



City of Clearwater Council Meeting Agenda
Tuesday July 22, 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](#)
6. **Staff Reports**
7. **Business**
 - a. **Action:** [KORA Fee Resolution Update](#)
 - b. **Action:** [Zoning Ordinances Amend Art 8 Sec 4 & Art 23 Sec 1](#)
8. **Governing Body Comments**
9. **Executive Session**
10. **Adjournment**

Next Assignment Numbers

Charter Ordinance: 25

Ordinance: 1121

Resolution: 12-2025

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**
July 8, 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; Justin Shore, Crystal Walter, 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:

Ron Fleming, Kevin Cowan and Henry Schmidt.

3. Approval of Agenda

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

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

4. Public Forum

Hank Pate stated that his address was incorrect in the Minutes from June 24th, it should be 201 S. 1st not S. 2nd.

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

Mayoral Appointment

Motion: *Warkins* moved; *Robben* seconded to approve the consent agenda with modifications to the minutes from June 24th. Voted and passed unanimously.

6. Staff Reports:

- Administration Office – Courtney Zollinger – Zollinger added Sedgwick County did a traffic study on Park Glen St after reaching out to LTAP since they discontinued the program. They analyzed the data and provided it to the City at no cost. The 85th percentile was 30 MPH with the average speed from 25-28 MPH. This study was done June 24th – June 30th. Council would like to see another study done during the school year, Zollinger confirmed that Sedgwick County would do another study. Palmer-Witt inquired about the alley between 1st and Prospect that was mentioned at the last meeting, Zollinger has not heard anything back after sending code compliance to check it out. She also asked the water standing on S. Grant, Zollinger confirmed that is still on the list of things to get done.
- Fire Department – Courtney Zollinger – None.
- Police Department – Kirk Ives – Robben stated that he has seen golf carts on the road without the slow-moving triangle, Ives said that they probably aren't registered. When officers see this, they let them know the vehicle needs to be registered, they usually come down quickly to register. Robben asked about the SPV sales from last year, Ives stated there were around 100 in 2024 and they ordered more stickers, so they ordered 120 for 2025 since that wasn't enough last year. Shore asked about the mobile assist devices that are used on the streets where there are no sidewalks, Ives stated that those fall under the disabled act and can travel on the roads.

- Public Works/Parks – Courtney Zollinger – Cole is on vacation. Palmer-Witt asked about well rights, Zollinger stated 10 years ago the city applied for water rights for 49-acre feet at the Sports Complex for irrigation. The City was only granted 25-acre feet (8,147,000 gallons) due to only using a maximum of 25-acre feet in 1 given year throughout the 10-year review. If an increase was needed and justified, the City could apply for an increase in rights, it's a lengthy process. If the City were to exceed the water rights, they will get fined and penalized the next year by the amount. This will be closely monitored by Public Works. Zollinger mentioned a large leak on Southeast Dr. that has been repaired and filled in, Chadd took the lead since Cole is out.
- Senior Center – Amber Ives – Ives thanked Council for coming to lunch today and Chief Ives for cooking the hamburgers. There were 46 seniors who attended lunch. Ives thanked Shirley for giving rides to Seniors in her golf cart to Brain Freeze last week, Shirley said she enjoyed it.

7. Business

a. Special Assessments Ordinance - Indian Ridge at Clearwater

Mayor Ussery was asked by 2 council members to revisit this topic. He invited Kevin Cowen, the City Bond Counsel, and Mr. Fleming to the meeting. The hearing for special assessments was held at the last meeting where 820 E. Ross was discussed as being part of the benefit district. Mr. Fleming had asked if he waited, would he only have to pay \$500 to connect to the new sewer. Zollinger stated that there is a \$500 fee to connect to the sewer, however, she has not had a request to tap into a main sewer line where somebody else is paying specials. When lots are being developed and a building permit is pulled, a fee to connect to water and a \$500 sewer connection must be paid and then they still have the special assessments. After review and speaking with Bond Counsel, they referenced K.S.A. 12-6a (19) that states if somebody requests to connect to an improvement that was not part of the benefit district, the City could assess a "benefit fee". They could not be charged more than originally assessed; in this event everybody else's assessments would decrease. Zollinger explained that Mr. Flemings clay private service line connected to the main sewer across from Cornerstone. Zollinger is not sure why that line was put in that far, but the City does not maintain service lines, only the main. When Mr. Fleming noticed the sewer line going in for Indian Ridge, he thought it would be easier and more cost effective if he could tap into it therefore receiving the same amount of service as anybody within Indian Ridge. This is why he is considered part of the benefit district, but only for the sewer line. Zollinger did speak with Mr. Fleming in February of 2023 and he signed a petition in March of 2023. The Temporary Note lasts for about 2 - 3 years before it gets closed out and goes to a General Obligation bond which is why the bill is now being sent, and properties are being assessed. Kevin Cowan, the City Bond Counsel with Gilmore and Bell, stated that state law requires the governing body to make sure the properties that are similarly situated are assessed in a fair and equitable manner. He then stated what would be unlawful is to be arbitrary, which would be assessing a much smaller amount than others not based on benefit. The petitions for improvements are received for consideration which City staff and Bond Counsel review to make sure everybody that's included is benefiting from this improvement and Council can make the findings and determinations needed and not be arbitrary but assess everybody that's similarly situated. He stated if that doesn't happen, Council runs the risk of other property owners Making claims that Council is being arbitrary. Bond Counsel makes sure that Council can make the findings that properties benefit, and everybody is assessed in an equitable and fair manner. Mayor Ussery wanted to clarify that this particular benefit district was already determined and had to be redone after Mr. Fleming asked to be added to which Zollinger stated was correct. Cowan stated that having the signed petition made the process much cleaner, but you could have non-majority petitions if Council made a finding that there's one other property that's going to connect and not worry about whether that other property owner signs. Cowan believes the way it was handled in 2023 was the correct way since the property benefited and it abuts against other property that connected to the sewer line. Mayor Ussery stated that the signature was obtained which explained the benefit district and the cost making it fair and keeping the cost for the sewer about the same for the properties benefiting. Mr. Fleming stated he received information from Weaver that the cost for hookup was \$500 when he built the new homes and didn't realize the homeowners were also paying specials on top of that but that he still didn't realize it would cost \$10,000 when he signed the petition. Robben asked for clarification on the private sewer line and if the City was obligated in any way since it was an unusually long line. Mr. Fleming stated that the sewer line was put in during a time when they did whatever they wanted after speaking with the Garrisons who did a lot of sewer work in town. After finding out about the new houses going in behind his house, that is when he thought hooking up to the new line would be beneficial and had the plumbing redone to come out of the back of the house then contacted the City to hook up the line. Council asked if someone hooked up after all specials were paid off, 20-30 years, would it cost \$500, Zollinger stated yes if the specials were paid off and Mr. Flemming wasn't charged the \$500 connection fee as an oversight from City staff. Mayor Ussery asked if he had got an estimate on just replacing the old line, Mr. Fleming stated that it didn't make sense to do that since it goes

through 2 driveways and the black top of 4th street. Shore referenced K.S.A. 12-6a (19) coming into a benefit district without it being fully paid off, you must buy into it. Zollinger stated that was the interpretation. Mayor Ussery asked if the amount stays the same even if someone wanted to hook up with 2 years left of the specials or if it gets prorated, Cowan stated there is a bit of Council Discretion, but Statute provides that the full amount can be recalculated after figuring the full cost with the additional property added as well as the time to pay the specials. Mayor Ussery told Mr. Fleming that he has the option to pay the amount upfront without interest by July 24th or payments for 20 years with interest, Mr. Fleming asked what the interest would be, Zollinger will not know that information until after the sales but the City would get the best interest rate available. Henry Schmidt said that he would contact Mr. Fleming with a monthly payment that includes an estimated interest rate tomorrow, but it isn't a guaranteed rate.

Motion: *Walter* moved; *Palmer-Witt* seconded to adopt Ordinance 1118 LEVYING SPECIAL ASSESSMENTS ON CERTAIN PROPERTY TO PAY THE COSTS OF INTERNAL IMPROVEMENTS IN THE CITY OF CLEARWATER, KANSAS, AS PREVIOUSLY AUTHORIZED BY RESOLUTION NOS. 10-2022, 06-2023, 07-2023, AND 08-2023 OF THE CITY; AND PROVIDING FOR THE COLLECTION OF SUCH SPECIAL ASSESSMENTS. Voted and passed unanimously.

b. STO Ordinance

2025 Standard Traffic Ordinance (STO) Update includes: Section 40.3 Passing a Stationary Vehicle Displaying Hazard or Caution Signals, Section 114.5 Unlawful Operation of a Work-Site Utility Vehicle and Section 201.1 Failure to Comply with a Traffic Citation. These are updated annually.

Motion: *Warkins* moved; *Palmer-Witt* seconded to adopt Ordinance 1119 regulating traffic within the corporate limits of the City of Clearwater, Kansas; incorporating by reference the "Standard Traffic Ordinance for Kansas Cities," 52nd Edition of 2025, with certain changes and additions; and repealing all other conflicting Ordinances. Voted and passed unanimously.

c. UPOC Ordinance

2025 Uniform Public Offense Code (UPOC) update includes: Section 6.7.2 Trespassing on a Critical Infrastructure Facility.

Motion: *Shore* moved; *Warkins* seconded to adopt Ordinance 1120 regulating public offenses within the corporate limits of the City of Clearwater, Kansas; incorporating by reference the "Uniform Public Offense Code for Kansas Cities," 41st Edition of 2025, with certain changes and additions; and repealing all other conflicting Ordinances. Voted and passed unanimously.

d. Clearwater Public Library Budget

The Library Board has submitted their budget to the City Council and can levy up to 6 mills each year by ordinance 1046. The Board is requesting \$163,188.84 which is the 6 mills.

Motion: *Robben* moved; *Walter* seconded to accept the Library Board 2026 Budget. Voted and passed unanimously.

e. EMPAC Proposal

EMPAC is an employee assistance program (EAP) that provides services designed for personal, family, substance, financial and legal issues that may arise for employees. In discussion with department heads, it was identified that a gap in services existed. There was a recent event where 2 other agencies asked if the City had EMPAC, which the answer is no. There was an EAP with the State Employee Health Plan, but not now. There are two tiers to consider. One plan that offers 6 sessions per employee household and one with 12 sessions. The total cost for the agreement based on 53 employees with 6 sessions is \$3.75 per employee and 12 sessions is \$4.75 per employee. These services also extend to part-time and volunteers that don't receive any medical benefits. The cost for the program will be split between General Administration, Police, Fire, Public Works, and Senior Center. The Fire Department has the most employees and for 12 sessions it would cost \$1710 and 6 sessions would be \$1,350. This would be the City paying and not the employee. Warkins stated they use EMPAC at PEC, it's a good program with no deductible. The City of Derby and Sedgwick County came in and had peer sessions after the recent event, Zollinger believes it would be good to offer this. This would be a one-year enrollment and recommended to start in October of this year to help with the budget, Council consensus is to start it as soon as August 1st.

Motion: *Shore* moved; *Robben* seconded to approve the EMPAC proposal to start August 1st at 12 sessions. Voted and

passed unanimously.

9. Governing Body

Shore – None.

Palmer-Witt – None.

Robben – With the recent floods in Texas, does the City have an emergency plan? Zollinger stated that we do, it is in the LEOP that each department head has at their house or in the car. Robben also seen a lot of comments regarding the fireworks show, asked if it was something to revisit in the future. He stopped in at Brew'd Awakening and was told it was nice to see someone from City Council come in.

Ussery – Also noticed comments about fireworks, but also had people talking with him about them and they were 50/50 on whether they wanted the show or not. He does explain that the show costs around \$20,000 for 12 minutes and can spend that money in other ways. He mentioned that Zollinger had presented several Cities that have a fireworks show, where other agencies pay for it rather than the City. After the executive session, Mayor Ussery stated that there are 2 candidates that will be running for the next election and plans to not fill her spot. Council feels it is best not to fill it at this time. Council will send any vacation days that are scheduled for meetings to Jaye to keep track of.

Walter – Crystal will be stepping down from Council and moving to be closer to family. She has enjoyed being on Council and learned a lot about how cities are run and about community. She thanked the Mayor, Councilmembers and City staff. Mayor Ussery presented her with a plaque of service and thanked her for her time on Council and all that she did in the community.

8. Executive Session

Motion: *Palmer-Witt* moved; *Walter* seconded to recess into executive session for consultation with an attorney on matters that would be deemed privileged in attorney-client relationship, to include governing body, City Administrator and City Attorney. We will reconvene the open meeting in the City Council Chamber at 7:23p.m. Voted and passed unanimously.

The governing body reconvened at 7:23 pm with no action taken.

10. Adjournment

Motion: *Warkins* moved; *Robben* seconded to adjourn the meeting. Voted and passed unanimously. The meeting adjourned at 7:42 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 July 8th, 2025, City Council meeting.

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

Jaye Poe, City Clerk

Check Register Report

Date: 07/15/2025

Time: 3:20 pm

Page: 1

City of Clearwater

BANK: EMPIRISE BANK

Check Number	Check Date	Status	Void/Stop Date	Reconcile Date	Vendor Number	Vendor Name	Check Description	Amount
EMPIRISE BANK Checks								
51821	07/16/25	Printed			AMAZON BUS	AMAZON BUSINESS	BATTERIES/CLEANING PATCHES	224.55
51822	07/16/25	Printed			AMER FUN	AMERICAN FUN FOOD CO., INC.	NACHO CHIPS FOR POOL	41.01
51823	07/16/25	Printed			ACC01	APAC-KANSAS, INC.	ASPHALT	3,060.86
51824	07/16/25	Printed			BOUND TREE	BOUND TREE MEDICAL	AED BATTERY	687.97
51825	07/16/25	Printed			CW WELLNE	CLEARWATER WELLNESS CENTER	JULY WELLNESS	85.00
51826	07/16/25	Printed			CORE & MN	CORE & MAIN LP	INSERT VALVES FOR WOOD/TRACY	15,188.75
51827	07/16/25	Printed			HAYSV RENT	HAYSVILLE RENTAL CENTER	ASPHALT CUTTING BLADES	120.00
51828	07/16/25	Printed			KDHE2	KS DEPT OF HEALTH & ENVIRON.	NITRATE SAMPLE	216.00
51829	07/16/25	Printed			LKM	LEAGUE OF KS MUNICIPALITIES	B USSERY LEAGUE CONF FALL	250.00
51830	07/16/25	Printed			MERIDIAN	MERIDIAN ANALYTICAL LABS, LLC	SEWER ANALYSIS	171.00
51831	07/16/25	Printed			MABCD	METROPOLITAN AREA BUILD & CONS	B/E/M/P PERMITS JUNE 2025	1,184.05
51832	07/16/25	Printed			MIZES	MIZE'S THRIFTWAY	SAFETY B & G MEAL	65.92
51833	07/16/25	Printed			MULVANE CO	MULVANE COOP	SPRAYER WEEDE KILLER	616.60
51834	07/16/25	Printed			PEAR	CLINT PEARSON	OVER CHARGE FOR BUILD PERMIT	406.80
51835	07/16/25	Printed			PETTY CASH	PETTY CASH	CAR WASH PUBLIC WORKS	20.00
51836	07/16/25	Printed			PB03	PITNEY BOWES	POSTAL LEASE 4-30 - 7-29	259.98
51837	07/16/25	Printed			PRNTNG SYS	PRINTING SYSTEMS	ACCOUNTS PAYABLE CHECKS	277.72
51838	07/16/25	Printed			PCC	PROFESSIONAL CODE COMPLIANCE	CODE COMPLIANCE JULY	1,700.00
51839	07/16/25	Printed			ROASTER JO	ROASTER JOE'S	DRINKING WATER PUBLIC WORKS	54.81
51840	07/16/25	Printed			SG CO ELEC	SEDGWICK COUNTY ELECTRIC COOP	WELL #7	1,516.79
51841	07/16/25	Printed			SW BUTLER	SOUTH WEST BUTLER QUARRY	ROCK	298.88
51842	07/16/25	Printed			SUP EMG VH	SUPERIOR EMERGENCY RESP VEH	NEW PD CAR 2	61,816.74
51843	07/16/25	Printed			UNIV OF KS	THE UNIVERSITY OF KANSAS	HAYNES LODGING FOR TRAINING	153.00
51844	07/16/25	Printed			TRCTR SUPP	TRACTOR SUPPLY COMPANY	SPAYERS AND PARTS	529.44
51845	07/16/25	Printed			TRUGREEN	TRUGREEN	JUNE MAINT CTSP/ SR CTR/PONDS	3,159.01
51846	07/16/25	Printed			ULTRA MDRN	ULTRA MODERN POOL & PATIO	POOL CHEMICAL	1,359.35
51847	07/16/25	Printed			UTLTY SERV	UTILITY SERVICE CO., INC.	TOWER CONTRACT	8,310.93
51848	07/16/25	Printed			WASTE CON	WASTE CONNECTIONS, INC.	JUNE TRASH/RECYCLE	17,771.08
51849	07/16/25	Printed			WL01	WHITNEY LANDSCAPING	MOWING SC/REPAIRS/MOW SR CTR	4,193.00
51850	07/16/25	Printed			YOU	KRISTEN YOUNG	2/3 REFUND FOR POOL PARTY 7-6	133.00
51851	07/16/25	Printed			ZORO	ZORO TOOLS, INC	BLOWER FOR FIRE STATION	478.00
51852	07/16/25	Printed			KAMP	VANESSA KAMPLING	REFUND POOL PARTY	100.00

Total Checks: 32

Checks Total (excluding void checks):

124,450.24

Total Payments: 32

Bank Total (excluding void checks):

124,450.24

Check Register Report

City of Clearwater

BANK: EMPRISE BANK - EFT

Date: 07/15/2025

Time: 3:20 pm

Page: 2

Check Number	Check Date	Status	Void/Stop Date	Reconcile Date	Vendor Number	Vendor Name	Check Description	Amount
EMPRISE BANK - EFT Checks								
3673	07/16/25	Printed			AFLAC	AFLAC	JUNE AFLAC	538.16
3675	07/16/25	Printed			VISA	CARDMEMBER SERVICES	GRANT FINDER SUBSCRIPTION FD	1,392.58
3676	07/16/25	Printed			COLNL LIFE	COLONIAL LIFE	JULY COLONIAL LIFE	87.30
3677	07/16/25	Printed			EVERGY	EVERGY KANSAS CENTRAL	319 W. ROSS FIRE STATION	541.95
3678	07/16/25	Printed			EVERGY	EVERGY KANSAS CENTRAL	107 S. GRAIN OLD TWNSHP BUILD	43.70
3679	07/16/25	Printed			EVERGY	EVERGY KANSAS CENTRAL	129 E. ROSS CITY HALL	575.82
3680	07/16/25	Printed			EVERGY	EVERGY KANSAS CENTRAL	400 W. ROSS PUBLIC WORKS	220.90
3681	07/16/25	Printed			EVERGY	EVERGY KANSAS CENTRAL	604 E. ROSS WELL HOUSE AT PARK	245.06
3682	07/16/25	Printed			EVERGY	EVERGY KANSAS CENTRAL	650 E. ROSS POOL HOUSE/PARK LT	1,625.95
3683	07/16/25	Printed			EVERGY	EVERGY KANSAS CENTRAL	1001 E. ROSS SPORTS COMPLEX	387.41
3684	07/16/25	Printed			EVERGY	EVERGY KANSAS CENTRAL	11159 S. 135TH W SEWER PONDS	306.16
3685	07/16/25	Printed			EVERGY	EVERGY KANSAS CENTRAL	149 N. FOURTH MUSEUM	310.84
3686	07/16/25	Printed			EVERGY	EVERGY KANSAS CENTRAL	901 CLEARCREEK PG LIFT STATION	110.29
3687	07/16/25	Printed			EVERGY	EVERGY KANSAS CENTRAL	401 W ROSS PUMP TWNSHP BUILD	26.55
3688	07/16/25	Printed			EVERGY	EVERGY KANSAS CENTRAL	1001 E. ROSS #2 SPORTS COMPLEX	111.58
3689	07/16/25	Printed			EVERGY	EVERGY KANSAS CENTRAL	1100 E. ROSS PUMP CR PONDS	26.55
3690	07/16/25	Printed			EVERGY	EVERGY KANSAS CENTRAL	602 E. ROSS CITY PARK	303.53
3691	07/16/25	Printed			EVERGY	EVERGY KANSAS CENTRAL	401 W. ROSS PUBLIC WORKS #2	32.33
3692	07/16/25	Printed			EVERGY	EVERGY KANSAS CENTRAL	STREET LIGHTS	2,373.23
3693	07/16/25	Printed			EVERGY	EVERGY KANSAS CENTRAL	100 E. ROSS EMPTY LOT	42.20
3694	07/16/25	Printed			EVERGY	EVERGY KANSAS CENTRAL	9731 S. 135TH ST W SIGN DIAGON	25.29
3695	07/16/25	Printed			EVERGY	EVERGY KANSAS CENTRAL	1200 E. ROSS PUMP CR PONDS	26.55
3696	07/16/25	Printed			EVERGY	EVERGY KANSAS CENTRAL	9801 S. 135TH W PUMP	78.96
3697	07/16/25	Printed			EVERGY	EVERGY KANSAS CENTRAL	921 E. JANET SENIOR CENTER	544.31
3698	07/16/25	Printed			KDOR	KANSAS DEPARTMENT OF REVENUE	JUNE 2025 WATER SALES TAX	375.41
3699	07/16/25	Printed			KDOR	KANSAS DEPARTMENT OF REVENUE	JUNE 2025 POOL CONCESSION TAX	565.68
3700	07/16/25	Printed			KS GAS SVC	KANSAS GAS SERVICE	149 N. FOURTH HIS MUSEUM	44.76
3701	07/16/25	Printed			KS GAS SVC	KANSAS GAS SERVICE	401 W. ROSS PUMP HOUSE	44.76
3702	07/16/25	Printed			KS GAS SVC	KANSAS GAS SERVICE	129 E. ROSS CITY HALL	49.95
3703	07/16/25	Printed			KS GAS SVC	KANSAS GAS SERVICE	319 W. ROSS FIRE STATION	118.16
3704	07/16/25	Printed			KS GAS SVC	KANSAS GAS SERVICE	901 CLEARCREEK LIFT STATION	58.75
3705	07/16/25	Printed			KS GAS SVC	KANSAS GAS SERVICE	921 E. JANET SENIOR CENTER	46.83
3706	07/16/25	Printed			KS TRNPIKE	KANSAS TURNPIKE AUTHORITY	TOLL DURANGO #5	0.14
3707	07/16/25	Printed			MERCHANT	MERCHANT SERVICES	JUNE E COMMERCE CC FEES	734.99
3709	07/16/25	Printed			SAMS CLUB	SAM'S CLUB	HOT DOG FEED GARAGE SALE	1,719.25
3710	07/16/25	Printed			VERIZON	VERIZON WIRELESS	FIRE DEPT BROAD BAND	40.01
3711	07/16/25	Printed			VERIZON	VERIZON WIRELESS	STATEMENT	518.41

Total Checks: 37

Checks Total (excluding void checks):

14,294.30

Total Payments: 37

Bank Total (excluding void checks):

14,294.30

Total Payments: 69

Grand Total (excluding void checks):

138,744.54

To: Mayor and City Council
 From: Courtney Zollinger, City Administrator
 Date: July 17, 2025
 Re: Administration Report

- From Whitney Landscaping: *We have found brown patch fungus in Field 2. We are taking all normal steps to minimize damage to the field. It was almost inevitable with the high humidity and all the rain we had. We knew it was coming. At this point in the season, I don't think treatment will be necessary. We have a complete over seed repair scheduled in September anyways. Just wanted you all to be aware that we are on top of it in case you hear something.*
- We have had one resident pay in full the sewer specials for Indian Ridge as of July 14th (\$10,691.48). Final day for residents in Indian Ridge to pay in full is July 24th.
- City Hall staff and Public Works Director, Cole Hollis, had in person training day for the new AMI system on July 15th.
- We used the AMI system for the 1st time for the July 28th billing cycle.
- I will be in training on the 23rd and 24th.
- The Railroad Company did some work at the crossing on N. Grant.
- Year to Date (June 2025): 1% Sales Tax Collected: **\$177,679.98**
- Total Sales Tax Collected since January 2024: **\$467,101.29**

Dates to Remember

- July 16th – Last game of the season for Kansas Curve (weather permitting)
- July 21st – Fall Festival Meeting
- July 21st – Rec Budget Hearing
- July 24th – Final day for residents to pay in full for Indian Ridge Specials before interest is applied.
- July 29th – Indian Ridge Bid Opening
- August 15th – “Mom’s Day Out” Pool event – No kids.
- August 26th – Budget Hearing and Adoption

Active Nuisances/ Code Violations

205 S Tracy	317 E Ross	150 N Tracy	139 N Gorin	249 N Grant
130 N Grant	148 S 3 rd	131 S Prospect	310 E Wood	148 N Lee
116 S Gorin	201 S 2nd	130 S Byers	150 S Byers	808 E Streamside Ln
235 S 1 st	Grant/Hellar	427 N 1 st St Ct	139 N Gorin	218 Chisholm Trail
250 S 1 st	204 S 1 st	151 S Tracy	450 S 3 rd	140 S 2 nd
201 S Tracy	239 N Grant	146 S 3 rd		

To: Mayor and City Council
From: Jared Dinwiddie
Clearwater Fire Chief
Date: July 17, 2025
Re: Fire Department Staff Report

- Clearwater Fire responded to **9** medical calls and **3** fire calls since our last report.
- Average response time for SGCO EMS on medical calls has been around **21** 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 **20** times.
- Personnel trained over medication dosages and cardiac monitor operations at our last medical training on the 10th.
- Personnel trained on hose line advancement and techniques at our last fire training on the 15th.
- The department was denied funding for new radios from Firehouse Subs' last quarter grant period. The department submitted another request for funding for new PPE gear for the 3rd quarter grant period.
- FF Richard Grizzle has completed and passed his state EMT boards and is now our newest member with FF/EMT certification.

To: Mayor and City Council

From: Kirk Ives, Chief of Police

Date: July 17, 2025

Re: Police Department Staff Report

Officers:

Officer Corbett, our new officer, is out on his own and is doing very well.

Police Clerk:

Trish received a check for \$1500 from Charles Engineering for our vest donation fund. Every 5 years a vest expires. We are so grateful for this amazing donation to help with the costs of our officer's bullet proof vest replacement.

Building:

Nothing to report.

Vehicles:

Our new vehicle should be completed on the 21st of July. The 2020 Drango #2 has been taken to "Superior ERV" to have items removed and to be used in the new vehicle.

Matters of interest since the last meeting on Police Activity:

We have had 52 dispatched/reported calls with 13 arrests and 19 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: July 22, 2025
Subject: Public Works Summary

1. Attend Pre-bid conference for bridge project B516 (Tracy & Wood)
2. Repair Leak on service line at 427 1st Ave Ct
3. Repair leak on service line at 521 SE Dr
4. Repair leak on service line at 5310 63rd St
5. Remove leaking tap from main at 5755 S Hoover
6. Jason Biggs served on jury duty from the 7/8 through 7/14
7. Trim trees Along Ross hindering visibility at PD's request
8. Light bulb replaced on outside light at fire station
9. Weld bar on 2ft mini ex. to use for ditches
10. Add rock to existing water cuts at 521 SE Dr. & N Tracy/E Wood
11. Add 18 tons of material to ball field at city park
12. Touch up dirt work at previous water leaks
13. Replace missing handicapped parking signs at the city park and sports complex
14. 2 Chlorine bottles delivered to pool
15. Stored and prepped backup park glen wet well pump
16. Cleaned and organized section of shop



Clearwater Senior Center Staff Report

July 15, 2025

To: Mayor & City Council

From: Amber Ives, Coordinator

Last week: classes, speakers, car washes, exercises, swimming, meals and games with friends

This week we are adding, foot care, snacks and a dress up day

Coming up: lunch outing, movie day, commodities, and drumming along with everything else mentioned above

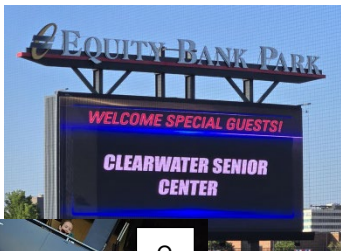
We are continuing to reach new people through the different activities provided. Since the beginning of July, we have added 3 new people for a total of 36 new participants this year. If you have a specific topic you would like to see offered at the Center, please let me know and I will get it added.

Enjoy the outings we have had so far this month.

Respectfully,
Amber Ives
Senior Center Coordinator



1. Senior Swim
2. Wind Surge Baseball (7 of the 18 we had attend)
3. Golf Carting & Brain Freeze
4. Wellington Museum & Orphan Train Exhibit
5. Drum Ball



**City of Clearwater
City Council Meeting
July 18, 2025**

KORA Requests

Context:

With the new KORA update from July 1st, the City Fee Resolution needs to be updated. To abide by the updates, the changes are in red:

Staff Time	Lowest Hourly rate for staff required to complete request	1hr minimum
Electronic Data	actual cost of flash drive + Staff time	
Photographs (printed)	\$0.50	page
Photographs (electronic)	actual cost of flash drive + Staff time	

The current fees are as follows:

Open Public Records - KORA

Staff Time	\$19.00	Hour/ 1hr minimum
Copies	\$0.50	page
Electronic/ Photographs	\$25.00	If releasable
Defense Attorney/ Insurance Companies	\$10.00	per Paper Report
Defense Attorney/ Insurance Companies	\$25.00	Electronic/ Photographs

Financial:

Legal Considerations: The City attorney has reviewed the changes.

Recommendations/Actions: Adopt the KORA Fee Resolution.

RESOLUTION NO. 12-2025

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF CLEARWATER, KANSAS, THAT THE 2025 ANNUAL FEE SCHEDULE IS LISTED AS FOLLOWS:

Open Public Records - KORA

Staff Time	Lowest Hourly rate for staff required to complete request	1hr minimum
Copies		\$0.50 page
Electronic Data	actual cost of flash drive + Staff time	
Phontographs (printed)		\$0.50 page
Phontographs (electronic)	actual cost of flash drive + Staff time	
Defense Attorney/ Insurance Companies		\$10.00 per Paper Report
Defense Attorney/ Insurance Companies		\$25.00 Electronic/ Per Thumbdrive
<i>Prepayment of fee may be required if estimate is to exceed \$50.00</i>		

Passed and approved by the Governing Body this 22nd day of July 2025.

Attest:

Burt Ussery, Mayor

Jaye Poe, City Clerk

**City of Clearwater
City Council Meeting
July 18, 2025**

Article 8 Section 4 of the Clearwater Zoning Ordinance

Context: The Planning Commission held a hearing to amend Article 8 Section 4 of the zoning ordinance on July 1, 2025. The Planning Commission is recommending to change the Intensity of use and yard regulations for R-2 residential zones to better fit the needs of the community as follows:
Lots in this district shall be subject to the following minimum size requirements:

Use Regulations

- (1) Single-family dwellings. A lot on which there is erected a single-family dwelling shall contain an area of not less than ~~6,000~~ 4,500 square feet with a minimum lot width of 50 feet.
- (2) Two- and three-family dwellings. A lot on which there is erected a two- or three-family dwelling shall contain an area of not less than ~~5,000~~ 4,500 square feet per dwelling unit. This regulation shall be applicable to such structures being converted to individually owned units. Also see Article 23, Additional Height, Area, and Use Regulations.

Yard Regulations

(b) Side yard.

- (1) There shall be a side yard on each side of a principal building which shall be one-third the height of the building or ten percent of the width of the lot, whichever is the greater, with a minimum of eight feet, except that where the lot abuts a R-1 district there shall be a minimum side yard of 12½ feet.

(A) single-family attached and two-family dwellings where the common wall is also the common lot line shall have a setback of 0 feet on the common lot line. All other setbacks shall follow the regulations contained herein.

The Planning Commission considered the needs of the developing community and acknowledged that lots have already been split. This will address the side setback requirements for twin homes (duplexes) being split with a common wall. Also allow for twin homes (duplexes) that are placed on larger lots to be split while still trying to maintain the space Clearwater has tried to maintain for property uses. Other communities minimum lot sizes are 3,000.

Financial: There is no financial consideration

Legal Considerations: The City attorney has prepared the ordinance.

Recommendations/Actions: Approve the recommendations of the Planning Commission and adopt the ordinance.

**City of Clearwater
City Council Meeting
July 18, 2025**

Article 23 Section 1 of the Clearwater Zoning Ordinance

Context: The Planning Commission held a hearing to amend Article 23 Section 1(3) of the zoning ordinance on July 1, 2025. The Planning Commission is recommending adding accommodations for larger lots when considering accessory structures.

The recommendation is to add in the following language:

- f. Total area of all detached accessory structures in all residential districts with lots that are less than .75 acres shall not exceed 900 square feet.
- g. Total area of all detached accessory structures and principal building with lot sizes .75 acres or more except for R-L shall not exceed 30% coverage of total lot area.
- h. The size of accessory structures may not exceed the lot coverage of the principal building size.

The Planning Commission considered the needs of the developing community and recognized that there are some larger lots in town that can allow for accessory structures greater than 900 sqft while still maintaining lot integrity and the space within the neighborhood. By making this modification this will allow the zoning administrator to issue permits to the larger lots that want to build larger accessory structures within the new guidelines without the need to apply for a variance.

Financial: There is no financial consideration

Legal Considerations: The City attorney has prepared the ordinance.

Recommendations/Actions: Approve the recommendations of the Planning Commission and adopt the ordinance.

ORDINANCE NO. ____

AN ORDINANCE AMENDING ARTICLE 8 OF APPENDIX C – ZONING REGULATIONS OF THE CODE OF THE CITY OF CLEARWATER, KANSAS

WHEREAS, the Planning Commission of the City of Clearwater, Kansas, has identified a need to modify the Zoning Regulations as they pertain to lot sizes; and

WHEREAS, pursuant to Article 27-1 of Appendix C of the Code of the City of Clearwater, Kansas, a hearing was held before the Planning Commission on [date] to address the proposed modifications to the Zoning Regulations regarding lot sizes; and

WHEREAS, the City of Clearwater, Kansas, wishes to amend Article 8-4 and Article 8-7 of Appendix C to the Code of the City of Clearwater to modify its regulations regarding accessory structures

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CLEARWATER KANSAS:

SECTION 1.

Article 8-4 of Appendix C – Zoning Regulations of the Code of the City of Clearwater, Kansas, is hereby amended to read as follows:

8-4. Intensity of use regulations.

Lots in this district shall be subject to the following minimum size requirements:

- (1) Single-family dwellings. A lot on which there is erected a single-family dwelling shall contain an area of not less than ~~6,000~~ 4,500 square feet with a minimum lot width of 50 feet.
- (2) Two- and three-family dwellings. A lot on which there is erected a two- or three-family dwelling shall contain an area of not less than ~~5,000~~ 4,500 square feet per dwelling unit. This regulation shall be applicable to such structures being converted to individually owned units. Also see Article 23, Additional Height, Area, and Use Regulations.
- (3) Dormitories, lodging houses, nursing homes, and boarding houses shall, in addition to meeting the above requirements for single-family buildings, shall provide at least 500 square feet of lot area for each occupant.

SECTION 2.

Article 8-7 of Appendix C—Zoning Regulations of the Code of the City of Clearwater, Kansas, is hereby amended to read as follows:

8-7. Yard regulations.

(a) Front yard.

- (1) There shall be a front yard having a depth of not less than 25 feet, except as required for arterial and collector streets in Article 23.
- (2) Where a lot or lots have a double frontage, the required front yard shall be provided on both streets.
- (3) Where a lot is located at the intersection of two or more streets, there shall be a front yard on each street side of the corner lot; provided, however, that the buildable width of a single lot of record, as of the effective date of the ordinance from which this chapter is derived, shall not be reduced to less than 35 feet, except as may be required to preserve a minimum setback of six feet from the property line.

(b) Side yard.

- (1) There shall be a side yard on each side of a principal building which shall be one-third the height of the building or ten percent of the width of the lot, whichever is the greater, with a minimum of eight feet, except that where the lot abuts a R-1 district there shall be a minimum side yard of 12½ feet.
 - (A) single-family attached and two-family dwellings where the common wall is also the common lot line shall have a setback of 0 feet on the common lot line. All other setbacks shall follow the regulations contained herein.
- (2) Where more than one principal building is constructed on a tract for hospitals, nursing homes, churches, schools, institutions of higher learning, public buildings, or other public or quasi-public uses, the spacing of said buildings shall not be less than the average height of the adjacent buildings.

(c) Rear Yard. There shall be a rear yard for each principal building in this district which shall have a depth of not less than 25 feet from the rear lot line.

SECTION 3.

This Ordinance shall take effect and be in force thirty (30) days from and after its publication in the official city newspaper.

PASSED AND APPROVED this ____ day of July, 2025

Burt Ussery, Mayor

ATTEST:

Jaye Poe, City Clerk

ORDINANCE NO. ____

AN ORDINANCE AMENDING ARTICLE 23-1 OF APPENDIX C – ZONING REGULATIONS OF THE CODE OF THE CITY OF CLEARWATER, KANSAS

WHEREAS, the Planning Commission of the City of Clearwater, Kansas, has identified a need to modify the Zoning Regulations as they pertain to accessory structures; and

WHEREAS, pursuant to Article 27-1 of Appendix C of the Code of the City of Clearwater, Kansas, a hearing was held before the Planning Commission on [date] to address the proposed modifications to the Zoning Regulations regarding accessory structures; and

WHEREAS, the City of Clearwater, Kansas, wishes to amend its Article 23-1 of Appendix C to the Code of the City of Clearwater to modify its regulations regarding accessory structures

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CLEARWATER KANSAS:

SECTION 1.

Article 23-1 of Appendix C – Zoning Regulations of the Code of the City of Clearwater is hereby amended to read as follows:

23-1. Qualifications and supplementations to district regulations.

The regulations hereinafter set forth in this section qualify or supplement, as the case may be, the district regulations appearing elsewhere in this chapter.

- (1) In districts where public buildings, semi-public buildings, public service buildings, hospitals, institutional buildings, schools, and churches and similar places of worship are permitted, one foot of additional height will be permitted for each one foot of additional building setback provided.
- (2) Chimneys, cooling towers, elevator headhouses, fire towers, grain elevators, monuments, stacks, stage towers or scenery lofts, tanks, water towers, ornamental towers and spires, church steeples, radio and television towers, or necessary mechanical appurtenances, which do not conflict with airport approach zones, may be erected to a height not to exceed 150 feet.
- (3) No accessory buildings or structure shall be closer to the front lot line than the dwelling. Any accessory building constructed in the side or rear yard shall not encroach on any required utility easements and shall not be located any closer to a property line than six feet, except that where vehicular access to a garage is perpendicular to the alley line, a setback of at least ten feet from the alley line shall

be required. No accessory building shall cover more than 30 percent of the required rear yard.

- a. A detached accessory structure having construction techniques and style consistent with the dwelling, may be located toward the front of the lot when conforming with the front and side yard setback requirements of the dwelling. In addition, said accessory structure must be at least three feet from the dwelling. All accessory structures shall be six feet from any other structure.
 - b. Accessory structures which are not consistent with the dwelling in construction technique and style must be located at least 12½ feet from the dwelling. Accessory structures shall not be closer than six feet to any other structure.
 - c. Commercial/industrial zones: Cargo containers may only be placed permanently in areas zoned commercial or industrial but must meet all guidelines for accessory structures. Permanent placement of cargo containers is prohibited in any front or side yard.
 - d. Residential zones: Cargo containers may be placed in areas zoned residential on a temporary basis only but not for more than 30 days. Cargo containers placed for temporary use may be located at the front of any property but may not be placed on the street or be placed in such a way as to restrict the line of sight of any vehicle(s) entering in any direction on that street.
 - e. Accessory structures cannot be built over utility lines unless utilities are modified to meet the International Building Code.
 - f. Total area of all detached accessory structures in all residential districts with lots that are less than .75 acres shall not exceed 900 square feet.
 - g. Total area of all detached accessory structures and principal building with lot sizes .75 acres or more except for R-L shall not exceed 30% coverage of total lot area.
 - h. The size of accessory structures may not exceed the lot coverage of the principal building size.
 - i. Accessory structures on a lot of less than ten acres may not be erected or constructed to a height greater than the dwelling height on the same property.
- (4) No accessory building shall be constructed upon a lot until the construction of the main building has been actually commenced, and no accessory building shall be used for dwelling purposes.
- (5) The setback line for yard requirements shall be determined by measuring the horizontal distance from the property line to the nearest architectural projection of

the building except the following structures and features may be located within the required setbacks:

- a. Trees, shrubbery or other features of natural growth;
 - b. Fences or walls that do not exceed six feet in height as measured on the side of the fence with the least vertical exposure above the finished grade;
 - c. Driveways, patios and sidewalks;
 - d. Bay windows and cantilevered floor areas of dwellings that do not project more than two feet into the required setback and extend no more than six feet in width;
 - e. Eaves that do not project more than two feet into the required setback;
 - f. Open outside stairways, decks, entrance hoods, terraces, canopies and balconies that do not project more than five feet into the rear setback nor more than two feet in a required side setback;
 - g. Chimneys, flues and ventilating ducts that do not project more than two feet into a required setback and when placed so as not to obstruct light and ventilation;
 - h. Open, unenclosed porches and carports that do not project more than five feet into a required rear setback;
 - i. Utility lines, wires and associated structures, such as power poles;
 - j. Window wells not over eight inches above grade may project a maximum of 44 inches including all structural elements;
 - k. Condensing units may be placed in setbacks.
- (6) Open or lattice-enclosed fire escapes, fireproof outside stairways and balconies opening upon fire towers, and the ordinary projections of chimneys and flues into the rear yard may be permitted by the city building inspector for a distance of not more than 3½ feet provided the same are so placed as not to obstruct light and ventilation.
- (7) For the purpose of the side yard regulations, a two-family dwelling or a multiple-family dwelling shall be considered as one building occupying one lot.
- (8) Temporary buildings and temporary construction signs that are used in conjunction with construction work may be permitted in any district during the period that the

building is being constructed, but such temporary building and/or sign shall be removed upon completion of the construction work.

- (9) No side yards are required where dwelling units are erected above commercial structures, and front, side, and rear yard requirements shall not apply to the interior walls of dwelling units established under the Kansas Apartment Ownership Act or under the Kansas Townhouse Ownership Act.
- (10) Whenever the number of employees is restricted in connection with any use in the commercial districts, such maximum number applies only to employees principally engaged in processing, selling, or treating materials or products on the premises and not to employees engaged in delivery or off-site similar activities.
- (11) Electronic communications towers shall be permitted in any commercial, industrial, or agricultural district providing the height of said towers do not conflict with any airport approach or landing zone or with any other ordinance, and providing that towers within 150 feet of a residential district shall not exceed 80 feet in height.
- (12) On a corner lot in any residential district, nothing shall be erected, placed, planted, or allowed to grow in such a manner as materially to impede vision between a height of 2½ and ten feet above the centerline grades of the intersecting streets in the area bounded by the street lines of such corner lots and a line joining points along said street lines 90 feet from the point of the centerline intersection.
- (13) In any district, more than one structure housing a permitted or permissible principal use may be erected on a zoning lot, provided that yard and other requirements of this chapter shall be met for each structure as though it were on an individual lot.
- (14) Every building hereafter erected or moved shall be on a lot adjacent to a public street, or with access to an approved private street, and all structures shall be so located on lots as to provide safe and convenient access for servicing, fire protection and required off-street parking.
- (15) Conversion of a two-family or multiple-family structure to individually owned single-family dwelling units may be permitted subject to the requirements of the subdivision regulations, and to the following:
 - a. An application for such unit conversion shall be filed for review and comment by city staff and the planning commission and approval by the governing body. Such application shall be accompanied by the following information as a minimum:
 - 1. A plot plan showing site and structure arrangements and proposed re-platting.

2. A full legal description of the subject property, including legal descriptions of proposed individual properties after re-platting.
 3. A description of proposed structural and utility alterations to provide for individual services and maintenance.
 4. A description of proposed public access patterns, both vehicular and pedestrian.
 5. A copy of protective covenants which shall be written to run with the land in which shall be specified methods for providing for maintenance of shared property and/or easements, responsibilities for shared expenses, and continued use of the property for specified purposes. Such covenants shall be written to provide for the long-term maintenance and use of the premises for residential purposes only, within the overall context of neighborhood development.
 6. Any other supplementary information as may be required to assess short- and long-term neighborhood impacts associated with the proposed conversion.
- b. The applicant for unit conversion shall submit with his application a consent agreement signed by 75 percent of all owners of property within 200 feet of the premises whereon the unit conversion is proposed.
 - c. Where a two-family or multiple-family structure is converted to individually owned, single-family dwelling units, a separation of utility service lines is required from each individually owned, single-family dwelling unit to a public utility line or to a utility line, private well, septic system, or lagoon which is located in an area of a lot or building that is owned by or accessible to a party legally responsible for maintenance of utility lines or systems on behalf of the owners of each converted single-family dwelling unit.
 - d. The planning commission and governing body shall not approve an application for conversion from a two-family or multiple-family structure to individually-owned, single-family dwelling units where it is determined that an existing or proposed utility service line, private well, septic system, or lagoon exists or is proposed to exist in an area where the maintenance of said utilities would require entry into an individually-owned dwelling unit.
 - e. All conversions of two-family or multiple-family structures to individually-owned, single-family dwelling units are subject to all applicable city codes, including building permit application and inspection procedures.

- f. The above procedures and regulations are applicable even where the conversion does not require new construction.
- g. After reviewing a conversion application for compliance with all applicable city codes, the building official/code enforcement officer shall report to the planning commission and governing body all details of noncompliance with city codes.

SECTION 2.

This Ordinance shall take effect and be in force thirty (30) days from and after its publication in the official city newspaper.

PASSED AND APPROVED this ____ day of July, 2025

Burt Ussery, Mayor

ATTEST:

Jaye Poe, City Clerk