

**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.

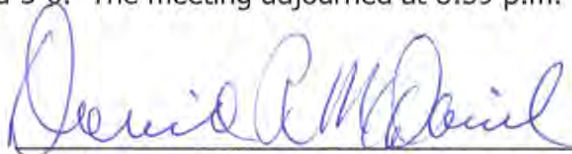
Attorney

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 Hrabec, 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

incentive program for City employees to join Fire Department.

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 9:12 p.m.



Mayor



City Clerk

**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.

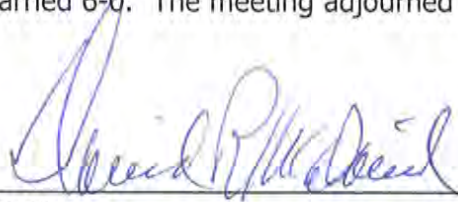
Mayor McDaniel also reported that he and Council members Jolene Niernberger and Sam Polifka, and City Clerk Amy Burton recently attended the Northwest Kansas Planning & Development Commission board meeting in Hill City. The board agreed by consensus to adhere to the bylaws of the organization, which 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.

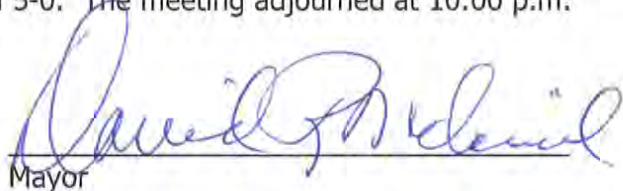
POST EXECUTIVE SESSION

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.



Mayor



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.

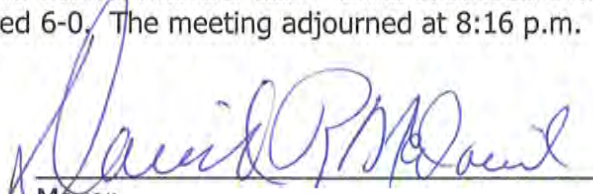
Attorney

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.


Mayor


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

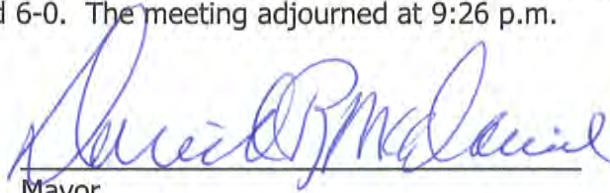
Mayor Update and Announcements

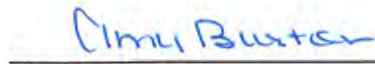
Mayor David McDaniel shared the VFW's plans for Memorial Day services.

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.

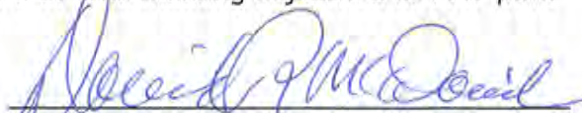
General Government: Grant

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 Crafcro 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.

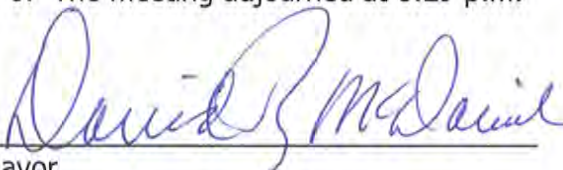
Attorney

Mayor Update and Announcements

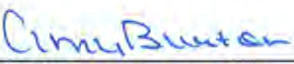
Mayor David McDaniel thanked the Public Works Department for an excellent job in cleaning up the cemetery for Memorial Day.

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

**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

**ELLIS CITY COUNCIL
REGULAR MEETING
Minutes
July 6, 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 Prosecutor Cassy Zeigler.

PLEDGE OF ALLEGIANCE

AMENDMENTS TO AGENDA

None

PUBLIC PRESENT

Preston Bollig, Josh Eaton, James Bell, Glen Keller, Nickole Byers, Creighton Remus, and Dean Gottschalk.

CONSENT AGENDA

Council member Martin LaBarge moved to approve the consent agenda containing the Minutes from the Regular Meeting on June 15, 2020 and Bills Ordinance #2096. Council member Jolene Niernberger seconded the motion. The Council approved the consent agenda 6-0, with Council member John Walz abstaining due to being absent at the last meeting.

PUBLIC COMMENTS

Dean Gottschalk commented on the proposed revisions to the current ordinance providing for the operation of utility vehicles in the City.

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

General Government: Financial – Budget Request

Glen Keller, Chairman of the Ellis Railroad Museum, presented the 2021 budget request of \$16,000 for consideration, the same amount as last year. The Council took no action and will consider the request during budget preparation.

SPECIAL ORDER

None

UNFINISHED BUSINESS

General Government: Policy

Council discussed City Code regarding dogs at large. Current regulations do not require dogs to be leashed when off the owner's premises. Several Council members expressed support of a leash law to help protect the community and other animals. After further discussion, Council member John Walz moved to direct the City Attorney to draft two documents for further consideration – a new, separate ordinance implementing a leash law within City limits, and revising the language in the current dog at large ordinance to require dogs be leashed off the owner's premises. Council member Tricia Pritchett seconded the motion. The motion carried 5-1, with Council member Martin LaBarge voting opposed.

General Government: City Code

Council members continued their discussion of possible revisions to the current ordinance providing for the operation of utility vehicles on City streets. Council member John Walz stated he was not in favor of allowing car seats in utility vehicles, citing safety concerns. Police Chief Chris Krom echoed similar sentiments, noting his experience as a certified child safety seat inspector. Council discussed the lack of age restrictions for children to be able to ride motorcycles, but also the fact that even owner's manuals of the utility vehicles

recommend not allowing children under 12 to ride. Council then discussed the possibility of allowing younger children to ride as long as factory approved, or after-market, doors were properly installed on the vehicle. Council members appeared in agreement on removing the time restrictions to ride and replacing the slow-moving emblem provision with a flag requirement. The City Attorney's office will make the suggested revisions and provide a draft of the amended ordinance for review at the next council meeting.

NEW BUSINESS

General Government: Contracts

Creighton Remus, Nex-Tech Wireless, discussed the current lease agreement with the City for installed communications equipment on the City's water tower. The addendum that went into effect May 2013, provides for 3% annual increases in the monthly tower rent. Nex-Tech Wireless currently pays the City \$1,106.90 per month in rent. Mr. Remus stated the current lease agreement is getting too expensive to maintain and proposed another addendum to the lease agreement. Nex-Tech Wireless will maintain the existing equipment on the City's tower at a cost of \$1,000 per month, effective December 2020, with 3% increases every five years. Council appeared in favor of the addendum. Mr. Remus will draft the addendum for consideration at the next Council meeting.

General Government: Zoning

Council members considered a recommendation from the Planning Commission to approve an ordinance re-zoning 600 Jefferson St. from residential property to commercial property. Josh Eaton explained that dirt will be brought in to meet floodplain elevation regulations and most of the trailers will be moved out. Portable storage containers will be brought in to store equipment and a six-foot privacy fence will be installed around the perimeter. The Planning Commission expressed concerns over "spot-zoning" but also believes changing the zoning of the property will greatly improve the aesthetics of the property. Council member John Walz moved to approve Ordinance No. 1448 rezoning 600 Jefferson Street from Single Family Dwelling District (R-1) to General Commercial District (C-2), with the condition that the front trailer houses are moved out and the dirt work has been completed to finished grade by December 31, 2020. Council member Martin LaBarge seconded the motion. The motion carried 6-0.

General Government: Building Codes/Zoning

At the recent Planning Commission meeting, members discussed enforcement of City codes within the extraterritorial jurisdiction, or 3-mile zone. The Commission recommends Council continue with the zoning regulations, but to decline enforcement of the building codes in the ETJ. Council member John Walz moved to accept the recommendation from the Planning Commission to decline enforcement of the building codes within the City's extraterritorial jurisdiction. Council member Tricia Pritchett seconded the motion. The motion carried 6-0.

General Government: Financial

Council member John Walz moved to approve Resolution No. 569 authorizing employees and City officials to use the City's credit card. Council member Steve Ferland seconded the motion. The motion carried 6-0.

Special Highway: Acquisition

Public Works Director John Leiker requested authorization to purchase a 16" concrete saw to use for curb cuts and water and sewer line repairs. Council member Steve Ferland moved to approve the purchase of a Husqvarna K970 concrete saw from Amazon in the amount of \$1,371.99, with funds to come from the Special Highway fund. Council member Martin LaBarge seconded the motion. The motion carried 6-0.

Water: Acquisition

Council member Martin LaBarge moved to approve the purchase of chlorine from Brenntag in

the amount of \$1,300.00 with funds to come from the Water Utility fund. Council member Sam Polifka seconded the motion. The motion carried 6-0.

Police: Contract

Police Chief Chris Krom presented a proposal to update and maintain the Police Department's policy manual. Case law, state statutes, and local ordinances change continually so it is imperative to keep the Department's policies up to date. The initial contract is for the second half of 2020 and all of 2021. Council member Sam Polifka moved to approve the contract with Lexipol for policy manual service in the amount of \$999.00 for 2020 and \$2,795.00 for 2021, with funds to come from the General-Police Department budget. Council member John Walz seconded the motion. The motion carried 6-0.

Swimming Pool: Special Project

City Clerk Amy Burton presented the fourth set of pay applications for the Swimming Pool Improvement Project. Council member Sam Polifka moved to approve Request #4 for Payment of CDBG funds in the amount of \$92,793.92 for the Swimming Pool Improvement Project. Council member Jolene Niernberger seconded the motion. The motion carried 6-0. Council member Sam Polifka moved to approve Contractor's Pay Application #4 to Carrothers Construction in the amount of \$171,840.60 for the Swimming Pool Improvement Project. Council member Tricia Pritchett 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 Sam Polifka 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 May 10th to June 10th. The recent smoke testing conducted by the Kansas Rural Water Association did find some areas of inflow and infiltration into the sewer system. The chip seal project was completed June 30th.

Police

Police Chief Chris Krom presented the Monthly Activity Report for June and the July Staff Calendar. Chief Krom also discussed the possible options for handling feral cats in the city.

City Clerk

City Clerk Amy Burton reviewed the minutes from the recent Planning Commission meeting. The Ellis High School KAYS group submitted a grant application to "Be the Spark" on the City's behalf for spray features at the new swimming pool. The Ellis KAYS group was awarded \$5,300.00 through the program's sponsors, Blue Cross Blue Shield and the Kansas Association for Youth Alumni Network. The swimming pool fundraiser at Gigi's Café netted the swimming pool project \$878.55. Possible dates for upcoming budget work sessions were discussed.

Attorney


Mayor Update and Announcements

Mayor David McDaniel reported that he received several complaints of fireworks. Police Chief Chris Krom added the Police Department fielded several complaints as well.

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 9:21 p.m.



Mayor

City Clerk

**ELLIS CITY COUNCIL
REGULAR MEETING
Minutes
July 20, 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, Dean Gottschalk, Preston Bollig, James Bell, Nick Keller, Karen Day, Doug Stites, Gary Luea, and J.D. Cox.

CONSENT AGENDA

Council member John Walz moved to approve the consent agenda containing the Minutes from the Regular Meeting on July 6, 2020, Bills Ordinance #2097, and the Manual Journal Entries for June. Council member Jolene Niernberger seconded the motion. The Council approved the consent agenda 5-0.

PUBLIC COMMENTS

Doug Stites spoke on the proposed revision to the ordinance providing for the operation of utility vehicles in city limits. Mr. Stites does not believe flags should be required as many utility vehicles are taller than most cars. He recommends requiring lights rather than a flag.

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

None

SPECIAL ORDER

General Government: Financial

J.D. Cox, Ellis County Administrator, discussed the \$5.7 million received by Ellis County as part of the Coronavirus Aid, Relief, and Economic Security (CARES) Act. A portion of the aid is designated to reimburse COVID-related expenses incurred by local governments and schools. Mr. Cox encouraged the City to submit expenses to the County by July 31st in order to be considered for reimbursement.

Fire: Policy

Gary Luea addressed concerns with Council regarding the current ordinance providing for the discharge of fireworks. Mr. Luea encouraged Council to consider shortening the days and hours allowed for discharge.

Fire: Report

Fire Chief Dustin Vine reported only two small fires related to fireworks, and both were almost out by the time the Department arrived.

UNFINISHED BUSINESS

General Government: City Code

Council reviewed the latest draft of the revisions to the current ordinance providing for the operation of ATV/UTV's in city limits. Council requested clarification to Section 1(i) in that the door or netting has to be secured if a child is riding, and that Section 6 requiring the display of a flag be eliminated. Council also discussed the transfer of tag if a new vehicle is

purchased. City Attorney Olavee Raub will make the proposed revisions for consideration at the next meeting.

General Government: Contract

Council reviewed the proposed addendum to the Nex-Tech Wireless lease agreement discussed at the last Council meeting. Council member John Walz moved to approve Addendum No. 2 to the Tower Space Lease Agreement with Nex-Tech Wireless effective December 7, 2020. Council member Jolene Niernberger seconded the motion. The motion carried 5-0.

General Government: Policy

Consideration of a proposed ordinance implementing a leash law will be tabled until the next meeting.

NEW BUSINESS

Fire: Licenses/Permits

Council member John Walz moved to approve the Application for License to Sell Cereal Malt Beverages for the Ellis Volunteer Fire Department Auxiliary during the Ellis Junior Free Fair, contingent upon KBI background clearance. Council member Jolene Niernberger seconded the motion. The motion carried 5-0.

Museum: Contract

Karen Day, Director of the Chrysler Boyhood Home and Museum, requested clarification to the current lease agreement with the City. Exhibit A of the lease agreement outlines procedures for repairs and improvements to the buildings, but does not clarify specific items each party is responsible for. Council will consider Ms. Day's recommendations and discuss further at a future meeting.

Sewer: Acquisition

Council member John Walz moved to approve the purchase of aluminum chlorohydrate from Brenntag in the amount of \$1,350.00 for the wastewater treatment plant. Council member Sam Polifka seconded the motion. The motion carried 5-0.

REPORTS FROM CITY OFFICIALS

Public Works

Public Works Director John Leiker reported that both trash trucks are out of service and in the process of being repaired. The Hustler mower is also broken down and being fixed internally by staff. The recent smoke test on the sewer lines detected twenty-seven leaks with one line having 15 different holes in it due to a bored fiber optic line. Out of the twenty-seven leaks, only one was causing inflow and infiltration.

Police

Police Chief Chris Krom reported that Officer Murphy continues to do very well at the Kansas Law Enforcement Training Academy. Chief Krom discussed recent property damage at the Ellis Railroad Museum. The Department is seeing an overall increase in reported cases this year compared to previous years.

City Clerk

City Clerk Amy Burton presented the Health Insurance Savings Report for June and the June and second quarter financial statements. Ms. Burton presented the proposed sprays for the Swimming Pool Improvement Project. The sprays will be funded by a grant received by the Ellis High School KAYS program.

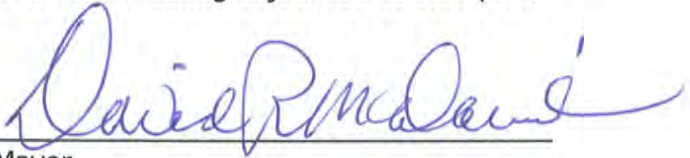
Attorney

Mayor Update and Announcements

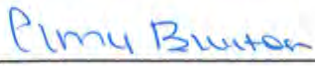
Council reminded residents to not blow or deposit grass clippings in the gutters or streets as it causes drainage issues.

ADJOURNMENT

Council member Martin LaBarge moved and Council member John Walz seconded a motion to adjourn the meeting. The motion carried 5-0. The meeting adjourned at 8:59 p.m.



Mayor



City Clerk

**ELLIS CITY COUNCIL
SPECIAL MEETING**

**Minutes
July 23, 2020**

CALL TO ORDER

Mayor David McDaniel called the special meeting to order at 6:03 p.m. Present were Council members Steve Ferland, Martin LaBarge, Jolene Niernberger, Tricia Pritchett, and John Walz. Also present was City Clerk Amy Burton. Council member Sam Polifka was absent.

PUBLIC PRESENT

Meagan Wellbrock attended virtually.

PURPOSE OF SPECIAL MEETING

Mayor David McDaniel stated the purpose of the special meeting is to consider a proposal for sprays for the Swimming Pool Improvement Project and to consult with Meagan Wellbrock, Adams, Brown, Beran & Ball regarding the City's 2021 budget.

Swimming Pool: Contract

City Clerk Amy Burton presented the proposal from Carrothers Construction Company, LLC for installation of five spray features at the new swimming pool. The sprays will be funded by a grant applied for and received by the Ellis High School KAYS organization. Council member John Walz moved to accept the proposal from Carrothers Construction Company, LLC for the installation of five spray features at the swimming pool at a cost of \$5,280.00. Council member Tricia Pritchett seconded the motion. The motion carried 5-0. Council asked Ms. Burton to look into the additional cost for colored concrete for the spray area.

General Government: Financial (Budget)

Meagan Wellbrock, the City's budget consultant with Adams, Brown, Beran & Ball, provided an overview of the City's proposed 2021 budget prepared by City Clerk Amy Burton. Ms. Wellbrock stressed the importance of levying at least as much tax as the prior year without regard to the mill rate, which is simply a calculation based on the estimated assessed valuation. Ms. Wellbrock also inquired if Council wanted to include a delinquency rate calculation with the expectation that the City will not receive 100% of the ad valorem tax levied. However, this would slightly raise the mill levy in order to ensure the City received the same amount of ad valorem taxes as last year. After discussion, Council decided to not include a delinquency rate and to leave the mill levy stable. Council member Jolene Niernberger moved to accept the budget document as presented for publication. Council member John Walz seconded the motion. The motion carried 5-0.

ADJOURNMENT

Council member Martin LaBarge moved and Council member John Walz seconded a motion to adjourn the meeting. The motion carried 5-0. The meeting adjourned at 7:00 p.m.



Mayor



City Clerk

**ELLIS CITY COUNCIL
REGULAR MEETING
Minutes
August 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, 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

Dave Honas, Preston Bollig, James Bell, Glen Keller, and Nickole Byers.

CONSENT AGENDA

Council member Martin LaBarge moved to approve the consent agenda containing the Minutes from the Regular Meeting on July 20, 2020, Minutes from the Special Meeting on July 23, 2020 and Bills Ordinance #2098. Council member Steve Ferland seconded the motion. The Council approved the consent agenda 5-0.

PUBLIC COMMENTS

None

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

None

SPECIAL ORDER

None

UNFINISHED BUSINESS

General Government: City Code

Council reviewed the latest revisions to the current ordinance authorizing operation of utility vehicles on City streets. The current draft states that registration tags are nontransferable; however, Council member John Walz suggested Council consider a \$25 transfer fee if a new utility vehicle is purchased within the same calendar year, or if the tag is lost or stolen. It was the consensus of Council to have City Attorney Olavee Raub make the additional revision for consideration at the next meeting.

Museums: Contracts

Council discussed the current lease agreements with the Chrysler Boyhood Home and Ellis Railroad Museum. City Attorney Olavee Raub believes the current lease agreements already reflect the items suggested by Karen Day, director of the Chrysler Boyhood Home; therefore, no further action is needed.

General Government: City Code

City Attorney Olavee Raub presented sample ordinances that would require dogs to be leashed anytime they are outside, even if on the owner's property, but not if the animal is within the confines of a fenced area. Current City Code requires animals to be leashed if off of the owner's property and not under the lead of the owner. It was the consensus of Council to revisit the agenda item at the next Council meeting in order to have more time to review the sample ordinances.

NEW BUSINESS

General Government: Grant

The City was recently awarded a Community Development Block Grant for Coronavirus relief. Council member Jolene Niernberger moved to approve the State of Kansas Grant Agreement No. 20-CV-081 as presented and to authorize Mayor David McDaniel to sign the necessary grant documents. Council member Sam Polifka seconded the motion. The motion carried 5-0.

Swimming Pool: Special Project

City Clerk Amy Burton presented the fifth set of pay applications for the Swimming Pool Improvement Project. Council member Jolene Niernberger moved to approve Request #5 for Payment of CDBG funds in the amount of \$119,646.40 for the Swimming Pool Improvement Project. Council member Sam Polifka seconded the motion. The motion carried 5-0.

Council member Sam Polifka moved to approve Contractor's Pay Application #5 to Carrothers Construction in the amount of \$199,743.57 for the Swimming Pool Improvement Project. Council member Jolene Niernberger seconded the motion. The motion carried 5-0. Council member John Walz then moved to authorize Mayor David McDaniel to sign the related documents for the Swimming Pool Improvement Project. Council member Sam Polifka seconded the motion. The motion carried 5-0.

General Government: Zoning

Council considered a minor revision to Ordinance No. 1341 regarding rear and side yard provisions. The revision clarifies the existing provision on placement of accessory buildings. Council member John Walz moved to approve Ordinance No. 1449 as presented regarding rear and side yard provisions in the Zoning Ordinance. Council member Steve Ferland seconded the motion. The motion carried 5-0.

Public Works: License/Permit

Triple J Roofing and Construction, Lakin, Kansas, has not maintained a valid general liability insurance policy for their contractor's license, as required by City Code. Public Works Director John Leiker has recommended revocation of their contractor's license since the contractor has not responded to the City's requests for proof of valid liability insurance. Council member John Walz moved to revoke the City License for Roofing – Limited Contractor for Triple J Roofing and Construction, Lakin, Kansas, effective immediately. Council member Steve Ferland seconded the motion. The motion carried 5-0.

Sewer: Repair/Maintenance

Mr. Leiker continued by requesting permission to hire C N Sewer to repair a portion of the sewer line that is allowing inflow and infiltration into the City's sewer system. Council member Steve Ferland moved to accept the bid from C N Sewer in the amount of \$2,442.00 to patch the sewer line with funds to come out of the Sewer Depreciation Reserve Fund. Council member Martin LaBarge seconded the motion. The motion carried 5-0.

Police: Personnel

Police Chief Chris Krom reported that his department may be short staffed at various times over the next 3-4 months. One officer will be attending the Kansas Law Enforcement Training Center until September, and will then have nine more weeks of field training; another officer is being deployed with the military in September; and a third officer is currently out on medical leave due to a non-work related injury. Chief Krom requested permission to hire certified officers with the Sheriff's Department to help out as needed to cover shifts. Council member John Walz moved to allow Police Chief Chris Krom to hire up to three temporary provisional certified officers at a wage of \$17.22 per hour. Council member Jolene Niernberger seconded the motion. The motion carried 5-0.

REPORTS FROM CITY OFFICIALS

Public Works

Public Works Director John Leiker reported that the contractor who accidentally bored fiber optic line through the City's sewer lines will be repairing the lines in the coming weeks. The Freightliner trash truck is back in operation. Crews have been busy with mowing.

Police

Police Chief Chris Krom presented the Monthly Activity Report for July and the August staff calendar. Lewis Chrysler reported that Dodge is not producing any more Chargers until mid-November, but the City's vehicle is still on order for when production continues.

City Clerk

City Clerk Amy Burton presented the minutes from the recent Planning Commission/Board of Zoning Appeals meeting. The 2021 Budget Hearing will be on August 10th at 7:00 p.m.

Attorney

Mayor David McDaniel requested City Attorney Olavee Raub provide an update each Council meeting of projects in progress for the City. Ms. Raub stated her monthly invoice would be the best indicator of work performed for the City. Mayor McDaniel directed City Clerk Amy Burton to include the monthly billing statement in the Council packets.

General Government: Financial

City Attorney Olavee Raub reported that the Days Inn hotel has sold, and Gilmore & Bell would like to hold the public hearing for the new Industrial Revenue Bonds on August 17th. Council member Sam Polifka moved to hold a public hearing on August 17, 2020, at 7:00 p.m. for the purpose of considering the issuance of Industrial Revenue Bonds in an amount not to exceed \$1,500,000. Council member John Walz seconded the motion. The motion carried 5-0. City Clerk Amy Burton will send notice to USD 388 and Ellis County.

Economic Development: Special Project

Ms. Raub continued by providing an update on the potential Tax Increment Financing project on the south end of town. Ms. Raub stated discussions with Doug Shaw, owner of the property, began in November 2019. Discussions continued into the spring with Mr. Shaw and the Ellis Industrial Development Corporation, but Ms. Raub stated that she has not corresponded with either group during the last five months. Mr. Shaw has since sold the properties to another private developer.

Mayor Update and Announcements

Personnel: Exit

Council member Sam Polifka announced his resignation from Council, effective August 18, 2020, in order to join the military.

General Government: Special Meeting


Mayor David McDaniel addressed a letter received from Dave Honas regarding a formal complaint filed with the Police Department of feral cats in his neighborhood. Mr. Honas states his neighbor repeatedly feeds the feral cats and the cats are causing damage to his property. Police Chief Chris Krom stated the department has visited with the neighbor and he has agreed to stop feeding the feral cats. If the individual does not, he could be charged with harboring a nuisance animal or animal at-large for each cat present. Council member Jolene Niernberger suggested Council hold a work session to discuss the increasing number of feral cats in town and possible solutions to the problem. Council agreed to hold a work session on August 11, 2020 at 7:30 p.m.

Council member Jolene Niernberger congratulated Mayor David McDaniel as the League of Kansas Municipalities 2020 recipient of Mayor of the Year.

ADJOURNMENT

Council member Sam Polifka moved and Council member Steve Ferland seconded a motion to adjourn the meeting. The motion carried 5-0. The meeting adjourned at 8:49 p.m.



Mayor

City Clerk

**ELLIS CITY COUNCIL
SPECIAL MEETING
Minutes
August 10, 2020**

CALL TO ORDER

Mayor David McDaniel called the special meeting to order at 7:00 p.m. Present were Council members Martin LaBarge, Jolene Niernberger, Sam Polifka, Tricia Pritchett, and John Walz. Also present was City Clerk Amy Burton. Council member Steve Ferland was absent.

PLEDGE OF ALLEGIANCE

PUBLIC PRESENT

None

PURPOSE OF SPECIAL MEETING

Mayor David McDaniel stated the purpose of the special meeting is to hold the Public Hearing for the 2021 budget document and to consider approval of the 2021 budget.

PUBLIC HEARING - 2021 BUDGET DOCUMENT

General Government: Financial – 2021 City of Ellis Budget

Mayor David McDaniel requested a motion to open the public hearing. Council member Martin LaBarge moved to open the 2021 budget hearing. Council member Sam Polifka seconded the motion. The motion carried 5-0. The 2021 budget hearing opened at 7:01 p.m. Mayor David McDaniel stated the proposed budget has been published the required amount of time and that tonight is an opportunity for the citizens of Ellis to comment on the proposed budget for 2021. Council briefly discussed the proposed budget document. There being no public present, Mayor McDaniel asked for a motion to close the public hearing. Council member Martin LaBarge moved and Council member Jolene Niernberger seconded a motion to close the 2021 budget hearing. The motion carried 5-0. The public hearing closed at 7:04 p.m.

General Government: Financial – 2021 Budget

The proposed 2021 budget document levies the same amount of tax as the 2020 budget. However, with the decrease in estimated valuation, the mill levy increased 0.523 mills. Council member John Walz moved to approve the 2021 City of Ellis budget document as presented. Council member Tricia Pritchett seconded the motion. The motion carried 5-0.

ADJOURNMENT

Council member Sam Polifka moved and Council member Martin LaBarge seconded a motion to adjourn the meeting. The motion carried 5-0. The meeting adjourned at 7:05 p.m.



Mayor



City Clerk

**ELLIS CITY COUNCIL
REGULAR MEETING
Minutes
August 17, 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

Preston Bollig, Glen Keller, Brian Spano, Doug Goetz, James Bell, Doug Williams, Nickole Byers, and Travis Kohlrus.

CONSENT AGENDA

Council member John Walz moved to approve the consent agenda containing the Minutes from the Regular Meeting on August 3, 2020, Minutes from the Special Meeting on August 10, 2020, and Bills Ordinance #2099. Council member Steve Ferland seconded the motion. The Council approved the consent agenda 6-0.

PUBLIC COMMENTS

Travis Kohlrus praised the progress of construction of the new pool and voiced support for the existing dog-at-large ordinance.

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

Industrial Development: Financial

Mayor David McDaniel requested a motion to open the public hearing to discuss the possible issuance of taxable industrial revenue bonds for the hotel project. Council member Tricia Pritchett moved and Council member Jolene Niernberger seconded a motion to open the public hearing. The motion carried 6-0. The public hearing opened at 7:36 p.m. Mayor McDaniel stated that the public hearing will be adjourned until the September 8th Council meeting due to the cost/benefit analysis of the project not yet being available. Council member Jolene Niernberger moved to adjourn the public hearing until the September 8th Council meeting. Council member Steve Ferland seconded the motion. The motion carried 6-0. The public hearing adjourned at 7:37 p.m.

SPECIAL ORDER

Fire: Report

Fire Chief Dustin Vine provided his monthly department report. The recent advertising for vacant positions has generated interest in the department and five interviews have been conducted.

General Government: Special Project

Doug Williams, Grow Hays Director, discussed a potential housing project in south Ellis. An additional forty lots are platted on south Maple and Spruce Streets from 20th Street to 22nd Street. The project would be a second phase of the current tax increment financing bonds (TIF) and this phase would be developed by Dan Hess and Mark Hess. Streets and sewer and water utilities would be constructed within the next four years, which is when the current TIF bonds expire.

UNFINISHED BUSINESS

Water Exploration: Special Project

Brian Spano and Doug Goetz, Wilson & Company, discussed possible treatment solutions and funding mechanisms to help the City reduce the presence of trihalomethanes (TTHM's) in the City's water source. Recent water samples have shown the presence of the disinfectant by-product and those samples have exceeded limits set by the Kansas Department of Health and Environment (KDHE). The City could make modifications to the existing Water Treatment Plant or alter the water supply system by blending the water with the City's wells in Trego County. Mr. Spano recommended the City conduct an engineering study to determine the best approach for the City. The engineering study would range from \$5,000 - \$25,000 depending on the funding mechanism chosen and the extent of the study. There are three funding sources available to help the City complete the project: KDHE State Revolving Loan Fund, United States Department of Agriculture (USDA) Rural Development Loan, or private bonding. Interest rates for all three funding sources range from 1.4% - 1.6%. USDA would be a 40-year term loan, whereas private bonding and KDHE Revolving Loans are 20 to 30-year terms. Through KDHE, the City has qualified for principle forgiveness of up to 33% of the loan due to the City's bromide issues, but American Iron and Steel and Davis Bacon Wage Rate provisions would both apply, which typically increase the cost of the project. Private bonding would allow the City to be in full control of the project and not involve much of the additional reporting required for State and federal agencies. Wilson & Company would like direction from the Council by mid-September.

General Government: City Code

City Attorney Olavee Raub reviewed the latest revisions to the ordinance authorizing operation of utility vehicles on City streets. The ordinance provides for a reduced fee if the tag is transferred to another vehicle, lost or destroyed. Council requested the reduced transfer fee of \$25.00 be explicitly stated in the new ordinance. After further discussion, Council member Martin LaBarge moved to adopt Ordinance No. 1450 amending the provisions for the operation of utility vehicles, as further amended for additional wording for the reduced fee. Council member Sam Polifka seconded the motion. The motion carried 4-2, with Council members Steve Ferland, Martin LaBarge, Sam Polifka, and Tricia Pritchett voting in favor of the motion, and Council members Jolene Niernberger and John Walz voting opposed.

General Government: City Code

Several meetings ago, Council was asked to review the City's current ordinance regarding animals at-large. The current ordinance states that animals must be leashed or on lead if not on the owner's property. This includes owners taking dogs off of their own property for exercise. Animals are only allowed to be unleashed if on the owner's property. The sample ordinances found by City Attorney Olavee Raub would require animals to be leashed even if on the owner's property. After further discussion, it was the consensus of Council to not make any revisions to the current ordinance.

NEW BUSINESS

Sanitation: Repairs/Maintenance

Council member John Walz moved to ratify the repairs to the Freightliner sanitation truck from I-70 Truck Repair in the amount of \$2,325.92, with funds to come from the Sanitation fund. Council member Tricia Pritchett seconded the motion. The motion carried 6-0.

Sanitation: Repairs/Maintenance

Council member Jolene Niernberger moved to ratify the rental of a sanitation truck from Ideal Refuse in an amount not to exceed \$2,000, with funds to come from the Sanitation fund. Council member John Walz seconded the motion. The motion carried 6-0.

REPORTS FROM CITY OFFICIALS

Public Works

Public Works Director John Leiker presented the Comparative Water Report from June 10th to July 10th. Almost thirty mow violations have been issued. Mr. Leiker and Foreman Joe Kreutzer attended a class on electrical code enforcement.

Police

Police Chief Chris Krom reported that a suspect was arrested in connection with eleven vehicle burglaries. Most of the stolen property has been recovered.

City Clerk

City Clerk Amy Burton presented the Health Insurance Savings Report for July. The City is reportedly receiving the entire \$23,532 submitted to the County for Coronavirus Aid, Relief, and Economic Security (CARES) Act funding.

Three local properties were sold at a Sheriff's sale on August 11th. The City will recover \$200 in special assessments on the property at 1202 Washington, but the sales proceeds were not sufficient enough to pay the special assessments at 1309 Fauteux (\$6,979.50) or 208 W. 12th (\$5,840.35).

Ms. Burton reminded everyone to complete their Census questionnaire. The deadline has been moved up to September 30th. Currently, the City of Ellis has the highest response rate in the County with 73.8% reporting.

Attorney

City Attorney Olavee Raub reviewed her July statement for services.

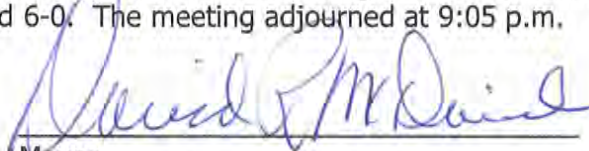
Mayor Update and Announcements

Mayor David McDaniel announced that tonight is Council member Sam Polifka's last meeting as he has joined the U.S. Army. Council thanked Mr. Polifka for his service to the City.

Mayor McDaniel stated that if anyone in the community is interesting in serving Mr. Polifka's unexpired term, to please contact him. Mayor McDaniel would like to make an appointment at the September 8th Council meeting.

ADJOURNMENT

Council member Sam Polifka moved and Council member Martin LaBarge seconded a motion to adjourn the meeting. The motion carried 6-0. The meeting adjourned at 9:05 p.m.



Mayor

City Clerk

City Clerk

**ELLIS CITY COUNCIL
REGULAR MEETING
Minutes
September 8, 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, Tricia Pritchett, and John Walz. Also present were City Clerk Amy Burton, Police Chief Chris Krom, and City Attorney Olavee Raub. Public Works Director John Leiker was absent.

PLEDGE OF ALLEGIANCE

AMENDMENTS TO AGENDA

None

PUBLIC PRESENT

Kellie Crnkovich, Neal Younger, Guy Windholz, Verda Flinn, Glen Keller, Devin Henderson, Nickole Byers, Vicki Henderson, and Dale Henderson.

CONSENT AGENDA

Council member John Walz moved to approve the consent agenda containing the Minutes from the Regular Meeting on August 17, 2020 and Bills Ordinance #2100. Council member Jolene Niernberger seconded the motion. The Council approved the consent agenda 5-0.

PUBLIC COMMENTS

None

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

Industrial Development: Financial

Mayor David McDaniel requested a motion to open the public hearing to discuss the possible issuance of taxable industrial revenue bonds for the hotel project. Council member John Walz moved and Council member Steve Ferland seconded a motion to open the public hearing. The motion carried 5-0. The public hearing opened at 7:32 p.m.

Kevin Cowan, Gilmore and Bell, stated the public hearing is required by statute prior to the issuance of industrial revenue bonds. The current 10-year full tax abatement for the Days Inn hotel ends in 2020. By statute, a new tax abatement has to be approved since the hotel recently sold and will be under new ownership. Mr. Cowan reviewed the cost/benefit analysis with Council and noted that with minimal new investment in an existing facility, the analysis does not reflect positive numbers as a new construction project might. The next step for the City would be to issue the bond documents after the new owner and the bank finalize the purchase documents. Mr. Cowan stressed that by statute, the City is simply a conduit for the transaction. The City is not financially responsible for the bonds if the owner defaults and the City is not involved in the financing negotiations.

There being no further questions and comments, Council member Martin LaBarge moved to close the public hearing. Council member John Walz seconded the motion. The motion carried 5-0. The public hearing adjourned at 7:59 p.m.

SPECIAL ORDER

Swimming Pool: Special Project

Guy Windholz encouraged Council members to consider purchasing a replacement plaque for the swimming pool bathhouse acknowledging the contributions of the Works Progress Administration (WPA). The plaque was lost or stolen years ago, and Mr. Windholz encouraged Council to have a new plaque installed to honor those who constructed the bathhouse in 1939. The Fort Hays State University Arts Department provided a quote of

\$720 for materials and labor to cast the plaque and Kansas Granite has offered to donate installation of the plaque at the bathhouse. Council will discuss the purchase at the next Council meeting.

UNFINISHED BUSINESS

Water Exploration: Special Project

Council discussed the information distributed by Brian Spano and Doug Goetz from Wilson and Company at the August 17th Council meeting. The City needs to address the increase in bromide in the water supply and also consider alternatives to access and distribute water from the City's wells in Trego County. Kansas Department of Health and Environment offers loan forgiveness up to 33% of the project, but the project must meet American Iron & Steel (AIS) provisions and Davis Bacon wage rate provisions. Both of these required provisions will increase the total cost of the project. Private bonding rates are currently at or below the KDHE loan rates and would allow the City flexibility in materials, contractor's and timeline. After further discussion, Council member Steve Ferland moved to contract with Wilson and Company to provide an engineering study to analyze alternatives and cost estimates to modify the water treatment plant and to provide alternatives to utilizing the City's wells in Trego County. The estimated engineering fee is \$15,000 - \$20,000 and private bonding would be used to finance the project. Council member Martin LaBarge seconded the motion. The motion carried 5-0.

NEW BUSINESS

Personnel: Entry

Mayor David McDaniel had four individuals express interest in the vacant Council member seat. After conducting interviews of each of the candidates, Mayor McDaniel recommends Devin Henderson for appointment. Council member John Walz moved to approve the appointment of Devin Henderson to the unexpired Council seat previously held by Sam Polifka. Council member Jolene Niernberger seconded the motion. The motion carried 5-0. City Clerk Amy Burton then administered the Oath of Office and Council member Devin Henderson joined the Council table.

Campground: Fines/Fees

Council member Tricia Pritchett moved to approve the Public Property Permit Application for Cub Scout Pack 131 for use of the tent area of the Lakeside Campground at no charge on September 12th – 13th. Council member Steve Ferland seconded the motion. The motion carried 6-0.

Tourism: Committee

The Tourism Committee requests approval to reduce the buy-in advertising cost for not-for-profit organizations from \$125 to \$65. The City no longer contracts for television advertising; therefore, it would just be radio advertising. Council member John Walz moved to approve reducing the buy-in advertising to \$65 for not-for-profit organizations. Council member Tricia Pritchett seconded the motion. The motion carried 6-0.

Personnel: Policy

City Clerk Amy Burton reviewed President Trump's Presidential Memorandum regarding deferral of employee social security tax until April 2021. Ms. Burton met with City employees and it was the unanimous consensus to recommend Council not opt in to the payroll tax deferral program. Council member John Walz moved to not participate in the federal payroll tax deferral program. Council member Devin Henderson seconded the motion. The motion carried 6-0.

Swimming Pool: Special Project

City Clerk Amy Burton presented the sixth set of pay applications for the Swimming Pool Improvement Project. Council member Jolene Niernberger moved to approve Request #6

for Payment of CDBG funds in the amount of \$105,647.29 for the Swimming Pool Improvement Project. Council member Tricia Pritchett seconded the motion. The motion carried 6-0.

Council member Jolene Niernberger moved to approve Contractor's Pay Application #6 to Carrothers Construction in the amount of \$167,745.49 for the Swimming Pool Improvement Project. Council member Tricia Pritchett seconded the motion. The motion carried 6-0.

Council member John Walz moved to approve the invoice from Northwest Kansas Planning & Development Commission in the amount of \$5,000.00 for grant administration services 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.

Municipal Court: City Code

Council member John Walz moved to approve Ordinance No. 1451 adopting the 2020 edition of Uniform Public Offense Code. Council member Devin Henderson seconded the motion. The motion carried 6-0.

General Government: Licenses/Permits

Skip and Sons, Hays, Kansas, has not maintained a valid general liability insurance policy for their contractor's license, as required by City Code. Public Works Director John Leiker has recommended revocation of their contractor's license since the contractor has not responded to the City's multiple requests for proof of valid liability insurance. Council member Steve Ferland moved to revoke the City License for Plumbing with Gas Contractor and Mechanical Contractor for Skip and Sons, LLC, Hays, Kansas, effective immediately. Council member Tricia Pritchett seconded the motion. The motion carried 6-0.

Sewer: Repair/Maintenance

Council member Martin LaBarge moved to ratify the invoice from CN Sewer in the amount of \$2,595 to patch an area of the sewer line. Council member Jolene Niernberger seconded the motion. The motion carried 6-0. Council had approved the quote of \$2,442 for an 8" patch at the August 3rd Council meeting; however, the sewer line to be repaired ended up being a 10" line, therefore there was a slight cost adjustment.

General Government: Acquisition

The City needs to update the computer firewall security system in order to set up remote work stations. The firewall will also need to be reprogrammed to provide separate security for the Police Department server per Kansas Bureau of Investigation guidelines. Eight workstations will be set up for remote work. Council member John Walz moved to approve the low bid from Nex-Tech for the purchase of the firewall security system and setup of the eight workstations for the total cost of \$2,940.00, with funding to come from the CARES Act received by Ellis County. Council member Tricia Pritchett seconded the motion. The motion carried 6-0.

REPORTS FROM CITY OFFICIALS

Public Works

Council reviewed the Comparative Water Report for the period July 10th – August 10th. The last grass pickup will be September 28th and the City-wide cleanup is scheduled for the week of October 12th.

On behalf of Public Works Director John Leiker, City Clerk Amy Burton inquired about closing the campground bathrooms due to reports of individuals quarantining at Lakeside Campground. Council stated that this type of situation has probably occurred all summer long without our knowledge. Since the Cub Scouts event at the campground is this

weekend, Council opted to revisit the question at the September 21st meeting when Mr. Leiker will be present.

Police

Police Chief Chris Krom presented the Monthly Activity Report for August and the September staff calendar. Officer Murphy was voted in as president of his class at the Kansas Law Enforcement Training Center. The first responder agencies in Ellis County are working together to update the county-wide records management system and dispatch hardware and software. The upgrades will be paid for with CARES Act funds.

City Clerk

Ms. Burton reminded Council of the League of Kansas Municipalities Annual Conference October 13th – 16th. The Conference will be virtual this year.

Attorney

City Attorney Olavee Raub reviewed her August billing statement for services provided.

Mayor Update and Announcements

Council member Jolene Niernberger attended the monthly board meeting of the Northwest Kansas Planning & Development Commission. The Commission's by-laws committee still needs to revise the by-laws in order to allow individual cities to join the organization.

Mayor David McDaniel introduced incoming County Commissioner Neal Younger.

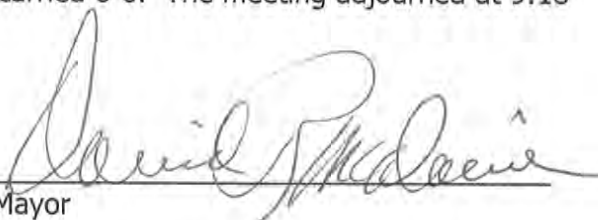
Council member John Walz requested Council discuss possible solutions to feral cats at the next council meeting.


Personnel: Policy

Council member Martin LaBarge expressed concerns that since the City has encountered two positive COVID-19 cases, that modified quarantine procedures be followed: masks, social distancing, temperature checks, etc. After further discussion, Council member Martin LaBarge moved to direct the Department Heads to take daily temperature checks and log the results for each employee. Council member John Walz seconded the motion. The motion carried 6-0.

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 9:18 p.m.


Mayor


City Clerk

**ELLIS CITY COUNCIL
REGULAR MEETING
Minutes
September 21, 2020**

CALL TO ORDER

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

Due to not meeting quorum requirements, Mayor David McDaniel announced the meeting would be adjourned and reconvened on September 24, 2020 at 7:30 p.m.

The meeting reconvened on September 24, 2020 at 7:30 p.m. Present were Council members Steve Ferland, Devin Henderson, Martin LaBarge, Jolene Niernberger, 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

Verda Flinn, Glen Keller, Kellie Crnkovich, Wendy Lichtenwalter, Guy Windholz, James Bell, and Nickole Byers.

CONSENT AGENDA

Council member Jolene Niernberger moved to approve the consent agenda containing the Minutes from the Regular Meeting on September 8, 2020 and Bills Ordinance #2101.

Council member Tricia Pritchett seconded the motion. The Council approved the consent agenda 6-0.

PUBLIC COMMENTS

Wendy Lichtenwalter requested Council consider installing a "yield" or "stop" sign at the corner of 12th Street and Madison to help reduce the speed of traffic around Washington Grade School.

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

None

SPECIAL ORDER

Personnel: Entry

Fire Chief Dustin Vine was not in attendance; however, Council noted the addition of three volunteer firefighters to the Department – Jake Romey, Hillary Newell, and Kody Niblock.

UNFINISHED BUSINESS

Water: Special Project

The Kansas Department of Health & Environment has approved the project plans for the Waterline Improvement Project. The project is now ready to solicit bids for construction.

Council member Jolene Niernberger moved to approve advertising the Waterline Improvement Project for bids. Council member John Walz seconded the motion. The motion carried 6-0 with Council member Steve Ferland abstaining due to a perceived conflict of interest.

Swimming Pool: Acquisition

Council member Martin LaBarge moved to have the Fort Hays State University Arts

Department mold and cast a Works Progress Administration commemorative plaque for the swimming pool bath house in the amount of \$720.00 with funds to come from the General-Swimming Pool fund. Council member Steve Ferland seconded the motion. The motion carried 6-0. Kansas Granite will donate installation of the plaque. Guy Windholz will lead the project.

General Government: Special Project

Brandon Campbell with Western Plains Animal Refuge is willing to help Ellis County communities with the growing feral cat problem. Mr. Campbell would like to meet with representatives from communities to discuss possible solutions including adoption and trap/neuter/release. There may be grants available to help absorb some of the costs. Police Chief Chris Krom and Council members Tricia Pritchett and John Walz agreed to meet with Mr. Campbell.

NEW BUSINESS

General Government: Policy

Council member John Walz moved to designate Jolene Niernberger as the voting delegate for the League of Kansas Municipalities Annual Conference, and Tricia Pritchett as the alternate voting delegate. Council member Steve Ferland seconded the motion. The motion carried 6-0, with Council members Jolene Niernberger and Tricia Pritchett abstaining.

General Government: City Code

Code Section 13-101 states that the governing body must approve plans for any construction, reconstruction or repair of sidewalks. After approval, the building inspector may then issue the permit. Public Works Director John Leiker recommended Council remove the provision requiring governing body approval, and to only require a permit for new construction. Council member Jolene Niernberger moved to direct City Attorney Olavee Raub to make the revisions to Code Section 13-101 as discussed. Council member Devin Henderson seconded the motion. The motion carried 6-0.

General Government: Policy

Council member John Walz moved to approve the Planning Commission's Goals and Objectives for the City Comprehensive Plan as presented. Council member Tricia Pritchett seconded the motion. The motion carried 6-0.

Streets: Repair/Maintenance

Council member Martin LaBarge moved to approve the purchase of 20 yards of concrete from Ellis County Concrete in the amount of \$2,420.00 for repairs to the intersection at 3rd Street and Madison, with funds to come from the Capital Improvement – Street fund. Council member Steve Ferland seconded the motion. The motion carried 6-0.

Sanitation: Repair/Maintenance

Public Works Director John Leiker reported that parts are no longer available for the tipper on the sanitation truck. The current tipper is leaking hydraulic fluid. Council member John Walz moved to approve the purchase of a sanitation truck rear tipper from Holtz Industries in the amount of \$3,199.00, with funds to come from the Sanitation fund. Council member Devin Henderson seconded the motion. The motion carried 6-0.

Clerk: Acquisition

City Clerk Amy Burton requested approval to purchase two additional laptops to facilitate remote workstations in the Clerk's office. The purchase is part of the CARES Act funding through Ellis County and has already been approved by the State. Council member John Walz moved to approve the low bid from Golden Belt Telephone for two laptops (\$1,236.00), Microsoft Office software (\$979.20), and installation (\$75/hour) to set up the remote workstations with funding to come from the CARES Act. Council member Tricia Pritchett seconded the motion. The motion carried 6-0.

General Government: Acquisition

Ms. Burton continued by presenting a bid for equipment and installation to provide on-line streaming of Council meetings in case of gathering restrictions again. Three bids were solicited, however Golden Belt Telephone declined to submit a bid for the project and Vyve Technology Solutions never responded to the City's request for bids. Therefore, Council member John Walz moved to accept the single bid from Nex-Tech to configure and install the equipment necessary in Council chambers for on-line streaming in the amount of \$5,606.00 with funding to come from the CARES Act. Council member Tricia Pritchett seconded the motion. The motion carried 6-0.

REPORTS FROM CITY OFFICIALS

Public Works

Public Works Director John Leiker presented his monthly report. Mr. Leiker inquired of Council's wishes regarding COVID-19 precautions in place. It was the consensus of Council to continue daily temperature checks of employees and to continue cleaning the park and campground bathrooms twice a day.

Police

Police Chief Chris Krom stated that he continues to work with Ellis County agencies to upgrade the county-wide records management system. Council requested input on Ms. Lichtenwalter's comments regarding traffic control at 3rd Street and Madison. Chief Krom believes a stop sign would be more effective than a yield sign. Kansas Statutes state that residential areas have a speed limit of 30 miles per hour. The City would have to partake in a traffic study to lower all residential areas to 20 miles per hour. Council requested Chief Krom report back on how much a traffic study would cost.

City Clerk

City Clerk Amy Burton presented the Health Insurance Savings Report for August and the minutes from the Planning Commission and Tourism Committee meetings. Ms. Burton reported that the Ellis County Election Office requested permission to place a drop-off ballot box outside City Hall. Council had no objections to placement of the ballot box.

Attorney

Doug and Jill Shaw have requested the City release them from their Personal Guaranty regarding the 2004 Tax Increment Financing (TIF) project on the south end of town. Mr. Shaw is in the process of selling the remaining lots to Dan Hess; therefore, will no longer be the developer of the area. City Attorney Olavee Raub explained that Security Bank of Kansas City would also need to release the Shaw's as they are the issuer of the bonds and \$440,000 of special obligation bonds remain outstanding. The City has sufficient funds in accumulated TIF revenue to pay the outstanding bonds. Council member Steve Ferland moved for the City to release Doug and Jill Shaw from their Personal Guaranty upon confirmation from Security Bank of Kansas City, and to obtain a new Personal Guaranty from Dan Hess in exchange. Council member Jolene Niernberger seconded the motion. The motion carried 6-0.

Mayor Update and Announcements

None

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 8:31 p.m.



Mayor



City Clerk

**ELLIS CITY COUNCIL
REGULAR MEETING
Minutes
October 5, 2020**

CALL TO ORDER

Mayor David McDaniel called the regular meeting to order at 7:30 p.m. Present were Council members Devin Henderson, Jolene Niernberger, 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 members Steve Ferland and Martin LaBarge were absent.

PLEDGE OF ALLEGIANCE

AMENDMENTS TO AGENDA

None

PUBLIC PRESENT

Kellie Crnkovich, Glen Keller, Tammy Leiker, and Justine Benoit.

CONSENT AGENDA

Council member John Walz moved to approve the consent agenda containing the Minutes from the Regular Meeting on September 21, 2020, Bills Ordinance #2102, and the Manual Journal Entries for July. Council member Devin Henderson seconded the motion. The Council approved the consent agenda 4-0.

PUBLIC COMMENTS

None

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

None

SPECIAL ORDER

General Government: Grant

Justine Benoit, Northwest Kansas Planning & Development Commission, discussed the process for Ellis businesses to apply for funding through the Community Development Block Grant COVID-19 program. The City was awarded \$128,000 for economic development and \$25,000 for the food program. Businesses may select a 60-day period from March 1, 2020 to current to apply for reimbursement. Eligible expenses include payroll, utilities, inventory, etc. Businesses may not request reimbursement for expenses if another type of COVID aid has already been received for that item. Council member Tricia Pritchett moved to set the application period for Ellis businesses to apply for CDBG economic development funding from October 15, 2020 – November 15, 2020, and for the City to review the business applications as a whole without limitation. Council member John Walz seconded the motion. The motion carried 4-0.

Council member John Walz moved to award \$25,000 in Community Development Block Grant funds to the local food programs, upon presentation of receipts. Council member Tricia Pritchett seconded the motion. The motion carried 4-0.

UNFINISHED BUSINESS

Water Exploration: Contract

Council member John Walz moved to approve the Letter of Agreement with Wilson & Company to conduct a water treatment plant study in the amount of \$20,000 with funds to come from the Capital Improvement – Water Exploration Fund. Council member Devin Henderson seconded the motion. The motion carried 4-0.

General Government: City Code

City Attorney Olavee Raub presented the proposed ordinance amending Code Section 13-101 regarding sidewalk construction. The provisions requiring governing body approval of the plans and the issuance of a building permit for repair or reconstruction of sidewalks have been removed. Building permits will only be required for new construction of sidewalks. Council member Tricia Pritchett moved to adopt Ordinance No. 1452 amending the provisions for construction of sidewalks. Council member Jolene Niernberger seconded the motion. The motion carried 4-0.

NEW BUSINESS

Swimming Pool: Special Project

City Clerk Amy Burton presented the seventh set of pay applications for the Swimming Pool Improvement Project. Council member Tricia Pritchett moved to approve Request #7 for Payment of CDBG funds in the amount of \$48,202.29 for the Swimming Pool Improvement Project. Council member Devin Henderson seconded the motion. The motion carried 4-0. Council member Jolene Niernberger moved to approve Contractor's Pay Application #7 to Carrothers Construction in the amount of \$80,337.15 for the Swimming Pool Improvement Project. Council member John Walz seconded the motion. The motion carried 4-0. Council member John Walz 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 4-0.

General Government: Acquisition

City Clerk Amy Burton presented bids for the purchase of iPads for Council. The iPads will be available if Council needs to conduct meetings remotely. Council member John Walz moved to purchase seven (7) iPads from Apple Inc. in the amount of \$2,093.00 with funds to come from the CARES Act. Council member Tricia Pritchett seconded the motion. The motion carried 4-0.

General Government: Special Project

Council member John Walz moved to authorize Mayor David McDaniel to sign a letter of support for ACCESS Public Transportation. Council member Jolene Niernberger seconded the motion. The motion carried 4-0.

REPORTS FROM CITY OFFICIALS

Public Works

Public Works Director John Leiker presented the Comparative Water Report for the period August 10th – September 10th. The percentage of water accounted for during the period dropped to 63.9%, compared to 74.41% during this same time last year. The Kansas Rural Water Association is assisting the City in locating possible underground leaks that haven't surfaced yet.

The Stockton Correctional inmates assisted the Department with weed eating at the parks and along the creek. Additional water samples have been captured at the City's wells and the Water Treatment Plant for a study on the bromide and trihalomethanes present in the water system.

Police

Police Chief Chris Krom presented the Monthly Activity Report for September and the October Staff Calendar. Officer James Murphy will graduate October 9th at the Kansas Law Enforcement Training Academy. Officer Ben Kolas will leave the Department on October 18th for a one-year military deployment. The Department is preparing for the annual Trunk or Treat event. Chief Krom has contacted the Kansas Department of Transportation to determine the requirements for an engineering and traffic study in order to lower the residential speed limits.

City Clerk

City Clerk Amy Burton presented the minutes from the recent Planning Commission meeting and the July financial statements.

Attorney

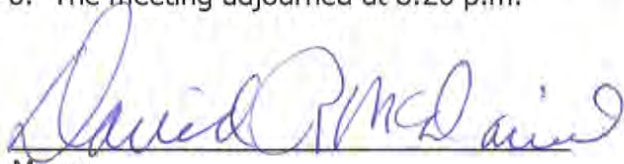
City Attorney Olavee Raub presented the August statement for services provided. The new personal guaranty has been drafted for Dan Hess for the Tax Increment Financing project, and Ms. Raub has been in contact with Security Bank of Kansas City to secure the release of Doug and Jill Shaw from their current personal guaranty to the City and Security Bank.

Mayor Update and Announcements

Mayor David McDaniel and Council member Jolene Niernberger attended the recent Northwest Kansas Planning and Development Commission board meeting in Hill City. Council member John Walz reported that the meeting with the Western Kansas Animal Refuge to discuss feral cats will be October 13th at 7:00 p.m. in Hays.

ADJOURNMENT

Council member Tricia Pritchett moved and Council member John Walz seconded a motion to adjourn the meeting. The motion carried 4-0. The meeting adjourned at 8:20 p.m.



Mayor



City Clerk

**ELLIS CITY COUNCIL
REGULAR MEETING
Minutes
October 19, 2020**

CALL TO ORDER

Mayor David McDaniel called the regular meeting to order at 7:30 p.m. Present were Council members Steve Ferland, Devin Henderson, Martin LaBarge, Jolene Niernberger, 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

Glen Keller, Nickole Byers, Joe Kreutzer, Aspen Younger, Shaun Burd, Ron Julian, Monte Boydston, Neal Younger, Brad Leiker, and Wendy Lichtenwalter.

CONSENT AGENDA

Council member Jolene Niernberger moved to approve the consent agenda containing the Minutes from the Regular Meeting on October 5, 2020, Bills Ordinance #2103, and the Manual Journal Entries for August and September. Council member Tricia Pritchett seconded the motion. The Council approved the consent agenda 5-0.

PUBLIC COMMENTS

None

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

Personnel: Award

Mayor David McDaniel presented the annual Service Awards to employees and City officials who attained milestone anniversaries with the City. Awards were presented to Council member Jolene Niernberger (10 years), Volunteer firefighter Shaun Burd (5 years), Volunteer firefighter Monte Boydston (5 years), Sanitation employee Brad Leiker (5 years), Public Works foreman Joe Kreutzer (5 years), and Volunteer firefighter Ron Julian (5 years). Fire Captain Timothy Kohlrus Jr. (15 years) was unable to attend.

SPECIAL ORDER

Parks: Special Project

Aspen Younger, representing the Class of 2016, requested Council approval to place a memorial bench on City property for classmate Cortney Hamel, who recently passed away after a long battle with kidney disease. Council suggested Ms. Younger work with Public Works Director John Leiker to determine placement of the bench and then return for formal approval.

Fire: Report

Fire Chief Dustin Vine presented his monthly report. COVID concerns prompted the Department to cancel the annual in-person fire prevention program at the elementary schools; however, classroom materials were still distributed for the students.

UNFINISHED BUSINESS

General Government: Special Project

Several City officials participated in a call with Brandon Campbell from Western Kansas Animal Refuge regarding feral cats. Mr. Campbell is willing to work with the City to develop a program to address the growing stray cat population. The first step is to find a vacant

building with heating and air conditioning and running water to house kennels for the trapped cats. Once trapped, the cats would be held for 72 hours in which time the animals would be publicized for possible ownership. Volunteers would be needed to help care for the cats during the holding period. Once 72 hours passes, the cats would be spayed or neutered then either adopted or released. Mr. Campbell added that the City's ordinance prohibiting feeding stray cats needs to be enforced and also recommended having pet owners register their cats so if trapped, police would quickly know if it was a stray or someone's pet. Council discussed requiring a microchip versus a physical tag when registering the cats. Mr. Campbell stated that several grants are available to offset the cost of a trap/neuter/release (TNR) program. Council would like community feedback on requiring registration of cats and also possible locations to shelter the cats.

NEW BUSINESS

Museum: Repair/Maintenance

Public Works Director John Leiker presented two bids for painting the exterior of the Chrysler Boyhood Home & Museum. Council discussed both bids in detail, but decided to table the item until spring when conditions are more favorable for exterior painting.

Public Works: Disposal

Mr. Leiker requested approval to sell a used truck bed and oil drum racks no longer needed in the Public Works department. Council member Steve Ferland moved to authorize Public Works Director John Leiker to sell the truck bed and drum racks. Council member Devin Henderson seconded the motion. The motion carried 5-0.

Sewer: Repair/Maintenance

The Cedar Lane lift station went down again and needed emergency repairs. The current motor may be under warranty, but a new motor was installed for now. Mr. Leiker was unsure if the City would have to pay for the replacement motor before the warranty status of the old motor was determined. This lift station is underpowered and has needed numerous repairs over the last several years. Council approved to transition the station to a three-phase system in May 2019, but the transition hasn't occurred. Council member Tricia Pritchett moved to ratify the emergency repairs to the Cedar Lane lift station. The cost is unknown at this time. Council member Jolene Niernberger seconded the motion. The motion carried 5-0.

Sewer: Contract

The City's current 5-year sewer maintenance contract with Mayer Specialty Services ends in 2020. Mr. Leiker presented two proposals for contracts for annual sewer cleaning and maintenance for the years 2021 - 2025. Even though the proposal from Utility Maintenance is \$480.00 less over the five years than Mayer's contract, the emergency callout fees for Mayer are much less. Mr. Leiker recommended Council continue with Mayer Specialty Services. Council member Martin LaBarge moved to approve the 5-year contract with Mayer Specialty Services for annual sewer cleaning and maintenance at a total cost of \$53,280.00. Council member Jolene Niernberger seconded the motion. The motion carried 5-0.

REPORTS FROM CITY OFFICIALS

Public Works

Public Works Director John Leiker reported that the City-Wide cleanup was held the week of October 12th. Total tonnage collected was up slightly from previous years. Utility Maintenance is scheduled to start work on the water tower October 26th. The tower will be completely drained and the inside of the tower will be inspected, cleaned, and painted. During this time, the City will be completely relying on the water treatment plant for water supply. Residents may see some decrease in water pressure during the six-week project.

Police

Police Chief Chris Krom reported that Officer James Murphy graduated from the Kansas Law Enforcement Training Center on October 9th and has begun field training. Officer Ben Kolas' last day with the Department is October 18th. Officer Kolas is being deployed for one year with the military. Chief Krom is continuing work on the Department's policy manual and researching options for the traffic study to reduce the residential neighborhood speed limit.

City Clerk

City Clerk Amy Burton presented the Health Insurance Savings Report for September, the minutes from the recent Tourism Committee meeting, and the financial statement for August and September. The Ellis County Health Department will administer flu shots in Council Chambers on October 20th from 3:30 p.m. – 4:30 p.m.

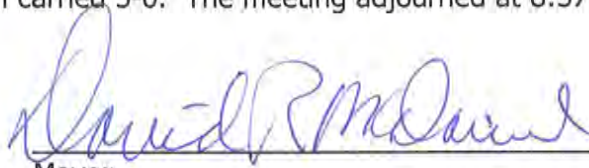
Attorney

Mayor Update and Announcements

Council member Jolene Niernberger received a message from a resident encouraging the City to reduce the number of days and hours for the discharge of fireworks. Ms. Burton has received several letters and emails as well. Council plans to revisit the ordinance next spring.

ADJOURNMENT

Council member Martin LaBarge moved to adjourn the meeting. Council member Steve Ferland seconded the motion. The motion carried 5-0. The meeting adjourned at 8:57 p.m.



Mayor

City Clerk

**ELLIS CITY COUNCIL
REGULAR MEETING
Minutes
November 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, Devin Henderson, Martin LaBarge, Jolene Niernberger, 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

City Clerk Amy Burton requested Council consider approval to replace the window blinds in the Clerk's office.

PUBLIC PRESENT

James Bell, Neal Younger, Glen Keller, Kellie Crnkovich, and Avery Smith.

CONSENT AGENDA

Council member Jolene Niernberger moved to approve the consent agenda containing the Minutes from the Regular Meeting on October 19, 2020 and Bills Ordinance #2104. Council member Devin Henderson 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

Parks: Special Project

Council reviewed a picture of the proposed location in Creekside Park for placement of the memorial bench for Cortney Hamel. The family has selected a place west of the walking trail near the playground equipment. Council member John Walz moved to approve the placement of the memorial bench for Cortney Hamel in Creekside Park. Council member Tricia Pritchett seconded the motion. The motion carried 6-0.

NEW BUSINESS

Swimming Pool: Special Project

City Clerk Amy Burton presented the eighth set of pay applications for the Swimming Pool Improvement Project. Council member Jolene Niernberger moved to approve Request #8 for Payment of CDBG funds in the amount of \$47,570.71 for the Swimming Pool Improvement Project. Council member Devin Henderson seconded the motion. The motion carried 6-0.

Council member Jolene Niernberger moved to approve Contractor's Pay Application #8 to Carrothers Construction in the amount of \$79,284.51 for the Swimming Pool Improvement Project. Council member Steve Ferland seconded the motion. The motion carried 6-0. Council member John Walz 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 6-0.

Swimming Pool: Special Project

Council member John Walz moved to ratify the invoice from Hess Services in the amount of \$1,137.50 to reset the waterslide at the Swimming Pool. Council member Devin Henderson seconded the motion. The motion carried 6-0.

Streets: Contract

Police Chief Chris Krom presented a proposed contract with Driggs Design Group to conduct a residential traffic study. Kansas Statutes set the residential speed limit at 30-mph, but provides cities the authorization to lower that speed limit if a traffic study is conducted by an engineer and supports the cities decision. Chief Krom stated that many of the City's streets are too narrow to support a 30-mph speed limit, especially around the schools. Council member Jolene Niernberger moved to approve the contract with Driggs Design Group in the amount of \$1,200.00 to conduct a residential traffic study. Council member John Walz seconded the motion. The motion carried 6-0.

Clerk: Acquisition

City Clerk Amy Burton presented a proposal from Rupp Blinds to replace the window blinds in the City Clerk's office. The current blinds are almost 18 years old and have been restrung several times. Council member Tricia Pritchett moved to approve the purchase of four cordless solar shades with valances in the amount of \$1,240.00 from Rupp Blinds with funds to come from the General-Administration budget. Council member Devin Henderson seconded the motion. The motion carried 6-0, with Council member John Walz abstaining due to perceived conflict of interest.

REPORTS FROM CITY OFFICIALS

Public Works

Public Works Director John Leiker reported the scheduled inspection and cleaning of the water tower has been postponed until Spring because crews were unable to shut off one of the valves from the tower. Lines have been trenched to convert the Cedar Lane lift station to three-phase power. Mr. Leiker hopes this transition will result in fewer repairs and service interruptions at this lift station.

Police

Police Chief Chris Krom presented the Monthly Activity Report for October and the November staff calendar. Trunk or Treat was a great success on Halloween night. The Department went through several bags of candy. Officer Murphy is doing well during his field training.

City Clerk

City Clerk Amy Burton reported the Swimming Pool Improvement project is the recipient of the \$5,000 Midwest Energy Community Fund Impact Grant. The Council was given notice of a Public Hearing by the Planning Commission for a proposed lot split and re-zoning at 400 E. 9th Street. The City owns property within 200' of that property. Ms. Burton also presented the minutes from the recent Planning Commission/Board of Zoning Appeals meeting. The City received its first payment of CARES Act funds in the amount of \$8,233.00. The funds are administered by Ellis County. The Kansas Department of Health and Environment reported that the City's burn site is in compliance with the Kansas Open Burning Regulations following their routine inspection.

Attorney

Sewer: Litigation

City Attorney Olavee Raub discussed a proposed settlement from Amerine Utilities Construction for damage done to the City's sewer line in 2011. The damage was recently discovered when Mayer Specialty Services performed camera work of the sewer lines during the annual sewer cleaning. Ms. Raub recommended Council accept the proposed settlement of \$17,034.50, one-half the claim, citing possible Statute of Limitations restrictions and lack of evidence from the City to continue to pursue the full claim amount. Council member John

Walz moved to authorize City Attorney Olavee Raub to notify the representative of Amerine Utilities Construction of the City's acceptance of the proposed settlement in the amount of \$17,034.50. Council member Steve Ferland seconded the motion. The motion carried 6-0.

General Government: Special Project

Ms. Raub then updated Council on the status of the Tax Increment Financing project and potential land sale between Doug and Jill Shaw and Dan Hess. In order to transfer the personal guaranty from the Shaw's to Mr. Hess, the City's bond counsel requires financial statements prepared in accordance with Generally Accepted Accounting Principles. Ms. Raub outlined three possible resolutions: (1) have Mr. Hess secure GAAP financial statements; (2) have the City pay off the existing bonds and issue new bonds for construction; and (3) have the bond holders approve the waiver of GAAP financial statements. Ms. Raub stated the easiest and fastest solution would be for Council to approve the pay off or refinance of the existing bonds. Ms. Raub is awaiting notice from the other parties involved on the direction they prefer.

Mayor Update and Announcements

Mayor David McDaniel reported that he and Public Works Director John Leiker will meet with Angela Bates on November 3rd to discuss placement of an informative plaque commemorating the walk from the train depot in Ellis to what is now Nicodemus. Mayor McDaniel inquired of Council's interest in enacting a mask ordinance. He's had several community members request a mandate with COVID-19 cases spiking again. It was the consensus of Council to not support a mask mandate at this time, citing that wearing a mask should be an individual's choice.

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 8:27 p.m.



Mayor



City Clerk

REGULAR MEETING
Minutes
November 16, 2020

CALL TO ORDER

Mayor David McDaniel called the regular meeting to order at 7:30 p.m. Present were Council members Devin Henderson, Martin LaBarge, Jolene Niernberger, Tricia Pritchett, and John Walz (arrived at 7:48 p.m.). 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

Guy Windholz will present the Works Progress Administration commemorative plaque for the Swimming Pool as an additional item under Special Order. Fire Chief Dustin Vine requested Council consider the purchase of a blitz force monitor and LED lights for the fire truck. Police Chief Chris Krom requested Council consider ratifying an increase in price for the new patrol car on order. All agenda additions were approved by consensus.

PUBLIC PRESENT

Kellie Crnkovich, Glen Keller, Guy Windholz, Nickole Byers, James Bell, Doug Williams, Maleah Vine, James Murphy, and Tobias Flores (arrived at 8:07 p.m.)

CONSENT AGENDA

Council member Devin Henderson moved to approve the consent agenda containing the Minutes from the Regular Meeting on November 2, 2020, Bills Ordinance #2105, and the Manual Journal Entries for October. Council member Jolene Niernberger seconded the motion. The Council approved the consent agenda 4-0.

PUBLIC COMMENTS

None

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

None

SPECIAL ORDER

Fire: Report

Fire Chief Dustin Vine reported that Engine 853 has issues with the halogen lights powered by a generator. Chief Vine presented bids to switch out the halogen lights to LED lights. Council requested more time to review the bids since there were vast cost differences. Consideration of the purchase of a blitz force monitor was tabled as well, due to a large difference in those bid amounts also.

UNFINISHED BUSINESS

None

NEW BUSINESS

Streets: Event Request

Council member Jolene Niernberger moved to approve the Public Property Permit Application and Event Request for Traffic Control for the Ellis Polar Express. Council member Tricia Pritchett seconded the motion. The motion carried 4-0. Madison Street will be barricaded at 8th Street, 9th Street, and Trail Street.

Swimming Pool: Acquisition

Public Works Director John Leiker presented bids for a new handicap lift chair for the swimming pool. The current lift chair is not compliant with current Americans with Disabilities Association (ADA) regulations. Council member Jolene Niernberger moved to

approve the purchase of a Creek Ranger lift chair for the swimming pool from Wheelchair.com in the amount of \$3,590.00 with funds to come from the General-Pool fund. Council member Devin Henderson seconded the motion. The motion carried 5-0.

Streets: Acquisition

Mr. Leiker continued by reporting that the bearings on the street sweeper need replaced. The only supplier in Kansas to carry the bearing set needed is Berry Tractor. Council member Martin LaBarge moved to approve the purchase of street sweeper parts from Berry Tractor in the amount of \$2,206.35 with funds to come from the Special Highway 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 the period September 10th – October 10th. Only 76.25% of the City's water production is able to be accounted for. Mr. Leiker attributes this to numerous leaks that haven't surfaced yet. The City's Water Treatment Plant needs to be inspected by a professional engineer per existing bond covenants. Mr. Leiker hopes to have that inspection completed before the water tower is drained next spring for Utility Services to perform an interior inspection and painting. The City will rely solely on the Water Treatment Plant for water supply during the six-week project. The Christmas stars will be hung on November 17th.

Police

Police Chief Chris Krom introduced the Department's newest officer, James Murphy. Officer Murphy will complete his Field Training December 1st. Chief Krom is working with Driggs Design Group on the residential traffic study. The revamping of the Department's policy manual is almost ready for review by City Attorney Olavee Raub.

Special Machinery: Acquisition

Council approved the purchase of a 2020 Dodge Charger in January 2020. Chief Krom reported that Chrysler shut down production of the Charger in November 2019 due to transmission issues. Production has resumed, however, Chrysler plans to transition all 2020 orders to the 2021 model. The price increase to update to the 2021 model is \$1,824.00. Council member Martin LaBarge moved to approve the upgrade of the new Dodge Charger patrol car to the 2021 model at a cost of \$1,824.00, with funds to come from the Special Machinery fund. Council member Devin Henderson seconded the motion. The motion carried 5-0.

City Clerk

City Clerk Amy Burton presented the minutes from the recent meetings of the Campground Committee and Tourism Committee, the Health Insurance Savings Report for October, and the October financial statements.

General Government: Policy

Council discussed at-length the City's response to the recent surge in COVID-19 cases in the community. Kansas has reached #2 in the United States for increase in new cases of Coronavirus. City Attorney Olavee Raub stated that Mayor McDaniel has the authority to direct that all Council meetings and Committee meetings use Zoom, versus in-person meetings. Council members agreed that if Council meetings are going to be held on the Zoom platform, that all of the Governing Body needs to use it, versus some members in person and some on Zoom. Council member John Walz moved that in an effort to control COVID-19 in the community, the Ellis City Council strongly suggests that community members and businesses wear face coverings and follow the Ellis County Health Department recommendations of frequent hand washing, avoidance of large gatherings, and social distancing when possible. Council member Jolene Niernberger seconded the motion. The

motion carried 5-0.

SPECIAL ORDER (CONT.)

General Government: Financial

Kevin Cowan, bond attorney with Gilmore & Bell, discussed the possibility of refinancing the City's TIF special obligation bonds. The bonds are scheduled to mature in 2024, so although the savings of refinancing the debt might be minimal, a refinancing would remove the burdensome bond covenant requiring GAAP financial statements to transfer the bond guaranty between the current developer and potential buyer. Mr. Cowan stated refinancing the existing bonds would be simpler than a new bond issue. City Attorney Olavee Raub suggested Council consider a clause indemnifying Doug and Jill Shaw up to but not to exceed the accumulated TIF funds on hand. This clause would facilitate the sale of land to the new developer while the refinancing of the existing bonds was performed. After further discussion, Council member John Walz moved to direct City Attorney Olavee Raub to draft an indemnification clause not to exceed the available accumulated TIF funds to extend to Doug and Jill Shaw upon approval by Council. Council member Tricia Pritchett seconded the motion. The motion carried 5-0. Council member John Walz then moved to authorize Ms. Raub, City Clerk Amy Burton and Mr. Cowan to gather additional information on the refinancing option for the TIF special obligation bonds, including (1) identifying potential purchasers of the bonds, (2) determine the amount of "new" money needed, and (3) determine the bond issuance costs for refinancing the bonds. Council member Tricia Pritchett seconded the motion. The motion carried 5-0.

Swimming Pool: Special Project

Guy Windholz and Tobias Flores presented the Works Progress Administration commemorative plaque for the swimming pool. Mr. Flores is an art professor at Fort Hays State University and he and his students helped reproduce the lost plaque. Mr. Flores offered to wax the plaque every year in order to preserve it.

REPORTS FROM CITY OFFICIALS (CONT.)

Attorney

City Attorney Olavee Raub reviewed her firm's October bill for services rendered.

Mayor Update and Announcements


Mayor David McDaniel announced that Kellie Crnkovich was the highest vote getter of the write-in votes in the recent election. Ms. Crnkovich, along with Council members Jolene Niernberger and Martin LaBarge will be sworn in at the December 7th Council meeting.

ADJOURNMENT

Council member Martin LaBarge moved and Council member Tricia Pritchett seconded a motion to adjourn the meeting. The motion carried 5-0. The meeting adjourned at 9:20 p.m.



Mayor



City Clerk

**ELLIS CITY COUNCIL
SPECIAL MEETING
Minutes
November 24, 2020**

CALL TO ORDER

Mayor David McDaniel called the special meeting to order at 6:00 p.m. Present were Council members Steve Ferland, Devin Henderson, Martin LaBarge, Jolene Niernberger, Tricia Pritchett, and John Walz. Also present were City Clerk Amy Burton (via Zoom), Assistant City Clerk Verda Flinn, Public Works Director John Leiker, Police Chief Chris Krom, and City Attorney Olavee Raub.

PLEDGE OF ALLEGIANCE

PUBLIC PRESENT

Nickole Byers, Lyle Johnston, Meredith Johnston, Kellie Crnkovich, and Morgan Ferland.

PURPOSE OF SPECIAL MEETING

Mayor David McDaniel stated the purpose of the special meeting is to evaluate Governor Laura Kelly's Executive Order No. 20-68.

General Government: Policy

Mayor McDaniel stated that the Ellis County Commission took no action in opting out of the Governor's Executive Order No 20-68; therefore, the City has no choice but to abide by and enforce the Executive Order requiring face coverings in any indoor public space, or outdoors in public spaces where individuals are unable to maintain a 6-foot distance. City Attorney Olavee Raub and the League of Kansas Municipalities have confirmed this as well. The Executive Order takes effect at 12:01 a.m. on Wednesday, November 25, 2020.

Mayor McDaniel announced three goals for the meeting: (1) consider closing City Hall to the public as Ellis is the only City office open in Ellis County; (2) discuss expectations for City staff to conform to in response to the Executive Order; and (3) discuss enforcement of the Executive Order.

Council member Tricia Pritchett moved to close City Hall to the public until December 31, 2020.

Council member Jolene Niernberger seconded the motion. The motion carried 6-0.

Council discussed recommendations for staff in order to prevent the spread of COVID-19.

Employee rest breaks should be staggered to accommodate social distancing in the break room.

Face coverings should be worn if there are more than one employee in a City vehicle at any time, and face coverings should be worn when interacting with the public. The Police Department should wear face coverings when in public and when not socially distanced in the office. The Clerk's office should wear face coverings when not able to socially distance in the office as well.

Police Chief Chris Krom stated that enforcement will be complaint driven. The Department plans to focus on education and voluntary compliance. Any business complaints will be handled by Chief Krom. If compliance remains an issue, the complaint will be submitted to the County Attorney's office for prosecution.

Council also discussed returning to the Zoom app platform to conduct Council meetings. City Attorney Olavee Raub stated that Mayor McDaniel has authority to direct how Council meetings will be conducted. Mayor McDaniel stated that all Council meetings will be held through the Zoom platform until further notice. Assistant City Clerk Verda Flinn will try to have the City's iPads set up prior to the December 7th Council meeting. Council members will need to stop by the City office prior to the Council meeting to sign vouchers and checks.

ADJOURNMENT

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

Mayor

City Clerk

**ELLIS CITY COUNCIL
REGULAR MEETING
Minutes
December 7, 2020**

CALL TO ORDER

Mayor David McDaniel called the regular meeting to order at 7:30 p.m. Virtually present were Council members Kellie Crnkovich, Devin Henderson, Martin LaBarge, Jolene Niernberger, Tricia Pritchett, and John Walz. Also virtually present were Public Works Director John Leiker, City Clerk Amy Burton, Police Chief Chris Krom, Fire Chief Dustin Vine, and City Attorney Olavee Raub (arrived at 7:44 p.m.)

PLEDGE OF ALLEGIANCE

AMENDMENTS TO AGENDA

City Clerk Amy Burton reported that Justine Benoit, Northwest Kansas Planning and Development Commission asked for Council to table consideration of the bids for the Waterline Improvement Project due to waiting on approval from the State to proceed with the bid award process.

Due to illness, City Attorney Olavee Raub was unable to prepare the proposed ordinance to rezone the property at 400 E. 9th Street, therefore this item will need to be tabled as well.

PUBLIC PRESENT

Virtually present were Bret Andries, Nickole Byers, Glen Keller, Verda Flinn, and James Bell (arrived at 7:57 p.m.)

CONSENT AGENDA

Council member John Walz moved to approve the consent agenda containing the Minutes from the Regular Meeting on November 16, 2020, Minutes from the Special Meeting on November 24, 2020 and Bills Ordinance #2106. 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)**

None

SPECIAL ORDER

Water: Contract

Presentation of the bids for the Waterline Improvement Project will be tabled until the December 21, 2020 Council meeting.

UNFINISHED BUSINESS

Fire: Acquisition

Fire Chief Dustin Vine presented two bids for a blitz force attack monitor. The monitor allows an additional attack line without having to be manned by a firefighter. This would benefit the Fire Department because of reduced firefighter availability during the daytime. Council member John Walz moved to purchase the blitz force monitor from Weis Fire Equipment in the amount of \$1,695.00 with funds to come from the Fire Department budget. Council member Jolene Niernberger seconded the motion. The motion carried 6-0.

Fire: Acquisition

Chief Vine then presented three bids for LED lights for one of the fire trucks. The current halogen lights overpower the generator and burn up the capacitor. The bid from Auto Tech does not include a warranty; therefore, it is a riskier purchase than the other two bids. However, Chief Vine recommended the bid from Auto Tech since their bid is a fraction of the

price of the other two bids. Council member Jolene Niernberger moved to accept the low bid from Auto Tech in the amount of \$1,293.00 to install LED lights in the fire truck with funds to come from the Fire Department budget. Council member Tricia Pritchett seconded the motion. The motion carried 6-0.

NEW BUSINESS

Personnel: Position Change

Mayor David McDaniel asked for nominations for Council President. The Council President acts in the capacity of the Mayor, if the Mayor is temporarily unable to perform his duties. Council member Jolene Niernberger moved to elect John Walz as Council President. Council member Devin Henderson seconded the motion. There being no other nominations, Mayor McDaniel called for the vote. The motion carried 6-0, with Council member John Walz abstaining.

General Government: Zoning

Consideration of the proposed ordinance rezoning the property at 400 E. 9th Street will be tabled until the December 21, 2020 Council meeting.

General Government: Zoning

Council reviewed a proposed ordinance providing height restrictions to the side walls of accessory buildings. The Planning Commission unanimously voted to recommend Council adopt the proposed addition to the current ordinance. City Attorney Olavee Raub explained the proposed ordinance is applicable only for the residential zoning districts. It was the consensus of Council to have Ms. Raub draft the ordinances for all residential zoning districts for consideration of approval as a whole.

General Government: Zoning

Council reviewed another proposed ordinance at the recommendation of the Planning Commission. This proposed ordinance reinstates a lot-coverage provision into the City Zoning Code. The previous ordinance allowing 30% lot coverage was repealed in 2011. The City's planning consultant, John Riggs, Riggs & Associates, met with the Planning Commission in late 2019 and strongly recommended the City reinstate a lot coverage provision to maintain adequate green space and uniformity in the City. The Planning Commission unanimously voted to recommend Council adopt a revised version of the lot coverage ordinance. The Commission proposes a lot coverage provision of 40% if the lot is less than fifty (50) feet wide, and 30% if the lot is greater than fifty (50) feet wide. Mr. Riggs stated 30% lot coverage is standard regardless of lot size. Ms. Raub explained the proposed ordinance is applicable to residential zoning districts only, as commercial zones already have a similar provision. It was the consensus of Council to table this item for more discussion at the December 21, 2020 Council meeting.

Swimming Pool: Special Project

City Clerk Amy Burton presented the ninth set of pay applications for the Swimming Pool Improvement Project. Council member Jolene Niernberger moved to approve Request #9 for Payment of CDBG funds in the amount of \$148,000.00 for the Swimming Pool Improvement Project. Council member John Walz seconded the motion. The motion carried 6-0.

Council member Jolene Niernberger moved to approve Contractor's Pay Application #9 to Carrothers Construction in the amount of \$211,399.94 for the Swimming Pool Improvement Project. Council member Devin Henderson 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.

Personnel: Benefits

Council member John Walz moved to approve a Christmas bonus for each full-time and part-time employee in the net amount of \$300.00. Council member Martin LaBarge seconded the motion. The motion carried 6-0.

General Government: Special Project

It was the consensus of Council to forgo the annual Christmas party for City officials and staff due to the COVID-19 pandemic. Council may revisit the event next summer.

Clerk: Acquisition

Council member John Walz moved to ratify the purchase of 20,000 pressure seal utility bill forms from Hamlin Creative Consulting in the amount of \$1,903.88 with funds to be split between the Water, Sewer, and Sanitation Utility funds. Council member Kellie Crnkovich seconded the motion. The motion carried 6-0.

General Government: Licenses

Council member John Walz moved to approve the 2021 Cereal Malt Beverage Licenses for Casey's General Store, Rich's IGA, Love's Travel Stop, and Arthur's Pizza and Mexican Foods. Council member Jolene Niernberger seconded the motion. The motion carried 6-0.

Clerk: Acquisition

City Clerk Amy Burton presented two bids for the purchase of bulk paper for the Clerk's office. Ms. Burton recommended the bid from Tri-Central Office Supply, the City's current supplier, as their bid was only \$4.00 higher than the bid from Office Products Incorporated. Council member Devin Henderson moved to approve the purchase of 40 cases of copy paper from Tri-Central Office Supply in the amount of \$1,440.00 with funds to come from the General-Administration fund. Council member Tricia Pritchett seconded the motion. The motion carried 6-0.

Clerk: Special Project

Ms. Burton presented two bids for the installation of a permanent plexiglass barrier at the front counter in the Clerk's office. Council member Jolene Niernberger moved to approve the low bid from John Befort in the amount of \$753.33 to install the plexiglass barrier in the Clerk's office. Council member Tricia Pritchett seconded the motion. The motion carried 6-0 with Council member John Walz abstaining due to perceived conflict of interest.

Sewer: Acquisition

Council member John Walz moved to approve the bid from Brenntag in the amount of \$1,350.00 for aluminum chlorohydrate for the Wastewater Treatment Plant with funds to come from the Sewer Utility Fund. Council member Devin Henderson seconded the motion. The motion carried 6-0.

Water: Contract

The City's bonds for the Water Treatment Plant stipulate that a professional engineer inspect the plant every five years. Layne Christensen constructed the plant and the City has hired them in the past for the required inspection. Council member John Walz moved to approve the contract with Layne Christensen in the amount of \$5,925.00 to perform a maintenance inspection on the Water Treatment Plant. Council member Kellie Crnkovich seconded the motion. The motion carried 6-0.

Police: Personnel

Police Chief Chris Krom requested permission to hire a certified part-time officer. With Officer Kolas deployed until next October and other officers affected by required COVID-19 quarantines, the Department has been down to two working officers at times. Council member Jolene Niernberger moved to authorize Chief Krom to hire a provisional officer at a wage not to exceed \$18.00 per hour. Council member John Walz seconded the motion. The motion carried 6-0.

REPORTS FROM CITY OFFICIALS

Public Works

Public Works Director John Leiker reported Christmas decorations have been put up in the parks. Midwest Energy and Golden Belt Telephone assisted the City in hanging the Christmas stars. The Swimming Pool Improvement Project is nearly finished with just a few minor items to complete in the spring.

Police

Police Chief Chris Krom presented the Monthly Activity Report for November and the December Staff Calendar. Officer Murphy has completed his field training. The Department participated in the DARE graduation at St. Mary's Grade School.

Police: Position Change

Officer Avery Smith has been promoted to Sergeant effective December 1, 2020.

City Clerk

City Clerk Amy Burton reported that the Low-to-Moderate Income surveys were included in the December utility bills. The surveys are required to be eligible for Community Development Block Grant funding. Justine Benoit, the City's grant administrator with Northwest Kansas Planning & Development Commission, is reviewing the seven CDBG-CV applications and working with the applicants on gathering missing information.

Attorney

General Government: Financial


City Attorney Olavee Raub reviewed the proposed Indemnity Agreement between the City and Doug and Jill Shaw. The agreement states the City will use accumulated Tax Increment Financing funds to pay the remaining bonds and not hold the Shaw's liable for the debt balance. The agreement will also facilitate the sale of the lots on the south hill for the new TIF project. Council member Jolene Niernberger moved to accept the Indemnity Agreement between the City and Doug and Jill Shaw as presented. Council member John Walz seconded the motion. The motion carried 6-0.

Mayor Update and Announcements

Mayor David McDaniel encouraged residents to return their LMI surveys to help the City qualify for grant funding.

ADJOURNMENT

Council member Martin LaBarge moved and Council member John Walz seconded a motion to adjourn the meeting. The motion carried 6-0. The meeting adjourned at 8:42 p.m.


Mayor
City Clerk

**ELLIS CITY COUNCIL
REGULAR MEETING
Minutes
December 21, 2020**

CALL TO ORDER

Mayor David McDaniel called the regular meeting to order at 7:30 p.m. Virtually present were Council members Kellie Crnkovich, Devin Henderson, Martin LaBarge, Jolene Niernberger, Tricia Pritchett, and John Walz. Also virtually 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

Virtually in attendance were Buck Driggs, Glen Keller, Nickole Byers, Doug Shaw, Tammy Hollern, Marty Hollern, Justine Benoit, James Bell and Verda Flinn.

CONSENT AGENDA

Council member John Walz moved to approve the consent agenda containing the Minutes from the Regular Meeting on December 7, 2020 and Bills Ordinance #2107. Council member Jolene Niernberger seconded the motion. The Council approved the consent agenda 6-0.

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

None

SPECIAL ORDER

Water: Contract

Buck Driggs, Driggs Design Group, presented the bids for the Waterline Improvement Project. Five contractors bid the project and Flint Hills Underground, Wamego, KS, submitted the lowest bid. Mr. Driggs has contacted project references and all spoke positively about the company. The bid submitted was lower than the engineer's estimate. Council member John Walz moved to accept the recommendation from Mr. Driggs to award the CDBG Waterline Improvement Project to the low bidder, Flint Hills Underground, in the amount of \$672,358.00. Council member Devin Henderson seconded the motion. The motion carried 6-0.

General Government: Grant

Justine Benoit, Northwest Kansas Planning & Development Commission, reported that out of the seven applications for Community Development Block Grant – COVID Relief funds, three businesses were ready for award. Ms. Benoit continues to work with the remaining applications on gathering required information. Council member Jolene Niernberger moved to approve Request #1 for Payment of CDBG Funds in the amount of \$27,897.15 for COVID-19 relief. Council member Tricia Pritchett seconded the motion. The motion carried 6-0. Council member Jolene Niernberger moved to approve payment of CDBG-CV grant funds to Vineyard Creations (\$2,651.74), Days Inn (\$13,194.31), and Arthur's Pizza and Mexican Foods (\$12,051.10). Council member Tricia Pritchett seconded the motion. The motion carried 6-0.

Council member Devin Henderson moved to authorize the Mayor to sign the related grant documents. Council member Kellie Crnkovich seconded the motion. The motion carried 6-0.

UNFINISHED BUSINESS

General Government: Zoning

City Attorney Olavee Raub presented two proposed ordinances providing height restrictions

to the side walls of accessory buildings. One ordinance amends the provision in each of the residential zoning districts in the Zoning Ordinance, and one ordinance amends the provisions for accessory buildings in the Zoning Ordinance. Council member Jolene Niernberger moved to approve Ordinance No. 1453 providing height restrictions to the side walls of accessory buildings in residential zoning districts. Council member John Walz seconded the motion. The motion carried 6-0. Council member Jolene Niernberger moved to approve Ordinance No. 1454 amending the height restrictions for accessory buildings in the Zoning Ordinance. Council member Devin Henderson seconded the motion. The motion carried 6-0.

General Government: Zoning

Glen Keller, Chair of the Planning Commission, explained the Commission's recommendation to restore a provision in the Zoning Ordinance regarding lot coverage percentages. The percentages ensure adequate green space for lots and prevents residents from covering entire lots in buildings. The Commission recommends allowing forty percent (40%) lot coverage for lots less than 50' wide; and allowing thirty percent (30%) coverage for lots greater than 50' wide. Zoning Administrator John Leiker is in support of the proposed provisions. Council member Jolene Niernberger moved to direct City Attorney Olavee Raub to draft the ordinances establishing a percentage of lot coverage provision in the residential zoning districts. Council member John Walz seconded the motion. The motion carried 6-0.

NEW BUSINESS

General Government: Zoning

The Planning Commission recently approved a lot split for the property at 400 E. 9th Street owned by Doug Shaw. Mr. Shaw then applied to have a portion of that property rezoned from "I-2" Light Industrial to "R-1" Single Family Dwelling District. The Planning Commission recommends Council approve the re-zoning of that property. Council member Jolene Niernberger moved to approve Ordinance No. 1455 rezoning a portion of the property at 400 E. 9th Street from "I-2" Light Industrial to "R-1" Single Family Dwelling District. Council member John Walz seconded the motion. The motion carried 6-0.

General Government: Financial

City Clerk Amy Burton presented the list of utility bad debts to be written off in 2020. Writing off the bad debts is an annual accounting procedure and in no way affects the City's ability to collect these debts. The amount to be written off represents less than 0.45% of the City's 2020 total receivables. Most of the debts listed have already been submitted to the State Setoff program and a private collection agency. Prior to the Council meeting, Council member John Walz reviewed the individual names of the accounts to be written off, per auditor recommendation. Council member John Walz moved to approve the write-off of the utility bad debts in the amount of \$6,505.40 as presented. Council member Devin Henderson seconded the motion. The motion carried 6-0.

City Clerk: Financial

Council member Tricia Pritchett moved to authorize the City Clerk's office to pay any outstanding vendor invoices due and payable at year-end. Council member Kellie Crnkovich seconded the motion. The motion carried 6-0. The vendor invoices paid will be reviewed at the January 4th Council meeting.

General Government: Financial

Each year, Council considers transferring excess budget funds from several of the General Fund departments into the Special Machinery fund. City Clerk Amy Burton discussed the benefits and drawbacks of authorizing such transfer. By transferring the money to the Special Machinery Fund, those funds can be held for future equipment purchases, thus possibly reducing a future transfer or mill levy increase to help fund those needs. On the

other hand, the transfer moves “unrestricted” monies in the General Fund to a “restricted” status within the Special Machinery Fund. Ms. Burton presented estimated transfer amounts with illustrative percentages for consideration. After further discussion, Council member John Walz moved to transfer \$7,500.00 from the General Government department, 100% of excess budget funds from the Police, Fire, and Parks Departments, and 50% of excess budget funds from the Swimming Pool Department to the Special Machinery Fund. Council member Tricia Pritchett seconded the motion. The motion carried 6-0.

Cemetery: Policy

Council discussed a large family monument placed at Mount Hope Cemetery that encroaches on three spaces that a customer is interested in purchasing. The monument corresponds to burial sites adjacent to the lots affected and could have been placed prior to the City taking over the cemetery. Wolf Memorial estimated the cost to move the monument at \$5,000.00 and if damaged during the move, a new monument that size could cost up to \$18,000.00. Joe Kreutzer, Public Works Foreman, expressed concerns about placing the 8,000 lb. monument on burial sites from 1916 and 1933. Mr. Kreutzer recommended Council deem the lots unsalable due to the liability and costs involved to the City. After further discussion, it was the consensus of Council to leave the family monument as is and to deem spaces 7, 8, and 9 in Section 7, Lot 61 unsalable.

REPORTS FROM CITY OFFICIALS

Public Works

Public Works Director John Leiker presented the Comparative Water Report for the period October 10th to November 10th. The Department has been short staffed much of the last two weeks due to required quarantines.

Police: Entry

Police Chief Chris Krom reported that several officers have expressed an interest in the provisional position with the Department. Since the interested officers already have set schedules with their primary job, Chief Krom would like permission to hire multiple provisional officers to provide more flexibility in scheduling. Council member Jolene Niernberger moved to allow Chief Krom to hire up to three provisional officers at a wage not to exceed \$18.00 per hour. Council member Tricia Pritchett seconded the motion. The motion carried 6-0.

City Clerk

City Clerk Amy Burton presented the Health Insurance Savings Report for November. The City has received its final payment from the County for CARES Act funds in the amount of \$16,299.00.

Attorney

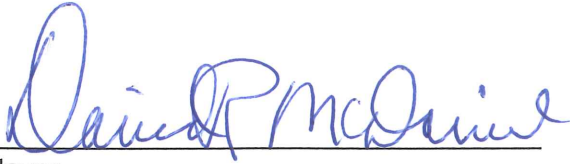
Mayor Update and Announcements

Mayor David McDaniel reviewed the goals set by Council at the January 6, 2019 Council meeting. Goals accomplished include: Swimming Pool Improvement Project, Campground Expansion Project, UTV/ATV regulation, and website development. Goals in progress include: Water Exploration Project, street maintenance program, continued financial help for museums and downtown, affordable housing for residents, redevelop fair wage structure for employees, economic incentives for new businesses, prioritizing infrastructure repairs, developing a marketing plan for the City, uniform bid process, and addressing the THM issue in the water system. Items to still address include: finding additional activities for youth, reducing blight, developing options for a community center, wind generation, develop a combined school and public library, revamp the Ellis Industrial Development Commission, a solution to the “Co-op Corridor” where heavy trucks are tearing up streets at 10th and Washington, and develop an incentive program for City employees to join the Fire

Department. Mayor McDaniel asked for Council members to come up with 3-4 goals for 2021 at the January Council meeting.

ADJOURNMENT

Council member Martin LaBarge moved and Council member Kellie Crnkovich seconded a motion to adjourn the meeting. The motion carried 6-0. The meeting adjourned at 8:32 p.m.



Mayor



City Clerk