



City of Clearwater Council Meeting Agenda
Tuesday April 8, 2025, at 6:30pm
129 E Ross Clearwater, KS 67026

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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. [Annexation – Prairie Meadows](#)
6. **Staff Reports**
7. **Business**
 - a. **Action:** [Clearwater Public Library request to install ADA doors](#)
 - b. **Action:** [Adopt Ordinance for City Code](#)
 - c. **Action:** [Fall Festival Special Event Permit](#)
8. **Governing Body Comments**
9. **Executive Session**
10. **Adjournment**

Next Assignment Numbers

Charter Ordinance: 25

Ordinance: 1115

Resolution: 9-2025

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**
March 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, 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, Jennifer Hill.

Others present who spoke:

Jason Gearhardt, Commissioner Jeff Blubaugh, Angela Fowler and Lynn Packer.

3. Approval of Agenda

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

Motion: *Shore* moved; ***Robben*** 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

Brain Freeze 2025 Concession Agreement

Tyler Technologies Agreement

Mayoral Appointment – Fire Department

Motion: *Warkins* 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 – Courtney Zollinger – None.
- Police Department – Kirk Ives – None.
- Public Works/Parks – Courtney Zollinger – Public Works is at the water conference, there were no questions from council.
- Senior Center – Amber Ives – None.

7. Tenure Recognition – Lt. Gearhardt, 30 years of Service

Chief Ives recognized Lt. Gearhardt's 30 years of service for the City of Clearwater. Gearhardt graduated from the Kansas Law Enforcement Training Center and received numerous accolades, including the Department Accommodation Award and the Kansas Association of Chiefs of Police Bronze Award. Lt. Gearhardt has consistently gone above and beyond in his service to the community. Mayor Ussery and Chief Ives presented Lt. Gearhardt with

a Citizens watch for his service for his “service to the citizens”. Gearhardt expressed his gratitude for the recognition. He thanked his family for supporting him, the Officers and Chiefs he has worked with over the years, as well as the City Council.

8. Commissioner Blubaugh

Commissioner Jeff Blubaugh came to update Council on the staffing of the CRV and the ARC95 project. Angela Fowler, Deputy Chief of Operations for Sedgwick County EMS, provided an update on the staffing of the CRV. The staffing rate is now 96%, which has shown a notable increase from the previous meeting in Clearwater. Sedgwick County has a training program called E2P, which offers paid training and guarantees employment for those who complete it. The CRV spot is filled through an optional overtime system. It's not an assigned position, and employees can sign up for shifts. This makes the CRV position highly desirable due to the flexible, less intense workload compared to regular ambulance shifts. Clearwater's role: In 2024, Clearwater had 357 calls, which is only about 0.5% of the total calls received by Sedgwick County. The CRV's response time is approximately 7 minutes, compared to the 15-minute response time for an ambulance. Transportation needs: 68% of Clearwater calls required transport out of town. Fowler mentioned that Cheney also has a CRV, which requires coordination when staffing the vehicles. A question from Councilmember Robben regarding why Valley Center has its own ambulance was addressed, with Fowler indicating that Valley Center's higher call volume (0.78%) requires more frequent ambulance use. The CRV staffing policy requires paramedics to be cleared to operate independently before being eligible. Council expressed interest in seeing the CRV position become an assigned role rather than based on overtime shifts, as they believe it could improve service and response times in Clearwater as the area grows and thanked Angela for addressing their concerns. Angela thanked the Council for allowing her to speak and mentioned that there is a Lucas device in the CRV. Commissioner Blubaugh expressed his passion for the ARC95 project, highlighting the lack of major infrastructure improvements in the southern part of the county. The last major project in the area was K42 in the 1920s. Lynn Packer, Director of Public Works, started off by saying there are no projects causing detours in Clearwater now, the only project being worked on is the Bridge at Tracy. Although \$3 million was previously earmarked for the project by Senator Moran, the funding was removed due to the continuing resolution. However, the project is still in the preliminary planning phase. Efforts to secure additional grants will continue. The project aims to improve the 95th Street corridor, including a new bridge over the Arkansas River. A transportation study conducted in 2008 identified the need for improved routes in the southern part of the county, and this was confirmed in 2017. Agreements with neighboring cities such as Derby, Mulvane, and Haysville ensure annual contributions to the project. He stated they get notified of properties when they come up for sale so they can purchase or negotiate a right of way for this project. Shore mentioned having the subdivision regulations to include the Right of Ways needed for the project and the Urban Growth Area (UGA). Packer stated they have a protective overlay they are working on to help with that. No studies have yet been done on 119th or 135th streets. Commissioner Blubaugh thanked the Council for inviting him to speak and will take the concerns to be considered. Affordable housing would be good in this part of the County.

9. Business

a. City Code Modifications

Last year it was decided to do away with CivicPlus Code with the increasing prices and use City Code. City Code lawyers have reviewed the entire code and compared all ordinances with statutes and referenced Kansas State Statutes within the city code and compared to other city codes. Ch.1-207 there are 2 conflicting statutes on replacing vacant governing body members. K.S.A. 12-104a purports to have the majority of the entire governing body select replacements, rather than have the mayor select, with council consent, as stated in K.S.A. 15-201. K.S.A. 12-104a also requires an election to be held if a governing body vacancy is not filled within 60 days. To avoid this conflict a charter ordinance can be adopted to continue with the current practice. Ch. 1-208 replaces “Robert’s Rules of Order” with “Code of Procedure for Kansas cities” for the current practice. Ch 4-400’s adding a common moving buildings article since it is not in the current code. Council asked if this was for trailer homes, Zollinger stated it is for physically moving a building. Ch. 8 – 400’s and 600’s Minimum Housing Code and Environmental Code (focuses on quality and appearance of a yard or structures not commensurate with the character of the neighborhood). This also provides a standard for housing that already exists whereas our current code addresses only new subdivision standards and nothing that is currently established. This would be monitored by Professional

Code Compliance, and they are comfortable with the updates. MABCD does inspections on remodels or new builds. Ch. 9 – 108 Provides that the municipal judge (Becki Hurtig) shall appoint the court clerk. If charter out of K.S.A. 12-4108 it allows the governing body to appoint the court clerk instead which is the current practice. Ch. 13 – 600's common snow/ice removal article. current code states that the property owner is responsible for maintaining property between the property line and the center line of the road. This language is tucked into the nuisance under the weed ordinance. Attorney Jennifer Hill stated that the property owners are responsible for any issues that may happen on the sidewalk in front of their house/business, Council discussed and decided to not keep this article.

Motion: *Walter* moved; ***Warkins*** seconded to authorize staff to bring the Ordinance to adopt the City Code without the snow and ice removal. Voted and passed unanimously.

Motion: *Shore* moved; ***Robben*** seconded to adopt CHARTER ORDINANCE 23 EXEMPTING THE CITY OF CLEARWATER, KANSAS, FROM THE PROVISIONS OF K.S.A. 12-104a RELATING TO FILLING OF GOVERNING BODY VACANCIES. Voted and passed unanimously.

Motion: *Walter* moved; ***Warkins*** seconded to adopt CHARTER ORDINANCE 24 EXEMPTING THE CITY OF CLEARWATER, KANSAS, FROM THE PROVISIONS OF K.S.A. 12-4108 REQUIRING APPOINTMENT OF THE MUNICIPAL COURT CLERK BY THE MUNICIPAL COURT JUDGE AND PROVIDING SUBSTITUTE AND ADDITIONAL PROVISIONS ON THE SAME SUBJECT. Voted and passed unanimously.

b. Kansas & Oklahoma Railroad Agreement

Zollinger changed the agreement to come before the Resolution. Kansas and Oklahoma Railroad Company intends to remove the existing crossing surfacing and install a concrete type crossing surfacing at the mainline track to a length of necessary for roadway width. They will remove existing flashing lights and install new flashing lights with gates. There will be 3 new S-60 Flashing Light Gate Mechanisms equipped with 12" LEDs, signage, and a bell will be installed to replaced cantilevers currently installed Half-round guard rails will be installed on the 2 gates along Tracy Ave, but the gate on adjacent wood Ave will have a straight sections of guard rail since you can't turn right onto Tracy from Wood. The city will be responsible for installing and maintaining the advance warning signs and pavement markings. Cole will be working on pricing for the road markings and warning signs. This is in conjunction with the Sedgwick County Bridge work. Council asked about the maintenance responsibility after the work is done, Zollinger said it would be on the City to maintain it once it is installed.

Motion: *Warkins* moved; ***Robben*** seconded to authorize the Mayor to sign the K & O agreement as presented. Voted and passed unanimously.

c. Resolution authorizing the mayor to Sign Agreements

Kansas Department of Transportation notified the City of Clearwater that the K & O Railroad company has applied to make improvements to the crossing on Tracy Street. The agreement requires a Resolution authorizing the Mayor to sign the agreement.

Motion: *Shore* moved; ***Warkins*** seconded to adopt Resolution 08-2025 A RESOLUTION AUTHORIZING THE INSTALLATION OF RAILWAY-HIGHWAY CROSSING SIGNALS AND RELATED WORK ON TRACY AVENUE IN THE CITY OF CLEARWATER, KANSAS AND EXECUTION OF RELATED DOCUMENTS. Voted and passed unanimously.

d. Median Patch

The Park Glen Estates median was removed on March 7th. Public Works packed the area with rock until the area can get patched. Pearson Construction provided a quote to patch the area with 5" of asphalt. Pearson will remove damaged areas in pavement full depth, compact subgrade and place 5" of hot mixed asphalt. Cost of the repair will be \$6,305. Public Works has a balance of \$29,566 in equipment reserve for emergency repairs to pay for this patch. Council discussed the fact that the project involves full-depth repair, grading, and a small quantity of work likely makes the cost justified. Zollinger mentioned that Pearson fixed the repair on Hellar and Elaine after the water leak, and they did a good job.

Motion: *Palmer-Witt* moved; ***Warkins*** seconded to approve Pearson Construction to do the asphalt repair for

the amount of \$6,305 using equipment reserve funds. Voted and passed unanimously

8. Governing Body

Walter – The ministerial alliance will be having their Christmas in July fundraiser for the food bank. It was asked if City hall is giving out pamphlets or packets with information to new residents when applying for City services. Zollinger said the Chamber of Commerce would put those together and since they are no longer active, they are not available. Walter said it was mainly to get the church's information to the public. It was suggested to put the church information on the City Website, Walter will have someone send the information over.

Shore – Suggested that everyone reads the updates on the current bills, they have been updated.

Warkins – None.

Palmer-Witt – Has received a complaint about a house on Rolling Hills having a dirt pile with wheel barrels and cars parked in the yard where there is no gravel, Zollinger will report this to Kendall with Professional Code Compliance.

Robben – Robben has a strong commitment to advocating for EMS coverage in Clearwater, which was one of the main reasons he initially ran for Council. While he doesn't plan to run for Council again, he intends to continue monitoring the situation and voicing concerns if issues arise. He believed someone fought for the ambulance in Valley Center and challenged Council to voice their concerns and fight for Clearwater. He believes the decline in staffing was due to covid and leadership, but staffing has increased this year. It's important to highlight the growing needs of the City, especially with the Senior Center and its high-acuity attendees. As the population increases, reliable EMS services and transportation become even more critical. If an emergency arises, having proper and timely transportation to handle such situations would be crucial for ensuring the safety and well-being of these residents. He is glad to see the staffing at Sedgwick County increasing.

Ussery – With the ARC95 presentation, he reminded Council that Clearwater stopped budgeting in the financial contribution for that project last year. Zollinger mentioned that there is currently \$10,000 that Clearwater has earmarked for ARC95. He does not know how much Derby, Mulvane and Haysville contribute. A letter was sent to Sedgwick County last year explaining the funds already earmarked as well as not budgeting to contribute any funds in 2025. He believes contributors will have more of a voice at the table for this project. He asked Council if anyone would be gone from any meetings coming up, Robben may be gone from May 11-17. Mayor Ussery encouraged Council to start recruiting for the 3 open seats for Council that need to commit/report to elections by June 2nd at noon.

9. Executive Session

None.

10. Adjournment

Motion: *Walter* moved; *Robben* seconded to adjourn the meeting. Voted and passed unanimously. The meeting adjourned at 8:31 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 March 25th, 2025, City Council meeting.

Given under my hand and official seal of the City of Clearwater, Kansas, this 8th day of April 2025.

Jaye Poe, City Clerk

Check Register Report

Date: 03/25/2025

Time: 2:40 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								
51490	03/26/25	Printed			APS1	AAA PORTABLE SERVICES, INC.	FFA SCHOOL RENTAL @ HAMMERS	120.75
51491	03/26/25	Printed			AMAZ	AMAZON BUSINESS	PASSENGER MIRROR FOR TRUCK	321.42
51492	03/26/25	Printed			BPEC	BUSINESS PROTECTION EQUIP CORP	SHREDDER MAINT AGREEMENT	239.50
51493	03/26/25	Printed			CED2	CERTIFIED ENGINEERING DESIGN	STREET PROJECT INSPECT FEES	62,500.00
51494	03/26/25	Printed			CLEARWATE	CLEARWATER PUBLIC LIBRARY	LIBRARY APPROPRIATION	6,440.17
51495	03/26/25	Printed			CORE &	CORE & MAIN LP	METER BOXES	780.06
51496	03/26/25	Printed			GAL1	GALL'S INC.	NAME PLATES FIRE DEPT	225.29
51497	03/26/25	Printed			GT	GT DISTRIBUTORS, INC	NAME PLATES MCGUIRE/LYDEN	16.00
51498	03/26/25	Printed			IRRIGATION	IRRIGATION BY DESIGN	SP COMP SPRINKLER REPAIR	1,513.59
51499	03/26/25	Printed			JHS1	J & H STORAGE	APRIL STORAGE RENT	65.00
51500	03/26/25	Printed			LOK1	LEAGUE OF KS MUNICIPALITIES	HANDBOOK FOR EFFECTIVE MTGS	17.31
51501	03/26/25	Printed			LFP1	LEASE FINANCE PARTNERS	COPIER LEASE PD AND CITY HALL	579.16
51502	03/26/25	Printed			LYON	LYON COU SHERIFF OFFICE	MCGUIRE SHERIFF'S SPRING TRAIN	75.00
51503	03/26/25	Printed			MCDONALD	MCDONALD TINKER PA	FEBUARY ATTY FEES	2,043.74
51504	03/26/25	Printed			RLM1	RUSSELL L. MILLS	COURT APPT ATTORNEY	500.00
51505	03/26/25	Printed			OR	O'REILLY AUTO PARTS	HEAD LIGHTS	49.98
51506	03/26/25	Printed			PEARSON	PEARSON CONSTRUCTION LLC	PAY REQUEST #6	324,036.23
51507	03/26/25	Printed			PCA1	PETTY CASH	POLICE DEPT CAR WASH	30.00
51508	03/26/25	Printed			RA01	PITNEY BOWES	POSTAL METER POSTAGE	300.00
51509	03/26/25	Printed			PP,INC	POSTALOCITY	MAIL MARCH WATER BILLS	925.00
51510	03/26/25	Printed			RJ01	ROASTER JOE'S	POLICE DEPT DRINKING WATER	39.15
51511	03/26/25	Printed			SWSC	SALINA WHOLESALE SUPPLY CO	SERVICE INSTALL WOOD ST	4,738.05
51512	03/26/25	Printed			WL01	WHITNEY LANDSCAPING	TOP DRESSING SPORTS COMPLEX	5,500.00
51513	03/26/25	Printed			WWW1	WICHITA WINWATER WORKS	SERVICE INSTALL WOOD ST	556.00

Total Checks: 24

Checks Total (excluding void checks):

411,611.40

Total Payments: 24

Bank Total (excluding void checks):

411,611.40

Check Register Report

Date: 03/25/2025

Time: 2:40 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								
3500	03/26/25	Printed			BLUE	BLUE CROSS AND BLUE SHIELD	BCBS APRIL	17,433.10
3502	03/26/25	Printed			VISA	CARDMEMBER SERVICES	VALENTINE'S DAY PARTY	614.42
3503	03/26/25	Printed			KPERS	KPERS	.01 DIFF ON 1ST PAYROLL MARCH	0.01
3504	03/26/25	Printed			LIBERTY	LIBERTY NATIONAL	APRIL LIBERTY PREMIUMS	455.07

Total Checks: 4

Checks Total (excluding void checks): 18,502.60

Total Payments: 4

Bank Total (excluding void checks): 18,502.60

Total Payments: 28

Grand Total (excluding void checks): 430,114.00

**City of Clearwater
City Council Meeting
April 8, 2025**

Consent for Annexation – 8031 S Butterfly Ct

Context: A consent for annexation and request to connect to city water was received on March 21, 2025, for the property legal description: Lot 5 Block 2 Prairie Meadows Estates Sedgwick County, Kansas, with a commonly known address of 8031 S Butterfly Ct Clearwater, Kansas 67026

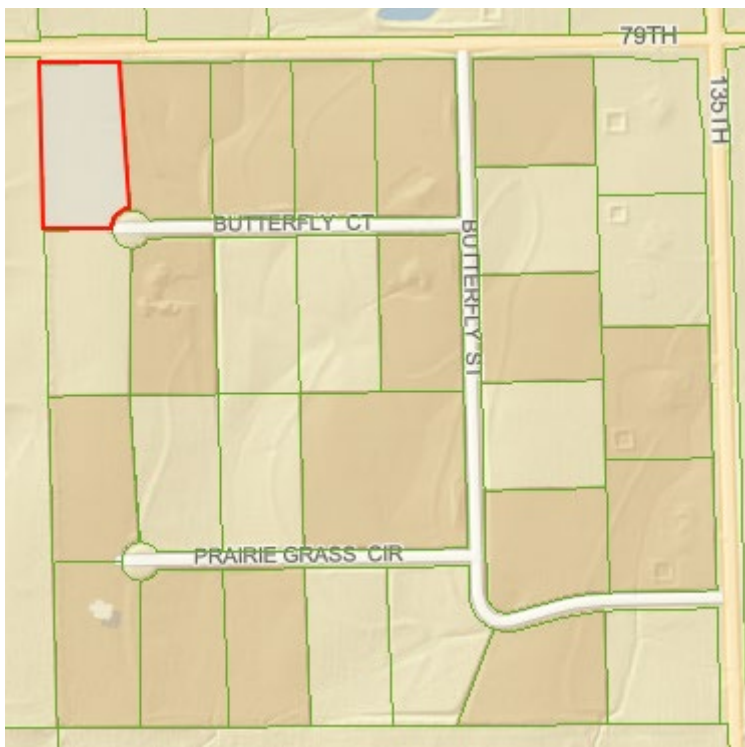
At this time, Council will need to adopt a resolution requesting Sedgwick County release the property for annexation.

Once the County has the consent and the resolution and the Board of County Commissioners approves releasing the property, the Governing Body will need to vote on an ordinance annexing the property into the City.

Financial: There are no financial considerations for this item. However, the property owner is required to pay a water tap fee for a water meter.

Legal Considerations: Review and Comment as Necessary

Recommendations/Actions: Adopt a resolution requesting Sedgwick County release 8031 S Butterfly Ct for annexation into Clearwater City Limits.



CONSENT FOR ANEXATION

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 5 BLOCK 2 PRAIRIE MEADOW ESTATES ADD
and commonly known as: 8031 S. Butterfly Ct., Clearwater, KS 67026

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

Andy Kostecki 03/21/25
Andy Kostecki Date

Kayla Kostecki 03/21/2025
Kayla Kostecki Date

THE CITY OF CLEARWATER, KANSAS

RESOLUTION NO. __-2025

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 March 21, 2025, 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 5, Block 2 of the Prairie Meadow Estates Addition to Sedgwick County, Kansas, with a commonly known address of 8031 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 5, 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 8th day of April 2025.

Approved by the Mayor this 8th day of April 2025.

MAYOR, Burt Ussery

SEAL

ATTEST:

CITY CLERK, Jaye Poe

CERTIFICATION

STATE OF KANSAS)
) ss:
COUNTY OF SEDGWICK)

On this 8th day of April 2025, I, Jaye Poe, City Clerk of the City of Clearwater, Kansas, hereby certify that the foregoing is a true and correct copy of City of Clearwater, Kansas Resolution No. ____-2025, as adopted by the Clearwater City Council on the 8th day of April 2025 and approved by Mayor Burt Ussery on the 8th day of April 2025.

SEAL

CITY CLERK, Jaye Poe

To: Mayor and City Council
From: Courtney Zollinger, City Administrator
Date: April 4, 2025
Re: Administration Report

- Art Walk is scheduled for Friday April 4th, weather permitting. If it has to be cancelled the Art Walk group will be asking for a new schedule date for road closures on either April 11th or 25th.
- The informational sign at 4th and Ross has been removed by the school.
- So far two trees will need to be removed on S. Lee because they are in the way of the new curb and gutter.
- Pearson Construction has not yet scheduled the median repair.
- I have received the priority list from the Rec Commission and the School for the Sports Complex master plan. The next step will be to set up another meeting with the stakeholders and discuss a plan to implement.
- Jamie Burley attended the Kansas Association for Court Management in Manhattan, KS at the end of last month.
- Jaye Poe is in her 4th month of the WSU MiniMPA class. Her last day will be on May 2nd when she will present her capstone, and I will be a panelist for the event.
- I am in my 4th month of the KU Certified Public Manager course and will be done with the class in November.
- Board of Zoning Appeals will have their first meeting of the year on May 6th.
- The Cemetery District has started planting their trees in the newest section of the cemetery.
- Staff continue to log historical records in the Document Management software.
- Sedgwick County Public Works has scheduled a pre-bid conference for April 18th on their Tracy bridge project. Logan Mills, Cole Hollis, and I will be in attendance.
- Sewer Rates were adjusted in March, per city code. Quarterly 941's, Unemployment, and water reports have been submitted.
- As of March: 1% Sales Tax Collected: **\$95,010.24**

Dates to Remember

- April 11 – 12th – LKM Leadership Academy
- April 19th – City Wide Clean-up
- April 29th – Council Workshop 6:30PM – 8:30PM

Active Nuisances/ Code Violations

205 S Tracy	209 S Lee	213 S Lee	321 E Nancy	317 E Ross
139 N Lee	150 N Tracy	441 N 4 th	139 N Gorin	249 N Grant
130 N Grant	205 S 2nd	320 S Gorin	235 N Lee	710 Rolling Hills Dr
124 S Grant	115 N Gorin	112 S Grain	219 S Prospect	

To: Mayor and City Council
From: Jared Dinwiddie
Clearwater Fire Chief
Date: April 3rd, 2025
Re: Fire Department Staff Report

- Clearwater Fire responded to **6** medical calls and **4** fire calls since our last report.
- Average response time for SGCO EMS on medical calls has been around **16** minutes. Sedgwick County EMS Community Response Vehicle (CRV81) response time has averaged about **3** minutes.
- To Date: The department has been unable to respond to **2** emergency calls.
- To Date: The CRV has been unstaffed **7** times.
- Members covered basic operations and scene safety for vehicle extrication calls and landing zone operations at our last meeting on the 1st. Members will be conducting hands on training of vehicle extrication in the coming weeks.
- The department was denied funding (once again) for assistance in purchasing new radios through Firehouse Subs grant. Another request was submitted on April 3rd for the second quarter.
- The department submitted a request for funding assistance with the Kansas Forest Service's VFA (Volunteer Fire Assistance) grant program. The request was for the purchase of 8 sets of wildland PPE (totaling \$9,176.00). This is a 50/50 grant through the Kansas Forestry Service.
- The department submitted a request for funding assistance in the purchase of new structural PPE with Farm Bureau's Charitable Giving grant. The request was for up to 13 sets of structural PPE, totaling \$53,898.00.
- Prom mock accident is scheduled for April 22nd at 1:30 P.M., with an alternate date of April 23rd (if there is inclement weather on the 22nd).

To: Mayor and City Council

From: Kirk Ives, Chief of Police

Date: April 3, 2025

Re: Police Department Staff Report

Officers:

All the officers are working on finishing their training hours.

Police Clerk:

SPV permits this year to date is 56.

Building:

Nothing to report.

Vehicles:

Vehicle #2 is down with a starter issue currently. Vance from True-2-U is working on getting it in to look at it.

Matters of interest since the last meeting on Police Activity:

We have had 71 dispatched/reported calls with 13 arrests and 33 citations issued since my last report. (Does not always include self-initiated calls).

To: Mayor and City Council Members

From: Cole Hollis, Public Works Director

Date: April 8, 2025

Subject: Public Works Summary

1. March Bacti samples & 1st Quarter FI collected and taken to lab/mailed
2. The blue dump has suffered catastrophic failure and has been taken out of service. (the shell will go to gravel roads, and we will begin looking to replace it this year or next)
3. We have had a large push of meter lid machining to get the AMI system up and running
4. We all attended the KRWA water conference totaling 47.5 hours of continuing education classes
5. All four of our operators tested at the conference for new water or wastewater certificates
6. Fruit pickup for commodities (pears & oranges)
7. Dirt roads graded and slide cylinder from motor grader taken to be rebuilt
8. Pushed up and burnt brush dump before April burn ban
9. Lockers for the office built and installed
10. Mayer to begin sewer reline project on the 3rd should be completed by the 8th
11. Barricades dropped of and picked up for the ArtWalk



Clearwater Senior Center
Staff Report

April 3, 2025

To: Mayor & City Council

From: Amber Ives, Coordinator

We ended March with a bang and have quickly transitioned into April. We continue to have many people in the door for various activities and love hearing how much fun they have even when exercising and learning educational information. The Center is truly a home away from home for many seniors.

We really enjoy working with Carol with the Clearwater Recreation Commission. She has brought a great amount of knowledge to our Strength and Stability class, and we continue to see an increase in attendance each week.

Commodities will be available starting April 16th. As usual, we will split the food up for 2 months, so we are able to serve the community each month as opposed to every other month.

Go ahead and mark your calendar now. Biscuits & Gravy Day is coming May 3rd!

CPAAA had asked for comments from seniors who attend at their specific center.
Statement 4: They are nice friends to play games with, to go places to eat with and to have fun all while learning from each speaker that comes in. I love to volunteer and am always willing to help Amber with whatever she needs help with. My Senior Center is the best place to be.
Don H

Respectfully,
Amber Ives
Senior Center Coordinator

Proposal for Approval of ADA Front Door of the Clearwater Public Library

Date: 03/26/25

To: Clearwater City Council

From: Jessica Warren, Library Director

Subject: Request for Approval to Purchase and Install an ADA Front Door

Dear Members of the Clearwater City Council,

I am writing to seek your approval for the purchase and installation to make our front door ADA compliant with a button for opening and closing our front door.

Purpose and Justification:

ADA compliant doors are designed to be easily accessible and usable by individuals with diverse abilities, including those using wheelchairs, crutches, or other mobility aids, promoting independence and allowing them easy access into the Clearwater Public Library without the help of others.

Cost and Funding:

The total cost for the purchase and installation of ADA door is approximately \$8,000.00. \$3,5000 of the total will be covered by a grant the Library received. The remainder of the balance will come from the library's existing budget, ensuring no additional financial burden on the city.

Conclusion:

We believe that the addition of the ADA automatic door will greatly benefit the Clearwater Library by providing easy access to all those that use the Clearwater Public Library. We respectfully request the City Council's approval for this purchase and installation.

Thank you for your consideration.

Sincerely,

Jessica Warren
Library Director
Clearwater Library

**City of Clearwater
City Council Meeting
April 8, 2025**

City Code

Context: At the last City Council meeting the Governing Body reviewed changes to the city code that included adopting a charter ordinance to continue appointing vacant seats on City Council by the mayor selecting with City Council's consent, replacing Roberts Rules of Order with Code of Procedures for Kansas Cities, adding a section on moving buildings, adding a section on minimum housing codes and environmental codes, and adopting a charter ordinance to continue appointing the court clerk by the City Council versus the Municipal Judge. The Governing Body also reviewed an ordinance on snow and ice removal but was against adopting an ordinance on this.

Financial: No financial impact on any recommended changes

Legal Considerations: City Code has prepared an ordinance to adopt the new outlined city code of ordinances and make the modifications approved by council at the March 25th meeting. Snow and Ice removal is not a part of this adoption.

Recommendations/Actions: Adopt an ordinance adopting the codification of ordinances of the city of Clearwater, Kansas, providing for the repeal of certain other ordinances not included therein, excepting certain ordinances from repeal and saving certain accrued rights and liabilities.

(Published in the _____ on _____, 2025)

ORDINANCE NO. _____

AN ORDINANCE ADOPTING THE CODIFICATION OF ORDINANCES OF THE CITY OF CLEARWATER, KANSAS, PROVIDING FOR THE REPEAL OF CERTAIN OTHER ORDINANCES NOT INCLUDED THEREIN, EXCEPTING CERTAIN ORDINANCES FROM REPEAL AND SAVING CERTAIN ACCRUED RIGHTS AND LIABILITIES.

BE IT ORDAINED by the Governing Body of the City of Clearwater, Kansas:

Section 1. Adoption of the Code of the City of Clearwater, Kansas.

The codification of ordinances of the City of Clearwater, Kansas, prepared by Citycode Financial LLC, Wichita, Kansas, as set out in the following chapters, Chapters 1 to 16 and Appendices A and B, all inclusive, and entitled the “Code of the City of Clearwater, Kansas,” is hereby authorized, adopted and ordained as the “Code of the City of Clearwater, Kansas.” The Code is authorized by ordinance and was made in conformity with K.S.A. 12-3014 and 12-3015 and amendments thereto. Said code shall be duly certified by the City Clerk. One copy of the code shall be filed in the office of the City Clerk and shall be designated as and shall constitute the official ordinance book. Three additional copies shall be filed in the office of the city clerk and shall be designated for use by the public.

Section 2. Repeal of general ordinances.

All ordinances and parts of ordinances of a general nature passed prior to **[ORDINANCE ADOPTION DATE]**, are hereby repealed as of the date of publication of said code except as hereinafter provided.

Section 3. Same; excepting certain ordinances from repeal.

In construing this ordinance, the following ordinances shall not be considered or held to be ordinances of a general nature:

- (a) Ordinances pertaining to the acquisition of property or interests in property by gift, purchase, devise, bequest, appropriation or condemnation;
- (b) Ordinances opening, dedicating, widening, vacating or narrowing streets, avenues, alleys and boulevards;
- (c) Ordinances establishing and changing grades of streets, avenues, alleys and boulevards;
- (d) Ordinances naming or changing the names of streets, avenues and boulevards;
- (e) Ordinances authorizing or directing public improvements to be made;

- (f) Ordinances creating districts for public improvements of whatsoever kind or nature;
- (g) Ordinances levying general taxes;
- (h) Ordinances levying special assessments or taxes;
- (i) Ordinances granting any rights, privileges, easements or franchises therein mentioned to any person, firm or corporation;
- (j) Ordinances authorizing the issuance of bonds and other instruments of indebtedness by the city;
- (k) Ordinances authorizing contracts;
- (l) Ordinances establishing the limits of the city or pertaining to annexation or exclusion of territory;
- (m) Ordinances relating to compensation of officials, officers and employees of the city;
- (n) All charter ordinances;
- (o) Any appropriation ordinance or ordinances relating to a specific transfer of funds;
- (p) Any zoning ordinance or ordinances changing the zoning classification of any property within the city or amending the city's zoning map;
- (q) Ordinances of a temporary nature;
- (r) Any ordinance which is special, although permanent in effect;
- (s) Any ordinance, the purpose of which has not been accomplished.

Provided, that the above enumeration of exceptions shall not be held or deemed to be exclusive, it being the purpose and intention to exempt from repeal any and all ordinances not of a general nature and general ordinances specifically excepted by this section. Ordinances which are not of a general nature shall be numbered consecutively, approved by the governing body, published, and filed with the city clerk, but such ordinances shall not be prepared for insertion in this code, nor be deemed a part hereof.

Section 4. Arrangement of and notations throughout the code.

The arrangement and classification of the several chapters, articles, and sections of the code adopted by section 1 of this ordinance and the headnotes and footnotes at the ends of the sections, are made for the purpose of convenience and orderly arrangement, and do not constitute a part of the ordinances, and therefore, no implication or presumption of legislative intent or construction is to be drawn therefrom.

Section 5. Accrued rights and liabilities.

The repeal of ordinances as provided in section 2 hereof, shall not affect any rights acquired, fines, penalties, forfeitures or liabilities incurred thereunder, or actions involving any of the provisions of said ordinances or parts thereof. Said ordinances above repealed are hereby continued in force and effect after the passage, approval and publication of this ordinance for the purpose of such rights, fines, penalties, forfeitures, liabilities and actions therefor.

Section 6. Severability.

If for any reason any chapter, article, section, subsection, sentence, portion or part of the "Code of the City of Clearwater, Kansas," or the application thereof to any person or circumstances is declared to be unconstitutional or invalid, such decision will not affect the validity of the remaining portions of this code.

Section 7. Effective date.

This ordinance shall be published in the official city newspaper and shall take effect and be in force from and after the publication of the "Code of the City of Clearwater, Kansas" as provided in K.S.A. 12-3015.

ADOPTED AND PASSED by the governing body of the City on **[ORDINANCE ADOPTION DATE]** and **APPROVED AND SIGNED** by the Mayor.

BURT USSERY, Mayor

ATTEST:

JAYE POE, City Clerk

CERTIFICATE OF THE CITY CLERK

State of Kansas)
)
Sedgwick County)

I, Jaye Poe, City Clerk of the City of Clearwater, Sedgwick County, Kansas do hereby certify that said city is a city of the third class of the mayor-council form of government under the statutes of Kansas; that this codification of the general ordinances of said city and the publication thereof in book form were ordered and authorized by the governing body by ordinance and in accordance therewith is entitled the "Code of the City of Clearwater, Kansas," that said codification was adopted as the "Code of the City of Clearwater, Kansas," by the governing body by Ordinance No. [ADOPTION ORDINANCE NUMBER] passed on [ORDINANCE ADOPTION DATE], as authorized by K.S.A. 12-3015; that said ordinance and said codification of general ordinances as contained in this volume will take effect upon publication of 4 or more copies in book form; that the publication of 4 copies of this code in book form and said adoptive ordinance constitute due passage of this code and all general ordinances contained therein; that the codification and said adoptive ordinance as contained herein are true and correct copies; and that said publication imports absolute verity and is to be received in evidence in all courts and places without further proof as provided by K.S.A. 12-3015.

I further certify that the "Code of the City of Clearwater, Kansas," and the matter therein contained will take effect and be in force from and after _____, 2025 (date of publication of the codification ordinance in the newspaper).

JAYE POE, City Clerk

DATE: _____, 2025.

**City of Clearwater
City Council Meeting
April 8, 2025**

Clearwater Fall Festival Special Event Permit

Context: Clearwater Fall Festival has booked the carnival for October 3-4, 2025. When WEE Entertainment

The Fall Festival would like permission to use City Park, Chisholm Trail Sports Complex, Aquatic Center parking lot, and city streets (mainly Ross Ave from 1st to 4th) for the 2025 Fall Festival from October 2nd through October 6th. October 2nd will begin set up and October 6th will be Ministerial Alliance church service and tear down.

The parade is scheduled for October 4th. The parade route will go straight down Ross, North on Tracy, East on Wood, and South on 4th.

Street closures will be on Ross Ave between 4th and 1st from Friday around 4pm to Saturday at 11pm for the festival. Street closure request for the car show on Saturday afternoon will extend from 4th to Gorin. After the car show the road closure will go back to Ross from 4th to 1st until the event is over on Saturday evening. The parade will be at 10am on Saturday and the route will need to be closed for the length of the parade.

Financial: In the past the city did not charge for the Fall Festival for use of the City Parks primarily because there wasn't a fee to use the parks. In 2024 the governing body set rental rates for park shelter and ball diamond use. The fee for the food trucks has also not been collected from the Fall Festival but the Fall Festival has collected fees for food trucks attending the event and use of water and electricity at the park.

The Carnival will utilize the ball diamond from setup on Thursday until tear down on Sunday morning. The shelters will be used from opening time on Friday at 5pm until the church service on Sunday at 1pm. The city charges \$25 for a food vendor to carry a one-week permit. There is a \$25 fee for water and a \$25 fee for electricity the Fall Festival charges the food vendors if they want to hook up to city services.

With the carnival, fall festival activities, and food vendors (using the numbers from last year) the fee for the Fall Festival will be \$2,060 for blocking off times for the ball diamond, shelters, food vendor fees.

The city has waived any fees in the past for the Fall Festival and the City has been a Platinum sponsor of the Fall Festival for the support that is given from city staff and city facilities.

Legal Considerations: Review and comment as necessary

Recommendations/Actions:

1. Approve/Disapprove the special event permit for the Clearwater Fall Festival.
2. Approve/Disapprove waive the fees for park facility usage and waive the fees for food vendors in support of the festival.

CITY OF CLEARWATER, KANSAS
SPECIAL EVENT PERMIT
ON PUBLIC PROPERTY WITHIN
THE CLEARWATER CORPORATE LIMITS

Please return to the City building a minimum of **60 days** prior to the event.

Permitee: _____

Permitee Group or Organization (if any): _____

Permitee Address: _____

Permit Date(s): _____

Permit Hours: _____

Description of the Area to be Utilized Pursuant to this Permit: _____

Description of Special Event Activities Permitted Pursuant to this Permit: _____

Permit Conditions:

1. Hours of Operation: Pursuant to this permit, the above-described Area to be Utilized Pursuant to this Permit is permitted to be utilized for the above-described Special Event Activities on the Permit Date(s) during the Permit Hours.

2. Street Closure: The following street(s) are to be closed to non-emergency traffic on the Permit Date(s) during the Permit Hours: _____

3. Parade: One parade spanning from _____ to _____ shall be permitted on one of the Permit Date(s) during the Permit Hours. In accordance with Section 8 below, Permitee, in conjunction with the Permitee Group or Organization (if any), is responsible for the removal of any trash or other debris generated during the course of such parade.

4. Posting: During the entire time this special event permit is in effect, it shall be conspicuously posted within the above-described Area to be Utilized Pursuant to this Permit.

5. Emergency Vehicle Access: A clear path for emergency vehicle access should be maintained across and through the above-described streets on the Permit Date(s) during the Permit Hours.

6. Setbacks: All carnival rides, amusements, midway games, concessionaire stands and equipment as well as all other temporary structures erected in the above-described Area to be Utilized Pursuant to this Permit shall be set back not less than forty (40) feet from all street rights-of-way not closed to non-emergency traffic as set forth above.

7. Adequate Sanitary Facilities: Permittee, in conjunction with the Permittee Group or Organization (if any), is responsible for assuring that the above-described Area to be Utilized Pursuant to this Permit contains adequate sanitation facilities. Adequate sanitation facilities shall be determined on the basis of one (1) temporary restroom facility per one hundred (100) estimated people in attendance per hour. In this regard, Permittee, in conjunction with the Permittee Group or Organization (if any), shall provide _____ () porta potties, properly secured by stakes to the ground, to be utilized in conjunction with the above-described Special Event Activities within the above-described Area to be Utilized Pursuant to this Permit. Additionally, the City of Clearwater will also open its public restroom facilities located within the above-described Special Event Activities on the Permit Date(s) during the Permit Hours.

8. Trash: Permittee, in conjunction with the Permittee Group or Organization (if any), is responsible for providing the appropriate number of trash containers to contain any trash or other debris generated during the above-described Special Event Activities within the Area to be Utilized Pursuant to this Permit, including the placement of containers by all concession areas. Permittee, in conjunction with the Permittee Group or Organization (if any), is also responsible for the removal of any trash or other debris generated during the course of the above-described Special Event Activities from the Area to be Utilized Pursuant to this Permit as well as its surrounding vicinity.

9. Indemnification: Permittee, in conjunction with the Permittee Group or Organization (if any), shall assure that the City of Clearwater is indemnified against any and all losses incurred in connection with the above-described Special Event Activities by procuring and attaching to this Permit the following insurance coverage which names and indemnifies the City from any and all liability in this regard on a primary and non-contributory basis and includes a waiver of subrogation in favor of the City of Clearwater:

- General Liability insurance with limits of not less than \$1,000,000 per occurrence and \$2,000,000 per aggregate;
- Workers' compensation coverage for all event employees or volunteers; and
- Umbrella insurance with limits no less than \$1,000,000.

10. Permits: A Special Event Permit fee of \$25.00 is required to be paid to the City of Clearwater prior to Permit issuance. The Permittee, in conjunction with the Permittee Group or Organization (if any), is responsible for filing and obtaining all additional necessary and/or appropriate permits and licenses. All costs of such permits and licenses will be the responsibility of the Permittee, in conjunction with the Permittee Group or Organization (if any).

11. Compliance: Strict compliance with all applicable state and local statutes, codes, ordinances, resolutions, rules and regulations as well as the terms and conditions of this Special Event Permit is a condition precedent to the continued validity of this Permit. Any failure to comply immediately nullifies the validity of this Permit. Upon written notice of such nullification to the Permittee or any other member of the Permittee Group or Organization (if any) from the Mayor of the City of Clearwater, all of the above-described Special Event Activities shall immediately terminate. Any continuation of the above-described Special Event Activities in violation of such written notice of nullification may constitute violation(s) of applicable state and local statutes, codes, ordinances, resolutions, rules and regulations.

ISSUED this _____ day of _____, 202_.

SEAL
ATTEST:

MAYOR, BURT USSERY

CITY CLERK, JAYE POE