

City of Clearwater, Kansas
Sedgwick County
City Council Meeting - **MINUTES**
July 23, 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, Cole Hollis, and City Attorney, Jennifer Hill. Jared Dinwiddie was present via GoTo Meetings.

Others Present who spoke:

Ruth Smith and JoAnn Pereira.

3. Approval of Agenda

Mayor Ussery asked if there were any modifications to the agenda, item 7e, Booster Club Perimeter Extension for BBQ and 7f, Special Assessment Re-Spread Indian Ridge needed to be added.

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

4. Public Forum

Ruth Smith spoke regarding AYSO Region 491 field usage fees being added for the 2024-2025 season. She expressed her gratitude to the City for allowing AYSO to utilize the fields for as long as they have. She stated that AYSO is a non-profit, all volunteer organization which strives to provide a safe and fun environment. She is requesting that the governing body consider waiving any field usage fees. The program helps with discipline, teamwork, healthy lifestyle and a sense of community. AYSO nationally increased their fees last year due to rising costs in uniforms, background checks, paint, equipment and shipping costs. The registration costs went up \$15 and is currently \$95/player in Clearwater. They lost around \$9/player last year. AYSO pays for the portable toilets at the Sports Complex which stretches their limited resources. Since AYSO runs off registration fees only and not tax dollars, they will have to raise their fees if there is a field usage fee put into place. This will make it unaffordable and will go under. Clearwater has a COOP with Campus High School. AYSO had 3, 15U teams last year which is a positive outcome of the program.

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

Approve Hire Brush Dump Operator

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

6. Staff Reports:

- Administration Office – Courtney Zollinger – Council discussed the numerous nuisances. Zollinger stated reports were received by residents and with this time of year, there is a combination of grass and zoning violations. There were 4 taken off the list as of today. Council mentioned the Firebar credit from Twin Valley, Zollinger stated that she spoke with Todd Dannenberg regarding the issues they had with the service not working properly. She was told there was a lot of turnover in the department that handles those issues. The service manager of our account at the time was allowing long-distance numbers at no additional cost when they normally only allow local numbers, therefore Twin Valley was losing around \$130/mo. for this service with 4 of the volunteers having long-distance numbers. Dannenberg said if there are more added with long distance numbers, they may have to get rid of the service. The Mayor is working on an update to send out to include the Road Maintenance project vs. the 2024 Street Project. Council asked if the parking space in the NW corner at the pool parking lot could be painted for no parking since the sidewalk ramp goes into that spot. The sidewalk around the West Chisholm Ridge Ponds needs to be looked at, part of it seems to be worn out or gone. The bathrooms at City Park have been reported as locked during the day on the weekends, staff will look into this. Council discussed the City street sweeping scheduled for August 5th. All cars will need to be moved, if they are not then the sweeper will go around them. Notifications have been put out already on the City website and City Facebook page and a reminder will be sent again closer to August 5th. The company will not put doorknockers out.
- Fire Department – Jared Dinwiddie – Council expressed their appreciation for a great Push in event for the new fire truck. The radios for the Fire Department are ready for modifications from Sumner County. Clearwater is waiting on the templet from them. After the templet for the channel system is complete, the radios will go to Radio Shop and have that channel system input in the radios. Council discussed the 10/15 certified drivers trained, Dinwiddie will get a schedule for the remaining 5 to get completely trained, they have completed a couple of trainings already and can ride in the apparatus, just not drive it.
- Police Department – Kirk Ives – Council asked if they had fire channels on their radios, Ives stated they are on the 400 right now, but the Police Department has always been on the 800. They do not always talk to the Fire on there. Council discussed the lack of applications coming in for the open position. Ives stated many other agencies are dealing with the same thing. Officer Jacks is going back to the school and will make the department more shorthanded. If someone is going to the academy, they have an agency supporting them.
- Public Works/Parks – Cole Hollis – Council asked about the pool vacuum repair, Hollis stated it was a just a drive belt which is a common repair and has some in stock now for future. Palmer-Witt mentioned the brush in the alley of Kansas and Park, the alleys were being picked up as needed. This will get addressed. Mayor asked if anyone knew why his yard was flagged, Zollinger stated Kansas Gas is doing some work in town and that could be why.
- Senior Center – Amber Ives – Council asked about the hours for Common Ground Mobile Market, Ives stated it will be Thursday from 11am-11:45am and then again on August 15th from 11am-11:45am. Ives stated that they do a good job at speaking to the attendees about their program.

7. Business

a. Field Usage Agreement AYSO

AYSO will need use of the sports complex for their upcoming season. The American Youth Soccer Organization is the oldest national youth soccer program in the United States and a nonprofit. 2024 is the first year the city council has set usage fees for sports fields. The soccer fields are set at \$20.00 per hour for reservations. However, with facility use agreements with USD 264 and Chisholm Trail Recreation Commission a flat fee was established for their usage which is roughly 10% of the cost of maintenance. AYSO has two seasons, one in the spring and one in the fall. The current Field Usage Agreement that is active was good for 1 year of date of

contract which expires 8/23/2024 (spring). The current Field Usage Agreement (Section 6.4) states the agreement is effective for the calendar year only (fall). Staff have requested from AYSO their schedule for the fall season Tyson Frickey sent it back. They will use all three fields for a couple of months for 6U and 15U teams utilizing the fields for twice as much as the spring. The city invests \$4,664 in chemicals, \$12,600 in mowing and turf maintenance, and has dedicated \$2,500 per year to seed one field each year for a total of \$19,764 for 2024. This investment doesn't include any maintenance on sprinkler systems or other maintenance costs as they are needed. For 2025 the price will increase 3%. Mayor stated that the overall cost for the maintenance of the Sports Complex is about \$75,000 so the school paid \$7,500, and the Rec paid \$6,000. Council will need to establish a fee and then can discuss if they would waive the fee as requested to remain consistent. Rather than using the time the fields are used, the City has used a percentage of cost of maintenance to establish fees, for the school it was around 10% and the Rec was in the 8-9% range. Soccer has two seasons whereas the school and rec only have one so there would be two costs for the field usage for AYSO. The City is trying to recoup the costs to maintain the Sports Complex and currently is only recouping around 10%, it is unfortunate that this is happening. Mayor suggested the fee be established at the same rate as the School and Rec at \$7,000 for each season. JoAnn Pereira is on the board, has coached as well as her sons go through the program. She took \$4,000 and split it up with the registration from last year, this would increase the registration fees by \$50/player to offset the cost, it will be more if the fee is \$7,000 each season. They increased the fees last year by \$15 bringing the current fees to \$95. They get 8 games for each season and start practice 2 weeks before games start for a 10-week season. The average fall players are less than spring at about 130. There are no entry fees for the AYSO events. Council discussed the other sports offered in town and the costs for registration. It was suggested to Ruth and JoAnn to seek funding from the Recreation Commission as they have helped the Library, Rodeo, Fall Festival before. The Rec will meet on August 21st at 6 pm, AYSO will try and get onto their agenda. Since the fees have already been established with AYSO for the remainder of the year, Council has decided to table the agreement until the August 27th City Council meeting.

b. Sidewalk/Ramp/Drainage Repair

In the spring Decker Electric was out to repair lights at the sports complex. During the repair they damaged about 62 linear feet of the sidewalk that runs behind the diamonds. After the new crosswalk was installed at 4th and Ross, a resident contacted City Hall to report there was a drop at handicap ramp on the southwest corner that makes it difficult for a wheelchair to go over. Also, around the same time frame owners of Tru2U reported there was a hole next to their parking lot where the drainage ditch is that has collapsed. There is a delineator over the hole so nobody will trip or drive over it. Staff reached out to Triple B to review the different locations around town to see what they would charge. For the sidewalk replacement in the Sports Complex from Decker Electric damage with materials and labor is \$8,690. The city will be submitting a request for reimbursement from Decker Electric for the damage caused by them to include filling and repairs from Whitney Landscaping. The handicap ramp replacement with materials and labor (reusing existing handicap bricks) is \$652. There is a sidewalk fund in Special Projects with a balance of \$202,621 to cover the materials and labor for these two projects. For the drainage area next to Tru2U the price to replace a 16' section with a grate instead of concrete will be \$7,837. Triple B and Staff believe putting a grate in place of concrete will help the flow of water in the area. Public Works has funds in equipment reserve for repairs. The balance of that account is \$44,112. Council discussed getting other quotes for comparison. Triple B put the sidewalks in at the Sports Complex and have been great to work with, which is why they were called for this quote. Council mentioned the sidewalks at the ponds being in bad shape. Mayor Ussery would like an estimate for the sidewalks since there is an ADA ramp. Zollinger stated a quote was received a couple of years ago for over \$100,000 to put in sidewalks around the ponds. City staff is unsure who put in the sidewalks at the ponds originally. BKZ did the sidewalks at 4th and Ross, Council would like to get a second bid for these projects.

c. TruGreen Contract 3 Years

TruGreen has been spraying the property for several years now. I asked them to send a 2025 contract plus two additional years for the Council to consider. All processes were reviewed by Whitney Landscaping to ensure they are in line with the needs of all the areas, 2 vegetation control spraying on the sports complex fields were added. TruGreen is proposing a 3% increase for 2025, 0% increase in 2026, and a 3% increase in 2027.

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Total	\$13,803	14,526.09	14,526.09	14,961.87
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The 2025 proposed prices are already worked into the 2025 budget proposal. Council questioned the vegetation control, Zollinger stated that the Sports Complex was getting 4 done, but will now get 6. This is paid when the services are rendered, not up front. Counsel reviewed the contract and suggested removing the mandatory arbitration clauses in the terms and conditions. Hill stated we would do a required mediation before litigation if there was ever a dispute and TruGreen agreed.

Motion: *Walter* moved; *Palmer-Witt* seconded to approve the pricing of the 3-year contract with TruGreen. Voted and passed unanimously.

d. Recreation Commission/ City Council Joint Meeting Date

Council was provided an email requesting a joint meeting with the Recreation Commission to take over management of contractual labor at sports complex and soccer fields including fees, reservations, contracts currently in place and maintenance. They have proposed August 19 or any date after that. Council will have their budget adoption on August 20th at 6:30 and the Rec Commission's regular meeting on the 21st. Council discussed the option to have the meeting directly following the City budget adoption on the 20th at 6:45. It would be recommended to meet at City Hall if this date is chosen.

Motion: *Palmer-Witt* moved; *Shore* seconded August 20th at 6:45 be the date for a joint meeting with the Rec Commission. Voted and passed unanimously.

e. Booster Club Perimeter Extension for BBQ

The Booster Club hired Reflection Mobile Bar Service to cater their annual BBQ event that will be held on August 17th. On May 28th the City Council approved their temporary permit to serve alcohol at their event on City property utilizing the east park shelter, the area would be surrounded by a double layer fence. Since then, the Booster Club has asked Reflection Mobile Bar Service to bring their mobile truck to the event to serve from. Reflection Mobile Bar Service would like to park their truck behind the shelter. They will extend the double layer fence around the truck. Public Works says having the truck parked there will not create any issues. This will just change the layout of the map and will be on both concrete and grass. No additional permitting is required since this has already been approved, it is just extending the perimeter.

Motion: *Shore* moved; *Robben* seconded to approve Reflection Mobile Bar Service Extension. Voted and passed unanimously with *Palmer-Witt* abstaining.

f. Special Assessment Re-Spread Indian Ridge

Since the Plat of Indian Ridge, current owner Mike Love split the duplex lots 3, 4, 5 and 6, Block 1 into two separate parcels. Per the Resolutions that were adopted, all whole parcels/lots would be assessed an equal share of special assessments. The county would like direction on how to split special assessments. Currently, each half of the lot will be paying the full amount which is not the intent on the special assessments. On the Resolutions that were adopted it stated if there was a parcel that was split the special assessments would be re-spread on a square foot basis. If the Council states 50/50 then any other lot split moving forward the County Clerk would be able to split the special assessments without further direction being a one-time notification to the County. If the Council wishes to abide by the resolution, then each year the City staff would report any lot split special assessment re-spread to the County annually if a lot split happened. Council discussed the different lots having different sizes that this could potentially apply to. This lot split is happening all over the county with the number of duplexes and tri-plex's. The duplexes have a water service on each side.

Motion: *Warkins* moved; *Palmer-Witt* seconded to approve the lots split being split by square footage as stated in the Resolutions. Voted and passed unanimously.

8. Governing Body

Walter – Walter thought the Push-In Ceremony went really well for the Fire Department on Saturday. There are no

updates on the Raffle which will be going until the Fall Festival unless they reach \$25,000.

Shore – Agreed with Walter about the Push-In Ceremony.

Warkins – None.

Palmer-Witt – None.

Robben – None.

Ussery – None.

9. Executive Session

None.

10. Adjournment

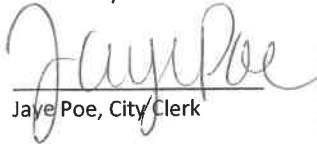
Motion: *Shore* moved; *Walter* seconded to adjourn the meeting. Voted and passed unanimously. The meeting adjourned at 7:53 PM

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 July 23rd, 2024, City Council meeting.

Given under my hand and official seal of the City of Clearwater, Kansas, this 13th day of August 2024.


Jaye Poe, City Clerk

