

City of Clearwater, Kansas
Sedgwick County
City Council Meeting - **MINUTES**
September 26, 2023
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, Chad Pike, and Tim Robben. Crystal Walter and Shirley Palmer-Witt were absent

The following staff members were present:

City Administrator Zollinger, City Clerk Poe, Amber Ives, Kirk Ives, Cole Hollis, Trish Nichols and the City Attorney. 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: *Shore* moved; *Pike* 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.

- Minutes
- Claims and Warrants
- Mayoral Appointments
- Utility Write Off
- Library MOU

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

6. Staff Reports:

- Administration Office – Courtney Zollinger – Police Clerk, Trish was awarded a grant towards the Police Radios. South Central Sealing is putting slurry seal on the streets and it is going well, there will be no chip seal after the complaints received from the last time. There has been money set aside for the informational sign at the four-way stop to be replaced or repaired, the City will be getting with the new Superintendent to see if the school would be willing to cost share. The idea for the property at 135th and 95th owned by the City is to put pre-restrictions on it that will benefit the community. Any property owners that may be affected by the boring for the sanitary sewer for Park Glen Estates 2nd have received notices. If they have any concerns, they should contact the City Administrator. If there is damage to the fences due to the work being done, it should be repaired but sprinklers will not be replaced or repaired. Cox has reimbursed Park Glen HOA for the damages to their sprinklers. They are willing to fix what has been damaged by them.

- Fire Department – Jared Dinwiddie – None.
- Public Works/Parks – Cole Hollis – Cox has hit a total of 6 water lines, but there have not been any more hit recently. Well 7 is the middle well.
- Senior Center – Amber Ives – November Lunch and Learn topic has not been decided yet. Amber reached out to Commissioner Sara Lopez to invite her to the November lunch but has not gotten a response. Tim Robben will attend that lunch. Council wished Amber a Happy Birthday.

7. Business

a. Adopt Resolution 24-2023 Authorizing Sale of Temp Notes - Park Glen Estates 2nd

On June 27, 2023, the Governing Body of Clearwater accepted the petitions for water, sewer, drainage, and streets for Park Glen Estates 2nd and authorized the improvements. Engineers estimates for the project totaled \$1,724,000. All improvements will be paid for through special assessments. The city will need to adopt a resolution authorizing the sale of general obligation temporary notes to complete the project. The Resolution and supporting documents have been crafted by Bond Counsel Kevin Cowan and Financial Advisor Ranson Financial. This is a normal step in this process.

Motion: *Shore* moved; *Pike* seconded to Adopt resolution 24-2023 authorizing the sale of General Obligation Temporary Notes, Series 2023B. Voted and passed unanimously.

b. Senior Center New Addition – Design

At the July 25, 2023, Council Meeting the Governing Body discussed options for expansion of the Senior Center. The plan that was presented was for an addition to the South side of the building to create more classroom space. Through the discussion the Governing Body asked for the entire property to be considered for growth instead of just one area. Professional Engineering Consultants has provided an option that would include a design-bid-build for southside addition plus a Master Plan design for the entire lot and potential future growth of the Center. The Design-Bid-Build portion for the southside addition would be \$39,550. Project Deliverables. The Master Plan add-on would be \$4,000. The City Attorney has reviewed the agreement and asked for minor modifications to the agreement which were agreed upon by PEC. Council discussed the purchase policy on RFB's and RFP's. It states for both RFB's and RFP's, formal written solicitations will be sent to a minimum of 3 vendors. In the event there are not at least 3 viable vendors, solicitations will be to at least 2 vendors. If only one viable vendor is a viable, viable vendors are determined as one who meets the parameters of the bid/ proposal in terms of time, distance, and finances. The consensus was to get 3 bids for a Master Plan for the Senior Center rather than a design bid build for just the southside and master plan.

c. Twin Valley Phone System

Staff met with Twin Valley to speak about the different phone options. The city last purchased a phone system in 2018. At that time there were limited options for our area. By switching to a phone with Twin Valley they would be Voice Over Internet Phones (VoIP). They would have the ability to transfer calls not only from desk to desk within the building but from building to building. The system also comes with a phone attendant application for a smart phone to receive office calls when someone is not at their desk. This will be highly useful for Public Works since they are rarely in the office. With the phone line elimination, the city will be able to reduce the annual phone bill payment by roughly \$600. The contract would be for 5 years. This is due to the investment Twin Valley would have implementing the system (no cost to the city) to include installation and the hardware. If a phone is damaged or malfunctions, Twin Valley will replace it at no cost. Our current system is owned by the City but has difficulty keeping up the time or making changes to outgoing messages and extensions. We are not able to work on it ourselves, so it costs the city \$150/hour for a service technician to come out. There is an option for the council to have Direct Inward Dialing (DID) that would go through an application on a smartphone. There would be a \$20 activation fee per person and \$10/ month fee for each person as well. There is no upfront cost. There is only the monthly fee of \$22.00/ month per handset. The City Attorney has reviewed the agreement with Twin Valley and requested modifications to the agreement which

were agreed upon by Twin Valley. Limitations of liability were removed, in the event there are disputes the trials will be held in Sedgwick County versus Saline County, and in the event any litigation between parties arises the attorney's fees will be at the cost of the city was removed. The fax lines will remain as they are.

Motion: *Robben* moved; *Pike* seconded to approve the City Administrator to sign the Twin Valley phone contract. Voted and passed unanimously.

d. Aquatic Center Water Toys

The frog fountains that are in the baby pool were installed in 2003 when the pool was built. After years of play they no longer work properly. Public Works must repair them every year but by mid-season they stop working because of the years of use. During the budget process this topic was brought up during the discussions. It was determined to use equipment reserve funds for this replacement to help keep the mill levy down. The cost to replace the two water features is \$6,277.50 with 50% down. There is \$11,000 in equipment reserve for this purpose.

Motion: *Shore* moved; *Pike* seconded to approve the purchase of the water toys at \$6277.50 utilizing Equipment Reserve Funds. Voted and passed unanimously.

e. Ordinance 1102 – Utility Billing Delinquent Payments

It has been suggested to adjust the delinquent date for the utility bills to accommodate people who are on a fixed income. Currently the city mails out the bills by 28th of the month and if unpaid by 7:30am the first business day after the 10th of the following month they are considered delinquent, and accounts receive a 10% penalty. It is suggested to move the delinquent date closer to the 15th of the month. Staff recommend shifting the date from 7:30am, the first business day after the 10th to 7:30am the first business day after the 14th. This will be two full weeks into the month to allow people to make their utility bill payment without penalty. The city includes in the annual budget to receive approximately \$23,000 from penalties to support the utility funds. By shifting the payment date this could affect the revenue a little bit. Council discussed social security checks being mailed out on the 1st and 2nd Wednesday of the month which causes some residents issues. This will take affect in October if passed.

Motion: *Shore* moved; *Pike* seconded to Approve Ordinance 1102 amending parts of the city of clearwater code at section 36 and ordinances 863 setting utility delinquent payments. Voted and passed unanimously.

f. Hire a Realtor to Market Remaining Chisholm Ridge Lots

There are 5 remaining lots in Chisholm Ridge. The city is not receiving as many inquiries on the available lots from foot traffic. It is recommended to hire a realtor to market the remaining lots on an MLS. Staff has reached out to three realtors and has received listing proposals from each of them. On a \$17,500 sale the realtor fees.

Corey Sandy; Cosh Real Estate Service	Realtor Fee: 4.75%	\$831.25
Janet Bates; Platinum Realty	Realtor Fee: 6%	\$1,050.00
Stephanie Carlson; J.P. Weigand	Realtor Fee: \$2,000	\$2,000.00

The city currently has lots priced at \$15,000. This was the price established to pay for the water, sewer, and drainage improvements as part of an incentive to sell the lots. The special assessments have already been assessed and water, sewer, and drainage are not part of it. The annual cost of the paving assessments is \$791. Each agent has recommended not to exceed \$20,000 on the price of the lots. If an agent is hired the MOU we have been working on will no longer be used and the lot sales will be handled through an agent. The original "program", except the pricing, is already in place since the property has been financed with/without the approved special assessments. -Transfer of the remaining City-owned lot for the price established in EXHIBIT "A" to this document, - *Will not be valid since an agent will be paid now* - Abatement of current drainage levied special assessments against the transferred city-owned lot - Abatement of new water and sewer improvements

against the transferred city-owned lot. To ensure the city receives the \$15,000 needed for reimbursement of the water, sewer, and drainage improvements, it is recommended to market the lots for not more than \$17,500. Some of the lots were purchased from the City and the owner's have decided to sell them, these lots are currently listed between \$17,500-\$20,000. Council discussed the price of the lots, Mayor Ussery suggested the selling price to start at \$17,500 and if needed, negotiations could be made to the lowest of \$15,000. The City purchased the 23 lots in 2014. There is a minimum build of 1,000 sq. feet for these lots. The buyer incentives are no longer offered. If it is decided to hire a realtor, the terms would be for 6 months.

Motion: *Pike* moved; *Robben* seconded to approve the hire of Corey Sandy with Cosh Real Estate Service and a real estate fee of 4.75% to market the Chisholm Ridge Lots. Voted and passed unanimously.

8. Governing Body

Shore – None

Pike – None.

Robben – Congratulated Trish Nichols again for her work on the Police Grant.

Ussery –

9. Executive Session

None.

10. Adjournment

Motion: *Robben* moved; *Shore* seconded to adjourn the meeting. Voted and passed unanimously. The meeting adjourned at 7:20 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 September 26th, 2023, City Council meeting.

Given under my hand and official seal of the City of Clearwater, Kansas, this 10th day of October 2023.



Jaye Poe, City Clerk

