

**City of Clearwater, Kansas**  
Sedgwick County  
City Council Meeting - **MINUTES**  
February 9, 2021  
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; Shirley Palmer-Witt, Chad Pike, Crystal Walter and Justin Shore were present.

The following staff members were present:

Ron Marsh, City Administrator, Courtney Zollinger, City Clerk, Cole Hollis, Chadd Posch, Kirk Ives, Jared Dinwiddie, Justin Patrick.

**3. Approval of the Agenda**

Mayor Ussery asked if there were any modifications to the agenda. Marsh stated no. Mayor Ussery called for a motion to approve the agenda as submitted.

**Motion:** *Walter* moved, *Palmer-Witt* seconded to accept the agenda as presented. Voted and passed unanimously.

**4. Public Forum**

None

**5. Approve Consent Agenda**

Mayor Ussery asked if there was any question on the consent agenda and if not asked for a motion to approve.

1/26/21 Minutes  
Claims and Warrants  
Mayor Appointments  
John Hurley Planning Commission  
Doris Schulze Library Board

**Motion:** *Palmer-Witt* moved, *Shore* seconded to approve the consent agenda as presented. Voted and passed unanimously.

**6. Staff Reports**

- a. Clerks Office – Courtney Zollinger – Council had no questions.
- b. Fire Department –Jared Dinwiddie –Council had no questions.
- c. Police Department – Kirk Ives – Council had no questions.
- d. Park – Chadd Posch – Council had no questions.
- e. Public Works – Cole Hollis – Council had no questions.

**7. KOMA UPDATE**

Jennifer Hill, City Attorney, informed council that social media discussions between 3 or more councilmembers is in violation of Kansas Open Meeting Act. There was a county that was fined recently for Commissioners having open discussion on social media. She recommends for council to not respond in city business discussion on social media. If asked directly they should direct the individual to speak with city staff

**8. Business**

**a. Agreement between Sedgwick County Fire District #1 and City of Clearwater**

Clearwater Fire Department does not have the resources to conduct plan review and fire code inspection services for new construction within city limits.

Since the City of Clearwater is not part of Sedgwick County Fire District #1, and the City and Sedgwick County Fire District #1 currently have a mutual aid agreement for fire response, the Clearwater Fire Department has reached out to SCFD#1 for inspection assistance.

Sedgwick County Fire District #1 has agreed to provide those services for the City under the terms of the attached agreement.

The fire code inspection agreement will not affect the mutual aid agreement.

There is no cost to the City for entering into this agreement or for the outlined services in the agreement.

The City Attorney has reviewed and approved the agreement.

Griffin asked if the fire alarms and sprinkler systems are inspected with new builds. Dinwiddie answered yes. Griffin then asked who will monitor the inspection to make sure they are done each year. Marsh informed council that the inspection company usually is the one that reminds the businesses of their upcoming inspections and schedules them.

Council had no further questions.

**Motion:** *Shore* moved, *walter* seconded to approve the agreement between Sedgwick County Fire District #1 and have the mayor sign. Voted and passed unanimously.

**9. Administrators Report**

- TruGreen made their first application on the baseball field last week.
- The joint meeting with City Council, BOE and Rec Commission is scheduled for Monday, March 8<sup>th</sup> at 6:00PM. This is before the BOE meeting. Marsh will confirm a location and let council know at the next meeting.
- McCollough Construction is scheduled to start work on upgrading the Park Glen lift station on the 16<sup>th</sup>, weather permitting.
- CED is getting prices for cores for the street pavement assessment. Should be a couple of weeks.
- Yvonne Dr final list will be applied in the spring.
- The new brush truck is done and Zollinger will send a picture of it out to council.

**10. Governing Body Comments**

Griffin had nothing to report.

Palmer-Witt had nothing to report.

Shore had nothing to report.

Walter had nothing to report.

Pike had nothing to report.

Ussery asked Marsh for the contract information for Waste Connections. He would like to know when the contract is up.

**11. Executive Session: K.S.A. 75-4319(b) For the preliminary discussion of the acquisition of real property**

**MOTION:** *Palmer-Witt* moved; *Shore* seconded to recess into executive session to discuss the acquisition of real estate to include the City Attorney, City Administrator, and the City Clerk. The open meeting will reconvene in the City Council Chamber at 7:45 p.m. Voted and passed unanimously.

Mayor Ussery called the meeting back to order at 7:45 and stated there was no action taken in executive session and asked council to recess back into executive session to continue the discussion.

**MOTION:** *Palmer-Witt* moved; *Pike* seconded to recess into executive session to discuss the acquisition of real estate to include the City Attorney, City Administrator, and the City Clerk. The open meeting will reconvene in the City Council Chamber at 8:15 p.m. Voted and passed unanimously.

Mayor Ussery called the meeting back to order at 7:45 and stated there was no action taken in executive session.

Mayor Ussery called for a motion for him to discuss entering into a potential agreement between the Cemetery and the City for the relocation of Cemetery land. The MOU has been reviewed and prepared by the City Attorney and the Mayor would like to discuss the city perspective with the Cemetery board. The modification to the MOU that council would like to make is in paragraph 4, and it should now refer to an exchange of acreage or market based like-value exchange.

**Motion:** *Palmer-Witt* moved, *Pike* seconded to authorize the Mayor to discuss entering into an agreement with the Cemetery board with the modification to paragraph 4 as stated. Voted and passed unanimously.

**12. Adjournment**

With no further discussion Mayor Ussery called for a motion to adjourn.

**MOTION:** *Shore* moved; *Palmer-Witt* seconded to adjourn the meeting. Voted and passed unanimously. The meeting adjourned at 8:20 PM

CERTIFICATE

State of Kansas        }  
County of Sedgwick   }  
City of Clearwater    }

I, Courtney Zollinger, 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 9, 2021 City Council meeting.

Given under my hand and official seal of the City of Clearwater, Kansas, this 23rd day of February 2021

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Courtney Zollinger, City Clerk