

City of Clearwater, Kansas
Sedgwick County
City Council Meeting - **MINUTES**
February 25, 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, Kirk Ives, Jared Dinwiddie, Cole Hollis and City Attorney, Scott Ufford.

Others present who spoke:

George Rudy and Rick Pero.

3. Approval of Agenda

Zollinger stated Item 8 c, sell price for property located at 135th and 95th.

Motion: *Shore* moved; ***Walter*** 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

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

6. Staff Reports:

- Administration Office – Courtney Zollinger – None.
- Fire Department – Jared Dinwiddie – Dinwiddie added next week is Severe Weather Awareness Week, the statewide tornado drill will be on the 5th at 10 am.
- Police Department – Kirk Ives – None.
- Public Works/Parks – Cole Hollis – Mayor Ussery read a thank you letter from Mike Strickland, patron of Ninnescan Chapter #423, Order of the Eastern Star. It stated that Public Works went above and beyond to help clear the snow in the parking lot in front of the Unity Lodge before their 2-day meeting.
- Senior Center – Courtney Zollinger – None.

7. Citizen of the Year Award – 2024

Each Year the Mayor works through picking someone who has made significant contributions to the community. George Rudy has been a resident of Kansas for over 50 years, originally from Bellvale, New York. George served in the U. S. Air Force from 1967 to 1970 and was stationed in South Dakota then transferred to McConnell AFB in 1969. In 1973, George would later start the Tri-County Electric Company, located in downtown Clearwater. In 1999, he purchased the old Clearwater fire station at 117 W. Ross where Tri-County Electric would remain until his

retirement in 2024. George has been a valued member of the Clearwater Community, serving on the Planning Commission for 31 years, from 1989 through 2022 and worked closely with the city on multiple projects to include park expansion and the Wellness Center. His passion for his community was matched with his love for gold mining in Alaska where he owned and mined an active claim. On behalf of the City of Clearwater, I would like to thank George for his service to the community and recognize him as the Mayor's selection as the 2024 Citizen of the Year. Pictures were taken with the Mayor and with Mr. Rudy's family. Mr. Rudy said thank you and it has been great living in Clearwater and raising his family here.

8. Business

a. Software Change/ Upgrade

Late last year after the budget was approved, the city was informed that the financial software was getting an end-of-life in 2026 and court software, gWorks, was getting an end-of-life as of December 2025. The past several months, staff has been contacting other communities to see what they have decided to do and have had demonstrations from other companies. The goal is to keep the customer service internally and externally the same if not better as well as streamlining tasks instead of being manual. Tyler Technologies bought Fund Balance awhile back which is the finance software that the City uses. They also have other applications such as the ERP Pro 10 and ERP Pro 9, 9 is being phased out just like Fund Balance and will be cloud based for ease of access. On the Court side, the City originally purchased Summit, then G-Works purchased them and is phasing it out. When research was done on the other software, ERP Pro 10 was top of the line compared to the other options. They would become more manual specifically in Utility Billing and Payroll which are utilized more frequently outside of the financials. G-Works keeps the court files and sends reports to the state when prompted. Tyler Technologies reporting seemed the better way to go and with Sedgwick County also using Tyler, it could possibly make reporting and communication easier. There are many manual processes with court now and Tyler will help streamline some of them. Councilmember Robben asked if there was a way to get a guarantee that this software will not be phased out anytime soon, Zollinger stated they could not guarantee that with technology constantly changing but ERP Pro 10 is the most up to date application they had. With the companies phasing the programs out, there will be no updates and will be non-operational once it hits end of life which will affect the live utility accounts residents utilize, state reporting for court etc. Tyler can convert the current 10-year history data into ERP Pro 10, the other companies could not. Council asked if this would be in the 2026 budget, Zollinger stated the annual fee would be worked into it, but the implementation would be paid in 2025. At the last meeting there were funds transferred into Equipment Reserve for software upgrades. Council discussed the pros of going cloud based, Zollinger said that she has been in contact with IT since our server will be needing replaced soon. If this is approved, a smaller server may be needed since the data will not need to be stored there. Councilmember Palmer-Witt asked why the implementation was much cheaper with G-Works, Zollinger said that the training was not included in G-Works quote and would be charged by the hour, whereas Tyler had training worked into the quote. Zollinger mentioned that other communities stated they have had issues with the G-Works customer service, and some have even decided to leave G-Works after just moving to them. This quoted price is a discounted rate since we are a customer of Tyler and pricing is locked in for 3 years. Council asked if there was a timeframe for training, Zollinger could not give a specific time since there are so many applications used like Accounts Payable, Payroll, Utility Billing, Accounts Receivable, Financials and Court. Council discussed the information stored, credit cards are not stored, ACH is stored but is encrypted, our PCI is already handled by Tyler with the online utilities and KanPay for other online payments. Council questioned why this decision needed made now, Zollinger said that implementation is around 9-12 months and is hoping kickoff could be January 1st. She believes court will be roughly 3-6 months.

Motion: *Walter* moved; *Shore* seconded to approve the software upgrade to ERP Pro 10 with implementation costs of \$54k utilizing Equipment Reserve. Voted and passed unanimously.

Motion: *Palmer-Witt* moved; *Robben* seconded to approve the software upgrade to Municipal Justice 10 with implementation costs of \$23k with annual cost of \$3,678 utilizing Equipment Reserve. Voted and passed unanimously.

b. Park Glen Estates Median

A letter was sent out to Park Glen Estates residents asking for their input on the removal of the median located on Park Glen St. The original plat did not include a reserve but during the construction of the addition the road was widened, and a median was put in to help slow down traffic. This modification and installation was paid for through special assessment by Park Glen Estates residents. Even though the median is now in an approved adopted plat as a reserve, the location is still owned by the City of Clearwater. The City Council has determined the median should come out but waited on the responses from Park Glen Estates residents. There were 4 responses that came back with all in favor of removing it due to the same safety concerns Council had. Some of them suggested speed bumps or humps to slow down traffic. Mr. Rick Pero lives in Park Glen and wished to speak. He had safety concerns that had been addressed and thanked the councilmembers for responding to his questions previously. He mentioned that there have been occasions where he was almost hit head on, kids jumping in front of him off the median and cars speeding around that curve which caused kids to jump off their bikes into a yard due to not being seen. Mayor Ussery stated the sign had been hit twice already and the new developer does not have an issue with the removal of the median. Council asked if the no parking sign could be taken down, Zollinger stated they could not since there is an Ordinance making that area a no parking zone. It is on her list to look to bring for discussion if council wishes to repeal it. Mayor Ussery mentioned the comments addressed concerns of timely paving once removed and adding speedbumps. Zollinger reached out to a paving company to get pricing for paving the patch. Until the contractor can pave the patch, Public Works will put the rock gravel down. Zollinger did get pricing for speed bumps or humps which came in around \$1k for each section that Public Works could install. Council discussed sending a notification through the City website or Facebook page.

Motion: *Shore* moved; *Palmer-Witt* seconded to authorize Public Works to remove the median located at RESERVE A PARK GLEN ESTATES MEDIAN ADDITION as soon as possible. Voted and passed unanimously.

c. Setting a Selling Price for City Owned Property

The City got a market value opinion from Rupp Steven for the 9.353 acres located at 135th and 95th. Zollinger also provided the market value opinion from when the cemetery purchased property in 2023. Rupp Stevens provided an opinion of \$12k/acre, the City purchased the property for \$10k/acre. Council reviewed the comparable sales in the opinions. Since Clearwater does not have many large properties to compare to, they were unable to get a fair market value in Clearwater, but did find some property in Haysville ranging from \$12k-\$16.7k/acre. When the cemetery had their opinion done in 2023 it was a range of \$7.5k-\$17.5k/acre, so Gene Francis gave a fair market value of \$15k/acre. Councilmember Palmer-Witt pulled some comps on smaller lots that were active near 87th at \$13k/acre. She also looked at Haysville and Maize, which had 1 or 2 acre lots priced anywhere from \$75-\$120k. Zollinger spoke with Emprise since the property is titled in their name due to the City not having collateral at the time the property was financed. They require a minimum of \$10k/acre to go towards the note since that is what it was financed for. With the opinions coming in at \$12k-\$15k/acre, Zollinger recommends going a little bit higher. Council pointed out that this property is adjacent to commercial lots but is zoned residential, Zollinger did ask them to look at that. Zollinger said the only comparison they could think of is the SCA building which is 4 acres and has an improved building at \$435k. There could be a potential big building going on this lot. Council mentioned the property includes improvements of paved roads and water, but sewer would need brought in. They also stated it has not been openly marketed; they just had an interested party inquiring and wanted to get consensus on pricing. The cost for getting sewer to the property would be at the cost of the owner, but do not have to hook up to services until they become available. Council asked if the Elevator should be contacted to see if they would be interested in the benefit, Zollinger informed them it was not in the City. The interested party could be commercial or industrial, and having a price agreed upon can start the conversation of expectations with the property. Council is not able to go into executive session for this topic since it's not an acquisition of property, but selling of public property. Zollinger let Council know the interested party is not a developer, but an individual. The drainage is at the south end of the property so that area would not be developable. Southern Start is still considering the annexation and sewer improvements, which estimated \$50k and would stop almost at the Railroad easement. Getting permits from the railroad to extend past may be difficult and costly. Council asked if the sewer could be extended from where the church connects, Hollis stated he is not certain and would need to discuss with engineering. Zollinger thinks they had already looked at that, and it wasn't recommended to extend from there. Council member Robben asked if Diagonal was now being maintained by the City, Zollinger said the City owns it now, but the County will pave it and from 135th to Ross since it is a connecting link, and the population is under

5,100. He mentioned annexing in the elevator, Zollinger said it is possible but what can be offered to them. Zollinger let Council know there is a house on Diagonal that is not annexed into the City, the City could not offer them water or sewer so there is no benefit to them. Engineering will look into all options of extending sewer if it gets to that point. It was mentioned that the properties up North are on lagoons in Prairie Meadows. Council would like to see a disclaimer of some sort included in any agreement that the cost of the sewer improvement would be based on Railroad approval and a first right of refusal. Council voiced their concern about having the discussion of the selling price in an open meeting restricting the City from entering negotiations on a piece of property that is being sold for the best interest of the community. Ufford stated there is an Attorney General's Opinion that says when you are discussing the sale of property, it must be done in an open meeting. Council asked if they must openly market the property, Ufford stated that he would check. They discussed the lots in Chisholm Ridge being marketed only by a sign originally and now is on the MLS. This City owned lot and the property north of Chisholm Ridge has been discussed in open meetings, included in Mayor updates and newspaper articles. If a sign is put out, Robben would like to see for sale by City. It is not recommended to change the zoning before selling due to the many notifications and some costs involved but can be stipulated in the agreement on what would be allowed if that was a concern. Council asked if the lot could be split and sold separately, Zollinger stated it is an option if the interested party's offer is denied since they are looking at the entire lot. This lot is not in the floodplain, there is a little stream that runs through the top left corner. Zollinger would like Council to keep in mind the usage of semis if a big commercial building were to go in. Mayor Ussery stated that Council needs to come up with a number that the City Administrator could go back with to begin the process. Palmer-Witt would like to see a first right of refusal, the City has first right to buy back, and a buyer beware with the sewer. Consensus of Council was to go with \$20k/acre.

Motion: *Robben* moved; *Palmer-Witt* seconded to authorize the City Administrator to enter into discussions about the sale of City property located at 135th and 95th at \$20/acre subject to pending legal information on marketing. Voted and passed unanimously.

8. Governing Body

Walter – Asked about the sign at 4th and Ross needing removed and what would it take since it is an eyesore. Zollinger will contact the superintendent and see if this has been a discussion. The sign is on their property, the City operated and maintained it. The school was not interested in helping to repair it but maybe would be willing to take it down.

Shore –None.

Palmer-Witt – None.

Robben – None.

Ussery – An invitation was extended to Commissioner Blubaugh to attend the March 11th City Council meeting. Mayor Ussery asked if he would update Clearwater on the current and future plans for EMS as well as the current plans for ARC 95. If the County had any additional information for the City, it would be welcomed. Shore has mentioned the UGA and subdivision regulations to Commissioner Pete.

9. Executive Session

None.

10. Adjournment

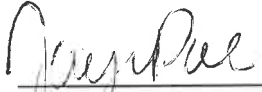
Motion: *Walter* moved; *Shore* seconded to adjourn the meeting. Voted and passed unanimously. The meeting adjourned at 7:52 PM

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 25th, 2025, City Council meeting.

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



Jaye Poe, City Clerk

