

City of Clearwater, Kansas
Sedgwick County
City Council Meeting - **MINUTES**
February 13, 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.

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 and Samantha Warkins. Shirley Palmer-Witt and Tim Robben were absent.

The following staff members were present:

City Administrator Zollinger, City Clerk Poe, Amber Ives, Cole Hollis, Kirk Ives, Jared Dinwiddie, and City Attorney Jennifer Hill.

Others Present:

Nathan Bieler and Garrett Weidman.

3. Approval of Agenda

Mayor Ussery asked if there were any modifications to the agenda, Zollinger stated item 7e Fire Apparatus needed to be removed.

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

4. Public Forum

Garrett Weidman is not in favor of developing the property north of Chisholm Ridge with apartments. Garrett stated that between 2000 to today, the population has grown by about 500 people. He would not like to see that kind of growth overnight with apartments, he does not believe the school could handle a 200 kid increase as that would be about 20% of the added population of 500. He believes it would be a negative impact for surrounding property values. He would like to see the 1 acre lots developed, if they would have been available when he moved back in 2013, that is what him and his family would have purchased. Mayor Ussery stated that there are no decisions made, the governing body is just wanting to do their due diligence and look into all possibilities and keeping the Comprehensive plan in mind.

5. 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

KDWP Annual Operating & Maintenance Agreement

Approve Hire for Public Works – Michael Cowherd

Prairie Meadows Consent for Annexation

Mayoral Appointment – Tim Vaughn

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

6. Staff Reports:

- Administration Office – Courtney Zollinger – None.
- Fire Department – Jared Dinwiddie – Shore asked if the Fire and Police Department have gotten expenses for the cost to upgrade the encryption on the radios. Jared stated that it will not have an impact on the fire department's radios. Jared submitted another grant today for radios, totaling 3 different grants. The AFG grant will be awarded in August. They have 9 mobile radios in the trucks and bay station and 20 portable radios for personnel.
- Police Department – Kirk Ives – With the grant they were awarded for the radios, they will be getting new radios that should have upgraded encryption already. To upgrade the remaining radios, they will be applying for more grants.

Council discussed the school paying the off-duty officers they use for events directly. The Fall Festival can not hire them as all of the officers are usually working the event for the City already. The new 2023 Explorer is out front for viewing. The Charger is getting the lights put on and may be ready by the middle of next week.

- Public Works/Parks –Cole Hollis – None.
- Senior Center –Amber Ives – Council discussed the success of the Super Bowl watch party. Ives said there were 45 people for their lunch and learn today, however, Sarah Lopez did not show up.

7. Business

a. Park Vending Machine

Nathan Bieler, a Clearwater resident, would like to propose installing a vending machine at City park. He is open to any suggestions that the Council may have. He plans to have food and refrigerated drinks available for purchase. He currently has one at the Wellness Center. The sell by dates will be checked regularly as well as stocking the machine. Council asked if it would be visible from the street, Nathan stated that it would be up to them to decide, there are outlets and camera's there that would allow for a couple different placement options. Council asked about insurance, Nathan will carry insurance that would cover vandalization/destruction. Nathan said he would like to secure the machine to the concrete. A portion of the sells would go to the City to help with the cost of electricity. A trial period of 30-90 days was discussed being an option. Council would like to see an agreement/contract brought for them to review. Mayor Ussery is concerned with others wanting to start placing items on City Property. Council would like time to review all scenarios and see if other cities have dealt with similar instances and have policies in place.

b. Sketch for Property N of Chisholm Ridge

During the Council Workshop on January 30, 2024, the Governing Body discussed residential growth options for the city owned property north of Chisholm Ridge. It is recommended that the Governing Body consider what type of development they believe would be good for Clearwater. Options discussed were apartments, ½ acre lots, 1 acre lots, or a combination. There was no consensus on which one would be better. The direction was to get a price on what it would cost to have two rough sketches drawn up for this property so they could better visualize the layout. Mark Savoy at BHC estimated each sketch to be \$2,500-\$3,000. This would not include any platting, surveys, boundaries, or topography. If approved this would be paid out of the General Fund Special Projects. \$7,200 was earmarked for unknown incentives that could carry over from 2023. There were 0 incentives to carry over so the \$7,200 is no longer needed for that purpose. Nothing was put in the budget for Planning for 2024. Mark was suggested by the current Realtor, Corey Sandy. The City would be billed for the actual time spent on the drawings. Council discussed getting prices from PEC, Bothman and maybe Garver for potentially better pricing. The extension of Janet and Yvonne Dr roads need to be included in the drawings, the names of the roads will not change. Ussery addressed affordable housing being part of the Comprehensive Plan and other surveys that have gone out. There are no decisions being made on the type of development for this property, it will be in a public meeting when these decisions are being made for the residents to be aware.

c. Streetlight Installation Policy

During the Council Workshop on January 30th, the Governing Body discussed streetlight locations. The city has received an informal request to install a streetlight on Salt Creek Ct in Chisholm Ridge last year. When the request came in the subdivision regulations were reviewed and it was noted that there were no specific regulations on the number of streetlights nor placement for any new developments. With the recommendation of the Planning Commission the Governing Body adopted an amendment to the subdivision regulation on streetlight placement for all new developments. The new ordinance does not enforce placement in existing neighborhoods, so the governing body reviewed how to handle requests for streetlight placement. It was suggested to create a policy that would address such requests. The policy states when a request comes in that the distance between existing streetlights are considered; if the requested location has a distance greater than 600', is on a non-lit curvilinear street, or non-lit cul-de-sac, then the installation may be paid for by the city with no more than 3 installations per year. In Every's Subdivision Policy they give a \$40,000 allowance for new subdivisions. If the installation exceeds that, the extra cost goes to the developer. This current allowance has been in place since 2015. The cost to install any light will vary based on location. When Salt Creek Ct was reviewed last year the city's portion from Every would be around \$5,000. The documentation needed for the suggested policy would be gathered and reviewed by City staff, then brought to Council for their decision. With this Policy in place, the City will need to include it in the budget, and if it doesn't get used, then the Council will decide where to transfer it. There is only 1 signature required for

the petition as long as easements are obtained and will be put on the Agenda for approval/denial per the presented Policy. If the easement is not obtained, then the City can not move forward with the installation of a streetlight. This has been the first time someone has requested a streetlight as long as Zollinger has been with the City. Shore asked Hill how other Cities handle uniformity policy regarding streetlights, sidewalks, roads, Hill stated the Planning Commission usually makes the recommendations for two of those topics, but the streetlights are not common as far as she has dealt with.

Motion: *Warkins* moved; *Walter* seconded to approve the Streetlight Policy. Voted and passed unanimously.

d. 2023 Year End Transfer

City Auditor suggested the Governing Body consider transferring funds that finished the year under budgeted expenditures to the equipment reserve to help offset future purchases that otherwise may have an impact on future mill levies. After wrapping up the 2023 budget year, some departments were under their budgeted expenditures, and staff is suggesting the following transfer schedule to the Equipment Reserve Fund:

GENERAL						
	2023 Budgeted Expenditures	Needed for 2024	2023 Actuals	% of Budget	Over/ Under Budgeted	EQ RES XFER
CASH		\$ 877,272.91	\$ 1,154,354.29		\$ 277,081.38	
Admin	\$ 1,041,207.80		\$ 1,035,037.32	99%	\$ 6,170.48	\$ 4,000.00
Sr Ctr	\$ 57,360.76		\$ 56,423.68	98%	\$ 937.08	
PD	\$ 899,746.80		\$ 841,900.80	94%	\$ 57,846.00	\$ 57,000.00
Court	\$ 77,138.84		\$ 75,794.64	98%	\$ 1,344.20	\$ 1,000.00
PW	\$ 245,892.65		\$ 209,920.39	85%	\$ 35,972.26	\$ 35,000.00
Fire	\$ 289,500.00		\$ 277,272.28	96%	\$ 12,227.72	\$ 12,000.00
Park	\$ 301,849.45		\$ 269,817.08	89%	\$ 32,032.37	\$ 32,000.00
Pool	\$ 110,920.00		\$ 100,538.80	91%	\$ 10,381.20	\$ 10,000.00
Museum	\$ 9,700.00		\$ 9,231.93	95%	\$ 468.07	
Library	\$ 9,000.00		\$ 8,999.36	100%	\$ 0.64	
Special Projects	\$ 192,100.00		\$ 192,150.00	100%	\$ (50.00)	
Reserve	\$ 800,000.00		\$ 800,000.00	100%	\$ -	\$ 120,000.00
TOTAL	\$ 4,034,416.30		\$ 3,077,086.28		\$ 157,330.02	\$ 271,000.00
GENERAL FUND CASH BALANCE AFTER TRANSFER INTO EQ RESERVE						\$ 883,354.29
Ending Cash Above/Below Budgeted 2024						\$ 6,081.38

The starting cash needed for the 2024 budget year is \$877,272.91. The ending cash in 2023 was \$1,154,354.29. The city received more from Franchise Tax, Delinquent Tax, and County Share than was anticipated in the budget. With the suggested equipment reserve transfers the starting cash for 2024 will be \$883,354.29 which is \$6,081.38 more than estimated for the 2024 budget. For Special Highway the road project came in under the budgeted amount. Suggest moving the allowable budgeted authority to equipment reserve for future annual road maintenance. Water and Sewer were under budget primarily due to personnel changes and not being able to fill positions within the year. It is suggested to transfer the remaining budgeted authority into equipment reserve for future needed repairs or upgrades.

SPECIAL HIGHWAY						
	2023 Budgeted Expenditures	Starting Cash Needed for 2024	2023 Actuals	% of Budget	Over/ Under Budgeted	EQ RES XFER
CASH		\$ 122,778.10	\$ 154,570.12		\$ 31,792.02	
Expenditures	\$ 138,000.00		\$ 109,017.48	79%	\$ 28,982.51	\$ 28,000.00
SPECIAL HIGHWAY FUND CASH BALANCE AFTER TRANSFER INTO EQ RESERVE						\$ 126,570.12
Ending Cash Above/Below Budgeted 2024						\$ 3,792.02

WATER OPERATING						
	2023 Budgeted Expenditures	Starting Cash Needed for 2024	2023 Actuals	% of Budget	Over/ Under Budgeted	EQ RES XFER
CASH		\$ 52,188.10	\$ 107,489.78		\$ 55,281.68	
Expenditures	\$ 438,712.90		\$ 431,768.18	88%	\$ 56,949.72	\$ 52,500.00
WATER FUND CASH BALANCE AFTER TRANSFER INTO EQ RESERVE						\$ 54,989.78
Ending Cash Above/Below Budgeted 2024						\$ 2,781.68

SPECIAL PARKS						
	2023 Budgeted Expenditures	Starting Cash Needed for 2024	2023 Actuals	% of Budget	Over/ Under Budgeted	EQ RES XFER
CASH		\$ 4,393.48	\$ 5,129.87		\$ 736.39	
Expenditures	\$ 195,000.00		\$ 188,727.98	97%	\$ 6,272.02	\$ -
SPECIAL PARKS FUND CASH BALANCE AFTER TRANSFER INTO EQ RESERVE						\$ 5,129.87
Ending Cash Above/Below Budgeted 2024						\$ 736.39

SEWER OPERATING						
	2023 Budgeted Expenditures	Starting Cash Needed for 2024	2023 Actuals	% of Budget	Over/ Under Budgeted	EQ RES XFER
CASH		\$ 151,378.90	\$ 119,162.10		\$ 67,783.20	
Expenditures	\$ 576,483.10		\$ 522,498.75	91%	\$ 53,989.35	\$ 52,000.00
SEWER FUND CASH BALANCE AFTER TRANSFER INTO EQ RESERVE						\$ 167,162.10
Ending Cash Above/Below Budgeted 2024						\$ 15,783.20

DEBT SERVICE						
	2023 Budgeted Expenditures	Starting Cash Needed for 2024	2023 Actuals	% of Budget	Over/ Under Budgeted	EQ RES XFER
CASH		\$ 227,661.21	\$ 300,932.88		\$ (76,228.33)	
Expenditures	\$ 497,000.00		\$ 496,197.50	100%	\$ 802.50	\$ -
DEBT SERVICE FUND CASH BALANCE AFTER TRANSFER INTO EQ RESERVE						\$ 200,932.88
Ending Cash Above/Below Budgeted 2024						\$ (26,728.33)

Mayor Ussery wants to have the overbudgeted items in a run rate for the 2025 budget.

Motion: *Shore* moved; *Warkins* seconded to approve the transfer schedule. Voted and passed unanimously.

e. Hammer's Prairie Park and Nature Center

In 2022 the city received a gift of land from Hammers LLC to be used as a park. Based on an MOU with Hammers, LLC and the City of Clearwater, specific rules were established regarding the use of the park. The City now has 87.8 acres for City Parks and Recreation spaces. The park was named the Hammers Prairie Park & Nature Center in honor of Robert Hammers, a police officer who was killed in the line of duty serving the City of Clearwater. The park will be operated and maintained by the city in accordance with the MOU. Design and future improvements to the park will be directed by the city. The agreement stated the pace of those improvements would be based on the city's ability to budget for them or acquire financial assistance through other means. At the same time the Hammers Prairie Park & Nature Center Foundation was formed specifically to support the development and maintenance of the park and increase its awareness to the community. The foundation is a 501(c)3 organization operated exclusively for charitable purposes. The Foundation has set forth a development proposal for councils' consideration. **The first phase for 2024 consists of:** A parking area (gravel) estimated at \$34,000 (Jason Martin), trails that will be mowed, a fence at the park area with a park entrance estimated at \$7,300. (Reddi Fence), placement of the already purchased memorial with gravel around it – No estimate for gravel yet, signage for the park and walking trails are estimated between \$1,500 - \$3,000. **The long-term plans would be:** Over-seeding of natural grass as needed, build an open-air park shelter/education center – estimated around \$35,000 (estimate based on park buildings), enclose the park with fencing. signage for park and walking trails. The hope is to have around 5 walking trails (1-2 ADA), a pond (since it is in a flood zone), animals allowed as long as they are leashed, and there will be no ATV/UTV's allowed. The governing body, through the 2024 budget, has dedicated \$10,000 for improvements to the Hammers Prairie Park & Nature Center. Any additional funds needed for the proposed improvements would be through grants or may be requested from the Foundation.

Motion: *Walter* moved; *Shore* seconded to Approve the initial development plans of the Hammers Prairie Park & Nature Center as submitted. Voted and passed unanimously.

Motion: *Warkins* moved; *Walter* seconded to Authorize the spending of the 2024 budgeted \$10,000 to the project. Submit a request for additional funding from the Foundation. Complete works as funds are available. Voted and passed unanimously.

8. Governing Body

Walter – None.

Shore – None.

Warkins– There will be a Fall Festival Meeting on Monday starting at 6pm.

Ussery – None.

9. Executive Session

None.

10. Adjournment

Motion: *Warkins* moved; *Shore* seconded to adjourn the meeting. Voted and passed unanimously. The meeting adjourned at 7:48 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 February 13th, 2024, City Council meeting.

Given under my hand and official seal of the City of Clearwater, Kansas, this 27th day of February 2024.



Jaye Poe, City Clerk

