

**ELLIS CITY COUNCIL  
REGULAR MEETING  
Minutes  
January 2, 2024**

**CALL TO ORDER**

Mayor David McDaniel called the regular meeting to order at 6:30 p.m. Present were Council members Kellie Crnkovich, Devin Henderson, Martin LaBarge, Jolene Niernberger, John Walz and Terry Zerfas. Also present were Public Works Foreman Joe Kreutzer, City Clerk Amy Burton, Police Chief Avery Smith, and City Attorney Olavee Raub.

**PLEDGE OF ALLEGIANCE**

**AMENDMENTS TO AGENDA**

None

**PUBLIC PRESENT**

Glen Keller, Nickole Byers, Paulette Harp and Jack Nicholson.

**CONSENT AGENDA**

Council member John Walz moved to approve the consent agenda containing the Minutes from the Regular Meeting on December 18, 2023, Bills Ordinance #2180, and the November 2023 manual journal entries. Council member Jolene Niernberger seconded the motion. The Council approved the consent agenda 6-0.

**PUBLIC COMMENTS**

Nickole Byers addressed Council on the importance of publishing ordinances and notices in the local newspaper versus the City website.

Paulette Harp urged Council to support the Greyhound Bus Stop as it is a safe and affordable mode of transportation.

Jack Nicholson also expressed support for the Greyhound Bus Stop in that it's a comfortable ride with very nice people.

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

None

**SPECIAL ORDER**

Mayor David McDaniel and Police Chief Avery Smith drew the winners for the Police Department meat raffle. The winners will have their choice of a quarter section of beef or a half section of pork. The winners drawn were Lance Reese, Kyle Evans, Dave Whisman, Marty Hollern, Abby Sabbarini, and Connie Fox.

**UNFINISHED BUSINESS**

**General Government: Economic Development**

Council revisited the Neighborhood Revitalization Plan discussed at the last Council meeting. Council reviewed the suggested clarifying wording from Ellis County and discussed reducing the residential valuation threshold to match that of commercial properties. The Council felt that lowering the residential threshold would encourage more residents to participate in the program. Council member Kellie Crnkovich moved to incorporate the County's suggested wording into the proposed Neighborhood Revitalization Plan. Council member Devin Henderson seconded the motion. The motion carried 6-0. Council further discussed the valuation eligibility thresholds for residential and commercial properties. Council member Jolene Niernberger moved to reduce the residential valuation eligibility threshold from \$10,000.00 to \$5,000.00, and to increase the tax rebate from 70% to 95%. Council member John Walz seconded the motion. The motion carried 6-0. City Clerk Amy Burton will make the revisions and submit the document to the County for review.

## **NEW BUSINESS**

### **General Government: Financial**

Council member John Walz moved to approve Resolution No. 603 waiving Generally Accepted Accounting Principles for financial statement reporting for 2024. Council member Martin LaBarge seconded the motion. The motion carried 6-0.

### **General Government: Policy**

Annually, Council designates the official newspapers and official banks for the City to use. Council member Terry Zerfas stressed the importance of supporting our local newspaper, then moved to designate the Ellis Review and Hays Daily News 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 John Walz seconded the motion. The motion carried 6-0.

### **Streets: Repair/Maintenance**

Public Works Foreman Joe Kreutzer presented two bids for street repairs on 13<sup>th</sup> Street from Dorrance to Jefferson. Council discussed the complexity of the project due to the elevated bridges and transition to the street and sidewalks. After further discussion, Council decided to table the agenda item until the next meeting in order to gather additional information.

### **Campground: Grant**

City Clerk Amy Burton presented an amendment to the Community Development Block Grant contract adding a provision required by HUD for the Build America Buy America Act (BABA). Council member Jolene Niernberger moved to authorize Mayor David McDaniel to sign Amendment #1 of the CDBG Grant Agreement for Grant Award Number 23-PF-015 as presented. Council member Devin Henderson seconded the motion. The motion carried 6-0.

## **REPORTS FROM CITY OFFICIALS**

### **Public Works**

Public Works Foreman Joe Kreutzer fielded questions from Council regarding the street sweeper, potholes on east 6<sup>th</sup> Street, and exposed casing west of the stoplight.

### **Police**

Police Chief Avery Smith presented the Monthly Incident Report for December. The Department assisted the Good Samaritan Society in taking residents on a guided tour of Christmas lights. Chief Smith also alerted Council that he will be requesting the purchase of a dedicated supervisor vehicle this year. Council member John Walz inquired about transients at the bus stop. Chief Smith reminded residents to report instances through dispatch or 911 and not by personally visiting the personal residences of officers.

### **City Clerk**

City Clerk Amy Burton presented the November Financial Statements, the Health Insurance Savings Report for November, and the Safety Committee Report of accidents and worker's compensation claims for 2023. Wilson and Company submitted a grant application to the Kansas Water Office for reimbursement of engineering fees on the Water Supply System Improvement Project. Ms. Burton also read a statement addressing recent editorials in the newspaper regarding the publication of City notices and ordinances on the City website.

### **Attorney**

City Attorney Olavee Raub updated Council on the status of the claim filed in municipal court regarding the zoning violation of the Greyhound Bus Stop. Ms. Raub gave the owner the option of applying to re-zone the property; however, the owner indicated that he will terminate the contract with Greyhound. Ms. Raub has not received evidence of this yet. Trial has been set for February 2<sup>nd</sup>.

### **Mayor Update and Announcements**

Mayor David McDaniel announced that as of 1/1/24, Ellis has a City Administrator. City Clerk

Amy Burton will take on the expanded role for the City. The expanded role has been discussed for several years. A committee was formed in January 2023 to research the position and job description, and Council approved the position in April 2023.


Mayor McDaniel reminded everyone of the meeting with Senator Caryn Tyson at Dolce Vita on January 12<sup>th</sup> at 6:00 p.m. to discuss property taxes. Dolce Vita owners Guy and Ellen Riedel coordinated the meeting with Ms. Tyson.

Council members are to bring three goals they want to accomplish in 2024 for discussion at the next meeting.


Council member John Walz announced that Ellis will host the K-18 Regionals in July.

**ADJOURNMENT**

Council member Martin LaBarge moved to adjourn the meeting. Council member Devin Henderson seconded the motion. The motion carried 6-0. The meeting adjourned at 8:22 p.m.



David McDaniel  
Mayor



Amy Burton  
City Clerk

**ELLIS CITY COUNCIL  
REGULAR MEETING  
Minutes  
January 15, 2024**

**CALL TO ORDER**

Mayor David McDaniel called the regular meeting to order at 6:30 p.m. Present were Council members Devin Henderson, Martin LaBarge, Jolene Niernberger, John Walz and Terry Zerfas. Also present were Public Works Director John Leiker, City Administrator/Clerk Amy Burton, Police Chief Avery Smith, Fire Chief Dustin Vine, and City Attorney Olavee Raub. Council member Kellie Crnkovich was absent.

**PLEDGE OF ALLEGIANCE**

**AMENDMENTS TO AGENDA**

None

**PUBLIC PRESENT**

Glen Keller, David Clingan, Verda Flinn, Nickole Byers, and Travis Kohlrus.

**CONSENT AGENDA**

Council member Devin Henderson moved to approve the consent agenda containing the Minutes from the Regular Meeting on January 2, 2024 and Bills Ordinance #2181. Council member Martin LaBarge seconded the motion. The Council approved the consent agenda 5-0.

**PUBLIC COMMENTS**

Nickole Byers spoke again on the importance of only designating print media as the official publication of the City, rather than including the City's website. Ms. Byers believes adopting a charter ordinance to allow the City's website is unnecessary legislation. City Attorney Olavee Raub stated that even if the City's website was included as an official publication, the title and summary of the ordinance is still required to be published in the newspaper. Ms. Raub added that internet is more widely accessible than print media. It was suggested to publish legal notices on the City's website for a short time for information only, but to leave the Ellis Review and the Hays Daily News as the official publications of the City.

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

None

**SPECIAL ORDER**

**Economic Development: Committee**

Travis Kohlrus, President of the Ellis Development Corporation, spoke on the committee's past and current projects, including the A&W, the TIF project, and a private manufacturing operation looking to expand. This committee does not have the manpower to actively recruit businesses; but is the vehicle to help find property for those businesses wanting to locate in Ellis. Committee members include Mr. Kohlrus, Mike Downing, Allen Weber, Randy Honas, Donnie Younger, Ross Wichman, Jeff Augustine, and Jeff Geschwentner.

**Fire: Report**

Fire Chief Dustin Vine presented his monthly report summarizing the Department's activities.

**UNFINISHED BUSINESS**

**General Government: Economic Development**

City Administrator/Clerk Amy Burton updated Council on the proposed Neighborhood Revitalization Plan (NRP). In communication with County Administrator Darin Myers, the City also has an option to use a minimum investment amount as criteria to be eligible. The current proposed Plan uses a minimum increase in property valuation to be eligible. At the

last Council meeting, Council directed Ms. Burton to reduce the minimum increase in valuation for residential properties from \$10,000.00 to \$5,000.00, and to increase the rebate formula from 70% to 95%, to match the commercial criteria. David Clingan, Grow Hays, cautioned Council on establishing such low criterion, in that a \$5,000.00 minimum investment would not affect the property appraisal enough to benefit the property owners with a tax rebate. Mr. Clingan suggested a minimum investment of \$15,000.00 for residential improvements and \$25,000.00 for commercial improvements in order to cause a large enough appraisal increase to benefit from the Plan. Council member John Walz moved to direct City Administrator/Clerk Amy Burton to revise the criteria for eligibility in the proposed NRP to a minimum investment of \$15,000.00 for residential improvements, \$25,000.00 for commercial improvements, a tax rebate formula of 95% for both types, and to resubmit the Plan to the County for review. Council member Martin LaBarge seconded the motion. The motion carried 5-0.

#### **Streets: Repair/Maintenance**

Public Works Director John Leiker discussed repairs needed to 13<sup>th</sup> Street from Dorrance to Jefferson Streets. Council received the bids from J Corp and Morgan Brothers Construction at the last meeting and had requested more time to review. Mr. Leiker recommended the base bid from J Corp, which includes 170' x 25' of concrete pavement and 50 linear feet of curb and gutter. City Attorney Olavee Raub recommended the City obtain written approval from one of the property owners to abandon the bridge access to the residence since it is not used. It was the consensus of Council to forgo replacing the brick at this time due to the possibility of future waterline replacement and being a side street with low traffic. Council member John Walz moved to approve the base bid from J Corp and Alternate #4 to remove and replace additional curb and gutter at \$50.00 per linear foot in an amount not to exceed \$70,000 with funds to come from the Capital Improvement – Street fund. Council member Jolene Niernberger seconded the motion. The motion carried 5-0.

#### **NEW BUSINESS**

##### **Street: Repair/Maintenance**

Mr. Leiker continued by reviewing the primary snow removal routes. Emergency responder locations are cleared first (Jefferson St., 4<sup>th</sup> Street, and 2<sup>nd</sup> Street), then the Good Samaritan Society. Once those streets are cleared, crews clear the downtown areas and around the schools. Alleys are cleared to allow access for the sanitation trucks. Neighborhoods, if needed, are cleared last. Mr. Leiker emphasized the Department does not start to clear snow until it stops snowing. The primary snow removal routes were included in the December 1, 2023 edition of the *Town Crier*.

##### **Tourism: Contracts**

The Tourism Committee has submitted their proposal for 2024 advertising contracts. Transient guest tax receipts were less than half from the year before, therefore, the Committee was forced to scale back on advertising contracts. Contracts with Eagle Radio and Hays Post will not be renewed. Council member John Walz moved to approve the 2024 advertising contracts with Nex-Tech (\$1,500.00), Central Brochure Distribution (\$600.00), and Lamar (\$10,660.00) in the total amount of \$12,760.00 with funds to come from the Tourism fund. Council member Devin Henderson 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 November 10<sup>th</sup> to December 10<sup>th</sup>. Mr. Leiker anticipates the percentage of water accounted for to increase due to the repair of a large leak.

### **Police**

Police Chief Avery Smith presented the Mid-Month Incident Report for January and his Department report. Officer Pritchett is attending a free 64-hour training on sexual assault courtesy of the Kansas Coalition Against Sexual and Domestic Violence. Chief Smith then reviewed a report summarizing department activity in 2023. The Department fielded 462 more calls than 2022. Ninety-seven citations were issued and officers conducted 680 traffic stops. Council members questioned if the Greyhound bus stop increased the City's crime rates, to which Chief Smith stated it remains to be seen, however, it doesn't appear so.

### **City Administrator/Clerk**

City Administrator/Clerk Amy Burton announced the annual rabies clinic will be February 10<sup>th</sup> from 10:30 a.m. – noon in the City Shop. Public Works was unable to manually read the water meters on the 10<sup>th</sup> due to the snow; therefore, utility bills will be estimated for the February 1<sup>st</sup> billing period, and then adjusted to actual for the March 1<sup>st</sup> billing. Ms. Burton attended a recent webinar sponsored by the League of Kansas Municipalities regarding current legislative issues. The League stressed the importance of Home Rule, the improbability of reinstating the Local Ad Valorem Tax Reduction, and the proposed property tax constitutional amendment.

### **General Government: Special Project**

The Grow Ellis Downtown committee would like to proceed with the extensive process to apply for the National Register Historic District designation. Council member John Walz moved to authorize the Clerk's office to apply for grants to assist with the historic district process. Council member Devin Henderson seconded the motion. The motion carried 5-0.

### **Streets: Repair/Maintenance**

Ms. Burton asked if Council would like to move forward with exploring the grant opportunity under the Bipartisan Infrastructure Law (BIL) to rehabilitate Washington Street. In order to get cost estimates and a scope of the project, an engineer would need to be contacted. Council member John Walz moved to authorize City staff to contact Driggs Design Group to obtain estimates for the Washington Street Project. Council member Jolene Niernberger seconded the motion. The motion carried 5-0.

### **Attorney**

City Attorney Olavee Raub stated that she and City staff completed review of the draft Zoning Ordinance. Suggested edits have been submitted to the consultant.

### **Mayor Update and Announcements**

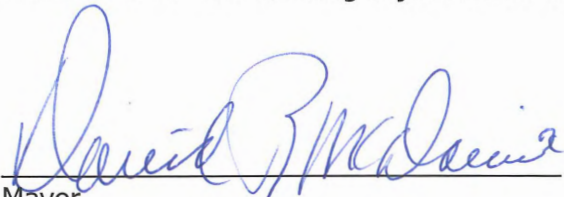
Council member John Walz asked for feedback from Council members on posting legal notices on the City website, if adopting a Charter Ordinance was necessary, and how long the notices should be posted. Ms. Raub stated that a Charter Ordinance wasn't necessary if Council wished to publish the legal notices as information only. Council member John Walz moved to direct the Clerk's office to publish legal notices unofficially on the City's website for 30 days after passage. Council member Martin LaBarge seconded the motion. The motion carried 5-0.

The Governing Body discussed the status of the 2023 goals they set last January. Items accomplished or in progress included the Water Supply System Improvement Project, continued street maintenance, water and sewer infrastructure improvements, downtown revitalization, update City equipment, the TNR program for community cats, increasing employee wages, and addressing the shortage of childcare (through the school district). 2023 goals not yet addressed include progress on the TIF project and addressing the lack of water pressure on the south hill, hosting a monthly listening program for citizens and Council, explore activities for kids, Washington Street repairs, improve wheelchair access on City sidewalks, and touring the museums prior to budget preparation.

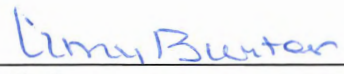
Mayor David McDaniel then requested Council input for 2024 goals. The following projects were mentioned: progress on the Water Supply System Improvement Project, water and sewer infrastructure improvements, remove the west section of the pedestrian bridge and survey residents how they'd like to proceed, clean up debris on the spillway of the dam and determine condition and integrity of structure, repair cemetery wall, determine scope of Washington Street project and apply for BIL grants, downtown historic district designation, the TIF project, explore grants for a mural on the south side of City Hall, monthly "Issues and Eggs", establish street and curb repair program, overall sprucing up of the City, replacement of equipment, explore a 1% sales tax to help fund infrastructure, approve and implement the Neighborhood Revitalization Program, develop a youth advisory team, and renew a sense of community and build on what we have.

**ADJOURNMENT**

Council member Martin LaBarge moved to adjourn the meeting. Council member Devin Henderson seconded the motion. The motion carried 5-0. The meeting adjourned at 8:48 p.m.



\_\_\_\_\_  
Mayor



\_\_\_\_\_  
City Clerk

**ELLIS CITY COUNCIL  
REGULAR MEETING  
Minutes  
February 5, 2024**

**CALL TO ORDER**

Mayor David McDaniel called the regular meeting to order at 6:30 p.m. Present were Council members Kellie Crnkovich, Devin Henderson, Jolene Niernberger, John Walz and Terry Zerfas. Also present were Public Works Director John Leiker, City Administrator/Clerk Amy Burton, and Police Chief Avery Smith. Council member Martin LaBarge and City Attorney Olavee Raub were absent.

**PLEDGE OF ALLEGIANCE**

**AMENDMENTS TO AGENDA**

Mayor David McDaniel added under New Business a statement from Glen Keller, Chair of the Planning Commission, regarding the Commission's recommendation for Council to consider the proposed re-zoning ordinance for a tract of land on 2<sup>nd</sup> Street.

**PUBLIC PRESENT**

Justin Whyte, Glen Keller, Darrin Vlcek, Wanda Younger, Jessica Augustine, Jenni Holmgren, Swede Holmgren, Dava Gaschler, Joe Kreutzer, and Nickole Byers.

Sarbjit Singh, Tim Tague, Michelle Budd, Michael Billinger, Melanie McKee, Love Nixon, Holley Nixon and Mike Downing all arrived at 6:35 p.m.

**CONSENT AGENDA**

Council member Devin Henderson moved to approve the consent agenda containing the Minutes from the Regular Meeting on January 15, 2024 and Bills Ordinance #2182. Council member John Walz seconded the motion. The Council approved the consent agenda 5-0.

**PUBLIC COMMENTS**

Jessica Augustine, 303 W. 3<sup>rd</sup>, stated she was strongly opposed to the re-zoning application due to safety concerns, increased litter and noise, damage to streets, and the negative impact on property values.

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

None

**SPECIAL ORDER**

**General Government: Special Project**

Justin Whyte spoke on the 2024 Riverfest event. He presented a cost estimate to replace the electrical at South Chrysler Park from 3-wire receptacles to 4-wire receptacles and to install underground conduit to the gazebo. Mr. Whyte also asked Council to sponsor the meat at the community bar-b-que during the event and to help serve the meal. The Committee would also like the City to construct a permanent, safe dock onto Big Creek from South Chrysler Park. Council took no action but will reconsider the requests closer to the event.

**Economic Development: Report**

Swede Holmgren shared concerns regarding the proposed re-zoning of the tract of land on 2<sup>nd</sup> Street. Mr. Holmgren questioned if property owner SJ Singh had a viable business plan, and wanted to know what type of businesses Mr. Singh plans to bring in to the proposed shopping plaza. Mr. Holmgren also questioned the City's plan for traffic management with the proposed new street, and expressed concerns over noise, hours of operation, trash and lighting of the proposed project.

**UNFINISHED BUSINESS**



**Economic Development: Policy**

Council reviewed the latest draft of the Neighborhood Revitalization Plan. The proposed Plan was revised to require a minimum investment to be eligible for the Plan, rather than a minimum increase in valuation. Council member John Walz moved to approve the City of Ellis Neighborhood Revitalization Plan as presented. Council member Kellie Crnkovich seconded the motion. The motion carried 5-0.

**NEW BUSINESS**

**Economic Development: Report**

Planning Commission Chair Glen Keller spoke on the Commission's recommendation for Council to consider approval of a re-zoning application for Gurkirpa Real Estate Investment Group. The Commission notified all adjacent owners, held a public hearing, and considered the use and building intentions for this property. A letter of support from the Ellis Development Corporation was also received noting the intent of the sale to Mr. Singh was for commercial use for the property. The Commission voted 3-2 to present the requested zoning change to the City Council.

**Economic Development: City Code**

Council performed a first reading on the proposed ordinance to re-zone a tract of land on 2<sup>nd</sup> Street from "R-1" Single-Family Dwelling District to "C-S" Highway Service District.

**General Government: Committee**

Council member John Walz moved to approve Resolution No. 604 declaring the City of Ellis as an official entrant in the Kansas Community Empowerment Program from 2024-2027. Council member Jolene Niernberger seconded the motion. The motion carried 5-0.

**Campground: Special Project**

City Administrator/Clerk Amy Burton presented the first pay application for the Community Development Block Grant campground improvement project. Council member Devin Henderson moved to approve Request #1 for Payment of CDBG Funds in the amount of \$3,750.00 and to authorize Mayor David McDaniel to sign the related grant documents for the Campground Improvement Project. Council member Jolene Niernberger seconded the motion. The motion carried 5-0.

**Fire: License/Permit**

Council member John Walz moved to approve the Application for License to Sell Cereal Malt Beverages for the Ellis Volunteer Fire Department Auxiliary. Council member Devin Henderson seconded the motion. The motion carried 5-0.

**REPORTS FROM CITY OFFICIALS**

**Public Works**

Public Works Director John Leiker presented a summary of the Department's statistics for 2023. Mr. Leiker reviewed the violation process, including the required length of time residents have to comply depending on the type of violation. The Department served 114 notices for violating mowing, trash and zoning regulations. The 2023 City-Wide Cleanup will be held the week of September 30<sup>th</sup>. Mr. Leiker was asked by Council to look into extending the sidewalk across the road in Creekside Park.

**Police**

Police Chief Avery Smith reported the Department is planning to upgrade technology in the office. Council discussed with Chief Smith possible options for slowing down traffic near the Swimming Pool, including speed bumps or stop signs.

**Police: Grants**

Chief Smith would like to apply for a USDA grant to help fund a dedicated administrative vehicle for himself. Council member Jolene Niernberger moved to authorize Chief Smith to submit an application to USDA for a police vehicle. Council member Kellie Crnkovich

seconded the motion. The motion carried 5-0.

**City Administrator/Clerk**

City Administrator/Clerk Amy Burton presented the minutes from the recent Planning Commission meeting and the Health Insurance Savings Report for December. The annual Rabies Clinic will be February 10<sup>th</sup> from 10:30 a.m. – noon in the City Shop. Blue Valley Public Safety will perform preventive maintenance on the outdoor warning sirens this month. Ms. Burton asked Council if they wanted to proceed with a grant application for a mural on the south wall of City Hall. The topic will be added to the February 19<sup>th</sup> council meeting agenda.

**Attorney**

**Mayor Update and Announcements**

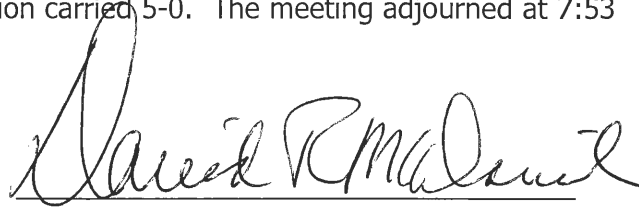
Mayor David McDaniel, Mr. Leiker and Ms. Burton met recently with Brian Spano, Wilson & Company, regarding an update on the Water Supply System Improvement Project. Mr. Spano provided a memo with the projected timeline of the project.

Mayor McDaniel recently attended the League of Kansas Municipalities Local Government Day in Topeka. He reminded Council of the City Leader's Academy April 12<sup>th</sup> – 13<sup>th</sup> in Manhattan.

Council member Terry Zervas commented on the outstanding displays in the Alumni Room in the basement of the Ellis Railroad Museum. Mr. Zervas asked which entity is responsible for replacing the hot water heater in the building, as the area does not have hot water.

**ADJOURNMENT**

Council member John Walz moved to adjourn the meeting. Council member Devin Henderson seconded the motion. The motion carried 5-0. The meeting adjourned at 7:53 p.m.



David R. McDaniel  
Mayor



Amy Burton  
City Administrator/Clerk

**ELLIS CITY COUNCIL  
REGULAR MEETING  
Minutes  
February 19, 2024**

**CALL TO ORDER**

Mayor David McDaniel called the regular meeting to order at 6:30 p.m. Present were Council members Kellie Crnkovich, Devin Henderson, Martin LaBarge, Jolene Niernberger, John Walz and Terry Zerfas. Also present were Public Works Director John Leiker, Police Chief Avery Smith, City Administrator/Clerk Amy Burton, Fire Chief Dustin Vine, and City Attorney Olavee Raub.

**PLEDGE OF ALLEGIANCE**

**AMENDMENTS TO AGENDA**

None

**PUBLIC PRESENT**

Ben Kolas, Justin Whyte, Nickole Byers, Glen Keller, Jack Nicholson, Paulette Harp, Darcy Kozisek, David Clingan, Jeff Augustine, Allen Weber, Swede Holmgren, Jenni Holmgren, Jessica Augustine, Steve Befort, Sue Ann Tebo, Brad Tebo, Wanda Younger, John Befort, Randy Honas and Mike Downing (arrived at 6:35 p.m.). Love Nixon, Sarbjit Singh, Holley Nixon and Michael Billinger all arrived at 6:38 p.m.

**CONSENT AGENDA**

Council member John Walz moved to approve the consent agenda containing the Minutes from the Regular Meeting on February 5, 2024 and Bills Ordinance #2183. Council member Devin Henderson seconded the motion. The Council approved the consent agenda 6-0.

**PUBLIC COMMENTS**

Paulette Harp spoke in favor of the rezoning of the tract of land and the Greyhound bus stop. Ms. Harp stated the bus is an affordable and convenient travel option. The rezoning of the land is essential for community growth potential, and Ms. Harp feels it is inhospitable to reject property owner SJ Singh's development plans.

Darcy Kozisek spoke in favor of the rezoning of the tract of land as long as the property is used in accordance with the zoning regulations. Ms. Kozisek stated the property owner should be able to choose what he wants to do on his property. The rezoning would bring more jobs and revenue to the City.

Jack Nicholson spoke in favor of the Greyhound bus stop as an affordable option for transportation. He also advised Council to consider carefully the ramifications of a Charter Ordinance including the City's website as an official publication outlet for City notices.

Swede Holmgren spoke in opposition to the bus stop due to the clientele he's witnessed exiting the bus. Mr. Holmgren encouraged Council to delay the decision on the rezoning ordinance until Mr. Singh has definite plans for development. Mr. Holmgren stated he appreciated that Mr. Singh bought the land and wants to develop, but the citizens deserve answers as to his development plans.

Paulette Harp spoke again that Mr. Holmgren's critique of the Greyhound bus was general in nature and that he is passing unfair judgment.

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

None

**SPECIAL ORDER**

**Fire: Report**

Fire Chief Dustin Vine presented his monthly report and thanked the community for

supporting the Fire Department's recent pancake feed.

**Economic Development: Report**

Property owner SJ Singh spoke on his pending application for rezoning his tract of land on 2<sup>nd</sup> Street from "R-1" Residential district to "C-S" Highway Commercial district. Mr. Singh handed out a letter of support from the Ellis Development Corporation and a map of the property. Mr. Singh stated that most communities' welcome investors in their communities and offer encouragement and appreciation. In the last 20 years, Mr. Singh and his partners have invested \$60 million in underserved communities like Ellis. Without the Days Inn or the A&W Restaurant travelers would have no reason to stop in Ellis. Mr. Singh asked Police Chief Avery Smith how many calls the department has had directly related to the bus stop. Chief Smith replied only one to two calls in the seven months of operation, and those were for transient aid. Mr. Singh added that he is trying to help the community by bringing in jobs and revenue. Mr. Singh added that if you want the town to survive, the town needs growth and development.

**UNFINISHED BUSINESS**

**Economic Development: City Code**

Council performed a second reading of the proposed ordinance changing the zoning on a tract of land owned by Gurkirpa Real Estate Investment Group. Council member John Walz read a statement saying Ellis has been fortunate to have outside developers invest in our community. He included examples of Wheelchairs of Kansas, the TIF housing project, Ellis Travel Plaza, CCR Landscaping, Days Inn, Casey's General Stores, Dollar General, and A&W Restaurant. Mr. Walz challenged Council members to think what Ellis would look like without all of those outside investors. The Ellis Development Corporation sold the land with the understanding that it would be used as commercial property. Mr. Walz asked the council to read Chapter 2 of "13 Ways to Kill Your Community" by Doug Griffiths.

City Attorney Olavee Raub stated that under the current Zoning Ordinance, annexed land defaults to "R-1" Residential zoning district. That provision is currently subject to change in the zoning recodification. Ms. Raub added that it is not appropriate for Council to base their decision on the applicant, but what is the best use of the property. Ms. Raub stated that if the land is rezoned, the next step would be for the developer to come to the Planning Commission with a plan on how to develop the street, water and sewer infrastructure. Ms. Raub again encouraged the Council to be cognizant of the land use and not the applicant. Council member Kellie Crnkovich and Martin LaBarge requested delaying any decision to give Council time to digest citizen comments. Mr. Walz stated that since this is the second reading Council should move forward; therefore, he made a motion to approve Ordinance No. 1495 changing the zoning of a tract of land on 2<sup>nd</sup> Street from "R-1" Residential district to "C-S" Highway Service district. Council member Jolene Niernberger seconded the motion. Upon a call for discussion, Council member Terry Zervas stated he felt the street and utility infrastructure should be installed before considering any plans for development. That area has had drainage issues in the past that need to be considered. Mr. Zervas believes the property valuation will actually increase rather than decrease with any new development. Upon a call for the vote, the motion failed 2-4, with Council member Jolene Niernberger and John Walz voting in favor of the motion, and Council members Terry Zervas, Kellie Crnkovich, Martin LaBarge and Devin Henderson voting opposed.

After the vote was recorded, Ms. Niernberger asked how any developer would invest in Ellis when the Council votes no to development and additional jobs for the community. Ms. Raub stated that the property is currently zoned residential. Water run off will be different for residential and commercial properties; therefore, that's why the rezoning application is historically considered prior to the installation of new infrastructure.

### **Parks: Repair/Maintenance**

Justin Whyte asked if Council wanted to participate with the Riverfest Committee in upgrading the electrical work in South Chrysler Park prior to the event in June. Council member John Walz moved to approve the quote from Don's Electric & Rewind, Inc. in the amount of \$3,100.00 for electrical upgrades for South Chrysler Park with funds to come from the Special Parks fund. Council member Devin Henderson seconded the motion. The motion carried 6-0.

### **General Government: Special Project**

City Administrator/Clerk Amy Burton presented numerous murals from other cities for Council to review as examples. Council member Martin LaBarge moved to seek bids on a mural similar to the City of Woodbine's. Council member Jolene Niernberger seconded the motion for the sake of discussion. The City of Woodbine's mural has numerous facets and could include historic images as well as images that highlight what Ellis has to offer. Upon a call for the vote, the motion carried 6-0.

### **Tourism: Contract**

Ms. Burton continued by presenting the contract with Lamar for the City's five billboards. The renewal period runs from April 26, 2024 to April 25, 2025. At the January 15<sup>th</sup> council meeting, Council approved the Lamar contract for \$10,660.00, but did not include the annual percentage increase. Council member Martin LaBarge moved to ratify the Lamar contract for the City's billboards at a cost of \$11,180.00 with funds to come from the Tourism fund. Council member Devin Henderson seconded the motion. The motion carried 6-0.

### **NEW BUSINESS**

#### **Police: Acquisition**

Police Chief Avery Smith presented three bids for the purchase of a fourth vehicle for the Department. Chief Smith stated this vehicle would be designated as an "Admin" vehicle for the Chief to drive. Two of the bids are for a 2021 Ford F-150 pickup and the third bid is for a 2024 Ford F-150 pickup. The recommended bid from Chicago Motors is no longer valid as the 2021 Ford F-150 has since sold. Chief Smith then recommended the purchase from Asia Motors for the other 2021 Ford F-150 that has slightly more miles. Council member Martin LaBarge questioned the need for a pickup since the Department has access to the Public Works' pickups. He would like to see bids for another SUV. Council member Terry Zerfas agreed that he would like to see additional bids as well. Council directed Chief Smith to present additional SUV bids at the next meeting.

#### **Pool: Acquisition**

Public Works Director John Leiker presented the quote for swimming pool chemicals. Council member Jolene Niernberger moved to approve the quote from Brenntag for the purchase of 1,375 gallons of sodium hypochlorite (\$6,195.48), 4,000 lbs. of hydrochloric acid (\$2,150.00) and 200 lbs. of isocyanuric acid (\$256.00) for a total cost of \$8,601.48 with funds to come from the General – Swimming Pool fund. Council member John Walz seconded the motion. The motion carried 6-0.

#### **Street: Acquisition**

Mr. Leiker continued by presenting two bids for crack sealing material. Council member Devin Henderson moved to approve the bid from Pavement Maintenance Products for 11,700 lbs. Deery 102 crack sealing material in the amount of \$8,658.00 with funds to come from Capital Improvement – Street fund. Council member Martin LaBarge seconded the motion. The motion carried 6-0.

#### **Street: Repair/Maintenance**

Mr. Leiker presented the map of the 2024 Street Rehabilitation Project and the letter to send to the County Commissioners requesting assistance. Mr. Leiker stated the map may change

a bit because part of the area included is maintained by the County. Council member John Walz moved to authorize Mayor David McDaniel to sign the letter to the County Commissioners requesting assistance with the 2024 Street Rehabilitation Project. Council member Jolene Niernberger seconded the motion. The motion carried 6-0.

**Clerk/Police: Acquisition**

City Administrator/Clerk Amy Burton presented bids for upgrading the firewall for the Clerk's and Police Department's offices. The vendors submitted bids for both managed services and for the City to purchase the firewall outright. Ms. Burton's recommendation is to purchase the firewall from the low bidder. Council member John Walz moved to approve the purchase and installation of the Sonicwall Tz470 firewall from GBT in the amount of \$2,676.07 with funds to come from the Special Machinery fund. Council member Jolene Niernberger 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 December 10, 2023 to January 10, 2024. The street sweeper and the 1964 mini grader are both out of commission for repairs. Mr. Leiker also noted the cemetery roads have been graded.

**Police**

Police Chief Avery Smith presented the Mid-Month Incident Report for February and his Department report. Chief Smith warned residents of recent scams and encouraged the community to read his article in the March 1<sup>st</sup> edition of the *Town Crier*. In the coming weeks, officers will participate in a DUI enforcement refresher and firearms training. Chief Smith invited Council to watch a YouTube video on growing threats in America and stated consideration need to be taken during budget sessions on upgrading physical security on all City buildings.

**City Administrator/Clerk**

City Administrator/Clerk Amy Burton updated Council on the status of the Campground Improvement Project. The bid opening for the bathhouse portion has been delayed to March 14<sup>th</sup>. Ellis County Sheriff Scott Braun will be at the March 18<sup>th</sup> council meeting to discuss an inmate housing agreement. Swimming pool staff interviews will begin next week.

**Attorney**

None

**Mayor Update and Announcements**

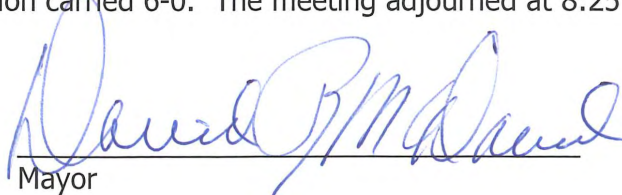
Mayor David McDaniel reminded Council of the work session scheduled for 6:00 p.m. on February 20<sup>th</sup> with representatives from the County and the Hays Public Library. The League of Kansas Municipalities City Leader Academy will be held April 12-13<sup>th</sup> in Manhattan, KS. Mayor McDaniel then expressed his disappointment in the vote to deny the rezoning on 2<sup>nd</sup> Street.

**ADJOURNMENT**

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



City Administrator/Clerk

  
Mayor

**ELLIS CITY COUNCIL  
REGULAR MEETING**

**Minutes**

**March 4, 2024**

**CALL TO ORDER**

Mayor David McDaniel called the regular meeting to order at 6:30 p.m. Present were Council members Kellie Crnkovich, Devin Henderson, Martin LaBarge, Jolene Niernberger, John Walz and Terry Zerfas. Also present were Public Works Director John Leiker, Police Chief Avery Smith, City Administrator/Clerk Amy Burton, and City Attorney Olavee Raub.

**PLEDGE OF ALLEGIANCE**

**AMENDMENTS TO AGENDA**

None

**PUBLIC PRESENT**

Glen Keller, Nickole Byers, Ben Kolas, Jenni Holmgren, Joseph Kreutzer and Neal Younger.

**CONSENT AGENDA**

Council member John Walz moved to approve the consent agenda containing the Minutes from the Regular Meeting on February 19, 2024 and Bills Ordinance #2184. Council member Devin Henderson seconded the motion. The Council approved the consent agenda 6-0.

**PUBLIC COMMENTS**

Jenni Holmgren read a statement thanking Council members Terry Zerfas, Martin LaBarge, Kellie Crnkovich, and Devin Henderson for listening to the resident's concerns regarding the recent rezoning application on 2<sup>nd</sup> Street. She also expressed disappointment in comments made by Mayor David McDaniel, Council member John Walz and Council member Jolene Niernberger in response to the denial of the rezoning application. Ms. Holmgren also commented on issues with the sound on the Council meeting streams on YouTube, and questioned if the swimming pool could stay open longer without lifeguards on duty.

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

**Museum: Repair/Maintenance**

Ellis Railroad Museum President Glen Keller requested assistance from the City to replace the hot water heater in the basement of the Museum. The Museum leases the building from the City. Public Works Director John Leiker will solicit bids for consideration at the next Council meeting.

**SPECIAL ORDER**

None

**UNFINISHED BUSINESS**

**Police: Acquisition**

Police Chief Avery Smith presented eight bids for consideration for a police admin vehicle – two Ford F-150 pickups, two Chevy Tahoe's, two Ford Explorers, and two Ford Explorer hybrids. Chief Smith recommended the 2021 Ford F-150 pickup from Asia Motors. JR Audio will upfit the vehicle.

Council members questioned Chief Smith's plans for the 2016 Ford Taurus. Chief Smith stated he would like to keep the Ford Taurus through the end of the year, and then sell or trade that vehicle for a new one. Chief Smith added that he would like four patrol vehicles, and eventually, for each officer to have their own unit in order to minimize assistance needed from the Sheriff's Department.

When asked if the proposed admin vehicle would be rotated on patrol, Chief Smith stated that its purpose is a vehicle for the Chief to drive, and it would be parked at City Hall or his

residence. However, it could be used as a backup vehicle if a vehicle was in the shop for repairs. Chief Smith stated that he does not feel safe driving from his residence to City Hall in his personal vehicle while in uniform. Council member John Walz noted that he's driven his personal vehicle to work in uniform for over 20 years without incident.

Council member Martin LaBarge moved to purchase the 2021 Ford F-150, stock no. 23683 in the amount of \$38,795.00 from Asia Motors and to approve the upfitting of the vehicle from JR Audio in the amount of \$12,171.00. If that vehicle is no longer available, then to purchase the 2021 Ford F-150, stock no. 23675, in the amount of \$38,795.00 from Asia Motors. The Ford Taurus must be disposed of by the end of 2024. Council member John Walz seconded the motion. Upon a call for the vote, Council members Kellie Crnkovich, Martin LaBarge and John Walz voted in favor of the motion and Council members Terry Zervas, Devin Henderson and Jolene Niernberger voted opposed. Before the tie-breaking vote, Mayor David McDaniel asked those opposed their reasoning for voting against the motion. The consensus was that the citizens don't support a fourth vehicle for the department, let alone a vehicle for each officer. Additional comments were that just because a vehicle was budgeted in 2024 doesn't mean it has to be purchased, and that a fourth vehicle seems more of a want instead of a need.

Chief Smith noted there are times that every officer is called out. Mayor McDaniel then asked if the Ford Taurus was disposed of right away and the Department only maintained three vehicles, if that would sway any votes. It was the consensus that Council didn't want to see the Police Department have more than three vehicles. With that, Mayor McDaniel voted no, causing the motion to fail 3-4.

Council member Martin LaBarge then moved to keep the motion the same as far as purchasing the 2021 Ford F-150, but to dispose of the Ford Taurus as soon as the pickup is fit to go on duty. Council member John Walz seconded the motion. That motion passed 5-1 with Council member Terry Zervas voting opposed.

## **NEW BUSINESS**

### **Police: Special Project**

Chief Smith continued by requesting approval for the Police Department to host a co-ed softball tournament again this year. The Department has increased the entry fee and would also like to recruit sponsors to help fund the cost of prizes, umpires and maybe bouncy houses for the kids. Council member John Walz moved to allow the Police Department to host a co-ed softball tournament and to ask for financial assistance from sponsors. Council member Devin Henderson seconded the motion. The motion carried 6-0.

### **Campground: Special Project**

Council considered a donation request from the EHS Alumni Association for campground and swim passes for the alumni golf tournament. Council member John Walz moved to approve the Donation Application for the EHS Alumni Association for two one-day campground passes and two 15-day swimming pool passes (one adult and one child.) Council member Martin LaBarge seconded the motion. The motion carried 6-0.

### **Water: Acquisition**

Public Works Director John Leiker presented a bid for electronic water meters. The City budgets funds each year to continue to replace the standard water meters. Electronic meters are more accurate and detect leaks faster than standard meters. Council member Devin Henderson moved to approve the purchase of electronic water meters from Metron-Farnier in the amount of \$40,086.31 with funds to come from the Water Depreciation Reserve fund. Council member Jolene Niernberger seconded the motion. The motion carried 6-0.

### **General Government: Contract**



The City contracts with Mark Augustine to conduct dog pound services. Mr. Augustine has requested Council consider increasing the daily pound fee again. The Council increased fees from \$12.00 to \$15.00 per day in November 2022. Council member John Walz moved to revise the current Municipal Pound Services contract with Mark Augustine to reflect an increase in the daily pound fee from \$15.00 to \$20.00. Council member Jolene Niernberger seconded the motion. The motion carried 6-0.

#### **Water: Policy**

Public Works Director John Leiker asked for consideration to lift the Water Warning declaration from November 2023. The City no longer meets the criteria to declare the warning according to the City's Water Conservation Plan. Council member Jolene Niernberger moved to approve Resolution No. 605 recalling the declaration of a Water Warning. Council member Martin LaBarge seconded the motion. The motion carried 6-0.

### **REPORTS FROM CITY OFFICIALS**

#### **Public Works**

Mr. Leiker stated that J-Corp will begin work on 13<sup>th</sup> Street in mid-March. The City's water well levels have increased slightly, and as such, the inflow and infiltration levels have increased as well.

#### **Police**

Police Chief Avery Smith presented the Monthly Incident Report for February. Officers have participated in numerous training opportunities. Officer Pritchett recently attended Sexual Assault training and the Pittsburg State Irene Ransom Bradley School of Nursing donated an evidence camera and an alternate light source to the Department to help with sexual-related cases. Stop signs and speed bumps will be installed around the area of the swimming pool to slow down traffic.

#### **City Administrator/Clerk**

City Administrator/Clerk Amy Burton presented the Health Insurance Savings Report for January and the regular and special meetings of the Planning Commission. Interviews for the 2024 pool season were conducted last week. The pool will have 12 returning lifeguards and one returning pool house attendant. In response to Ms. Holmgren's suggestion of keeping the pool open longer and hanging signs to "swim at your own risk", the City's liability insurance will not allow the pool to be open without certified lifeguards on duty. Ms. Burton has received several inquiries of what revenue the City receives from businesses on the north hill. The City receives transient guest tax money from the hotel, gas tax revenue from the convenience stores, and sales tax revenue from all of the businesses in that area as well.

#### **General Government: Special Project**

Ms. Burton also provided an update on the mural for City Hall. Bid packages have been sent out, with proposed designs and cost estimates due back by March 29<sup>th</sup>. The deadline for the Office of Rural Prosperity Rural Mural & Public Art Grant is May 10<sup>th</sup>.

#### **Campground: Special Project**

The bid opening for the bathhouse portion of the Campground Improvement Project is March 14<sup>th</sup> at 3:00 p.m.

#### **Attorney**

City Attorney Olavee Raub reported that she has reached out to Wilson & Company again regarding the status of the easement descriptions for the property affected by the Water Supply System Improvement project.

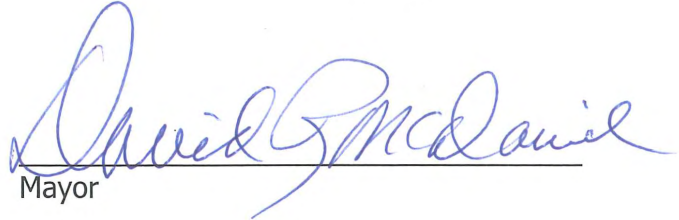
#### **Mayor Update and Announcements**

Mayor David McDaniel reminded everyone that Senator Caryn Tyson will be at Dolce Vita on March 10<sup>th</sup> to discuss property taxes.

Council member Martin LaBarge inquired about adding a 1-cent sales tax to help fund capital projects and equipment needs. The City could add a general-purpose sales tax, but not a special-purpose sales tax due to already having one dedicated to service water debt. If the voters would approve an additional general-purpose sales tax, the Council would need to budget a portion of that sales tax to the Capital Projects funds.

**ADJOURNMENT**

Council member Martin LaBarge moved to adjourn the meeting. Council member Devin Henderson seconded the motion. The motion carried 6-0. The meeting adjourned at 7:50 p.m.



David G. McDaniel

Mayor



Amy Burton

City Clerk

**ELLIS CITY COUNCIL  
REGULAR MEETING  
Minutes  
March 18, 2024**

**CALL TO ORDER**

Mayor David McDaniel called the regular meeting to order at 6:30 p.m. Present were Council members Kellie Crnkovich, Martin LaBarge, Jolene Niernberger, John Walz and Terry Zerfas. Also present were Public Works Foreman Joe Kreutzer, Police Chief Avery Smith, Fire Chief Dustin Vine, City Administrator/Clerk Amy Burton, and City Attorney Olavee Raub. Council member Devin Henderson was absent.

**PLEDGE OF ALLEGIANCE**

**AMENDMENTS TO AGENDA**

None

**PUBLIC PRESENT**

Glen Keller and Vaughn Snider.

**CONSENT AGENDA**

Council member Martin LaBarge moved to approve the consent agenda containing the Minutes from the Regular Meeting on March 4, 2024 and Bills Ordinance #2185. 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)**

None

**SPECIAL ORDER**

**Report: Fire**

Fire Chief Dustin Vine noted there were zero fire calls for the month. The new bunker gear arrived, but the ordered sizes and logos were incorrect and had to be sent back. The Department plans to focus on tactics and public education to prevent the spread of wildfires.

**UNFINISHED BUSINESS**

None

**NEW BUSINESS**

**Streets: Acquisition**

Public Works Foreman Joe Kreutzer presented a quote for materials for the annual chip seal project. Council member John Walz moved to approve the bid from Flatlander for chip seal chips and crushed rock in the amount of \$30,775.00 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. Kreutzer continued by presenting the Comparative Water Report for the period January 10<sup>th</sup> to February 10<sup>th</sup>. The water well levels have remained stable and water leaks on Taylor Street and 13<sup>th</sup> Street have been repaired. J Corp will start on the 13<sup>th</sup> Street project next week. A majority of the curbs in that area should be able to be replaced as well. The project is expected to take up to two weeks.

**Police**

Police Chief Avery Smith presented the Mid-Month Incident Report for March. Officers will

qualify with their concealed carry weapons March 30<sup>th</sup>. Various officers will participate in several training courses in the near future, including Essential Spanish, Supervisor Leadership Institute, and Taser Instructor.

**City Administrator/Clerk**

City Administrator/Clerk Amy Burton presented the Health Insurance Savings Report for February. The bid opening for the bathhouse portion of the Campground Improvement Project was held March 14<sup>th</sup>. The lone bid was substantially overbudget. Ms. Burton and Assistant City Clerk Verda Flinn are discussing options with Grant Administrator Corina Cox and engineer Buck Driggs on how to move forward, including possibly re-bidding that portion of the project.

**Attorney**

City Attorney Olavee Raub reported that she has received all of the legal descriptions to start drafting the easement contracts for the Water Supply System Improvement Project.

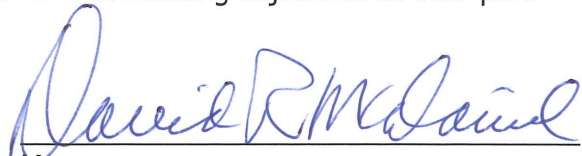
**Mayor Update and Announcements**


Council member John Walz reported that the City has received several TNR applications for the committee to schedule.

Council member Terry Zervas inquired about the fireworks resolution. The topic will be on an April agenda for discussion.

**ADJOURNMENT**

Council member Martin LaBarge moved to adjourn the meeting. Council member John Walz seconded the motion. The motion carried 5-0. The meeting adjourned at 6:53 p.m.

  
\_\_\_\_\_  
Mayor

  
\_\_\_\_\_  
City Administrator/Clerk

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## ELLIS CITY COUNCIL REGULAR MEETING

### Minutes April 1, 2024

#### **CALL TO ORDER**

Mayor David McDaniel called the regular meeting to order at 6:30 p.m. Present were Council members Kellie Crnkovich, Devin Henderson, Jolene Niernberger, John Walz and Terry Zerfas. Also present were Public Works Director John Leiker, Police Chief Avery Smith, City Administrator/Clerk Amy Burton, and City Attorney Olavee Raub. Council member Martin LaBarge was absent.

#### **PLEDGE OF ALLEGIANCE**

#### **AMENDMENTS TO AGENDA**

None

#### **PUBLIC PRESENT**

Glen Keller, Buck Driggs, Darrell Romme, Pauleen Edmonds, Daniel Pyle, Verda Flinn, Dustin Key, David Clingan, Nickole Byers, Alex McKenzie, Brandon Comer, Janice Wilson, Scott Braun, and Michael Berges (arrived at 7:34 p.m.)

#### **CONSENT AGENDA**

Council member Devin Henderson moved to approve the consent agenda containing the Minutes from the Regular Meeting on March 18, 2024 and Bills Ordinance #2186. Council member John Walz seconded the motion. The Council approved the consent agenda 5-0.

#### **PUBLIC COMMENTS**

Brandon Comer asked for Council to reconsider selling the Ford Taurus when the new Ford F-150 police administrator vehicle arrives. Mr. Comer stated he talked to 100 people and no one was concerned how many police vehicles the department had, or even knew how many officers were on staff.

Dustin Key clarified misconceptions regarding the County Commissioners vote to put the question to voters if a county library should be formed. Hays Public Library would not become the county library, nor would residents in Hays even have a vote. The Ellis Public Library would not close. In fact, Ellis could become the county library if it wanted to. If the City of Ellis opts in, it doesn't mean a county library would be formed. All it means is that the question will be put to the voters if they want their tax dollars to stay in Ellis County by forming a county library, or to continue to be sent to Barton County and then re-distributed to 17 counties through the Central Kansas Library System. If approved, residents in the City of Ellis would see a reduction in taxes as the 4 mills levied for the library would no longer be needed since the County Library would provide funding.

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

##### **Parks: Special Project**

Pauleen Edmonds, Community Foundation of Ellis, presented a proposal to install a 40' x 60' covered picnic shelter in Creekside Park. The Foundation has applied for a Patterson Foundation matching grant to fund the project. If the project is approved by Council, upon completion the shelter will be gifted to the City. The City will be responsible for continuing maintenance. The shelter will have electricity available and automatic lights that are tied into the street lights. Public Works Director John Leiker expressed concern with the size of the shelter since the park is in a "R-1" Single-Family Dwelling District. The current "R-1" building codes only allow accessory structures up to 1,200 sq. ft. Mayor McDaniel requested this item be tabled until the next meeting in order for Mr. Leiker and City Attorney Olavee

Raub to research if there are any special exemptions for parks in the building codes.

### **SPECIAL ORDER**

#### **Municipal Court: Contract**

Ellis County Sheriff Scott Braun presented and discussed a proposed housing agreement for inmates ordered to serve jail time from Ellis Municipal Court. The facility currently provides clothing, food service, and minor medical care for inmates. The proposed housing agreement requests payment of \$100 per calendar day for each inmate. K.S.A. 19-1930 allows the County Sheriff to charge an entity for inmate care even without an agreement. Sheriff Braun stated it is the County Commissioner's decision as to when this agreement would become effective. City Attorney Olavee Raub estimated the Ellis Municipal Court ordered less than ten days of jail time in 2023.

#### **General Government: Insurance**

Darrell Romme, Romme Agency, presented the City's 2024-25 general insurance policy with EMC Insurance. The overall premiums increased 3% from last year. The City is part of an insurance pool with other municipal entities. If there are gains overall for the past year, EMC Insurance distributes a premium dividend return. Last year's dividend check back to the City was over \$26,000. Council member Jolene Niernberger moved to approve the 2024-25 general insurance policy with EMC Insurance in the amount of \$199,319.00. Council member John Walz seconded the motion. The motion carried 5-0.

#### **General Government: Report**

USD 388 Superintendent Janice Wilson provided an update on the school district. The daycare project has had a couple of setbacks, but the project is progressing. The daycare will be self-funded and teachers within the school district will have first priority on availability. The bond project is in the second year. Work will commence once school dismisses in May for the summer. Bonds will help fund an HVAC system and flooring at Washington Grade School and updated science rooms and a secure entry at Ellis High School. Enrollment is down approximately 50 kids from 10 years ago with part of the reason being lack of housing in town.

#### **Parks: Special Project**

Ellis Recreation Commission Director Dan Pyle stated the tennis courts are in need of resurfacing. The City, Recreation Commission, and USD 388 cooperated to build the tennis courts in 1995 and share costs of needed repairs or maintenance. Mr. Pyle proposed converting one of the tennis courts into two pickleball courts when they are resurfaced. He is requesting approval from Council to start seeking grant funding. Council member Kellie Crnkovich moved to authorize the Ellis Recreation Commission to start looking for funding for the resurfacing of the tennis courts and to convert one court to two pickleball courts. Council member John Walz seconded the motion. The motion carried 5-0.

### **UNFINISHED BUSINESS**

#### **Economic Development: Policy**

City Attorney Olavee Raub presented the proposed interlocal agreement for Ellis County and USD 388 regarding the Neighborhood Revitalization Plan. David Clingan, Grow Hays, and Mayor David McDaniel will present the agreement to the County Commissioners and School Board for consideration. If approved, a resolution will be adopted formally approving the Plan. Council member John Walz moved to authorize David Clingan and Mayor McDaniel to present the Neighborhood Revitalization Plan Interlocal Agreement to the Ellis County Commission and the USD 388 school board. Council member Jolene Niernberger seconded the motion. The motion carried 5-0.

#### **Campground: Special Project**

Buck Driggs, Driggs Design Group, provided an update on the Campground Improvement

Project. The project was bid in two phases – the acquisition and installation of the playground equipment, and then the prefabricated bathhouse and other minor improvements. Three bids were received for the playground equipment, and all three bids were over the original project budget. After discussion with City staff and the City's grant administrator, Mr. Driggs recommends the City accept the low bid from Playscape Recreation with the exception that Playground Assembly #3 will be eliminated from the bid.

The bid packet for the bathhouse portion of the project was sent to over 20 contractors for consideration. Only one bid was received. That bid was \$133,159 over the original project budget, and included over \$142,000 of mobilization costs for \$110,000 of work. The bidder also did not use the suggested buying co-op to save approximately \$20,000 on the actual bathhouse. Mr. Driggs recommends the City reject this bid and rebid the project with modifications. The modifications include the Public Works Department performing the dirt work, seeding, pavement markings, and installation of the water and sewer lines. The construction period will also be extended from December 2024 to June 2025 and the contractor will be required to utilize a municipal buying co-op for the bathhouse. Midwest Energy will install a light pole rather than install decorative lighting. The modifications will then be included in the bid as add alternates.

Council member Devin Henderson moved to approve the bid from Playscape Recreation with a change order eliminating Playground Assembly #3 equipment and installation, for an adjusted cost of \$78,591.00. Council member Jolene Niernberger seconded the motion. The motion carried 5-0.

Council member Kellie Crnkovich then moved to reject the bid from QMC, Inc. and to rebid the bathhouse portion of the project with the recommended modifications. Council member Devin Henderson seconded the motion. The motion carried 5-0.

## **NEW BUSINESS**

### **Water: Acquisition**

Public Works Director John Leiker presented bids for a hydro excavation machine. Even though the quote is not the low bid, Mr. Leiker recommends the machine from Key Equipment in that it also has a valve turner. The machine will be useful for the mandated Lead and Copper Rule (LCR) inventory and will make it easier to replace water meters. Council member Jolene Niernberger moved to purchase the Hurco Valve-N-Vac 300G hydro evacuation machine from Key Equipment in the amount of \$57,844.25 with funds to come from the Special Machinery fund. Council member Devin Henderson seconded the motion. The motion carried 5-0.

## **REPORTS FROM CITY OFFICIALS**

### **Public Works**

Mr. Leiker noted the 13<sup>th</sup> Street project was progressing and work should be completed within the next two weeks. Speed bumps have been installed by the swimming pool to slow down traffic.

### **Police**

Police Chief Avery Smith presented the Monthly Incident Report for March. Chief Smith and Officer Peterson completed an essential Spanish course for law enforcement. Sergeant Kolas will attend a Supervisor Leadership Institute in April. Chief Smith noted that he requested a two-way stop at 8<sup>th</sup> and Monroe and signage to slow down around the campground.

### **City Administrator/Clerk**

City Administrator/Clerk Amy Burton reported that one bid was received and one artist requested additional time to submit a proposal for the City Hall mural. Ms. Burton and Assistant City Clerk Verda Flinn recently attended the CCMFOA Spring Conference in Manhattan.

**Attorney**

**Mayor Update and Announcements**

Mayor David McDaniel reminded Council of the work session with the Ellis Public Library Board April 8<sup>th</sup> at 6:30 p.m.

Council member Terry Zerfas inquired about painting the "No Parking" lines on Washington Street before summer.

**ADJOURNMENT**

Council member Devin Henderson moved to adjourn the meeting. Council member Kellie Crnkovich seconded the motion. The motion carried 5-0. The meeting adjourned at 8:14 p.m.

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Mayor

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City Clerk