



## Newton City Council Agenda

October 7, 2024 - 6:00 PM

*View the City Council Meeting:*

**In Person**

City Hall - Council Chambers  
101 W 4th St S, Newton, IA 50208

**Television**

Mediacom Channel  
12/85/121.12

**Online**

[newtongov.org/cablecast](http://newtongov.org/cablecast)

### Pledge

Pledge of Allegiance

### Call to Order

1. Roll Call

### Proclamation

2. Fire Prevention Week Proclamation

### Citizen Participation

3. This is the time of the meeting that a citizen may address the Council. After being recognized by the presiding officer, each person will be given three (3) minutes to speak. Elected officials will take comments into consideration; however, this time is not intended for a discussion or entering into a dialogue. Elected officials and City staff will not answer questions or debate a citizen during the *Citizen Participation* portion of the meeting

### Consent Agenda

4. September 16, 2024 Regular City Council Meeting Minutes
5. September 25, 2024 Special City Council Meeting Minutes
6. Approve Liquor Licenses for the following: Capitol II Theatre - WCN000343, 116 1st St N, Special Class C Retail Native Wine License; Fore Seasons, 600 N 2nd Ave W, Special Class C Retail License for Special Event October 23-27, 2024
7. Resolution levying assessments for costs of nuisance abatement and providing for the payment thereof (Schedule 24-12)
8. Resolution fixing the amounts to be assessed against individual private properties for the abatement of nuisance violations (Schedule No. 24-13)
9. Resolution Approving a Property Tax Rebate for the GG 115 LLC Property Located at 208 S 2<sup>nd</sup> Ave W Within the North Central Urban Renewal Area
10. Resolution Approving a Property Tax Rebate for the CRH Properties LLC Property Located at 117 1<sup>st</sup> Ave W Within the North Central Urban Renewal Area

11. Resolution Approving a Property Tax Rebate for the Best Midwest Properties LLC Property Located at 109 1<sup>st</sup> Ave W Within the North Central Urban Renewal Area
12. Resolution Approving a Property Tax Rebate for the Newton Elite Properties, LLC Property Located Within the 1<sup>st</sup> Avenue East Urban Renewal Area
13. Resolution authorizing the City to enter into a grant agreement to accept Iowa Department of Transportation (DOT) Airport funds for the completion of the SE Apron Expansion project at the Newton Municipal Airport
14. Resolution approving a Telecommunications Licensing Agreement with Windstream Iowa Communications, LLC – 2024-03
15. Resolution approving a Telecommunications Licensing Agreement with Windstream Iowa Communications, LLC – 2024-04
16. Resolution approving an Engineering Services Agreement for the Children's Forest Bank Stabilization Project
17. Resolution approving an Engineering Services Agreement for the E 12th St and 1st Ave E Stormwater Improvements Project
18. Resolution awarding Contract for the Outdoor Warning Sirens Electrical service project
19. Approve Bills

## **Public Hearing**

20. Public Hearing on the Sale of City-owned property at 1117 North 3rd Avenue East, 1015 North 3rd Avenue East, and 211 East 12th Street North in Newton, Jasper County, Iowa
  - This is a Public Hearing only.
  - The City has received three offers on the former "Hatchery Site" located on North 3rd Avenue East and East 12th Street North, and each offering party will be making a presentation to the City Council this evening.
21. Public Hearing on a resolution approving the purchase agreement for real property a 319 East 12th Street North, Newton, Jasper County, Iowa
  - The City acquired the property through the D&D program in 2014 and has maintained the property ever since.
  - The City received one offer which was from Jeffrey Paul Homes, LLC to purchase the lot for \$2,000 with the commitment to build a 4-bedroom, 2.5 bath single-family home.
  - If the offer is accepted by the City Council, Jeffrey Paul Homes, LLC intends to construct a second home on the company's adjacent lot at 315 East 12th Street North.
22. Resolution approving the purchase agreement for real property a 319 East 12th Street North, Newton, Jasper County, Iowa

## **Ordinance**

23. Second consideration of an Ordinance Amending and Updating the Code of Ordinances, City of Newton, Iowa, Title XV: Land Usage, Ch. 158: Zoning
- The proposed code amendments include general edits and updates to clarify existing regulations found within the Zoning Code.
  - Staff regularly reviews the Zoning Code to ensure it is updated and aligns with the comprehensive plan and all applicable state and federal laws.
24. 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 300-700 block of East Tenth Street South
- The City received safety concerns regarding street parking in the 300-700 blk of E. 10th St. S.
  - The Traffic Safety Committee reviewed the situation and, based on established standards and policy, recommended restricting parking on the west side of the street.
  - 31 surveys of the neighborhood were conducted with 9 residences approving the proposed changes and 5 opposing.
25. 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 4300 block of South Fifteenth Avenue East
- The City received safety concerns regarding street parking in the 4300 blk of S 15th Ave E.
  - The Traffic Safety Committee reviewed the situation and, based on established standards and policy, recommended restricting parking on both sides of the street 300 feet west of the west curbline of Iowa Speedway Drive.
  - Casey's management was consulted regarding the proposed changes and were in favor of our recommendation.
26. First consideration of an Ordinance Amending the Code of Ordinances, City of Newton, Iowa, 2016, Title VII, Chapter 70, Section 70.15, "Traffic and Parking Schedules Adopted by Reference", to make changes to street parking in the 300 Block of West Fourth Street North
- With the business growth in and around Legacy Plaza there is a need for short-term parking during business hours.
  - Current parking in the 300 block of W. 4th St. N. allows for 72-hour parking.
  - Currently no parking is allowed on the east side of the 300 block of W. 4th St. N.
  - Restricting parking to 3 hours during business hours will allow for greater parking turnover for local businesses.

- Allowing parking on the east side of the 300 block of W. 4th St. N. will allow for additional parking for local businesses.
- There are several nearby parking lots that will allow for long-term parking.

## Resolution

27. Resolution approving a reimbursable agreement with Alliant Energy, along with payment of upfront costs, for the installation of electric facilities in the Arbor Estates, Second Addition subdivision
  - Alliant Energy has prepared an agreement with the City to install underground electric lines, along with the related pedestals and transformers, to serve all 28 lots in the Arbor Estates, Second Addition subdivision at an upfront cost of \$113,651.49.
  - The total upfront cost of this initial expense may be fully refundable if at least 24 new residential units are constructed over the next ten years.
28. Resolution approving an agreement with Alliant Energy for the installation of 9 new streetlights in the Arbor Estates, Second Addition subdivision
  - Alliant Energy has prepared an agreement with the City to install nine streetlights in the Arbor Estates, Second Addition subdivision at a non-refundable cost of \$22,670.95, which will be billed after installation is complete.
  - This agreement is contingent upon approval of the agreement for the installation of electric facilities in the Arbor Estates, Second Addition subdivision.
29. Resolution accepting completion of the Arbor Estates Second Addition Construction Project
  - The public improvements including earthwork, utility extensions, streets, erosion control, and other related items for the Arbor Estates, Second Addition are substantially complete.
  - This resolution will accept said improvements, authorize payment of the retainage amount of \$130,666.89 to the contractor, and make lots readily available for development.
  - The final contract amount with change orders was finalized and is \$133,197.18 less than the original contract.
30. Resolution for Awarding the Bid and Contracting for the Purchase and Installation of an Upgrade to the Fire Department Vehicle Exhaust Removal System
  - The Fire Department utilizes a vehicle exhaust system to protect employees from hazardous gases contained in vehicle exhaust.
  - The current system is manufactured by Plymovent and is approximately 15 years old and has experienced maintenance issues and escalating costs.

- The Fire Department applied for and received a grant from the Assistance to Firefighters Grant program that will cover the cost of the upgraded equipment.
31. Resolution adopting the 2024-2026 Council Goals for the City of Newton
- The 2024-2026 City Council Goals will serve as a guide during the upcoming budget process, as well as serve as direction in setting priorities for City Staff.
32. Resolution entering into a contract for services with Christine Pletcher DeZign for Interior and Exterior Design Services for the Westwood Clubhouse project
- Local Interior Designer Christine Pletcher has offered her design services for the Westwood Clubhouse at a reduced rate.
  - The proposal is for 120 hours of work at the rate of \$35 per hour to provide guidance in the areas of electrical needs (fixture and outlet locations), flooring, paint/stain, furniture, case goods, budget, art/decor, and final staging.
33. Resolution approving a Newton Hotel-Motel Tourism Grant Program Application for \$2,500 from the Jasper County Historical Museum
- The City Council established the Newton Hotel-Motel Tourism Grant to provide an avenue to support endeavors which align with the comprehensive plan objective of establishing Newton as a compelling destination.
  - The resolution provides for a \$2,500 grant to the Jasper County Historical Museum's Tree-mendous Christmas Experience.
  - The next application round deadline is April 1, 2025.
34. Resolution approving the purchase of 417 North 2nd Avenue East, Newton, using the City's Low-Moderate Income Set-Aside Funds
- The property at 417 North 2nd Avenue East has become available to purchase by the City for \$49,000.00.
  - The City owns cleared lots immediately abutting the subject property, and when combined, an attractive redevelopment site is formed.
  - The subject property is located within Census Tract 405, and therefore, the use of the Low-Moderate Income Housing Set-Aside fund is an appropriate means for purchase.
35. Resolution Authorizing Approval of the City of Newton Employee Handbook as Amended
- This update includes changes to the Police Supervisor clothing allowance to align with the union, the purchasing limit authority

amounts due to inflation, and various other changes to clean up language as indicated in the redlined Employee Handbook attached to the resolution.

36. Resolution approving the location of an animal control facility at 707 W 9th St N

- The City has conducted an extensive search of city-owned property to operate an animal control facility.
- An emphasis was placed on finding a location that limited any impact on local residences.
- The search was narrowed down to three properties within the city of Newton.
- The location at 707 W 9th St N was determined to be the most cost-effective location.

#### **Mayor/Council Comments**

37. Mayor and council comments

#### **Closed Session**

38. To Discuss Strategy with Counsel in Matters that Are Presently in Litigation or Where Litigation is Imminent Where its Disclosure Would be Likely to Prejudice or Disadvantage the Position of the Governmental Body in that Litigation, Which Discussions are Exempt from the Open Meetings Law Pursuant to the Provision of Section 21.5(1)(c), Code of Iowa 2024

#### **Return to Open Session**

39. Return to Open Session

#### **Adjourn**

The City of Newton is pleased to provide reasonable accommodations, in compliance with the Americans with Disabilities Act, for those individuals or groups who require assistance to be able to participate in the public meeting. Should special accommodations be required, please contact the City Clerk's Office at least 48 hours in advance of the meeting, at 641-792-2787 to arrange for accommodations to be provided.

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