

NEWTON CITY COUNCIL MEETING MINUTES
JUNE 3, 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.

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
- Tiffany Thomas, 2108 N 3rd Ave E spoke regarding sewer backups from the storm. Jim Knudson, 624 E 17th St N, spoke regarding disk golf in Maytag Park and asked for additional holes. Donna Stumie, 401 E 10th St S, spoke about pets not being taken care of and aggressive behavior by pet owners.

Consent Agenda

Moved by Hallam, seconded by Ervin to approve consent agenda items 3-24. AYES: Six. NAYS: None. Consent Agenda was adopted.

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; 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
Resolution 2024-183 adopted.
8. Resolution Authorizing Fund Transfers in FY 24/25
Resolution 2024-184 adopted.
9. Resolution Approving a Property Tax Rebate for the Ex Nihilo Property Located at 107 1st Ave W Within the North Central Urban Renewal Area
Resolution 2024-185 adopted.
10. Resolution fixing the amounts to be assessed against individual private properties for the abatement of nuisance violations (Schedule No. 24-05)
Resolution 2024-186 adopted.
11. Resolution approving an engineering services agreement for the Aurora Park Tennis Courts Project
Resolution 2024-187 adopted.
12. Resolution accepting completion of the City of Newton Roof Replacement Project 2023-01 - Parks
Resolution 2024-188 adopted.
13. Resolution approving change order #1 for the W 6th St S Widening and Overlay Project
Resolution 2024-189 adopted.

14. Resolution approving a Telecommunications Licensing Agreement with Windstream Iowa Communications, LLC – 2024-02
Resolution 2024-190 adopted.
15. Resolution approving a Project Services Agreement for the Public Works Community Development Wash Bay Project
Resolution 2024-191 adopted.
16. Resolution approving an emergency storm culvert purchase for the Newton Sanitary Landfill
Resolution 2024-192 adopted.
17. Resolution granting a permanent ingress/egress easement to Taldoe Timber LLC
Resolution 2024-193 adopted.
18. Resolution granting a permanent ingress/egress easement to Generational Acres LLC
Resolution 2024-194 adopted.
19. Resolution Approving a Letter of Support for the DMACC Newton Campus Legacy Plaza Greenspace Project
Resolution 2024-195 adopted.
20. Resolution approving an amendment to a Professional Services Agreement for updates to the planning documents for the Westwood Clubhouse Replacement Project
Resolution 2024-196 adopted.
21. Resolution approving the purchase and upfit services for two 2024 Ford Police Interceptor SUVs
Resolution 2024-197 adopted.
22. Resolution awarding the purchase of a thermal imaging camera and accessories
Resolution 2024-198 adopted.
23. 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 2024-199 adopted.
24. Approve Bills

Public Hearing

25. Public Hearing on a Resolution Approving the Third Budget Amendment for Fiscal Year 2023-2024
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 Wade, seconded by Mills to close the public hearing. AYES: Six. NAYS: None. The public hearing was closed.
26. Resolution Approving the Third Budget Amendment for Fiscal Year 2023-2024
Moved by Mills, seconded by Wade to adopt the Resolution. AYES: Six. NAYS: None. Resolution 2024-200 adopted.

Ordinance

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
Moved by Dalton, seconded by Simbro to approve the third consideration of the Ordinance. AYES: Six. NAYS: None. Third Consideration of the Ordinance was approved. Moved by Dalton, seconded by Wade, to adopt the Ordinance. AYES: Six. NAYS: None. Ordinance 2445 was adopted.
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
Moved by Ervin, seconded by Hallam to approve the third consideration of the Ordinance. AYES: Six. NAYS: None. Third Consideration of the Ordinance was approved. Moved by Hallam, seconded by Ervin, to adopt the Ordinance. AYES: Six. NAYS: None. Ordinance 2446 was adopted.
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
Moved by Dalton, seconded by Simbro to approve the third consideration of the Ordinance. AYES: Six. NAYS: None. Third Consideration of the Ordinance was approved. Moved by Hallam, seconded by Dalton, to adopt the Ordinance. AYES: Six. NAYS: None. Ordinance 2447 was adopted.
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

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Moved by Dalton, seconded by Hallam to approve the second consideration of the Ordinance. AYES: Six. NAYS: None. Second Consideration of the Ordinance was approved.

31. First Consideration of an Ordinance amending the Code of Ordinances, Title XV Land Usage by adding Chapter 159 Commercial Business Property Code
Moved by Mills, seconded by Wade to approve the first consideration of the Ordinance. AYES: Six. NAYS: None. First Consideration of the Ordinance was approved.

Resolution

32. Resolution Adopting The Vacant Building Administrative Policy
Moved by Dalton, seconded by Mills to adopt the Resolution. AYES: Six. NAYS: None. Resolution 2024-201 adopted.
33. Resolution on Vacant Building Fees
Moved by Dalton, seconded by Mills to adopt the Resolution. AYES: Six. NAYS: None. Resolution 2024-202 adopted.
34. Resolution directing publication of notice of intent to fill the Ward 4 vacancy by appointment
Moved by Hallam, seconded by Dalton to adopt the Resolution. AYES: Six. NAYS: None. Resolution 2024-203 adopted.

Staff Report

35. Stormwater & Wastewater Systems During Heavy Rain Events - Utilities Director Jody Rhone and Public Works Director Joe Grife
Rhone spoke about all the infiltration into the sanitary sewer system. There are 94 miles of sewer lines in the city as well as 94 miles of private connections. Many of the private connections are leaking infiltration into the system. Even if the city would seal 100% of the city's lines, it would still solve only 50% of the issues due to private issues. Rhone suggested that when a home is sold, it is inspected for illegal sump pump connections to the sanitary sewer. The city provides a grant program up to \$3000 of actual costs for installation of a sump pump, removal of a prohibited discharge, and removal and replacement of faulty sewer service lateral. The National League of Cities (NLC) offers a service line warranty program to help residents avoid out-of-pocket expense for unanticipated and costly service line repairs and replacements. Grife spoke about looking at a rate increase on the stormwater fee to help alleviate the water backup in the streets during a large rain event. There is a project index map indicating a schedule of stormwater repair projects that are currently estimated at \$16.96 Million. There is also a proposal to build a regional retention basin near Walgreens. Individual projects will be prioritized. Staff recommends approving a 5% rate increase yearly for five years.

Mayor/Council Comments

36. Mayor and Council Comments
Mills indicated that his heart goes out to all those impacted by the floods. He asked that neighbors be responsible and respectable regarding taking care of their trees to reduce damage to other peoples' property and the utilities. Hallam announced all the events for the coming weekend, including Newton Fest and Alumni weekend. Ervin spoke regarding the ribbon cutting events for the Maytag Pool and the Pickleball Courts. There were so many excited people ready to play pickleball as soon as the ribbon cutting was done. George expanded on the events happening the rest of the week including the farmers market, food trucks, a safety fest, and free concerts.

Adjourn

Moved by Hallam, seconded by Mills to adjourn the meeting at 7:19 P.M. Motion unanimously carried by voice vote.

Katrina Davis, City Clerk

Evelyn George, Mayor