

City of Clearwater, Kansas
Sedgwick County
City Council Meeting - **MINUTES**
February 10, 2026
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, Jason Gordon, Samantha Warkins, Shirley Palmer-Witt and Dalton Chambers.

The following staff members were present:

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

3. Approval of Agenda

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

Motion: *Palmer-Witt* moved; *Warkins* 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

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

6. Staff Reports:

- Administration Office – Courtney Zollinger – Council inquired about the recent closure of Pizza Hut. Zollinger stated that no official information had been received, other than that a staff member had gone in the day before the closure and was informed of the decision at that time. Council also asked if there had been any word regarding what would happen to the building. Zollinger stated that no information had been received. Council asked if there had been any inquiries about the property on 135th, Zollinger said there had not been.
- Fire Department – Jared Dinwiddie – None.
- Police Department – Kirk Ives – None.
- Public Works/Parks – Cole Hollis – Council asked if the bridgework was still estimated to be completed mid-March, Hollis stated he hasn't heard anything new and believes they are still on track for completion at that time.
- Senior Center – Amber Ives – Mayor Ussery thought the lunch with Commissioner Blubaugh went well, Ives added there were around 60 attendees for this event.

7. Business

a. Field Usage Agreement – Kansas Curve

At the last Council meeting, Council considered a 3-year field usage agreement for Jacob Baca, Kansas Curve Baseball. Council asked for added language that included a termination clause. Scott Ufford has provided the agreement to include revised language for the Kansas Curve Agreement. The term and termination language is all contained in Section 4.2. The

updated language would give either party some wiggle room to terminate if circumstances change in the future. He included that written notice of termination should be provided by April 1 of the current term. The City Council set a fee of \$150/game for each year. Mr. Baca has reviewed and approved the agreement on his end.

Motion: *Palmer-Witt* moved; *Warkins* seconded to approve the multi-year Field Usage Agreement with Kansas Curve with the added termination language. Voted and passed unanimously.

b. 2025 Equipment Reserve Balance Transfer

City Auditor suggested the Governing Body consider transferring funds that finished the year under budgeted expenditures to the equipment reserve to help offset future purchases that otherwise may have an impact on future mill levies. After wrapping up the 2025 budget year some departments were under their budgeted expenditures, and staff is suggesting the following transfer schedule to the Equipment Reserve Fund:

GENERAL							
	2025 Budgeted Expenditures	Starting Cash Needed for 2026	2025 Actuals	% of Budget	Over/ Under Budgeted	EQ RES XFER	Notes
CASH		\$ 831,162.00	\$ 1,330,050.59		\$ 498,888.59		
Admin	\$ 825,410.00		\$ 810,213.41	98%	\$ 15,196.59	\$ 15,000.00	Road Project
PD	\$ 1,026,445.00		\$ 911,782.60	89%	\$ 114,662.40	\$ 114,000.00	Car Replacment
Court	\$ 86,000.00		\$ 71,654.70	83%	\$ 14,345.30	\$ 13,000.00	PD Car Replacement
PW	\$ 196,625.00		\$ 183,868.13	94%	\$ 12,756.87	\$ 12,000.00	Truck Replacement
Fire	\$ 294,830.00		\$ 285,660.39	97%	\$ 9,169.61	\$ 9,000.00	Fire Truck
Park	\$ 260,921.71		\$ 236,662.64	91%	\$ 24,259.07	\$ 23,000.00	Park Improvements
Museum	\$ 13,997.00		\$ 12,139.00	87%	\$ 1,858.00	\$ 1,800.00	Building Repairs
Special Projects	\$ 585,928.00		\$ 507,760.25	87%	\$ 78,167.75	\$ 78,000.00	Road Project
1% Sales Tax	\$ 369,055.31		\$ 214,203.10	58%	\$ 154,852.21	\$ 154,852.21	Road Project
TOTAL	\$ 4,302,450.71		\$ 4,031,851.56		\$ 270,599.15	\$ 420,652.21	\$ (150,053.06)
GENERAL FUND CASH BALANCE AFTER TRANSFER INTO EQ RESERVE						\$ 909,398.38	
Ending Cash Above/Below Budgeted 2025						\$ 78,236.38	

This was due to the open position in the police department, budgeting for staff health insurance that was taken advantage of, and under budgeted estimate for the annual road project. The 7th position for the Police Department was removed for the 2026 budget. By moving these funds into Equipment Reserve, it has allowed the City to pay for the police vehicles with cash, police vehicles are around \$65,000. Public Works usually purchases used vehicles. The money for the 1% sales tax was what was not put into a CD at the beginning of the year. The cash needed to start the 2025 budget year is \$831,162. The ending cash in 2025 was \$1,130,050.59. The General Fund is \$498,888.59 over budget for the needed cash carryover. It is staffs recommendation to place the carryover in equipment reserve to support department needs in the future that will help or alleviate mill levy increase for large purchases. With the suggested equipment reserve transfers the starting cash for 2026 will be \$908,398.38, which is a greater balance than what is needed for the 2026 budget.

DEBT SERVICE						
	2025 Budgeted Expenditures	Starting Cash Needed for 2026	2025 Actuals	% of Budget	Over/ Under Budgeted	EQ RES XFER
CASH		\$ 99,107.00	\$ 117,539.85		\$ 18,432.85	
Expenditures	\$ 345,186.00		\$ 345,186.00	100%	\$ -	\$ -
DEBT SERVICE FUND CASH BALANCE AFTER TRANSFER INTO EQ RESERVE						\$ 117,539.85
Ending Cash Above/Below Budgeted 2025						\$ 18,432.85

SPECIAL HIGHWAY						
	2025 Budgeted Expenditures	Starting Cash Needed for 2026	2025 Actuals	% of Budget	Over/ Under Budgeted	EQ RES XFER
CASH		\$ 80,505.00	\$ 85,966.58		\$ 5,461.58	
Expenditures	\$ 150,000.00		\$ 150,000.00	100%	\$ -	\$ -
SPECIAL HIGHWAY FUND CASH BALANCE AFTER TRANSFER INTO EQ RESERVE						\$ 85,966.58
Ending Cash Above/Below Budgeted 2025						\$ 5,461.58

SPECIAL PARKS							
	2025 Budgeted Expenditures	Starting Cash Needed for 2026	2025 Actuals	% of Budget	Over/ Under Budgeted	EQ RES XFER	Notes
CASH		\$ 5,173.00	\$ 16,315.56		\$ 11,142.56		
Expenditures	\$ 11,000.00			0%	\$ 11,000.00	\$ 11,000.00	Park Improvements
SPECIAL PARKS FUND CASH BALANCE AFTER TRANSFER INTO EQ RESERVE						\$ 5,315.56	
Ending Cash Above/Below Budgeted 2025						\$ 142.56	

Special Highway and Special Parks are not Mil Levy. For Special Highway 100% of the spending authority was used. While there is \$5,400 cash than budgeted as a carryover, since the spending authority has been met (\$150,000), any further transfers would be a budget violation. Special Parks fund has a large carryover balance because there was not a set plan to utilize the funds. There is only an \$11,000 spending authority in the 2025 Budget for Special Parks. By moving the funds to equipment reserve the Council will have more flexibility to use the cash on hand for any park projects that might come up in 2026. Debt Service Fund is at 100% of it's spending authority and no other transfers can take place.

WATER OPERATING							
	2025 Budgeted Expenditures	Starting Cash Needed for 2026	2025 Actuals	% of Budget	Remaining	EQ RES XFER	Notes
CASH		\$ 142,158.00	\$ 170,842.80		\$ 28,684.80		
Expenditures	\$ 458,035.00		\$ 452,218.73	99%	\$ 5,816.27	\$ 5,000.00	Water Improvements
WATER FUND CASH BALANCE AFTER TRANSFER INTO EQ RESERVE						\$ 165,842.80	
Ending Cash Above/Below Budgeted 2025						\$ 23,684.80	

SEWER OPERATING							
	2025 Budgeted Expenditures	Starting Cash Needed for 2026	2025 Actuals	% of Budget	Over/ Under Budgeted	EQ RES XFER	Notes
CASH		\$ 246,298.00	\$ 291,752.13		\$ 45,454.13		
Expenditures	\$ 504,207.00		\$ 489,648.53	97%	\$ 14,558.47	\$ 13,000.00	Sewer Improvements
SEWER FUND CASH BALANCE AFTER TRANSFER INTO EQ RESERVE						\$ 278,752.13	
Ending Cash Above/Below Budgeted 2025						\$ 32,454.13	

Water and Sewer were under budget with a surplus in cash than what is needed for the 2026 adopted budget. It is recommended to transfer the remaining budget authority into equipment reserve for emergency or large project needs for both departments. All the funds would be transferred into equipment reserve fund for future use. This has no impact on the mill levy as they are both enterprise funds. Palmer-Witt asked about the Court funds remaining, Zollinger stated most of it was from not having as many court costs probably due to less citations issued. Warkins asked about the \$23,000 from parks, Zollinger stated there were some items that didn't happen that were budgeted for and were under budget on some that did.

Motion: *Shore* moved; *Gordon* seconded to approve the transfer schedule. Voted and passed unanimously.

c. Noise Ordinance

The Clearwater Police Department became aware of statute changes to noise violation that now does not give guidance or authority to fine or enforce noise "pollution". Clearwater City Code only referred to car noises as potential noise nuisance and did not address other types of noises. The ordinance presented remove the portion of city code that refers to car noise as a nuisance and replaced it with Unreasonable Noise. The City's current city code regulates only loud sound amplification systems originating from motor vehicles using a "plainly audible at 50 feet" standard. Over time, noise complaints within the City have increasingly involved repetitive disturbances from properties or amplified sound devices outside of vehicles. The proposed amendment repeals the existing motor-vehicle-only provision and replaces it with a comprehensive "Unreasonable Noise". The updated ordinance: Establishes a general prohibition on unreasonable noise, provides contextual factors for determining violations (time, duration, character of area, etc.), authorizes law enforcement to order abatement prior to citation, clarifies property owner responsibility, consolidates exemptions (construction hours, lawn care, emergency work, etc.) and provides one clear, consistent penalty provision. The city attorney's office has reviewed the proposed ordinance and does not have any recommended changes. Palmer-Witt asked if there was a citation for this before, Zollinger stated that she believes there was a Statute that got repealed or changed and the City was not made aware. There was an incident that brought this to the attention of the Police Department. Without it being in the Statute or UPOC, it cannot be governed unless it is in city code. Warkins asked who determines what is considered too loud, Zollinger stated it would be personal preference and officer discretion. Shore inquired if this would affect the jake brakes, Ives mentioned there is an Ordinance for engine brake.

Motion: *Warkins* moved, *Palmer-Witt* seconded to adopt Ordinance 1125 An Ordinance Amending Chapter 11 Of The

Clearwater Municipal Code By Repealing And Replacing Section 11-401 Regarding Noise. Voted and passed unanimously.

d. Clearwater Fire Apparatus Purchase

The ISO Rating for rural areas only (locations outside the City without hydrants) is scheduled to go from an 6/10 to an 8b/10 where the 8b is worse. The City was offered to mitigate the retrogression and given 1 year to complete it. The City must purchase an apparatus to haul water with the minimums of a 2,000-gallon tank, 2.5" intake valve and a 10" Newton Dump Valve. On top of purchasing an apparatus, the apparatus must be tested to verify the water intake and out meet the needs. This will only be tested after Clearwater has possession. The apparatus must also be put into service and have gone out on calls. Zollinger, Dinwiddie and Patrick have met and narrowed it down to 2 companies for tenders and tankers. The companies are Emergency Fire, out of Mayfield, KS, and the other is OSCO Tank out of Orion, Illinois. Mayor Ussery went over the current fleet in detail and the requirements needed for the new apparatus for the ISO rating.

Equipment	Engines (2)	Brush Trucks (2)	Tender (1)	Tanker (Currently 0)
Purpose	Fight Fires	Fight Fires	Fight Fires & Haul Water	Haul Water
Capacity	1 @ 1,000 gals 1 @ 1,500 gals	1 @ 300 gals 1 @ 700 gals	2, 500 gals	1984 Tanker – Had for 15 years 2,000 gals 2 ½ "intake valve 10" newton dump valve
Back up	Have 2	Have 2	Engines (have now been the plan since early 2025)	Replace with Tender or Tanker
Requirement to satisfy ISO mitigation	Good	Good	Good	Need replacement w/minimum: 2,000 gals 2½" intake valve 10" newton dump valve

Mayor Ussery wanted to clarify to meet the requirements for ISO, a tanker with minimum of 2,000-gallon capacity, 2 ½" intake valve and a 10" newton dump valve is what is needed anything above those minimums, Council will have to decided to spend more money for more capabilities if they choose. There is currently \$276,272 cash available that includes the \$60,000 from the 2026 budget and the \$9,000 that was just approved to be transferred. All options apparatuses being presented are:

EMERGENCY FIRE - Tender Options				
YEAR	Gallons	Stock Pricing no Changes	Options	Total with Options
2027	2000	\$353,751.00	\$ 29,028.00	\$382,779.00
2027	2500	\$392,910.00	\$32,740.00	\$425,650.00
2027	3000	\$399,930.00	\$32,740.00	\$432,670.00
Cost	Option		Description	
\$1,428.00	Air Horn		Amplify sound from truck (Sirens)	
\$10,500.00	Mechanical Tank Rack		Safety for fireman - prevent strain and possible injury) Current Tender and old Tank don't have a mechanical	
\$5,500.00	Hard Suction Trough		Storage for hard suction hoses (Not on Tender or old tanker)	
\$3,712.00	Side Dump Valves		Able to discharge water on side instead just rear (Not on Tender or old tanker)	
\$1,800.00	2 1/2" Additional Dump Valve on passenger side		Fill tank from either side (not on tender or old tanker)	
\$9,800.00	Manual Deck Gun		Large defenses operations and for shooting water into un accessible terrain (Tender DOES have this the old Tanker didn't)	
OSCO - Tanker Options				
YEAR	Gallons	As Is	Delivery Price	Total with Delivery
2014	3000	\$226,500.00	\$1,937	\$228,437.00
2018	3000	\$248,300.00	\$1,937	\$250,237.00
2027	3000	\$336,600.00	\$1,937	\$338,537.00
	Available Funds in Equipment Reserve			\$216,272.70
	Available Funds for EQ Transfer 2026			\$60,000.00
				\$276,272.70

Dinwiddie is recommending the purchase of a 3,000-gallon tender with pumping and water shuttle capabilities to replace

the 1984 tanker that was taken out of service. This recommendation is based off what they have now and would be used as a backup for the primary tender. Dinwiddie reached out to Cheney and Reno County to get their input on the Osco trucks they have experience with. They didn't have much input, Travis with Reno County did say their Osco truck has performed for the minimum requirements of what they need for a 3,000-gallon tank and has had some issues with resources on scene. Reno County has the Osco Dominator and Commander. The Dominator is like the current tender Clearwater has and similar to one of the Emergency Fire truck quotes. There is a bigger pump, more capacity and can haul more equipment than the Commander. Dinwiddie stated that Clearwater Fire is more familiar with Emergency Fire than Osco since they purchased vehicles from them before. He recommends purchasing from Emergency Fire the 2027, 3,000 gallons with the options. Mayor Ussery asked if the previous tanker's lack of these options ever hindered the outcome of fighting fires. Dinwiddie could not recall any situation in where that caused a problem, the dual purpose of that vehicle was mainly for wildland operations and vegetation fires but was also used for structural fires in rural areas. Mayor Ussery asked if there had been issues not having that additional water capacity since the tanker was taken out of service in early 2025, Dinwiddie said there had not been locally since they had mutual or auto aid in any event where a second tender may have been needed, they have been able to sustain and maintain the scenes with the current in-house fleet. Shore asked if the cabs would have the capacity to transport the people and equipment, Dinwiddie confirmed it would and they would be just regular chassis and if it had a bench, it would be able to transport 3 people. Zollinger spoke with Cindy, the retrogression leader, and the deadline is November 1st for everything to be implemented, tested, on-site and going on runs. Emergency Fire has stated they would have the apparatus ready in 200 days whereas Osco is around 9 months since they would need to build it. With Osco having to build it, they are unable to guarantee delivery by 9 months. Zollinger asked Verisk, ISO team, clarification of what would happen if the November 1st deadline was unable to be met and provided them with the details of both timeframes provided by Emergency Fire and Osco. If the City kept in communication with Verisk, they may provide another 30 days. Zollinger then asked Verisk what would happen if the deadlines were missed completely, they informed her the ratings would then be set for the rural areas, and the City could ask them to reevaluate and change the ratings in 6 months to a year. Council discussed insurance going up for the rural area, Zollinger stated that it would depend on the insurance companies and their running certain information to determine increases or decreases in rates. Dinwiddie mentioned that the Osco truck would be unable to draft or relay pump to the fire apparatus given a certain scenario on structure fires in rural areas. He then showed Council a drawing of rural operations with how each apparatus would work in pumping or transferring water to the other apparatuses, which is why they would like the apparatus from Emergency Fire since it would give them the capability to draft and pump at the same time if needed. Mayor Ussery asked if the 1984 tanker had those capabilities, Dinwiddie answered no. Warkins asked if the added options were necessary since they weren't on the old tanker. Dinwiddie said the mechanical tank rack would help with safety and the manual deck gun would be for large volume of water going long distances. She asked if it was necessary since the primary vehicle already has those capabilities, he believes it would be wise and the primary, Engine 71, would go to secondary if Council approved the purchase of this pumper/tender and then Tender 71 would be used for mutual and auto aid so the primary could be kept in town. Shore thinks going with Emergency Fire would be better due to the time frame of getting the apparatus. Warkins asked what option was not included in the 2,000-gallon tanker, Dinwiddie said it was the side dump valve which is not necessary but is a luxury. It would help not to have to maneuver the vehicle to a certain spot to release the water. Mayor Ussery stated if they went with the Osco, 9-month wait, there would be some leeway on time and to satisfy it being out on a call it would be as simple as responding to a, even if the call gets cancelled. The risk is a 6–12-month reevaluation period and the insurance rates aren't guaranteed to go up. Mayor Ussery would like to see the new apparatus instead of used due to possible maintenance issues, but from a taxpayer's view, with the little amount the apparatus is used, doesn't see why the tanker wouldn't satisfy the request. Council asked how the difference would be paid if they picked any of the apparatuses that cost more than what cash there is available. Zollinger said she has reached out to Volunteer financing, who financed the Pierce truck or Emprise and is waiting for their response. Emprise would have higher interest rates. Mayor Ussery thinks the ISO deadline is important but should not be the driving factor on the decision. Warkins asked if using these funds would put the Fire Department in jeopardy if any other emergency spending was needed, Zollinger stated that amount is only for replacement fire trucks and would not hurt anything other than when the Brush truck will need to be replaced in about 3 years and cost around \$100,000. Council has budgeted to put \$60,000 in that line, so by 2028 there will be \$120,000 in there. Gordon asked if there was any chance the ISO ratings would change making the used apparatuses obsolete, Zollinger stated not with the apparatus only a possible change for houses certain distances from fire stations. Council asked about the used Osco apparatuses, Zollinger said the chassis are the used part and the tanks are new, he builds and manufactures the tanks, which is why the delivery is not guaranteed to be before 9 months. Chambers asked what problems Reno County had with the Osco truck, Dinwiddie stated it was maintenance, he believe it was leaking transmission fluid and loose bolts on the housing of the pump and eventually Osco brought in some of their people to fix

it after they had taken it to a local shop. Shore asked if the City has reached out to Townships to see if they would help absorb some of the cost, Zollinger said they had not but Mayor Ussery doesn't see that being an issue since it is their ISO ratings that the City is trying to protect with City funds. He pointed out that a tanker would meet the obligations of having the water on site and asked what is fair to ask of the taxpayers. Mayor Ussery believes the 2027 Cosco with the new tank would be a good option that would last 15-20 years especially with the upkeep and maintenance the Fire Department does on the vehicles. He asked Council for their recommendations. Shore would like to see the Emergency Fire 2027 with 3,000 gallons and the options at \$432,670, Warkins recommended the Emergency Fire 2027 with 2,000 gallons. Palmer-Witt asked if the City had to submit information to the insurance companies, Zollinger stated no and ISO does not notify them either, they just put the information out. Palmer-Witt does not want to see the ISO deadline determine the decision, but the finances to which Mayor Ussery agreed. Palmer-Witt doesn't want to see the City take out a loan and is leaning towards the 2018 Osco so there are still funds in the reserves as well as try to recoup some of the funds from the Townships. Council then briefly discussed other ISO ratings in the County, Zollinger mentioned that County has excellent ISO ratings but the rural areas being away from stations are usually a 10. Mayor then mentioned the meeting regarding Fire District 1 still on the schedule for March. Gordon would not like to see a used vehicle and is leaning toward Samantha's recommendation based on the taxpayer. Chambers is leaning towards Samantha's recommendation or the 2027 Osco. Mayor Ussery asked if there were any other costs that may incur that haven't been thought of Dinwiddie said no, they have surplus hose, tools and radios for the truck the only thing he could think of is possibly the hard suction but could be covered from the regular budget or donations. Dinwiddie mentioned the SOPs for rural responses, structure fires would be Engine 71 first out, then Tender 71 (as of now), then if a Tender is approved it would be third out and Engine 72 would be the fourth unit out. For wildland brush fire, both brushes go out first, then the tender, and approved tender and fifth unit out would be Engine 72. Dinwiddie mentioned the 194 tank did not go out much, Zollinger explained it went out 3 times in 2021, 4 times in 2022, 3 times in 2023 and was out of service in 2024. Mayor Ussery reminded Council that the budget process will be starting soon, Zollinger then mentioned that there were options that they could take off to reduce the cost of the presented apparatuses. Dinwiddie said his major requests would be to keep the manual deck gun and the 2nd inlet (2 ½" dump valve for \$1,800). Council discussed the costs of each recommend truck with the deck gun and the 2 ½" dump valve. Mayor Ussery stated all recommendations besides the 2018 Osco would be a deficit, but all 3 would satisfy the ISO requirement.

Motion: *Warkins* moved, *Gordon* seconded to approve the purchase of the 2027, 2,000-gallon capacity Tender from Emergency Fire with the 2 options of the 2 ½" dump valve and manual deck gun at \$365,351. Voted and passed. Palmer-Witt voted no.

9. Governing Body

Gordon – None.

Shore – Attended Local Government day and will get notes out to the governing body. There were many Bills in discussion that could affect Clearwater. One being no more appointments would be allowed, only elections and sales and property tax eliminations. Mayor Ussery stated there was discussion on Right-of-ways and electric fence exemptions, he also noted that the League is a great advocate for these issues.

Warkins – There is a Fall Festival meeting on Monday at 6 pm. There were only 5 people who attended last month and is getting concerned with the lack of volunteers. There will also be a pre-bid meeting at the Senior Center tomorrow.

Warkins spoke at the Senior Center about the possible expansion with 10-12 people in attendance.

Palmer-Witt – None.

Chambers – None.

Ussery – Thanked Jared and Courtney for the research and discussion on the apparatus. He mentioned the budget and how this will affect decision making.

10. Executive Session

None.

11. Adjournment

Motion: *Shore* moved; *Palmer-Witt* seconded to adjourn the meeting. Voted and passed unanimously. The meeting adjourned at 7:55 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 February 10th, 2026, City Council meeting.

Given under my hand and official seal of the City of Clearwater, Kansas, this 24th day of February 2026.


Jaye Poe, City Clerk

