

City of Clearwater Council Meeting Agenda
Tuesday November 26, 2024, at 6:30pm
129 E Ross Clearwater, KS 67026

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1. **Call to Order/ Invocation and Flag Salute**
2. **Roll Call**
3. **Approval of Agenda**
4. **Public Forum** - Members of the public can address the Mayor and City Council limited to not more than five minutes.
5. **Consent Agenda** - Items on the Consent Agenda are considered by staff to be routine business items. Approval of the items may be made by a single motion, seconded, and a majority vote with no separate discussion of any item listed.
 - a. [Previous Council Meeting Minutes](#)
 - b. [Claims and Warrants](#)
 - c. [CMB License Renewals](#)
6. **Staff Reports**
7. **Business**
 - a. **Action:** [200 S Grant – Nuisance Update](#)
 - b. **Discussion:** [2025 Fees Resolution](#)
8. **Governing Body Comments**
9. **Executive Session**
10. **Adjournment**

Next Assignment Numbers

Charter Ordinance: 23

Ordinance: 1115

Resolution: 17-2024

NOTICE: SUBJECT TO REVISIONS

It is possible that sometime between 6:00 and 6:30 pm immediately prior to this meeting, during breaks, and directly after the meeting, a majority of the Governing Body may be present in the council chambers or lobby of City Hall. No one is excluded from these areas during those times.

City of Clearwater, Kansas
Sedgwick County
City Council Meeting - **MINUTES**
November 12, 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, Samantha Warkins, and Tim Robben. Shirely Palmer-Witt was present via GoTo Meetings.

The following staff members were present:

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

Others Present who spoke:

Michael Snyder and Mark Petesch.

3. Approval of Agenda

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

Motion: *Warkins* moved; ***Robben*** 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

Designate Safety Zone – Christmas Comes to Clearwater

Fee Waiver Policy

Records Retention Resolution

Mayoral Appointment – Volunteer EMT

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

6. Staff Reports:

- Administration Office – Courtney Zollinger – Council asked for the status of the bridge replacement at Tracy, Zollinger should have a waiver of liability at the next meeting. Public Works is still locating the waterline so the insert-a-valve can go in. The Bridge project will not start until next year. Council discussed the crossing at the railroad, it has been discussed with the railroad. They are working on a grant through KDOT to get new arms. At the time of discussion the City requested to have them replace the asphalt underneath and the rails to help with the bumps and the same request was made for the crossing at Grant. Nothing was promised but they would see if there was money in their budget for that.
- Fire Department – Jared Dinwiddie - None.

- Police Department –Courtney Zollinger – The Downtown event was a success. Council asked about the Humvee, Zollinger stated that the auction goes until the 19th and the current bid is at \$11,000. There were issues with the title, year and serial number after all was fixed, it was determined that it was not a first edition like originally thought but a 1990. Ives thought it would bring in around \$6,000.
- Public Works/Parks – Cole Hollis – The Christmas lights will be put up downtown the week after Thanksgiving. Lights will go along the tops of the buildings except the ones who did not approve or respond to the request. Council asked if the holes from the sewer cleaning left in people’s yards would be fixed by the company, Hollis said probably not, but if reported Public Works would repair it. Shore stated there was a big chunk of asphalt by Tracy and the Railroad tracks that was getting washed into the road. Hollis is unaware of what that would be from but has not seen it. Walter asked about the water damage at the library, Hollis stated damage was not done. The gutters have been cleaned since the rain and the landscaping in the back will be worked on when Public Works can get to it. There are water downspouts with extensions in the back of the library to help deter the rainwater. Public Works cannot get their equipment between the fence behind the library so the material to fix the drainage issue will have to be wheel barreled and hand shoveled. The Library redid their landscaping a few years ago which is when the issues started. Robben mentioned the pothole by the assisted living and if it would be considered a nuisance. Zollinger stated it is not a nuisance and is in their private drive. Staff will reach out to Advena.
- Senior Center – Amber Ives – Council asked about the meeting with the rec commission. Ives stated the superintendent was the guest speaker and it went well. There were 53 people in attendance for Thanksgiving lunch today.

7. Nuisance Hearing – 201 S Grant

The nuisance hearing opened at 6:42 pm.

On October 2nd of this year, Professional Code Compliance (PCC) identified 200 S. Grant in violation of the city’s weed ordinance. A door knocker was left, roughly 14 days later a formal notice went to the property owner, Michael Snyder since the violation had not been abated. Mr. Snyder requested a hearing and is present to speak. Mr. Snyder addressed his concern about the street not being wide enough. He has a safety concern with rocks being thrown while mowing this area due to the gravel left behind after the streets have been grated. He showed council pictures of gravel in grassy areas along Grant from the years of grating the road by the City. Another concern of his is the water not draining off the road into the ditches due to the buildup of debris on the side of the roads, he showed council pictures of water on the street. Mr. Snyder looked up City Code and referenced article 6 section 32, 124 streets, alleys and public ways under item I, the traffic lane should be 9’ wide. He said there is 80’ from property line to property line on Grant. He then addressed his concern regarding the ditches having the buildup from the grating of the roads and his neighbor’s culvert is filled in. He has approached City workers about this concern. He is also concerned about emergency vehicles being able to get through when vehicles are parked on both sides of the road. Another safety concern is the lack of a fire hydrant at Grant and Park. The curve on the road going to Park, the street narrows to 20’ then further down it is 17’ he believes it should be a minimum of 30’ wide. He stopped mowing the area in violation because he got tired of worrying about rocks getting thrown and possible hitting something or someone. A properly grated road should have a proper crown with no restrictions on the side for water to drain into the ditch. He then mentioned the road plan where he felt the dirt roads just got looked over even though their tax rate is the same. He stated that he wants the City to order him to mow it so when a rock gets thrown then he can say the City didn’t clean up their mess to make it safe and maintained. Mayor Ussery asked if staff is prepared to discuss the road width issue. Zollinger stated not as far as the width, but they are for the nuisance. The property owner must maintain the property between the property line and the center of the road to include the grass height. The grating, draining and width of the road will need to be reviewed by staff, Mayor would like staff to satisfy these questions before moving on with the violation. Zollinger mentioned the width of the road could have had limitations when it was originally platted and mentioned the placement of the mailbox in the picture. Zollinger stated the code that Mr. Snyder is part of the minimum standards which she believes was done in 2003, several years after this part of the City was platted so it would apply to future. Public

Works did remove around 9" last year to be in line with the mailboxes after speaking with Mike. Council asked if a survey would need to be done, Zollinger stated it is difficult to have older neighbors comply with new code several years later. Warkins asked if the maintenance of the ditch was the property owner or the City's responsibility, Zollinger believes it is the City's. This item will be tabled until answers addressing the road width and ditch maintenance concerns are satisfied. The timeline for this nuisance will be tabled. Hill asked if Mr. Snyder would get the pictures he brought with him to the City.

Motion: *Shore* moved; *Robben* seconded to table this nuisance until the Governing body has been informed of the street width. Voted and passed unanimously.
The nuisance hearing closed at 7:05 pm.

8. Twin Valley Grant Presentation

Mark Petesch with Twin Valley presented to Council. Twin Valley is actively preparing applications for BEAD funding. This grant has \$450 million set aside for broadband expansion. Twin Valley has already laid the infrastructure for the City of Clearwater to have fiber, they are requesting a letter of support from the City to show their support to be included in their application for this funding request. The timeline is set at November 20th to have the application and documents submitted. If Twin Valley were to receive funds, they would have to provide 25% of the whole cost. This is not a project that is set in stone, as they are still waiting on overall costs of the projects. The rural parts of Clearwater would be considered underserved since the threshold is 100megs. Council asked if he knew how many people in this area would be able to get this service, Petesch did not have that number. There is no financial request from Twin Valley, only support for the company so they can apply for the grant. Mayor Ussery stated he would support that.

9. Business

a. Ordinance Annexation of Highways

In October 2023 Sedgwick County Public Works presented the Governing Body with the option to annex the remaining northern section of Tracy, Diagonal Road, and 135th south of 95th to the railroad. This would give Clearwater maintenance and police jurisdiction. There was a Memorandum of Understanding that states the County will have maintain Diagonal one more time in either 2025 or 2026. After that maintenance cycle then Diagonal will become part of the city's maintenance responsibilities. 135th will continue to be a connecting link and maintained by County. Tracy will be turned over to the City immediately. Once the ordinance is adopted, published, and filed with the Register of Deeds, the City will take ownership of right of way maintenance and police monitoring. Tracy and Diagonal Roads will need to be worked into the annual maintenance plan of the city. Council asked if this would be Tracy all the way to 95th, Zollinger stated yes, the west half of the road is already annexed in. Shore asked if any parallel part of 95th was part of this, Zollinger stated no. Mayor Ussery stated eventually the new part of the Cemetery will be annexed in.

Motion: *Walter* moved; *Shore* seconded to Adopt Ordinance 1113 an Ordinance annexing and incorporating certain highways into the city of Clearwater, Kansas, as identified for annexation by Resolution of the Governing Body of Sedgwick County, Kansas, Resolution No. 225-2024. Voted and passed unanimously.

b. Repealing Ordinance 1057

Ordinance 1057 was adopted February 2020 which regulated parking behind the library from 8am to 8pm to two hours parking only. The Librarian reported that Shackelford Machine employees were using the library lot for parking. Chief Ives identified enforcement issues with this for the following reasons: 1. All library staff park in the back parking lot for longer than 2 hours. Ordinance 1057 did not call out staff parking. 2. Library staff allowed another business employee to park in the back during the day, which is in violation of ordinance 1057. 3. The police department does not have the resources to monitor 2-hour parking in any lot of the city. If a car backs up and pulls back in, that is "technically" moving. Ives and Hollis reviewed the available parking spaces and found that Grace Meds large trash can, the Wellness Centers 2 95-gallon carts and the other business employee all took up four spaces. The other business employee is no longer taking up the two spaces. Hollis will work on getting quotes for parking stops in the stalls to prevent the trash cans from the other businesses rolling into one of the available

library stalls, he will also create a new handicap parking stall along the fence. Shackelford Machine will be creating more parking spaces for their employees. The council has reviewed these issues and agreed. The council further identified that no other city lot or building has limited parking, nor do they have staff parking. Once Hollis has a price on parking stops, they will get installed. Once installed this should take care of the trash cart issues.

Motion: Warkins moved; Robben seconded to Adopt Ordinance 1114 Repealing Ordinance 1057 regulating parking by limiting the parking of vehicles on a certain public lot within the city of Clearwater, Kansas. Voted and passed unanimously.

c. Cancel December 24th Council Meeting

Since December 24th is considered a Holiday at the City, we will try and have the end of year items done at the December 12th meeting. The second meeting in December is normally cancelled due to Christmas Eve.

Motion: Warkins moved; Shore seconded to cancel the December 24th Council meeting. Voted and passed unanimously.

8. Governing Body

Walter – None.

Shore – Complimented Chief Ives and Staff on the Downtown Trick or Treat event. He asked if Professional Code Compliance could add the City logo to the door knocker and cite the specific ordinance. Zollinger will get with PCC, she stated the official letter does include the specific ordinance. It is encouraged for them to call the number on the notices and speak to Kendall. City Hall has not received any calls with complaints about this.

Warkins – None.

Palmer-Witt – None.

Robben – Asked what the cost or process to pave the dirt roads in town would look like? Zollinger stated the City at large could pay for them which she doesn't suggest. Likely it would be a benefit district where the people who benefit from it would have to pay for it. A petition with more than 51% in favor of paving the roads would have to be done and then it would get billed to them through specials. Robben thought Mr. Snyder should hear this information. Zollinger mentioned that the City has received around \$229k in sales tax and if there are funds left over after making the bond payment, it could be set aside for future improvements if council wishes. She said the roads are getting graded regularly, the process will get evaluated to see if changes need to be made. Council asked how many linear feet were in town, Zollinger stated there are 5 blocks in town she believes but does not have the linear feet. The comprehensive plan does include identifying and developing a plan to eventually pave the dirt roads. Palmer-Witt mentioned there is more privacy, less traffic and more yard on this particular dirt road. She doesn't believe that many of the owners on her street would want to have the road paved.

Ussery – He received a card addressed to City Council and Planning Commission from Jill and Arnie Rausch. The card stated that Courtney was helpful, patient, informative and quick to communicate during their platting process. They said that she is a great resource and asset to the City in which the Mayor agrees.

9. Executive Session

None.

10. Adjournment

Motion: Robben moved; **Warkins** seconded to adjourn the meeting. Voted and passed unanimously. The meeting adjourned at 7:41 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 12^h, 2024, City Council meeting.

Given under my hand and official seal of the City of Clearwater, Kansas, this 26th day of November 2024.

Jaye Poe, City Clerk

Check Register Report

Date: 11/19/2024

Time: 1:46 pm

Page: 1

City of Clearwater

BANK: EMPRISE BANK

Check Number	Check Date	Status	Void/Stop Date	Reconcile Date	Vendor Number	Vendor Name	Check Description	Amount
EMPRISE BANK Checks								
51202	11/20/24	Printed			AMAZ	AMAZON BUSINESS	GRILL UTENSILS FOR HALLOWEEN	149.04
51203	11/20/24	Printed			BBL1	B & B LUMBER	PIPE FITTINGS AND PRIMER	81.64
51204	11/20/24	Printed			CARRIE	CARRIE RAY	CHAIR YOGA INSTRUCTOR	150.00
51205	11/20/24	Printed			DOS1	DIGITAL OFFICE SYSTEMS	COLOR OVERAGE	6.57
51206	11/20/24	Printed			HSB1	EMPRISE BANK	SAFETY DEPOSIT BOX	50.00
51207	11/20/24	Printed			GT	GT DISTRIBUTORS, INC	AMMO	1,600.50
51208	11/20/24	Printed			H002	HACH COMPANY	TESTING REGENT	538.75
51209	11/20/24	Printed			HOME	HOME DEPOT	BRIDGE REPAIR	229.31
51210	11/20/24	Printed			IRRIGATION	IRRIGATION BY DESIGN	Senior Center Sprinkler Winter	90.00
51211	11/20/24	Printed			JHS1	J & H STORAGE	PD STORAGE RENTAL	100.00
51212	11/20/24	Printed			KABC	KANSAS ALCOHOLIC BEVERAGE	CMB STAMP FEES	75.00
51213	11/20/24	Printed			KOC1	KANSAS ONE CALL SYSTEM, INC.	49 LOCATES	58.80
51214	11/20/24	Printed			LC02	LAYNE CHRISTENSEN COMPANY	WELL #6 RELINE EMERGENCY	23,787.00
51215	11/20/24	Printed			LCS1	LOWE'S	SUPPLIES	113.02
51216	11/20/24	Printed			MCDONALD	MCDONALD TINKER PA	OCTOBER ATTORNEY FEES	1,368.20
51217	11/20/24	Printed			MHF1	MEL HAMBELTON FORD	OIL CHANGE VEHICLE #3	69.01
51218	11/20/24	Printed			MERI	MERIDIAN ANALYTICAL LABS, LLC	BACTERIA SAMPLE WATER	135.00
51220	11/20/24	Printed			MIG1	MIZE'S THRIFTWAY	HALLOWEEN FEED	674.95
51221	11/20/24	Printed			MC05	MULVANE COOP	D LINKS FOR FENCE	552.56
51222	11/20/24	Printed			NOP1	NAVRAT'S OFFICE PRODUCTS	Shirts for Council and Staff	308.01
51223	11/20/24	Printed			PEI	PERSONNEL EVALUATION INC.	PREHIRE- HAVEL	25.00
51224	11/20/24	Printed			PCA1	PETTY CASH	SG CO CLERK OFFICE/ RAUSCH ADD	32.00
51225	11/20/24	Printed			JAYE	JAYE POE	MILEAGE TO KMU CLERK ACADEMY	62.44
51226	11/20/24	Printed			RJ01	ROASTER JOE'S	POLICE DEPT DRINKING WATER	31.32
51227	11/20/24	Printed			SWSC	SALINA WHOLESALE SUPPLY CO	TOILET SPUDS	178.28
51228	11/20/24	Printed			SCDF	SEDGWICK COUNTY	OCTOBER PRISONER HOUSING	12.05
51229	11/20/24	Printed			0004	SEDGWICK COUNTY ELECTRIC COOP	WELL #7	1,867.04
51230	11/20/24	Printed			SHARON	SHARON WARD	TAI CHI INSTRUCTOR	100.00
51231	11/20/24	Printed			SWB1	SOUTH WEST BUTLER QUARRY	STREET SUPPLIES	287.39
51232	11/20/24	Printed			TUOK	THE UNIVERSITY OF KANSAS	HAZARDOUS MATERIAL FIRE DEPT	90.00
51233	11/20/24	Printed			TSN1	TIMES-SENTINEL NEWSPAPERS	ORD 1111 REC BOARD APPT AMEND	203.50
51234	11/20/24	Printed			TRUG	TRUGREEN	Lawn Maintenance/bed weed Senior Center/CTSC/Monument	1,686.00
51235	11/20/24	Printed			UNI	UNIFIRST CORPORATION	SUPPLIES	43.29
51236	11/20/24	Printed			WCI1	WASTE CONNECTIONS, INC.	OCTOBER TRASH/RECYCLE BILLING	17,364.31

Total Checks: 34

Checks Total (excluding void checks):

52,119.98

Total Payments: 34

Bank Total (excluding void checks):

52,119.98

Check Register Report

Date: 11/19/2024
Time: 1:46 pm
Page: 2

City of Clearwater

BANK:

Check Number	Check Date	Status	Void/Stop Date	Reconcile Date	Vendor Number	Vendor Name	Check Description	Amount
Checks								
3294	11/20/24	Printed			VISA	CARDMEMBER SERVICES	STATEMENT	2,912.66
3295	11/20/24	Printed			KDR1	KANSAS DEPARTMENT OF REVENUE	OCTOBER WATER SALES TAX	384.04
3296	11/20/24	Printed			MACPER	MACPER VENTURES	NOV 15 - DEC 15 SOCIAL MEDIA	650.00
3297	11/20/24	Printed			SAM1	SAM'S CLUB	STATEMENT	742.52
Total Checks: 4					Checks Total (excluding void checks):			4,689.22
Total Payments: 4					Bank Total (excluding void checks):			4,689.22
Total Payments: 38					Grand Total (excluding void checks):			56,809.20

**City of Clearwater
City Council Meeting
November 21, 2024**

Consider 2025 CMB License Renewals

Context: Annually, businesses that sell Cereal Malt Beverages either for consumption on premises or in original packaging are required to pay an annual license fee to the City. Kansas Statute K.S.A. 41-2701(a) states: "After examination of an application for a retailer's license, the board of county commissioners or the director shall, if they approve the same, issue a license to the applicant. The governing body of the city shall, if the applicant is qualified as provided by law, issue a license to such applicant."

The following locations have applied for CMB Licenses for 2025:

Retail Sales (CMB):

- 1) Casey's General Store (152 N 4th)
- 2) Mize's Food Store (449 N 4th)
- 3) JumpStart Store (900 E. Ross)

Financial: The cost of the license for sale in original packaging is \$75.00 per year

Legal Considerations: Review and comment as necessary

Recommendations/Actions: Approve the CMB licenses for the above businesses for 2025.

To: Mayor and City Council
 From: Courtney Zollinger, City Administrator
 Date: November 20, 2024
 Re: Administration Report

- PCC has updated their door hanger to include the city's logo and reference to the code in which the resident is in violation of. There have been 26 properties with code violations. 9 properties have been abated by the homeowners and the cases are closed. 17 are still active.
- Christmas Comes to Clearwater will be on December 7th. Letters have gone out to the business owners downtown.
- The Recreation Director will start on December 4th and will attend the Coffee and Community Event at the Senior Center.
- Pearson Construction and PP&J have completed Park Ave from Tracy to Prospect, Michelle Ave, Nancy from Michelle to Prospect, Prospect from Park to Michelle, Rolling Hills Ct, Janet Ct, Rolling Hills Dr from Rolling Hills Ct to Janet, Janet from Rolling Hills Dr to 1st, and Wood from Tracy to 1st. They started the Mill and Overlay project on 1st from Wood to Hellar, Elaine, and Hellar from Tracy to Elaine.
- All annual evaluations have been completed.
- I have met with Amanda Kaufman from Southern Star, and she has expressed that Southern Star has an interest in being annexed into the city and to receive city services. We will start working on an extension plan of the sewer main to Southern Star and wait for their petition for annexation.
- The city was notified that the current court software we are using will be doubling in 2025 because they are taking their system to the cloud. All customers will need to switch to the new cloud suite by 2026. In the demonstrations we have seen their new cloud software will not include the court management piece, we are still reviewing this change to see if court management will be left out in their new upgrade. Jamie and Jaye are currently looking for new court management software.
- Fall 2024 KDOT Cost Share Grant awardees were announce and Clearwater was not selected.
- Decker Electric sent payment for the damage at the Sports Complex in the amount of \$9,700.
- Staff were notified that the End of Life for our current accounting software will be 12/31/2026. We are currently searching for other solutions.

NOTICE

Date/time: _____

Hello, this is a friendly reminder to fix the items below that are in violation of city code. Our next inspection is in 10-14 days. Please call or email if you need more time.

- ☐ Weeds/tall grass
Article 2 Section 16-11 to 16-25
- ☐ Exterior conditions of yard or structure
Chapter 16 sec 16-1 Article 2 Sec 8-27 to 8-70
- ☐ Abandoned motor vehicles/rubbish
Chapter 16 Article 3 Section 16-26 to 16-35
- ☐ Violation Description: _____
- ☐ Compliance date: _____

PROFESSIONAL CODE COMPLIANCE

316-251-4140

procodecompliance@icloud.com



Dates to Remember

- November 28th & 29th – City Office Closed for Thanksgiving
- December 7th - Christmas Comes to Clearwater
- December 24th & 25th – City Offices Closed for Christmas

Active Nuisances/ Code Violations

200 S Grant	148 N Lee	229 N Gorin	304 E Wood	200 N Prospect
208 W Ross	200 S Lee	213 S Lee	121 S Prospect	317 E Ross
148 S First	251 S 2 nd	721 SE Dr	321 E Nancy	350 E Janet
211 S Lee	230 S Gorin	1040 Silverado Ct	116 S Gorin	204 S Gorin
205 S Tracy	209 S Lee	219 S Byers	235 S 1 st	249 S Lee
257 S Byers	273 Copperhead	302 S Tracy		

To: Mayor and City Council
From: Jared Dinwiddie
Clearwater Fire Chief
Date: November 21, 2024
Re: Fire Department Staff Report

- Clearwater Fire responded to **15** medical calls and **5** fire calls since our last report.
- Average response time for SGCO EMS on medical calls has been around **17** minutes.
Sedgwick County EMS Community Response Vehicle (CRV81) response time has averaged about 3 minutes.
- To Date: The department has been unable to respond to **8** emergency calls.
- To Date: The CRV has been unstaffed **38** times.
- The department held its annual association meeting on the 19th. Thank you to Farm Bureau for providing pizza for our meeting.
- Sq72 had warranty work done on it on the 14th. Work done dealt with tow link replacement issue.
- The forestry 6x6 is currently at Berger Scrap having the tank removed. Once this is completed, the truck will be sent back to the forestry service.
- E72 had plumbing that was leaking on it replaced by Emergency Fire on the 20th.
- The department had an extremely busy day on the 14th. There were 7 alarms on this day, and our members did an excellent job of responding and answering every call.
- Chief Dinwiddie attended Sumner Co. Fire Chief's quarterly meeting on the 14th.
- CMO Patrick attended Sedgwick Co. Fire Chief's quarterly meeting on the 16th.
- Fire personnel were fit tested on the 19th.

To: Mayor and City Council
From: Kirk Ives, Chief of Police
Date: Nov 21, 2024
Re: Police Department Staff Report

Officers:

Officers have been very busy with citations.

Police Clerk:

Trish has been working on selling the Humvee on Purple Wave and the action ended on November 19th. The Humvee SOLD for \$18500 and it has already been picked up. The new owner is from a body shop in Manhattan KS.

Building:

Has no issues currently.

Vehicles:

Regular routine maintenance.

Vehicle #5 has a small water leak and is being fix at the dealership.

Matters of interest since last meeting on Police Activity:

We have had 42 dispatched/report calls with 13 arrests and 16 citations issued since my last report. (Does not always include self-initiated calls).

To: Mayor and City Council Members

From: Cole Hollis, Public Works Director

Date: November 26, 2024

Subject: Public Works Summary

1. Winterize Sports complex restrooms and concession
2. Winterize City Park restroom and concession
3. Mayer Specialty Cleaned part of this year's section. They have been held up by the rain. We are trying to minimize damage to yards by waiting.
4. Replace Shingles on Shed at Museum
5. Move commodities from shop to senior center
6. Pick up Dairy commodities and deliver to Senior Center
7. Opened Discharge to waste ponds and sampled
8. Finished installing Parapets for Downtown Christmas lights

On Tuesday afternoon, one of Pearsons dump trucks full of asphalt found a soft spot on an already milled road (200 block N 1st). This caused the water service line at 238/236 N 1st to get crushed and start leaking. We restored the water service to the residents that evening. Then, we finished the repair on Wednesday. Terry with Pearson said they would finish paving over the parking lane and repair on Thursday.





Clearwater Senior Center

Staff Report

December 20, 2024

To: Mayor & City Council

From: Amber Ives, Coordinator

We continue to thrive at the Center.

We just finished our 4-month Hypertension Awareness Prevention Program and had 11 seniors' graduate. Each one said that they really enjoyed the program.

We took 9 participants to the Senior Seminar at Botanica on November 14th. We all decided that the speaker was not our favorite, but still came away with some good information.

American Senior Benefits came to visit with seniors on November 20th, answering any questions they had about Medicare.

Thursday, November 21st will be a Thanksgiving Soup Luncheon followed by Medication Management. I have had many agencies contact me about coming to speak. The word quickly spreads on how great of a facility and participants we have. I am currently scheduling for March 2025 for speakers, the previous months are already full.

I will be out of the office Friday, November 23-26, but will be finalizing last minute details for Christmas Comes to Clearwater as I ride in the car! Be sure to join us December 7th!

Respectfully,

Amber Ives

Senior Center Coordinator

**City of Clearwater
City Council Meeting
November 26, 2024**

Gravel Roads In Clearwater

Context: 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 it was too narrow according to the city's code. The Council listed to Mr. Snyder and tabled the nuisance violation until staff could review the city code and verify if Mr. Snyder's statements.

In 2020 the city had Certified Engineering Design do a road study in Clearwater and the findings on the dirt roads are as follows:

Gravel Streets	Length in Ft	Width in Ft	Sq Yards	Condition
Grain - Kansas to Ross	225	24	600	Fair
Grant – Park to Kansas	610	20	1356	Good
Byers – Wood to Dead End	343	20	762	Poor
Park – Grant to Byers	370	20	822	Fair
Park – Byers to Tracy	370	20	822	Fair
Wood – Grain to Grant	380	25	1056	Rough
Wood – Grant to Byers	380	25	1056	Rough
Wood – Byers to Tracy	380	25	1056	Rough
TOTAL	3,058		7,530	

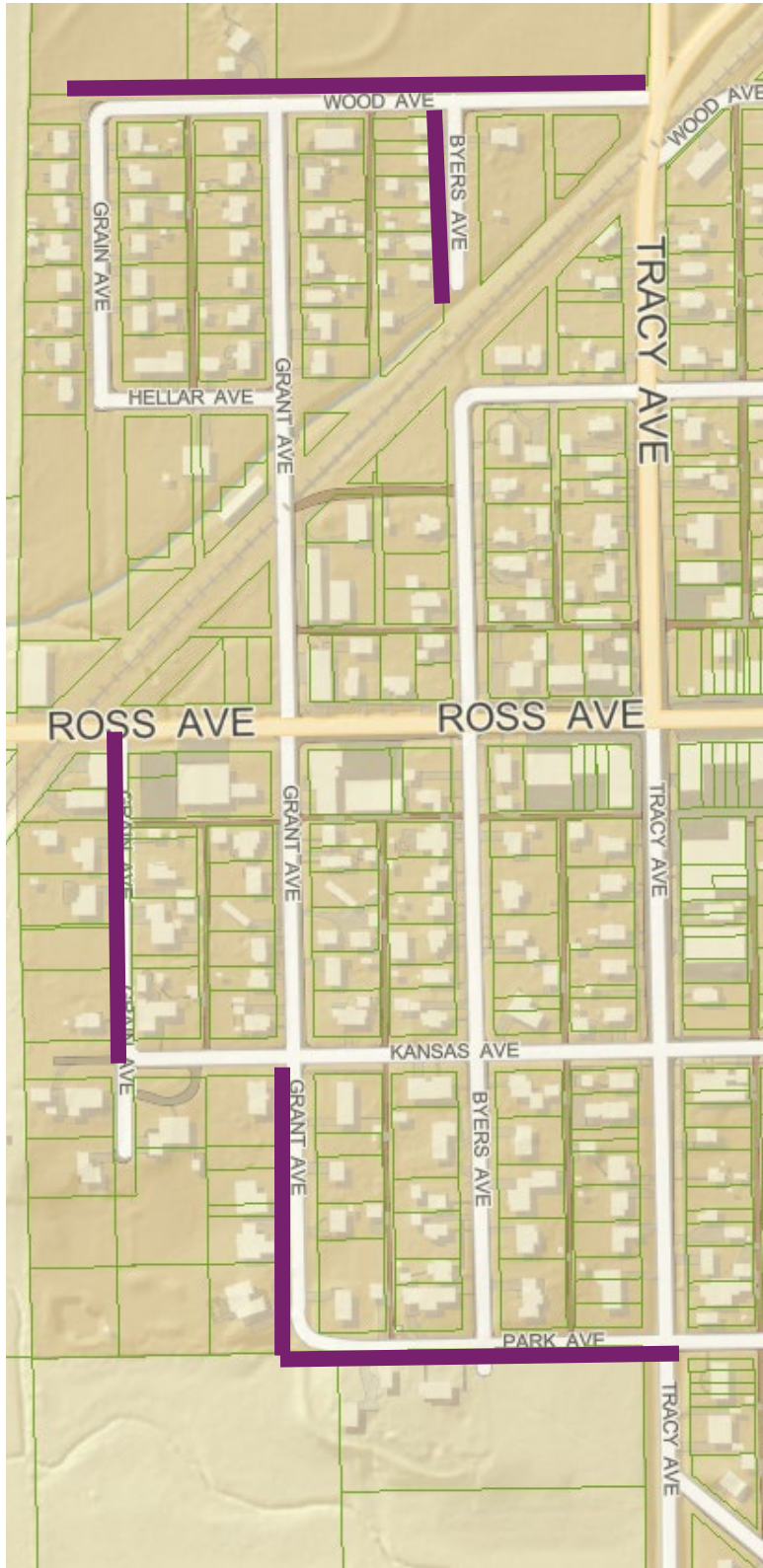
In 2005 the City Council adopted subdivision regulations for all new plats within the city that must meet a certain design standard. The regulations stipulate that all residential streets must have a minimum right-of-way of 60' and moving traffic lanes may be variable from 9' to 12' depending on function.

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 is now enforcing on all new plats.

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' wide. Narrower on roads with low traffic volume.

With respect to the road (platted in 1912), that borders 200 S Grant the road width is 20' (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 the city engineer and staff the City meets it's requirements for the roadway that borders 200 S Grant.



Purple lines indicate gravel roads.

Financial: If the nuisance is not abated within 10 days of notification, per city code, the city will destroy the weeds and assess the property owner \$150. The owner will have 30 days to pay the balance, if not paid then it will be sent to the County Treasurer to be assessed on their taxes.

Legal Considerations: Review and comment as necessary.

Recommendations/Actions: Finde 200 S Grant in violation of Section 16-11 of the city code.

**City of Clearwater
City Council Meeting
November 21, 2024**

2025 Fee Schedule

Context: The city by resolution, ordinance or other means has established fees for a variety of municipal services. These fees are spread throughout our Municipal Code and are reviewed on an annual basis.

Staff were asked to review firework tent permit prices and mobile food vendor prices.

- FIREWORKS TENT – Staff does not recommend increasing the tent pricing for fireworks sales. Clearwater rates are competitive with other towns and the fireworks tent has been run by a high school DC trip group for many years. The school signs a contract with a fireworks tent company to raise funds for the kids to attend DC. While Wholesale Fireworks brought in \$64,000 from Clearwater Sales, the kids only received \$11,800 to split between the 35 students that go. They put in nearly 1000 hours in that week to run the tent in Clearwater. By not increasing the tent permit prices it adds to the students fundraiser.

City	Tent Permit Fee	Display Permit Fee
<i>Mulvane</i>	<i>\$8500 (\$2500 refundable)</i>	<i>\$100</i>
<i>Derby</i>	<i>\$8050</i>	
<i>Augusta</i>	<i>\$8000 (\$2500 Refundable)</i>	
<i>Maize</i>	<i>\$6075</i>	
<i>Clearwater</i>	<i>\$6000</i>	<i>\$100</i>
<i>Newton</i>	<i>\$3500 (\$1000 Refundable)</i>	
<i>Haysville</i>	<i>Based on Sq Ft Starting at \$2500 - \$10000)</i>	
<i>Colwich</i>	<i>\$2000 (Refundable if no issues)</i>	
<i>Oxford</i>	<i>\$1000</i>	
<i>Cheney</i>	<i>\$1000</i>	
<i>Rose Hill</i>	<i>\$1000</i>	
<i>Ellsworth</i>	<i>\$250</i>	
<i>Andale</i>	<i>\$200</i>	
<i>Ness City</i>	<i>\$150</i>	
<i>Clay Center</i>	<i>\$100</i>	
<i>Wilson</i>	<i>\$50</i>	
<i>Valley Center</i>	<i>\$2/ sq ft + \$25</i>	

- MOBILE FOOD VENDORS – Staff’s recommendation is not to increase the permit fees. In checking with other towns we are right in line with other.

City	1 Day	One Week	One Month	6 mos	Annual
Winfield		\$ 25.00	\$ 50.00	\$ 200.00	\$ 400.00
Derby		\$ 25.00	\$ 50.00	\$ 200.00	
Clearwater		\$ 25.00	\$ 60.00	\$ 200.00	\$ 400.00
Cheney		\$ 25.00	\$ 60.00	\$ 200.00	\$ 400.00
Colwich		\$ 25.00	\$10/day		\$ 250.00
Haysville			\$ 25.00	\$ 125.00	\$ 200.00
Ness City	\$ 25.00			\$160	
Wilson					\$ 25.00
Newton					\$ 50.00
Valley Center					\$ 100.00
Clay Center					\$ 150.00
Mulvane	\$ 25.00				\$ 250.00
Oxford					\$25 annual
Rose Hill	\$10/ 10 days then \$5 each add 10 days				

The fees established in the resolution are reflective of the current fees that the city charges and any changes required by ordinance or suggested by staff due to price increase/decrease or by ordinance. Changes to the fee schedule are indicated in red in the backup material:

- WATER - Increase the residential water rates to a base rate by 2% according to city code.
- WATER - New Water Connections increased to cover costs and added 1.5” and 2” meter size options to the list.
- SEWER – Increase the base rate by 2% according to city code
- OPEN RECORDS – Added a per thumb drive cost to the schedule
- TRASH – Decreased 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.
- PLANNING AND ZONING – 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.
- JAIL COSTS – Increased because Sedgwick County increased their prices.

Financial: By approving the resolution this would set the fees for 2025.

Legal Considerations: Review and comment as necessary

Recommendations/Actions: Make any recommended change to be brought back to the council for approval at the December 12th meeting.

RESOLUTION NO. -2024

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF CLEARWATER, KANSAS, THAT THE 2024 ANNUAL FEE SCHEDULE IS LISTED AS FOLLOWS:

Pool Passes

Daily	\$4.00
Daily 2 and under	Free
Ticket Sheets (12 Tickets)	\$40.00
Night Swim	\$2.00
Single Membership	\$50.00
Family Membership (4 People)	\$150.00 \$35 for ea additional
Parties	\$200.00

Brush Dump

Residential Daily	\$8.00
Residential Yearly	\$25.00
Rental Owner 1st Property Annual	\$25.00
Rental Owner Add'l Property Annual	\$15.00
Commercial Daily per load	\$50.00
Commercial Mowing Yearly	\$100.00
Commercial Quarterly (Calendar)	\$250.00

Water

New Customer Connection Fee	\$50.00
Transfer Connection Fee	\$15.00
Reconnection Fee	\$25.00
Reconnection Fee after 4pm	\$50.00
Late Penalty	10% of total amt due
Meter Test Request	\$25.00
Water Request On/ Off by owner	\$10.00 Does not apply to service line maintenance calls
Base Rate	
Base Monthly Rates (inside city limits)	
0-1,999	\$18.36 2% increase per year
2000 +	\$3.25 additional per 1000 gal
Base Monthly Rates outside city limits)	
0-1,999	\$22.83 2% increase per year
2000 +	\$3.25 additional per 1000 gal
New Water Connection 2" line	\$4,285.00 Residential Only
New Water Connection 1 1/2" line	\$4,125.00 Residential Only
New Water Connection 1" line	\$2,745.00
New Water Connectino 3/4" Line	\$2,090.00
Boring for new connection	\$1,600.00 minimum
Bulk Water	\$18.36 per 1000 gal
Bulk Water Use of Meter	\$25.00

Sewer

Base Rate	2% increase per year
Residential Rate	\$21.42
add'l fee per avg 1000 gal used 1st Quarter	\$2.04
Restaurant and Café Rate	\$59.62
Business, Commercial, and Non-residential Rate	\$21.42 Each additional
Laundry and Dry Cleaning Rate	\$91.01

Car Washes Rate	\$59.21
Educational Buildings Rate	\$2.49 per body
Educational Building Minimum	\$54.33
Care home, nursing home, assisted living Rate	\$86.85
Independent residential units Rate	\$21.42
Outside City Limits Rate	\$81.87

Connections City Limits	\$500.00
Connections Outside City Limits	\$1,000.00
Debt Service Fee	\$3.00 Month
add'l fee per avg 1000 gal used 1st Quarter	\$1.00

Late Penalty 10% of total amt due

Open Public Records - KORA

Staff Time	\$19.00 Hour/ 1hr minimum
Copies	\$0.50 page
Electronic/ Photographs	\$25.00 If releasable
Defense Attorney/ Insurance Companies	\$10.00 per Paper Report
Defense Attorney/ Insurance Companies	\$25.00 Electronic/ Photographs/Per Thumbdrive
<i>Prepayment of fee may be required if estimate is to exceed \$50.00</i>	

Solicitors

Application/ Background	\$25.00
Permit	\$100.00

Dog Tags

Neutered/ Spayed	\$6.00
Not Neutered or Spayed	\$10.00
Service Dogs	N/C

Trash

65 Gallon Cart - No extra bags	\$13.00 Month
95 Gallon Cart - + 5 bags	\$15.50 Month
2 95 Gallon carts	\$24.00 Month
Recycling	\$5.50 Month
Recycling 2 Carts	\$11.00 Month
Bulky Item	\$15.00 Each
Mattress/Box Springs	\$30.00 Each
Additional bags above limit	\$2.00 Each
Late Penalty	10% of total amt due

Planning & Zoning Permits

Sidewalk Café Permit	\$25.00 per year
Nuisance Mowing by City	\$150.00 ea
Nuisance Mowing Contracted	Cost + 10% ea
Sign	

New	\$25.00	plus \$6.00 per each 10 square feet or fraction there of
Altered	\$25.00	plus \$6.00 per each 10 square feet or fraction there of
Face or Copy Charge	\$25.00	
Real Estate	\$15.00	plus \$4.00 per each 10 square feet or fraction there of

	Temporary	\$10.00	plus \$1.00 per each 10 square feet or fraction thereof
Variance/ Exception/ Appeals Request		\$125.00	
Zoning Change Request		\$125.00	
Preliminary Plat		\$100 plus \$2 for each lot	Not to exceed \$200
Lot Split Application		\$125.00	
Certificate of Zoning Compliance		\$50.00	
Building & Trade Permits	Follow MABCD Fee Schedule		
Sign Placement on public property		\$0.00	per permit or per sign?

Facility Rentals

Senior Center	Friday	\$125.00	available 3pm - 11pm
	Saturday	\$175.00	available 8am -11pm
	Sunday	\$175.00	available 8am -11pm
	Deposit (refundable)	\$100.00	all rentals
Sports Complex	Field #1 Baseball Rental	\$50.00	per hour
	Field #2 & #3 Softball Rental	\$30.00	per hour
	Tournament Fees		
	Base Fee	Up to \$15.00	per Hour/ Max \$200.00 per day
	Field Usage	Price Above	
	Lights (Per Field/Per Hour)	\$20.00	
	Bathrooms (Per Day)	Up to \$20.00	
	Trash (Per Day)	Up to \$40.00	
	Deposit	Up to \$200.00	
City Park	Soccer Field	\$20.00	per hour/ per field
	City Park Ballfield Rental	\$20.00	per hour
	Shelters	\$10.00	per hour per shelter

Alcoholic Beverage

Occupation Fee (Retail Stores)	\$250.00	
License Fee (Drinking Establishments)	\$250.00	
CMB		
	Off Premise Consumption	\$50.00
	On Premise Consumption	\$200.00
	Stamp Fee	\$25.00
Class A and B Clubs	\$250.00	
Caterers	\$250.00	
Temporary Permit Fee	\$25.00	per day (limited to \$25 max K.S.A. 41-1201 (k))
Background Check Fee	\$25.00	each
Change in Location	\$25.00	

Special Vehicle Permit

Permit	\$25.00
Lost or Stolen Permit Replacement	\$5.00

Excavation

Permit	\$25.00
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For public property and public right-of-way only. Needed for permit - Performance Bond(\$2,000), Certificate of Liability (min \$100,000 per loss), Aggregate Incident (\$300,000)

Fingerprint Fees

Residents of 67026 and Employees of USD264	\$10.00
Outside of 67026	\$20.00

Court Costs

Enter of plea of guilty or not guilty	\$73.00
Guilty of Violation	\$112.00
Warrant Service Fee	\$25.00
Failure to Appear	\$25.00
Application for Expungement	\$100.00
Booking Fee	\$25.00
Jail Cost Fee	\$2.85

Other

Return Check Fee	\$25.00
Fireworks Sale Permit	\$6,000.00
Firework Discharge Permit	\$100.00
Mobile Food Vending License	\$25.00 One Week (consecutive days)
	\$60.00 One Month (consecutive days)
	\$200.00 Six Months (consecutive months)
	\$400.00 Annual (expires 365 days from issuance)
Tax Abatement Application	\$250.00

Passed and approved by the Governing Body this _____ day of _____ 202__.

Burt Ussery, Mayor

Attest:

Jaye Poe, City Clerk