

City of Clearwater, Kansas
Sedgwick County
City Council Meeting - **MINUTES**
November 11, 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; Samantha Warkins, Justin Shore, Jason Gordon, Shirley Palmer-Witt and Tim Robben.

The following staff members were present:

City Administrator Zollinger, City Clerk Poe, Justin Patrick and City Attorney, Scott Ufford.

Others present who spoke:

Kendall Pierce.

3. Approval of Agenda

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

Motion: *Warkins* moved; *Gordon* 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, Shore had questions about the Christmas road closures, Mayor Ussery moved that item to the first business item.

Previous Council Meeting Minutes

Claims and Warrants

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

6. Staff Reports:

- Administration Office – Courtney Zollinger – Zollinger mentioned staff is off for Veterans Day so they will not be here except Fire.
- Fire Department – Justin Patrick – None.
- Police Department – Courtney Zollinger – None.
- Public Works/Parks – Courtney Zollinger – None.
- Senior Center – Courtney Zollinger – Mayor Ussery stated that the Veterans breakfast hosted by the FFA went very well this morning.

7. Business

a. Christmas Comes to Clearwater Road Closure

Shore asked whether the road closure needed to extend one more block to the east to accommodate the Baptist Church. Zollinger explained that everyone typically goes down that way for the live nativity and didn't believe the additional closure was necessary. In previous years, the road had been closed that far because there were multiple events from 1–4 p.m. at the church, but it was not closed last year and not recommended to close it this year.

Motion: *Shore* moved, *Palmer-Witt* seconded to approve the Christmas event road closures. Voted and passed unanimously.

b. Request for 2nd Command Vehicle

Norwich City Council has offered Clearwater Fire their old 2007 Chevy Trailblazer for free. A value of about \$3,600. The department would like to add it to the fleet as an additional Command Vehicle. The current Forestry Owned 1999 Tahoe is used by Justin Patrick so he can respond to the calls quicker. This would be used by Chief Dinwiddie to respond to calls for instant command and be used to go to training or meetings instead of a personal vehicle or rental car. The Trailblazer has about 145,000 miles on it. Dinwiddie says there is room at the station to house the vehicle. The cost for full coverage insurance is \$730 and liability is \$634. Council asked how insurance would be paid, Zollinger stated it would come out of the general fund, but the decals, paint and maintenance needed done would come from equipment reserve estimated to be \$2,500 - \$3,500. Shore suggested using a rental vehicle for long-distance training. Zollinger noted that most trainings and meetings are held nearby. Mayor Ussery inquired about mileage reimbursement for training. Zollinger and Patrick explained that reimbursement is not provided when a city vehicle is used, and that this vehicle would primarily be used for Chiefs meetings and continuing education attended by Dinwiddie and Patrick. Mayor Ussery stated if Norwich can give the City a vehicle, that is good. However, he does object to adding the vehicle to the City's fleet with the intent of replacing it at the end of its service life. He emphasized that the vehicle should not become part of the regular fleet rotation and recommended that it not be replaced once it is no longer operable. Palmer-Witt agreed with Mayor Ussery and asked why the Chief wouldn't just keep the vehicle at his house, Patrick stated Chief lives in town. Zollinger mentioned that Chief doesn't have a covered area for the vehicle to be stored when not in use. Robben believes that the vehicle will last a while like the current command vehicle that Patrick uses.

Motion: Palmer-Witt moved, Warkins seconded to accept the 2007 Tahoe as a gift from the City of Norwich and designate that the vehicle not be included in the City's replacement rotation. Voted and passed unanimously.

c. Nuisance Violation – 139 N Gorin

Kendall Piece handed out packets for the violations being discussed. Council reviewed the pictures and confirmed they were taken from the alley with Mr. Pierce. Mr. Pierce stated that they are more than willing to work with residents if they are communicating, but there has been no communication from this property owner. There has been little to no improvement on this property, especially under the carport. He mentioned that the original issue was in front of the house and it seems they moved the items out of the line of sight to the back. Mayor Ussery asked if the City had any control over contents in the car port, Mr. Pierce stated that the standard for visual inspection is the same for everyone. Warkins asked if the car was tagged, he has not checked that yet as they try to stay off the property out of respect to the owner. Council asked if it had to be tagged since it's on private property, Mr. Pierce and Zollinger stated that it does. Zollinger mentioned according to City code, 30 days on the property of being inoperable is the limit and inoperable means not legal and or cannot move with its own power. Mr. Ufford stated that if it is untagged, it creates a presumption that it is not operable. Robben asked how this was different than the trailers that do not have to be tagged, Zollinger stated that the trailers are typically a parking violation, not a nuisance. She stated that a car can be parked in the back yard, but all other nuisance violations cannot exist such as high grass. Council asked about the lack of communication from the owners, Mr. Pierce stated that they have tried and left notices on the door. He mentioned that other property owners have been proactive and reach out once a notice has been left, Zollinger stated calls come to City Hall as well. There was a certified letter sent on July 14th and signed for on July 16th. Mayor Ussery asked how many days the owner would have to get the nuisance taken care of, Zollinger stated they would have 10 days and that the debris and inoperable vehicle would need to be removed or fixed. Palmer-Witt mentioned there being a mattress on the roof of this property. Mr. Pierce was unaware of this. Shore questioned being inoperable just because it's not tagged, Zollinger stated that City code calls out a vehicle is inoperable if not currently tagged. Mr. Ufford mentioned that you cannot drive the vehicle on a road if it is not properly tagged. Shore stated he doesn't believe that would win if taken to court. Mayor Ussery stated that would be an Ordinance change, Mr. Pierce stated that many of the cities they work for have similar language in their code. It was mentioned that if the front of the carport was covered where the debris was not in the open, then it wouldn't be visible and therefore not an issue. Gordon asked if Kansas had any non-op options for vehicles, this would need to be looked into. Warkins asked what the next steps were if the nuisance isn't resolved. Zollinger stated a claim would be filed with the municipal court and the Judge would hear the case and issue judgement. The fine is up to \$500 per day and each day would be considered a separate offense. Mr. Ufford recommended that the date on the Resolution needs to be changed to reflect the letter sent date of July 14th.

Motion: Palmer-Witt moved, Gordon seconded to adopt Resolution 19-2025 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 139 N. Gorin Ave, Clearwater, Kansas. Voted and passed unanimously.

d. Nuisance Violation – 148 N Lee

Mr. Ufford suggested to change the date on the Resolution for the letter being sent to July 21, 2025, to reflect the date on the letter in the packet. Palmer-Witt mentioned that the letter in the packet was not signed for, Mr. Pierce confirmed that it was returned to them, but they then posted it on the door on September 9th. Zollinger stated according to statute, that is what should have happened, being certified or hand delivered. Council then discussed each violation being case by case and mentioned the property on North Grant having communication with extensions being granted. Palmer-Witt noted the letter was sent to the landlord, Ufford confirmed that was fine it could be both. Zollinger brought up when the City mows due to failure to comply with a notice, it is just billed and can be added to the property but with a case going before the Municipal Judge it will go with the individual unless the City were to go in and clean up the issue and then bill the property. Mr. Pierce said this property is always on the watch list as it improves at times and then gets messy again.

Motion: *Warkins* moved, *Robben* seconded to adopt Resolution 20-2025 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 148 N. Lee Ave, Clearwater, Kansas. Voted and passed unanimously.

e. Action: Nuisance Violation – 730 E Hellar

Mr. Ufford suggested to change the date on the Resolution for the letter being sent to July 14, 2025, to reflect the date on the letter in the packet. Mr. Pierce has attempted to contact the owner with the certified letter coming back as undeliverable, which is when the mail is just not picked up. They posted the letter to the door on September 9th noting the violations needing addressed. Mr. Pierce stated that the brush and fence are the remaining violations on this property. Council questioned the truck not being inoperable, Mr. Pierce stated that it had updated tags as of November 6th. He said there has been progress made but these issues are still outstanding. Mayor Ussery asked if they ever knock on the doors, Mr. Pierce stated they do from time to time but the hanger is always left on the door. Mayor Ussery wondered if the owner was able to physically remove the debris, Mr. Pierce stated that is where communication is helpful. He has contacted Courtney and Chief before when people communicated that they were unable to remove the nuisance to see if there are groups or individuals needing community service hours or willing to help. The picture of the door was to show the letter had been removed.

Motion: *Shore* moved, *Warkins* seconded to adopt Resolution 21-2025 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 730 E. Hellar, Clearwater, Kansas. Voted and passed unanimously.

Mayor Ussery asked if the mattress on the roof at 139 N. Gorin be checked, Mr. Pierce will look into it. Palmer-Witt mentioned several cats laying on it a few nights ago.

9. Governing Body

Warkins – None.

Shore – The Western coalition meeting went well.

Gordon – None.

Palmer-Witt – Asked about the paving at the Senior Center for the parking lot, Zollinger said that was approved for the 2026 budget. Warkins asked if Pearson was done with the streets, Zollinger answered not yet, North Grant has been postponed due to the bridge project on Tracy. There are culverts that will be installed on Kansas at 1st and 2nd. Pearson will be back in town for the Indian Ridge paving. Mayor Ussery inquired about the development East of town on 103rd, Zollinger was informed during the staff meeting on Monday but does not have any information about it. Someone who owns or plans to move there was talking to a staff member and stated that they were informed it was in the City limits and was told that it is not within the City limits and does not have City water out there so there may be petitions coming forth. There is currently one resident out there who is on City water and the water line does run on 103rd, but there is no sewer that way. Council briefly discussed Prairie Meadows. Zollinger informed Council that it is not a requirement to be annexed into the City to connect to City water and used Garvey as an example and have a higher water rate. There is one house on Park that is on City sewer as well and not within the City limits. Shore mentioned Belle Plaine not annexing or getting waivers and are now not able to tax for the upgrade needed to water. Palmer-Witt asked if any permits had been pulled for the Chisholm Ridge lots, Zollinger said no permits yet but correspondence on zoning, setbacks and plans with

the engineer. Warkins asked if any offers for the property North of town, Zollinger said no, there was one inquiry regarding the zoning and taxation though.

Robben – Walking at Hammer’s Prairie Park with the wife and dogs and noticed with all the rain that the path was unusable at a certain point and suggested to Clint placing a bridge out there.

Ussery – Explained that Hammer’s Prairie Park is a City owned park that is not ran by the Hammer’s Foundation. If the City would like to go to the board and ask for funding help on this, they can. The Foundation offers some indirect guidance but is helpful with funding. They currently have some funds set aside for a structure like the park shelters to be put out there and have discussed services such as electricity, water and sewer being extended there. Ultimately the City will make the decision as the maintenance would fall on Public Works, which have done a good job so far. It was noted that there is not a Park board that is meeting anymore. Mayor Ussery will bring this up at the end of year meeting with the Foundation, but action needs to be taken by the City. He would like Council to bring their schedules to see if the December 23rd meeting should be cancelled. Zollinger mentioned a workshop to discuss the ISO still needs to be scheduled and was thinking the 23rd could be that instead of the 30th.

10. Executive Session

None.

11. Adjournment

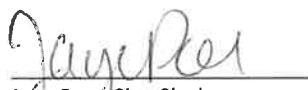
Motion: Palmer-Witt moved; **Warkins** seconded to adjourn the meeting. Voted and passed unanimously. The meeting adjourned at 7:38 PM.

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 November 11th, 2025, City Council meeting.

Given under my hand and official seal of the City of Clearwater, Kansas, this 25th day of November 2025.


Jaye Poe, City Clerk

