

## **CITY COMMISSION MINUTES October 11, 2005**

The Newton City Commission convened in regular session on October 11, 2005 at 7:00 p.m. in the City Commission room at 201 East 6<sup>th</sup> Street. Attending were Mayor Heck, Vice Mayor Nightingale, and Commissioners Harris, Scott and Treaster. Also attending were City Manager Heinicke, City Attorney Myers, City Engineer/DPW Loomis, Community Development Director Johnson, PIO McDaniel, and Deputy Clerk Duerksen. Director of Finance/City Clerk Ahsmuhs was absent.

Pastor Mark Isaac, Koerner Heights Church, provided the invocation. The Mayor then led in the Pledge of Allegiance to the US Flag and presided over the items of business.

### **CONSENT AGENDA**

- 1. Review minutes of September 27, 2005 meeting.**
- 2. Mayor's appointments: Convention & Visitors Bureau – Monica Johnston, term ending 8-31-2007 & Daniel Winkle, permanent appointment.**
- 3. Receive plans and specifications for extension of waterline to serve SE 14<sup>th</sup> Street and set date and time to receive bids (November 8, 2005 @ 10:00 a.m.).**
- 4. North Dillons water and sewer improvements:**
  - A. Consider approval of an agreement for design engineering services between the City and MKEC for the North Dillons project and authorize the City Manager to sign the agreement.**
  - B. Receive petitions, plans and specifications for waterline and sanitary sewer improvements to serve North Dillons.**
  - C. Consider a Resolution finding advisable and authorizing the construction of a waterline.**

This Resolution finds advisable and authorizes the construction of a water line extension to serve Lot 14, J.M & T.P. Ragsdale's Subdivision of Block 1. The estimated cost of the improvement is \$50,000 with 100% to be assessed against the improvement district and 0% to be paid by the City at large. This Resolution is assigned No. I-1044, which is contained in Volume D of Improvement Resolutions.

#### **D. Consider an Ordinance creating Water District 2-C.**

This Ordinance creates Water District 2-C in the City of Newton, Kansas, is assigned No. 4546-05 and is contained in Volume X of Ordinances.

**E. Consider a Resolution finding advisable and authorizing the construction of a sanitary sewer.**

This Resolution finds advisable and authorizes the construction of a sanitary sewer line extension to serve Lot 14, J.M. & T.P. Ragsdale's Subdivision of Block 1. The estimated cost of the improvement is \$57,000 with 100% to be assessed against the improvement district and 0% to be paid by the City at large. This Resolution is assigned No. I-1045, which is contained in Volume D of Improvement Resolutions.

**F. Consider an Ordinance creating Sewer District 1-B.**

This Ordinance creates Sewer District 1-B in the City of Newton, Kansas, is assigned No. 4547-05 and is contained in Volume X of Ordinances.

**G. Set date and time to receive bids (October 27 @ 2:00 p.m.).**

**MOTION:** Commissioner Treaster moved and Vice Mayor Nightingale seconded to approve the Consent Agenda as presented. Motion carried 5-0.

**REGULAR AGENDA**

**5. Citizen's Forum.**

**A. Consider a proclamation declaring the week of October 16-22, 2005 as National Business Women's Week.**

Pat Curtis read the proclamation declaring the week of October 16-22, 2005 as National Business Women's Week.

**MOTION:** Commissioner Harris moved and Commissioner Scott seconded to approve the proclamation as presented. Motion carried 5-0.

**B. Receive a request to close Main Street on December 1 from 6:30-8:00 p.m. for the Parade of Lights sponsored by the Chamber of Commerce.**

The Chamber has requested that Main Street be closed on December 1 from 6:30-8:00 p.m. for their annual Parade of Lights. They are also requesting that West 7<sup>th</sup> Street between Main and Poplar and Poplar and Plum be barricaded to through traffic from 6:30-8:15 p.m. as well as a police escort to lead the parade.

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

**6. Manager's Update.**

- Erin McDaniel was introduced as the new PIO.
- The Harvey County Commission received a proposal on a destination casino in Harvey County. This would be a multiple entertainment complex. The County Commission agreed to an advisory election to determine if citizens favor the concept of a destination casino.
- The League conference was held in Wichita. Newton won a gold star for its performance on employee safety issues last year.
- The PBC met and approved the equipment acquisition for the golf course and bids have been sent out.
- Mayor Heck asked that a word of thanks be expressed to employees from the Commission for the safety record.

**7. Receive a recommendation from the Newton/North Newton Area Planning Commission to approve the Washington Park PUD.**

Community Development Director Johnson presented the Planning Commission's unanimous recommendation for the zoning amendment for the Washington Park PUD. The applicant requested a change of zoning for the property located on the west side of Washington Road/K/15, just south of the Pizza Hut from the current C-2 (General Business District) classification to a PUD (Planned Unit Development District) classification. The PUD classification requires that all proposed development within the classification be set forth in the site plan, and restricts development to those specifications, in this instance activity that would be allowed within a C-2 zoning classification. The size and shape of this property prevent its being developed efficiently or effectively, which is the reason the applications requested the PUD classification.

**MOTION:** Commissioner Treaster moved to accept the recommendation of the Newton/North Newton Planning Commission to approve the Washington Park PUD and that Ordinance 4548-05 be approved as presented. Commissioner Scott seconded the motion carried 5-0. (This Ordinance is contained in Volume X of Ordinances.)

**8. Receive the recommendation from the Newton/North Newton Area Planning Commission to approve the final plat for Robbins Nest.**

Community Development Director Johnson presented the Planning Commission's unanimous recommendation to approve the final plat for Robbins Nest. This property contains 4.043 acres and is located along the west side of South Kansas Avenue, directly across from the entrance to Fox Ridge Golf Course. The drainage plan has been approved by the City Engineer.

**MOTION:** Commissioner Scott moved to approve the final plat for Robbins Nest. Vice Mayor Nightingale seconded the motion which carried 5-0.

**9. Old business.**

Mayor Heck asked the Commission to email available dates in December for a work session to look into alternative methods of funding government.

**10. New business.**

Commissioner Harris commented on the destination casino proposal. She expressed her disappointment the County Commission did not let the City Commission know about this proposal sooner since Newton accounts for over half the voting population. She also felt 90 days was not enough time to educate the public on the economic and social impacts of this project. She questioned what information citizens will be provided to make an educated decision.

**11. Executive session.**

**MOTION:** Commissioner Scott moved and Commissioner Treaster seconded to go into executive session for 1 hour to discuss personnel matters. Motion carried 5-0.

The Commission recessed to executive session at 7:30 p.m. The Commission reconvened at 8:30 p.m.

**MOTION:** Commissioner Treaster moved and Commissioner Scott seconded to continue the executive session for 10 minutes. Motion carried 5-0.

The Commission returned to executive session at 8:30 p.m. The Commission reconvened at 8:40 p.m. Mayor Heck announced no decisions were made and no action was taken.

**12. Adjournment.**

There being no further business to come before the Commission, the meeting was adjourned at 8:40 p.m.

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Mayor

ATTEST:

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City Clerk