

City of Clearwater, Kansas
Sedgwick County
City Council Meeting - **MINUTES**
November 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; Crystal Walter, Justin Shore, Shirely Palmer-Witt and Tim Robben.

The following staff members were present:

City Administrator Zollinger, City Clerk Poe, Kirk Ives, Cole Hollis, and City Attorney, Scott Ufford. Jared Dinwiddie was present via GoTo meetings.

Others Present who spoke:

Trent Zimmerman, Royce Taylor and Michael Snyder.

3. Approval of Agenda

Mayor Ussery asked if there were any modifications to the agenda, added Item 7b, Fall Festival Parade Route.

Motion: *Shore* moved; *Robben* seconded to approve the agenda as modified. 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

CMB License Renewals

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

6. Staff Reports:

- Administration Office – Courtney Zollinger – Zollinger sent the bridge waiver to the County, and it is under review. The work will begin late next year. Council liked the updated door hangers from Professional Code Compliance. Council discussed grants for roads, Zollinger has looked at a few but since Clearwater is not linked to a highway it isn't likely that it will be awarded. Council asked about Southern Star annexing in, Zollinger stated that there is already water available for them to hook up to, but the sewer would have to be ran out there and they would pay for it.
- Fire Department – Jared Dinwiddie – Zollinger added that the raffle raised \$5,073 for fire department donations.
- Police Department –Kirk Ives – Council was surprised the Humvee sold for \$18,500.
- Public Works/Parks – Cole Hollis – Council discussed the porta potty placement for the road construction, Zollinger stated it would be moved since they finished up the work in that area. Robben asked if the parking stalls on Lee could be painted, it was hard for him to see them this evening. Zollinger said they can do it in

Spring. Council discussed the samples and discharging of the ponds. Hollis stated that the results from the samples come back within 15 days and have passed all 6 times they discharged this year.

- Senior Center – Courtney Zollinger – Shore asked when the heaters were needed for the Christmas event, Zollinger stated they will be for the train rides downtown from 1-4.

7. Business

a. 200 S Grant- Nuisance Update

At the last City Council meeting, Michael Snyder had a hearing regarding a nuisance violation he received. Mr. Snyder stated he stopped mowing because he doesn't believe the city is taking care of the road properly, it wasn't draining and is too narrow according to the city's code. Council asked staff to review the complaints. In 2020 Certified Engineering Design (CED) did a road study in Clearwater for all gravel roads and 200 S. Grant was found to be in good condition. In 2005 the City Council adopted subdivision regulations for all new plats within the City. The regulations stipulate that all residential streets must have a minimum right-of-way of 60' and moving traffic lanes may be variable from 9' to 12' depending on function. The Tracy and Byers Addition was platted in 1912 and was platted with an 80' right-of-way and with a 20' width (10' passing lanes) which meet the standards the city. There is no state statute that dictates the road width. There is a state statute that says no vehicle shall be wider than 8.5'. Most city streets range from 9' to 15'. Narrower on roads with low traffic volume. With respect to the road that borders 200 S Grant the road width is 20' with 10' passing lanes, which meets the city's road requirements. On a 20' wide gravel road, the crown should be 4% to 6% slope from center to edge. On Grant from Park to Kansas, the slope is 4.5%, which meets standard road slopes. It is therefore the conclusion of staff the City meets its requirements for the roadway that borders 200 S Grant. The area has been mowed, so the nuisance is no longer an issue. Zollinger spoke with Mr. Snyder to let him know the findings. Public Works, Zollinger and CED discussed Public Works maintaining the drainage areas and will start clearing the ditches in Spring. Mr. Snyder brought a rock that he found while mowing the area in question for Council to see. He reiterated his concerns about the maintenance of the road not being done properly and water not draining off the roads. He asks that the City do better than the minimum standards.

b. Fall Festiva Parade Route – Inserted

Mayor Ussery let Mr. Zimmerman know the parade route had been discussed by Council at a previous meeting, which is why this topic was inserted into a business item. Mr. Zimmerman stated that the parade route wasn't an issue this year. He has done the car show for the Fall Festival the last 3 years, before that it was his father. He discussed the many different locations in years past of the car show, its attendance and lack of area and electricity needed. He stated that communication on overflow parking was incorrect while the show was at the pool. Due to the undesired locations, about 10 people have said they will not return, and this is the main complaint from the other attendees. The best turnout for the car show is when it is located on Ross. The funds from the show are donated back to the community. Zimmerman was told that the car show will not be allowed at that location. He stated that the 5k had the entire city shut down at 7 am making it difficult for people to get into the car show, homeowners and business owners to get into town. Another issue he was told, there were not enough barricades. He stated that was due to the 5k also. There was nobody at the barricade to let people into the car show at the route that was provided by the City. He is asking that the parade route stay the same as this year and look at relocating the 5k for next year since the 5k seemed to be the issue with all the road closures needed to run it. Mayor Ussery stated that the role of the governing body is to set the parade route, and the Fall Fest committee sets the events and the logistics to run them. He stated that Mr. Zimmerman will need to work with the committee to coordinate the car show for next year. He is in favor of the car show being one of the events and applauds Zimmerman for giving back to the community. The Council believes that the parade route should go right down Ross and Mayor Ussery thought the location of the car show was good this year. If the car show will not work with the parade going down Ross, then Zimmerman will need to work with the committee through logistics. Council mentioned moving the car show to start after the parade to avoid the candy, water and confetti that may get on the cars. Communication will need to be worked on for a route on how cars will get into the show. Mayor Ussery then mentioned the volunteer hours that goes into the festival and suggested some of the people volunteer to help from the car show. There has been discussion on a different route for the 5k. Zimmerman is not in favor of

the car show being on Ross while the parade is going on. He mentioned that the gaps in the parade were not due to route itself, but the different groups stopping to do a performance. He mentioned that the car show does not volunteer usually but the community does donate for prizes. He believes this is now a bleeding car show with the mentioned concerns. Zimmerman stated they have a recommended entry fee of \$20, some do not pay. Mayor Ussery stated there is a solution so that the car show can remain as an event, Zimmerman needs to get with the committee to discuss the different options. Palmer-Witt asked if changing the time could work, Zimmerman stated that that has been discussed, they are just battling other car shows happening at those times. He stated that the main reason he came was because he had heard that they were not allowed in that spot again. Mayor Ussery stated that they would like to see the car show as an event, and he needs to start communicating now with the Fall Fest Committee for next year. The parade route will be going down Ross next year. Royce Taylor spoke about the same issues as Zimmerman. He is on the committee and served as the voice for the car show since Mr. Zimmerman couldn't attend most meetings.

c. 2025 Fees Resolution

By resolution, ordinance or other means fees are established annually. These fees are spread throughout our Municipal Code and are reviewed on an annual basis. Staff were asked to review firework tent permit and mobile food prices. After reviewing other cities and what the school receives from the fireworks sales, the recommendation is to not raise the firework sales fee. Clearwater rates are in line with what other towns charge. While Wholesale Fireworks brought in \$64,000 from Clearwater sales, the kids only received \$11,800 to split between the 35. Zollinger spoke with the school, and they may be switching to a different company next year that is partnered with Cody Hana. The school signs a contract early January with Wholesale normally. The school asked if the City would not issue a permit to Wholesale if they requested one, Zollinger stated they can not deny a request without reason but suggested to advertise early on if they are going to use a different company. Council asked if there were other times that we have tents in town, Zollinger stated for this permit specifically, no. There are craft fairs, but they do not require a permit. The fee for the fireworks sales is \$6,000 and it is recommended to keep it at that. For the Mobile Food Vendor permit we are right in line with other cities, so it is recommended not to increase that fee as well. Other changes are Increase the residential water rates to a base rate by 2% according to city code. New Water Connections (meter installation). Cole went over the cost and it is recommended to increase the fee due to the significant increase in costs and added 1.5" and 2" meter size (which are not common). For sewer, increase the base rate by 2% according to city code. A per thumb drive cost was added to the schedule for digital requests. Decreasing recycling from \$6.00 to \$5.50. Added a notation of additional bags above the limit Waste Connections allows and charging a straight across fee. For a 95-gallon cart, you can get up to 5 bags for free but for a 65-gallon cart, you do not get additional bags without charge. For Planning and Zoning we added a notation of Sign Placement on Public Property but at a \$0.00 fee because we only allow non-profit organizations and community events on public property. Council asked if this included political signs, Zollinger stated no since that is regulated by State Statute. Jail costs increased because Sedgwick County increased their prices. Council had no other questions or suggestions; the fee resolution will be brought to the next meeting.

8. Governing Body

Walter – None.

Shore – None.

Palmer-Witt – Asked if Public Works could do something about the pothole by the Railroad on Tracy. Hollis said they could put cold patch on it. Shore asked if the pothole across from Mize's could also be done, Zollinger stated that she has already reached out to maintenance at the Church.

Robben – None.

9. Executive Session

Motion: *Shore* moved; *Palmer-Witt* seconded to recess into executive session pursuant to non-elected personnel to discuss specific personnel matters, to include the City Administrator, Governing Body and the City Attorney for 15 minutes. The City Council will reconvene the open meeting in the City Council Chamber at 7:45 p.m.

The meeting convened at 7:45 with no action taken.

Ussery – Wanted to wish everyone a Happy Thanksgiving and is thankful for the Community and the people he

gets to work with and feels blessed to be here. The County did mow 135th after a note was sent to them. With both discussions tonight with the residents, we are listening and trying to plan better for the future. Council mentioned that it takes a lot of volunteers to run the Fall Festival and sometimes goes unnoticed.

10. Adjournment

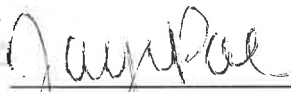
Motion: *Robben* moved; *Palmer-Witt* seconded to adjourn the meeting. Voted and passed unanimously. The meeting adjourned at 7:50 PM

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 November 26th, 2024, City Council meeting.

Given under my hand and official seal of the City of Clearwater, Kansas, this 10th day of December 2024.


Jaye Poe, City Clerk

