

**MINUTES**  
**North Newton City Council – Regular Meeting**  
**July 13, 2020 – 7:00 P.M.**  
**Meeting via Zoom**

Mayor Braun welcomed everyone to the Zoom City Council Meeting.

**1. Call to Order**

Mayor Braun called the meeting to order. Those present and constituting a quorum were:

**COUNCIL:** Dennis Campbell, Gregg Dick, Kurt Friesen, Jim Goering and Ron Ratzlaff

**STAFF:** John Torline, Danny Entz, Greg Nye, Randy Jordan, Jim Bethards, Cindy Hiebert and Pat Redding

**OTHERS:** Chuck Regier, JP Krievens, Beth Shelton, Phil Kliewer, Kristin Neufeld Epp, Joshua Lowe, Ray Penner, David and Heidi Kreider, Adam Strunk, Gwen Neufeld, Margaret Toews, Christy Schunn, Jackie Jordan, Sara Dick, Monty Graber, Karin Kaufman, Matthew Schloneger and Nancy Law

**2. Minutes of Previous Meeting**

Minutes of the June 8, 2020 meeting were presented. Councilman Ratzlaff stated that on page 3 the first sentence of Chief Jordan's report should read officers not offices. This correction will be made to the official minutes.

**MOTION:** Ratzlaff moved, Friesen seconded, to approve said minutes with the above correction. Motion carried unanimously.

**3. Citizen Comments**

City Clerk Redding read two letters that she received by email. The two letters are attached to the minutes. After the reading of the letters Mayor Braun expressed appreciation for the letters submitted. Councilman Friesen suggested we consider these requests. Braun stated the council will address these issues at a later time.

**4. Receive Beth Shelton for a presentation on Harvey County Economic Development Council activities**

Shelton reported on the Harvey County Economic Development Council (EDC) budget for 2021. The EDC is requesting \$7,500 from North Newton in 2021 which is the same amount they requested in 2020. Their budget includes a substantial amount for travel and with the recent pandemic there has been much less travel. The EDC is brainstorming a way to give a portion of this unused money back to the municipalities. Currently the Lippert building in North Newton is the only manufacturing space to market in Harvey County. The EDC is actively promoting this location for potential businesses.

**5. Receive Chuck Regier for an update on the Entrance Signage Project**

Chuck Regier reported that he took the information discussed at the Council Work Session and the Entrance Signage Committee meeting and came up with the following three locations for entrance signs.

1. 36<sup>th</sup> and Anderson – This sign would be the “flagship” site and would be located near the new hiking/biking path. Some additional ideas to consider would be to place a bench, drinking fountain, landscaping and a plaque commemorating the new path near this sign.

2. North entrance to North Newton, 36<sup>th</sup> and K-15 – This sign would be located near the I-135 exit ramp. This sign would be located in the KDOT right-of way if permission is granted by KDOT. If not it would be located in the Prairie Restoration area that North Newton owns.

3. South entrance to North Newton, K-15 and Old Highway 81 – Regier identified three options where this sign could be located. Two options would be located on the east side of K-15 and one option would be located on the west side of K-15. There are numerous challenges with both locations on the east side: drainage and underground utility issues, potential K&O Railroad or KDOT right of way issues and possible negotiation issues with residential property owner for land where sign would be located. The location on the west side of K-15 would be west of the sidewalk and we would need permission from Mid-Kansas Cooperative. Regier stated this would enhance the drab entrance with the pylon, limestone retaining wall and landscaping. George Kreivens, architect for the project, stated he recommended the west side sign due to the many variables with the locations on the east side. The proposed west sign will make the intersection more pleasing to the eye as people enter North Newton.

There was council discussion about pursuing the first two signage locations and waiting on the south entrance sign. Braun suggested moving forward with the signs at 36<sup>th</sup> and Anderson and 36<sup>th</sup> and K-15 and asked that the owner of Mid-Kansas Cooperative be contacted about possible permission for this sign location. Braun then asked council for consensus to move forward on the sign project. Council was in support and recommended the south entrance sign be located on the west side of K-15. Torline stated that he would contact Mid-Kansas Coop and noted that they have been agreeable to work with in the past. Braun told Regier to proceed forward and work with Torline about contacting KDOT regarding the right-of-way issue near the I-135 exit ramp.

## **6. Discuss North Newton’s response to the current coronavirus pandemic**

Braun spoke of the national emergency that COVID-19 has caused. Currently there has been a resurgence of positive cases and the state is setting records for new cases daily. The Governor encourages people to wear face masks but hasn’t set the mandate for wearing face masks. Governor Kelly has given authority at the local level to make decisions regarding wearing face masks. Attorney Nye has drafted Ordinance 636-20 requiring citizens in North Newton to wear face masks or other face coverings and also provides for certain exemptions. Braun asked Nye to read draft Ordinance 636-20 so everyone listening would know exactly what is included in the ordinance. Nye read the draft ordinance and then Braun opened the meeting to public input. There were several citizens that chose to speak about this issue.

Phil Kliewer stated he supports the ordinance and asked who would enforce it.

Nye reported that if the ordinance passes the Police Department would be responsible to enforce the ordinance. However, the goal of the ordinance is to educate and encourage and not hand out tickets.

Monty Graber stated he was incredibly impressed with the ordinance and blessed to be living in a community that is interested in public health. He asked that council give the Police Department masks to be handed out to those that need them instead of giving tickets.

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Braun replied that we will go the extra mile and give masks to those that need them.

Matt Schloneger applauded the City Council and Nye for their good work and echoed Graber's positive comments.

Sara Dick reported that at her place of employment, Newton Et Cetera Shop, masks have been required for 9 weeks. She recognizes it is hard work wearing a mask but hopes wearing masks will help the financial and economic impact that COVID-19 has had on our community and schools. She is supportive of taking steps to slow the spread of the virus.

Braun thanked the residents for their comments and asked for feedback from the Council. Ratzlaff stated that James Krehbiel, CEO of Bluestem Communities, is in support of the ordinance requiring wearing masks. Councilman Campbell and Councilman Goering stated that numerous people had contacted them and everyone was supportive except one person. Councilman Dick stated Dr. Jon Gering, President of Bethel College, was supportive of this ordinance. Friesen asked if this will generate 911 calls. Braun asked Chief Jordan to comment and Jordan stated there is a high probability that these calls will happen. Dick suggested the ordinance state that if there are questions about the ordinance, residents should call the city administrative number. Friesen stated the goal should be to wear masks and not generate 911 activity.

Braun asked Jordan for his comments on the ordinance. Jordan stated when law enforcement get involved in the enforcement it becomes complicated. The ordinance is controversial and both sides have science to support their theory. He feels like the ordinance criminalizes one side and that people will be upset with the police department. Nye stated that it is an infraction and not a crime. Jordan went on to say that this issue divides people. He wants law enforcement to bridge the gap and not cause more division. Jordan desires to take the heat on this issue and not his patrol officers. Braun stated that he and the council will stand with the Police Department and support their efforts.

Friesen recommended giving out face masks instead of tickets and that the administrative phone number be added to the ordinance to try to alleviate calls to 911.

**MOTION:** Campbell moved, Goering seconded, to adopt Ordinance 636-20 requiring face masks in North Newton with added language to include the administrative phone number. Motion carried unanimously.

Nye stated Ordinance 636-20 will take effect as soon as it is published in the Harvey County Now which could be as soon as this coming Thursday.

## **7. Conduct 2021 budget work session**

Torline stated a couple of months ago we estimated approximately a \$100,000 shortfall for 2020 in sales tax receipts, gasoline tax receipts and interest on investments. Since then we have received more revenue in sales tax than expected so we revised the shortfall estimate to \$75,000. The 2021 budget doesn't contain any significant increases and there is no cost of living raise for 2021. We are proposing an increase in the City's share of employees' healthcare costs from 70% to 80%, at an estimated cost of \$8,300. Also in the budget is a \$20,000 expenditure for part time office help. The mill levy will stay flat in 2021. In order to keep the mill levy flat we are transferring monies from the sewer fund to support the general fund. Typically the excess sewer monies are transferred to our reserve funds. Torline stated the extra money available in the sewer fund is a result of going our own way a few years ago. Torline doesn't recommend we make this a habit of excessively transferring money from sewer to the general

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fund. In the event that revenues exceed our projections, the transfers to the General Fund will be reduced accordingly.

There was council discussion about hiring extra staff if needed and money for playground equipment. Torline stated tonight the council either approves or amends the proposed budget. The budget will then be published in the official newspaper and a hearing will be set for the August 10 council meeting. After the public hearing, the council can either accept the budget or decrease the budget but can't raise the budget at that time.

MOTION: Ratzlaff moved, Dick seconded, to accept the proposed 2021 budget as presented and approve publication and set a public hearing for August 10. Motion carried unanimously.

Torline thanked Redding for her work on the 2021 budget.

## 8. Reports

a. **Mayor/Council.** Braun reported that he and Torline attended the Public Wholesale Water District meeting and proposed connecting to the wholesale water supply line and pump raw water to our water treatment facility. This would help perfect the wells and we would be actually using the water that is our share. The member cities voted to allow North Newton to proceed with this plan and get an engineering study completed. Torline will be pursuing an engineering firm and bring the information to council for approval. Braun and Torline also met with the City of Newton regarding a sewer agreement. Braun reported that progress is being made and they had a positive discussion.

Goering reported that the current asset balance of the North Newton Community Foundation (NNCF) is \$427,682. Goering reported that approximately \$115,000 has been donated by the Central Kansas Community Foundation to the COVID Relief fund.

Campbell stated that John Waltner requested the City consider parking issues around Bethel College Mennonite Church prior to the return of the Bethel College students. Torline, Campbell and Jordan will meet to discuss this issue.

Braun asked for updates on the construction projects around North Newton. Ratzlaff reported that Kidron Bethel has one duplex in progress and the therapy facility construction started last week. Dick reported that the softball clubhouse at Bethel College is in progress and will be a nice addition to the campus. Torline stated the hiking/biking trail has been well received and is being well used. Concrete still needs to be poured in the woods behind North Woods Plaza. There will be an inaugural event at some time in the future and we are working on a sign to acknowledge those involved in the project. Torline estimated it is around 75% completed. There was some discussion about signs along the hiking/biking trail to have walkers stay to the right so bikers can pass safely.

b. **Staff Update.** Torline reported that the Police Department is planning to purchase body cameras for the patrol officers at a cost of \$6,875. This expenditure will come out of the Equipment Reserve fund. Braun asked for a motion from council to approve this expenditure.

MOTION: Friesen moved, Goering seconded, to approve the purchase of body cameras for the Police Department at a cost of \$6,875. Motion carried unanimously.

Public Works Director Entz reported that one half our water meters are twenty plus years old. Older meters typically run slower and can lose water. Last year we spent \$4,700 on new meters and Entz is estimating we will spend that amount again this year. Entz stated we typically do a street sealing project

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every other year. In 2019 we did more street sealing and repairs than usual so in 2021 Entz is purposing to fix the concrete on Witmarsum West and do some repairs on 30<sup>th</sup> Street bridge. Entz hired Mike Schmidt as a meter reader and he started last month. Justin McBeth is doing a lot of mowing and spraying for weeds.

Jordan reported that the body cameras that he wants to purchase are made by the same company that makes our in car video systems. The body camera footage will integrate with the in car video system which will be a nice feature in court. Jordan reported that our "Use of Force Policy" along with all police department policies are up to date with case law. Jordan stated his department has an extensive operating procedure manual. Braun wants to make sure the public is aware of this and that we continue to stay current on these policies. Jordan stated the charging station has had twenty-six charges during the month of June.

Attorney Nye had nothing additional to report.

- c. **Clerk/Treasurer.** Redding presented accounts payable and payroll for consideration.

MOTION: Dick moved, Ratzlaff seconded, to receive the July accounts payable and miscellaneous checks in the amount of \$314,278.77 and June/July payroll in the amount of \$28,350.20. Motion carried unanimously.

9. **Adjournment.**

There being no further business Mayor Braun declared the meeting adjourned at 9:51 p.m.

  
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City Clerk

  
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Mayor

August 10, 2020  
Date Approved