

NEWTON CITY COUNCIL MEETING MINUTES
MARCH 4, 2024, 6:00 PM

Pledge

Pledge of Allegiance

Mayor George 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 George presided.
Present Council Members: Mills, Wade, Dalton, Hallam, Simbro, Ervin. Absent: None.

Proclamation

2. Women in Construction Week; March 3 - 9, 2024

Mayor George proclaimed March 3rd through March 9th, 2024 as women in Construction Week. Mayor George then presented a proclamation celebrating the dedicated service of the Newton Main Street Director, Erin Yeager.

Presentation

3. Update on Gray Moon Public Market Development Project, Jerry Schwaller, Ex Nihilo LLC

Schwaller presented the plans and details for the new Gray Moon Public Market in the former Lederman/Montgomery Ward & Co. building.

Citizen Participation

4. Sarah Patterson, RSVP Grant Manager/ Director spoke about the many services and benefits provided by RSVP in the community.

Consent Agenda

Moved by Hallam, seconded by Dalton to approve consent agenda items 5-23. AYES: Six. NAYS: None. Consent Agenda was adopted.

5. February 19, 2024 Regular City Council Meeting Minutes

6. Approve Liquor License for the following: Ownership change for Kwik Star #1001-LG0000900, 1910 1st Ave E, Class B Retail Alcohol License; Casey's General Store #2341-LE0003013, 3104 1ST AVE E, Class E Retail Alcohol License

7. Certify Police Officer Candidate List

8. Resolution appointing Colby Lawson to the Downtown Grant Review Board for an unexpired term ending December 31, 2026
Resolution 2024-054 adopted.

9. Resolution fixing the amounts to be assessed against individual private properties for the abatement of nuisance violations (Schedule No. 24-02)
Resolution 2024-055 adopted.

10. Resolution approving field use agreement with Newton Little League Baseball.
Resolution 2024-056 adopted.

11. Resolution approving field use agreement with Newton Area Soccer Association.
Resolution 2024-057 adopted.

12. Resolution approving the Field and Ride-Along Agreement with Mercy College of Health Sciences
Resolution 2024-058 adopted.

13. Resolution approving a contract from Midwest Inflatables, LLC for Newton Fest activities.
Resolution 2024-059 adopted.

14. Resolution Approving an Engagement Letter with Dorsey & Whitney for Services Related to the 2024 General Obligation Bonds
Resolution 2024-060 adopted.

15. Resolution Approving an Engagement Letter with Dorsey & Whitney for Services Related to the 2024 Road Use Tax Revenue Bonds
Resolution 2024-061 adopted.

16. Resolution amending the construction commencement date for the required improvements stipulated by the Purchase and Redevelopment Agreement for 1024 North 11th Avenue East
Resolution 2024-062 adopted.

17. Resolution correcting the eligibility boundary for the Newton Downtown Housing Grant Program
Resolution 2024-063 adopted.
18. Resolution approving the private sale and transfer of ownership of 1404 East 6th Street South
Resolution 2024-064 adopted.
19. Resolution approving the Newton Sanitary Landfill fee schedule
Resolution 2024-065 adopted.
20. Resolution Approving the Payment of Contract Billing Fees for Ambulance Billing
Resolution 2024-066 adopted.
21. Resolution setting a public hearing for the sale of City-owned property at 315, 319, and 321 East 8th Street South in Newton, Jasper County, Iowa
Resolution 2024-067 adopted.
22. Resolution Setting a Date For a Public Hearing on the Proposed Property Tax Levy for Fiscal Year July 1, 2024 - June 30, 2025
Resolution 2024-068 adopted.
23. Approve Bills

Public Hearing

24. Public Hearing on Proposal to Enter Into an Essential Purpose Loan Agreement
Mayor George stated that this is the time and place for a Public Hearing on the above. There were no written comments. Moved by Wade, seconded by Simbro to close the public hearing. AYES: Six. NAYS: None. The public hearing was closed.
25. Public Hearing on Proposal to Enter Into a Golf Course Clubhouse Loan Agreement
Mayor George stated that this is the time and place for a Public Hearing on the above. There were no written comments. Moved by Hallam, seconded by Simbro to close the public hearing. AYES: Six. NAYS: None. The public hearing was closed.
26. Public Hearing on Proposal to Enter Into a General Purpose Loan Agreement
Mayor George stated that this is the time and place for a Public Hearing on the above. There were no written comments. Moved by Mills, seconded by Wade to close the public hearing. AYES: Six. NAYS: None. The public hearing was closed.
27. Resolution taking additional action on proposal to enter into General Obligation Loan Agreements, combining Loan Agreements, authorizing the use of a Preliminary Official Statement, and Providing for the Levy of Taxes to Pay General Obligation Corporate Purpose Bonds, Series 2024A
Moved by Hallam, seconded by Mills to adopt the Resolution. AYES: Six. NAYS: None. Resolution 2024-069 adopted.
28. Public Hearing on proposal to enter into a Road Use Tax Revenue Loan Agreement
Mayor George stated that this is the time and place for a Public Hearing on the above. There were no written comments. Moved by Mills, seconded by Wade to close the public hearing. AYES: Six. NAYS: None. The public hearing was closed.
29. Resolution on Taking Additional Action on Proposal to Enter into a Road Use Tax Revenue Loan Agreement and Authorizing the Use of a Preliminary Official Statement in Connection Therewith
Moved by Dalton, seconded by Wade to adopt the Resolution. AYES: Six. NAYS: None. Resolution 2024-070 adopted.
30. Public Hearing on a resolution awarding contract for the W 6th St S (800-1000 Block) Widening and Resurfacing Project.
Mayor George stated that this is the time and place for a Public Hearing on the above Resolution. There were no written comments. Moved by Ervin, seconded by Dalton to close the public hearing. AYES: Six. NAYS: None. The public hearing was closed.
31. Resolution awarding contract for the W 6th St S (800-1000 Block) Widening and Resurfacing Project
Moved by Ervin, seconded by Hallam to adopt the Resolution. AYES: Six. NAYS: None. Resolution 2024-071 adopted.

Ordinance

32. First Consideration of an Ordinance eliminating Code of Ordinances, City of Newton, Iowa, 2016, Title III, Chapter 32, Sections 32.130 - 32-140 Non-Bargaining Employee Grievance Commission and addressing the process in the City Council adopted Employee Handbook
Moved by Hallam, seconded by Ervin to approve the first consideration of the Ordinance. AYES: Six. NAYS: None. First Consideration of the Ordinance was

approved.

Resolution

33. Resolution approving a letter of support for the Newton YMCA Expansion Project
Moved by Mills, seconded by Ervin to adopt the Resolution. AYES: Six. NAYS: None.
Resolution 2024-072 adopted.
34. Resolution approving the award of a Downtown Improvement Grant for the building at 118 North 2nd Avenue East
Moved by Wade, seconded by Dalton to adopt the Resolution. AYES: Six. NAYS: None. Resolution 2024-073 adopted.
35. Resolution amending the Grant for Private Demolition Program Area of the D&D 2.0 Program for multi-family and commercial structures
Moved by Hallam, seconded by Mills to adopt the Resolution. AYES: Six. NAYS: None. Resolution 2024-074 adopted.

Motion

36. Motion authorizing the Mayor to accept the second amended joint Chapter 11 Plan of reorganization of Endo International PLC and its affiliated debtors and (II) proxy for voting on scheme of arrangement of Endo International PLC regarding Local Government Opioid Claims. Only holders of class 6(A) state opioid claims that vote in favor of the plan will be able to participate in the public opioid trust
Moved by Dalton, seconded by Wade to approve the above motion, required in order to participate in the Opioid settlement.

Staff Report

37. Vacant Building Ordinance, Erin Chambers, Community Development Director
Chambers presented options related to the vacant building ordinance. Dalton mentioned the City of Marion had a very detailed policy. Ervin emphasized that the policy needs teeth; every business should register or be penalized.

Mayor/Council Comments

38. Mayor and Council Comments
Hallam stated he had the pleasure of attending the Midl Gallery art reception in the Northwestern Mutual building downtown. Dalton provided information on Main Street including the amounts of investments that have gone into the downtown since becoming a program. Newton is one of 30 communities nationwide selected to participate in the Equitable Entrepreneurial Ecosystems for Rural Main Streets Program. Ervin announced June 7th and 8th Newton will be one of the first communities to host the State of Iowa Mobile Museum. Mills is excited about the road work that has been going on and wants to be very purpose driven when planning.

Closed Session

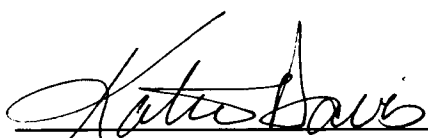
39. To Discuss Strategy with Counsel in Matters that Are Presently in Litigation or Where Litigation is Imminent Where its Disclosure Would be Likely to Prejudice or Disadvantage the Position of the Governmental Body in that Litigation, Which Discussions are Exempt from the Open Meetings Law Pursuant to the Provision of Section 21.5(1)(c), Code of Iowa 2024
At 7:43 P.M., it was moved by Mills, seconded by Hallam 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.

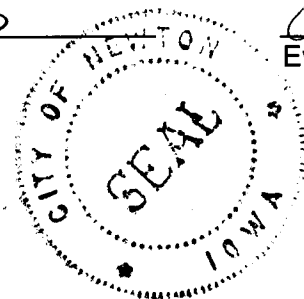
Return to Open Session

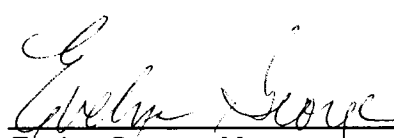
40. Return to Open Session
Council returned to open session at 10:15 P.M. with all members present.

Adjourn

Moved by Wade, seconded by Mills to adjourn the meeting at 10:15 P.M. Motion unanimously carried by voice vote.


Katrina Davis, City Clerk




Evelyn George, Mayor