

**MINUTES**  
**North Newton City Council – Regular Meeting**  
**September 14, 2020 - 7:00 P.M.**  
**North Newton City Hall**

**1. Call to Order**

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

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

**STAFF:** John Torline, Danny Entz, Greg Nye, Randy Jordan and Pat Redding

**OTHERS:** Mike Schmidt, Jane Schmidt, Gwen Neufeld, Adam Strunk, Addie Voth, Cindy Hiebert and Brian Rousseau

**2. Minutes of Previous Meeting**

Minutes of the August 10, 2020, Regular Meeting were presented.

**MOTION:** Ratzlaff moved, Goering seconded, to approve the August 10, 2020 minutes as presented. Motion carried unanimously.

**3. Citizen Comments**

Adam Strunk, 2509 Rosewood Avenue, spoke about his frustrations with the trash service. The last two weeks his trash has been left in his yard. After inquiring about the problem he was told the bags weren't tied correctly.

**4. Consider a Resolution setting a time and date to hold a Public Hearing on the annexation of six tracts of land.**

Torline reported that council members have all received information about a potential annexation of six tracts of land. These tracts all are on the west side of Anderson Avenue. Torline has been in contact with Prestressed Concrete and they are interested in expanding their operations at the Newton plant. Expansion could involve a request for rezoning by Harvey County. Prestressed Concrete has also inquired about water services from North Newton. Torline met with a representative of Prestressed Concrete and their attorney approximately 60 days ago. Torline stated in the meeting that in exchange for water services North Newton would require annexation of their property. North Newton would also require screening along Anderson Avenue and drainage issues addressed. There have been no further conversations with Prestressed Concrete since that time.

City Planner Nye reviewed the Report setting forth Plans for Extension of Services. Nye explained this would be a unilateral annexation to straighten the boundaries of North Newton. There are two properties along Anderson Avenue that have already been annexed into the city limits of North Newton. If council decides to pursue this annexation they will need to pass a resolution setting a public hearing. All the property owners will be sent a notice of the public hearing. The public hearing will allow interested parties to express their opinions and then

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council will be asked to vote regarding the annexation. There was much discussion among the council members.

MOTION: Friesen moved to table the decision until we talk with the property owners. The motion failed for lack of a second.

Torline stated that the businesses that are proposed to be annexed would all be able to receive city services. These businesses have been using Anderson Avenue, a city street, all these years without paying any taxes to maintain the street. There is much at stake in this annexation and if North Newton wants to have any say in future development in this area Torline recommended these properties be annexed into North Newton. Annexation does not change the zoning status.

MOTION: Ratzlaff moved, Goering seconded, to adopt Resolution 375-20 setting a Public Hearing on the annexation of 6 tracts of land. Motion carried. Councilman Friesen voted no.

**5. Receive a report from Councilman Campbell on the installation of playground equipment**

Councilman Campbell reported that he and Councilman Ratzlaff have been meeting with a group of young mothers and listening to their requests for more playground equipment in North Newton. Campbell presented a quote from VersaSport of Kansas for upgraded equipment at the Tot Lot on Goldenrod. There would be five to six pieces of equipment which would serve children from 2-12 years of age. The proposed cost is \$67,000. The other proposal was for a new park somewhere in the Campus Woods area. This park would have five pieces of equipment and would be appropriate for younger children. The proposed cost for this park is \$48,000. Both parks would be built on a rubber surface of recycled tires. Neither of these quotes included any shade structures or fences. There was further council discussion about location and costs. Braun asked Campbell to get costs for extra amenities and come back to council with another proposal in October.

**6. Consider approval of the proposed change in Bylaws for the Newton/North Newton Historic Preservation Commission**

Newton and North Newton jointly sponsor the Newton/North Newton Historic Preservation Commission (N/NNHPC). The updated Bylaws for the N/NNHPC have been approved by the N/NNHPC and the Newton City Commission.

MOTION: Dick moved, Goering seconded to approve the Newton/North Newton Historic Preservation Commission Bylaws. Motion carried unanimously.

**7. Consider the appointment of a voting delegate and alternate to the annual meeting of the League of Kansas Municipalities.**

The League of Kansas Municipalities Conference will be virtual this year. The dates of the conference are October 13-16.

MOTION: Friesen moved, Dick seconded to appoint City Clerk Redding as the voting delegate and Mayor Braun as the alternate to the annual meeting of the League of Kansas Municipalities.

Mayor Braun encouraged council attendance at the League Conference.

**8. Consider adopting the 2020 Uniform Public Offense Code.**

Attorney Nye reported that every year the Standard Traffic Ordinance and the Uniform Public Offense Code are updated and council is asked to approve the changes. Nye summarized the changes to the 2020 Uniform Public Offense Code (UPOC) and recommended passing the 2020 UPOC version. These changes bring us in compliance with recent legislative changes.

Nye stated there were no changes in the Standard Traffic Ordinance since 2019 so there is no need for a new ordinance.

MOTION: Ratzlaff moved, Friesen seconded, to adopt the 2020 UPOC giving it Ordinance No. 638-20. Motion carried unanimously.

**9. Consider the purchase of a Hybrid Patrol Vehicle**

Torline reported that Chief Jordan had presented a vehicle replacement schedule to council in February 2019. The next scheduled purchase was a Ford Explorer in January 2021. In March the Police Chief communicated with Torline that North Newton had the opportunity to join Newton in their purchase of police vehicles. Newton had been waiting for a year on the delivery of their vehicle so the car needed to be ordered soon to receive it by January 2021. Torline stated he evidently gave Jordan the authority to order the vehicle thinking the final decision would come at a later time. This item never was approved by council but Torline has learned the car is ready to be delivered. There is a contribution by an anonymous donor that will be applied to this purchase. Torline stated the funds will come out of Equipment Reserve. The vehicle is a 2020 Ford Police Interceptor for a fully equipped cost of \$53,000. There was council discussion about this purchase and the replacement schedule. Braun asked Jordan to update the replacement schedule.

MOTION: Friesen moved, Goering seconded, to approve the purchase of the Hybrid Patrol Vehicle. Motion carried unanimously.

Jordan stated he would like to keep the Dodge Charger that is being replaced and have Officer Rousseau and the part time officers drive this vehicle. Braun stated that he was under the assumption that we would sell the vehicle and put this money back into the Equipment Reserve account. Braun asked Jordan and Torline to come back to council with a proposal in October.

**10. Reports**

a. **Mayor/Council.** Mayor Braun reported that at 6:00 there was a Policing Meeting at City Hall. One resident attended and it was an opportunity for dialogue. Braun reminded everyone the mask ordinance is still in effect in North Newton. Braun stated that Newton and North Newton have agreed on a Sewer Agreement and Water Agreement. These agreements will come to council for final approval. Braun is requesting a Special Meeting to review and to take action on the Sewer Agreement and Water Agreement. The meeting was set for September 22 at 7:00 pm at City Hall.

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Councilman Goering reported that the asset balance of the North Newton Community Foundation (NNCF) is \$427,682. Of the \$20,000 in match funds provided by the City for 2020, \$3,000 remains to be matched for existing funds and \$10,000 is designated for the establishment of new funds. Goering also requested that signs be put up on the trail for everyone's safety.

**b. Staff Update.** Torline stated that he is compiling a list of all the sign requests from council and citizens. A list of trail etiquette will be included in the October 1 ECHO. Torline thanked Entz for putting up small stop signs at Lakewood Circle and Witmarsum West along the trail. White crosswalk stripes will be installed at 30<sup>th</sup> Street where the trail crosses the pavement. Torline reported there are additional embellishments along the trail that include benches and landscaping around pause points. Torline stated that the IRS issued a notice allowing employers to suspend withholding and paying the employees' Social Security payroll tax starting September 1. The City has opted out of the payroll tax holiday and notified employees of this decision.

Entz reported that the cross walk lines Torline mentioned are scheduled to be painted tomorrow. Vogts-Parga plans to start on the bike path extensions this week. Entz and McBeth have installed a water meter at the softball sports complex on the Bethel College campus. The concrete continues to deteriorate on Witmarsum West and Entz is looking into options to repair the problems.

Police Chief Jordan reported there were twelve vehicles that used the charging station this past month. Jordan highlighted the memo that council received from Jordan in response to Torline's memo regarding 24/7 coverage and police department salaries.

Nye had nothing additional to report.

**c. Clerk/Treasurer.** Redding presented September bills for payment.

MOTION: Dick moved, Friesen seconded, to receive the September accounts payable in the amount of \$173,537.81 and August/September payroll checks in the amount of \$27,791.19 as presented. Motion carried unanimously.

**9. Non-Agenda Items**

None presented

**10. Adjournment**

There being no further business, Mayor Braun declared the meeting adjourned at 9:54 p.m.

Patricia Redding  
City Clerk

Ronald A. Braun  
Mayor

October 12, 2020  
Date Approved