

City of Clearwater, Kansas
Sedgwick County
City Council Meeting - **MINUTES**
July 14, 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 6:00 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, Justin Shore, Samantha Warkins, Shirley Palmer-Witt and Dalton Chambers.

The following staff members were present:

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

Others present who spoke:

Valeen Palmer, Scot Palmer, Dillon Kanngiesser and Jake Bjostad.

3. Approval of Agenda

Mayor Ussery asked if there were any modifications to the agenda, Item 5c in the consent agenda, Promotion Recognition needed to be moved to the first business item.

Motion: *Palmer-Witt* moved; *Shore* seconded to approve the agenda as modified. 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

Accept Resignation

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

6. Staff Reports:

- Administration Office – Courtney Zollinger – Updated Council that there will be a townhall meeting on July 21st at the High school at 6 pm. Council asked when the bid packet would be done for Yvonne and Janet, Zollinger stated that it probably wouldn't be ready until October. Council inquired about the summons for the properties in Indian Ridge, Zollinger answered legal counsel has been retained due to the property owner of a few lots not paying their mortgage and the mortgage company stated that the City will not receive the back taxes or special assessments. Council then asked about the culvert being replaced, Zollinger stated that it should arrive this week, but the backhoe has been having issues. She noted that Sedgwick County will backfill and get the asphalt done. Zollinger has reached out to Julie with Sedgwick County Emergency Management to see if there are any funds for municipalities after the rain since there was for personal property. Council asked when trash cans were to be put back after picked up, Zollinger stated she believes it is around 4 hours after it has been picked up but that is hard to manage. The Mayor may add that to an update in the future. Council asked about the property near Park Glen and Yvonne with the overgrowth, Zollinger has turned it into Professional Code

Compliance (PCC), council then stated that the grass at the property near the nursing home as well as the ditches on Diagonal are also getting tall.

- Fire Department – Jared Dinwiddie – Council inquired about the 2 calls that the department was unable to respond to, Dinwiddie stated they were medical calls. Council then asked about the residency radius for department members. Dinwiddie stated that members are required to live within a five-mile radius of the station, or approximately a 10-minute drive. Palmer-Witt asked if they all live within that requirement, Dinwiddie replied with “pretty much”. Dinwiddie mentioned that the department was approved for the drip drop hydration give back campaign. The Fourth of July event went well for the first year and hope to do it annually.
- Police Department – Kirk Ives – Council asked if the flock camera was under warranty, Ives stated that it was and they will be out to replace it.
- Public Works/Parks – Chadd Posch – Council asked about the dirt and rock that was washed into the streets after the rain, Posch stated that they try to push it back into the alley, but it is hard to keep up with.
- Senior Center – Amber Ives – Construction is going good, they are framing now. The Center will have to be closed on August 3rd but meals on wheels can still be delivered for the homebound people.

7. Business

Mayor Ussery noted that the Branch Line Solar Project (TED) was removed from the agenda due to them not being able to attend on short notice.

a. Promotion Recognition

Dinwiddie stated that there was a promotional process held in May. He mentioned that himself and the executive staff met and determined to change the number of years of experience in their by-laws from 5 years to 3 years due to the number of applicants interested in the positions. A letter was sent to the members in February and there were 4 applicants. These candidates took written tests over policies and procedures and had practical assessments with outside assessors, then there was a panel interview by other assessors as well. Dinwiddie took the overall scores and the top 2 candidates were Trent Zimmerman and Richard Grizzle. Mayor Ussery explained that he had requested the item be placed under the Business section of the agenda to ensure it was formally acknowledged by Council. Since the by-laws stated 5 years’ experience but Zimmerman only had 3 years, he wanted the Chief to be able to stand behind the exception and show confidence in the decision.

Motion: *Shore* moved; *Chambers* seconded to approve the promotions of Trent Zimmerman and Richard Grizzle to Lieutenants for the Fire Department. Voted and passed unanimously.

b. STO Ordinance

The following sections were modified in the 53rd edition of the STO published in 2026.

Definitions: Added: Hand-free Device

Amended: Section 93. Parking Disabled and Other Vehicles., Section 126.1. Obstructing License Plates, Section 126.1.1. Display of License Plate, Section 181. One-Way Glass and Sun Screening Devices, Section 201.1. Failure to Comply with a Traffic Citation.

New: Section 126.2.1. Use of Wireless Communication Devices in School Zones and Construction Zones.

Section 169.2. Use of Lights in Road Construction Zones. The new STO and UPOC books have been ordered from LKM. The cost is around \$320 out of the police budget.

Council inquired about display of license plate on the rear of vehicle, Ives stated they can be illegal, mostly due to some of them covering state information.

Motion: *Palmer-Witt* moved; *Warkins* seconded to adopt Ordinance 1131 Regulating Traffic Within The Corporate Limits Of The City Of Clearwater, Kansas; Incorporating By Reference The "Standard Traffic Ordinance For Kansas Cities," 53rd Edition Of 2026, With Certain Changes And Additions; And Repealing All Other Conflicting Ordinances. Voted and passed unanimously.

c. UPOC Ordinance

The following sections were modified in the 42nd edition of the UPOC published in 2026.

Definitions: Amended: Cardholder & Financial Card

Definitions: Added: Closed-Loop Gift Card, First Responder, Feral Cat, Gift Card, Gift Card Issuer, Gift Card Redemption Information, Gift Card Seller, Grain, Hay, Implement of Husbandry, Livestock & Open-Loop Gift Card. Amended: Section 3.1.1. Domestic Battery, Section 6.1. Theft, Section 6.17 Criminal Use of a Financial Card or Gift Card.

New: Section 3.5.1 Unlawful Approach to a First Responder, Section 11.11 Cruelty to Animals.

Motion: *Warkins* moved; *Shore* seconded to adopt Ordinance 1132 Regulating Public Offenses Within The Corporate Limits Of The City Of Clearwater, Kansas; Incorporating By Reference The "Uniform Public Offense Code For Kansas Cities," 42nd Edition Of 2026, With Certain Changes And Additions; And Repealing Section 1 Of Ordinance 1120 And All Other Conflicting Ordinances. Voted and passed unanimously.

d. MOU Between City and Rec Commission

The proposed Memorandum of Understanding formalizes the administrative services the City provides to the Chisholm Trail Recreation Commission that is currently being done by Zollinger and has been done for the last year. If approved, this would help spread the work to other City staff. Under the agreement, the City will provide bookkeeping, payroll, financial reporting, budget preparation assistance, audit support, and administration of employee health insurance for eligible Recreation Commission employees. The Recreation Commission's financial records will be integrated into the City's financial software, allowing for more efficient tracking and reporting. Eligible employees will also be included under the City's health insurance policy, as adding a single employee to a separate policy is difficult. The Recreation Commission will remain responsible for approving expenditures and will reimburse the City for services and expenses as outlined in the agreement. The Recreation Commission will pay the City \$1,000 per month for administrative services and reimburse the City for all direct expenses incurred on its behalf, including employee insurance costs. Counsel has reviewed the agreement and recommended reviewing at the end of the year. Council asked if the fee seemed reasonable and asked if Zollinger had been tracking her hours, Zollinger believes the fee is accurate but has not been tracking her hours. She noted it is more labor intensive since it is different accounting software, but the proposal would match what the City does for the Cemetery. Mayor Ussery stated it has made a big difference with the Cemetery District and would recommend utilizing the software for the Recreation financials. It was reiterated that this is strictly reporting only and the City takes on no responsibility for the functionality of the Rec Commission. Palmer-Witt asked if she needed to abstain from the vote since she is part of the Rec board, Ufford said that wouldn't be an issue.

Motion: *Gordon* moved; *Warkins* seconded to approve the Memorandum of Understanding with the Chisholm Trail Recreation Commission and authorize the Mayor to execute the agreement. Voted and passed unanimously.

e. Rec Commission Request for City Park Ballfield

Shirely Palmer-Witt, Valeen (interim Recreation director) and Scot Palmer were present to request approval for upgrades to City Park ball field. Dillon Kanngiesser and Jacob Bjostad were coaches during the rec baseball season and were present in support. Palmer-Witt explained that the field retains water with any amount of rain and delays games 2-4 days. This ball field is the only one able to be used for 12-U games and there are tournaments held there as well. She then reviewed the growth of the participants for the past season but noted that the numbers are decreasing for the older kids. She believes that this field is used year-round and the Recreation Commission is willing to fund the proposed improvements. Whitney Landscaping has put together a bid in the amount of \$72,500 that includes irrigation with a well and recommends starting immediately. However, starting the project right away would prevent large equipment from using the area, creating a conflict with the 2026 Fall Festival carnival, which has already been planned for that location. She further explained that the Recreation Commission has discussed assuming long-term maintenance responsibilities for the ball field from the fence inward. Palmer-Witt noted that relocating the Fall Festival carnival to a nearby street could be a potential solution. She also informed the Council that the Recreation Commission is currently preparing its budget and needs to know whether the project will be approved so the expense can be included. Palmer-Witt added that, even if the project is not approved, the Council should address the safety concerns with the existing field. She reported that glass and rocks were discovered while Scot Palmer was dragging the field and noted ongoing issues with the batter's boxes that could present a liability. She also mentioned the community's need for additional ball fields and briefly referenced the possibility of developing another field at City Park if construction of a building at Clearwater Elementary East were to eliminate the existing field currently used for recreation activities. Valeen Palmer, interim Recreation Director, addressed Council regarding the ball field and stated that her and Mr. Palmer had tried different methods in hopes of improving the field but was unsuccessful. She mentioned that she is also on the Fall Festival committee and understands the challenges this project may cause for that event. She further explained the multiple

games cancelled or rescheduled due to rain. Pictures were handed out to show the standing water as well as debris in the infield. She mentioned that one of the 12U games had to be moved to Mulvane resulting in the Recreation Commission having to pay those umpire fees rather than forfeit the games, although some places will not agree. She also explained with the limited number of fields it is difficult to rework rainout games with regular games and reiterated that 12U can't be moved to any other field. Scot Palmer addressed Council and reiterated the amount of debris from when he would drag the field and wanted to point out the safety and liability concerns this field is causing. He went over the dimensions and distance for each age group for baseball and softball. He then explained that when the 12U kids move up to 14U, they may leave Clearwater to play elsewhere. He mentioned how he tried tamping down the lip on the field, but it didn't do much good and noted the batter's box being an issue as well. There is a need for a better fence, there is no fencing around any of the electrical stands at the City Park or the Sports Complex and the size of the dugouts are too small. Council inquired about the start and end of the season, Vaalen answered that practices start in April and games start in May and noted t-ball started earlier and games were backed up where elementary East field had to be prepped due to field shortage. Council discussed the different options for placement of the carnival for the fall festival and who would be responsible for electricity and water for the proposed work. Dillon Kanngiesser and Jacob Bjostad addressed council in support of the upgrades to the City park ball field and informed council of the issues they have seen as coaches this past season. Consensus of Council was to go back to Whitney landscaping and ask if there were any other options where the fall festival wouldn't have to move the carnival this year since it is only a few months away but agreed the field needed attention.

f. Clearwater Fire Agreement with Ninnescah Township

The City of Clearwater has contracted with Ninnescah Township to provide fire protection services since 1959. The current agreement was originally executed in 2015 and amended in 2018. The 2018 amendment changed the Township's annual payment from a dedicated six (6) mill levy to an amount equal to the funds budgeted annually by the Township for fire protection. Since that amendment, the City has experienced continued demand for emergency services within Ninnescah Township. Approximately 15% of all emergency responses made by the Clearwater Volunteer Fire Department, including emergency medical calls, occur within Ninnescah Township, and more than 50% of all fire-related incidents responded to by the department occur within the Township. To maintain the level of service provided to Township residents and property owners, the City has made significant investments in the Clearwater Volunteer Fire Department (CVFD), including the purchase of a new water tender to improve rural fire protection and maintain the rural ISO Class 6 rating. Restoring the original six mill funding structure will provide a stable and predictable funding source to help support the continued delivery of fire protection and emergency response services. Staff has prepared a new Fire Protection and Emergency Response Services Agreement that repeals and replaces the 2015 agreement and the 2018 amendment. The City currently receives approximately \$80,000 annually from Ninnescah Township for fire protection services. For tax year 2026, Ninnescah Township levied 4.516 mills for fire protection. Restoring the levy to 6.000 mills is estimated to increase annual revenue dedicated to fire protection to approximately \$106,000, based on the current assessed valuation. Zollinger noted that Ninnescah township is pleased with the services provided by CVFD and have verbally agreed to the 6 mills. Mayro Ussery noted that this agreement will be in effect regardless of what is determined with Sedgwick County Fire District 1. Council then discussed the expiration of the agreement which renews every year. Zollinger explained that Ninnescah would need to inform the City within a year if deciding to cancel the agreement and the City can decline in 90 days. Ufford clarified that the agreement will renew unless either party provides 12-month written notice and the City may terminate the agreement on 90 days written notice if the Township fails to levy or remit the compensation.

Motion: *Shore* moved; *Gordon* seconded to authorize the Mayor to execute the proposed Fire Protection and Emergency Response Services Agreement with Ninnescah Township, providing for an annual payment equal to six mills on all taxable assessed valuation within Ninnescah Township, excluding any incorporated city located therein. Voted and passed unanimously.

g. 2027 Budget RNR Intent

Pursuant to K.S.A. 79-2988, July 20, 2026, is the deadline to notify the Sedgwick County Clerk of the City's intent to exceed the Revenue Neutral Rate (RNR) for the 2027 budget. Submitting the notice does not obligate the Governing Body to exceed the RNR or adopt a budget at the current mill levy. It simply preserves the City's ability to do so while the budget process continues. Based on current budget estimates, staff does not recommend exceeding the current mill levy of 52.695 mills. If the City remains at the Revenue Neutral Rate of 48.923 mills, estimated property tax revenue will be approximately \$1,434,158. Maintaining the current mill levy of 52.695 mills would generate approximately \$1,544,701,

an increase of approximately \$110,543. If the notice is submitted, the County Clerk will provide the required taxpayer notifications. The Revenue Neutral Rate hearing is scheduled for August 25, 2026, at 6:00 p.m. which will also be the same meeting for the budget hearing. The proposed budget and hearing notice must be submitted for publication by August 13, 2026. There is no cost to the City for the required taxpayer notifications in 2026. Future legislation may require local governments to reimburse the County for mailing costs beginning in 2027. The notice is required by K.S.A. 79-2988 to preserve the City's option to exceed the Revenue Neutral Rate.

Motion: *Palmer-Witt* moved; *Warkins* seconded to approve the submission of the notice to the Sedgwick County Clerk indicating the City of Clearwater's intent to exceed the Revenue Neutral Rate, with a maximum mill levy of 52.695 mills, while continuing to develop the 2027 budget. Voted and passed unanimously.

8. Executive Session

None

9. Governing Body

Gordon – None.

Shore – Encouraged Council to attend the annual League Conference, which will be held in Wichita in October.

Warkins – There is a fall festival meeting on Monday.

Palmer-Witt – The Recreation Commission has been holding interviews for a new director and may make an offer at their meeting tomorrow evening.

Chambers – None.

Ussery – There will be a Town Hall meeting on July 21st at the high school at 6pm and Sedgwick County has been invited to attend. They will have an opportunity to present or answer any questions. Mayor Ussery will have a presentation and will have Chief Dinwiddie and Chief Medical Officer Patrick in attendance to address any situations that come up. Time will be allotted for members of the public to ask questions and share their opinions. He then informed Council that the Cemetery District did pass the Resolution at their last meeting and Ohio Township is no longer part of the District, there will be an opportunity to elect a member to serve the rest of the year at the next meeting in August.

10. Adjournment

Motion: *Warkins* moved; *Palmer-Witt* seconded to adjourn the meeting. Voted and passed unanimously. The meeting adjourned at 7:46 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 July 14th, 2026, City Council meeting.

Given under my hand and official seal of the City of Clearwater, Kansas, this 28th day of July 2026.


Jaye Poe, City Clerk

