hearing. The notice was mailed out to all owners in Park Glen Estates Phase 2 and Park Glen Estates 2nd additions notifying them of the special assessment hearing. The City Clerk has not received any written objection to the special assessments. Each property owner will receive another notification informing them of their options to pay in whole or part to the City by February 15, 2024. If not paid the bonds will be issued for a collection period of 20 installments/years. If the owners pay now, it will save them the cost of Interest. Estimated special assessment amount:

- Lots 1-4 Block 2 and Lots 8-21 Block 2 will be \$157.86. (Street, Water, Sanitary Sewer)
- Lots 5-7 Block 2 will be \$98.61. (Street only – qualified for incentives by 12/31/23)
- Lots 1-15 Block A and Lots 1-21 Block B will be \$18.89 (Sanitary Sewer only)

The city portion of the water, sewer, and drainage for the 3 lots that qualified for incentives is \$27,745.39 and for Yvonne Drive is \$461,371.06. Total City-At-Large Cost is \$489,116.45. The remaining \$595,883.56 will be assessed to the individual properties.

Motion: *Palmer-Witt* moved, *Warkins* seconded to open the public hearing for Park Glen Estates and Park Glen Estates 2nd special assessments. Voted and passed unanimously. Public hearing opened at 6:42 pm

Douglas Flagg at 1269 E. Park Glenn Ct spoke about the City needing to do a better job at getting information out so that when people are buying their houses, they aren't surprised by these fee's. Mayor Ussery apologized for the surprise to him, Palmer-Witt stated that disclosure of special assessments should come at closing. Flagg stated that he spoke with the developer and was shown where it was mentioned in the documents, he didn't think it was transparent enough. Mayor Ussery again, apologized for the confusion and surprise.

Motion: *Shore* moved, *Palmer-Witt* seconded to close the public hearing for Park Glen Estates and Park Glen Estates 2nd special assessments. Voted and passed unanimously. Public hearing closed at 6:47 pm

Motion: *Walter* moved, *Warkins* seconded to adopt ordinance 1106 levying special assessments on certain property to pay the costs of internal improvement in the City of Clearwater, KS, as previously authorized by Resolution 08-2020 and 26-2023; and providing for the collection of such special assessments. Voted and passed unanimously.

Motion: *Warkins* moved, *Shore* seconded to adopt Resolution 1-2024 authorizing the offering for sale of General Obligation bonds, Series 2024, of the City of Clearwater, KS. Voted and passed unanimously.

c. Waste Connections – Contract Extension

The city is currently in the final year of an eight-year contract with Waste Connections for sanitation and recycling services. The contract with Waste Connections was originally agreed to in 2007. When reviewing bids from the original RFB, Waste Connections was the only service that didn't charge the city extra for the City-Wide Cleanup. Herschel West with Waste Connections was present and stated that they have been servicing Clearwater for over 15 years. There is an annual increase

each year that is usually 40 cents a cart. They are offering to extend the 2023 pricing for an additional two years by signing an eight-year agreement one year early. This would mean the City would hold the current 2023 pricing for 2 years. This would save the City around \$5,000. The cost is passed onto the customers. Zollinger stated, with this proposal the fees could possibly be lowered for the trash carts charged to the customers. Herschel stated the City receives 5 free roll off. These are used at Public Works to keep the ground clean. The City has had the same driver for a long time. Council discussed price comparisons; Warkins stated that the Fall Festival Committee usually goes with Waste Connections as they are the better deal.

Motion: *Palmer-Witt* moved; *Shore* seconded to approve the contract extension with Waste Connections for 8 years. Voted and passed unanimously.

d. Marketing Campaign
Item Removed

e. Well 6 Emergency Repair

In August 2023 well 6 went down and Layne A Granite Company was called to do an inspection which cost around \$20,000. The rehab was completed by November 2023 and Layne found that there is a hole in the louvres eighty-six feet down. The recommendation is to reline the well. This will shrink the well casing to the point that will require us to switch to a submersible pump. Layne will mobilize a pump service crew with all necessary materials to reline the existing water supply with a complete well liner. The liner's casing will be 10-inch diameter carbon steel. The screens will be wire wrapped stainless steel and will match the existing well design. The liner will be set into place, then the remaining annulus between the existing casing and new casing will be gravel packed and/or sealed. The well will be developed then a four (4) hour constant rate pumping test will be performed to determine capacity. The cost for relining the well is \$23,787.00. Public Works Equipment Reserve has funds for emergency repair to cover the cost. Council discussed this being a temporary fix, Zollinger stated it is necessary to be able to provide these services, but a whole system replacement will have to come eventually. This well was originally drilled in the 70's and is believed to be about 100' in depth. The cost for this repair will not include a submersible pump. It is costly to repair, Hollis stated it is an extensive job they will have to remove the assembly and utilize a crane truck to do so. The City does not have a time on when they would be able to start the repair.

Motion: *Warkins* moved; *Walter* seconded to Approve the emergency repair for well #6 with Layne for \$23,878.00 utilizing Public Works Equipment Reserve Funds. Voted and passed unanimously.

f. Field Usage Agreement- Discussion

Mayor Ussery and Zollinger met with the School Superintendent yesterday to discuss different options/ideas for the use of the Sports Complex. They will be meeting with the Recreation Commission tomorrow to discuss the same things. The idea is for all entities to be on the same page and come to a mutual agreement. This has been in discussion for over a year. The rec, school and independent donors have all helped to improve the parks in the past. The Sports Complex serves the community which is not restrictive to the boundaries of the City.



USD 264 doesn't own baseball or softball fields for their athletic department, they use the City Sports Complex at no charge. The School Districts Mill Levy without Rec is 59.529. 1 Mill is equal to \$75,841. (\$4,514,738) The Recreation Commission doesn't own any property for their recreation programs they also use the City Park and Sports Complex and school facilities at no charge. The Rec is under the school district boundaries and their general fund mill levy is 2.996. 1 mill is equal to \$75,841. (\$227,447) The rec charges a fee to play in organized sports with the Rec. Other activities outside of sports are free of charge. The City owns City Park and the Sports Complex. This is all paid for with city taxes. Rental fees will be established in 2024 for people who want to reserve. The City's budget for parks is \$267,369.50. The City's total General Fund Budget Mill is 58.221. 1 mill is equal to \$22,393 (\$1,303,742). The Parks budget is 19.5% of the

total general fund. We estimate the Sports Complex costs the city about \$125,367 out of the \$267,369 budget. This is determined by the contract labor (mowing, seeding, spraying, sprinkler maintenance) and a portion of staff time dedicated to the sports complex (fence mending, gate repair, cage work, bathroom repair, cleaning, electrical, trash, fence spraying). The city has been asked to improve and maintain the ballfields better so the high school and rec teams have a better place to play. The city responded and invested nearly \$75,000 unbudgeted in the 2023 budget. As of now there are 2 different options that the City has in mind:

Option 1 City Retains Ownership – Recreation Commission Manages/ Maintains. The Rec would be responsible for maintenance and materials for the parking lot, ball diamonds, scoreboards, stadium lights, and soccer fields. This includes mowing, chemicals, sprinkler system, field materials, seeding, repairs to scoreboard and stadium lighting, batting cage repairs. They would also schedule all facility usage for the sports complex and set their own rental fees as they see fit. And would schedule and manage use of the concession stand. The City would maintain the tennis court strip, disc golf, minor repairs to gate latches, fences, spray fence lines for grass, minor repairs to concession stand and plumbing in concession stand, cleaning bathrooms, well maintenance, electric bill, contracted trash service. The City would give the Rec Commission the field maintenance tool that was purchased in 2022. The city is working on a Master Plan in collaboration with USD264, Recreation Commission, and residents. This will help create a guide for desired improvements from the stakeholders. If and when any improvements are to be implemented, the Recreation Commission would present the plan to city council for approval. At that time the Recreation Commission could ask for a cost share to complete the project. For a cost share the council would need to have adequate time to budget for any projects. The budget process starts around May and is concluded in August for the following years' budget. There are still rules that will need to be followed for improvements since a KDWP grant was awarded for this property and they would have to approve certain improvements.

Option 2 City Retains Ownership & Maintenance. The City maintains ownership of the Sports Complex and responsibility for all maintenance and improvements. The City will set a fee for the Recreation Commission and USD264 to maintain the facilities at their current condition. The city will continue to maintain the sports complex as is with the current improvements that have been made as of 2023. The city's budget portion of the sports complex is around \$125,367 out of the total parks budget of \$267,369. \$101,303 is estimated to be for the ball diamonds only. To have the fields maintained in the manner in which has been requested by the district the city is required to invest in the fields year around even though they are used about 3 months out of the year. The fee for USD264 and the Recreation Commission will be around \$25,000 each to keep the fields maintained. The City is ready to set standards and have the three organizations with funding responsibility be able to work together and have a mutual agreement for the field usage. Mayor Ussery is hoping to have decisions quickly so that this can be included in the budget process that will start soon.

9. Governing Body

Walter – Wanted to thank Chad Pike for his time on Council and welcomed Samantha Warkins.

Shore – Wanted to thank Chad Pike for his time on Council and welcomed Samantha Warkins. Local government day is on the 24th in Topeka. There will be a couple of topics that will be good to hear. They have discussed putting a limit on raising MIL Levy and the LAVTR will be a topic as well. Mayor Ussery mentioned the Governors subject of exemption on property tax going from \$40,000 to \$100,000 in the last couple of days, Shore is not familiar with this topic.

Warkins– Happy to be here and excited about the direction of the City.

Palmer-Witt – None.

Ussery – This is the third term as Mayor and will not be running again. Mayor mentioned a comment made by someone who was frustrated and disappointed in the governing body. Mayor is disappointed that he ran unopposed, disappointed in all the things they have to say no to in the budget, frustrated with people negatively commenting on social media and not getting involved. Now, with the next four years, there are a tremendous amount of opportunities ahead with the houses being built, speaking with a developer now who thinks the property north of Chisholm Ridge has potential, the City has 9 acres on 135th that needs to have something done. Mayor stated whatever the governing body's passion is, focus on that and help in those areas. The comprehensive plan needs to be brought back out and implement some of the things in it. Mayor then stated his appreciation towards each staff member in the chambers, Zollinger, Chief Ives, Cole, Chief Dinwiddie, Amber and Jaye.

Zollinger – There is a Fall Festival meeting on January 15th at 6 pm at the Masonic Lodge, volunteers are needed. There will be a Council Workshop on January 30th from 6:30-8:30pm.

10. Executive Session

None.

11. Adjournment

Motion: *Walter* moved; *Pike* seconded to adjourn the meeting. Voted and passed unanimously. The meeting adjourned at 7:26 PM

CERTIFICATE

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

I, Jaye Poe, 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 January 9th, 2024, City Council meeting.

Given under my hand and official seal of the City of Clearwater, Kansas, this 23rd day of January 2024.


Jaye Poe, City Clerk

