



Newton City Council Agenda

October 21, 2024 - 6:00 PM

View the City Council Meeting:

In Person

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

Television

Mediacom Channel
12/85/121.12

Online

newtongov.org/cablecast

Pledge

Pledge of Allegiance

Call to Order

1. Roll Call

Presentation

2. Iowa Safe at Home - Michael Graber, Program Administrator

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. October 7, 2024 Regular City Council Meeting Minutes
5. Approve Liquor Licenses for the following: Git-N-Go Convenience Store #45 - LG0001044, 1708 S 8th Ave E, Class B Retail Alcohol License; La Cabana Mexican Restaurant, Inc., 2617 1st Ave E, Class C Retail Alcohol License, Outdoor Service ; The Venue & Public House, LLC, 211 N 2nd Ave W, Class C Retail Alcohol License, Outdoor Service, Living Quarters, Catering, pending approvals; Veterans of Foreign Wars Post 1655 - LC0026734, 315 1st Ave W, Class C Retail Alcohol License renewal
6. Resolution fixing the amounts to be assessed against individual private properties for the abatement of nuisance violations (Schedule No. 24-14)
7. Resolution levying assessments for costs of nuisance abatement and providing for the payment thereof (Schedule 24-13)
8. Resolution Approving the 2023-2024 Annual City Street Financial Report
9. Resolution Approving a Property Tax Rebate for the Van Maanen Electric, Inc Property Located at 500 Iowa Speedway Drive Within the East Mart Urban Renewal Area
10. Resolution Approving a Property Tax Rebate for the Theisen's Property Located at 3021 1st Ave E Within the East Mart Urban Renewal Area

11. Resolution approving the Clinical and Field Affiliation Agreement with Western Community College
12. Resolution approving an engineering services agreement for the 2025 Downtown Streetscape Improvements Project
13. Resolution accepting completion of the W 8th St N Bridge Approach Replacement Project
14. Resolution Adopting the Addition of #16 Fraud Prevention & Detection Policy & #17 Identifiable Information Protection Policy to the City of Newton Financial Policies
15. Resolution approving a Telecommunications Licensing Agreement with Mediacom Communications Corporation
16. Resolution amending Resolution 2024-319 and awarding the purchase of firefighter's personal protective equipment
17. Approve Bills

Public Hearing

18. Public Hearing on an Ordinance Amending the City of Newton Official Zoning Map for the east 1,350 feet of Parcel #0826200003 (south side of the 2300–2400 blocks of N. 19th Ave. E.) from A-1: Agricultural to I-L: Light Industrial
 - The applicant requested a rezoning of the subject property to accommodate future industrial development.
 - There is very little undeveloped, industrially zoned land available in Newton, and this location would be a natural expansion of the northeast Newton Industrial Park.
 - At their meeting on October 1, 2024, the Planning and Zoning Commission reviewed and unanimously recommended approval of this rezoning application.
 - The applicant has requested council's consideration to waive the 2nd and 3rd readings.

19. First Consideration of an Ordinance Amending the City of Newton Official Zoning Map for the east 1,350 feet of Parcel #0826200003 (south side of the 2300–2400 blocks of N. 19th Ave. E.) from A-1: Agricultural to I-L: Light Industrial

Ordinance

20. Third 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.
21. Third consideration of an Ordinance Amending the Code of Ordinances, City of Newton, Iowa, 2016, Title VII, Chapter 70, Section 70.15, "Traffic

and Parking Schedules Adopted by Reference", to make changes to street parking in the 300-700 blocks of East Tenth Street South

- The City received safety concerns regarding street parking in the 300-700 blocks 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.

22. Third consideration of an Ordinance Amending the Code of Ordinances, City of Newton, Iowa, 2016, Title VII, Chapter 70, Section 70.15, "Traffic and Parking Schedules Adopted by Reference", to make changes to street parking in the 4300 block of South Fifteenth Avenue East

- The City received safety concerns regarding street parking in the 4300 block 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 curblin of Iowa Speedway Drive.
- Casey's management was consulted regarding the proposed changes and were in favor of the recommendation.

23. 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 West Fourth Street North

- With the business growth in and around Legacy Plaza there is a need for short-term parking during business hours.
- Currently, parking in the 300 block of W. 4th St. N. allows for 72-hour parking and 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 and allowing parking on the east side of the 300 block provides additional parking. There are several nearby parking lots that allow for long-term parking.

24. First consideration of an Ordinance Amending Various Sections of the Code of Ordinances, City of Newton, Iowa, 2016, Title IX, Chapter 90 "Animals"

- The City Council recently approved the purchase of an animal control facility to house stray dogs.
- The Code of Ordinances requires an update to reflect that City staff would be handling animal control and housing.
- The proposed ordinance updates various sections to align with current operations and improve efficiency in animal handling processes.

Resolution

25. Resolution authorizing the City of Newton dba Newton Fire Department to enter into an Intergovernmental Transfer Agreement, IGT Funding Certification, and GEMT Provider Agreement for the Ground Emergency Medical Transport (GEMT) supplemental reimbursement program with the Iowa Department of Human Services
 - The Fire Department receives a supplemental payment from the Federal government to partially fill the funding gap between actual costs of providing service and payments made through Medicaid through a program called Ground Emergency Medical Transport supplemental reimbursement program.
 - Each year we are required to complete an Inter-Governmental Transfer Agreement, a Provider Participation Agreement, and submit a Cost Report.
 - This year's cost report submittal will certify our expenses and set the rate for reimbursement starting 7/1/2025.
26. Resolution approving a part-time kennel attendant position within the Police Department
 - The City will be opening and operating an animal control facility for stray dogs in mid-late November 2024.
 - Additional part-time staff will be required to supplement full-time City staff in the operation of the facility.
 - The Police Department proposes hiring a part-time kennel attendant to maintain the facility and care for the impounded animals.
27. Resolution amending the City of Newton animal control fee schedule
 - The City will begin operating an animal control facility in November 2024. Fees will be required to house animals, support operations, and offset the cost of personnel working in the facility.
28. Resolution Approving Amended Development Agreement with Ex Nihilo LLC
 - Ex Nihilo LLC has encountered significant challenges to the adaptive reuse project at 118 N 2nd Avenue E related to an economic environment that has resulted in unanticipated and significantly higher construction bids.
 - The proposed amendment seeks to address those financial challenges and encourage the project to move forward by eliminating the proposed 10-year tax rebate and increasing the forgivable loan for the project to \$750,000.
 - The proposed Gray Moon Public Market will be a significant business incubator and source of vitality for Newton's downtown.

29. Resolution Approving 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
- On October 7, 2024, Council held a public hearing on three proposals for the purchase and redevelopment of the "Hatchery Site."
 - The resolution selects Pivotal Development as the purchaser and developer and approves a development agreement, contingent upon the developer being awarded housing tax credits from the Iowa Finance Authority.
 - The City will receive \$140,000 for the property, with the revenues returned to the D&D Program, and Pivotal plans to construct approximately 40 residential units in a combination of apartment-building and townhome structures.
30. Resolution naming 224 West 3rd Street North Harmony Park and officially designating the property as part of the City Parks system
- As construction of the splash pad features on 224 W 3rd Street N is nearing completion, it is necessary to officially designate and name the park.
 - At their meeting on September 18, 2024, the Newton Park Board recommended officially naming the property "Harmony Park."
31. Resolution awarding contract for the Westwood Clubhouse Phase 2 Interior Project
- On October 14, 2024, a bid opening was held for the Westwood Clubhouse Phase 2 project for interior improvements.
 - Five bids were received, with the apparent low bid being received from Ball Team, LLC in the amount of \$692,000.

Staff Report

32. Parks & Rec Summer recap - Erin Chambers, Community Development Director

Mayor/Council Comments

33. Mayor and Council Comments

Adjourn

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

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