

CITY COMMISSION MINUTES

January 11, 2005

The Newton City Commission convened in regular session at 7:00 p.m. on January 11, 2005 in the City Commission room at 201 East 6th Street. Attending were Mayor Heck, Vice Mayor Treaster and Commissioners Jones, Loescher and Scott. Also attending were City Manager Heinicke, City Attorney Myers, DPW/City Engineer Loomis, Community Development Director Johnson, PIO Balzer and Deputy Clerk Duerksen.

Mayor Heck provided the invocation and then led in the Pledge of Allegiance to the US Flag and presided over the items of business.

CONSENT AGENDA

1. Review minutes of December 14, 2004 meeting.

MOTION: Commissioner Loescher moved and Commissioner Scott seconded to approve the Consent Agenda as presented. Motion carried 5-0.

REGULAR AGENDA

2. Citizen's Forum.

There was no one wishing to speak.

3. Manager's Update.

- The City is coming up on the busiest year for projects. The stadium, Sand Creek, golf course, and intersections are just a few projects going on.
- A community forum will be held January 31 to gain citizen participation and input on city issues and future priorities.
- The Standridge Color Corporation project is still on target.
- Filing deadline for City Commission is January 25 at noon. Three positions are open.
- The PBC awarded the stadium renovation bid to Robl Commercial Construction in the amount of \$1,304,000.00. The lighting bid for Klein-Scott was awarded to Phillips Southern Electric in the amount of \$125,675.00.
- REAP met and will be focusing on three projects this coming year: Prairie Rose theme park, the casino project and Fair Fares.

4. Update on ice storm.

City Manager Heinicke reported on the ice storm and gave a timeline of events. Shelters were set up with Red Cross; street, park and water crews consolidated to clear streets through the night; law enforcement received 321 calls county wide; EMS/Fire received 259 calls; and 911 fielded 1,900 plus calls. By Thursday, the event

turned to clean up. DPW Loomis noted that crews are clearing debris from the snow priority routes first. Once those are clear, crews will begin clearing other collector and residential streets according to the maintenance area schedule starting with the southeast part of the city and moving to the southwest, then northeast to northwest. The City is utilizing 15 local private trucks and drivers with two high loaders. The City of Ark City and Dodge City are sending crews to help with clean up. Park crews are concentrating their efforts in the downtown core area and pruning as they go to assure healthy future growth on trees. After that area is complete they will begin clean up efforts in the cemetery and parks. City water division employees have been battling against debris piles and iced surfaces while reading water meters. Staff is estimating approximately 200 meter readings this billing cycle. That will be rectified on next months reading. Engineering inspection staff worked over the weekend to complete inspections for residents and have completed 170 electrical inspections since last Wednesday. Mayor Heck thanked employees for their efforts and a job well done. He also commended the County for their help. He asked that a letter of thanks be sent to Westar employees for their work.

5. Year-end review.

PIO Balzer presented the "2004: Year in Review" newsletter sent to Newton residents in the water bills. It highlights how the City has responded to the four top concerns/priorities from the 2003 survey.

6. Review a proposed Kansas Transportation Revolving Fund Loan Agreement for the financing of local street improvement projects and consider an Ordinance authorizing execution of the Loan Agreement.

The City has applied for funding from the Kansas Transportation Revolving Fund to help pay for the paving of Anderson from Southwest 14th to Southwest 24th. The loan amount is just under \$1.2 million. After reviewing the costs of the project, staff would like to negotiate with KDOT an increase in the loan amount for the full cost of the project. The interest rate will be 3.6%. An Ordinance authorizing the execution of a Loan Agreement between the City of Newton, Kansas, and the State of Kansas, acting by and through the Kansas Department of Transportation for the purpose of obtaining a loan from the Kansas Transportation Revolving Fund to finance a qualified transportation project; establishing a dedicated source of revenue for repayment of such loan; authorizing and approving certain documents in connection therewith; and authorizing certain other actions in connection with the Loan Agreement was considered.

MOTION: Commissioner Scott moved that this Ordinance, assigned 4522-05, be approved with staff authorized to negotiate an increase in the loan amount and incorporate it into the agreement. Commissioner Jones seconded the motion which carried 5-0. (This Ordinance is contained in Volume X of Ordinances.)

7. Receive bids and award contract for the south side storm sewer and associated drainage.

City Engineer/DPW Loomis noted these bids were for the construction of the south side interceptor and effluent line. This project will complete the first phase of the city's long-range plan for the sewage collection system to serve future development on the south side. She recommended awarding the bid to the low bidder Dondlinger Construction.

Bidder	Bid Amount
Dondlinger Construction	\$ 875,249.00
Midland Construction	\$1,198,786.00
Mies Construction	\$ 999,855.00
Nowak Construction	\$ 982,993.00
Stevens Contractors	\$1,188,975.00
Utility Contractors	\$1,042,690.00
W.B. Carter	\$ 905,207.00
Wildcat Construction	\$1,214,385.00

MOTION: Commissioner Loescher moved to approve the bids and award the contract to Dondlinger Construction in the amount of \$875,249.00. Vice Mayor Treaster seconded the motion which carried 5-0.

8. Receive bids and award contract for the golf course construction project.

City Engineer/DPW Loomis reviewed the bid process for the golf course. She stated golf courses are not like typical civil projects and nine valid bids were received. She recommended awarding the contract to Wadsworth Golf. It was noted that they would be utilizing local subcontractors.

Bidder	Bid Amount
Landscapes Unlimited LLC	\$4,240,156.16
SEMA Golf	\$4,128,136.14
Wadsworth Golf	\$4,185,945.06
Duinick Brothers	\$4,352,292.90
Daylen Inc.	\$4,302,317.68
United Golf	\$4,787,770.11
Wildcat Golf	\$4,702,762.45
Niebur Golf	\$4,705,856.34
American Civil Construction	\$5,014,024.50

MOTION: Vice Mayor Treaster moved to approve the bids and award the contract to Wadsworth Golf in the amount of \$4,185,945.06. Commissioner Jones seconded the motion which carried 5-0.

9. Receive bids and award contract for the south side interceptor and effluent line.

City Engineer/DPW Loomis recommended the bid be awarded to the low bidder, Utility Contractors, Inc. subject to EPA and the Kansas Historical Society approval.

Bidder	Bid Amount
Utility Contractors, Inc.	\$2,772,401.00
Mies Construction	\$2,819,612.50
Midlands	\$2,865,448.00
Dondlinger Construction	\$2,976,656.00
Nowak Construction	\$3,273,372.00
Wildcat Construction	\$3,395,967.00

MOTION: Commissioner Jones moved to approve the bids and award the contract to Utility Contractors, Inc. in the amount of \$2,772,401.00, subject to EPA and the Historical Society approval. Commissioner Scott seconded the motion which carried 5-0.

10. Receive bids and award contract for golf course bike path.

Part of the golf course community will be to extend a bike/walking path which will tie into the cart path. Loomis recommended awarding the bid to the low bidder, Major, Inc.

Bidder	Bid Amount
Bryant & Bryant Construction	\$ 68,812.50
Cornejo & Sons, Inc.	\$ 98,118.75
Kansas Paving/ConcSpec Inc.	\$ 94,506.75
Hwa Davis Construction	\$ 81,415.00
Diamond D. Ranch	\$ 81,367.85
Major, Inc.	\$ 49,756.65
Ritchie Paving Inc.	\$ 99,696.50
Smokey Hill LLC	\$ 93,179.23
Vogts Construction	\$ 56,299.75
Galyon Brothers Construction	\$107,366.15

MOTION: Commissioner Scott moved to approve the bids and award the contract to Major Inc. in the amount of \$49,756.65. Commissioner Loescher seconded the motion which carried 5-0.

11. Consider an agreement for the extension of stormwater sewer improvements to serve Victoria Centre Addition.

Developer, Ron Harder, wishes to enter into an agreement with the City to extend stormwater improvements to serve Victoria Centre, the commercial development on the east side of Stratford Place. The developer would deposit money into an escrow account and the City would assure the work is complete. No public funds would be used for this project.

MOTION: Commissioner Jones moved and Vice Mayor Treaster seconded to approve the Agreement as presented. Motion carried 5-0.

12. Consider a Resolution authorizing the survey of property as to the possible condemnation of land for drainage purposes in the Northeast Quarter of Section 19, Township 23 South, Range 1 East of the 6th P.M.

A Resolution determining the necessity of appropriating certain private property for use by the City of Newton, Kansas, and authorizing a survey and description of such property to be prepared and filed with the City Clerk was considered. Easement is needed to place restorative vegetation along the drainage slough east of Boyd. The County owns the property and has referred the matter to the Fair Board. Staff is confident they can get this negotiated and worked out, but needs to get the clock running in the unlikely event that does not happen.

MOTION: Vice Mayor Treaster moved and Commissioner Scott seconded that this Resolution, assigned G-909, be approved as presented. Motion carried 5-0. (This Resolution is contained in Volume E of General Resolutions.)

13. Old business.

City Attorney Myers reported that there are 17 cities who have joined the South Central Water Coalition. The Board of Delegates initial meeting has been set for February 3. He also noted he would be making a presentation to the Sierra Club on the water coalition.

PIO Balzer noted that the City would be hosting a student Leadership Day on Friday. Students will tour various departments to learn more about the City. City and County Commissioners have been invited to lunch with the students.

City Manager Heinicke reported January 29 is City Hall day at the Capitol. Commissioners interested in attending need to let staff know.

14. New business.

MOTION: Commissioner Loescher moved and Commissioner Jones seconded to recess to executive session for 10 minutes to discuss preliminary matters to obtaining acquisition of real estate. Motion carried 5-0.

The Commission recessed to executive session at 8:10 p.m. The Commission reconvened at 8:20 p.m. Mayor Heck announced no decisions were made and no action was taken.

15. Adjournment.

There being no further business to come before the Commission, the meeting was adjourned at 8:20 p.m.

Mayor

ATTEST:

City Clerk