

**ELLIS CITY COUNCIL
REGULAR MEETING
Minutes
January 6, 2020**

CALL TO ORDER

Mayor David McDaniel called the regular meeting to order at 7:30 p.m. Present were Council members Martin LaBarge, Jolene Niernberger, Sam Polifka, Tricia Pritchett, and John Walz. Also present were Public Works Director John Leiker, City Clerk Amy Burton, Police Chief Chris Krom, and City Attorney Olavee Raub. Council member Steve Ferland was absent.

PLEDGE OF ALLEGIANCE

AMENDMENTS TO AGENDA

None

PUBLIC PRESENT

James Bell, Glen Keller, Verda Flinn, Blake Matzke, Cameron Moeder, and Nickole Byers (arrived at 7:37 p.m.)

CONSENT AGENDA

Council member Martin LaBarge moved to approve the consent agenda containing the Minutes from the Regular Meeting on December 16, 2019, Minutes from the Special Meeting on December 19, 2019, and Bills Ordinance #2084. Council member Jolene Niernberger seconded the motion. The Council approved the consent agenda 5-0.

PUBLIC COMMENTS

Glen Keller, representing the Tourism Committee, reported that six of the new "Welcome" banners were lost in the August windstorm. The remaining banners will be put back up when the Christmas stars are taken down. The Committee will ask for funds in the near future to replace the lost banners.

Blake Matzke asked for Council to revisit the ordinance establishing setbacks for tree lines on residential property.

**PRESENTATIONS OF AWARDS, PROCLAMATIONS, REQUESTS & PETITIONS
(HEARINGS)**

None

SPECIAL ORDER

None

UNFINISHED BUSINESS

None

NEW BUSINESS

General Government: Financial

Council member John Walz moved to approve Resolution No. 565 waiving Generally Accepted Accounting Principles for financial statement reporting for 2020. Council member Jolene Niernberger seconded the motion. The motion carried 5-0.

General Government: Policy

Annually, the Council designates the official newspapers and official banks for the City to use. Council member Martin LaBarge moved to designate the Hays Daily News and Ellis Review as official newspapers; Equity Bank and Golden Belt Bank as official banks within the City limits; and Emprise Bank and Commerce Bank as the official banks outside the City limits. Council member Tricia Pritchett seconded the motion. The motion carried 5-0.

General Government: Financial

Council member Sam Polifka moved to approve Resolution No. 566 authorizing employees and City officials to use the City's credit card. Council member Jolene Niernberger seconded

the motion. The motion carried 5-0.

General Government: City Code

At Council's request, City Attorney Olavee Raub presented a proposed revision to the current ordinance regarding noisy animals. Currently, pet owners are held responsible for loud, frequent and habitually noisy animals. The revision adds "without clear provocation", which affords the pet owner an affirmative defense if cited under the ordinance. Council member Martin LaBarge moved to adopt Ordinance No. 1444 as presented amending the provision regarding noisy animals. Council member John Walz seconded the motion for purposes of discussion. Mr. Walz then requested Council consider this a first reading of the ordinance in order to allow the public to have input on the proposed revision. Upon a call for the vote, the motion failed 0-5. The ordinance will be considered for approval at the January 20th Council meeting.

Water: Acquisition

Council member Martin LaBarge moved to approve the purchase of chlorine from Brenntag for the Water Treatment Plant in the amount of \$1,276.50, with funds to come from the Water Utility Fund. Council member John Walz seconded the motion. The motion carried 5-0.

Sewer: Acquisition

Council member Sam Polifka moved to approve the purchase of aluminum chlorohydrate from Brenntag for the Wastewater Treatment Plant in the amount of \$1,350.00, with funds to come from the Sewer Utility Fund. Council member Martin LaBarge seconded the motion. The motion carried 5-0.

Police: Acquisition

Police Chief Chris Krom presented bids for a 2020 Dodge Charger and police equipment to outfit the vehicle. Chief Krom explained that four dealerships were contacted to bid the vehicle; however, Lewis Chrysler was the only dealership to submit a bid. As a government entity, the City is eligible for fleet pricing, which is standard pricing throughout the dealerships. K-Comm has provided and installed equipment for the last several patrol vehicles, but after several safety concerns noted with the Explorer, the Department instead solicited a bid from JR Audio in Garden City. L.A.W.S. will provide the graphics package and D&B Body Shop will install the graphics. The Dodge Charger will replace the 2016 Ford Taurus as a patrol vehicle. The 2016 Ford Taurus will then replace the 2009 Ford Crown Victoria as the supervisor vehicle. The 2009 Ford Crown Victoria will be sold at a later time on the Purple Wave auction site. Council member Sam Polifka moved to approve the purchase of the 2020 Dodge Charger from Lewis Chrysler in the amount of \$27,266.00, with funds to come from the Special Machinery fund. Council member Tricia Pritchett seconded the motion. The motion carried 5-0.

Council member Sam Polifka then moved to approve the bid from JR Audio to outfit the 2020 Dodge Charger in the amount of \$15,125.00, with funds to come from the Special Machinery Fund. Council member John Walz seconded the motion. The motion carried 5-0.

REPORTS FROM CITY OFFICIALS

Public Works

Public Works Director John Leiker presented the Comparative Water Report for October 10th to November 10th. Only 80% of the water pumped is being accounted for and Mr. Leiker believes there are several large leaks underground that haven't surfaced.

Mr. Leiker plans to contact an engineer to determine a course of action for 13th Street. The street continues to sink in multiple places and with the retaining wall in place; an engineer will need to be involved to determine the best way to repair.

Police

Police Chief Chris Krom presented the Monthly Activity Report for December and the January Staff Calendar. The Department has started advertising for the vacant position, with a deadline of February 28th for applications.

Council member Jolene Niernberger inquired about cats-at-large. Chief Krom explained that the City does not have a licensed facility for cats and City Attorney Olavee Raub added that any communities that have adopted a cat ordinance have regretted it because it is nearly impossible to enforce.

City Clerk

City Clerk Amy Burton reported that the Kansas Department of Agriculture has approved a 12-month extension for the City's water exploration project. The next Swimming Pool fundraising event will be January 17th with a soup supper and gun raffle. The event will be held from 5:00 – 7:30 p.m. at the VFW Hall. The City recently received \$4,000 from the Tebo Family Foundation for the Swimming Pool Project.

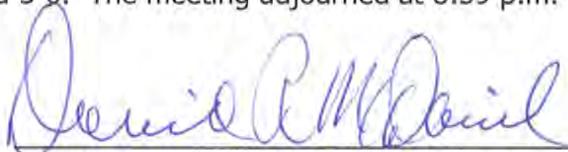
Attorney

Mayor Update and Announcements

Mayor David McDaniel reminded Council of the League's Local Government Day on January 22nd in Topeka. He challenged Council members to write down four things they would like to accomplish in 2020 to discuss at the next meeting.

ADJOURNMENT

Council member Martin LaBarge moved and Council member Sam Polifka seconded a motion to adjourn the meeting. The motion carried 5-0. The meeting adjourned at 8:39 p.m.



Mayor



City Clerk

**ELLIS CITY COUNCIL
REGULAR MEETING
Minutes
January 20, 2020**

CALL TO ORDER

Mayor David McDaniel called the regular meeting to order at 7:30 p.m. Present were Council members Steve Ferland, Martin LaBarge, Jolene Niernberger, Sam Polifka, Tricia Pritchett, and John Walz. Also present were Public Works Director John Leiker, City Clerk Amy Burton, Police Chief Chris Krom, Fire Chief Dustin Vine, and City Attorney Olavee Raub.

PLEDGE OF ALLEGIANCE

AMENDMENTS TO AGENDA

None

PUBLIC PRESENT

James Bell, Glen Keller, Barbara Perkins, Kellie Crnkovich, John Fischer, Nick Keller, Jerry Keller, Terry Zerfas, Cameron Moeder, Verda Flinn, Nickole Byers, Gigi Morley, John Morley, and Steve Homburg.

CONSENT AGENDA

Council member Jolene Niernberger moved to approve the consent agenda containing the Minutes from the Regular Meeting on January 6, 2020, Bills Ordinance #2085, and the November 2019 Manual Journal Entries. Council member Tricia Pritchett seconded the motion. The Council approved the consent agenda 6-0.

PUBLIC COMMENTS

Terry Zerfas spoke on the proposed ordinance regarding noisy animals. Mr. Zerfas doesn't feel the proposed ordinance offers resolution to the problem and suggested possible action steps for each subsequent complaint against a noisy animal.

Nick Keller spoke on behalf of a group of individuals asking for the City to consider legalizing UTV/ATV's on City streets. Mr. Keller shared some of the provisions that other neighboring towns have implemented for the utility vehicles.

**PRESENTATIONS OF AWARDS, PROCLAMATIONS, REQUESTS & PETITIONS
(HEARINGS)**

None

SPECIAL ORDER

Fire: Report

Fire Chief Dustin Vine offered a friendly reminder for residents to please stay off of Big Creek as the ice is fairly thin right now. The Fire Department recently trained for ice rescues on the Creek. Chief Vine reported the Department interviewed five potential firefighters in 2019 but the positions remain vacant.

UNFINISHED BUSINESS

General Government: City Code

Council again discussed the proposed ordinance regarding noisy animals. Council agreed with the comments made by Mr. Zerfas earlier in the meeting about including consequences within the ordinance. It was the consensus of Council to include a provision for consequences and to add wording that the police officer can confirm the complaint or obtain a sworn statement from the complainant. City Attorney Olavee Raub will make the revisions for consideration at the next Council meeting.

NEW BUSINESS

General Government: Zoning

At the January 6th Council meeting, Blake Matzke spoke to Council about a violation he

received for planting trees too close to the curb at his residence. City Attorney Olavee Raub reported that Mr. Matzke's case has since been resolved in Municipal Court. The City Code cited in the violation has been in place since 1968 and preserves the City's easement on private property and also prevents line-of-sight hazards for pedestrians and drivers. Ms. Raub added that the Court will require Mr. Matzke to move the trees.

Tourism: Acquisition

Glen Keller, representing the Ellis Tourism Committee, presented a proposal to purchase five "Welcome" banners, four of which were lost in the August windstorm. The fifth banner will serve as a backup. Council member Jolene Niernberger moved to approve the purchase of five banners from Rupp Arts & Signs in the amount of \$317.35 with funds to come from the Tourism Fund. A down payment of \$242.35 will be made in order for Mr. Rupp to order the materials. Council member Sam Polifka seconded the motion. The motion carried 6-0.

Tourism: Contract

Council discussed an opportunity available through the Ellis Recreation Commission to sponsor three-foot by eight-foot banners at the Ellis K-18 field and/or the Coed Softball field. After discussion, Council decided to refer the advertising request to the Tourism Committee for review.

General Government: Disposal

Council reviewed a list of records to be destroyed according to the City's record retention policy. Council member John Walz moved to approve the Certificate of Destruction of Public Records as presented. Council member Jolene Niernberger seconded the motion. The motion carried 6-0.

Water: Policy

Council member John Walz moved to approve the 2020 Public Water Supply Emergency Operating Plan as presented. Council member Steve Ferland seconded the motion. The motion carried 6-0.

General Government: Policy

ComplianceOne, the City's drug testing program administrator, has submitted for consideration an updated administration agreement to include provisions under the new FMCSA Clearinghouse, which took effect January 2020. The Clearinghouse is a national database for reporting of drug and alcohol test results. City Attorney Olavee Raub added that the City's drug testing policy will be revised to include the Clearinghouse provisions as well. Council member Sam Polifka moved to approve the Third-Party Administration Agreement with ComplianceOne, Inc. as presented. Council member John Walz seconded the motion. The motion carried 6-0.

General Government: Contract

The City received an invoice from the Northwest Kansas Planning & Development Commission for a portion of the shortage of dues left unpaid by Ellis County. During the 2020 budget session, Ellis County reported they would only pay \$22,500 of the \$40,162 owed. The remaining \$17,662 was allocated and invoiced to the cities of Ellis, Victoria, and Hays. City Clerk Amy Burton contacted NWKP&DC to determine the rationale behind the allocation of dues owed by the cities. Randall Hrabe, Executive Director for NWKP&DC, responded that Ellis County has now said they will not even pay the \$22,500 they committed to, and for the City of Ellis to not pay the dues statement until the Board meets on January 29th to discuss the situation. Council members expressed disappointment with the decision made by Ellis County Commissioners and requested the City's representative, Butch Schlyer, attend a future Council meeting. Several Council members expressed interest in attending the January 29th NWKP&DC board meeting.

Sewer: Acquisition

Public Works Director John Leiker reported that another pump has gone down at the Wastewater Treatment Plant. Of the three pumps, only one is working. Pump #2 was sent in for repairs; however, Environmental & Process Systems stated it checked out fine. If a new pump is purchased, both pumps could be shipped the next day. Council member Martin LaBarge moved to purchase the ABS/Sulzer Pump from Environmental & Process Systems in the amount of \$5,451.00 with funds to come from the Sewer Depreciation Reserve Fund. Council member Tricia Pritchett seconded the motion. The motion carried 6-0.

Streets: Disposal

Public Works Director John Leiker requested approval to sell the 14' concrete screed. The item was purchased by former Public Works Director Alan Scheuerman in 2017 and has never been used. Mr. Leiker doesn't feel the equipment is needed. Council member Steve Ferland moved to authorize Mr. Leiker to place the 14' concrete screed for sale on the Purple Wave Auction site. Council member Martin LaBarge seconded the motion. The motion carried 6-0.

REPORTS FROM CITY OFFICIALS

Public Works

Mr. Leiker presented the Comparative Water Report for the period November 10th to December 10th and the report on the annual inspection of the Water Treatment Plant. Wilson and Company will meet with Mr. Leiker to discuss Water Treatment Plant modifications to reduce the level of THM's and the concerns on west 13th Street.

Police

Police Chief Chris Krom reported that all officers assisted with the DARE graduation at St. Mary's school. Chief Krom has received four applications for the vacant position and has sent out several more. The deadline for applications is February 29th.

City Clerk

City Clerk Amy Burton presented the Health Insurance Savings Report for December and the minutes from the Campground, Swimming Pool, and Safety Committee meetings. Ms. Burton also reviewed the November financial statements. Ms. Burton then invited John and Gigi Morley to talk about the new café they are opening. The Morley's will be applying for one of the City's business incentive programs but won't be able to attend the next Council meeting.

Attorney

Mayor Update and Announcements

Mayor David McDaniel reported that he and Council members John Walz and Jolene Niernberger will attend the League's Local Government Day. Ms. Niernberger requested that Ellis County Commissioner Butch Schlyer attend the next Council meeting to discuss Ellis County's decision to withhold dues payment to Northwest Kansas Planning & Development Commission.

At the January 6th Council meeting, Mayor McDaniel asked for each Council member to share four things they would like to accomplish in 2020. The following ideas were shared: Water Exploration project, Swimming Pool Improvement project, continuation of the street maintenance program, Campground Expansion project, UTV/ATV regulation, finding additional activities for youth, continued financial help for museums and downtown development, reduce blight, website development, affordable housing for residents, develop options for a community center, wind generation, develop a combined school and public library, fair wage structure for employees, continue to provide economic incentives, revamp Ellis Industrial Development Commission, prioritize infrastructure repairs, develop marketing plan for City, uniform bid process, address THM issue in water system, solution to "Co-op Corridor" where heavy trucks are tearing up streets at 10th and Washington, and develop an

**ELLIS CITY COUNCIL
REGULAR MEETING
Minutes
February 3, 2020**

CALL TO ORDER

Mayor David McDaniel called the regular meeting to order at 7:30 p.m. Present were Council members Steve Ferland, Martin LaBarge, Jolene Niernberger, Sam Polifka, Tricia Pritchett, and John Walz. Also present were Public Works Director John Leiker, City Clerk Amy Burton, Police Chief Chris Krom, and City Attorney Olavee Raub.

PLEDGE OF ALLEGIANCE

AMENDMENTS TO AGENDA

None

PUBLIC PRESENT

Kellie Crnkovich, Glen Keller, Joleen Fisher, James Bell, Verda Flinn, Pauleen Edmonds, Barbara Perkins, Doug Williams, John Fischer, Nick Keller, Nickole Byers, and Tammy Leiker (arrived at 8:07 p.m.).

CONSENT AGENDA

Council member John Walz moved to approve the consent agenda containing the Minutes from the Regular Meeting on January 20, 2020 and Bills Ordinance #2086. Council member Sam Polifka seconded the motion. The Council approved the consent agenda 6-0.

PUBLIC COMMENTS

None

**PRESENTATIONS OF AWARDS, PROCLAMATIONS, REQUESTS & PETITIONS
(HEARINGS)**

None

SPECIAL ORDER

None

UNFINISHED BUSINESS

Tourism: Contract

Glen Keller, Tourism Committee, reported the Committee discussed the advertising opportunity with the Ellis Recreation Commission for banners at the K-18 and Co-ed Softball field and determined the banners did not fit in with the Committee's overall advertising plan. Council took no further action.

NEW BUSINESS

Sewer/Sanitation: Accounting & Billing

Council member Jolene Niernberger moved to approve the Application for Local Incentives for Gigi's Café. Council member Tricia Pritchett seconded the motion. The motion carried 6-0.

Tourism: Contracts

Joleen Fisher, Tourism Committee, presented the 2020 advertising contracts for consideration. The Committee proposes renewing the contracts with Eagle Radio, Hays Post, and Central Brochure Distribution, and to add a google search campaign with Nex-Tech. Council member Steve Ferland moved to accept the 2020 advertising proposal in the total amount of \$5,688.00, and to authorize Mayor David McDaniel to sign the accompanying contracts: Eagle Radio (\$2,448.00); Central Brochure Distribution (\$600.00); Hays Post (\$1,200.00); and Nex-Tech (\$1,440.00). Council member Martin LaBarge seconded the motion. The motion carried 6-0.

General Government: Committee

Mayor David McDaniel recommended the appointment of Council member Jolene Niernberger to the Ellis Alliance Board. The vacant position was previously held by Council member Holly Aschenbrenner. Council member Martin LaBarge moved to approve the appointment of Jolene Niernberger to the Ellis Alliance Board. Council member Steve Ferland seconded the motion. The motion carried 6-0, with Council member Jolene Niernberger abstaining.

Campground: Acquisition

Council member John Walz moved to approve the bid from Jamestown Advanced Products in the amount of \$1,694.00 for ten (10) fire rings for the Campground Expansion Project, with funds to come from the Campground Fund. Council member Tricia Pritchett seconded the motion. The motion carried 6-0.

General Government: City Code

Police Chief Chris Krom and City Clerk Amy Burton provided numerous sample ordinances for Council to consider regarding allowing UTV/ATV's on City streets. City Attorney Olavee Raub stated that most of the ordinance provisions are statutorily mandated by the State, however, the City has the ability to determine registration fees, inspection requirements, and the types of utility vehicles allowed. In addition to the modifiable provisions, Council also discussed whether the utility vehicles should be allowed on the truck route, if golf carts should be allowed, and whether to restrict use to agricultural or allow recreational use as well. After further discussion, Council decided to continue to review the research provided and to bring more concrete ideas to the next meeting in order for City Attorney Olavee Raub to begin drafting an ordinance.

Water Exploration: Special Project

The Water Advisory Committee recommends Council continue to move forward with the project. The next step is to hire an engineer to determine the feasibility of the City partnering with Trego Rural Water District No. 2 or completing the project on its own. Council member Jolene Niernberger stressed the importance of hiring an engineer that has the City's best interests in mind, and expressed concern that hiring the engineer already working with Trego RWD #2 may create a conflict of interest. Council member Sam Polifka moved to authorize Public Works Director John Leiker to solicit bids from engineers for the Water Exploration Project. Council member Jolene Niernberger seconded the motion. The motion carried 6-0.

REPORTS FROM CITY OFFICIALS

Public Works

Public Works Director John Leiker reported he met with Brian Spano, Wilson & Company, regarding modifications to the Water Treatment Plant and repairs needed to 13th Street. At first glance, the engineers believed the road would be safe to work on without risk of the retaining wall collapsing. Mr. Spano will attend the February 17th Council meeting to further discuss both issues.

Public Works Foreman Joe Kreutzer recently attended training on cross connections and backflow prevention. Mr. Kreutzer successfully completed the certification test.

Police

Police Chief Chris Krom presented the Monthly Activity Report for January and the February Staff Calendar. He reported this past weekend was extremely busy with the Department handling five major incidents – aggravated battery, an injury accident, interference with law enforcement, an unattended death, and burglary. Chief Krom also reported the new patrol car could be delayed as far out as the 3rd quarter.

City Clerk

City Clerk Amy Burton presented the minutes from the recent Campground Committee,

Water Advisory Committee, and Safety Committee meetings. The City received notification that they will receive a Community Development Block Grant in the amount of \$412,113 for waterline improvements. Ms. Burton will attend the required workshop on February 5th to receive the grant contracts. Ms. Burton also presented several 2019 summary reports, including the Catastrophic Sick Leave Summary, the Safety Committee Accident Report, and the City Car Savings Report. The Swimming Pool Project has been put out to bid and bids will be opened on February 25th at 1:00 p.m. The City has three land leases expiring on February 28, 2020. All three lessees have been notified by certified mail and the bid notices will be advertised for the next two weeks. Council will review the bids at the February 17th Council meeting.

Attorney

City Attorney Olavee Raub reported that Brent Jaynes, Leisure Real Estate Advisors, informed her that he has found a potential buyer for the Days Inn. Ms. Raub asked whom Council would like to hire as bond counsel. The City has previously used both Don Jensen, sole practitioner, and Gilmore & Bell. Ms. Raub requested direction by the next meeting.

Mayor Update and Announcements

Mayor David McDaniel added the 2020 Census to the list of Governing Body goals for 2020. The Census is very important to Ellis and significant federal dollars are at stake.

Mayor McDaniel also reported that he and Council members Jolene Niernberger and Sam Polifka, and City Clerk Amy Burton recently attended the Northwest Kansas Planning & Development Commission board meeting in Hill City. The board agreed by consensus to adhere to the bylaws of the organization, which state that in order to receive assistance from NWKP&DC, membership dues must be paid in full. The same participants also attended the Ellis County Commission meeting prior to the City Council meeting. Mayor McDaniel stated he didn't feel that Ellis County appeared open to paying the membership dues, but County Commissioners did ask the Ellis County Attorney to draft an amendment to the NWKP&DC bylaws to determine if a fairer dues structure could be negotiated. County Commissioner Butch Schlyer has been invited to the February 17th Council meeting.

Council member Jolene Niernberger invited the public to the February 17th Council meeting to hear the discussion with Commissioner Schlyer.

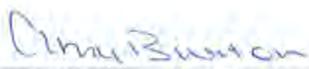
Doug Williams, Grow Hays, expressed sentiments regarding the situation between the County Commission and Northwest Kansas Planning & Development Commission. Mr. Williams is hopeful that an agreement will work out once cooler heads prevail, and that the Commissioners come to realize the value that NWKP&DC brings to the Northwest Kansas region. He also added the NWKP&DC needs to do a better job at selling themselves and addressing their own issues, such as property management.

ADJOURNMENT

Council member Martin LaBarge moved and Council member Steve Ferland seconded a motion to adjourn the meeting. The motion carried 6-0. The meeting adjourned at 8:38 p.m.



Mayor



City Clerk

**ELLIS CITY COUNCIL
REGULAR MEETING
Minutes
February 17, 2020**

CALL TO ORDER

Mayor David McDaniel called the regular meeting to order at 7:30 p.m. Present were Council members Martin LaBarge, Jolene Niernberger, Sam Polifka, Tricia Pritchett, and John Walz. Also present were Public Works Director John Leiker, City Clerk Amy Burton, Police Chief Chris Krom, Fire Chief Dustin Vine, and City Attorney Olavee Raub. Council member Steve Ferland was absent.

PLEDGE OF ALLEGIANCE

AMENDMENTS TO AGENDA

None

PUBLIC PRESENT

Glen Keller, James Bell, Kellie Crnkovich, Brian Spano, Doug Goetz, Nickole Byers, Verda Flinn, Nick Keller, Barbara Perkins, Alan Scheuerman, and Tammy Leiker (arrived at 7:35 p.m.), Butch Schlyer (arrived at 8:10 p.m.)

CONSENT AGENDA

Council member Jolene Niernberger moved to approve the consent agenda containing the Minutes from the Regular Meeting on February 3, 2020 and Bills Ordinance #2087. Council member John Walz seconded the motion. The Council approved the consent agenda 5-0.

PUBLIC COMMENTS

None

**PRESENTATIONS OF AWARDS, PROCLAMATIONS, REQUESTS & PETITIONS
(HEARINGS)**

None

SPECIAL ORDER

General Government: Contracts

Mayor David McDaniel opened the sealed bids for the three tracts of land currently available for lease. One bid was received for the 6 acre tract located north and east of the Ellis Dam on Big Creek. Terry and Dena Patee submitted a bid for that tract in the amount of \$427.00. No bids were received for the 5.67 acre tract located by St. Mary's Cemetery and Big Creek Channel. One bid was received for the 30.61 acre tract located by Cedar Lane. Gottschalk Farms submitted a bid for that tract in the amount of \$1,323.00. Council member Martin LaBarge moved to accept the bid from Terry and Dena Patee in the amount of \$427.00 for the 6 acre tract of land and the bid from Gottschalk Farms in the amount of \$1,323.00 for the 30.61 acre tract. Council member Jolene Niernberger seconded the motion. The motion carried 5-0.

Council member Martin LaBarge moved to continue to advertise the 5.67 acre tract for bids, with bids to be opened at the March 16, 2020 Council meeting. Council member Sam Polifka seconded the motion. The motion carried 5-0.

Fire: Report

Fire Chief Dustin Vine provided his monthly report. The Department recently promoted Brandon Pfeifer from Lieutenant to Captain; and hired Stuart Wiita as a new firefighter. Chief Vine inquired about any progress on the Junior Firefighter program. City Attorney Olavee Raub did not have an update at this time. The Fire Department should receive the vehicle donated from the County in the next month or so.

General Government: Special Project

Ellis County Commissioner Butch Schlyer provided an update on Ellis County activities, including the Northwest Corridor, the search for a new County Administrator, the upcoming sales tax election, ongoing budget challenges, and the continuing discussion with Northwest Kansas Planning & Development Commission regarding 2020 dues. County representatives will hold Town Hall meetings in Ellis on February 25th and March 24th at the Knights of Columbus Hall to entertain questions about the proposed sales tax election in April. Mayor David McDaniel invited Commissioner Schlyer to attend a City Council meeting quarterly to provide an update on County discussion items and to strengthen communication between the two entities.

UNFINISHED BUSINESS

Streets: Repair/Maintenance

In recent discussions, Council acknowledged needed repairs to West 13th Street between Washington and Dorrance Street, but expressed concerns about the condition of the retaining wall in order to perform those needed street repairs. Brian Spano, Wilson and Company, reported that a structural engineer has inspected the wall and has no concerns with the structural integrity of the retaining wall for minor street repairs or patching. However, if the City needs to completely replace the street, then the wall should be braced to protect against collapse.

Water: Special Project

Mr. Spano continued by discussing options to address the bromide issue at the Water Treatment Plant. One of the most cost effective options would be to modify the treatment plant to a granular activated carbon filtration system. This could be done by either switching three of the existing filtering skids or installing additional skids to the existing structure. A third option would be to delay modifications until the new Trego County wells are on line. The high quality of the water coming from the Trego wells could reduce the bromide levels naturally. Both the Kansas Department of Health and Environment (KDHE) and the U.S. Department of Agriculture offer funding assistance for the engineering study since the City currently experiences bromide issues. An engineering study is needed to determine which of the options offers the best solution for the City. KDHE offers assistance up to \$5,000 as a single entity, or \$12,500 as a regional application but requires a full match from the City; USDA offers a grant up to \$30,000 with no required contribution from the City, but it is a competitive grant with more stringent requirements. Mr. Spano and Public Works Director John Leiker will visit with USDA representatives at the Kansas Rural Water Conference in March to determine if 2020 grant funding is still available.

General Government: City Code

City Attorney Olavee Raub presented two versions of the proposed ordinance amending provisions regarding noisy animals. One version has the fines defined within the ordinance, and the other version refers to the Municipal Court fine schedule. After discussion, Council requested that Section 2 be amended to state that the warning must be documented either by the officer or in letter form. Ms. Raub will prepare the amendment for the next Council meeting.

General Government: City Code

Council discussed specific provisions to include in an ordinance authorizing the operation of utility vehicles on City streets. Council was in agreement on most of the provisions discussed, such as safety features, age to operate, annual vehicle registration and insurance requirements. However, discussion ensued on whether the utility vehicles should be allowed on the truck routes, the minimum age of allowed passengers, registration fee to be charged, and how often inspections of the utility vehicle should be performed. City Attorney Olavee Raub will prepare a draft ordinance based on the discussion for the next Council meeting.

NEW BUSINESS

General Government: Committee

Council member Sam Polifka moved to create two additional at-large positions on the Campground Committee and one additional at-large position on the Swimming Pool Committee. Council member John Walz seconded the motion. The motion carried 5-0. Council member Sam Polifka then moved to approve Mayor David McDaniel's recommendations to appoint Alan Scheuerman to the Water Advisory, Campground, and Swimming Pool Committees and Taft Yates to the Campground Committee. Council member John Walz seconded the motion. The motion carried 5-0.

General Government: Contract

City Clerk Amy Burton presented proposed bids to rebuild and host the City's website. The City Council previously approved a contract with Hays Daily News to rebuild the website, but Ms. Burton received notification in December 2019 that the City would need to enter into a new contract since Hutchinson News took over from Hays Daily News. Therefore, bids were solicited once again for the service. Of the four bids received, Ms. Burton recommended the bid from Eagle Radio as they offered the lowest long-term cost to the City. Council member John Walz moved to approve the contract with Eagle Radio to rebuild and host the City's website in the amount of \$1,800.00 for the rebuild and \$75 per month hosting fee. Council member Tricia Pritchett seconded the motion. The motion carried 5-0.

Special Machinery: Acquisition

Ms. Burton continued by presenting three bids for the purchase of new computers for the Clerk's and Public Works offices. Seven desktops and one laptop will be purchased, along with updated Microsoft Office software and licenses for the Clerk's administration software programs. Council member Sam Polifka made a motion to accept the bid from Nex-Tech for seven Lenovo ThinkCentre M710e desktops, one HP ProBook 650 G5 laptop and seven Microsoft Office licenses in the amount of \$9,216.04, two Adobe Acrobat licenses in the amount of \$311.76, FundBalance and Pervasive software upgrades from Tyler Technology in the amount of \$3,200.00, and the Jayhawk software upgrade from Advantage in the amount of \$250.00. The Special Machinery Fund will be charged for the cost of the hardware and the software licenses will be charged to the General-Administration budget. Council member John Walz seconded the motion. The motion carried 5-0.

Water: Grant

Council member John Walz moved to approve the State of Kansas Grant Agreement No. 20-PF-024 between the Kansas Department of Commerce and the City of Ellis for Community Development Block Grant funding for the Waterline Improvement Project and to authorize the Mayor to sign the agreement. Council member Tricia Pritchett seconded the motion. The motion carried 5-0.

General Government: Policy

Council member Jolene Niernberger moved to adopt the Code of Conduct for the City of Ellis as presented. Council member Sam Polifka seconded the motion. The motion carried 5-0.

REPORTS FROM CITY OFFICIALS

Public Works

Public Works Director John Leiker presented the Comparative Water Report for the period December 10th to January 10th. The City experienced a significant water leak at 6th Street and Jefferson Street which resulted in a short boil water advisory for the north part of the City. Once the leak was fixed, water production decreased almost 30,000 gallons per day. The Department plans to start advertising for the vacant position.

Police

Police Chief Chris Krom reported the Department has been busy with several major incidents

in the first half of February. Chief Krom has received seven applications so far for the vacancy in the Department. Applications are accepted until February 28th.

City Clerk

City Clerk Amy Burton presented the Health Insurance Savings Report for January and the minutes from the recent Campground Committee meeting. The annual Rabies Clinic will be held February 29th from 10:30 a.m. – noon at the City Shop.

Attorney

Mayor Update and Announcements

Mayor David McDaniel announced there will be a Legislative Coffee on February 28th at 8:00 a.m. in the Library meeting room. The Ellis County Farm Bureau is a co-sponsor of the event.

EXECUTIVE SESSION

Mayor David McDaniel asked for a motion to recess into executive session at the request of Public Works Director John Leiker. Council member Jolene Niernberger moved for City Council to recess into executive session for 10 minutes to discuss staffing in the Public Works Department pursuant to the non-elected personnel matter exception, K.S.A. 75-4319 (b)(1) with City Attorney Olavee Raub, Public Works Director John Leiker, and City Clerk Amy Burton present. The open meeting will resume at 9:59 p.m. Council member Martin LaBarge seconded the motion. The motion carried 5-0. No action was taken in executive session and the open meeting resumed.

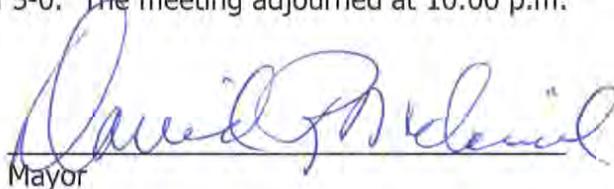
POST EXECUTIVE SESSION

Personnel: Salary

Council member Sam Polifka moved to grant Dean Yanda a \$1.00 per hour raise due to increased duties and responsibilities with the Water Department, effective February 18, 2020. Council member Jolene Niernberger seconded the motion. The motion carried 5-0.

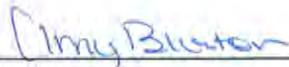
ADJOURNMENT

Council member Martin LaBarge moved and Council member Sam Polifka seconded a motion to adjourn the meeting. The motion carried 5-0. The meeting adjourned at 10:00 p.m.



David McDaniel

Mayor



Amy Burton

City Clerk

**ELLIS CITY COUNCIL
REGULAR MEETING
Minutes
March 2, 2020**

CALL TO ORDER

Mayor David McDaniel called the regular meeting to order at 7:30 p.m. Present were Council members Steve Ferland, Martin LaBarge, Jolene Niernberger, Sam Polifka, Tricia Pritchett, and John Walz. Also present were Public Works Director John Leiker, City Clerk Amy Burton, Police Chief Chris Krom, and City Attorney Olavee Raub.

PLEDGE OF ALLEGIANCE

AMENDMENTS TO AGENDA (if needed)

None

PUBLIC PRESENT

James Bell, Glen Keller, Verda Flinn, Bret Andries, Tammy Leiker, Nickole Byers, Alan Scheuerman, Terry Zerfas, and Nick Keller.

CONSENT AGENDA

Council member John Walz moved to approve the consent agenda containing the Minutes from the Regular Meeting on February 17, 2020, Bills Ordinance #2088, and the Manual Journal Entries for December. Council member Steve Ferland seconded the motion. The Council approved the consent agenda 6-0.

PUBLIC COMMENTS

Terry Zerfas spoke on the proposed ordinance regarding noisy animals. He urged Council to adopt a clear and effective ordinance with no leeway for interpretation or discretion.

**PRESENTATIONS OF AWARDS, PROCLAMATIONS, REQUESTS & PETITIONS
(HEARINGS)**

None

SPECIAL ORDER

Swimming Pool: Special Project

Three contractors submitted bids for construction of the new swimming pool. Carrothers Construction was the apparent low bidder with a bid of \$1,294,000 – considerably less than the engineer’s estimate of \$1,635,000. With the potential savings on the construction contract, the State of Kansas Community Development Block Grant award would decrease from \$1,000,000 to approximately \$806,000. The Swimming Pool Committee met to discuss three options to possibly utilize more grant funds – (1) add another swim lane and additional concrete; (2) replace all of the concrete decking around the pool area; or (3) leave the project as is. The Committee’s recommendation to Council was to award the bid to Carrothers Construction as is, but for Council to consider a change order later in the project to replace all of the concrete decking if funds allow. Council member Sam Polifka moved to award the Swimming Pool construction contract to Carrothers Construction. Council member John Walz seconded the motion. The motion carried 6-0.

UNFINISHED BUSINESS

General Government: City Code

City Attorney Olavee Raub presented another revision of the proposed ordinance regarding noisy animals. Ms. Raub explained the importance of allowing officer discretion in investigating such complaints. After further discussion, Council member Martin LaBarge moved to approve Ordinance No. 1444 amending provisions regarding noisy animals. Council member Tricia Pritchett seconded the motion. The motion carried 6-0.

General Government: City Code

Ms. Raub continued by presenting the first draft of the proposed ordinance authorizing the operation of utility vehicles on City streets. Council again discussed the minimum age of passengers allowed and fines to be assessed for non-compliance of ordinance provisions. Ms. Raub will make several revisions for consideration at the next Council meeting.

NEW BUSINESS

General Government: City Code

At the recent Planning Commission meeting, members discussed a discrepancy between the City Code and the Zoning Code regarding overhanging vegetation. City Code states that overhanging vegetation shall not be lower than 8' on sidewalks and 12'6" on streets. The Zoning Ordinance states that overhanging vegetation shall not be lower than 10' for both sidewalks and streets. The Commission recommends that both Codes be amended to restrict overhanging vegetation to no lower than 8' on sidewalks and 13' on streets. Council member Steve Ferland moved to approve the suggested code amendments to the City Code and Zoning Code. Council member Martin LaBarge seconded the motion. The motion carried 6-0. City Attorney Olavee Raub will draft the ordinances for consideration.

Sewer: Acquisition

Council member John Walz moved to approve the purchase of ultraviolet bulbs from the Ray Lindsay Company in the amount of \$1,308.32, with funds to come from the Sewer Utility Fund. Council member Steve Ferland seconded the motion. The motion carried 6-0.

REPORTS FROM CITY OFFICIALS

Public Works

Public Works Director John Leiker presented a letter to the Ellis County Commissioners requesting assistance with the annual street maintenance project. Council member Jolene Niernberger moved to authorize Mayor David McDaniel to sign the letter to Ellis County Commissioners. Council member Tricia Pritchett seconded the motion. The motion carried 6-0.

Mr. Leiker met with Buck Driggs, Driggs Design Group, to discuss a timeline for the Waterline Improvement Project in which the City was recently awarded \$412,113 in Community Development Block Grant funds. The project is scheduled to be put out for bids late summer/early fall.

Police

Police Chief Chris Krom presented the Monthly Activity Report for February and the March Staff Calendar. The Department received eight applications for the open position, and Chief Krom has narrowed the field to three candidates to interview.

City Clerk

City Clerk Amy Burton presented the minutes from the recent Planning Commission/Board of Zoning Appeals meeting and the December financial statements. The Swimming Pool Improvement Project was awarded a \$2,000 grant from the United Way of Ellis County. The annual rabies clinic yielded 12 customers, the sale of 20 dog tags, and 28 immunizations were administered.

Attorney

City Attorney Olavee Raub requested guidance once again on who Council would prefer to use for bond counsel for the issuance of the Industrial Revenue Bonds for the sale of the Days Inn. It was the consensus of Council to contact Don Jensen since he was the City's bond counsel for the initial IRB issuance.

Mayor Update and Announcements

Mayor David McDaniel reported that approximately 25 people attended the Legislative Coffee on February 28th. The Governing Body Institute is April 24th – 25th.

ADJOURNMENT

Council member Martin LaBarge moved and Council member Steve Ferland seconded a motion to adjourn the meeting. The motion carried 6-0. The meeting adjourned at 8:46 p.m.



Mayor



City Clerk

**ELLIS CITY COUNCIL
REGULAR MEETING
Minutes
March 16, 2020**

CALL TO ORDER

Mayor David McDaniel called the regular meeting to order at 7:30 p.m. Present were Council members Steve Ferland, Martin LaBarge, Jolene Niernberger, Sam Polifka, Tricia Pritchett, and John Walz. Also present were Public Works Director John Leiker, City Clerk Amy Burton, Police Chief Chris Krom, Fire Chief Dustin Vine, and City Attorney Olavee Raub.

PLEDGE OF ALLEGIANCE

AMENDMENTS TO AGENDA

Mayor David McDaniel removed from the agenda the opening of the sealed bids for lease of a parcel of the City's land as no bids were received.

PUBLIC PRESENT

Nick Keller, Glen Keller, Kellie Crnkovich, James Bell, Tim Kohlrus, and Nickole Byers (arrived at 7:34 p.m.)

CONSENT AGENDA

Council member Jolene Niernberger moved to approve the consent agenda containing the Minutes from the Regular Meeting on March 2, 2020 and Bills Ordinance #2089. Council member Tricia Pritchett seconded the motion. The Council approved the consent agenda 6-0.

PUBLIC COMMENTS

None

**PRESENTATIONS OF AWARDS, PROCLAMATIONS, REQUESTS & PETITIONS
(HEARINGS)**

Mayor David McDaniel presented City Clerk Amy Burton with the Mildred Vance City Clerk/Finance Officer of the Year award that she received at the recent City Clerk and Municipal Finance Officers Association's Spring Clerk's Conference. The prestigious award is presented each year to a City Clerk or Finance Officer who has made significant contributions to the State association, the profession, and their City.

SPECIAL ORDER

Fire: Report

Fire Chief Dustin Vine presented his monthly report. The Department is taking extra precautions during call-outs due to the COVID-19 pandemic. Chief Vine inquired about any progress on the Junior Firefighter program. City Attorney Olavee Raub did not have an update at this time.

UNFINISHED BUSINESS

General Government: City Code

City Attorney Olavee Raub presented the revised ordinance providing for the operation of utility vehicles on City streets. After further discussion, Council member Martin LaBarge moved to approve Ordinance No. 1445 authorizing the operation of utility vehicles on City streets as presented. Council member Sam Polifka seconded the motion. The motion carried 5-1, with Council member John Walz opposed.

NEW BUSINESS

Streets/Parks: Event Request

Council member Jolene Niernberger moved to approve the Public Property Permit Application and Event Request for Traffic Control for the Ellis High School Alumni Association for the Alumni parade and car show on May 23, 2020. Council member John Walz seconded the motion. The motion carried 6-0.

Swimming Pool: Contract

City Clerk Amy Burton presented the proposed contract for construction of the City's new pool facility. City Attorney Olavee Raub has reviewed the contract and has no concerns. Council member Jolene Niernberger moved to approve the contract with Carrothers Construction in the amount of \$1,294,000 for swimming pool improvements and authorized Mayor David McDaniel to sign the contract. Council member Tricia Pritchett seconded the motion. The motion carried 6-0.

Council member Jolene Niernberger then moved to issue the Notice to Proceed for Carrothers Construction to begin the swimming pool improvement project effective March 16, 2020. Council member Sam Polifka seconded the motion. The motion carried 6-0.

Police: Acquisition

Police Chief Chris Krom presented bids for the replacement of computers within the Police Department. Council member Sam Polifka moved to accept the bid from Eagle Technology Solutions in the amount of \$6,111.74 for the purchase and installation of one Lenovo ThinkCentre desktop computer; three Lenovo ThinkPad laptop computers; warranty support; and five Microsoft Office licenses. Funds for the purchase to come from the Special Machinery fund (\$1,084.03), Police Department Capital Outlay (\$2,500.00), and Police Department Supply budget (\$2,527.71). Council member John Walz seconded the motion. The motion carried 6-0.

Museum: Repair/Maintenance

Public Works Director John Leiker discussed tearing out the strip of grass on the west side of the sidewalk near the Railroad Museum and widening the sidewalk. Guy Riedel, CCR Landscaping, has offered to donate his time for the dirt work if the City would pour the concrete. Council member Sam Polifka moved to approve the concrete work south of the Railroad Museum at a cost not to exceed \$1,500.00 with funds to come from the Capital Improvement fund. Council member Jolene Niernberger seconded the motion. The motion carried 6-0.

REPORTS FROM CITY OFFICIALS

Public Works

Public Works Director John Leiker reviewed the inspection reports from the Kansas Department of Health and Environment for the Water and Wastewater Treatment Plants and the Comparative Water Report for the period January 10th – February 10th.

Personnel: Entry

John Cersovsky has been hired as the part-time recycling attendant effective March 18, 2020.

Police

Police Chief Chris Krom provided an update for the Police Department. Eight applications were received for the vacant police officer position, with the three qualified candidates set to interview on March 21, 2020.

City Clerk

City Clerk Amy Burton presented the Health Insurance Savings Report for February. The Clerk's office will be closed on March 18, 2020 for computer installation. Ms. Burton then discussed the sharp increase in the premiums for the City's workers compensation policy for 2020-2021. In response to the COVID-19 pandemic, Ms. Burton encouraged residents to use the night drop or mail for utility payments to reduce personal interaction.

Attorney

City Attorney Olavee Raub reported that the law office has closed to the public in response to the COVID-19 pandemic. Ms. Raub stated that Mayor David McDaniel has statutory authority to issue a declaration of local emergency, if needed.

Mayor Update and Announcements

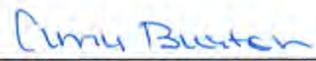
Mayor David McDaniel reminded those in attendance of the Town Hall meeting regarding the proposed County sales tax at the Knights of Columbus Hall on March 24, 2020.

ADJOURNMENT

Council member Martin LaBarge moved and Council member Steve Ferland seconded a motion to adjourn the meeting. The motion carried 6-0. The meeting adjourned at 8:25 p.m.



Mayor



City Clerk

**ELLIS CITY COUNCIL
REGULAR MEETING
Minutes
April 6, 2020**

CALL TO ORDER

Mayor David McDaniel called the regular meeting to order at 7:30 p.m. Physically present were Council members Martin LaBarge, Jolene Niernberger, Sam Polifka, and Tricia Pritchett. Virtually present were Council members Steve Ferland and John Walz. Also physically present were Public Works Director John Leiker and City Clerk Amy Burton. Police Chief Chris Krom and City Attorney Olavee Raub joined the meeting virtually.

PLEDGE OF ALLEGIANCE

AMENDMENTS TO AGENDA

None

PUBLIC PRESENT

Attending the meeting virtually were James Bell, Darrell Romme, Nickole Byers, John Morley, and Glen Keller.

CONSENT AGENDA

Council member Martin LaBarge moved to approve the consent agenda containing the Minutes from the Regular Meeting on March 16, 2020, Bills Ordinance #2090, and the Manual Journal Entries for January. Council member Sam Polifka seconded the motion. The Council approved the consent agenda 6-0.

**PRESENTATIONS OF AWARDS, PROCLAMATIONS, REQUESTS & PETITIONS
(HEARINGS)**

None

SPECIAL ORDER

General Government: Insurance

Darrell Romme, Romme Agency, reviewed the 2020 general insurance policy for the City. Due to the City's significant increase in worker's compensation claims, the City's mod factor increased from .78 to 1.87. Mr. Romme explained that the City received a 22% discount in the past due to favorable claims, but now is paying an 87% surcharge. This has resulted in the City's premiums for worker's compensation insurance to more than double. After further discussion, Council member Jolene Niernberger moved to approve the 2020 renewal of the City's general insurance policies from Romme Agency in the amount of \$150,181.00 and to authorize the Mayor to sign the terrorism insurance coverage rejection form. Council member Tricia Pritchett seconded the motion. The motion carried 6-0.

UNFINISHED BUSINESS

None

NEW BUSINESS

General Government: Financial

Council member Jolene Niernberger moved to approve Resolution No. 567 authorizing employees and City officials to use the City's credit card. Council member Steve Ferland seconded the motion. The motion carried 6-0.

General Government: City Code

City Attorney Olavee Raub presented the proposed ordinances amending the height of overhanging vegetation as recommended by the Planning Commission. Council member Sam Polifka moved to adopt Ordinance No. 1446 amending City Code to disallow overhanging vegetation less than 13 feet from the street or less than 8 feet from the sidewalk. Council member John Walz seconded the motion. The motion carried 6-0. Council member Tricia Pritchett then moved to adopt Ordinance No. 1447 amending the

Zoning Ordinance to the same height provisions for overhanging vegetation. Council member Jolene Niernberger seconded the motion. The motion carried 6-0.

REPORTS FROM CITY OFFICIALS

Public Works

Public Works Director John Leiker presented an update for his department. In accordance with current City policy and the risk of possible exposure to COVID-19, Mr. Leiker stressed the importance of all residents bagging their trash. Grass pickup started today.

Police

Police Chief Chris Krom presented the Monthly Activity Report for March and the April staff calendar. The hiring committee met on April 4th to conduct interviews for the vacant position. Of the three candidates offered interviews, only one candidate participated. That candidate has been offered a conditional offer of employment but has not yet accepted. Chief Krom reported that the license tags and registration stickers for the UTV/ATV's have been ordered but appear to have been slowed down due to COVID-19. Chief Krom reminded residents that it is not legal to drive the utility vehicles until they are properly tagged and registered with the City.

City Clerk

City Clerk Amy Burton presented the January financial statements and the minutes from the recent Campground Committee meeting. In accordance with the Governor's Executive Order, the City did not perform delinquent utility bill shutoffs in March, but Ms. Burton encouraged residents to not fall behind on their utility bills.

Attorney

Mayor Update and Announcements

Carrothers Construction held the pre-construction meeting virtually on April 2nd. Work on the new swimming pool is set to begin April 13th and continue on into this fall. In response to concerns expressed about construction crews coming into town, Mayor David McDaniel read the notes from the pre-construction meeting regarding the precautions to be taken by Carrothers Construction. Crews will adhere to the Governor's Executive Order on social distancing and all have been trained on proper hygiene to avoid any spread of the virus. Prior to the pre-construction meeting, Mayor David McDaniel consulted with City Attorney Olavee Raub to see if the City could push the contract back until the risk of COVID-19 decreased. Ms. Raub stated the City can either move forward with the contract as is, or cancel the contract and possibly forfeit \$1.3 million in grant funds.

Council entered into a discussion regarding COVID-19 and precautions taken by the City to keep the community and City employees safe. Department heads have asked for employees to let their supervisor know if they leave Ellis County. Ms. Raub stated it would not be unreasonable to ask employees to take their temperature upon arriving to work each day, although some infected with the virus are not symptomatic.

Council member Jolene Niernberger thanked the staff for all they are doing to try to keep the community safe and for coming to work in the middle of the pandemic.

ADJOURNMENT

Council member Sam Polifka moved and Council member Tricia Pritchett seconded a motion to adjourn the meeting. The motion carried 6-0. The meeting adjourned at 8:24 p.m.

Mayor

City Clerk

**ELLIS CITY COUNCIL
REGULAR MEETING
Minutes
April 20, 2020**

CALL TO ORDER

Mayor David McDaniel called the regular meeting to order at 7:30 p.m. Physically present were Council members Martin LaBarge, Jolene Niernberger, Sam Polifka, and Tricia Pritchett. Virtually present were Council members Steve Ferland and John Walz. Also physically present was City Clerk Amy Burton. Public Works Director John Leiker and Police Chief Chris Krom joined the meeting virtually. City Attorney Olavee Raub was absent.

PLEDGE OF ALLEGIANCE

AMENDMENTS TO AGENDA

None

PUBLIC PRESENT

Attending the meeting virtually were James Bell, Nickole Byers, Glen Keller, and John Morley.

CONSENT AGENDA

Council member Jolene Niernberger moved to approve the consent agenda containing the Minutes from the Regular Meeting on April 6, 2020, Bills Ordinance #2091, and the Manual Journal Entries for February and March. Council member Sam Polifka seconded the motion. The Council approved the consent agenda 6-0.

**PRESENTATIONS OF AWARDS, PROCLAMATIONS, REQUESTS & PETITIONS
(HEARINGS)**

None

SPECIAL ORDER

Fire: Report

Council reviewed the report submitted by Fire Chief Dustin Vine.

UNFINISHED BUSINESS

None

NEW BUSINESS

Tourism: Contract

Council member John Walz moved to approve the annual contract with Lamar for the City's five billboards in the amount of \$9,750.00. Council member Steve Ferland seconded the motion. Upon a call for discussion, Council member Jolene Niernberger questioned why the Tourism Committee didn't research alternatives to the Lamar contract as Council was told during the last contract renewal period. She asked for the Committee to research other billboard companies for future years, and possibly even add billboards to focus on the Lakeside Campground expansion. Upon a call for the vote, the motion carried 6-0.

Swimming Pool: Special Project

City Clerk Amy Burton presented the first set of pay applications for the Swimming Pool Improvement Project. Council member Jolene Niernberger moved to approve Request #1 for Payment of CDBG funds in the amount of \$59,288.14 for the Swimming Pool Improvement Project. Council member Tricia Pritchett seconded the motion. The motion carried 6-0.

Council member Sam Polifka moved to approve Contractor's Pay Application #1 to Carrothers Construction in the amount of \$100,533.60 for the Swimming Pool Improvement Project. Council member Jolene Niernberger seconded the motion. The motion carried 6-0.

Council member Tricia Pritchett then moved to authorize Mayor David McDaniel to sign the related documents for the Swimming Pool Improvement Project. Council member John Walz

seconded the motion. The motion carried 6-0.

Special Machinery: Acquisition

Public Works Director John Leiker informed Council of a sealed bid opportunity with Golden Belt Telephone Association regarding the possible acquisition of two pickups for the Public Works Department. The purchase was not budgeted for in 2020; however, there is leftover money in the Special Machinery fund from other equipment purchases that could be used if the City is the successful bidder. The 2001 Dodge Ram and the 1996 Ford pickup would be sold and replaced by the purchase. Council member Sam Polifka moved to authorize Public Works Director John Leiker to submit a sealed bid to Golden Belt Telephone Association for two pickups in a total amount not to exceed \$30,000, with funds to come from the Special Machinery fund. Council member Tricia Pritchett seconded the motion. Upon a call for discussion, Council member Martin LaBarge questioned why Mr. Leiker didn't contact the local vehicle dealer for the purchase. Mr. Leiker explained that the City is not actively looking for pickups; that the bid opportunity presented itself and if the City is not successful in the bidding process, no vehicles will be purchased. Upon a call for the vote, the motion carried 4-2, with Council members Steve Ferland, Sam Polifka, Tricia Pritchett, and John Walz voting in favor of the motion, and Council members Martin LaBarge and Jolene Niernberger voting opposed.

Sewer: Repair/Maintenance

Mr. Leiker reported that the sewer pump at the Cedar Lane lift station went out and needed replaced. This is the lift station that will be modified to an above ground pump this year; however, the new pump can then be used as a backup pump at another lift station. Mayor David McDaniel approved the emergency repair and purchase of the pump. The pump has already been delivered and installed. Council member Martin LaBarge moved to ratify the purchase of the Myers sewer pump from Enviro-Line Co., Inc. in the amount of \$5,134.80, with funds to come from the Sewer Depreciation Reserve fund. Council member Jolene Niernberger seconded the motion. The motion carried 6-0.

Sanitation: Repair/Maintenance

The 2016 Freightliner sanitation truck blew out the turbo and actuator and is currently at I-70 Truck Repair for repairs. Mr. Leiker received a part's estimate of \$4,034.00, but that does not include labor. Mayor David McDaniel approved the emergency repair prior to the Council meeting. Council member Jolene Niernberger moved to approve the needed repairs to the 2016 Freightliner sanitation truck. Council member Martin LaBarge seconded the motion. The motion carried 6-0.

REPORTS FROM CITY OFFICIALS

Public Works

Public Works Director John Leiker provided an update on ongoing projects in the Department. Carrothers Construction will help the City move the swimming pool slide from the construction area. Work continues at the Lakeside Campground expansion.

Police

Police Chief Chris Krom reported that a conditional offer of employment was extended to the one candidate that interviewed; however, the candidate declined the position due to pay. Chief Krom will restart the hiring process. The new closing date for applications is May 18th. The license plates and registration stickers for the ATV/UTV's were supposed to arrive late last week, but they have not been delivered yet.

City Clerk

City Clerk Amy Burton presented the Health Insurance Savings Report for March and the monthly financial statements for February and March. In accordance with the Governor's Executive Order, delinquent utility shutoffs will not be performed on April 27th. Shutoffs are

scheduled for May 4th, unless the Governor extends the Executive Order. The City has a land lease that expired on February 29, 2020 and no bids were received to renew the lease. Ms. Burton informed Council that an individual has inquired about the lease and would like to bid. City Attorney Olavee Raub advised Ms. Burton to republish the bid notice in order for the general public to have the same opportunity to bid. Council member John Walz moved to put the 5.67-acre Calvary tract back out for bids and for Ms. Burton to publish the bid notice. Council member Steve Ferland seconded the motion. The motion carried 6-0.

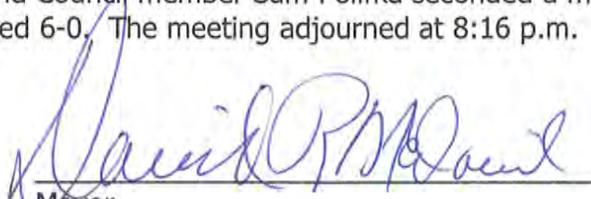
Attorney

Mayor Update and Announcements

Council member Martin LaBarge asked if the City has an ordinance prohibiting compression braking, or Jake brakes. Police Chief Chris Krom will research the Standard Traffic Ordinance and report at the next meeting.

ADJOURNMENT

Council member Martin LaBarge moved and Council member Sam Polifka seconded a motion to adjourn the meeting. The motion carried 6-0. The meeting adjourned at 8:16 p.m.



Mayor



City Clerk

**ELLIS CITY COUNCIL
REGULAR MEETING**

**Minutes
May 4, 2020**

CALL TO ORDER

Mayor David McDaniel called the regular meeting to order at 7:30 p.m. Physically present were Council members Martin LaBarge, Jolene Niernberger, Sam Polifka and Tricia Pritchett. Virtually present were Council members Steve Ferland and John Walz. Also physically present were Public Works Director John Leiker and City Clerk Amy Burton. Police Chief Chris Krom and City Attorney Olavee Raub joined the meeting virtually.

PLEDGE OF ALLEGIANCE

AMENDMENTS TO AGENDA

None

PUBLIC PRESENT

Joining the meeting virtually were James Bell, Margie Mickelson, Verda Flinn, Nickole Byers, Tawnya Rohr, and Glen Keller.

CONSENT AGENDA

Council member John Walz moved to approve the consent agenda containing the Minutes from the Regular Meeting on April 20, 2020 and Bills Ordinance #2092. Council member Steve Ferland seconded the motion. The Council approved the consent agenda 6-0.

**PRESENTATIONS OF AWARDS, PROCLAMATIONS, REQUESTS & PETITIONS
(HEARINGS)**

None

SPECIAL ORDER

General Government: Financial – Budget Request

Tawnya Rohr, Director for the Foster Grandparent and Senior Companion Programs, offered information and statistics for each of the programs. Ms. Rohr requested consideration from Council for \$4,275.00, the annual support cost of one senior companion volunteer. The request represents an increase of \$302.00 from the previous year. Ms. Rohr also requested consideration from Council for \$4,137.00 for the Foster Grandparent program. The amount represents the annual support cost of one volunteer and is an increase of \$419.00 from the previous year. The Council took no action and will consider the request during budget preparation.

UNFINISHED BUSINESS

None

NEW BUSINESS

General Government: Committees

Mayor David McDaniel reviewed his proposed annual appointments to the City's advisory committees. Council member Sam Polifka will replace David Molstad on the Planning Commission/Board of Zoning Appeals. Council also discussed re-activating the Cemetery Committee to address some long-term maintenance issues. Council member John Walz moved to approve the Roster of Committee Appointments as amended. Council member Tricia Pritchett seconded the motion. The motion carried 6-0.

Campground: Acquisition

The City recently applied for funding through the Kansas Department of Health and Environment Waste Tire Grant Program. The grant will help fund 50% of the purchase of recycled picnic tables for the Lakeside Campground Expansion. The City received \$3,975.00 in grant funds. Council member Sam Polifka moved to approve the purchase of nine (9) six-

foot picnic tables and one (1) eight-foot wheelchair accessible picnic table from Champlin Tire Recycling, Inc. at a total cost of \$7,950.00, with funds to come from the Campground Fund. Council member Jolene Niernberger seconded the motion. The motion carried 6-0.

Personnel: Benefits

City Clerk Amy Burton presented the policy renewal rates for the employee's term life and accidental death and disability policy. The policy is through Advance Insurance Company, an independent licensee of Blue Cross Blue Shield. The premiums for the life and AD&D policy have not increased for several years. Council member Jolene Niernberger moved to approve the Advance Insurance Company term life and accidental death and disability policy as presented. Council member Sam Polifka seconded the motion. The motion carried 6-0.

Campground/Parks: Policy

Mayor David McDaniel directed the Public Works Department to reopen the Ellis Lakeside Campground on April 28th; however, the bathhouses remain closed. Council member Steve Ferland expressed disappointment that Council was not consulted prior to the opening. He voiced concern over re-opening the campground and parks too early. Council discussed precautions to take in order to open up the bathhouses. The facilities would need to be cleaned and sanitized several times a day, which would probably result in overtime, additional work on the weekends, and time away from other tasks. After further discussion, Council member Sam Polifka moved to open the Lakeside Campground and City parks to the public, but to leave the bathhouses closed through May 18th. Council will reconsider opening the bathhouses at the next Council meeting. Council member Tricia Pritchett seconded the motion. The motion carried 4-2, with Council members Steve Ferland and Martin LaBarge voting opposed.

General Government: Policy

At the April 20th Council meeting, Council member Martin LaBarge requested consideration of prohibiting jake brakes in the city limits. Police Chief Chris Krom reviewed Standard Traffic Ordinance Sect. 175.1 which prohibits compression braking in city limits without a muffler. Council reviewed several sample ordinances from other cities as well. City Attorney Olavee Raub felt the sample ordinances mostly mirror the STO section and questioned the need for an additional ordinance. Chief Krom noted that to date he has never received a complaint about jake brakes in the City; Mr. LaBarge stated he has received two complaints. It was the consensus of Council to defer to the Standard Traffic Ordinance already in place rather than draft a new ordinance regarding jake brakes.

Museum: Repair/Maintenance

Public Works Director John Leiker presented two bids to replace the roof at the Ellis Railroad Museum. The City budgeted \$32,000 in the Capital Improvement Fund to replace the roof in 2020. The low bid came in almost \$8,000 over the amount budgeted. The City has adequate funds in reserves in the Capital Improvement Fund to cover the discrepancy. Council member Martin LaBarge moved to approve the low bid from High Plains Roofing, Inc. in the amount of \$39,865.00 with funds to come from the Capital Improvement Fund. Council member Jolene Niernberger seconded the motion. The motion carried 6-0.

General Government: Policy

Council discussed several provisions in the recently approved ordinance allowing the operation of ATV/UTV's on city streets. Police Chief Chris Krom stated Section 6 requiring the display of a slow-moving emblem sign should be removed or replaced with a requirement to display an orange flag at least 6' in the air. The current ordinance requires turn signals; however, Chief Krom stated that hand signals are allowed on motorcycles and bicycles and should be considered. He's also heard complaints about not allowing the use of child safety seats in the utility vehicles, but he is not in favor of amending that provision.

Council member Sam Polifka presented a signed petition requesting Council to consider lowering the age to ride and remove the car seat restriction. Chief Krom spoke out against this as a certified safety seat technician. He stated that child safety seats are not designed nor crash safety tested for these types of vehicles. He believes that allowing car seats would greatly increase the danger to small children in an ATV/UTV accident. Council discussed several possible amendments to the existing ordinance based on comments shared. It was the consensus of Council to leave the ordinance as is for now and to gather additional comments before making amendments in order to reduce attorney and publishing costs. For now, the current ordinance will be enforced as published.

Sanitation: Repair/Maintenance

The hydraulic cylinders on the 2008 International trash truck are leaking and need replaced. In order to repair the truck, the entire back end will need to be removed. Therefore, Public Works Director John Leiker suggested that all of the cylinders be replaced at the same time. He has not yet received a cost estimate. It was the consensus of Council to table the item until the next meeting.

REPORTS FROM CITY OFFICIALS

Public Works

Mr. Leiker continued by presenting the Comparative Water Report for the period February 10th to March 10th. Mr. Leiker contacted Brian Spano, engineer with Wilson & Co., to follow up with grant or loan funding through USDA for the Water Exploration Project, however, COVID-19 has delayed State and Federal operations. The City was not successful in the bids on the pickups from Golden Belt Telephone Association.

Police

Police Chief Chris Krom presented the Monthly Activity Report for April and the May staff calendar. He has not received any applications for the vacant officer position. The Department plans to apply for a 50/50 grant for new body armor for the officers. The grant requires applicants to have a body armor wear policy; therefore, Chief Krom is in the process of drafting a policy for Council's consideration.

City Clerk

City Clerk Amy Burton presented the minutes from the recent Safety Committee meeting. The City received \$20,864.80 from EMC Insurance for the annual KMU Safety Group dividend. Romme Insurance submitted a reimbursement check for \$7,128 for changes and deletions in the 2020-2021 general insurance policy. The filing deadline for those interested in running for City Council is noon on June 1st. The Governor's Executive Order No. 20-28 extends the moratorium on disconnecting delinquent utility accounts to May 31st.

Attorney

Mayor Update and Announcements

Mayor David McDaniel reviewed a letter received from Northwest Kansas Planning and Development Commission. Executive Director Randy Hrabe asked the Board to consider allowing the City of Ellis to join independent of the County, since Ellis County has said they will not join in 2020.

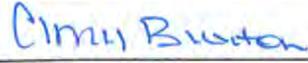
The Ellis Recreation Commission has asked if the City will restrict visitors coming into town this summer as they plan their summer activity schedule. The City will not restrict visitors to town, but will follow the Governor's guidelines for social distancing and gathering size. The Ellis VFW still plans to set out gravesite flags for veterans on Memorial Day but at this time does not plan to hold services in any locations due to the Kansas Department of Health and Environment social distancing guidelines.

ADJOURNMENT

Council member Martin LaBarge moved and Council member Sam Polifka seconded a motion to adjourn the meeting. The motion carried 6-0. The meeting adjourned at 9:18 p.m.



David J. Maloney
Mayor



Cindy Buxton
City Clerk

**ELLIS CITY COUNCIL
REGULAR MEETING
Minutes
May 18, 2020**

CALL TO ORDER

Mayor David McDaniel called the regular meeting to order at 7:30 p.m. Physically present were Council members Martin LaBarge, Jolene Niernberger, and Sam Polifka. Virtually present were Council members Steve Ferland, Tricia Pritchett, and John Walz. Also physically present were Public Works Director John Leiker and City Clerk Amy Burton. Police Chief Chris Krom and City Prosecutor Cassy Zeigler joined the meeting virtually.

PLEDGE OF ALLEGIANCE

AMENDMENTS TO AGENDA

None

PUBLIC PRESENT

Joining the meeting virtually were Alexis Crispin, Meagan Wellbrock, James Bell, Lori Miller, Chad Pritchett, Glen Keller, Verda Flinn, Nickole Byers, and Margie Mickelson (arrived at 7:55 p.m.)

CONSENT AGENDA

Council member Jolene Niernberger moved to approve the consent agenda containing the Minutes from the Regular Meeting on May 4, 2020 and Bills Ordinance #2093. Council member Sam Polifka seconded the motion. The Council approved the consent agenda 6-0.

**PRESENTATIONS OF AWARDS, PROCLAMATIONS, REQUESTS & PETITIONS
(HEARINGS)**

None

SPECIAL ORDER

General Government: Financial

Meagan Wellbrock, Adams, Brown, Beran & Ball, Chtd., presented the City's 2019 audit report and the Agreed Upon Procedures reports for the Ellis Alliance, Ellis Community Foundation, Walter P. Chrysler Boyhood Home and Museum, and Ellis Railroad Museum. The Railroad Museum had no findings, while the Ellis Alliance, Community Foundation, and Chrysler Museum each had findings reported. The City had no findings and received a "clean" opinion, meaning that the 2019 financial statements are fairly stated in all material respects. There were also no cash or budget violations cited. Ms. Wellbrock praised the City for keeping expenses down in order to build cash reserves. The report will be considered for approval at the next Council meeting.

Fire: Report

Council reviewed the monthly report submitted by Fire Chief Dustin Vine.

General Government: Contract

Mayor David McDaniel opened the single sealed bid for the lease of 5.67 acres of land located by St. Mary's Cemetery and Big Creek Channel. Council member John Walz moved to accept the bid from Brandon Pfeifer in the amount of \$158.76 per year for lease of the land. Council member Jolene Niernberger seconded the motion. The motion carried 6-0. The lease continues until May 31, 2027.

UNFINISHED BUSINESS

Sanitation: Repairs

At the last Council meeting, Public Works Director John Leiker alerted Council to repairs needed to the 2008 International trash truck. The truck is leaking hydraulic oil and needs the cylinders replaced. Council member Sam Polifka moved to approve repairs to the 2008

International trash truck by Hays Truck Equipment Company at a cost not to exceed \$4,500, with funds to come from the Sanitation fund. Council member Tricia Pritchett seconded the motion. The motion carried 6-0.

NEW BUSINESS

Personnel: Benefits

Lori Miller, Heartland Retirement & Benefits Consulting, presented the 2020 renewal of the City employee's health insurance policies. Ms. Miller recommends staying with Blue Cross Blue Shield for the umbrella policy as the rates are more favorable than going back with United Health Care. There are no increases to the premiums for the Vision Care Direct plan and an approximate 10% increase in dental premiums. Council member John Walz moved to approve the employee's health insurance plan with Blue Cross Blue Shield and Freedom Claims Management for the period July 1, 2020 – June 30, 2021. Council member Jolene Niernberger seconded the motion. The motion carried 6-0.

Council member Jolene Niernberger moved to approve the employee's dental insurance plan with Blue Cross Blue Shield for the period July 1, 2020 – June 30, 2021. Council member Tricia Pritchett seconded the motion. The motion carried 6-0.

Council member Tricia Pritchett moved to approve the employee's vision plan with Vision Care Direct for the period July 1, 2020 – June 30, 2021. Council member John Walz seconded the motion. The motion carried 6-0.

Parks: Special Projects

Council member John Walz moved to accept the donation of bike racks from the Ellis PRIDE Committee and Ellis Baptist Church. Council member Tricia Pritchett seconded the motion. The motion carried 6-0. The bike racks will be placed around town at various City properties.

General Government: License/Permit

Council member Jolene Niernberger moved to approve the Fireworks Permit Application for the Ellis Baptist Youth Group at 808 Washington Street, contingent on submission of proper proof of liability insurance. Council member Sam Polifka seconded the motion. The motion carried 6-0.

General Government: License/Permit

Council member John Walz moved to approve the Application for Permit to Drill Private Water Well for Guy Riedel at 209 West 10th St. Council member Tricia Pritchett seconded the motion. The motion carried 6-0.

General Government: Contracts

Council member John Walz moved to approve the 3-year audit contract with Adams, Brown, Beran & Ball. Council member Steve Ferland seconded the motion. The motion carried 6-0. The 2020 audit fees will actually decrease \$1,310 from the current fees.

Council member Steve Ferland moved to approve the 2021 budget contract with Adams, Brown, Beran & Ball in the amount of \$4,000. Council member Jolene Niernberger seconded the motion. The motion carried 6-0.

Council member Jolene Niernberger moved to approve the 2019 and 2020 Financial Statement and Agreed Upon Procedures Contracts for the Ellis Railroad Museum, Walter P. Chrysler Foundation, Community Foundation of Ellis, and the Ellis Alliance Association. Council member Sam Polifka seconded the motion. The motion carried 6-0.

Swimming Pool: Special Project

City Clerk Amy Burton presented the second set of pay applications for the Swimming Pool Improvement Project. Council member Tricia Pritchett moved to approve Request #2 for Payment of CDBG funds in the amount of \$83,328.56 for the Swimming Pool Improvement Project. Council member Jolene Niernberger seconded the motion. The motion carried 6-0.

Council member John Walz moved to approve Contractor's Pay Application #2 to Carrothers Construction in the amount of \$130,547.60 for the Swimming Pool Improvement Project. Council member Tricia Pritchett seconded the motion. The motion carried 6-0. Council member Sam Polifka then moved to authorize Mayor David McDaniel to sign the related documents for the Swimming Pool Improvement Project. Council member Jolene Niernberger seconded the motion. The motion carried 6-0.

Swimming Pool: Special Project

At the March 2, 2020 Council meeting, Council awarded the construction of the Swimming Pool Improvement Project to Carrothers Construction. With their bid almost \$350,000 less than the engineer's estimate, Council discussed various modifications to the project. At that time, Council appeared in favor of replacing all of the concrete around the project and adding more sun shades. Carrothers Construction has submitted Change Order #1 for the Swimming Pool project to provide demolition to the remaining concrete deck and canopies, furnish and install the new concrete deck, revise the deck drainage plan, install two additional sun shades, and install additional new fencing. Council member John Walz moved to approve Change Order #1 for the Swimming Pool Improvement Project in the amount of \$77,736. Council member Tricia Pritchett seconded the motion. The motion carried 5-1, with Council member Steve Ferland opposed.

Campground/Parks: Policy

Council again discussed the proposed plan in opening the bathhouses in all of the City parks and Ellis Lakeside Campground. Public Works Director John Leiker stated he would rather wait to open the bathhouses. He is not comfortable with his employees going in to clean the bathhouses at this time due to having campground customers from all over the United States and the continuing COVID-19 threat. Council discussed how often the bathhouses will need to be cleaned and sanitized once re-opened. After further discussion, Council member Jolene Niernberger moved to keep the bathhouses at the City parks and Ellis Lakeside Campground closed and to revisit the issue in June. Council member John Walz seconded the motion. The motion carried 6-0.

Police: Policy

Police Chief Chris Krom presented a proposed policy requiring police officers with the Ellis Police Department to wear body armor when on official duty with the Department. The policy is required to be in place in order to apply for the body armor grant through the Department of Justice. City Attorney Olavee Raub reviewed the policy prior to the meeting and suggested minor revisions. Council member John Walz moved to approve the Body Armor Policy as presented. Council member Steve Ferland seconded the motion. The motion carried 6-0.

REPORTS FROM CITY OFFICIALS

Public Works

Public Works Director John Leiker presented the Comparative Water Report for the period March 10th through April 10th. Mr. Leiker recently met with Buck Driggs, Driggs Design Group, on the upcoming Waterline Improvement Project. The project will be put out for bids later this summer.

Police

Police Chief Chris Krom reported that he only had one applicant for the vacant position in the Department. Chief Krom has started the background investigation of the candidate.

City Clerk

City Clerk Amy Burton presented the Health Insurance Savings Report for April. The City's new website is now up and running. Ms. Burton informed Council of a Community Development Block Grant opportunity to provide COVID-19 relief to small businesses and

food programs. The deadline to file for local election is noon on June 1st. Three council member seats are up for election.

Attorney

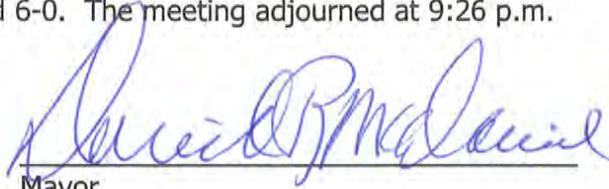
Mayor Update and Announcements

Mayor David McDaniel shared the VFW's plans for Memorial Day services.

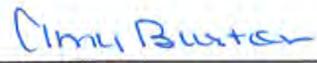
Council member John Walz announced that the PRIDE committee will meet on Wednesday, May 20th for their annual painting of the sunflowers on City streets.

ADJOURNMENT

Council member Martin LaBarge moved and Council member Sam Polifka seconded a motion to adjourn the meeting. The motion carried 6-0. The meeting adjourned at 9:26 p.m.



Mayor



City Clerk

**ELLIS CITY COUNCIL
SPECIAL MEETING
Minutes
May 27, 2020**

CALL TO ORDER

Mayor David McDaniel called the special meeting to order at 7:30 p.m. Physically present were Council members Martin LaBarge, Jolene Niernberger, Sam Polifka, and Tricia Pritchett. Virtually present were Council members Steve Ferland and John Walz. Also physically present was City Clerk Amy Burton.

PLEDGE OF ALLEGIANCE

PUBLIC PRESENT

Joining the meeting virtually were Gigi Morley, James Bell and Justine Benoit.

PUBLIC HEARING – COMMUNITY DEVELOPMENT BLOCK GRANT – COVID RELIEF

General Government: Grant

Mayor David McDaniel opened the public hearing at 7:32 p.m. regarding available grant relief funds for economic development and meal programs due to the coronavirus pandemic. Justine Benoit, grant administrator with Northwest Kansas Planning & Development Commission, provided details and entertained questions regarding the Department of Commerce special round of grant funding for relief for small business and food programs due to the COVID-19 pandemic. The State received over \$9,000,000 in grant funds to disperse on a first-come first-served basis to qualifying cities. Unlike other CDBG programs, there is no matching funds requirement. The City plans to apply for \$300,000 for economic development and \$25,000 for food programs. To be eligible for the economic development portion of the grant, businesses must qualify as low-to-moderate income as determined by federal guidelines. Businesses will make application to the City Council, who will then review and approve applications. Grant funds may be used for wages, inventory, utilities, etc. Food program grants will help restock non-profit food pantries and pay expenses incurred by the pantry during the COVID-19 pandemic.

There being no further public comments, Council member Sam Polifka moved and Council member Jolene Niernberger seconded a motion to close the public hearing. The motion carried 6-0. The public hearing closed at 7:43 p.m.

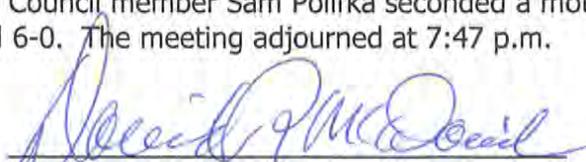
General Government: Grant

Council member Tricia Pritchett moved to approve Resolution No. 568 certifying the City of Ellis has legal authority to apply for Community Development Block Grant funds. Council member Sam Polifka seconded the motion. The motion carried 6-0.

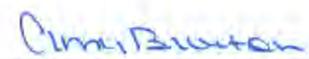
Council member John Walz then moved to authorize the Mayor to sign the related grant documents. Council member Jolene Niernberger seconded the motion. The motion carried 6-0.

ADJOURNMENT

Council member Martin LaBarge moved and Council member Sam Polifka seconded a motion to adjourn the meeting. The motion carried 6-0. The meeting adjourned at 7:47 p.m.



Mayor



City Clerk

**ELLIS CITY COUNCIL
REGULAR MEETING
Minutes
June 1, 2020**

CALL TO ORDER

Mayor David McDaniel called the regular meeting to order at 7:30 p.m. Present were Council members Steve Ferland, Martin LaBarge, Jolene Niernberger, Sam Polifka, and John Walz. Also present were Public Works Director John Leiker, City Clerk Amy Burton, Police Chief Chris Krom, and City Attorney Olavee Raub. Council member Tricia Pritchett was absent.

PLEDGE OF ALLEGIANCE

AMENDMENTS TO AGENDA

None

PUBLIC PRESENT

Preston Bollig, Annie Bollig, Jim Carthew, Daniel Pyle, Glen Keller, Barbara Perkins, Tammy Leiker, Steve Arthur, Nickole Byers, Karen Day, Travis Kohlrus, Justine Benoit, Sophia Young, Kent Holcomb, Michael Smith, and Rocky Slagle.

CONSENT AGENDA

Council member John Walz moved to approve the consent agenda containing the Minutes from the Regular Meeting on May 18, 2020, the Minutes from the Special Meeting on May 27, 2020, and Bills Ordinance #2094. Council member Steve Ferland seconded the motion. The Council approved the consent agenda 5-0.

PUBLIC COMMENTS

Kent Holcomb, Derby, Kansas, is currently staying at the Ellis Lakeside Campground and encouraged Council to open the bathhouses. Mr. Holcomb spoke highly of the City of Ellis and has stayed multiple times at the campground.

Preston Bollig encouraged Council to consider amending Ordinance No. 1445 due to research he performed of numerous ordinances from other cities. Mr. Bollig would like for the City's ordinance to allow younger children to ride in the utility terrain vehicles, allow night driving with proper equipment, and modify the slow-moving emblem provision.

**PRESENTATIONS OF AWARDS, PROCLAMATIONS, REQUESTS & PETITIONS
(HEARINGS)**

General Government: Financial – Budget Request

Travis Kohlrus and Sophia Young presented the 2021 budget request from the Ellis Alliance. The Alliance is requesting \$10,000, the amount received last year. The Council took no action and will consider the request during budget preparation.

General Government: Financial – Budget Request

Steve Arthur, Director of the Ellis Public Library, presented the Library's 2021 budget request of four mills of the assessed valuation, \$2,500 for employee benefits, and \$2,000 for library programming. The Library also requests additional funds for capital improvements, personnel, and additional programming and project funding totaling \$12,000. The Council took no action and will consider the request during budget preparation.

General Government: Financial – Budget Request

Karen Day, Director, presented the 2021 budget request from the Walter P. Chrysler Boyhood Home & Museum. The Chrysler Museum is requesting consideration of \$15,000 to help fund operations. The Council took no action and will consider the request during budget preparation.

General Government: Financial – Budget Request

Dan Pyle presented the Ellis Recreation Commission's 2021 Budget Request. The

Commission requests \$2,500 for maintenance to the ballfields. The Council took no action and will consider the request during budget preparation.

SPECIAL ORDER

Water: Grant

Justine Benoit, grant administrator with Northwest Kansas Planning & Development Commission, presented the City's environmental review for the Waterline Improvement Project. Due to part of the project being located in the 100-year floodplain, the Kansas Department of Commerce requires additional steps in the grant process. Alternatives to the project must be considered and there are additional public notification requirements. After further discussion, Council member Jolene Niernberger moved to approve the environmental review for CDBG Project #20-PF-024 Waterline Improvements and authorize Mayor David McDaniel to sign the necessary documents. Council member John Walz seconded the motion. The motion carried 5-0.

UNFINISHED BUSINESS

General Government: Financial

Council member John Walz moved to approve the 2019 Audit Report as presented by Adams, Brown, Beran & Ball at the last Council meeting. Council member Steve Ferland seconded the motion. The motion carried 5-0.

Campground: Policy

Council again considered opening up the bathhouses at the campground, cemetery, and various parks around town. Public Works Director John Leiker stated that his employees are ready to open the bathhouses. Public Works crews plan to clean and sanitize the campground bathrooms twice a day, and the cemetery and parks bathrooms once a day. This also includes weekends so the Department will see an increase in overtime. Council member Martin LaBarge moved to open the bathhouses at the Ellis Lakeside Campground, Mt. Hope Cemetery, and the City parks. Council member Sam Polifka seconded the motion. The motion carried 5-0.

NEW BUSINESS

General Government: License/Permit

Council member John Walz moved to approve the Fireworks Permit Application for the Ellis Softball Baseball Association at the Ellis Fairgrounds, contingent on submission of proper proof of liability insurance. Council member Steve Ferland seconded the motion. The motion carried 5-0.

General Government: Policy

Council member Sam Polifka moved to approve the Exposure Control Plan for Bloodborne Pathogens as presented. Council member Jolene Niernberger seconded the motion. The motion carried 5-0.

Streets: Repair/Maintenance

Public Works Director John Leiker presented quotes for material to be used for the annual street maintenance project. This year, streets will be chip sealed north and east of 6th Street. Council member Martin LaBarge moved to approve the purchase of 100 ton of ½" chips from Flatlander in the amount of \$4,000.00 with funds to come from the Capital Improvement-Street fund. Council member John Walz seconded the motion. The motion carried 5-0.

Council member Martin LaBarge then moved to approve the purchase of two pallets of Plexi-Melt from CrafcO in the amount of \$2,898.00 with funds to come from the Capital Improvement-Street fund. Council member Jolene Niernberger seconded the motion. The motion carried 5-0.

REPORTS FROM CITY OFFICIALS

Public Works

Mr. Leiker reported that the Kansas Rural Water Association will conduct smoke testing on the City's sewer lines this week. The testing is another means to try to find the inflow and infiltration into the City's sewer system.

Police

Police Chief Chris Krom presented the Monthly Activity Report for May and the June Staff Calendar. Chief Krom is close to completing the background check on the applicant for the vacant position.

City Clerk

City Clerk Amy Burton reported that only ten utility accounts were disconnected due to nonpayment. Delinquent utility shutoffs were prohibited from March 17th through May 26th due to the COVID-19 pandemic. The State of Kansas has approved Change Order #1 for the Swimming Pool Project.

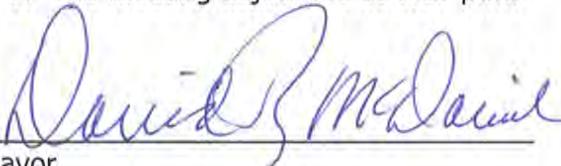
Attorney

Mayor Update and Announcements

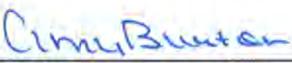
Mayor David McDaniel thanked the Public Works Department for an excellent job in cleaning up the cemetery for Memorial Day.

ADJOURNMENT

Council member Martin LaBarge moved and Council member Sam Polifka seconded a motion to adjourn the meeting. The motion carried 5-0. The meeting adjourned at 8:29 p.m.



Mayor



City Clerk

Draft Copy Not Official Until Approved by Council

ELLIS CITY COUNCIL REGULAR MEETING

Minutes June 15, 2020

CALL TO ORDER

Mayor David McDaniel called the regular meeting to order at 7:30 p.m. Present were Council members Steve Ferland, Martin LaBarge, Jolene Niernberger, Sam Polifka, and Tricia Pritchett. Also present were Public Works Director John Leiker, City Clerk Amy Burton, Police Chief Chris Krom, and Fire Chief Dustin Vine. Council member John Walz and City Attorney Olavee Raub were absent.

PLEDGE OF ALLEGIANCE

AMENDMENTS TO AGENDA

None

PUBLIC PRESENT

Preston Bollig, James Bell, Doug Williams, Jennifer Hecker, Cory Eberle, Macy Eberle, Taft Yates, Barbara Perkins, Tammy Leiker, Pauleen Edmonds, Michelle Swenson, Marilyn Windholz, Sophia Young, Talle Dykema, Wade McCarty, Glen Keller, and Mike Keller (arrived at 7:40 p.m.)

CONSENT AGENDA

Council member Jolene Niernberger moved to approve the consent agenda containing the Minutes from the Regular Meeting on June 1, 2020, Bills Ordinance #2095, and the Manual Journal Entries for April and May. Council member Tricia Pritchett seconded the motion. The Council approved the consent agenda 5-0.

PUBLIC COMMENTS

Marilyn Windholz thanked the Police Department for helping protect her from being attacked from four dogs south of Casey's General Store on Sunday night.

Michelle Swenson noted that she has reported these same dogs to the Police Department numerous times and asked for stronger regulations for owners to control their dogs.

PRESENTATIONS OF AWARDS, PROCLAMATIONS, REQUESTS & PETITIONS (HEARINGS)

General Government: Financial – Budget Request

Doug Williams, Executive Director, presented the 2021 budget request for Grow Hays. The organization's mission for Ellis County is business creation, business growth, business retention and business recruitment. The Council took no action and will consider the request during budget preparation.

General Government: Financial – Budget Request

Jennifer Hecker, representing Options – Domestic and Sexual Violence Services, provided information regarding the specialized services and programs that Options provides and requested consideration of funding from the City through the 2021 Budget. The Council took no action and will consider the request during budget preparation.

General Government: Financial – Budget Request

Sophia Young and Pauleen Edmonds presented the 2021 budget request from the Ellis Community Foundation. The Foundation is requesting consideration for \$10,000 in funding, the same amount as last year. Due to COVID-19, the need for food boxes has increased and the Food 4 Kids Summer Program started in April rather than June. The Council took no action and will consider the request during budget preparation.

SPECIAL ORDER

Fire Department: Report

Fire Chief Dustin Vine presented his monthly report. The Department lost two more firefighters due to job changes during the pandemic.

General Government: Policy

Talle Dykema expressed concerns that the City's "leash" law doesn't actually require dogs to be on a leash. Currently, City Code only requires dogs to be under the control of their owner. Ms. Dykema spoke of two instances where her dog was attacked while out walking. She asked for Council to consider implementing an actual leash law to protect both residents and their animals. Police Chief Chris Krom voiced support for the proposed stronger regulations.

UNFINISHED BUSINESS

None

NEW BUSINESS

Streets: Special Project

Gigi's Café has submitted a Public Property Permit Application to block off parking spaces in front of Gigi's Café, Salon 816, and the Ellis Alliance in order to hold a community fundraising meal for the Swimming Pool Improvement Project on June 27, 2020 from 3:00 p.m. – 7:00 p.m. Council member Jolene Niernberger moved to approve the Public Property Permit Application for Gigi's Café as presented. Council member Sam Polifka seconded the motion. The motion carried 5-0.

Swimming Pool: Special Project

City Clerk Amy Burton presented the third set of pay applications for the Swimming Pool Improvement Project. Council member Tricia Pritchett moved to approve Request #3 for Payment of CDBG funds in the amount of \$133,175.40 for the Swimming Pool Improvement Project. Council member Jolene Niernberger seconded the motion. The motion carried 5-0. Council member Jolene Niernberger moved to approve Contractor's Pay Application #3 to Carrothers Construction in the amount of \$221,959.00 for the Swimming Pool Improvement Project. Council member Sam Polifka seconded the motion. The motion carried 5-0. Council member Sam Polifka then moved to authorize Mayor David McDaniel to sign the related documents for the Swimming Pool Improvement Project. Council member Tricia Pritchett seconded the motion. The motion carried 5-0.

Street: Acquisition

Council member Martin LaBarge moved to approve the purchase of 10,540 gallons of tack oil from Ergon Asphalt & Emulsions, Inc. in the amount of \$24,452.80 with funds to come from the Capital Improvement – Street fund. The oil will be used to embed the chips for the annual street maintenance project. Council member Steve Ferland seconded the motion. The motion carried 5-0.

General Government: City Code

Council discussed possible amendments to the current ordinance authorizing the operation of utility vehicles on City streets. Ordinance provisions suggested for further discussion include removing the requirement for the slow-moving sign, the requirement for functioning turn signals, allowing children of any age to ride, and operating the utility vehicle after sunset. Due to City Attorney Olavee Raub's absence, it was the consensus of Council to continue the discussion at the next Council meeting.

General Government: Financial

Council considered an offer from Northwest Kansas Planning and Development Commission to join their organization as a City. Previously, the City was a member through Ellis County's membership; however, Ellis County declined to pay dues for 2020. NWKP&DC has helped the City secure almost \$1.8 million in grant funding over the last five years. Council member Jolene Niernberger moved to approve the dues payment to Northwest Kansas Planning and

Development Commission in the amount of \$3,500 with funds to come from the General-Administration budget. Council member Tricia Pritchett seconded the motion. The motion carried 5-0.

REPORTS FROM CITY OFFICIALS

Public Works

Public Works Director John Leiker presented the Comparative Water Report for the period April 10th to May 10th. The percentage of water accounted for continues to decrease. The Lakeside Campground Expansion is now open and comments received have all been positive. The smoke testing of the sewer lines indicated some manholes in need of repair but nothing significant with the actual sewer lines. Mayer Specialty Services is in the process of cleaning the sewer lines and will video any problem areas.

Police

Police Chief Chris Krom reported that a conditional offer of employment has been extended to James Murphy for the vacancy in the Department. The offer is contingent pending outcome of psychological evaluation and pre-employment drug testing.

City Clerk

City Clerk Amy Burton presented the Health Insurance Savings Report for May and the financial statements for April and May. The City did not receive any funding through the Community Development Block Grant's special round of funding for COVID relief. Monies were awarded on a first come-first served basis. There may be a second round of grant funding. Ms. Burton also reported that the City's estimated assessed valuation decreased slightly for the 4th year in a row.

Attorney

Mayor Update and Announcements

Mayor David McDaniel recently attended the League of Kansas Municipalities Governing Body meeting. The Governing Body Institute and the League's Annual Conference have both been cancelled for 2020.

The last day to register to vote in the upcoming election is July 14, 2020.

ADJOURNMENT

Council member Martin LaBarge moved and Council member Steve Ferland seconded a motion to adjourn the meeting. The motion carried 5-0. The meeting adjourned at 9:05 p.m.

Mayor

City Clerk