

**CITY COMMISSION MINUTES**  
**June 12, 2007**

The Newton City Commission convened in regular session at 7:00 p.m. on June 12, 2007 in the City Commission room at 201 East 6<sup>th</sup> Street. Attending were Mayor Heck, Vice Mayor Nickel, and Commissioners Harris, Nightingale and Thiesen. 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 Administrative Secretary Rowan. Deputy City Clerk Duerksen were absent.

Pastor Phil Fisher with Trinity Heights United Methodist 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 May 22, 2007 meeting.
2. Mayors Appointments: Substance Abuse Board -Kathi Bogner, term ending 4-30-2010; Building Code Board of Examiners & Appeals, Greg Elder, term ending 4-30-2009.
3. Cottonwood Heights Addition
  - A. Receive petitions, plans and specifications for water and streets for Cottonwood Heights Addition.
  - B. Consider a Resolution finding advisable and authorizing the extension of water lines to serve Water District 20-B.
  - C. Consider an Ordinance creating Water District 20-B.
  - D. Consider a Resolution finding advisable and authorizing the extension of street pavement, curb and gutter and related appurtenances to serve Cottonwood Heights.
  - E. Set date and time to receive bids.

Mayor Heck declared removal of item #3, Cottonwood Heights Addition, due to lack of information provided by the developer for processing.

**MOTION:** Commissioner Nightingale moved to accept the Consent Agenda with the stated changes. Commissioner Thiesen seconded the motion. Motion carried 5-0.

**REGULAR AGENDA**

4. Citizen's Forum

No one appeared to speak.

**5. Presentation of Mini MPA Certificate to Erin McDaniel**

Lynne Schall of Wichita State University Hugo Wall School of Urban and Public Affairs presented a Mini MPA Certificate to Erin McDaniel. Ms. McDaniel is one of 148 professionals in local government in Kansas who has completed the certificate.

Ms. McDaniel stated the Mini MPA was a worthwhile program and encouraged others to attend.

**6. Manager's update**

- Two city staff accompanied the owners of the Chisholm Trail Center to Las Vegas for the International Council of Shopping Centers. They met with over a dozen prospects and Wichita developers.
- Harvey County referred citizens to the City to present their case for a horse arena and 4-H building and essentially promoting new fairgrounds. This would include several large buildings potentially built on the City's 71 acre site, which is higher than the County's land.
- Newton Recreation Commission held a community forum last week to look at recreational needs. Consensus was recreation needs abound but there is concern as to how to pay for everything. In the interest of evaluating all options, representatives of the NRC, City and USD 373 will tour a Wichita YMCA next week.
- Mayor Heck reported on the activities of REAP.

**7. Consider economic development proposal from Harvey County Economic Development Council.**

Mickey Fornaro-Dean, Executive Director of the Harvey County Economic Development Council, appeared to introduce a proposal for a local ethanol plant. She is requesting the City Commissioners, County Commissioners and other community leaders take a bus tour of a similar facility in Garnett, Kansas to become more educated on the project.

John Caffrey appeared to explain the project and answer questions. Since the potential Newton site is only approximately 25 miles from the ICM Colwich plant, he felt this would be an advantage for technology integrations, which is state of the art product and process design. New and better design and technology learned from the industry every quarter, can be applied. There would be an estimated 35 direct new jobs. The plant would run 24/7 with multiple shifts and minimal shut down days thru the year. It would take approximately 15-18 months for construction and would generate approximately 1,500 jobs for this process.

Mayor Heck relayed a question from a citizen about a standard for carbon emissions and if that standard would be met by the plant.

Mr. Caffrey explained carbon monoxide is created in any kind of combustion and in this purposed unit, a thermal oxidizer would consume and incinerate carbon monoxide at a

temperature of 1400F degrees. He guaranteed the plant would stay under the required limitations of the EPA and KDHE.

Since this is a County project, Mayor Heck asked Mr. Caffrey what he specifically wanted from the City of Newton.

Mr. Caffrey stated the specific site the company is looking at is directly west of the existing capped Harvey County Landfill yet south of the BNSF rail line. This particular site presents opportunities such as utilizing the City's effluent waste water. While it doesn't supply a large cost savings for the plant, it does very specifically project a more green, recyclable, renewable image to the plan, operation of the plant and to the community. Those are the primary reasons for utilizing the effluent water as much as possible. This matter will need to be discussed with the City of Newton.

Another citizen question was the amount of drinking water to be used in addition to the effluent water, since 300,000 gallons of water would be needed daily.

Mr. Caffrey stated the effluent water would be filtered through an osmosis system and a minimal amount of city water would be needed.

Vice Mayor Nickel inquired how the truck traffic would be handled.

Mr. Caffrey said a good estimate is 100 trucks a day and the routing of the truck traffic is manageable.

Commissioner Nightingale reiterated the concern with fresh water being taken and Mr. Caffrey explained this plant would be run on milo, which takes less water than corn to process.

Mayor Heck was impressed with the research of other things, such as grass or wheat stalk that may be used in the future for this process.

With no further questions from the bench, Mayor Heck asked Mr. Caffrey about a timeline for this project.

Mr. Caffrey gave an aggressive date of December 31, 2007 for the beginning of moving dirt and the pouring of concrete for foundations by March of 2008, allowing the production of ethanol by the end of 2008. He was optimistically hopeful that permits could be obtained so quickly.

Mayor Heck stated the Commission would be interested in touring a facility.

Mickey Fornaro-Dean reported ICM received the Governor's Award of Excellence in 2006 for the entire state.

**8. Receive outside agencies 2008 budget request:**

**A. Newton Public Library**

Bob Grant appeared and presented the 2008 budget request for the Library amounting to \$635,618.

**B. Chisholm Trail Festival**

Ed Griswold, Board Chairman for the Chisholm Trail Festival, appeared and requested \$7,000 for 2008.

**C. MidCap**

Marion Nichols, Community Service Director for Mid-Kansas Community Action Program, appeared and presented the 2008 budget requesting \$12,000 for utilities.

**D. Health Ministries**

Tina Payne, Executive Director of Health Ministries Clinic, appeared and presented their request of \$15,000 for their 2008 budget.

**E. Newton Area Arts Council**

Matthew Schloneger, NAAC chairperson, appeared and presented their request of \$8,266 for their 2008 budget.

Commissioner Nightingale inquired of the location of each performing art group.

Mr. Scholoneger provided the requested information.

**9. Planning Commission Security Storage Addition**

**A. Receive the recommendation of the Newton-North Newton Area Planning Commission for the final plat for Security Storage Addition.**

**B. Approve the final plat for Security Storage Addition.**

Tim Johnson, Community Development Director, reported the Planning Commission reviewed the final plat for property along the west side of Meridian, south of First Street. The property contains approximately 2.749 acres and will retain its current zoning of C-2 (General Business District). The Planning Commission approved the final plat contingent upon the drainage plan being approved by the City Engineer.

**MOTION:** Commissioner Harris moved, Commissioner Nightingale seconded to receive the recommendation of the Newton/North Newton Area Planning Commission for Security Storage Addition. Motion carried 5-0.

**MOTION:** Commissioner Harris moved, Commissioner Nightingale seconded to accept the final plat for Security Storage Addition. Motion carried 5-0.

**10. Receive bids on excess City property on West 5<sup>th</sup> Street.**

**MOTION:** Commissioner Nightingale moved, Commissioner Thiesen seconded to accept the highest bid of \$3,000 for the property subject to the bidders executing a standard real estate purchase contract. Motion carried 5-0.

**11. Receive report from Story Corps activities in Newton.**

Mayor Heck reported Story Corps is an organization that records oral history in communities and is sometimes then played on national public radio. He has been asked to be

a part of this for Newton with Ted Ice as his partner. There will be a total of six couples participating and sharing experiences about Newton. There is no legal or financial obligation to the City. Story Corps is underwritten by the Kansas Health Foundation, a \$2,500 expenditure. This is scheduled for June 19<sup>th</sup> at the library, with approximately an hour reserved for each couple. Mayor Heck/Ted Ice's time slot is 11 a.m. to 12 p.m.

**12. Old business**

There was none.

**13. New business**

Commissioner Harris proposed the agendas for the Building Code, Plumbing and Electrical Boards be sent by email. Mayor Heck reported it was already in the works.

**14. Adjournment**

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

---

Mayor

ATTEST:

---

Deputy City Clerk