

Agenda: Newton City Council

City Council Meeting

Council Chambers, 101 W 4th St S., Newton, IA 50208
Mediacom Channels: 12/85/121.12, Website Streaming:
Newtongov.org / I want to “view” Livestream of City
Council Meetings.

February 21, 2022 6:00 p.m.

Pledge	Pledge of Allegiance
Call to Order	1. Roll Call
Presentations	2. Workers’ Compensation Update by Bobby Shomo, President of Shomo-Madsen Insurance and Scott Smith, Senior Safety and Risk Improvement Advisor, Iowa Municipalities Workers’ Compensation Association (IMWCA)
	3. Newton Historic Preservation Commission Annual Report by Mike Sell, Newton Historic Preservation Commission Member
Citizen Participation	4. This is the time of the meeting that a citizen may address the Council on matters that are included in the consent agenda or a matter that is not on the regular agenda. After being recognized by the Mayor, each person will be given three (3) minutes to speak. Comments and/or questions must be related to City policies or the provision of City services and shall not include derogatory statements or comments about any individual. Except in cases of legal emergency, the City Council cannot take formal action at the meeting, but may ask the City staff to research the matter or have the matter placed on a subsequent agenda.
Consent Agenda	5. February 7, 2022 Regular City Council Meeting Minutes
	6. February 7, 2022 Budget Workshop Minutes
	7. Approve Liquor Licenses for the following: Dollar General Store #3032, 1803 1 st Ave E, (BC0029879) Class C Beer Permit, Class B Wine Permit, Sunday Sales
	8. Resolution fixing the amounts to be assessed against individual private properties for the abatement of nuisance violations (Schedule No. 22-02). (Council Report 22-034)
	9. Resolution approving the 2021 Certified Local Government Annual Report for the Newton Historic Preservation Commission. (Council Report 22-035)
	10. Resolution amending a previous agreement for professional services on the Union Dr. Reconstruction Project. (Council Report 22-036)
	11. Resolution approving the purchase of materials for the Woodland Park Small Shelters Replacement Project. (Council Report 22-037)

12. Resolution approving a contract from Midwest Inflatables, LLC for Newton Fest activities. (Council Report 22-038)
13. Resolution authorizing the submittal of the final application for the Iowa Reinvestment District for the City of Newton, Iowa. (Council Report 22-039)
14. Resolution approving a contract for professional services with the Newton Housing Development Corporation beginning July 1, 2022 and ending June 30, 2025. (Council Report 22-040)
15. Resolution Authorizing the City of Newton Fire Department to enter into a Transportation Agreement with Jasper County Sheriff's Office Emergency Medical Services. (Council Report 22-041)
16. 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 Newton City Hall Parking Lot Reconstruction Project. (Council Report 22-042)
17. Resolution ordering Clerk to publish notice and fixing a date for a Public Hearing on the FY23 - FY27 Capital Improvement Plan (CIP). (Council Report 22-043)
18. Resolution setting the date for a public hearing on proposal to enter into General Obligation Loan Agreements and to borrow money thereunder. (Council Report 22-044)
19. Approve Bills

Public Hearing

20. Public Hearing on a Resolution Approving the Maximum Property Tax Dollars for Fiscal Year July 1, 2022 – June 30, 2023. (Council Report 22-045)
 - The 2019 Iowa State Legislature passed bill #SF634 which requires cities to hold an additional public hearing during the budget process to set a maximum in property tax dollars received in certain levies. This requirement does not include the Library levy or the Debt Service levy. The maximum property tax dollar public hearing must be held before a public hearing is set on the final budget.
 - The total FY23 maximum property tax dollars for the affected property tax levies is an amount not to exceed \$7,158,061. The notice was published in the Newton Daily News on February 11, 2022 and posted to all of the City of Newton social media accounts as required by law.

Resolutions

21. Resolution Approving the Maximum Property Tax Dollars for Fiscal Year July 1, 2022 – June 30, 2023. (Council Report 22-045)
22. Resolution Setting a Public Hearing Date to Approve the 2022-23 Operating Budget for the City of Newton. (Council Report 22-046)
 - The City Council has conducted several budget workshops over the last three months and has reviewed the proposed 2022-23

- Operating Budget for the City of Newton. The required process for adopting the budget calls for publication of the proposed budget and a public hearing to be held prior to its adoption.
- The Resolution calls for the public hearing to be held March 7, 2022, allowing for the budget to be certified to the County Auditor by the State deadline of March 31st.
23. Resolution Approving the Allocation of American Rescue Plan Act (ARPA) Funds. (Council Report 22-047)
- The City of Newton received the first allocation of ARPA funding in August and November of 2021 in the amount of \$1,135,028.67. An equal amount of funding will be received in the second allocation in August of 2022.
 - The City Council has conducted goal setting and several budget workshops over the last several months and have discussed potential uses for ARPA funds. This resolution details the City Council-approved uses for these funds.
24. Resolution temporarily amending the administrative license fee for the utilization of public right-of-ways for installation, operation and maintenance of underground telecommunications and fiber optic lines. (Council Report 22-048)
- In April, 2012 a license fee was established for utilities that utilize the public right-of-ways for installation, operation and maintenance of underground telecommunications and fiber optic lines.
 - To encourage the expansion of broadband in the City of Newton, and meet a goal specified by the Newton City Council, the proposal is to temporarily amend the current license fee to no base fee plus \$0.06 per lineal foot of underground telecommunication/fiber optic line. This temporarily amended license fee will revert back to the current rate of \$300 plus \$0.90 per lineal foot three years after City Council approval.
25. Resolution Approving a Funding Request of \$10,000 to the First Annual Wild Cat Country Fest Event. (Council Report 22-049)
- Wild Cat Country Fest is planning its first annual event on Friday and Saturday, June 17 and 18, 2022 in Newton and the surrounding areas.
 - The chair of Wild Cat Country Fest presented to the City Council at the February 7, 2022 meeting providing details of the event and sent a letter to council requesting funding.
26. Resolution calling an election on the proposition of entering into a General Obligation Loan Agreement and borrowing money thereunder in a principal amount not to exceed \$1,600,000. (Council Report 22-050)
- The City Council has been approached by the Newton Park Board, citizen groups, and individual citizens who have encouraged the Council to make substantial improvements in Newton City parks.

- Following discussions and recommendations at several recent City Council and Park Board meetings, the consensus is to move forward with a park bond referendum that would include four separate projects.
- Staff recommends approval of the resolution calling for a special city election on September 13, 2022 to vote upon the question of issuing general obligation bonds not to exceed \$1,600,000 for the following projects: Westwood Golf Course Clubhouse Improvements, Maytag Pool Improvements, Pickleball Courts at Aurora Park, and a Dog Park at Sunset Park.

Staff Report

27. Special Event Street Closure Policy, Fire Chief Jarrod Wellik

Discussion

28. Contribution to the Des Moines International Airport Terminal Project

Mayor/Council Comments

29.

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.

www.NewtonGov.org

REGULAR CITY COUNCIL MEETING MINUTES
FEBRUARY 07, 2022, 6:00 P.M.
CITY COUNCIL CHAMBERS

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 Hansen presided. Present Council Members: Hallam, Dalton, George, Ervin, Trotter, Wade. Absent: None.

Mayor Hansen asked everyone present to join in saying the Pledge of Allegiance.

Kevin Foley, Executive Director, Des Moines Airport Authority, presented on the Des Moines International Airport Terminal Project. They are requesting shared funding from surrounding cities and counties.

Gunnar Olson, Communications and Strategy Manager with the Des Moines Area Metropolitan Planning Organization (MPO) and Tanya Michener, Associate Director with the Newton Development Corporation (NDC) presented on the Mid-Iowa Planning Alliance (MIPA).

Dan Nieland, Community and Economic Development Coordinator, Iowa State University Extension and Outreach updated council on the Wild Cat Country Fest and asked for a \$15,000 sponsorship.

There was no citizen participation.

Moved by George, seconded by Ervin to approve consent agenda items 6-16.

6. January 17, 2022 Regular City Council Meeting Minutes
7. January 17, 2022 Budget Workshop Minutes
8. January 24, 2022 Special City Council Meeting Minutes
9. Approve Liquor Licenses for the following: Special Class C Liquor License for DMACC, 403 W 4th St N February 17-22; New Star Mart, 702 1st Ave E, Class E Liquor License, Class B Wine Permit, Class C Beer Permit, Sunday Sales; Newton 66 #963, 1806 S 12th Ave W, Class C Beer Permit, Sunday Sales; Fareway Stores, Inc. #848, 120 N 3rd Ave E, Class E Liquor License, Class B Wine Permit, Class C Beer Permit.
10. Resolution levying assessments for costs of nuisance abatement and providing for the payment thereof (Schedule No. 22-01). Resolution 2022-022 adopted.
11. Resolution approving a five year (5) renewal contract for email security and security awareness training with Barracuda Networks, Inc. Resolution 2022-023 adopted.
12. Resolution approving agreement with the property owner of 1319 W 4th St S for non-standard improvements in the City right-of-way. Resolution 2022-024 adopted.
13. Resolution amending the purchase of a FTIR Chemical Analyzer. Resolution 2022-025 adopted.
14. Resolution setting a public hearing and inviting proposals for the sale of property at 1117 North 3rd Avenue East, 211 East 12th Street North, 115 East 4th Street North, 124 East 4th Street North, and 411 North 2nd Avenue East in Newton. Resolution 2022-026 adopted.
15. Resolution setting a public hearing on the proposed maximum property tax dollars for Fiscal Year July 1, 2022 – June 30, 2023. Resolution 2022-027 adopted.
16. Approve Bills

AYES: Six. NAYS: None. Consent agenda items approved.

Moved by Dalton, seconded by Trotter to approve the 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 300 block of East Twenty-Third Street South. AYES: Six. NAYS: None. Second consideration was approved. Moved by Dalton, seconded by Wade to suspend the rules and waive the 3rd reading. AYES: Six. NAYS: None. Motion passed. Moved by Hallam, seconded by Ervin, to adopt the Ordinance. AYES: Six. NAYS: None. Ordinance 2408 adopted.

Moved by Trotter, seconded by George to adopt the Resolution approving the purchase and up-fit services for two 2022 Ford Police Interceptor SUVs and one 2022 Ford Ranger truck for \$120,300. AYES: Six. NAYS: None. Resolution 2022-028 adopted.

Moved by Wade, seconded by Dalton to adopt the Resolution approving the purchase of code enforcement software and services from MyGov, LLC. AYES: Six. NAYS: None. Resolution 2022-029 adopted.

Moved by Trotter, seconded by Dalton to adopt the Resolution Approving a 3 Year Commitment to Provide Funding to Newton Development Corporation for the NTT IndyCar Series. AYES: Six. NAYS: None. Resolution 2022-030 adopted.

Moved by Hallam, seconded by George to adopt the Resolution approving Newton's membership to the Mid-Iowa Planning Alliance. AYES: Six. NAYS: None. Resolution 2022-031 adopted.

Moved by Wade, seconded by George to adopt the Resolution accepting ownership of property located in the Southeast Quarter of the Southeast Quarter Section 25, Township 80 North, Range 19 West of the 5th P.M., Jasper County, Iowa. AYES: Six. NAYS: None. Resolution 2022-032 adopted.

Moved by Trotter, seconded by George to adopt the Resolution approving the acquisition of real estate at 506 W. 7th St. N., Newton, Jasper County, Iowa for the D&D Program. AYES: Six. NAYS: None. Resolution 2022-033 adopted.

City Attorney Matt Brick presented to the council the timeline for the proposed park bond referendum. The law was changed and doesn't allow for placing the park bond on the ballot in June but must wait until September.

During Mayor/Council comments Ervin spoke on the splash pad remaining separate from the park bond. Hallam spoke regarding the comprehensive plan sessions. George spoke regarding food truck vendors on public streets.

Moved by Trotter, seconded by Hallam to adjourn the meeting at 7:20 P.M. Motion unanimously carried by voice vote.

Michael L. Hansen, Mayor

Katrina Davis, City Clerk

BUDGET WORKSHOP MEETING MINUTES
FEBRUARY 07, 2022, IMMEDIATELY FOLLOWING THE CITY COUNCIL MEETING @ 7:25
P.M. CITY COUNCIL CHAMBERS

The City Council of Newton, Iowa met in special session at 7:25 P.M. on the above date in the Council Chambers at 101 West 4th Street South. Mayor Hansen presided. Present Council Members: Hallam, Dalton, George, Ervin, Trotter, Wade. Absent: None.

Lisa Frasier, Finance Officer reviewed the budget proposal. Council agreed that no changes be made to the 25% reserve fund until they have more information on what will happen with the roll back. Frasier reviewed the outside agency funding proposal. Wade asked that these agencies present on use of the funding. No changes were suggested.

During the final review of the budget, Frasier announced that council will see a resolution setting the public hearing on February 21, 2022 and the public hearing will be held on March 7, 2022. There was no discussion regarding the final review of the CIP. There was consensus on the final APRA funding proposal. No changes were suggested for the final direction from City Council to staff for the FY23 budget proposal.

Moved by Dalton, seconded by Hallam to adjourn the meeting at 7:53 PM.

Michael L. Hansen, Mayor

Katrina Davis, City Clerk

City of Newton Council Report

**Item:**

Resolution fixing the amounts to be assessed against individual private properties for the abatement of nuisance violations (Schedule No. 22-02).

Report Number: 22-034

Date:

February 21, 2022

Summary:

The City of Newton abated some nuisances, such as tall grass/weeds, trash, or snow. These costs remain unpaid by the property owner(s) and should be assessed to the property taxes.

Lead Department:

Community Services

Recommendation:

Approve

Financial Impact:

Cost Recovery: \$815.00

Background:

The City continues to work towards better curb appeal and improved aesthetics within the community. The City abated violations that remained non-compliant after the initial warning period.

The attached schedule lists owner, parcel number, address, amount to be assessed, date work was completed, property legal description, and property valuation.

Recommendation:

City Staff recommends approval of the Resolution fixing the amounts to be assessed against individual private properties for the abatement of nuisance violations.

A handwritten signature in black ink, appearing to read "Matt Muckler".

Matt Muckler
City Administrator

RESOLUTION 2022- _____

**RESOLUTION FIXING THE AMOUNTS TO BE ASSESSED AGAINST INDIVIDUAL
PRIVATE PROPERTIES FOR THE ABATEMENT OF NUISANCE VIOLATIONS
(SCHEDULE NO. 22-02)**

WHEREAS, the City of Newton has abated nuisance violations at the addresses as found in Schedule No. 22-02: Assessment for the Expenses for Nuisance Abatement; and

WHEREAS, the City of Newton has maintained a report of the abatement costs for each individual property as found in Schedule 22-02: Assessment for the Expenses for Nuisance Abatement; and

WHEREAS, the expenses have been billed to the property owners and remain unpaid.

NOW THEREFORE, BE IT RESOLVED by the City Council of Newton, Iowa, that the Schedule 22-02: Assessment for the Expenses for Nuisance Abatement is approved.

NOW THEREFORE, BE IT FURTHER RESOLVED by the City Council of Newton, Iowa, that the City Clerk is hereby directed to prepare, sign, and file in the clerk's office the Schedule 22-02: Assessment for the Expenses for Nuisance Abatement.

PASSED this _____ day of February, 2022.

APPROVED this _____ day of February, 2022.

Michael L. Hansen, Mayor

ATTEST:

Katrina Davis, City Clerk

Schedule 22-02: Assessment for the Expenses for Nuisance Abatement

Deed/Contract Holder	Parcel Number	Property Address	City	Net Assessed Property Value	Abatement Fee	Admin. Fee	Total Amount Assessed	Legal	Date Abated
Edwin Morris	834113002	219 N 2nd Ave W	Newton	\$115,150	\$70.00	\$75.00	\$145.00	ORIGINAL PLAT LOT N BLK 16	1/18/2022
William Gibbs	833479010	903 W 4th St S	Newton	\$141,300	\$110.00	\$75.00	\$185.00	CARRIER'S MEADOWS N 125' LOT A BLK 1	1/19/2022
Farrell Properties Inc	827326018	812 1st St N	Newton	\$87,400	\$120.00	\$75.00	\$195.00	NORTH ADD S 114.18' OF W 132' LOT 14	1/19/2022
VB Properties LLC	827412008	716 N 8 Ave E	Newton	\$49,870	\$60.00	\$75.00	\$135.00	EDMUNDSON'S ADD LOT D BLK 19	1/19/2022
527 1st Ave 8 LLC	834251038	527 1st Ave E	Newton	\$112,150	\$80.00	\$75.00	\$155.00	SOUTH EAST ADD LOTS 42-43 BLK B EX PARCELA	1/19/2022
Total							\$815.00		

City of Newton Council Report

Item: Resolution approving the 2021 Certified Local Government Annual Report for the Newton Historic Preservation Commission.

Summary: In order to maintain CLG status (which provides opportunity for additional grants), the Newton Historic Preservation Commission must complete an annual report.

Financial Impact: None.



Report Number: 22-035

Date: February 21, 2022

Lead Department: Community Development Department

Recommendation:
Approve

Background: The Newton Historic Preservation Commission is a Certified Local Government (CLG) through the State Historic Preservation Office. This status provides exclusive opportunities for grants only available to those commissions which maintain the certification. One requirement of the CLG status is to prepare and submit an annual report.

In 2021, the Historic Preservation Commission reports the following:

- Welcomed newly appointed commissioner, Mike Sell.
- Maintained a regular meeting schedule, despite Covid-19 pandemic, utilizing Zoom meetings platform. The commission resumed in-person meetings by the end of 2021.
- Provided several public education opportunities through the publication of articles by Chair Hurto in the magazine *Jasper County Living*.

Recommendation: Staff recommends approval of the resolution approving the 2021 Annual Report.

A handwritten signature in black ink, appearing to read "Matt Muckler", is written in a cursive style.

Matt Muckler
City Administrator

RESOLUTION NO. 2022 – _____

**RESOLUTION APPROVING THE 2021 CERTIFIED LOCAL
GOVERNMENT ANNUAL REPORT FOR THE NEWTON HISTORIC
PRESERVATION COMMISSION**

WHEREAS, the Newton Historic Preservation Commission is a Certified Local Government through the State Historic Preservation Office of Iowa; and

WHEREAS, there is a requirement to prepare and submit an annual report to the State Historic Preservation Office of Iowa to maintain the Certified Local Government status, which provides for additional preservation related grant opportunities;

NOW THEREFORE, BE IT RESOLVED that the City Council of Newton Iowa approves the 2021 Annual Report and authorizes the Mayor to sign the Certified Local Government Annual Report signature form.

PASSED this _____ day of February 2022.

APPROVED this _____ day of February 2022.

Michael L. Hansen, Mayor

ATTEST:

Katrina Davis, City Clerk

CERTIFIED LOCAL GOVERNMENT ANNUAL REPORT- 2021

Under the CLG Agreement with the State, local governments and their historic preservation commissions are responsible for submitting an annual report documenting the commission's preservation work and that they have met the requirements of the CLG program.

This annual report is also an important tool for your commission to evaluate its own performance and to plan for the coming year.

1. Name of the city, county, or land use district.

Newton Historic Preservation Commission

2. Did your commission undertake any projects for the historic identification/survey, evaluation and or registration/nomination projects in this calendar year?

CLG Standards are in your local government's Certified Local Government (CLG) Agreement and the National Historic Preservation Act:

- 1.) The CLG shall maintain a system for the survey and inventory of historic and prehistoric properties in a manner consistent with and approved by the STATE.*
- 2.) The CLG will review National Register nominations on any property that lies in the jurisdiction of its historic preservation commission*

Please upload any Iowa Site Inventory Forms or other survey materials produced during the year. Please do not upload any projects that were funded with a CLG or HRDP grant, mandated by the Section 106 review and compliance process, or National Register nominations as we already have these documents in our files.

_____ YES X NO

3. Were any National Register of Historic Places (NRHP) properties in your City, County, or LUD altered, moved, or demolished in this calendar year?

_____ YES X NO

4. Does your local government designate local landmarks or local districts?

IMPORTANT: Most local governments do not have a program for local designation. If you have questions about whether you have a local designation program or not, please contact the CLG Coordinator at historic.preservation@iowa.gov before you complete this section.

_____ YES X NO

5. If you answered yes to the previous question, in this calendar year, what properties did your city place on its list of locally designated historic landmarks and/or historic districts? Please provide the historic name and address of each property.

N/A

6. In this calendar year what were the actions to revise, amend, change or de-list a locally designated property? Please provide the name and address of the property(ies) and the action. If no action was taken, enter N/A.

N/A

7. Has your city or county passed other ordinances that directly or indirectly affect historic preservation?

_____ YES

___X___ NO

8. Did your city, county LUD, or its historic preservation commission undertake any of the following activities this calendar year?

CLG Standards found in CLG Agreement and National Historic Preservation Act:

- 1.) The CLG will enforce all appropriate state and local ordinances for designating and protecting historic properties.
- 2.) The CLG shall provide for adequate public participation in the local historic preservation programs.
 - ☐ a. Historic preservation planning. Examples include the development or revision of a preservation plan, development of a work plan for your commission, etc.
 - ☐ b. Provided technical assistance on historic preservation issues or projects. Examples include working with individual property owners, business owners, institutions to identify appropriate treatments and find appropriate materials, research advice, etc.
 - ☒ c. Sponsored public educational programming in historic preservation. Examples include training sessions offered to the public, walking tours, open houses, lectures, Preservation Month activities, etc.
 - ☐ d. Design guidelines/standards

- 8.1 Describe the city, county, LUD, and or historic preservation commission's public education programs in this calendar year.

Designed certificates for property owners within the First Avenue East and West Historic Districts.

Articles written by HPC Chair Larry Hurto:

"The Emmel Building," *Jasper County Living*, Spring, 2021.

"The Jarvises and Jarvis-Bazaar," *Jasper County Living*, Summer, 2021.

"Hough Groceries and Variety Store," *Jasper County Living*, Fall/Winter, 2021.

9. Are there any particular issues, challenges, and or successes your preservation commission has encountered or accomplished this year?

Covid-19 continued to be a challenge for the commission as in person meetings did not resume until late in 2021.

10. What partnerships did your commission form or continue with other entities? (examples include local main street office, local school, historical society, library, museum, service club, etc.) If none, enter N/A.

Partnership with Newton Main Street

11. Did your historic preservation commission receive any grants (other than CLG or HRDP this year? If so, please describe. If none, enter N/A.

N/A

12. Does your Commission have website?

Yes

12.1 What is the website address? <https://www.newtongov.org/391/Historic-Preservation-Commission>

13. Does your commission have a Facebook page?

No.

14. List dates of public commission meetings held (please note these are meetings actually held with a quorum, not just those that were scheduled).

January 4th, February 1st, March 1st, April 5th, May 3rd, June 14th, July 8th, August 2nd, September 13th, October 4th, December 6th in 2021.

15. We recommend that the local government provide the commission a budget with a minimum of \$750 to pay for training and other commission expenses. In this calendar year, what was the dollar amount for the historic preservation commission's annual budget?

Historic Preservation activities are included as part of the Community Development Department Budget. There is not a specific "Historic Preservation Commission" line item, but the commission can request use of funds for mailings, newspaper publications, training, etc. Commissioners wishing to attend in-state trainings have typically been provided opportunity by the City of Newton to do so.

16. Where are your official CLG files located?

Community Development Department
City of Newton
403 West 4th Street North, Suite 501
Newton, Iowa 50208

17. Please list the names of Historic Preservation Commissioners who served during this calendar year.

Larry Hurto, Mary Jo Niskin, Mike Sell, Rita Reinheimer, Tanya Michener

18. Each CLG was asked to provide a work plan last year. Please provide a self-assessment of your progress on the initiatives and programs you identified last year. Were you able to accomplish much of what you set out to do? If not, what would help you fulfill this next year's work plan?

- 1.) Participate in the City's Comprehensive Planning Process.
Ongoing. Commissioners have been provided opportunity to participate in public input meetings, which began in 2021 and continuing into 2022.
- 2.) Provide at least 2 learning opportunities for the general public regarding Newton History and/or preservation. This can be through a lunch and learn presentation or articles written in an area publication.
Complete. Articles written by HPC Chair Larry Hurto:
"The Emmel Building," *Jasper County Living*, Spring, 2021.
"The Jarvises and Jarvis-Bazaar," *Jasper County Living*, Summer, 2021.
"Hough Groceries and Variety Store," *Jasper County Living*, Fall/Winter, 2021
- 3.) Continue the Newton Historic Building Plaque Project.
On-going. Commissioner Michener has taken the lead on this not yet completed project.
- 4.) Fill commission vacancy.
Complete. Mike Sell was appointed to the Newton Historic Preservation Commission in 2021.

19. Each Commission should develop a work plan for the coming year. This work plan should include project(s), initiatives, and programs you plan to begin or complete. Also discuss your plan for obtaining historic preservation training in 2022. Please attach your work plan you your annual report.

In 2022, the Newton Historic Preservation Commission has identified the following tasks to complete:

- 1.) Participate in the City's Comprehensive Planning Process.
- 2.) Provide at least 2 learning opportunities for the general public regarding Newton History and/or preservation. This can be through a lunch and learn presentation or articles written in an area publication.
- 3.) Continue the Newton Historic Building Plaque Project.

- 4.) Have City support staff and at least 1 commissioner participate in historic preservation related webinars and/or attend the Preserve Iowa Summit.

20. Please update contact information about your 2022 Chief Elected Official.

Michael L. Hansen, 101 West 4th Street South, Newton, Iowa 50208
641-792-2787
mikeh@newtongov.org

21. Please update contact information about your staff person for the Historic Preservation Commission.

Erin Chambers, Community Development Director, 403 West 4th Street North, Suite 501,
Newton, Iowa, 50208
641-792-6622
erinc@newtongov.org

22. Please complete the following information about your 2022 Chairperson/Commissioner.

Commission Chair: Larry Hurto
403 West 4th Street North, Suite 501
Newton, Iowa 50208

Commissioner's Term End Date: 12/31/2024

Serves as contact with the State Historic Preservation Office.

23. Please complete the following information about your 2022 Vice Chairperson/Commissioner.

Vice Chair: Mary Jo Niskin
619 1st Avenue West
Newton, Iowa 50208

Commissioner's Term End Date: 12/31/2024

Does not serve as contact with the State Historic Preservation Office.

24. Please complete the following and provide information about the 2022 Commissioner.

Rita Reinheimer
409 South 3rd Avenue West
Newton, Iowa 50208

Commissioner's Term End Date: 12/31/2022

Does not serve as contact with the State Historic Preservation Office.

25. Please complete the following and provide information about the 2022 Commissioner.

Tanya Michener
306 East 20th Street North
Newton, Iowa 50208

Commissioner's Term End Date: 12/31/2024

Does not serve as contact with the State Historic Preservation Office.

26. Please complete the following and provide information about the 2022 Commissioner.

Mike Sel
5427 Highway T12
Newton, Iowa 50208

Commissioner's Term End Date: 12/31/2022

Does Not serve as contact with the State Historic Preservation Office.

27. Please complete the following and provide information about the 2022 Commissioner.

N/A

28. Please complete the following and provide information about the 2022 Commissioner.

N/A

29. Please complete the following and provide information about the 2022 Commissioner.

N/A

30. Please complete the following and provide information about the 2022 Commissioner.

N/A

31. Please complete the following and provide information about the 2022 Commissioner.

N/A

32. Please attach biographical sketches for commissioners who were newly appointed in 2021.

33. Does your commission have any vacancies? If so, how many? If none, enter N/A.

N/A

34. Please complete the Commission Training Table.

Name of Event	Sponsor	Location	Date	Attendees
Preserve IA Summit	Pres. Iowa	Web	6/3/21	Michener, Reinheimer & Hurto

35. Who of your commission members, staff and/or elected officials attended the Preserve Iowa Summit? If so, please provide their names.

Larry Hurto, Tanya Michener, Rita Reinheimer

36. Signature Page

(Attached)

Certified Local Government Annual Report

Name of Certified Local Government: Newton Historic Preservation Commission

Elin Chambers

2/11/2022

Signature of person who completed this report

Date

I certify that a representative of the historic preservation commission has attended a public meeting and presented the details of this report to the city council (city CLG) or the Board of Supervisors (county CLG).

2/21/2022

Date of public meeting

Signature of Mayor or Chairman of the Board of Supervisors

Date

Mayor Michael L. Hansen

Printed Name of Elected Official

Please upload this completed form with your annual report on SlideRoom.

Thank you.

City of Newton Council Report

**Item:**

Resolution amending a previous agreement for professional services on the Union Dr. Reconstruction Project.

Report Number: 22-036

Date:

February 21, 2022

Summary:

This resolution amends a professional services agreement with Bolton & Menk for all project tasks up through the bidding phase on the Union Dr. Reconstruction Project to include construction phase services.

Lead Department:

Public Works

Recommendation:

Approve

Financial Impact:

Council previously approved an agreement in the amount of \$245,190.00 this action would authorize an additional \$127,900.00. These costs are reimbursable up to 100% from IDOT SWAP Funds.

Background:

The reconstruction of Union Dr. between N 4th Ave W and N 19th Ave W has been included in recent Capital Improvement Plans (CIP) for several years, along with being programmed in the City's federal-aid route projects list by the Central Iowa Regional Transportation Planning Alliance (CIRTPA) and is scheduled to begin in the second half of 2022. City staff has requested a proposal from the project engineer, Bolton & Menk, Inc., to provide additional professional services during the construction phase of the project.

This resolution would amend the existing professional services agreement with Bolton & Menk for the project's design phase to include construction phase services. Services would include but are not limited to, supervision and support of City staff, coordinate with business owners and residents during construction, oversight of required DOT project documentation, shop drawing review, site visits, and up to 100 hours of construction inspection as requested by the City.

The City has \$2.8 million in SWAP funds programmed for this project in FY-2022. These funds will cover eligible reimbursable expenses such as preliminary engineering, construction engineering, and the actual construction work itself. Reimbursement may be sought in FY-2022 for all engineering and construction up to \$2.8 million.

Recommendation:

Approval of the resolution amending an agreement for professional services with Bolton & Menk of Des Moines, Iowa for construction phase services on the Union Dr. Reconstruction Project.

Matt Muckler
City Administrator

RESOLUTION 2022- _____

RESOLUTION AMENDING A PREVIOUS AGREEMENT FOR PROFESSIONAL SERVICES ON THE UNION DR. RECONSTRUCTION PROJECT.

WHEREAS, the reconstruction of Union Dr. between N 4th Ave W and N 19th Ave W has been included in recent Capital Improvement Plans (CIP) for several years, along with being programmed in the City's federal-aid route projects list by the Central Iowa Regional Transportation Planning Alliance (CIRTPA) and is scheduled to begin in the second half of 2022. City staff has requested a proposal from the project engineer, Bolton & Menk, Inc., to provide additional professional services during the construction phase of the project; and

WHEREAS, this resolution would amend the existing professional services agreement with Bolton & Menk for the project's design phase to include construction phase services; and

WHEREAS, said amendment for construction phase services, would include but are not limited to, supervision and support of City staff, coordinate with business owners and residents during construction, oversight of required DOT project documentation, shop drawing review, site visits, and up to 100 hours of construction inspection as requested by the City; and

WHEREAS, the City has \$2.8 million in SWAP funds programmed for this project in FY-2022 which will cover eligible reimbursable expenses such as preliminary engineering, construction engineering, and the actual construction work itself; and

WHEREAS, reimbursement may be sought in FY-2022 for all engineering and construction up to \$2.8 million; and

WHEREAS, City Staff recommends approval of the resolution amending an agreement for professional services with Bolton & Menk, Inc. of Des Moines, Iowa for construction phase services on the Union Dr. Reconstruction Project.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Newton, Iowa, that the City of Newton hereby accepts this resolution authorizing the City to enter into an amended agreement for professional services with Bolton & Menk, Inc. of Des Moines, Iowa for the construction phase work on the Union Dr. Reconstruction Project at the cost of \$127,900.00; and authorizes the Mayor to sign said agreement.

BE IT FURTHER RESOLVED by the City Council of the City of Newton, Iowa, that the \$127,900.00 will be paid utilizing capital funds programmed for this project; and reimbursement will be applied for at the end of the project should the available SWAP funds remain.

PASSED this _____ day of February, 2022.

APPROVED this _____ day of February, 2022.

Michael L. Hansen, Mayor

ATTEST:

Katrina Davis, City Clerk

AMENDMENT No. 1 TO THE AGREEMENT FOR PROFESSIONAL SERVICES

This AMENDMENT made and entered into this 7th day of FEBRUARY, 2022, by and between the CITY OF NEWTON, a municipal corporation, hereinafter referred to as "CLIENT", and Bolton & Menk, Inc., (Fed. I.D. #41-0832249), a professional corporation incorporated and licensed under the laws of the State of Iowa, party of the second part, hereinafter referred to as "CONSULTANT" as follows, hereby amends the original Agreement dated 20th JUNE, 2020:

SCOPE OF SERVICES

Services as described in the Agreement for the UNION DRIVE RECONSTRUCTION, Exhibit 1 Scope of Services are amended to ADD SUBTASK F – CONSTRUCTION PHASE SERVICES that includes the following:

Subtask F – Construction Phase Services

CLIENT will provide day to day construction project observation and documentation. Consultant will support CLIENT by providing construction administration and construction observation as follows:

1. Convene the preconstruction conference to be attended by CLIENT, DOT, contractors, and any affected utility companies. CONSULTANT will coordinate development of a pre-construction meeting agenda & meeting minutes.
2. Provide supervision and support to CLIENT's resident project representatives.
3. Attend and support weekly construction scheduling meetings
4. Coordinate with business owners and resident meetings during the construction, as needed.
5. Provide oversight to the required DOT project documentation management.
6. Review, for conformance with design concept only, any shop drawings required to be furnished by the Contractor.
7. Review any material lists, supplier's lists, or other submittals required to be furnished by the Contractor.
8. Perform visits to the site as need to support CLIENT construction observation.
9. Obtain additional information or clarifications from CLIENT when required for the proper execution of the work.
10. Construction Observation: CONSULTANT will provide Construction Inspector on a temporary basis to support CLIENT. CONSULTANT will provide up to 100 hours of inspection as requested by CLIENT
11. Modifications: Consider and evaluate contractor's suggestions for modifications in Drawings or Specifications and report with RPR's recommendations to project engineer. Transmit to contractor decisions as issued by project engineer.
12. CONSULTANT will conduct an inspection of the project in the company of CLIENT and the Contractor for conformance with contract documents. A punch list will be developed from the inspection and be used to track completion of those items.
 - A. CLIENT will prepare record drawings reflecting constructed conditions from information observed by RPR or supplied by others and furnish one reproducible copy and one electronic copy of the plans.
13. CONSULTANT will support CLIENT for the required DOT project closeout documentation and project audit.

1. SCHEDULE

The schedule as described in the Agreement, Exhibit 1 Project Schedule are amended as follows:

- Project construction schedule will be determined by DOT as part of the contracting process. The scope of work will coincide with the construction schedule as determined by DOT.

2. COMPENSATION

In consideration of the additional professional services provided, the CLIENT agrees to pay the CONSULTANT the additional fee to increase the original fee NOT-TO-EXCEED, including any authorized reimbursable expenses, pursuant to the Schedule of Fees set forth in The Agreement.

<u>Task No.</u>	<u>Task Description</u>	<u>Original Fee</u>	<u>Amendment #1</u>	<u>Total Fee</u>
I	Design Phase Services	\$ 245,190.00	\$ 127,900.00	\$ 373,090.00

This AMENDMENT is subject to all provisions of the original agreement. This AMENDMENT together with the Agreement represents the entire and integrated AGREEMENT between the CLIENT and CONSULTANT, as executed on the date written above.

BOLTON & MENK, INC.

CITY OF NEWTON

BY:


Charles Kahlisdorf PE, PMP

BY: _____

City of Newton Council Report

**Item:**

Resolution approving the purchase of materials for the Woodland Park Small Shelters Replacement Project

Report Number: 22-037

Date:

February 21, 2022

Summary:

Approve purchase of building materials for the replacement of two small park shelters in Woodland Park destroyed by the derecho in August 2020.

Lead Department:

Community Services

Recommendation:

Approve

Financial Impact:

\$14,335.60 to be paid using insurance payments from ICAP.

Background:

On August 10, 2020 large trees that were downed by the derecho completely crushed two small park shelters in Woodland Park. These shelters are non-reserveable, so their replacement was a lower priority. Community Services staff removed the structural debris following the storm, but left the existing concrete pads beneath both shelters in-place with the intentions of replacing the shelters in the same approximate size. Staff sought quotes for shelter kits in various materials, with said quotes being difficult to obtain from some suppliers due to supply issues.

The following quotes were received for replacement materials on both shelters:

Spahn & Rose Lumber – Newton, IA	\$14,335.60
Cunningham Recreation – Naperville, IL	\$62,900.00
Boland Recreation – Marshalltown, IA	\$71,517.50

Staff intends to utilize in-house labor to erect both replacement shelters using materials from the lowest quote received. Project costs are to be paid by insurance payments.

Recommendation:

City Staff recommends that Council approve this resolution authorizing Community Services Director to purchase materials from Spahn & Rose Lumber in Newton at a cost of \$14,335.60.

Matt Muckler
City Administrator

RESOLUTION 2022- _____

**RESOLUTION APPROVING THE PURCHASE OF MATERIALS FOR THE
WOODLAND PARK SMALL SHELTERS REPLACEMENT PROJECT**

WHEREAS, on August 10, 2020 large trees that were downed by the derecho completely crushed two small park shelters in Woodland Park; and

WHEREAS, these shelters are non-reserveable, so their replacement was a lower priority; and

WHEREAS, Community Services staff removed the structural debris following the storm, but left the existing concrete pads beneath both shelters in-place with the intentions of replacing the shelters in the same approximate size; and

WHEREAS, quotes were sought and received by Community Services staff for replacement materials on both shelters; and

WHEREAS, Staff intends to utilize in-house labor to erect both replacement shelters using materials from the lowest quote received, with project costs to be paid by insurance payments.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of Newton, Iowa, that the Community Services Director is authorized to purchase materials from Spahn & Rose Lumber in Newton based on the lowest quote received of \$14,335.60; and that the replacement work will be paid for using insurance payments from ICAP.

PASSED this _____ day of February, 2022.

APPROVED this _____ day of February, 2022.

Michael L. Hansen, Mayor

ATTEST:

Katrina Davis, City Clerk

City of Newton Council Report

**Item:**

Resolution approving a contract from Midwest Inflatables, LLC for Newton Fest activities.

Report Number: 22-038

Date:

February 21, 2022

Summary:

Midwest Inflatables will be providing inflatables, laser tag and an obstacle course from 12 – 4 PM on Saturday, June 11 for Newton Fest. A contract must be signed prior to the event and the balance the day of the event.

Lead Departments:

Community Development &
Community Services

Recommendation:

Approve

Financial Impact:

\$6,000

Background:

City staff has worked with Midwest Inflatables, based out of Ames, Iowa, to plan a fun zone during on Saturday, June 11 of Newton Fest at Maytag Park. This entertainment option, which was first introduced in 2019, will feature four different inflatables, laser tag and a 70-ft obstacle course that can be enjoyed by residents of all age.

The contract with Midwest Inflatables is priced at \$6,000 and includes the following:

- Laser tag w/ staffing
- 70-ft. obstacle course w/ staffing
- Four inflatable sports games w/ staffing
 - o Leaps N Bounds
 - o Circus Train
 - o Tiger Combo
 - o Animal Land

The balance of \$6000 is due the day of the event, paid for out of funds budgeted for Newton Fest.

Recommendation:

Staff recommends approval of this resolution.

Matt Muckler
City Administrator



Laser Tag



Circus Train



70 ft. Obstacle Course



Tiger Combo



Leaps N Bounds



Animal Land

RESOLUTION NO. 2022- _____

**RESOLUTION APPROVING A CONTRACT FROM MIDWEST INFLATABLES, LLC
FOR NEWTON FEST ACTIVITIES.**

WHEREAS, the City's Comprehensive Plan contains a vision statement that states Newton is a progressive, family friendly community, a shining star of Central Iowa, and a place to call home, and

WHEREAS, the City's Comprehensive Plan led to the creation of Newton Fest as a family-friendly community event that would be a local and regional draw, and

WHEREAS, through private and public partnerships with other organizations, Newton Fest continues to grow each year, and

WHEREAS, City staff from the Community Development & Community Services Departments, have started planning the City's activities during Newton Fest, and

WHEREAS, City staff are planning to offer a variety of free and exciting activities during Newton Fest 2022 at Maytag Park, and

WHEREAS, has been working with Midwest Inflatables, LLC on bringing activities including inflatable inflatables, laser tag and an obstacle course to Newton Fest, and

WHEREAS, a contract must be signed to reserve the activities for Saturday, June 11, 2022 with the balance of \$6,000 due on the day of the event.

WHEREAS, City Staff recommends approval of this resolution approving a contract with Midwest Inflatables, LLC for activities including inflatables, laser tag and an obstacle course during Newton Fest 2022.

NOW THEREFORE, BE IT RESOLVED by the City Council of Newton, Iowa, that the 2022 contract with Midwest Inflatables, LLC is hereby approved.

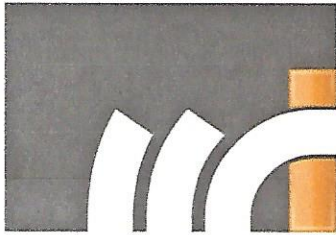
PASSED this _____ day of February, 2022.

APPROVED this _____ day of February, 2022.

Michael L. Hansen, Mayor

ATTEST:

Katrina Davis, City Clerk



MIDWEST
INFLATABLES
Extreme Entertainment

CONTRACT / INVOICE

Midwest Inflatables, LLC

P.O. Box 1749
Ames, IA 50010

515.450.6478

info@midwestinflatables.com

Contract Date

February 11th, 2022

Invoice Number

2022017

LESSEE INFORMATION

Lessee Name: City of Newton / Newton Fest

Lessee Address: 101 W 4th St S, Newton, IA 50208

Lessee Contact: Danielle Rogers 641-792-6622 x 2316 office, 641-521-9328 cell, danieller@newtongov.org

Alternate or Additional Contact:

Alternate or Additional Contact: N/A

Event Address: Maytag Park – 301 South 11th Ave W, Newton, IA 50208

LESSOR INFORMATION

Midwest Inflatables, LLC

P.O. Box 1749

Ames, Iowa 50010

Lessor Contact:

Jeremy Boekelman 515.450.6478

jeremy@midwestinflatables.com

Type of Event / Event Name	Event Hours	Event Start Date	Event End Date	Setup Date	Teardown Date
2022 Newton Fest	Noon – 4:00 PM	June 11 th , 2022	June 11 th , 2022	June 11 th , 2022	June 11 th , 2022

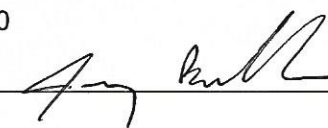
Equipment to be Leased / Services Provided	Quantity	Rate	Amount
ENTERTAINMENT PACKAGE	1	6000	\$6,000.00
1. Laser Tag with Staffing	1	N/A	Included
2. 70 ft. Obstacle Course with Staffing	1	N/A	Included
3. Leaps N Bounds with Staffing	1	N/A	Included
4. Circus Train with Staffing	1	N/A	Included
5. Tiger Combo with Staffing	1	N/A	Included
6. Animal Land with Staffing	1	N/A	Included
7. Generators and Fuel Replacement	As Needed	N/A	Included

Payment Information	Package Price	\$6,000.00
Please make check payable to: Midwest Inflatables, LLC – PO Box 1749, Ames, IA 50010	Delivery Charge	Included
	Setup and Teardown	Included
	Subtotal	\$6,000.00
	Sales Tax	Tax Exempt
	Total	\$6,000.00
	Retainer with Contract	N/A
	Balance Due at Event	\$6,000.00

Representatives signing this contract must be at least 18 years of age and agree all the information is correct.

LESSOR: Midwest Inflatables, LLC – P.O. Box 1749, Ames, IA 50010

LESSOR: Representative: Jeremy Boekelman

Signature:  **Date:** 2-11-2022

LESSEE: City of Newton / Newton Fest – 101 W 4th St S, Newton, IA 50208

LESSEE: Representative: _____ **Signature:** _____ **Date:** _____
(Print Name)

City of Newton Council Report

Item: Resolution authorizing the submittal of the final application for the Iowa Reinvestment District for the City of Newton, Iowa

Summary: Iowa Economic Development Authority has provisionally awarded the Newton Legacy Reinvestment District \$14 million. This resolution authorizes the submittal of the final application.

Financial Impact: No additional cost to the City not already planned in budget and CIP



Report Number: 22-039

Date: February 21, 2022

Lead Department: Community Development Department

Recommendation:
Approve

Summary: The City of Newton was provisionally approved for a \$14 million award for the Newton Legacy Reinvestment District to support a public-private partnership between the City of Newton, Des Moines Area Community College and Catalyst Development Newton, LLC. Since the provisional award, Catalyst Development Newton, LLC has also brought on Christensen Development of Des Moines to assist with private improvements.

The proposed boundaries of the district include the Historic Downtown, Legacy Plaza Campus, and small section of First Avenue East, just east of downtown.

The pre-application was submitted one year ago. Since that time, the project has evolved, as would be expected.

The District includes projects by the Developer: Catalyst Development Newton, LLC (formerly Legacy Plaza, LLC), Des Moines Area Community College, and the City of Newton. They are as follows:

Catalyst Development LLC:

- Boutique Hotel
- Craft Cocktail Lobby Bar

Christensen Development (sub-developer/partner of Catalyst Development LLC):

- Market Rate Apartments in Building 16 (increased from 51 to 72 +/- units)

Des Moines Area Community College- Legacy Plaza Facilities:

- Legacy Ballroom (to be located in Building 17)- owned by DMACC, leased to Catalyst
- Plaza Improvements
- Commercial Space Build Out

Des Moines Area Community College- Campus Improvements:

- Legacy Greenspace
- Legacy Commons & Commons connection
- High Demand Academic Programming

City of Newton Resiliency Zone:

- Historic Downtown Improvement Grants
- Vacant Building Initiative (Tax Rebate Program)
- Community Gathering Space Park
- Bike Path Connector
- Infrastructure Improvements (including 200-300 block West 3rd Street North HMA resurfacing, Phase II Downtown LED lighting)

It is important to note that the City's proposed projects in the district are projects that were already identified through the most City Council's goal setting and budgeting processes. The compilation of all of these smaller investments has been identified as "Resiliency Zone Projects." Because of the location of these projects, they have been included in the application to show Iowa Economic Development Authority the degree of commitment and investment the City has for The District. Listing of these already planned projects resulted in the application scoring better in the competitive process.

In terms of project timing, the private developer team plans to begin with the development of the market rate apartments as the "large" project (as defined by the Iowa Reinvestment District program). Hotel development will follow shortly after.

Recommendation:

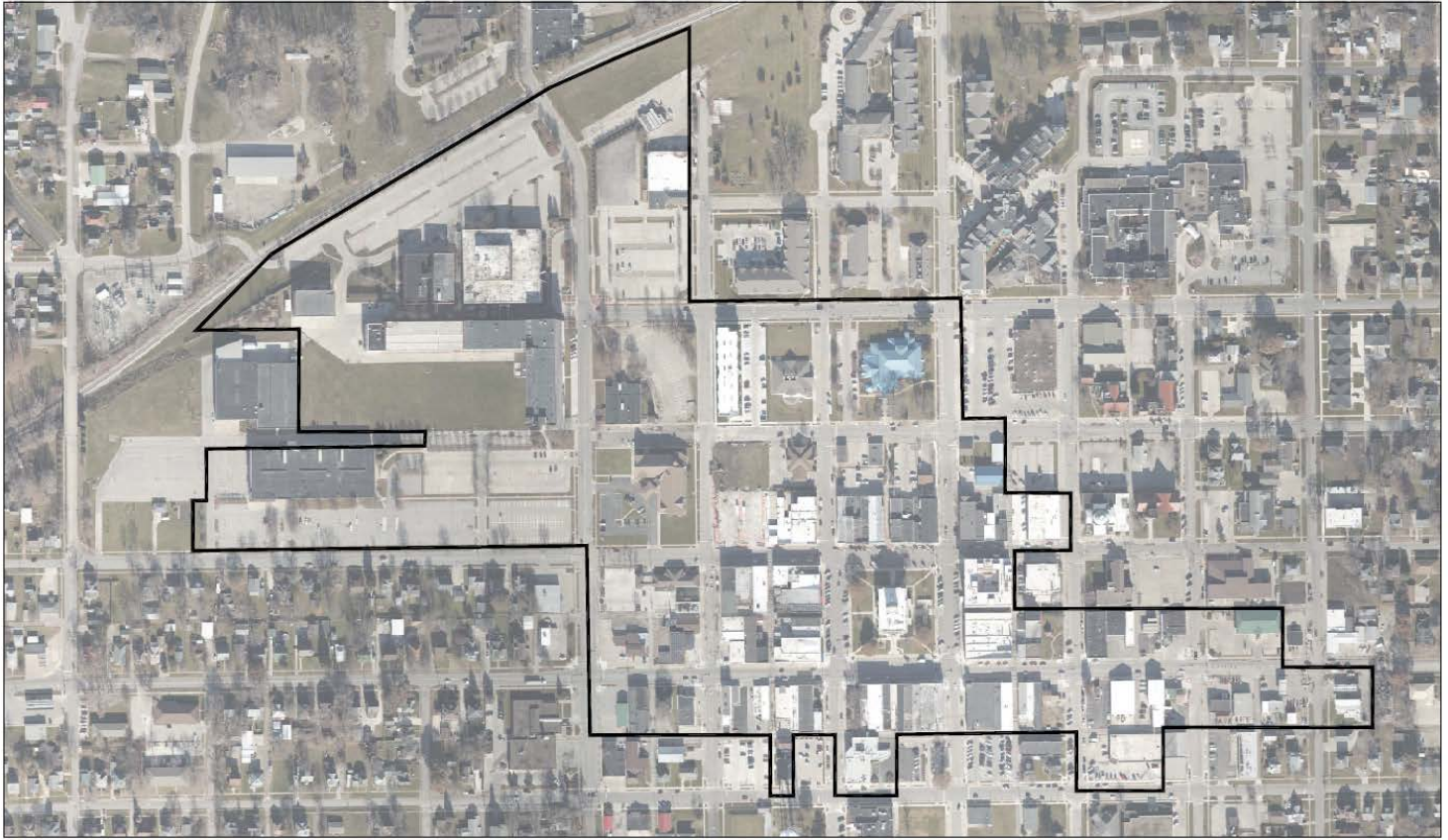
City Staff recommends approval.

A handwritten signature in dark ink, appearing to read "Matt Muckler", written in a cursive style.

Matt Muckler
City Administrator

Supporting Maps/Images/Tables:

Iowa Reinvestment District - Proposed



The proposed district includes the historic downtown, Legacy Plaza/DMACC Campus, and a portion of 1st Avenue East. As the application moves through the approval process, these boundaries can fluctuate somewhat, but will generally align as pictured above. The district lies within two urban renewal areas- North Central Urban Renewal Area and First Avenue East Urban Renewal Area.



Project Investment Summary Table:

Proposed Projects	Total Cost
Christensen Development: Residential Adaptive Use	\$15,301,620
Catalyst Development Newton, LLC: New Lessor, Hospitality Adaptive Reuse	\$13,746,150
DMACC: Legacy Plaza Infrastructure, Legacy Ballroom, and Retail Build Out	\$9,537,557
DMACC: Legacy Greenspace, Legacy Commons, , and High Demand Academic Program Expansion	\$7,806,238
City of Newton: Resiliency Zone	\$1,490,000
Total Cost	\$47,881,565

Concept Imagery for the Ballroom to be located in Building 17:



Conceptual Layout of Buildings 1, 2, and 16 Site Area:



**RESOLUTION AUTHORIZING THE SUBMITTAL OF THE
FINAL APPLICATION FOR THE IOWA REINVESTMENT
DISTRICT FOR THE CITY OF NEWTON, IOWA**

WHEREAS, City Council desires to create and establish an Iowa Reinvestment District, and

WHEREAS, the Iowa Reinvestment Districts assists communities with transformative projects, and the City of Newton has identified a transformative project consisting of a hotel, event space, market rate apartments, and infrastructure located in Downtown Newton, and

WHEREAS, the location of the proposed reinvestment district in Newton lies within the North Central Urban Renewal Area and the First Avenue East Urban Renewal Area, and

WHEREAS, the Iowa Economic Development Authority has provisionally awarded the City of Newton up to \$14 million over the next 20 years, and

WHEREAS, the City of Newton is required to submit the final application for the Newton Legacy Reinvestment District;

NOW, THEREFORE, BE IT RESOLVED by the City Council of Newton, Iowa that the establishment of an Iowa Reinvestment District in Newton is hereby approved and the final application for the Iowa Reinvestment District shall be submitted to the Iowa Economic Development Authority.

PASSED this _____ day of February 2022

APPROVED this _____ day of February 2022

(Seal)

Michael L. Hansen, Mayor

ATTEST:

Katrina Davis, City Clerk

City of Newton Council Report

Item: Resolution approving a contract for professional services with the Newton Housing Development Corporation beginning July 1, 2022 and ending June 30, 2025.

Summary: The City of Newton contracts for housing development services with Newton Housing Development Corporation (NHDC). The most recent contract is set to expire June 30, 2022. This contract would be effective July 1, 2022 - June 30, 2025.

Financial Impact: Flat annual fee of \$40,000.00, payable in quarterly installments of \$10,000.00 during the course of the contract.



Report Number: 22-040

Date: February 21, 2022

Lead Department:
Community Development

Recommendation:
Approval

Background:

Newton Housing Development Corporation has been a strong economic development partner of the City for many years. In order to maintain a strong, positive relationship, it is important to establish the expectations between the City and NHDC through a contract for services.

The current contract is due to expire on June 30, 2022. This contract would be effective July 1, 2022 through June 30, 2025. The contract enumerates the activities that NHDC will undertake to continue to grow housing in Newton. Any agreements for the specific development of property within the City of Newton are separate from this contract for services.

Recommendation:

Staff recommends approval of the attached Resolution.

A handwritten signature in black ink, appearing to read "Matt Muckler", is written over a light gray horizontal line.

Matt Muckler
City Administrator

RESOLUTION NO. 2022 – _____

**RESOLUTION APPROVING A CONTRACT FOR PROFESSIONAL SERVICES
WITH THE NEWTON HOUSING DEVELOPMENT CORPORATION
BEGINNING JULY 1, 2022 AND ENDING JUNE 30, 2025**

WHEREAS, the Newton Housing Development Corporation provides professional consultant services to perform community and housing economic development activities; and

WHEREAS, a contract has been prepared that provides for the scope of services that NHDC will provide to the City; and

WHEREAS, the contract is consistent with the positive collaborative working arrangement that exists between the City and the Newton Housing Development Corporation;

NOW THEREFORE BE IT RESOLVED by the City Council of Newton, Iowa, that the attached contract for professional services with the Newton Housing Development Corporation is hereby approved.

PASSED this 21st day of February, 2022.

APPROVED this _____ day of February, 2022.

Michael L. Hansen, Mayor

ATTEST:

Katrina Davis, City Clerk

CONTRACT FOR PROFESSIONAL COMMUNITY AND ECONOMIC DEVELOPMENT SERVICES BY AND BETWEEN THE CITY OF NEWTON, IOWA AND NEWTON HOUSING DEVELOPMENT CORPORATION

THIS CONTRACT, entered into as of this ____ day of _____, 2022 by and between the City of Newton, Iowa, ('City'), and the Newton Housing Development Corporation, (hereinafter referred to as "the NHDC").

WHEREAS, the City has a need for professional consultant services to perform community and housing economic development activities; and

WHEREAS, the City desires to engage in certain activities necessary for development of the community and economic base of the Newton area; and

WHEREAS, the City desires to engage the NHDC to render such professional consultant services utilizing funding sources which may include property sales and/or Hotel/Motel Tax receipts, which by City ordinance requires a written contract;

NOW, THEREFORE the parties hereto do mutually agree as follows:

A. Scope of Services.

The NHDC shall assist and advise the City in housing economic development activities as needed and shall collaborate with City and other stakeholders to increase investment in the quality and quantity of housing in Newton. The housing economic development activities shall include the following:

1. Work to increase the quantity and quality of housing in Newton by actively seeking builders, developers and residents to Newton.
2. Organize, promote, and host events that will be beneficial, informative, and encouraging to Builders, Developers, Consumers, and Investors in Newton.
3. Collaborate with the City of Newton, Newton Main Street, Newton Development Corporation, and DMACC to continue the creation and improvement of second story housing in the Newton Downtown.
4. Provide the City of Newton with housing advice and assistance based on the expertise of the Board of Directors and NHDC staff's expertise in the housing industry.
5. In certain instances, provide a conduit for the City of Newton to transfer property for project completion as agreed upon by both parties.
6. Gather information and provide monthly reports of current housing trends and activities to expose needs and opportunities in the local housing market.
7. Assist in maintaining and updating the NHDC portion of a shared community internet presence to keep it current, informative and relevant.
8. Collaborate on marketing and promotional campaigns of the applicable Housing Incentives and Initiative programs.

9. Collaborate with the City of Newton to facilitate project completion and negotiation of any City incentives or redevelopment agreements between the City and developers, builders, or housing-related entities.
10. Develop and implement an effective Developer Call Program that ensures regular contacts with prospective builders.
11. Seek out funding sources for on-going operating and project needs. Work to develop, encourage, and grow programs and organizations (such as Housing Trust Fund, Building Trades class, or Habitat for Humanity) that will enhance the improvement of housing in Newton.
12. Lead or participate in special projects that fulfill the charitable mission of NHDC with particular emphasis on homes and apartments of modest cost.
13. Serve as a leader, mentor, and partner with economic development colleagues in Newton.

B. Time of Performance. The services of the Corporation are to commence on July 1, 2022 and shall be completed in a timely manner as required by the City. The term of this agreement runs through June 30, 2025.

C. Compensation. This is a fee for services contract. As compensation for the services rendered, the City shall pay the Corporation a flat rate of \$40,000 per annum, paid in quarterly installments of \$10,000 each in FY2022-2023, FY2023-2024 & FY2024-2025. This compensation shall be paid from Fairmeadows North Urban Renewal Area revenues. Any and all agreements for the specific development of property within the City of Newton are separate from this contract for services.

NHDC will receive compensation per the Real Estate Development Agreement (dated March 13, 2019) for the Arbor Estates Development (formerly "Barton Land").

D. Personnel. All services required hereunder will be performed by NHDC through its employees and other agents. All staffing decisions shall be made by NHDC's Executive Board.

E. Corporation Records Maintenance. NHDC shall maintain accounts and records, including personnel, and financial records, adequate to identify and account for all costs pertaining to this contract and such other records as may be deemed necessary to assist proper accounting. The records are to be shown to the City of Newton upon request of the City Administrator. These records will be retained for three (3) years after the expiration of this Contract unless permission to destroy them is granted.

F. Findings Confidential. City may choose to designate certain information as confidential. Any reports, information, data, work product, or any other material prepared or assembled by NHDC pursuant to this Contract, if designated as confidential by City, shall remain strictly confidential, and shall not be made available to any individual or organization without prior written approval of City.

G. Copyright. No report, maps, or other documents produced in whole or in part under this Contract shall be the subject of an application for copyright by or on behalf of the NHDC.

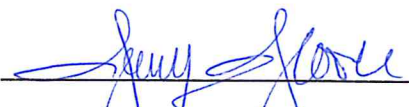
H. Compliance with Local Law. NHDC shall comply with all applicable laws, ordinances and codes of the state and local governments in carrying out the services to be provided pursuant to this Contract.

IN WITNESS WHEREOF, the City of Newton and the Newton Housing Development Corporation have executed this Contract as of the date first written above.

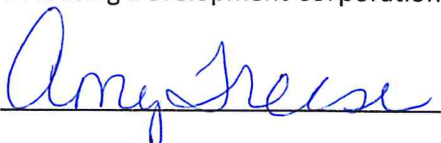
Michael L. Hansen, Mayor
City of Newton

ATTEST:

Katrina Davis, City Clerk



Jennifer Cook, Board President
Newton Housing Development Corporation



Amy Trease, Secretary
Newton Housing Development Corporation

City of Newton Council Report



Item: Resolution Authorizing the City of Newton Fire Department to enter into a Transportation Agreement with Jasper County Sheriff's Office Emergency Medical Services.

Summary: Resolution allows the fire department to assist Jasper County Sheriff's Office EMS in case of extreme need.

Financial Impact: No financial impact at this time.

Report Number: 22-041

Date: February 21, 2022

Lead Department: Fire

Recommendation:
Approval of Resolution

BACKGROUND

Iowa law requires an ambulance service program to request approval from the Department of Public Health to provide non-transport coverage in addition to, or in lieu of, ambulance authorization. Programs seeking such approval must maintain a written transport agreement which specifies how and when patients will be transported. A transport agreement is defined as "a written agreement between two or more service programs that specifies the duties and responsibilities of the agreeing parties to ensure appropriate transportation of patients in a given service area." 641 Iowa Administrative Code 132.1.

The Jasper County Sheriff's Office EMS is comprised of Sheriff's Office staff that are certified to provide patient care. The Jasper County Sheriff's Office EMS is a non-transport agency and relies on other cities to provide transport services to their patients. Typically, upon notification of a medical emergency in a given area the closest Jasper County unit is dispatched to assist in patient care. This reduces the time from a medical emergency onset to the initiation of patient care by and EMS provider.

If the Newton Fire Department assumes patient care for the Jasper County Sheriff's Office EMS, the Newton Fire Department is authorized to bill for services at their normal rates. This Agreement would be in effect for a period of three (3) years. The agreement can be extended an additional three years upon mutual agreement of all parties. Either party may terminate the Agreement by providing a thirty (30) day written notice by certified mail to the other parties and to the Bureau of EMS. All parties to this Agreement maintain their own identity and this Agreement does not create any relationship or partnership.

The Newton Fire Department had an Agreement with the Jasper County Sheriff's Office EMS in the past. Review of responses with the agency over the last five (5) years show that there has been no recorded responses to their area.

Staff has included an EMS Transportation Agreement for use with the Jasper County Sheriff's Office EMS.

RECOMMENDATION

Staff recommends approval of the EMS Transportation Agreement.

A handwritten signature in black ink, appearing to read "Matt Muckler". The signature is written in a cursive, flowing style.

Matt Muckler
City Administrator

RESOLUTION NO 2022 - _____

**RESOLUTION AUTHORIZING THE CITY OF NEWTON FIRE
DEPARTMENT TO ENTER INTO A TRANSPORTATION AGREEMENT
WITH THE JASPER COUNTY SHERIFF'S OFFICE EMERGENCY
MEDICAL SERVICES.**

WHEREAS, the Newton Fire Department provides fire protection and ambulance service to the City of Newton and the Newton Rural Benefitted Fire District, and

WHEREAS, the City of Newton is a party to the Iowa Mutual Aid Compact, and

WHEREAS, the fire department has received a request from the Jasper County Sheriff's Office EMS to provide EMS transport services as required by the Iowa Code, and

WHEREAS, the fire department retains the absolute right to determine if resources are available to provide assistance, and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Newton, Iowa that the attached Agreement having the City of Newton enter into an EMS Transportation Agreement with the Jasper County Sheriff's Office EMS is approved, and the Fire Chief is directed to execute the Agreement.

PASSED this _____ day of February 2022.

APPROVED this _____ day of February 2022.

Michael L. Hansen, Mayor

(SEAL)

ATTEST:

Katrina Davix, City Clerk

TRANSPORTATION AGREEMENT

SECTION 1: PARTIES TO THIS AGREEMENT

The following agencies enter this agreement to ensure all components of the EMS system are efficiently and effectively utilized to ensure appropriate transportation of patients in the given system area.

NONTRANSPORT SERVICE				
Service Name	County	Representative Name	Signature	Date
Jasper County Sheriff's Office EMS	Jasper County	John Halferty, Sheriff		

AMBULANCE SERVICE				
Service Name	City	Representative Name (Printed)	Signature	Date
Newton Fire/EMS	Newton			
Colfax Fire/EMS	Colfax			
Sully Fire/EMS	Sully			
Baxter Fire/EMS	Baxter			
Kellogg Fire/EMS	Kellogg			
Monroe Fire/EMS	Monroe			
Prairie City EMS	Prairie City			
Reasnor Fire/EMS	Reasnor			
Midwest Ambulance	Grinnell			

COMMUNICATION CENTER				
Name	County	Representative Name	Signature	Date
Jasper County Sheriff's Office Communications	Jasper County	Lt. Brad Shutts, Dispatch Supervisor		

SECTION 2: PURPOSE OF AGREEMENT

This agreement will allow participating EMS services to ensure patient transportation is available, defines the responsibilities of each party, and provides risk management.

Iowa EMS Service Requirements:

A. Non-transport Service (NT). Iowa law requires all NT services to maintain a written transport agreement with an ambulance service(s) that specifies the duties and responsibilities of the agreeing parties to ensure appropriate transportation of patients in a given service area.

B. 24/7 Ambulance Service. Iowa law requires an ambulance service to provide coverage with minimum staffing 24/7. Additionally, each ambulance service must maintain an EMS contingency plan that will be put into operation when coverage pursuant to the 24/7 rule is not possible due to unforeseen circumstances.

The parties have entered into this agreement to effectuate these requirements.

SECTION 3: DISPATCH AND AUTHORIZATION POLICY

- A. Authorization Level: Non-transport.** Jasper County Sheriff's Office EMS is comprised of uniformed deputies with the Jasper County Sheriff's Office. The members of this service have been trained to a minimum of EMT up to the Paramedic level. As part of the routine patrol duties, they will be able to respond and assist the agency having jurisdiction with EMS calls. It is not the intent of this agreement for the members of the Jasper County Sheriff's Office EMS to be dispatched to an EMS call as the sole provider.
- B.** Members of the Jasper County Sheriff's Office EMS shall be allowed to assist the transporting agency with care up to the level of the transporting agencies authorization.
- C.** Should a member of the Jasper County Sheriff's Office EMS have all the required equipment to function at a higher certification level they may do so. If needed Jasper County Sheriff's Office EMS may continue care in the transporting agencies ambulance enroute to the hospital.
- D.** The communications center agrees to dispatch the ambulance service having jurisdiction or that service's contingent coverage as requested by members of the Jasper County Sheriff's Office EMS.

SECTION 4: DUTIES AND RESPONSIBILITIES

A. Compensation/Reimbursement. The transporting agency will retain all rights to bill the patient for service as they would for any other transport.

B. Liability. Each party to the agreement shall bear the liability and cost of damage to its personnel, vehicles, and equipment. Each party to the agreement shall be responsible for defending claims made against it or its staff arising from participation in this agreement.

C. Insurance. Each party to the agreement shall procure and maintain such insurance as is required by applicable federal and state law and as may be appropriate and reasonable to cover its staff, equipment, vehicles, and property, including but not limited to liability insurance, workers compensation, unemployment insurance, automobile liability, and property damage.

D. Status and Responsibilities of Parties. Nothing in this agreement shall be construed as creating or constituting the relationship of partnership or joint venture between the parties hereto. Each party shall be deemed to be an independent contractor. No party, unless otherwise specifically provided for herein, has the authority to enter into any contract or create an obligation or liability on behalf of, in the name of, or bidding upon another to this agreement.

Each of the parties shall be responsible for ensuring that all persons acting on behalf of the party are properly licensed, certified, or accredited as required by applicable federal and state law.

Each of the parties to the agreement shall be responsible for withholding taxes, social security, unemployment, worker's compensation, and other taxes for its employees and shall hold all other parties harmless for the same.

E. Termination. Any party to this agreement may terminate the agreement by providing thirty days written notice by certified mail to the other parties and to their Bureau of Emergency and Trauma Services Regional Coordinator. Staff contact information is available at www.idph.state.ia.us/ems >> Bureau >> Bureau Staff. If a party withdraws from the agreement, the agreement shall remain in effect as to all remaining parties so long as two or more service programs are parties to the agreement.

F. Duration of Agreement: The agreement shall be in effect upon signature of the service programs and communications center. The agreement shall be in effect for three years from the date of execution unless terminated earlier in accordance with the termination section of this agreement. The agreement may be extended for an additional three year term upon mutual agreement of all parties in writing at least thirty days before the termination date.

City of Newton Council Report



Item:

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 Newton City Hall Parking Lot Reconstruction Project

Report Number: 22-042

Date:

February 21, 2022

Lead Department:

Public Works

Summary:

Accept plans, order bids to reconstruct the parking lot at City Hall and to construct a new parking lot in the city-owned vacant lot south of City Hall.

Recommendation:

Approve

Financial Impact:

Estimated out-of-pocket cost to the City of \$415,000.00 following bid letting and anticipated award of contract by future resolution.

Background:

The parking lot for City Hall is approximately 34 years old and has begun to deteriorate causing an unsightly appearance and safety concerns for citizens and city employees. Other issues, including a need for additional parking spaces, drainage issues, and non-compliance with current design and ADA standards have made it necessary for the parking lot to be reconstructed.

The current parking lot, police storage garage, and underground water storage tank will be removed and replaced with 6" and 7" PCC pavement with 6" of granular subbase. Along with this work a new parking lot will be built in the city-owned vacant lot at 201 W 4th St. S. This new parking lot will bring an additional 23 parking spots to the area. New sidewalks and ADA ramps are to be constructed on the North, South, and East sides of City Hall and the proposed lot directly across the street.

The City has prepared plans and specifications and is prepared to place them out for bid. Along with submitting the final plans, City Council must approve the project for bid letting by resolution. The bid opening for this project is scheduled to take place on March 25, 2022. The City will hold a Public Hearing on April, 4 2022 to discuss the project and take action on the received bids.

Recommendation:

Approval to accept the plans, set dates, and obtain bids for the Newton City Hall Parking Lot Reconstruction Project

Matt Muckler
City Administrator

RESOLUTION 2022- _____

**RESOLUTION ORDERING BIDS, APPROVING PLANS,
SPECIFICATIONS, FORM OF CONTRACT, NOTICE TO BIDDERS,
ORDERING CLERK TO PUBLISH NOTICE, FIXING A DATE FOR
RECEIVING SAME AND FOR A PUBLIC HEARING ON PLANS,
SPECIFICATIONS, FORM OF CONTRACT AND ESTIMATE OF COSTS
FOR THE CITY HALL PARKING LOT RECONSTRUCTION PROJECT**

WHEREAS, the parking lot for City Hall is approximately 34 years old and has begun to deteriorate causing an unsightly appearance and safety concerns for citizens and city employees. Other issues, including a need for additional parking spaces, drainage issues, and non-compliance with current design and ADA standards have made it necessary for the parking lot to be reconstructed; and

WHEREAS, the current parking lot, police storage garage, and underground water storage tank will be removed and replaced with 6" and 7" PCC pavement with a 6" granular subbase. Along with this work a new parking lot will be built in the city-owned vacant lot at 201 W 4th St. S. This new parking lot will bring an additional 23 parking spots to the area. New sidewalks and ADA ramps are to be constructed on the North, South, and East sides of City Hall and the proposed lot directly across the street.; and

WHEREAS, the City has prepared plans and specifications and is prepared to place them out for bid.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Newton, Iowa, that the City Hall Parking Lot Reconstruction Project in the City of Newton, Iowa is hereby ordered to be advertised for bids. The estimated project cost of \$415,000.00.

BE IT FURTHER RESOLVED, that the detailed plans and specifications as prepared by the Public Works Department for the City Hall Parking Lot Reconstruction Project in the City of Newton, Iowa, and the form of contract and Advertisement for Bids and Notice of Public Hearing, be and the same are hereby approved, subject to hearing thereon, and are hereby ordered placed on file in the office of the Clerk for public inspection; and

That the Clerk is hereby directed to advertise for bids for the construction of said improvements. Bids will be received and opened at the office of the Public Works Director at 10:00 am on the 25th day of March 2022. Thereupon the bids will be referred to the City Council for action upon said bids at a future meeting to be held at the Council Chambers, Newton, Iowa. Notice to Bidders is to be published once in the Newton Daily News, a legal newspaper printed wholly in the English language, the publication to be not less than thirteen (13) calendar days nor more than forty five (45) days prior to the date fixed for said bid opening; and

That the Council hold a public hearing on the matter of the adoption of proposed plans, specifications and form of contract for the making of said improvements, which documents are now on file in the office of the Clerk, said hearing to be held at the Council Chambers in the City Hall, Newton, Iowa, on the 4th day of April 2022, at 6:00 pm, and that the City Clerk give notice of said public hearing by publication once in a local legal newspaper, printed wholly in English language, not less than four (4) calendar days nor more than twenty (20) days prior to the date fixed therefore.

PASSED this _____ day of February 2022.

APPROVED this _____ day of February 2022.

Michael L. Hansen, Mayor

ATTEST:

Katrina Davis, City Clerk

NOTICE TO BIDDERS
CITY OF NEWTON, IOWA PUBLIC IMPROVEMENT PROJECT

Sealed bids for the work comprising the improvement as stated below must be filed before 10:00 am on March 25, 2022, in the office of the Community Services Manager, 403 W 4th St N, Suite 501, Newton, IA.

Sealed proposals will be opened and bids tabulated at 10:00 am on March 25, 2022, in the Public Works Office, 403 W 4th St N, Suite 501, Newton, IA, for consideration by the Newton City Council at its meeting on April 4, 2022 at the Newton City Council Chambers. The City of Newton reserves the right to reject any and all bids.

Work on the improvement shall commence upon approval of the contract by the Council and issuance of the Notice to Proceed, and be completed as stated below.

Each bidder shall accompany its bid with bid security as defined in Iowa Code Section 26.8, as security that the successful bidder will enter into a contract for the work bid upon and will furnish after the award of contract a corporate surety bond, in a form acceptable to the Jurisdiction, for the faithful performance of the contract, in an amount equal to 100% of the amount of the contract. Said corporate surety bond shall guarantee the prompt payment of all material and labor, and protect and save harmless the City of Newton from claims and damages of any kind caused by the operations of the contract and shall also guarantee the maintenance of the improvement caused by failures in materials and construction for a period of four (4) years from and after acceptance of the contract. Said bid security shall be in the amount fixed in the Instruction to Bidders and shall be in the form of a cashier's check or a certified check drawn on an FDIC insured bank in Iowa or on an FDIC insured bank chartered under the laws of the United States; or a certified share draft drawn on a credit union in Iowa or chartered under the laws of the United States; or a bid bond on the form provided in the contract documents with corporate surety satisfactory to the Jurisdiction. The bid shall contain no condition except as provided in the specifications.

The City of Newton reserves the right to defer acceptance of any bid for a period of sixty (60) calendar days after receipt of bids and no bid may be withdrawn during this period.

The City of Newton, in accordance with Title VI of the Civil Rights Act of 1964, 78 Stat. 252, 42U.S.C. 2000d to 2000d-4 and Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally-assisted programs of the Department of Transportation issued pursuant to such Act, hereby notifies all bidders that it will affirmatively insure that in any contract entered into pursuant to this advertisement, minority business enterprises will be afforded full opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, or national origin in consideration for an award.

Contractor shall fully complete the project on or before September 30, 2022. Should the contractor fail to complete the work in this timeframe, liquidated damages of \$200.00 per calendar day will be assessed for work not completed within the designated contract term.

The City of Newton does hereby reserve the right to reject any or all bids, to waive informalities, and to enter into such contract, or contracts, as it shall deem to be in the best interest of the jurisdiction.

Copies of the contract bid documents and plans are available at no cost from the City of Newton Public Works Office, 403 W 4th St N, Suite 501, Newton, IA.

General Nature of Public Improvement:

2022 Newton City Hall Parking Lot Reconstruction Project

Project includes 3,417 SY of PCC Pavement and 454 SY of PCC Sidewalk construction in Newton, Iowa.

The work shall commence upon issuance of the Notice to Proceed, and shall be completed on or before on or before September 30, 2022.

This Notice is given by authority of the City of Newton

/s/ _____
Katrina Davis, City Clerk, City of Newton, Iowa

City of Newton Council Report

Item:

Resolution ordering Clerk to publish notice and fixing a date for a Public Hearing on the FY23 - FY27 Capital Improvement Plan (CIP).



Report Number: 22-043

Summary:

Setting the date for a Public Hearing on the FY23 - FY27 Capital Improvement Plan (CIP).

Date:

February 21, 2022

Lead Department:

Community Services

Financial Impact:

None

Recommendation:

Approve

Background:

Using City Council's recently approved goals, the City's most-recent revision of the Comprehensive Plan, and department director input on project and equipment needs; the FY23 through FY27 Capital Improvement Plan (CIP) has been prepared for City Council's approval. The CIP is a 5-year plan detailing funding sources and expenditures for proposed project construction and equipment purchases throughout all City departments.

The proposed project and equipment purchases included in the first year (FY23) of the CIP align with the proposed FY23 City budget. Years two through five of the CIP will be modified as-needed in subsequent budget years. All projects and equipment in this 5-year plan are always subject to revision at any time based on City Council's direction.

The draft FY23 through FY27 Capital Improvement Plan (CIP) was presented to the City Council on December 20, 2021 and again on January 17, 2022; and the proposed City of Newton FY23 through FY27 Capital Improvement Plan (CIP) has been finalized and is now ready for council consideration.

Recommendation:

Staff recommends approval of the resolution setting the date and publishing the notice for a Public Hearing on the FY23 through FY27 Capital Improvement Plan (CIP).

A handwritten signature in black ink, appearing to read "Matt Muckler", is written over a light blue horizontal line.

Matt Muckler
City Administrator

RESOLUTION NO. 2022 – _____

**RESOLUTION ORDERING CLERK TO PUBLISH NOTICE AND FIXING A DATE FOR
A PUBLIC HEARING ON THE FY23 - FY27 CAPITAL IMPROVEMENT PLAN (CIP).**

WHEREAS, using City Council's recently approved goals, the City's most-recent revision of the Comprehensive Plan, and department director input on project and equipment needs; staff has prepared the FY23 through FY27 Capital Improvement Plan (CIP); and

WHEREAS, the CIP is a 5-year plan detailing funding sources and expenditures for proposed project construction and equipment purchases throughout all City departments; and

WHEREAS, the draft FY23 through FY27 Capital Improvement Plan (CIP) was presented to the City Council on December 20, 2021 and again on January 17, 2022; and

WHEREAS, the proposed City of Newton FY23 through FY-26 Capital Improvement Plan (CIP) has been finalized and is ready for council consideration.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Newton, Iowa, that the proposed FY23 through FY27 Capital Improvement Plan (CIP) as prepared by the Community Services Department of the City of Newton, Iowa, and the Notice of Public Hearing for said FY23 through FY27 Capital Improvement Plan (CIP), are hereby ordered placed on file in the office of the Clerk for public inspection; and

That the Council hold a public hearing on the matter of the FY23 through FY27 Capital Improvement Plan (CIP), which documents are now on file in the office of the Clerk, said hearing to be held at the Council Chambers in the City Hall, Newton, Iowa, on the 7th day of March 2022, at 6:00 pm, and that the City Clerk give notice of said hearing by publication once in a local legal newspaper, printed wholly in English language, not less than four (4) clear days nor more than twenty (20) days prior to the date fixed therefore.

PASSED this _____ day of February, 2022.

APPROVED this _____ day of February, 2022.

Michael L. Hansen, Mayor

ATTEST:

Katrina Davis, City Clerk

NOTICE OF PUBLIC HEARING
CITY OF NEWTON, IOWA CAPITAL IMPROVEMENT PLAN

A public hearing will be held by the Newton City Council on the proposed FY23 - FY27 Capital Improvement Plan (CIP) at its meeting at 6:00 P.M. on March 7, 2022, in said Newton City Council Chambers at City Hall, 101 W. 4th St. S., Newton, IA. Any person interested may appear and file objections to said plan.

The proposed FY23 - FY27 Capital Improvement Plan (CIP) may be examined at the Newton City Clerk's Office, 101 W 4th St S, Newton, Iowa 50208, Monday through Friday, 8:00 am to 4:00 pm.

Published by order of the City of Newton, Iowa.

By: _____
Katrina Davis, City Clerk
City of Newton, IA

City of Newton Council Report



Item: Resolution setting the date for a public hearing on proposal to enter into General Obligation Loan Agreements and to borrow money thereunder

Summary: This action would set a public hearing to provide authorization for bonding

Financial Impact: No direct impact as a result of setting the Public Hearing for proposed General Obligation Loan Agreements

Report Number: 22-044

Date: February 21, 2022

Lead Department:
Administration

Recommendation:
Approval

Background: The City Council has conducted goal setting and several budget workshops over the last several months and has discussed potential projects to be bonded for this spring. Below are the following items that are included in the proposed FY23 budget and included in the proposed FY23-27 Capital Improvement Plan that would be funded with bonds:

General Fund Bonding: (Repaid with Debt Service)

- | | |
|---|-----------|
| • City Hall Skylight Replacement | \$200,000 |
| • Replenish the D&D Program | \$150,000 |
| • Parallel Taxiway Reconstruction (Airport) | \$165,000 |

Tax Increment Financing Bonding: (Repaid with TIF Funds)

- | | |
|--|-----------|
| • Arbor Estates Phase 2 | \$950,000 |
| • Traffic Signal/ADA Project 1 st Ave E | \$150,000 |
| • Downtown Housing Grants | \$ 50,000 |
| • Downtown Improvement Grants | \$ 50,000 |
| • Downtown Micro Grants | \$100,000 |
| • Gas Plant Remediation Project | \$170,000 |

In addition, with the continued low interest rates, the 2015A, 2015B, 2017A, and 2017B Bonds the City currently holds will be callable on June 1, 2022. It is proposed to refinance the remainder of these 4 current bonds at the same time the City issues new bonds.

Setting a public hearing does not lock the Council into borrowing for any of the above mentioned projects or equipment at this time.

Recommendation:

Staff recommends approval of the resolution to fix a date of a public hearing for the March 7, 2022 meeting of the City Council, at which it is proposed to take action to enter into the loan Agreements and to give notice thereof as required by such law. Staff recommends approval of the Resolution.

Matt Muckler
City Administrator

RESOLUTION NO. 2022-_____

Resolution setting the date for a public hearing on proposal to enter into General Obligation Loan Agreements and to borrow money thereunder

WHEREAS, the City of Newton (the “City”), in Jasper County, State of Iowa, previously issued its \$4,790,000 Taxable General Obligation Bonds, Series 2015A, dated June 30, 2015 (the “2015A Bonds”) a portion of which currently remain outstanding maturing on such dates and in such amounts and bearing interest at such rates as follows:

	Principal	Interest
<u>Year</u>	<u>Amount</u>	<u>Rate</u>
2022	\$565,000	2.40%
2023	\$575,000	2.60%
2024	\$590,000	2.80%
2025	\$610,000	2.95%

;and

WHEREAS, pursuant to the resolution (the “2015A Bond Resolution”) authorizing the issuance of the 2015A Bonds, the City reserved the right to prepay part or all of the 2015A Bonds maturing in each of the years 2023 to 2025, inclusive (the “Callable 2015A Bonds”), prior to and in any order of maturity on June 1, 2022 or on any date thereafter, subject to the provisions of the 2015A Bond Resolution; and

WHEREAS, the City also previously issued its \$4,705,000 General Obligation Bonds, Series 2015B, dated June 30, 2015 (the “2015B Bonds”) a portion of which currently remain outstanding maturing on such dates and in such amounts and bearing interest at such rates as follows:

	Principal	Interest
<u>Year</u>	<u>Amount</u>	<u>Rate</u>
2022	\$490,000	3.00%
2023	\$590,000	2.00%
2024	\$335,000	2.25%
2025	\$630,000	2.25%
2026	\$515,000	2.50%

;and

WHEREAS, pursuant to the resolution (the “2015B Bond Resolution”) authorizing the issuance of the 2015B Bonds, the City reserved the right to prepay part or all of the 2015B Bonds maturing in each of the years 2023 to 2026, inclusive (the “Callable 2015B Bonds”), prior to and in any order of maturity on June 1, 2022 or on any date thereafter, subject to the provisions of the 2015B Bond Resolution; and

WHEREAS, the City also previously issued its \$1,448,000 Taxable General Obligation Notes, Series 2017A, dated August 22, 2017 (the “2017A Notes”) a portion of which currently remain outstanding maturing on such dates and in such amounts and bearing interest at such rates as follows:

	Principal	Interest		Principal	Interest
<u>Year</u>	<u>Amount</u>	<u>Rate</u>	<u>Year</u>	<u>Amount</u>	<u>Rate</u>
2022	\$109,000	3.10%	2026	\$133,000	3.10%
2023	\$118,000	3.10%	2027	\$351,000	3.10%
2024	\$123,000	3.10%	2028	\$293,000	3.10%
2025	\$128,000	3.10%			

;and

WHEREAS, pursuant to the resolution (the “2017A Note Resolution”) authorizing the issuance of the 2017A Notes, the City reserved the right to prepay part or all of the 2017A Notes maturing in each of the years 2023 to 2028, inclusive (the “Callable 2017A Notes”), prior to and in inverse order of maturity on June 1, 2022 or on any date thereafter, subject to the provisions of the 2017A Note Resolution; and

WHEREAS, the City also previously issued its \$1,632,000 General Obligation Notes, Series 2017B, dated August 22, 2017 (the “2017B Notes”) a portion of which currently remain outstanding maturing on such dates and in such amounts and bearing interest at such rates as follows:

	Principal	Interest		Principal	Interest
<u>Year</u>	<u>Amount</u>	<u>Rate</u>	<u>Year</u>	<u>Amount</u>	<u>Rate</u>
2022	\$104,000	2.10%	2026	\$166,000	2.10%
2023	\$153,000	2.10%	2027	\$397,000	2.10%
2024	\$157,000	2.10%	2028	\$342,000	2.10%
2025	\$162,000	2.10%			

;and

WHEREAS, pursuant to the resolution (the “2017B Note Resolution”) authorizing the issuance of the 2017B Notes, the City reserved the right to prepay part or all of the 2017B Notes maturing in each of the years 2023 to 2028, inclusive (the “Callable 2017B Notes”), prior to and in inverse order of maturity on June 1, 2022 or on any date thereafter, subject to the provisions of the 2017B Note Resolution; and

WHEREAS, the City now proposes to enter into a loan agreement (the “Essential Purpose Loan Agreement”), pursuant to the provisions of Section 384.24A of the Code of Iowa, and to borrow money thereunder in a principal amount not to exceed \$8,220,000 for the purpose of paying the costs, to that extent, of (1) constructing street, water system, storm water drainage, sidewalk and sanitary sewer system improvements; (2) acquiring and installing street lighting, signage and signalization improvements; (3) acquiring and demolishing dangerous and/or dilapidated buildings; (4) undertaking improvements at the municipal airport (the “Essential Purpose Projects”); and (5) current refunding the Callable 2015A Bonds, the Callable 2015B Bonds, the

Callable 2017A Notes and the Callable 2017B Notes; and it is now necessary to fix a date of meeting of the City Council at which it is proposed to take action to enter into the Essential Purpose Loan Agreement and to give notice thereof as required by such law; and

WHEREAS, the City also proposes to enter into a loan agreement (the “General Purpose Loan Agreement #1”) and to borrow money thereunder in a principal amount not to exceed \$225,000, pursuant to the provisions of Section 384.24A of the Code of Iowa, for the purpose of funding economic development grants to private property owners for downtown betterment programs (the “General Purpose Project #1”), and it is now necessary to fix a date of meeting of the City Council at which it is proposed to take action to enter into the General Purpose Loan Agreement #1 and to give notice thereof as required by such law, including notice of the right to petition for an election on such proposal; and

WHEREAS, the City also proposes to enter into a loan agreement (the “General Purpose Loan Agreement #2”) and to borrow money thereunder in a principal amount not to exceed \$225,000, pursuant to the provisions of Section 384.24A of the Code of Iowa, for the purpose of undertaking improvements to City Hall (the “General Purpose Project #2”), and it is now necessary to fix a date of meeting of the City Council at which it is proposed to take action to enter into the General Purpose Loan Agreement #2 and to give notice thereof as required by such law, including notice of the right to petition for an election on such proposal; and

WHEREAS, the City also proposes to enter into a loan agreement (the “General Purpose Loan Agreement #3”) (collectively, the Essential Purpose Loan Agreement, the General Purpose Loan Agreement #1, the General Purpose Loan Agreement #2 and the General Purpose Loan Agreement #3 are sometimes referred to hereinafter as the “Loan Agreements”), and to borrow money thereunder in a principal amount not to exceed \$200,000, pursuant to the provisions of Section 384.24A of the Code of Iowa, for the purpose of undertaking site improvements at the former municipal manufactured gas plant (the “General Purpose Project #3”) (collectively, the Essential Purpose Project, the General Purpose Project #1, the General Purpose Project #2, and the General Purpose Project #3 are sometimes referred to hereinafter as the “Projects”), and it is now necessary to fix a date of meeting of the City Council at which it is proposed to take action to enter into the General Purpose Loan Agreement #3 and to give notice thereof as required by such law, including notice of the right to petition for an election on such proposal;

NOW, THEREFORE, Be It Resolved by the City Council of the City of Newton, Iowa, as follows:

Section 1. This City Council shall meet on March 7, 2022, at the City Hall Council Chambers Newton, Iowa, at 6:00 o’clock p.m., at which time and place a hearing will be held and proceedings will be instituted and action taken to enter into the Loan Agreements described in the preamble hereof.

Section 2. The City Clerk is hereby directed to give notice of the proposed action on the Essential Purpose Loan Agreement setting forth the amount and purpose thereof, the time when and place where the said meeting will be held by publication at least once, not less than four (4) and not more than twenty (20) days before the date of said meeting, in a legal newspaper which has a general circulation in the City. The notice shall be in substantially the following form:

NOTICE OF PROPOSED ACTION TO INSTITUTE PROCEEDINGS TO
ENTER INTO A LOAN AGREEMENT AND TO BORROW MONEY
THEREUNDER IN A PRINCIPAL AMOUNT NOT TO EXCEED \$8,220,000

(GENERAL OBLIGATION)

The City Council of the City of Newton, Iowa (the “City”), will meet on March 7, 2022, at the City Hall Council Chambers Newton, Iowa, at 6:00 o’clock p.m., for the purpose of instituting proceedings and taking action on a proposal to enter into a Loan Agreement and to borrow money thereunder in a principal amount not to exceed \$8,220,000 for the purpose of paying the costs, to that extent, of (1) constructing street, water system, storm water drainage, sidewalk and sanitary sewer system improvements; (2) acquiring and installing street lighting, signage and signalization improvements; (3) acquiring and demolishing dangerous and/or dilapidated buildings; (4) undertaking improvements at the municipal airport; and (5) current refunding the callable portions of the Taxable General Obligation Bonds, Series 2015A, dated June 30, 2015, the General Obligation Bonds, Series 2015B, dated June 30, 2015, the Taxable General Obligation Notes, Series 2017A, dated August 22, 2017; and the General Obligation Notes, Series 2017B, dated August 22, 2017.

The Loan Agreement is proposed to be entered into pursuant to authority contained in Section 384.24A of the Code of Iowa and will constitute a general obligation of the City.

At that time and place, oral or written objections may be filed or made to the proposal to enter into the Loan Agreement. After receiving objections, the City may determine to enter into the Loan Agreement, in which case, the decision will be final unless appealed to the District Court within fifteen (15) days thereafter.

By order of the City Council of the City of Newton, Iowa.

Katrina Davis
City Clerk

Section 3. The City Clerk is hereby directed to give notice of the proposed action on the General Purpose Loan Agreement #1 setting forth the amount and purpose thereof, the time when and place where the said meeting will be held by publication at least once, not less than ten (10) and not more than twenty (20) days before the date of said meeting, in a legal newspaper which has a general circulation in the City. The notice shall be in substantially the following form:

NOTICE OF PROPOSED ACTION TO INSTITUTE PROCEEDINGS TO
ENTER INTO A LOAN AGREEMENT AND TO BORROW MONEY
THEREUNDER IN A PRINCIPAL AMOUNT NOT TO EXCEED \$225,000

(GENERAL OBLIGATION)

The City Council of the City of Newton, Iowa (the “City”), will meet on March 7, 2022, at the City Hall Council Chambers Newton, Iowa, at 6:00 o’clock p.m., for the purpose of instituting proceedings and taking action on a proposal to enter into a Loan Agreement and to borrow money thereunder in a principal amount not to exceed \$225,000 for the purpose of paying the costs, to that extent, of funding economic development grants to private property owners for downtown betterment programs.

The Loan Agreement is proposed to be entered into pursuant to authority contained in Section 384.24A of the Code of Iowa and will constitute a general obligation of the City.

The maximum rate of interest which may be payable under the Loan Agreement is 7% per annum.

At any time before the date fixed for taking action to enter into the Loan Agreement, a petition may be filed with the City Clerk of the City asking that the question of entering into the Loan Agreement be submitted to the registered voters of the City, pursuant to the provisions of Section 384.26 of the Code of Iowa.

By order of the City Council of the City of Newton, Iowa.

Katrina Davis
City Clerk

Section 4. The City Clerk is hereby directed to give notice of the proposed action on the General Purpose Loan Agreement #2 setting forth the amount and purpose thereof, the time when and place where the said meeting will be held by publication at least once, not less than ten (10) and not more than twenty (20) days before the date of said meeting, in a legal newspaper which has a general circulation in the City. The notice shall be in substantially the following form:

NOTICE OF PROPOSED ACTION TO INSTITUTE PROCEEDINGS TO
ENTER INTO A LOAN AGREEMENT AND TO BORROW MONEY
THEREUNDER IN A PRINCIPAL AMOUNT NOT TO EXCEED \$225,000

(GENERAL OBLIGATION)

The City Council of the City of Newton, Iowa (the “City”), will meet on March 7, 2022, at the City Hall Council Chambers Newton, Iowa, at 6:00 o’clock p.m., for the purpose of instituting proceedings and taking action on a proposal to enter into a Loan Agreement and to borrow money thereunder in a principal amount not to exceed \$225,000 for the purpose of paying the costs, to that extent, of undertaking improvements to City Hall.

The Loan Agreement is proposed to be entered into pursuant to authority contained in Section 384.24A of the Code of Iowa and will constitute a general obligation of the City.

The maximum rate of interest which may be payable under the Loan Agreement is 7% per annum.

At any time before the date fixed for taking action to enter into the Loan Agreement, a petition may be filed with the City Clerk of the City asking that the question of entering into the Loan Agreement be submitted to the registered voters of the City, pursuant to the provisions of Section 384.26 of the Code of Iowa.

By order of the City Council of the City of Newton, Iowa.

Katrina Davis
City Clerk

Section 5. The City Clerk is hereby directed to give notice of the proposed action on the General Purpose Loan Agreement #3 setting forth the amount and purpose thereof, the time when and place where the said meeting will be held by publication at least once, not less than ten (10) and not more than twenty (20) days before the date of said meeting, in a legal newspaper which has a general circulation in the City. The notice shall be in substantially the following form:

NOTICE OF PROPOSED ACTION TO INSTITUTE PROCEEDINGS TO
ENTER INTO A LOAN AGREEMENT AND TO BORROW MONEY
THEREUNDER IN A PRINCIPAL AMOUNT NOT TO EXCEED \$200,000

(GENERAL OBLIGATION)

The City Council of the City of Newton, Iowa (the “City”), will meet on March 7, 2022, at the City Hall Council Chambers Newton, Iowa, at 6:00 o’clock p.m., for the purpose of instituting proceedings and taking action on a proposal to enter into a Loan Agreement and to borrow money thereunder in a principal amount not to exceed \$200,000 for the purpose of paying the costs, to that extent, of undertaking site improvements at the former municipal manufactured gas plant.

The Loan Agreement is proposed to be entered into pursuant to authority contained in Section 384.24A of the Code of Iowa and will constitute a general obligation of the City.

The maximum rate of interest which may be payable under the Loan Agreement is 7% per annum.

At any time before the date fixed for taking action to enter into the Loan Agreement, a petition may be filed with the City Clerk of the City asking that the question of entering into the Loan Agreement be submitted to the registered voters of the City, pursuant to the provisions of Section 384.26 of the Code of Iowa.

By order of the City Council of the City of Newton, Iowa.

Katrina Davis
City Clerk

Section 6. Pursuant to Section 1.150-2 of the Income Tax Regulations (the “Regulations”) of the Internal Revenue Service, the City declares (a) that it intends to undertake the Projects which are reasonably estimated to cost approximately \$2,245,000, (b) that other than (i) expenditures to be paid or reimbursed from sources other than the issuance of bonds, notes or other obligations (the “Bonds”), or (ii) expenditures made not earlier than 60 days prior to the date of this Resolution or a previous intent resolution of the City, or (iii) expenditures amounting to the lesser of \$100,000 or 5% of the proceeds of the Bonds, or (iv) expenditures constituting preliminary expenditures as defined in Section 1.150-2(f)(2) of the Regulations, no expenditures for such Projects have heretofore been made by the City and no expenditures will be made by the City until after the date of this Resolution or a prior intent resolution of the City, and (c) that the City reasonably expects to reimburse the expenditures made for costs of the City out of the proceeds of the Bonds. This declaration is a declaration of official intent adopted pursuant to Section 1.150-2 of the Regulations.

Section 7. All resolutions or parts of resolutions in conflict herewith are hereby repealed to the extent of such conflict.

Section 8. This resolution shall be in full force and effect immediately upon its adoption and approval, as provided by law.

Passed and approved February 21, 2022.

Mayor

Attest:

City Clerk

City of Newton Disbursements 02-22-22

Vendor	Department	Description	Amount
Air Cleaning Technologies	Fire	Service	\$ 378.00
Airgas USA LLC	Fire	Service	\$ 133.30
Alliant Energy/IPL	All	Utility	\$ 29,298.19
Amazon Capital Services	All	Supplies	\$ 191.67
APWA	Street	Membership	\$ 740.00
Black Hills Energy	All	Utility	\$ 3,609.70
Bound Tree Medical LLC	Fire	Supplies	\$ 1,559.00
Brick Gentry P.C.	Legal Services	Service	\$ 12,580.00
C. H. McGuiness Co Inc	Water Pollution Control	Supplies	\$ 432.10
Cappy's Tire & Auto Service	Golf	Service	\$ 463.00
Card Services	All	Service	\$ 4,783.76
Cintas	All	Service	\$ 296.84
City of Colfax	Fire	Reimbursement	\$ 312.79
Contech Engineered Solutions	Storm Water	Supplies	\$ 751.68
Continental Safety Equipment	Street	Supplies	\$ 222.80
Controlled Access of the Midwest LLC	Airport	Service	\$ 439.65
Diamond Vogel Inc	Cemetery	Supplies	\$ 23.48
Dodd Trash Hauling & Recycling	Solid Waste	Service	\$ 2,181.89
EZ Lease	Water Pollution Control/Fire	Service	\$ 245.01
Fastenal	City Garage	Supplies	\$ 48.28
Forbes Office Solutions	All	Supplies	\$ 1,494.80
General Fire And Safety	City Center	Service	\$ 795.00
Gregg Young Auto Center	Police	Service	\$ 1,173.74
Hawkeye Exterminators	Water Pollution Control	Service	\$ 20.00
Hawkins Water Treatment	Water Pollution Control	Supplies	\$ 1,710.18
Hewitt Service Center	Snow Removal	Supplies	\$ 425.00
HLW Engineering Group	Landfill	Service	\$ 5,892.50
Holm's Radiator LLC	Parks	Service	\$ 325.00
Hopper, Chad	Street	Reimb	\$ 64.00
IMWCA	All	Insurance	\$ 6,745.77
International Code Council	Building	Dues	\$ 145.00
Interstate All Battery Center	Fire	Supplies	\$ 74.10
Interstate Power & Light	D&D Program	Service	\$ 9,788.42
Iowa Fire Equipment	Landfill	Service	\$ 1,250.25
Iowa Golf Association	Golf	Membership	\$ 690.00
Iowa Golf Course Superintendents A A	Golf	Membership	\$ 125.00
Jasper County Abstract	D&D Program	Service	\$ 575.00
Johnson Aviation	Airport	Reimburse	\$ 48.14
Jordan, Victoria	Parks	Training	\$ 60.00
Keltek Incorporated	Fire	Service	\$ 585.00
Key Cooperative	All	Fuel	\$ 15,676.72
Keystone Labs	Water Pollution Control	Service	\$ 4,412.30
Kinetic Edge Physical Therapy	Street/Water Pollution Control	Service	\$ 269.00
Lands' End Business Outfitters	Fire	Merchandise	\$ 45.91
Lyman, Rick	Parks/Police	Service	\$ 1,223.62
Magnum Automotive	Fire/Police	Service	\$ 2,934.82
Menards-Altoona	Golf/PW/Parks	Supplies	\$ 3,261.11
MercyOne DSM Medical Ctr-Financial Ops	Fire	Supplies	\$ 694.47

MG Laundry Corporation	City Center	Service	\$ 88.65
Mid-States Organized Crime Inf	Police	Subscription	\$ 150.00
MTI Distributing Inc	Parks	Supplies	\$ 113.78
Municipal Supply Inc	Water Pollution Control	Supplies	\$ 95.50
NAPA Auto Parts	All	Supplies	\$ 699.84
News Printing Company	All	Service	\$ 1,159.24
Newton Apparel	Fire	Service	\$ 7.50
Newton Clinic	Fire	Service	\$ 285.50
O'Halloran International	City Garage	Supplies	\$ 247.46
O'Reilly Auto Parts	Golf	Supplies	\$ 20.47
Parkview Animal Hospital	Animal Control	Service	\$ 2,000.00
Pham, Minh	Fire	Reimbursement	\$ 100.00
Prairie Ag Supply	Water Pollution Control/Landfill/PW	Equipment	\$ 18,089.00
Premier Office Equipment	Police	Equipment	\$ 350.00
Quill Corporation	All	Supplies	\$ 78.41
Reliant Fire Apparatus Inc	Fire	Supplies	\$ 2,078.00
Rockmount	Parks	Supplies	\$ 1,073.78
Safety Coalition of Central Iowa	Administration	Membership	\$ 100.00
Secretary of State	Finance	Service	\$ 30.00
Smith Quality Rental	Fire	Supplies	\$ 30.00
Spahn & Rose Lumber Co	All	Supplies	\$ 801.64
Springer Professional Home Services	Golf	Service	\$ 42.00
Station Automation Inc	Fire	Supplies	\$ 1,516.66
Sto-Cote Products Inc	Parks	Supplies	\$ 37.10
Taylor Made Golf	Golf	Merchandise	\$ 994.50
Theisen's	All	Supplies	\$ 822.46
Theisen's Grinnell	Street	Supplies	\$ 224.99
Truck Equipment	Parks	Equipment	\$ 3,664.00
True Value Hardware	All	Supplies	\$ 261.54
Two Rivers Cooperative	Water Pollution Control	Supplies	\$ 9,771.34
United Public Safety	Police	Service	\$ 180.11
United States Cellular	All	Utilities	\$ 957.09
UnityPoint Clinic-Occupational	Water Pollution Control	Service	\$ 42.00
Warnick & Reeves Mechanical	Fire/Airport/Golf	Service	\$ 3,571.84
Water Department	All	Utilities	\$ 11,069.36
TOTAL:			\$ 179,949.75

Pre-Authorized Payments

Fitzgerald, Julie	N Central TIF	Micro Grant	\$ 6,995.50
Total:			\$ 6,995.50

City of Newton Council Report



Item: Resolution Approving the Maximum Property Tax Dollars for Fiscal Year July 1, 2022 – June 30, 2023

Report Number: 22-045

Summary: Resolution Approving the FY23 Maximum Property Tax Dollars

Date: February 17, 2022

Lead Department:
Administration

Financial Impact: Resolution Approves the FY23 Maximum Property Tax Levies in Certain Funds

Recommendation:
Approval

BACKGROUND

The 2019 Iowa State Legislature passed bill #SF634 into law which requires cities to hold an additional public hearing during the budget process to set a maximum in property tax dollars received in certain levies. This requirement does not include the Library levy or the Debt Service levy. The maximum property tax dollar public hearing must be held before a public hearing is set on the final budget.

The total FY23 maximum property tax dollars for the affected property tax levies for the City of Newton is \$7,158,061, which is an increase of \$247,630 from FY22, or 3.58%. The notice was published in the Newton Daily News on February 11, 2022 and posted to all of the City of Newton social media accounts as required by law.

Recommendation:

Staff recommends approving the attached resolution for the maximum property tax dollars for fiscal year 2022-23.

A handwritten signature in black ink, appearing to read "Matt Muckler".

Matt Muckler
City Administrator

RESOLUTION NO. 2022 – _____

RESOLUTION APPROVING THE MAXIMUM PROPERTY TAX DOLLARS FOR FISCAL YEAR JULY 1, 2022 THRU JUNE 30, 2023

WHEREAS, the City Council of Newton, Iowa has considered the proposed FY23 City maximum property tax dollars for the affected levy total; and

WHEREAS, a notice concerning the proposed City maximum property tax dollars was published as required and posted on the City of Newton’s website and social media accounts; and

WHEREAS, a public hearing concerning the proposed City maximum property tax dollars was held on February 21, 2022;

NOW, THEREFORE, BE IT RESOLVED by the City Council of Newton, Iowa that the maximum property tax dollars for the affected tax levies for FY23 shall not exceed the following total:

Total FY23 Maximum levy for affected property tax levies: \$7,158,061

BE IT RESOLVED the maximum property tax dollars requested in the total maximum levy for affected property tax levies for FY23 is hereby approved.

Roll Call Vote:

Mark Hallam	-	YEA / NAY
Melissa Dalton	-	YEA / NAY
Evelyn George	-	YEA / NAY
Randy Ervin	-	YEA / NAY
Craig Trotter	-	YEA / NAY
Vicki Wade	-	YEA / NAY

PASSED this 21st day of February 2022.

APPROVED this _____ day of February, 2022.

Michael L. Hansen, Mayor

ATTEST:

Katrina Davis, City Clerk

NOTICE OF PUBLIC HEARING - CITY OF NEWTON - PROPOSED PROPERTY TAX LEVY
Fiscal Year July 1, 2022 - June 30, 2023

The City Council will conduct a public hearing on the proposed Fiscal Year City property tax levy as follows:

Meeting Date: 2/21/2022 **Meeting Time:** 06:00 PM **Meeting Location:** City Hall Council Chambers 101 W 4 St St Newton IA

At the public hearing any resident or taxpayer may present objections to, or arguments in favor of the proposed tax levy. After adoption of the proposed tax levy, the City Council will publish notice and hold a hearing on the proposed city budget.

City Website (if available)
www.newtongov.org

City Telephone Number
 (641) 792-2787 ext: 2003

	Current Year Certified Property Tax 2021 - 2022	Budget Year Effective Property Tax 2022 - 2023	Budget Year Proposed Maximum Property Tax 2022 - 2023	Annual % CHG
Regular Taxable Valuation	473,085,445	491,160,425	491,160,425	
Tax Levies:				
Regular General	3,831,992	3,831,992	3,978,400	
Contract for Use of Bridge			0	
Opr & Maint Publicly Owned Transit			0	
Rent, Ins. Maint. Of Non-Owned Civ. Ctr.			0	
Opr & Maint of City-Owned Civic Center			0	
Planning a Sanitary Disposal Project			0	
Liability, Property & Self-Insurance Costs	190,000	190,000	230,000	
Support of Local Emer. Mgmt. Commission	22,881	22,881	22,400	
Emergency			0	
Police & Fire Retirement	972,021	972,021	922,360	
FICA & IPERS	517,081	517,081	541,363	
Other Employee Benefits	1,376,456	1,376,456	1,463,538	
Total Tax Levy	6,910,431	6,910,431	7,158,061	3.58
Tax Rate	14.60715	14.06960	14.57378	

Explanation of significant increases in the budget:

Increases are for salaries for employees according to union contracts and the approved pay plan. Also, increased employee benefits such as health insurance and workers compensation.

If applicable, the above notice also available online at:

www.facebook.com/cityofnewtoniowa www.facebook.com/GetToKnowNewton/ www.facebook.com/newtoniowafiredepartment www.facebook.com/NewtonParks
www.facebook.com/NewtonPolice www.twitter.com/GettoKnowNewton www.instagram.com/gettoknownewton/ www.nextdoor.com/agency-city/ia/newton/

*Total city tax rate will also include voted general fund levy, debt service levy, and capital improvement reserve levy.

**Budget year effective property tax rate is the rate that would be assessed for these levies if the dollars requested is not changed in the coming budget year

City of Newton Council Report

Item: Resolution Setting a Public Hearing Date to Approve the 2022-23 Operating Budget for the City of Newton

Summary: The proposed City budget for 2022-23 has a levy rate of \$17.14/\$1000. This action sets March 7, 2022 as the date for the budget public hearing.

Financial Impact:

The City property tax levy rate would be set at \$17.14 /\$1000 for the 2022-23 City fiscal year.



Report Number: 22-046

Date: February 21, 2022

Lead Department:
Administration

Recommendation:
Approval

Background:

The City Council has conducted several budget workshops over the last 3 months and has reviewed the proposed 2022-23 Operating Budget for the City of Newton. The required process for adopting the annual budget calls for publication of the proposed budget and a public hearing to be held prior to its adoption. The attached Resolution calls for the public hearing to be held at the regular City Council Meeting on March 7, 2022. Adoption of the budget would also take place at that meeting, allowing for the budget to be certified to the County Auditor by the State deadline of March 31st.

In summary, the proposed 2022-23 City of Newton Budget does the following:

- Sets the City tax levy at \$17.14/1000. This levy does not change from the current year.
- In the proposed budget, the City's General Fund undesignated reserves are estimated to be 25% of budgeted expenditures, according to approved policy.
- Retains current staffing levels
- Includes cost of living increases for all Union positions according to ratified contracts
- Pay Plan is adjusted by a sliding scale COLA along with any step increases
- Proposal includes \$650,000 of General Fund Capital Projects and Equipment

Publication of the proposed budget in the Newton Daily News will take place the week of February 21st. After publication, the budgeted expenditures and levy cannot be increased, but may be decreased.

Recommendation:

Staff recommends approval of the Resolution.

A handwritten signature in black ink, appearing to read "Matt Muckler". The signature is fluid and cursive, with the first name "Matt" and last name "Muckler" clearly distinguishable.

Matt Muckler
City Administrator

RESOLUTION NO. 2022 – _____

**RESOLUTION SETTING A PUBLIC HEARING DATE TO
APPROVE THE 2022-23 OPERATING BUDGET FOR THE CITY
OF NEWTON**

WHEREAS, City staff has prepared the 2022-23 operating budget for the City of Newton; and

WHEREAS, to adopt the 2022-23 operating budget, it requires a Public Hearing, per the provisions of Iowa Code Section 24.9;

NOW, THEREFORE, BE IT RESOLVED by the City Council of Newton, Iowa:

That a public hearing to approve the proposed 2022-23 City of Newton Operating Budget, is hereby set for a regular City Council Meeting on March 7, 2022 at 6:00 pm at the Newton City Council Chambers, 101 West 4th Street South, Newton, Iowa, 50208.

BE IT FURTHER RESOLVED the Finance Officer is directed to have notice of said hearing published in the *Newton Daily News* at least ten days and not more than twenty days prior to the Public Hearing date. The publication shall reflect the budget proposal upon which the City Council has agreed upon at the budget workshop meeting on February 7, 2022 meeting. This proposal has a City levy rate of \$17.14 per \$1000 of taxable valuation.

PASSED this 21st day of February 2022.

APPROVED this _____ day of February 2022.

Michael L. Hansen, Mayor

ATTEST:

Katrina Davis, City Clerk

City of Newton Council Report

Item: Resolution Approving the Allocation of American Rescue Plan Act (ARPA) Funds

Summary: Resolution Approving the Allocation of American Rescue Plan Act (ARPA) Funds

Financial Impact:
Allocates the City of Newton's American Rescue Plan funds for specific purposes from FY22 thru FY26 in the amount of \$2,270,057



Report Number: 22-047
Date: February 21, 2022

Lead Department:
Administration

Recommendation:
Approval

Background:

The City of Newton has received its first payment of American Rescue Plan funds in the amount of \$1,135,028.67 in August and November of 2021. The second payment will be received in August of 2022 for the same amount of \$1,135,028.67.

The City Council has conducted goal setting and several budget workshops over the last several months and discussed potential uses for the ARPA funds. This Council action approves uses for these funds as follows:

Fiscal Year 2023:

• Portion of W 4 th St S Reconstruction	\$ 550,000
• Portion of Arbor Estates Phase 2	\$1,150,000
• Fire SCBA Harnesses	\$ 18,000
• Fire Bath/Locker/Bunk Remodel	\$ 15,000
• SCBA Bottles & Turnout Gear	\$ 22,250
• Police Misc Equipment	\$ 35,000
• Police In Car Computers	\$ 10,000
• Police Vehicles	\$ 120,300
TOTAL FY23 Capital Expenses:	\$1,920,550

Fiscal Year 2024:

• Fire East Bay Flooring	\$ 60,000
• Turnout Gear	\$ 10,429
• SCBA Harnesses & Bottles	\$ 20,250
• Fire Bath/Locker/Bunk Remodel	\$ 15,000
TOTAL FY24 Capital Expenses:	\$ 105,679

Expenses to administer the program are expected to start in March of 2022 and run through December of 2026. These dates coincide with the beginning and ending of reporting that is required with the program. City Council has authorized a new Financial Analyst position to be created to administer the program with the guidance of the Finance Officer. This new position's pay, benefits, and related expenses (computer/desk) as well

as 10% of the Finance Officers current wage is proposed to be paid with these funds starting with the March 2022 payrolls and running thru the end of the program in December of 2026. The amount allocated thru the administration of the program is 10%, or \$227,005. If these funds are not spent on administration, discussions will be held with City Council on how to reallocate the funds on different uses.

All equipment and project expenditures will be taken to City Council for approval before funds are spent, consistent with the financial policies that have been previously approved. There is a projected balance of \$7,500 that is recommended to be kept in reserve for any possible increase to the costs of approved projects or equipment.

Recommendation:

Staff recommends approval of the Resolution.

A handwritten signature in black ink, appearing to read "Matt Muckler". The signature is fluid and cursive, with the first name "Matt" and last name "Muckler" clearly distinguishable.

Matt Muckler
City Administrator

RESOLUTION NO. 2022 – _____

RESOLUTION APPROVING THE ALLOCATION OF
AMERICAN RESCUE PLAN ACT (ARPA) FUNDS

WHEREAS, the City of Newton has received American Rescue Plan Funds in the amount of \$1,135,028.67 and is expected to receive an additional \$1,135,028.67 in August of 2022; and

WHEREAS, City Council has conducted Goal Setting and several Budget Workshops over the last several months and discussed potential uses for the ARPA Funds; and

WHEREAS, the City Council has developed the following spending plan for the use of the ARPA Funds;

Fiscal Year 2023:	
• Portion of W 4th St S Reconstruction	\$ 550,000
• Portion of Arbor Estates Phase 2	\$1,150,000
• Fire SCBA Harnesses	\$ 18,000
• Fire Bath/Locker/Bunk Remodel	\$ 15,000
• SCBA Bottles & Turnout Gear	\$ 22,250
• Police Misc Equipment	\$ 35,000
• Police In Car Computers	\$ 10,000
• Police Vehicles	\$ 120,300
TOTAL FY23 Capital Expenses:	\$1,920,550

Fiscal Year 2024:	
• Fire East Bay Flooring	\$ 60,000
• Turnout Gear	\$ 10,429
• SCBA Harnesses & Bottles	\$ 20,250
• Fire Bath/Locker/Bunk Remodel	\$ 15,000
TOTAL FY24 Capital Expenses:	\$ 105,679

March 2022 thru December 2026	
Administration of the program	\$ 227,005

WHEREAS, all equipment and project expenditures will be taken to City Council for prior approval, consistent with the approved financial policies and any residual funds will require Council approval for disbursement;

NOW, THEREFORE, BE IT RESOLVED by the City Council of Newton, Iowa, that the American Rescue Plan proposed allocation of funds is hereby approved.

PASSED this 21st day of February 2022.

APPROVED this _____ day of February 2022.

Michael L. Hansen, Mayor

ATTEST:

Katrina Davis, City Clerk

City of Newton Council Report

**Item:**

Resolution temporarily amending the administrative license fee for the utilization of public right-of-ways for installation, operation and maintenance of underground telecommunications and fiber optic lines.

Report Number: 22-048

Date:

February 21, 2022

Summary:

Amending for a three year period the existing administrative license fee of \$300 plus \$0.90 per lineal foot of underground telecommunication/fiber optic line to no base fee plus \$0.06 per lineal foot of underground telecommunication/fiber optic line

Lead Department:

Public Works

Recommendation:

Approve

Financial Impact:

Potential reduction in ROW permit revenue

Background:

In April, 2012 a license fee was established for utilities that utilize the public right-of-ways for installation, operation and maintenance of underground telecommunications and fiber optic lines.

In order to encourage the expansion of broadband in the City of Newton, and meet a goal specified by the Newton City Council, it is proposed to temporarily amend the current license fee of \$300 plus \$0.90 per lineal foot of underground telecommunication/fiber optic line to no base fee, plus \$0.06 per lineal foot of underground telecommunication/fiber optic line.

If approved this temporarily amended license fee will revert back to the current rate of \$300 plus \$0.90 per lineal foot on February 21, 2025, three years after City Council approval. These costs will cover future design and coordination of other utilities around the telecommunication/fiber optic lines. This resolution will not invoke any refunds of past license fees as this is not a fee for use of the public right-of-way but merely a fee for the administration of the agreement.

Recommendation:

Approval of the resolution temporarily amending the administrative license fees for the utilization of public right-of-ways for installation, operation and maintenance of underground telecommunications and fiber optic lines to a \$0.06 per lineal foot fee until February 21, 2025.

A handwritten signature in black ink, appearing to read "Matt Muckler", is written over a light gray grid background.

Matt Muckler
City Administrator

RESOLUTION 2022- _____

**RESOLUTION TEMPORARILY AMENDING THE ADMINISTRATIVE LICENSE FEE
FOR THE UTILIZATION OF PUBLIC RIGHT-OF-WAYS FOR INSTALLATION,
OPERATION AND MAINTENANCE OF UNDERGROUND TELECOMMUNICATIONS
AND FIBER OPTIC LINES**

WHEREAS, in April, 2012 a license fee was established for utilities that utilize the public right-of-ways for installation, operation and maintenance of underground telecommunications and fiber optic lines; and

WHEREAS, In order to encourage the expansion of broadband in the City of Newton, and meet a goal specified by the Newton City Council, it is proposed to temporarily amend the current license fee of \$300 plus \$0.90 per lineal foot of underground telecommunication/fiber optic line to no base fee, plus \$0.06 per lineal foot of underground telecommunication/fiber optic line; and

WHEREAS, If approved this temporarily amended license fee will revert back to the current rate of \$300 plus \$0.90 per lineal foot on February 21, 2025; and

WHEREAS, these costs will cover future design and coordination of other utilities around the telecommunication/fiber optic lines. This resolution will not invoke any refunds of past license fees as this is not a fee for use of the public right-of-way but merely a fee for the administration of the agreement; and

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Newton, Iowa, that the amended fee rate of \$0.06 per lineal foot of underground telecommunication/fiber optic line be adopted until February 21, 2025 at which time the fee would revert back to \$300 plus \$0.90 per lineal foot.

PASSED this _____ day of February, 2022.

APPROVED this _____ day of February, 2022.

Michael L. Hansen, Mayor

ATTEST:

Katrina Davis, City Clerk

RESOLUTION NO. 2012-034

**RESOLUTION APPROVING LICENSE FEES TO UTILIZE
PUBLIC RIGHT-OF WAYS FOR THE INSTALLATION,
OPERATION AND MAINTENANCE OF UNDERGROUND
TELECOMMUNICATIONS AND FIBER OPTIC LINES**

WHEREAS, the City of Newton, Iowa charges fees for use of City right-of-way to non-franchise utilities; and

WHEREAS, an underground, telecommunication/fiber optic utility lines cause additional planning and design of other utilities in the City right-of-way as well as additional construction and maintenance costs for city owned utilities; and

WHEREAS, a fee of \$300.00 plus \$0.90 per lineal foot of underground telecommunication/fiber optic has been determined to be a reasonable cost for staff time to review and approve the license agreement, to coordinate the installation of the underground telecommunication/fiber optic and for future design and coordination of other utilities around the telecommunication/fiber optic.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Newton, Iowa, that the fee rate of \$300.00 plus \$0.90 per lineal foot of underground telecommunication/fiber optic line be adopted.

PASSED this 16th day of April, 2012.

APPROVED this 17th day of April, 2012.



A handwritten signature in black ink, appearing to read "Charles Allen", is written over a horizontal line.

Charles Allen, Mayor

ATTEST:

A handwritten signature in black ink, appearing to read "Candice Van Zee", is written over a horizontal line.

Candice Van Zee, CMC
City Clerk

APPROVED AS TO FORM:

A handwritten signature in black ink, appearing to read "Darrin T. Hamilton", is written over a horizontal line.

Darrin T. Hamilton, City Attorney

City of Newton Council Report



Item: Resolution Approving a Funding Request of \$10,000 to the First Annual Wild Cat Country Fest Event

Summary: Resolution Approving a \$10,000 Donation to the First Annual Wild Cat Country Fest Event

Financial Impact: \$10,000 of General Fund Reserves

Report Number: 22-049

Date: February 21, 2022

Lead Department:

Recommendation:

BACKGROUND

Wild Cat Country Fest is planning its first annual event on Friday and Saturday, June 17 and 18, 2022 in Newton and the surrounding areas. Dan Nieland, the chair of Wild Cat Country Fest presented to the City Council at the February 7, 2022 meeting providing details of the event. Attached is a letter requesting funding for the event.

It has been proposed to provide \$10,000 in funding for this event for June of 2022 using General Fund reserves.

RESOLUTION NO. 2022 – _____

**RESOLUTION APPROVING A FUNDING REQUEST OF \$10,000 TO
THE FIRST ANNUAL WILD CAT COUNTRY FEST EVENT**

WHEREAS, Wild Cat Country Fest is planning its first annual event on Friday and Saturday, June 17 and 18, 2022 in Newton and the surrounding areas; and

WHEREAS, Wild Cat Country Fest has requested funds to help promote the event that will grow a sense of community and increase economic vitality in the Newton area;

NOW, THEREFORE, BE IT RESOLVED by the City Council of Newton, Iowa approves a resolution to provide funding to the Wild Cat Country Fest event on Friday and Saturday, June 17 and 18, 2022 in the amount of \$10,000. Funding will be paid from General Fund reserves.

PASSED this 21st day of February 2022.

APPROVED this _____ day of February, 2022.

Michael L. Hansen, Mayor

ATTEST:

Katrina Davis, City Clerk

City of Newton
1700 N. 4th Ave. W.
Newton, Iowa 50208
Attn: Mayor and City Council

February 15, 2022

RE: Wild Cat Country Fest Partnership Proposal

Honorable Mayor Hansen and City Council Members,

As a follow up to our presentation to the City Council on Monday, February 7, 2022, we would like to formally request your assistance as we plan and execute the first annual Wild Cat Country Fest (WCCF). As stated in the presentation this event is essentially a day-and-a-half country music experience with the bulk of the music being on Saturday, June 18. The previous night, however, will feature a number of Newton venues with the same genre of music. Additionally, shuttle service will be provided both Friday and Saturday.

As mentioned, we would like your help to make this happen. We are hoping you will consider the following proposal:

- A \$15,000 donation to help defray a portion of the production and promotional costs
- Access for WCCF to City parking lots the evening of June 17th and all day, June 18th
- Use by WCCF of any City 'bike rack' fencing

In the spirit of a true partnership, WCCF will provide the following:

- Mention of the City of Newton in all print and social media marketing
- Recognition of the City of Newton in signage the day of the event(s), including digital
- A 'merchandise table' dedicated to the City of Newton to feature upcoming events, etc.

We will make a representative available to the City Council meeting when this proposal is brought up for discussion and/or a vote. Additionally, should the Council need further updates throughout the planning process, a representative will be made available.

The Wild Cat Country Fest Foundation is hopeful you will see the merits in this proposal as we all work together to promote the area, grow the sense of community and increase economic vitality. Should you require anything further, or have any further questions, please do not hesitate to contact us.

Thank you for your time and consideration,



Dan Nieland
Chair, Wild Cat Country Fest
Wildcatcountryfest@gmail.com
641-323-6423

City of Newton Council Report

**Item:**

Resolution calling an election on the proposition of entering into a General Obligation Loan Agreement and borrowing money thereunder in a principal amount not to exceed \$1,600,000

Report Number: 22-050**Date:**

February 21, 2022

Summary:

Bond referendum concerning the construction of Westwood Golf Course Clubhouse Improvements, Maytag Pool Improvements, pickleball courts at Aurora Park, and a dog park at Sunset Park.

Lead Department:

Community Services

Recommendation:

Approve

Financial Impact:

\$1,600,000 in general obligation bonds issued if the proposal is approved at the special election on September 13, 2022

Background:

Every year during the budgeting and Capital Improvement Plan (CIP) process, staff proposes the construction or upgrades of various park-related projects and improvements. These proposed projects are determined using the annual goals lists approved by both the Newton Park Board and Newton City Council. In addition to these goals lists, staff also provides input on proposed projects based on not only what they see on a daily basis, but also on feedback and suggestions received from the public.

The City Council has been approached by the Newton Park Board, citizen groups, and individual citizens who have encouraged the Council to make substantial improvements in Newton City parks. One of the projects these groups have wanted to be upgraded is the Westwood Golf Course Clubhouse. This project continues to appear on the above noted goals lists and in the annual Capital Improvement Plan (CIP), but has not been completed due to lack of available funding. The clubhouse building is an aging facility not suitable for its current use, and is in need of many repairs in the near future. The Westwood Clubhouse project was City Council's top scoring project during their goal setting exercise on October 11, 2021; and also was one of the top scoring goals of the Newton Park Board from their most recent goal setting exercise on July 12, 2021.

Prior to seeking City Council guidance or direction on how to fund the clubhouse and other park improvements, staff presented a plan on a proposed park bond referendum to the Newton Park Board on November 17, 2021. That evening, the Park Board approved by a 4-0 vote a recommendation that City Council move forward with the Westwood Clubhouse Project,

utilizing the park bond referendum option, as soon as possible. The Park Board's next meeting scheduled for December 15, 2021 was cancelled due to bad weather, so the board did not have a chance that evening to further discuss proposed projects to include in the possible park bond referendum.

On December 20, 2021 the Community Services Director presented to City Council the idea of a park bond referendum as a way to fund the Westwood Clubhouse Improvements and other possible park projects. The clubhouse project was the main focus of the presentation, as it was a top priority of both City Council and the Park Board per their approved goals lists. Both lists of approved goals were highlighted in this presentation, along with discussions on each individual project included in said goals lists. Also shared during that evening's presentation was the Park Board's recommendation on November 17, 2021 that City Council move forward with the Westwood Clubhouse Project, utilizing the park bond referendum option, as soon as possible. Toni Peska, representing the Friends of Newton Parks and a group comprised of private citizens and businesses also appeared at the December 20, 2021 City Council Meeting and recommended to the City Council to move forward with a park bond referendum and pledged private donations to support this public-private partnership.

On January 3, 2022 the Community Services Director led a discussion item at the City Council meeting seeking feedback and direction concerning the proposed park bond referendum option. Again, both lists of approved goals noted above were highlighted in the presentation, along with discussions on each individual project included in said goals lists. With minimal feedback received that evening, a second discussion item was held with City Council on January 17, 2022. During this second discussion item that evening, the Community Services Director shared for a third time the City Council and Park Board goals lists, and again discussed the projects included in each. Based on the feedback and guidance received from City Council on January 17th, the ballot language on the proposed park bond referendum on September 13, 2022 should include the following four projects:

- Westwood Golf Course Clubhouse Improvements
- Maytag Pool Improvements
- Pickleball Courts at Aurora Park
- Dog Park at Sunset Park

On January 27, 2022 a special Park Board meeting was held, which allowed the Park Board yet another opportunity to weigh in on the list of potential projects that could be included in the proposed park bond referendum. The board was told that evening that whatever vote of recommendation they might approve that night, their recommendation would be included in this agenda item's council report. The Park Board then approved by a 4-0 vote a recommendation to City Council to include the Westwood Clubhouse Improvements, Maytag Pool Play Feature Upgrades, Dog Park at Sunset Park, and Pickleball Courts at Aurora Park in the proposed park bond referendum. This recommendation mirrors that of the feedback Council provided staff on January 17th.

The language included in this proposed resolution includes:

- The City would be authorized to enter into a loan agreement and issue bonds in an amount not to exceed \$1,600,000 for the purpose of carrying out general corporate purpose projects as follows:

- o Westwood Golf Course Clubhouse Improvements
 - o Maytag Pool Improvements
 - o Pickleball Courts at Aurora Park
 - o Dog Park at Sunset Park
- It calls for a special city election on September 13, 2022 to vote upon the question of issuing the bonds, with said election required to receive a favorable vote from at least 60% of the total votes cast for approval.
- Spells out the required publishing requirements for notices.
- Includes the following ballot language: *"Shall the City of Newton, in Jasper County, State of Iowa, enter into a loan agreement and issue general obligation bonds in an amount not exceeding \$1,600,000 for the purpose of paying the cost, to that extent, of (1) demolition of the existing Westwood Golf Course clubhouse and construction a new clubhouse structure, including related site improvements; (2) construction and/or installation of improvements to the Maytag Pool; (3) construction and installation of pickle ball courts at the existing Aurora Park; and (4) construction of a dog park at the existing Sunset Park?"*

If the proposition would pass, it would not require an increase in the property tax levy. The City's financial advisor and finance team have determined that the payments on the \$1,600,000 bond could be absorbed within the City's current debt service levy.

Recommendation:

Staff recommends approval of the resolution calling for a special city election on September 13, 2022 to vote upon the question of issuing the bonds for the following projects: (1) demolition of the existing Westwood Golf Course clubhouse and construction a new clubhouse structure, including related site improvements; (2) construction and/or installation of improvements to the Maytag Pool; (3) construction and installation of pickle ball courts at the existing Aurora Park; and (4) construction of a dog park at the existing Sunset Park.



Matt Muckler
City Administrator

RESOLUTION NO. 2022 - _____

Resolution calling an election on the proposition of entering into a General Obligation Loan Agreement and borrowing money thereunder in a principal amount not to exceed \$1,600,000

WHEREAS, it is deemed advisable that the City of Newton, Iowa (the "City"), enter into a loan agreement and issue its general obligation bonds in an amount not exceeding \$1,600,000 to provide funds to pay the cost, to that extent, of (1) demolition of the existing Westwood Golf Course clubhouse and construction a new clubhouse structure, including related site improvements; (2) construction and/or installation of improvements to the Maytag Pool; (3) construction and installation of pickle ball courts at the existing Aurora Park; and (4) construction of a dog park at the existing Sunset Park (hereinafter referred to as the "Projects"); and

WHEREAS, pursuant to Chapter 384 of the Code of Iowa, before the City may enter into a loan agreement and issue its general obligation bonds for such purpose, the City must hold a special election upon such proposition and receive a favorable vote from at least 60% of the total votes cast at such special election;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Newton, Iowa, as follows:

Section 1. A special municipal election is hereby called and ordered to be held in and for the City, on September 13, 2022, at which there will be submitted to the voters of the City the following proposition:

"Shall the City of Newton, in Jasper County, State of Iowa, enter into a loan agreement and issue general obligation bonds in an amount not exceeding \$1,600,000 for the purpose of paying the cost, to that extent, of (1) demolition of the existing Westwood Golf Course clubhouse and construction a new clubhouse structure, including related site improvements; (2) construction and/or installation of improvements to the Maytag Pool; (3) construction and installation of pickle ball courts at the existing Aurora Park; and (4) construction of a dog park at the existing Sunset Park?"

Section 2. The Jasper County Commissioner of Elections is hereby authorized and requested to issue a proclamation and notice of the election on the aforementioned proposition and of the time and place thereof and to take all other actions necessary pursuant to state law to conduct the election.

Section 3. All of the foregoing matters are adopted and resolved by this City Council, and the City Clerk is hereby directed to give written notice thereof by submitting a copy of this resolution at least forty-six (46) days before the date of the election to the Jasper County Commissioner of Elections, who has the duty to conduct this election, for approval, ratification and confirmation to the extent required by Iowa law, and such County Commissioner of

Elections shall signify such approval, ratification and confirmation and shall order the election to be conducted in the manner set forth herein by each signing the order attached to this resolution.

Section 4. All resolutions or parts of resolutions in conflict herewith are hereby repealed, to the extent of such conflict.

Passed and approved February 21, 2022.

Mayor

Attest:

City Clerk

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