

**CITY COMMISSION MEETING MINUTES**  
**July 9, 2019**

The Newton City Commission convened in regular session at 7:00 p.m. on July 9, 2019 at City Hall, 201 East 6<sup>th</sup> Street. Attending were Mayor Valentine, Vice Mayor Koehn, Commissioners Davis and Kreie, City Manager Myers, Assistant City Manager McElroy, City Attorney Towle, City Engineer/DPW Loomis, Director of Finance Pickman, Director of Communications McDaniel, Chief Roberson, Interim Chief Dunlavy and City Clerk Duerksen. Commissioner Hague was absent.

Pastor Clint McBroom with the First Church of God provided the invocation. The Mayor then led in the Pledge of Allegiance and presided over the items of business.

**CONSENT AGENDA**

1. **Consider the minutes of the June 25 work session and regular meeting.**
2. **Mayor's appointment: Substance Abuse Board, Dan Heinze, term ending 4-30-2022.**

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

**REGULAR AGENDA**

The Commission recognized Newton wrestler Nick Treaster, who recently won a national championship and a runner-up medal at the USA Wrestling National Freestyle and Greco-Roman Championships. He will be a freshman at Newton High School this fall.

Newton School Resource Officer Jon Adkins was recognized for becoming certified as a National School Resource Officer Practitioner.

3. **Receive a report from NHS students on the STAND program in Newton schools.**

STAND is a youth leadership initiative of Mirror Inc. and is part of the Harvey County D-FY (Drug Free Youth) community coalition. Newton High School students Eli Redington, Savannah Hunsucker, Karly Green and Mallory Seirer from the STAND program, presented about the widespread use of e-cigarettes, especially Juul, among their peers. According to the Kansas Communities That Care survey, in 2018, 5.16 percent of Harvey County youth reported using e-cigarettes in the last 30 days. This year, that number is up to 11.89 percent. Among high school seniors alone, usage is 29.29 percent. The students said they don't believe their classmates fully understand the contents of e-cigarettes or the potential harmful effects on their developing brains. Students encouraged the Commission to raise the minimum age to purchase tobacco to 21. Raising the minimum age, they said, could significantly cut back on teen usage.

Staff was directed to bring back an ordinance for them to consider at the July 23 meeting. Similar ordinances have recently been adopted in Topeka and Garden City.

**4. Receive the 2020 budget request from Harvey County Health Ministries.**

Matthew Schmidt, CEO of Health Ministries, presented their 2020 budget request of \$40,000. In 2018, they served over 15,000 individual patients and completed 49,000 patient visits. Health Ministries has a direct financial impact on the local economy. Their ability to leverage local funding helps them receive significant levels of federal, state and private foundation dollars. They strive to be great partners/collaborators with other social services and health care related agencies in town.

**5. Consider a Resolution supporting operation of a rural life themed elementary school within the city limits, including the keeping of livestock in relation thereto, in the event the voters approve the funding for such a school.**

A Resolution declaring the approval of the governing body of the City of Newton, Kansas, for a new rural life center agricultural themed elementary school within the Newton city limits was considered.

The Newton School District is pursuing a bond election with two questions, the second of which pertains to construction of a new elementary school on the south side of the city. If Question 2 should pass, the Walton Rural Life School would be closed, and its agriculture-based program would be implemented in the new school. Current City Code already allows for the keeping of farm animals by an accredited educational institution and/or institutions operating under a U.S. Department of Agriculture license, so the Rural Life program likely could already operate legally within the city. The resolution simply provides a statement of policy and message of support for the program, should the voters decide to proceed with the bond issues and relocation.

**MOTION:** Commissioner Kreie moved and Commissioner Davis seconded this Resolution, assigned G-1213, be approved as presented. Motion carried.

**6. Consider the Notice of Hearing for the 2020 Budget with a not to exceed budget amount.**

**MOTION:** Commissioner Davis moved and Vice Mayor Koehn seconded to table this item until the next meeting. Motion carried.

**7. Discuss directing staff to initiate a text amendment process to the City's zoning regulations in relation to murals and requesting the Planning Commission's recommendations in that regard.**

Recent activities to promote murals on exterior walls of buildings in the City, and particularly in the historic downtown district, have served to illustrate the need to make adjustments to the current sign regulations to avoid the unintended impacts upon murals. Right

now, the existence of any text in a planned mural could cause it to fall under the definition of a “sign” and add another layer of cost and regulation to a planned mural. Staff recommends that a process be started for consideration of text amendments to the sign regulations to address these issues. This issue would first go to the Planning Commission with the recommendations coming back to the Commission for action.

**MOTION:** Vice Mayor Koehn moved and Commissioner Kreie seconded to direct the Planning Commission to consider amendments to zoning regulations regarding signs and murals. Motion carried.

**8. Receive a report from the Fire/EMS Chief and Police Chief on July 4th activity.**

Both Chief’s reported their departments had very little fireworks related activity. The fire department responded to three fireworks incidents. The police department responded to 47 fireworks related calls, which was down from last year. They did not have to make any arrests or issue citations.

**9. Receive an update on the sewer upsizing projects and Sand Creek dam.**

The sewer upsizing projects were delayed because only one contractor bid on them. Projects must be done when the contractor can fit them into their schedule. Contractors have now started work on the 8<sup>th</sup> Street sewer upsizing project. Notices have been distributed to property owners along the construction route. This project should be complete in August. Enlarging the sewer line, which is currently at capacity, will improve flows in the area and allow for additional in-fill development in central Newton. Following completion of this project, the contractor will move on to the Old Main sewer upsizing. Staff is beginning the notification process for that project because it will be started when school is underway.

After recent high-water events, City parks staff noticed the rubber bladder on the adjustable inflatable dam appeared to have a problem on the north side. The air inflation equipment is now struggling to keep up, which could indicate a significant leak. This bladder has been in service since the 1980s. The dam was scheduled to be lowered in August for a sewer upsizing project, so the creek will now remain drained until that project is complete. Staff will evaluate the dam and determine next steps.

**10. Receive a report from the City Attorney regarding Senate Bill 105, which pertains to the date on which City Commissioners take office.**

Senate Bill 105 has provided additional flexibility to determine the date on which newly elected officials can take office. Currently, they take office on the second Monday in January. This change allows the City to set the commencement date as early as December 1<sup>st</sup>. Consensus of the Commission was to bring back a resolution having elected officials take office at the first scheduled meeting in December.

**11. Citizen's forum**

Edward Myers, 921 N. Spencer, spoke to the Commission about the old salvage yard along Kansas Avenue. He asked the City help to get rid of the junk vehicles on the sidewalk, noting these vehicles are health hazards. Pictures of the area were distributed to the Commission.

Cierra Twitchell, 511 East 8<sup>th</sup>, asked if there was something that could be done to help with the drainage around her property, which is surrounded by three different railroad tracks and water drains to her property. She shared pictures of her property when it rains.

**12. Conduct an executive session to discuss acquisition of real estate.**

There was no need for an executive session.

**13. City Manager's Update**

- There are now four applications for the new home construction incentive program.
- At the REAP quarterly convening, broadband access will be discussed. Senator Jerry Moran is now confirmed as a presenter.
- The Society of Decorative Painters had a photo shoot at the Warkentin house for their fall issue of their national quarterly magazine.
- The Fire/EMS Department is sponsoring another Fueled By The Fire Run on September 21.

The City has been approached by a citizen about acquiring some residential property currently owned by the City. More information will be brought on this at a future meeting.

**14. Adjournment**

There being no further business, the meeting adjourned at 8:24 p.m.

  
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Mayor

ATTEST:

  
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City Clerk