

City of Clearwater, Kansas
Sedgwick County
City Council Meeting - **MINUTES**
July 12, 2022
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; Tim Robben, Tex Titterington, Chad Pike and Justin Shore were present. Crystal Walter was absent.

The following staff members were present:

Courtney Zollinger, City Administrator, Jaye Poe, City Clerk, Cole Hollis, Chadd Posch and Kirk Ives, Jared Dinwiddie was present via GoTo Meetings.

3. Approval of Agenda

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

Motion: *Titterington* moved; ***Robben*** seconded to approve the agenda. 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.

Minutes

Claims and Warrants

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

6. Staff Reports:

- Administration Office – Courtney Zollinger – Council discussed the vacancies open for Planning Commission/Board of Zoning Appeals.
- Fire Department –Jared Dinwiddie – There were no questions.
- Police Department – Kirk Ives – Council discussed the raise in arrests, Ives stated it was probably due to the Fourth of July Holiday. There were over 30 reportable calls in the 3-day period. There were no firework calls. Council discussed an SPV brochure for the residents. Ives stated that Indeed has been successful and they have 3 good candidates at the moment for the full-time position.
- Park – Chadd Posch – Council discussed the placement of the logo on the basketball court. Instead of one big logo in the middle, the company has suggested that they lay 2 smaller logo's on the court with one facing fourth street, to be seen as you are driving by and one facing the park shelter.
- Public Works – Cole Hollis – There were no questions.

- Senior Center – Amber Ives was not present. The council had no questions.

7. Business

a. Clearwater Comprehensive Development Plan 2022-2042

Council has had the opportunity to review the comprehensive plan through the stages. At the July 5, 2022, the Planning Commission adopted Resolution 001-2022 adopting the 2022-2042 Comprehensive Plan and recommended for the Governing Body to approve it by Ordinance.

Motion: *Titterington* moved; *Pike* seconded to Receive and file Unapproved Minutes of the Clearwater City Planning Commission Meeting of July 5, 2022, which was the date of the public hearing and adoption of the Comprehensive Plan. Voted and passed unanimously

Open meeting to Public Comment was opened at 6:40 p.m. There was no discussion. Mayor Ussery asked the City Clerk if there had been any communication regarding the Comprehensive Plan, there had been no communication with the City Clerk. The governing body did not wish to discuss the proposed approval of the plan any further.

Motion: *Shore* moved; *Robben* seconded to accept the recommendation of the Planning Commission to approve the Clearwater comprehensive Development Plan 2022-2042 as submitted and to approve Ordinance Number 1082 and direct the City Clerk to publish it. Voted and passed unanimously

Roll Call: *Justin Shore, Chad Pike, Tex Titterington, Tim Robben.*

b. Mark Pelz Easement

Mark Pelz, 251 N Grain requested to put a permit to erect a carport on the city right-of-way north of him He informed the City he has been maintaining that property since the 80's. The Public Works Director, Cole Hollis confirmed that Pelz has been maintaining the property. After speaking with the City Attorney, they recommended we grant Mark and his wife, Cari an easement to use for the purpose of erecting a carport at no cost. This easement will not transfer from one owner to another and cannot be deeded to another without council consent and the council can cancel the easement rights with a 90-day written notice. The city does not want to sell the right-of-way as it is kept for the purpose of extending Wood west of Grain if needed for future development. Mark and Cari Pelz have reviewed the document and have agreed to the terms. Council discussed the agreement and being City property there would be liabilities to the City. The agreement states that the Pelz' must maintain full liability on the easement and the City must be named as additional insured on this policy and provide the City with proof of insurance in section 9 of the agreement. Section 3 of the agreement states this agreement is only between Mark and Cari Pelz and becomes null in void when ownership is transferred to a new owner.

Motion: *Shore* moved; *Pike* seconded to authorize the Mayor to execute the easement agreement between the City of Clearwater and Mark and Cari Pelz. Voted and passed unanimously.

c. 2023 Budget Discussion

At the June 28, 2022, council meeting there was a consensus to stay mil levy steady for 2023 and anticipated 2024 budget. There have been many increases to accommodate which are plugged into the budget for consideration: petrol, gas, insurance, chemical, and wages are most of the cost increases. As explained in the last meeting the assessed valuation for Clearwater has increased from 18,900,000 to 23,700,000 due primarily to Plains Cotton Cooperative building being fully assessed before the Industrial Revenue Bond kicks in in 2024. Clearwater will see a drop in assessed ablation in 2024. This means we will have a windfall in gross taxes in 2023 but we will see a significant decrease in 2024 if we don't plan accordingly. Council discussed the Tru-green plan for the City owned parks.

d. **Accept the Library Budget**

The Library Director has submitted the budget with the approval of their board. They are requesting \$113,700.

Motion: *Shore* moved; *Robben* seconded to accept the library budget as submitted for \$113,700. Voted and passed unanimously.

e. **Exceed or Not Exceed RNR**

Pursuant to K.S.A 79-1460, 79-1801, 79-2024, 79-2925c, 79-2988 cities must inform the county by July 20, 2022, whether they intend to exceed or not exceed the RNR. With the proposed budget the mill levy would be 64.023 which is the same mill levy as 2022. If the Council wanted to choose to stay revenue neutral, then \$290,000 would need to be removed from the proposed budget. If the Council chooses to not exceed the RNR then the budget hearing must take place between August 15th and August 25th and the budget must be submitted to the County Clerk by August 25th. If the intent is to exceed, then the proposed mill levy must be stated and the hearing date for the RNR. By approving to exceed the RNR and establishing the hearing date council has the freedom to adjust the department budgets but will not be able to increase the mill levy beyond this point. The County Clerk will notify the taxpayers via mail/email of all taxing subdivisions exceeding the RNR 10 days prior to the hearing. The cost of the mailer will be billed to the taxing districts, but the State will reimburse the costs in 2022 and 2023. Every year after that will be on the taxing district. The hearing for the RNR nor the budget can't take place prior to August 20, 2022. The City Administrator has established August 23, 2022, as the RNR and budget hearing.

Motion: *Titterington* moved; *Shore* seconded to exceed the Revenue Neutral Rate for 2023 with the proposed mill levy at 64.023. Voted and passed unanimously.

8. **Governing Body**

Shore – None.

Pike – None.

Titterington- None.

Robben- Retired today from his job, Mayor congratulated him and thanked him for his dedication.

Ussery – Mayor Ussery will be gone all next week; Shore will need to sign payroll and accounts payable checks. Update on Bowercomm, Mayor Ussery has contacted 16 people from Clearwater to set up 45-minute phone interviews with Bowercomm and has heard back from over half of them. They are now in stage 2 of the program. The Mikesell playhouse is needing to be removed and it was asked that the City assess the integrity of the current playhouse to see if it can be removed without much damage so they can repurpose it. They would like to help find something to replace it with and help to fund the replacement of the playhouse.

9. **Adjournment**

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

Motion: *Robben* moved; *Pike* seconded to adjourn the meeting. Voted and passed unanimously. The meeting adjourned at 7:25 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 12, 2022, City Council meeting.

Given under my hand and official seal of the City of Clearwater, Kansas, this 26th day of July 2022.



Jaye Poe, City Clerk