

City of Clearwater, Kansas
Sedgwick County
City Council Meeting - **MINUTES**
January 28, 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, Shirely Palmer-Witt and Tim Robben.

The following staff members were present:

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

3. Approval of Agenda

Mayor Ussery stated the presentation from Future Farmers of America needed to be removed.

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

4. Public Forum

None.

5. Consent Agenda

Mayor Ussery asked if there was any question on the consent agenda and if not asked for a motion to approve.

Previous Council Meeting Minutes

Claims and Warrants

Art Walk Special Event Permit

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

6. Staff Reports:

- Administration Office – Courtney Zollinger – There will be a Public Building Commission Meeting the first meeting in February at 6 p.m. There will also be a workshop in April on the 5th Tuesday. Council asked how the nuisances were going, Zollinger said she believes it is going well. He is working with residents; extensions have been granted and if he has questions regarding the city code Zollinger is able to answer them. Zollinger informed Council that City Hall has not received any complaints about Professional Code Compliance or the work he is doing. Council mentioned the alley behind Shackleford having residential behind it. Zollinger stated that Shackleford is requesting the alley to be paved, engineering will be involved and all equipment utilizing the alley will be taken into consideration when plans are made. More than likely, it will be concrete and Shackleford is aware that they will assume the cost. The 20' alley distance complies with City Code. Mayor Ussery wanted to mention that this paved alley will not be for additional parking or for storage, Zollinger added that it is still an easement for the City. Council asked if the trash pick up was behind the building, Zollinger believes it is.
- Fire Department – Jared Dinwiddie – Council asked if they have scheduled training with the new ice suits. Dinwiddie stated they just picked them up today but will at least practice putting on the suits at their

meeting next week and will plan to train with ice if the opportunity presents itself. Council asked if they need more volunteers, Dinwiddie said they are always looking for volunteers but are doing good with the 26-27 people they currently have for the size of the community. Zollinger mentioned that Dinwiddie and Patrick have done good implementing goals for volunteers to be actively engaged. Dinwiddie also changed the radius within 5 miles of Clearwater to be a member, which he believes has helped. Council asked if the Sumner County going to the 800 system would hinder the department, Dinwiddie stated it shouldn't once he and Patrick work out the specific template and get it uploaded to the current radios. The current 800 radios in the inventory are limited. They will continue to submit for grants and put money into reserves for new radios.

- Police Department –Justin Jacks – Chief Ives is in Topeka for a legislative review representing Sedgwick County with the Chiefs of Police Association. Mayor Ussery asked how his first week of being a sergeant was going, Jacks stated it is going well, he is taking on new responsibilities. Jacks added that the Police and Fire departments have been working together to do another mock accident at the High School on April 24th. They do this every couple of years around prom in hopes to bring awareness to destructive decisions and distracted driving. Council asked about the flock cameras operations, Jacks stated they added 2 more this year and get notified almost instantly of any warrants or know issues. The new cameras were installed on the Cemetery road and just West of town, the original 2 are at S. 95th and 35th and near the High School. The information has been used to assist other agencies as well and was utilized around 101 times in 2024.
- Public Works/Parks – Cole Hollis – None.
- Senior Center – Amber Ives – The Valentine's dinner is at 6 pm on February 15th.

7. Proclamation

Mayor will speak on this during his comments.

8. Business

a. Facility Usage Agreement Clearwater Recreation Commission

During the 2025 budget for the City and Chisholm Trail Rec Commission, the Rec approved a total of up to \$75,000 for contractual services at the city's parks/recreation. This is equivalent to about 2.5 Mills for the City. This was approved with the understanding the Rec would be able to use the city's facilities without being charged an additional reservation fee. The agreement includes language that allows the Rec Director to reserve the city's facilities through a reservation portal or by contacting city hall. A log-in will be issued to the Director to block off times for the Rec's activities. Last year there were issues with the Rec not using all reserved spots. As far as reservations, the School gets priority, then the Rec and then other teams. It was understood that the Rec would block off all times needed at the beginning, and as game/practice schedules were finalized, the unused blocks would be released to allow for public reservations. The other point the Rec Commission wanted to include in the Usage Agreement was the "per player fee" for AYSO. In 2024 the council waived the per player fee for the AYSO since the registrations were already set that didn't include the per player fee. AYSO approached the Rec for support prior to the City waving the fee, they decided not to for 2024 but would like to include the "per player fee" for AYSO into their usage agreement since the Rec does not offer soccer. Since they are willing to contribute \$75,000, they are requesting usage of the facilities as needed, cover the AYSO fee and a pool party. They will cover the cost for staffing and pick a date not conflicting with public swim, public reservations or City usage. Swim Team and lessons are during the first month and a half to 2 months of the season and Senior Swim is worked into the pool schedule. City Attorney, Jennifer Hill looked over the agreement and changed some of the language in the fee side on the agreement that was included in the agenda packet. Suggested changes were in the Fee section: "There will be no fee for use of the facilities" to "Occupant agrees to reimburse the City for the costs of its contractor in providing maintenance for the Facilities up to \$75,000 for the mowing, chemical spraying, and irrigation maintenance for the parks used by the Occupant and/or AYSO activities." "The city will submit invoices from its contractors to the Occupant for reimbursement. Reimbursements will not exceed \$75,000." "The Occupant will

cover the staffing costs of any pool party as referenced.” Zollinger and Carol B have worked together through this agreement and are both comfortable with it. Council discussed the fee for AYSO being for 120 kids, totaling about \$1,800 and the cost to maintain the soccer fields. The language allows for the maintenance and use of all City parks: City Park, Ponds, Pool and Sports Complex. The contractual labor costs for Whitney Landscaping, TruGreen and Irrigation by Design total around \$76,000 annually for all parks. Council asked that it be stated again that as soon as blocks are not needed, they get released as quickly as possible. Zollinger stated the coaches will meet to set their schedule and times not needed will be released after that. Council discussed being mindful of the time to prep the fields, Zollinger has discussed these concerns with Carol B. The City blocks off the entire day for school and KS Curve and will do the same for the Rec games now. The Rec will review this agreement in February. Mayor Ussery read all the changes to the governing body.

Motion: Palmer-Witt moved; Shore seconded to authorize the Mayor to sign the 2025 Facility Usage Agreement as stated with Chisholm Trail Recreation Commission. Voted and passed unanimously.

b. Waive Fireworks Sale Permit Fee

This year the school will be teaming up with Armory Fireworks and Victory Pyrotechnics instead of Wholesale fireworks. Council discussed the City only issue permits for the sale of fireworks a couple of months ago and that anyone can apply for a permit. Cody Hanna, owner of Victory Pyrotechnics, would like to ask the city council to entertain waiving the sale and discharge permit fee in support of the school fundraiser. The price of the fireworks sale permit is \$6,000 per tent and the discharge fee is \$100. Victory and Armory are proposing a community event around June 27th or 28th with food vendors, games, and product demonstrations of items sold at the stand. Following that, Victory would like to have a stadium-style display on the football field which needs to be approved by the school. The idea would be that Armory and Victory would do the demonstrations and displays, while the school and city work together to provide food and entertainment. Mr. Hanna would like to try and bring back a Celebrate Clearwater event like there was back in 2018/2019. The school has not approved the use of the stadium or signed up to do games/food vendors this is just initial discussions to see if Council would entertain waving the fees. In the past the revenue from the permit fee went towards a fireworks show, but the City has opted out of a fireworks show for the last 2 years, and the revenue goes into the general fund to offset property taxes now. Staff is looking for direction on how to proceed with the request to waive \$6,100 and have a Celebrate Clearwater sponsored by the City. Council asked if the fee was waived, would it go directly to the DC trip, Zollinger stated it would not, it would just be one less expense when Armory is figuring out the percentage of revenue that would go back to the school. Robben and Palmer-Witt are not in favor of this idea, a precedent was set a couple of months ago and they would like to stay consistent. Shore stated it was mentioned to bring a 4th of July event back and would like to see that if an organization is willing to do that, Zollinger reiterated they would only do the fireworks portion and would rely on City and School to organize the event. Zollinger reminded Council that City Code allows firework sales 7 days before the 4th and can discharge them starting July 1st unless a discharge permit is obtained. Mayor Ussery is concerned that the community will see this and think it is okay to shoot off their fireworks not within the window allowed by City Code on top of the complaints he receives every year for the disruption to the residents and pets. He is also concerned that the City does not have the staff to organize an event of this nature. Mayor Ussery would entertain the event if Mr. Hanna were to submit a written proposal to include a planning committee to organize the event, the city facilities he wishes to utilize, and only displaying the fireworks in which the tent is selling. He stated the governing body is not in favor of waving the fees, but he can submit that request. Zollinger mentioned that there has not been an application submitted for a fireworks tent yet. Shore mentioned the “quiet” fireworks that other communities have implemented within and Ordinance. Zollinger can ask around.

c. Reline 8” Sewer Mains

After the 2024 Mayer sewer cleanout Cole Hollis reviewed the videos and has determined there are about 1,600 linear feet of sewer main that needs to be relined due to roots and some cracks. The reline would be a sealant on the inside that makes it almost new again. Mayer Specialties and HK Solutions are the two contractors in Kansas that handle this size of job. Mayer Specialties quotes \$43.26 linear feet. HK solutions quoted \$45.00 - \$48.00 linear foot plus mobilization. The range from HK is due to needing to review the video footage. Each Year the sewer department puts money into equipment reserve for several years to reline the wastewater lines. The current balance for relining wastewater is \$124,000. For the 1,618 feet it would cost \$69,994.68. Council asked if this would interrupt service to residents, Hollis said that it would for a few hours and the residents affected would be notified. Palmer-Witt asked how often the cleaning is done, Hollis said a third of the town is done annually. Council asked the last time something like this

was done, Zollinger stated it has been a few years. The areas needing relined are mostly from the most recent videos submitted, there were a couple that were from previous years (2). It was just more cost effective to do more at once since they weren't needing done immediately per Hollis. Council asked if the amount being put into reserves is enough, Hollis and Zollinger believe that it is since the last time a reline was done was when Ernie was Director. The line near the bridge will not affect the work needing done there.

Motion: *Walter* moved; *Palmer-Witt* seconded to approve Mayer Specialties for relining 8" sewer mains utilizing equipment reserve funds not to exceed \$70,000. Voted and passed unanimously.

8. Governing Body

Walter – None.

Shore – A lot of good topics were discussed at the Local Government day in Topeka, he will compile his notes and get them to the governing body.

Palmer-Witt – None.

Robben – None.

Ussery – Mayor Ussery has been asked by the Family Career Community Leaders of America (FCCLA) group at the High School to read a proclamation for the Career and Technical Education Month and will be presented on the 2nd at the High School. The K-State Research & Extension Assessment has been sent to the governing body and Courtney has reached out to them to tell them the City is interested in participating. Hammer's Foundation applied for a \$1,000 grant from the Grassland Heritage Foundation and was awarded it. The Kay Club at the High School has submitted a \$2,000 grant, if awarded it will be used for grasses identification signage at Hammer's Prairie Park. The FFA was going to present a signage project to council tonight. An anonymous \$20,000 match grant was given to the foundation plus \$600 and a \$25,000 donation in the name of a new structure for the park. The logistics are still being worked out for this structure. The Hammer's Foundation will have their history and future of the park presentation on Friday the 31st. The Mikesell family has donated funds as well. This property was gifted to the City as a park, any work being done will come to Council for approval. If funds are unavailable, the project will be put on hold. Park Glen Estates was sold at auction, Courtney will speak with the new owners regarding the median. It has been a safety issue, knocked over twice and Emergency vehicles may have difficulties getting through if people are parked on either side of it. Zollinger stated a permit has already been issued. There are 3 lots remaining in Chisholm Ridge.

9. Executive Session

None.

10. Adjournment

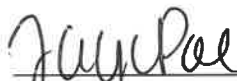
Motion: *Shore* moved; *Robben* seconded to adjourn the meeting. Voted and passed unanimously. The meeting adjourned at 7:31 PM

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 28th, 2025, City Council meeting.

Given under my hand and official seal of the City of Clearwater, Kansas, this 11th day of February 2025.


Jaye Poe, City Clerk

