

**CITY COMMISSION MEETING MINUTES**  
**June 27, 2017**

The Newton City Commission convened in regular session at 7:00 p.m. on June 27, 2017 at City Hall, 201 East 6<sup>th</sup> Street. Attending were Mayor Hague, Vice Mayor Nygaard, Commissioners Davis, Koehn and Valentine, City Manager Myers, City Attorney Towle, City Engineer/DPW Loomis, Director of Community Planning and Development Bergeron, Director of Communications McDaniel, Chief Metzler, Chief Murphy, and City Clerk Duerksen.

Pastor Donna Voteau with Trinity Heights Church provided the invocation. The Mayor then led in the Pledge of Allegiance and presided over the items of business.

**REGULAR AGENDA**

1. **Consider the minutes of the June 13 work session and regular meeting.**

**MOTION:** Commissioner Davis moved and Commissioner Koehn seconded to approve the minutes. Motion carried.

2. **Recognition of community service and achievement:**

- A. **Recognize the recipients of the Newton High School Distinguished Alumni award winners Dr. Charles Craig, Sarah Morris Masem and Vernon Rickman (deceased). Introduced by Dr. Deborah Hamm, USD 373 Superintendent.**

Dr. Charles Craig, class of '63, Sarah Morris Masem, class of '96 and Vernon Rickman, class of '47 were recognized as the 2017 NHS Distinguished Alumni for 2017.

- B. **Recognize Charlie Triggs for his work in developing the Drivers Education Consequences program in conjunction with the Kansas Highway Patrol, the Newton Police Department and the Newton Fire/EMS Department, and for his 50 years in education at Newton High School from which he is retiring. Introduced by Newton Fire/EMS Chief Scott Metzler.**

Chief Metzler presented a plaque to Charle Triggs, who was recognized for his work in developing the Drivers Education Consequences program in conjunction with the Kansas Highway Patrol, Newton Police Department, and Newton Fire/EMS, and for his 50 years working in education. Newton is the only school in Kansas that has such a program.

3. **Consider a Resolution amending the cemetery rules and regulations.**

A Resolution adopting revised rules, regulations, fees and costs as to Greenwood & Restlawn cemeteries; and repealing prior Resolution No. G-895 was considered.

The last time the Cemetery Rules and Regulations were updated was in 2004. A draft copy of the proposed changes has been provided to the funeral homes and Concrete Vaults, Inc. for their comments. Most of their suggested changes have been incorporated into the regulations.

The most notable change is that the City will now allow services on Saturdays following official holidays, for an additional fee.

**MOTION:** Commissioner Davis moved and Commissioner Valentine seconded this Resolution, assigned G-1172, be approved as presented. Motion carried.

#### **4. Planning Commission – Sign Ordinance**

At their June meeting the Planning Commission reviewed an amendment to the newly adopted sign ordinance. The amendments include changes in a table for Newton and an addendum for North Newton. The Planning Commission unanimously approved the proposed changes.

##### **A. Receive the recommendation of the Newton/North Newton Area Planning Commission on revisions to the sign regulations.**

**MOTION:** Commissioner Koehn moved and Commissioner Valentine seconded to receive the recommendation of the Newton/North Newton Area Planning Commission. Motion carried.

##### **B. Consider an Ordinance repealing Ordinance 4933-17.**

An Ordinance repealing Ordinance No. 4933-17 pertaining to sign regulations for the City of Newton, Kansas was considered.

**MOTION:** Vice Mayor Nygaard moved and Commissioner Koehn seconded this Ordinance, assigned 4937-17, be approved as presented. Motion carried.

##### **C. Consider an Ordinance adopting the sign regulations.**

A joint Ordinance of the cities of Newton and North Newton amending Article XI of the Zoning Ordinance of the cities of Newton, Kansas and North Newton, Kansas, pertaining to sign regulations was considered.

**MOTION:** Commissioner Davis moved and Commissioner Valentine seconded this Ordinance, assigned 4939-17, be approved as presented. Motion carried.

#### **5. Consider amendments to the City Code in response to recent changes in State law.**

The proposed Ordinances update language to the City Code to comply with legislation that is effective July 1, 2017. Changes include: A. An increase in the penalty for seatbelt violations to \$30 with no court costs with \$20 of the fine to be forwarded to the State's new Seatbelt Safety Fund, which will fund seatbelt safety programs for children; B. An amendment to the definition of Domestic Battery to include two people in a dating relationship who do not

live together; C. Reduces the severity of a possession of drug paraphernalia offense from a Class A violation to a Class B violation.

**A. Consider an Ordinance amending the STO to increase the penalty for seatbelt violations.**

An Ordinance amending Article 1 of Chapter XXI of the Code of the City of Newton, Kansas, pertaining to traffic regulations, to add and include a new Section 21-102.7 amending Section 182.1 of the 2016 Edition of the Standard Traffic Ordinance for Kansas Cities, as incorporated by reference pursuant to Section 21-101 of said code was considered.

**MOTION:** Commissioner Koehn moved and Commissioner Valentine seconded this Ordinance, assigned 4940-17, be approved as presented. Motion carried.

**B. Consider an Ordinance amending the UPOC in regard to Domestic Battery.**

An Ordinance amending Article 1 of Chapter XVII of the Code of the City of Newton, Kansas, pertaining to public offenses, to add and include a new Section 17-102c amending Section 3.1.1 of the Uniform Public Offense Code for Kansas Cities, as incorporated by reference pursuant to Section 17-101 of said code was considered.

**MOTION:** Commissioner Valentine moved and Commissioner Davis seconded this Ordinance, assigned 4941-17, be approved as presented. Motion carried.

**C. Consider an Ordinance amending the City Code in regard to Drug Paraphernalia.**

An Ordinance amending Article 3 of Chapter XVII of the Code of the City of Newton, Kansas, pertaining to public offenses, amending Section 17-302 of said code was considered.

**MOTION:** Commissioner Davis moved and Vice Mayor Nygaard seconded this Ordinance, assigned 4942-17, be approved as presented. Motion carried.

**6. Receive an update on the dog park fund raising.**

The Centennial Dog Park continues to be very popular. Since the grand opening, the Rotary Club purchased \$968.20 of bricks to be used for fund raising efforts at the park and promoted donations among their membership. City crews are planning to begin building the entryways to the big dog area and the sidewalk at the small dog area in November with the pavers. As donations come in, Caring Hands Humane Society will provide the forms to Park staff who will then have the brick engraving done. As of May 31, the Newton Dog Park Project fund has \$8,788 in the account. \$1,000 of those dollars was donated specifically for agility course equipment. The partners agreed the first amenity they wanted to fund was a large shelter building. The cost of that structure is \$11,000. A little over \$3,000 is needed to meet that goal.

**7. Citizen's Forum.**

Pam Stevens, Chamber of Commerce, reported on Main Street Mainia. Due to bad weather, the activities planned for downtown were cancelled. Despite the cancellation of the kickoff event, the sidewalk sales persevered. Over 900 tickets were turned in for the five prize drawings.

Betty Lanzrath, Grand Central Chair, clarified rumors going around town are not true and their doors are not going to shut by July 1<sup>st</sup>. They are currently working with the Newton Recreation Commission to form a partnership.

**MOTION:** Commissioner Davis moved and Vice Mayor Nygaard seconded to add establishment of the City Manager's compensation to the agenda as a new business item. Motion carried.

**MOTION:** Commissioner Davis moved and Commissioner Valentine seconded the City Manager's compensation be established at a base salary amount of \$145,000. In addition, the City Manager will receive an annual vehicle allowance of \$5,000 and will have the right to cash out not more than two weeks of unused vacation a year. These provisions shall be locked in for a period of two years. All other benefits will be identical to those provided to all other city employees pursuant to adopted personnel policies. Motion carried.

In other business, it was noted that Stutzman donated all material for the downtown planters, which had some acts of vandalism. They have replaced those plants and the City expressed gratitude to them for their work. An update on a previous discussion with the owner of Fox Meadow Apartments regarding water charges was given. Staff will look at the matter further and bring back a recommendation.


## 8. Adjournment.

There being no further business to come before the Commission, the meeting was adjourned at 7:49 p.m.



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Mayor

ATTEST:



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City Clerk