

City of Clearwater, Kansas
Sedgwick County
City Council Meeting - **MINUTES**
January 14, 2025
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, Shirely Palmer-Witt and Tim Robben.

The following staff members were present:

City Administrator Zollinger, City Clerk Poe, Kirk Ives, Cole Hollis, Amber Ives, Justin Jacks, Kyle Berger and City Attorney, Scott Ufford.

Many residents in support of the promotions were in the audience.

3. Approval of Agenda

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

Motion: *Shore* moved; *Warkins* 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
Mayoral Appointment
Appropriation Resolution 01-2025
Judge Agreement 2025
Prosecutor Agreement 2025
Designate Official Auditor
Designate Official Depository
Designate Official Newspaper

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

6. Staff Reports:

- Administration Office – Courtney Zollinger – Council asked if the City pays for any services with the bank, Zollinger stated no. They discussed the new health insurance, Zollinger informed them that there have not been any claims submitted yet and that there have been some bumps, but staff is working through them. The 1% Sales tax was estimated to be around \$220k, the City has received around \$289k and will receive more for November and December of 2024.
- Fire Department – Courtney Zollinger – Dinwiddie is on a call, Council asked if the Firebar was still working, Zollinger stated that it was.

- Police Department –Kirk Ives – Council discussed the increase in SPV tags from 2024, Ives said they ordered 25 more than last year. Warkins asked about the dog tag day, Zollinger said it was last week. Council asked if they could get 2024 numbers for Flock, Ives will get those. Council thanked the Police Department for their service with the final number of calls and arrests from 2024.
- Public Works/Parks – Cole Hollis – Council thanked Public Works for their hard work with the snow and ice that came in. Council asked how they determine which streets to plow, Hollis stated if there is 3” of snow then they just plow the main roads, if there is 6” of snow or more, they plow the whole town. With this last storm, they plowed all streets except a few cul-de-sacs at least once.
- Senior Center – Amber Ives – Ives updated council on there being around 54 people at lunch today. Council discussed the tight space issue at the building. Zollinger will reach out to David Wells regarding the potential building expansion for the Senior Center.

1. Promotions

Chief Ives spoke about Officer Jacks meeting the time, experience and all qualifications necessary to be promoted to Sergeant. This promotion will not affect the 2025 budget. Officer Jacks came to the front to receive his Sergeant pins. Officer Jacks stated it's an honor to serve the citizens of Clearwater. He also thanked Officer Harp for bringing him to Clearwater, and the leadership of the Chief, Lieutenant and Sergeant. He said they were all good role models for him.

Dinwiddie and Berger are still on a call, this item will be revisited when they come in.

7. Business

a. Elect Council President

Mayor stated the President is elected by the board and steps up to become the Mayor in his absence or if unable to fulfill his term for any reason. Walter nominated Justin Shore; Palmer-Witt nominated Samantha Warkins. Mayor Ussery asked if they were willing to serve, they both said yes. Mayor Ussery took a vote; Shore as Council President – Robben, Walter and Shore said yes; Warkins as Council President – Palmer-Witt and Warkins said yes. Shore was elected as Council President. Mayor Ussery thanked Shore.

b. Release of Waiver

City Staff has been working with Sedgwick County Public Works to create a release waiver to indemnify the county of repair costs for the main water line that is in their work area for the Diagonal and Tracy Bridge. Sedgwick County Public Works asked if the City would move the waterline out of the project's area. The cost was estimated by the engineer to be \$150,000 - \$300,000. The price range is due to the unknowns that may be required by the railroad company. Instead of moving the line the city council approved to put in inserta valves on the main lines so the work area could be isolated, and customers would not lose service if the line was hit. The release waiver states the county will not be held liable for the damage done to the line by their contractor. In the waiver the city has asked that the plans include a note to hand dig within 2' of the water line to help mitigate damage which has been added to the contract. If the water line is damaged the city will work with the contractor and get it repaired. If damaged, Clearwater Public Works is confident that they will be able to make the repair themselves. There is no financial impact with this waiver unless the water line is struck then there will be material and labor costs for the city. Council asked if a notification will be done with the work being done, Hollis will be notified within 72 hours per the agreement and will be onsite. Council asked who would be responsible for any permits with the Railroad, Zollinger stated it would be Sedgwick County. Council asked if anybody would be without water in the event of a break, Zollinger stated there would not be.

Motion: *Shore* moved; *Walter* seconded to authorize the mayor to sign the release of waiver for the Tracy Bridge Work. Voted and passed unanimously.

c. Field Usage Agreement Kansas Curve

Jacob Baca, Kansas Curve Baseball, is interested in using the baseball field at the sport complex again. They will

have 20 home games starting May 23, 2025, through August 3, 2025. The field will be used for games only. There will be no charge for spectators. The City Council set a fee of \$150/game for 2024. The total collected last year was \$2,400, there were some cancellations of games which they were not charged for. They will have access to the fields, lights, bathrooms, and trash service. There were no adjustments made to the field usage agreement. Council asked if they pay the fees all up front, Zollinger stated no, they are billed monthly and refunded if there are any cancellations. The concession stand usage was discussed, Kansas Curve will not be using it, but the option is there if they want and if any other groups wanted to use it during the games they could work that out with Kansas Curve. Council asked if the fees were in the fee schedule, Zollinger stated they were not since it isn't guaranteed they would be using the fields every year. Mayor Ussery stated that the agreement leaves room to change the fees. Council asked if there was any damage to the fields from them using it last year, Zollinger stated the field needed more "healing time" due to more activity on the field but no major damage was done. Currently there are no groups that utilize the concession building, Zollinger is almost certain the school does not. There are no fees to use the concession stand, if a group wanted to use it then they would provide the product. The bathrooms remain open. The only potential scheduling conflict would be if the school's baseball team made it to regionals and state, but the school would get priority and Kansas Curve is aware. Council asked if damages are included in the agreement, Zollinger stated it was, that is addressed in the agreement, everything is reviewed before the use begins and again at the end. Kansas Curve is issued keys at the beginning of their games and turn them in at the end of their season.

Motion: *Warkins* moved; *Robben* seconded to approve the Field Usage Agreement with Kansas Curve at \$150/game. Voted and passed unanimously.

d. CD for 2024 1% Sales Tax Collected

The City has received \$289,421.31 for the 1% City Sales Tax as of December 31st. The funds received will be used as a down payment on the major road project that is currently underway. A temporary obligation bond in the amount of 5,705,000 was issued. The temporary note will be due in 2027. Current 12-month rate on municipal CD's is 4%. 24-month is 3.89%. Putting the funds received from the 1% sales tax into a CD could potentially gain \$11,000 in interest.

Motion: *Walter* moved; *Shore* seconded to authorize the Clerk to place the money in a CD for 12 months and re-evaluate on an annual basis until the bond becomes due. Voted and passed unanimously.

e. South Central Sealing Proposal Section 4

To kick off the annual road maintenance project 2 years ago the Governing Body hired South Central Sealing who uses a product called Slurry Seal. This has been very successful. The South Central Sealing crews were great to work with and very responsive to questions the public or staff had. The Slurry Seal vs the Chip Seal worked well for Clearwater since there were complaints with the Chip Seal before. The total proposal submitted by South Central Sealing for Mastic Seal, Slurry Seal and Crack Seal for Section 4 in 2025 is \$148,277.77. Section 4 includes all of S. 4th St. (south of Ross) and Park Glen and Park Glen Estates. Since Park Glen Estates is 2 years old, it is the perfect time to start the routine maintenance. For the 2025 budget, the Special Highway Fund had \$150,000 for annual road maintenance and the General Fund had \$25,000 for a total of \$175,000. Since the Slurry Seal was used in the rest of the town, staff would like to continue using it and South Central Sealing is the sole source that they have been able to find. Council asked if this was the last section, Zollinger stated yes then it will go right back to Section 1. Council discussed not going out to bid since they are the sole source, and they approved for both section 3 and 4 last year but only voted on 3 for the funds. Robben stated he thought they did a good job, Zollinger agreed. This work will start in the summer. Council mentioned the section at 4th and Ross being an issue. Zollinger stated that Public Works has milled it down as much as they can. Council asked how that happened in the first place. Zollinger stated it is due to the County putting on overlay. They put it on 135th and 103rd then nothing on 4th which has created the bump. Mayor Ussery asked if a negotiation with the County could be made to have 200' blended in to help in the future, Zollinger will contact Lynn. Palmer-Witt asked if vehicles had to stay off the roads after the maintenance is done, Zollinger said for a few hours. Palmer-Witt said there was a complaint that it wasn't smooth on Salt Creek. Zollinger is unaware of this, it would have been the cracks filled there and someone must have dragged something over it after the work was done.

Motion: Palmer-Witt moved; **Warkins** seconded to hire South Central Sealing for section 4 annual road maintenance project. Voted and passed unanimously.

Shore asked when the City parking lots are maintained, Zollinger stated as needed and the Library is on for this year. Shore said the Senior Center should be looked at, Zollinger said that it was on the list to do.

1. Promotions

Mayor Ussery invited Chief Dinwiddie up for the promotion of Kyle Berger to Lieutenant. Dinwiddie spoke about promoting Berger from Firefighter to Lieutenant. Berger was 1 of 2 personnel who took the lieutenant test. Due to his experience, tenure and the need for a second Lieutenant, he was promoted. Lt. Berger came up front for recognition and pictures. Kyle thanked everyone. Mayor Ussery thanked him for his service to the community.

8. Governing Body

Walter – The Ministerial Alliance had a successful Holiday season. They collected gifts for families and had Christmas dinner. They will be putting their events out for 2025 soon.

Shore – He will be attending Local Government Day next Wednesday if anybody wants to go. He asked if businesses were responsible for clearing the adjacent sidewalks, Zollinger stated they were. He said most businesses did with 1 exception and suggested sending reminders out.

Warkins – The first meeting of the Fall Festival committee is January 20th. The Fall Festival will be October 3rd, 4th & 5th. She is not sure if members are needed yet, but volunteers are always needed.

Palmer-Witt – None.

Robben – The Clearwater Fire Department held their annual meeting with a great turn out. Jared is doing a good job recruiting and keeping members and is a good leader.

Ussery – The Recreation Commission held their monthly Community event on January 8th. The Mayor spoke at the event and thought it went well with interest from the community. Once a quarter the Mayor would like to maybe invite the community in for involvement. There was a lot of interest in the street project funding. The new Recreation Director is doing a good job and has been invited to meet with the governing body once she gets settled in. An invitation was sent to the new County Commissioner, he will send dates that work for him. Mayor Ussery would like the EMS agreement as one of his topics to discuss.

9. Executive Session

None.

10. Adjournment

Motion: Robben moved; **Palmer-Witt** seconded to adjourn the meeting. Voted and passed unanimously. The meeting adjourned at 7:13 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 January 14th, 2025, City Council meeting.

Given under my hand and official seal of the City of Clearwater, Kansas, this 28th day of January 2025.

