

NEWTON CITY COUNCIL MEETING MINUTES
AUGUST 5, 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, Mullan, Dalton, Hallam, Simbro, Ervin. Absent: None.

Citizen Participation

2. Jim Knutson, 624 E 17th St N, thanked council members and staff for their cooperation in getting the Woodland Park disc golf baskets and posts installed. Lin Chape, 320 E 3rd St S, addressed council to share the idea of having common and courteous conversations with citizens. She suggested holding individual Ward meetings for neighborhood residents where polite and respectful discussions could take place. Donna Stumme, 401 E 10th St S, informed council that irresponsible dog owners with aggressive animals cause safety concerns, as well as individuals who untruthfully claim their dogs are service animals. She suggested that service animals be required to have two years of training and also shared that several businesses have changed their policies on having animals in their establishments.

Consent Agenda

Moved by Dalton, seconded by Hallam to approve consent agenda items 3-21. AYES: Six. NAYS: None. Consent Agenda was adopted.

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 Resolution 2024-257 adopted.
7. Resolution fixing the amounts to be assessed against individual private properties for the abatement of nuisance violations (Schedule No. 24-09) Resolution 2024-258 adopted.
8. Resolution levying assessments for costs of nuisance abatement and providing for the payment thereof (Schedule 24-08) Resolution 2024-259 adopted.
9. Resolution accepting completion of the Maytag Pool Improvements Project Resolution 2024-260 adopted.
10. Resolution accepting completion of the Aurora Park Pickleball Courts Project Resolution 2024-261 adopted.
11. Resolution accepting completion of the Westwood Golfcourse Clubhouse Grading Project Resolution 2024-262 adopted.
12. Resolution approving the purchase of a truck and truck bed toolbox for Community Development Resolution 2024-263 adopted.
13. Resolution approving the agreement with Musco Lighting for the Maytag Park Mini-Pitch Project

Resolution 2024-264 adopted.

14. Resolution approving the submittal of an Iowa DNR Resource and Protection (REAP) grant application for the Cardinal Pond Improvements Project
Resolution 2024-265 adopted.
15. Resolution accepting completion of the Fairmeadows North Plat 7 Storm Sewer Improvement Project
Resolution 2024-266 adopted.
16. Resolution approving a non-standard improvement in the City Right-of-Way with the property owner of 308 1st Ave E
Resolution 2024-267 adopted.
17. Resolution approving a contracted payment to Axon, LLC for an in-car and body camera system
Resolution 2024-268 adopted.
18. Resolution accepting an electric line easement on 1219 S 4th Ave E Newton, Iowa
Resolution 2024-269 adopted.
19. Resolution Approving the Annual Support Fees for the Fire Department Record Management Software
Resolution 2024-270 adopted.
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
Resolution 2024-271 adopted.

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
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 Simbro, seconded by Hallam to close the public hearing. AYES: Six. NAYS: None. The public hearing was closed.
23. Resolution approving the purchase agreement for real property at 315, 319, and 321 East 8th Street South Newton, Jasper County, Iowa
Moved by Simbro, seconded by Dalton to adopt the Resolution. AYES: Six. NAYS: None. Resolution 2024-272 adopted.

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
Moved by Hallam, seconded by Simbro to approve the first consideration of the Ordinance. AYES: Six. NAYS: None. First Consideration of the Ordinance was approved.
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
Moved by Mullan, seconded by Simbro to approve the first consideration of the Ordinance. AYES: Five. NAYS: Ervin. First Consideration of the Ordinance was approved.

Resolution

26. Resolution renewing the insurance package with Iowa Communities Assurance Pool (ICAP)
Moved by Dalton, seconded by Mullan to adopt the Resolution. Jeff Maki, Clemon-Maki Insurance, spoke regarding the increases in insurance costs. AYES: Six. NAYS: None. Resolution 2024-273 adopted.
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
Moved by Ervin, seconded by Dalton to adopt the Resolution. AYES: Six. NAYS: None. Resolution 2024-274 adopted.
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
Moved by Hallam, seconded by Ervin to adopt the Resolution. AYES: Six. NAYS:

- None. Resolution 2024-275 adopted.
29. Resolution awarding a contract for the Westwood Golfcourse Clubhouse shell
Moved by Ervin, seconded by Mills to adopt the Resolution. AYES: Six. NAYS: None.
Resolution 2024-276 adopted.
30. Resolution approving Marketing Agreement with Utility Service Partners Inc
Moved by Dalton, seconded by Mullan to adopt the Resolution. Simbro and Mullan would like to see the 10% premium to go back to City residents. Utilities Director Jody Rhone has reached out to Utility Service Partners but is awaiting a response. Moved by Simbro, seconded by Ervin to table the Resolution until more information is received. AYES: Five. NAYS: Mills. Resolution tabled.
31. Resolution authorizing the Newton Fire Department to accept the 2023 assistance to firefighters grant award in the amount of \$ 77,076.48
Moved by Ervin, seconded by Mills to adopt the Resolution. AYES: Six. NAYS: None.
Resolution 2024-277 adopted.
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
Moved by Dalton, seconded by Mills to adopt the Resolution. Ervin spoke on the positive economic impact that the previous PGI event had on the City and maintaining a good relationship with the organization. Dalton agreed. Simbro agreed, but also shared concerns on the venue location regarding noise for nearby residents and parking, as well as the needed clean-up. AYES: Six. NAYS: None. Resolution 2024-278 adopted.
33. Resolution approving Change Order #3 for the Arbor Estates 2nd Addition Public Improvements Project
Moved by Hallam, seconded by Simbro to adopt the Resolution. AYES: Six. NAYS: None. Resolution 2024-279 adopted.

Staff Report

34. Annual Finance Update - Lisa Frasier, Finance Officer

Mayor/Council Comments

35. Mayor and Council Comments
Ervin noted that it would be helpful to have City staff work charts listed with employee names. Mills announced that he will host an informal gathering on Tuesday, August 13th from 6:00 - 8:00 pm at Legacy Plaza. There will not be any agenda, as this will be a relaxed atmosphere where citizens' questions can be answered, similar to "open office hours." Ervin shared that it is easy to get sidetracked by the negativity in social media, but to look at all of the positives in our City. Mayor George agreed and added that she has received praise and thanks from the public. Mayor also reminded Council that the Voices of Inspiration will host Newton native Sara Haines at DMACC on August 6th at 6:30 pm.

Closed Session

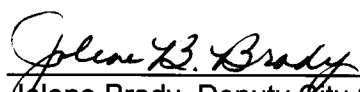
36. To Discuss Strategy with Counsel in Matters that Are Presently in Litigation or Where Litigation is Imminent Where its Disclosure Would be Likely to Prejudice or Disadvantage the Position of the Governmental Body in that Litigation, Which Discussions are Exempt from the Open Meetings Law Pursuant to the Provision of Section 21.5(1)(c), Code of Iowa 2024
At 6:58 P.M., it was moved by Mills, seconded by Mullan 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.

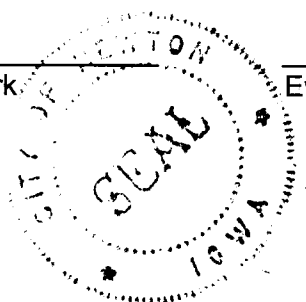
Return to Open Session

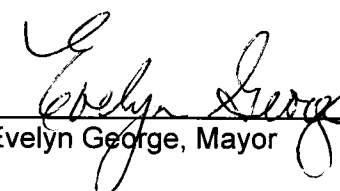
37. Return to Open Session
Council returned to open session at 7:12 P.M. with all members present.

Adjourn

Moved by Simbro, seconded by Mullan to adjourn the meeting at 7:13 P.M. Motion unanimously carried by voice vote.


Colene Brady, Deputy City Clerk




Evelyn George, Mayor