

City of Clearwater, Kansas
Sedgwick County
City Council Meeting - MINUTES
July 28, 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 Administrator 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, Justin Patrick, Cole Hollis, Kirk Ives, Amber Ives and City Attorney Jennifer Hill.

Others present who spoke:

Ben Metcalf, Ian Edwards, Megan Harper, Wes Struthers and Marsha Dillon.

3. Approval of Agenda

Mayor Ussery stated that staff reports would be moved to follow the Senior Center Grant Presentation and the Branch Line Solar Project (TED) presentation.

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

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

6. Twin Valley Community Grant Award

Megan Harper represented Twin Valley regarding their community outreach programs. She informed the Council that Twin Valley is a fourth-generation broadband communications company based in Kansas and has served the Clearwater community since the 1950s, originally through Southern Kansas Telephone. Twin Valley provides more than \$100,000 in support for community outreach and digital inclusion through scholarships, sponsorships, free internet for community organizations and free public Wi-Fi. They continue to support the Clearwater Fall Festival, Christmas event, Booster, Lyons and Rotary clubs as well as after prom. She explained that Twin Valley offers a college scholarship program of up to \$2,500 for local high school seniors who intend to return to rural communities after graduation. She also noted that Twin Valley provides community initiative grants of up to \$5,000 per project. There were 81 applications totaling over \$360,000 during this grant cycle in which 8 of these projects were picked totaling \$38,000. The Clearwater Senior Center was awarded \$5,000 to purchase an industrial refrigerator and freezer as part of their expansion project. Amber Ives noted that the refrigerator will be put in the back to hold snacks and meals that come in. This will help keep food fresh longer and support the expansion of the building and the growing number of participants. Mayor Ussery thanked Megan and noted the grant was well-timed.

7. Branch Line Solar Project (TED)

Mayor Ussery informed the audience that Sedgwick County Commissioners will be considering this project on Wednesday, August 5th and encouraged them to voice their opinion as Clearwater does not have the authority to approve or deny this project. Ted Renewables has applied for a conditional use permit for the Branch Line Solar Project. The project was submitted through the Metro Area Planning Commission (MAPC) and has been forwarded to the Sedgwick County Board of Commissioners for final review on August 5th. On May 26th the City of Clearwater governing

body reviewed the impact of the placement of the solar project at the published locations and submitted formal opposition to the setting of the area surrounding the city as it may interfere with or hinder future growth and development. Resolution number 07-2026 and a letter signed by the governing body was provided to the MAPC and the Sedgwick County Board of Commissioners to that effect. These are both on file with the City. On June 23rd the law office of Foulston submitted a letter to the MAPC refuting the basics for the city's concern. On July 1st a representative from Ted Renewables requested a meeting to discuss the project. The city's response was to wait for the County Commissioners' determination on August 5th. On July 9th Ted Renewables again reached out for a meeting with the city. On July 13th an invitation was submitted for Ted Renewables to attend the city council meeting on July 14th. Understandably, due to the short notice, they were unable to make that meeting. On July 21st Mr. Metcalf from Ted Renewable provided a letter and email to the Clearwater governing body with an offer to make a 3.5-million-dollar contribution over a period of 10 years to the city. On July 22nd they were again invited to attend the city council meeting and present their information in an open meeting to provide a brief presentation and for public feedback. Ben Metcalf, Vice President of Ted Renewables, stated that he understood if he was perceived as greedy and not caring about the community after reading the Mayor's update. He shared that his brother was born in Kansas, but his family later relocated due to his father's job. He also noted his own service in the Navy and explained that he transitioned into solar development because he views it as another way to serve. He stated that energy security and affordability are important priorities and believes solar development can help support those goals. He said they are not asking for Clearwater or those who have filed an appeal with MAPC to rescind their opposition and supports the right to oppose this project. He wanted to discuss the letter that he sent to this Council and how infrastructure projects are taxed in Kansas. He explained that the State Legislature has used 10-year tax abatements to encourage economic development which is available to solar projects and other forms of energy because they believe energy affordability is important. He stated that the federal level provides incentives to energy and is focused on economic development and energy security. Since priorities are different for local, State, Federal and County governments therefore a norm has been established for projects to offer a contribution agreement to offset some of that tax revenue in the 10 years. Mr. Metcalf is not aware of any projects in Kansas over the last 5 years where there has not been one of these agreements in place. He explained that sometimes Counties decide to make the agreement a condition precedent to a conditional use permit and some prefer to negotiate that after a permit has been issued, Sedgwick County has chosen to defer the conversation to after a permit is issued if it gets approved. He would rather the contribution go towards essential services that are in the vicinity of their projects rather than the general fund of the County and would like to open the conversation if the City is interested and noted that it is not conditioned on Clearwater rescinding the Resolution. Mr. Metcalf introduced Wes Struthers as the landowner on this project. Mayor Ussery explained that the City discussed this project at length and does not believe there are any objections to Solar, the concern is the future growth of Clearwater and the surrounding community. He noted the significant contribution associated with the project and clarified that the project is not limited to 10 years. He stated that the application references a 35-year project life, with the potential for up to 50 years with proper maintenance. He also addressed the attorney's letter regarding the lack of growth in Clearwater, noting that the community has added 63 new homes within the past four years with 70 currently platted and 160 more in acreage within the city. There has been great effort in growing the community and Clearwater should not be subject to a 2020 census. Mayor Ussery is concerned this project would deter new growth and that over that 50-year period, if product or if your value drops, it doesn't take very much to make up \$3.5 million for a community-wide loss in property value before that's a trade-off and believes putting this project where it is proposed would be a detriment to future growth. Warkins asked what the construction cost for the project is, Ian Edwards who is the lead project developer for the project stated it is roughly a \$150 million investment. She asked if that investment would increase the value of the land, Mr. Metcalf believes that to be a question for the appraiser but would think the long-term revenue stream would be considered during the appraisal. She asked if the energy being created would go back to Evergy's grid, he answered it would go to the bulk electric system, the transmission grid and that this is not being developed for Evergy. They may choose to purchase some of the power, or it may just go in the bulk electric system into what's called the Southwest Power Pool wholesale electric market like a lot of wind or natural gas projects. Chambers asked Mr. Struthers about a statement in an email regarding the possibility of donating land to the City for future development, he owns a quarter section across from the high school and the land next to the golf course which he would like to develop into housing as well as more land north of town not included in the project. He mentioned he would like to re-invest into land that is close to ranch operations as this part is getting too crowded for him. He mentioned that his family has owned a lot of the property for over 100 years and is a little irritated with the City telling him what he can do with his property and noted the little growth of Clearwater with the graduating class being 126 students. He also believes that real estate is getting too valuable to farm. They have about 1,600 acres of the original homestead land remaining. Marcia Dillon who lives in Prairie Grass Circle, stated that her property line is 100 feet way from the proposed solar panel project and believes it

will drastically change their quality of life and neighborhood. She noted how much the neighborhood has grown since moving there 15 years ago. She said that they will sell their house as quickly as possible if the project gets approved due to a decrease in value. There was no changes to the Resolution sent by the governing body regarding this project, council thanked everyone for their input and time.

8. Staff Reports:

- Administration Office – Courtney Zollinger – Council asked whether the lots in Indian Lakes would need to be rezoned. Zollinger stated that no rezoning would be required, as single-family homes are permitted within multi-family zoning districts. Council asked for an update on the property off Yvonne and Park Glen. Zollinger stated that certified letters had gone unclaimed twice. A 10-day notice will be published in the newspaper before the City can act. If the City mows the property, the owner will be billed, and any unpaid charges will be submitted to the County for tax abatement. Council asked about the tall weeds at the Senior Living facility near Mize's. Zollinger stated that the property is on the Code Compliance Officer's list.
- Fire Department – Justin Patrick – Mayor Ussery reminded Council of the meeting with Sedgwick County on Friday to review the Mutual Aid Agreement with the Fire Chief, Justin Patrick, Courtney, and himself.
- Police Department – Kirk Ives – Officer Lantz has 2 ½ months left in KLETC.
- Public Works/Parks – Cole Hollis – Council thanked public works for the speedy repair on the culvert.
- Senior Center – Amber Ives –

9. Business

a. Annexation Ordinance 8035 S. Butterfly Ct.

In June 2026 the city received Consent for and Petition to Annex into the corporate limits of the City of Clearwater from the property owners at 8035 S Butterfly Ct. At the June 23, 2026, meeting the Governing Body adopted Resolution 08-2026 finding it advisable to annex the referenced property. Per state statute, that resolution was sent to the Sedgwick County Board of County Commissioners and at their July 15th meeting the Sedgwick County BOCC adopted resolution 140-2026 releasing the property for the City to annex. The Governing Body needs to adopt a separate Ordinance officially annexing the property into the city. Shore mentioned the County expressing dislike of the island annexation at previous meetings and asked if they could make Clearwater annex all remaining property at once, Mayor Ussery said they could not. After that meeting letters were sent to the property owners inviting them to start the annexation process now prior to them building which would mean their tax rate would change to the City and they chose to wait. Zollinger mentioned that there are about 8 properties remaining and once all properties have been annexed in, the City will take over road maintenance there as well.

Motion: *Warkins* moved; *Gordon* seconded to adopt Ordinance 1133 An Ordinance Annexing And Incorporating Certain Land Within The Boundaries Of The City Of Clearwater, Kansas Pursuant To And In Accordance With The Provisions Of K.S.A. 12-520c. Voted and passed unanimously.

b. Special Event Permit

Brent Barry is requesting a Special Event Permit for September 20th, 2026, from 6:30 am – 8:00 pm. This would be a community event called Main Street Miles: Clearwater Runs for Recovery. He is proposing to start running from the Emergency Services building at 319 W Ross to City Park for the 12-hour period. He has asked to utilize the shelters and to have the fees waived as well as use the parking lot at City park. He would like to block off the parking lot entrances at City Park from 4p-8p. There will be a church sponsored potluck under the shelters from 11a-3p, local businesses will provide free nutritional drinks and healthy snacks. All activities are free, donations are welcome. He will have 2 first aid tents ran by volunteers. The event would focus on raising awareness around recovery, reducing stigma, celebrating stories of transformation, strengthening community connections. There's no request for street closures, only the City Park parking lot as participants will utilize the sidewalks, crosswalks and abide all traffic laws. Chief Ives and Chief Dinwiddie reviewed the request and had no concerns. The request also included waiving the \$120 shelter rental fee for the three shelters. Council discussed other instances when the fees would be waived, Zollinger stated fees are waived mostly for community events.

Motion: *Palmer-Witt* moved; *Warkins* seconded to Approve the Mayor to issue the Special Event Permit for use of public property for the 2026 Main Street Miles event and waive the fees to rent the park shelters. Voted and

passed unanimously.

c. Hammers Park Shelter

Mayor Ussery previously presented a proposal for a building at Hammer's Prairie Park and Nature Center estimated at \$200,000, including utilities and concrete. Council requested an updated estimate for a 26' x 11' steel building with concrete access from the parking lot to meet ADA requirements. The updated estimate is \$93,000, with Hammer's Prairie Park committing \$50,000 and requesting the City contribute \$38,500, which would need to be considered during the 2027 budget cycle. Mayor Ussery explained that the building would be used like the City Park shelters, available for reservations such as picnics and parties. The long-term plan would be adding an education center, which will require significant future fundraising. Council asked about the timeline, and Mayor Ussery stated they would like it to be in 2027. Palmer-Witt noted that maintenance costs will need to be considered in the budget.

d. Rec Commission Request for City Park Ballfield

Zollinger informed Council that the estimate from Whitney Landscaping was now \$90,000 since utilizing well 4. The original amount was \$72,500 with seed and is now \$90,000 with sod. She also asked Public Works Director Cole Hollis to inspect the electrical at Well 4 and met with Shirley to discuss responsibilities between the City and the Rec. There still needs to be more clarification on responsibilities but the rec would be responsible for the dirt and playing surfaces including field prep and upkeep, the grass and turf areas associated with the ball field that includes mowing and general turf care, the irrigation system serving the ball field, any temporary fencing used, electrical costs for the irrigation, fence line maintenance, including trimming, spraying, weed control and keeping the fence line clear and notify the City of any significant safety concerns. The City would be responsible for repairs of the permanent chain link fence surrounding the ball field. Council asked who would maintain the lights, Zollinger said that still needs to be discussed and that the City currently maintains them. Whitney had mentioned that some pricing could be cut if Public Works could help with the well installation. Zollinger reminded Council that the Rec originally had an estimate that included seed, but to keep the carnival for the fall festival at City Park this year, Whitney could wait but would have to use sod. Council consensus was to pay the difference of seed to sod which would be \$17,500. Palmer-Witt stated that it would not be cost conducive to phasing out the project and that work would start after October. Council asked about the water quality of well 4, Hollis said it would work for irrigation purposes and Zollinger reminded council that well 3 (behind the ball diamond) is the well that had nitrates that can be corrected for future use. Zollinger asked Council for direction on the lights at the park, does the city want to continue replacing the bulbs and not be responsible for upgrading all to LED or keep the option open, consensus was to be managed by the City but possibly be a shared cost.

Motion: *Shore* moved; *Chambers* seconded to authorize \$17,500 to be allocated toward the City Park project for sod installation in 2027. Voted and passed unanimously.

8. Executive Session

None

9. Governing Body

Gordon – None.

Shore – Reminder to sign up for the League Annual Conference with the early bird pricing.

Warkins – Reminded Council that the Fall Festival is approaching quickly and they are trying to get plans finalized.

Palmer-Witt – Asked when the work on Ross was going to start, Zollinger said it would be Thursday with the completion goal of the 12th. She also brought up the hole that is on South Tracy by the mortuary to the North on the West Side, Zollinger will have this looked at either by Sedgwick County or Public Works.

Chambers – None.

Ussery –

10. Adjournment

Motion: *Warkins* moved; *Palmer-Witt* seconded to adjourn the meeting. Voted and passed unanimously. The meeting adjourned at 7:00 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 28th, 2026, City Council meeting.

Given under my hand and official seal of the City of Clearwater, Kansas, this 11th day of August 2026.


Jaye Poe, City Clerk

