

NEWTON CITY COUNCIL MEETING MINUTES  
OCTOBER 21, 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 4<sup>th</sup> Street South. Mayor George presided. Present Council Members: Mills, Mullan, Dalton, Hallam, Simbro, Ervin. Absent: None.

Presentation

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

Graber provided information on the Iowa Safe at Home program which protects address information and the Protect our Protectors program.

Citizen Participation

3. Jerry Chandler, 1065 S 52nd Ave E, who owns rental properties; Bryan Moomaw, 705 W 9th St N; Connie Grimes, 703 W 9th St N, Karen Backus, 1004 S 13th Ave W, who owns rental properties; Brenda Thomas, 900 N 8th Ave W; Pam Miller, 902 N 7th Ave W; Tim Clark, 900 N 7th Ave W, spoke in opposition of the location of the originally proposed animal control site at 707 W 9th St N. Tony Dunsmoor, 2901 N 19th Ave E, received a letter regarding the rezoning from ag to light industrial, agenda item 18. Mayor will give him an opportunity to talk during the public hearing.

Consent Agenda

Moved by Mills, seconded by Hallam to approve consent agenda items 4-17. AYES: Six. NAYS: None. Consent Agenda was adopted.

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)  
Resolution 2024-347 adopted.

7. Resolution levying assessments for costs of nuisance abatement and providing for the payment thereof (Schedule 24-13)  
Resolution 2024-348 adopted.

8. Resolution Approving the 2023-2024 Annual City Street Financial Report  
Resolution 2024-349 adopted.

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  
Resolution 2024-350 adopted.

10. Resolution Approving a Property Tax Rebate for the Theisen's Property Located at 3021 1<sup>st</sup> Ave E Within the East Mart Urban Renewal Area  
Resolution 2024-351 adopted.

11. Resolution approving the Clinical and Field Affiliation Agreement with Western Community College  
Resolution 2024-352 adopted.

12. Resolution approving an engineering services agreement for the 2025 Downtown Streetscape Improvements Project  
Resolution 2024-353 adopted.

13. Resolution accepting completion of the W 8th St N Bridge Approach Replacement Project  
Resolution 2024-354 adopted.

14. Resolution Adopting the Addition of #16 Fraud Prevention & Detection Policy & #17 Identifiable Information Protection Policy to the City of Newton Financial Policies  
Resolution 2024-355 adopted.

15. Resolution approving a Telecommunications Licensing Agreement with Mediacom Communications Corporation  
Resolution 2024-356 adopted.
16. Resolution amending Resolution 2024-319 and awarding the purchase of firefighter's personal protective equipment  
Resolution 2024-357 adopted.
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  
Mayor George stated that this is the time and place for a Public Hearing on the above Ordinance. There were no written comments. Erin Chambers, Community Development Director, indicated this was a proposal to expand the light industrial zoning to the next parcel which is owned by Bill Talsma for a potential development. Tamara Stock, 1420 E 19th St N, and Tony Dunsmoor, 2901 N 19th Ave E, are concerned about a development in this area and how it will affect them. Frank Liebl, NDC Director, confirmed that we are running out of industrial land. Chandler asked for clarification on water retention. Dick Boggess, 2319 E 19th St N, stated the use would not be a high density prospect. Donna Stumme, safe at home address, is concerned about land that is not being used. Moved by Hallam, seconded by Simbro to close the public hearing.  
AYES: Six. NAYS: None. The public hearing was closed.
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  
Moved by Dalton, seconded by Hallam to approve the first consideration of the Ordinance. AYES: Four. NAYS: Mills, Simbro. First Consideration of the Ordinance was approved.

#### 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  
Moved by Simbro, seconded by Mills to approve the third consideration of the Ordinance. AYES: Six. NAYS: None. Third Consideration of the Ordinance was approved. Moved by Mullan, seconded by Hallam, to adopt the Ordinance. AYES: Six. NAYS: None. Ordinance 2453 was adopted.
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  
Moved by Dalton, seconded by Mills to approve the third consideration of the Ordinance. AYES: Six. NAYS: None. Third Consideration of the Ordinance was approved. Moved by Mills, seconded by Mullan, to adopt the Ordinance. AYES: Six. NAYS: None. Ordinance 2454 was adopted.
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  
Moved by Ervin, seconded by Mullan to approve the third consideration of the Ordinance. AYES: Six. NAYS: None. Third Consideration of the Ordinance was approved. Moved by Mullan, seconded by Dalton, to adopt the Ordinance. AYES: Six. NAYS: None. Ordinance 2455 was adopted.
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  
Moved by Hallam, seconded by Simbro to approve the second consideration of the Ordinance. AYES: Six. NAYS: None. Second Consideration of the Ordinance was approved.
24. First consideration of an Ordinance Amending Various Sections of the Code of Ordinances, City of Newton, Iowa, 2016, Title IX, Chapter 90 "Animals"  
Moved by Dalton, seconded by Simbro to approve the first consideration of the Ordinance. It was moved by Simbro, seconded by Ervin to postpone the item to determine amended wording. AYES: Six. NAYS: None. The Ordinance was postponed.

#### 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  
Moved by Simbro, seconded by Dalton to adopt the Resolution. AYES: Six. NAYS: None. Resolution 2024-358 adopted.
26. Resolution approving a part-time kennel attendant position within the Police Department  
Moved by Ervin, seconded by Simbro to adopt the Resolution. AYES: Six. NAYS: None. Resolution 2024-359 adopted.
27. Resolution amending the City of Newton animal control fee schedule  
Moved by Simbro, seconded by Dalton to adopt the Resolution. AYES: Six. NAYS: None. Resolution 2024-360 adopted.
28. Resolution Approving Amended Development Agreement with Ex Nihilo LLC  
Moved by Mills, seconded by Dalton to adopt the Resolution. Jerry Schwaller, Lederman building (120 N 2nd Ave E) investor spoke about the progress and plans for the building. AYES: Six. NAYS: None. Resolution 2024-361 adopted.
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  
Moved by Mullan, seconded by Hallam to adopt the Resolution. AYES: Six. NAYS: None. Resolution 2024-362 adopted.
30. Resolution naming 224 West 3rd Street North Harmony Park and officially designating the property as part of the City Parks system  
Moved by Hallam, seconded by Simbro to adopt the Resolution. Moved by Ervin, seconded by Hallam to postpone the resolution. AYES: Six. NAYS: None. Resolution postponed.
31. Resolution awarding contract for the Westwood Clubhouse Phase 2 Interior Project  
Moved by Simbro, seconded by Mills to adopt the Resolution. AYES: Six. NAYS: None. Resolution 2024-363 adopted.

#### Staff Report

32. Parks & Rec Summer recap - Erin Chambers, Community Development Director  
Chambers presented activities and special projects, including Westwood clubhouse, the Maytag pool features, disk golf, shelter rentals, Newton Fest, summer day camps, the upcoming Trunk or Treat, and working with the Historic Preservation Commission on Spark! Places of Innovation-Smithsonian Institution Museum on Main Street display is coming to town from December 14th through February 2nd.

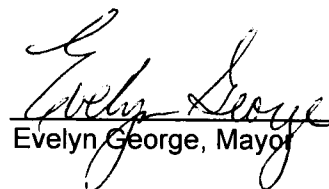
#### Mayor/Council Comments

33. Mayor and Council Comments  
Hallam thanked all residents of NE Newton for educating council on the issues of the Maytag landfill site. Simbro appreciates all the citizen participation.

#### Adjourn

Moved by Hallam, seconded by Dalton to adjourn the meeting at 8:41 P.M. Motion unanimously carried by voice vote.

  
Katrina Davis, City Clerk

  
Evelyn George, Mayor

