

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

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, Samantha Warkins, Shirley Palmer-Witt and Tim Robben. Crystal Walter was absent.

The following staff members were present:

City Administrator Zollinger, City Clerk Poe, Amber Ives, Mike Pickens, Cole Hollis and City Attorney Scott Ufford.

Others Present:

Logan Mills.

3. Approval of Agenda

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

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

6. Staff Reports:

- Administration Office – Courtney Zollinger – EMC Insurance rates went up, but they were comparable with the other insurance companies that the City received quotes from. The Wind and Hail deductible went up to \$10,000. This is being seen across the board.
- Fire Department – Courtney Zollinger – The 80 flaws from the final inspection on the new engine were all minor issues (such as scratches), nothing structural. Once the issues are fixed, the truck will be delivered from Conrad to Clearwater. It is expected to be delivered in a couple of weeks.
- Police Department – Sgt. Michael Pickens – None. Zollinger added the Art Walk was a success with around 550 attendees. There were some businesses that did not participate this year as they have in the past, so the store fronts were more limited for Artists and vendors.

- Public Works/Parks – Cole Hollis – Council discussed the sandblasting being done at the pool. Public Works is observing the work being done. It is taking more time as the company didn't anticipate the multiple layers of paint to blast through. This will not affect the cost since the City signed a contract. Hollis is not concerned with the timing currently.
- Senior Center –Amber Ives – There were three new participants today. County Commissioner Sarah Lopez attended the Lunch and Learn at the Senior Center today.

7. Business

a. Park Glen Estates Median

The Planning Commission discussed the median at Park Glen Estates at their April 2nd meeting.

Median Time Frame – 1) During the process for platting Park Glen Estates in 2015, there were several complaints about the 2nd entrance into Park Glen. Those complaints brought up traffic calming options to implement (speed bumps, medians, curb bulbs, etc.). 2) When the plat got recorded, there wasn't a median included. 3) When the construction plans were completed for the street, a median was added (per Shaun's request) to help calm traffic and be a place for a sign, at the cost of the Park Glen Estates HOA. 4) Justin Givens was the City Administrator at that time. It is likely street plans were shared with him before construction. We cannot find record in minutes of this. 5) Construction started on November 9, 2015, and the contractor had 40 days to complete the project. The median was put in place during the 1st phase of Park Glen Estates when Park Glen St was not a through street. 6) Park Glen Estates became a through street when the 2nd Phase of Park Glen Estates was completed. Yvonne Drive was officially opened in the Summer of 2021. 7) Since the median isn't in a reserve it has been placed in the city's dedicated street right-of-way. By default, the street right-of-way maintenance is the city's responsibility. 8) Since Park Glen St has been open to through traffic there have been 2 accidents where the median/ sign was ran into, and destroyed. Both times the sign was replaced and paid for by the Park Glen Estates HOA. **Median Consideration**

– 1) There is a no parking zone between the westernmost intersection of Stoney Creek Street and continuing westerly for 100 feet. This area is marked on the curb and has signs marking the area to keep that section of road clear for cars to pass through. 2) Zollinger spoke to the former president of Park Glen HOA, about traffic calming solutions the HOA had for Park Glen St. Park Glen HOA had no comment or suggestions for the median or sign placement. When Park Glen Street was becoming a through street, the Park Glen HOA had concerns about people speeding through Park Glen and suggested the following to Ron Marsh, former City Administrator. Put a 3-Way stop sign at the intersection of Clear Creek and Park Glen St., put a breakaway gate between Park Glen and Park Glen Estates or Install speed bumps to help calm traffic. These suggestions were not implemented. 3) Per the developer's agreement Park Glen Street was required to have a minimum of 35' from back of curb to back of curb which was met. The portion of the road where the median is located the west bound traffic lane is 15ft and the east bound traffic lane is 15ft. 4) According to the Uniform Fire code (#18.2.3.1.1) the access road shall have an unobstructed width of not less than 20ft. for two-way traffic. The median meets the dimensions. 5) It has been suggested by residents of Clearwater that the median is a hazard because of the location. However, the width of the road meets the minimum standards for road construction. **Other Information** – 7) Speed Limits – There have been reports of people speeding through Park Glen. The Police Department did a study in Park Glen and found a majority of people driving in the area drove around 20MPH (posted speed limit is 30MPH). If a person drives 30MPH then it would appear they are speeding when the majority of people drive much slower. It was also stated that many people who see the police will immediately slow down traveling down the road. **Outcome** - The Planning Commission discussed the situation and concluded that the median should stay in place and the City should vacate the location and grant it to the Park Glen Estates HOA. They also suggested that median signs, preferably lit, would be placed at either end of the median as well as further east and west of the location indicating a median ahead. Park Glen residents spoke and still raised concerns about speeding on Park Glen St. Their request was to install 3-way stop signs at Clear Creek and Park Glen, but it was pointed out that nobody would be able to park at least 25' from those stop signs. That would limit any resident where those stop signs are placed to park on the road. They also suggested reducing the speed limit in Park Glen to 20 MPH. Since Park Glen Street is narrower than the majority of city streets that have through traffic, they believe 30MPH is too fast for the neighborhood. If City council decides to oppose the Planning Commission's recommendation to keep the median and instead, have it removed the possible cost would \$5,000. Council discussed other neighborhoods in town

going to 20 MPH. Zollinger stated that the streets are wide enough in most of the town to not raise concern. Park Glen, Indian Lakes, Indian Ridge and Parts of Chisholm Ridge have narrower roads and once they become through streets then 20MPH would be a good idea at those locations. Mayor Ussery stated this issue was brought by a formal complaint from a citizen. Currently, the median meets all standards. Council discussed having a professional speed study done throughout the town. The Police Department did their own study last year and concluded speeding was not an issue. The construction of the median is legal, but people are not minding the road rules. The consensus was to follow the recommendation of the Planning Commission and vacate the median to Park Glen Estates HOA to make their responsibility with the requirement to put in the lit signs at either end of the Meridian and the City would place one to the West of the Median. If this is not agreed upon by the HOA and does not get vacated, the City will consider removing the median.

Motion: *Robben* moved; *Palmer-Witt* seconded to approve the recommendation of the Planning Commission to vacate the median, requiring the posting of the median signs. Voted and passed unanimously.

b. Clearwater Street Reconstruction Project

Plans are almost ready to go to bid for the reconstruction project for the identified city streets. This project is planned to start in 2024. In the bid packet we are asking for bid alternates for asphalt vs concrete streets and half closure vs. full road closure. The portion of the project is estimated to be \$5,000,000. The new 1% sales tax collected will go towards the price of the project. We estimated to receive \$18,000 per month in sales tax and January sales have brought in \$22,000. A bond payment of \$5,000,000 will be approximately \$375,000 with the Sales tax estimation added, the payment could be \$125,000. The existing projects and projects to roll out will be reviewed. The full reconstruction, Mil and overlay, existing sidewalks, and curb and guttering were all reviewed for this project. Engineer's Estimate for adding Yvonne Dr. and Janet is around \$2,000,000, drainage was not included. 4 MILS for debt service is identified through the budget process for ongoing debts. Currently as the existing and proposed debt service sits, with only the estimated Sales tax allotted, the MIL would be an estimated 6.335 if the payments started in 2028. In 2029 it would drop to 4.68 since the Business Park bond would come off which is about 35,000 a year. The streets are a big-ticket item that will need to be a topic of discussion constantly. Council discussed the funds that are set aside yearly for the annual maintenance of the roads that include sealing, minor cracks and large cracks which the Gas Tax is utilized. These funds are not for the large road project which is where the 1% sales tax came into play. Through the budget process, all departments will look at all line items to see what can be reduced or changed to help with this. Mayor Ussery spoke on the Street Study that was done being the creation of this project and consideration of future Council and condition of the roads for the growth of the City. Having Yvonne Dr and Janet added will help with the marketing of the property north of Chisholm Ridge as well. If bids for this project come in higher than the Engineers estimate, the project can be modified to be more manageable. Drainage has been included to help with the flow of the water with the curb and gutter. Council asked if this would harm the storm water drainage downtown, Hollis and Zollinger said no, it should make it better since it will keep sediment from sitting on the road. Council discussed the 1% sales tax and 100% of it going to this project. If more comes in, then it will be reevaluated for infrastructure purposes. Businesses can pay monthly, quarterly, or annually. The sidewalks being put in will be required to be maintained by the owners after they are put in. It may be a good idea to relook at the ordinance on maintenance of sidewalks. Some areas the City will need to request entry onto their property to fix the sidewalk or grading in yards. The City has spoken to a few owners already who seem to be enthusiastic about the repairs or additions of sidewalks. If the project moves forward, the City will see if there are grants available for the project, but with it being ready to construct, the availability of grants may be minimal. Logan Mills reiterated that they are working off estimates right now, once bids come in it will be easier to work on. If the bids are accepted at the end of the month, Prospect would be the first street worked on since it would affect the school during summer break. The Street Study was done in 2020, Core samples taken in 2021 and the Sales Tax in 2023. Mills stated they can do a bid alternate with concrete and asphalt. A certified letter will go to everyone who lives on the roads that are potentially planned for full reconstruction regarding a full road closure for 4-6 weeks. Most of them have parking in the alley (Zollinger walked them). With the certified letter, we will know that it was received, and if a special request such as for ADA access is needed by their response. Council can then decide if they want to do a full road closure or not. There is not an estimate on what the saving could be to do a full road closure vs a partial road closure at this time. If there is no

response to the letter Ufford thinks that it would be okay and suggested maybe hanging flyers on doors as well as putting a please confirm by date in the letter. The contractors will hang flyers but not until the project is about to start. Emergency response will need to be planned for as well. The proper notifications will be done if Council decides to approve the bids when they come in to eliminate alarming the people as well as the Post Office notification. Logan said the bid will be advertised in the next couple of weeks so Council can make decisions with school being out on May 17th.

c. Historical Society Request for Funding

The Historical Museum has display lighting go out in their back room. Since it is display lighting, it is the responsibility of the Historical Society to make the repairs. Glenda Gladfelter, museum employee, has received a quote for \$750.00 from Tri-County Electric. She feels this is a good price for the work that needs done. Gladfelter is asking for a cost share with the City to help pay for the repairs. The museum receives donations only and does not have a set funding source and is nonprofit. She did not request a specific amount but stated that anything would be helpful. The Historical Society operating account has \$17,727.40 and they have a CD with a balance of \$23,294.61. For the Historical Society, the city covers the telephone, insurance, security monitoring services, electric, and gas. The city also covers structure repairs, the general electrical for the building, and the air conditioning and heater repairs and maintenance. The total budgeted amount for the Museum Building is \$11,610. \$1,000 of that total is put into equipment reserve for future building repairs. This year we are replacing a broken exterior lock on the front door. The cost for that is nearly \$800. There is \$920 in equipment reserve to cover this cost. Once paid there will be \$120 left in equipment reserve to cover other building repair costs. Last year the minor repairs to exterior lighting, back exit door, and furnace were \$1070. If funded the amount would need to come out of the General Fund as an unbudgeted item. The heating and air was replaced probably around 2015. Council discussed the budget and big projects that are coming up and the consensus was to have the Historical Society pay for the whole repair.

d. Fireworks Show

At the last council meeting it was determined that the city would not have a show this year due to the lack of availability of shooters. The governing body asked staff to see if either Rainbow Fireworks or Victory Pyrotechnics were available on the dates of our Fall Festival. They both are. Rainbow can do a 10-minute show for \$6,000 and Victory can do a 10-minute show for \$12,500. A discharge permit for a fireworks display is \$100. The governing body also asked if we could sign a 3-year contract with either group and asked what the terms would be. Both companies offer multiple-year contracts. Rainbow requires 50% down each year and we are guaranteed a shooter for the 3 years. Victory requires a full payment each year of \$12,500 but offers a cash discount of 4% (\$12,000 each year) or a 6% increase in product. Neither company would have the high fireworks. The other question was how many other cities do a 4th of July fireworks show and who funds it if they do.

City	Funding Source	City	Funding Source
LaCygne	City/Chamber	Sedgwick	Rec Commission
Conway Springs	No Show	Mulvane	No Show
Peabody	Private Group	Haysville	City
Inman	Private Group	Independence	Private Group
Anthony	Private Group/ Chamber	Garden Plaine	Chamber
Wellington	City	Goddard	Lions Club
Caldwell	Chamber	Cheney	No Show
Maize	No Show	Oxford	Masonic Lodge

Council discussed moving away from doing the show since there are bigger projects that could utilize the funds. Shore does not like to see the show go away but thinks utilizing the funds elsewhere would be best. Warkins will mention a fireworks show at the next Fall Festival meeting.

Motion: *Palmer-Witt* moved; *Robben* seconded to no longer provide a 4th of July Fireworks show from the City. Voted and passed unanimously.

1. Governing Body

Shore – There was a good turn out for the I Voted stickers that commissioner Rainwater put on.
Warkins – The mailbox for the flags outside of City Hall is full, Zollinger will look into this. It is ran by the Boy Scouts.
Palmer-Witt – None.
Robben – There is a hole at Ross and 4th St. it is not quite a pothole yet. Hollis said that he will take a look.
Ussery – One of Clearwater students took second place for the submission of the I Voted stickers. There were about 25-30 applicants from 7th-12th grade. This will be presented at the Sedgwick County meeting next week. We may have her come to a meeting to recognize her in the future.
Council received a thank you letter from Tricia Nichols regarding the 2024 Art Walk.

2. **Executive Session**

None.

3. **Adjournment**

Motion: *Warkins* moved; *Shore* seconded to adjourn the meeting. Voted and passed unanimously. The meeting adjourned at 7:55 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 April 9th, 2024, City Council meeting.

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



Jaye Poe, City Clerk

