

CITY COMMISSION MEETING MINUTES
November 13, 2018

The Newton City Commission convened in regular session at 7:00 p.m. on November 13, 2018 at City Hall, 201 East 6th Street. Attending were Mayor Valentine, Vice Mayor Koehn, Commissioners Davis, Hague, and Kreie, City Manager Myers, City Attorney Towle, City Engineer/DPW Loomis, Director of Finance Pickman, Director of Communications McDaniel, Deputy Chief Roberson, Chief Murphy and City Clerk Duerksen. Assistant City Manager McElroy was absent.

Pastor Chip Bungard with 1st Baptist Church provided the invocation. The Mayor then led in the Pledge of Allegiance and presided over the items of business.

CONSENT AGENDA

1. **Consider approval of the minutes of the October 23 meeting and November 8 agenda review.**
2. **Mayor's Appointment: Convention & Visitors Bureau Board – Andy Ortiz, term ending 8-30-2020.**

MOTION: Commissioner Hague moved and Vice Mayor Koehn seconded to approve the consent agenda. Motion carried.

REGULAR AGENDA

3. **Recognition of community service and achievement:**
 - A. **Recognize Newton High School state participants for Fall sports.**

The Commission recognized the Newton High School athletes and teams who competed in Fall State tournaments including cross country, volleyball, gymnastics, tennis and golf.

4. **Receive a request to close Main Street from 5th to 8th and West 7th Street from Poplar to Main for the Parade of Lights on December 6, 2018.**

MOTION: Vice Mayor Koehn moved and Commissioner Kreie seconded to approve closing Main Street on December 6, 2018. Motion carried.

5. **Receive the results of the Convention & Visitors Bureau photo contest.**

The winners of the CVB photo contest were presented. This year 200 entries for the open category and new landmark category were received. The landmark category was judged on appeal of image to possible visitors, technical merit and creativity. The 10 landmarks were Athletic Park, Bethel College, Centennial Park, downtown Newton, Harvey County Historical Museum, Kauffman Museum, Newton depot, the Old Mill, Sand Creek Trail and the Warkentin House. The open class was judged on technical merit, creativity, and relevance to Newton. The landmark photo winners will be hung at the Meridian Center.

6. General Obligation Bonds, Series 2018-A & Taxable General Obligation Bonds, Series 2018-B.

A. Receive and award the General Obligation Bonds, Series 2018-A to the best bidder.

Ben Hart with Springstead Incorporated, the City's Financial Advisor, presented the bid tabulation. He noted six bids were received representing 27 banks. The low bidder was The Baker Group, with a true interest rate of 3.5398%. The City received an "AA-" rating from S&P Global Ratings for each bonds series.

MOTION: Commissioner Davis moved and Vice Mayor Koehn seconded to award the bid to The Baker Group. Motion carried.

B. Consider an Ordinance authorizing and providing for the issuance of General Obligation Bonds, Series 2018-A.

An Ordinance authorizing and providing for the issuance of General Obligation Bonds, Series 2018-A, of the City of Newton, Kansas; providing for the levy and collection of an annual tax for the purpose of paying the principal of and interest on said bonds as they become due; authorizing certain other documents and actions in connection therewith; and making certain covenants with respect thereto was considered.

MOTION: Commissioner Kreie moved and Commissioner Davis seconded this Ordinance, assigned 4973-18, be approved as presented. Motion carried.

C. Consider a Resolution prescribing the form and details of and authorizing and directing the sale and delivery of General Obligation Bonds, Series 2018-A, authorized by Ordinance No. 4973-18.

A Resolution prescribing the form and details of and authorizing and directing the sale and delivery of General Obligation Bonds, Series 2018-A, of the City of Newton, Kansas, previously authorized by Ordinance No. 4973-18 of the issuer; making certain covenants and agreements to provide for the payment and security thereof; and authorizing certain other documents and actions connected therewith was considered.

MOTION: Commissioner Hague moved and Vice Mayor Koehn seconded this Resolution, assigned G-1193, be approved as presented. Motion carried.

D. Receive and award the Taxable General Obligation Bonds, Series 2018-B to the best bidder.

Ben Hart with Springstead Incorporated presented the bid tabulation. He noted five bids were received representing 27 banks. The low bidder was Country Club Bank with a true interest rate of 3.9937%.

MOTION: Commissioner Davis moved and Commissioner Kreie seconded to award the bid to Country Club Bank. Motion carried.

E. Consider an Ordinance authorizing and providing for the issuance of Taxable General Obligation Bonds, Series 2018-B.

An Ordinance authorizing and providing for the issuance of Taxable General Obligation Bonds, Series 2018-B, of the City of Newton, Kansas; providing for the levy and collection of an annual tax for the purpose of paying the principal of and interest on said bonds as they become due; authorizing certain other documents and actions in connection therewith; and making certain covenants with respect thereto was considered.

MOTION: Vice Mayor Koehn moved and Commissioner Hague seconded this Ordinance, assigned Ordinance No. 4974-18, be approved as presented. Motion carried.

F. Consider a Resolution prescribing the form and details of and authorizing and directing the sale and delivery of Taxable General Obligation Bonds, Series 2018-B, authorized by Ordinance No. 4974-18.

A Resolution prescribing the form and details of and authorizing and directing the sale and delivery of Taxable General Obligation Bonds, Series 2018-B, of the City of Newton, Kansas, previously authorized by Ordinance No. 4974-18 of the issuer; making certain covenants and agreements to provide for the payment and security thereof; and authorizing certain other documents and actions connected therewith was considered.

MOTION: Commissioner Kreie moved and Vice Mayor Koehn seconded this Resolution, assigned G-1197, be approved as presented. Motion carried.

7. Consider granting a revocable license to the First Church of God allowing an encroachment upon City ROW.

This revocable license allows the First Church of God permission to occupy the right-of-way in the parking lot. Stipulations for granting the agreement include installation of parking bumpers, nine-foot block outs at all entrances and exits for the site line, and any pavement in the right-of-way that is disrupted by the City, must be replaced by the Church at the sole cost to them. The Church is agreeable to the terms.

MOTION: Commissioner Hague moved and Vice Mayor Koehn seconded to approve the revocable license agreement with the First Church of God. Motion carried.

8. Environmental Code Review – receive draft code revisions.

Staff presented drafts of possible changes to the City’s Environmental Codes. These codes are the City’s primary tool in addressing nuisances, high grass and weeds, dilapidated structures and other environmental conditions. It was suggested and agreed that a work session be held to review each of the codes more in-depth.

9. Consider a Resolution amending the City's KORA Policy.

A Resolution providing for the maintenance, preservation, and protection of public records, establishing procedures for accessing and copying open public records, and designating the Freedom of Information Officer for the City of Newton, Kansas was considered.

This Resolution updates the City's existing KORA policy. Updates include accounting for hourly staff time spend processing requests, processing fees, exceptions providing for the waiver of fees, and delegating the City Manager to modify the policy to conform with KORA.

MOTION: Commissioner Davis moved Vice Mayor Koehn second this Resolution, assigned G-1195, be approve as presented. Motion carried.

10. Consider an amendment to the Memorandum of Understand with Habitat for Humanity.

This agreement authorizes funds to be redistributed to Habitat for Humanity as loan funds are collected. The agreement can be cancelled by the City at any time.

MOTION: Vice Mayor Koehn moved and Commissioner Hague seconded to approve the Memorandum of Understanding with Habitat for Humanity. Motion carried.

11. REAP Economic Development Summit:

A. Receive a report on the REAP Economic Development Summit.

Those attending the Summit reported on the importance of regionalism and working together; supporting each other in economic development efforts; and the importance of fighting for your community. It was noted, companies look for highway access, labor costs, access to skilled labor and quality of life when considering a site.

B. Consider a Resolution adopting principles of regional cooperation in economic development activities.

A Resolution setting forth the philosophical position of the governing body of the City of Newton, Kansas, with regard to regional economic development was considered.

MOTION: Commissioner Davis moved and Vice Mayor Koehn seconded this Resolution, assigned G-1196, be approved as presented. Motion carried.

12. Approve Amendment No. 2 to the Loan Agreement for the wastewater treatment plant improvements project.

This agreement amends the original agreement with the Kansas Department of Health and Environment for the wastewater treatment plant improvement project.

MOTION: Commissioner Davis moved and Vice Mayor Koehn seconded to approve Amendment No. 2 of the Loan Agreement with the Kansas Department of Health and Environment for the wastewater treatment plant improvements. Motion carried.

13. City Manager's Update.

- The 8-man football State championship will be held at Fischer Field November 24.
- The public works department is hosting an asset management workshop.
- City departments participated in the Halloween Walk and will have a float in the upcoming Parade of Lights.

14. Citizen's Forum.

Pam Stevens, Chamber Director, reported on the Taste of Christmas. Puzzle pieces were collected from 27 businesses to complete a picture of Newton. There were 95 puzzles turned in.

Ron Eggert, 2107 Sherwood Avenue, commended the Street Department for their fast work on the 14th & South Kansas Avenue intersection. He also thanked the Fire/EMS Department for their professionalism in responding to a recent call at his residence.

In other business, Veterans who serve in law enforcement were mentioned at the recent celebration at the Legion. The League regional suppers were held and there is a general sense that the legislature will try to whittle away at cities' ability to use home rule. The League will be supporting repealing the tax lid. Staff recently represented Kansas cities and made a presentation to the Transportation Task Force. The use of the Strong Towns model was suggested as a way to help with downtown development.

15. Adjournment

There being no further business, the meeting was adjourned at 8:31 p.m.



Mayor

ATTEST:



City Clerk