

NEWTON CITY COUNCIL MEETING MINUTES
OCTOBER 7, 2024, 6:00 PM

Pledge

Pledge of Allegiance

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

Call to Order

1. Roll Call

The City Council of Newton, Iowa met in regular session at 6:00 P.M. on the above date in the Council Chambers at 101 West 4th Street South. Mayor George presided. Present Council Members: Mills, Mullan, Dalton, Hallam, Simbro, Ervin. Absent: None.

Proclamation

2. Fire Prevention Week Proclamation

Mayor George proclaimed October 6th through 12th as Fire Prevention Week.

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

Jeff Farver, 909 E 7th St S, spoke regarding the rock on E 7th St S and the sump pumps draining into the street, causing issues. He requested blacktop on the street. Sarah Patterson, Jasper County RSVP Grant Manager/ Director, provided an update on Newton RSVP: There are 18 active drivers. They will be providing 28 rides this week and 27 rides last week. From September 23-27 they provided 37 rides. The Heart Program is up and running, which is literacy mentoring. They have 21 classrooms and 20 volunteers. 600 clients came in for free tax service. On November 14th, from 9:00am-10am, they will provide breakfast for veterans. Donna Stumme, 401 E 10th St S, spoke about stalking issues. Bruce Showalter, Newton Housing Development Corporation Executive Director, spoke about the sale of the Hatchery property. He thanked the developers that placed bids and Mayor George for working on the Thriving Community designation. Brad Magg, running for Iowa House of Representatives District 38, introduced himself and thanked the council for all their work.

Consent Agenda

Moved by Ervin, seconded by Mills to approve consent agenda items 4-19. AYES: Six. NAYS: None. Consent Agenda was adopted.

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)
Resolution 2024-324 adopted.

8. Resolution fixing the amounts to be assessed against individual private properties for the abatement of nuisance violations (Schedule No. 24-13)
Resolution 2024-325 adopted.

9. Resolution Approving a Property Tax Rebate for the GG 115 LLC Property Located at 208 S 2nd Ave W Within the North Central Urban Renewal Area
Resolution 2024-326 adopted.

10. Resolution Approving a Property Tax Rebate for the CRH Properties LLC Property Located at 117 1st Ave W Within the North Central Urban Renewal Area
Resolution 2024-327 adopted.

11. Resolution Approving a Property Tax Rebate for the Best Midwest Properties LLC Property Located at 109 1st Ave W Within the North Central Urban Renewal Area
Resolution 2024-328 adopted.

12. Resolution Approving a Property Tax Rebate for the Newton Elite Properties, LLC

Property Located Within the 1st Avenue East Urban Renewal Area
Resolution 2024-329 adopted.

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
Resolution 2024-330 adopted.
14. Resolution approving a Telecommunications Licensing Agreement with Windstream Iowa Communications, LLC – 2024-03
Resolution 2024-331 adopted.
15. Resolution approving a Telecommunications Licensing Agreement with Windstream Iowa Communications, LLC – 2024-04
Resolution 2024-332 adopted.
16. Resolution approving an Engineering Services Agreement for the Children's Forest Bank Stabilization Project
Resolution 2024-333 adopted.
17. Resolution approving an Engineering Services Agreement for the E 12th St and 1st Ave E Stormwater Improvements Project
Resolution 2024-334 adopted.
18. Resolution awarding Contract for the Outdoor Warning Sirens Electrical service project
Resolution 2024-335 adopted.
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
Mayor George stated that this is the time and place for a Public Hearing on the above Resolution. Representatives from Haan Development, Gratus Development, and Pivotal Housing Partners presented proposals for development on the former Hatchery site. There were no written comments. A resolution will come before the council on October 21st to determine which project will be selected. Moved by Ervin, seconded by Mills to close the public hearing. AYES: Six. NAYS: None. The public hearing was closed.
21. Public Hearing on a resolution approving the purchase agreement for real property a 319 East 12th Street North, Newton, Jasper County, Iowa
Mayor George stated that this is the time and place for a Public Hearing on the above Resolution. There were no written comments. Moved by Dalton, seconded by Mullan to close the public hearing. AYES: Six. NAYS: None. The public hearing was closed.
22. Resolution approving the purchase agreement for real property a 319 East 12th Street North, Newton, Jasper County, Iowa
Moved by Hallam, seconded by Simbro to adopt the Resolution. AYES: Six. NAYS: None. Resolution 2024-336 adopted.

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
Moved by Hallam, seconded by Mullan to approve the second consideration of the Ordinance. AYES: Six. NAYS: None. Second Consideration of the Ordinance was approved.
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
Moved by Dalton, seconded by Simbro to approve the second consideration of the Ordinance. AYES: Six. NAYS: None. Second Consideration of the Ordinance was approved.
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
Moved by Ervin, seconded by Mills to approve the second consideration of the Ordinance. AYES: Six. NAYS: None. Second Consideration of the Ordinance was approved.
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

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

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
Moved by Dalton, seconded by Hallam to adopt the Resolution. AYES: Six. NAYS: None. Resolution 2024-337 adopted.
28. Resolution approving an agreement with Alliant Energy for the installation of 9 new streetlights in the Arbor Estates, Second Addition subdivision
Moved by Hallam, seconded by Ervin to adopt the Resolution. AYES: Six. NAYS: None. Resolution 2024-338 adopted.
29. Resolution accepting completion of the Arbor Estates Second Addition Construction Project
Moved by Hallam, seconded by Simbro to adopt the Resolution. AYES: Six. NAYS: None. Resolution 2024-339 adopted.
30. Resolution for Awarding the Bid and Contracting for the Purchase and Installation of an Upgrade to the Fire Department Vehicle Exhaust Removal System
Moved by Hallam, seconded by Mullan to adopt the Resolution. AYES: Six. NAYS: None. Resolution 2024-340 adopted.
31. Resolution adopting the 2024-2026 Council Goals for the City of Newton
Moved by Hallam, seconded by Dalton to adopt the Resolution. AYES: Six. NAYS: None. Resolution 2024-341 adopted.
32. Resolution entering into a contract for services with Christine Pletcher DeZign for Interior and Exterior Design Services for the Westwood Clubhouse project
Moved by Dalton, seconded by Ervin to adopt the Resolution. AYES: Six. NAYS: None. Resolution 2024-342 adopted.
33. Resolution approving a Newton Hotel-Motel Tourism Grant Program Application for \$2,500 from the Jasper County Historical Museum
Moved by Hallam, seconded by Ervin to adopt the Resolution. AYES: Six. NAYS: None. Resolution 2024-343 adopted.
34. Resolution approving the purchase of 417 North 2nd Avenue East, Newton, using the City's Low-Moderate Income Set-Aside Funds
Moved by Dalton, seconded by Mullan to adopt the Resolution. AYES: Six. NAYS: None. Resolution 2024-344 adopted.
35. Resolution Authorizing Approval of the City of Newton Employee Handbook as Amended
Moved by Hallam, seconded by Simbro to adopt the Resolution. AYES: Six. NAYS: None. Resolution 2024-345 adopted.
36. Resolution approving the location of an animal control facility at 707 W 9th St N
Moved by Simbro, seconded by Mullan to adopt the Resolution. The address at 707 W 9th St. N appears to be the least challenging and most cost-effective option. Residential areas are located around the former landfill (although no residence would be located within 200 feet of the kennels). Captain Chris Wing has been in communication with Matt Graesch, P.G., Environmental Specialist Senior, Solid Waste and Contaminated Sites, DNR, on the use of this site for a dog kennel. It was recommended to use a vapor barrier under the concrete to prevent any infiltration of VOCs that could be bad for the health of dogs. The water line should be composed of a material that is more resistant to contaminants (i.e. not black plastic, and preferably not PVC), and care should be taken when burying it to note any odors or stained soil (which would need to be properly disposed of). AYES: Six. NAYS: None. Resolution 2024-346 adopted.

Mayor/Council Comments

37. Mayor and council comments
Mullan reminded citizens to participate in the Scarecrow Hike at the Newton Arboretum. He asked citizens to make sure their dogs are on leashes and that they clean up their waste. Ervin spoke regarding the council doing what is in the best interest of the town. They can disagree but are on the same page. Ervin talked about the event at the Friday night football game where the seniors would present the incoming kindergartners with a symbol welcoming them to the Newton School District. Newton has been chosen to host

a traveling Smithsonian Spark museum in December. Mullan told about the Des Moines register's positive comment, stating, "If you want to know how to defend against Pella, talk to Newton". Simbro spoke about the Legacy Plaza housing Open House. There were a lot of people attending and interested in the properties. Mayor George spoke about the Federal Reserve Bank of Chicago's conference coming up in Iowa, and they will be taking a bus tour to Newton on Thursday morning to tour some of the housing projects. Mills thanked staff for the work on some of the road construction projects happening around town.

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

At 8:14 P.M., it was moved by Mills, seconded by Hallam to go into closed session. The city attorney advised the council that they had legal authority to do so. AYES: Six. NAYS: None. The motion passed.

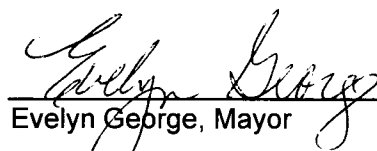
Return to Open Session

39. Return to Open Session
Council returned to open session at 9:11 P.M. with all members present.

Adjourn

Moved by Dalton, seconded by Mullan to adjourn the meeting at 9:11 P.M. Motion unanimously carried by voice vote.


Katrina Davis, City Clerk


Evelyn George, Mayor

