

CITY COMMISSION MINUTES
August 14, 2007

The Newton City Commission convened in regular session at 7:00 p.m. on August 14, 2007 in the City Commission room at 201 East 6th Street. Attending were Mayor Heck, Vice Mayor Nickel, Commissioners Harris and Thiesen, City Manager Heinicke, City Attorney Myers, Director of Finance/City Clerk Ahsmuhs, City Engineer/DPW Loomis, Community Development Director Johnson, PIO McDaniel, Chief Denny, Chief Daily and Deputy City Clerk Duerksen.

Pastor Jim Anderson with First Presbyterian Church provided the invocation. The Mayor then led in the Pledge of Allegiance and presided over the items of business.

CONSENT AGENDA

1. Review minutes of July 24, July 26 & August 3, 2007 meetings.
2. Sand Creek Station water & sewer, Phase II
 - A. Receive petitions for water, sewer and streets and plans and specifications for extension of water and sewer to serve Sand Creek Station, Phase II.
 - B. Consider Engineering Agreements with Baughman Company for the design and construction staking engineering services for water, sewer and streets to serve Sand Creek Station Addition.
 - C. Consider a Resolution finding advisable and authorizing the extension of water to serve Water District 24-C.

This Resolution finds advisable and authorizes the construction of water lines to serve Lots 11-26, Block E, Sand Creek Station Addition. The estimated cost of the improvement is \$49,066.88 with 100% of the cost to be assessed to the improvement district and 0% to be paid by the City at large. This Resolution is assigned I-1095 and is contained in Volume D of Improvement Resolutions.

- D. Consider an Ordinance creating Water District 24-C.

This Ordinance creates Water District 24-C in the City of Newton, Kansas, is assigned Ordinance No.4634-07 and is contained in Volume Y of Ordinances.

- E. Consider a Resolution finding advisable and authorizing the extension of sewer to serve Sewer District 15-B.

This Resolution finds advisable and authorizes construction of sanitary sewer to serve Lots 1-19, Block E of Sand Creek Station Addition. The estimated cost of the improvement is \$140,579.55 with 100% to be assessed against the improvement district and 0% to be paid by the City at large. This Resolution is assigned I-1096 and is contained in Volume D of Improvement Resolutions.

- F. Consider an Ordinance creating Sewer District 15-B.

This Ordinance creates Sewer District 15-B in the City of Newton, Kansas, is assigned Ordinance No. 4635-07 and is contained in Volume Y of Ordinances.

- G. Set date & time to receive bids on water & sewer (August 28 @ 10:00 a.m. is suggested).
- 3. Consider Engineering Agreements with MKEC for streets and sidewalks to serve Springlake Addition.
- 4. Springlake Streets
 - A. Receive petitions, plans and specifications for the construction of streets to serve Springlake Addition.
 - B. Consider a Resolution finding advisable and authorizing the extension of streets.

This Resolution finds advisable and authorizes the extension of street pavement, curb, gutter and incidental drainage improvements in Springlake Addition. The estimated cost of the improvement is \$647,000.00 with 92.7% to be assessed against the improvement district and 7.3% to be paid by the City at large. The Resolution is assigned I-1097 and is contained in Volume D of Improvement Resolutions.

- C. Set date & time to receive bids (August 28 is suggested).
- 5. Springlake Sidewalks/Bikepath
 - A. Receive petitions, plans and specifications for the construction of sidewalks/bikepath in Springlake Addition.
 - B. Consider a Resolution finding advisable and authorizing the construction of sidewalks/bikepath.

This Resolution finds advisable and authorizes the construction of sidewalk and walking path improvements in Springlake Addition. The estimated cost of the improvement is \$140,000.00 with 72.1% to be assessed against the improvement district and 27.9% to be paid by the City at large. This Resolution is assigned I-1098 and is contained in Volume D of Improvement Resolutions.

- C. Set date & time to receive bids (August 28 is suggested).

MOTION: Commissioner Thiesen moved and Commissioner Harris seconded to approve the Consent Agenda as presented. Motion carried 4-0.

REGULAR AGENDA

- 6. Citizen's Forum

- A. Receive a request to close Main Street from 5th Street to 7th Street on October 4, 2007 from 11:00 a.m. to 10:00 p.m. for the Taste of Newton event for use of trash receptacles, picnic tables and welcome flags.

Camille Schrader, Chamber of Commerce, requested Main Street be closed on October 4 from 11:00 a.m. to 10:00 p.m. They would like the street barricaded at 5th & Main to 7th & Main, West & East Broadway at the alleyways, West 6th at the alleyway, and East 6th to just west of the Bank of America parking lot. They would also like use of 66 trash barrels, 60 picnic tables and the Welcome flags out.

MOTION: Commissioner Thiesen moved and Vice Mayor Nickel seconded to approve the request as presented, subject to KDOT approval for closing Main Street. Motion carried 4-0.

7. Manager's update

- Park Electrochemical has announced that they will construct a manufacturing facility at the Airport. They will manufacture advanced composite materials. The City was able to use the new sales tax to commit to a \$500,000 forgivable loan.
- The Newton Pro Am was held July 31. Newton Community Foundation was the sponsor of the event and will get the proceeds from the tournament.
- Harvey County conducted a hearing on a proposed ethanol plant. If the proposal is approved, some City involvement will be required.
- The City received a \$15,000 grant from the Sunflower Foundation.
- Mayor Heck reported a Resolution supporting the inclusion of US 50 in the State long range transportation plan has been sent to cities along US 50.

8. 2008 Budget

City Manager Heinicke reviewed the 2008 budget. Significant enhancements include one clerical support position in the Law Department; a one-time increase in Fire/EMS for paramedic training; the potential purchase of additional cemetery property, which will require additional maintenance staff; an increase in Airport funding and upgrades to Hangar J. The total budget will increase less than five percent despite serving additional homes and businesses, more miles of streets, water lines, and sewer lines and increased emergency calls. Use of the sales tax revenue will continue, with 50 percent used to maintain the reduced mill levy and 50 percent used for infrastructure projects and economic development.

- A. 7:00 p.m. conduct the public hearing on the 2008 budget.

Mayor Heck opened the public hearing at 7:16 p.m. There being no one to speak, the hearing was closed at 7:17 p.m.

- B. Formally adopt the 2008 budget.

MOTION: Vice Mayor Nickel moved and Commissioner Harris seconded to adopt the budget for 2008 as published. Motion carried 4-0.

- C. Consider an Ordinance authorizing the levying of taxes for 2008.

An Ordinance attesting to an increase in tax revenues for Budget Year 2008 for the City of Newton, Kansas was considered.

MOTION: Commissioner Harris moved and Vice Mayor Nickel seconded this Ordinance, assigned 4636-07, be approved as presented. Motion carried 4-0. (This Ordinance is contained in Volume Y of Ordinances.)

9. Consider a Resolution supporting inclusion of US 50 improvements in the State long range transportation plan.

A Resolution concerning the need for improvements to US Highway 50 and prescribing the position of the Governing Body of the City of Newton, Kansas that improvements to U.S. Highway 50 should be incorporated into the next State of Kansas Long Range Transportation Plan was considered. The US 50 Task Force is working with all the cities and counties along US 50 from Emporia to the Colorado state line to ask for improvements. A meeting with the Legislators of this area is being scheduled for October.

MOTION: Commissioner Thiesen moved and Vice Mayor Nickel seconded this Resolution, assigned G-993, be approved as presented. Motion carried 4-0. (This Resolution is contained in Volume of F of General Resolutions.)

10. Consider a change to the sidewalk policy.

City Engineer/DPW Loomis gave an overview of the Sidewalk Replacement Program. The program entails giving financial assistance to property owners who have received a notice from the City to make repairs to their sidewalks. The City will pay up to \$2.50 per square foot of sidewalk replaced, up to a maximum of \$500 per street frontage, if a resident signs up for the program. The program has been very popular. Vice Mayor Nickel has requested the Commission consider changes regarding which properties are eligible for city contributions. Currently the program allows all properties to receive city dollars if they participate in the program through the construction bidding process. Should a property owner wish to have all panels replaced for aesthetics, those panels not in the notice would have to be paid for by the property owner.

Vice Mayor Nickel noted he brought this up because the cost was more expensive than originally thought. He was for repairing sidewalks, but questioned whether rental properties should receive the same benefit because the properties are used for making income. Commissioners questioned the budgeted amount of the program for 2008. Loomis informed them it was \$70,000 and for 2007 only \$30,000 was budgeted. Following further discussion, the Commission decided to leave the program as it currently is and re-evaluate it next year.

Commissioner Harris questioned how the number of street lights are determined on a street. She thought Broadway was dark. Loomis said there is a policy and she could review the street in question. It was also noted that a lot of street lights along the west side of the interstate are out.

11. Old business

Mayor Heck noted one use of the economic development part of the sales tax money was for the Park Electrochemical Corp. He then discussed the City Manager search process. He and Commissioner Thiesen have reviewed all the proposals submitted and have selected

two to interview. Commissioner Thiesen gave a summary of their process. Five companies submitted proposals: Austin-Peters, Richard Chesney, Organizational Consultants, The Waters Group and the Mercer Group. Components looked at in the proposals included creating a profile, advertising the position, whether they would help in the interview, commitment in advertising the position, screening applicants, providing media updates, what kind of community involvement would be included, negotiating a contract, if they had worked with other cities our size, and then the fee involved. The two firms selected to be interviewed are Austin-Peters and Organizational Consultants (Robert Saunders). The costs for the firms are \$9,500 plus expenses for Austin-Peter and \$10,800 plus expenses for Organizational Consultants. Dates to conduct the interviews were discussed. Consensus of the Commission was to have a special meeting on Tuesday, August 21 p.m. at 6:00 for the first interview and 7:15 p.m. for the second interview. If this date does not work, a second date would be Monday, August 20. A contract could be worked out and brought for consideration at the August 28 meeting.

12. New business

City Manager Heinicke noted a meeting with the Senior Center has tentatively been set up for August 28 prior to the regular meeting.

Mayor Heck suggested having a study session at the end of the third quarter to review the budget. This would be a good opportunity to see where the City stands in terms of spending. This will be placed on the October 23 agenda.

13. Adjournment

There being no further business to come before the Commission, the meeting adjourned at 8:00 p.m.

Mayor

ATTEST:

City Clerk