

City of Clearwater, Kansas
Sedgwick County
City Council Meeting - **MINUTES**
March 26 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, Samantha Warkins, Shirley Palmer-Witt and Tim Robben.

The following staff members were present:

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

Others Present:

Ed Lange and Ashley Gerlach.

3. Approval of Agenda

Mayor Ussery asked if there were any modifications to the agenda, there were none.

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

4. Public Forum

None.

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

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

6. Staff Reports:

- Administration Office – Courtney Zollinger – Palmer-Witt thanked Zollinger for getting them the two pricings. Shore asked about Civic Plus being a package deal, Zollinger stated that they provide our City Code and Website and the cost is increasing annually.
- Fire Department – Jared Dinwiddie – The final inspection for the new apparatus is Thursday. Any issues found will be fixed before Clearwater takes possession. It should be here mid-late April, then there will be training before it can be used for calls. Dinwiddie is planning on having an open house once the apparatus is ready to be used.
- Police Department – Kirk Ives – None.
- Public Works/Parks – Courtney Zollinger – Cole Hollis is at the Kansas Rural Water Conference. The Locksmith has ordered parts to fix the door at the Museum, but they are on back order. The light for

displays at the Museum will be looked at by George Rudy for repair. A resident reported the issue at the pickleball court which has been fixed. There is no date set for the office expansion to the Public Works building to be complete. They work on it when they have down time and currently the meter replacements for the AMI are taking up a lot of the time. The plan to have the pool sandblasted is to start on Thursday, weather permitting.

- Senior Center –Amber Ives – In March, some of the Senior Center attendees will be going to the Casino, in April they will go see a movie and in May they will plan to go out for lunch.

7. Business

a. Salt Creek Ct Streetlight Petition and Easement

In February 2024 the governing body reviewed streetlight locations and approved a policy to install streetlights in locations in neighborhoods where streetlights were not located in relation to the new standards. A petition was received signed by eight property owners on Salt Creek Ct asking for a streetlight to be installed. Per the new policy this location qualifies the council to consider the request to pay for the installation. In addition to the petition, the City received a Utility Easement from one property owner granting access to place the utility on the north 10' of Lot 4 Block 3 Chisholm Ridge Addition (commonly known as 220 N Salt Creek Ct). All signatures were reviewed and confirmed as property owners. Everyg has reviewed the request and confirmed this is a suitable location to install the light. There is a junction box behind 226 N Salt Creek Ct where they can pull the electrical from to 220 N Salt Creek Ct and bring the line to the street. Everyg will need to lift the junction box because it's below grade from when the house was constructed per the City Engineer's request. This will cost a little extra. The cost for this will be around \$5,600. This is an unbudgeted item and if approved will come out of the General Fund. Everyg will do all the work. Council decided in a previous meeting to limit the requests to 3 per year. This will be worked into the 2025 budget. Ashley Gerlach at 227 Salt Creek Ct. had questions on the placement of the streetlight and the junction box. Zollinger explained where they would be pulling the electrical from. Everyg will have to take down any fence in the easement to complete this job, but they will put it back up. Any landscaping, however, will not be replaced or fixed. Property owners will be notified.

Motion: *Walter* moved; *Warkins* seconded to approve the \$5,600 cost, the petition and the Easement to install the streetlight from Everyg. Voted and passed unanimously.

b. Electrical Modifications to Wellhouse #2 for Fall Festival

The Fall Festival Committee has requested to place the main stage at the pool parking lot instead of the by the baseball diamond for their festival. They provided the City with their needs for the stage and sound equipment for the concert. Cole Hollis confirmed we do not have the electrical available for their request. Tri-County Electric, was contacted to review the location and see if we would be able to add the needed requirements to the location. The cost is \$400 and is an unbudgeted item that would come out of the General Fund. Warkins explained the committee has made some rearrangements with events. The beer garden is being moved to the basketball area for more containment. The live entertainment wouldn't be drowned out by the carnival music if it was in the pool parking lot and has better lighting there. The proposal the Committee received for the sound/stage did not include any power. The modifications being requested would be inside the wellhouse and would only have to utilize one cord. Council discussed this being a modification that would be beneficial to future events.

Motion: *Palmer-Witt* moved; *Shore* seconded to approve \$400 to modify the electrical at the well house. Voted and passed unanimously.

c. Sidewalk at 4th and Ross

Sidewalk installation on the North side of Ross Ave from Chisholm Ridge Ponds to the corner of 4th and Ross was discussed for the 2024 Budget. This project did not get included in the 2024 plans, but funds were put into equipment reserve for future sidewalk construction. When Ed Lange, owner of Cornerstone at Clearwater, came in to inquire of existing easements he was informed there weren't any existing easements on his property but in the future, the City would be asking for a sidewalk easement to extend a sidewalk from the ponds to that corner. Since

they have begun their renovations, they asked to meet with the City to discuss where the future sidewalk would go. They would really like to work their modifications around the construction of a sidewalk. Logan Mills, Certified Engineering Design, and Zollinger met with them to talk about the future location. The City ideally would like to construct a 6' wide sidewalk along the whole stretch, but Cornerstone at Clearwater will have an outdoor patio area they are trying to maximize and have agreed to grant 5' wide access at least from the south driveway to the west driveway. The sidewalk can be widened to 6' past those areas on their property. With the modifications the Lange's are making on the outside of the building they feel it would be best if the city is able to pour the sidewalk at that corner now so that none of their exterior improvements are disturbed once they are installed. Ed Lange asked his concrete person to submit a quote to install a 215' at 5' wide sidewalk (5.5" thick with 3 runs of #4 rebar, with a broom finish) for \$14,000. This would be driveway-to-driveway. It does not include a culvert or sidewalk to cross 4th avenue to the pool nor extend beyond either sidewalk. After consulting with Logan Mills, it was advised to get a price from the company for a 6" thick sidewalk with wire mesh instead of rebar. The installation of the sidewalk across their whole property front, as well as extending it north to connect with the sidewalk at Casey's was also discussed since it could be cheaper to do all at once. We are also contacting Triple B, Jason Martin, and Prado for a price quote for the area. Because of the time and coordination with the Cornerstone at Clearwater renovations, approval to move forward with this project with a "not to exceed" amount is requested. \$13.02/sqft is within a competitive range for concrete work. Per our purchasing policy we must get 3 quotes for a project like this. There would be approximately 600 linear feet of new sidewalk with a new culvert installed to cross 4th street to the pool. There is \$275,000 in Equipment Reserve for sidewalks and an additional \$70,000 budgeted to transfer this year to the fund. The engineers' estimate for the sidewalk from Chisholm Ridge Ponds to the corner was \$274,000 not considering any costs for sidewalk easements, if there would be any. During our walkability study in 2018 the North side of Ross Ave and the East side of 4th Avenue were identified as areas to install new sidewalks. By approving a sidewalk project for 4th and Ross this would be a positive step to put the plan into action. Ed Lange plans to open in May. CED would do the plans and go out for bid and get back to the City in a week. Council discussed the use of the parking lot at Cornerstone, Lange said there will be very minimal parking spots on the NW side of the building, which will be reserved for ADA but the rest of the lot has been cleared and will be utilized for more parking. Council discussed the options to have a sidewalk put in from driveway to driveway, having the 4th street access (include culvert at apx. \$8,000), access to cross Ross going South and the sidewalk for the whole corner. There are no easements obtained from owners east of Cornerstone and those would need to be obtained to build the sidewalk all the way to Chisholm Ridge. If easements cannot be obtained, the city could put culverts in the ditch and put a sidewalk above those, that is a very costly project. Sidewalk maintenance becomes the responsibility of the property owner once installed. The final consensus was to have the sidewalk connect to Casey's and the East side of the driveway to include the 4th street culvert. If this is not doable with the time of the Cornerstone, then the City will go back to the original quote from BKZ only installing the sidewalk in from driveway to driveway for \$14,000.

Motion: Palmer-Witt moved; **Walter** seconded to approve the 4th and Ross Sidewalk installation not to exceed 35k. Voted and passed unanimously.

d. Property Adjustment with Cemetery District

The Cemetery District was presented with an idea from Mayor Ussery. The newly acquired Hammers Prairie Park and Nature Center has a panhandle that sits between the main cemetery and the newly acquired section from Hammers LLC north of it. Ussery asked if the Cemetery Board would be agreeable to put a formal agreement together with the City of Clearwater and the Clearwater Cemetery District to give the panhandle to the Cemetery in exchange for a section of their property that is to the east of the HPPNC. This action, if approved, would then have the existing cemetery join with the newly acquired property to the north. The Cemetery Board agreed since this would allow the cemeteries to be combined and asked that the City work up a proposal for the exchange. Mayor Ussery has spoken with the Hammer's family regarding the property and has gotten their signed approval. The only cost for this should be a survey, appraisal and quick claim deed, which the cemetery would cover since they are the ones requesting this property switch. The parking lot for HPPNC is being constructed now and the monument should be up in April. The cemetery will have a gate for emergency access. The consensus of the Council was to prepare an agreement for the property swap between the City of Clearwater and the Clearwater Cemetery district.

e. 4th of July Fireworks

We reached out to the Rainbow Fireworks at the end of February (typical time) and when they got back with us, they informed us all their shooters had been booked up by January. We then reached out to Victory Pyrotechnics and asked if they had any shooters available. Currently they don't unless a client cancels. Their minimum also went from \$10,000 to \$12,500 this year because of a higher demand. Victory Pyrotechnics reports there has been an increased demand. They are booking into 2026 right now. The options are as follows: 1. Have a firework show on July 5th. Both Rainbow Fireworks and Victory Pyrotechnics can do a show for \$6,000 on that day. 2. See if a group in Clearwater wants to have a 4th of July event in the Park and the City can donate funds for them to put it on with no fireworks. 3. Sponsor a Fall Festival firework show for 2024. 4. Put the \$6,000 budgeted for 2024 and add it to 2025 to have a \$12,000 show. 5. Forego a show this year and book the \$6,000 show for 2025. This requires a 50% downpayment upon booking. With Rainbow, a \$6,000 (budgeted for 2024 from the wholesale fireworks sales permit) would get an 8-minute show, but the shots would not be very high. Council would like to see what it would cost or look like if it could get on a 3 year booking schedule now with both companies. The pool does have 4th of July events, just not fireworks on the day of. Council discussed possibly sponsoring a show for the Fall Festival and the feedback from previous years firework shows. They have heard the show's haven't been long enough or started on time. Some people do not like the fireworks because of their animals. City staff will get the information to the Council for further guidance.

1. Governing Body

Walter – None.

Shore – None.

Warkins – The lights in Elementary East are not sufficient for the events that are held there for the Fall Festival and Warkins has not gotten any response from the school district on replacing them. Zollinger stated that she would reach out and see if she could help. The Fall Festival Committee is willing to pay for the replacements.

Palmer-Witt – The realtor for the 135th and 79th property that is up for sale has been contacted regarding the water verbiage discussed at the last Council meeting was contacted. Palmer-Witt has just not checked to see if a response was received. The crosswalk by City Park needs to be checked. It seems the timing may be off.

Robben – Thanked the Fire Department for their showing at Officer Hollingsworth's funeral as well as the Police Department. Robben requested a memorial for him be looked into. He questioned if line of duty could be looked into since he was on his way home from work. Mayor Ussery stated this has been looked into and could be discussed further but not in this manner.

Ussery – The Community outpour for Officer Hollingsworth and his family was incredible. The support from the City was outstanding and appreciated.

2. Executive Session

None.

3. Adjournment

Motion: *Walter* moved; *Palmer-Witt* seconded to adjourn the meeting. Voted and passed unanimously. The meeting adjourned at 7:58 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 March 26th, 2024, City Council meeting.

Given under my hand and official seal of the City of Clearwater, Kansas, this 9th day of April 2024.


Jaye Poe, City Clerk

