



Newton City Council Agenda

August 5, 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

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. July 15, 2024 Regular City Council Meeting Minutes
4. Approve Liquor Licenses for the following: Izaak Walton League, W 2nd St N, Special Class C Retail License for Special Event on September 6, 2024; Walgreens #05942 - LE0002171, 1204 1st Ave E, Class E Retail Alcohol License, Ownership Change; Newton Lodge #1270, B.P.O. Elks - LF0000274, 111 E 2nd St S, Class F Retail Alcohol License; PB Pub - LC0045655, 113 1st Ave E, Class C Retail Alcohol License; Lucky Wife Wine Slushies, 109 W 2nd St N, Special Class C Retail Alcohol License for Special Event on August 9, 2024 and 100 Block of W 2nd St N for Special Event on September 6, 2024, and 3030 N 4th Ave E for Special Event on October 12, 2024 ; Loves Travel Stop #361 - LG0000961, 4400 S 22nd Ave E, Class B Retail Alcohol License
5. Approve 2024 - 2025 Cigarette/Tobacco/Nicotine/Vapor License for Newton Tobacco & Vape, LLC, 309 Iowa Speedway Dr
6. Resolution appointing Development Specialist Craig Armstrong to serve as Primary Representative and NHDC Director Bruce Showalter as Alternate Representative to the Central Iowa Regional Housing Authority for a three-year term ending June 30, 2027
7. Resolution fixing the amounts to be assessed against individual private properties for the abatement of nuisance violations (Schedule No. 24-09)
8. Resolution levying assessments for costs of nuisance abatement and providing for the payment thereof (Schedule 24-08)

9. Resolution accepting completion of the Maytag Pool Improvements Project
10. Resolution accepting completion of the Aurora Park Pickleball Courts Project
11. Resolution accepting completion of the Westwood Golfcourse Clubhouse Grading Project
12. Resolution approving the purchase of a truck and truck bed toolbox for Community Development
13. Resolution approving the agreement with Musco Lighting for the Maytag Park Mini-Pitch Project
14. Resolution approving the submittal of an Iowa DNR Resource and Protection (REAP) grant application for the Cardinal Pond Improvements Project
15. Resolution accepting completion of the Fairmeadows North Plat 7 Storm Sewer Improvement Project
16. Resolution approving a non-standard improvement in the City Right-of-Way with the property owner of 308 1st Ave E
17. Resolution approving a contracted payment to Axon, LLC for an in-car and body camera system
18. Resolution accepting an electric line easement on 1219 S 4th Ave E Newton, Iowa
19. Resolution Approving the Annual Support Fees for the Fire Department Record Management Software
20. Resolution setting a public hearing for the sale of City-owned property at 1008 and 1010 East 8th Street North in Newton, Jasper county, Iowa
21. Approve Bills

Public Hearing

22. Public hearing on a resolution approving the purchase agreement for real property at 315, 319, and 321 East 8th Street South Newton, Jasper County, Iowa
 - Because the notice for the previous public hearing was not published in the Newton Daily News, it is necessary to hold the public hearing on the sale of this property again.
 - There are no other received offers and no changes to the purchase agreement with VL Construction are proposed.

23. Resolution approving the purchase agreement for real property at 315, 319, and 321 East 8th Street South Newton, Jasper County, Iowa

Ordinance

24. First 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 500-700 block of W 3rd St S
 - The City received safety concerns regarding street parking in the 500-700 blk. of W 3rd St S.

- The Traffic Safety Committee reviewed the situation and, based on established standards and policy, recommends restricting parking on both sides of the street.
- 28 Surveys of the neighborhood were conducted with 7 residents approving of the proposed changes and 2 opposing.

25. First consideration of an ordinance amending the code of ordinances, City of Newton, Iowa, 2016, Title V Public Works, By adding 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 twenty-five cents on July 1st of each year for the next five years starting on July 1, 2025.

Resolution

26. Resolution renewing the insurance package with Iowa Communities Assurance Pool (ICAP)

- In June 1998, the City Council awarded a bid for property, liability and automobile insurance coverage to Clemon-Maki Insurance Associates using the Iowa Communities Assurance Pool (ICAP). More than 280 other city governments in Iowa belong to the ICAP risk pool.
- The 2024 renewal is \$652,500, up from \$443,321 in 2023 due to an increase in vehicle coverage, property coverage, and the high number of claims from the hail storm, losses, and the increased cost of construction.

27. Resolution approving the granting of Downtown Improvement Grant funds for 306 1st Avenue West, Newton, Iowa, in the sign, façade, and awning program areas

- At their meeting on July 17th, the Downtown Grant Review Board recommended approval of downtown improvement grants for 306 1st Avenue West to Randy & Marily Terlouw and Ella Nguyen for signage, facade, and awning work.
- The recommended grant amounts are \$1,571.25 to Terlouw and \$1,607.00 to Nguyen, provided a 1:1 match is met.

28. Resolution approving plans, specifications, and form of contract, and ordering clerk to publish notice for a public hearing on plans, specifications, form of contract, and estimate of costs for the Westwood Golf Course Clubhouse Project
- City staff then began working on an alternate plan to construct a more affordable clubhouse, which would include phasing of the preliminary projects and which would satisfy the language of the bond referendum.
 - Previous projects, including asbestos abatement, demolition, site grading, and utilities, have been completed.
 - This project will construct footings and other accompanying improvements for the setting and construction of a 60' X 100' post-frame building by Morton Buildings, Inc. under a separate contract.
29. Resolution awarding a contract for the Westwood Golfcourse Clubhouse shell
- ISG, on behalf of the City of Newton, sought competitive quotes from Morton Buildings, Inc. and Greiner Buildings for a post-frame 60' X 100' building following Iowa Code Chapter 26. Morton Buildings, Inc. supplied the lowest quote of \$190,338.00, which was \$1,212.00 lower than Greiner Buildings, even with the addition of a \$5,000 bond.
 - The project is to be completed this fall to allow time for the accompanying project to be completed before December 6, 2024. The \$190,338.00 project cost will be paid from ARPA funds.
30. Resolution approving Marketing Agreement with Utility Service Partners Inc
- The NLC Service Line Program will utilize the City logo to brand the materials used to educate City residents/customers about our repair service plans.
 - Program marketing literature clearly discloses that the Program and the City are separate entities and that the program is voluntary for residents.
 - The NLC Service Line Warranty Program will create all marketing materials with input from the City and will submit all marketing/communications materials to the City for final approval.
31. Resolution authorizing the Newton Fire Department to accept the 2023 assistance to firefighters grant award in the amount of \$ 77,076.48
- The Fire Department has received notification for selection for a 2023 Assistance to Firefighters Grant in the amount of \$77,076.48 and requires a local match of 5%, or \$3,703.82.

- This grant program was a result of the events of 9/11/2001 and continues to provide funding for needed equipment in emergency services.
 - This grant will be used for the upgrade of the Plymovent Exhaust Removal System, NFPA 1001 Firefighter Training Resources, and Audio-Visual Equipment.
32. Resolution Authorizing The City Of Newton To Respond To A Request For Proposal From Pyrotechnics Guild International, Inc. (PGI) To Host The 2025 PGI Convention On Property Owned By The City And A Private Landowner
- The Pyrotechnics Guild International hosted a convention in Newton in August off 2022 which generated an estimated economic impact of more than \$2 million in Newton and Jasper County.
 - PGI officials recently contacted Newton representatives to inquire about the City hosting another convention in the summer of 2025 and invited Newton to respond to their request for proposals.
 - The City's response must be submitted before August 9, 2024.
33. Resolution approving Change Order #3 for the Arbor Estates 2nd Addition Public Improvements Project
- The City, in partnership with the Newton Housing Development Corporation (NHDC), has been working to increase residential subdivision development in northeast Newton.
 - Twelve lots on N 10th Ave E were originally to be constructed as single-family homes. In June 2023, the decision was made to accommodate duplexes. City code requires that for multiple occupancy buildings, such as the proposed duplexes, each unit should be considered a separate utility customer and be metered and billed separately.
 - Change order #3 is to install one additional water service for the twelve N 10th Ave E lots. The proposal from McAninch, Corp, which includes an additional 85 SY of necessary pavement removal and replacement, is \$57,425.84.

Staff Report

34. Annual Finance Update - Lisa Frasier, Finance Officer

Mayor/Council Comments

35. Mayor and Council Comments

Closed Session

36. 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

Return to Open Session

37. 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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