



City of Clearwater Council Meeting Agenda
Tuesday October 14, 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. [Mayoral Appointment](#)
 - d. [Accept Resignation](#)
6. **Staff Reports**
7. **Business**
 - a. **Action:** [Petition Amendment for Indian Ridge Phase 2 Paving](#)
 - b. **Action:** [Award Paving Bid for Indian Ridge Phase 2](#)
 - c. **Action:** [Certified Engineering Design, P.A. Indian Ridge Phase 2 Engineering Service Contract](#)
 - d. **Discussion:** [Funding Options for Indian Ridge Phase 2 Paving](#)
 - e. **Update:** [130 N Grant](#)
8. **Governing Body Comments**
9. **Executive Session**
10. **Adjournment**

Next Assignment Numbers

Charter Ordinance: 25

Ordinance: 1125

Resolution: 17-2025

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**
September 23, 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; Jason Gordon, Samantha Warkins, Shirley Palmer-Witt and Tim Robben. Justin Shore was present via GoTo Meetings.

The following staff members were present:

City Administrator Zollinger, City Clerk Poe, Cole Hollis, Jared Dinwiddie and City Attorney, Scott Ufford.

Others present who spoke:

Hank Pate and Logan Mills

3. Approval of Agenda

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

Motion: *Warkins* 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

Aging Project Lease Agreement

Mayoral Appointment

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

6. Staff Reports:

- Administration Office – Courtney Zollinger – Zollinger informed Council that Whitney had recently overseeded the ball fields and commons area at the sports complex, however one of the softball fields was affected by army worms. TruGreen has been contacted to treat the area again. The fields will need to be reseeded which Jeremy Whitney has offered to work with the City on the labor cost involved. Robben inquired whether any preventative measures could have been taken, Zollinger explained that the fields had already been treated, but the current conditions were ideal for the army worms to lay their eggs. Zollinger reported that Shore had inquired about the possibility of holding a fall citywide cleanup in response to the recent storm-related brush debris. She explained that the City's contract with Waste Connections only includes spring citywide cleanup. Zollinger mentioned the potential option of opening the brush dump; however, due to the saturated ground conditions, increased traffic could cause further issues. She asked the Council for suggestions on how to proceed. Mayor Ussery has not heard any complaints and suggested revisiting this topic if another big storm occurs. Warkins asked if there had been any offers on the 135th property, Zollinger said there had not been. She also mentioned that Shackelford could not make it to this meeting but asked if they would be open to attending any other meetings and would put it in the business section. Palmer-Witt inquired about the pothole at 4th and Ross, Zollinger stated that she had not spoken with Cole about that yet but would.

- Fire Department – Jared Dinwiddie – Palmer-Witt inquired about the number of failing hydrants, Dinwiddie mentioned some of them were stem issues, being too low for the steamer discharge, low pressure and vegetation around hydrants. Zollinger pointed out that many of them failed due to the 3-foot circumference required to be cleared from a hydrant, which is according to the International Fire Code. Dinwiddie doesn't want to risk breaking the stem by turning them for testing but it would be better to do in the event of a call. Council asked if there was a plan to fix the failed hydrants, Zollinger responded that Public Works will be evaluating each one to determine the appropriate corrective action, which may include looping the system or installing new water lines where necessary. Mayor Ussery mentioned that the daily notifications for the CRV has stopped and is only sent out if it is not staffed.
- Police Department – Courtney Zollinger – None.
- Public Works/Parks – Cole Hollis – Shore sent in a question about the batting cages being unusable, Zollinger will have Public Works look at them.
- Senior Center – Courtney Zollinger – None.

7. Business

a. GO Temporary Note 2025 – Indian Ridge Phase 2

In August of 2025, the City Council adopted Resolution 15-2025 authorizing the sale of temporary notes for the Indian Ridge Phase 2 Improvements. The improvements consist of paving, sanitary sewer and water. The next step in the G O Temp Note will be to award the bid with the lowest being Robert W. Baird with an interest rate of 3.5 and average net interest rate of 3.6169. Then adopt a Resolution authorizing and directing the issuance, and authorize the Mayor and Clerk to execute the closing documents

Motion: Warkins moved, **Palmer-Witt** seconded to award the bid to Robert W. Baird & Co. Voted and passed unanimously

Motion: Palmer-Witt moved, **Warkins** seconded to adopt Resolution 16-2025 authorizing and directing the issuance, sale and delivery of general obligation temporary notes, series 2025, of the city of Clearwater, Kansas; providing for the levy and collection of an annual tax, if necessary, for the purpose of paying the principal of and interest on said notes as they become due; making certain covenants and agreements to provide for the payment and security thereof; and authorizing certain other document and actions connected therewith. Voted and passed unanimously.

Motion: Palmer-Witt moved, **Gordon** seconded to authorize the Issuance of General Obligation Temporary Notes Series 2025 and authorize the Mayor and Clerk to execute the closing documents. Voted and passed unanimously.

b. Ordinance Amendment to Article 23-2 Fences

The Planning Commission discussed Article 23-2 at the prior meeting and asked staff to prepare an amendment to the code, in which the hearing was held on September 2nd at 6:30. Since the amendment doesn't affect a specific property owner, it was published in the Times Sentinal with proper notice. The amendments recommended by the Planning Commission to the code include the following added language: Fence permits are required prior to construction. All permit applications must be accompanied by a plot plan and an application for zoning compliance. The Zoning Administrator may require a photograph or sketch of the proposed fence. Currently there is no approval required. Fences are not permitted in the city right-of-way. Currently the code says that the City may remove a fence from any right of way therefore there are fences in the right of way and all the way to side yards, this would keep everything within their own property. Except as otherwise set forth in this Ordinance, permitted materials in residential districts for fences on all properties shall include: new lumber and new wood boards; split rail; chain link; wrought iron and decorative aluminum; vinyl; brick and masonry; stone, rock and concrete and stucco. Zollinger stated that this was taken after Cheney. Prohibited materials in residential districts shall include but not be limited to: sheet metal; metal building siding and roofing materials; corrugated metal or fiberglass; barbed wire except as may be permitted for security requirements; chicken wire; plywood; scrap wood; scrap metal; canvas, nylon or other non-rigid material or fabric; cast-off, secondhand or other materials not originally intended to be used for constructing or maintaining a fence; and stock fences. Conditional use for fences: The Board of Zoning Appeals may as a conditional use approve the construction of higher fences and/or permitted placement in the right-of-way in any district if the Board finds that the public welfare is preserved. People can currently apply for variances. Any fence existing on the effective date of Ordinance No. 1124 which has been previously approved by the City shall be allowed. However, if any such fence is removed, then any new

fence will need to comply with the then, existing city code. This means current fences are fine until they're completely removed, then they will need to be compliant with the new city code. Repairment of a fence with the same material, size and location is not considered removed. The Planning Commission is making a recommendation to council to approve the amended ordinance referring to fences within the Clearwater city limits. Palmer-Witt asked if there were fences now that were obstructing view, Zollinger stated that if alleys were considered an intersection, then yes, but she has not read where they are. Zollinger mentioned one fence variance that will be at the next Planning Commission/Board of Zoning Appeals meeting for being beyond the front of their house which is not compliant. Palmer—Witt asked about the fence that was approved for North Grant, Zollinger stated that it would be “grandfathered” in since Council found it acceptable and the Ordinance must be published in the paper for 30 days for it to take effect. Warkins asked how this would affect anyone constructing a fence currently, Zollinger said anybody who has a fence up before the 30 days of publication is grandfathered in until it is considered removed. Shore asked about the fence being used for Ag on Hellar and Grant, Zollinger said it is still in residential and if it is ever torn out, it would have to be redone in compliance or request a variance.

Motion: *Palmer-Witt* moved, *Warkins* seconded to accept the Planning Commission’s recommendations and adopt Ordinance 1124 amending article 23-2. Voted and passed unanimously.

c. Berm in Alley between 1st and Prospect

At the June 24th meeting Hank Pate, owner of 201 S 1st street, spoke during the public forum stating his front lawn is holding water since the curb and guttering was installed. He did state that the water was not going inside his house but with the heavy rains, water was standing in his front yard during the June 2nd rain when 4” came down in a short period. On July 3rd we met with Mr. Pate and his neighbor and seen that 201 S 1st is the lowest property on the block, and all the water is designed to run behind. The grade was looked at again by Certified Engineering Design (CED) and the curb is lower than the house and is in line with the entire street. 200 block of S 1st is supposed to drain to the north into the ditch along Kansas. CED suggested the option of installing a concrete flume (similar in appearance to a sidewalk ramp) to facilitate water flow. However, Mr. Pate declined, expressing concern that while the flume could help drain standing water, it could also allow water to enter his yard. The owner to the south had installed a small berm behind their fence in the alley to help divert water. Mr. Pate asked if the city could install a berm to help the flooding on his property. Council reviewed the survey of 1st Street and could see where the water would stand. When the curb and guttering was put in, it was supposed to, and is, drawing the water off the middle of the road and run it down the gutter which then heads south to Park. Logan Mills checked on the house and alley this morning since there was about 2” of rain and there was water standing in the street and at the front of the property, about 2 hours later it had mostly drained. Zollinger mentioned that the berm requested may or may not keep the water out of the property and may keep the water in the alley which could create issues for Public Works. Mr. Mills explained that the water in the alley does seep into Mr. Pates property in the Southwest corner and comes out toward the road. In theory, adding a berm would act as a restriction to keep water either in the alley and head North to the ditch for proper drainage. The plans were originally designed with a flume for this drainage issue but was decided by the neighbors and Mr. Pate that it was unsightly and was declined to put in. Mr. Mills mentioned another possible option was to have Public Works run their blade through the center of the alley to keep more of the water going North. Council discussed the water standing in the alley ruts after the rest had drained this morning. Mr. Pate stated that there is a high spot at his neighbors’ far South side in the alley then seems to level out. Council asked if the berm would help or push water onto someone else’s property, Zollinger stated that it’s possible. Mr. Mills pointed out that the alley is not tipped to drain well and would need to be cut on a grade to divert the water and putting a berm in may compound water standing in the alley. Robben asked if an inlet could be put in and ran to the storm drain, Mills mentioned putting piping in to help drain the water from the yard was looked into, but it wouldn’t have had a slope for draining since there is only 6” from the low point of his yard and the ditch. Mr. Pate confirmed that the standing water from this morning did drain, he is more concerned with the heavy constant rains like from June 2nd where the water was almost to the house. He mentioned the smaller flume on N. Prospect as an option and the curb being built high causing the issues in his yard, Mr. Mills referred to the survey that was done before the curb and guttering were put in that showed the water pooling in that area. Council inquired about the height difference between the old and new curb, Mr. Mills explained they didn't want to lower the street much because of the utilities so they added 3.5” to create the curb so that the street water stays in the street then hits the gutter and go south which is why the flume was suggested to capture and divert the water. Mr. Pate reiterated his concerns with the flume allowing the water into his yard first before it drains. Hollis mentioned his property being at the top with the street running South and doesn’t think much would run to the area in question. Mr. Mills stated that he doesn’t have a perfect answer nor how to fix this issue without the proposed suggestions. It was discussed that the flume could be changed in size and

placement as to what was originally proposed. It was going to go where the water meters are since that is where most of the standing water is and mentioned that the flume will be at a gradual slope. Council voiced their concern on cutting and grading in the alley eventually causing it to wash out. Mayor Ussery stated that the flume, alley grading and berm are not going to have an immediate or definite fix and Mr. Pate can't be forced to put a flume in and left the choice to him. Mr. Pate stated that he didn't want the City spending a ton of money on this, he just wants the water to drain off fast enough to not back up into the house and would be good. Mr. Mills stated that the flume was already worked into the budget of the project. Mr. Pate stated that originally the flume was going to partially go into his neighbor's yard, Whitney, who is a landscaper and takes a lot of pride in his yard, but if the flume can go only in his yard then he is agreeable to that.

Motion: *Gordon* moved, *Palmer-Witt* seconded to authorize Pearson to install a flume onto Mr. Pates property. Voted and passed unanimously.

d. Special Event Permit – The River Church

The City Clerk received a request from the River to host their tailgate party at City park. After reserving the park shelters, they had asked if a trailer could be placed on the grass and were told a Special Event Permit would be needed for this kind of event. Mr. Sizemore included a letter in his request; the event will be September 28th with a tailgate service at 11 am and the tailgate party after that. The trailer, intended to serve as a stage for a live band, would be located in the grassy area near the south sidewalk. Because this event involves use of public property and includes a large setup, City Council approval is required. Hollis is only concerned about ruts with all the recent rain. Mayor Ussery recommended approving the request with the following stipulations: approval from Public Works must be obtained the Friday before the event; City to prove the River with exact placement of the Trailer; having a plan to set up in the parking lot if the ground is too saturated.

Motion: *Palmer-Witt* moved, *Warkins* seconded to approve the Special Event Permit for the River with the specific stipulations. Voted and passed unanimously.

9. Governing Body

Shore – None.

Gordon – Said it was good to see everyone.

Warkins – The Fall Festival is next weekend and volunteers are needed.

Palmer-Witt – None.

Robben - None

Ussery – None.

10. Executive Session

None.

11. Adjournment

Motion: *Warkins* moved; *Robben* seconded to adjourn the meeting. Voted and passed unanimously. The meeting adjourned at 7:25 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 September 23rd, 2025, City Council meeting.

Given under my hand and official seal of the City of Clearwater, Kansas, this 14th day of October 2025.

Jaye Poe, City Clerk

Check Register Report

Date: 09/23/2025

Time: 1:51 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								
52006	09/24/25	Printed			AAA PORTA	AAA PORTABLE SERVICES, INC.	AYSO PORTA JOHN	241.50
52007	09/24/25	Printed			AIRGAS LLC	AIRGAS USA, LLC	O2 CYLINDERS FOR FIRE DEPT Lease Renewal	106.00
52008	09/24/25	Printed			AMAZON BUS	AMAZON BUSINESS	CHRISTMAS LIGHTS	407.40
52009	09/24/25	Printed			ACC01	APAC-KANSAS, INC.	ASPHALT	1,553.34
52010	09/24/25	Printed			BB LUMBER	B & B LUMBER	OUTLETS	117.41
52011	09/24/25	Printed			BSNSPORT	BSN SPORTS LLC	FIELD 1 & 2 BACKSTOP NETS	5,352.80
52012	09/24/25	Printed			CW LIBRARY	CLEARWATER PUBLIC LIBRARY	LIBRARY APPROPRIATION	7,910.97
52013	09/24/25	Printed			COMM LAWN	COMMERCIAL LAWN MANAGEMENT	REPAIR TURF @ CITY PARK PLAYGROUND	786.00
52014	09/24/25	Printed			FOREMOST P	FOREMOST PROMOTIONS	STADIUM CUPS	468.61
52015	09/24/25	Printed			GLADFELTER	GLENDA GLADFELTER	TRIFOLD PAPER TOWELS REIMB	33.88
52016	09/24/25	Printed			GT DIST	GT DISTRIBUTORS, INC	VEST PATCHES CORBETT	8.00
52017	09/24/25	Printed			HACH CO	HACH COMPANY	WATER TESTING	554.41
52018	09/24/25	Printed			J & H STRG	J & H STORAGE	OCTOBER STORAGE RENT PD	65.00
52019	09/24/25	Printed			LADD ADRIA	LADD, ADRIAN	REIMB PLUMBING SERVICE CHARGE FROM 09/03/2025	49.00
52020	09/24/25	Printed			LEAS FIN P	LEASE FINANCE PARTNERS	COPIER LEASE CITY/POLICE DEPT	568.94
52021	09/24/25	Printed			MCDONALD	MCDONALD TINKER PA	August Attorney Fees	2,573.60
52022	09/24/25	Printed			MERIDIAN	MERIDIAN ANALYTICAL LABS, LLC	SEWER POND SAMPLE	455.35
52023	09/24/25	Printed			OPTIV	OPTIV SECURITY INC.	SECURITY TOKEN FOR PATRICK PD	131.88
52024	09/24/25	Printed			RA01	PITNEY BOWES	POSTAGE	300.00
52025	09/24/25	Printed			RANSON	RANSON FINANCIAL GROUP LLC	FINANCIAL AID GO BOND 2025	20,500.00
52026	09/24/25	Printed			ROASTER JO	ROASTER JOE'S	CITY HALL DRINKING WATER	31.32
52027	09/24/25	Printed			SG CO DOF	SEDGWICK COUNTY	AUGUST PRISONER HOUSING	82.65
52028	09/24/25	Printed			SG CO ELEC	SEDGWICK COUNTY ELECTRIC COOP	WELLL #7	1,511.15
52029	09/24/25	Printed			SW BUTLER	SOUTH WEST BUTLER QUARRY	ROCK	303.13
52030	09/24/25	Printed			TIMES NWSP	TIMES-SENTINEL NEWSPAPERS	VARIANCE HEARING 731 E HELLAR	200.88
52031	09/24/25	Printed			UNIFIRST	UNIFIRST CORPORATION	MATS FOR CITY HALL AND PD	43.95
52032	09/24/25	Printed			WL01	WHITNEY LANDSCAPING	OVERSEED FIELDS 1, 2, 3 & COMM	9,800.00
52033	09/24/25	Printed			WIECHMAN T	WIECHMAN BUSH TIRE	TIRES FOR SKID STEER	964.72

Total Checks: 28

Checks Total (excluding void checks):

55,121.89

Total Payments: 28

Bank Total (excluding void checks):

55,121.89

Check Register Report

Date: 09/23/2025

Time: 1:51 pm

Page: 2

City of Clearwater

BANK: EMPRISE BANK - EFT

Check Number	Check Date	Status	Void/Stop Date	Reconcile Date	Vendor Number	Vendor Name	Check Description	Amount
EMPRISE BANK - EFT Checks								
3819	09/24/25	Printed			BEAM	BEAM	October BEAM Vision and Dental	1,353.02
3820	09/24/25	Printed			BLUE CROSS	BLUE CROSS AND BLUE SHIELD	October BCBS Health Insurance	17,402.22
3821	09/24/25	Printed			FARMERS	FARMERS BANK	Farmers Bank Transfer 10 2025 FCMI October 2025	7,360.53
3822	09/24/25	Printed			LIBERTY NA	LIBERTY NATIONAL	OCTOBER LIBERTY PREMIUMS	455.07
Total Checks: 4							Checks Total (excluding void checks):	26,570.84
Total Payments: 4							Bank Total (excluding void checks):	26,570.84
Total Payments: 32							Grand Total (excluding void checks):	81,692.73

Check Register Report

Date: 10/07/2025

Time: 1:04 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								
52034	10/08/25	Printed			4KTRUCK	4K TRUCKING	COMAND VEH AC REPAIR WORK	850.05
52035	10/08/25	Printed			ADVG COMM	ADVANTAGE COMMUNICATIONS	KENWOOD RADIO ANTENNAS	79.80
52036	10/08/25	Printed			AMAZON BUS	AMAZON BUSINESS	PARTS FOR PLASMA CUTTER	2,737.40
52037	10/08/25	Printed			ACC01	APAC-KANSAS, INC.	ASPHALT	579.90
52038	10/08/25	Printed			BB LUMBER	B & B LUMBER	EDGER BLADES	234.18
52039	10/08/25	Printed			CED	CERTIFIED ENGINEERING DESIGN	Professional Services	125,650.00
52040	10/08/25	Printed			CHISM REC	CHISHOLM TRAIL REC COMMISSION	OLD PHONES IN TO PACE BUTLER	173.00
52041	10/08/25	Printed			CLEAN RITE	CLEAN RITE	STREET SWEEPING SEPT 2025	6,500.00
52042	10/08/25	Printed			CW WELLNES	CLEARWATER WELLNESS CENTER	OCTOBER WELLNESS	90.00
52043	10/08/25	Printed			CREATIVE P	CREATIVE PRODUCT SOURCING, INC	DARE SUPPLIES	1,152.91
52044	10/08/25	Printed			EVERGY	EVERGY KANSAS CENTRAL	129 E. ROSS SAL	67.89
52045	10/08/25	Printed			FULKERSON	ETHEL FULKERSON	RESTITUTION COURT CASE 24-234	424.75
52046	10/08/25	Printed			GARVER LLC	GARVER, LLC	INDIAN RIDGE PH 2 SANITARY SEW	4,786.30
52047	10/08/25	Printed			GT DIST	GT DISTRIBUTORS, INC	CORBETT'S VEST/PATCHES	1,149.00
52048	10/08/25	Printed			HURTIG BEC	BECKY. C. HURTIG	Professional Services - Judge	1,100.00
52049	10/08/25	Printed			INTERLINGU	INTERLINGUAL INTERPRETING SERV	COURT INTERPRETING SERVICES	489.08
52050	10/08/25	Printed			IRRIGATION	IRRIGATION BY DESIGN	REPLACE ROTORS IN ZONE 11	260.13
52051	10/08/25	Printed			IVES	IVES JAN	FALL FEST PARADE FLOAT ITEMS	53.47
52052	10/08/25	Printed			IVES AMBER	AMBER IVES	REIMBURSE BUNCO MEAL	94.41
52053	10/08/25	Printed			KS ONE CAL	KANSAS ONE CALL SYSTEM, INC.	81 LOCATES	86.45
52054	10/08/25	Printed			KS ST TRES	KANSAS STATE TREASURER	TEMP NOTE 2025 SETUP FEE	1,594.50
52055	10/08/25	Printed			KG GUN	KG GUN WORKS	GUN RAFFLE FOR FIRE DEPT	1,570.00
52056	10/08/25	Printed			LINN LARRY	J. LARRY LINN	PROSECUTION SERVICES	1,000.00
52057	10/08/25	Printed			LCS1	LOWE'S	SPRUCE PINE FIR	15.47
52058	10/08/25	Printed			MABCD	METROPOLITAN AREA BUILD & CONS	B/E/M/P PERMITS SEPT 25	1,494.05
52059	10/08/25	Printed			OREILLY	O'REILLY AUTO PARTS	GASKET MAKER	24.98
52060	10/08/25	Printed			ONESOURCE	ONESOURCE TECHNOLOGY, INC	MICROSOFT IT SERVICES	4,097.00
52061	10/08/25	Printed			PEARSON	PEARSON CONSTRUCTION LLC	PAY REQUEST #12	275,767.61
52062	10/08/25	Printed			PELZ DEB	DEBORAH PELZ	Senior Center Floor cleaning	130.00
52063	10/08/25	Printed			PETTY CASH	PETTY CASH	PARK CAR WASH	10.00
52064	10/08/25	Printed			PB03	PITNEY BOWES	POSTAL LEASE 7-30 - 10-29 2025	259.98
52065	10/08/25	Printed			POSTLOCITY	POSTALOCITY	MAIL SEPTEMBER WATER BILLS	1,000.00
52066	10/08/25	Printed			PEC	PROFESSIONAL ENGINEERING CONS	SR CTR NEW ADDITION PRO SERV	4,387.50
52067	10/08/25	Printed			ROASTER JO	ROASTER JOE'S	POLICE DEPT DRINKING WATER	46.98
52068	10/08/25	Printed			RADAR SHOF	THE RADAR SHOP	RADAR CERTIFICATION PD	89.00
52069	10/08/25	Printed			TRCTR SUPP	TRACTOR SUPPLY COMPANY	OIL	160.97
52070	10/08/25	Printed			TYLER TECH	TYLER TECHNOLOGIES	PRO 10 PAYMENT CARD READER	31,717.58
52071	10/08/25	Printed			WASTE CON	WASTE CONNECTIONS, INC.	SEPTEMBER TRASH & RECYCLE	17,971.99
52072	10/08/25	Printed			WIECHMAN T	WIECHMAN BUSH TIRE	TIRES FOR SKID STEER	1,010.40
52073	10/08/25	Printed			ZORO	ZORO TOOLS, INC	DEF FLUID FOR ENGINE 71	58.59

Total Checks: 40

Checks Total (excluding void checks):

488,965.32

Total Payments: 40

Bank Total (excluding void checks):

488,965.32

Check Register Report

Date: 10/07/2025

Time: 1:04 pm

Page: 2

City of Clearwater

BANK: EMPRISE BANK - EFT

Check Number	Check Date	Status	Void/Stop Date	Reconcile Date	Vendor Number	Vendor Name	Check Description	Amount
EMPRISE BANK - EFT Checks								
3823	10/08/25	Printed			AFLAC	AFLAC	SEPTEMBER AFLAC	538.16
3824	10/08/25	Printed			CASEYS	CASEY'S	STATEMENT	2,575.49
3825	10/08/25	Printed			COLNL LIFE	COLONIAL LIFE	OCTOBER COLONIAL	87.30
3826	10/08/25	Printed			EVERGY	EVERGY KANSAS CENTRAL	319 W. ROSS FIRE STATION	505.69
3827	10/08/25	Printed			EVERGY	EVERGY KANSAS CENTRAL	107 S. GRAIN OLD TWNSHP BUILD	44.74
3828	10/08/25	Printed			EVERGY	EVERGY KANSAS CENTRAL	129 E. ROSS CITY HALL	523.40
3829	10/08/25	Printed			EVERGY	EVERGY KANSAS CENTRAL	400 W. ROSS PUBLIC WORKS	226.41
3830	10/08/25	Printed			EVERGY	EVERGY KANSAS CENTRAL	604 E. ROSS WELL HOUSE AT PARK	64.45
3831	10/08/25	Printed			EVERGY	EVERGY KANSAS CENTRAL	650 E. ROSS POOL HOUSE/PRK LTS	446.27
3832	10/08/25	Printed			EVERGY	EVERGY KANSAS CENTRAL	1001 E. ROSS SPORTS COMPLEX	190.13
3833	10/08/25	Printed			EVERGY	EVERGY KANSAS CENTRAL	11159 S. 135TH W SEWER PONDS	319.68
3834	10/08/25	Printed			EVERGY	EVERGY KANSAS CENTRAL	149 N. FOURTH MUSEUM	260.94
3835	10/08/25	Printed			EVERGY	EVERGY KANSAS CENTRAL	901 CLEARCREEK LIFT STATION	110.92
3836	10/08/25	Printed			EVERGY	EVERGY KANSAS CENTRAL	401 W. ROSS PUMP OLD TWNSP	26.55
3837	10/08/25	Printed			EVERGY	EVERGY KANSAS CENTRAL	1001 E. ROSS SPORTS COMPLEX 2	26.55
3838	10/08/25	Printed			EVERGY	EVERGY KANSAS CENTRAL	1100 E. ROSS PUMP	26.55
3839	10/08/25	Printed			EVERGY	EVERGY KANSAS CENTRAL	602 E. ROSS CITY PARK	110.48
3840	10/08/25	Printed			EVERGY	EVERGY KANSAS CENTRAL	401 W. ROSS PW BUILDING #2	29.32
3841	10/08/25	Printed			EVERGY	EVERGY KANSAS CENTRAL	STREET LIGHTS	2,362.10
3842	10/08/25	Printed			EVERGY	EVERGY KANSAS CENTRAL	100 E. ROSS EMPTY LOT	41.31
3843	10/08/25	Printed			EVERGY	EVERGY KANSAS CENTRAL	9731 S. 135TH ST W SIGN DIAGON	25.29
3844	10/08/25	Printed			EVERGY	EVERGY KANSAS CENTRAL	1200 E ROSS ST PUMP CR PONDS	26.55
3845	10/08/25	Printed			EVERGY	EVERGY KANSAS CENTRAL	9801 S. 135TH W PUMP	67.16
3846	10/08/25	Printed			EVERGY	EVERGY KANSAS CENTRAL	921 E. JANET SENIOR CENTER	504.90
3847	10/08/25	Printed			KDOL	KANSAS DEPARTMEN OF LABOR	Q3 SUTA LIBRARY	31.11
3848	10/08/25	Printed			KDOL	KANSAS DEPARTMEN OF LABOR	Q3 SUTA CITY	367.62
3849	10/08/25	Printed			KDOR	KANSAS DEPARTMENT OF REVENUE	SEPT WATER SALES TAX	373.03
3850	10/08/25	Printed			KS GAS SVC	KANSAS GAS SERVICE	401 W. ROSS PUMP HOUSE	44.52
3851	10/08/25	Printed			KS GAS SVC	KANSAS GAS SERVICE	129 E. ROSS CITY HALL	49.86
3852	10/08/25	Printed			KS GAS SVC	KANSAS GAS SERVICE	149 N. FOURTH MUSEUM	44.52
3853	10/08/25	Printed			KS GAS SVC	KANSAS GAS SERVICE	319 W. ROSS FIRE DEPT	116.73
3854	10/08/25	Printed			KS GAS SVC	KANSAS GAS SERVICE	901 CLEARCREEK LIFT STATION	59.72
3855	10/08/25	Printed			KS GAS SVC	KANSAS GAS SERVICE	921 E. JANET SENIOR CENTER	46.65
3856	10/08/25	Printed			KPERS	KPERS	KPERS Sept 12 pay difference	0.01
3857	10/08/25	Printed			MERCHANT	MERCHANT SERVICES	SEPT E COMMERCE FEES	818.72
3858	10/08/25	Printed			TWIN VAL	TWIN VALLEY TELEPHONE	319 W. ROSS FIRE DEPT	478.91
3859	10/08/25	Printed			TWIN VAL	TWIN VALLEY TELEPHONE	921 E. JANET SENIOR CENTER	62.92
3860	10/08/25	Printed			TWIN VAL	TWIN VALLEY TELEPHONE	149 N. FOURTH MUSEUM	100.92
3861	10/08/25	Printed			TWIN VAL	TWIN VALLEY TELEPHONE	109 S. LEE POLICE DEPT	248.37
3862	10/08/25	Printed			TWIN VAL	TWIN VALLEY TELEPHONE	129 E. ROSS CITY HALL	135.25
3863	10/08/25	Printed			TWIN VAL	TWIN VALLEY TELEPHONE	400 W. ROSS PUBLIC WORKS	109.86
3864	10/08/25	Printed			TWIN VAL	TWIN VALLEY TELEPHONE	PARK BROADBAND	3.00
3865	10/08/25	Printed			VERIZON	VERIZON WIRELESS	FIRE DEPT BROADBAND	40.01
3866	10/08/25	Printed			VERIZON	VERIZON WIRELESS	STATEMENT	518.44

Total Checks: 44

Checks Total (excluding void checks):

12,790.51

Total Payments: 44

Bank Total (excluding void checks):

12,790.51

Total Payments: 84

Grand Total (excluding void checks):

501,755.83

**City of Clearwater
City Council Meeting
October 14, 2025**

Mayoral Appointment

Context: Per City Code all volunteers are to be appointed by the Mayor upon approval of the City Council.

Chief Dinwiddie is requesting the following individuals to be appointed to the volunteer fire service:

Tyler Roberson-FF

Financial: There is no financial obligation for the City.

Legal Considerations: Review and comment as necessary.

Recommendations/Actions: Approve the mayor's appointment.

City of Clearwater
City Council Meeting
October 14, 2025

Resignation –Volunteer Fire

Context: Please accept the resignation of Taylor Thompson as Volunteer Firefighter. She is relocating and will no longer be able to serve on the department.

Financial: There is no financial obligation for the City.

Legal Considerations: Review and comment as necessary.

Recommendations/Actions: Accept the resignations.

To: Mayor and City Council
From: Courtney Zollinger, City Administrator
Date: October 14, 2025
Re: Administration Report

- The Ducky Dash fundraiser brought in \$795. These funds go towards events like Christmas Comes to Clearwater and Downtown Trick or Treat.
- Amber, Jaye and I have been collaborating on Christmas Comes to Clearwater.
- Open enrollment for employees will be on November 11th for Health and supplemental insurance.
- There will be a Council Workshop directly after the regular scheduled Council meeting on October 14th as long as the ISO rating has been received.
- The new curb and valley gutter at 1st and Ross was not installed properly and will be removed and redone.
- Jaye and Jamie will be attending the CCMFOA Institute and Academy October 27th-29th.
- Year to Date (September 2025): 1% Sales Tax Collected: **\$276,654.92**
- Total Sales Tax Collected since January 2024: **\$566,076.23**

Dates to Remember

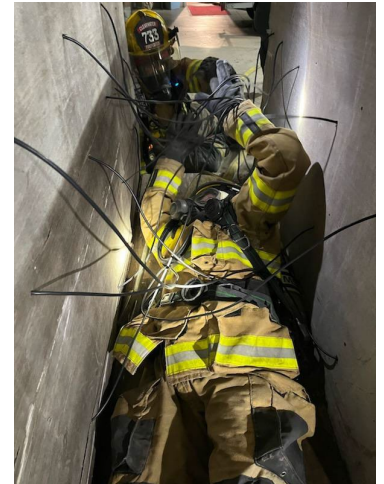
- October 13th – City offices closed for Columbus Day
- October 31st – Downtown Trick or Treat
- November 11th – City Offices Closed for Veterans Day
- November 27th-28th City Offices Closed for Thanksgiving
- December 6th – Christmas Comes to Clearwater
- December 25th& 26th – City Hall Closed for Christmas
- January 1st – City Offices Closed for New Years

Active Nuisances/ Code Violations

317 E Ross	148 Lee	130 N Grant	205 Tracy	249 N Grant	116 S Gorin
239 S 3 rd	427 N 1 st Ct	628 E Park	330 Tracy	210 Lee	139 N Gorin
Duckhorn Prop	219 S Prospect	208 W Ross			

To: Mayor and City Council
From: Jared Dinwiddie
Clearwater Fire Chief
Date: October 9, 2025
Re: Fire Department Staff Report

- Clearwater Fire responded to **23** medical calls and **4** fire calls since our last report.
- Average response time for SGCO EMS on medical calls has been around **18** 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 **3** emergency calls.
- To Date: The CRV has been unstaffed **26** times.
- Personnel were trained on swift water operations at our meeting on September 30th. SUCO is in the process of forming a “Swift Water Task Force” and this class is designed to get departments up to speed on operations of a swift water incident. Thank you to Jason Mundell from Mulvane Fire for conducting this class for us.
- Personnel practiced search drills and SCBA confidence at our last meeting on the 7th.
- The department collected \$8,923 in gun raffle ticket sales and donations, with \$484 coming from the Fire Auxiliary’s booth raffle. After paying for the guns raffled, the department netted \$7,353 this year.
- The department received a \$1,500 donation from Whitetails Unlimited to be used towards the purchase of new radios.
- The department was awarded the Kansas Forest Service’s VFA Grant in the amount of \$4,472. This is a 50/50 grant award, and it will go towards the purchase of wildland PPE.
- The department was denied funding from Firehouse Subs grant program for structural PPE. CFD will apply again for the 4th quarter period on Oct. 9th.
- The department provided truck rides and a safety talk for the kindergarten classes, and Good Shepherd Preschool had a safety talk and video for Fire Prevention Week.
- The department will have a grain engulfment class on October 15th. This class is provided through Nationwide and NECAS (National Education Center for Agricultural Safety) and is part of the grant award for the grain rescue tube the department was awarded.



To: Mayor and City Council

From: Kirk Ives, Chief of Police

Date: November 09, 2025

Re: Police Department Staff Report

Officers:

Fall Fest went very smoothly and no issues.

Halloween is coming up. Hot dogs will be served again this year by the police department.

Police Clerk:

SPV permits are at 105 for the year.

Building:

No Issues.

Vehicles:

Regular maintenance.

Matters of interest since the last meeting on Police Activity:

We have had 86 dispatched/reported calls with 18 arrests and 28 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: October 14, 2025

Subject: Public Works Summary

1. Rebuilt 5 of 6 post lamps at city park
2. Rebuilt frost free at well 2 in preparation for fall fest restrooms
3. Cut holes in meter lids and install radios on route 4 (East of town, 63rd, and along S Hoover)
4. Updated more meters to 7 dial and updated RNI to reflect changes made
5. Replaced broken GFCI outlet, a 50 amp, and a 30 amp breaker at park
6. Replaced fire Hydrant at 4th and Janet
7. Changed lights on snowflakes to all warm
8. Cleaned out shelters and used the street sweeper at pool and city park parking lots
9. Trimmed trees in park
10. Power washed basketball court
11. Barricades, snow fence, ducky dash finish line, and bleachers set out for fall fest
12. Filled holes with dirt and rocks in park
13. Crosswalk button replaced at Park and elementary crossing
14. Replaced broken bell on water main at Garvey
15. Refaced stop signs (this will be an ongoing project)
16. Attended preconference for Tracy/Diagonal Bridge project. **Date project begins 10/27/25**



Clearwater Senior Center

Staff Report

October 9, 2025

To: Mayor & City Council

From: Amber Ives, Coordinator

We made it through Fall Fest! We had so much going on this year and each participant had the best time. We had some amazing help with the float this year and felt like we had a pretty good float in comparison to the years past! The creative side of these seniors is just awesome! We also had a great time baking pretzels to sell and making pickle pops to go with our pickles. Although we didn't sell enough to cover the expenses of it all, we had a great time. The Friday Line Dance ladies competed in the Talent Fair and came out in 2nd place! When I tell you they had a fantastic time creating this production – I truly mean it! They are already dreaming up next year's song. Lastly, our chili that we submitted for the contest to help serve the community took 3rd! You would have thought we won from the excitement we had. THANK YOU, Sam, and the entire Fall Fest Committee along with all the City's help for providing such a great event for people of all ages.

We are looking forward to our monthly Lunch & Learn coming up next week as well as so many other great learning opportunities and activities here at the Center.

Respectfully,
Amber Ives
Senior Center Coordinator



**City of Clearwater
City Council Meeting
October 14, 2025**

Petition Indian Ridge Phase 2 Paving

Context: In March 2025 the Governing Body accepted the petitions for improvements for Indian Ridge.

After the paving bids were received on September 25th the engineers' estimates on the original petitions were lower than the bid amounts. This required Lagaly Properties to submit a revised petition stating how the expenses will be covered.

The original petition for paving was \$505,000, 100% paid by improvement district. The new petition is stated for \$672,000, 100% paid by improvement district.

The council will need to approve this revised petition and adopt a resolution so the amounts can legally be part of the final financing.

Financial: Improvements will be paid back by special assessments. Larry Kleeman with Ranson Financial will be at the meeting to discuss funding options for the shortfall in temporary note that the city received for this project. That will be discussed later in business section of the meeting.

Legal Considerations: Gilmore and Bell Bond Counsel has reviewed the petitions and will put together the resolution for the council's approval.

Recommendations/Actions:

1. Accept the Petition for Phase 2 Indian Ridge Paving
2. Adopt a Resolution Authorizing and Proving for the making of the paving improvements.

PHASE 2 PAVING PETITION

To the Mayor and City Council, Clearwater, Kansas (the "City")

Dear Council Members:

1. We, the undersigned owners of record as below designated, of Lots, Parcels, and Tracts of real property described as follows:

Indian Ridge at Clearwater

Lots 12 – 23, Block 1

Lots 3 – 14, Block 2

Lots 1 – 4, Block 3

do hereby petition, pursuant to the provisions of K.S.A. 12-6a01 et seq., as amended, as follows:

- (a) That there be constructed pavement on **TOMAHAWK ST.** from the north line of Lot 11, Block 1 to the west line of Indian Lakes Dr. including eyebrow cul-de-sac; **INDIAN LAKES DR.**, from the north line of Lot 15, Block 2 to the south line of Silverado Ct., with plans and specifications to be furnished by the City Engineer of the City of Clearwater, Kansas. Storm Sewer to be installed as necessary. Sidewalk to be installed as approved by City of Clearwater.
- (b) The estimated and probable cost of the Project is Six Hundred Seventy-Two Thousand Dollars (\$672,000), payable by the Benefit District as outlined below. Said estimated cost as above set forth may be increased to include temporary interest or finance costs incurred during the course of design and construction of the Project, and also may be increased at the rate of 1 percent per month from and after the date of submission of the Petition to the City.

If this improvement is abandoned, altered and/or constructed privately in part or whole that precludes building this improvement under the authority of this petition, any costs that the City of Clearwater incurs shall be assessed to the property described above in accordance with the terms of the petition. In addition, if the improvement is abandoned at any state during the design and/or construction of the improvement or if it is necessary for the City of Clearwater to redesign, repair or reconstruct the improvement after its initial design and/or construction because the design or construction does not meet the requirements of the City, then such costs associated with the redesign, repair or reconstruction of said improvement shall be assessed to the property described above in accordance with the terms of this petition.

- (c) The apportionment of the cost of the Improvements, between the Improvement District and the City at large, is: 100% to be assessed against the Improvement District and 0% to be paid by the City-at-large.

- (d) That the method of assessment of all costs of the improvement for which the improvement district shall be liable shall be on a fractional basis:

That the following described lots and tracts situated in **Indian Ridge at Clearwater**, Clearwater, Sedgwick County, Kansas shall each pay **31/1572** of the total cost payable by the improvement district:

Indian Ridge at Clearwater

Lots 12 – 15, Block 1

Lots 3 – 6, Block 2

Lots 11 – 14, Block 2

That the following described lots and tracts situated in **Indian Ridge at Clearwater**, Clearwater, Sedgwick County, Kansas shall each pay **75/1572** of the total cost payable by the improvement district:

Indian Ridge at Clearwater

Lots 16 – 23, Block 1

Lots 7 – 10, Block 2

Lots 1 – 4, Block 3

Where the ownership of a single lot or tract is or may be divided into two or more parcels, the assessment to the lot or tract so divided shall be assessed to each ownership or parcel on a square foot basis, or per the terms of a re-spread agreement submitted to the City of Clearwater.

2. It is requested that the improvements hereby petitioned be made without notice and hearing, which but for this request, would be required by K.S.A. 12-6a04. This petition may be combined with other petitions of similar nature in order to form one public improvement project.

3. That names may not be withdrawn from this petition by the signers thereof after the Governing body commences consideration of the petition or later than seven (7) days after filing, whichever comes first.

4. That when this petition has been filed with the City Clerk and it has been certified that the signatures thereon are according to the records of the Register of Deeds of Sedgwick County, Kansas, the petition may be found sufficient if signed by either (1) a majority of the resident owners of record of property liable for assessment under the proposal, or (2) the resident owners of record of more than one-half of the area liable for assessment under the proposal, or (3) the owners of record (whether resident or not) of more than one-half of the area liable for assessment under the proposal. The Governing Body is requested to proceed in the manner provided by statute to the end that the petitioned improvements may be expeditiously completed and placed in use.

WITNESS our signatures attached with respect to each of which is indicated the property owned and the date of signing.

LEGAL DESCRIPTION

SIGNATURE

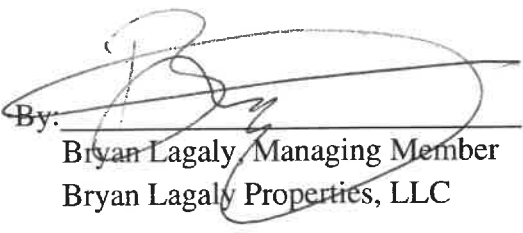
DATE

Indian Ridge at Clearwater

Lots 12 – 23, Block 1

Lots 3 – 14, Block 2

Lots 1 – 4, Block 3

By: 

Bryan Lagaly, Managing Member
Bryan Lagaly Properties, LLC

9-25-25

**EXCERPT OF MINUTES OF A MEETING
OF THE GOVERNING BODY OF
THE CITY OF CLEARWATER, KANSAS
HELD ON OCTOBER 14, 2025**

The governing body met in regular session at the usual meeting place in the City, at 6:30 p.m., the following members being present and participating, to-wit:

Absent:

The Mayor declared that a quorum was present and called the meeting to order.

* * * * *

(Other Proceedings)

Thereupon, and among other business, there was presented to the governing body a Petition which has been filed in the Office of the City Clerk requesting the making of certain internal improvements in the City pursuant to the authority of K.S.A. 12-6a01 *et seq.*

Thereupon, there was presented a Resolution entitled:

A RESOLUTION DETERMINING THE ADVISABILITY OF THE MAKING OF CERTAIN INTERNAL IMPROVEMENTS IN THE CITY OF CLEARWATER, KANSAS; MAKING CERTAIN FINDINGS WITH RESPECT THERETO; AUTHORIZING AND PROVIDING FOR THE MAKING OF THE IMPROVEMENTS IN ACCORDANCE WITH SUCH FINDINGS (PAVING IMPROVEMENTS/INDIAN RIDGE AT CLEARWATER - PHASE 2); AND AMENDING, RESTATING AND REPEALING RESOLUTION NO. 05-2025.

Thereupon, Councilmember _____ moved that said Resolution be adopted. The motion was seconded by Councilmember _____. Said Resolution was duly read and considered, and upon being put, the motion for the adoption of said Resolution was carried by the vote of the governing body, the vote being as follows:

Yea: _____

Nay: _____

Thereupon, the Mayor declared said Resolution duly adopted and the Resolution was then duly numbered Resolution No. __-2025 and was signed by the Mayor and attested by the Clerk; and the Clerk was further directed to cause the publication of the Resolution one time in the official City newspaper and to record the Resolution in the Office of the Register of Deeds of Sedgwick County, Kansas, all as required by law.

* * * * *

(Other Proceedings)

On motion duly made, seconded and carried, the meeting thereupon adjourned.

CERTIFICATE

I hereby certify that the foregoing Excerpt of Minutes is a true and correct excerpt of the proceedings of the governing body of the City of Clearwater, Kansas, held on the date stated therein, and that the official minutes of such proceedings are on file in my office.

(SEAL)

Clerk

(Published in the *Times-Sentinel*, on October __ 2025)

RESOLUTION NO. [____]

A RESOLUTION DETERMINING THE ADVISABILITY OF THE MAKING OF CERTAIN INTERNAL IMPROVEMENTS IN THE CITY OF CLEARWATER, KANSAS; MAKING CERTAIN FINDINGS WITH RESPECT THERETO; AUTHORIZING AND PROVIDING FOR THE MAKING OF THE IMPROVEMENTS IN ACCORDANCE WITH SUCH FINDINGS (PAVING IMPROVEMENTS/INDIAN RIDGE AT CLEARWATER - PHASE 2); AND AMENDING, RESTATING AND REPEALING RESOLUTION NO. 05-2025.

WHEREAS, a new Petition was filed with the City Clerk of the City of Clearwater, Kansas (the "City") proposing certain internal improvements; and said Petition sets forth: (a) the general nature of the proposed improvements; (b) the estimated or probable cost of the proposed improvements; (c) the extent of the proposed improvement district to be assessed for the cost of the proposed improvements; (d) the proposed method of assessment; (e) the proposed apportionment of the cost between the improvement district and the City at large; and (f) a request that such improvements be made without notice and hearing as required by K.S.A. 12-6a04(1) (the "Act"); and

WHEREAS, the governing body of the City hereby finds and determines that said Petition was signed by all owners of record of the property liable for assessment for the proposed improvements, and is therefore sufficient in accordance with the provisions of the Act; and

WHEREAS, the Petition will replace a petition previously submitted with respect to the Improvements, and it is therefore necessary to amend, restate and repeal Resolution No. 05-2025 of the City.

THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF CLEARWATER, KANSAS:

Section 1. Findings of Advisability. The governing body hereby finds and determines that:

(a) It is advisable to make the following improvements (the "Improvements"):

That there be constructed pavement on TOMAHAWK ST. from the north line of Lot 11, Block 1 to the west line of Indian Lakes Dr. including eyebrow cul-de-sac; INDIAN LAKES DR. from the north line of Lot 15, Block 2 to the south line of Silverado Ct., with plans and specifications to be furnished by the City Engineer of the City of Clearwater, Kansas. Storm Sewer to be installed as necessary. Sidewalk to be installed as approved by City of Clearwater.

(b) The estimated or probable cost of the Improvements is: \$672,000. Said estimated cost may be increased to include temporary interest or finance costs incurred during the course of design and construction of the Improvements, and also may be increased at the pro rata rate of 1 percent per month from and after the date of submission of the Petition to the City.

(c) The extent of the improvement district (the “Improvement District”) to be assessed for the cost of the Improvements is:

Indian Ridge at Clearwater Addition

Lots 12 – 23, Block 1

Lots 3 – 14, Block 2

Lots 1 – 4, Block 3

in the City of Clearwater, Sedgwick County, Kansas.

(d) That the method of assessment of all costs of the Improvement for which the Improvement District shall be liable shall be on a fractional basis.

That the following described lots and tracts situated in **Indian Ridge at Clearwater Addition**, in the City of Clearwater, Sedgwick County, Kansas shall each pay 31/1572 of the total cost payable by the Improvement District:

Indian Ridge at Clearwater

Lots 12 – 15, Block 1

Lots 3 – 6, Block 2

Lots 11 – 14, Block 2

That the following described lots and tracts situated in **Indian Ridge at Clearwater Addition**, in the City of Clearwater, Sedgwick County, Kansas shall each pay 75/1572 of the total cost payable by the Improvement District:

Indian Ridge at Clearwater

Lots 16 - 23, Block 1

Lots 7 – 10, Block 2

Lots 1 – 4, Block 3

Where the ownership of a single lot or tract is or may be divided into two or more parcels, the assessment to the lot or tract so divided shall be assessed to each ownership or parcel on a square foot basis, or per the terms of a re-spread agreement submitted to the City of Clearwater.

(e) The apportionment of the cost of the Improvements, between the Improvement District and the City at large, is: 100% to be assessed against the Improvement District and 0% to be paid by the City-at-large.

If the Improvements are abandoned, altered and/or constructed privately in part or whole that precludes building the Improvements under the authority of this Resolution, any costs that the City incurs shall be assessed to the property described above in accordance with the terms of the Petition. In addition, if the Improvements are abandoned at any state during the design and/or construction of the Improvements or if it is necessary for the City to redesign, repair or reconstruct the Improvements after initial design and/or construction because the design or construction does not meet the requirements of the City, then such costs associated with the redesign, repair or reconstruction of said Improvements shall be assessed to the property described above in accordance with the terms of this Resolution.

Section 2. Authorization of Improvements. The abovesaid Improvements are hereby authorized and ordered to be made in accordance with the findings of the governing body of the City as set forth in **Section 1** of this Resolution.

Section 3. Bond Authority; Reimbursement. The Act provides for the Improvements to be paid by the issuance of general obligation bonds or special obligation bonds of the City (the "Bonds"). The Bonds may be issued to reimburse expenditures made on or after the date which is 60 days before the date of Resolution No. 02-2025, pursuant to Treasury Regulation 1.150-2.

Section 4. Repealer. The provisions of Resolution No. 05-2025 are hereby amended, restated and repealed.

Section 5. Effective Date. This Resolution shall be effective upon adoption. This Resolution shall be published one time in the official City newspaper, and shall also be filed of record in the office of the Register of Deeds of Sedgwick County, Kansas.

[BALANCE OF THIS PAGE INTENTIONALLY LEFT BLANK]

ADOPTED by the governing body of the City on October 14, 2025.

(SEAL)

Burt Ussery, Mayor

ATTEST:

Jaye Poe, Clerk

CERTIFICATE

I hereby certify that the above and foregoing is a true and correct copy of the Resolution of the City adopted by the governing body on October 14, 2025 as the same appears of record in my office.

DATED: October 14, 2025.

Jaye Poe, Clerk

**City of Clearwater
City Council Meeting
October 14, 2025**

Notice of Award for Paving – Indian Ridge Phase 2

Context: At the February 11, 2025, City Council meeting the Governing Body Approved Resolution 05-2025 and 07-2025 authorizing paving for Indian Ridge Phase 2.

Paving bids were opened Thursday, September 25, 2025, at 11:30 am. Three responses were received with Pearson Construction being the lowest bid at \$506,493.30.

Pearson Construction	\$506,496.30
APAC	\$575,073.40
Conspec	\$575,235.40

Financial: The improvements will be rolled into special assessments when permanent financing is received.

Legal Considerations: Review and comment as necessary

Recommendations/Actions:

Motion 1: Approve the Notice of Award to Pearson Construction for paving improvements to Indian Ridge Phase 2.

Motion 2: Authorize the Mayor to sign the construction documents when ready.

Bid Item Description	UOM	QUANTITY	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL
			Engineers Estimate			Pearson			APAC	
									Conspc	
Site Clearing	LS	1	\$0.00	\$1,428.00	\$35,000.00	\$35,000.00	\$35,000.00	\$35,000.00	\$94,800.00	\$94,800.00
Excavation	CY	12389	\$2.00	\$24,778.00	\$5.00	\$61,945.00	\$5.80	\$71,856.20	\$5.80	\$71,856.20
Fill, Compacted (95% Density)	CY	5375	\$1.50	\$8,062.50	\$1.00	\$5,375.00	\$1.25	\$6,718.75	\$1.25	\$6,718.75
Type B Fill	CY	2264	\$1.00	\$2,264.00	\$1.50	\$3,396.00	\$0.75	\$1,698.00	\$0.75	\$1,698.00
Rip-Rap, Light Stone	SY	35	\$75.00	\$2,625.00	\$125.00	\$4,375.00	\$125.00	\$4,375.00	\$125.00	\$4,375.00
Contractor Haul off	CY	4749	\$8.00	\$37,992.00	\$16.00	\$75,984.00	\$16.55	\$78,595.95	\$16.55	\$78,595.95
Pipe, SWS 15"	LF	313	\$60.00	\$18,780.00	\$61.00	\$19,093.00	\$85.00	\$26,605.00	\$85.00	\$26,605.00
Pipe, SWS 18"	LF	100	\$70.00	\$7,000.00	\$104.00	\$10,400.00	\$105.00	\$10,500.00	\$105.00	\$10,500.00
Inlet, Grated Driveway, Double	EA	2	\$7,500.00	\$15,000.00	\$8,300.00	\$16,600.00	\$8,545.00	\$17,090.00	\$8,545.00	\$17,090.00
Inlet, Backyard (D=4')	EA	2	\$3,500.00	\$7,000.00	\$5,000.00	\$10,000.00	\$3,305.00	\$6,610.00	\$3,305.00	\$6,610.00
Sand Backfill Jet & Vibrate	LF	25	\$50.00	\$1,250.00	\$12.00	\$300.00	\$10.00	\$250.00	\$10.00	\$250.00
Testing	LS	1	\$2,000.00	\$2,000.00	\$6,178.00	\$6,178.00	\$11,000.00	\$11,000.00	\$7,000.00	\$7,000.00
Site Restoration	LS	1	\$100.00	\$100.00	\$6,000.00	\$6,000.00	\$41,500.00	\$41,500.00	\$1,500.00	\$1,500.00
Sawcut	LF	91	\$25.00	\$2,275.00	\$3.00	\$273.00	\$6.00	\$546.00	\$4.00	\$364.00
BMP, Curb Inlet Protection	EA	2	\$100.00	\$200.00	\$220.00	\$440.00	\$85.00	\$170.00	\$85.00	\$170.00
BMP, Drop Inlet Protection	EA	3	\$100.00	\$300.00	\$153.00	\$459.00	\$85.00	\$255.00	\$85.00	\$255.00
BMP, Erosion Control Blanket	SY	2502	\$1.00	\$2,502.00	\$1.15	\$2,877.30	\$1.25	\$3,127.50	\$1.25	\$3,127.50
Maintain Existing BMPs	LS	1	\$500.00	\$500.00	\$200.00	\$200.00	\$250.00	\$250.00	\$250.00	\$250.00
AC Pavement 5" (3" Bit Base)	SY	4185	\$23.00	\$96,255.00	\$23.00	\$96,255.00	\$21.50	\$89,977.50	\$22.00	\$92,070.00
Concrete Pavement (VG) 7" (Reinf)	SY	251	\$80.00	\$20,080.00	\$74.00	\$18,574.00	\$75.00	\$18,825.00	\$70.00	\$17,570.00
Crushed Rock Base 6", Reinforced	SY	5507	\$10.00	\$55,070.00	\$10.00	\$55,070.00	\$10.75	\$59,200.25	\$10.00	\$55,070.00
Concrete C & G, Type 2 (3-5/8" RL & 1-1/2"	LF	2718	\$15.00	\$40,770.00	\$12.00	\$32,616.00	\$14.00	\$38,052.00	\$12.00	\$32,616.00
Concrete Curb, Mono Edge (3-5/8" & 1-1/2"	LF	54	\$15.00	\$810.00	\$11.00	\$594.00	\$3.75	\$202.50	\$3.00	\$162.00
Concrete Curb, Mono Edge (6-5/8" & 1-1/2")	LF	73	\$16.00	\$1,168.00	\$12.00	\$876.00	\$4.25	\$310.25	\$3.00	\$219.00
Concrete Sidewalk 6"	SF	7274	\$6.00	\$43,644.00	\$4.00	\$29,096.00	\$5.25	\$38,188.50	\$4.50	\$32,733.00
Wheelchair Ramp w/ Detectable Warnings	EA	2	\$500.00	\$1,000.00	\$1,100.00	\$2,200.00	\$800.00	\$1,600.00	\$600.00	\$1,200.00
Inlet Hookups	EA	2	\$500.00	\$1,000.00	\$650.00	\$1,300.00	\$450.00	\$900.00	\$600.00	\$1,200.00
Inlet Underdrain	LF	40	\$25.00	\$1,000.00	\$25.00	\$1,000.00	\$27.00	\$1,080.00	\$1.00	\$40.00
MH Adjusted	EA	1	\$1,250.00	\$1,250.00	\$1,500.00	\$1,500.00	\$1,990.00	\$1,990.00	\$1,990.00	\$1,990.00
Seeding	LS	1	\$1,000.00	\$1,000.00	\$7,520.00	\$7,520.00	\$7,600.00	\$7,600.00	\$7,600.00	\$7,600.00
Signing	LS	1	\$1,000.00	\$1,000.00	\$1,000.00	\$1,000.00	\$1,000.00	\$1,000.00	\$1,000.00	\$1,000.00
CONSTRUCTION ESTIMATE				\$394,853.50		\$506,496.30		\$575,073.40		\$575,235.40

Notice of Award

Dated

Project: Indian Ridge Phase 2 – Paving Improvements	Owner: City of Clearwater	Owner's Contract No.:
Contract: Indian Ridge Phase 2 – Paving Improvements		Engineer's Project No.: 22T41351
Bidder: Pearson Construction		
Bidder's Address: (send Certified Mail, Return Receipt Requested) 1919 SW Boulevard, Wichita, KS		

You are notified that your Bid dated September 25th, 2025 for the above Contract has been considered. You are the Successful Bidder and are awarded a Contract for Indian Ridge Addition Phase 2 Paving Improvements.

(Indicate total Work, alternates or sections or Work awarded.)

The Contract Price of your Contract is \$506,496.30 (Five Hundred Six Thousand Four Hundred Ninety-Six Dollars and 30 cents).

(Insert appropriate data if Unit Prices are used. Change language for Cost-Plus contracts.)

3 copies of each of the proposed Contract Documents (except Drawings) accompany this Notice of Award.

3 sets of the Drawings will be delivered separately or otherwise made available to you immediately.

You must comply with the following conditions precedent within [15] days of the date you receive this Notice of Award.

1. Deliver to the Owner [three] fully executed counterparts of the Contract Documents.
2. Deliver with the executed Contract Documents the Contract security [Bonds] as specified in the Instructions to Bidders, and General Conditions.
3. Other conditions precedent:

Failure to comply with these conditions within the time specified will entitle Owner to consider you in default, annul this Notice of Award and declare your Bid security forfeited.

Within ten days after you comply with the above conditions, Owner will return to you one fully executed counterpart of the Contract Documents.

	_____	Owner
By:	_____	Authorized Signature
	_____	Title

Copy to Engineer

**City of Clearwater
City Council Meeting
October 14, 2025**

CED. - Engineering Services for Indian Ridge PH 2 Paving

Context: Certified Engineering Design, P.A., CED, is City of Clearwater engineer. They review all infrastructure plans to ensure they are designed according to the City's code and in the best interest of the infrastructure.

Garver has been hired as the engineer for Indian Ridge and CED, as the city's engineer, should review the plans and consult the engineer and contractors on the project and also conduct onsite inspection during the construction phase.

Financial: The city's engineer cost is part of the overall cost of the project and will be rolled into the special assessments of the properties. CED's portion of the paving project is not to exceed \$39,854.

Legal Considerations: Review and comment as necessary.

Recommendation: Authorize the mayor to execute the engineering services contract between City of Clearwater and Certified Engineering Design, P.A. for engineering services for Indian Ridge Phase 2 paving.

CONTRACT
FOR
ENGINEERING SERVICES
BETWEEN
THE CITY OF CLEARWATER, KANSAS

AND
**CERTIFIED ENGINEERING DESIGN, P.A.
1935 West Maple
Wichita, Kansas 67213**

**DRAINAGE AND PAVING IMPROVEMENTS FOR INDIAN RIDGE AT
CLEARWATER ADDITION PHASE 2**

THIS CONTRACT, made this ____ day of _____, 2025, by and between THE CITY OF CLEARWATER, KANSAS, party of the first part, hereinafter referred to as the "CITY" and CERTIFIED ENGINEERING DESIGN P.A., Wichita, Kansas, party of the second part, hereinafter referred to as the "CONSULTANT".

WITNESSETH:

WHEREAS the CITY intends to construct drainage and paving improvements for Indian Ridge at Clearwater Addition, in Clearwater, Sedgwick County, Kansas.

All of the aforesaid being located within the corporate limits of the CITY, and hereinafter referred to as the "PROJECT"; and

WHEREAS, the CITY is authorized by law to employ a consulting engineer to assist in the construction engineering and inspection for the PROJECT ; and

NOW, THEREFORE, the parties hereto do mutually agree as follows:

I. SCOPE OF SERVICES

The CONSULTANT shall furnish the engineering services as required for construction engineering and inspection for the PROJECT.

A. CONSTRUCTION PHASE SERVICES

1. Transmit directions to the Contractor and provide guidance in the proper interpretation of the Contract Documents through consultation with the CITY.
2. Perform measurements and surveys that are required for documentation of work performed and for determination of Contractor's final pay quantities.
3. Provide adequate on-site inspection of the work, such services to be provided by experienced and qualified personnel who shall be responsible for observing the progress and quality of the executed work and determining that the work is proceeding in accordance with the Contract Documents.
4. Take field samples and/or test materials to be incorporated in the work, and reject or advise rejection of those not meeting the provisions of the Contract Documents.
5. Receive and review all test report records or certificates of compliance for materials tested off the Project site prior to the incorporation in the work.
6. Keep and maintain such daily diaries, logs and records as are needed for a complete record of the Contractor's progress.
7. Measure and compute all materials identified in the bid items incorporated in the work and applicable pay items of work completed, and maintain an item account record.
8. Provide and submit CITY such periodic, intermediate and final reports and records as may be required by the CITY and as are applicable to the PROJECT.

9. To prepare and deliver (when PROJECT is completed) one certified copy (Bond) of "as-built" or "record" plans to the CITY.

II. IN ADDITION, THE CONSULTANT AGREES:

A. To provide the various technical and professional services, equipment, material and transportation to perform the tasks as outlined in SCOPE OF SERVICES.

B. To attend meetings with the CITY and other local, state and federal agencies as necessitated by the PROJECT.

C. To make available during regular office hours at its Wichita office, all calculations, sketches and drawings such as the CITY may wish to examine periodically during performance of this agreement.

D. To accept compensation for the work herein described in such amounts and at such periods as hereinafter provided and that such compensation shall be satisfactory and sufficient payment for all work performed, equipment or materials used and services rendered in connection with such work.

E. To submit to the CITY progress billings for construction phase services.

F. CONSULTANT shall procure and maintain such insurance as will protect the CONSULTANT from damages, resulting from errors, omissions and negligent acts of the CONSULTANT, its agents, officers, employees and subcontractors in the performance of the professional services rendered under this agreement and for which he is legally liable. Such policy of insurance shall be in an amount not less than \$2,000,000.00. In addition, a Workers' Compensation and Employer's Liability Policy shall be procured and maintained. This policy shall include an "all state" endorsement. Said insurance policy shall also cover claims for injury, disease or death of employees arising out of and in the course of their employment, which, for any reason, may not fall within the provisions of the Workers' Compensation Laws. The liability limit shall be not less than:

Workers' Compensation - Statutory

Employer's Liability - \$2, 000,000 each occurrence

Further, a comprehensive general liability policy shall be procured and maintained

by the CONSULTANT that shall be written in a comprehensive form and shall protect CONSULTANT against all claims arising from injuries to persons (other than CONSULTANT'S employees) or damage to property of the CITY or others arising out of any negligent act or omission of CONSULTANT, its agents, officers, employees or subcontractors in the performance of CONSULTANT services under this Agreement. The liability limit shall not be less than \$2,000,000 per occurrence for bodily injury, death and property damage. Satisfactory Certificates of Insurance shall be filed with the CITY prior to the time CONSULTANT starts any work under this agreement. The CONSULTANT shall furnish the CITY copies of all insurance policies or certificates of insurance that relate to the insurance policies that must be maintained hereunder. In addition, insurance policies applicable hereto shall contain a provision that provides that the CITY shall be given thirty (30) days written notice by the insurance company before such policy is substantially changed or canceled.

III. THE CITY AGREES:

A. To furnish all available data pertaining to the PROJECT now in the City's Office.

B. To pay the CONSULTANT for his services in accordance with the requirements of this agreement.

C. To provide the right of entry for CONSULTANT'S personnel in performing field surveys and inspections.

IV. PAYMENT PROVISIONS

A. Payment to the CONSULTANT for the performance of construction inspection services required by this agreement shall be made on the basis of the lump sum fee amount specified below, which shall not be exceeded.

Indian Ridge at Clearwater Addition – Drainage & Paving Improvements (Not-to Exceed)

Construction Admin and Inspection Drainage & Paving Improvements	\$ 39,854
TOTAL	\$ 39,854

B. Reimburse the CONSULTANT for Construction Material Testing services for the project as ordered by the CONSULTANT'S inspector.

C. If additional work should be necessary by virtue of major changes in the scope of the proposed PROJECT, the CONSULTANT will be given written notice by the CITY along with a request for an estimate of the lump sum fee for performance of such additions; but no additional work shall be performed nor shall additional compensation be paid except on the basis of a Supplemental Agreement duly entered into by the parties.

V. THE PARTIES HERETO MUTUALLY AGREE:

A. That the right is reserved to the CITY to terminate this agreement at any time, upon written notice, in the event the PROJECT is to be abandoned or indefinitely postponed, or because of the CONSULTANT'S inability to proceed with the work, or because the services of the CONSULTANT are unsatisfactory; PROVIDED, however, that in any case the CONSULTANT shall be paid the reasonable value of the services rendered up to the time of termination on the basis of the provisions of this agreement, but in no case shall payment be more than the CONSULTANT'S actual costs plus a fee for profit based upon a fixed percentage of the CONSULTANT'S actual costs.

B. That the services, except for surveying, to be performed by the CONSULTANT under the terms of this agreement are personal and can not be assigned, sublet or transferred without specific consent of the CITY.

C. In the event of unavoidable delays in the progress of the work contemplated by this agreement, reasonable extensions in the time allotted for the work will be granted by the CITY, provided however, that the CONSULTANT shall request extensions, in writing, giving the reasons therefore.

D. It is further agreed that this agreement and all contracts entered into under the provisions of this agreement shall be binding upon the parties hereto and their successors and assigns.

IN WITNESS WHEREOF, THE CONSULTANT has executed this agreement and THE CITY has caused this agreement to be signed by its Mayor and attested by its City Clerk with the seal of the City of Clearwater, Kansas impressed thereon on the day and year first above written.

CERTIFIED ENGINEERING DESIGN, P.A.

A handwritten signature in black ink, appearing to read "Logan J. Mills", written over a horizontal line.

Logan J. Mills, PE, PS

CITY OF CLEARWATER, KANSAS

Burt Ussery, Mayor

ATTEST:

Jaye Poe, City Clerk

CITY OF CLEARWATER, KANSAS

RESOLUTION NO. _____

A RESOLUTION DETERMINING THAT A NUISANCE EXISTS WITHIN
THE CORPORATE LIMITS OF THE CITY OF CLEARWATER, KANSAS
AND ORDERING THE REMOVAL AND ABATEMENT OF SAID
NUISANCE AT 130 N GRANT CLEARWATER, KANSAS.

WHEREAS, the provisions of K.S.A. 12-1617e and Section 8-609 of the City of Clearwater's City Code empower the Governing Body of the City of Clearwater, Kansas to determine by resolution that a nuisance exists based upon an official written statement filed with the City Clerk identifying a nuisance and stating that such nuisance is a menace and dangerous to the health of the inhabitants of the City, or of any neighborhood, family or resident of the City; and

WHEREAS, the provisions of K.S.A. 12-1617e and Section 8-609 of the City of Clearwater's City Code further empower the Governing Body of the City of Clearwater, Kansas to thereupon order the owner or agent of the owner of property to remove and abate any and all nuisances from any lot or parcel of ground within the City of Clearwater, Kansas, and if the owner or agent fails to comply with the requirements of the order, to proceed to have the things described in the order removed and abated from the lot or parcel of ground; and

WHEREAS, on the November 20th, 2024, an initial notice of violation was left at the front door of the property located at 130 N. Grant, Clearwater, Kansas.

WHEREAS, on January 13th, 2025, additional notices of violation were delivered to the property owners detailing the violations present at 130 N. Grant and giving the property owners ten days to remove the violation and said violation was not removed.

WHEREAS, on May 2, 2025, an official written statement was provided to the City detailing the violations present and notices provided to the property owners of 130 N. Grant;

WHEREAS, said official written statement stated that such identified nuisance is a menace and dangerous to the health, safety, or general welfare of the inhabitants of the City, or of any neighborhood, family or resident of the City.

WHEREAS, on May 13, 2025, a hearing was held before the governing body of the City of Clearwater, Kansas, at which time the property owners were granted an extension of time to address and abate the violation or request further hearing.

WHEREAS, subsequent extensions were granted, allowing the property owners to address and abate the violation by October 14, 2025;

WHEREAS, the violations identified in the official written statement remain unabated.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF CLEARWATER, KANSAS:

Section 1. After reviewing the official written statement filed with the City Clerk identifying the nuisances described as follows:

8-608. Unlawful acts. *It shall be unlawful for any person to allow to exist on any residential, commercial or industrial premises, conditions which are injurious to the health, safety or general welfare of the residents of the community or conditions which are detrimental to adjoining property, the neighborhood or the city. For the purpose of fair and efficient enforcement and administration, such unlawful conditions shall be classified as follows:*

(a) Exterior conditions (yard) shall include, but not be limited to, the scattering over or the parking, leaving, depositing or accumulation on the yard of any of the following:

(1) lumber, wire, metal, tires, concrete, masonry products, plastic products, supplies, equipment, machinery, auto parts, junk or refuse;

(2) abandoned motor vehicles; or

(3) furniture, stoves, refrigerators, televisions, sinks, bicycles, lawn mowers, or other such items of personal property.

(4) nauseous substances, carcasses of dead animals or places where animals are kept in an offensive manner.

the Governing Body of the City of Clearwater, Kansas determines that such nuisances do exist and are a menace and dangerous to the health, safety, and general welfare of the inhabitants of the City of Clearwater, Kansas, and/or of a neighborhood, family or resident of the City of Clearwater, Kansas.

Section 2. The Governing Body of the City of Clearwater, Kansas herewith orders the owner and/or agent of the owner of the property located at *130 N Grant Clearwater, Kansas 67026* to remove and abate from said property, on or before the *24th day of October 2025*, the nuisance described as follows:

All inoperable vehicles or vehicle accessories must be removed from the property. If vehicles are operable, they must have current registration with the county.

Section 3. The Governing Body of the City of Clearwater, Kansas further orders the owner and/or agent of the owner of the property located at *130 N Grant Clearwater, Kansas 67026* to remove and abate from said property, on or before the *24th day of October 2025*, the nuisance described as follows:

All pots and debris located on and around the yard of the property.

Section 4. Before the expiration of the above-stated ten (10) day-time period or any extension thereof, the recipient thereof may request a hearing before the City Administrator of the City of Clearwater, Kansas. The governing body of the City of Clearwater, Kansas hereby authorizes the City Administrator to grant written extensions of the above-stated ten-day time if the owner and/or agent of the owner of the property demonstrates that due diligence is being exercised in abating the nuisance.

Section 5. If, at the expiration of the above-stated ten (10) daytime period or final extension thereof, the above-described nuisance is not successfully removed and abated by the owner or agent of the owner, the City of Clearwater, Kansas may lead to charges against you in the Clearwater Municipal Court that may be punished by a fine of not less than fifty (\$50) and not more than one hundred dollars (\$100) plus court costs for each violation. Each day of noncompliance constitutes a separate offense. (Sec 16-3 Clearwater Municipal Code)

Section 6. In addition, or as an alternative to filing charges against you in municipal court as provided in Section 5, above, if the nuisance remains unabated at the expiration of 10 days from the date of passage of this Resolution, the City may seek to remedy the above stated violations. All costs incurred by the City to effectuate abatement shall be charged against the lot or parcel of ground on which the nuisance is located pursuant to Section 8-611 and 8-614 of the Clearwater Municipal Code.

Section 7. In accordance with K.S.A. 12-1617e, this Resolution shall be served on the owner or agent of the owner of the property by mailing it via certified mail, return receipt requested, or by personal service. If the property is unoccupied and the owner is a nonresident, this Resolution shall be served by mailing it via certified mail, return receipt requested, to the last known address of the owner.

Adopted by the City Council this ____ day of _____, 20__.

Approved by the Mayor this ____ day of _____, 20__.

MAYOR, BURT USSERY

ATTEST:

CITY CLERK, JAYE POE

NOTICE OF SERVICE

I certify that on this ____ day of _____, 20__, a copy of the foregoing Resolution was served on _____, as the owner or agent of the owner of the property, and whose address is _____, by:

____ mailing it via certified mail, return receipt requested, to the above address, or

____ personal service.
