



Newton City Council Agenda

November 4, 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 Speedway Check Presentation

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 21, 2024 Regular City Council Meeting Minutes
5. October 25, 2024 Special City Council Meeting Minutes
6. Approve Liquor Licenses for the following: Fore Seasons, 109 N 2nd Ave E, Class C Retail Alcohol License for Special Event December 7, 2024; and Raceway80 - LE0003804, 4300 S 22nd Ave E, Class E Retail Alcohol License
7. Approve the FY24 Annual Financial Report
8. Resolution levying assessments for costs of nuisance abatement and providing for the payment thereof (Schedule 24-14)
9. Resolution fixing the amounts to be assessed against individual private properties for the abatement of nuisance violations (Schedule No. 24-15)
10. Resolution awarding Contract for the Outdoor Warning Sirens Retrofit Project
11. Resolution accepting completion of the 2024 HMA Resurfacing Project
12. Resolution accepting completion of the W 4th St S (200-400 Block) Reconstruction Project
13. Resolution approving an Engineering Services Agreement for the Westwood Golf Course Bridge Replacement and Repair Project

14. Resolution setting a public hearing for the sale of City-owned property at 748 North 3rd Avenue East in Newton, Jasper County, Iowa
15. Resolution setting a public hearing for the sale of City-owned property at 817 North 3rd Avenue East in Newton, Jasper County, Iowa
16. Resolution Approving a Property Tax Rebate for the McCann Housing Associates, LP Property Located at 1105 East 12th Street South Within the McCann Urban Renewal Area
17. Resolution amending Resolution 2024-340 for Awarding the Bid and Contracting for the Purchase and Installation of an Upgrade to the Fire Department Vehicle Exhaust Removal System
18. Approve Bills

Ordinance

19. 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 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.
20. Second 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
 - 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.
21. First consideration of an Ordinance Amending various sections of the Code of Ordinances, City of Newton, Iowa, 2016, Title VII, Chapter 70, Section 70.15, "Traffic and Parking Schedules Adopted by Reference"
 - Improvements in the downtown business district streetscapes project have caused the street to narrow and not allow for diagonal parking in the 100blk of E 2nd St N and the 100blk of E 3rd St N.

- The Traffic Safety Committee recommend prohibiting diagonal parking in those areas and allowing parallel parking.
- Concerns of heavy trucks damaging private property at 4221 S 22nd Ave E while trying to turn around has prompted the Traffic Safety Committee to look at restricting parking on the south side of 4200-4300 blk of S 22nd Ave E.

22. 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

23. Resolution approving a temporary agreement with Ex Nihilo LLC for the use of three parking spaces in the City-owned parking lot at 123 North 3rd Avenue East for construction staging

- With the rehabilitation of 118 North 2nd Avenue East proceeding, the developer has requested temporary use of three parking stalls in the City-owned lot behind his building for staging of construction materials and equipment.
- The resolution approves an agreement between Ex Nihilo LLC and the City for that purpose.

24. Resolution authorizing the City of Newton to update a 28E Agreement for Mutual Assistance for Polk County Area Fire/Rescue Services

- The City of Newton is currently in a 28E agreement with the Fire Departments listed on the attached agreement to legally share emergency response assets in time of need.
- The parties to the current agreement desire to update the language and ensure all parties are willing to continue to participate.
- The City of Newton has the ability to exit the contract with a sixty-day notice to the group and the agreement has no expiration date.

25. Resolution approving the purchase of 335 South 5th Avenue West, Newton, Jasper County, Iowa, using the City's Low-Moderate Income Set-Aside Funds

- The owner of 335 South 5th Avenue West has agreed to sell the property for \$63,804.00.

- The subject property is located within Census Tract 405, which has a median household income that meets the definition of low-moderate income. As such, the City's LMI Housing Set-Aside Fund may be used for this purchase.

26. Resolution approving the use of City Park and Cemetery Grounds at 500 North 19th Avenue East, 201 North 19th Avenue East, 1901 West 4th Street North, and 3000 North 4th Avenue East for the 2025 Pyrotechnic Guild International Convention August 9-16, 2025

- The PGI-Newton Committee, a group of local fireworks enthusiasts, has requested consideration for the use of Woodland Park and the "Tee Ball Fields" on the north side of the Union Cemetery Grounds for camping, the Adult Softball Complex for event space, and Agnes Patterson Park for parking during the potential PGI Convention Event on August 9-16, 2025.
- At their meeting on October 23, 2024, the Newton Park Board recommended approval of the use of park grounds for this purpose, with conditions. Those conditions are contained in the property use agreement and include site plan submittal and review, a prohibition of fireworks on city property, trash receptacles, water usage, insurance, a facility rental fee, and the suspension of noise and fireworks in the event of a burial at Union Cemetery during the event.
- The event would create Newton as a destination during this week-long national conference. PGI members very visibly patronized local businesses and restaurants during their stay in 2022, and a similar boost to the local economy would be expected in the case that Newton hosts the event in 2025. The event would also provide two nights of public entertainment for residents and visitors to Newton.
- The event would also be very noisy for residents on the northwest side of Newton and there would be inconveniences to business traffic in the Industrial Park.
- This is not a city-sponsored event, but rather a private group of fireworks enthusiasts who are approaching the Council with a request to utilize public spaces for the 2025 PGI Convention. It is up to the City Council to weigh the benefits and concerns and make the final decision whether or not to allow the PGI-Newton Committee to host this event in the proposed location.

27. Resolution Approving the granting of Downtown Improvement Grant funds for 211 1st Avenue West, Newton, Iowa in the Sign Program Area

- At their meeting on October 23, 2024, the Downtown Grant Review Board recommended approval of a sign grant for Caldwell & Brierly Law Firm.
- The maximum grant amount is \$375.00, provided a 1:1 match is met.

28. Resolution approving the granting of Downtown Improvement Grant funds for 209 and 211 North 2nd Avenue West, Newton, Iowa in the Sign and the Restaurant Improvements Program Areas
- At their meeting on October 23, 2024, the Downtown Grant Review Board recommended approval of grants for signage for the Clements Law Firm and signage and restaurant renovations for The Venue and Public House.
 - Maximum grant amount \$1,500, provided 1:1 match is met.
29. Resolution amending the location of the animal control facility to 3985 W 8TH ST S
- The contract between Parkview Animal Clinic and the City of Newton for animal control services ended on October, 15, 2024.
 - Approximately 50 homes and 11 businesses are within 600 feet of Parkview Animal Clinic. Staff suggested locating the new kennel, which would have fewer animals and less impact to the neighborhood at 707 W. 9th St. N., where there would only be about 17 homes within 600 feet.
 - Resolution 2024-346 approved locating the animal control facility at 707 W 9th St N. After approval, Council received concerns from neighbors about potential noise and concerns with the old Maytag Landfill. The DNR approved the site and a soil sample recently taken from the proposed site came back clean. City Council asked staff to explore other properties.
 - City staff then recommended locating the kennel facility adjacent to the Dog Park at Westwood Golf Course. Council did not approve this site due to its proximity to the Westwood Clubhouse and asked City staff to look at other options.
 - All remaining City-owned sites have since been examined to determine suitability of the facility. An alternative location at 3985 W. 8th St. S., on city-owned property in unincorporated Jasper County, is now being proposed for Council's consideration.
 - City staff recommends approval of the resolution so that the City can continue to provide animal control services at this new location, where the closest residence is over 1300 feet away.

Mayor/Council Comments

30. 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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