

CITY COMMISSION MEETING MINUTES
July 25, 2017

The Newton City Commission convened in regular session at 7:00 p.m. on July 25, 2017 at City Hall, 201 East 6th 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 Finance Pickman, Director of Community Planning and Development Bergeron, Director of Communications McDaniel, Chief Metzler, Chief Murphy, and City Clerk Duerksen.

A moment of silence was observed. 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 27 work session and regular meeting.**
2. **Street closings/City services:**
 - A. ***Sand Creek Benefit Volleyball Tournament*** – Close Athletic Park Circle on August 18-20 from 3:00 p.m. to 9:00 p.m.
 - B. ***Sand Creek Cardboard Regatta*** – Close Athletic Park Circle & 5th Street bridge on August 19 from 11:00 a.m. to 3:00 p.m.
 - C. ***Duck Derby*** on August 19 – use of five waste bins from Sanitation Department
 - D. ***Fall Homecoming Parade*** – Close 1st Street from Beverly to Grandview; Grandview from 1st Street to Park entrance on September 29 from 4:50 p.m. to 5:30 p.m.
 - E. ***11th Annual Chili Cook-off*** – Close West 6th Street, Main to Poplar on September 30 from 9:00 a.m. to 2:00 p.m.
3. **Mayor's appointments: Planning Commission - James (Jaime) Ontiveros & Jay Sommerfeld terms ending 4-30-2020; Substance Abuse Board – H. Joe Kukula, term ending 6-30-2020.**

MOTION: Commissioner Davis moved and Commissioner Valentine seconded to approve the consent agenda. Motion carried.

REGULAR AGENDA

4. **Recognition of community service and achievement:**
 - A. **Recognize Val Gleason, President and CEO of the Newton Medical Center, and Newton native Laura Ice, Deputy General Counsel and Assistant Secretary of Textron Financial Corporation, who are recipients of 2017 Women In Business awards by the Wichita Business Journal.**

Val Gleason and Laura Ice were recognized as recipients of the 2017 Women in Business Awards. Gleason serves as President and CEO of Newton Medical Center. She is known as a transformation leader, who is able to help craft a vision of an organization's future, and build a culture of commitment to that vision and to the providing of excellent patient and constituent services.

Ice serves as Deputy Counsel for Textron Financial Corporation. She is a native Newtonian and represents the fourth generation of a family of attorneys, which spans back to 1893. She has been an integral part of expanding the global reach of Textron, which currently does business in over 80 countries across the globe.

5. Receive a presentation regarding domestic violence from the Victim/Witness Coordinator Terri Headrick and NPD Detective Brandon Deck.

Terri Headrick, Victim/Witness Coordinator and Branden Deck, NPD Detective presented information on their work in the community with domestic violence victims. The Domestic Violence Response Team was started in 2010 as a pilot program with grant funding from the State. Cases filed by the prosecutor have remained around 176 filed each year, but the dismissal rate by the courts has gone from 65% down to 24%. The team works hard to develop relationships and trust with the victims, which takes time, as well as helping with safety plans, and offering support to the victims.

6. Receive the Economic Development Council quarterly report.

Beth Shelton, EDC Director, presented the quarterly report. The Garner Study was presented at the annual meeting and some recommendations will be used as the EDC moves forward with recruitment and marketing. Currently, they are working on community videos as part of their marketing tool. Shelton noted more effort has been focused on working together on a regional basis, especially with the Greater Wichita Partnership.

7. Consider a temporary alcoholic liquor permit for the 11th Annual Chili Cook-off to be held on West 6th Street (Main to Poplar) on September 30, 2017.

Rick Toews and Meressa Akers, Chili Cook-off co-chairs, presented the application for a temporary alcoholic liquor permit for the 11th Annual Chili Cook-off on September 30, 2017. They have met with City staff to outline the plan for fencing and security. A licensed vendor will handle the carding and oversight of the beer distribution. The perimeter of the area will be secure with a combination of fencing provided by the City (on areas deemed to be public access) and Regier Construction (across the Midland parking lot which is private property). Security will be provided at all gates. The addition of beer is a result of the direct response to feedback received from both attendees and non-attendees.

MOTION: Commissioner Davis moved and Commissioner Koehn seconded to grant the temporary alcoholic permit for the 11th Annual Chili Cook-off on September 30, 2017. Motion carried.

8. Consider the Notice of Hearing for the 2018 Budget with a not to exceed budget amount.

The notice of hearing for publication of the 2018 budget was presented. State Statute requires this to be published no less than 10 days before the official public hearing. The proposed budget has a not to exceed amount of \$51,703,973.00. The budget could be reduced below this amount, but it cannot go above it. The General Fund budget keeps most City services flat, but does include additional funds for capital improvements at Sand Creek Station Golf Course and for City equipment replacement. The official budget hearing will be August 8, 2017 at 7:00 p.m.

MOTION: Commissioner Davis moved and Vice Mayor Nygaard seconded to establish the public hearing for August 8 at 7:00 p.m. and set the not to exceed budget amount as \$51,703,973.00. Motion carried.

9. Autumn Glen 4th Addition sewer improvements:

A. Receive a petition for extension of sewer to serve Autumn Glen 4th Addition.

Staff has received a petition for sewer improvements in Autumn Glen 4th Addition from Developer, Ron Harder. Lots 1 through 8 already have water and street improvements. This would complete the infrastructure to allow the lots to be developed. Staff will work with the Developer's engineer on plans and specifications for the sewer, which will be brought back to the Commission at a later date.

MOTION: Commissioner Koehn moved and Commissioner Valentine seconded to accept petition. Motion carried.

B. Consider an Improvement Resolution finding it to be advisable and authorizing the extension of sewer to serve Autumn Glen 4th Addition.

This petition finds advisable and authorizes the construction of sanitary sewer lines to serve Lots, 1 through 8, Block 1, all in Autumn Glen 4th Addition, City of Newton, Harvey County, Kansas. The estimated probable cost of the project is \$107,000 with each lot in the improvement district to bear equal assessment.

MOTION: Commissioner Davis moved and Commissioner Koehn seconded this Improvement Resolution, assigned No. I-1173, be approved as presented. Motion carried.

C. Consider an Ordinance creating Sewer District 34-D.

An Ordinance creating Sewer District 34-D in the City of Newton, Kansas was considered.

MOTION: Commissioner Valentine moved and Vice Mayor Nygaard seconded this Ordinance, assigned No. 4943-17, be approved as presented. Motion carried.

10. Receive the recommendation of the Community Council on Police Facilities.

Tom Williams, Chair of the Community Council on Police Facilities, presented the recommendation of the council. They reviewed previous studies, meeting and work session minutes, reports and other background materials regarding the current and future needs of the Police Department. The topics they wanted to address were security and police recruitment. The recommendation of the group was to rehabilitate the existing space at this time to make more efficient use of the space, utilizing technology and other City and County buildings. A new HVAC system will be needed for the existing space, as well as windows and a renovated entryway. Lockers in the locker room will be replaced with larger models. Renovation will be done to the hallway to the Police evidence storage and the large room recently cleaned out to be utilized for the Drug Task Force. This will allow for four cubicles and a conference table in the space. Additional parking around the 129 East 7th building will be done. The proposal does not include secured parking or garage facility. The City and County will share in the cost of the improvements in a manner to be worked out by the Commissions. Obtaining better cost estimates for the improvements will take hiring an architect. A joint meeting with Harvey County is scheduled for August 22, 2017 at 5:00 p.m. at City Hall. The collaboration between the Police Chief and Sheriff on coming to a workable solution was noted.

MOTION: Commissioner Valentine moved and Vice Mayor Nygaard seconded to accept the recommendation of the Community Council on Police Facilities.
Motion carried.

11. Discuss the event policy.

Last week City staff met with organizers of many community events and discussed how the draft event policy with the proposed fees could affect their operations. Many organizers expressed appreciation for the services the City provides, but said absorbing the proposed fees would be difficult or impossible. City Manager Myers presented a new proposal which would establish two classifications of events: 1) Community events such as festivals, parades, concerts, charitable fund-raising events, and other events open to the public; and 2) Private events such as family reunions, block parties or business events for a specific set of invited guests. Under the proposal, fees for community events could be waived by the City Commission, except in the case of security fencing needed for events that serve alcohol or charge admission fees and for dedicated police or fire/EMS presence. Fees for private events, would not be subject to waiver. All events requesting City services would pay a \$25 application fee. Special events showcase the community for visitors and are an important amenity for residents. At the same time, it's important to know how much the associated services – closing streets, delivering picnic tables, etc. – are costing the City and taxpayers. Other possible requirements could include a refundable security deposit, which would be forfeited if necessary for the City to do site clean-up following an event; and required provision for restrooms for events lasting longer than two hours. After hearing from the public, it was suggested that events be required to have insurance coverage as well. Commissioners gave preliminary approval to a revised special events policy and fee structure based on recommendations. Staff will bring back a revised policy at the next City Commission meeting.

12. Consider improvements to the Warkentin House.

During the budget process in 2016, the Commission approved \$100,000 be allocated for work on the Warkentin House in the 2017 budget. Those dollars came from the Economic Development Sales Tax funds. Generally, preservation and keeping of the contents and operation are the responsibility of the Warkentin House Association and maintenance and up-keep of the structures and grounds has typically been the responsibility of the City. The structures are in need of painting. In 2016 a hail storm damaged the roof and guttering of the house and structures. Insurance has paid for the majority of the replacement. The reroofing has prompted the painting project to move forward. City staff is working on removal and replacement of wood rot at multiple locations on the house and priming and painting all the new spindles. The Warkentin House Board took action to donate \$10,000 from their savings toward the painting of the house if the Commission would commit to keep the house as a community asset well into the future. Staff would like to move forward with bidding out the painting project.

MOTION: Commissioner Davis moved and Commissioner Valentine seconded to authorize the improvements to the Warkentin House and accept the donation of funds from the Warkentin House Association. Motion carried.

13. Consider a Real Estate Sales Agreement with Standridge Color Corporation.

Standridge Color Corporation is planning an expansion of its manufacturing facility in the next four years and will require more lots. They want to secure the land as they begin their planning. The City will sell land in the industrial park to Standridge at \$8,000 per acre, for a total of \$54,720. The City will provide an easement for an additional rail spur on the north half of an existing transportation reserve. The City will need to vacate the utility and drainage easements that cross the lots they are purchasing.

The real estate sales agreement includes a “claw-back” provision that requires Standridge to pull a building permit for the development by September 1, 2021, or face losing the lots and easement back to the City. City staff emphasized, however, that Standridge has been an excellent community partner and there are no concerns about the project. The company has not requested any financial incentives for the expansion.

MOTION: Commissioner Davis moved and Commissioner Koehn seconded to authorize the Mayor to sign the Real Estate Sales Agreement with Standridge Color Corporation. Motion carried.

14. Receive a report of staff’s review for water rates for multi-family facilities with common water meters.

City Attorney Myers reported receiving more information late today from the owner of Fox Meadow and would like the chance to review it before making a report.

15. Citizen’s Forum.

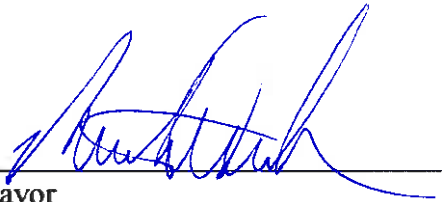
Mike Fellows, 805 Grandview, challenged the Commission to find ways to pare down expenses. He noted the Rec Commission is asking for more in taxes, yet they give discount memberships. He felt taxpayers should not have to pay for those discounts.

MOTION: Vice Mayor Nygaard moved and Commissioner Koehn seconded to recess to executive session to discuss matters of current litigation; the justification for closing the meeting is to confer with Senior Legal Counsel and the City Attorney to conduct discussions that are privileged under the attorney-client relationship, with the meeting to resume at 9:35 p.m. in the Commission Chambers. Motion carried.

The Commission recessed to executive session at 9:25 p.m. and returned to open session in the City Commission Chambers at 9:35 p.m. Mayor Hague announced no binding action was taken during executive session.


16. Adjournment.

There being no further business, the meeting was adjourned at 9:35 p.m.



Mayor

ATTEST:



City Clerk