



Newton City Council Agenda

May 18, 2026 - 6:00 PM

View the City Council Meeting:

In Person

City Hall - Council Chambers
101 W 4th St S, Newton, IA 50208

Television

Mediacom Channel
12/85/121.12

Online

newtongov.org/cablecast

Pledge

Pledge of Allegiance

Call to Order

1. Roll Call

Proclamation

2. May 17–23 - Emergency Medical Services (EMS) Week
3. May 17–23 - National Public Works Week Proclamation

Citizen Participation

4. This is the time of the meeting that a citizen may address the Council. After being recognized by the presiding officer, each person will be given three (3) minutes to speak. Elected officials will take comments into consideration; however, this time is not intended for a discussion or entering into a dialogue. Elected officials and City staff will not answer questions or debate a citizen during the *Citizen Participation* portion of the meeting.

Consent Agenda

5. May 4, 2026 Regular City Council Meeting Minutes
6. Approve Liquor Licenses for the following: Corner Hub, 1718 1st Ave E, Class E Retail Alcohol License, pending state and local approval; Love's Travel Stop - BW0100520, 4400 S 22nd Ave E, Special Class C Retail Alcohol License renewal
7. Approve 2026-2027 Cigarette/Tobacco/Nicotine/Vapor Licenses for the following: Corner Hub, 1718 1st Ave E; Git-N-Go #45, 1708 S 8th Ave E; Git-N-Go #14, 801 1st Ave W; Mega Saver, 4300 S 22nd Ave E; Walgreen's, 1204 1st Ave E; World To Go, 403 1st Ave E
8. Resolution levying assessments for costs of nuisance abatement and providing for the payment thereof (Schedule 26-08)
9. Resolution approving Change Order No. 1 for the Newton Airport Apron Expansion Project
10. Resolution amending resolution 2026-103 approving the purchase and up-fit services for two police patrol vehicles
11. Resolution approving the purchase of a skid loader brush mower
12. Resolution authorizing Alliant Energy to install one street light to the 1400 block of Monroe Dr. for the Public Works Department

13. Resolution authorizing the purchase of pre-season salt for snow and ice control
14. Resolution awarding a contract for the Landfill Lower Shop Heater Installation Project
15. Resolution approving the purchase of a pickup for Public Works Operations
16. Resolution approving change order #1 for the 2025-01 Iowa Speedway Dr Sidewalk Project
17. Resolution accepting completion of the Cardinal Pond parking improvement project
18. Resolution Authorizing the filing of a petition for abandoned property for 316 West 13th Street South
19. Resolution approving Change Order #2 and accepting completion of the 2025-01 PCC patching Project
20. Resolution approving the purchase of a vehicle for the Police Department
21. Resolution awarding the purchase of firefighter's personal protective equipment
22. Resolution authorizing the purchase of a wheel loader for Water Pollution Control
23. Resolution authorizing the purchase of an enclosed job trailer for Water Distribution
24. Approve Bills

Public Hearing

25. Public Hearing on Resolution Approving the Second Budget Amendment for Fiscal Year 2025-2026
 - May 4, 2026, Council designated May 18, 2026, for the public hearing to consider the second 2025-26 budget amendment. Notice of the hearing was published in compliance with State requirements on May 8, 2026. The Iowa Code requires that expenditures for each of the nine general City programs not exceed the budget for the respective programs and allows budgets to be amended prior to May 31st each year.
 - The budget amendment adjusts the current year 2025–26 budgeted revenues and expenditures to reflect the changes that have occurred and are expected through June 30, 2026. Amended line items include additional revenues and expenses related to Federal and State Grants, Private Donations, Fire Operating Expenses, Garbage Services, PCC Patching Project, donation expenditures by Library, Maytag Pool Repairs, Legal Services, 2025 bonding expenses, Westwood Golf Bridge, Airport Projects and Water Pollution Control Projects. The amendments do not impact the current property tax levy.
26. Resolution Approving the Second Budget Amendment for Fiscal Year 2025-2026

Ordinance

27. Second consideration of an Ordinance Amending the Various Sections of the Code of Ordinances, City of Newton, Iowa, 2025, Title IX, Chapter 90, "Animals"
- The community has seen an increased number of cat issues in recent years and proposes an ordinance to help control the cat population.
 - The proposed ordinance limits the number of cats a resident may own or harbor and establishes guidelines for a Trap-Neuter-Release (TNR) program.
28. First consideration of an Ordinance Amending the Various Sections of the Code of Ordinances, City of Newton, Iowa, 2025, Title VII, Chapter 74, "Recreational And Toy Vehicles"
- Electric scooters, low-speed electric bicycles and motorized bicycles have created safety issues within the community.
 - There is currently no ordinance governing the use of these units. The proposed ordinance establishes guidelines for safer operations.

Resolution

29. Resolution approving an agreement with Lucy's Pet Pantry for Trap-Neuter-Return services
- The cat population has been growing in Newton since JCARL closed in 2020. Trap-Neuter-Return (TNR) is a program that is commonly used by communities to control the cat population. Staff recommends approval of an agreement with Lucy's Pet Pantry to provide TNR services in Newton.
30. Resolution awarding the 2026 Downtown Streetscape Improvements Project
- The 100 blocks of W 3rd St N and W 4th St N have undergone several asphalt resurfacing projects over the last 65 years and have surpassed their useful life.
 - The street will be reconstructed 40 feet wide (measured face of curb to face of curb) with parallel parking, new sidewalks, trees, lighting, and improved drainage.
 - Staff recommends awarding the project to the lowest responsive, responsible bidder, TK Concrete Inc. of Pella, IA, with a bid of \$495,815.00.
31. Resolution awarding contract for the Demolition Project 2026-01
- Curb appeal continues to be a focus of the City per the comprehensive plan, Newton's Future.

- The City acquired Bungalow #2, 827 E 8th St S, 209 S 15th Ave W, with the intent to demolish the structure through the Dangerous and Dilapidated Program. The bid price of \$82,200 was \$10,916.92 under the engineer's estimate.
32. Resolution approving the purchase agreement for real property at 1017 West 4th Street South, Newton, Jasper County, Iowa
- On May 4, 2026, a public hearing was held on the sale of 1017 West 4th Street South.
 - The City acquired the property through the D&D program in 2022, cleared the property, and has maintained the grassy lot.
 - The adjacent property owner, Elite Mart LLC, has submitted an offer in the amount \$ 3,000 with the intention of maintaining the grassy lot and a future expansion of the existing building by approx 10 ft to accommodate new freezer/refrigerator space.
33. Resolution authorizing the Public Works Civil Engineer Technician (CET) I at Range 4, Step 2 on the City of Newton salary schedule matrix
- The Civil Engineer Technician Trainee has recently earned an associate's degree in Civil Engineering Technology.
 - The employee has now met all requirements needed for the CET I position. To reflect this, the resolution would authorize the CET I position at Pay Range 4, Step 2.
34. Resolution approving salary increase for City Administrator
- Council met on May 4, 2026, to discuss the City Administrator's annual review. This resolution would recommend a salary increase retroactive to the City Administrator's anniversary date, March 27, 2026.

Staff Report

35. 1st Avenue East Curb Appeal Grant Program — Craig Armstrong, Development Specialist

Mayor/Council Comments

36. Mayor and Council Comments

Closed Session

37. To Discuss Strategy with Counsel in Matters that Are Presently in Litigation or Where Litigation is Imminent Where its Disclosure Would be Likely to Prejudice or Disadvantage the Position of the Governmental Body in that Litigation, Which Discussions are Exempt from the Open Meetings Law Pursuant to the Provision of Section 21.5(1)(c), Code of Iowa 2026

Return to Open Session

38. Return to Open Session

Adjourn

The City of Newton is pleased to provide reasonable accommodations, in compliance with the Americans with Disabilities Act, for those individuals or groups who require assistance to be able to participate in the public meeting. Should special accommodations be required, please contact the City Clerk's Office at least 48 hours in advance of the meeting, at 641-792-2787 to arrange for accommodations to be provided.

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PROCLAMATION

MAY 17 - 23, 2026 - EMERGENCY MEDICAL SERVICES (EMS) WEEK

WHEREAS, emergency medical services is a vital public service; and

WHEREAS, the dedicated EMT's and Paramedics of Newton Fire Department provide exemplary emergency medical care and ambulance transportation to the citizens of the City of Newton and Jasper County, Iowa; and

WHEREAS, the Newton Fire Department is ready to provide lifesaving care to those in need 24 hours a day, seven days a week; and

WHEREAS, access to quality emergency care dramatically improves the survival and recovery rate of those who experience sudden illness or injury; and

WHEREAS, the emergency medical services system consists of emergency medical technicians, paramedics, firefighters, emergency physicians, emergency nurses, educators, administrators and others; and

WHEREAS, the members of emergency medical services teams engage in thousands of hours of specialized training and continuing education to enhance their lifesaving skills; and

WHEREAS, it is appropriate to recognize the value and the accomplishments of emergency medical services providers by designating Emergency Medical Services Week; and

NOW, THEREFORE, THE CITY COUNCIL OF NEWTON, IOWA, HEREBY PROCLAIMS:

The week of May 17 - 23, 2026, as:

**“EMERGENCY MEDICAL SERVICES (EMS) WEEK”
With the theme, “Improving Outcomes, Together.”**

And encourages all City of Newton residents to recognize the practitioners and observe this week with appropriate programs, ceremonies, and activities.

DONE AND PROCLAIMED this 18th day of May 2026, in the City of Newton, Iowa.

CITY COUNCIL OF THE CITY OF NEWTON
NEWTON, IOWA

Randy J. Ervin, Mayor





PROCLAMATION

NATIONAL PUBLIC WORKS WEEK PROCLAMATION – MAY 17-23, 2026 “Rooted in Service, Powered by Community”

WHEREAS, public works professionals focus on infrastructure, facilities, and services that are of vital importance to sustainable and resilient communities and to public health, high quality of life, and well-being of the people of Newton; and,

WHEREAS, these infrastructure, facilities, and services could not be provided without the dedicated efforts of public works professionals, who are engineers, managers, and employees at all levels of government and the private sector, who are responsible for rebuilding, improving, and protecting our nation’s transportation, water supply, water treatment and solid waste systems, public buildings, and other structures and facilities essential for our citizens; and,

WHEREAS, it is in the public interest for the citizens, civic leaders, and children in Newton to gain knowledge of and maintain an ongoing interest and understanding of the importance of public works and public works programs in their respective communities; and,

WHEREAS, the year 2026 marks the 66th annual National Public Works Week sponsored by the American Public Works Association, be it now,

RESOLVED, I, Randy J. Ervin, Mayor, do hereby designate the week of May 17-23, 2026, as National Public Works Week. I urge all citizens to join with representatives of the American Public Works Association and government agencies in activities, events, and ceremonies designed to pay tribute to our public works professionals, engineers, managers, and employees, and to recognize the substantial contributions they make to protecting our national health, safety, and advancing quality of life for all.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the State (to be affixed),

DONE at the City of Newton, Iowa this _____ day of _____ 2026.



Randy J. Ervin, Mayor

NEWTON CITY COUNCIL MEETING MINUTES
MAY 4, 2026, 6:00 PM

Pledge

Pledge of Allegiance

Mayor Ervin asked everyone present to join in saying the Pledge of Allegiance.

Call to Order

1. Roll Call

The City Council of Newton, Iowa met in regular session at 6:00 P.M. on the above date in the Council Chambers at 101 West 4th Street South. Mayor Ervin presided. Present Council Members: Mills, Roth, Dalton, Hallam (arrived at 6:01pm), Simbro, Holschuh. Absent: None.

Proclamation

2. National Police Week Proclamation

Mayor Ervin proclaimed May 10th - 16th as National Police Week and May 15th as National Peace Officer Memorial Day.

3. 57th Annual Professional Municipal Clerks Week Proclamation

Mayor Ervin proclaimed May 3rd - May 9th as Professional Municipal Clerks Week.

Presentation

4. Newton Municipal Airport Update - Ethan Nasalroad, President, Johnson Aviation

Nasalroad presented projects that have recently been completed, including crack repair, runway overlay, and activities such as group tours, the library reading challenge, and flight instruction. The airport's yearly economic impact on Newton is \$6 million.

5. Trap-Neuter-Release Program - Lucy's Pet Pantry

Terri McKinney, Board Treasurer/Secretary & Neuter is Cuter Coordinator, presented on how the program would benefit the community.

Citizen Participation

6. Eugene Lammers, 202 N 15th Ave W, spoke regarding a grub issue in the cometary and Woodland Park. David Hoffman, on the east side, spoke regarding a mow notice that he received. Mark Metz from Des Moines spoke about the Hike and Seek event which is an annual event that takes place in a different county each year.

Consent Agenda

Moved by Simbro, seconded by Hallam to approve consent agenda items 7-23. AYES: Six. NAYS: None. Consent Agenda was adopted.

7. April 20, 2026 Regular City Council Meeting Minutes

8. Approve Liquor Licenses for the following: 2nd Ave Social - LC0058034, 118 N 2nd Ave E, amendment adding temporary outdoor service for patio (May-Sept 30, 2026) pending state and local approval; Mega Saver (DBA TFL, Inc), 4300 S 22nd Ave E, Ownership Change (same owners, name change), Class E Retail Alcohol License (approved under previous owners [Raceway80/KC Store, Mega Saver - TFGA, LLC], on January 19, 2026), pending state and local approval; Walgreen's - LE0002171, 1204 1st Ave E, Class E Retail Alcohol License renewal

9. Approve 2026-2027 Cigarette/Tobacco/Nicotine/Vapor Licenses for the following: Mega Saver (TFL, Inc), 4300 S 22nd Ave E, Ownership Update (same owners, name change); Murphy USA, 200 Iowa Speedway Dr; Pit Stop Liquors, 1324 1st Ave E

10. Designate May 18, 2026 as a public hearing date for the 2nd Budget Amendment for Fiscal year 2025-2026

11. Resolution fixing the amounts to be assessed against individual private properties for the abatement of nuisance violations (Schedule No. 26-08)
Resolution 2026-157 adopted.

12. Resolution Authorizing the purchase of a Parks Crew Cab Truck
Resolution 2026-158 adopted.

13. Resolution amending resolution 2026-327 approving the purchase and up-fit services for two police patrol vehicles
Resolution 2026-159 adopted.

14. Resolution approving amendment #001 to a Professional Services Agreement for the 2026 Downtown Streetscape Project
Resolution 2026-160 adopted.

15. Resolution awarding contract for the W 22nd St S Storm Water Repair Project
Resolution 2026-161 adopted.
16. Resolution Approving a Property Tax Rebate for the McCann Housing Associates, LP
Property Located at 1105 East 12th Street South Within the McCann Urban Renewal
Area
Resolution 2026-162 adopted.
17. Resolution Approving a Property Tax Rebate for the Theisen's Property Located at 3021
1st Ave E Within the East Mart Urban Renewal Area
Resolution 2026-163 adopted.
18. Resolution accepting completion of N.E. Pump Station Improvements
Resolution 2026-164 adopted.
19. Resolution authorizing the purchase of a zero turn mower for Water Pollution Control
Resolution 2026-165 adopted.
20. Resolution accepting final completion of the Water Treatment Plant Controls and
Telemetry Replacement Project
Resolution 2026-166 adopted.
21. Resolution approving Amendment #002 to the Engineering Services Agreement for
Professional Services between City of Newton, Iowa and Bolton & Menk, Inc. for
Westwood Golf Course Bridge Replacement and Repair Project
Resolution 2026-167 adopted.
22. Resolution approving the name change of the buyers for the previously approved sale of
properties at 920-1100 West 22nd Street South and 2000-2112 South 11th Avenue
West, Newton, Jasper County, Iowa
Resolution 2026-168 adopted.

23. Approve Bills

Public Hearing

24. Public Hearing on a Resolution approving the purchase agreement for real property at
1017 West 4th Street South, Newton, Jasper County, Iowa
Mayor Ervin stated that this is the time and place for a Public Hearing on the above
Resolution. There were no written comments. Moved by Mills, seconded by Hallam to
close the public hearing. AYES: Six. NAYS: None. The public hearing was closed.
25. Resolution approving the purchase agreement for real property at 1017 West 4th Street
South, Newton, Jasper County, Iowa
Moved by Roth, seconded by Holschuh to adopt the Resolution. Moved by Dalton,
seconded by Simbro to postpone until the next meeting. AYES: Six. NAYS:
None. Resolution was postponed.

Ordinance

26. Third Consideration of an Ordinance Amending the Code of Ordinances, City of Newton,
Iowa, Title XIII: General Offenses, Chapter 130: General Provisions, by Adding a New
Section Regarding Public Intoxication
Moved by Mills, seconded by Roth to approve the third consideration of the
Ordinance. AYES: Six. NAYS: None. Third Consideration of the Ordinance was
approved. Moved by Mills, seconded by Holschuh, to adopt the Ordinance.
AYES: Six. NAYS: None. Ordinance 2485 was adopted.
27. First consideration of an Ordinance Amending the Various Sections of the Code of
Ordinances, City of Newton, Iowa, 2025, Title IX, Chapter 90, "Animals"
Moved by Hallam, seconded by Holschuh to approve the first consideration of the
Ordinance. AYES: Six. NAYS: None. First Consideration of the Ordinance was
approved.
28. First consideration of an Ordinance Amending the Various Sections of the Code of
Ordinances, City of Newton, Iowa, 2025, Title VII, Chapter 74, "Recreational And Toy
Vehicles"
Mayor Ervin requested a motion to postpone the first consideration based on information
that has come to light. Moved by Dalton, seconded by Roth to postpone the first
consideration of the Ordinance to the next meeting. AYES: Six. NAYS: None. First
Consideration of the Ordinance was postponed.

Resolution

29. Resolution approving a Newton Hotel-Motel Tourism Grant Program Application for
\$2,500 for Hike-n-Seek 2026
Moved by Hallam, seconded by Dalton to adopt the Resolution. Ericka Haramio with the

Hike and Seek event spoke about how they will showcase the community and bring many people to Newton from all over the Central United States. AYES: Six. NAYS: None. Resolution 2026-169 adopted.

30. Resolution approving a Newton Hotel-Motel Tourism Grant Program Application for \$2,500 for the Newton Arboretum & Botanical Gardens Plant BINGO and Plant Sale Moved by Dalton, seconded by Mills to adopt the Resolution. Lana Wohlers, Co-President, of the Newton Arboretum spoke regarding the event. The plant sale brings people from all over Iowa. They have many unique plants. AYES: Six. NAYS: None. Resolution 2026-170 adopted.
31. Resolution approving a 28E agreement with the Central Iowa Regional Tactical Team Moved by Mills, seconded by Holschuh to adopt the Resolution. AYES: Six. NAYS: None. Resolution 2026-171 adopted.
32. Resolution authorizing the purchase of a mini excavator for the Public Works Department Moved by Roth, seconded by Simbro to adopt the Resolution. AYES: Five. NAYS: Dalton. Resolution 2026-172 adopted.
33. Resolution approving repair on spare Jordan Well Motor Moved by Hallam, seconded by Mills to adopt the Resolution. AYES: Six. NAYS: None. Resolution 2026-173 adopted.

Mayor/Council Comments

34. Mayor and Council Comments
Roth asked to bring back the cemetery fee schedule for the next meeting. Mills spoke about the many events coming up this summer. Simbro reiterated that we have done a lot of things we talked about tonight that were safety-related. He also announced that the legislature had passed a bill on property taxes. Ervin spoke about visiting Ames' inclusive park with Jamie, Nick, Erika, Joel, and Mark. They had a whole new understanding of what inclusive is. He also attended an effective boards workshop with City Clerk, Katrina Davis. Mayor Ervin indicated that with the changes in the legislature we will have to be very cognizant of what we are spending and think about how to best use the tools we have.

Closed Session

35. To Evaluate The Professional Competency Of Individuals Whose Appointment, Hiring, Performance Or Discharge Is Being Considered When Necessary To Prevent Needless And Irreparable Injury To That Individual's Reputation And That Individual Request A Closed Session. Pursuant To The Provisions Of Section 21.5(1)(i), Code of Iowa 2026 At 7:18 P.M., it was moved by Mills, seconded by Dalton to go into closed session. The city attorney advised the council that they had legal authority to do so. AYES: Six. NAYS: None. The motion passed.

Return to Open Session

36. Return to Open Session
Council returned to open session at 8:42 P.M. with all members present.

Adjourn

Moved by Mills, seconded by Hallam to adjourn the meeting at 8:42 P.M. Motion unanimously carried by voice vote.

Katrina Davis, City Clerk

Randy J. Ervin, Mayor

City of Newton Council Report

**Item:**

Resolution levying assessments for costs of nuisance abatement and providing for the payment thereof (Schedule 26-08)

Summary:

The City of Newton abated some nuisances, such as tall grass/weeds and/or trash. These costs remain unpaid by the property owner(s) and should be assessed to the property taxes.

Financial Impact:

Cost Recovery: \$950.00

Report Number: 2026-531**Date:**

May 18, 2026

Lead Department:

Police

Recommendation:

Approve

Background:

At their last meeting, City Council approved a Schedule of Assessment for the Expenses of Nuisance Abatement. The total amount for cost recovery is \$950.00.

The attached schedule lists owner, parcel number, address, amount to be assessed, date work was completed, property legal description, and property valuation.

With the approval of this resolution, the costs expended by the City for the abatement of nuisances will be placed on the taxes as a special assessment for each property.

Recommendation:

Staff recommends approval of the resolution levying assessments for costs of nuisance abatement and providing for the payment thereof (Schedule 26-08).

A handwritten signature in black ink, appearing to read "Matt Muckler".

Matt Muckler, City Administrator

RESOLUTION NO. 2026 – _____

**RESOLUTION LEVYING ASSESSMENTS FOR COSTS OF
NUISANCE ABATEMENT AND PROVIDING FOR THE
PAYMENT THEREOF (SCHEDULE 26-08)**

WHEREAS, pursuant to its powers and duties as set out in Chapter 364, Code of Iowa, the City of Newton, after the property owner's failure upon being given notice and opportunity to cure, has performed the required action to abate the public nuisance and now seeks, as provided in 364.12, Code of Iowa, to assess the costs of such action against each of the properties set out on the attached Schedule No. 26-08 for collection in the same manner as the property tax.

NOW, THEREFORE, BE IT RESOLVED, that the attached Schedule No. 26-08, is hereby approved and adopted with the amounts shown thereon assessed and levied against each property for the collection in the same manner as a property tax.

BE IT FURTHER RESOLVED, that said assessments shall be payable in 1 annual installment and shall bear interest at the rate of 3.88 percent per annum, from the date of the acceptance of this assessment schedule; the one installment of each assessment with interest on the whole assessment from date of acceptance of this schedule by the Council shall become due and payable on June 3, 2026, and shall be paid at the same time and in the same manner as the semiannual payment of ordinary taxes. Said assessment shall be payable at the office of the County Treasurer of Jasper County, Iowa, in full and without interest within thirty days after first date of publication of the Notice to Property Owners of filing the schedule of assessments.

BE IT FURTHER RESOLVED, that the Clerk be and is hereby directed to certify said schedule to the County Treasurer of Jasper County, Iowa and to publish notice of said certification once each week for two consecutive weeks in the Newton Daily News, a newspaper printed wholly in the English language, published in Newton, Iowa, and of general circulation in Newton, Iowa, the first publication of said notice to be made within fifteen days from the date of the filing of said schedule with the County Treasurer, the City shall send by regular mail to all property owners whose property is subject to assessment a copy of said notice, said mailing to be on or before the date of the second publication of the notice all as provided and directed by Code Section 384.60, Code of Iowa.

PASSED this _____ day of May, 2026.

APPROVED this _____ day of May, 2026.

Randy J. Ervin, Mayor

ATTEST:

Katrina Davis, City Clerk

Schedule 26-08 Assessment for the Expenses for Nuisance Abatement

Deed/Contract Holder	Parcel Number	Property Address	City	Net Assessed Property Value	Abatement Fee	Admin. Fee	Total Amount Assessed	Work Done	Legal	Date Abated
Sherri Huffman	835129005	300 E 17th St N	Newton	\$87,940	\$100.00	\$150.00	\$250.00	Snow Removal	DENNISTON & PARTRIDGE SD LOT 28	2/27/2026
Richard & Lori Odem	834436001	702 E 10th St S	Newton	165,940	\$120.00	\$150.00	\$270.00	Junk/Trash Removal	LINCOLN PLACE ADD LOT 2 BLK 10	3/13/2026
Lance Bennett	834351022	811 W 3rd St S	Newton	\$170,410	\$280.00	\$150.00	\$430.00	Sidewalk Repair	LAMBERT'S SD LOT 8 & S 20' LOT 7	11/20/2025
TOTAL:							\$950.00			

City of Newton Council Report

**Item:**

Resolution approving Change Order No. 1 for the Newton Airport Apron Expansion Project

Summary:

Approval of change order related to contract revisions necessitated by groundwater encountered on site.

Financial Impact:

\$3,392.50 - City's match from 2025 bond funds designated for this project.

Report Number: 2026-523**Date:**

May 18, 2026

Lead Department:

Community Development

Recommendation:

Approve

Background:

On April 21, 2025 the Newton City Council approved Resolution 2025-151 awarded a contract in the amount of \$1,232,228.97 to Jensen Builders of Des Moines, Iowa for the Newton Airport Apron Expansion Project. Jensen Builders began work on site in April 2026, but encountered water at approximately 2 ft. at multiple locations on site.

During the design phases, the depth of water encountered was at 8ft.

Due to the higher-than-expected water table, higher than previously observed from boring, the contractor's scope of work would also involve the addition of drain tile in the subgrade will allow the project to continue as designed. The contractor has provided a change order for the additional scope of work which involves adding drain tile bid item, which includes all materials, labor, and equipment to place all field tile, connections, outlet, outlet headwall, and rodent guard to drain subgrade.

The change order increases the city's local match to increase by \$3,392.52, which would be paid from the 2025 bond funds designated for this project.

Recommendation:

City Staff recommends that Council approve Change Order No. 1 for the Newton Airport Apron Expansion Project.

Matt Muckler, City Administrator

RESOLUTION 2026- _____

RESOLUTION APPROVING CHANGE ORDER NO. 1 FOR THE NEWTON AIRPORT APRON EXPANSION PROJECT

WHEREAS, on April 21, 2025 the Newton City Council approved Resolution 2025-151 awarded a contract in the amount of \$ 1,232,228.97 to Jensen Builders of Des Moines, Iowa for the Newton Airport Apron Expansion Project; and

WHEREAS, on September 17, 2025 the Newton City Council approved a contract in the amount of \$ 1,232,228.97 with Jensen Builders of Des Moines, Iowa for the Newton Airport Apron Expansion Project; and

WHEREAS, in May of 2026 work began and the contractor had encountered water in the apron area.; and

WHEREAS, the project engineer Jensen Builders has prepared Change Order No. 1 totaling \$33,925.17 resulting in the City's 10% local match increasing by \$3,392.52; and

WHEREAS, the project engineer approved the change order, and FAA has verbally approved the change order,

NOW, THEREFORE, BE IT RESOLVED, by the City Council of Newton, Iowa, that Change Order No. 1 to the City's contract with Jensen Builders of Des Moines, Iowa for the Newton Airport Apron Expansion Project, is hereby accepted; and

BE IT FURTHER RESOLVED, by the City Council of the City of Newton, Iowa, that the Mayor and City Clerk are hereby authorized and directed to execute said Change Order No. 1 for the Newton Airport Apron Expansion Project; and

BE IT FURTHER RESOLVED, by the City Council of the City of Newton, Iowa, that the City's 10% local match resulting from approval of Change Order No. 1 will be \$3,392.52 with said out of pocket cost be paid using 2025 bond funds designated for this project.

PASSED this _____ day of May, 2026.

APPROVED this _____ day of May, 2026.

Randy J Ervin, Mayor

ATTEST:

Katrina Davis, City Clerk

Change Order No: 1

Project No.: FAA AIP No. 3-19-0065-023-2025

KM No.: 2412240

Name of Project: Newton Municipal Airport (TNU) Expand GA Apron

Contractor: Jensen Builders LTD

The above-named Contractor agrees to make the following change(s) in the plans and/or specifications for the above-designated project:

ATTACH ADDITIONAL PAGE(S) IF NECESSARY, FOR PARAGRAPHS 1 THROUGH 3.

1. Description of change to be made:

Adding drain tile bid item, which includes all materials, labor, and equipment to place all field tile, connections, outlet, outlet headwall, and rodent guard to drain subgrade.

2. Reason for ordering change:

On-site inspection revealed a higher-than-expected water table, higher than previously observed from borings. The addition of drain tile in the subgrade will allow the project to continue as designed.

3. Settlement for the cost of the above change is to be made as follows:

Item	Description	Original Quantity	Modified Quantity	Unit	Unit Price	Modified Unit Price	Amount
20	Drain Tile	0	1	LS	\$33,925.17	\$33,925.17	\$ 33,925.17

4. Summary of Costs

Original Contract Amount \$ 1,232,228.97

Revised Contract Amount \$ 1,266,154.14


Net Increase of this Change Order \$ 33,925.17

No Net Change From Previous Change Orders and Supplemental Agreements \$ -

Total Increase of All Change Orders/Supplemental Agreements to Date \$ 33,925.17

Total New Estimated Contract Costs \$ 1,266,154.14

5. This change increases contract time by 4 working days.

Agreed to By:  Alex Bonzer, Project Manager 5/4/2026
 Contr. Auth. Rep. Title Date

Agreed to By: _____
 Sponsor's Auth. Rep. Title Date

Note: This change order is not effective until approved in writing by the Sponsor.

Distribution: Sponsor, Contractor, Engineer



DESIGN-BUILD GENERAL CONTRACTOR

1175 South 32nd St. • Fort Dodge, IA 50501 • Phone (515) 573-3292 • Fax (515) 573-5146
2097 NE 60th Avenue • Des Moines, IA 50313 • Phone (515) 292-5000 • Fax (515) 292-5100

Change Request

To: KIRKHAM, MICHAEL & ASSOCIATES

Number: 1

Date: 4/24/26

Job: 25-184 Expand GA Apron - Newton Munic

Phone:

Description: Drain Tile Work

We are pleased to offer the following specifications and pricing to make the following changes:

Added drain tile work to remedy wet site conditions. When test pit for soil samples was dug the hole filled with water.

Tile Work: Crossroads Pipe & Grading = \$28,000.15

Concrete: Jensen Builders = \$1,500

Subtotal = \$29,500.15

15% O&P = \$4,425.02

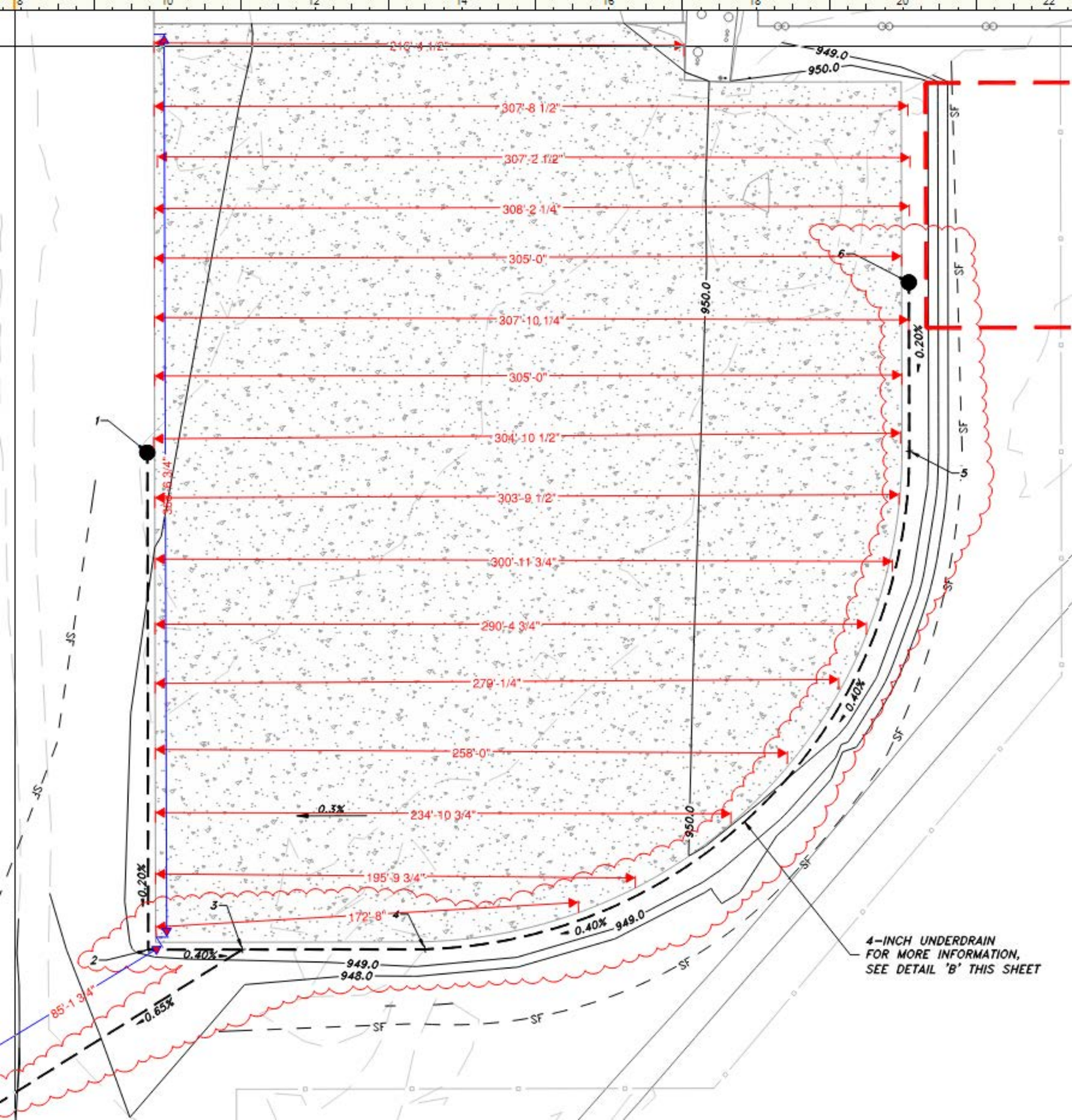
Total = \$33,925.17

The total amount to provide this work is \$33,925.17

If you have any questions, please contact me at (515)573-3292.

Submitted by: Alex Bonzer
JENSEN BUILDERS LTD

Approved by: _____
Date: _____



City of Newton Council Report

**Item:**

Resolution amending resolution 2026-103 approving the purchase and up-fit services for two police patrol vehicles

Summary:

Upfit cost exceeded the original quote due to damaged and obsolete equipment which required replacement.

Financial Impact:

Not to exceed \$124,00.00

Report Number: 2026-469**Date:**

May 18, 2026

Lead Department:

Police

Recommendation:

Approve

Background:

At the April 6, 2026, Newton City Council meeting, City Council approved resolution 2026-103 for the purchase and upfit of two 2025 Ford Police Interceptor SUVs. Stivers Ford of Waukees submitted a quote of \$93,800 for the purchase of two Ford Interceptor SUVs and an additional estimated \$20,000 for up-fit services (remove and install emergency equipment) from two of the replacement units.

During the upfit process, it was found that some of the equipment was not compatible and some equipment was damaged or obsolete and required replacement. This caused the upfit cost to exceed the projected \$20,000 by \$9,175.24, for a total of \$29,175.24.

City staff recommends amending resolution 2026-103 to reflect a total cost not to exceed \$124,000 utilizing 2026 bond proceeds.

Recommendation:

Staff recommends approval of this resolution

A handwritten signature in black ink, appearing to read "Matt Muckler".

Matt Muckler, City Administrator

RESOLUTION NO. 2026 – _____

RESOLUTION AMENDING RESOLUTION 2026-103 FOR THE PURCHASE AND UP-FIT SERVICES FOR TWO POLICE PATROL VEHICLES

WHEREAS, City Council previously approved resolution 2026-103 approving the purchase and upfit of two patrol vehicles from Stivers Ford of Waukee for a total cost of \$113,800; and

WHEREAS, due to the need to replace some damaged and obsolete equipment the upfit cost exceeded the original quote;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Newton, Iowa agrees amend the original cost to purchase and upfit of two 2025 Ford Police Interceptor SUV from Stivers Ford of Waukee, IA for a total cost not to exceed \$124,000 utilizing 2026 bond proceeds.

PASSED this _____ day of _____, 2026.

APPROVED this _____ day of _____, 2026.

Randy J. Ervin, Mayor

ATTEST:

Katrina Davis, City Clerk

City of Newton Council Report

**Item:**

Resolution approving the purchase of a skid loader brush mower

Summary:

This shared piece of equipment is essential for the maintenance of tall grass, small trees and rough areas.

Financial Impact:

The \$9,321.75 cost of the Skid Loader Brush Mower is to be paid 50% from 2026 Bond Funds, 25% Road Use Funds, and 25% Landfill Enterprise Funds.

Report Number: 2026-540**Date:**

May 18, 2026

Lead Department:

Community Development

Recommendation:

Approve

Background:

As part of the CIP process, staff analyzed the equipment needs. A skid loader brush mower for Parks, Newton Sanitary Landfill, and the Public Works Street Maintenance Departments, was identified as an appropriate piece of shared equipment to be purchased.

The City of Newton is a member of Sourcewell, and the proposed purchase is from a Sourcewell vendor. Sourcewell is a membership entity that facilitates cooperative purchasing and competitive pricing for local governments.

Recommendation:

City staff recommends that Council award the bid for a new skid loader brush mower, to Central Iowa Farm Store, Marshalltown, Ia, in the amount of \$9,321.75.

A handwritten signature in black ink, appearing to read "Matt Muckler".

Matt Muckler, City Administrator

RESOLUTION 2026- _____

RESOLUTION APPROVING THE PURCHASE OF A SKID LOADER BRUSH MOWER

WHEREAS, Staff analyzed the equipment needs in preparation for the 2026-2027 CIP; a skid loader brush mower for Parks, Jasper County Sanitary Landfill, and the Public Works Street Maintenance Departments, was identified as an appropriate piece of equipment to be purchased; and

WHEREAS, this shared piece of equipment is essential for the maintenance of tall grass, small trees and rough areas; and

WHEREAS, staff sought a quote for said mower utilizing state bid, Sourcewell pricing:

- Central Iowa Farm Store, Marshalltown, Ia. \$9,321.75; and

WHEREAS, City staff recommends that Council award the bid for a new skid loader brush mower, to Central Iowa Farm Store, Marshalltown, Ia, in the amount of \$9,321.75; and

NOW, THEREFORE, BE IT RESOLVED, by the City Council of Newton, Iowa, that the proposal for the purchase of a new 72" Skid Cutter Mower from Central Iowa Farm Store of Marshalltown, Iowa, in the amount of \$9,321.75 is hereby approved.

BE IT FURTHER RESOLVED, by the City Council of the City of Newton, Iowa, that the Community Development and Public Works Directors are authorized to process said payment in the amount of \$9,321.75; to be paid utilizing 50% of 2026 Bond Funds, 25% of Road Use Funds, and 25% Landfill Enterprise Funds.

PASSED this _____ day of May, 2026.

APPROVED this _____ day of May, 2026.

Randy Ervin, Mayor

ATTEST:

Katrina Davis, City Clerk

City of Newton Council Report

**Item:**

Resolution authorizing Alliant Energy to install one street light to the 1400 block of Monroe Dr. for the Public Works Department

Summary:

Adding one street light in the 1400 block of Monroe Dr.

Financial Impact:

Total cost of \$11.44 per month to the street lighting budget paid from Road Use Tax funds.

Report Number: 2026-541**Date:**

May 18, 2026

Lead Department:

Public Works

Recommendation:

Approve

Background:

The Public Works Department has received a request to add street lighting to the 1400 block of Monroe Drive. This is a forested area with approximately 600 feet between existing street lights. This is nearly double the standard street light spacing.

Alliant Energy requires that the City Council authorize any additional lighting by resolution.

The Street Lighting Budget funded by Road Use Tax has available funds to pay for this additional street light.

Recommendation:

City Staff recommends approval of this additional street light on the 1400 block of Monroe Drive.

Matt Muckler, City Administrator

RESOLUTION NO. 2026-_____

RESOLUTION AUTHORIZING ALLIANT ENERGY TO INSTALL ONE STREET LIGHT TO THE 1400 BLOCK OF MONROE DRIVE

WHEREAS, the Public Works Department has received a request to add street lighting to the 1400 block of Monroe Drive; and

WHEREAS, this is a forested area with approximately 600 feet between existing street lights; and

WHEREAS, Alliant Energy requires that the City Council authorize any additional lighting; and

WHEREAS, based on the franchise agreement between Alliant Energy and the City of Newton, the monthly fee for the additional street light will be \$11.44 per month.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Newton, Iowa, Alliant Energy is authorized to install one additional street light in the 1400 block of Monroe Drive in the amount of \$11.44 per month. This additional street light will be added to the street lighting budget, funded by the Road Use Tax fund.

PASSED this ____ day of May, 2026.

APPROVED this ____ day of May, 2026.

Randy J. Ervin, Mayor

ATTEST:

Katrina Davis, City Clerk



Interstate Power and Light,
an Alliant Energy Company

APPLICATION FOR AREA LIGHTING ALLIANT ENERGY - IP&L

	Projected Completion Date	Date Energized	Work Request
Check One <input type="checkbox"/> Residential (401) <input type="checkbox"/> Commercial (421)	Account ID	Premise ID	
Customer Name	Service Point ID	Phone No. ()	
Service Street Address	City	State	Zip
Mailing Address	City	State	Zip

The Customer applies to Alliant Energy - Interstate Power and Light Company (the Company) for area lighting service under rate schedule 630 and requests that the Company extend its distribution facilities necessary to provide such service, all in accordance with its rate schedules, rules and regulations on file with the Iowa Utilities Board (Board). The Customer agrees to a minimum term for this area lighting service for at least one (1) year unless the customer requests placement of dedicated poles in which case a minimum term of three (3) years is required.

The Company agrees to furnish, and the Customer agrees to take and pay for, said service in accordance with the provisions and rates of the above named schedule, and subject to all rules of the Company on file with the Board, until such time as the Customer discontinues service. Rules and rates for this service are subject to change.

TRENCH MARKING AGREEMENT

The Customer agrees that the Company will dig, trench, or bore on the Customer's property located at the above address for the installation of utility service.

Prior to digging, trenching, or boring, the Company will identify the route of the proposed excavation. The Company will notify other utility owners to facilitate the marking of existing underground utilities, including electric, telephone and cable TV.

The Customer agrees to physically mark the location of any and all customer owned obstacles that lie underground within ten (10) feet of proposed excavation. Such obstacles include, but are not limited to, septic and sewer systems, buried wires for out-buildings or decorative lighting, and LP gas lines.

The Customer shall mark the location of all of these obstacles with stakes or flags or by painting the ground. *The Customer hereby accepts any and all responsibility for and agrees to indemnify and hold Company harmless for damage to, or damage done by striking, any such underground obstacle the Customer fails to mark or marks incorrectly.*

INDEMNIFICATION

The Customer hereby agrees to indemnify and save harmless the Company from and against all claims, suits or demands for losses or damages to persons or property arising out of the location, placement, wattage, time or hour of operation of any pole, light, or other fixture relating to area lighting equipment supplied by the Company pursuant to this agreement.

AREA LIGHTING OPTIONS				For current base rates, see Sheets 31 through 33 of the Electric Tariff. NOTE: <u>Base rates may also be subject to TAX, ECA, EECR and RTS Riders in the Electric Tariff.</u>			
Fixture Type	Qty.	Rate Code	Monthly Price	Pole Type	Qty.	Rate Code	Monthly Price
35-55 LED / 57 GE LED / 100 HPS	_____	630	_____	Shared Wood	_____	630	_____
56-89 LED / 150 HPS	_____	630	_____	New Dedicated Wood	_____	630	_____
90-120 LED / 250 HPS	_____	630	_____	24' Black or Grey Fiberglass	_____	630	_____
121-200 LED / 400 HPS	_____	630	_____	35' Bronze Fiberglass	_____	630	_____
1000 Watts HPS	_____	630	_____	30' Steel	_____	630	_____
				<input type="checkbox"/> Customer Meter Pole			
Customer Signature			Date	Alliant Energy - IPL Rep. Signature			Date

Note: Scan completed document to CC&B

City of Newton Council Report

**Item:**

Resolution authorizing the purchase of pre-season salt for snow and ice control

Summary:

Purchase 800 tons of salt at the pre-season price

Financial Impact:

\$59,616.00 from the road use tax budget

Report Number: 2026-544**Date:**

May 18, 2026

Lead Department:

Public Works

Recommendation:

Approve

Background:

Every year, money is allocated to the Snow & Ice Operating budget to purchase salt, sand, and other winter maintenance materials. The Public Works salt storage building allows for adequate storage so we may buy salt at pre-season prices, typically about \$25/ton less than the in-season prices. The City of Newton needs to purchase 800 tons of salt to replenish the salt stock used from the past winter in preparation for the 2026-2027 winter season.

The City of Newton is in a Central Iowa Salt Group comprising most of the cities and counties in the Des Moines metropolitan area. The group can obtain very competitive bids by bidding together for a large amount of salt. The City of West Des Moines is the group administrator.

Bids were received, and Hutchinson Salt Company of Hutchinson, Kansas, was the low bidder with a bid price of \$74.52 per ton delivered to the City of Newton. The salt will be delivered after July 1, 2026, but before the winter season.

Due to market fuel volatility, a fuel surcharge may be imposed. The fuel adjustment shall apply to all orders beginning July 1, 2026, through the end of the contract term or applicable extension. Fuel charges may be reflected on a separate line item.

Recommendation:

City staff recommends approving the resolution authorizing the Public Works Director to purchase 800 tons of the pre-season salt from Hutchinson Salt Company of Hutchinson, Kansas, for the bid amount of \$59,616.00 paid from the Road Use Tax Fund.

Matt Muckler, City Administrator

RESOLUTION NO. 2026-_____

**RESOLUTION AUTHORIZING THE PURCHASE OF PRE-SEASON
SALT FOR SNOW AND ICE CONTROL**

WHEREAS, money is budgeted annually within the Snow and Ice Control budget to purchase salt, sand, and other winter maintenance materials; and

WHEREAS, staff have estimated that 800 tons of salt are needed to replenish the salt supply from the previous winter in preparation for the upcoming winter season; and

WHEREAS, the City of Newton is part of the Central Iowa Salt Group that pools together its salt needs to obtain competitive bids; and

WHEREAS, bids for the pre-season salt were received by the City of West Des Moines, the administrator for the Central Iowa Salt Group, and the successful low bidder is Hutchinson Salt Company of Hutchinson, Kansas, for a bid price of \$74.52 per ton; and

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Newton, Iowa, that the Public Works Director is authorized to purchase 800 tons of salt for \$59,616.00 from Hutchinson Salt Company of Hutchinson, Kansas. The salt will be purchased utilizing Road Use Tax funds.

PASSED this _____ day of May, 2026.

APPROVED this _____ day of May, 2026.

Randy J. Ervin, Mayor

ATTEST:

Katrina Davis, City Clerk

City of Newton Council Report

**Item:**

Resolution awarding a contract for the Landfill Lower Shop Heater Installation Project

Summary:

Awarding a contract for the installation of a minimum of two 180,000 BTU radiant tube heaters in the lower shop at the Newton Sanitary Landfill.

Financial Impact:

\$13,268.00 from the Landfill Enterprise Funds.

Report Number: 2026-545**Date:**

May 18, 2026

Lead Department:

Public Works

Recommendation:

Approve

Background:

The Newton Sanitary Landfill stores and maintains its equipment in a storage building on the east side of the landfill. This building has undergone several improvements over the past 10 years, including paving the existing floor and the construction of additional storage to keep supplies off the ground. Staff has proposed to heat and insulate the building as the next step in modernizing this building. Heating and insulating the building would keep equipment at an above-freezing temperature all year round when not in use. This will help in preventing maintenance issues and extending the life of these essential pieces of equipment.

The Lower Shop Heater Installation Project was proposed to the 28E members during the annual budget workshop on February 10, 2026, where it received full support. The project was formally approved through the 2026–2027 budget process on April 21, 2025.

Quotes were solicited for the purchase and installation of a minimum of 180,000 BTU low-intensity radiant tube heaters. The following bids were received:

Company	Bid Amount
Reeves Heating and Cooling Inc., Newton, Iowa	\$13,268.00
Brookwood Inc., Newton, Iowa	\$14,236.00

Recommendation:

Staff recommends approval of the low responsive, responsible bid from Reeves Heating and Cooling Inc. of Newton, Iowa, in the amount of \$13,268.00.

Matt Muckler, City Administrator

RESOLUTION NO. 2026-_____

**RESOLUTION AWARDING A CONTRACT FOR THE LANDFILL LOWER SHOP
HEATER INSTALLATION PROJECT**

WHEREAS, the Newton Sanitary Landfill stores and maintains its equipment in a storage building on the east side of the landfill; and

WHEREAS, Staff has proposed to heat and insulate the building as the next step in modernizing this building; and

WHEREAS, the Landfill Lower Shop Heater Installation Project was included in the Landfill Enterprise Fund Budget; and

WHEREAS, the City of Newton obtained sealed quotes for installation of two minimum 180,000 BTU low intensity radiant tube heaters and;

WHEREAS, Reeves Heating and Cooling Inc., of Newton, IA, was the lowest responsive, responsible bidder in the amount of \$13,268.00 and;

WHEREAS, the project is recommended to be awarded to Reeves Heating and Cooling Inc., of Newton, Iowa, as the lowest responsible bidder, in the amount of \$13,268.00.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of Newton, Iowa, that the bid of Reeves Heating and Cooling Inc., of Newton, IA, in the amount of Thirteen Thousand Two hundred and sixty-Eight Dollars and Zero Cents (\$13,268.00) for installation of two minimum 180,000 BTU low intensity radiant tube heaters be accepted. The Public Works Director is authorized to proceed with the Landfill Lower Shop Heater Installation Project and will be paid from the Newton Sanitary Landfill Enterprise Fund.

PASSED this _____ day of May, 2026.

APPROVED this _____ day of May, 2026.

Randy J. Ervin, Mayor

ATTEST:

Katrina Davis, City Clerk

City of Newton Council Report

**Item:**

Resolution approving the purchase of a pickup for Public Works Operations

Summary:

Replace existing pickup in the Public Works fleet.

Financial Impact:

\$45,240.00 from the Public Works Operations Road Use Tax Fund.

Report Number: 2026-546**Date:**

May 18, 2026

Lead Department:

Public Works

Recommendation:

Approve

Background:

Public Works maintains a fleet of eight 3/4 and 1-ton pick-ups. These pickups are used for moving equipment and trailers to job sites, pulling equipment such as the asphalt patching machine and brine tanks, and transportation for supervisors to visit work sites and city offices. These vehicles are kept for anywhere between 16 and 23 years before being replaced to minimize ongoing maintenance and to keep a professional-looking appearance. The truck being replaced is a 2003 Chevy Silverado 4X4 with 99,961 miles. As part of this revolving replacement program, \$50,000 for a 3/4-ton pickup was included in the approved 2026-2027 CEP and operating budget.

Staff prepared specifications for a 3/4-ton regular cab pickup; McGrath Chevyland of Hiawatha, Iowa, was awarded the contract through the Iowa Department of Transportation 2026 state bid. Local dealers were contacted to give them the opportunity to provide a proposal, but none were received.

The contract bid for a 3/4-ton pickup is \$45,240.00, which will be paid from the Public Works Operations Road Use Tax fund.

The current truck will be kept due to its expected low retail value and its usefulness as a backup.

Recommendation:

Staff recommends approval to purchase a 3/4-ton pickup from McGrath Chevyland of Hiawatha, Iowa, for the state bid amount of \$45,240.00.

Matt Muckler, City Administrator

RESOLUTION NO. 2026-_____

RESOLUTION APPROVING THE PURCHASE OF A PICKUP FOR PUBLIC WORKS OPERATIONS

WHEREAS, staff analyzed equipment needs in preparation of the 2026-2027 CEP and operating budget and determined that a new pickup was needed and;

WHEREAS, based on the desired specifications for the 3/4-ton pickup, the IDOT state bid price for the 3/4-ton pickup is through McGrath Chevyland of Cedar Rapids, Iowa, in the amount of \$45,240.00.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Newton, Iowa, that the Public Works Director is authorized to purchase a new 3/4-ton pickup from McGrath Chevyland of Cedar Rapids, Iowa, in the amount of \$45,240.00. The pickup will be paid from the Public Works Operations Road Use Tax Fund.

PASSED this ____ day of May 2026.

APPROVED this ____ day of May 2026.

ATTEST:

Randy J. Ervin, Mayor

Katrina Davis, City Clerk

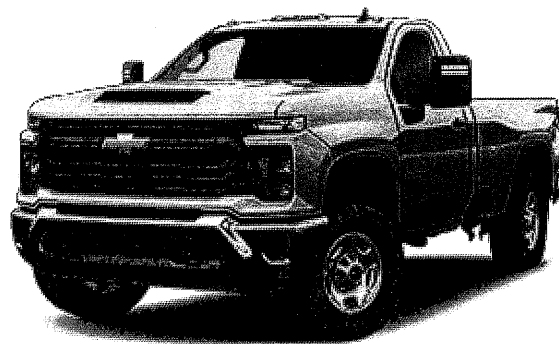


McGrath Fleet and Commercial

Garrett Ellard | 563-505-5636 | gellard@mcgrathauto.com

City of Newton

[Fleet] 2026 Chevrolet Silverado 2500HD (CK20903) 4WD Reg Cab 142" Work Truck (7)



McGrath Fleet and Commercial
Garrett Ellard
563-505-5636

w/ Bulliner + Splash Guards

53,065 MSRP
- 7,825 Discounts

45,240 Sales Price



McGrath Fleet and Commercial

Garrett Ellard | 563-505-5636 | gellard@mcgrathauto.com

[Fleet] 2026 Chevrolet Silverado 2500HD (CK20903) 4WD Reg Cab 142" Work Truck (7) (✔ Complete)

Quote Worksheet

	MSRP
Base Price	\$48,700.00
Dest Charge	\$2,795.00
Total Options	\$1,570.00
Subtotal	\$53,065.00
Subtotal Pre-Tax Adjustments	\$0.00
Less Customer Discount	(\$7,825.00)
Subtotal Discount	(\$7,825.00)
Trade-In	\$0.00
Subtotal Trade-In	\$0.00
Taxable Price	\$45,240.00
Sales Tax	\$0.00
Subtotal Taxes	\$0.00
Subtotal Post-Tax Adjustments	\$0.00
Total Sales Price	\$45,240.00

Dealer Signature / Date

Customer Signature / Date

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Data Version: 28231. Data Updated: Apr 13, 2026 1:46:00 AM UTC.



McGrath Fleet and Commercial

Garrett Ellard | 563-505-5636 | gellard@mcgrathauto.com

[Fleet] 2026 Chevrolet Silverado 2500HD (CK20903) 4WD Reg Cab 142" Work Truck (7) (✔ Complete)

Window Sticker

SUMMARY

[Fleet] 2026 Chevrolet Silverado 2500HD (CK20903) 4WD Reg Cab 142" Work Truck

MSRP:\$48,700.00

Interior:Jet Black, Vinyl seat trim

Exterior 1:Red Hot

Exterior 2:No color has been selected.

Engine, 6.6L V8

Transmission, 10-Speed automatic

OPTIONS

CODE	MODEL	MSRP
CK20903	[Fleet] 2026 Chevrolet Silverado 2500HD (CK20903) 4WD Reg Cab 142" Work Truck	\$48,700.00
OPTIONS		
1WT	Work Truck Preferred Equipment Group	\$0.00
AZ3	Seats, front 40/20/40 split-bench	\$0.00
C49	Defogger, rear-window electric	\$225.00
CGN	Chevytec spray-on bedliner	\$545.00
E63	Durabed, pickup bed	\$0.00
FE9	Emissions, Federal requirements	\$0.00
G7C	Red Hot	\$0.00
GT4	Rear axle, 3.73 ratio	\$0.00
H2G	Jet Black, Vinyl seat trim	\$0.00
IOR	Audio system, Chevrolet Infotainment 3 system	\$0.00
JGB	GVWR, 10,250 lbs. (4649 kg)	\$0.00
JHD	Hill Descent Control	Inc.
L8T	Engine, 6.6L V8	\$0.00
MKM	Transmission, 10-Speed automatic	\$0.00
NZZ	Skid Plates	Inc.
PYN	Wheels, 17" (43.2 cm) painted steel, Silver	\$0.00
QXT	Tires, LT265/70R17E all-terrain, blackwall	Inc.
VQK	LPO, Molded splash guards, Black	\$275.00

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Data Version: 28231. Data Updated: Apr 13, 2026 1:46:00 AM UTC.



McGrath Fleet and Commercial

Garrett Ellard | 563-505-5636 | gellard@mcgrathauto.com

[Fleet] 2026 Chevrolet Silverado 2500HD (CK20903) 4WD Reg Cab 142" Work Truck (7) (✔ Complete)

Z71	Z71 Off-Road Package		\$525.00
ZXT	Tire, spare LT265/70R17E all-terrain, blackwall	Inc.	
—	Suspension, Off-Road	Inc.	
SUBTOTAL			\$50,270.00
Adjustments Total			\$0.00
Destination Charge			\$2,795.00
TOTAL PRICE			\$53,065.00

FUEL ECONOMY

Est City:N/A

Est Highway:N/A

Est Highway Cruising Range:N/A

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Data Version: 28231. Data Updated: Apr 13, 2026 1:46:00 AM UTC.

City of Newton Council Report

**Item:**

Resolution approving change order #1 for the 2025-01 Iowa Speedway Dr Sidewalk Project

Summary:

Approving change order #1 to Midstate Solution for the 2025-01 Iowa Speedway Dr Sidewalk Project.

Financial Impact:

\$9,667.00 from the Road Use Tax Fund.

Report Number: 2026-549**Date:**

May 18, 2026

Lead Department:

Public Works

Recommendation:

Approve

Background:

The City of Newton has identified the need to install a sidewalk along Iowa Speedway Dr to provide pedestrian access to commercial properties. Many complaints have been received about pedestrian and rider safety along Iowa Speedway Dr. City Council has previously determined this to be one of the top priority projects for 2025.

A construction contract for the project was awarded to Midstate Solution of Baxter, IA, in the amount of \$242,012.00 at the City Council meeting on February 3, 2026.

During the process of pulling new wire for the traffic signal portion of the project, it was discovered that two sections of existing conduit are in poor condition and require replacement. These sections of rigid steel pipe, installed in the summer of 1999, have deteriorated over time, making it impossible to pull new wiring through them. The majority of the existing conduit remains in good condition and suitable for reuse; these few isolated areas will require new, non-corrosive conduits to complete the project and ensure the long-term reliability of the signal system.

- **CO1-1: 2" and 3" Conduit and handhold moved**

Labor and materials to install 2" and 3" conduits at Iowa Speedway Dr Conduit and 1st Ave E, along with a manhole relocation for the buried electrical handhold on the northeast corner

Recommendation:

Approving change order #1 in the amount of \$9,667.00 for the 2025-01 Iowa Speedway Dr Sidewalk Project to Midstate Solution of Baxter, Iowa.

Matt Muckler, City Administrator

RESOLUTION NO. 2026 – _____

**RESOLUTION APPROVING CHANGE ORDER #1 FOR 2025-01 IOWA SPEEDWAY
DR SIDEWALK PROJECT**

WHEREAS, the City of Newton has identified the need to install a sidewalk along Iowa Speedway Dr to provide pedestrian access to commercial properties. Many complaints have been received about the safety of pedestrians and riders along Iowa Speedway. Dr. City Council has previously determined this to be one of the top priority projects for 2025; and

WHEREAS, A construction contract for the project was awarded to Midstate Solution, in the amount of \$242,012.00 at the City Council meeting on February 3, 2026; and

WHEREAS, during the process of pulling new wire for the current traffic signal project, it was discovered that a few small sections of existing conduit are in poor condition and need to be replaced:

- **CO1-1: 2" and 3" Conduit and Handhole relocation**
Labor and materials to install 2" and 3" conduits at Iowa Speedway Dr Conduit and 1st Ave E, along with a manhole relocation for the buried electrical handhold on the northeast corner

NOW, THEREFORE, BE IT RESOLVED, that change order #1 to Midstate Solution of Baxter, Iowa in the amount of Nine thousand six hundred and sixty-seven dollars and zero cents (\$9,667.00) for the 2025-01 Iowa Speedway Dr Sidewalk Project, is hereby accepted and shall be paid from road use tax funds.

PASSED this _____ day of May, 2026.

APPROVED this _____ day of May, 2026.

Randy J. Ervin, Mayor

ATTEST:

Katrina Davis, City Clerk

City of Newton
303 W 4th St N, Suite 501 Newton
Iowa, 50208



Change Order No.1

Owner: City of Newton
 Contractor: Midstate Solution
 Contract Date: 4/7/2025
 Prepared By: BLS
 Project Title: 2025-01 Iowa Speedway Dr Sidewalk Project
 Date Prepared: 5/7/2026
 Reviewed By:

In accordance with the General Regulations for the referenced Contract, you are directed to make the following changes in the work:

Nature of Change	Units	Unit Price	Price Change	Time Change
Materials and labor to provided One new 3" conduit from HH 5 to HH 7, and 2" Conduit from HH1 to HH 5 Along with relocating HH 7 closer to the traffic signal pole (LS)	1	\$ 9,667.00	\$ 9,667.00	No additional time.
Total Change in Cost			\$ 9,667.00	
Contract Price Prior to this Change Order: \$242,012.00				
Net Increase Resulting from this Change Order: \$9,667.00				
Current Contract Price Including this Change Order: \$251,679.00				
Contract Time Prior to this Change Order (completion date): 30-Sep-26				
Net Increase Resulting from this Change Order (completion date): N/A				
Current Contract Time Including this Change Order (new completion date): 9/30/2026				

Date: _____
 The above changes are approved:
 The above changes are approved:

City of Newton, IA
 By: _____
 Contractor: Midstate Solution
 By: _____

Date: 5/7/26

City of Newton Council Report

**Item:**

Resolution accepting completion of the Cardinal Pond parking improvement project

Summary:

Accept completion of the contract with TK Concrete Inc. for the Cardinal Pond parking improvement project.

Financial Impact:

Council previously approved a contract for \$34,380.00 on April 3rd, 2026. This action would accept the project and authorize payment of the retainage amount of \$1,023.90

Report Number: 2026-552**Date:**

May 18, 2026

Lead Department:

Community Development

Recommendation:

Approve

Background:

Cardinal Pond has become a well-used and valued amenity for the community. Following its completion, the city has received consistent feedback from residents identifying the need for parking. The addition of a parking space has been one of the most frequent citizen requests and aligns with City Council goals of enhancing park usability and improving the overall visitor experience.

City Council passed a resolution on April 3rd, 2026, awarding a contract to TK Concrete Inc., in the amount of \$34,380.00.

The project has been substantially completed in general compliance with the terms, conditions, and stipulations of said contract. The final contract amount, based on actual measured quantities of work completed, is \$34,130.00.

Recommendation:

Recommends accepting the completion of the Cardinal Pond parking improvement project and authorizing the retainage amount of \$1,023.90 to be paid to the contractor no sooner than 30 days after approval of this resolution, should no claims be on file.

Matt Muckler, City Administrator

RESOLUTION NO. 2026-_____

**RESOLUTION ACCEPTING COMPLETION OF THE
THE CARDINAL POND PARKING IMPROVEMENT PROJECT.**

WHEREAS, Cardinal Pond has become a well-used and valued amenity for the community. Following its completion, the city has received consistent feedback from residents identifying the need for parking; and

WHEREAS, the addition of a parking has been one of the most frequent citizen requests and aligns with City Council goals of enhancing park usability and improving the overall visitor experience; and

WHEREAS, City Council passed a resolution on April 3rd, 2026, awarding a contract to TK Concrete Inc of Pella, IA , in the amount of \$34,380.00; and

WHEREAS The project has been substantially completed in general compliance with the terms, conditions, and stipulations of said contract. The final contract amount, based on actual measured quantities of work completed, is \$34,130.00; and

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Newton, Iowa, that the City of Newton hereby accepts the completion of the project; and authorizes the Community Service Director to execute payment of the retainer in the amount of \$1,023.90 no sooner than 30 days after approval of this resolution should no claims be on file,

PASSED this _____ day of May, 2026.

APPROVED this _____ day of May, 2026.

Randy J. Ervin, Mayor

ATTEST:

Katrina Davis, City Clerk

City of Newton Council Report

**Item:**

Resolution Authorizing the filing of a petition for abandoned property for 316 West 13th Street South

Summary:

Authorizing the filing of 657A petition on abandoned property.

Financial Impact:

Estimated \$5,000 in attorney fees to be paid for with D&D Bond Funds

Report Number: 2026-556

Date:

May 18, 2026

Lead Department:

Community Development

Recommendation:

Approve

Background:

The property at 316 West 13th Street South appears to be abandoned and in dilapidated condition. It appears to be a candidate for the City to file a 657A petition for ownership of the abandoned property.

This resolution authorizes City staff to begin the legal process.

Recommendation:

Staff recommends approval.

A handwritten signature in black ink, appearing to read "Matt Muckler".

Matt Muckler, City Administrator

RESOLUTION NO. 2026 – _____

**RESOLUTION AUTHORIZING THE FILING OF A 657A.10A
ABANDONED PROPERTY PETITION FOR 316 WEST 13TH STREET
SOUTH IN NEWTON, JASPER COUNTY, IOWA**

WHEREAS, the City of Newton has established a Dangerous and Dilapidated Building Program through which it acquires real estate for sale and redevelopment, and,

WHEREAS, State of Iowa Code 657A.10A allows for cities to petition for ownership of abandoned buildings, and the property 1100 Woodland Drive in Newton appears to meet the criteria of abandoned buildings;

NOW, THEREFORE, BE IT RESOLVED by the City Council of Newton, Iowa:
That staff is directed to file a petition for the following property in accordance with State of Iowa Code 657A.10A for ownership of the abandoned building at

316 West 13th Street South, legally described as:

Lot 16 in Larchwood Place, an Addition to the City of Newton, Jasper County, Iowa as shown in Plat Book E, at page 286 in the Office of the Recorder of said County.

PASSED this _____ day of May, 2026

APPROVED this _____ day of May, 2026

Randy J. Ervin Mayor

ATTEST:

Katrina Davis, City Clerk

City of Newton Council Report

**Item:**

Resolution approving Change Order #2 and accepting completion of the 2025-01 PCC patching Project

Summary:

Approving CO #2 Accept completion of the 2025-01 PCC patching Project

Financial Impact:

Council previously approved a contract for \$844,299.50 on April 21st, 2025, and a change order in the amount of \$13,687.50 on September 2nd, 2025. This action would approve change order #2 in the amount of \$1,207.50, accept the project, and authorize payment of the retainage amount of \$25,775.83.

Report Number: 2026-558**Date:**

May 18, 2026

Lead Department:

Public Works

Recommendation:

Approve

Background:

The 2025-01 PCC Patching Project was a public improvement initiative designed to enhance the infrastructure within the City of Newton. The project includes repairing, adjusting, and improving roadways and utility structures across six locations in the city. These areas were the 1600-1800 blocks of S 16th Ave W, 700-800 blocks of 1st St N, 700-1400 blocks of N 8th Ave E, 1000-1200 block of S 5th Ave E, 300-400 block of E 12th St N and the 1500-2300 block of N 4th Ave E along with the intersection of N 19th Ave W at W 4th St N.

On Apr 21, 2025, Cedar Falls Construction was awarded the 2025-01 PCC patching project in the amount of \$844,299.50. Change order #1 was approved Sept 2, 2025, in the amount of \$13,687.50.

Change Order #2 covers field-verified measurements and conditions encountered during construction. The change order includes one additional manhole adjustment and added quantities of 4" PCC sidewalk and 6" PCC driveway required to complete restoration and meet City standards. These increases were partially offset by the removal of one intake minor adjustment and 20 SY of full-depth patching that were not needed in the field. Overall, the change order reflects the actual measured quantities necessary for project completion.

The project has been substantially completed in general compliance with the terms, conditions, and stipulations of said contract. The final contract amount, based on actual measured quantities of work and the issuance of two change orders, is \$859,194.50.

Recommendation:

Staff recommends the approval of the resolution to approve change order #2, accept the completion of the 2025-01 PCC patching project, approve the final contract amount of \$859,194.50, and authorize the retainage amount of \$25,775.83 to be paid to the contractor no sooner than 30 days after approval of this resolution, should no claims be on file.

Matt Muckler, City Administrator

RESOLUTION 2026- _____

RESOLUTION APPROVING CHANGE ORDER #2 AND ACCEPTING COMPLETION OF THE 2025-01 PCC PATCHING PROJECT

WHEREAS, the 2025-01 PCC Patching Project was a public improvement initiative designed to enhance the infrastructure within the City of Newton; and

WHEREAS, the project included repairing, adjusting, and improving roadways and utility structures across six locations in the city. These areas were the 1600-1800 blocks of S 16th Ave W, 700-800 blocks of 1st St N, 700-1400 blocks of N 8th Ave E, 1000-1200 block of S 5th Ave E, 300-400 block of E 12th St N and the 1500-2300 block of N 4th Ave E along with the intersection of N 19th Ave W at W 4th St N; and

WHEREAS, on April 21, 2025, Cedar Falls Construction was awarded the 2025-01 PCC patching project in the amount of \$844,299.50. Change order #1 was approved on September 2, 2025, in the amount of \$13,687; and

WHEREAS, Change Order #2 is due to final field-verified measurements and conditions encountered during construction. The change order includes one additional manhole adjustment and added quantities of 4" PCC sidewalk and 6" PCC driveway required to complete restoration and meet City standards; and

WHEREAS, these increases were partially offset by the removal of one intake minor adjustment and 20 SY of full-depth patching that were not needed in the field. Overall, the change order reflects actual measured quantities necessary for project completion; and

WHEREAS, Cedar Falls Construction has completed the work, and the project has been substantially completed in general compliance with the terms, conditions, and stipulations of said contract, and

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Newton, Iowa that the City of Newton hereby approves change order #2 and accepts completion of the project, the final contract amount of \$859,194.50, and authorizes the Public Works Director to execute payment of the retainer in the amount of \$25,775.83 to Cedar Falls Construction, Inc using 2024 road use tax bond funds, no sooner than 30 days after approval of this resolution, should no claims be on file.

PASSED this _____ day of May, 2026.

APPROVED this _____ day of May, 2026.

Randy J. Ervin, Mayor

ATTEST:

Katrina Davis, City Clerk

City of Newton
303 W 4th St N, Suite 501 Newton
Iowa, 50208



Change Order No.2

Owner:	City of Newton	Project Title:	2025-01 PCC patching Project
Contractor:	Cedar Falls Construction	Date Prepared:	3/13/2026
Contract Dates:	4/23/2025	Reviewed By:	JEG
Prepared By:	BLS		

In accordance with the General Regulations for the referenced Contract, you are directed to make the following changes in the work:

Nature of Change	Units	Unit Price	Price Change	Time Change
Add: #3 Additional Manhole Adjustment, Minor, Final Field Measurement Per EA	1	\$ 2,000.00	\$ 2,000.00	No additional time.
Remove #4 Inset Adjustment, Minor, Final Field Measurement Per EA	1	\$ (1,800.00)	\$ (1,800.00)	No additional time.
Add: #8 PCC sidewalk 4" Final Field Measurement Per SY	29	\$ 75.00	\$ 2,175.00	No additional time.
Remove #9 PCC sidewalk 6" Final Field Measurement Per SY	8.5	\$ (85.00)	\$ (722.50)	No additional time.
Add #10 PCC Driveway 6" Final Field Measurement Per SY	1.5	\$ 85.00	\$ 1,275.00	No additional time.
Add #A6 PCC Sidewalk, 4" Final Field Measurement Per SY	1	\$ 75.00	\$ 75.00	No additional time.
Add #A7 PCC Sidewalk, 6" Final Field Measurement Per SY	1	\$ 85.00	\$ 85.00	No additional time.
Remove #A9 Full Depth Patching, Final Field Measurement Per SY	20	\$ (94.00)	\$ (1,880.00)	No additional time.
Total Change in Cost			\$ 707.50	

Contract Price Prior to this Change Order	\$857,987.00
Net Increase Resulting from this Change Order	\$1,207.50
Current Contract Price Including this Change Order	\$859,194.50
Contract Time Prior to this Change Order (completion date)	31-Oct-25
Net Increase Resulting from this Change Order (completion date)	N/A
Current Contract Time Including this Change Order (new completion date)	31-Oct-25

The above changes are approved:

City of Newton, IA
 By: _____

The above changes are approved:

Contractor
 Cedar Falls Construction
 By: Pat Budke, Pres.

Date:

5/11/26

Date:

City of Newton Council Report

**Item:**

Resolution approving the purchase of a vehicle for the Police Department

Summary:

Approving the purchase of a vehicle for the Police Department to replace an existing unit that is beyond repair

Financial Impact:

\$14,515

Report Number: 2026-559**Date:**

May 18, 2026

Lead Department:

Police

Recommendation:

Approve

Background:

The Police Department has a current unmarked service vehicle that has significant mechanical issues and is beyond its operational life for police operations. Gregg Young Auto Center of Newton has a replacement vehicle in stock that meets the operational needs of the Police Department. The listed price of the vehicle is \$18,015, and they have agreed to take the old unit in on trade for \$3,500. The total cost of the purchase would be \$14,515 to be funded by 2026 bond proceeds.

Recommendation:

Staff recommends approval of this resolution

A handwritten signature in black ink, appearing to read "Matt Muckler".

Matt Muckler, City Administrator

RESOLUTION NO. 2026 – _____

RESOLUTION APPROVING THE PURCHASE OF A VEHICLE FOR THE POLICE DEPARTMENT

WHEREAS, the Police Department has a current unmarked service vehicle that is beyond its operational life for police operations; and

WHEREAS, Gregg Young Auto Center of Newton, IA has a used vehicle in stock that meets the operational needs of the department, and

WHEREAS, the list price for the vehicle is \$18,015 and Gregg Young Auto Center has agreed to take the old vehicle in on trade for \$3,500 for a net vehicle cost of \$14,515 to be funded by 2026 bond proceeds.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Newton, Iowa agrees to approve the purchase of a vehicle from Gregg Young Auto Center of Newton, IA for a total cost of \$14,515 utilizing 2026 bond proceeds.

PASSED this _____ day of _____, 2026.

APPROVED this _____ day of _____, 2026.

Randy J. Ervin, Mayor

ATTEST:

Katrina Davis, City Clerk

City of Newton Council Report

**Item:**

Resolution awarding the purchase of firefighter's personal protective equipment

Summary:

Resolution to purchase firefighter's personal protective equipment.

Financial Impact:

A total of \$22,620.00 to be paid from the 2026A bond funds for Other Capital Equipment.

Report Number: 2026-522**Date:**

May 18, 2026

Lead Department:

Fire

Recommendation:

Approve

Background:

The Fire Department equips their firefighters with personal protective equipment that provides protection from structural firefighting hazards.

Project Specifications were prepared by the Fire Department and vendors came in to demonstrate the products they represented. We received bids from three (3) turnout gear vendors. Staff recommends awarding the purchase to the lowest, responsible bidder. Lion V-Force has proven to be more reliable, repairable, and washable. We have also found the after-the-sale support for repairs and cleanings to be much above the competitors. The Lion gear manufacturer has already included shipping costs in the cost of the gear.

Company Quote*Firefighter Turnout Gear*

Conway Shield (Lakeland Stealth) \$3,375 per set

Dinges Fire Company (Lion V-Force) \$3,770 per set

MacQueen (Globe G3) \$3,806 per set

Recommendation:

City Staff recommends Council award the purchase of firefighter's personal protective equipment to the lowest, responsible bidder, Dinges Fire Company of Amboy, Illinois for the purchase of six (6) sets of Lion V-Force firefighter PPE in the amount of \$22,620. The purchase will be paid from the proceeds of the 2025A Bonds fund balance from the Other Capital Equipment (312-1050-67270) in the amount of \$10,809.01 and from 2026A bond funds for Other Capital Equipment (313-1050-67270) in the amount of \$11,810.99.

Matt Muckler, City Administrator

RESOLUTION NO. 2026-

RESOLUTION AWARDING THE PURCHASE OF FIREFIGHTER'S PERSONAL PROTECTIVE EQUIPMENT

WHEREAS, a firefighter's personal protective equipment is key in providing for their safety and protection; and

WHEREAS, fire department staff have been systematically replacing personal protective equipment over the past ten years; and

WHEREAS, specifications were prepared and bids sought from vendors; and

NOW, THEREFORE, BE IT RESOLVED, by the City Council of Newton, Iowa, that the bids firefighter's personal protective equipment be accepted and awarded to the lowest, responsible bidder, Dinges Fire Company of Amboy, Illinois for the purchase of six (6) sets of Lion V-Force firefighter PPE in the amount of \$ 22,620.

BE IT FURTHER RESOLVED, the total purchase of twenty-two-thousand six-hundred twenty dollars (\$ 22,620.00) for the firefighter's personal protective equipment project, is hereby approved. The purchase will be paid from the proceeds of the 2025A Bonds fund balance from the Other Capital Equipment (312-1050-67270) in the amount of \$10,809.01 and from 2026A bond funds for Other Capital Equipment (313-1050-67270) in the amount of \$11,810.99..

PASSED this _____ day of May 2026.

APPROVED this _____ day of May 2026.

Randy J. Ervin, Mayor

ATTEST:

Katrina Davis, City Clerk

City of Newton Council Report

**Item:**

Resolution authorizing the purchase of a wheel loader for Water Pollution Control

Summary:

Replace an existing 28-year-old wheel loader at Water Pollution Control

Financial Impact:

\$234,521.00 paid with Water Pollution Control Enterprise Funds

Report Number: 2026-530**Date:**

May 18, 2026

Lead Department:

Utilities

Recommendation:

Approve

Background:

The Water Pollution Control Division's existing wheel loader is 28 years old and has reached the end of its useful service life. Replacement of the unit is included in the Fiscal Year 2027 Capital Equipment Plan. The wheel loader is a critical piece of equipment utilized for plant maintenance activities, unloading freight and heavy operational equipment, and snow removal operations at both the treatment facility and remote lift stations.

Water Pollution Control staff coordinated equipment demonstrations with multiple wheel loader dealers to evaluate various makes and models. Each demonstration included a comprehensive review of equipment capabilities, available options, safety features, and maintenance requirements. Staff were also provided the opportunity to operate each unit to evaluate overall performance, functionality, and ease of use under anticipated operating conditions.

Following staff evaluation and discussion, the John Deere 544G Wheel Loader was determined to best meet the operational needs of the City of Newton Water Pollution Control Division based on its reliability, ease of operation, operator visibility, serviceability, and overall performance.

To procure the equipment, staff utilized Sourcewell, a cooperative purchasing program available to state and local governments. A quotation was obtained from Murphy Tractor & Equipment for the purchase of the John Deere 544G Wheel Loader, including fork and snow plow attachments, in the amount of \$234,521.00.

Recommendation:

Approval of the resolution authorizing the Utilities Director to purchase a John Deere 544G Wheel Loader from Murphy Tractor & Equipment in the amount of \$234,521.00. This purchase shall be funded through Fiscal Year 2027 Water Pollution Control Enterprise Funds.

Matt Muckler, City Administrator

RESOLUTION NO. 2026-_____

**RESOLUTION AUTHORIZING THE PURCHASE
OF A WHEEL LOADER FOR WATER POLLUTION CONTROL**

WHEREAS, the proposed purchase is intended to replace the department's existing 1998 - wheel loader, which is nearing the end of its useful service life; and

WHEREAS, the wheel loader is a critical asset used for plant maintenance, unloading freight, moving heavy operational equipment, and snow removal at both the treatment facility and remote lift stations; and

WHEREAS, upon replacement, the existing wheel loader will be sold to the Community Development Department for \$25,000.00, for use at the Newton Municipal Airport; and

WHEREAS, staff utilized Sourcewell, a cooperative purchasing program for state and local governments; and

WHEREAS, A quote was obtained from Murphy Tractor & Equipment for the John Deere 544G Wheel Loader, including fork and plow attachments, in the amount of \$234,521.00.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of Newton, Iowa, that the Utilities Director is hereby authorized to proceed with the purchase of a John Deere 544G wheel loader from Murphy Tractor & Equipment, Des Moines, Iowa, in the amount of \$234,521.00, utilizing FY27 Water Pollution Control Enterprise Funds.

PASSED this _____ day of May 2026.

APPROVED this _____ day of May 2026.

Randy J. Ervin, Mayor

ATTEST:

Katrina Davis, City Clerk

City of Newton Council Report

**Item:**

Resolution authorizing the purchase of an enclosed job trailer for Water Distribution

Summary:

Replacing an existing 27-year-old 10' enclosed job trailer

Financial Impact:

\$20,228.00 from Water Enterprise Funds

Report Number: 2026-533**Date:**

May 18, 2026

Lead Department:

Utilities

Recommendation:

Approve

Background:

The Utilities Water Distribution Division currently utilizes a 1999 10' enclosed job trailer to support field operations; however, the existing unit has become undersized for the volume of safety equipment, tools, and materials required for routine and emergency work. As operational demands have increased, particularly with water main repairs and installations, the limitations of the current trailer have resulted in inefficient storage, limited organization, and the need for multiple trips to and from the shop to retrieve necessary equipment and parts.

The 20' enclosed replacement job trailer will provide adequate space to store tools, parts, and safety equipment in a single mobile unit, allowing crews to arrive fully equipped at job sites. This will improve operational efficiency, reduce downtime, and enhance workplace safety. This job trailer was included as part of the FY27 Capital Equipment Plan.

The existing trailer will be listed for sale on the Public Surplus auction website with a minimum reserve amount of \$1,500.00. If the minimum reserve is not met, the trailer will be traded in, or sold to a scrap yard for scrap value.

Water Distribution staff requested quotes for the purchase of a new job trailer. The following quotes were received:

Thomas Trailer and Equipment	Des Moines, Iowa:	\$20,228.00
I-80 Trailer Sales	De Soto, Iowa:	\$21,259.00
4 Seasons Trailer	Grinnell, Iowa:	\$21,899.00

Recommendation:

Approve the purchase of an enclosed 20' Job Trailer from Thomas Trailer and Equipment of Des Moines IA for the quoted price of \$20,228.00

Matt Muckler, City Administrator

RESOLUTION NO. 2026-_____

**RESOLUTION AUTHORIZING THE PURCHASE OF AN ENCLOSED
JOB TRAILER FOR WATER DISTRIBUTION**

WHEREAS, The Utilities Water Distribution Division currently utilizes a 1999 10' enclosed job trailer to support field operations; however, the existing unit has become undersized for the volume of safety equipment, tools, and materials required for routine and emergency work; and

WHEREAS, as operational demands have increased, particularly with water main repairs and installations, the limitations of the current trailer have resulted in inefficient storage, limited organization, and the need for multiple trips to and from the shop to retrieve necessary equipment and parts.

WHEREAS, the 20' enclosed replacement job trailer will provide adequate space to store tools, parts, and safety equipment in a single mobile unit, allowing crews to arrive fully equipped at job sites. This will improve operational efficiency, reduce downtime, and enhance workplace safety; and

WHEREAS, the existing trailer will be listed for sale on the Public Surplus auction website with a minimum reserve amount of \$1,500.00. If the minimum reserve is not met, the trailer will be traded in, or sold to a scrap yard for scrap value; and

WHEREAS, Water Distribution staff requested quotes for the purchase of a new 20' enclosed job trailer; and

WHEREAS, Thomas Trailer and Equipment of Des Moines, Iowa provided the lowest quote in the amount of \$20,228.00.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of Newton, Iowa the Utilities Director is authorized to purchase an enclosed job trailer from Thomas Trailer and Equipment of Des Moines, IA for the quoted price of \$20,228.00 utilizing water revenue enterprise funds for this purchase.

PASSED this _____ day of May 2026.

APPROVED this _____ day of May 2026.

Randy J. Ervin, Mayor

ATTEST:

Katrina Davis, City Clerk

Vendor	Department	Description	Amount
Acushnet Company	Golf	Merchandise	\$ 2,360.65
Ag-Grow Plus Lawn Care	Airport	Service	\$ 412.33
Ahlers & Cooney P C	Legal Services	Services	\$ 75.00
Allen, Matthew	Utility Billing	Refund	\$ 64.22
Alliant Energy/IPL	All	Utilities	\$ 90,738.60
Amazon Capital Services	All	Supplies	\$ 2,681.18
American Legal Publishing Corporation	Administration	Service	\$ 279.30
Anderson Larkin & Co PC	Finance	Service	\$ 12,500.00
Atlantic Bottling	Golf	Concessions	\$ 804.18
BA Shields	Fire	Supplies	\$ 1,440.00
Bituminous Materials & Supply	Street	Supplies	\$ 1,468.32
Black Hills Energy	All	Service	\$ 263.61
BlueAlly Technology Solutions LLC	Administration	Service	\$ 1,355.61
Borchert, Eva	Utility Billing	Refund	\$ 9.22
Bound Tree Medical LLC	Fire	Supplies	\$ 1,467.57
Brick Gentry P.C.	All	Services	\$ 42,890.00
Caldwell Brierly & Chalupa PLLC	Golf/D&D/Parks	Service	\$ 498.00
Card Services	All	Services	\$ 4,201.28
Central Iowa Distributing Inc	Water Pollution Control	Supplies	\$ 586.00
Colfax Tractor Parts	Airport	Supplies	\$ 125.00
Conway Shield	Fire	Supplies	\$ 372.00
Core & Main	Water Distribution RESO:2026-018	Supplies	\$ 3,880.00
Costa Oil Newton	Fire	Service	\$ 100.31
D & K Products	Golf	Supplies	\$ 224.00
Dannen, Ryan	D & D	Services	\$ 1,080.00
DMACC - Ankeny Campus	All	Utilities	\$ 3,159.58
Dodd Trash Hauling & Recycling	Solid Waste	Service	\$ 88,237.38
East Side Repair	Fire	Service	\$ 45.00
Eastern Iowa Publications LLC	All	Service	\$ 3,571.62
EZ Lease	WPC/Fire/Utility Billing	Service	\$ 308.01
Forbes Office Solutions	All	Supplies	\$ 757.35
Galls LLC	Fire/Police	Supplies	\$ 199.68
Garcia, Jose	Police	Reimbursement	\$ 476.00
General Traffic Controls Inc	Traffic Control	Service	\$ 275.00
Gilbert Lawn Care and Snow Removal LLC	City Center/Library	Service	\$ 1,776.00
Grainger Inc	Water Pollution Control	Supplies	\$ 419.54
GrowyourCaptains.com LLC	Fire	Service	\$ 2,500.00
Hach Co	Water Treatment Plant	Supplies	\$ 1,493.68
Hamilton Glass	Tort Liability	Service	\$ 424.00
Hawkeye Lock & Security	City Center	Service	\$ 215.76
Hawkins Water Treatment	Water Treatment Plant	Supplies	\$ 7,262.83
HLW Engineering Group	Landfill	Service	\$ 2,685.00
Holmes, Christopher	Private Incentives RESO:2021-208	Incentives	\$ 10,000.00
Hornung's	Golf	Merchandise	\$ 62.33
Hy-Vee Accounting	Police	Service	\$ 2,865.00
IA Dept of Natural Resources	Water Pollution Control	Service	\$ 770.00
IMFOA Certification Review Committee	Executive	Dues	\$ 75.00
IMWCA	All	Service	\$ 9,884.22
Iowa One Call	Engineering/WPC	Service	\$ 228.90
Iowa Prison Industries	Police	Supplies	\$ 230.00

iWorQ	All RESO:2023-216	Service	\$ 17,325.00
Jensen Builders Limited	Airport RESO:2025-151	Service	\$ 24,447.11
JETCO Inc	Water Pollution Control	Service	\$ 1,147.50
Johnson Aviation	Airport	Reimb	\$ 119.97
Key Cooperative	All	Fuel	\$ 14,991.69
Kinetic Edge Physical Therapy	Parks/Streets	Service	\$ 303.00
Kirkham Michael	Airport RESO:2025-022	Service	\$ 2,916.28
Knox Company	Fire	Supplies	\$ 111.00
Logan Contractors Supply	Street	Supplies	\$ 444.45
Manatts - D.M.	Water Distribution/Storm Water	Supplies	\$ 6,468.23
Manfull Construction	D & D	Services	\$ 1,410.00
Martin Marietta Materials	Street/Fire	Supplies	\$ 2,376.15
Medicap Pharmacy	Fire	Service	\$ 29.72
Menards-Altoona	Parks	Supplies	\$ 674.73
Microbac Laboratories Inc	Water Treatment Plant/WPC	Service	\$ 6,519.00
Midwest Turf Support LLC	Golf	Supplies	\$ 585.00
Mississippi Lime Company	Water Treatment Plant	Supplies	\$ 18,238.55
Montgomery, Lucas	Water Treatment Plant	Reimbursement	\$ 95.33
Municipal Supply Inc	Water Distribution	Supplies	\$ 1,414.00
NAPA Auto Parts	All	Supplies	\$ 561.98
National Animal Care & Control Assn	Police	Dues	\$ 25.00
Newton Community School	Police	Supplies	\$ 5.00
Next Level Response Solutions LLC	Fire	Service	\$ 5,644.00
Niemann Foods	All	Supplies	\$ 333.32
Ouren, Nancy	Utility Billing	Refund	\$ 32.52
Phelps Uniform Specialists	City Center/Landfill	Service	\$ 249.58
Physicians Mutual	Fire	Refund	\$ 102.85
Pitney Bowes	Building/Finance	Supplies	\$ 333.90
Protex Central Incorporated	Airport	Service	\$ 449.00
PRS	Fire	Refund	\$ 568.79
R J Thomas Mfg Co Inc	Parks	Supplies	\$ 2,827.00
Ray, Randy	D & D/Police	Services	\$ 3,650.00
Reeves, Amy	Private Incentives RESO:2021-208	Incentives	\$ 10,000.00
Reeves, Cassandra	Utility Billing	Refund	\$ 7.00
Renaissance Roofing Inc	Tort Liability RESO:2025-422	Service	\$ 72,209.85
Ryan's Tire & Auto	Community Marketing	Supplies	\$ 304.00
Scheffler, Connor & Judge, Johanna	Utility Billing	Refund	\$ 8.44
Sign Pro	Police	Service	\$ 1,100.00
Spahn & Rose Lumber Co	Animal Control/Storm Water	Supplies	\$ 116.65
State Steel of Des Moines	Community Marketing	Supplies	\$ 1,186.83
Stewart, Beverly	Fire	Refund	\$ 109.52
Stivers Midwest Pro Upfitters	Police RESO:26-103/26-159	Service	\$ 28,785.59
Strand Associates Inc	Water Treatt RESO:25-401/23-131	Service	\$ 4,202.00
Streichers	Police	Supplies	\$ 190.00
T2 Systems Inc	Police	Service	\$ 14.94
Tatman, Anthony	Fire	Service	\$ 1,440.00
The Police and Sheriffs Press	Police	Supplies	\$ 45.00
Theisen's	All	Supplies	\$ 1,927.95
TK Elevator	City Center	Service	\$ 219.21
Town & Country Wholesale Co	Golf	Concessions	\$ 370.31
TreviPay	Golf/Landfill/Water Treat	Supplies	\$ 223.28
True Pitch	Parks	Supplies	\$ 239.80
Two Rivers Cooperative	Water Treat/Landfill/City Garage	Supplies	\$ 9,317.02

Unified Contracting Services Inc	Airport	Service	\$ 655.50
UPH St Lukes Drug and Alcohol Testing	Street	Service	\$ 42.00
USPS	Utility Billing	Service	\$ 370.00
Valley Blades Limited	Snow Removal	Supplies	\$ 11,262.79
Van Diest Supply Co	Parks/SSMID	Supplies	\$ 5,527.45
Van Maanen Electric Inc	Water Treatment Plant	Service	\$ 456.98
Van Wall Equipment	Cemetery/Golf/Airport	Supplies	\$ 52.73
Verizon Wireless	Fire	Service	\$ 35.01
Welsey Community Services/Hospice	Fire	Refund	\$ 556.20
Windstream	Utility Billing	Service	\$ 42.50
Xerox Corporation	Police/Water Treat	Service	\$ 267.79
Zimco Supply Company	Cemetery/Golf/Parks	Supplies	\$ 5,142.00
Zoll	Fire	Supplies	\$ 1,642.70
Zonar Systems	Street Cleaning/Snow Removal	Service	\$ 1,409.04
Grand Totals:			\$ 581,677.99

Pre-Authorized Payments

AT&T Mobility	Landfill/Police	Service	\$ 182.06
Caliber Concrete LLC	Golf RESO:25-1433 & 26-110	Capital Project	\$ 275,937.50
Central Iowa Excavation	1st Ave E TIF RESO: 2025-477	Capital Project	\$ 80,756.38
Doll Distributing LLC	Golf	Concessions	\$ 680.40
Fierce Faith	Com Marketing RESO:2026-127	Grant	\$ 2,500.00
McCan Housing Associates LP	Mcann Urb Renew RESO: 2026-162	Tax Rebates	\$ 45,535.20
T Mobile	Fire	Service	\$ 229.56
Theisen's Inc	East Mart TIF RESO: 2026-163	Tax Rebates	\$ 50,568.00
TK Concrete Inc	Fairmeadows TIF RESO:2026-131	Capital Project	\$ 33,106.10
Uniti	Admin	Service	\$ 806.84
Windstream	All	Service	\$ 661.59

Total: \$ **490,963.63**

May, 19 2026 Expenses

General	\$ 290,476.25
Special	\$ 55,564.30
Other	\$ 303,594.75
Enterprise	\$ 423,007.09
Total:	\$ 1,072,642.39

City of Newton Council Report

**Item:**

Public Hearing on Resolution Approving the Second Budget Amendment for Fiscal Year 2025-2026

Summary:

Iowa Code requires that the City not exceed the budgeted expenditures for each of nine programs, so adjustments are made to reflect changes that have occurred throughout the fiscal year

Financial Impact:

No new financial impact as proposed amendments reflect City Council actions during past fiscal year and actual expenditures to date

Report Number: 2026-538**Date:**

May 18, 2026

Lead Department:

Administration

Recommendation:

Approve

Background:

At the May 4, 2026 City Council Meeting, the Council designated May 18, 2026 as the public hearing date to consider the second 2025-26 budget amendment for the City of Newton. Notice of the hearing was published in the *Newton Daily News*, in compliance with state requirements on Friday, May 8, 2026. The Iowa Code requires that expenditures for each of the nine general City programs not exceed the budget for the respective programs and allows budgets to be amended by cities prior to May 31st each year to accommodate this requirement.

The attached budget amendment adjusts the current year 2025-26 budgeted revenues and expenditures to reflect the changes that have occurred and are expected thru June 30, 2026. Amended line items include additional revenues and expenses related to Federal and State Grants, Private Donations, Fire Operating Expenses, Garbage Services, PCC Patching Project, donation expenditures by Library, Maytag Pool Repairs, Legal Services, 2025 bonding expenses, Westwood Golf Bridge, Airport Projects and Water Pollution Control Projects.

The detailed account numbers for the amendments for each program are found in the pages following the attached Resolution. The amendments do not impact the property tax levy.

Recommendation:

It is recommended the City Council adopt the attached Resolution approving the second 2025-26 budget amendment for the City of Newton.

Matt Muckler, City Administrator

RESOLUTION NO. 2026 – _____

**RESOLUTION APPROVING THE SECOND BUDGET AMENDMENT FOR
FISCAL YEAR 2025-26**

WHEREAS, Iowa Code requires that the City not exceed the budgeted expenditures for each of nine programs and allows cities to amend local budgets to accommodate this requirement; and

WHEREAS, a budget amendment for FY26 has been prepared to conform to the Iowa Code requirement to not exceed a budgeted amount in each of the State's nine programs and was published in the Newton Daily News on May 8, 2026 in accordance with State requirements;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Newton, Iowa, that the second amendment to the City of Newton's 2025-26 Budget is hereby approved.

PASSED this 18th day of May, 2026

APPROVED this _____ day of May, 2026

Randy J. Ervin, Mayor

ATTEST:

Katrina Davis, City Clerk

2025-2026 City of Newton 2nd Budget Amendment May 18, 2026

Revenues

Licenses & Permits

		Budget	Amendment	Adjusted Budget
001-1070-1-41220	Building Permits	\$ 165,000	\$ 40,000	\$ 205,000

Intergovernmental

		Budget	Amendment	Adjusted Budget
001-1050-2-44400	State Grant - Fire	\$ -	\$ 5,250	\$ 5,250
001-1050-2-44701	GEMT Revenues - Fire	\$ 350,000	\$ 200,000	\$ 550,000
301-2080-3-44000	Federal Grant - Airport	\$ 85,611	\$ 85,611	\$ 171,222
308-5175-2-44000	State Grant - Traffic Signal Project	\$ -	\$ 102,420	\$ 102,420
311-2080-3-44000	Federal Grant - Airport	\$ 249,534	\$ 249,534	\$ 499,068
740-8065-2-44006	FEMA Reimbursement	\$ 112,230	\$ 112,230	\$ 224,460

Miscellaneous

		Budget	Amendment	Adjusted Budget
001-1050-1-47405	Prairie Meadows Grant - Fire	\$ 18,704	\$ 18,704	\$ 37,408
001-1050-2-47050	Donations - Fire	\$ 17,000	\$ 12,000	\$ 29,000
001-4010-2-47050	Donations - Library	\$ 28,500	\$ 27,500	\$ 56,000
001-4010-2-47053	Jackson Estate Donation - Library	\$ 40,000	\$ 40,000	\$ 80,000
001-4030-1-47405	Prairie Meadows Grant - Parks	\$ 14,000	\$ 10,000	\$ 24,000
001-4030-2-47054	Donations - Holiday Lights	\$ 23,100	\$ 8,100	\$ 31,200
012-6060-1-47405	Tort Liability Revenue	\$ 160,000	\$ 100,000	\$ 260,000
301-4030-2-47050	Donations - Parks	\$ 11,381	\$ 11,381	\$ 22,762
312-4030-2-47050	Donations - Tennis Courts	\$ 300,000	\$ 300,000	\$ 600,000
313-5150-2-47050	Donations - Harmony Park	\$ 125,000	\$ 125,000	\$ 250,000

Other Financing Sources

		Budget	Amendment	Adjusted Budget
110-2010-4-48100	Sale of Equipment	\$ 45,225	\$ 45,225	\$ 90,450
132-5171-1-48000	Sale of Land - Arbor Estates	\$ 750,000	\$ 300,000	\$ 1,050,000

Grand Total all Revenue Amendments	\$ 1,792,955
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2025-26 City of Newton Budget Amendment May 18, 2026

Expenditures

Program 1 Public Safety Budget Amendments

Fire		Budget	Amendment	Adjusted Budget
001-1050-60400	Overtime	\$ 30,000	\$ 100,000	\$ 130,000
001-1050-61810	Allowances - Uniforms	\$ 10,000	\$ 50,000	\$ 60,000
001-1050-65120	Medical Supplies	\$ 47,000	\$ 20,000	\$ 67,000
001-1050-63320	Vehicle Repair	\$ 45,000	\$ 20,000	\$ 65,000
001-1050-67370	HSGP Grant Expenditures	\$ -	\$ 18,000	\$ 18,000
Building		Budget	Amendment	Adjusted Budget
001-1070-64990	Contractual Services	\$ 120,000	\$ 50,000	\$ 170,000
Disaster Services		Budget	Amendment	Adjusted Budget
001-1900-63500	Equipment Repair	\$ 1,500	\$ 10,000	\$ 11,500
TOTAL Program 1:			\$ 268,000	

Program 2 Public Works Budget Amendments

Airport		Budget	Amendment	Adjusted Budget
001-2080-64990	Contractual Services	\$ 44,800	\$ 30,000	\$ 74,800
Garbage		Budget	Amendment	Adjusted Budget
001-2090-64990	Contractual Services	\$ 805,000	\$ 325,000	\$ 1,130,000
Street		Budget	Amendment	Adjusted Budget
110-2010-60100	Salaries-Regular Full Time	\$ 209,542	\$ 75,000	\$ 284,542
110-2012-67639	PCC Patching 2024	\$ -	\$ 850,000	\$ 850,000
TOTAL Program 2:			\$ 1,280,000	

Program 4 Culture & Recreation Budget Amendments

Library		Budget	Amendment	Adjusted Budget
001-4010-65150	Donation Expenditures	\$ 1,000	\$ 75,000	\$ 76,000
Parks		Budget	Amendment	Adjusted Budget
001-4030-63100	Building Maintenance & Repair	\$ 7,449	\$ 30,000	\$ 37,449
001-4030-63740	Water/Sewer Expense	\$ 7,800	\$ 40,000	\$ 47,800
Maytag Pool		Budget	Amendment	Adjusted Budget
001-4040-63100	Building Maintenance & Repair	\$ 7,500	\$ 45,000	\$ 52,500
TOTAL Program 4:			\$ 190,000	

Program 5 Community & Ec Development Budget Amendments

Economic Development		Budget	Amendment	Adjusted Budget
001-5020-64130	Payments to Other Agencies	\$ -	\$ 15,760	\$ 15,760
TOTAL Program 5:			\$ 15,760	

Program 6 General Government Budget Amendments

Finance		Budget	Amendment	Adjusted Budget
001-6025-64010	Accounting & Auditing Expense	\$ 27,100	\$ 15,000	\$ 42,100
001-6025-65080	Postage/Shipping	\$ 3,200	\$ 5,000	\$ 8,200
Legal Services		Budget	Amendment	Adjusted Budget
001-6040-64500	General Counsel	\$ 95,000	\$ 80,000	\$ 175,000
City Center		Budget	Amendment	Adjusted Budget
001-6050-67270	Other Capital Equipment	\$ -	\$ 40,000	\$ 40,000
TOTAL Program 6:			\$ 140,000	

Program 7 Debt Service Budget Amendments

Capital Project Fund		Budget	Amendment	Adjusted Budget
200-7010-64390	Bonding & Refinancing Expenses	\$ 75,000	\$ 275,000	\$ 350,000
TOTAL Program 7:			\$ 275,000	

Program 9 Business Type Activies

Water Polution Control		Budget	Amendment	Adjusted Budget
610-8015-64080	Property Insurance Expense	\$ 115,000	\$ 40,000	\$ 155,000
610-8015-67689	Plant Improvements 21/22	\$ -	\$ 500,000	\$ 500,000
610-8015-67691	NE Pump Station Engineering	\$ -	\$ 500,000	\$ 500,000
Golf		Budget	Amendment	Adjusted Budget
750-8090-67956	Severe Storms May 2024	\$ -	\$ 500,000	\$ 500,000
TOTAL Program 9:			\$ 1,540,000	

Grand Total all Expenditure Amendments	\$ 3,708,760
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NOTICE OF PUBLIC HEARING - AMENDMENT OF CURRENT BUDGET

City of NEWTON
Fiscal Year July 1, 2025 - June 30, 2026

The City of NEWTON will conduct a public hearing for the purpose of amending the current budget for fiscal year ending June 30, 2026

Meeting Date/Time: 5/18/2026 06:00 PM

Contact: Candace Streeter

Phone: (641) 792-2787 ext: 2003

Meeting Location: City Hall
101 W 4th St S
Newton IA 50208

There will be no increase in taxes. Any residents or taxpayers will be heard for or against the proposed amendment at the time and place specified above. A detailed statement of: additional receipts, cash balances on hand at the close of the preceding fiscal year, and proposed disbursements, both past and anticipated, will be available at the hearing. Budget amendments are subject to protest. If protest petition requirements are met, the State Appeal Board will hold a local hearing. For more information, consult <https://dom.iowa.gov/local-gov-appeals>.

REVENUES & OTHER FINANCING SOURCES		Total Budget as Certified or Last Amended	Current Amendment	Total Budget After Current Amendment
Taxes Levied on Property	1	9,774,542	0	9,774,542
Less: Uncollected Delinquent Taxes - Levy Year	2	0	0	0
Net Current Property Tax	3	9,774,542	0	9,774,542
Delinquent Property Tax Revenue	4	0	0	0
TIF Revenues	5	3,485,102	0	3,485,102
Other City Taxes	6	2,767,054	0	2,767,054
Licenses & Permits	7	316,810	40,000	356,810
Use of Money & Property	8	360,570	0	360,570
Intergovernmental	9	5,121,358	755,045	5,876,403
Charges for Service	10	13,745,980	0	13,745,980
Special Assessments	11	25,000	0	25,000
Miscellaneous	12	3,257,865	652,685	3,910,550
Other Financing Sources	13	4,845,400	345,225	5,190,625
Transfers In	14	3,805,848	0	3,805,848
Total Revenues & Other Sources	15	47,505,529	1,792,955	49,298,484
EXPENDITURES & OTHER FINANCING USES				
Public Safety	16	9,042,227	268,000	9,310,227
Public Works	17	4,058,822	1,280,000	5,338,822
Health and Social Services	18	0	0	0
Culture and Recreation	19	2,465,335	190,000	2,655,335
Community and Economic Development	20	2,010,864	15,760	2,026,624
General Government	21	4,378,887	140,000	4,518,887
Debt Service	22	4,423,362	275,000	4,698,362
Capital Projects	23	9,379,037	0	9,379,037
Total Government Activities Expenditures	24	35,758,534	2,168,760	37,927,294
Business Type/Enterprise	25	12,997,149	1,540,000	14,537,149
Total Gov Activities & Business Expenditures	26	48,755,683	3,708,760	52,464,443
Transfers Out	27	3,805,848	0	3,805,848
Total Expenditures/Transfers Out	28	52,561,531	3,708,760	56,270,291
Excess Revenues & Other Sources Over (Under) Expenditures/Transfers Out	29	-5,056,002	-1,915,805	-6,971,807
Beginning Fund Balance July 1, 2025	30	28,213,437	0	28,213,437
Ending Fund Balance June 30, 2026	31	23,157,435	-1,915,805	21,241,630

Explanation of Changes: Revenues - Building Permits, Federal & State Grants, GEMT Revenues, FEMA Reimbursement, Private Donations, Sale of Land Expenses - Fire Operating Expenses, Building Inspections, Library Donation Expenditures, PCC Patching Project, Maytag Pool Repair, Garbage Expenses, Legal Services, 2025 Bonding Expenses, Water Pollution Control Plant Improvements & NE Pump Station Project, Westwood Golf Bridge Project

City of Newton Council Report

**Item:**

Second consideration of an Ordinance Amending the Various Sections of the Code of Ordinances, City of Newton, Iowa, 2025, Title IX, Chapter 90, "Animals"

Summary:

Amending the animal ordinance to limit the number of cats and dogs, to create allowance for a TNR program, and to make corrections in the problematic dog section.

Financial Impact:

N/A

Report Number: 2026-473**Date:**

May 18, 2026

Lead Department:

Police

Recommendation:

Approve

Background:

The purpose of the proposed ordinance change is to define the number of dogs and cats a resident may own, to establish guidelines to allow trap-neuter-release (TNR) services in our community, and to make corrections to the dangerous and problematic dog section of the animal ordinance.

Limiting Number of Animals

The Newton Police Department Code Enforcement Division, being in charge of animal control, has seen an increasing number of cases involving cat hoarding. In the past 18 months, the Newton Police Department's Community Service Officers have handled 3 cases involving cat hoarding and have removed 89 cats with the assistance of the Animal Rescue League of Central Iowa. These residences are often found to be in unsanitary, poor condition with unhealthy ammonia levels.

This problem is often the consequence of city residents taking in multiple stray cats from their neighborhood, with the misguided belief that they have the means to help multiple cats and that they can help control the neighborhood cat population. This quickly spirals out of control as the cats reproduce on average 1.4 litters per year with 3–6 kittens per litter, and the owner becomes unable to control this compulsive behavior.

The City currently doesn't limit the number of cats a person can own. The City's current ordinance does limit the number of dogs to 4. The proposed ordinance change will limit the number of cats and dogs a person can own to a total of six, with no more than four being dogs. This will encourage people to be responsible pet owners and provide an avenue for enforcement action. For residents who currently own more than six licensed and registered cats at their residence will be grandfathered in and allowed to maintain the existing number. However, they will not be able to add any more pets.

With the addition of the "otherwise cares for" clause to the definition of "owner", the City will have the ability to classify people who feed and harbor numerous stray cats as owners, thus discouraging the behavior and providing an avenue for potential enforcement. For purposes of this ordinance, a person who feeds community or stray cats is not considered an owner or caregiver. In order to be considered an owner or caregiver, one must also harbor or provide shelter for said cats.

Community Cat / Trap-Neuter-Release

This ordinance also adds a definition of a Community Cat, Community Cat Caregiver, and Trap-Neuter-Release program. While the practice of feeding stray cats may appear to be helping the animal, it often attracts large quantities of cats and other predatory animals. Animal experts agree that the practice of feeding intact cats leads to higher pregnancy rates and increased stray populations. This can also lead to the spread of internal and external parasites within the colony. Programs such as Trap-Neuter-Release (TNR) are shown to be beneficial in controlling and creating a healthy community cat population. TNR is the process of humanly trapping stray cats, spaying or neutering, vaccination, ear tipping (for identification purposes), and return of the cat to his original location. This is done by a group or organization identified as a Community Cat Caregiver. The City has explored resources for organizations who facilitate TNR programs and has found that Lucy's Pet Pantry provides this service in our area.

Vicious, Dangerous, Problematic Dog Ordinance Language Clean Up

The ordinance proposal makes corrections to the Problematic Dog ordinance. There are three instances where the word "vicious" was used instead of the designation of "dangerous". The proposed ordinance changes to this section do not change the procedures for handling problematic, dangerous or vicious dogs.

Recommendation:

Staff recommends approval of this ordinance.

A handwritten signature in black ink, appearing to read "Matt Muckler". The signature is fluid and cursive, written over a light grey rectangular background.

Matt Muckler, City Administrator

ORDINANCE NO. _____

**ORDINANCE AMENDING VARIOUS SECTIONS OF THE CODE OF ORDINANCES, CITY OF NEWTON,
IOWA, 2025, TITLE IX, CHAPTER 90, "ANIMALS".**

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF NEWTON DOES ORDAIN AS FOLLOWS:

Section 1. The Code of Ordinances, City of Newton, Iowa, 2025, Title IX, Chapter 90.14, Licensing Requirements; Immunization is hereby amended by adding or deleting the following:

General Provisions

- 90.01 Administration and enforcement
- 90.02 Definitions
- 90.03 Dogs, cats, pigs at large
- 90.04 Keeping dangerous animals prohibited; exceptions
- 90.05 Aid escape
- 90.06 Defecation
- 90.07 Cleanup
- 90.08 Noise
- 90.09 Interference with enforcement
- 90.10 Dead animals; disposal limited
- 90.11 Domestic animals on city cemetery property
- 90.12 Snakes
- 90.13 Miniature pigs
- 90.14 Licensing requirements; immunization
- 90.15 Reserved
- 90.16 Quarantine
- 90.17 Standard of care
- 90.18 Animals in motor vehicles
- 90.19 Tethering

90.20 Community Cats

§ 90.02 DEFINITIONS.

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning. Words used in the singular include the plural and the plural the singular, the masculine gender includes the feminine and the feminine the masculine.

ABANDON. Ceasing to provide control over, shelter, food and water for an animal without having made responsible arrangements for such care, custody and physical control to be provided by another person.

ANIMAL. Every wild, tame or domestic member of the animal kingdom other than the genus and species Homo sapiens.

CAT. Both male and female animals of the feline species, whether neutered or not.

COMMUNITY CAT. A cat that is allowed to roam freely within the city that meets the requirements found in § 90.20.

COMMUNITY CAT CAREGIVER. A person who in accordance with and pursuant to a policy of Trap-Neuter-Return, as defined herein, provides care including food, water and shelter.

— DANGEROUS ANIMAL.

- (1) Any animal which is not naturally tame (or gentle, and which is of a wild nature or disposition, and which is capable of killing, inflicting serious injury upon, or causing disease among, human beings or domestic animals and having known tendencies as a species to do so;
- (2) Any animals declared to be dangerous by the City Administrator or the City Administrator's designee; and
- (3) The following animals which shall be deemed to be DANGEROUS ANIMALS per se:
 - (a) Artiodactyla of the family Antilocapridae which includes pronghorns;
 - (b) Artiodactyla of the family Cervidae which includes moose and caribou;
 - (c) Artiodactyla of the family Suidae and the genus and species Sus scrofa (domestic swine and wild boar) which includes all male and female wild boars; this shall not apply to breeds of domesticated miniature pigs, as regulated by § 90.13 of this chapter;
 - (d) Bovidae - males only (bulls);

- (e) Carnivora of the family Canidae which includes wolves and foxes, but excluding domestic dogs;
- (f) Carnivora of the family Felidae which includes lions, lynx, and bobcats, but excluding domestic cats;
- (g) Carnivora of the family Mustelidae which includes badgers, wolverines, weasels and skunks, except ferrets;
- (h) Carnivora of the family Procyonidae which includes raccoons;
- (i) Carnivora of the family Ursidae which includes bears;
- (j) Chelonia of the family Chelydridae (snapping turtles);
- (k) Crocodilia which includes crocodiles and alligators;
- (l) Chiroptera (bats);
- (m) Proboscidae (elephants);
- (n) Rodentia of the family Muridae (rats), except white rats kept as household pets;
- (o) Squamata of the suborder Ophidia (snakes) which are venomous; and
- (p) Squamata of the suborder Ophidia (snakes) which are constrictors that are greater than six feet in length.

TRAP-NEUTER-RETURN (TNR). The process of humanely trapping, sterilizing, vaccinating for rabies, ear tipping and returning a cat to their original location.

(2011 Code, § 13.0302) (Ord. 2189, passed 4-10-2012; Ord. 2205, passed 1-28-2013; Ord. 2280, passed 1-4-2017)

§ 90.03 DOGS, CATS, PIGS AT LARGE.

(A) (1) Dogs and pigs properly identified as required by law shall be deemed at large if the animal is off the premises of the owner. A dog or pig shall not be deemed at large if:

- (a) On the premises of its owner;
- (b) Off the premises of the animal's owner and under the control of a person given charge of the dog by the owner by leash, cord, chain or other similar restraint not more than six feet in length;
- (c) Confined within a motor vehicle;
- (d) Properly housed in a veterinary hospital or kennel or commercial establishment as defined by Iowa Code Ch. 162; or
- (e) In the designated enclosed area of a city owned dog park.

(2) Cats are allowed to be unrestrained any time within the city, except agents and agencies responsible for animal control within the city are hereby authorized to temporarily seize any cat running at large within the city for the limited purposes of ascertaining whether such cat is currently licensed and vaccinated for rabies. Upon confirmation of current license and rabies tags, such cat shall be immediately released. In the absence of a current license or rabies tag, such cat shall be impounded as provided hereinafter.

(3) A cat, properly licensed and displaying such license as required by law, shall not be deemed at large if the cat is not causing damage or interfering with property of another.

(2011 Code, § 13.0303)

(B) No owner, or person in charge, of any licensed or unlicensed dog, ~~or any cat,~~ or any pig, shall permit such dog ~~or cat~~ or pig to run at large in the city at any time as described in division (A) above.

(2011 Code, § 13.0319)

§ 90.14 LICENSING REQUIREMENTS; IMMUNIZATION.

(A) Annual license required.

(1) All dogs and cats over six months of age kept, harbored or maintained by their owner in the city shall be licensed by the owner. OWNER means, in addition to its ordinary meaning, any person who keeps, harbors or otherwise cares for ~~or harbors~~ an animal.

(2) Such license shall be issued and recorded by the Police Department or designee and affixed to each animal by its owner to a substantial collar and, during the term of the license, shall be at all times kept on the animal for which the license is issued.

(3) License fees shall be as established in division (B) below. Application for licenses on the form provided by the city may be made after December 1, and at any time for an animal which has come into the possession or ownership of the applicant, or which has reached the age of six months. Licenses are valid from January 1 through December 31 of a calendar year. Failure to purchase a license by April 1 of any given year shall result in an additional fee being charged for late license purchase. The late fee shall be set by City Council resolution.

(4) The provisions of this division (A) shall not be intended to apply to dogs and cats whose owners are non-residents temporarily within the city, kennel dogs or cats, or show dogs or cats brought into the city for the purpose of participating in any dog or cat show; provided, such dogs and cats are kept restrained by the owner at all times.

(2011 Code, § 13.0313)

(B) License fees. Annual license fees for dogs and cats shall be set by City Council resolution. Upon the filing of an affidavit that the license tag has been lost or destroyed, the owner may obtain another tag upon the payment of a fee to the city as set by City Council resolution.

(2011 Code, § 13.0314)

(C) Immunization. All dogs and cats six months or older, and all dogs and cats who are between the ages of four and six months at the time they are licensed, shall be vaccinated against rabies. Before issuance of a license, the owner shall furnish a veterinarian's certificate showing that the dog or cat for which the license is sought has been vaccinated, and that the vaccination does not expire within six months from the effective date of the license. It shall be a violation of this chapter for any dog or cat to not be vaccinated against rabies. A tag showing evidence of proper vaccination shall be worn by every dog and cat meeting the criteria established in this section.

(D) Maximum number allowed. ~~No owner may have more than four dogs over six months of age. No owner or residence shall harbor more than six cats and dogs over six months of age; no more than four can be dogs.~~

(2011 Code, § 13.0317) (Ord. 2258, passed 9-21-2015; Ord. 2317, passed 1-3-2018)

Penalty, see § 90.99

§ 90.20 COMMUNITY CATS

(A) Requirements – Community cats shall be allowed as free roaming cats if all the following are met:

- a. No person owns the cat
- b. Cat has been assessed by a veterinarian and deemed healthy
- c. Cat has been spayed or neutered
- d. Cat has been vaccinated for rabies, feline rhinotracheitis, calicivirus, and panleukopenia, and reasonable attempts to revaccinate in accordance with the directions of a veterinarian
- e. Cats must be ear tipped by the veterinarian making the health assessment and after determining the cat is spayed or neutered, has been properly vaccinated, and has no known owner.

(B) Nuisance – Community cats that create a nuisance may be captured and impounded. For the purpose of this section “nuisance” shall be defined as anything which interferes with the enjoyment of life or property. An animal control officer may determine if a community cat is a nuisance and shall use information obtained from citizens complaining about a community cat and his/her expertise to determine if a community cat is a nuisance.

(C) Returning Community Cats to Area – A community cat shall be returned to the area where it was captured unless the property owner of the property owner of the caretaker of the property where the cat was captured requests that the cat not returned, or if the cat is sick or injured.

(D) Liability – The city shall have no liability for the disposition of any community cat.

VICIOUS, DANGEROUS AND PROBLEMATIC DOGS

§ 90.51 DEFINITIONS.

For the purpose of this subchapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

AT LARGE. Dogs found off premises of the owner or keeper. A dangerous dog or a problematic dog shall not be deemed AT LARGE if the dog is:

- (1) Muzzled, attached to a leash of sufficient strength and six feet in length to control the dog where such leash is held by its owners or keeper at all time;
- (2) Contained within an enclosed motor vehicle or crate; or
- (3) Housed in a licensed veterinarians clinic or kennel.

DANGEROUS DOG. Any dog that has been declared or found to pose a risk to public safety by the animal control authority, law enforcement agency or court for conduct consistent with the following:

- (1) Has on any single occasion caused injury to a person that is less severe than a fatal or disabling injury;
- (2) Has killed a domestic animal or pet or has inflicted injury upon a domestic animal or pet such that the domestic animal or pet later dies or is euthanized due to the attack;
- (3) Has previously been designated as a “problematic dog” by this or any other jurisdiction, and engages in behavior that poses a threat to public safety as described herein on two or more occasions;
- (4) Has previously been designated a "dangerous" dog by this jurisdiction or its substantial equivalent by any other jurisdiction; and

(5) Has engaged in or has been trained to engage in exhibitions of fighting.

DISABLING INJURY. Any injury which does any of the following: (1) creates a substantial risk of death; (2) causes serious permanent disfigurement; or (3) causes protracted loss or impairment of the function of any bodily member or organ.

FATAL INJURY. Any injury that results in the death of a person or animal.

MINOR INJURY. Any superficial injury that does not rise to the level of bodily injury, which may include, but is not limited to, abrasions, scratches, lacerations, and punctures that may cause minor bleeding or bruising, but doesn't require sutures, staples or stitches.

OWNER. A person who has a right of property or custody of a dog. For purposes of this definition, a right of property or custody of a dog exists if a person knowingly permits a dog to remain on or continuously return to any premises occupied by that person for two weeks or more at a time.

PROBLEMATIC DOG. A dog that may reasonably be assumed to pose a threat to public safety as demonstrated by any of the following behaviors:

(1) Causing an injury to a person or domestic animal that is less severe than a serious injury;

(2) Without provocation, chases vehicles or threatens, attacks, aggressively barks, growls, or interferes with persons or other domestic animals while the latter are on public or private property, irrespective of whether the dog is on private or public property;

(3) Founded incidents of running at large, as defined herein, or impounded by the animal control authority, or owners having been cited by the Police Department three times for running at large within any 12-month period;

(4) Acts in a highly aggressive manner within a fenced yard/enclosure and/or is tethered and appears to the animal enforcement or other law enforcement officer to be able to jump over or escape; and/or

(5) Has a known propensity, tendency or disposition to attack persons or domestic animals, unprovoked, causing injury or less than serious injury, or to otherwise threaten the safety of humans or domestic animals.

PROPER ENCLOSURE. An enclosure that is sufficiently constructed and maintained to effectively prevent a dog subject to this subchapter from escaping. Such enclosure requires the following minimum requirements:

(1) Problematic and dangerous dogs to be securely confined within an occupied house or residence or in a securely enclosed and locked pen or kennel, except when leashed as provided in this subchapter. Such pen, kennel or structure must have secure sides and a secure top attached to the sides or, in lieu of a top, walls at least six feet in height and at least six feet taller than any internal structure;

(2) All pens or other structures designed, constructed or used to confine problematic and dangerous dogs must be locked with a key or combination lock when such animals are within the structure. Such structure must have a secure bottom, floor or foundation attached to the sides of the pen, or the sides of the pen must be embedded in the ground no less than one foot so as to prevent digging under the walls by the confined problematic or dangerous dog;

(3) In addition to a securely enclosed and locked pen or kennel, a problematic dog may be securely confined by a substantial wood, vinyl or composite privacy fence of no less than six feet tall with a secure bottom that would prevent digging. Such fence should be constructed in a manner that would prevent the animal from escape and access to persons or other animals.

(4) Compliance with all pertinent zoning ordinances and other ordinances; and

(5) No problematic or dangerous dog may be kept on a porch, patio or in any part of a house or structure that would allow the dog to exit such building on its own volition.

QUARANTINE. The strict isolation imposed to prevent the spread of disease.

RABIES. An acute viral disease of the central nervous system that is transmitted through the saliva from a bite or abrasion from an infected animal.

RESPONSIBLE PERSON. A person at least 18 years old who is able to keep the dog under control at all times.

REVIEW COMMITTEE. A three-member board appointed by the City Council consisting of a member of the public, an animal professional and a city employee for the purpose of making a determination of whether a dog is a problematic, dangerous or vicious dog.

SERIOUS INJURY. Any injury that does not rise to the level of fatal or disabling injury and is more severe than a minor injury. Serious injury includes, but is not limited to, minor broken or fractured bones, abrasions, lacerations or punctures causing exposure to deeper tissue/muscle and moderate to heavy bleeding requiring sutures, staples or stitches.

VICIOUS DOG. Any dog that has been declared or found to pose an unacceptable risk to public safety by the animal control authority, law enforcement agency or court for conduct consistent with the following:

(1) Has on any single occasion caused the death or disabling injury to a person;

(2) On more than one occasion has killed a domestic animal or pet or inflicted injury upon a domestic animal or pet such that the domestic animal or pet later dies or is euthanized due to the attack;

(3) Has previously been designated as a "problematic dog" by this or any other jurisdiction, and engages in behavior that poses a threat to public safety as described herein on two or more occasions;

(4) Has previously been designated as "~~vicious-dogdangerous~~" by this jurisdiction or its substantial equivalent by any other jurisdiction; and

(5) Has engaged in or has been trained to engage in exhibitions of fighting.

(Ord. 2239, passed 11-4-2014; Ord. 2280, passed 1-4-2017; Ord. 2360, passed 5-20-2019; Ord. 2426, passed 3-20-2023)

§ 90.54 EXCEPTIONS; CONSEQUENCES OF DETERMINATIONS.

(A) No dog shall be declared a vicious, dangerous or problematic dog if the dog threatened, injured, or damaged a person or domestic animal because it was provoked by that person or animal. For purposes of this section, any attack by an animal or physical injury caused by an animal shall be considered provoked if at the time the attack occurs or the injury is inflicted: (1) the person or animal who was attacked or injured was teasing, tormenting, abusing, or assaulting the animal; (2) the animal was protecting a person, itself, its young, or another domestic animal from an attack by a human being or another animal; or (3) the person who was attacked or injured was committing a crime on the property or was attempting to commit a crime or violating or attempting to violate a statute or ordinance which protects person or property of the animals responsible party or (4) the animal was being utilized by a law enforcement agency for law enforcement purposes while under the control and direction of a law enforcement officer.

(B) (1) If the Police Chief or his or her designee determines that a dog is a problematic dog under § 90.52 of this chapter, the owner shall comply with the provisions of § 90.55 of this chapter and any other special security or care requirements which are reasonable.

(2) The Police Chief or designee shall cause a dog to be quarantined for observation for a minimum period of no less than ten days when any such dog has bitten any person causing a skin puncture, serious injury, disabling injury or fatal injury. If said dog has a current rabies certificate and has bitten a domestic animal or is a familial household member to the victim, then such quarantine may be at the discretion of the person or persons in charge of animal enforcement and the quarantine may occur on the owner's premises in a manner ordered and as directed. If the owner fails to confine the dog as directed, then it shall be apprehended and held for the remainder of the ten-day quarantine at a veterinarian's office or animal control facility. If said dog has not been vaccinated against the rabies virus or the rabies vaccination has since expired then said dog will be quarantined at a veterinarian's office or animal control facility for no less the ten days. If a dog is placed in quarantine outside of the home, the owner shall be required to pay the impounding fees. If the owner fails to pay the fees at the end of the period of isolation as directed by the animal enforcement authority, the animal will be turned over to the local animal shelter for assessment of adoptability. If said animal is deemed unadoptable it will be humanely euthanized. If a dog has bitten a domesticated animal or a person or caused a skin puncture, serious injury, disabling injury or fatal injury upon a person and is unclaimed or the owner is unknown, then it shall be held for a quarantine time of no less than ten days and then may be humanely euthanized. The Chief of Police or designee may order an in-home quarantine in the event kennel space is not available to house a dog.

(3) If the Police Chief or his or her designee determines that a dog is a ~~vicious-dangerous~~ dog under § 90.52 of this chapter, the owner shall comply with the provisions of § 90.55 of this chapter and any other special security or care requirements which are reasonable.

(4) The Police Chief or his or her designee may require immediate impoundment of the dog if the owner is unable or unwilling to comply with the requirements of § 90.55 of this chapter until the owner of the dog has satisfied all the requirements of the certificate of registration. The requirements must be met within 30 days. If, after 30 days, the owner has not satisfied all the requirements of the certificate of registration, the dog may be humanely euthanized on the thirty-first day. The owner of the problematic, vicious or dangerous dog shall be liable to the animal control facility designated to hold said dog for all costs incurred while housing whether or not the dog is reclaimed by the owner.

(5) If the Police Chief or his or her designee determines that a dog is a vicious dog under § 90.53 of this chapter, the dog shall be euthanized at the owner's expense. Vicious and dangerous dogs, or dogs that have previously been designated as "vicious dog" or "dangerous dog" by another jurisdiction or its substantial equivalent are prohibited from residing within the city limits of Newton.

(Ord. 2239, passed 11-4-2014; Ord. 2280, passed 1-4-2017; Ord. 2426, passed 3-20-2023; Ord. 2459, passed 12-2-2024)

§ 90.55 REGISTRATION AND HANDLING REQUIREMENTS.

(A) The Police Department shall issue a certificate of registration to the owner of a problematic dog if the owner establishes to the satisfaction of the Police Chief, or his or her designee that:

(1) The owner of the problematic dog is 18 years of age or older;

(2) The owner of the problematic dog shall present a certificate of insurance issued by an insurance company licensed to do business in the state, providing personal liability insurance coverage as in a homeowner's policy, with a minimum liability amount of \$125,000 for the injury or death of any person, for damage to property of others and for acts of negligence by the owner or his or her agents. The certificate shall require notice to the city, in conformity with general city standards for certificates of insurance, if the underlying policy of insurance is cancelled for any reason. In lieu of such a certificate, a copy of a current homeowner's policy designating these requirements shall be sufficient proof of insurance for purposes of this division (A)(2). If a certificate of insurance

or policy is not immediately available, a binder indicating the coverage may be accepted for up to 30 days subsequent to the determination that a dog is problematic; however, if after 30 days a certificate of insurance or a policy has not been submitted, the dog shall be deemed unlicensed and subject to immediate impoundment or humane euthanasia at the owner's expense;

(3) A valid license has been issued for the problematic dog at the owner's expense pursuant to jurisdiction;

(4) The problematic dog has a current rabies vaccination at the owner's expense;

(5) The owner has a proper enclosure to prevent the entry of any person or animal and the escape of said problematic or dangerous dog, as described in § 90.51 of this chapter;

(6) The problematic dog has been spayed or neutered at the owner's expense;

(7) The problematic dog has been implanted with a microchip containing owner identification information at the owner's expense. The microchip information must be registered with the law enforcement, the animal authority, the animal control authority or his or her designee of the jurisdiction; and

(8) The problematic dog has been photographed for identification purposes.

(B) The Police Department shall issue a certificate of registration to the owner of a ~~vicious-dangerous~~ dog if the owner, in addition to satisfying the requirements for registration of a problematic dog pursuant to division (A) above, establishes to the satisfaction of the Police Chief or his or her designee that:

(1) The owner will maintain the dangerous dog exclusively on the owner's property, except for medical treatment or examination; and

(2) The owner of the dangerous dog has posted on the premises a clearly visible "Beware of Dog" warning sign indicating there is a dangerous dog on the property. The sign shall be prominently visible from the public roadway or 50 feet, whichever is less.

(C) The Police Chief or his or her designee may order the immediate impoundment of a dog if the owner fails to abide by the conditions for registration or confinement or handling of a vicious, dangerous or problematic dog.

(Ord. 2239, passed 11-4-2014; Ord. 2280, passed 1-4-2017; Ord. 2426, passed 3-20-2023)

Section 2. Repealer Clause. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 3. Severability Clause. If any section, provision or part of this ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

Section 4. Effective. This ordinance shall be effective on _____, 2026, after the final passage, approval and publication as provided by law.

PASSED this ____ day of _____, 2026.

APPROVED this ____ day of _____, 2026.

(SEAL)

Randy J. Ervin

ATTEST:

Katrina Davis, City Clerk

I, Katrina Davis, City Clerk of the City of Newton, Iowa, do hereby certify that the foregoing Ordinance was passed and approved by the City Council of the City of Newton, Iowa on the ____ day of _____, 2026 and was published in the Newton Daily News, a newspaper of general circulation in the said City of Newton on the ____ day of _____, 2026.

Dated this ____ day of _____, 2026.

City of Newton Council Report

**Item:**

First consideration of an Ordinance Amending the Various Sections of the Code of Ordinances, City of Newton, Iowa, 2025, Title VII, Chapter 74, “Recreational And Toy Vehicles”

Summary:

The ordinance establishes guidelines for the use of low-speed electric bicycles, motorized bicycles, and electric scooters being ridden in the community.

Financial Impact:

N/A

Report Number: 2026-474**Date:**

May 18, 2026

Lead Department:

Police

Recommendation:

Approve

Background:

For the past several years, the community has seen a significant increase in the use of electric scooters, low-speed electric bicycles and electric bicycles. The use of these modes of transportation has largely gone unregulated and many cities, including Newton, are seeing increases in accidents and complaints related to their use.

These units are recognized as valuable modes of transportation and serve recreational purposes. However, if left unregulated, the community will continue to see an increase in complaints related to safety and accidents resulting from unsafe or improper use. A recent study in the Penn State Medical journal found that there were over 360,000 ER visits between 2017-2022 related to electric bikes and electric scooters, with children under 14 years of age accounting for 36% of those visits. Riders also have a 3.6 times higher risk of injury per trip than a regular bicycle. Newton has had a handful of accidents involving electric scooters operated by children that have resulted in property damage to vehicles and injuries to the child operator.

The Iowa code defines bicycles, electric scooters, motorized bicycles, and 3 classes of low-speed electric bicycles. However, the Iowa Code has left regulating operation of these units to local jurisdictions. City staff researched ordinances from cities across Iowa and proposes adoption of a local ordinance for the safety of our community.

This proposed ordinance defines bicycles, electric scooters, low-speed electric bicycles, motorized bicycles, and personal transportation devices. The ordinance also establishes areas where they are permitted to operate — such as paved multi-use trails, roadways, and sidewalks. Electric scooters specifically, which are commonly ridden by kids, would not be allowed to operate on city streets and are only permitted on sidewalks, in parks and on multi-use trails. The ordinance further states that all transportation devices must obey traffic laws and addresses registration and licensure requirements for motorized bicycles. This ordinance does not apply to ADA devices such as powered wheelchairs, scooters, or any mobility devices powered by batteries, fuel or other engines, not primarily designed for people with disabilities that are used by an individual with mobility impairments.

The proposed ordinance changes the penalty from a municipal infraction to a uniform citation, which allows for easier enforcement and the ability to pay a fine vs. requiring the violator to make a court appearance. The City will put an emphasis on educating the public about the ordinance and safe operation of these units throughout the summer and will enforce it as a last resort or when the

actions of an operator cause an accident or creates a significant safety issue.

Recommendation:

Staff recommends approval of this ordinance.

A handwritten signature in black ink, appearing to read "Matt Muckler". The signature is fluid and cursive, with the first name "Matt" and last name "Muckler" clearly distinguishable.

Matt Muckler, City Administrator

ORDINANCE NO. _____

ORDINANCE AMENDING VARIOUS SECTIONS OF THE CODE OF ORDINANCES, CITY OF NEWTON, IOWA, 2025, TITLE VII, CHAPTER 74, "RECREATIONAL AND TOY VEHICLES".

WHEREAS, the City Council of Newton previously adopted ordinances relating to the regulation of bicycles in the city;

WHEREAS, current City code does not clearly define or regulate the use of electric bicycles and other electric mobility devices which are becoming increasingly more prevalent on public streets and sidewalks.

WHEREAS, in recent years there has been several accidents involving electric bicycles and electric mobility devices;

WHEREAS, the amendments have been researched by City staff and are consistent with bicycle, electric bicycle, and other electric mobility device ordinances in other cities;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF NEWTON DOES ORDAIN AS FOLLOWS:

Section 1. The Code of Ordinances, City of Newton, Iowa, 2025, Title VII, Chapter 74, "Recreational and Toy Vehicles" is hereby amended by adding or deleting the following:

CHAPTER 74: RECREATIONAL AND TOY VEHICLES

Section

General Provisions

74.01 Skateboards, coasters and similar devices

Bicycles, Electric Scooters, or Personal Transportation Devices

~~74.15 License required~~

~~74.16 License plates or decals~~

~~74.17 Persons authorized to sell licenses~~

74.18 ~~Maintenance of license records~~ Definitions

74.19 ~~Rental agencies~~ Traffic Code Applied

74.20 Bicycle Paths

74.21 Speed

74.22 Emerging from Alley or Driveway

74.23 Carrying Articles

74.24 Riding on Sidewalks

74.25 Towing

74.26 Following ~~fire truck~~ Emergency Vehicles

74.27 Improper Riding

74.28 Parking

74.29 Equipment Requirements

74.99 Penalty

GENERAL PROVISIONS

§ 74.01 SKATEBOARDS, COASTERS AND SIMILAR DEVICES.

- ~~(A)~~—No person upon a skateboard, coaster or similar device shall operate or use such on any street, highway or alley.
- ~~(B)~~—No person upon a skateboard, coaster or similar device shall operate or use such on any sidewalk in the area known as the Central Downtown Business District, described elsewhere in this code of ordinances.
- ~~(C)~~—No person upon a skateboard, coaster or similar device shall operate or use such on any work of art, sculpture or monument or on any planter, free-standing flower or tree box, flower bed or garden or park equipment, nor shall such devices be used on any public stairway or access ramps built for the use of the disabled or other people, nor in any area designed and used for public seating.
- ~~(D)~~—No person upon a skateboard, coaster or similar device shall operate or use such in or on any part of any building or property owned, leased or operated by the federal, state, county or city government, excluding city parks.

~~(2011 Code, § 11.1201) Penalty, see § 74.99~~

BICYCLES, ELECTRIC SCOOTERS, OR PERSONAL TRANSPORTATION DEVICES

§ 74.15 LICENSE REQUIRED.

~~—No person who resides within the city shall ride or propel a bicycle on any street or upon any public path set aside for the exclusive use of bicycles unless such bicycle has been licensed and a license plate or decal is attached thereto as provided herein.~~

~~—(A) License application. Application for a bicycle license and license plate or decal shall be made upon a form provided by the city and shall be made to the Police Chief. A license fee in such amount as shall be established by resolution of the Council shall be paid to the city before each license is granted.~~

~~—(B) Issuance of license. The Police Chief, upon receiving proper application, is authorized to issue a bicycle license which shall be effective immediately.~~

~~—(C) Transfer of license. Upon the sale or other transfer of ownership of a licensed bicycle, the license shall be transferred to the new owner and the records of the city changed to reflect the new ownership upon request and the payment of a transfer fee in the amount of such transfer fee as shall be established by resolution of the Council.~~

~~—(D) License valid. Any license issued hereunder shall expire when the bicycle is dismantled or no longer operable.~~

~~(2011 Code, § 11.1101)~~

§ 74.16 LICENSE PLATES OR DECALS.

~~License plates or decals are required as follows.~~

~~—(A) Issued. The Police Chief upon issuing a bicycle license shall also issue a license plate or decal bearing the license number assigned to the bicycle and the name of the city.~~

~~—(B) Attached to bicycle. The bicycle owner shall cause such license plate or decal to be firmly attached to the bicycle for which issued in such position as to be plainly visible.~~

~~—(C) Removal. No person shall remove a license plate or decal from a bicycle during the period for which issued unless said bicycle is dismantled and no longer operated upon any street in the city.~~

~~—(D) Lost license. In the event a license plate or decal shall be lost, destroyed or stolen, the owner shall report such to the Police Chief immediately. A new license shall be issued upon payment of such fee as shall be established by resolution of the Council.~~

~~(2011 Code, § 11.1102) Penalty, see § 74.99~~

§ 74.17 PERSONS AUTHORIZED TO SELL LICENSES.

~~—The Police Chief may designate those dealers as the chief deems necessary to sell bicycle registrations also. Said dealers will be authorized to collect the required fees, which shall be turned over to the city on a regular basis as established by the Police Chief.~~

~~(2011 Code, § 11.1103)~~

§ 74.18 MAINTENANCE OF LICENSE RECORDS. DEFINITIONS.

~~The Police Chief shall keep a record of the number of each license, the date issued, the name and address of the person to whom issued, the number on the frame of the bicycle for which issued and a record of all bicycle license fees collected.~~

~~**"Bicycle"** means either of the following: (1) A device having up to four wheels and having at least one saddle or seat for the use of a rider which is propelled by human power. (2) A low-speed electric bicycle with a less than 750-watt motor.~~

~~**"Electric scooter"** means a device weighing less than one hundred pounds that is equipped with two or three wheels, handlebars, and an electric motor, and which is solely powered by the rider or by an electric motor capable of propelling the device without additional propulsion supplied by the rider, at a maximum speed on a paved level surface of no more than twenty miles per hour, or both.~~

~~**"Low-speed electric bicycle"** means a device having a saddle or seat for the use of a rider, up to four wheels, equipped with fully operable pedals, and an electric motor of less than seven hundred fifty watts that is not capable of operating at a speed in excess of twenty-eight miles per hour.~~

~~**"Motorized Bicycle"** means a motor vehicle as defined by Iowa Code having a saddle or seat for the use of the rider, design to travel on not more than three wheels in contact with the ground and not capable of operating at a speed in excess of thirty-nine miles per hour on level ground unassisted by human power and/or a motor in excess of 750-watts, Motorized Bicycles are subject to the same licensure, titling and financial liability coverage as a moped.~~

"Personal Transportation Device" means a mobility device under one hundred fifty pounds, which may be equipped with an electric motor for assistance or sole propulsion, designed for conveying the operator, with speeds of less than twenty miles per hour, but excluding a bicycle, low-speed electric bicycle, or electric scooter. This does not apply to ADA devices such as powered wheelchairs, scooter or any mobility devices powered by batteries, fuel, or other engines, not primarily designed for people with disabilities, that is used by an individual with mobility impairments for locomotion.

"Roadway" means that portion of a highway improved, designed, or ordinarily used for vehicular travel.

(2011 Code, § 11.1104)

§ 74.19 RENTAL AGENCIES: TRAFFIC CODE APPLIED

~~—A rental agency shall not rent or offer any bicycle for rent unless the bicycle is licensed and a license plate or decal is attached thereto as provided herein and such bicycle is equipped with the lamps and other equipment required in this subchapter.~~

(2011 Code, § 11.1105) Penalty, see § 74.99

1. Every person riding a bicycle or motorized bicycle upon a roadway or in a bicycle lane shall be granted all of the rights and shall be subject to all of the duties applicable to the driver of a vehicle by the laws of the State declaring rules of the road applicable to vehicles or by the Traffic Code of the City applicable to the driver of a vehicle, except as to those provisions that by their nature can have no application or those for which specific exceptions have been set forth regarding police bicycles. This does not apply to the use of a bicycle, electric scooter or personal transportation device in a parade authorized by proper permit from local authorities.

2. Bicycles, electric scooters, or personal transportation devices are not subject to registration, licensure, titling, inspection, and proof of financial liability coverage provisions of Code of Iowa, Chapter 321.

3. Riders of bicycles, electric scooters, or personal transportation devices are not required to have possession of a driver's license or permit.

4. Motorized Bicycles are classified as a motor vehicle such as a moped and are subject to registration and licensure titling and inspection and require financial liability coverage.

§ 74.20 BICYCLE PATHS: PAVED MULTI-USE TRAILS.

~~Whenever a useable path for bicycles has been provided adjacent to a roadway, bicycle riders shall use such path and shall not use the roadway. Motorized bicycles are prohibited from being ridden on paved multi-use trails.~~

(2011 Code, § 11.1106) Penalty, see § 74.99

§ 74.21 SPEED.

No person shall operate a bicycle, electric scooter, or personal transportation device at a speed greater than is reasonable and prudent under the conditions then existing.

(2011 Code, § 11.1107) Penalty, see § 74.99

§ 74.22 EMERGING FROM ALLEY OR DRIVEWAY.

The operator of a bicycle, motorized bicycle, electric scooter, or personal transportation device emerging from an alley, driveway or building shall, upon approaching a sidewalk or the sidewalk area extending across any alleyway, yield the right-of-way to all pedestrians approaching on said sidewalk or sidewalk area, and upon entering the roadway shall yield the right-of-way to all vehicles approaching on said roadway.

(2011 Code, § 11.1108) Penalty, see § 74.99

§ 74.23 CARRYING ARTICLES.

No person operating a bicycle, motorized bicycle, electric scooter, or personal transportation device shall carry any package, bundle or article which prevents the rider from keeping at least one hand upon the handle bars.

(2011 Code, § 11.1109) Penalty, see § 74.99

§ 74.24 RIDING ON SIDEWALKS: PLACES TO RIDE.

1. Paved Multi-Use Trails. Bicycles, electric scooters, and personal transportation devices may be operated on paved multi-use trails, except where signage prohibits the riding of bicycles, electric scooters, and personal transportation devices.

2. Roadways and Streets.

- a. When riding on the roadway or street, riders of bicycles and motorized bicycles shall ride in the same location and manner as motorized vehicles unless a multi-use trail, bicycle path or bicycle lane exists adjacent to a roadway or street, in which case riders may ride in the aforementioned location. —
- b. Electric scooters and personal transportation devices shall not be ridden on roadways.
- c. This section does not apply to use of a bicycle, motorized bicycles, electric scooters or personal transportation devices in a parade or special event authorized by the City of Newton.

3. Public Sidewalks.

Bicycles, electric scooters, and personal transportation devices may be operated upon the public sidewalks in residential districts only in a careful and prudent manner, yielding the right-of-way to any pedestrian and shall give audible signal before overtaking and passing. Except where signs or pavement markings explicitly prohibit riding on the sidewalk, or upon sidewalks along the business districts.

4. Public Parks.

Bicycles, motorized bicycles, electric scooters, and personal transportation devices may be operated in public parks in a careful and prudent manner, yielding the right-of-way to any pedestrian and vehicle traffic.

~~No person shall ride a bicycle on a sidewalk, except in accordance herewith.~~

~~—(A) Business district. No person shall ride a bicycle upon a sidewalk within a business district.~~

~~—(B) Other locations. When signs are erected on any sidewalk or roadway prohibiting the riding of bicycles thereon by any person, no person shall disobey the signs.~~

~~—(C) Yield right-of-way. Whenever any person is riding a bicycle upon a sidewalk, such person shall yield the right-of-way to any pedestrian and shall give audible signal before overtaking and passing.~~

~~—(D) Single file. When riding on sidewalks, bicycles shall ride only in single file.~~

~~(2011 Code, § 11.1110) Penalty, see § 74.99~~

§ 74.25 TOWING.

It shall be unlawful for any person riding a bicycle, motorized bicycle, electric scooter, or personal transportation device to be towed or to tow any other vehicle upon the streets of the city.

~~(2011 Code, § 11.1111) Penalty, see § 74.99~~

§ 74.26 FOLLOWING ~~FIRE TRUCK.~~EMERGENCY VEHICLES.

~~No person riding a bicycle shall follow a fire truck or other fire equipment at any time.~~

No person riding a bicycle, motorized bicycle, electric scooter, or personal transportation device shall follow closer than 500 feet of an emergency vehicle as defined by Iowa Code section 321.1.

~~(2011 Code, § 11.1112) Penalty, see § 74.99~~

§ 74.27 IMPROPER RIDING.

No person shall ride a bicycle, motorized bicycle, electric scooter, or personal transportation device in an irregular or reckless manner such as zig-zagging, stunting, speeding or otherwise so as to disregard the safety of the operation or others.

~~(2011 Code, § 11.1113) Penalty, see § 74.99~~

§ 74.28 PARKING.

No person shall park a bicycle, electric scooter, or personal transportation device upon a street other than upon the roadway against the curb or upon the sidewalk in a rack to support the bicycle or against a building or at the curb, in such a manner as to afford the least obstruction to pedestrian traffic.

~~(2011 Code, § 11.1114) Penalty, see § 74.99~~

§ 74.29 EQUIPMENT REQUIREMENTS.

Every person riding a bicycle, motorized bicycle, electric scooter, or personal transportation device shall be responsible for providing and using equipment as provided herein.

(A) Night-time use. Every bicycle, motorized bicycle, electric scooter, or personal transportation device when in use at night-time shall be equipped with a lamp on the front of which shall emit a white light visible from a distance of at least 500 feet to the front and with a red deflector on the rear of a type which shall be visible from all distances from 50 feet to 300 feet to the rear when directly in front of lawful upper beams of headlamps on a motor vehicle. A lamp emitting a red light visible from a distance of 500 feet to the rear may be used in addition to the red reflector.

(B) Brakes required. Every bicycle, motorized bicycle, electric scooter, or personal transportation device shall be equipped with a brake which will enable the operator to make the braked wheel skid on dry, level, clean pavement.

~~(2011 Code, § 11.1115) Penalty, see § 74.99~~

§ 74.99 PENALTY.

Any person violating any provision of this chapter shall be guilty of a simple misdemeanor and there shall be a fine of at least \$105, but not to exceed \$855, plus such court costs and surcharges as may from time to time be established for simple misdemeanors by the state.

~~(A) Any person violating any provision of this chapter for which no specific penalty is prescribed shall be subject to § 10.99 of this code of ordinances.~~

~~—(B) (1) The scheduled penalty for persons violating § 74.01 of this chapter is \$10.~~

~~(2011 Code, § 11.1202)~~

~~—(2) Any person violating the provisions of § 74.01 of this chapter may, in lieu of the scheduled fine or standard penalty provided for in the violations of the code of ordinances, suffer the violator's skateboard, coaster or similar device, to be impounded by the city for not less than five days for the first offense, ten days for a second offense and 30 days for third and subsequent offenses.~~

~~(2011 Code, § 11.1203)~~

~~—(C) (1) The scheduled fine for bicyclists violating §§ 74.15 through 74.29 of this chapter is \$10.~~

~~(2011 Code, § 11.1116)~~

~~—(2) Any person violating the provisions of §§ 74.15 through 74.29 of this chapter may, in lieu of the scheduled fine or standard penalty provided for violations of the code of ordinances, suffer the violator's bicycle to be impounded by the city for not less than five days for the first offense, ten days for a second offense and 30 days for a third offense.~~

~~(2011 Code, § 11.1117)~~

Section 2. Repealer Clause. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 3. Severability Clause. If any section, provision or part of this ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

Section 4. Effective. This ordinance shall be effective on _____, 2026, after the final passage, approval and publication as provided by law.

PASSED this ____ day of _____, 2026.

APPROVED this ____ day of _____, 2026.

(SEAL)

Randy J. Irvin, Mayor

ATTEST:

Katrina Davis, City Clerk

I, Katrina Davis, City Clerk of the City of Newton, Iowa, do hereby certify that the foregoing Ordinance was passed and approved by the City Council of the City of Newton, Iowa on the ____ day of _____, 2026 and was published in the Newton Daily News, a newspaper of general circulation in the said City of Newton on the ____ day of _____, 2026.

Dated this ____ day of _____, 2026.

City of Newton Council Report

**Item:**

Resolution approving an agreement with Lucy's Pet Pantry for Trap-Neuter-Return services

Summary:

Approve an agreement with Lucy's Pet Pantry for Trap-Neuter-Return services to control the cat population

Financial Impact:

\$2500

Report Number: 2026-475**Date:**

May 18, 2026

Lead Department:

Police

Recommendation:

Approve

Background:

Since the Jasper County Animal Rescue League closed in 2020, the community has not had any services specific to controlling the cat population. The City has seen an increase in the cat population and has received complaints regarding nuisance cats tearing up garbage, defecating and urinating in yards and causing property damage. The Code Enforcement Division of the Police Department has also had to handle a handful of cases involving cat hoarding within residences, which created health and safety issues for both the cats and individuals involved.

Animal control for cats is costly, and the City is not currently licensed, nor do we have the facilities for sheltering stray cats. Trap-Neuter-Return (TNR) programs have been adopted by many communities throughout Iowa (Des Moines and surrounding metro communities, Cedar Rapids, Coralville, Boone, Winterset, Mason City and many more) to control the cat population. Trap-Neuter-Return (TNR) is a human, community-based method for managing community based method for managing community (feral/stray) cat populations. It involves trapping free-roaming cats, spaying or neutering them, vaccinating against rabies, and returning them to their original outdoor location. Lucy's Pet Pantry has been conducting TNR services in the Newton and Jasper County area for a couple of years now and is interested in providing services for the City.

Staff recommends approving a 1 - year agreement with Lucy's Pet Pantry for TNR services for \$2500 to be paid from the Police Department's FY27 animal control budget.

Recommendation:

Staff recommends approval.

Matt Muckler, City Administrator

RESOLUTION NO. 2026 – _____

RESOLUTION APPROVING AN AGREEMENT WITH LUCY'S PET PANTRY FOR TRAP-NEUTER-RETURN SERVICE

WHEREAS, the City of Newton recognizes the presence of free-roaming and feral cats with in the city; and

WHEREAS, unmanaged populations of free-roaming cats pose concerns related to public safety and health concerns, as well as animal welfare, and over population concerns; and

WHEREAS, Trap-Neuter-Return (TNR) programs are widely accepted as an effective means to reducing free-roaming cat populations through humane sterilization and vaccination; and

WHEREAS, the City of Newton desires to partner with a qualified organization to implement and structured TNR program; and

WHEREAS, Lucy's Pet Pantry has an established TNR program and offers monthly clinics.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Newton, Iowa agrees to approve a Trap-Neuter-Return agreement with Lucy's Pet Pantry for 1 year with an appropriation of \$2,500 to come from the FY26-27 animal control budget.

PASSED this _____ day of May, 2026.

APPROVED this _____ day of May, 2026.

Randy J. Ervin

ATTEST:

Katrina Davis, City Clerk

TNR PROGRAM AGREEMENT

Between the City of Newton and Lucy's Pet Pantry

This Agreement (“Agreement”) is entered into by and between the **City of Newton**, an Iowa municipal corporation (“City”), and **Lucy's Pet Pantry**, a nonprofit organization (“Provider”), collectively referred to as the “Parties.”

1. Purpose

The purpose of this Agreement is to establish the terms and conditions under which the Provider will conduct a **Trap, Neuter, and Release (TNR) program** for stray and free-roaming cats within the corporate limits of the City of Newton. The TNR program is intended to humanely reduce the population of stray cats, improve public health and safety, and promote responsible animal welfare practices.

2. Term

This Agreement shall be for a **one (1) year term**, commencing on _____, 2026, and ending on _____, 2027, unless terminated earlier in accordance with Section 9 of this Agreement.

3. Scope of Services

The Provider agrees to:

- Make a good faith effort to humanely trap 100 stray and free-roaming cats within the corporate limits of the City of Newton during the 2027 fiscal year (July 1, 2026 – June 30, 2027).
- Arrange for a licensed veterinarian to spay or neuter trapped cats.
- Ensure cats receive basic veterinary care associated with the sterilization process, including vaccinations and ear-tipping to identify cats that have been processed through the TNR program.
- Release cats back to their exact location of capture unless a cat is deemed unsuitable for release due to medical reasons.

4. Program Standards

The Provider shall conduct all TNR activities in accordance with:

- Accepted humane animal welfare standards;
- Applicable federal, state, and local laws and regulations;
- Best practices for TNR programs, including the use of humane traps and proper post-surgical recovery protocols.

5. Reporting Requirements

To ensure transparency and program evaluation, the Provider shall submit written reports to the City on a quarterly basis and after TNR program activities have been completed within the City of Newton, or no later than thirty (30) days of the Agreement's expiration. Reports shall include, at a minimum:

- The total number of cats processed through the TNR program during the reporting period;
- A breakdown of cats by:
 - Spayed/neutered;
 - Vaccinated;
 - Disposition - returned or otherwise placed;
- The approximate geographic location where each cat was trapped, identified by street name, neighborhood, park name, or general area (precise addresses are not required);
- Any notable trends, challenges, or operational issues encountered;
- Recommendations, if any, for program improvement or continuation.

The City may request reasonable additional information related to program outcomes, provided such requests do not materially increase the Provider's administrative burden.

6. Compensation and Funding

The City agrees to provide funding in the amount of Two Thousand Five Hundred Dollars (\$2,500.00) for the term of this Agreement, subject to budgetary approval. The Provider shall use all funds solely for costs directly associated with the Trap, Neuter, and Release (TNR) program for cats trapped exclusively within the corporate limits of the City of Newton. The Provider shall maintain accurate and complete financial records documenting all expenditures of City-provided funds and shall make such records available to the City upon reasonable request.

7. Independent Contractor Status

The Provider is an independent contractor and not an employee or agent of the City. Nothing in this Agreement shall be construed to create a partnership, joint venture, or employer-employee relationship between the Parties. Neither the Provider nor any of its officers, directors, employees, agents, contractors, or volunteers shall be deemed employees of the City for any purpose whatsoever. The Provider shall be solely responsible for the supervision, direction, and control of its personnel and volunteers, and for compliance with all applicable federal, state, and local laws relating to employment, compensation, taxes, insurance, and benefits.

The Provider shall be solely responsible for the payment of all wages, salaries, payroll taxes, income tax withholdings, workers' compensation premiums, unemployment insurance, and any other taxes or assessments as required by law. The Provider shall have no authority to bind or

obligate the City in any manner, and nothing in this Agreement shall be construed to create any right or benefit in any third party.

8. Insurance and Indemnification

The Provider shall maintain any insurance required by law or reasonably required by the City. To the extent permitted by Iowa law, the Provider agrees to indemnify and hold harmless the City, its officers, employees, and agents from claims arising out of the Provider's negligent acts or omissions in the performance of this Agreement.

9. Termination

Either Party may terminate this Agreement for any reason upon thirty (30) days' written notice to the other Party. The City may terminate immediately for material breach if such breach is not cured within a reasonable time after written notice.

Upon termination or expiration of this Agreement for any reason, the Provider shall, within thirty (30) days, submit a final written accounting of all City funds received and expended under this Agreement. Any City funds not expended for authorized TNR program purposes as of the effective date of termination shall be reported. Reimbursement of not expended funds to the City may be requested or may carry over to future years at the discretion of the City. The City reserves the right to offset or recover any unexpended or improperly expended funds to the fullest extent permitted by law.

10. Governing Law

This Agreement shall be governed by and construed in accordance with the laws of the State of Iowa.

11. Entire Agreement

This Agreement constitutes the entire understanding between the Parties and may be amended only by a written instrument signed by both Parties.

IN WITNESS WHEREOF, the Parties have executed this Agreement as of the dates set forth below.

City of Newton

By: _____

Name/Title: _____

Date: _____

Lucy's Pet Pantry

By: _____

Name/Title: _____

Date: _____

City of Newton Council Report

**Item:**

Resolution awarding the 2026 Downtown Streetscape Improvements Project

Summary:

Award contract to TK Concrete, Inc. for the 2026 Downtown Streetscape Improvements Project.

Financial Impact:

\$495,815.00 from North Central TIF Bond and Road Use Tax funds.

Report Number: 2026-543**Date:**

May 18, 2026

Lead Department:

Public Works

Recommendation:

Approve

Background:

The 100 blocks of W 3rd St N and W 4th St N have undergone several asphalt resurfacing projects over the last 65 years and have surpassed their useful life. W 3rd St N has been widened to approximately 55 feet, eliminating the streetscape and causing poor street drainage, while the west side of W 4th St N was reconstructed as part of previous improvements.

The street will be reconstructed 40 feet wide (measured face of curb to face of curb) with parallel parking and new sidewalks. Returning the street to near its original width will improve street drainage and provide a grass area between the curb and the sidewalk for aesthetic improvements, stormwater infiltration, and snow storage.

The following submitted bids were received and opened on May 12, 2026:

Company	Bid Price
TK Concrete Inc.	\$495,815.00
Caliber Concrete Inc	\$537,432.00
Con-Struct	\$540,618.50

The lowest responsive, responsible bidder is TK Concrete Inc., Pella, IA, in the amount of \$495,815.00. The engineer's construction cost estimate was \$503,568.50. This project has a completion date of October 31, 2026, and will be paid from a combination of North Central TIF and Road Use Tax funds.

Recommendation:

Award the project to the lowest responsive, responsible bidder, TK Concrete Inc of Pella, Iowa, with a bid of \$495,815.00.

Matt Muckler, City Administrator

RESOLUTION NO. 2026-_____

**RESOLUTION AWARDING CONTRACT FOR THE
2026 STREETScape IMPROVEMENTS PROJECT**

WHEREAS, the 100 blocks of W 3rd St N and W 4th St N have undergone several asphalt resurfacing projects over the last 65 years and have surpassed their useful life; and

WHEREAS, the street will be reconstructed 40 feet wide (measured face of curb to face of curb) with parallel parking and new sidewalks. Returning the street to near its original width will improve street drainage and provide a grass area between the curb and the sidewalk for aesthetic improvement, pedestrian streetscape lighting, and snow storage; and

WHEREAS, city staff had identified the need for the streetscape improvement during the recently completed Capital Improvement Process; and

WHEREAS, sealed bids were received and opened on May 12, 2026; and

WHEREAS, City staff recommends that the City of Newton award a contract to TK Concrete Inc of Pella, Iowa, for the 2026 Streetscape Improvements Project based on the lowest responsive, responsible bid received in the amount of \$495,815.00.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of Newton, Iowa, that the bid of TK Concrete Inc, in the amount Four Hundred and Ninety-Five Thousand Eight Hundred and Fifteen Dollars and Zero Cents (\$495,815.00) for the 2026 Streetscape Improvements Project, as described in the plans and specifications, is hereby accepted with the cost to be paid from North Central TIF Bond and Road Use Tax funds; and

BE IT FURTHER RESOLVED, by the City Council of the City of Newton, Iowa, that the Contract and Bond executed by TK Concrete Inc of Pella, Iowa, for the 2026 Streetscape Improvements Project as described by the plans and specifications filed in the office of the City Clerk, be signed by the Mayor and City Clerk on behalf of the City.

PASSED this _____ day of May, 2026.

APPROVED this _____ day of May, 2026.

Randy J. Ervin, Mayor

ATTEST:

Katrina Davis, City Clerk

City of Newton Council Report

**Item:**

Resolution awarding contract for the Demolition Project 2026-01

Summary:

Award of contract to complete abatement & demolition work at Bungalow #2, 827 E 8th St S, 209 S 15th Ave W.

Financial Impact:

\$82,200.00 from the Dangerous and Dilapidated (D&D) Building Program funds.

Report Number: 2026-547**Date:**

May 18, 2026

Lead Department:

Community Development

Recommendation:

Approve

Background:

Curb appeal continues to be a focus of the City per the recommendations of the adopted comprehensive plan, Newton's Future. Abating dangerous buildings within the city is one way to improve the aesthetics of Newton neighborhoods.

The City acquired Bungalow #2, 827 E 8th St S, 209 S 15th Ave W, with the intent to demolish the structure on this property through the Dangerous and Dilapidated Program. The Community Development Department prepared plans and specifications for the proposed Demolition Project 2026-01 that included abatement and demolition.

One bid was received and opened on May 7, 2026:

The apparent low bidder is Lanphier Excavating of Reasnor, Iowa. City staff's cost estimate for this project was \$93,116.92. The project's completion date is August 15, 2026. \$82,200.00 in Dangerous and Dilapidated Building Program funds will be used to pay for the abatement and demolition work.

Recommendation:

Council award the project Lanphier Excavating of Reasnor, Iowa, in the amount of \$82,200.00

Matt Muckler, City Administrator

RESOLUTION 2026- _____

**RESOLUTION AWARDING CONTRACT
FOR THE DEMOLITION PROJECT 2026-01**

WHEREAS, the City of Newton acquired Bungalow #2, 827 E 8th St S, 209 S 15th Ave W with the intent to demolish the structures on this property through the Dangerous and Dilapidated Program; and

WHEREAS, the City of Newton Community Development Department prepared abatement and demolition plans and specifications for the Demolition Project 2026-01, and put said project out to bid; and

WHEREAS, City staff recommends that the City of Newton award a contract to Lanphier Excavating of Reasnor, Iowa for the Demolition Project 2026-01 based on the low responsive, responsible bid received in the amount of \$82,200.00.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of Newton, Iowa, that the bid of Lanphier Excavating of Reasnor, Iowa in the amount of eighty-two thousand two hundred dollars and Zero Cents (\$82,200.00) for the Demolition Project 2026-01, all as described in the plans and specifications, is hereby accepted, the same being the lowest, responsive bid received for said project.

BE IT FURTHER RESOLVED, by the City Council of the City of Newton, Iowa, that the Contract and Bond executed by Lanphier Excavating of Reasnor, Iowa for the Demolition Project 2026-01 as described by the plans and specifications filed in the office of the City Clerk, said contract to be signed by the Mayor and City Clerk on behalf of the City, be and the same are hereby approved. The City shall utilize the Dangerous and Dilapidated Building Program bond funds to pay for the abatement and demolition work.

PASSED this _____ day of May, 2026.

APPROVED this _____ day of May, 2026.

Randy J. Ervin, Mayor

ATTEST:

Katrina Davis, City Clerk

City of Newton Council Report

**Item:**

Resolution approving the purchase agreement for real property at 1017 West 4th Street South, Newton, Jasper County, Iowa

Summary:

Approving the sale of 1017 West 4th Street South.

Financial Impact:

\$3,000 to the City D&D fund

Report Number: 2026-557**Date:**

May 18, 2026

Lead Department:

Community Development

Recommendation:

Approve

Background:

The City acquired the subject property in 2022 through the D&D Program- using Iowa Code 657A (Abandoned Buildings). After obtaining ownership, the City cleared the property and has maintained the lot ever since.

A public hearing on the sale of the property at 1017 West 4th Street South was held on May 4, 2026 in accordance with Iowa Code requirements.

Elite Mart LLC, the owner of the adjacent property to the south, provided the only offer received for the property. Elite Mart LLC is offering \$3,000 for the property. The property provides the additional space necessary for a future 10 foot addition to the north of the building to accommodate new freezer/refrigerator space. Their offer is contingent upon approval of their rezoning application for the lot from R-2: 1-2 Family Dwelling District to C-N: Neighborhood Commercial. The first review of this application is planned for the May 5th Planning and Zoning Commission meeting.

The C-N: Neighborhood Commercial District is a mixed use (low intensity commercial and residential) zone. The C-N: Neighborhood commercial district requires yard setbacks and transitional yards when abutting residential zones. The gas station property, along with the American Legion, are already zoned C-N: Neighborhood Commercial.

Currently, the convenience store/gas station at 404 South 11th Avenue East is considered a pre-existing non-conforming property with regards to setbacks, as it currently occupies areas of the lot that would be considered yard setback area. By acquiring this property, the Elite Mart LLC is taking steps to create more setback to the north while also being able to modernize the equipment of their current building.

This sale would also return the property to the tax rolls and reduce the City's on-going maintenance costs.

Section 5 of the agreement stipulates that the property will be conveyed by Special Warranty Deed, with a right of reversion subject to the future improvements. Section 6 of the agreement covers the required improvements to be made to the future consolidated property.

Recommendation:

Staff recommends approval.

A handwritten signature in black ink, appearing to read "Matt Muckler". The signature is fluid and cursive, written in a professional style.

Matt Muckler, City Administrator

RESOLUTION NO. 2026 – _____

RESOLUTION APPROVING THE PURCHASE AGREEMENT FOR REAL PROPERTY AT 1017 WEST 4TH STREET SOUTH, NEWTON, JASPER COUNTY, IOWA

WHEREAS, ELITE MART LLC has submitted an offer to purchase real property, certain land owned by the City of Newton, Iowa, located at 1017 West 4th Street South, legally described as:

PART OF LOT B OF BLOCK ONE OF CARRIER'S MEADOWS ADDITION TO THE CITY OF NEWTON, JASPER COUNTY, IOWA, DESCRIBED AS: COMMENCE AT THE NORTHEAST CORNER OF LOT TEN, BLOCK ONE OF CARRIER'S MEADOWS ADDITION, RUN THENCE NORTH FIFTY FEET, THENCE WEST ONE HUNDRED FORTY-EIGHT AND FIVE TENTHS FEET, THENCE SOUTH FIFTY FEET, THENCE EAST ONE HUNDRED FORTY-EIGHT AND FIVE TENTHS FEET TO THE POINT OF BEGINNING AS SHOWN IN PLAT BOOK D, AT PAGE 52 IN THE OFFICE OF THE RECORDER OF SAID COUNTY.

WHEREAS, said real estate is not needed for public purposes, and

WHEREAS, Iowa Code Chapter 364.7 requires cities to set a public hearing before selling or disposing of real estate, and,

WHEREAS, the City has set such a hearing, given the required public notice, and held the public hearing; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of Newton, Iowa:

That the attached Purchase Agreement for property at 1017 West 4th Street south be approved and accepted, subject to the restrictions in the agreement and that the signatures of the Mayor and City Clerk are obtained for the agreement.

PASSED this _____ day of May 2026.

APPROVED this _____ day of May 2026.

(Seal)

Randy J. Ervin, Mayor

ATTEST:

Katrina Davis, City Clerk

PURCHASE AND REDEVELOPMENT AGREEMENT

This Purchase Agreement (hereinafter "Agreement") for sale of property owned by the City of Newton at **1017 West 4th Street South**, is made on or as of the _____ day of May 2026, by and between the City of Newton, Iowa (hereinafter "City"), and ELITE MART LLC, 785 SE OAK LEAF LANE, WAUKEE, IA 50263, (hereinafter "Buyer") and in consideration of the premises and the mutual obligations of the parties hereto, each of them does and hereby covenant and agree with the other as follows:

SECTION 1. PURCHASE PRICE. Subject to all the terms, covenants and conditions of this Agreement, the City will sell the Property to the Purchaser for, and the Purchaser will purchase the Property from the City and pay therefore, the amount of **Three Thousand Dollars (\$3,000.00)** (hereinafter "Purchase Price"). The cash payment representing the full Purchase Price shall be delivered to the City simultaneously with the delivery of the deed conveying the Property to the Purchaser.

SECTION 2. TAXES. The City will prorate to the Buyer the taxes incurred under City ownership until the time of closing. All regular taxes due and payable after closing shall be the responsibility of the Developer.

SECTION 3. SPECIAL ASSESSMENTS. The City shall pay all special assessments which are a lien on the date of acceptance of this offer. None are known at this time.

SECTION 4. DESCRIPTION OF PROPERTY. All that certain parcel of land (hereinafter "Property") described as follows:

1017 West 4th Street South, legally described as: PART OF LOT B OF BLOCK ONE OF CARRIER'S MEADOWS ADDITION TO THE CITY OF NEWTON, JASPER COUNTY, IOWA, DESCRIBED AS: COMMENCE AT THE NORTHEAST CORNER OF LOT TEN, BLOCK ONE OF CARRIER'S MEADOWS ADDITION, RUN THENCE NORTH FIFTY FEET, THENCE WEST ONE HUNDRED FORTY-EIGHT AND FIVE TENTHS FEET, THENCE SOUTH FIFTY FEET, THENCE EAST ONE HUNDRED FORTY-EIGHT AND FIVE TENTHS FEET TO THE POINT OF BEGINNING AS SHOWN IN PLAT BOOK D, AT PAGE 52 IN THE OFFICE OF THE RECORDER OF SAID COUNTY.

SECTION 5. CONVEYANCE OF PROPERTY.

a) Form of Deed. The City shall convey title to the Property to the Purchaser by Special Warranty Deed and shall contain a right of reversion, which may be exercised by the City if the Purchaser fails to complete in accordance with the timeframes herein (hereinafter "Deed"). Such conveyance and title shall be subject to all conditions, covenants and restrictions contained in this Agreement.

b) Time and Place for Closing and Delivery of Deed. The City shall deliver the Deed and possession of the Property to the Buyer no later than 90 days from the date of approval by the Newton City Council or on such other date as the parties hereto may mutually agree in writing (hereinafter "Closing Date"). Conveyance shall be made at the office of the City of Newton's legal counsel, Caldwell, Bierly, Chalupa PLLC, 211 1st

Avenue West, Newton, Iowa 50208, at which time and place Buyer shall accept such conveyance and pay to the City the Purchase Price.

c.) Abstract of Title. The Seller shall provide an abstract of Title to the Purchaser for property subject to this agreement. It will be the Seller's responsibility to have abstract(s) updated. The abstract(s) shall become the property of the Purchaser at the time of the delivery of the deed.

d.) Rezoning. The buyer has submitted an application for rezoning the property from R-2: 1-2 Family Dwelling District to C-N: Neighborhood Commercial. This purchase agreement is conditional upon approval of the rezoning application by the appropriate board/commission/council.

SECTION 6. IMPROVEMENTS. The Buyer shall be responsible for making improvements to the property as follows:

- a) An approximately 10-foot addition to the existing convenience store building on adjacent property to accommodate interior and exterior improvements to be completed within 12 months of closing on 1017 West 4th Street South.

SECTION 7. PROHIBITION AGAINST ASSIGNMENT AND TRANSFER. The Buyer shall not sell or otherwise transfer ownership of the Property without the specific written approval of the City, prior to when the construction of the improvements has been completed and the City has issued a Certificate of Completion.

SECTION 8. CERTIFICATE OF COMPLETION.

- a) Promptly after completion of the improvements in accordance with this Agreement, as relating solely to the obligations of the Buyer to timely construct certain improvements, the City will furnish the Buyer with a Certificate of Completion so certifying. Such certificate shall be a conclusive determination of satisfaction and termination of this Agreement.
- b) If the City shall refuse or fail to provide certification in accordance with this Section, the City shall, within thirty (30) days after written request by the Developer, provide the Developer with a written statement indicating with detail in what respects the Developer has failed to complete the improvements in accordance with this Agreement, or its otherwise in default, and what measures or acts will be necessary, in the opinion of the City, for the Developer to take or perform in order to obtain such certification.

SECTION 9. REMEDIES. Except as otherwise provided in this Agreement, in the event of any default in or breach of this Agreement or any of its terms or conditions by either party, the party alleged to be in default or breach shall, upon written notice from the other, proceed immediately to cure or remedy such default or breach within sixty (60) days after receipt of such notice. In such case, if action is not taken or not diligently pursued, or the default or breach shall not be cured or remedied within a reasonable time,

the aggrieved party may institute such proceedings as may be necessary or desirable in its opinion to cure and remedy such default or breach.

In the event that the City does not tender conveyance or possession of the Property in the manner and condition, and by the date, provided in this Agreement, and any such failure shall not be cured within thirty (30) days after the date of written demand by the Purchaser, then this Agreement shall, at the option of the Purchaser, be terminated by written notice thereof to the City, and neither the City nor the Purchaser shall have any further rights against or liability to the other under this Agreement. All deposits, if any, shall be returned to the Purchaser.

SECTION 10. NOTICES AND DEMANDS. A notice, demand or other communication under this Agreement by either party to the other shall be sufficiently given or delivered if it is dispatched by registered or certified mail, postage prepaid, return receipt requested, or delivered personally, and:

a) In the case of the Buyer, is addressed or delivered personally to the Buyer at the address stated in preamble to this Agreement; and,

(b) In the case of the City, is addressed or delivered personally to the City Administrator, 101 West 4th Street South, Newton, IA 50208, or at such other address with respect to either party as that party may from time to time designate in writing and forward to the other as provided in this Section.

SECTION 11. LIMITATION ON WARRANTIES. The City makes no warranties with regard to the condition of the Property or the structure located thereon, including, without limitation, (i) environmental matters; (ii) geological conditions; (iii) drainage issues, conditions or problems; (iv) soil conditions; (v) the zoning or other land use restrictions; (vi) the availability of utilities to the property; (vii) usage of adjoining property; (viii) access to the property; (ix) the value of the property; (x) the presence of hazardous materials in or on the property; (xi) the existence or non-existence of underground storage tanks on the property; (xii) the potential for further development of the property; or (xiii) the merchantability of the property or fitness of the property for any particular purpose, unless otherwise provided herein. The Purchaser expressly acknowledges and agrees that the City, and their officials, officers, employees, or agents have not made any representations or warranties concerning the Property or Project of any kind, including but not limited to, the rental or resale value of the Property, the economic or market conditions affecting the Project, or that the Property is suitable for the Project. The Purchaser takes title the Property "AS IS."

SECTION 12. CITY COUNCIL APPROVAL. This Agreement is subject to the approval of the Newton City Council after notice to the public and a hearing on the terms of this Agreement as required by the laws of the State of Iowa.

SECTION 13. ANTI-MERGER PROVISION. The parties specifically agree that all representations, warranties, agreement, responsibilities, obligations and comments

specified herein shall survive the execution, delivery and recording of the deed required by Section 5(a) hereof, shall remain in full force and effective thereafter, and shall not be merged in or extinguished by such execution, delivery and recording of the deed.

IN WITNESS WHEREOF, the City has caused this Agreement to be duly executed in its name and behalf by its Mayor and its seal to be hereunto duly affixed and attested by its City Clerk, and the Purchaser has caused this Agreement to be duly executed in its name, on or as of the day first above written.

(SEAL)

CITY OF NEWTON, IOWA

By: _____
Randy J. Ervin, Mayor

ATTEST:

Katrina Davis, City Clerk

PURCHASER:

By: _____

(name printed)
For Elite Mart LLC

City of Newton Council Report

**Item:**

Resolution authorizing the Public Works Civil Engineer Technician (CET) I at Range 4, Step 2 on the City of Newton salary schedule matrix

Summary:

The CET Trainee has achieved the Civil Engineering Technician associate's degree and has reached the level of CET I.

Financial Impact:

\$4,061 increase in additional salary to be paid from multiple funding sources

Report Number: 2026-551**Date:**

May 18, 2026

Lead Department:

Public Works

Recommendation:

Approve

Background:

Public Works Civil Engineering Technicians provide services and technical assistance to the Public Works Department, all city divisions and departments, contractors, and the public. These services include: administering construction contracts, engineering design, construction oversight, public right-of-way permitting and oversight, front-line customer service at the Public Works Office, processing pay applications, issuing right-of-way permits, site plan review, construction-related street closings, administration of the stormwater utility, oversight of the city-owned global information system (GIS), preparing cost estimates for CIP, and numerous other duties.

The current CET Trainee has been a Public Works employee since 2023. The employee has earned an associate's degree in Civil Engineering Technology, which was a requirement of his employment. Now that he has met that requirement, he has all the qualifications needed for the CET I position. His work for the City has been beneficial, as it allows more duties to be handled in-house, saving funds that would otherwise be paid to outside agencies.

Now that the employee has met all requirements outlined in their employment offer, the recommendation is to promote this employee to a CET I position, from Pay Range 3 Step 2 (\$47,982 Annual Salary) to Pay Range 4 Step 2 (\$52,043 Annual Salary).

Recommendation:

Staff recommends approval.

Matt Muckler, City Administrator

RESOLUTION NO. 2026 – _____

**RESOLUTION AUTHORIZING THE PUBLIC WORKS CIVIL ENGINEER
TECHNICIAN I AT RANGE 4, STEP 2 ON THE CITY OF NEWTON SALARY
SCHEDULE MATRIX**

WHEREAS, Public Works Civil Engineering Technicians provide services and technical assistance to the Public Works Department, all city divisions and departments, contractors, and the general public; and

WHEREAS, the current CET Trainee has been a Public Works employee since 2023. The employee has earned a Civil Engineering Technician associate's degree and has met all other requirements to be promoted to CET I; and

WHEREAS, they have continued to take on additional duties and responsibilities, and expanded their knowledge base. Their work for the City has been beneficial, as it allows more duties to be handled in-house, saving funds that would otherwise be paid to outside agencies;

NOW, THEREFORE, BE IT RESOLVED by the City Council of Newton, Iowa, that the following be approved and effective November 10, 2025:

Position	Department	Current Authorization	Proposed Authorization
CET Trainee	Public Works	2 FTE Range 3, Step 2 (\$47,982 Annually)	1 FTE

Position	Department	Current Authorization	Proposed Authorization
CET I	Public Works	0 FTE	1 FTE Range 4, Step 2 (52,043 Annually)

PASSED this _____ day of March, 2026

APPROVED this _____ day of March, 2026

Randy J. Ervin, Mayor

ATTEST:

Katrina Davis, City Clerk

RESOLUTION NO. 2026 – _____

**RESOLUTION APPROVING SALARY INCREASE FOR
CITY ADMINISTRATOR**

WHEREAS, the City Council met on May 4, 2026 to discuss the City Administrator's annual review; and

WHEREAS, the City Council has determined a 2% salary increase for the City Administrator from a present base salary of \$158,741 to \$161,916 retroactive to the anniversary date of March 27, 2026; and

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Newton, Iowa, that a salary increase for the City Administrator of 2% as set forth above, is approved, effective March 27, 2026.

PASSED this _____ day of May 2026.

APPROVED this _____ day of May 2026.

Randy J. Ervin, Mayor

(SEAL)

ATTEST:

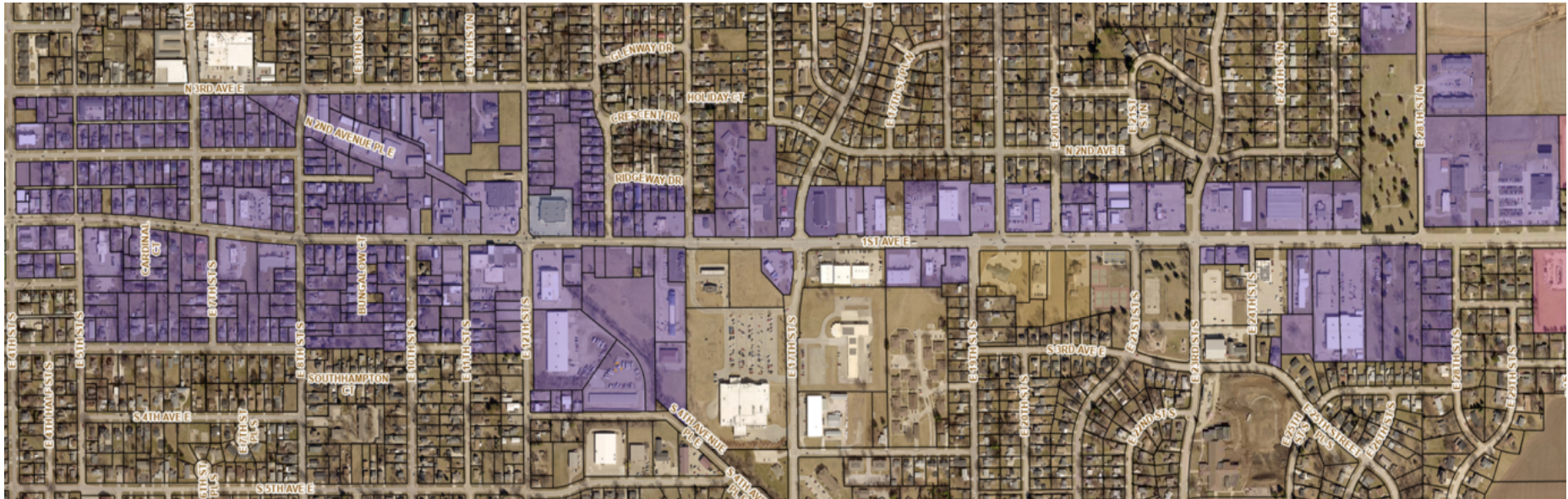
Katrina Davis, City Clerk

1st Ave East TIF District Grant Program



City Council Meeting
May 18, 2026

1st Ave E TIF District was created in 2019 and Ordinance No. 2356



Purpose: To assist property and business owners with building improvements that will enhance the curb appeal and vitality of the 1st Ave East TIF District.

How did we arrive here?

- Property and business owners in the 1st Ave East district have inquired about a grant program
- Staff looked at the Downtown Improvement Grant program as a template.
- The Downtown Grant focuses on façade, signage, and other improvements to enhance curb appeal and economic vitality, utilizing funds from the North Central TIF District.



1st Ave East TIF District Grant Program Funding

- This grant program would be funded solely by the available 1st Ave East TIF Funds.
- TIF funds already exist within the structure of the district, which could be used to improve aesthetics and desirability of the area.



Benefits to the 1st Avenue East District

- Improvements would benefit all existing businesses, as well as attract new business investment.
- Enhancing the aesthetics of Newton's most-well traveled surface street will attract more customers to 1st Avenue East businesses.



Grant Overview

- **Eligibility:** Commercial buildings, storefronts, and other businesses in the 1st Ave East TIF District would be eligible. The applicant must own the building or have written permission from the building owner. Projects must meet all ordinances and codes.
 - Funding is capped at \$50,000 per property.
 - The City may award all, part or none of the applied-for funds, based on eligibility and availability of funds.
- **Match Required:** 1:1 for all program areas. (Permit fees are not an eligible expense)

Eligible Expense Categories

Must be used for improvements to existing properties . . .

- Curb appeal / aesthetics (painting, landscaping, siding)
- Sidewalk construction or repair
- Preservation of existing structure (foundation, roof, etc.)
- Additions to, or expansions of, structure
- Signage
- Architectural / Engineering fees

Program Emphasis

- Largest impact on curb appeal and building values
- Historic, dated, and dilapidated buildings
- Expansions of existing businesses
- Impact on the economic vitality of the entire district

Review Process

In all cases . . .

- After review by city staff, the grant application will be submitted to the Newton City Council for final approval
- There is no appeal process for unapproved applications; however, an applicant may resubmit their application at a future date

1 st Ave E TIF District Grant Program Application		
Applicant Information		
Name:		
Phone:		
Address:		
City:	State:	Zip Code:
E-mail:		
(Circle One)	Owner	Tenant
Property Information		
Business Name:		
Business Address:		
Description of Business/Property Use:		
Property Owner (If not applicant):		
Owner Address:		
City:	State:	Zip Code:
E-mail:		
Select the type of improvements (Circle)		
Curb Appeal (Painting, landscaping, siding)		Signage
Sidewalk Construction or Repair		
Existing Structure Preservation		Architectural & Engineering Fees
Structure Additions or Expansions		
Project Completion Date:		
Brief description of the type of business or service you provide:		
Describe in detail the proposed project and how the grant funds will be used: (Include any plans, drawings, designs, etc. as attachments to this application.)		
What is the total project cost:		

Additional Terms and Conditions

- The approved work must be completed within one year
- Grant funds may only be used for the approved work
- The applicant shall ensure that the work conforms to the approved application, project budget, and schedule
- The city will inspect the work upon completion and, if it is deemed complete, a Certificate of Occupancy will be issued
- A Certificate of Occupancy must be issued before the applicant can be reimbursed

Questions?