

City of Clearwater, Kansas
Sedgwick County
City Council Meeting - **MINUTES**
February 11, 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, Amber Ives, and City Attorney, Scott Ufford. Jared Dinwiddie and Kevin Cowan with Gilmore and Bell were present via GoTo Meetings.

Others present who spoke:

Lauren VanAllen, Anna McIntyre and Daphne Bullard.

3. Approval of Agenda

Mayor Ussery stated the citizen of the year needed to be taken off the agenda.

Motion: *Palmer-Witt* moved; *Shore* 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 – Fire Department

Approve Hire – Part Time Police Officer

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

6. Staff Reports:

- Administration Office – Courtney Zollinger – Zollinger reminded Council that Clearwater will have 3 open council seats in the November election. If interested in serving on Council, forms will need to be submitted to Sedgwick County Election Office by June 2, 2025, at 12:00 Noon.
- Fire Department – Jared Dinwiddie – Council asked if the Fire Department would be participating in the March 1st fire alarms check and replace event that is sponsored by the Red Cross, Dinwiddie stated he hasn't heard about this, but the department offer to check and replace them all year long, it just takes a call to the office.
- Police Department – Kirk Ives – None.
- Public Works/Parks – Courtney Zollinger – Zollinger said the intersections have been pretreated for the forecasted weather and will evaluate the roads at 4:45. The intersection of 4th and Ross will be cleared first if needed. Council pointed out that Businesses are responsible for clearing off their sidewalks.

- Senior Center – Amber Ives – The Valentine’s Day party is cancelled and will be held in the Spring.

8. FFA Presentation

Lauren VanAllen, Daphne Bullard, Anna McIntyre and another student with Future Farmers of America (FFA) presented to Council their request to use Hammer’s Prairie Park and Nature Center for the Earth Rangers. They would like to set up different stations for environmental education for K-5th grade Clearwater students to rotate between. The proposed date is March 12th starting at 8:30 am. The main goal is to get kids outdoors and have an interactive educational experience on the wildlife and history of the park. Council discussed the stations and asked what the notification to cancel due to weather would be, VanAllen said she was hoping it would be a 24-hr. notice. Council asked if this would be an annual event and open to the public, she said it is not open to the public currently but would like it to be possibly in the future as an annual event that brings people to Clearwater. Council asked if she had enough volunteers, she said they do but anyone wanting to help is welcome. The bus will be bringing the classes staggered throughout the day and will be covered under the school insurance.

9. Business

a. Engineering Contract with Garver for Indian Ridge Phase 2

Bryan Lagaly Homes, Indian Ridge Developer, has been working with Garver for the development of Indian Ridge. Garver was used for Phase 1 and will be used for Phase 2 as well and a new contract is needed. The City attorney looked over the contract and had modifications which were included in the packet that went out. Sections 9.2.3 and 9.2.4 were the main sections they wanted to point out. The original contract from 2022 had outlined 100% in section 9.2.3 whereas the new contract has 200%. Scott Ufford stated this is the limit on their total liability, which means they would only be liable for up to 100% of the total cost of the product/design side, which is \$81,815. Section 9.2.4 touches on warranties. Their concern is that some architect companies have copied and pasted design plans and didn’t meet the expectations of the clients, it is usually the construction portion where the problems arise though. Zollinger and Ufford stated that Garver is the one who recommended changing the liability to 200%. Council asked if something went wrong with the project, then Garver would pay the City up to 200%? Zollinger and Ufford stated yes, it would be on the design side only. Zollinger stated that Certified Engineering Design (CED) is the next item on the agenda for approval to review all the plans from Garver and will be inspecting the construction part of the project as well. Since they are the City Engineer, they know the specifications and needs of the City.

Motion: *Walter* moved; *Shore* seconded to authorize the Mayor to sign the agreement with Garver, LLC for Indian Ridge Phase 2. Voted and passed unanimously.

b. Certified Engineer Design, P.A for Indian Ridge Phase 2 Plan Review Proposal

Garver will design the Indian Ridge Phase 2 and CED will review the plans to make sure it follows City Code and specifications. CED services for Phase 2 of Indian Ridge is \$2,320, which will be rolled into the special assessments. Council asked if there were estimates for the specials, Zollinger stated there were not at this moment. Mayor Ussery asked if the Phase 2 specials will be tied to the property of Phase 2 and the Phase 1 specials have already been allocated out to the property of Phase 1? Zollinger stated that Phase 1 has not gone to final financing yet, but yes, that is the way specials will be allocated.

Motion: *Shore* moved; *Warkins* seconded to authorize the Mayor to sign the Phase 2 – Indian Ridge Plan Review from Certified Engineering Design, P.A. Voted and passed unanimously.

c. Petitions for Improvements to Indian Ridge Phase 2

In March 2022 the Governing Body approved the Final Plat for Indian Ridge. Phase 1 of the project was completed at the end of 2023. Building permits have been issued for all lots in Phase 1. Phase 2 of the project will complete Indian Lakes Drive that includes Lots 9-14, Block 2 and Lots 1-4, Block 3. After looking at the plans, Zollinger believes Indian Lakes Dr. will not be connected. Paving Petition – Estimated cost is \$202,000 with the cost even spread evenly between the 10 lots. (Lots 9-14, Block 2 and Lots 1-4, Block 3). Sewer Petition – Estimated cost is \$267,000 with the cost evenly spread between 16 lots. (Lots 3-14, Block 2 and Lots 1-4, Block 3). Water Petition – Estimated cost is \$200,000 with the cost

evenly spread between 10 lots. (Lots 9-14, Block 2 and Lots 1-4, Block 3). Council asked if there was a reason why Indian Lakes Dr wouldn't be connected? Zollinger stated since it is their development, it's their decision. She has reached out to Eric Glover, the designer, to get confirmation to verify if they will or will not connect. The house that sits to the north of Block 3, Lot 1 is Indian Lakes owned, not Indian Ridge. The original plat that was approved cuts right at the top of Block 3, Lot 1 and straight up to Tomahawk. Council discussed getting a quote on what it would cost to pave that section while they are doing the rest of the work since it would probably be cheaper at that time. It was mentioned that having 2 entrances/exits to that area would be beneficial in the event of an emergency. Zollinger stated the paving contract will come before council and the cost of the square footage will be known then. Council asked what the empty lot would be used for, Zollinger believes it is for parking, mailbox station or a park. To her knowledge they will only be building along Indian Lakes Dr. for Phase 2. When the sewer gets installed, it will be assessed to the other houses since it is servicing them. Sidewalks will go on one side of the street.

Motion: *Warkins* moved; *Palmer-Witt* seconded to accept the Petitions for Phase 2 Indian Ridge. Voted and passed unanimously.

d. Resolutions for Improvements to Indian Ridge Phase 2

The petitions were accepted and within the petitions they asked the City to finance the improvements through Temporary Notes. Kevin Cowan with Gilmore and Bell has reviewed the petitions and prepared the Resolutions. There are Resolutions for Paving, Sanitary Sewer and Water Distribution. Kevin Cowan stated that this is the next step in the process, Statute requires to proceed once the petitions are accepted the Resolutions making findings of advisability. After adopted, the city will have authorized the projects and can proceed with financing.

Motion: *Shore* moved; *Walter* seconded to adopt Resolution 2-2025 -A RESOLUTION DETERMINING THE ADVISABILITY OF THE MAKING OF CERTAIN INTERNAL IMPROVEMENTS IN THE CITY OF CLEARWATER, KANSAS; MAKING CERTAIN FINDINGS WITH RESPECT THERETO; AND AUTHORIZING AND PROVIDING FOR THE MAKING OF THE IMPROVEMENTS IN ACCORDANCE WITH SUCH FINDINGS (PAVING IMPROVEMENTS/INDIAN RIDGE AT CLEARWATER - PHASE 2). Voted and passed unanimously.

Motion: *Warkins* moved; *Robben* seconded to adopt Resolution 3-2025 - A RESOLUTION DETERMINING THE ADVISABILITY OF THE MAKING OF CERTAIN INTERNAL IMPROVEMENTS IN THE CITY OF CLEARWATER, KANSAS; MAKING CERTAIN FINDINGS WITH RESPECT THERETO; AND AUTHORIZING AND PROVIDING FOR THE MAKING OF THE IMPROVEMENTS IN ACCORDANCE WITH SUCH FINDINGS (SANITARY SEWER IMPROVEMENTS/ INDIAN RIDGE AT CLEARWATER - PHASE 2). Voted and passed unanimously.

Motion: *Warkins* moved; *Palmer-Witt* seconded to adopt Resolution 4-2025 - A RESOLUTION DETERMINING THE ADVISABILITY OF THE MAKING OF CERTAIN INTERNAL IMPROVEMENTS IN THE CITY OF CLEARWATER, KANSAS; MAKING CERTAIN FINDINGS WITH RESPECT THERETO; AND AUTHORIZING AND PROVIDING FOR THE MAKING OF THE IMPROVEMENTS IN ACCORDANCE WITH SUCH FINDINGS (WATER DISTRIBUTION SYSTEM IMPROVEMENTS/INDIAN RIDGE AT CLEARWATER - PHASE 2). Voted and passed unanimously.

e. Purchase of Police Vehicle

The Police Department has been successful in purchasing vehicles with cash, due to funds set aside in the Equipment Reserve. The sale of the Humvee and prior-year budget savings have helped build the reserve. This has allowed the department to avoid paying interest and purchase the last three vehicles outright. With current funding, the department can buy the next 4 vehicles with cash, meaning the next time financing may be necessary is in 2030. During the budget discussion the police department has scheduled to purchase a new vehicle to replace one of the 2 Durango's in the fleet. However, Chief Ives would like to keep the Durango for a couple more years. The plan would be to increase the patrol fleet from 5 to 6 vehicles. This will help extend the life of the vehicles and allow for a longer service period (up to 7 years instead of the previous 3-5 years). This extension is achieved by assigning specific officers to specific cars to reduce wear and tear, which was an issue in the past when vehicles were used by different officers frequently. Clearwater purchases police vehicles from the State Contract Pricing. The State has negotiated pricing for the Ford Police Interceptor for \$48,920 as well as all the lighting and wiring accessories for a Police vehicle. The total price for a 2025 equipped Ford Explorer will be around \$62,000. The total available balance in equipment reserve is \$151,800. Council raised concerns about housing the new vehicle. Zollinger mentioned there is room at the Fire Department, and Sergeant Jacks may start taking a vehicle home. The timeline for the purchase for the next 4 vehicles is '26, '27, '28 & '29. Chief Ives wants to keep the two Durango's in service longer, having made several repairs. Council discussed not having budgeted for the 6th

vehicle for 2025 but budgeted to get rid of the D.A.R.E. vehicle by dropping the insurance and upkeep. Zollinger stated that the interceptor will not be here until May and the insurance would probably be about \$1,200 for half of the year. The current fleet consists of two 2020 Durango's, a 2022 Charger, a 2021 Explorer, a 2023 Explorer, and potentially a 2025 Explorer if approved. The department usually sells a vehicle when a new one is purchased to maintain the fleet size. Mayor Ussery asked if maintaining a 6-vehicle fleet is necessary going forward. Chief Ives confirmed he would like to keep it at six, as it helps extend the life of the fleet. Insurance covers the vehicles in case they're totaled, with payment based on the vehicle's current value. Palmer-Witt sees this as a want verses a need, Ives said it would be extending the life of the vehicles and fleet. Council asked how often the vehicle would be used, Ives stated it would normally be every other day normally. When a vehicle from the fleet gets sold, the funds go back into Equipment Reserve for future police vehicle purchases. The resale value has improved due to better maintenance practices. Mayor Ussery asked if the mission could be met with only five vehicles. Chief Ives confirmed that five vehicles would be sufficient to meet operational needs.

Motion: *Shore* moved; *Walter* seconded to approve purchasing police vehicle off the state contract for \$62,000 utilizing equipment reserve funds. Voted and passed unanimously.

Council consensus was to table keeping the Durango and maintaining a 6 vehicle fleet until Budget discussions start.

f. Median Removal

In 2024 the Clearwater Planning Commission and City Council approved to create a plat for the median that was installed in Park Glen Estates after the original Park Glen Estates plat was adopted. The plat for the Park Glen Estates median created its own parcel for the island to sit on but the City of Clearwater maintained ownership of the parcel which is Reserve A. There have been 2 accidents involving the median since Park Glen Street became a through street happening almost a year apart. Despite the road width meeting engineering standards, city staff believe removing the median would improve safety, especially for eastbound traffic due to the street's curve. In late January, a new developer took ownership of Park Glen Estates. The developer is indifferent to the median issue but does not know how residents feel. The developer currently holds the HOA position as no formal HOA has been established yet. After speaking with him and the Mayor, it was suggested that the City gather feedback from Park Glen Estates residents by sending out a letter. The responses will be reported to the City Council at the next meeting. Council questioned why letters would only be sent to Park Glen Estates residents and not to Park Glen residents. Zollinger explained that Park Glen Estates is where the sign is located, and that the general opinion of Park Glen residents had already been expressed. Speaking with the HOA, they didn't want to give their opinion on removal of the sign. The old HOA for Park Glen Estates did give their opinion on keeping the sign, since then, they are no longer the HOA. Public Works made sure the lights were solar power and would be able to remove the island. Public Works made sure the lights were solar power and would be able to remove the island.

g. 2024 Carryover Reserve

City Auditor suggested the Governing Body consider transferring funds that finished the year under budgeted to maximize the spending authority adopted with the prior year budget and moving to Equipment Reserve for unplanned future purchases or emergencies such as police vehicles or water line repairs. This approach would help prevent cuts to the general fund and avoid removing anything that had been previously budgeted. After completing the 2024 budget year, some departments came in under their budgeted expenditures. Staff suggests the following transfer schedule to the Equipment Reserve Fund:

GENERAL							
	2024 Budgeted Expenditures	Starting Cash Needed for 2025	2024 Actuals	% of Budget	Over/ Under Budgeted	EQ RES XFER	Notes
CASH		\$ 862,162.00	\$ 1,131,255.19		\$ 269,093.19		
Admin	\$ 803,151.50		\$ 780,428.05	97%	\$ 22,723.45	\$ 22,000.00	Accounting Software upgrade (\$22,000)
Sr Ctr	\$ 69,740.00		\$ 63,795.09	91%	\$ 5,944.91	\$ 5,000.00	Future Building Needs
PD	\$ 913,825.00		\$ 838,913.45	92%	\$ 74,911.55	\$ 70,000.00	Court Software (\$8,000)/ Car Replacement Underbudget due to open position not filled
Court	\$ 86,017.52		\$ 72,957.15	85%	\$ 13,060.37	\$ 13,000.00	Court Software (\$13,000)
PW	\$ 242,540.00		\$ 208,283.65	86%	\$ 34,256.35	\$ 34,000.00	Road Project/ Emergency Repair
Fire	\$ 268,235.00		\$ 267,727.66	100%	\$ 507.34		
Park	\$ 267,396.50		\$ 235,461.15	88%	\$ 31,935.35	\$ 23,000.00	Park Repairs
Pool	\$ 98,617.00		\$ 96,817.26	98%	\$ 1,799.74	\$ 1,000.00	Pool Surface Paint
Museum	\$ 11,610.00		\$ 10,175.32	88%	\$ 1,434.68	\$ 1,000.00	Repairs
Library	\$ 3,600.00		\$ 4,838.38	134%	\$ (1,238.38)		
Special Project	\$ 635,621.31		\$ 531,232.89	84%	\$ 104,388.42	\$ 100,000.00	Road Project
Reserve	\$ 81,235.00		\$ 81,235.00	100%	\$ -		
TOTAL	\$ 3,481,588.83		\$ 3,191,865.05		\$ 289,723.78	\$ 269,000.00	
GENERAL FUND CASH BALANCE AFTER TRANSFER INTO EQ RESERVE						\$ 862,255.19	Worked into budget for starting cash for 2025
Ending Cash Above/Below Budgeted 2025						\$ 93.19	

Zollinger stated that council does have the authority to move the remaining funds wherever they choose, this is just a recommendation from staff. Council inquired about software mentioned in the schedule. Zollinger informed them that the current court software will reach its end of life in December 2025, and the accounting software will be obsolete by December 2026. The current accounting software used is from Tyler Technologies, and staff is exploring a new application, ERP Pro from the same company, which will be presented to the Council at the next meeting. This software has a one-time implementation cost and an ongoing annual cost. Council also discussed the need for an increased budget for Fire Department radios. Council asked how the Cash Carryover is calculated. Zollinger explained that it's an estimate based on expected revenues and expenditures for the year. Departments cannot go back and spend funds allocated for 2024, as the budget year is now closed. If the funds are left in the general fund, it could create a deficit elsewhere in the budget, affecting other projects and budget items that need to be completed.

Motion: Warkins moved; **Palmer-Witt** seconded to approve the transfer schedule recommended by staff. Voted and Opposed by City Administrator Zollinger.

Special Highway spent 100% of expenditures. Special Parks fund has a large carryover balance because there was not a set plan to utilize the funds. The only project that utilized the funds was the Master Plan concept for the Sports Complex. There is only an \$11,000 spending authority in the 2025 Budget for Special Parks. By moving the funds to equipment reserve the Council will have more flexibility to use the cash on hand for any park projects that might come up in 2025. Debt Service is Debt Service and the City must pay it. Generally there is a \$40,000 transfer into Social Parks, in 2025 it was decreased to \$10,000.

SPECIAL PARKS							
	2024 Budgeted Expenditures	Starting Cash Needed for 2025	2024 Actuals	% of Budget	Over/ Under Budgeted	EQ RES XFER	Notes
CASH		\$ 1,630.00	\$ 35,822.68		\$ 34,192.68		
Expenditures	\$ 40,000.00		\$ 10,350.00	26%	\$ 29,650.00	\$ 29,650.00	Park Improvements
SPECIAL PARKS FUND CASH BALANCE AFTER TRANSFER INTO EQ RESERVE						\$ 6,172.68	
Ending Cash Above/Below Budgeted 2025						\$ 4,542.68	

Water and Sewer were under budget due to not hiring the 5th position that was budgeted and coming in underbudget for some projects. It is recommended in both funds to utilize \$16,000 from each fund to help pay for the one time cost of transferring financial software and the remaining to go towards repairs and upgrades. All the funds would be transferred into equipment reserve fund for future use. Zollinger is still waiting/working on plans for sewer upgrades to go to non discharge.

WATER OPERATING							
	2024 Budgeted Expenditures	Starting Cash Needed for 2025	2024 Actuals	% of Budget	Remaining	EQ RES XFER	Notes
CASH		\$129,993.00	\$ 181,453.27		\$ 51,460.27		
Expenditures	\$ 419,503.00		\$ 374,406.92	89%	\$ 45,096.08	\$ 45,000.00	Water Line Improvement/ Acct Upgrade (\$16,000)
WATER FUND CASH BALANCE AFTER TRANSFER INTO EQ RESERVE						\$ 136,453.27	
Ending Cash Above/Below Budgeted 2025						\$ 6,460.27	

SEWER OPERATING							
	2024 Budgeted Expenditures	Starting Cash Needed for 2025	2024 Actuals	% of Budget	Over/ Under Budgeted	EQ RES XFER	Notes
CASH		\$214,890.00	\$ 310,734.58		\$ 95,844.58		
Expenditures	\$ 479,180.00		\$ 398,339.74	83%	\$ 80,840.26	\$ 80,000.00	Sewer Impr/ Acct Upgrade (\$16,000)
SEWER FUND CASH BALANCE AFTER TRANSFER INTO EQ RESERVE						\$ 230,734.58	
Ending Cash Above/Below Budgeted 2025						\$ 15,844.58	

Motion: Walter moved; **Shore** seconded to approve the transfer schedule. Voted and passed unanimously.

h. Field Usage Agreement – USD 264

USD264 will need use of the sports complex for their upcoming ball season. In 2024 the City set the rate for the school

district at \$6,000. Superintendent Johnson reviewed the maintenance cost and the school usage and thought \$7,500 was more accurate. It was agreed that the school would like to pay \$7,500 again for 2025 to help cover the maintenance costs. The City has a signed contract with the school district for the use of the sports complex, and this contract has been ongoing since 1992. Council asked if a detailed breakdown of the sports complex usage and maintenance costs was available. Zollinger did not have the specific figures on hand but provided some context. The City is contributing \$75,000 into the parks, with a significant portion allocated to the sports complex from March to November. The school is interested in showing their support for the maintenance and upgrades of the ball parks. The Rec will be discussing the Sports Complex Master plan at their meeting tomorrow. Zollinger believes that \$16,000 was the cost in 2024 for the school with the breakdown of the usage vs the maintenance cost was figured, but thought it was too high. The school does take care of the infields of the ball fields during their season, the City maintains the commons and soccer areas at that time.

Motion: Palmer-Witt moved; **Warkins** seconded to authorize the mayor to sign the agreement between the city and USD 264. Voted and passed unanimously.

8. Governing Body

Walter – None.

Shore – Was glad the Seniors go to see the City expand while attending this meeting.

Warkins- The museum is working with the Middle School to implement QR codes to go with each exhibit. The QR code can be scanned, and a student will appear with a story to go with the exhibit.

Palmer-Witt – None.

Robben – None.

Ussery – WAMPO had an annual report with the number of people who live and work within and outside of Clearwater. There are 533 who live outside of Clearwater, but work in Clearwater, 168 who live and work in town and 1,100 who live in town but work outside of Clearwater. There is a big push for a bypass out North rather than 95th. Clearwater is a strong bedroom community for Wichita. If 95th got developed and went North, the growth would increase. The state tried taking away the 3mile radius influence, but did not go anywhere as of now. The numbers reported were from traffic patterns.

9. Executive Session

None.

10. Adjournment

Motion: Warkins moved; **Palmer-Witt** seconded to adjourn the meeting. Voted and passed unanimously. The meeting adjourned at 8:17 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 February 11th, 2025, City Council meeting.

Given under my hand and official seal of the City of Clearwater, Kansas, this 25th day of February 2025.


Jaye Poe, City Clerk

