

City of Clearwater, Kansas
Sedgwick County
City Council Meeting - **MINUTES**
October 14, 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, Samantha Warkins, Shirley Palmer-Witt and Tim Robben.

The following staff members were present:

City Administrator Zollinger, City Clerk Poe, Cole Hollis, Amber Ives, Kirk Ives and City Attorney, Jennifer Hill.

Others present who spoke:

Larry Kleeman. Kendall Pierce was present via GoTo Meetings.

3. Approval of Agenda

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

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

4. Public Forum

None.

5. Consent Agenda

Mayor Ussery asked if there was any question on the consent agenda and if not asked for a motion to approve.

Previous Council Meeting Minutes

Claims and Warrants

Mayoral Appointment – Fire Department

Accept Resignation – Fire Department

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

6. Staff Reports:

- Administration Office – Courtney Zollinger – Council asked if the City would continue with the current insurance, Zollinger stated that the renewal for Blue Cross and Blue Shield have not been received yet but a decision will be made after it is received and reviewed. Zollinger noted that alternative packages may be considered if the renewal terms are not favorable for employees. Robben asked how the budgeting is done for health insurance, Zollinger stated that a 7% increase is usually worked into the budget but depends on employee and employer costs. Mayor Ussery reiterated that there would be no workshop following tonight's meeting as the ISO document has not been received.
- Fire Department – Courtney Zollinger – Council inquired the difference of wildland and structured PPE, Zollinger believes it to be gloves and head protection but needs clarification from Chief Dinwiddie. Warkins asked if it should be worked into the budget since one of the grants was denied, Zollinger confirmed that it's worked into the budget already, the department looks for grant opportunities for the older gear to get switched out earlier than maybe needed. Council asked if different gears were used for the wildland work, Zollinger stated that different gear is used, and different task forces are used for large fires vs. wildland. Council inquired about the fire district coming into the City, Zollinger mentioned that records on auto/mutual aid given and received will be gathered. Zollinger and Chief Dinwiddie listened in on a call today with the County Commissioners discussing this topic. Zollinger reported that Fire District 1 has formed a committee to evaluate its current operations and

the aid provided to Cheney, Clearwater, Mount Hope, Valley Center, and Colwich. Although these cities maintain their own fire districts and do not pay taxes into Fire District 1, they receive auto or mutual aid from them raising questions about equity in service and funding. The committee drafted a Resolution for Sedgwick County to consider. The County Commissioners discussed the resolution today but have not adopted it. During the discussion, they raised concerns about the lack of communication with the affected cities and expressed interest in organizing a joint meeting with the affected local leaders to explore potential collaboration. Preliminary financial estimates from the County indicate that if all relevant cities and townships were incorporated into Fire District 1 and paid into it, the mill levy could potentially be reduced from 17 to 14. Clearwater will evaluate the current mill levy to operate the Fire Department, the aid given outside of district and the training of the department. Clearwater's current ISO rating is a 4, while some nearby areas served by Sedgwick County have ratings as low as 2 due to hydrants. Although no formal request has been made yet, Zollinger anticipates a future invitation for the Mayor, herself, and Jared to participate in a discussion with County and affected community leaders. Any decision for Clearwater to join Fire District 1 would require formal action by the City; the County cannot legally impose a tax on townships or districts that is currently not within Fire District 1. For townships. The City would have to sign an agreement, and a township would have to petition. Clearwater has an agreement with Ninnescah Township that started in 1959 with no indication of interest in leaving that arrangement. Robben asked whether Clearwater's ISO rating would improve if the City paid into the County's fire district. Zollinger responded that it could have an impact, as Clearwater currently operates a hydrant-based system and has an ISO rating of 4, whereas Sedgwick County is rated at 2. However, Clearwater's fire district does not currently extend five miles beyond the fire station. If Sedgwick County were to take over, rural areas without hydrant access would still be rated at a 4. Zollinger further explained that if no station were established in Clearwater and service were provided solely from stations in Goddard or Haysville—both over seven miles away—then rural properties could be rated a 10 due to distance from a responding station. However, it was not discussed on the intention of putting in stations. Robben stated that he believes the intention is to seek funding for mutual aid and wondered if paying into that would help Clearwater's ISO. He also emphasized that Clearwater is a volunteer department and handles most of its own calls. Zollinger confirmed that Clearwater has responded to all but three calls so far this year. Mayor Ussery noted that if Sedgwick County were to assume responsibility for fire services in Clearwater, the estimated cost would be approximately \$800,000—equivalent to 16–17 mills. In comparison, the City currently levies about 7 mills for fire services, generating roughly \$90,000 annually. He emphasized that even with the increased cost, the ISO rating may not improve, as those ratings are primarily influenced by the location. If the county assumed responsibility, we could still maintain our own department with the support of our own mill levy. There would be an additional mill levy on top of that, that the taxpayers would pay, not the city, to support the county. Mayor Ussery stated decisions in the future will be driven by responsiveness first and money second. It was noted that Clearwater already partners with Sedgwick County for EMS services, which are provided 7 days a week, 12 hours a day and the City supports ourselves 50 percent of the time. Residents currently pay taxes to support this service. Zollinger will gather all information on mutual aid given, received and history to take to the discussion with the County.

- Police Department – Kirk Ives – None.
- Public Works/Parks – Cole Hollis – Palmer-Witt asked about the rebuilt post lamps at City Park, Hollis stated that it was normal wear and tear, they had to be rebuilt as the company who made them are no longer in business. Robben asked about the paint coming off on the West end of the pool, Hollis said it is due to the slides and the water flow/ turbulence there. It will be painted again this year. Mayor Ussery mentioned painting the hydrants to beautify the city, Zollinger stated that Chief Dinwiddie is not in favor of doing that again. The Chief prefers hydrants be painted according to their water pressure ratings to assist emergency personnel in quickly identifying available pressure at a scene. Council inquired about the bridge project, Hollis said it was to start on October 27th, but was unsure of the length.
- Senior Center – Amber Ives– None.

7. Business

a. Petition Amendment for Indian Ridge Phase 2 Paving

In March 2025 the Governing Body accepted the petitions for improvements for Indian Ridge phase 2. After the paving bids were received at the end of September, they were above the engineer's estimates. This required Lagaly Properties to submit a revised petition stating to cover the expenses. The original petition for paving was \$505,000 paid by improvement district. The new petition is for \$672,000 to cover the construction costs, engineering costs and all inspection costs. The council will need to approve this revised petition and adopt resolution 17-2025 so the amounts can legally be part of the final financing. Shore asked how this would affect the specials, Zollinger stated that it would increase them but she does not have the dollar amount yet.

Motion: *Robben* moved, *Warkins* seconded to accept the petition and adopt Resolution 17-2025 Authorizing and Proving for the making of the paving improvements. Voted and passed unanimously.

b. Award Paving Bid for Indian Ridge Phase 2

In February, Council approved Resolution 05-2025 authorizing paving for Indian Ridge Phase 2, now 17-2025 for the amendment. Paving bids were opened Thursday, September 25 at 11:30 am. Three responses were received with Pearson Construction being the lowest bid at \$506,496.30, the other two companies were APAC bidding at \$575,073.40 and Conspex bidding at \$575,235.40. These are part of the special assessment to be rolled into permanent financing. Council inquired about the engineer's estimate, Zollinger stated it was \$349,000. They asked if there was something missed in the estimate, Zollinger stated that CED and Garver reviewed the bids and could only think that the companies did not need the work which is not uncommon. Shore asked if the bids should be put out for longer and broaden the reach, Zollinger and Warkins do not believe it is necessary after both engineers had reviewed it. Council asked if the cost will include streetlights, Zollinger stated that Evergy gives a budget to the developer, so it is never included in the construction since they get the money back from electric bills.

Motion: *Warkins* moved, *Shore* seconded to approve the Notice of Award to Pearson Construction for paving improvements to Indian Ridge Phase 2 for \$506,496.30. Voted and passed unanimously.

Motion: *Warkins* moved, *Palmer-Witt* seconded to authorize the Mayor to sign the construction documents when ready. Voted and passed unanimously.

c. Certified Engineering Design, P.A. Indian Ridge Phase 2 Engineering Service Contract

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 conduct onsite inspection during the construction phase. 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.

Motion: *Shore* moved, *Robben* seconded to 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. Voted and passed unanimously.

d. Funding Options for Indian Ridge Phase 2 Paving

The engineers estimates were higher for Indian Ridge Phase 2 water and sewer with the bids being received a few months ago. The temp note process started with the bid amounts rather than engineers estimates. The construction services and paving petition were added to this process. Instead of taking the petition amounts, which were much higher, we took the bid amounts and one petition (Paving), this has left funding short about \$182,000. Zollinger looked at different options such as CD's or starting another temporary note process. The CD wouldn't work due to limitations and final financing timing and the terms the city has been using for CD's are 1 year or less. The temp note would provide the necessary funds by mid-December; however, the City may need to cover the initial one or two invoices from cash flow before reimbursement began. If Council chooses to move forward with the temporary note, that process would begin at the next meeting. The construction contract was awarded tonight. The contractor has 30 days to begin work, followed by a 40-working-day completion window. Work is expected to begin in mid-November, with funding by mid-December, which is when we typically start seeing invoices come in, they usually are sent every 30 days. Mayor Ussery asked if the

Contractor would be willing to pay for it, Zollinger said it is an option and will ask Bryan tomorrow. Shore asked if the sales tax could be utilized, Zollinger mentioned that our money would be tied up for the length of time until it goes to final financing which would be 3 years, and the road project bond comes due prior to that which is what the sales tax is for. Larry had mentioned the note being called sooner, which means the property owners would start paying specials sooner but would be less interest. Mr. Kleeman said there was 3 years' worth of interest built into the temp note that was just issued, so the extra could go to the project cost instead of interest. Mr. Kleeman mentioned that this kind of thing happens every once in a while and is not uncommon to issue a second temp note. Zollinger believes that the temp note is the safest way to avoid tying up cash overflow. Council consensus was to bring the temp note to the next meeting for approval.

e. Update: 130 N Grant

At the May 13th Meeting, Council held a nuisance hearing for 130 N Grant stating a fence could be put up but all other planting containers needed to be behind the fence and the property must still maintain compliance. A 60-day grace period was given at that time but then extended until October 14th due to circumstances. The fence was constructed as of Friday, but buckets and tall grass remained. As of today, the buckets have been removed and the grass on the exterior of the fence has been mowed but there are still tall weeds behind the fence. Mr. Pierce spoke with Mr. Mishler today who told him that he plans on clearing up the rest of the weeds when it dries out. Zollinger stated that since the weeds on the inside still need to be taken care of, an extension would need to be granted or the Resolution be adopted tonight. Mr. Pierce requested that Council grants an extension and he will be out to check the property early next week.

Motion: Warkins moved, **Robben** seconded to extend the nuisance hearing for 130 N. Grant for 2 weeks. Voted and passed unanimously.

9. Governing Body

Shore – Asked if information was given about the bridge project so notification can be sent out, Zollinger stated that information has not been received, but will get with Sedgwick County.

Warkins – Asked if any offers have been received for the property on 135th and 95th, Zollinger said no offers have been received. Warkins thought the Fall Festival went good this year minus the large gap of volunteers. The dates for next year will be later in October due to the carnival scheduling around Labor Day. Clearwater is fortunate enough to still have a carnival as many other communities have lost it which is why the festival is scheduled around the carnival. Warkins mentioned Officer Jacks doing a good job with the donut eating contest.

Palmer-Witt – Will be gone for the next meeting and also heard great things about the festival.

Robben - None

Ussery – Reiterated the positive feedback from the festival and mentioned the community events coming up downtown.

10. Executive Session

None.

11. Adjournment

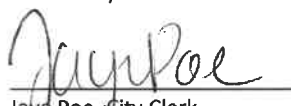
Motion: Palmer-Witt moved; **Warkins** seconded to adjourn the meeting. Voted and passed unanimously. The meeting adjourned at 7:19 PM.

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 October 14th, 2025, City Council meeting.

Given under my hand and official seal of the City of Clearwater, Kansas, this 28th day of October 2025.


Jaye Poe, City Clerk

