

City of Clearwater, Kansas
Sedgwick County
City Council Meeting - **MINUTES**
April 08, 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, Cole Hollis, Jared Dinwiddie, Amber Ives and City Attorney, Jennifer Hill.

3. Approval of Agenda

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

Motion: *Robben* moved; ***Palmer-Witt*** 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

Annexation – Prairie Meadows

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

6. Staff Reports:

- Administration Office – Courtney Zollinger – Zollinger stated there are 2 seats for the Board of Zoning Appeals/Planning Commission as 2 people did not want to be reappointed. You must live within the City to sit on this board. Council discussed the topic further, the meetings are monthly only if there are items for a zoning change, variance requests, zoning violation or hearing request. May will be the first meeting of the year, last year was active so they met more frequently. These spots will need to be filled for the appointments in May. Council asked how business is conducted if they cannot find 2 people to appoint, Zollinger stated the by-laws changed that a quorum constitutes the number of people present. The board currently has Lyle Berntsen as the Chair who is an owner of Triple B which helps with certain construction questions but having a variety of people sit on the board is helpful. Robben asked if Council could sit on the board, Hill stated that they can not since it is appointed by Council and applications/adoptions come from Planning to Council. Mayor would like to have due diligence done on finding people to sit on the board. Council asked about the trees that were taken out, Zollinger stated that they were mature trees that were in the path for the new guttering. Mayor Ussery mentioned the cemetery is having trees put in the new portion of the cemetery. Robben asked about getting a projection for sales tax, Zollinger stated that the amount received so far has exceeded what was expected. Warkins asked where the pre-bid meeting was going to be held, Zollinger said she believes at the Public Works building.
- Fire Department – Jared Dinwiddie – Robben thanked Dinwiddie for his diligence in looking for grants.
- Police Department – Courtney Zollinger – Added that vehicle 2 i is currently down and suspected to have a starter issue, though there's a possibility the problem could be with the engine. If it is the engine, then the vehicle will not be in discussion for keeping during the budget process like previously discussed. The Mock accident will be held at the High School.
- Public Works/Parks - Cole Hollis – The dump truck had a valve issue that kept it from tilting, it was going in for service when the truck went out of commission completely. The City has 2 dump trucks, this one was more of a backup. There are funds to potentially replace the dump truck this year, but Hollis may delay the purchase until next year due to budget constraints.

The desired replacement is a tandem axle truck, which is more expensive. Council discussed the pre-bid meeting for the railroad bridge project, it is scheduled for this month. The timeline and cost estimates are not yet available. The full water line project and shut-off valve work are expected to happen in the fall. Zollinger and Hollis have more information hope to after the pre-bid meeting. Past meetings Sedgwick County seemed to want to have both projects at the same time for efficiency. Palmer-Witt asked about the meter lids, Hollis stated they are for the AMI (Advanced Metering Infrastructure) system. The radio system must pass through metal lids, and to make it work, a hole needs to be cut in the lid to insert the antenna. Zollinger stated the AMI system should be up and running in hopes after a month.

- Senior Center – Amber Ives – Mayor Ussery thanked Ives for her work with the Art Walk, Ives stated that it was Tricia who did that. Zollinger mentioned that the turnout was good considering the colder weather. Commodities will be next week on Wednesday, Thursday and Friday. Ives stated that there are around 47-55 who come in for these and Public Works is a huge help getting the items there.

8. Business

a. Proposal for approval from Clearwater Public Library to install ADA doors

The library has received a grant to update the front door to be ADA compliant and is asking for approval. Council asked if they had to get approval because it was a City owned building, Zollinger stated yes, any modifications need approval. Council asked if a patron requested the modification or if it was mandatory, Zollinger said an ADA study was done, and it was suggested to have ADA access on the City public buildings if it can be done. It is mandatory for new construction. The total cost for this project is approximately \$8,000, \$3,500 will be covered by the grant and the rest from the library budget. Council asked if all other items from the study have been taken care of, Zollinger mentioned the bathroom stalls, the pool entry and Museum door. The entry for the pool will have to be done if the pool is completely redone. Walter asked who wrote the grant for the library, Zollinger did not know.

Motion: *Shore* moved; *Warkins* seconded to authorize the public library to modify the front doors for ADA compliance. Voted and passed unanimously.

b. City Code Ordinance

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. 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. Shore asked if a Charter Ordinance needed to be adopted, Zollinger stated they were already adopted at the last meeting.

Motion: *Warkins* moved; *Walter* seconded to adopt Ordinance 1115 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. Voted and passed unanimously.

c. Clearwater Fall Festival Special Event Permit

Clearwater Fall Festival has booked the carnival with WEE Entertainment for October 3-4, 2025. Fall Festival seeks 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 at 10 am and 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. Additional closures for the car show on Saturday afternoon will extend from 4th to Gorin. After the car show, the road closure will return to Ross Ave from 4th to 1st until the event concludes on Saturday evening. Historically, the City has not charged for use of facilities but in 2024, rental rates were established. The Fall Festival has not paid a fee for food vendors in the past, though it charges food vendors for water, electricity, and the use of park facilities. The carnival will use the ball diamond from setup on Thursday until tear-down on Sunday morning, and the shelters will be used from Friday at 5 PM until Sunday at 1 PM for the church service. The estimated fee for the Fall Festival, based on last year's numbers, is \$2,060, which includes the use of city facilities, street closures, and vendor fees. In the past, the City has waived these fees and has been a Platinum sponsor of the event due to the support provided by city staff and facilities. There was discussion about the City's contribution to the Fall Festival. Instead of waiving fees for the event, it was suggested that the City does a donation. Mayor Ussery asked if there was an agreement in place for the Car Show. Warkins stated the timeframes and locations were agreed upon verbally and are documented in meeting minutes. Initially, the option of moving the car show to a different location was considered, but Trent preferred to keep it at the same spot as previous years. Trent confirmed that they didn't want to move the car show location but were willing to adjust

the time to occur after the parade. This would allow the car show to be on Ross Avenue, in front of the flower store. They have been instructed to let the people that are part of the car show to arrive at a certain time that coincides with the end of the parade and oversee directing them to the location. It was noted that a formal agreement or written document including times, volunteers needed, layout, expectations and release of liability of Fall Festival and the City might be beneficial to avoid confusion or issues. Council discussed advertisements for the festival to include City social media and website. Warkins said they also advertise in Times Sentinel and have a website and Facebook page the events are subject to cancellation. Council discussed the food vendors being required to register and obtain a permit, which is submitted to the Department of Revenue. The City ensures that all necessary insurance and sales tax requirements are checked. Although the City has an Ordinance for vendor permits, it does not charge the fees listed in the fee schedule for Fall Festival vendors as they have been waived in the past. Mayor Ussery mentioned that there would be a scavenger hunt at Hammer's Park and requested it be added to the permit. Zollinger confirmed that he could write it in. Additionally, Zollinger noted that the 5k event plans to use the cross-country track.

Motion: Shore moved; **Robben** seconded to approve the special event permit for the Clearwater Fall Festival with modifications to add Hammer's Park. Voted and passed unanimously.

Motion: Shore moved; **Warkins** seconded to approve City fees and resources being donated to the Fall Festival. Voted and passed unanimously.

8. Governing Body

Walter – None

Shore – None.

Warkins – Glenda is making a quilt for the 40th anniversary of the Fall Festival and a picture of the 2015 button is needed out of the display case. Also, the button design contest is open and due by May 15th or 16th. The theme is "No Place Like Home" to symbolize the Ruby slippers and ruby representing the 40th year.

Palmer-Witt – None.

Robben – None.

Ussery – None.

9. Executive Session

None.

10. Adjournment

Motion: Walter moved; **Robben** seconded to adjourn the meeting. Voted and passed unanimously. The meeting adjourned at 7:06 PM

CERTIFICATE

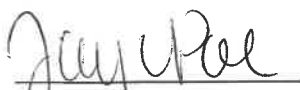
State of Kansas }

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 April 8th, 2025, City Council meeting.

Given under my hand and official seal of the City of Clearwater, Kansas, this 22nd day of April 2025.


Jaye Poe, City Clerk

