

City of Clearwater, Kansas
Sedgwick County
City Council Meeting - **MINUTES**
August 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, 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, Jared Dinwiddie and City Attorney, Jennifer Hill.

Others Present who spoke:

Becky Schievelbein.

3. Approval of Agenda

Mayor Ussery asked if there were any modifications to the agenda, item 7b hearing for 111 E. Nancy needed removed.

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

4. Public Forum

Becky Schievelbein wanted to thank the City for allowing the use of the Aquatic Center for Senior Swim. There were anywhere from 7-20 people who attended the Senior Swim regularly. They appreciated being able to get exercise in and games without children in the pool and hope to be able to have it again next year. She also expressed her appreciation for Amber and stated that she is doing a great job at the Center. Mayor Ussery stated that they will make sure the Senior Swim will be offered again in 2025.

Crystal Walter came in at 6:33 pm.

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

Treecycle Agreement

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

6. Staff Reports:

- Administration Office – Courtney Zollinger – Zollinger added that the street sweeping has not been completed yet.
- Fire Department – Jared Dinwiddie – Council was pleased to see 12/15 certified drivers were cleared to operate the new engine. Council discussed Old Engine 72 being auctioned off. Dinwiddie stated it is on Purple Wave and there is no reserve for bidding since it is auctioned off as is. Tender 72 is going back to the Forestry after all equipment has been removed.

- Police Department – Kirk Ives – Shore mentioned the types of calls going up and asked if any money needed allocated or programs brought in for them. Ives does not believe that is necessary, calls are up due to weather, time of year, school starting, there are many varied factors.
- Public Works/Parks – Cole Hollis – Warkins asked what the GPM was for the irrigation well, Hollis stated he believes it was 27. Council commented on how nice the crosswalks looked. Walter questioned if Clearwater was concerned with the Wichita water regulations that were just issued. Hollis explained that Clearwater has its own water wells and are governed by the water rights that have been applied for and granted. Wichita gets their water from Cheney, therefore is regulated differently. Council discussed different ideas for water conservation for Clearwater, maybe implementing a policy. Many residents in town have their own water wells and are not all registered. Robben mentioned adding a sealer on the Clearwater Entrance rock.
- Senior Center – Amber Ives – Ives added that the total unduplicated participants at the Senior Center is updated to 229 with 57 new people. It was announced on the news that Commissioner Sarah Lopez announced that Clearwater will be receiving the additional funding that was requested. The Senior Center normally receives 18,000 but has requested 35,000 for the 2025 budget. This will help cover the general fund for the Senior Center. Council asked what separated Clearwater from other centers that have applied for more funding. Ives believes it's the relationships built, the number of attendees increasing, the environment and the people being a contributing factor. The Center is assessed by the Department on Aging and CPAAA. The activities and educational events have increased at the Center, there were 63 people who attended the Lunch and Learn today.

7. Business

a. 2025 Budget Hearing

Motion: *Walter* moved, *Robben* seconded to open the public hearing at 6:50 pm. Voted and passed unanimously.

The City of Clearwater's Revenue Neutral Rate (RNR) for the 2025 Budget is 58.887 Mills (\$1,434,153). The current 2024 Mill Levy Rate is 64.044, but with increased assessed valuations 1 mill has more of a value in 2025 than 2024 therefore by staying RNR the mill levy will drop to 58.887. Proposed 2025 Budget: 2024 Assessed Valuation was \$24,354. 2025 Proposed Mill Levy is 58.887. 2025 Taxes Budgeted \$1,434,153. The published budget continues the same level of employees and services to the community as 2024 with some additions while staying RNR. There were no questions or comments at this time.

Motion: *Warkins* moved, *Shore* seconded to close the public hearing at 6:52pm. Voted and passed unanimously.

b. Employee Insurance

At the July 30th workshop the governing body heard from HIC Agency Inc. talking about medical benefits for employees through Freedom Claims Management Inc (FCMI). The City has been contracted with the State Employee Health Plan (SEHP) since 2004. HIC presented an actuary that showed the risks of how many people in our group would max out on claims. Out of 41 people (this number includes employees and all dependents), 2.93 people would max out in one year on claims. If 100% of our employees and dependents utilized 100% of their insurance claims then the City's risk, in one year, would be \$144,000. This is because the quoted plan is a total out of pocket of \$7,100 per person or \$14,200 for family. After those amounts are reached then BCBS will pay the rest of the claims. The first year the City would mirror the same insurance deductibles, co-pays, and premiums that would be set by SEHP so the employees and city would not see any differences in the first year. We are in contract with the State Employee Health Plan until December 31, 2025. If we were to move forward prior to our contract end date we would need to notify them by October 1, 2024. Per the contract we could be charged 2.5% of the remaining contract, which is equivalent to about \$8,200. The city attorney should review and comment as

necessary. The consensus of Council was to have HIC bring forward a contract for review as soon as possible so a decision can be sent to SEHP not to continue with them for 2025.

c. Recreation Commission Appointment Ordinance Amendment

The governing body has been considering the amendment to ordinance 569 amending how appointments are made by the city council to the Chisholm Trail Recreation Commission. Per state statute 12-1926 it states that the City and School District are to appoint two members each who reside within the taxing district. The fifth member is appointed by the four and must also reside in the taxing district. The Recreation Commission taxing district is the same as USD 264. Currently 4 of the 5 members live outside of the city limits which do not pay city taxes. The governing body has discussed that they would like to make sure the city's tax base has a representation on the Recreation Commission and has asked for a modification to the ordinance that would state this as well as follow KSA 12-1926. The other modification discussed was to have a member of council sit on the board to mirror what the school board does. The modification to the ordinance states: *Beginning with the next selection by the mayor, at least one appointment to the recreation commission by the City of Clearwater must, at the time of their appointment, be an elected council member. Beginning with the selection by the mayor following the appointment of an elected council member to the recreation commission pursuant to subpart (c) of this section, the remaining appointment to the recreation commission by the City of Clearwater must reside within the city limits of the City of Clearwater, Kansas.*

This change will not be in effect until the terms are up for each of the current people appointed by the city which is May of 2025 and 2026. Mayor Ussery wanted to reiterate that Council knew the 4-year term must be completed even if they did not get re-elected or re-run. The appointed member would have to resign from the rec board. It was discussed to add verbiage that they must be an elected council member and retain that residence within the City throughout the appointment.

Motion: *Shore* moved; *Warkins* seconded to adopt Ordinance 1111, modifying the City of Clearwater's Appointments to the Chisholm Trail Recreation Commission with the modifications discussed. Voted and passed unanimously.

d. Final Plat– Park Glen Estates Median

At the April 2nd Planning Commission meeting and lengthy discussion, they made a motion to vacate the median at the entrance of Park Glen Estates and give it to the Park Glen Estates HOA. Certified Engineering Design, P.A., spent time and asked around how can a city vacate something in the middle of the road. By state statute, when a right of way is vacated it is split 50/50 with the property owners on either side of it. This means that if the city vacated the middle of the road, then the ownership would automatically become 50/50 with owners of Lots 1 and 11, Block 1 of Park Glen Estates. Then they would intern have to sign over ownership to the Park Glen Estates Homeowners Association. The intent of the Planning Commission was to remove ownership of the median from the City and give it to the Park Glen Estates HOA. Instead of vacating the area staff identified the cleanest way to notate the area and sign over proper ownership was to create another "subdivision" for the median, a.k.a Reserve A. A letter was sent out to all property owners within 200' of the median asking them to send in written comments. In accordance with Section 32-92 – Final Plat of our City Code, CED prepared a Final Plat for the Park Glen Estates Median Addition for the Planning Commission to consider. On August 6, 2024, the Planning Commission made a motion to approve the plat as submitted. It was voted and passed unanimously. Before the final plat is recorded it must first either get the approval or disapproval of the governing body. The Final Plat will be approved by the City Council who will take your recommendation into consideration. Filing fee for submitting the plat is \$140.00 with the Register of Deeds and a small fee to CED for preparing the final plat. Council discussed the ownership transfer shifting the liability from the City. The new fire apparatus can fit in this area unless there are cars parked on both sides, which there should not be since it is a no parking zone.

Motion: *Warkins* moved; *Palmer-Witt* seconded to approve the final plat for Park Glen Estates Median. Voted and passed unanimously.

8. Governing Body

Walter – Walter asked if the Ballot box outside of City Hall would be utilized for the upcoming election. Zollinger stated that is managed by Sedgwick County and has heard they are thinking about doing away with the locations that do not have a permanent security camera. City Hall has a temporary camera that the County provides and has not heard if they will be keeping it for the next election. The locations for voting are published by the County.

Shore – None.

Warkins – The joint meeting with the Chisholm Trail Rec Commission is on August 20th at 6:45 following the budget adoption. The school board will not be here but Layne Pike, who sits on the recreation board and Superintendent Jason Johnson will be in attendance to listen in.

Palmer-Witt – Ron Witt has volunteered to clean up the trees around the monument sign north of town.

Robben – None.

Ussery – The Boy Scouts flag box is full; staff will contact them to let them know it needs to be emptied.

9. Executive Session

None.

10. Adjournment

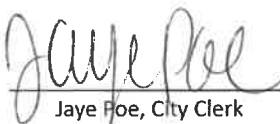
Motion: *Robben* moved; *Palmer-Witt* seconded to adjourn the meeting. Voted and passed unanimously. The meeting adjourned at 7:18 PM.

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 August 13th, 2024, City Council meeting.

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


Jaye Poe, City Clerk

