



Newton City Council Agenda

June 17, 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

Pledge

Pledge of Allegiance

Call to Order

1. Roll Call

Presentation

2. Newton Community Theatre Update - Sue Beukema

Citizen Participation

3. 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

4. June 3, 2024, Regular City Council Meeting Minutes
5. Approve Liquor Licenses for the following: Hy-Vee Market Cafe-LC0041009, 1501 1st Ave E Market Cafe Area, Class C Retail Alcohol License; Fore Seasons Sports Bar, Special Event July 27th, 600 North 2nd Avenue West, Class C Retail Alcohol License; Levy @ Iowa Speedway- LC0050765, 3333 Rusty Wallace Drive, Class C Retail Alcohol License, Expansion of licensed areas; Lucky Wife Wine Slushies, 1110 E 10th St N, June 21st Special Class C Retail Alcohol License; Hy-Vee Indy Pop Up Shop1, 3333 Rusty Wallace Drive, 14 Day Special Class C Retail Alcohol License; Hy-Vee Indy Pop Up Shop2, 3333 Rusty Wallace Drive, 14 Day Special Class C Retail Alcohol License
6. Approve 2024 - 2025 Cigarette/Tobacco/Nicotine/Vapor License for Shop N Save, 404 S 11th Ave W
7. Resolution fixing the amounts to be assessed against individual private properties for the abatement of nuisance violations (Schedule No. 24-06)
8. Resolution levying assessments for costs of nuisance abatement and providing for the payment thereof (Schedule 24-05)

9. Resolution Approving a Property Tax Rebate for the McCann Housing Associates, LP Property Located Within the McCann Urban Renewal Area
10. Resolution Approving a Property Tax Rebate for the Lion Development Group, LLC Property Located Within the North Central Urban Renewal Area
11. Resolution approving an agreement with the Newton YMCA for Fiscal Year 2025
12. Resolution Approving a Funding and Partnership Agreement with the United Way of Jasper County for Fiscal Year 2025
13. Resolution Approving a Funding and Partnership Agreement with the Retired & Senior Volunteer Program of Jasper County for Fiscal Year 2025
14. Resolution Approving a Funding and Partnership Agreement with Heart of Iowa Regional Transit Agency for Fiscal Year 2025
15. Resolution Setting a Date for a Public hearing on the FY25-FY29 Capital Improvement Plan (CIP)
16. Resolution awarding contract for the W 8th St N Bridge Approach Replacement Project
17. Resolution awarding the purchase of self-contained breathing apparatus harnesses and equipment
18. Resolution awarding the purchase of firefighter's personal protective equipment
19. Resolution ordering bids, approving plans, specifications, form of contract, notice to bidders, ordering clerk to publish notice, fixing a date for receiving same, for a public hearing on plans, specifications, form of contract and estimate of costs for the 2024 Streetscape Improvement Project
20. Resolution ordering bids, approving plans, specifications, form of contract, notice to bidders, ordering clerk to publish notice, fixing a date for receiving same, for a public hearing on plans, specifications, form of contract and estimate of costs for the 2024 HMA Resurfacing Project
21. Approve Bills

Public Hearing

22. Public Hearing approving an application for Federal Aviation Administration (FAA) funding assistance for the Newton Airport Pavement Rehabilitation Project, and awarding a contract for said project contingent upon the receipt of said funding assistance grant
 - This Airport Pavement Rehabilitation project was identified as a top priority in the Airport Improvement Plan, as portions of the runway, taxiway, and apron are deteriorating.
 - The City's Airport Engineering Consultant, Kirkham Michael, prepared construction plans and specifications for the project, and bids were received on June 11, 2024.
 - Staff recommends that the City award a contract to Gee Asphalt Systems, Inc. of Cedar Rapids, Iowa, for the base bid plus the alternate bid, contingent upon the receipt and approval of a Federal Aviation Administration funding assistance grant for said project.

23. Resolution approving an application for Federal Aviation Administration (FAA) funding assistance for the Newton Airport Pavement Rehabilitation Project, and awarding a contract for said project contingent upon the receipt of said funding assistance grant.
24. Public Hearing on resolution approving the purchase agreement for real property at 315, 319, and 321 East 8th Street South Newton, Jasper County, Iowa
 - In April, City Council approved a purchase agreement for the subject property to VL Construction.
 - As part of the closing process, it was deemed desirable to republish the notice and hold a new public hearing on the sale with a consolidated and corrected legal description. This action accomplishes that end.
 - No changes to the purchase agreement have been made.
25. Resolution approving the purchase agreement for real property at 315, 319, and 321 East 8th Street South Newton, Jasper County, Iowa
26. Public Hearing on Urban Renewal Plan Amendment for the 2019 Sports Entertainment Urban Renewal Area
 - The City Council of the City of Newton, Iowa has created the 2019 Sports Entertainment Urban Renewal Area and has approved an urban renewal plan. Chapter 403 of the Code of Iowa requires that, before a City approves or amends any urban renewal projects within an urban renewal area, a City must amend the existing Urban Renewal Plan to include the new or amended project.
 - The Developer has requested a substantial increase in the minimum assessment of the property, thus increasing the amount of property taxes eligible for rebate. An amendment to the Plan has been prepared which includes increasing the amount of the property tax rebates to the Developer.
27. Resolution to Approve an Urban Renewal Plan Amendment for 2019 Sports Entertainment Urban Renewal Area
28. Public Hearing on Approval of an Amended Development Agreement with The Circle Development, LLC, Including Annual Appropriation Tax Increment Payments
 - As the project continues to move forward through the development process, it is necessary to amend the previously approved development agreement increasing the minimum assessment to \$36 million, which affects the total value of the tax rebate per the approved schedule.
 - The development is committed to the construction of a \$60 million softball facility which includes indoor and outdoor field space.
 - No other changes to the development agreement are proposed.

29. Resolution Approving an Amended Development Agreement with The Circle Development, LLC Including Annual Appropriation Tax Increment Payments

Ordinance

30. 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 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. Second 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.
32. First Consideration of an Ordinance amending the Code of Ordinances, City of Newton, Iowa, 2016, Title V, Chapter 53: Stormwater Utility
- At the October 19, 2020, City Council Meeting, the Newton City Council approved the creation of a Stormwater Utility Ordinance, which was the result of the City of Newton's need for funds to be dedicated to the sole purpose related to stormwater activities.
 - The ordinance established the Equivalent Residential Unit (ERU) of Four Thousand (4,000) square feet of impervious area as the official unit of measurement and an initial ERU rate of \$4.00. The ERU rate increased to \$4.25 on July 1, 2022 and to \$4.50 on July 1, 2023.
 - The initial ordinance did not include additional rate increases after July 1, 2023, and no increase is planned for July 1, 2024.
 - Staff recommends increasing the ERU rate by 5% on July 1st of each year for the next five years starting on July 1, 2025. Six

other alternative proposals have been provided in the Council Packet for City Council's consideration.

Resolution

33. Resolution amending the City of Newton Employee Handbook
- During union negotiations, longevity was modified in all union contracts to be consistent with one another. This resolution amends the non-bargaining longevity scale to match the unions.
 - Staff requested a review of the current vacation accrual schedule and asked that it be more consistent with Police and Fire accruals. This resolution amends the non-bargaining vacation accruals and cleans up language for the Department Directors, and Fire and Police Supervisory personnel.
 - These changes would be effective July 1, 2024.
34. Resolution Approving A Contract For Professional Community And Economic Development Services With The Newton Development Corporation For Fiscal Year 2024-2025
- The approved City budget for Fiscal Year 2024-25 includes a \$77,000 allocation to the Newton Development Corporation (NDC), which is sourced from various TIF funds within the City of Newton, and \$37,000 in Hotel-Motel Tax funds.
 - In order to meet the City Code requirements, a contract has been drafted to spell out the scope of services that NDC will provide to the City.

Discussion

35. Golf Fees

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