



## Newton City Council Agenda

June 3, 2024 - 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](http://newtongov.org/cablecast)

### Pledge

Pledge of Allegiance

### Call to Order

1. Roll Call

### Citizen Participation

2. 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

3. May 20, 2024 Regular City Council Meeting Minutes
4. Approve Liquor Licenses for the following: GEZELLIG BREWING COMPANY, LLC - BW0099095, 403 W 4TH ST N, STE 103, Special Class C Retail Alcohol License; Newton/Des Moines East KOA, 1610 E 36th Street S Special Class B Retail Native Wine License; Cobblestone Inn & Suites- BW0094189, 4222 S 22nd Ave. E, Special Class C Retail Alcohol License; Lucky Wife Wine Slushies, 124 N 2nd Ave W, June 25th and July 9th, Special Class C Retail Alcohol License; CASEY'S #1911-LE0003308, 1018 1ST AVE E Class E Retail Alcohol License; Wal-Mart Supercenter #748- LE0000974, 300 Iowa Speedway Dr, Class E Retail Alcohol License
5. Approve 2024 - 2025 Cigarette/Tobacco/Nicotine/Vapor License for Dollar General #3032, 1803 1st Ave E; Git-N-Go Convenience Store #14, 801 1st Ave W; Git-N-Go Convenience Store #45, 1708 S 8th Ave E; Kwik Star #1001, 1910 1st Ave E; Murphy USA #6513, 200 Iowa Speedway Dr; Newton 66 #963, 1806 S 12th Ave W; Newton Market, 321 1st Ave W; Pit Stop Liquors, 1324 1st Ave E; Walgreens, 1204 1st Ave E.; Walmart #748, 300 Iowa Speedway Dr; West End Sinclair #961, 1325 1st Ave W
6. Certify Police Officer Candidate List
7. Resolution Approving Allocation of Local Option Sales and Service Taxes for Fiscal Year 2024-2025

8. Resolution Authorizing Fund Transfers in FY 24/25
9. Resolution Approving a Property Tax Rebate for the Ex Nihilo Property Located at 107 1<sup>st</sup> Ave W Within the North Central Urban Renewal Area
10. Resolution fixing the amounts to be assessed against individual private properties for the abatement of nuisance violations (Schedule No. 24-05)
11. Resolution approving an engineering services agreement for the Aurora Park Tennis Courts Project
12. Resolution accepting completion of the City of Newton Roof Replacement Project 2023-01 - Parks
13. Resolution approving change order #1 for the W 6th St S Widening and Overlay Project
14. Resolution approving a Telecommunications Licensing Agreement with Windstream Iowa Communications, LLC – 2024-02
15. Resolution approving a Project Services Agreement for the Public Works Community Development Wash Bay Project
16. Resolution approving an emergency storm culvert purchase for the Newton Sanitary Landfill
17. Resolution granting a permanent ingress/egress easement to Taldoe Timber LLC
18. Resolution granting a permanent ingress/egress easement to Generational Acres LLC
19. Resolution Approving a Letter of Support for the DMACC Newton Campus Legacy Plaza Greenspace Project
20. Resolution approving an amendment to a Professional Services Agreement for updates to the planning documents for the Westwood Clubhouse Replacement Project
21. Resolution approving the purchase and upfit services for two 2024 Ford Police Interceptor SUVs
22. Resolution awarding the purchase of a thermal imaging camera and accessories
23. Resolution setting a public hearing for the sale of City-owned property at 315, 319, and 321 East 8<sup>th</sup> Street South in Newton, Jasper County, Iowa
24. Approve Bills

## **Public Hearing**

25. Public Hearing on a Resolution Approving the Third Budget Amendment for Fiscal Year 2023-2024
  - Council designated June 3, 2024 as the public hearing date to consider the third budget amendment for fiscal year 2024.
  - The proposed budget amendment adjust the current year 2023-24 budgeted revenues and expenditures to reflect the changes that have occurred and are expected thru June 30, 2024. Amended line items include expenses related to Tax Increment Financing Economic Development projects and Housing Initiative funds for Arbor Estates Phase 2 and Housing Incentives

## Ordinance

26. Resolution Approving the Third Budget Amendment for Fiscal Year 2023-2024
27. Third Consideration of an Ordinance Amending the Code of Ordinances, City of Newton, Iowa, Title XV, Ch. 150, to revise and update Section 150.085 Vacant Building
  - The proposed code amendments replace the existing Vacant Building Ordinance contained within Ch. 150 of the Newton City Code
  - The text amendments clarify definitions and references a vacant building policy.
28. Third consideration of an Ordinance Amending the Code of Ordinances, City of Newton, Iowa, 2016, Title VII, Chapter 70, Section 70.15, "Traffic and Parking Schedules Adopted by Reference", to make changes to street parking in the 400-600 block of W 8th St N
  - The City received safety concerns regarding street parking in the 400-600 blk. of W 8th St N
  - The Traffic Safety Committee reviewed the situation and, based on established standards and policy, recommends restricting parking on both the east and west side of the street
  - Surveys of the neighborhood were conducted with 3 residents approving of the proposed changes and 0 opposing
29. Third consideration of an Ordinance Amending the Code of Ordinances, City of Newton, Iowa, 2016, Title VII, Chapter 70, Section 70.15, "Traffic and Parking Schedules Adopted by Reference", to make changes to street parking in the 200-300 block of E 25th St N
  - The City received safety concerns regarding street parking in the 200-300 blk. of E 25th St N
  - The Traffic Safety Committee reviewed the situation and, based on established standards and policy, recommends restricting parking on the east side of the street.
  - Surveys of the neighborhood were conducted with 10 residents approving of the proposed changes and 7 opposing
30. Second consideration of an Ordinance Amending the Code of Ordinances, City of Newton, Iowa, 2016, Title VII, Chapter 70, Section 70.15, "Traffic and Parking Schedules Adopted by Reference", to make changes to street parking in the 600 block of E 15th St N
  - The City received safety concerns regarding street parking in the 600 blk. of E 15th St N
  - The Traffic Safety Committee reviewed the situation and, based on established standards and policy, recommends restricting parking on the east side of the street
  - Surveys of the neighborhood were conducted with 8 residents approving of the proposed changes and 2 opposing

- During the City Council meeting on May 20th, City Council amended the original proposal and voted to restrict parking only in the 600 blk.

31. First Consideration of an Ordinance amending the Code of Ordinances, Title XV Land Usage by adding Chapter 159 Commercial Business Property Code

- The City has experienced some difficulty in keeping up to date contact information for commercial/business properties.
- The Chapter 159: Commercial/Business Property Code ordinance contained language requiring annual registration of commercial business/property.
- City Council discussed the item at the 5/20/2024 meeting and requested the ordinance be placed on a future agenda.

## Resolution

32. Resolution Adopting The Vacant Building Administrative Policy

- The Vacant Building Administrative Policy will provide specific guidance on the application and implementation of the Vacant Building Ordinance.

33. Resolution on Vacant Building Fees

- It is desirable that the costs associated with the administration of the Vacant Building Ordinance and Policy be off-set by fees.
- The resolution adopts a fee schedule to be added to the City's comprehensive schedule of fees.

34. Resolution directing publication of notice of intent to fill the Ward 4 vacancy by appointment

- Ward 4 Council member Vicki Wade has provided a written notice of resignation from City Council as of June 19, 2024.
- As allowed by Iowa Code Section 372.13(2)(a), City Council may choose to fill the vacancy by appointment.
- Interested parties must submit their name, address, phone number, and brief biographical information to Katrina Davis, City Clerk at City Hall, 101 W 4<sup>th</sup> St S., no later than 12:00 pm on June 21, 2024.

## Staff Report

35. Stormwater & Wastewater Systems During Heavy Rain Events - Utilities Director Jody Rhone and Public Works Director Joe Grife

## Mayor/Council Comments

36. Mayor and Council Comments

## 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.

**Find us online: [www.newtongov.org](http://www.newtongov.org)**