



City of Clearwater Special Council Meeting Agenda
Tuesday October 1, 2024, at 6:00pm
129 E Ross Clearwater, KS 67026

Please join my meeting from your computer, tablet, or smartphone.

<https://www.gotomeet.me/ClearwaterCouncilMeeting>

You can also dial in using your phone.

United States: [+1 \(669\) 224-3412](tel:+16692243412)

Access Code: 304-128-245

New to GoToMeeting? Get the app now and be ready when your first meeting starts:

<https://global.gotomeeting.com/install/304128245>

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. [Aging Project Lease Agreement](#)
 - d. [Designate Safety Zone – Cross Country Championship](#)
6. **Business**
 - a. **Action:** [Annexation Ordinance 1112 – 8023 S. Butterfly Ct.](#)
 - b. **Action:** [Resolution / Temporary Alcohol Permit – Downtown Trick or Treat](#)
7. **Governing Body Comments**
8. **Executive Session**
9. **Adjournment**

Next Assignment Numbers

Charter Ordinance: 23

Ordinance: 1112

Resolution: 14-2024

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**
September 24, 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, Shirley Palmer-Witt and Tim Robben.

The following staff members were present:

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

Others Present who spoke:

Scot Palmer

3. Approval of Agenda

Mayor Ussery asked if there were any modifications to the agenda, Zollinger stated item 7c, Reflection Mobile Bar Service – Temporary Permit at 211 S Grant

Motion: *Robben* moved; ***Palmer-Witt*** 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

Accept Resignation - Firefighter

Mayoral Appointment

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

6. Staff Reports:

- Administration Office – Courtney Zollinger – Zollinger mentioned that the Fall Festival merchandise is for sale at the Library, City Hall, Emprise, Home Bank and the Senior Center has buttons and Wristbands. They are still needing volunteers, and the City will need some for the Ducky Dash. For the Ducky Dash it is from 8a-2p with the most help needed at 2.
- Fire Department – None.
- Police Department – Courtney Zollinger – None.
- Public Works/Parks – Cole Hollis – Palmer-Witt asked if the lights at City Park were working. Hollis said that they were now and will be on for the Fall Festival. There are two timers, three photo eyes and three manual control switches so it took time to find the issue. Walter asked if water would be available so the ministerial alliance could use to wash up during the Festival. Hollis said there is a spicket by the horseshoe pit and by the

bathrooms, the one by the bathrooms will be used for food truck hook ups. The family bathroom will be open and if there are no issues with the other bathrooms such as flooding, messes etc., the other two will be open. Shore asked about the pothole across from Mize's. Hollis said It is the responsibility of the property owner, but they are keeping an eye on it since it is now approaching into the road. He also asked if they could put lines across Ross for walking. Zollinger and Hollis said since there are no crossing zones or stop signs there currently, they decided not to do that when they added the others. Mayor Ussery stated that he followed a truck with a big trailer from Wichita who ended up going to the Brush Dump in Clearwater. Hollis and Zollinger said the brush dump cards are issued to residents only and must be shown to dump there. There has been one commercial pass issued for this year \$250 quarterly. Commercial passes are for companies removing brush from within the City and can choose to pay the \$50 per load rather than the quarterly rate.

- Senior Center – Amber Ives – Ives notated that the Clearwater Senior Center were puzzle Champions. Mayor Ussery mentioned the notoriety in the paper for Amber and congratulated her again.

7. Business

a. Professional Code Compliance

The service agreement has been sent out to Council this afternoon when it was received, reviewed and approved by the City Attorney. The agreement will start services on October 1st. Zollinger will recommend to the company to start off easy and just be aggressive with door hangers. Mayor Ussery will do an update this week that will include this was approved and why it was approved. This agreement will be \$1700/month plus any excess mailing to include 68 hours/month. The agreement will allow for modifications if the City has any concerns. Kendell Piece will by Clearwater's representative and will attend any court proceedings if any violations go that far.

Motion: Shore moved; **Palmer-Witt** seconded to approve the contract with Professional Code Compliance. Voted and passed unanimously.

b. Approve Contract with Freedom Claims Management, Inc

The FCMI/ HIC contract was sent out to Council this afternoon when it was received. It has been reviewed and approved to include the edits that City Attorney Jennifer Hill asked for. This will take effect January 1, 2025, and staff will notify the State Employee Health Plan of termination this week. HIC will come in for an open enrollment for employees.

Motion: Palmer-Witt moved; **Robben** seconded to approve the contract with FCMI. Voted and passed unanimously.

c. Reflection Mobile Bar Service – Temporary Permit at 211 S. Grant

Reflection Mobile Bar Service has been hired for a Halloween event at a private residence. The owner is asking if they can park their truck in the front yard, which technically is still in the city's right of way and serve on private property. KSA 41-1201 allows a city to issue a temporary alcohol permit on city property. It states a temporary permit may be issued for the consumption of liquor on city, street, alley, road, sidewalk or highway for an event if such street, alley, road, sidewalk or highway is closed by the governing body. Ufford says he is hesitant since the statute does not mention grassy areas. Ufford stated City Code does address temporary alcohol permits referencing a now repealed State statute, which will need to be updated. It also states that a local temporary permit may not be issued within a residential district including R-L, R-1, R-1A, R-2, R-3 and any agricultural district. With State statute, it could be a possibility, but our City code does not allow it. Council discussed moving it to the driveway so that it would be on private property, Ufford agrees that could work. Scot Palmer said that he has a few options but wanted to speak to the City before anything was decided. He has permission to set up on the private property just across the street, but that causes an issue with someone walking in the street with a drink to get to the event. Palmer wants to keep it contained. If it is on any City property, then a double fence to keep the drinks contained and security of some sort would be required. Palmer stated it would be too big with the truck and double fence for that location. Palmer said they do have a catering license that does not only stay with the truck.

He could set up a canopy in the driveway with their license displayed since there would be money and or goods exchanged. He stated that he does and will report the sales to the State of Kansas. Council asked who would be liable if drinks were taken onto public property, Palmer stated it would be the person who bought the drinks responsibility. He will have four signs up stating "no alcohol beyond this point" and will have someone checking ID's and watching. Palmer said this will help with future since people are asking him to do private events. Council then discussed the other events in different cities, each city is different with their code, Palmer stated that Clearwater is the only one so far that required the double fence. Council asked if he had to have a permit for a special party/event, Zollinger stated he did not. Palmer said that he could not utilize the property north due to the terrain. Palmer then asked if Reflection Mobile Bar Service could set up for the Trunk or Treat event downtown. He stated there was a lot of interest from the adults last year when they set up to hand out candy on Shawn Weaver's property on Ross. He does have permission to set up in the same location and if not approved will just hand out candy from the same spot as last year. Council discussed the different places that he would be able to set up the truck since the Ross will be closed from Gorin to Tracy already. He will have a 6 ft barrier to keep it contained and check IDs since there are a lot of children around. Zollinger mentioned that the northern half of Ross is C-1 and the southern half is R-1, the truck would have to move further west and on the north side of Ross to stay out of the residential zoning per City code. A Request for a Temporary Permit can be brought to Council at the next meeting. The practice of the double fence started with the Fall Festival beer garden to separate it from the family experience, and it isn't easy to pass anything over.

8. Governing Body

Walter – Walter asked if the events for the fall festival are covered by the City or the Fall Festival. Zollinger stated the festival is its own entity and the events such as the bouncy houses, axe throwing, carnival etc. provide the fall festival with their own insurance listing them as additional insured.

Shore – The League Conference is October 10th-12th and is in Wichita this year.

Palmer-Witt – Will be gone for the next meeting. She asked about the street project, Zollinger stated the milling machine came through for that job, then the subcontractor PPJ that is doing the concrete work, and Pearson is now working on the patching. It was delayed a little bit due to weather. Prospect has been pushed back to next year due to School.

Robben – Will also be gone next meeting. Walter stated that she will also be gone for the next meeting. With there not being a quorum, all they could do is hear and not make any motions, Zollinger suggested they have a special meeting since the temporary permit was just put on that meeting and an annexation ordinance as well. Nobody will be able to call into the meeting. Zollinger stated that the Planning Commission will meet on October 1st at 6:30 pm and suggested Council meet that day at 5:30 or 6, Palmer-Witt will not be able to attend on the 1st but all others can and prefer 6 pm. Zollinger asked if they still wanted to meet on the 8th to hear staff reports, consensus was not to meet and to cancel the October 8th meeting. Shore asked if the wells would be annexed, Zollinger stated not until Clearwater meets that property, the BOCC did not like the recent Island annexation.

Motion: Robben moved; **Walter** seconded to cancel the meeting on October 8th and have a special meeting on October 1st at 6 pm. Voted and passed unanimously.

Ussery – Will be gone for the October 22nd meeting. Asked Hollis if the hooks for the lights have started to be installed for Christmas lights. Hollis said they have not but will get it on the list to get done by October 31st if he would like. All downtown businesses in the 100 block of Ross have approved the Christmas lights being put on their buildings except for 3.

9. Executive Session

None.

10. Adjournment

Motion: Palmer-Witt moved; **Shore** seconded to adjourn the meeting. Voted and passed unanimously. The meeting adjourned at 7:19 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 September 24th, 2024, City Council meeting.

Given under my hand and official seal of the City of Clearwater, Kansas, this 8th day of October 2024.

Jaye Poe, City Clerk

Check Register Report

Date: 09/24/2024

Time: 1:37 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								
51070	09/25/24	Printed			AMS1	AIRGAS USA, LLC	LEASE RENEWAL	100.00
51071	09/25/24	Printed			AMAZ	AMAZON BUSINESS	EAR PLUGS	449.48
51072	09/25/24	Printed			CHIS	CHISHOLM TRAIL ELECTRIC LLC	LIGHTS IN DISPLAY CASE	1,803.50
51073	09/25/24	Printed			CLEARWATE	CLEARWATER PUBLIC LIBRARY	LIBRARY APPROPRIATION	7,287.25
51074	09/25/24	Printed			CPSI	CREATIVE PRODUCT SOURCING, INC	DARE SUPPLIES	1,135.08
51075	09/25/24	Printed			FORE	FOREMOST PROMOTIONS	FIRE PREVENTION WEEK	907.38
51076	09/25/24	Printed			H002	HACH COMPANY	FLUORIDE TESTING	538.75
51077	09/25/24	Printed			JHS1	J & H STORAGE	STORAGE RENT OCTOBER	100.00
51078	09/25/24	Printed			K-42	K-42 RENTAL & STORAGE	YEARLY MAINTENANCE T 71	935.46
51079	09/25/24	Printed			KST1	KANSAS STATE TREASURER	GO TEMP NOTE SERIES 2024	630.00
51080	09/25/24	Printed			LFP1	LEASE FINANCE PARTNERS	COPIER LEASE	579.16
51081	09/25/24	Printed			MHF1	MEL HAMBELTON FORD	POLICE VEH #2 OIL CHANGE	73.47
51082	09/25/24	Printed			MERI	MERIDIAN ANALYTICAL LABS, LLC	WATER LAB TESTING	135.00
51083	09/25/24	Printed			MC05	MULVANE COOP	ALLIGARE CHECMICAL	373.90
51084	09/25/24	Printed			PCA1	PETTY CASH	PUBLIC WORKS CAR WASH	30.00
51085	09/25/24	Printed			PB03	PITNEY BOWES	POSTAL METER LEASE JULY-OCT	284.16
51086	09/25/24	Printed			RA01	PITNEY BOWES	POSTAGE FOR METER	300.00
51087	09/25/24	Printed			PSY1	PRINTING SYSTEMS	PAYROLL CHECKS VOID 90 DAYS	191.19
51088	09/25/24	Printed			REG	REGISTER OF DEEDS	PUD AMMENDMENT FIX	38.00
51089	09/25/24	Printed			RJ01	ROASTER JOE'S	CITY HALL DRINKING WATER	46.98
51090	09/25/24	Printed			ROSS	COOPER ROSS	BATTERIES FOR CAR FOB	11.88
51091	09/25/24	Printed			SWSC	SALINA WHOLESALE SUPPLY CO	FITTINGS	60.00
51092	09/25/24	Printed			SCDF	SEDGWICK COUNTY	AUGUST 24 PRISONER HOUSING	378.37
51093	09/25/24	Printed			STATE OF K	STATE OF KANSAS	GO TEMP NOTE 2024	90.00
51094	09/25/24	Printed			TSN1	TIMES-SENTINEL NEWSPAPERS	CHARTER ORDINANCE 22 REC COM	472.50
51095	09/25/24	Printed			UNI	UNIFIRST CORPORATION	CITY HALL AND POLICE MATS	43.28
51096	09/25/24	Printed			WCI1	WASTE CONNECTIONS, INC.	TRASH & RECYCLE AUGUST	17,221.91
51097	09/25/24	Printed			WL01	WHITNEY LANDSCAPING	TURF MGMT SEPTEMBER	3,975.00
51098	09/25/24	Printed			ZORO	ZORO TOOLS, INC	CHAMOIS	75.84
Total Checks: 29					Checks Total (excluding void checks):			38,267.54
Total Payments: 29					Bank Total (excluding void checks):			38,267.54

Check Register Report

Date: 09/24/2024
Time: 1:37 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								
3202	09/25/24	Printed			LIBERTY	LIBERTY NATIONAL	LIBERTY NATIONAL	227.78
3203	09/25/24	Printed			MACPER	MACPER VENTURES	SOCIAL MEDIA MGMT SEPT-OCT	650.00
Total Checks: 2					Checks Total (excluding void checks):			877.78
Total Payments: 2					Bank Total (excluding void checks):			877.78
Total Payments: 31					Grand Total (excluding void checks):			39,145.32

FACILITY AGREEMENT
Between
AGING PROJECTS, INC. MEALS ON WHEELS/FRIENDSHIP MEALS
And
CLEARWATER SENIOR CENTER

ADDRESS: 921 Janet Avenue

CITY: Clearwater STATE: Kansas ZIP: 67026

TELEPHONE: 620-584-2332

This agreement is made in order to provide TITLE III Nutrition Program to persons 60 years of age and older. It contains policies mutually agreed to by the above agencies and approved by the Central Plains Area Agency on Aging (CPAAA).

AGING PROJECTS, INC. (API) agrees to:

1. That the dining room is to be used by Aging Projects Inc. Meals on Wheels/Friendship Meals (API) from 9:30 a.m. to 12:30 p.m. each Monday through Friday, October 1, 2024, through September 30, 2025. Excluded days shall be October 14, 2024; November 11, 2024; November 28 and 29, 2024; December 24 and 25, 2024; January 1, 2025; January 20, 2025; February 17, 2025; April 18, 2025; May 26, 2025; June 19, 2025; July 4, 2025; and September 1, 2025. Additional closing or open dates and/or times may be requested.
2. Employ and supervise a Center Manager to oversee the program and coordinate the work of the volunteers. The Center Manager will be an employee of API and will be fully responsible for the operation of the site in compliance with program regulations, and under the sole supervision of the API staff.
3. API will provide appropriate coverage for its employees, volunteers and supervisors including but not limited to workers compensation insurance, payroll tax payments and other liabilities related to its employment of individuals to carry out its mission.
4. Provide equipment and supplies necessary to deliver and serve the meals, and clean the equipment and tables used for the program before and after meals.
5. Provide services of the Area Supervisor to supervise the Site Supervisor in the operation of the site.
6. Pay all bills for meals, consumable supplies, staff training, and incidental expenses directly related to the meals.

7. Send to the Dining Center all communications from the central office that are sent to other centers, and at all times give the same consideration as the other centers receive.
8. Handle registration, meal reservations and deposit of contributions according to the API Policy. Participants will be informed of the cost to provide the meal and be encouraged to contribute according to their ability.
9. Acknowledge the cooperation of the Clearwater Senior Center in Nutrition Program publicity whenever possible.
10. Assist Clearwater Senior Center Senior Director in arranging occasional activities at time that would encourage participation in the meal program.
11. Pay \$25 per month to the Clearwater Senior Center to offset expenses related to printing costs and other direct use of the center's resources.

THE CLEARWATER SENIOR CENTER agrees to:

1. Provide in kind space, chairs and tables for serving customers between approximately 9:30 a.m. and 12:30 p.m. on days the program operates and provides secure storage for API equipment and supplies related to the meals. (API equipment and program supplies will not be used for any other reason/events without prior approval of the API Executive Director and/or Area Supervisor).
2. Arrange for the opening and closing of the facility for food delivery, unless special arrangements are made with the API Executive Director and/or Area Supervisor.
3. Provide use of refrigerator and stove, in good condition and repair as needed.
4. Assure that the program may be conducted in a safe, clean and sanitary manner by providing basic custodial service, including care of floors in the meeting room and regular cleaning of the bathrooms. Assure that the area designated for API use will be in the same condition, at the start of each serving day, that it was left in after the end of each API serving day and that the State of Kansas Department of Agriculture standards for kitchen and dining room cleanliness shall be enforced.
5. Provide space for a bulletin board and a sign designating the Nutrition Program.
6. Arrange for timely inspection of fire extinguishers and smoke alarms and furnish copies of the inspections to API central office to comply with CPAAA requirements.

7. Include API in all publicity related to the program. This includes Clearwater Senior Center newsletters and calendars. Show the API Meals on Wheels/Friendship Meals as a regular scheduled activity.
8. Assure that persons in the community who are under age 60, are informed that they are not eligible for the nutrition program unless they choose to volunteer the day that they eat. (Any person under 60 may participate by making a reservation and by paying the full non-participant price for the meal if under 60 years of age.) The Clearwater Senior Center further agrees that they will not keep and/ or use any leftover API foods for any purpose due to health codes, CPAAA regulations and liability issues.
9. Allow use of the building office telephone.
10. Purchase a license for food service from the authority designated by the state to issue the license and provide a copy of the license to API. The license must be clearly displayed to meet code requirements.
11. Schedule occasional activities at a time to encourage participation in the meal program and take into consideration the impact to the program and API customers when scheduling group activities at such a time that API participants would need to choose between a API meal or participating in another center activity.
12. That equipment shall be the responsibility of the owner of the equipment.
13. That all electrical, lighting, sewer and other building maintenance problems shall be the responsibility of the building owner.
14. That no one shall be discriminated against on the basis of race, religion, color, sex, disability, national origin, or ancestry.

BOTH PARTIES agrees to:

1. This agreement will terminate upon contract expiration, termination by either party with thirty (30) days' notice, the closure of either business or facility or mutual termination by both parties effective at a date agreed upon."

Any changes to this agreement will be negotiated by the persons listed below or their designee. This agreement will remain in effect for the balance of the Aging Projects, Inc. Meals on Wheels/Friendship Meals contract (October 1, 2024 - September 30, 2025.) It may be renewed by mutual agreement. Changes can be made only with the approval of parties listed below.

Date: _____

Executive Director
Aging Projects, Inc.

Date: _____

Mayor
City of Clearwater

**City of Clearwater
City Council Meeting
September 30, 2024**

Designate a Safety Zone – High School Cross Country Championship

Context: Clearwater High School will be hosting the AVCTL Cross Country Championship on October 17th from 4:30PM to 7:00PM. The course will require runners to cross Yvonne Drive. Chief Ives would like to designate Yvonne Drive as a Safety Zone per K.S.A 8-1460. The roads will be blocked between 4:30PM and 7:00PM on October 17th for the Cross-Country Championship.

The City Clerk will make a post on the website and Facebook of the road closure.

Financial: No financial impact.

Legal Considerations: Review and comment as necessary

Recommendations/Actions: Approve the Yvonne Dr safety zone for the AVCTL Cross Country Championship.



**City of Clearwater
City Council Meeting
September 30, 2024**

Consider Annexation Ordinance 1112

Context: In August 2024 the city received a Consent for and Petition to Annex into the corporate limits of the City of Clearwater from the property owners at 8023 S Butterfly Ct. At the August 27, 2024, meeting the Governing Body adopted Resolution 12-2024 finding it advisable to annex the referenced property. Per state statute, that resolution was sent to the Sedgwick County Board of County Commissioners and at their September 18th meeting the Sedgwick County BOCC adopted resolution 184-2024 releasing the property for the City to annex.

The Governing Body needs to adopt a separate ordinance officially annexing the property into the city.

Once finished the new residential home would generate approximately \$1,500 to connect to city services and around \$3,000 in city property taxes based on similarly constructed homes in the area.

Legal Considerations: Review and comment as necessary.

Recommendations/Actions: It is recommended the City Council adopt Ordinance 1112 annexing Lot 3 Block 2 Prairie Meadows Estates, commonly known as 8023 S Butterfly Ct, into Clearwater city limits.

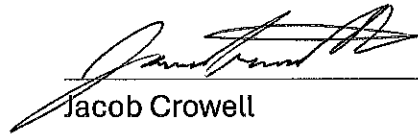
CONSENT FOR ANNEXATION

TO: The Governing Body of the City of Clearwater, Kansas

The undersigned owners of record of the following described land hereby petition the Governing Body of the City of Clearwater, Kansas to annex such land to the City. The land to be annexed is described as follows:

LOT 3 BLOCK 2 OF PRAIRIE MEADOW ESTATES
and commonly known as: 8023 S Butterfly Ct, Clearwater, KS 67026

The undersigned further warrant and guarantee that they are the only owners of record of the land.

 8/21/2024
Jacob Crowell Date

 8/21/2024
Macee Crowell Date

THE CITY OF CLEARWATER, KANSAS

RESOLUTION NO. 12-2024

A RESOLUTION FINDING IT ADVISABLE, DESIRABLE, BENEFICIAL AND IN THE INTERESTS OF THE PUBLIC TO ISLAND ANNEX CERTAIN LAND AND REQUESTING THE BOARD OF SEDGWICK COUNTY COMMISSIONERS TO FIND AND DETERMINE THAT THIS ANNEXATION WILL NOT HINDER OR PREVENT THE PROPER GROWTH AND DEVELOPMENT OF THE AREA OR THAT OF ANY OTHER INCORPORATED CITY LOCATED WITHIN SEDGWICK COUNTY, KANSAS PURSUANT TO K.S.A. 12-520c.

WHEREAS, on August 21, 2024, a written Consent to and Petition for Annexation was filed with the City Clerk of the City of Clearwater, Kansas, a copy of which is attached hereto; and

WHEREAS, the land described in said written Consent to and Petition for Annexation is legally described as Lot 3, Block 2 of the Prairie Meadow Estates Addition to Sedgwick County, Kansas, with a commonly known address of 8023 S Butterfly Court Clearwater, Kansas 67026, and is located between 79th Street South on the north, 135th Street West on the east, 87th Street South on the south and 151st Street West on the west; and

WHEREAS, said tract does not currently adjoin the boundaries of the City of Clearwater, Kansas but is proximate to and within the natural growth area of the City of Clearwater, Kansas and may be served with potable water from an existing adjacent City of Clearwater, Kansas water main; and

WHEREAS, K.S.A. 12-520c (c) requires that the Board of County Commissioners of Sedgwick County, Kansas, by a 2/3 vote of the members thereof, find and determine that the annexation of such land will not hinder or prevent the proper growth and development of the area or that of any other incorporated city located within Sedgwick County, Kansas before the City of Clearwater, Kansas may annex such land.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF CLEARWATER, KANSAS:

Section 1. Findings

The Governing Body of the City of Clearwater, Kansas finds it advisable, desirable, beneficial and in the interests of the public to annex into the corporate boundaries of the City of Clearwater, Kansas the following real property, to-wit:

Lot 3, Block 2 of the Prairie Meadow Estates Addition to Sedgwick County, Kansas, Clearwater, Kansas 67026.

Section 2. Request

The City of Clearwater, Kansas hereby respectfully requests that the Board of County

Commissioners of Sedgwick County, Kansas, by a 2/3 vote of the members thereof, find and determine that the annexation of said tract will not hinder or prevent the proper growth and development of the area or any other incorporated city located within Sedgwick County, as required under K.S.A. 12-520c (a)(3).

Section 3. Filing

The City Clerk of the City of Clearwater, Kansas, is hereby authorized to file a certified copy of this Resolution with the Board of County Commissioners of Sedgwick County, Kansas.

Adopted by the City Council this 27th day of August 2024.

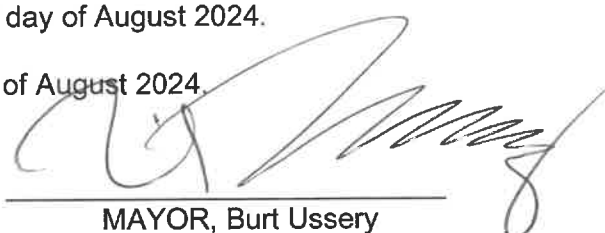
Approved by the Mayor this 27th day of August 2024.

SEAL

ATTEST:


CITY CLERK, Jaye Poe




MAYOR, Burt Ussery

RESOLUTION NO. 184 - 2024

**A RESOLUTION PURSUANT TO K.S.A. 12-520c TO FIND AND DETERMINE THAT
THE PROPOSED ANNEXATION BY THE CITY OF CLEARWATER WILL NOT
HINDER OR PREVENT THE PROPER GROWTH AND DEVELOPMENT OF THE
AREA OR THAT OF ANY OTHER INCORPORATED CITY LOCATED IN
SEDGWICK COUNTY**

WHEREAS, K.S.A. 12-520c sets forth a procedure where a city may request the Board of County Commissioners (the Board) to find and determine whether a proposed annexation by the City of Clearwater (the City) will hinder or prevent the proper growth and development of the area or that of any other incorporated city located in Sedgwick County; and

WHEREAS, on August 28, 2024, the clerk of the City submitted a certified copy of City Resolution No. 05-2024 requesting the Board make the statutory finding; and

WHEREAS, the Board, after considering the information provided, has found and determined that the proposed annexation by the City will not hinder or prevent the proper growth and development of the area or that of any other incorporated city located in Sedgwick County;

**NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY
COMMISSIONERS OF SEDGWICK COUNTY, KANSAS, THAT THE CITY BE
NOTIFIED OF THESE FINDINGS AND DETERMINATIONS:**

Section I. On August 28, 2024, the clerk of the City filed with the Sedgwick County Board of County Commissioners a certified copy of Resolution No. 12-2024, pursuant to K.S.A. 12-520c. The certification date was August 27, 2024. The Board considered this matter at its regular agenda on September 18, 2024.

Section II. The land proposed to be annexed is located entirely within Sedgwick County, and it is described as the commonly known address of 8023 S. Butterfly Ct., Clearwater, which is located between 79th St. South on the north, 135th St. West on the east, 87th St. South on the south, and 151st St. West on the west, and is specifically described in the City's resolution cited in the above section.

Section III. The owners of the land described have consented to annexation into the City by filing a Consent for Annexation with the City.

Section IV. The Board hereby finds and determines that sufficient information has been presented to the Board to support a finding that the proposed annexation will not hinder or prevent the proper growth and development of the area or that of any other incorporated city located in Sedgwick County; and therefore, the Board finds and determines that based on the

available evidence, the proposed annexation will not hinder or prevent the proper growth and development of the area or that of any other incorporated city located in Sedgwick County.

Section V. This resolution will take effect upon its passage. The County Counselor's office is directed to send a copy of this resolution by mail to the City.

Commissioners present and voting were:

PETER F. MEITZNER
SARAH LOPEZ
DAVID T. DENNIS
RYAN K. BATY
JAMES M. HOWELL

Aye
Aye
Aye
Aye
Aye

Dated this 18 day of September, 2024.

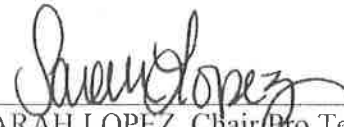
ATTEST:

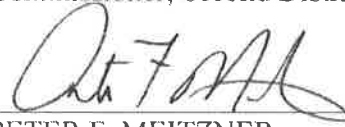

KELLY B. ARNOLD, County Clerk

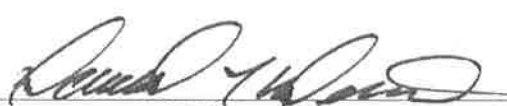


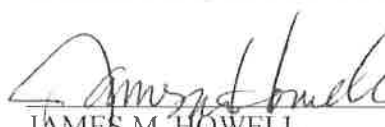
BOARD OF COUNTY COMMISSIONERS
OF SEDGWICK COUNTY, KANSAS


RYAN K. BATY, Chairman
Commissioner, Fourth District

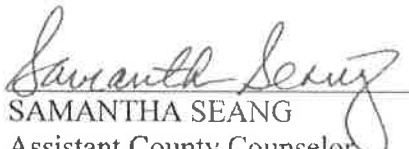

SARAH LOPEZ, Chair Pro Tem
Commissioner, Second District


PETER F. MEITZNER
Commissioner, First District


DAVID T. DENNIS
Commissioner, Third District


JAMES M. HOWELL
Commissioner, Fifth District

APPROVED AS TO FORM:

 8/30/24
SAMANTHA SEANG
Assistant County Counselor

(Summary First Published in the Times-Sentinel
on the ____ day of October, 2024.)

THE CITY OF CLEARWATER, KANSAS

ORDINANCE NO. 1112

AN ORDINANCE ANNEXING AND INCORPORATING
CERTAIN LAND WITHIN THE BOUNDARIES OF THE CITY
OF CLEARWATER, KANSAS PURSUANT TO AND IN
ACCORDANCE WITH THE PROVISIONS OF K.S.A. 12-
520c.

WHEREAS, on August 21, 2024, a written Consent to and Petition for Annexation was filed with the City Clerk of the City of Clearwater, Kansas; and

WHEREAS, the land described in said written Consent to and Petition for Annexation is legally Lot 3, Block 2 of the Prairie Meadow Estates Addition to Sedgwick County, Kansas, with a commonly known address of 8023 S Butterfly Ct, Clearwater, Kansas 67026, and is located between 79th Street South on the north, 135th Street West on the east, 87th Street South on the south and 151st Street West on the west; and

WHEREAS, said tract does not currently adjoin the boundaries of the City of Clearwater, Kansas but is proximate to and within the natural growth area of the City of Clearwater, Kansas and may be served with potable water from an existing adjacent City of Clearwater, Kansas water main; and

WHEREAS, K.S.A. 12-520c (c) requires that the Board of County Commissioners of Sedgwick County, Kansas, by a 2/3 vote of the members thereof, find and determine that the annexation of such land will not hinder or prevent the proper growth and development of the area or that of any other incorporated city located within Sedgwick County, Kansas before the City of Clearwater, Kansas may annex such land; and

WHEREAS, on August 27, 2024 the governing body of the City of Clearwater, Kansas adopted Resolution Number 12-2024 finding it advisable, desirable, beneficial and in the interests of the public to island annex said land and requesting the Board of Sedgwick County Commissioners to find and determine that such annexation will not hinder or prevent the proper growth and development of the area or that of any other incorporated city located within Sedgwick County, Kansas pursuant to K.S.A. 12-520c; and

WHEREAS, on August 28, 2024, the City of Clearwater, Kansas filed with the Sedgwick County Board of County Commissioners a certified copy of Resolution Number 12-2024, pursuant to K.S.A. 12-520c; and

WHEREAS, on September 18, 2024, the Sedgwick County Board of County Commissioners, by a 2/3 vote of the members thereof, adopted Resolution Number 184-2024 finding and determining that based upon the available evidence, the proposed annexation will not hinder or prevent the proper growth and development of the area or that of any other incorporated city located within Sedgwick County, Kansas, pursuant to K.S.A. 12-520c; and

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF CLEARWATER, KANSAS:

Section 1. Annexation

Pursuant to K.S.A. 12-520c, the following described land is hereby annexed and incorporated within the corporate limits of the City of Clearwater, Kansas, to-wit:

Lot 3, Block 2 of the Prairie Meadow Estates Addition to Sedgwick County, Kansas, with a commonly known address of 8023 S Butterfly Ct Clearwater, Kansas 67026

Section 2. Effective Date

This Ordinance shall take effect and be in force from and after publication in the official city newspaper.

Adopted by the City Council on this 1st day of October 2024.

Approved by the Mayor this 1st day of October 2024.

Mayor, Burt Ussery

SEAL
ATTEST:

City Clerk, Jaye Poe

**City of Clearwater
City Council Meeting
October 1, 2024**

Downtown Trick or Treat Temporary Alcohol Permit

Context: The City of Clearwater will be holding their Downtown Trick or Treat on Thursday, October 31st from 5:30-7:30 p.

Reflection Mobile Bar Truck is requesting the Council to consider the temporary alcohol permit. They will have the double fence with one entrance and one exit with a “No Alcohol Beyond This Point” sign at the entrance/exit.

Reflection Mobile Bar Service is licensed with ABC. Their privileges allow the licensee to sell and serve alcoholic liquor for consumption on unlicensed premises and other activities as authorized by K.S.A. 41-2643.

KSA 41-1201 (f)(1) states a temporary permit may be issued for the consumption of alcoholic liquor on a city road at an event as long as it has been approved by resolution and a permit.

Since Reflection Mobile Bar Service will be setting up on the road it is required by statute that the City adopt a resolution for Downtown Trick or Treat in order to issue a temporary alcohol permit.

Financial: There is no financial impact on the budget.

Legal Considerations: Review and comment as necessary.

Recommendations/Actions:

1. Adopt Resolution 14-2024 for the Downtown Trick or Treat event.
2. Approve the temporary permit for Reflection Mobile Bar Service for Downtown Trick or Treat.

CITY OF CLEARWATER, KANSAS

Resolution No. _____

*A Resolution Approving A Special Event And Authorizing The
Consumption Of Alcoholic Liquor Within the Special Event
Boundaries*

WHEREAS, THE CITY OF CLEARWATER, KANSAS, intends to host its “Downtown Trick Or Treat” event on October 31, 2024, from 5:30 p.m. to 7:30 p.m. (the “Special Event”) to be held on a closed portion of Ross Ave. between Tracy Ave. and Gorin Ave. identified on the attached and incorporated Exhibit A (the “Special Event Boundaries”); and

WHEREAS, Reflection Mobile Bar Service (the “Applicant”) requests the consumption of alcoholic liquor on city streets and public sidewalks as part of the Special Event as governed by K.S.A. 41-719(a)(2), K.S.A. 41-1201, City of Clearwater Code Sec. 4-116, etc. seq.;

WHEREAS, the Special Event is to occur within the Special Event Boundaries, as identified and approved by the City’s governing body as a safety zone pursuant to K.S.A. 8-1460 on September 10, 2024;

WHEREAS, alcoholic liquor may be consumed at a special event held on public streets, alleys, roads, sidewalks or highways when a temporary permit has been issued pursuant to K.S.A. 41-1201, for such special event; the Applicant has applied to the Alcoholic Beverage Control Division of the Kansas Department of Revenue for a temporary permit for the Special Event; and

WHEREAS, K.S.A. 41-1201 requires that the special event must be approved by resolution of the local governing body of any city where a special event at which alcoholic liquor will be consumed is being held on city streets, alleys, roads, sidewalks or highways.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CLEARWATER, KANSAS:

Section 1. Pursuant to K.S.A. 41-719(a)(2), K.S.A. 41-1201 and City of Clearwater Code Sec. 4-116 et. seq., the Governing Body approves the Special Event to be held within the Special Event Boundaries and will allow the sale of alcoholic liquor at the Special Event within the Special Event Boundaries by Applicant, subject to the issuance of the temporary permit for the Special Event to the Applicant by the Alcoholic Beverage Control Division of the Kansas Department of Revenue prior to the Special Event.

Section 2. Authorization is given to barricade the Special Event Boundaries. A smaller area may be selected based on the size of the event, but the Special Event Boundaries may not be expanded.

Section 3. In Accordance with K.S.A. 41-719(a) and K.S.A. 41-1201:

- a. No Alcoholic liquor may be consumed inside vehicles while on public streets, alleys, roads or highways at the special event;
- b. No person shall remove any alcoholic liquor from inside the Special Event Boundaries; and
- c. The Special Event Boundaries shall be clearly marked by signs, a posted map or other means which reasonably identify the Special Event Boundaries.

PASSED AND APPROVED this ____ day of _____, 2024.

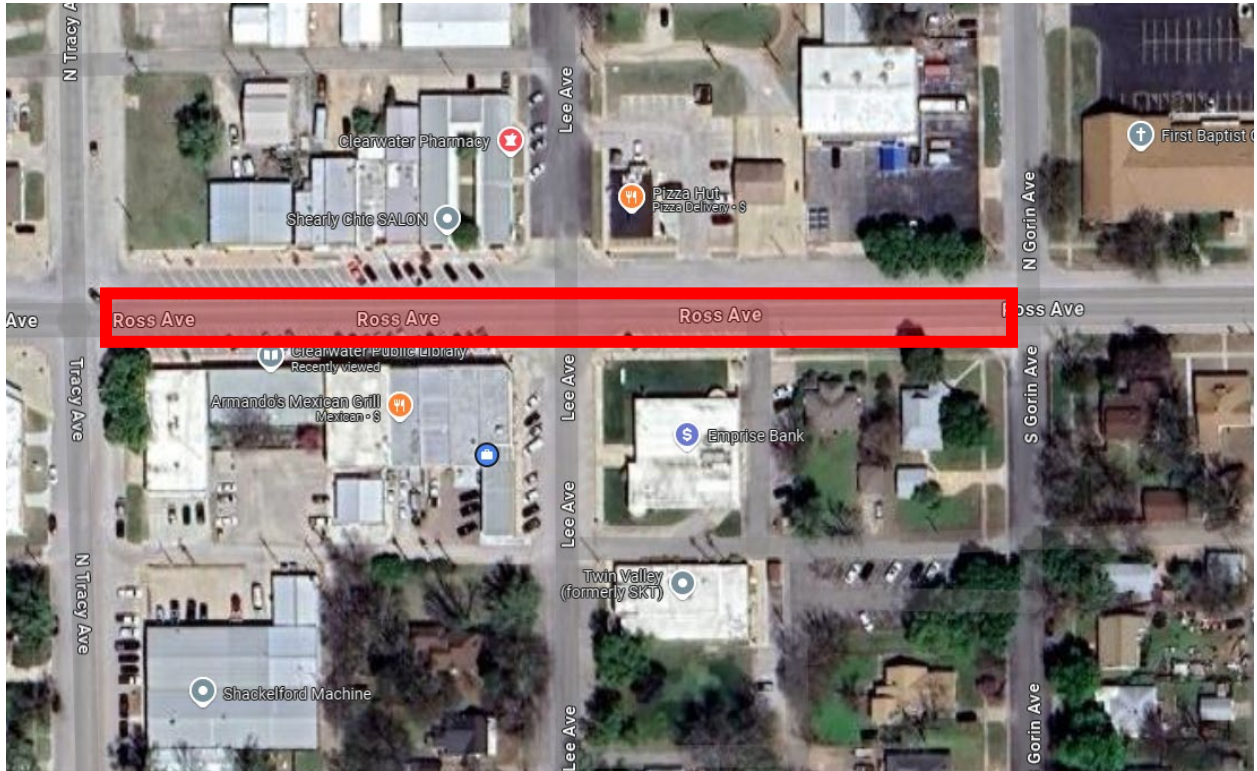
Burt Ussery, Mayor

ATTEST:

Jaye Poe, City Clerk

Exhibit A

Special Event Boundaries



CITY OF CLEARWATER, KANSAS
TEMPORARY PERMIT

FOR THE DRINKING OR CONSUMPTION OF
ALCOHOLIC BEVERAGE ON CITY PROPERTY

Requester:	Scot & Valeen Palmer, DBA Reflection Mobile Bar Service
Requester Group or Organization (if any):	
Requester or Group Address:	220 N Salt Creek Ct
Permit Date(s) and Hours:	October 31, 2024 5:30pm to 7:30pm

Type of Beverage (check all that apply):	☒ Beer	☒ Spirits	☐ Wine
--	--	---	-------------------------------

Service:	☐ Self Service	☒ Sales	☐ Other:
-----------------	---------------------------------------	---	---------------------------------

Description and Address of the Exact Area of the Clearwater City Property exempted by this Permit (Include a map with the area outlined):
Ross Ave Between Lee and Gorin. During Downtown Trick or Treat event

Additional Services Required (City Code 4-119(c)(5)):		
☐ Police	☐ Fire	☐ Other
Description:		

ISSUED this ____ day of _____, 20__.

SEAL

Burt Ussery, Mayor

ATTEST:

Jaye Poe, City Clerk

Permit Conditions:

1. Sales Service Only: This permit is contingent upon a valid temporary sales permit issued by the state of Kansas pursuant to the provisions of K.S.A. 41-1201, Temporary sales permit issued by the State of Kansas must be presented with this application.
2. This permit only allows the drinking or consumption of alcoholic beverages by persons twenty-one (21) years of age or older on the exact dates and hours of this permit and within the designated area(s) exempted by this permit.
3. During the entire time this temporary permit is in effect, it shall be conspicuously posted within the exact area of Clearwater City Property described above.
4. Sectioned off area(s) exempted from this permit will require a double layer of separation from the non-exempt area(s). At least three feet separation between layers.
5. Attach a description of the details for this request. (i.e. how the area will be marked, policing, rules, communication of guidelines, etc.)
6. Payment of \$25.00 per day Permit Fee.
7. No glass bottles are allowed on City Property.
8. Failure to abide by the provisions of this permit will result in non-consideration of future requests.

Kansas Alcoholic Beverage Control Division
Liquor License
Caterer

OWNER NAME: **SVP Inc**
DBA: **Reflection Mobile Bar Service**
ADDRESS: **220 N Salt Creek Court**
Clearwater, KS 67026

LICENSE NO: 16512

The licensee named above has been granted a liquor license by the Kansas Department of Revenue, Alcoholic Beverage Control Division. This license is neither transferable nor assignable and is subject to suspension or revocation.

PRIVILEGES:

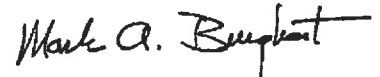
Allows the licensee to sell and serve alcoholic liquor and cereal malt beverage for consumption on unlicensed premises for limited durations at catered events and other activities as authorized by K.S.A. 41-2643.

AGREEMENT:

By accepting this license, the licensee agrees to conduct business in compliance with all applicable federal, state, county and city statutes and regulations.



Debbi Beavers
Director, Alcoholic Beverage Control



Mark A. Burghart
Secretary of Revenue

EFFECTIVE: 10/27/2023 EXPIRES: 10/26/2025

THIS LICENSE MUST BE FRAMED AND POSTED ON THE PREMISES IN A CONSPICUOUS PLACE

IMPORTANT INFORMATION

Contact the ABC Licensing Unit at 785-296-7015 or email Kdor_abc.licensing@ks.gov if you have any:

- questions regarding this license
- changes to your business name, location, ownership or officers
- questions about filing gallonage tax; if applicable

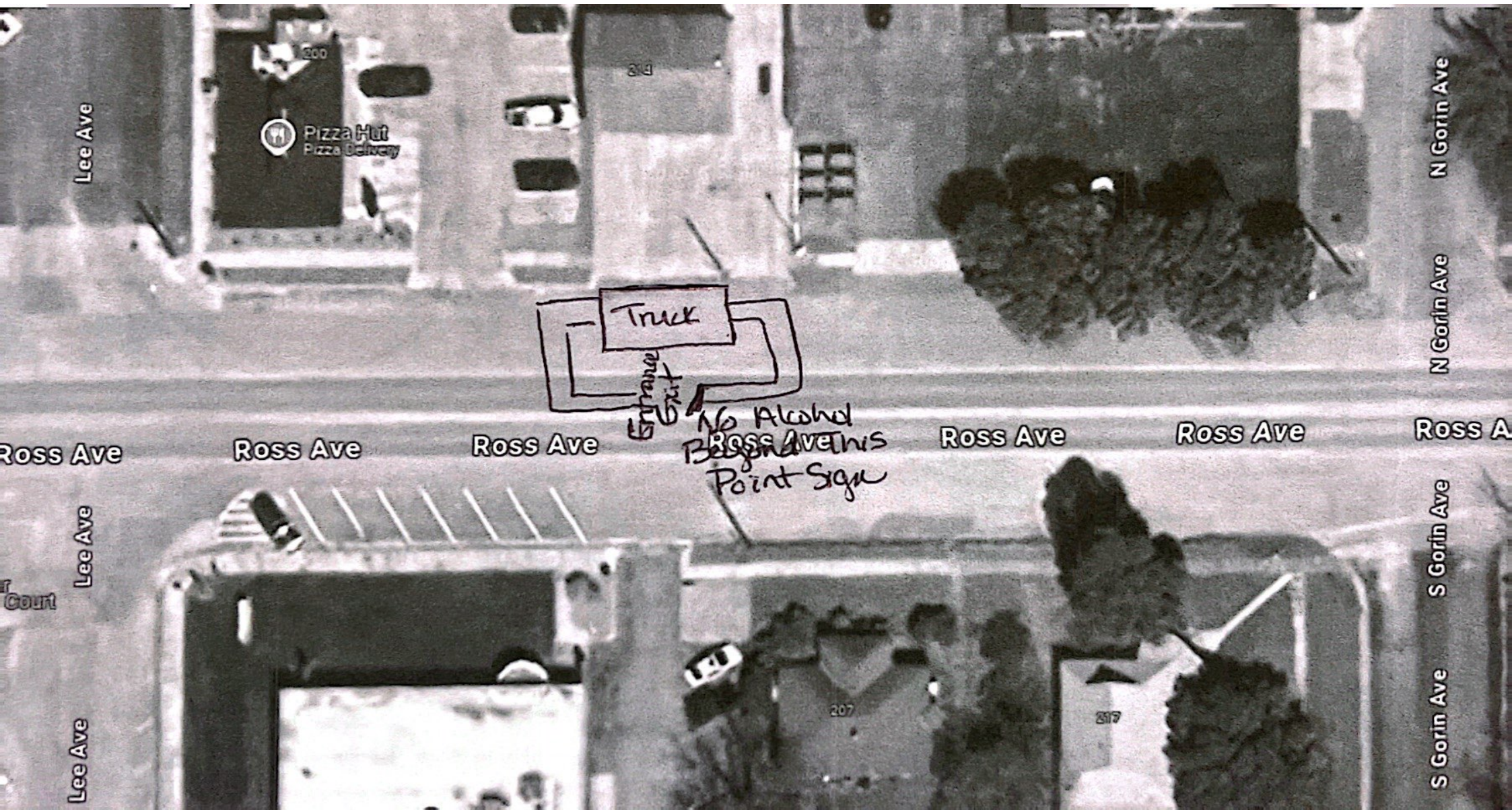
Contact your local ABC Enforcement Agent at 785-296-7015 or visit our website at <http://www.ksrevenue.gov/abcccontact.html>

Contact the Miscellaneous Tax Segment at 785-368-8222 or email Kdor_miscellaneous.tax@ks.gov if you:

- need assistance with liquor drink or liquor enforcement taxes
- have questions about liquor drink tax bonds, bond relief or bond release

CLOSING YOUR BUSINESS

If you are closing your business, you must surrender your liquor license and complete the form at <https://www.ksrevenue.gov/pdf/abc824.pdf>



Truck

Entrance

No Alcohol
Beyond this
Point Sign