

CITY COMMISSION MINUTES
April 10, 2007

The Newton City Commission convened in regular session on April 10, 2007 at 7:00 p.m. in the City Commission room at 201 East 6th Street. Attending were Mayor Nightingale, Vice Mayor Heck, and Commissioners Harris, Scott and Treaster. Also attending were City Manager Heinicke, City Attorney Myers, Director of Finance/City Clerk Ahsmuhs, City Engineer/DPW Loomis, Community Development Director Johnson, PIO McDaniel and Deputy City Clerk Duerksen.

Pastor Heidi Regier Kreider with Bethel College Mennonite Church provided the invocation. The Mayor then led in the Pledge of Allegiance to the US Flag and presided over the items of business.

1. Review minutes of March 27, 2007 meeting.

MOTION: Vice Mayor Heck moved and Commissioner Treaster seconded to approve the minutes of the March 27, 2007 meeting. Motion carried 5-0.

2. Receive report on April 3, 2007 election results from the Harvey County Election Officer.

Director of Finance/City Clerk Ahsmuhs reported on the results of the General Election.

NAME	VOTES
Jim Nickel	1,690
Racquel Thiesen	1,499
Kim Harris	987
Walt Silvernale	793
Jason Mitchell	756
Veronica Mosqueda	713

The election results place Nickel and Thiesen in four-year terms and Harris in a two-year term.

3. Recognition of out going officials.

Marge Roberson, County Commissioner, thanked the outgoing Commissioner's for the vision shown in Newton and Harvey County.

Mayor Nightingale recognized outgoing Commissioners Matt Treaster and Grant Scott and presented them with a desk clock. He thanked them for their ability to look at things analytically and to be able to wade through the politics. Commissioner Treaster thanked staff for providing counsel, advice and a progressive vision. He also thanked the past and present commissioners. Commissioner Scott also expressed his thanks to staff and to the community for allowing him to serve two terms. He encouraged citizens to get involved.

The retiring Commission concluded business and adjourned sine die.

4. Administer Oath of the City Commission.

Director of Finance/City Clerk Ahsmuhs administered the Oath of Office to the newly elected City Commission. Mayor Nightingale convened the meeting of the City Commission.

5. Reorganization of Commission.

A. Consider the selection of Mayor for the ensuing year.

MOTION: Commissioner Harris moved and Commissioner Thiesen seconded to nominate Willis Heck as Mayor for the ensuing year. Motion carried 5-0.

B. Consider the selection of Vice Mayor for the ensuing year.

MOTION: Commissioner Harris moved and Mayor Heck seconded to nominate Jim Nickel as Vice Mayor for the ensuing year. Motion carried 5-0.

C. Consider designation of the official newspaper for the ensuing year.

MOTION: Mayor Heck moved and Commissioner Harris seconded to designate *The Newton Kansan* as the official newspaper for the ensuing year. Motion carried 5-0.

Mayor Heck presented Commissioner Nightingale with a plaque for his service as Mayor. He noted the major events, such as the sales tax, that Commissioner Nightingale was instrumental in and expressed appreciation for his sense of humor.

REGULAR AGENDA

6. Citizen's Forum

A. Receive a proclamation declaring April 27 as Arbor Day in Newton.

Hondo Collins, Park Horticulturist, noted that Newton has been a Tree City USA for 31 years. There are only eleven cities in the US that have retained their Tree City USA for that many years and Kansas has four of the eleven. He then read the proclamation.

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

B. National Day of Prayer Proclamation

Pastor Bender read a joint resolution and proclamation for National Day of Prayer to be held May 3, 2007. He invited everyone to attend the prayer meeting on the Courthouse lawn on May 3rd at 6:30 p.m.

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

C. Mayor's Prayer Breakfast Proclamation

Menno Isaac presented a proclamation for National Day of Prayer and a Mayor's Prayer Breakfast on May 3. The breakfast is being coordinated by the Newton Ministerial Alliance, Kiwanis, and Missional Church Network.

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

D. Asbury Park Tax Credit application

Tom Williams, Asbury Park CEO, reported they are submitting an application to the Kansas Department of Commerce for Community Service Tax Credits. The application process is very competitive and an endorsement by the City would give Asbury Park a higher priority. There is no financial obligation to the City with the endorsement.

MOTION: Commissioner Nightingale moved and Commissioner Harris seconded to authorize the Mayor to sign a letter of support for Asbury Park's tax credit application. Motion carried 5-0.

7. Manager's Update

- Sidewalks partially funded by the Sunflower Grant are under construction.
- Sand Creek Station Golf Course was featured in Golf Inc. magazine as a development success story.
- National Public Radio will be in town in June to do a segment on Newton history. Local citizens will be interviewed.
- The REAP board has voted to bring the Water Coalition into the REAP organization.

8. Receive Police Department annual report.

Police Chief Daily presented the 2006 annual report for the Police Department. He noted the increase in part-one offenses, calls for service and total reports written as well as the decrease in juvenile arrests and vehicle accidents. Special programs administered by the department include Citizen's Police Academy, Operation Lifesaver, Newton/National Night Out, Special Olympics Torch Run, and Citizen's Academy Alumni Association.

9. Overview of upcoming issues.

City Manager Heinicke presented an overview of some of the issues facing the Commission in the year ahead. Trash and recycling will require significant changes. The wastewater treatment plant operating permit will expire at the end of the year and improvements will need to be made to retain the license. The Commission will need to determine if the City's approach to recreation stays the same with the infusion of tax dollars, or if there are better ways to deliver recreation services. A decision on the course of action to take for the Fire/EMS station location will be needed. Finally, the Sand Creek bank restoration project is still waiting for approval from the Corps in order to begin the work. All these projects come with a substantial price tag.

10. Old business

Commissioner Nightingale asked that staff get started again with the sanitation issue. He suggested looking at other avenues such as privatization.

11. New business

Chief Denny reported the Technical Rescue Trailer would be on display following the meeting. Newton Fire/EMS entered into a partnership to provide technical rescue for all of Harvey County in exchange for the purchase of the trailer. Homeland Security money was used to purchase the trailer with the City contributing \$7,000.

Mayor Heck reported he has been receiving complaints from citizens regarding the LED sign on the south side of town. He asked if the Planning Commission could review the sign ordinances, specifically those dealing with LED signs. Community Development Director Johnson noted the ordinance does address the legality of the sign, but not the brightness. Wichita is working on regulations for LED signs right now and he will check with them to see what they have done.

MOTION: Commissioner Harris moved and Commissioner Nightingale seconded to recess to executive session for 10 minutes for the purpose of discussing matters pertaining to an economic development prospect which involves confidential information regarding its financial affairs and trade secrets. Motion carried 5-0.

The Commission recessed to executive session at 8:42 p.m. The Commission reconvened at 8:52 p.m. Mayor Heck noted no decisions were made and no action was taken.

12. Adjournment

There being no further business to come before the Commission, the meeting adjourned at 8:52 p.m.

Mayor

ATTEST:

City Clerk