City of Clearwater, Kansas
Sedgwick County
City Council Meeting - **MINUTES**
December 9, 2025
Clearwater City Hall – Council Chambers
129 E. Ross Avenue Clearwater, KS 67026

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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 and Tim Robben.
The following staff members were present:
City Administrator Zollinger, City Clerk Poe, Kirk Ives, Jared Dinwiddie, Amber Ives and Cole Hollis.
City Attorney, Jennifer Hill entered at 6:32pm.
Others present who spoke:
Steve Howerton, George Palmer, Roy Riggs and Darrell Haynes.

3. Approval of Agenda

Mayor Ussery asked if there were any modifications to the agenda, Zollinger stated that the Presentation from concerned citizens for Solar Power Plant is being moved to item 6 and adding a business Item c, Senior Center congregate meals, was added.

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

4. 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
2026 Salary Resolution 23-2025
2025 Boundary Resolution 24-2025
2026 Fee Schedule Resolution 25-2025
Accept Resignations

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

5. Public Forum

Mayor Ussery explained that George Palmer will be speaking about the Sedgwick County solar power plant and has allowed up to 10 minutes for this presentation. If anyone else would like to speak on the same topic, they will have 3 minutes. He further explained that since the media was present, anyone wanting to speak or interview with them would have to do it outside and after the meeting.

6. Presentation: Concerned Citizens of Sedgwick County – Solar Power Plant

George Palmer from 7101 W. 103rd St. W. in Clearwater is representing the concerned citizens of Sedgwick County against industrial solar wind battery installations. The project of concern is the 47th St. S to 63rd St. S. and then East to West Ridge Rd. to 119th St to include around 1,500 acres of prime farmland. He stated that the company applying for the permit is Mission Clean Energy. Mr. Palmer stated one of their first concerns is foreign investments in this community where Wafra is a public investment for Social Security in Kuwait and is a majority interest in the solar farm, Orstead is a Denmark government owned company who is a minority owner. Mr. Palmer said that the project is heavily subsidized by local, State, County and federal taxes and believes that the residents of Sedgwick County should be concerned. They are investigating if the Counties or entities receive the funds that Mission Clean proposed them to receive, it has been speculated that the schools have not received the funds promised. They are also concerned about the usage and ask where the electricity is going since electricity is already being exported and whether it will lower the cost of our electricity. He said one of the main concerns is environmental – specifically with soil and water contamination due to the battery installation. Another concern is damage panels or panels taking out of usage, what the process is or storage of those without contaminating the soil and the water. He stated that this is the very first project for this company of this size and questions should be asked by the community like: will it be safe, will it increase the value of our community, will it drive prices up for affordable housing. They do believe in free market enterprise and private ownership when done responsibly. He encouraged Council and the audience to email all 5 County Commissioners if against the solar farms and battery installations in Sedgwick County. He thanked the Council for the time given to speak and their service. Steve Howerton from 8019 S. Meridian in Haysville spoke next. He stated that he's looking at this for the rate payers in Kansas and these projects initially cost millions of dollars and that electric rates will probably go up 10%. Mr. Howerton stated that the companies are putting up the money for these projects and it must be paid back. Kansas exports 50% of the power they generate, and he wonders why it isn't being used to help offset their electric bills due to the continual increases. He also mentioned that this project is for grid balancing. If there is not an agreement with Evergy, the power will not stay in Kansas. Mr. Howerton explained that the panels contain arsenic, cadmium, chromium, copper, lead, mercury, nickel, selenium, silver, trillium and zinc. They are not waterproof and if water gets inside, they can leak that out and get into the groundwater. He stated the other drawback is the batteries which only last 5 to 15 years depending on weather. This project is scheduled to last 35 years with 3 potential batter replacements needed. He has studied and found that solar companies do not seem to last due to financial problems, bankruptcy or selling out and is concerned If another company takes over, will they honor any original agreements with the County or State. Mayor Ussery mentioned this being a Sedgwick County issue and they went through an extensive guideline development on how to approve these types of things. The City will be watching this closely and represent the community and appreciate the voiced concerns. He believes that we should be concerned and hears the questions that need to be answered, the City is not qualified to answer them, but they should be directed to the County Commissioners individually and collectively to be taken before their governing body and hearings.

7. <u>Recognitions</u>

Chief Ives stated that Darrell Haynes will be retiring. He stated that Mr. Haynes started out with the Clearwater Police Department then was a Court House Police, then back with Clearwater part-time and now he is leaving Sedgwick County and is retiring all together. Ives expressed his appreciation for Mr. Haynes's 16 years of service. Mr. Haynes stated that Clearwater has been a wonderful place for him and he has enjoyed it. Mayor Ussery stated that the dedication and impact of our officers within our community is difficult to put into words, and he thanked Mr. Haynes for his service to Sedgwick County and the City of Clearwater.

Mayor Ussery read the nomination for the Citizen of the Year Award. It is with great pride and respect that Roy Riggs is named Clearwater's Citizen of the Year. Roy has been a dedicated member of the Clearwater community since 1981, making a lasting impact through his leadership, service, and commitment to others. Roy first came to Clearwater in 1981 as an elementary school teacher and part-time principal. Through hard work and dedication, he eventually became the principal at Clearwater Elementary School and later at the Clearwater Intermediate Center when it was established. Beyond his educational career, Roy worked locally during summers - first at Myers as a bag boy and later at the Clearwater Co-op - further demonstrating his commitment to his community and its people. In 1981, Roy also began serving with the Clearwater Police Department as a volunteer reserve and part-time officer. Over the years, he has held the roles of Range Master and Armorer, and he has continued to serve in law enforcement in some capacity since the age of 20. His mentorship and guidance have influenced every officer who has come through the Clearwater Police Department, earning him deep respect within the department and beyond. Roy's dedication to service extends far beyond his professional life. He is an active member of the Methodist Church, where he has participated in several mission trips to assist those in need across the United States. He is also a proud member of the Masonic Hall and the American Legion. Before his many years of service in Clearwater, Roy honorably served his country in the United States Navy, where he helped guard the Vice President's residence during the riots following the assassination of Dr. Martin Luther King Jr. He continued his military service for an additional eight years in the Naval Reserves. In addition to his roles in education, law enforcement, and the military, Roy has also served the Clearwater community as a City Council member and as a member of the USD 264 School Board. His lifelong dedication to education, public service, and community betterment embodies the very spirit of what it means to be a citizen of the year. Roy is a humble, hardworking, and compassionate individual who has spent decades improving the lives of others through service, mentorship, and leadership. Clearwater is a better place because of him, and his example continues to inspire all who know him. Mayor Ussery presented Mr. Riggs with his plaque and pictures were taken of Mr. Riggs with his family. Mr. Riggs expressed his honor to live and work in Clearwater and appreciates all the people.

Mayor Ussery then presented Tim Robben with a plaque for his 4 years on Council. He thanked him for his dedication to the City Council, for his compassion and commitment to the things done in the 4 years he has served. A great deal of improvement and progress has been achieved, thanks to his guidance. Robben stated that he appreciates everyone he has worked with in the City. He stated that he has grown in his role, that the team has grown accustomed to his quirks, and that he has learned a great deal. He believes everyone should do some kind of civic duty. He appreciates staff and all the hard work they do.

8. Staff Reports:

- Administration Office – Courtney Zollinger – Mentioned that the Everfull meals was added as a business item on the agenda but asked for any other questions. Warkins asked what the highlighted nuisance addresses were, Zollinger stated those were the addresses where the Resolutions were adopted. Shore asked about the sales tax, Zollinger said that is what has been received as of November this year and the December payment has not been received yet and it is done monthly.
- Fire Department – Jared Dinwiddie – None.
- Police Department – Kirk Ives – Shore asked If someone skips a year of SPV permitting, do we charge for the missed year like the DMV? Ives stated no, it is assumed that they didn't drive it, or they get a new one. Ives stated that the numbers of permits are the same as last year. Ives stated that they have been patrolling Wood and Janet because he received a call from a Councilmember that there has been speeding and no stopping at stop signs. There have been a few people caught and he wanted to make Council aware.
- Public Works/Parks – Cole Hollis – Shore asked what VFD was, Hollis said it is Variable Frequency Drive. Shore asked if they needed to be kept in a separate room from plumbing, Hollis said that one room has the well and the other room has the chlorine in it. He noted that waterproof cabinets would not be feasible because the equipment requires adequate air movement. Warkins asked why water samples are still being collected, Hollis said they are collected all year long so she asked if something flags it to need sampled. Hollis said the samples are on a set schedule that he submits for approval. Zollinger mentioned with the Lead and Copper Rule Revisions (LCRR) they have increased the sampling.
- Senior Center – Amber Ives – None.

9. Business

a. 95th and 135th Listing Renewal

In September the Governing Body decided to put the land at 95th and 135th on the MLS and hired Cosh Real Estate to market it for 90 days. The listing is about to expire in a couple of days, and the Governing Body needs to decide whether to continue the listing. There have been 2 inquiries on the land. One was a casual inquiry at Jump Start, and another was a person who wanted to place cows on the land to sell milk. The lot has been listed at $15,000 per acre ($140,295 total) with a broker fee at 1% of purchase price and additional 3% if the broker assumes the role of transaction broker for both parties. Zollinger reached out to Shackelford to see if they still had interest, with the contracts they had acquired, they needed to move quickly and start developing what they had, from the information that she received. Mayor Ussery was a little concerned that a leading member of the community was interested in it and severe restrictions were placed, a price was offered and then the property was listed. It seems as if they have moved on therefor is reluctant to go back to them if Council were to choose to keep it on the market even though their current facility has been upgraded and the commitment to the community. Zollinger mentioned that in the original agreement with Cosh, we did put in there that if Shackelford Machine did come to the table with an offer that there would be no brokerage fees paid out. Shore said the reason we have the land is to get it developed and grow that direction, he believes anybody considered should have some plan to grow and develop within a reasonable amount of time. He would love to support the small-town company as they are wonderful for the community but would like a plan of development to prevent sitting on it for a number of years. He doesn't want to see land being held at the edge of town and become an obstacle which is reference in the comprehensive plan. Zollinger reminded Council they had an extensive discussion about what "develop" would mean. When the listing was returned to Shackelford, certain requirements were included such as a set of plans that must be submitted within three years. The development would cost a lot in a short amount of time when it typically would take years. Robben agreed that a development plan is needed to support future growth to the north and noted the high cost of extending utilities to the property. Zollinger explained that running the main line under the railroad would cost about $300,000. She added that, as with most main service line extensions, the cost is typically paid by those who benefit from it. In this case, the line wouldn't primarily benefit the City, but it would benefit the properties at 95th and 135th, Southern Star, and the Mulvane Coop if they chose to join the benefit district. Zollinger explained the original agreement to list the property was for 90 days to see if there was even any interest, but it is up to the governing body on how long they would like to list it for this renewal. Warkins asked if it wasn't worth taking back to Shackelford to see if they would be interested with the development agreement. Mayor Ussery stated that he will go back and let them know the main concern with the property is the commitment of development, but their original offer was $10,000 per acre and that was declined. They will be encouraged to resubmit their offer if they understood the development commitment. Warkins believes it is worth having a conversation with them since the City owes money on the property even if $10,000 is offered. Council discussed the length of the next listing since it started with 90 days due to the interest that Shackelford showed. The consensus was to list it for 6 months with the same language of no broker fee is paid if Shackelford were to sow interest and purchase the property.

Motion: ***Shore*** moved, ***Robben*** seconded to renew the listing with Cosh Real Estate for 6 months with the same language. Voted and passed unanimously.

b. Funding for the Sports Complex Improvements

In September 2023, the Governing Body engaged Professional Engineering Consultants, P.A. to work with Sports Complex stakeholders to develop a comprehensive master plan. In 2024, the Governing Body received the completed plan, which included the following proposed improvements: New parking areas, Fourth baseball field (230'), T-ball field, Conversion of all existing infields to turf, Outdoor basketball court, Existing skate park, Existing disc golf course, Updated park signage, New concession stand in a new location, Two additional batting cages, Restroom facility near soccer fields, New surface for the tennis courts, New recreation facility, Seating and shade structures at tennis courts and Pitching lanes on varsity fields. The master plan is intended to serve as a guiding document for the City, Recreation Commission, and School District as they evaluate and coordinate future improvements. The stakeholder group has continued to meet and identified their priority projects as pitching lanes, batting cages, and turfing of fields. The Recreation Commission also listed a t-ball field as a priority. Based on these priorities, the group requested cost estimates for pitching lanes and batting cages. Both the School and Recreation Commission emphasized the importance of pitching lanes due to safety concerns related to players warming up. Batting cages were identified as the next critical improvement due to their high usage. Zollinger solicited estimates from Dondlinger & Sons and J. Martin Co. Dondlinger provided a site unseen preliminary estimate of $300,000 for two sets of batting cages and four pitching lanes. J. Martin Co. estimated the project at approximately $220,000. This project would include two new batting cages at 30' x 90' that would include concrete skirts, galvanized poles, new nets, new cable system and low maintenance turf. Then add in four pitching lanes, which would be 9'4" x 80', quantity two for baseball, and then 9'4" x 60' for softball. This would include new fencing for pitching lanes with gates, grade work and a tree removal at the baseball field. The sidewalk at the Softball field will need removed and replaced to fit pitching lanes in. Representatives from each entity agreed that the improvements would significantly benefit the community and committed to discussing funding with their groups. The Rec will meet tomorrow, Zollinger will attend that meeting. Since the School District cannot invest in capital improvements on property it does not own, it was discussed to increase their facility usage to help cover the cost. They do have restrictions on how much they can pay for facility usage fees without going to bid, which is $20,000 annually currently they are paying $7,500 so this would increase the fee by $12,500. The City currently has $52,000 available in the equipment reserve for special parks, along with the $11,000 in unused funds from the current year that will be rolled into equipment reserve funds after approved. There is also $55,000 in Parks Capital Projects, which will be 2 separate funds, one for special parks and one for just City parks. Part of these funds will need to be kept for possible use in Hammers Park for improvements that Mayor Ussery has shared with council as well as some irrigation work that will need to be done for this project. Not only does the sidewalk need to be moved, but the irrigation lines also as well and valve boxes which cost around $7,000 outside of the $220,000. At the meeting Mayor Ussery proposed that the Recreation Commission possibly fund the project upfront since the school is unable to do it and the City doesn't have the $220,000 in equipment reserves. If approved by Council, Zollinger will propose to the Rec tomorrow to fund the project upfront with the City to repay their portion and the School's portion over a period of 2-3 years. Because the School District's contribution will be paid to the City via increased usage fees over a longer term, the City would also be responsible for covering the School District's portion upfront and then receiving reimbursement over time. If the project total is $220,000 and split 3 ways then each entity's share would be around $73,500. In 2026 the City could repay $49,000 - $36,500 from equipment reserve plus the $12,500 from the School, for 2027 and 2028 the City could budget an expense to pay the Rec $36,500 plus use the School's $12,500 totaling $49,000 for each year totaling $147,000 for the School and City. The school district repayment plan would be adding $12,500 for the next several years until their amount is paid off which would be 2032. There will be additional costs that were not talked about with the group, one being the sprinkler system mentioned before, for $7,000 which the City would pay from Equipment Reserves. Then there is an option to widen the home side pitching lanes on baseball and softball to accommodate 2 people warming up that would cost $13,320. Lastly, to widen all pitching lanes for visitor side as well would be an additional $8,000. Although all of Council has not sat in the meetings for this project, Mayor Ussery, Samantha and Shirley have, but Council will be the one to approve if they choose to. Shore asked if there was room to widen the lanes, Zollinger said there was. Council asked what the total cost would be with the additions and asked if Public Works would be doing the sprinkler, Zollinger said that the sprinkler company would do the irrigation work, but the City will cover that cost. The total cost to be split 3-ways if Council chooses would be $241,320 for each entity it would be $80,440. This includes $220,000, $13,320 to widen the home side pitching lanes, and $8,000 to widen all visitor pitching lanes. Mayor Ussery asked if the additions would just add another year to pay back the Rec, Zollinger would like to keep it to 3 years. Shore stated it should all be done at once as it would probably be cheaper. Warkins asked if the equipment reserve funds planned to be used for this were set aside for other projects, Zollinger said no it is unclaimed but reminded them of the shelter at Hammer's Park that has been in discussion. Shore asked if this would help accomplish everything on the list, Zollinger said no they focused on the immediate needs for safety and usage which was determined to be the batting cages and pitching lanes. Warkins asked what the timeline would be to complete the project, Zollinger stated if this was approved by Council and the Rec then Jason Martin would try to have it done by March weather dependent, if not the pitching lanes would be first. If the Rec agrees to the proposal, then we can proceed, if not then we will be back at ground zero. Warkins questioned if the School agrees to the $20,000, Zollinger said they were, and agreements will be drawn up laying out the terms for this. Mayor Ussery stated that all 3 entities were at the meeting the other day and are anticipating this to be brought to them for approval and if approved puts all entities invested in this project. Shore asked if the Rec was anywhere near putting up a facility, Zollinger said they were not. Zollinger informed Council that the School board confirmed the date of February 25th for the joint meeting and the Rec will confirm the date tomorrow at their meeting, then she will send an email letting Council know of that confirmed joint meeting. This meeting will cover the topic of the potential Rec building.

Motion: ***Warkins*** moved, ***Shore*** seconded to approve improvements as lined out to also include the additions of widening the pitching lanes and the cost share split with the proposed repayment plans. Voted and passed unanimously.

c. **Congregate Meals – Senior Center**

The City has been notified that Everfull, who does the Meals on Wheels, is pulling out of all Senior Centers by the end of December. CPAAA has been working frantically with Senior Centers and a group called TRIO to figure out how to continue to serve the communities. They do not have many answers at this time but say that TRIO, who they have used for other organizations, will not be able to hire employees to manage the paperwork and other items like Everfull has been doing. This employee was housed at our Senior Center and volunteers prepped the food and delivered it. Trio is saying if the Senior Centers wants to take this on, they will be responsible for doing the paperwork themselves, paying somebody to do it or finding a volunteer. Sedgwick County CPAAA is saying they would give a $5,000 stipend to help pay for costs such as extra trays, printing or hiring a person. CPAAA needs feedback regarding the willingness to take on this responsibility by Friday, we do not know what the paperwork looks like or the people who are signed up for these meals. Current meal recipients will continue without disruption, and CPAAA will assist with new applications until the local site coordinator is trained. Amber Ives will be meeting with Mulvane who currently does this already for Everfull to get an idea of what the change would look like. There are many members in the community that participate in this program so the recommendation is to figure out how to continue it with what we have, especially since there is a good group of volunteers that already help with the food, but the person handling the paperwork will not be a volunteer. Amber may be able to take this on easily, or the need for a part-time person may arise. Mayor Ussery asked if this was for culinary or administrative purposes, Zollinger said administrative only as prepackaged food is delivered to the Center and it's distributed and no cooking is required, Ives said the only assembly they do currently is putting the packaged meals on a tray and serve to those who eat at the Center. Warkins asked how many people currently use Meals on Wheels. Ives estimated about seven home-delivered meals, with approximately three additional individuals waiting due to the pause on new applications. In-house meals fluctuate between 8–15 people per day, for a total of roughly 27–30 participants. Zollinger stated that the home delivery meals would already come pre-boxed and believe that TRIO has offered to deliver those directly to the homes. Warkins asked for clarification on the $5,000 stipend, Zollinger is not 100% sure but it stated that it is to do with however you need it for this program and is understood to be annually. They will ensure the agreements with TRIO are finalized and communicated to participants by the week of December 15th Council asked if a meeting would need to take place once the agreement comes, Mayor Ussery stated they could approve for him to sign it tonight based on conditions of what was said tonight with it being an annual program and if it falls out of that scope it can be brought back to Council. Warkins asked if all the participants were within the City limits, Ives believes there may be a few in the Country and that there are boundaries in place for this program. She doesn't have many details as Becky handled all those details. Warkins recommended hosting a lunch-and-learn session to raise awareness and potentially increase participation. There is no cost to the City unless by chance Amber happens to have to work overtime.

Motion: *Robben* moved, ***Warkins*** seconded to authorize the Mayor to sign the contract with TRIO with the terms that have been explained. Voted and passed unanimously.

9. Governing Body

Shore – None.
Warkins – Next years Fall Festival will be October 16th and 18th, at the next meeting in January information will be put out on Facebook for anyone interested in being a part of the committee.
Robben – Enjoyed his 4 years of service and would like Public Safety to be a topic not forgot especially since that is why he ran for Council.
Ussery – Thanked Tim for his service.

10. Executive Session

None.

11. Adjournment

Motion: *Warkins* moved; ***Robben*** seconded to adjourn the meeting. Voted and passed unanimously. The meeting adjourned at 7:35 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 December 9th, 2025, City Council meeting.

Given under my hand and official seal of the City of Clearwater, Kansas, this 13th day of January 2026.

Jaye Poe, City Clerk

CITY OF CLEARWATER EST. 1885