

CITY COMMISSION MEETING MINUTES
October 10, 2017

The Newton City Commission convened in regular session at 7:00 p.m. on October 10, 2017 at City Hall, 201 East 6th Street. Attending were Mayor Hague, Vice Mayor Nygaard, Commissioners Davis, Koehn and Valentine, City Manager Myers, City Attorney Towle, Director of Finance Pickman, Director of Community Planning & Development McElroy, Director of Communications McDaniel, Chief Metzler, Chief Murphy and City Clerk Duerksen. City Engineer/DPW Loomis, was absent.

Rev. Donna Voteau with Trinity Heights Church provided the invocation. The Mayor then led in the Pledge of Allegiance and presided over the items of business.

REGULAR AGENDA

- 1. Consider the minutes of the September 26, 2017 meeting and the October 5, 2017 agenda review minutes.**

MOTION: Commissioner Davis moved and Vice Mayor Nygaard seconded to approve the minutes. Motion carried.

- 2. Recognition of community service and achievement:**

Joey Young and Bruce Behymer reported on the Blues, Brews & BBQ event held in Athletic Park on October 7. The event was very successful and went as planned. There were over 1,000 people in attendance. The Parks Department and CVB were praised for their help in making the event successful.

- 3. Receive a proclamation declaring the week of October 15-21, 2017 as Newton B.P.W. Women's Week.**

Ellen Yokum, Past BPW State President, read the proclamation declaring October 15-21 as Newton B.P.W. Women's Week.

MOTION: Vice Mayor Nygaard moved and Commissioner Valentine seconded to accept the proclamation as read. Motion carried.

- 4. Receive a recap of recent community events.**

Melody Spurney, CVB Coordinator, reported on the recent events taking place on October 7 in the community. The Red Hot Chili Pepper run started off the day and had 81 participants this year, with two-thirds of those being from outside Harvey County. Following that event, the 11th Annual Chili Cook-Off was held. There were 34 booths this year with approximately 1,000 people in attendance. That same evening the Ain't No Joke Food Truck Rally took place. There were attendees from eight different counties in Kansas who enjoyed food from 13 vendors.

5. Safe Hope open house requests.

- A. Consider a request to close Oak Street between 4th and the alley on October 24 from 4:30-6:30 p.m. for the Safe Hope open house & for use of trash receptacles and snow fencing.**

MOTION: Commissioner Koehn moved and Commissioner Valentine seconded to approve the street closing, snow fencing and trash receptacles for the Safe Hope open house. Motion carried.

- B. Consider a temporary alcohol permit for the Safe Hope open house on October 24, 2017.**

MOTION: Commissioner Koehn moved and Vice Mayor Nygaard seconded to approve the temporary alcohol permit for the Safe Hope open house. Motion carried.

6. Consider a Resolution of Support for a TIGER XI Grant application in support of the Southwest Chief passenger rail service and consider additional funding support of \$12,500 toward the local match.

A Resolution encouraging efforts to maintain the Southwest Chief passenger service through the states of Kansas, Colorado and New Mexico, and pledging financial participation in the Colfax County New Mexico TIGER XI Grant application match was considered.

In 2014 and 2015, the cities along the Southwest Chief route were successful in obtaining a total of \$27.6 million in TIGER grant funding from the U.S. Department of Transportation for track rehabilitation, primarily in Kansas and Colorado. Now the third phase is beginning – applying for an additional TIGER grant for the track portion primarily in New Mexico. Track conditions between Newton and Raton have deteriorated, and Amtrak had said that if significant improvements were not made to the tracks, it would divert the Southwest Chief to run south from Newton, bypassing western Kansas and Colorado. Cost for the needed repairs is estimated at \$50 million. The transportation departments from Kansas, Colorado and New Mexico have each pledged \$1 million to the project and BNSF and Amtrak have each pledged \$3 million for the 26% match needed for the grant. Cities along the route have been asked to pledge \$12,500 for the purpose of showing local governmental support of the project. This amount will not be paid if the grant application is not successful.

MOTION: Vice Mayor Nygaard moved and Commissioner Valentine seconded this Resolution, assigned G-1176, be approved as presented. Motion carried.

7. Consider a Resolution to accept the donation of land from MJE, LLC Addition.

A Resolution approving a real estate donation agreement concerning the conveyance of certain real property to the City of Newton, Kansas was considered.

Max Jantz was the subcontractor for dirt work on the Anderson and US-50 interchange project. He is now wanting to liquidate the property on the SW corner of the interchange. Mr.

Jantz would like to give the land west of the frontage lots to the City. He would retain Lot 1 and 2. The property includes two drainage ponds that will serve as backup irrigation sources for Sand Creek Station Golf Course, who will handle the mowing of the area.

MOTION: Commissioner Koehn moved and Commissioner Valentine seconded this Resolution, assigned G-1177, be approved as presented. Motion carried.

8. Standridge Color Corporation Expansion

A. Consider an agreement to extend the closing date of City's land sale to Standridge.

This agreement pushes the closing date for the sale of land owned by the City to December 1, 2017. The City must remove specific encumbrances - drainage and utility easements, as well as certain covenants that need to be addressed prior to the closing.

MOTION: Commissioner Valentine moved and Commissioner Koehn seconded to approve the agreement to extend the closing date with Standridge Color Corporation. Motion carried.

B. Consider a resolution initiating the process of vacating certain encumbrances against the land.

A Resolution initiating the vacation of certain easements located in the City of Newton, Kansas, as further identified herein, and ordering the City Clerk to give notice thereof was considered.

MOTION: Vice Mayor Nygaard moved and Commissioner Valentine seconded this Resolution, assigned G-1178, be approved as presented. Motion carried.

9. Consider an agreement with Harvey County for the Law Enforcement Center.

This agreement with Harvey County breaks down the cost sharing to hire WDM Architects for a proposed remodel of the Law Enforcement Center. Under the agreement, the cost of design services shall not exceed \$241,000, with the City responsible for two-thirds (\$160,666.67) and the County one-third (\$80,333.33). The Harvey County Commission will consider the agreement at its October 16 meeting.

MOTION: Commissioner Valentine moved and Vice Mayor Nygaard seconded to approve the agreement with Harvey County for the Law Enforcement Center. Motion carried 4-1 with Commissioner Davis voting Nay.

10. Citizen's Forum.

Alfred Rodriquez, 1110 S. West Road, asked the City to help fix a drainage issue in Royer West. When it rains, water drains from the field across the road onto their properties causing flooding. The water is washing away the root system from the trees, and leaves water standing, causing health concerns. He noted residents in the Royer West area spend a lot of time

and money cleaning up all the debris that runs off from the field. Staff will check into the issue and report back to the Commission.

David Bridge, 1116 S. West Road, reinforced comments made by Mr. Rodriguez. He noted the expansion of 50 highway has also increased the drainage issues.

Zelly Walker, 1000 Grandview Avenue, stated taxes keep going up and services are going down, citing the bulky item pick-up as an example. She said there is a skunk problem in the City and residents have to hire someone to trap the skunks. She felt the Animal Control Officer should be able to do this as part of their job. She also suggested the City take care of trimming the trees above sidewalks and streets instead of making residents do this. Some people cannot take care of this and have to hire it done.

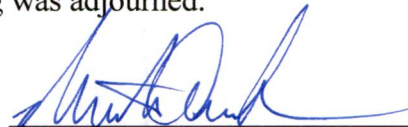
Bob Smyth, 412 SE 10th, questioned when the plant upgrade fee for the wastewater treatment plant upgrades would be removed from the utility bills and when the loan will be paid off. When he was on the Commission, he voted for the fee because it had a sunset clause and if money collected was more than needed, it would be returned on the utility bill. He was upset that this promise made to the citizens has not been kept.

Rod Nicholson, 625 West 8th, asked what kind of guarantee there is that that the treatment plant upgrade fee would be taken off once the load is paid.

In other business, everyone was reminded about the Taste of Newton in the coming week. The ladies Missouri Valley Conference championship tournament will be held at Sand Creek Station Golf Course starting, Sunday, October 15.


11. Adjournment.

There being no further business, the meeting was adjourned.



Mayor

ATTEST:



City Clerk