



Newton City Council Agenda

March 3, 2025 - 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 Update - Iowa Speedway President Eric Peterson

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. February 17, 2025 Regular City Council Meeting Minutes
5. Approve Liquor Licenses for the following: Fore Seasons, 600 N 2nd Ave W, Special Class C Retail Alcohol License for Special Event April 23-27, 2025
6. Resolution appointing Kayla Johnson to the Newton Downtown Self-Supported Municipal Improvement District Board for a term ending JUNE 30, 2027
7. Resolution levying assessments for costs of nuisance abatement and providing for the payment thereof (Schedule 25-02)
8. Resolution approving lime sludge removal contract 1-year extension with Jon Taylor
9. Resolution Authorizing a Fund Transfer from the North Central Urban Renewal Fund to the Park Bond Fund in the Amount of \$35,000 for the Dog Park
10. Resolution Approving a Property Tax Rebate for the Newton Senior Residence, LLC Property Located Within the North Central Urban Renewal Area
11. Resolution awarding contract for the 2025-01 subdrain collector line project
12. Resolution approving a roof repair project for the water treatment plant

13. Resolution approving the Newton Sanitary Landfill fee schedule
14. Resolution ordering bids, approving plans, specifications, form of contract, notice to bidders, ordering clerk to publish notice, fixing a date for receiving same, for a public hearing on plans, specifications, form of contract and estimate of costs for the 1st Ave E (Hwy 6) Traffic Signal Upgrades Project
15. Resolution Setting a Date For a Public Hearing on the Proposed Property Tax Levy for Fiscal Year July 1, 2025 – June 30, 2026
16. Approve Bills

Public Hearing

17. Public Hearing on Proposal to Enter Into an Essential Purpose Loan Agreement
 - The City proposes to enter into an Essential Purpose Loan Agreement and to borrow money in a principal amount not to exceed \$4,200,000 for the purpose of paying the cost of (a) constructing street, alley, storm water drainage and sidewalk improvements, including other incidental public infrastructure elements; (b) acquiring equipment for municipal cemeteries; (c) acquiring vehicles and equipment for the municipal Police, Fire and EMS departments; (d) undertaking improvements to and equipping of existing municipal parks; (e) undertaking improvements to the municipal airport; (f) acquiring, demolishing and/or restoring dangerous, dilapidated and/or abandoned properties; and (g) providing funding for the Newton Housing Initiative Program
18. Public Hearing on Proposal to Enter Into a Parks and Recreation Loan Agreement
 - The City proposes to enter into a general purpose loan agreement and to borrow money in a principal amount not to exceed \$930,000 for the purpose of paying the costs of (a) undertaking tennis court surfacing and lighting improvements; (b) undertaking improvements to the municipal swimming pool; (c) undertaking recreation trail improvements; and (d) undertaking club house improvements at the municipal golf course
19. Public Hearing on Proposal to Enter Into a Public Facilities Loan Agreement
 - The City proposes to enter into a general purpose loan agreement and to borrow money in a principal amount not to exceed \$700,000 for the purpose of paying the costs of (a) undertaking improvements to municipal fire stations; (b) constructing training facilities for the municipal police and fire departments; (c) undertaking improvements to and equipping City Hall; and (d) constructing an animal control facility
20. Public Hearing on Proposal to Enter Into a Urban Renewal Loan Agreement
 - The City proposes to enter into a general obligation urban renewal loan agreement and to borrow money in a principal

amount not to exceed \$200,000 for the purpose of paying the costs of undertaking the Downtown Housing Grant and Downtown Micro-Grant Programs, an authorized urban renewal project of the City in its North Central Urban Renewal Area, last approved by City Council action on August 15, 2022

21. Resolution taking additional action on proposal to enter into General Obligation Loan Agreements and combining Loan Agreements in connection therewith

Ordinance

22. Second Consideration of an Ordinance amending the code of ordinances, City of Newton, Iowa, 2025, Title V, Chapter 54, Waterworks Section 54.02 – 54.19 by adding or deleting language
 - In November of 2022 Council approved a reorganization, creating the Utilities Department, and placing waterworks under the Utilities Department. Numerous language changes throughout this ordinance are to reflect Utilities, versus Public Works.
 - Other changes include clarification of numerous code sections, updates to operational procedures and adjustment to the service fee schedule.
23. First consideration of Ordinance amending the Code of Ordinances, City of Newton, Iowa, 2025, Title V, Chapter 52: Sewers
 - Proposed ordinance changes include: disconnecting old faulty sanitary sewer service pipes from the public sanitary sewer main, at the time of demolition of an old building.
 - Requiring the installation of backwater valves on all new sanitary sewer service lines, at the time of installation.
 - Increasing the financial assistance to qualified applicants for removal of prohibited discharge into the sanitary sewer from \$1,000 to \$1,500, per each qualified project and increasing the total financial assistance from \$3,000 to \$4,500.
24. First consideration of an Ordinance Amending the Code of Ordinances, City of Newton, Iowa, 2025, Title VII, Chapter 70, Section 70.15, "Traffic and Parking Schedules Adopted by Reference", to make changes to street parking in the 800 block of East Fourteenth Street North
 - The City received safety concerns regarding parking on both sides of the street in the 800 blk E 14th St N.
 - The Traffic Safety Committee reviewed the situation and, based on established standards and policy, recommends restricting parking on the east side of the street.
 - 14 surveys of the neighborhood were conducted with five (5) residents approving of the proposed changes and zero (0) opposing.
25. First consideration of an Ordinance Amending the Code of Ordinances, City of Newton, Iowa, 2025, Title VII, Chapter 70, Section 70.15, "Traffic and Parking Schedules Adopted by Reference", to make changes to street parking in the 1400-1500 Block of North Ninth Avenue Place East

- The City received safety concerns regarding street parking in the 1400-1550 blk N 9th Ave Pl. E.
- The Traffic Safety Committee reviewed the situation and, based on established standards and policy, recommends restricting parking on the south of the street.
- 22 neighborhood surveys were conducted with six (6) residents approving the proposed changes and two (2) opposing.

Resolution

26. Resolution authorizing entering into an agreement for residential solid waste and recycling collection and disposal
 - The current solid waste collection and hauling contract expires on June 30, 2025. Requests for proposals were distributed.
 - Three proposals were received: Dodd's Solid Waste, Midwest Sanitation, and Waste Management.
 - Staff recommends that council review each proposal and present a motion to enter into an agreement with the preferred hauler.
27. Resolution approving a three-year contract for removal of wastewater biosolids
 - As part of the 2022 Treatment Plant and Southwest Pump Improvement Project, a one-million-gallon liquid storage tank was constructed to store biosolids until land application could be completed. This approach allows contractors using semi-tanker trucks to empty the entire tank within a few days, significantly reducing the time and labor previously required by Water Pollution Control (WPC) staff, who had to transport multiple loads over several months.
 - To facilitate the efficient removal and disposal of biosolids, the City of Newton issued a Request for Proposal (RFP) for the removal, transportation, treatment, beneficial reuse, and/or disposal of 800,000 to 1,200,000 gallons of biosolids generated by the Newton Water Pollution Control Plant.
 - After a thorough review, Ecosystems Inc. of Ottumwa, IA, was selected as the most qualified, cost-effective provider to meet the City's biosolids removal needs in full compliance with the RFP.

Staff Report

28. Police Department Annual Report - Chief Rob Burdess

Mayor/Council Comments

29. 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.

NEWTON CITY COUNCIL MEETING MINUTES
FEBRUARY 17, 2025, 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. Government Communicators Day

Mayor George proclaimed February 21, 2025 as Government Communicators Day.

Presentation

3. Historic Preservation Commission Annual Report 2024 - Larry Hurto, HPC Chair

Hurto presented on HPC's activities in the past year, including rescuing a pre-1911 street marker, assisting the YMCA with historical materials, assisting with historical photos for the design of the Legacy Plaza housing/hotel project, assisting with the "Spark! Places of Innovation" exhibition, and various other projects.

Citizen Participation

4. There was no citizen participation.

Consent Agenda

Moved by Mills, seconded by Mullan to approve consent agenda items 5-17. AYES: Six. NAYS: None. Consent Agenda was adopted.

5. February 3, 2025 Regular City Council Meeting Minutes

6. February 3, 2025 Budget Workshop Minutes

7. Approve Liquor Licenses for the following: American Legion Newton Post 111, 600 N 2nd Ave W, Special Class C Retail Alcohol License for Special Event April 3-7, 2025, pending dramshop review; Americinn - BW0097446, 4401 S 22nd Ave E, Special Class C Retail Alcohol License pending dramshop review; Hy-Vee Fast and Fresh - LE0003889, 1421 1st Ave E; Hy-Vee Food Store #1 - LE0000090, 1501 First Ave E; and Hy-Vee Market Cafe - LC0041009, 1501 1st Ave E, Market Cafe Area, ownership updates; Levy @ Iowa Speedway, 3333 Rusty Wallace Dr, Class C Retail Alcohol License, Outdoor Service renewal

8. Approve January 1 - June 30, 2025 Device Permit for Newton Market, 321 1st Ave W; Newton Tobacco & Vape, LLC, 309 Iowa Speedway Dr; and Tobacco, Vape, E-Cig, 1126 1st Ave E

9. Resolution fixing the amounts to be assessed against individual private properties for the abatement of nuisance violations (Schedule No. 25-02)
Resolution 2025-050 adopted.

10. Resolution approving the 2024 Certified Local Government Annual Report for the Historic Preservation Commission
Resolution 2025-051 adopted.

11. Resolution Approving a Property Tax Rebate for the Jasper Point Plaza, LLC Property Located Within the 1st Avenue East Urban Renewal Area
Resolution 2025-052 adopted.

12. Resolution awarding contract for the 2025 Highway and Symbol Painting Project
Resolution 2025-053 adopted.

13. Resolution approving a contract from Midwest Inflatables, LLC for Newton Fest activities.
Resolution 2025-054 adopted.

14. Resolution approving a quote to replace the undercarriage of the Landfill 850L dozer
Resolution 2025-055 adopted.

15. Resolution approving the Clinical Engineering Agreement with Unity Point Health
Resolution 2025-056 adopted.

16. Resolution ordering bids, approving plans, specifications, form of contract, notice to bidders, ordering clerk to publish notice, fixing a date for receiving same, for a public hearing on plans, specifications, form of contract and estimate of costs for the 1st Ave E (Hwy 6) Traffic Signal Upgrades Project
Resolution 2025-057 adopted.

17. Approve Bills

Ordinance

18. Third Consideration of an Ordinance to adopt the Code of Ordinances of the City of Newton, Iowa, 2025, AKA "City Code"

Moved by Hallam, seconded by Ervin to approve the third consideration of the Ordinance. AYES: Six. NAYS: None. Third Consideration of the Ordinance was approved. Moved

by Dalton, seconded by Hallam, to adopt the Ordinance. AYES: Six. NAYS: None. Ordinance 2460 was adopted.

19. Third Consideration of an Ordinance amending the Code of Ordinances, City of Newton, Iowa, Title XV: Land Usage, Chapter 158: Zoning
Moved by Mullan, seconded by Simbro to approve the third consideration of the Ordinance. Tyler Clement, Senior Director of Operations of Iowa Speedway, spoke in concern about emergency training events and the noise causing issues with a dog facility in the vicinity. 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 2461 was adopted.
20. First Consideration of an Ordinance amending the code of ordinances, City of Newton, Iowa, 2016, Title V, Chapter 54, Waterworks Section 54.02 – 54.19 by adding or deleting language
Moved by Hallam, seconded by Ervin to approve the first consideration of the Ordinance. AYES: Six. NAYS: None. First Consideration of the Ordinance was approved.

Resolution

21. Resolution approving the City-wide Signage Replacement Project
Moved by Dalton, seconded by Mullan to adopt the Resolution. Ervin asked that staff continue promoting Newton with other campaign advertising, such as the YouTube videos that just came out. AYES: Six. NAYS: None. Resolution 2025-058 adopted.
22. Resolution approving Change Order #3 for the Westwood Clubhouse Phase #2 Interior Improvements Project
Moved by Ervin, seconded by Dalton to adopt the Resolution. AYES: Six. NAYS: None. Resolution 2025-059 adopted.

Staff Report

23. Solid Waste and Recycling Hauling Contract - Joe Grife, Public Works Director
The current solid waste collection and hauling contract with Dodd's Solid Waste and Recycling expires on June 30, 2025. On January 24th, three proposals were received from Dodd's Solid Waste, Midwest Sanitation, and Waste Management. The contractors will have time at the March 3, 2025, meeting to speak about their proposals. Sample containers are located in the atrium for residents' review.

Mayor/Council Comments

24. Mayor and Council Comments
Hallam announced the event at the Community Theatre. Joel Mills provided the information about the show on Friday, featuring Joel Mills and Melissa Dalton, as well as one on Saturday and Sunday. Ervin thanked our city crews for handling the snow event so well. Simbro spoke about openings at the Christensen Apartments at Legacy Plaza.

Closed Session

25. 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 2025
At 6:49 P.M., it was moved by Mullan, seconded by Mills 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

26. Return to Open Session
Council returned to open session at 7:56 P.M. with all members present.

Adjourn

Moved by Dalton, seconded by Simbro to adjourn the meeting at 7:29 P.M. Motion unanimously carried by voice vote.

Katrina Davis, City Clerk

Evelyn George, Mayor

RESOLUTION NO. 2025-_____

**RESOLUTION APPOINTING KAYLA JOHNSON TO THE NEWTON
DOWNTOWN SELF-SUPPORTED MUNICIPAL IMPROVEMENT DISTRICT
BOARD FOR A TERM ENDING JUNE 30, 2027**

WHEREAS, there exists a vacancy on the Newton Downtown Self-Supported Municipal Improvement District Board, and

WHEREAS, Kayla Johnson, West Side Java Co, 111 West 2nd Street North, has expressed an interest serving on the board and is qualified to do so;

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Newton, Iowa, that Kayla Johnson is hereby appointed to the Newton Downtown Self-Supported Municipal Improvement District Board for the term ending on June 30, 2027.

PASSED this _____ day of March, 2025

APPROVED this _____ day of March, 2025

Evelyn George, Mayor

ATTEST:

Katrina Davis, City Clerk

City of Newton Council Report

**Item:**

Resolution levying assessments for costs of nuisance abatement and providing for the payment thereof (Schedule 25-02)

Summary:

The City of Newton abated nuisances, such as snow, tall grass/weeds, and/or trash. These costs remain unpaid by the property owner(s) and should be assessed to the property taxes.

Financial Impact:

Cost Recovery: \$4,000.00

Report Number: 2025-179

Date:

March 3, 2025

Lead Department:

Police

Recommendation:

Approve

Background:

At their last meeting, City Council approved a Schedule of Assessment for the Expenses of Nuisance Abatement. The total amount for cost recovery is \$4,000.00.

The attached schedule lists owner, parcel number, address, amount to be assessed, date work was completed, property legal description, and property valuation.

With the approval of this resolution, the costs expended by the City for the abatement of nuisances will be placed on the taxes as a special assessment for each property.

Recommendation:

Staff recommends approval of the resolution levying assessments for costs of nuisance abatement and providing for the payment thereof (Schedule 25-02).

Matt Muckler, City Administrator

RESOLUTION NO. 2025 – _____

**RESOLUTION LEVYING ASSESSMENTS FOR COSTS OF
NUISANCE ABATEMENT AND PROVIDING FOR THE
PAYMENT THEREOF (SCHEDULE 25-02)**

WHEREAS, pursuant to its powers and duties as set out in Chapter 364, Code of Iowa, the City of Newton, after the property owner’s failure upon being given notice and opportunity to cure, has performed the required action to abate the public nuisance and now seeks, as provided in 364.12, Code of Iowa, to assess the costs of such action against each of the properties set out on the attached Schedule No. 25-02 for collection in the same manner as the property tax.

NOW, THEREFORE, BE IT RESOLVED, that the attached Schedule No. 25-02, is hereby approved and adopted with the amounts shown thereon assessed and levied against each property for the collection in the same manner as a property tax.

BE IT FURTHER RESOLVED, that said assessments shall be payable in 1 annual installment and shall bear interest at the rate of 3.88 percent per annum, from the date of the acceptance of this assessment schedule; the one installment of each assessment with interest on the whole assessment from date of acceptance of this schedule by the Council shall become due and payable on March 19, 2025, and shall be paid at the same time and in the same manner as the semiannual payment of ordinary taxes. Said assessment shall be payable at the office of the County Treasurer of Jasper County, Iowa, in full and without interest within thirty days after first date of publication of the Notice to Property Owners of filing the schedule of assessments.

BE IT FURTHER RESOLVED, that the Clerk be and is hereby directed to certify said schedule to the County Treasurer of Jasper County, Iowa and to publish notice of said certification once each week for two consecutive weeks in the Newton Daily News, a newspaper printed wholly in the English language, published in Newton, Iowa, and of general circulation in Newton, Iowa, the first publication of said notice to be made within fifteen days from the date of the filing of said schedule with the County Treasurer, the City shall send by regular mail to all property owners whose property is subject to assessment a copy of said notice, said mailing to be on or before the date of the second publication of the notice all as provided and directed by Code Section 384.60, Code of Iowa.

PASSED this _____ day of March, 2024.

APPROVED this _____ day of March, 2024.

Evelyn George, Mayor

ATTEST:

Katrina Davis, City Clerk

Schedule 25-02: Assessment for the Expenses for Nuisance Abatement

Deed/Contract Holder	Parcel Number	Property Address	City	Net Assessed Property Value	Abatement Fee	Admin. Fee	Total Amount Assessed	Legal	Date Abated
BPOE Lodge #1270	834176010	111 E 2nd St S	Newton	\$93,520	\$50.00	\$150.00	\$200.00	ORIGINAL PLAT LOT 7 BLK 21	1/3/2025
Chagani Brothers LLC	834138004	115 N 2nd Ave E	Newton	\$194,250	\$50.00	\$150.00	\$200.00	ORIGINAL PLAT LOTS 1 & 2 BLK 15	1/3/2025
Jacob Christiansen	834301007	301 S 5th Ave W	Newton	\$130,150	\$50.00	\$150.00	\$200.00	E M CALDWELL'S ADD LOT 1 BLK 1 EX E 5'	1/9/2025
Farrell Properties Inc	834303022	611 W 2nd St S	Newton	\$106,960	\$50.00	\$150.00	\$200.00	STONE'S ADD LOT 21	1/9/2025
Robin Maddison	834303020	525 W 2nd St S	Newton	\$155,990	\$50.00	\$150.00	\$200.00	STONE'S ADD LOT E	1/9/2025
Carissa Miller	834303001	502 W 3rd St S	Newton	\$205,940	\$50.00	\$150.00	\$200.00	STONE'S ADD N 66' LOT F	1/9/2025
Jerome Morris	834162005	324 W 3rd St S	Newton	\$227,150	\$50.00	\$150.00	\$200.00	ORIGINAL PLAT LOT 6 OUTLOT 16	1/9/2025
Wesley Barton	834435002	708 E 9th St S	Newton	\$102,540	\$50.00	\$150.00	\$200.00	LINCOLN PLACE ADD LOT 3 BLK 11	1/9/2025
Cody Jones	834333005	620 E 4 1/2 St S	Newton	\$113,100	\$50.00	\$150.00	\$200.00	LEONARD'S ADD LOTS 4 & 12 & S 6' OF LOTS 3 & 11 BLK 4	1/9/2025
Nathan Dudley	834254014	418 E 5th St S	Newton	\$163,620	\$50.00	\$150.00	\$200.00	SOUTH EAST ADD LOT A BLK 5 EX E 66'	1/8/2025
Golden Hammer Contractors	834279017	900 S 5th Ave E	Newton	\$22,570	\$50.00	\$150.00	\$200.00	LUSK'S SD LOT C	1/8/2025
Golden Hammer Contractors	834281034	1106 S 5th Ave E	Newton	\$21,440	\$50.00	\$150.00	\$200.00	JONES' SD E 1/2 OF S 178' LOT A BLK U	1/8/2025
Shawn Hoffman	834189014	423 E 5th St S	Newton	\$83,220	\$50.00	\$150.00	\$200.00	DAVIS SD OF OUTLOT 21 E 62' LOTS 13-14 & S 8.25' OF ALLEY ADJ ON NORTH	1/8/2025
Gary Martin	833257025	311 W 8th St S	Newton	\$89,230	\$50.00	\$150.00	\$200.00	JOY'S SD LOT 5 BLK A	1/10/2025
Real Estate Solutions LLC	833257023	225 W 8th St S	Newton	\$130,920	\$50.00	\$150.00	\$200.00	JOY'S SD LOT 3 BLK A	1/10/2025
Paige Smith	834251025	604 S 3rd Ave E	Newton	\$145,910	\$50.00	\$150.00	\$200.00	SOUTH EAST ADD LOT 60 BLK B	1/8/2025
Caitlyn Still	834428003	1009 S 5th Ave E	Newton	\$122,580	\$50.00	\$150.00	\$200.00	DREW & BALL'S ADD LOT 6	1/8/2025
Joshua Stogdill	834189013	422 E 4 1/2 St S	Newton	\$105,730	\$50.00	\$150.00	\$200.00	DAVIS SD OF OUTLOT 21 W 70' LOTS 13- 14 & S 1/2 ALLEY ADJ ON N OF LOT 14	1/8/2025
Gretchen Vandervort	834281036	1120 S 5th Ave E	Newton	\$119,950	\$50.00	\$150.00	\$200.00	JONES' SD LOT 3 BLK V	1/8/2025
Lyndon Woods	834280014	1002 S 5th Ave E	Newton	\$125,810	\$50.00	\$150.00	\$200.00	JONES' SD S 96' LOTS 6 & 14 BLK W	1/8/2025
TOTAL:							\$4,000.00		

City of Newton Council Report

**Item:**

Resolution approving lime sludge removal contract 1-year extension with Jon Taylor

Summary:

Approving a 1-year extension to the contract previously approved by the City Council.

Financial Impact:

Not to exceed \$270,560.00 annually from Water Enterprise Funds

Report Number: 2025-164

Date:

March 3, 2025

Lead Department:

Utilities

Recommendation:

Approve

Background:

On September 5th, 2023 the City Council approved to accept an existing three-year agreement that was previously entered into between Jon Taylor and the Newton Waterworks Board of Trustees, for the removal of lime sludge, from the storage lagoon.

As of May 14th, 2025, the existing contract will expire. The terms of the contract states, "this agreement may be extended, if mutually agreed upon by both parties, with annual supplemental agreements". Jon Taylor has agreed to a 1-year extension, under the same scope, compensation, and terms as the original agreement. This 1-year extension would become effective May 15th, 2025, and end May 14th, 2026.

Recommendation:

Approve extending the existing Lime Sludge Removal Contract with Jon Taylor of Prairie City, Iowa for 1 year, in the amount not to exceed \$270,560.00 annually, as approved previously by Newton City Council.

A handwritten signature in black ink, appearing to read "Matt Muckler", written in a cursive style.

Matt Muckler, City Administrator

RESOLUTION NO. 2025-_____

RESOLUTION APPROVING LIME SLUDGE REMOVAL CONTRACT 1-YEAR EXTENSION WITH JON TAYLOR

WHEREAS, On September 5th, 2023 the City Council approved to accept an existing three-year agreement that was previously entered into between Jon Taylor and the Newton Waterworks Board of Trustees, for the removal of lime sludge, from the storage lagoon; and

WHEREAS as of May 14th, 2025, the existing contract will expire; and

WHEREAS the terms of the contract states, “this agreement may be extended, if mutually agreed upon by both parties, with annual supplemental agreements”; and

WHEREAS Jon Taylor has agreed to a 1-year extension, under the same scope, compensation, and terms as the original agreement; and

WHEREAS this 1-year extension would become effective May 15th, 2025, and end May 14th, 2026.

NOW, THEREFORE, BE IT RESOLVED, the contract to the existing Lime Sludge Removal Contract with Jon Taylor of Prairie City, Iowa be extended one year, under the same scope, compensation, and terms as the original agreement, approved previously by City Council of Newton, Iowa.

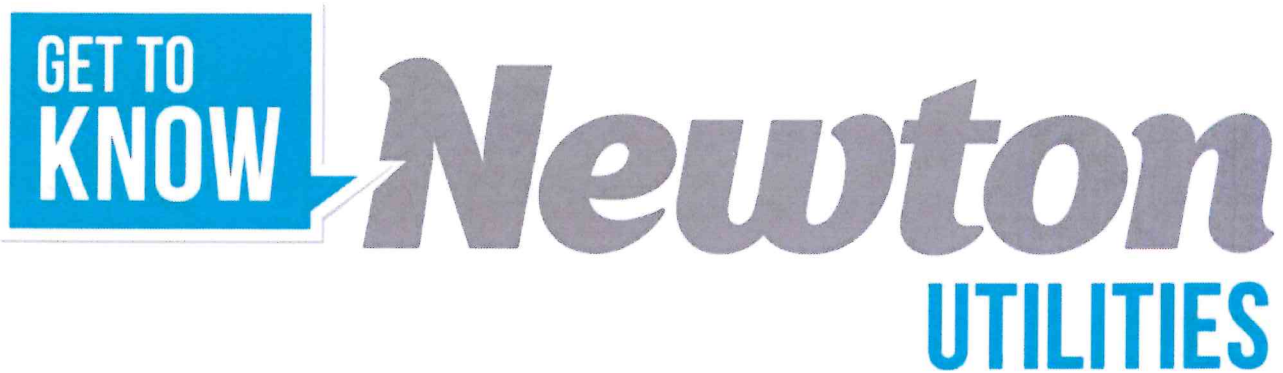
PASSED this _____day of March 2025.

APPROVED this _____ day of March 2025.

ATTEST:

Evelyn George, Mayor

Katrina Davis, City Clerk



LIME SLUDGE REMOVAL, ANNUAL SUPPLEMENTAL AGREEMENT, ONE YEAR EXTENSION BETWEEN THE CITY OF NEWTON UTILITIES DEPARTMENT, WATER TREATMENT DIVISION AND JON TAYLOR

PARTIES

The parties to this agreement are the Newton Utilities Department, Water Treatment Division and Jon Taylor

SCOPE

This agreement requires the Contractor to remove a minimum of 10,000 and up to a maximum of 16,000 wet tons of lime sludge annually between May 15th and May 14th of the following calendar Year.

Lime Sludge to be removed by the contractor and transported off site to locations at the sole risk and expense of said contractor. The contractor shall obey all county road speed limits and safely transport the sludge.

The contractor shall furnish all equipment and manpower as is reasonably necessary to accomplish loading of the residuals at the lagoon.

The contractor shall obtain all necessary permits for the transportation and accept full responsibility for the residuals after loading.

The contractor shall keep and maintain adequate liability insurance, naming the Board as additional insured with minimum limits and types of coverage.

The contractor shall take all reasonable measures to prevent the residuals from escaping from its trucks and equipment after said equipment has left the lagoon site. The contractor shall clean up any spilled residuals while transporting to the destination.

The contractor shall maintain from time to time the field road to the lime sludge lagoon. The Water Treatment shall provide rock as necessary.

The Water Treatment shall grant access to Jon Taylor and his employees for the purpose of performing the work required under this agreement.

COMPENSATION

The Water Treatment shall pay the contractor a rate of \$16.91 per wet ton of lime sludge removed from the lagoon and transported offsite. Should the contractor wish to remove more lime sludge per contract year, the contractor shall not be reimbursed, nor shall contractor be allowed to hold invoicing for future year's invoicing.

TERM

This agreement shall remain in force for one year. This agreement may be extended, if mutually agreed upon by both parties, with annual supplemental agreements. Newton Utilities Department, Water Treatment Division reserves the right to change quantities in annual supplemental agreements, based on Water Treatments operational needs. Should either party wish to modify this Agreement, it shall be signed by both parties. Should either party wish to end this agreement, a 10 month written notification shall be provided.

Both Parties Agree to the Above Scope

JURISDICTION

Newton Utilities Department

101 W. 4th St. So.

Newton, Iowa 50208

CONTRACTOR

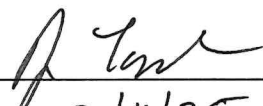
Jon Taylor

10352 S. 88th Ave. West

Prairie City, Iowa 50228

BY _____

Date: _____

BY  _____

Date: 2/11/25 _____

(Seal)

Attest: _____

City of Newton Council Report

**Item:**

Resolution Authorizing a Fund Transfer from the North Central Urban Renewal Fund to the Park Bond Fund in the Amount of \$35,000 for the Dog Park

Summary:

This Action Approves a Fund Transfer from the N Central Urban Renewal Area Fund to the Park Bond Fund

Financial Impact:

\$35,000 from the North Central Urban Renewal Area Fund to the Park Bond Fund

Report Number: 2025-174**Date:**

March 3, 2025

Lead Department:

Administration

Recommendation:

Approve

Background:

Iowa Code section 384.15 was amended in April of 2019 and requires all transfers between City funds to be approved by a Council resolution.

In order to meet the requirements of this amendment, the Council must approve a clear statement including the reason or purpose for the transfer, the name of the fund from which the transfer is originating, the name of the fund into which the transfer is received, and the not to exceed dollar amount to be transferred.

During discussions before the Park Bond was approved, it was the direction of City Council to use \$35,000 in North Central Urban Renewal Area funds for the construction of the Dog Park. Since that time, \$35,000 has been added to the Urban Renewal Plan and was certified as TIF debt to the County Auditor on 12-1-2021. This action formally approves the transfer of funds as stated below:

Fund Transferred From:	Fund Transferred To:	Reason for Transfer:	Amount:
N Central URA	Park Bond Fund	Construction of the Dog Park	35,000

Recommendation:

Staff recommends approving a transfer from the North Central Urban Renewal Area Fund to the Park Bond Fund in the amount of \$35,000 for the construction of the dog park.

Matt Muckler, City Administrator

RESOLUTION NO. 2025-_____

**RESOLUTION AUTHORIZING A FUND TRANSFER FROM THE NORTH
CENTRAL URBAN RENEWAL AREA FUND TO THE PARK BOND
FUND IN THE AMOUNT OF \$35,000 FOR THE DOG PARK**

WHEREAS, Iowa Code section 384.15 was amended in April of 2019; and

WHEREAS, this amendment requires all cities in Iowa to approve by resolution all transfer amounts between funds; and

WHEREAS, this resolution must include a clear statement including the reason or purpose for the transfer, the name of the fund from which the transfer is originating, the name of the fund into which the transfer is received, and the not to exceed dollar amount to be transferred; and

WHEREAS, During discussions before the Park Bond was approved, it was the direction of City Council to use \$35,000 in North Central Urban Renewal Area funds for the construction of the Dog Park; and

WHEREAS, Since that time, \$35,000 has been added to the Urban Renewal Plan and was certified as TIF debt to the County Auditor on 12-1-2021. This action formally approves the transfer of funds as stated below:

Fund Transferred From:	Fund Transferred To:	Reason for Transfer:	Amount:
N Central URA Fund	Park Bond Fund	Construction of the Dog Park	35,000

NOW THEREFORE, BE IT RESOLVED that a transfer from the North Central Urban Renewal Area Fund to the Park Bond Fund in the amount of \$35,000 is hereby approved.

PASSED this 3rd day of March, 2025

APPROVED this _____ day of March, 2025

Evelyn George, Mayor

ATTEST:

Katrina Davis, City Clerk

City of Newton Council Report

**Item:**

Resolution Approving a Property Tax Rebate for the Newton Senior Residence, LLC Property Located Within the North Central Urban Renewal Area

Report Number: 2025-187**Date:**

March 3, 2025

Lead Department:

Administration

Recommendation:

Approve

Summary:

Resolution Approving Property Tax Rebate to the Newton Senior Residence, LLC Property According to the Approved Development Agreement

Financial Impact:

\$25,000 property tax rebate from the North Central Urban Renewal TIF Fund

Background:

In March of 2014 the City of Newton approved a Development Agreement with Newton Senior Residence, LLC on the property located at 222 N 4th Ave W, within the North Central Urban Renewal Area. The Agreement states that the City shall rebate 100% of all TIF property taxes paid by Newton Senior Residence, LLC up to \$25,000 in Fiscal year 24/25.

Newton Senior Residence, LLC has provided documentation that the total amount of the North Central Urban Renewal Area property taxes owed in 2024-25 in the amount of \$37,860 have been paid to the Jasper County Treasurer and is eligible for a rebate of \$25,000.

Recommendation:

Staff recommends approval of the attached Resolution approving the tax rebate payment to Newton Senior Residence, LLC.

Matt Muckler, City Administrator

RESOLUTION NO. 2025 – _____

**RESOLUTION APPROVING A PROPERTY TAX REBATE FOR THE
NEWTON SENIOR RESIDENCE, LLC PROPERTY LOCATED WITHIN
THE NORTH CENTRAL URBAN RENEWAL AREA**

WHEREAS, the City of Newton (City) has established the North Central Urban Renewal Area; and

WHEREAS, a Development Agreement with Newton Senior Residence, LLC was entered into in March of 2014 on property located at 222 N 4th Ave W within the North Central Urban Renewal Area,

WHEREAS, said Agreement states the City will provide the Developer a 100% TIF Property Tax Rebates in Fiscal Year 24-25 up to \$25,000, and

WHEREAS, the Developer has paid its property taxes for the entire year 2024-2025 in the total amount of \$37,860 and is eligible to receive a TIF rebate of \$25,000 per the agreement;

NOW, THEREFORE, BE IT RESOLVED by the City Council of Newton, Iowa:
That, per the terms of the Development Agreement with Newton Senior Residence, LLC, a property tax rebate for the fiscal year 2024-2025 taxes in the amount of \$25,000 is hereby approved.

PASSED this 3rd day of March, 2025.

APPROVED this _____ day of March, 2025.

Evelyn George, Mayor

ATTEST:

Katrina Davis, City Clerk

City of Newton Council Report

**Item:**

Resolution awarding contract for the 2025-01 subdrain collector line project

Report Number: 2025-188**Date:**

March 3, 2025

Lead Department:

Public Works

Recommendation:

Approve

Summary:

This resolution awards a contract for work to install 496 feet of subdrain in the SE part of Newton

Financial Impact:

\$30,474.62 to be paid using the stormwater fund

Background:

In 2024, it was discovered that a sump pump at 2200 S 8th Ave E was improperly connected to the City of Newton's Sanitary Sewer, contributing to infiltration and inflow (I&I) issues. In response, the City Utilities department instructed the homeowner to disconnect the sump pump from the sewer system and redirect its discharge onto the ground outside the property.

Following a review of numerous concerns raised by residents about the amount of water being discharged along S 8th Ave E, it was determined that this would become an ongoing issue, potentially causing icing problems during the winter months. As a result, staff allowed the sump pump to be temporarily reconnected to the city sewer system while plans were developed to install a perforated sub-drain collector line to safely manage the water.

This project involves the installation of 496 feet of six-inch perforated subdrain, along with 176 feet of service stubs to collect water from sump pumps servicing eight properties. The project also includes restoration of the surface after the installation.

The Public Works Department solicited bids from multiple contractors across central Iowa. On February 20, 2025, Five bids were received. Central Iowa Excavating- Kellogg, IA was the lowest responsive, responsible bidder, with a bid of \$30,474.62.

The engineer's estimate for the project was \$42,179.00. The project is scheduled for completion by May 15, 2025, and the project costs will be covered using the stormwater fund.

Recommendation:

Award contract to Central Iowa Excavating of Kellogg, Iowa, for the completion of the sub drain collector line project in the amount of \$30,474.62.

Matt Muckler, City Administrator

RESOLUTION 2025- _____

RESOLUTION AWARDING CONTRACT FOR THE 2025-01 SUB DRAIN COLLECTOR LINE PROJECT

WHEREAS, in 2024, it was discovered that a sump pump at 2200 S 8th Ave E was improperly connected to the City of Newton's Sanitary Sewer, contributing to infiltration and inflow (I&I) issues; and

WHEREAS, in response, the City Utilities department instructed the homeowner to disconnect the sump pump from the sewer system and redirect its discharge onto the ground outside the property; and

WHEREAS, following a review of numerous concerns raised by residents about the amount of water being discharged along S 8th Ave E, it was determined that this would become an ongoing issue, potentially causing icing problems during the winter months; and

WHEREAS, as a result, staff allowed the sump pump to be temporarily reconnected to the city sewer system while plans were developed to install a perforated sub-drain collector line to safely manage the water; and

WHEREAS, plans were developed to install a subdrain collector line; and

WHEREAS, public works staff prepared a quote package for said work and sought quotes from numerous contractors in central Iowa; and

WHEREAS, Central Iowa Excavating of Kellogg, Iowa provided the lowest responsive responsible quote for the 2025-01 subdrain collector line Project in the amount of \$30,474.62.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of Newton, Iowa, that the quote from Central Iowa Excavating of Kellogg, Iowa, in the amount of Thirty thousand four hundred and seventy four dollars and sixty two cents (\$30,474.62) for the 2025-01 subdrain collector line Project, all as described in the plans and specifications, is hereby accepted, the same being the lowest, responsive quote received for said project; and that the project will be paid for using the stormwater fund.

BE IT FURTHER RESOLVED, by the City Council of the City of Newton, Iowa, that the Contract executed by Central Iowa Excavating of Kellogg, Iowa, for the 2025-01 subdrain collector line Project as described by the plans and specifications filed in the office of the City Clerk, said contract to be signed by the Mayor and City Clerk on behalf of the City, be and the same are hereby approved.

PASSED this _____ day of March, 2025.

APPROVED this _____ day of March, 2025.

Evelyn George, Mayor

ATTEST:

Katrina Davis, City Clerk

City of Newton Council Report

**Item:**

Resolution approving a roof repair project for the water treatment plant

Summary:

Hiring contractor to repair a portion of the roof of the Water Treatment Plant.

Financial Impact:

\$20,675.00 from water revenue funds

Report Number: 2025-197

Date:

March 3, 2025

Lead Department:

Utilities

Recommendation:

Approve

Background:

On or around January 20, 2025, Water Treatment Plant staff observed that a section of the rubber membrane roof had become unadhered from the underlying material, causing it to balloon due to wind exposure. CentiMark Innovative Roofing and Flooring Solutions, the roofing contractor responsible for the original installation in 2022 was contacted to assess the issue. Upon inspection, they determined that internal moisture accumulation was the primary cause of the delamination. As this condition was noted in the original 2022 quote, the repair is not covered under warranty.

The affected roof section is located above the clarifiers, an area characterized by high humidity. To address the issue, the contractor has recommended the following corrective actions:

- Installation of a gravel stop detail along the perimeter of the affected roof section.
- Placement of protective matting over the roof field where ballast will be applied.
- Installation of river rock ballast to secure the membrane.

Given that the roof was installed relatively recently, the contractor has offered to complete the repair at material cost only. The quoted price for the repair is \$20,675.00.

Recommendation:

Approve quote for the roof repairs of the Water Treatment Plant from CentiMark Innovative Roofing and Flooring Solutions, in the amount of \$20,675.00.

Matt Muckler, City Administrator

RESOLUTION NO. 2025-_____

RESOLUTION APPROVING THE ROOF REPAIR AT THE WATER
TREATMENT PLANT FACILITY

WHEREAS, On or around January 20, 2025, Water Treatment Plant staff observed that a section of the rubber membrane roof had become unadhered from the underlying material, causing it to balloon due to wind exposure; and

WHEREAS, the roofing contractor responsible for the original installation in 2022 was contacted to assess the issue; and

WHEREAS, upon inspection, they determined that internal moisture accumulation was the primary cause of the delamination. As this condition was noted in the original 2022 quote, the repair is not covered under warranty; and

WHEREAS, the affected roof section is located above the clarifiers, an area characterized by high humidity; and

WHEREAS, to address the issue, the contractor has recommended the following corrective actions, Installation of a gravel stop detail along the perimeter of the affected roof section, placement of protective matting over the roof field where ballast will be applied and Installation of river rock ballast to secure the membrane; and

WHEREAS, given that the roof was installed relatively recently, CentiMark Innovative Roofing and Flooring Solutions has offered to complete the repair at material cost only. The quoted price for the repair is \$20,675.00.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of Newton, Iowa the Utilities Director is authorized to enter into an agreement with CentiMark Innovative Roofing and Flooring Solutions for the repair of the Water Treatment Plant roof for \$20,675.00, utilizing water revenue funds for this project.

PASSED this _____day of March 2025.

APPROVED this _____ day of March 2025.

ATTEST:

Evelyn George, Mayor

Katrina Davis, City Clerk

City of Newton Council Report

**Item:**

Resolution approving the Newton Sanitary Landfill fee schedule

Summary:

Update the landfill fee schedule to offset increased costs.

Financial Impact:

An estimated \$1,000.00 increase in annual revenues.

Report Number: 2025-201

Date:

March 3, 2025

Lead Department:

Public Works

Recommendation:

Approve

Background:

Thirteen governmental entities own the Newton Sanitary Landfill through a 28-E agreement where the City of Newton is the Landfill Operator, and the other entities are Landfill Associates. The landfill operates as an enterprise fund; the only revenue source is the tipping fee. This tipping fee subsidizes many functions within the landfill operations, such as recycling tires, concrete rubble, yard waste, household hazardous waste, education programs, and the Customer Convenience Center.

The Newton Sanitary Landfill 28-E members proposed no changes to the current tipping fee during the Landfill Budget Workshop held on February 11, 2025. The current tipping fee is \$54.00/ton, which is less than the average tipping of \$55.00/ton among 13 comparable central Iowa landfills.

Every year staff reviews board prices, including tire recycling prices, and estimates costs associated with the tire recycling program. The landfill contracts with Liberty Tire, to recycle the tires that are dropped off at the landfill. The tire recycling prices increased in 2024 resulting in a loss of revenue. To offset the increase, staff proposed an increase in the fee to dispose of tires by \$2.00 per tire with the exception of tractor and heavy equipment tires. The proposed increase received support from all 28-E landfill associates. These changes are estimated to generate an additional \$1,000.00 in revenue annually for the landfill budget.

Recommendation:

Approval of the proposed Landfill Fee Schedule effective July 1, 2025.

Matt Muckler, City Administrator

RESOLUTION NO. 2025-_____

RESOLUTION APPROVING NEWTON SANITARY LANDFILL FEE SCHEDULE

WHEREAS, the Newton Sanitary Landfill is owned by thirteen governmental entities through a 28-E agreement where the City of Newton is the Landfill Operator and the other entities are Landfill Associates; and

WHEREAS, the Landfill Operator is authorized by the 28-E agreement to establish fees and operating hours for the landfill; and

WHEREAS, Landfill 28-E members agreed upon the following Landfill Fee Schedule at the Budget Workshop held on February 11, 2025; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Newton, Iowa, that the following Newton Sanitary Landfill Fee Schedule be adopted.

NEWTON SANITARY LANDFILL FEE SCHEDULE

Effective July 1, 2025

Minimum Charge on all Solid Waste	\$10.00 minimum charge
Garbage Includes wood and other demolition waste not separated for disposal as demolition waste	\$54.00 per ton
Asbestos Minimum charge of \$50.00	\$100.00 per ton
Wind Blades Minimum charge of \$100.00	\$250.00 per ton
Brush - Larger than 1/4" Christmas trees No charge from Dec 26 through Jan 10	\$15.00 per ton (\$5.00 minimum)
Contaminated Dirt	\$30.00 per ton
Slurry (Borings, Jet Vac Waste)	\$20.00 per ton
Logs & Brush	\$15.00 per ton
Car and Motorcycle Tires	\$8.00 each
Small Truck Tires	\$12.00 each
Large Truck Tires-Semi	\$22.00 each
Tractor Tires (under 38") Super Single	\$25.00 each
Heavy Equipment Tires	\$60.00 each
All Tires on Rims	\$8.00 added per tire
Concrete Rubble	\$5.00 per ton
Surcharge of three (3) times normal fee will be charged to all solid waste from non-Newton Sanitary Landfill members	
\$10.00 Surcharge for all unsecured non-commercial loads.	
\$50.00 Surcharge for all unsecured commercial loads	
<u>Fees for the sale of crushed concrete rubble:</u>	
1.5" diameter crushed concrete product	\$8.00 per ton
2" to 4" diameter crushed concrete product	\$14.00 per ton
9" to 19" diameter riprap with rebar	\$14.00 per ton

3/4" diameter crushed concrete product	\$10.00 per ton
Screenings	\$5.00 per ton

PASSED this ____ day of March 2025.
APPROVED this ____ day of March 2025.

Evelyn George, Mayor

ATTEST:

Katrina Davis, City Clerk

City of Newton Council Report

**Item:**

Resolution ordering bids, approving plans, specifications, form of contract, notice to bidders, ordering clerk to publish notice, fixing a date for receiving same, for a public hearing on plans, specifications, form of contract and estimate of costs for the 1st Ave E (Hwy 6) Traffic Signal Upgrades Project

Summary:

Accept plans and order bids for the 1st Ave E (Hwy 6) Traffic Signal Upgrades Project.

Financial Impact:

\$173,572.50 to be paid from a Traffic Safety Improvements Grant and Road Use Tax Funds

Report Number: 2025-202**Date:**

March 3, 2025

Lead Department:

Public Works

Recommendation:

Approve

Background:

Five signalized intersections on 1st Ave E do not have ADA signals with an audible sound and pedestrian count-down heads. For those with certain disabilities, it can make it hard to know when it is safe to cross the intersection. Audible sounds and count-down signal improvements are commonly used to help disabled pedestrian's cross intersections.

The City of Newton was awarded an Iowa Department of Transportation (DOT) Traffic Safety Improvement Program (TSIP) grant. The TSIP program grant is funded by Iowa's Road Use Tax and will pay up to 100% of project equipment costs for upgrades to pedestrian control devices, which is estimated to be \$102,420.00.

Plans and specifications were prepared by Bolton & Menk, and the following bids were received and opened on January 7, 2025. Due to prices being well over the awarded grant amount for the project, all bids were rejected.

Plans and specifications have been redesigned by Bolton & Menk and are ready to be placed out for bid. The proposed bid opening for the project will occur on March 27, 2025, and the public hearing to accept the bids and award the work will take place at the regularly scheduled council meeting on April 7, 2025. The engineer's estimate of construction cost is \$173,572.50 to be paid from a Traffic Safety Improvements Grant and City of Newton Road Use Tax Funds. This Resolution will override Resolution 2025-057.

Recommendation:

Approval of plans and set dates, and obtain bids for the 1st Ave E (Hwy 6) Traffic Signal Upgrades Project

Matt Muckler, City Administrator

RESOLUTION NO. 2025-_____

RESOLUTION ORDERING BIDS, APPROVING PLANS, SPECIFICATIONS, FORM OF CONTRACT, NOTICE TO BIDDERS, ORDERING CLERK TO PUBLISH NOTICE, FIXING A DATE FOR RECEIVING SAME, FOR A PUBLIC HEARING ON PLANS, SPECIFICATIONS, FORM OF CONTRACT AND ESTIMATE OF COSTS FOR THE 1ST AVE E (HWY 6) TRAFFIC SIGNAL UPGRADES PROJECT

WHEREAS, five signalized intersections on 1st Ave E do not have ADA signals with an audible sound and pedestrian count-down heads. For those with certain disabilities, it can make it hard to know when it is safe to cross the intersection. To help assist disabled pedestrians to cross intersections, audible sounds and count-down signal improvements are commonly used; and

WHEREAS, the City of Newton was awarded an Iowa Department of Transportation (DOT) Traffic Safety Improvement Program (TSIP) grant The TSIP program grant is funded by Iowa's Road Use Tax and will pay \$102,420.00 for project equipment costs for upgrades to pedestrian control devices; and

WHEREAS, Plans and specifications were prepared by Bolton & Menk, and the following bids were received and opened on January 7, 2025. Due to prices being well over the awarded grant amount for the project, all bids were rejected; and

WHEREAS, construction plans and specifications have been redesigned by Bolton & Menk and are ready to be placed out for bid; and

WHEREAS, the total cost estimate is \$173,572.50.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Newton, Iowa, that the 1st Ave E (Hwy 6) Traffic Signal Upgrades Project in the City of Newton, Iowa, is hereby ordered to be advertised for bids for construction; and the project be paid from Traffic Safety Improvements Grant and City of Newton Road Use Tax funds; and

BE IT FURTHER RESOLVED that the detailed plans and specifications as prepared by the City of Newton for the construction of the 1st Ave E (Hwy 6) Traffic Signal Upgrades Project in the City of Newton, Iowa, and the form of contract and Notice to Bidders and Notice of Public Hearing, be and the same are hereby approved, subject to hearing thereon, and are hereby ordered placed on file in the office of the City Clerk for public inspection; and

That the City Clerk is hereby directed to advertise for bids for the construction of said improvements. Bids will be received and opened at the office of the Public Works Director at 11:00 AM on the 27th day of March 2025. There the bids will be referred to the City Council for action upon said bids at a future meeting to be held at the Council Chambers, Newton, Iowa. Notice to Bidders is to be published not less than thirteen (13) calendar days nor more than forty-five (45) days prior to the date fixed for said bid opening in the following: 1) a relevant contractor plan room service with statewide circulation, 2) a relevant construction lead generating service with statewide circulation and 3) the City of Newton website; and

That the Council hold a public hearing on the matter of the adoption of proposed plans, specifications, and form of contract for the making of said improvements, which documents are now on file in the office of the City Clerk, said hearing to be held at the Council Chambers in the City Hall, Newton, Iowa, on the 7th day of April 2025, at 6:00 pm, and that the City Clerk give notice of said hearing by publication once in a local legal newspaper, printed wholly in English language, not less than four (4) clear days nor more than twenty (20) days prior to the date fixed therefore.

PASSED this _____ day of March, 2025.

APPROVED this _____ day of March, 2025.

Evelyn George, Mayor

ATTEST:

Katrina Davis, City Clerk

City of Newton Council Report

**Item:**

Resolution Setting a Date For a Public Hearing on the Proposed Property Tax Levy for Fiscal Year July 1, 2025 – June 30, 2026

Summary:

Resolution Setting a Date For a Public Hearing on the Proposed Property Tax Levy for Fiscal Year July 1, 2025 – June 30, 2026

Financial Impact:

No Financial Impact, this action sets a Public Hearing

Report Number: 2025-175**Date:**

March 3, 2025

Lead Department:

Administration

Recommendation:

Approve

Background:

The 2023 Iowa State Legislature passed bill #HF718 which requires cities to hold an additional public hearing during the budget process on a proposed property tax levy. The proposed property tax levy public hearing must be held at a separate meeting from all other meetings and can be the only item discussed.

This action sets a public hearing for April 7, 2025 at 5:30pm.

Recommendation:

Staff recommends setting a public hearing on April 7, 2025 at 5:30 pm on the proposed property tax levy for fiscal year FY26.

Matt Muckler, City Administrator

RESOLUTION NO. 2025 – _____

**RESOLUTION SETTING A PUBLIC HEARING ON THE
PROPOSED PROPERTY TAX LEVY FOR FISCAL YEAR JULY
1, 2025 – JUNE 30, 2026**

WHEREAS, HF718 requires cities to hold a public hearing on the proposed property tax levy for fiscal year July 1, 2025 – June 30, 2026; and

WHEREAS, this public hearing must be held at a separate and distinct meeting from all others and include no other city business; and

WHEREAS, this action designates April 7, 2025 at 5:30 pm in the City Hall Council Chambers as the time and place for the hearing on the proposed property tax levy for fiscal year July 1, 2025 – June 30, 2026;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Newton, Iowa, that public hearing is set for April 7, 2025 at 5:30 pm on the proposed property tax levy for fiscal year July 1, 2025 – June 30, 2026.

PASSED this 3rd day of March 2025.

APPROVED this _____ day of March 2025.

Evelyn George, Mayor

ATTEST:

Katrina Davis, City Clerk

<u>Vendor</u>	<u>Department</u>	<u>Description</u>	<u>Amount</u>
Acushnet Company	Golf	Merchandise	\$ 2,797.31
Air Products and Chemicals Inc	Water Treatment Plant	Supplies	\$ 4,317.60
Airgas USA LLC	Fire	Supplies	\$ 492.38
Alliant Energy/IPL	All	Utility	\$ 6,064.72
Amazon Capital Service	All	Supplies	\$ 3,508.05
American Business Phones	Water Pollution Control	Service	\$ 70.00
Armstrong, Craig	Economic Development	Reimb	\$ 57.40
Ascendance Trucks Midwest LLC	Water Distribution	Supplies	\$ 43.90
Axon Enterprise Inc	Police	Supplies	\$ 494.50
Baker & Taylor	Library	Supplies	\$ 3,897.48
Bestell, Brad	Parks	Service	\$ 1,370.00
Blackstone Publishing	Library	Supplies	\$ 35.99
Bound Tree Medical LLC	Fire/Police	Supplies	\$ 485.51
C. H. McGuiness Co Inc	Water Pollution Control	Service	\$ 1,534.64
Center Point Large Print	Library	Supplies	\$ 108.38
Continental Research	Water Pollution Control	Supplies	\$ 258.65
Contractor Solutions	Water Distribution	Supplies	\$ 1,953.57
Costa Oil Newton	Fire	Service	\$ 77.18
Demco Inc	Library	Supplies	\$ 863.43
Des Moines Stamp Mfg	Parks	Supplies	\$ 34.00
Diamond Vogel Inc	Water Pollution Control	Supplies	\$ 18.52
Digium Cloud Service LLC	Water Distribution	Service	\$ 455.32
DMACC - Ankeny Campus	All	Rent	\$ 3,159.58
Dodd Trash Hauling & Recycling	Solid Waste	Service	\$ 71,764.74
Fareway	Utility Billing/WTP	Supplies	\$ 27.94
Fastenal	Utility Billing	Supplies	\$ 156.00
Fink, Keith	Engineering	Reimb	\$ 12.75
Fire Protection Publications	Fire	Supplies	\$ 711.50
Forbes Office Solutions	Library	Supplies	\$ 85.99
Forck, Matt	Water Pollution Control	Reimb	\$ 65.00
FOX Strand	WPC RESO 2020-267 2020-268	Service	\$ 3,647.00
Galls LLC	Fire/Police	Supplies	\$ 429.22
Garcia, Jose	Police	Reimb	\$ 605.00
Grainger Inc	Water Pollution Control	Supplies	\$ 43.34
Gregg Young Auto Center	Police	Service	\$ 1,379.69
Grimes, Sydney	Utility Billing	Refund	\$ 65.00
Hach Co	Water Treatment Plant	Supplies	\$ 303.09
Hawkeye Land	Water Distribution	Service	\$ 575.00
Hawkeye Lock & Security	Water Pollution Control	Service	\$ 216.15
Hawkins Water Treatment	Water Treatment Plant	Supplies	\$ 3,742.75
HR Green Inc	Storm Water	Service	\$ 15,876.50
Huffaker Garage Doors LLC	WPC/Street	Service	\$ 470.00
IAWEA	Water Pollution Control	Service	\$ 225.00
Image Trend Inc	Fire	Service	\$ 699.00

Ingram Library Service	Library	Supplies	\$ 12.44
Interstate All Battery Center	Fire	Supplies	\$ 148.05
Iowa Police Chiefs Association	Police	Service	\$ 350.00
Iowa Prison Industries	Street	Supplies	\$ 1,031.25
Isolved Benefit Service	Finance	Service	\$ 133.13
J Versteegh Septic Sewer & Drain	Water Treatment Plant	Service	\$ 140.00
Johnson Aviation	Airport	Service	\$ 3,634.62
Johnson Controls Security Solutions	Water Treatment Plant	Service	\$ 676.46
K9 Kennel Store	Animal Control RESO 2024-323	Supplies	\$ 3,570.05
Kiesler's Police Supplies	Police	Supplies	\$ 548.84
Lamp Ryneerson & Assoc	Airport RESO 2025-022	Service	\$ 2,500.00
Lanman, Colton	Police	Reimb	\$ 40.01
Liberty Process Equipment Inc	Water Pollution Control	Service	\$ 3,301.10
Machin, Ed	D&D	Service	\$ 1,500.00
Manatts - Brooklyn	Water Distribution	Supplies	\$ 972.30
Menards-Altoona	Water Treatment Plant	Supplies	\$ 197.98
MercyOne DSM Medical Ctr-Financial Ops	Fire	Supplies	\$ 439.68
Metering and Technology Solutions	WTP RESO 2024-1286	Supplies	\$ 26,279.55
Midwest Alarm	Library	Service	\$ 386.16
Mississippi Lime Company	Water Treatment Plant	Supplies	\$ 33,690.54
Municipal Collections of America Inc	Fire	Reimb	\$ 253.47
Municipal Supplies Inc	Water Distribution RESO 2024-1286	Supplies	\$ 42,236.61
NAPA Auto Parts	All	Supplies	\$ 1,149.55
News Printing Company	All	Service	\$ 268.86
Niemann Ace Hardware 650	All	Supplies	\$ 119.68
Northern Tool / Capital One Trade Credit	Fire	Supplies	\$ 151.95
O'Reilly Auto Parts	Water Distribution	Supplies	\$ 4.62
Parkview Animal Hospital	Animal Control	Service	\$ 668.37
Penworthy Company	Library	Supplies	\$ 614.30
Phelps Uniform Specialists	All	Service	\$ 299.40
Pitney Bowes Inc	Utility Billing/Library/Finance	Service	\$ 300.72
Ferguson Enterprises LLC #1657	Water Pollution Control	Supplies	\$ 2,648.28
Preferred Pest Control Inc	Fire	Service	\$ 343.98
Premier Office Equipment	Police	Service	\$ 319.16
Price, Brandon & Leeanna	Private Incentives	Incentive	\$ 10,000.00
RACOM Corporation	Police	Service	\$ 286.00
Ray, Randy	Police	Service	\$ 950.00
Reeves Heating & Cooling	Parks/Library	Service	\$ 5,020.24
Regal Clean LLC	City Center	Supplies	\$ 3,274.96
Reliant Fire Apparatus Inc	Fire	Service	\$ 3,703.18
Riggs Printing Inc	Police	Supplies	\$ 375.00
Ryan's Tire & Auto	Golf	Supplies	\$ 225.00
Schwarz, Shane	Water Pollution Control	Reimb	\$ 65.00
Spahn & Rose Lumber Co	Water Distribution	Supplies	\$ 14.96
Springer Professional Home Service	Library	Service	\$ 58.30
State Hygienic Laboratories	Water Treatment Plant	Service	\$ 21.00
Stivers Midwest Pro Upfitters	Police RESO 2024-197	Supplies	\$ 11,649.78
Tatman, Anthony	Fire	Service	\$ 375.00
Taylor, Jon	Water Treatment Plant	Service	\$ 19,226.67

Theisen's	All	Supplies	\$	925.13
TK Elevator	Water Treatment Plant	Service	\$	565.00
Town & Country Sanitary Service	Water Treatment Plant	Service	\$	760.00
Two Rivers Cooperative	Water Treatment Plant	Supplies	\$	4,236.11
Utility Equipment Co	Water Pollution Control	Supplies	\$	2,066.00
Van Maanen Electric Inc	Street Lighting/Parks	Service	\$	16,729.54
Van Wall Equipment	Golf	Supplies	\$	134.19
Volk, Ryan	Fire	Reimb	\$	25.00
Walker Jr, Vonroe	Utility Billing	Refund	\$	56.45
Wells Fargo Financial Leasing Inc	Utility Billing	Service	\$	206.38
Wex Bank	Water Distribution	Supplies	\$	776.97
Windstream Communications LLC	Water Treatment Plant	Service	\$	85.00
Xerox Corporation	Water Treatment Plant	Service	\$	36.16
Total			\$	343,976.90

Pre-Authorized Payments

Black Hills Energy	All	Utilities	\$	6,636.62
Card Services	All	Service	\$	4,181.72
Dish	Airport	Utilities	\$	159.10
Driving Cap Entertainment, LLC	Newton Fest 2025	RESO 2025-037	\$	100.00
Full Swing Golf	Golf	RESO 2025-046	\$	31,127.50
Howe Excavating	Housing Demolitions	RESO 2024-388	\$	9,845.80
IA Dept Of Natural Resources	Airport	Service	\$	130.00
Jasper Point Plaza LLC	Property Tax Rebate FY 24/25	RESO 2025-052	\$	12,615.00
Manatts	Landfill/Storm Sewers/North Central TIF	RESO 2024-367 2024-251	\$	472,407.99
Medicaom	Admin	Utilities	\$	336.90
McAninch Corporation	Fairmeadows TIF	RESO 2024-339	\$	130,666.89
MCCoy Roofing LLC	Tort Liability	RESO 2025-019	\$	4,195.25
Untied State Cellular	Finance	Utilities	\$	0.68
Verizon Wireless	Disaster Services	Utilities	\$	35.01
Windstream	Admin/Fire	Utilities	\$	910.63
Total:			\$	673,349.09

ACH Payments

Advantage Credit Union	All	Insurance	\$	13,365.00
Bank Iowa	All	Insurance	\$	3,645.00
Kabel	All	Insurance	\$	50.00
GEMT	Fire	Fees	\$	9,541.83
Self Funded Insurance	All	Insurance	\$	215,454.35
Payroll 1-31-25	All	Payroll	\$	471,036.30
Payroll 2-14-25	All	Payroll	\$	488,285.99
Mutual of Omaha	All	Insurance	\$	4,896.75
Great Southern Bank	Golf	Fees	\$	422.11
State of Iowa	General	Sales Tax	\$	4,956.91
Lambs Grove	Utility Billing	Fees	\$	2,682.38
Wet Tax	Utility Billing	Tax	\$	9,260.72
Returned ACH Fees	Utility Billing	Charges	\$	869.44
GILA - Fees	Utility Billing	Fees	\$	16.00
Returned Check Fees	Utility Billing	Fees	\$	117.87
Total:			\$	1,224,600.65

City of Newton Council Report



Item:

Resolution taking additional action on proposal to enter into General Obligation Loan Agreements and combining Loan Agreements in connection therewith

Report Number: 2025-194

Date:

March 3, 2025

Lead Department:

Administration

Recommendation:

Approve

Summary:

Resolution taking additional action on proposal to enter into General Obligation Loan Agreements and combining Loan Agreements in connection therewith

Financial Impact:

Next step in approval of the 2025 General Obligation Bonds

Background:

During the FY26 budget and CIP process, staff had presented the need for bonding in the spring of 2025 for various projects and continued funding of current initiatives.

The 4 loan agreements below include funding for the following proposed items:

Essential Purpose Loan Agreement #1, not to exceed \$4,200,000

• Police Vehicles	\$ 140,000
• Police Equipment	\$ 200,000
• Fire Ambulance	\$ 360,000
• Fire Equipment	\$ 47,000
• Airport Apron Expansion	\$ 146,000
• D&D Projects	\$ 100,000
• Park Improvements & Equipment	\$ 132,000
• Housing Incentive	\$ 100,000
• Asphalt Mill Overlay – Various Streets	\$ 430,000
• S 12 th Ave W Reconst & Traffic Signal Upgrades	\$ 75,000
• Downtown Street Improvements FY26	\$ 955,000
• Alley Work & Improvements	\$ 350,000
• Sunset Park Improvements	\$ 12,000
• Stormwater Project 1 st Ave & 12 th St N	\$ 700,000

General Purpose Loan Agreement #1, not to exceed \$930,000

• Westwood Clubhouse – Phase 3	\$ 250,000
• Tennis Court Construction/Resurfacing	\$ 416,000

- Lighting for Tennis Courts \$ 149,000
- Hike & Bike Trail Repairs \$ 25,000
- Maytag Pool Paint \$ 15,000

General Purpose Loan Agreement #2, not to exceed \$700,000

- Administration Server Upgrades \$ 5,000
- City Center 2nd Phase Microzone Replacement \$ 25,000
- City Center West Window Replacement \$ 15,000
- Animal Control Facility \$ 150,000
- Fire Station Remodeling \$ 15,000
- Fire Station Shoring up of Flooring \$ 110,000
- Fire/Police Training Site Facility \$ 195,000

Urban Renewal Loan Agreement #1, not to exceed \$200,000

- Downtown Housing Grant \$ 50,000
- Downtown Improvement Grant \$ 50,000

The City Council intends to combine the Loan Agreements into a single loan agreement and to issue General Obligation Corporate Purpose Bonds, Series 2025A.

The City Administrator and Finance Officer are hereby authorized to take such action as shall be deemed necessary and appropriate, with the assistance of the Disclosure Counsel and the Underwriter to prepare the Preliminary Official Statement describing the Bonds and providing for the terms and conditions of their sale.

Recommendation:

Staff recommends approval of the attached Resolution taking additional action in regards to the 2025 General Obligation bonds.



Matt Muckler, City Administrator

RESOLUTION NO. _____

Resolution taking additional action on proposals to enter into Loan Agreements and combining Loan Agreements

WHEREAS, the City of Newton (the “City”), in Jasper County, State of Iowa, heretofore proposed to enter into a loan agreement (the “Essential Purpose Loan Agreement”) pursuant to the provisions of Section 384.24A of the Code of Iowa and to borrow money thereunder in a principal amount not to exceed \$4,200,000 for the purpose of paying the costs, to that extent, of (a) constructing street, alley, storm water drainage and sidewalk improvements, including other incidental public infrastructure elements; (b) acquiring equipment for municipal cemeteries; (c) acquiring vehicles and equipment for the municipal Police, Fire and EMS departments; (d) undertaking improvements to and equipping of existing municipal parks; (e) undertaking improvements to the municipal airport; (f) acquiring, demolishing and/or restoring dangerous, dilapidated and/or abandoned properties; and (g) providing funding for the Newton Housing Initiative Program, a copy of which is on file for public inspection in the Office of the City Clerk, which is a program that provides for the acquisition, restoration or demolition of housing, and pursuant to law and a notice duly published, the City Council has held a public hearing on such proposal on March 3, 2025; and

WHEREAS, the City also proposed to enter into a general purpose loan agreement (the “Parks and Recreation Loan Agreement”), pursuant to the provisions of Section 384.24A of the Code of Iowa, and to borrow money thereunder in a principal amount not to exceed \$930,000 for the purpose of paying the costs, to that extent, of (a) undertaking tennis court surfacing and lighting improvements; (b) undertaking improvements to the municipal swimming pool; (c) undertaking recreation trail improvements; and (d) undertaking club house improvements at the municipal golf course, and in lieu of calling an election upon such proposal, has published notice of the proposed action, including notice of the right to petition for an election, and has held a hearing thereon, and as of March 3, 2025, no petition had been filed with the City asking that the question of entering into the Parks and Recreation Loan Agreement be submitted to the registered voters of the City; and

WHEREAS, the City also proposed to enter into a general purpose loan agreement (the “Public Facilities Loan Agreement”), pursuant to the provisions of Section 384.24A of the Code of Iowa, and to borrow money thereunder in a principal amount not to exceed \$700,000 for the purpose of paying the costs, to that extent, of (a) undertaking improvements to municipal fire stations; (b) constructing training facilities for the municipal police and fire departments; (c) undertaking improvements to and equipping City Hall; and (d) constructing an animal control facility, and in lieu of calling an election upon such proposal, has published notice of the proposed action, including notice of the right to petition for an election, and has held a hearing thereon, and as of March 3, 2025, no petition had been filed with the City asking that the question of entering into the Public Facilities Loan Agreement be submitted to the registered voters of the City; and

WHEREAS, the City also proposed to enter into a general obligation urban renewal loan agreement (the “Urban Renewal Loan Agreement” and together with the Essential Purpose Loan Agreement, the Parks and Recreation Loan Agreement, and the Public Facilities Loan Agreement, the “Loan Agreements”), pursuant to the provisions of Section 384.24A of the Code of Iowa, and

to borrow money thereunder in a principal amount not to exceed \$200,000 for the purpose of paying the costs, to that extent, of undertaking the Downtown Housing Grant and Downtown Micro-Grant Programs, an authorized urban renewal project of the City in its North Central Urban Renewal Area, last approved by City Council action on August 15, 2022, and in lieu of calling an election upon such proposal, has published notice of the proposed action, including notice of the right to petition for an election, and has held a hearing thereon, and as of March 3, 2025, no petition had been filed with the City asking that the question of entering into the Urban Renewal Loan Agreement be submitted to the registered voters of the City; and

WHEREAS, pursuant to the provisions of Section 384.28 of the Code of Iowa, the City intends to combine the Loan Agreements into a single loan agreement (the “Loan Agreement”);

NOW, THEREFORE, It Is Resolved by the City Council of the City of Newton, Iowa, as follows:

Section 1. The City hereby combines the Loan Agreements into the Loan Agreement pursuant to Section 384.28 of the Code of Iowa. The City Council further determines to enter into the Loan Agreement in the future and orders that General Obligation Bonds shall be issued at such time, in evidence thereof. The City Council further declares that this resolution constitutes the “additional action” required by Section 384.24A of the Code of Iowa.

The City Council further declares that this resolution constitutes the “additional action” required by Section 384.24A of the Code of Iowa with respect to the Loan Agreement, and all combined borrowing proposals thereunder.

Section 2. Further action with respect to the Loan Agreement is hereby adjourned to the City Council meeting scheduled for March 17, 2025.

Section 3. All resolutions or parts of resolutions in conflict herewith are hereby repealed to the extent of such conflict.

Section 4. This resolution shall be in full force and effect immediately upon its adoption and approval, as provided by law.

Passed and approved March 3, 2025.

Mayor

Attest:

City Clerk

MINUTES TO HOLD HEARING AND
ADDITIONAL ACTION ON LOAN
AGREEMENTS AND TO COMBINE
LOAN AGREEMENTS

504612-72

Newton, Iowa

March 3, 2025

The City Council of the City of Newton, Iowa, met on March 3, 2025, at 6:00 p.m., at the City Hall Council Chambers, Newton, Iowa.

The meeting was called to order by the Mayor, and the roll was called showing the following members of the City Council present and absent:

Present: _____

Absent: _____.

This being the time and place specified for taking action on the proposal to enter into the Essential Purpose Loan Agreement, as defined in the attached resolution, and to borrow money thereunder in a principal amount not to exceed \$4,200,000, the City Clerk announced that no written objections had been placed on file. Whereupon, the Mayor called for any written or oral objections, and there being none, the Mayor declared the public hearing closed.

This also being the time and place specified for taking action on the proposal to enter into a certain Parks and Recreation Loan Agreement, as defined in the attached resolution, in a principal amount not to exceed \$930,000, the City Clerk announced that no petition had been filed asking that the question of entering into the loan agreement be submitted to the registered voters of the City, and that the City Council may proceed with the authorization of the loan agreement.

This also being the time and place specified for taking action on the proposal to enter into a certain Public Facilities Loan Agreement, as defined in the attached resolution, in a principal amount not to exceed \$700,000, the City Clerk announced that no petition had been filed asking that the question of entering into the loan agreement be submitted to the registered voters of the City, and that the City Council may proceed with the authorization of the loan agreement.

This also being the time and place specified for taking action on the proposal to enter into a certain Urban Renewal Loan Agreement, as defined in the attached resolution, in a principal amount not to exceed \$200,000, the City Clerk announced that no petition had been filed asking that the question of entering into the loan agreement be submitted to the registered voters of the City, and that the City Council may proceed with the authorization of the loan agreement.

Whereupon, the Mayor called for any written or oral objections, and there being none, the Mayor closed the public hearings.

After due consideration and discussion, Council Member _____ introduced the following resolution and moved its adoption, seconded by Council Member _____. The Mayor put the question upon the adoption of said resolution, and the roll being called, the following Council Members voted:

Ayes: _____

Nays: _____

Whereupon, the Mayor declared the resolution duly adopted, as hereinafter set out.

• • • • •

At the conclusion of the meeting, and upon motion and vote, the City Council adjourned.

Mayor

Attest:

City Clerk

ATTESTATION CERTIFICATE

STATE OF IOWA
JASPER COUNTY
CITY OF NEWTON

SS:

I, the undersigned, City Clerk of the City of Newton, do hereby certify that as such I have in my possession or have access to the complete corporate records of the City and of its City Council and officers and that I have carefully compared the transcript hereto attached with those corporate records and that the transcript hereto attached is a true, correct and complete copy of all the corporate records relating to a public hearing and additional action on the proposals to enter into certain Loan Agreements, combining Loan Agreements and to issue General Obligation Bonds in the future, and that the transcript hereto attached contains a true, correct and complete statement of all the measures adopted and proceedings, acts and things had, done and performed up to the present time with respect thereto.

WITNESS MY HAND this _____ day of _____, 2025.

City Clerk

City of Newton Council Report

**Item:**

Second Consideration of an Ordinance amending the code of ordinances, City of Newton, Iowa, 2025, Title V, Chapter 54, Waterworks Section 54.02 – 54.19 by adding or deleting language

Summary:

amending Waterworks code to reference Utilities Department, instead of Public Works, adding language from former “Rules of Operations” into the city code and numerous other updates.

Financial Impact:

Estimated increase in annual revenue \$15,000.

Report Number: 2025-200

Date:

March 3, 2025

Lead Department:

Utilities

Recommendation:

Approve

Background:

When the governance of the waterworks was placed under the city council, the Divisions of Water Treatment and Water Distribution were placed under the Department of Public Works. In November of 2022 Newton City Council approved a reorganization, creating a new Utilities Department, placing waterworks under the Department of Utilities. Numerous language changes throughout this ordinance are to reflect the Department of Utilities, versus Public Works, other changes include:

- 54.10 CONNECTION TO WATER MAIN Updating requirements for service line connections
- 54.11 MAINTENANCE OF SERVICE LINE. Adding language for clarification and actions for failure to maintain private water service lines
- 54.12 WATER METERS. Adding “remote radio read endpoints” language
- 54.13 EXTENSION OF DISTRIBUTION WATER MAINS. Adding language to the ordinance, that exists in the former Waterworks Board of Trustees, Water Customer Service Handbook “Rules of Operations”
- 54.17 SHUT OFF OF SERVICE. Adding language for discontinuing service for non-compliance with the city code
- 54.19 FEE SCHEDULE. Adjusting fees schedule for NSF, account set up, removing discount for paying by due date, adjusting late fee charge, adding late fee or discontinue of service for non-compliance of backflow testing
- 54.19 FEE SCHEDULE. Adding existing tap fee schedule and existing Capital Recovery Charge fee schedule to the ordinance fee schedule.

Recommendation:

Approval of the proposed ordinance

Matt Muckler, City Administrator

ORDINANCE NO. _____

**ORDINANCE AMENDING THE CODE OF ORDINANCES, CITY OF NEWTON, IOWA, 2025,
TITLE V, CHAPTER 54 WATERWORKS, SECTION 54.02 - 54.19 BY ADDING OR DELETING
LANGUAGE**

WHEREAS, at its March 18, 2022 meeting, the NWW Board of Trustees voted that the NWW Board of Trustees should be dissolved and that governance of NWW should be permanently placed with the Newton City Council; and

WHEREAS, the NWW Board of Trustees was originally established by election of the voters pursuant to Iowa Code §388.2; and

WHEREAS, Iowa Code §388.2 requires that a proposal to discontinue a utility board is subject to the approval of the voters of the City; and

WHEREAS, pursuant to Iowa Code §388.2(1)(b), a City can submit a proposal to discontinue the utility board at a general election, a regular city, election, or at a special election called for that purpose; and

WHEREAS, the City Council of the City of Newton, IA passed a resolution on April 18, 2022 setting a special City election on Tuesday, September 13, 2022, at which election the following question was submitted to the registered voters of the City of Newton, Iowa:

“Shall the Newton WaterWorks Board of Trustees be dissolved and the City Council of Newton, Iowa, in the County of Jasper, Iowa assume the obligations of managing and controlling the Newton WaterWorks.”; and

WHEREAS, Newton Waterworks was placed under the Department of Public Works; and

WHEREAS, In November of 2022 Newton City Council approved a reorganization, creating a new Utilities Department and placing waterworks under the Department of Utilities; and

WHEREAS, this requires numerous department reference language changes; and

WHEREAS, numerous other updates, including previously approved “rules of operation”, within the “Water Customer Service Handbook”, but were not included in the City of Newton code of ordinances, the changes are as follows:

CHAPTER 54: WATERWORKS

Section

- 54.01 Purpose
- 54.02 Powers and duties
- 54.03 Definitions
- 54.04 Control of funds
- 54.05 Accounting
- 54.06 Discriminatory rates illegal
- 54.07 Treasurer
- 54.08 Certification of unpaid water rates, charges to create lien on real property
- 54.09 Denial of application for service line
- 54.10 Connection to distribution water main
- 54.11 Maintenance of service line
- 54.12 Water meters
- 54.13 Extension of distribution water mains
- 54.14 Private fire protection

- 54.15 Information supplies to plumbers and interested parties
- 54.16 City not liable for damages by turning on water
- 54.17 Shut off of service
- 54.18 Private wells restricted
- 54.19 Fee schedule

§ 54.01 PURPOSE.

The purpose of this chapter is to provide for the operation of the municipally-owned Water Utility by City Council.

(Ord. 2421, passed 11-8-2022)

§ 54.02 POWERS AND DUTIES.

(A) Pursuant to an election, September 13, 2022 the City Council of Newton, Iowa, in the County of Jasper, Iowa; shall be the governing body of the Newton Waterworks Utility.

(B) The administrative management of the Waterworks Utility shall be under the direction of the City Administrator.

(C) The operations management of the Waterworks Utility shall be under the direction of the ~~Public Works~~Utilities Director, who shall function as its Director. In that capacity, the Director or the Director's designee shall supervise the day-to-day operation of the Waterworks Utility, shall enforce this chapter and the provisions of all ordinances and regulations adopted by the City Council and shall carry out the policy directives of the City Council acting in its role as governing body of the Waterworks Utility.

(D) The Waterworks Utility shall have the following powers, duties and responsibilities:

(1) Prepare ordinances as needed to implement this chapter and place them for consideration and adoption by the City Council, and adopt such regulations and procedures as are required to implement this chapter and carry out its duties and responsibilities.

(2) Administer the acquisition, design, construction, maintenance and operation of the Water Utility system, including capital improvements.

(3) Administer and enforce this chapter and all ordinances, regulations and procedures related to design, construction, maintenance, operation and alteration of the Water Utility system, including, but not limited to the quantity and quality of the Water Utility.

(4) Inspect private water systems as necessary to determine the compliance of such systems with this chapter and any ordinances or regulations adopted by this chapter.

(5) Review plans, approve or deny, inspect and accept extensions to the water system.

(6) Annually analyze the cost of services and benefits provided, and the system and structure of fees, charges, fines, and other revenues of the Water Utility, and to make recommendations regarding adjustment to such fees, charges, fines and other revenues.

(7) Prepare and file an annual operating budget for the Water Utility and make recommendations regarding the financing of the cost of extending and replacing portions of the water system.

(8) Acquire, construct, lease, own, operate, maintain, extend, expand, replace, clean, repair, conduct, manage, and finance such facilities, operations, and activities, as are deemed by the city to be proper and reasonably necessary for a water system. These facilities may include, but are not limited to, wells, pumps, water treatment plant, maintenance buildings, transmission mains, ~~watertowers~~water towers, distribution mains and such other facilities relating to municipal Water Utility system.

(Ord. 2421, passed 11-8-2022)

§ 54.03 DEFINITIONS.

For the purpose of this chapter the following definitions shall apply unless the context clearly indicates or requires a different meaning.

CITY. City of Newton Iowa, Newton Waterworks.

COMPLAINT. A statement or question by anyone, whether a Utility customer or not, alleging a wrong, grievance, injury, dissatisfaction, illegal action or procedure, dangerous condition or action, or Utility obligation.

CONTIGUOUS LOCATIONS. Those where one customer has more than one building on the same property or on adjacent property separated only by a public right-of-way.

CONTRACT. Any claim, account, demand against, or agreement with, the Utility, express or implied.

CONTRACTOR. Any person, firm, or corporation performing work for a customer.

CUSTOMER. Any person, firm, association, or corporation, any agency of the federal, state, or local government, or legal entity responsible by law for payment for the water from the Utility. In the case of a residence, CUSTOMER also means other adult persons occupying the residence.

DELINQUENT OR DELINQUENCY. An account for which a service bill or service payment agreement has not been paid in full on or before the last date for timely payment.

DISTRIBUTION WATER MAIN. Water pipe owned, operated or maintained by the city and used for the purpose of distribution of potable water.

DUAL PURPOSE WATER METER. A city owned and city furnished device used to measure the volume of water passing through the service line which is discharged into the city wastewater treatment facilities.

GOVERNING BODY. The City of Newton Iowa, City Council.

PREMISES. A tract of land, building, part of a building or facility to which water service is provided.

PRIVATE FIRE PROTECTION SYSTEMS. Connection from the distribution water mains to the building or point of service, including any and all of the following: pipe(s), valve(s), fire hydrant(s) and pump(s).

SERVICE AREA. The areas served by city water.

SERVICE LINE. The pipe laid from the distribution water main to the point of service or building served. The service line shall include tap, stop boxes, pipes and valves between the distribution water main and the water meter.

SERVICE RULES. These rules as adopted by the Newton City Council.

SINGLE PURPOSE WATER METER. A city-owned and city-furnished device used to measure the volume of water passing through the service line which is not discharged into the wastewater treatment facilities.

STOP BOX/CURB VALVE/CURB BOX. A shutoff valve on a service line that can be opened and closed from the surface of the ground.

TIMELY PAYMENT. A payment on a customer's account, made on or before the date shown on a current bill for service, or on a form which records an agreement between the customer and the Utility for a series of partial payments to settle a delinquent account.

UTILITY. City of Newton Waterworks.

WATER METER. A city-owned and city-furnished device used to measure the volume of water passing through a service line.

(Ord. 2421, passed 11-8-2022)

§ 54.04 CONTROL OF FUNDS.

The City Council shall control revenues as all moneys derived from operations.

(Ord. 2421, passed 11-8-2022)

§ 54.05 ACCOUNTING.

Utility moneys must be held in a separate utility fund, with a separate account or accounts for each utility or combined utility system.

(Ord. 2421, passed 11-8-2022)

§ 54.06 DISCRIMINATORY RATES ILLEGAL.

A Utility may not provide use or service at a discriminatory rate, except to the city or its agencies, as provided in Iowa Code § 384.91.

(Ord. 2421, passed 11-8-2022)

§ 54.07 TREASURER.

The City Treasurer shall serve as the Treasurer of the Water Utility as provided by law.

(Ord. 2421, passed 11-8-2022)

§ 54.08 CERTIFICATION OF UNPAID WATER RATES, CHARGES TO CREATE LIEN ON REAL PROPERTY.

The provisions of Iowa Code § 384.84 are hereby adopted by reference the same as if fully set out herein, and hereby made applicable to water rates and charges established by the Newton City Council. Water rates and charges which remain unpaid in violation hereof shall be certified by Newton Waterworks staff to the Jasper County Treasurer, shall become a lien on the premises, and shall have such priority and be collectable as provided by said Iowa Code § 384.84.

(Ord. 2421, passed 11-8-2022)

§ 54.09 DENIAL OF APPLICATION FOR SERVICE LINE.

The Director of ~~Public Works~~Utilities may deny an application for a water service line when, in the judgment of the Director, the extension of a distribution water main rather than a service line is necessary to provide adequate service or to assure the future development of the city Water Utility.

(Ord. 2421, passed 11-8-2022)

§ 54.10 CONNECTION TO DISTRIBUTION WATER MAIN.

Water main taps. The Utility or the contractor may make taps to the city mains for water service connections, and install the corporation stop. If the installation requires a tapping valve and sleeve, the customer or contractor shall pay for this as part of service line. The customer is responsible for installation of the water service from the corporation stop or tapping valve and sleeve. Excavation of the water main shall be the responsibility of the plumbing contractor and must conform to the Utility's safety standards and be in full compliance with OSHA rules. The customer or plumber will be charged for the cost of the water main taps.

(A) Application for service. Application for water service line connections shall be made, in writing, to the Department of ~~Public Works~~Utilities by the owner of the property to be served or by the owner's agent. Such application shall state the official address(es) of the property to be served, the size of the pipe required and the approximate location.

(B) Service lines.

(1) Cost of installation to property owner. All service lines, including the connection to the distribution water main, shall be installed at the expense of the owner of the property to be served.

(2) New lines. The size of all new service lines shall be as set forth in the standards on file in the Department of ~~Public Works~~Utilities.

(a) ~~when disconnecting a water service, Newton Water requires the old service line corporation stop be removed from the water main, if not being reused. Lead line corporation stops on the top of the water main cannot be reused and must be removed; this will require a new tap on the side of the water main at owner's expense.~~

(3) Adjacent private property. A water service line shall not be installed on adjacent private property unless the plans have been reviewed and approved by the Utility, and the property owner has procured an easement.

(4) Backflow prevention. The utility will require backflow prevention to be installed on new or replaced water lines where backflow is likely to result in contamination.

(a) Backflow devices installed will be required to meet the minimum requirement for containment. This means that the device will protect the potable water source from actual or potential connection, physical or otherwise, between the city potable water supply system and any plumbing fixture or tank, receptacle, equipment, or device, through which it may be possible for non-potable, used unclean, polluted, and contaminated water, or other substance, to enter into any part of the potable water system under any condition.

~~(b) The Utility will recommend the appropriate piping arrangement and type of backflow preventer based on the degree of hazard that will be encountered. The unit must be installed as close to the service entrance as possible.~~

(c) Backflow prevention is required on all service piping where there is a potential exposure to contamination. A licensed installer and tester shall inspect the device, upon installation.

(d) The customer shall be responsible for having the backflow device tested annually by a licensed tester, and the result shall be forwarded to the Utility, or utilities administrator of the program for documentation.

(5) Separate connections. There shall be separate service lines from the distribution water main to each building service. Such service lines shall be installed according to the standards adopted by City Council, except as follows here and elsewhere in these rules.

(a) Multiple occupancy buildings. Each unit shall be considered a separate customer and shall be metered and billed separately; except service to apartments or offices under one roof in which the owner or landlord assumes responsibility for payment of water consumed by the tenants, and may be billed under one meter.

(b) Combined bill. Any firm or corporation under one roof or group of buildings at one contiguous location separated only by public property, may be furnished water through one or several meters. At the discretion of the utility, customers served by more than one meter may receive a combination usage bill.

(c) Mobile home parks. Each mobile home park shall be considered a single customer, served by one meter, and shall be billed accordingly. Water shall be billed to the owner or designee at the multi-family rate using commercial water rate schedule.

(d) Subdivisions. At the Utility's discretion, a master meter may be required to meter a whole subdivision. This is used when the Utility does not maintain the water main system within the subdivision. This meter shall be billed at the multi-family rate.

(6) Extension. After a service line has been laid, no person shall make any attachment or connection to said service line in order to serve any other property or buildings.

(7) Shutoff required.

(a) An outside ~~stop box~~curb valve shall be provided for each individual building or property for each service line, shall be located between the curb and property line, shall be visible from the

sidewalk or public right of way and be accessible to the city. For a building or dwelling with more than one dual purpose water meter, an individual shutoff valve shall be provided for each such meter. This can either be done by installing a separate outside ~~stop box~~curb valve for each meter or by installing the shutoff valves and meters in a common utility space. If the shutoff valves are located in a utility space, access to this space must be provided to the city, including a key. This requirement shall also pertain to an existing building that is being modified to provide for multiple meters.

(b) For those buildings so modified prior to October 3, 2022; where no common utility space with outside access is available, the account(s) attributable to the ~~stop box~~curb valve shall be placed in the property owner's name, unless otherwise agreed upon in writing by the ~~Public Works~~Utilities Director.

(Ord. 2421, passed 11-8-2022)

§ 54.11 MAINTENANCE OF SERVICE LINE.

(a) All service lines shall be maintained at the expense of the owner of the property. Any leak or other defect in the service line shall be promptly repaired by the owner. If not repaired promptly, the water may, after written notice to the owner, be turned off by the city, until such repairs have been made.

(b) RESPONSIBILITY FOR WATER SERVICE PIPE.

All costs and expenses incident to the installation, connection and maintenance of the water service pipe from the main to the building served shall be borne by the owner. The owner shall indemnify the City from any loss or damage that may directly or indirectly be occasioned by the installation or maintenance of said water service pipe.

(c) FAILURE TO MAINTAIN.

When any portion of the water service pipe, which is the responsibility of the property owner becomes defective or creates a nuisance and the owner fails to correct such nuisance the City may do so and assess the costs thereof to the property.

(A) Vacant structure service lines. All service lines which are not currently active shall continue to pay the fees, as set forth in the schedule of fees (§ 54.19), unless the service line is permanently disconnected from the distribution main.

(B) Demolition of property. All service lines which are no longer used must be permanently closed off at the distribution water main at the expense of the property owner. This work shall be completed at the time of demolition. If not completed in the required time, the city or its agent, after written notice to the owner, shall complete the work and bill the property owner, if not paid shall assess the costs to the owner of the property.

(Ord. 2421, passed 11-8-2022)

§ 54.12 WATER METERS.

(A) Metered water required.

(1) Requirements for installation of water meters.

(a) All water furnished by the city shall be metered unless otherwise provided in this chapter. The owner shall provide an easily accessible location and plumbing system for the water meter and remote read endpoint. The owner shall be responsible for contacting the city for the installation of each meter. On new construction, the water meter(s) and remote read endpoint shall be installed prior to or coincident with installation of plumbing fixtures. The water meter(s) shall be installed in accordance with city standards adopted by City Council.

(b) Plumbing systems shall be so constructed and the meters so placed that the volume of water passing through the service line shall be measured by the water meter(s).

(c) A meter charge in the amount set forth in the schedule of fees (§ 54.19), will be required for each meter provided by the city.

(d) All owners and occupants of property where water meters are located are deemed to have consented to the city's right to enter the owner's and/or occupant's property to upgrade, maintain or test water meters where the city has reasonable grounds to believe the water meter is not operating according to performance standards of appropriately installed and operating water meters. If access to the meter is not permitted, the water service may, after written notice to the property owner, be turned off by the city until access is allowed.

(2) Requirements for single purpose water meters. A person may apply to the Department of Public WorksUtilities for a single purpose water meter. If the department determines that such property is eligible for installation of a meter, it shall be inspected and installed by the city, upon payment of a nonrefundable single purpose meter fee, as set forth in the schedule of fees (§ 54.19), and upon payment of the meter deposit.

(a) A single purpose water meter shall be installed according to city standards.

(b) For residential, commercial, and industrial customers, a second meter, parallel to the dual purpose meter, may be installed to measure water flow to irrigation systems or other systems in which the water does not flow into the city's sewer system.

(c) The single purpose meter setting must be made on the street side of the existing meter. The setting must be separately valved and run directly to outside faucets.

(d) The irrigation meter shall be carried as a separate account. The account shall be billed at the existing water rate.

(e) During the winter months when the single purpose water meter is not being used, the account shall be billed at the minimum monthly water rate.

(f) If the single purpose water line is determined to cause potential backflow or cross connection problems, a suitable backflow prevention device will be required and the account holder shall have such installed and maintained.

(g) Proof prerequisite to installation. In a new building or structure, all plumbing involving water meters shall be approved by the city plumbing inspector after installation.

(3) Protection of meters and remote read endpoint.

(a) The owner of the property where a water meter is located shall be responsible for the care and protection of the water meter and remote read endpoint. In case of damage to the water meter or remote read endpoint or in case of its stoppage or improper operation, the property owner shall give immediate notice to the Newton WaterworksUtilities Department.

(b) In all cases where water meters or remote read endpoints are broken or damaged, except for ordinary wear and tear, the necessary repairs to the water meter or remote read endpoints shall be made by the city, and the cost of such repairs shall be paid by the property owner. If payment for damages is not received at the time of demand, the city may, after written notice, shut off the water and not restore service until full payment has been made.

(c) No person shall, in any way, interfere with installed water meters and remote read endpoints, except an authorized employee of the Newton Waterworks.

(4) Meter tests. Whenever the city has reasonable grounds to believe a water meter or remote read endpoint is not operating according to performance standards of an appropriately installed and operating meter or remote read endpoint, the owner of the property may request and the city may perform a test on the water meter or remote read endpoint.

(a) Inspections permitted. All persons occupying and/or owning property where city water meters and remote read endpoints are located shall permit the city to inspect all water meters or remote read endpoint on or within the property when the city has reasonable grounds to believe the water meter is not operating according to performance standards of an appropriately installed and operating water meter. If city access is not permitted to the meter or remote read endpoint, the water may, after written notice to the property owner, be turned off by the city until access is allowed. If city access is not permitted to the meter, the city may estimate water use for purposes of water and wastewater treatment charges.

(b) Removal of meters. Whenever water service is to be discontinued, the owner of the property shall grant the city access to the property for the purpose of removing the water meter and remote read endpoint.

(Ord. 2421, passed 11-8-2022)

§ 54.13 EXTENSION OF DISTRIBUTION WATER MAINS.

(A) No distribution water main shall be extended outside the limits of the city except to serve property within the city limits or under contract with the city.

(B1) Capital recovery distribution water mains necessary to provide a uniform supply of water throughout the service area shall be paid by a water tap fee for properties served as defined by the water service area map on file in the Department of ~~Public Works~~Utilities.

(a) In areas where the Utility installs water mains at utility expense, the developer, contractor, and or property owner shall pay a Capital Recovery Charge for property adjacent to new water main before a service line connection is made.

(b) The Capital Recovery Charge is based on the Growth Related method

(c) Water main requiring Capital Recovery Charges shall be designated and listed by the utility.

(d) The utility requires CRC fees on new mains to Protect existing customers served by the system from bearing the specific cost of extending Distribution system for the new customer and ensure that an adequate return be realized to pay for a portion of the extension and system over sizing.

(Ord. 2421, passed 11-8-2022)

§ 54.14 PRIVATE FIRE PROTECTION.

All private fire hydrants external to a building shall be installed according to standards established by the city and shall be maintained by the owner according to standards established by the city.

(Ord. 2421, passed 11-8-2022)

§ 54.15 INFORMATION SUPPLIED TO PLUMBERS AND INTERESTED PARTIES.

Information which may be obtained from the records, maps and employees of the Department of ~~Public Works~~Utilities relative to the location of distribution water mains and service lines will be furnished to licensed plumbers and interested parties, but such information shall not be construed as a guarantee of the accuracy of such records.

(Ord. 2421, passed 11-8-2022)

§ 54.16 CITY NOT LIABLE FOR DAMAGES BY TURNING ON WATER.

In turning on water, the city shall not be responsible for any damage that may occur by reason of ~~improperly installed or~~ improperly functioning plumbing fixtures, ~~or~~ connections, or fixtures left on.

(Ord. 2421, passed 11-8-2022)

§ 54.17 SHUT OFF OF SERVICE.

The city reserves the right to shut off the water in its distribution water mains at any time for maintenance and installations and as the city deems necessary to protect the city Water Utility system. The Superintendent may shut off the supply of water to any customer because of any violation of the regulations contained in these Water Service System chapters that is not being contested in good faith. The supply shall not be turned on again until all violations have been corrected and the Superintendent has ordered the water to be turned on. The City reserves the right to shut off the supply of water to any customer at any time for the purpose of repair or maintenance of the water system or its components, or for any other necessary purpose.

(Ord. 2421, passed 11-8-2022)

§ 54.18 PRIVATE WELLS RESTRICTED.

No person shall install a private water well within the city limits unless:

- (A) A determination has been made by the Public WorksUtilities Director that:
- (1) The property line is greater than 400 feet from an accessible distribution water main owned and controlled by the city;
 - (2) The proposed private well is located outside the influence of an existing or proposed city-owned well, or water distribution main; and
 - (3) The proposed private well is needed due to extraordinary circumstances of the location of the property within the city which, if private ground water sources were not used, would work an extraordinary hardship on the property; or
- (B) The well is being installed by a governmental entity on property owned by that entity; the Public WorksUtilities Director has determined that the installation of the well will not adversely affect city water; and the City Administrator has determined that the installation of a well is in the public interest.
- (1) The city may require owners of existing private wells to connect to a city-owned distribution water main in accordance with provisions of this chapter if the above conditions are not satisfied. Such connection shall be completed within 90 calendar days after official notice to do so, and the existing private wells abandoned as required by state law.
 - (2) A geothermal well is not a private water well for purposes of this section.

(Ord. 2421, passed 11-8-2022)

§ 54.19 FEE SCHEDULE.

NEWTON WATERWORKS RATE SCHEDULE

Water Rates - Inside City Limits

Residential

\$ 11.45

Minimum, 0-200 cubic foot (cf)

\$ 2.87

Each 100 cf after first 200 cf

Commercial

\$ 11.45

Minimum, 5/8" to 1.5" meter

\$ 12.80

Minimum, 2" meter

\$ 39.76

Minimum, 3" meter

\$ 49.75

Minimum, 4" meter

\$ 73.05

Minimum, 6" meter

\$ 99.68

Minimum, 8" meter

\$ 2.87

Each 100 cf ~~after first 200 cf~~

Water Rates - Outside City Limits

Residential

\$ 14.31

Minimum, 0-200 cubic foot (cf)

\$ 3.59

Each 100 cf after first 200 cf

Commercial

\$ 14.31

Minimum, 5/8" to 1.5" meter

\$ 16.00

Minimum, 2" meter

\$ 49.70

Minimum, 3" meter

\$ 62.19

Minimum, 4" meter

\$ 91.30

Minimum, 6" meter

\$ 124.59

Minimum, 8" meter

\$ 3.59

Each 100 cf ~~after first 200 cf~~

Iowa Regional Utilities Association (IRUA)

Effective July 1, 2024

\$ 301,630 (\$9.73/1,000 gallons

\$ 9.73/1,000 gallons

Monthly minimum, 0-31,000,000 gallons

Next 14,000,000 gallons

Next 48,000,000 gallons

\$ 9.79/1,000 gallons

\$ 304,110 (\$3.27/1,000 gallons)

\$ 3.34/1,000 gallons

\$ 3.43/1,000 gallons

Monthly minimum, 93,000,000 gallons

All over 93,000,000 gallons

All over peak usage of 3,500,000 gallons per day (only in the event that 93 MG/month minimum is reached. Otherwise, \$9.91/1,000 gallons)

A peak day usage is the 24 hour-period from 12:01 a.m. to the following 12:00 a.m. (midnight). Should a catastrophic event occur (includes broken main and the like), the City of Newton will review that situation.

Effective July 1, 2025

\$ 316,510 (\$10.21/1,000 gallons

\$ 10.21/1,000 gallons

Monthly minimum, 0-31,000,000 gallons

Next 14,000,000 gallons

Next 48,000,000 gallons

\$ 10.27/1,000 gallons

\$ 318,990(\$3.43/1, 000 gallons)

Monthly minimum, 93,000,000 gallons

All over 93,000,000 gallons

All over peak usage of 3,500,000 gallons per day (only in the event that 93 MG/month minimum is reached. Otherwise, \$10.40/1,000 gallons)

\$ 3.50/1,000 gallons

\$ 3.60/1,000 gallons

A peak day usage is the 24 hour-period from 12:01 a.m. to the following 12:00 a.m. (midnight). Should a catastrophic event occur (includes broken main and the like), the City of Newton will review that situation.

Contracted, Lambs Grove Sewer Charge

*Residents of City of Lambs Grove only

\$ 24.00

Residential/commercial flat charge

Non-sufficient funds

\$ 30.00

Returned NSF, closed account, stop pay, etc. - checks, ACH, money order, etc.

Disconnection

\$ ~~25.00~~ 75.00

Water is shutoff for nonpayment of utility & et al.

Account set up charge

\$ 10.00

Existing service

\$ ~~25.00~~ 70.00

New service (new construction)

~~Past discount~~

~~\$ 1.00~~

Discount on water if paid by due date

Late charge

\$ ~~15.00~~ 25.00

Late charge subsequent to disconnection

Backflow annual testing, late Fee after 30 days

\$100.00 per month or discontinue water service

Meter Testing, if not faulty \$200

Tap Fees, Charged to contractor for connection to water main

1" Tap \$300.00

2" Tap \$400.00

4" Tap \$700.00

6" Tap \$800.00

8" Tap \$900.00

10" Tap \$1,000.00

12" Tap \$1,200.00

16" Tap \$1,400.00

Tap sleeve and valves are additional costs

(Ord. 2421, passed 11-8-2022)

The Water Main Capital Recovery Charge shall be charged to all new connections based on a factor of a single ¾" service line connection of \$429.00.

The charges are as follows:

<u>Service Line Size</u>	<u>Max Flow Rate</u>	<u>Factor</u>	<u>CRC Charge per Connection</u>
<u>¾"</u>	<u>20 gpm</u>	<u>1</u>	<u>\$429.00</u>
<u>1"</u>	<u>50 gpm</u>	<u>2.5</u>	<u>\$1,072.50</u>
<u>1 ½"</u>	<u>100 gpm</u>	<u>5.0</u>	<u>\$2,145.00</u>
<u>2"</u>	<u>160 gpm</u>	<u>8.0</u>	<u>\$3,442.00</u>
<u>3"</u>	<u>300 gpm</u>	<u>15</u>	<u>\$6,435.00</u>
<u>4"</u>	<u>600 gpm</u>	<u>30</u>	<u>\$12,870</u>
<u>6"</u>	<u>1250 gpm</u>	<u>62.5</u>	<u>\$26,812</u>
<u>8"</u>	<u>1600 gpm</u>	<u>80</u>	<u>\$34,320</u>
<u>10" and 12</u>	<u>2000 gpm</u>	<u>100</u>	<u>\$42,900</u>

*Residential Subdivision Developer shall be charged \$429.00 per lot

Water Mains Requiring Capital Recovery Charges to connect private lines or subdivisions to:

- 12” Main on E. 31st St N. from 1st Ave E. to N.19th Ave E.
- 12” Main on N.19th Ave E. from E. 19th St. N to E. 31st St. N.
- 12” Main on Speedway Drive from 1st Ave. E. to north side of I-80 interchange
- 12” Main on Speedway Drive from south if I-80 Bridge to Lincoln St.
- 12” Main on Rusty Wallace Drive from Speedway Drive to the Reasoner Road.
- 12” Main on S.13th Ave. E from E.19th St. S. to Speedway Drive
- 12” Main on E. 19th St. S. from S.8th Ave. E to S.13th Ave. E.
- 8” Main on S.12th Ave. W. from W.19th St. S. to Gun Club Road
- 12” Main on N.11th Ave. E from E. 19th St. N to E. 31st St.N.
- 8” Main on S. 24th Ave. W. from W.15th St. S to 2 blks West of Hwy 14 S.
- 10” Main on S. 22nd Ave. E (Metro East)
- 12” Main on S.22nd Ave. E. west side of Metro E.

*The WaterWorks shall construct water main to a terminal point that shall be determined by the WaterWorks. The Developer shall construct all water mains within the subdivision from the terminal point. The developer shall pay a CRC (Capital Recovery Charge) to connect to terminal point. The fee has been calculated at \$429.00 per residential lot.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NEWTON, IOWA:

Section 1. The Code of Ordinances, City of Newton, Iowa, 2025, Title V, Chapter 54, Section 54.02 - 54.19, is hereby amended by adding or ~~deleting~~ as stated above.

Section 2. Repealer Clause. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 3. Severability Clause. If any section, provision or part of this ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

Section 4. Effective. This ordinance shall be effective after its final passage, approval and publication as provided by law.

PASSED this ____ day of _____, 2025.

APPROVED this ____ day of _____, 2025.

(SEAL)

Evelyn George, Mayor

ATTEST:

Katrina Davis, City Clerk

I, Katrina Davis, City Clerk of the City of Newton, Iowa, do hereby certify that the foregoing Ordinance was passed and approved by the City Council of the City of Newton, Iowa on the _____ day of _____, 2025 and was published in the Newton Daily News, a newspaper of general circulation in the said City of Newton on the _____ day of _____, 2025.

Dated this _____ day of _____, 2025.

Katrina Davis, City Clerk

City of Newton Council Report

**Item:**

First consideration of Ordinance amending the Code of Ordinances, City of Newton, Iowa, 2025, Title V, Chapter 52: Sewers

Summary:

Multiple changes to minimize Inflow & Infiltration, adding sub chapter 52.033 Backwater valves, to help prevent sewer backups in homes and increasing financial assistance to remove prohibited discharge into sanitary sewers

Financial Impact:

Estimated \$16,000.00 increase in Water Pollution Control Fund expenditures

Report Number: 2025-167**Date:**

March 3, 2025

Lead Department:

Utilities

Recommendation:

Approve

Background:

In May of 2024 Newton received a several rain events, including a single large rain event, in excess of seven inches, in just a few hours, which caused significant issues to public infrastructure and damage to personal property.

Inflow and Infiltration (I&I) is the process of water entering sanitary sewer systems from sources other than wastewater. This water can be groundwater or stormwater. The City of Newton Water Pollution Control Division of the Utilities Department has spent millions of dollars over several years upgrading public sanitary sewers and manholes in an attempt to reduce I&I. WPC will continue to invest in the public infrastructure to reduce I&I, but this does not address the entire problem of I&I. The public sanitary sewer system has approximately 96 miles of pipe, which accounts for approx. 50% of the overall sanitary sewer collection system. The remaining 50% is privately owned in private service laterals from homes and businesses, connecting to public sanitary sewer mains.

These proposed code changes are to help address I&I issues in the private sanitary sewer infrastructure, help reduce personal property damage from I&I and provide additional financial assistance for private sector to reduce I&I.

Proposed changes are as follows:

- Disconnect old faulty sanitary sewer service pipes from the public sanitary sewer main, at the time of demolition of an old building.
- Install backwater valves on all new sanitary sewer service lines, at the time of installation.
- Increase financial assistance to qualified applicants for reducing I&I

Recommendation:

Approval of Ordinance amending the Code of Ordinances, City of Newton, Iowa, 2025, Title V, Chapter 52: Sewers

A handwritten signature in black ink, appearing to read "Matt Muckler".

Matt Muckler, City Administrator

ORDINANCE NO. _____

**ORDINANCE AMENDING THE CODE OF ORDINANCES, CITY OF NEWTON,
IOWA, 2025, TITLE V, CHAPTER 52: SEWERS**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NEWTON, IOWA:

Section 1. Title V, Chapter 52, are hereby amended by adding or ~~deleting~~ the following:

CHAPTER 52: SEWERS

Section

Building Sewers and Connections

§ 52.026 EXISTING BUILDING SEWERS.

Old building sewers may be used in connection with new buildings only when they are found, on examination and test by the authorized city representative, to meet all requirements of this chapter. If old sewer is found to be faulty, it must be disconnected from the sanitary sewer main, in an approved method, either by Building and Plumbing Code or other applicable rules and regulations of the City Representative.

(2011 Code, § 24.0307)

§ 52.033 BACKWATER VALVES.

A backwater valve shall be installed on all new sanitary sewer services in residential, commercial and industrial sewer installations. The valve shall be installed immediately inside or outside the footings. The valve is designed to be installed horizontally in the building drainage system and shall be installed with the access opening at the top to permit access to the valve for periodic maintenance and inspections.

PUBLIC SEWERS

§ 52.045 PROHIBITED DISCHARGE; REMOVAL.

(B) Removal.

(3) Financial assistance for removal.

(a) Any sanitary sewer system customer completing the removal of a prohibited discharge as defined in division (A) above which has been identified as such by an agent of the city prior to commencement of removal, shall under the provisions of this division (B) be entitled to a financial assistance payment from the city not to exceed ~~\$3,000~~\$4,500 of actual costs incurred for said removal. The allowable financial assistance payment shall be 50% of the actual labor and material cost, not to exceed ~~\$1,000~~\$1,500 for each of any of the following:

1. Installation of a sump pump including drain tile, discharge rigid piping and electrical outlet.
2. Removal of a prohibited discharge including rain gutter downspouts, exterior area drains, foundation drains and prohibited sump pump connections.
3. Removal and replacement of a faulty sewer service lateral.

§ 52.048 RESTRICTED WASTE.

(B) The substances prohibited are:

(8) Excess ~~PH~~pH. Any waters or wastes having a pH in excess of 9.5;

Section 2. Repealer Clause. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 3. Severability Clause. If any section, provision or part of this ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

Section 4. Effective. This ordinance shall be effective after the final passage, approval and publication as provided by law.

PASSED this ____ day of _____, 2025.

APPROVED this ____ day of _____, 2025.

Evelyn George, Mayor

ATTEST:

Katrina Davis, City Clerk

I, Katrina Davis, City Clerk of the City of Newton, Iowa, do hereby certify that the foregoing Ordinance was passed and approved by the City Council of the City of Newton, Iowa on the ____ day of _____, 2025 and was published in the Newton Daily News, a newspaper of general circulation in the said City of Newton on the ____ day of _____, 2025.

Dated this ____ day of _____, 2025.

Katrina Davis, City Clerk

City of Newton Council Report

**Item:**

First consideration of an Ordinance Amending the Code of Ordinances, City of Newton, Iowa, 2025, Title VII, Chapter 70, Section 70.15, "Traffic and Parking Schedules Adopted by Reference", to make changes to street parking in the 800 block of East Fourteenth Street North

Summary:

Restrict street parking for safety purposes in alignment with City policy on-street parking restrictions

Financial Impact:

N/A

Report Number: 2025-180**Date:**

March 3, 2025

Lead Department:

Police

Recommendation:

Approve

Background:

The City received safety concerns from citizens regarding street parking in the 800 blk of E 14th St N. The complaints are a result of vehicles being parked on both sides of streets that is too narrow to allow the current parking capacity and consistently allow vehicles free and safe passage. A primary concern is that emergency vehicles may not be able to travel through this area on emergency calls and there is a heightened risk of motor vehicle and pedestrian accidents as a result of the current parking design.

The 800 blk E 14th St N is only 25 feet wide and is not wide enough to safely accommodate parking on both sides of the street, and allow space for vehicle traffic to safely yield to oncoming traffic with vehicles parked on the west side of the street. The City of Newton Traffic Safety Committee has reviewed the situation and, based on the existing policy for street parking restrictions, recommends restricting parking on the east of the street.

Surveys describing the recommended changes were sent to 14 adjacent property owners along E 14th St N. Surveys were returned with five (5) residents agreeing with the recommended changes and none (0) opposing the recommended changes.

Recommendation:

Staff recommends approval of this ordinance.

Matt Muckler, City Administrator

ORDINANCE NO. _____

ORDINANCE AMENDING THE CODE OF ORDINANCES, CITY OF NEWTON, IOWA, 2025, TITLE VII, CHAPTER 70, SECTION 70.15, "TRAFFIC AND PARKING SCHEDULES ADOPTED BY REFERENCE", TO MAKE CHANGES TO STREET PARKING IN THE 800 BLOCK OF EAST FOURTEENTH STREET NORTH.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NEWTON, IOWA:

Section 1. The Code of Ordinances, City of Newton, Iowa, 2025, Title VII, Chapter 70, Section 70.15, "Traffic and Parking Schedules Adopted by Reference" is hereby amended by adding or deleting the following:

NO PARKING ZONES. No one shall stop, stand or park a vehicle in any of the following specifically designated no parking zones except when necessary to avoid conflict with other traffic or in compliance with the direction of a peace officer or traffic control signal.

STREETS, NORTHEAST QUADRANT

East Fourteenth Street North

- "No Parking Anytime".
- West side from First Avenue East north to Ridgeway Drive.
- West side from Glenway Drive north to North Fourth Avenue East.
- East side from First Avenue East north to North ~~Eighth~~ Ninth Avenue Place East.
- West side from North Fourth Avenue East north, fifty-seven feet

Section 2. Repealer Clause. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 3. Severability Clause. If any section, provision or part of this ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

Section 4. Effective. This ordinance shall be effective on _____, 2025, after the final passage, approval and publication as provided by law.

PASSED this ____ day of _____, 2025.

APPROVED this ____ day of _____, 2025.

(SEAL) _____
Evelyn George, Mayor

ATTEST:

Katrina Davis, City Clerk

I, Katrina Davis, City Clerk of the City of Newton, Iowa, do hereby certify that the foregoing Ordinance was passed and approved by the City Council of the City of Newton, Iowa on the ____ day of _____, 2025 and was published in the Newton Daily News, a newspaper of general circulation in the said City of Newton on the ____ day of _____, 2025.

Dated this ____ day of _____, 2025.

Katrina Davis, City Clerk



Memorandum

TO: Jarrod Wellik, Interim City Administrator
FROM: Keith A. Laube, Public Works Director
DATE: December 2, 2016
RE: Street Parking Restriction Policy

In the recent past, staff has been directed to look at street parking restrictions after receiving a request from a citizen. Most of these requests were to add "No Parking" signs on one side of the street to allow traffic to flow without meandering from each side of the street to avoid parked vehicles and/or to allow passage when two vehicles are parked directly opposite of each other.

In 2011, staff evaluated all streets in the city based on Statewide Urban Design and Specifications (SUDAS) criteria, traffic volume, and street width. Street widths are measured from back of curb to back of curb. Rural section streets with ditches have been evaluated on a case-by-case basis. The streets were placed in two categories based on traffic volume and use:

Higher volume streets (>2,500 vehicles per day), collector/arterial, and truck routes:

<u>Parking</u>	<u>Minimum Street Width</u>
one side	31 feet (provides two 11-foot travel lanes)
both sides	39 feet (provides two 11-foot travel lanes)

Lower volume streets (<2,500 vehicles per day) – local residential streets:

<u>Parking</u>	<u>Minimum Street Width</u>
one side	26 feet (provides a 17-foot open roadway)
both sides	34 feet (provides a 17-foot open roadway)

Local jurisdiction discretion for existing residential streets:

<u>Parking</u>	<u>Minimum Street Width</u>
one side	21 feet (provides a 12-foot open roadway)
both sides	31 feet (provides a 14-foot open roadway)

Two maps have been prepared. The first map shows streets where existing parking restrictions could be removed to allow for additional street parking. The second map shows streets that should have new parking restrictions to enable safe passage of traffic and provide a route for emergency vehicles.

Removal of Existing Parking Restrictions Map: The parking restrictions on some of these streets were based on traffic flows that existed due to Maytag operations (1st Street N and N 3rd Ave E) and previous school traffic patterns (E 3rd Street S). Since the current parking restrictions on the streets shown on this map do not cause any safety concerns, the parking restrictions could remain.

New Parking Restrictions Map: The majority of the proposed changes are to have parking on one side of the street instead of both sides (shown in orange on the map). Most of these streets are 25 feet wide and if two vehicles are parked directly opposite of each other, there is only 8 feet for traffic, an ambulance, or a fire truck to pass between the parked vehicles. A lane at least 12 feet wide is recommended for emergency vehicles. If vehicles are parked offset from one another, response time is decreased due a slower speed required to maneuver the emergency vehicle around the parked vehicles. The spacing of staggered parked vehicles significantly slows the speed of a long fire truck.

The streets shown in green on the map are proposed to have the parking changed from “no parking on one side” to “no parking on both sides”. Some of these streets are collectors or truck routes and are not wide enough to allow parking on one side and provide two free flowing traffic lanes. For example E 12th Street N is a truck route that is 26 feet wide and currently has parking on one side. This allows for 8½-foot wide lanes for northbound and southbound traffic. For a truck route, 12-foot wide lanes are recommended.

E 4th Street S is 25 feet wide with parking on one side from 6 pm to 8 am. This allows for 8-foot wide lanes for northbound and southbound traffic between 6 pm and 8 am. For a street with this volume of traffic, 11-foot lanes are acceptable and 12-foot lanes are preferred. Evening high school events may make travel on this street difficult if vehicles are parked on one side. Also E 4th Street is a direct route to the hospital. One solution for this street would be to allow parking on one side on Saturdays, Sundays and holidays; similar to N 4th Avenue E between E 5th Street and E 15th Street.

Some streets shown in green need to have updated traffic counts prior to recommending any parking changes. These streets include W 3rd Street S, E 4th Street N, and E 8th Street N. The new traffic counts will determine whether these streets are higher volume or lower volume streets.

return to the City of Newton Police Department by February 10th, 2025.

I agree with the proposed parking changes

☒

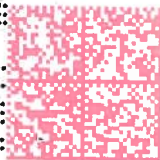
I oppose the proposed parking changes

☐

Comments from resident at: **813 E. 14th St. N.**



FIRST-CLASS



US POSTAGE IMMEDIATE PITNEY BOWES



ZIP 50208

02 7H

0006202378

\$ 000.56⁰

Newton Police Department

101 W. 4th St. S.

Newton, IA 50208

Parking Survey 800 blk E. 14th St. N.

Please complete the survey to the City of Newton's recommendation to restrict parking on the east side of E. 14th St. N. from N. 8th Ave. E. to N. 9th Ave. Pl. E. and return to the City of Newton Police Department by February 10th, 2025.

I agree with the proposed parking changes ☒

I oppose the proposed parking changes ☐

Comments from resident at: **803 E. 14th St. N.**

No House should have 5+ vehicles parked on the street and

Parking Survey 800 blk E. 14th St. N.

Please complete the survey to the City of Newton's recommendation to restrict parking on the east side of the E. 14th St. N. from N. 8th Ave. E. to N. 9th Ave. Pl. E. and return to the City of Newton Police Department by February 10th, 2025.

I agree with the proposed parking changes ☒

I oppose the proposed parking changes ☐

Comments from resident at: **801 E. 14th St. N.**

Thank you for the proposed changes. It has always been a concern of ours. We need the change.

Parking Survey 800 blk E. 14th St. N.

Please complete the survey to the City of Newton's recommendation to restrict parking on the east side of the E. 14th St. N. from N. 8th Ave. E. to N. 9th Ave. Pl. E. and return to the City of Newton Police Department by February 10th, 2025.

I agree with the proposed parking changes ☒

I oppose the proposed parking changes ☐

Comments from resident at: **809 E. 14th St. N.**

About time so tired of trying to squeeze by or be forced to drive around the block just to get to the other side.

Parking Survey 800 blk E. 14th St. N.

Please complete the survey to the City of Newton's recommendation to restrict parking on the east side of E. 14th St. N. from N. 8th Ave. E. to N. 9th Ave. Pl. E. and return to the City of Newton Police Department by February 10th, 2025.

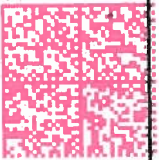
I agree with the proposed parking changes ☒

I oppose the proposed parking changes ☐

Comments from resident at: **802 E. 14th St. N.**

I appreciate this action. Always so much chaos on this street with cars, concerning residence.

FIRST-CLASS



US POSTAGE
ZIP 50208
02 7H
0006202378
\$ 000.56⁰

Newton Police Department

101 W. 4th St. S.

Newton, IA 50208

DES MOINES IA 500

25 JAN 2025 PM 2 L

FIRST-CLASS



US POSTAGE
ZIP 50208
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Newton Police Department

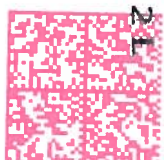
101 W. 4th St. S.

Newton, IA 50208

DES MOINES IA 500

27 JAN 2025 PM 2 L

FIRST-CLASS



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Newton Police Department

101 W. 4th St. S.

Newton, IA 50208

DES MOINES IA 500

27 JAN 2025 PM 2 L

FIRST-CLASS



US POSTAGE
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Newton Police Department

101 W. 4th St. S.

Newton, IA 50208

City of Newton Council Report

**Item:**

First consideration of an Ordinance Amending the Code of Ordinances, City of Newton, Iowa, 2025, Title VII, Chapter 70, Section 70.15, "Traffic and Parking Schedules Adopted by Reference", to make changes to street parking in the 1400-1500 Block of North Ninth Avenue Place East

Summary:

Restrict street parking for safety purposes in alignment with City policy on-street parking restrictions

Financial Impact:

N/A

Report Number: 2025-181**Date:**

March 3, 2025

Lead Department:

Police

Recommendation:

Approve

Background:

The City received safety concerns from citizens regarding street parking in the 1400-1500 blk N 9th Ave Pl E. The complaints are a result of vehicles being parked on both sides of streets that is too narrow to allow the current parking capacity and consistently allow vehicles free and safe passage. A primary concern is that emergency vehicles may not be able to travel through this area on emergency calls and there is a heightened risk of motor vehicle and pedestrian accidents as a result of the current parking design.

The 1400-1500 blk N 9th Ave Pl E is only 25 feet wide and is not wide enough to safely accommodate parking on both sides of the street, and allow space for vehicle traffic to safely yield to oncoming traffic with vehicles parked on the south side of the street. The City of Newton Traffic Safety Committee has reviewed the situation and, based on the existing policy for street parking restrictions, recommends restricting parking on the south side of the street.

Surveys describing the recommended changes were sent to 22 adjacent property owners on N 9th Ave Pl E from E14th St N to E 16th St N. Surveys were returned with six (6) residents agreeing with the recommended changes and two (2) opposing the recommended changes.

Recommendation:

Staff recommends approval of this ordinance.

Matt Muckler, City Administrator

ORDINANCE NO. _____

ORDINANCE AMENDING THE CODE OF ORDINANCES, CITY OF NEWTON, IOWA, 2025, TITLE VII, CHAPTER 70, SECTION 70.15, "TRAFFIC AND PARKING SCHEDULES ADOPTED BY REFERENCE", TO MAKE CHANGES TO STREET PARKING IN THE 1400-1500 BLOCK OF NORTH NINTH AVENUE PLACE EAST.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NEWTON, IOWA:

Section 1. The Code of Ordinances, City of Newton, Iowa, 2025, Title VII, Chapter 70, Section 70.15, "Traffic and Parking Schedules Adopted by Reference" is hereby amended by adding or ~~deleting~~ the following:

NO PARKING ZONES. No one shall stop, stand or park a vehicle in any of the following specifically designated no parking zones except when necessary to avoid conflict with other traffic or in compliance with the direction of a peace officer or traffic control signal.

AVENUES, NORTHEAST QUADRANT

North Ninth Avenue Place East

"No Parking Anytime".

South side from East Fourteenth Street North, east to East Sixteenth Street North

Section 2. Repealer Clause. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 3. Severability Clause. If any section, provision or part of this ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

Section 4. Effective. This ordinance shall be effective on _____, 2025, after the final passage, approval and publication as provided by law.

PASSED this ____ day of _____, 2025.

APPROVED this ____ day of _____, 2025.

(SEAL)

Evelyn George, Mayor

ATTEST:

Katrina Davis, City Clerk

I, Katrina Davis, City Clerk of the City of Newton, Iowa, do hereby certify that the foregoing Ordinance was passed and approved by the City Council of the City of Newton, Iowa on the ____ day of _____, 2025 and was published in the Newton Daily News, a newspaper of general circulation in the said City of Newton on the ____ day of _____, 2025.

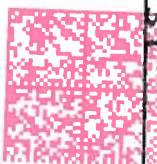
Dated this ____ day of _____, 2025.

Katrina Davis, City Clerk

DES MOINES IA 500

31 JAN 2025 PM 3 L

FIRST-CLASS



US POSTAGE
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02 7H
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JAN 23 2025
\$ 000.56⁰

Newton Police Department

101 W. 4th St. S.

Newton, IA 50208



DES MOINES IA 500

10 FEB 2025 PM 3 L

FIRST-CLASS



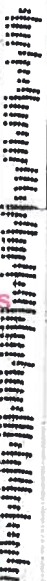
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Newton Police Department

101 W. 4th St. S.

Newton, IA 50208

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31 JAN 2025 PM 2 L



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Newton Police Department

101 W. 4th St. S.

Newton, IA 50208

DES MOINES IA 500

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JAN 23 2025
\$ 000.56⁰

Newton Police Department

101 W. 4th St. S.

Newton, IA 50208

Parking Survey 1400-1500 N. 9th Ave. Pl. E.

Please complete the survey to the City of Newton's recommendation to restrict parking on the south side of N 9th Ave Pl E. and return it to the City of Newton Police Department by February 10th, 2025.

I agree with the proposed parking changes ☒
I oppose the proposed parking changes ☐

Comments from resident at: **1436 N. 9th Ave. Pl. E.**

AMEN!! I CANNOT BELIEVE
IT HAS EVER BEEN OK TO
PARK ON BOTH SIDES OF
NEWTON STREETS

Parking Survey 1400-1500 N. 9th Ave. Pl. E.

Please complete the survey to the City of Newton's recommendation to restrict parking on the south side of N 9th Ave Pl E. and return it to the City of Newton Police Department by February 10th, 2025.

I agree with the proposed parking changes ☒
I oppose the proposed parking changes ☐

Comments from resident at: **1416 N. 9th Ave. Pl. E.**

yes we agree, many times its hard
to get down our street when people are
parked on both sides of the street.

Parking Survey 1400-1500 N. 9th Ave. Pl. E.

Please complete the survey to the City of Newton's recommendation to restrict parking on the south side of N 9th Ave Pl E. and return it to the City of Newton Police Department by February 10th, 2025.

I agree with the proposed parking changes ☐
I oppose the proposed parking changes ☒

Comments from resident at: **1421 N. 9th Ave. Pl. E.**

Restrict parking on the North
side of the street. That would
stop people from parking large trucks
and trailers behind my drive.
The way the street curves it blocks the

Parking Survey 1400-1500 N. 9th Ave. Pl. E.

Please complete the survey to the City of Newton's recommendation to restrict parking on the south side of N 9th Ave Pl E. and return it to the City of Newton Police Department by February 10th, 2025.

I agree with the proposed parking changes ☐
I oppose the proposed parking changes ☒

Comments from resident at: **1413 N. 9th Ave. Pl. E.**

DES MOINES IA 500

27 JAN 2025 PM 2 L



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JAN 23 2025
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Newton Police Department

101 W. 4th St. S.

Newton, IA 50208



DES MOINES IA 500

27 JAN 2025 PM 2 L



US POSTAGE
IMMEDIATE DELIVERY
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JAN 23 2025
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Newton Police Department

101 W. 4th St. S.

Newton, IA 50208



DES MOINES IA 500

29 JAN 2025 PM 2 L

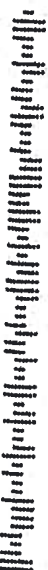


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JAN 23 2025
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Newton Police Department

101 W. 4th St. S.

Newton, IA 50208



DES MOINES IA 500

27 JAN 2025 PM 2 L



US POSTAGE
IMMEDIATE DELIVERY
ZIP 50208
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0006202378
JAN 23 2025
\$ 000.560

Newton Police Department

101 W. 4th St. S.

Newton, IA 50208





Memorandum

TO: Jarrod Wellik, Interim City Administrator
FROM: Keith A. Laube, Public Works Director
DATE: December 2, 2016
RE: Street Parking Restriction Policy

In the recent past, staff has been directed to look at street parking restrictions after receiving a request from a citizen. Most of these requests were to add "No Parking" signs on one side of the street to allow traffic to flow without meandering from each side of the street to avoid parked vehicles and/or to allow passage when two vehicles are parked directly opposite of each other.

In 2011, staff evaluated all streets in the city based on Statewide Urban Design and Specifications (SUDAS) criteria, traffic volume, and street width. Street widths are measured from back of curb to back of curb. Rural section streets with ditches have been evaluated on a case-by-case basis. The streets were placed in two categories based on traffic volume and use:

Higher volume streets (>2,500 vehicles per day), collector/arterial, and truck routes:

<u>Parking</u>	<u>Minimum Street Width</u>
one side	31 feet (provides two 11-foot travel lanes)
both sides	39 feet (provides two 11-foot travel lanes)

Lower volume streets (<2,500 vehicles per day) – local residential streets:

<u>Parking</u>	<u>Minimum Street Width</u>
one side	26 feet (provides a 17-foot open roadway)
both sides	34 feet (provides a 17-foot open roadway)

Local jurisdiction discretion for existing residential streets:

<u>Parking</u>	<u>Minimum Street Width</u>
one side	21 feet (provides a 12-foot open roadway)
both sides	31 feet (provides a 14-foot open roadway)

Two maps have been prepared. The first map shows streets where existing parking restrictions could be removed to allow for additional street parking. The second map shows streets that should have new parking restrictions to enable safe passage of traffic and provide a route for emergency vehicles.

Removal of Existing Parking Restrictions Map: The parking restrictions on some of these streets were based on traffic flows that existed due to Maytag operations (1st Street N and N 3rd Ave E) and previous school traffic patterns (E 3rd Street S). Since the current parking restrictions on the streets shown on this map do not cause any safety concerns, the parking restrictions could remain.

New Parking Restrictions Map: The majority of the proposed changes are to have parking on one side of the street instead of both sides (shown in orange on the map). Most of these streets are 25 feet wide and if two vehicles are parked directly opposite of each other, there is only 8 feet for traffic, an ambulance, or a fire truck to pass between the parked vehicles. A lane at least 12 feet wide is recommended for emergency vehicles. If vehicles are parked offset from one another, response time is decreased due a slower speed required to maneuver the emergency vehicle around the parked vehicles. The spacing of staggered parked vehicles significantly slows the speed of a long fire truck.

The streets shown in green on the map are proposed to have the parking changed from “no parking on one side” to “no parking on both sides”. Some of these streets are collectors or truck routes and are not wide enough to allow parking on one side and provide two free flowing traffic lanes. For example E 12th Street N is a truck route that is 26 feet wide and currently has parking on one side. This allows for 8½-foot wide lanes for northbound and southbound traffic. For a truck route, 12-foot wide lanes are recommended.

E 4th Street S is 25 feet wide with parking on one side from 6 pm to 8 am. This allows for 8-foot wide lanes for northbound and southbound traffic between 6 pm and 8 am. For a street with this volume of traffic, 11-foot lanes are acceptable and 12-foot lanes are preferred. Evening high school events may make travel on this street difficult if vehicles are parked on one side. Also E 4th Street is a direct route to the hospital. One solution for this street would be to allow parking on one side on Saturdays, Sundays and holidays; similar to N 4th Avenue E between E 5th Street and E 15th Street.

Some streets shown in green need to have updated traffic counts prior to recommending any parking changes. These streets include W 3rd Street S, E 4th Street N, and E 8th Street N. The new traffic counts will determine whether these streets are higher volume or lower volume streets.

Parking Survey 1400-1500 N. 9th Ave. Pl. E.

Please complete the survey to the City of Newton's recommendation to restrict parking on the south side of N 9th Ave PL E. and return it to the City of Newton Police Department by February 10th, 2025.

I agree with the proposed parking changes ☒

I oppose the proposed parking changes ☐

Comments from resident at: **1420 N. 9th Ave. Pl. E.**

*This will help the congestion on our street
+ help keep our kids safer*

Parking Survey 1400-1500 N. 9th Ave. Pl. E.

Please complete the survey to the City of Newton's recommendation to restrict parking on the south side of N 9th Ave PL E. and return it to the City of Newton Police Department by February 10th, 2025.

I agree with the proposed parking changes ☒

I oppose the proposed parking changes ☐

Comments from resident at: **1513 N. 9th Ave. Pl. E.**

Parking Survey 1400-1500 N. 9th Ave. Pl. E.

Please complete the survey to the City of Newton's recommendation to restrict parking on the south side of N 9th Ave PL E. and return it to the City of Newton Police Department by February 10th, 2025.

I agree with the proposed parking changes ☒

I oppose the proposed parking changes ☐

Comments from resident at: **1401 N. 9th Ave. Pl. E.**

My household agrees 100%!

Parking Survey 1400-1500 N. 9th Ave. Pl. E.

Please complete the survey to the City of Newton's recommendation to restrict parking on the south side of N 9th Ave PL E. and return it to the City of Newton Police Department by February 10th, 2025.

I agree with the proposed parking changes ☒

I oppose the proposed parking changes ☐

Comments from resident at: **1417 N. 9th Ave. Pl. E.**

City of Newton Council Report

**Item:**

Resolution authorizing entering into an agreement for residential solid waste and recycling collection and disposal

Summary:

The City provides residential garbage and recycling collection by contracted services

Financial Impact:

Increase depending on preferred hauler

Report Number: 2025-195

Date:

March 3, 2025

Lead Department:

Public Works

Recommendation:

Approve

Background:

The current solid waste collection and hauling contract with Dodd's Solid Waste and Recycling expires on June 30, 2025.

Requests for proposals were distributed on December 20th; the base proposal was for solid waste collection services identical to our current contract, the weekly collection of 35-gallon solid waste bins and 18-gallon recycling totes from approximately 5,600 properties. Proposed costs for yard waste collection and Christmas tree collection were also requested, along with proposed contract length and annual rate increases. An alternate bid was included in the proposal for haulers to provide rates for automated solid waste collection of 35, 65, and 95-gallon bins and collection of 95-gallon recycling bins. These rates included the initial purchase of solid waste and recycling bins that would be provided to residents. The current monthly rate per unit is \$12.58. The recycling & garbage fee paid by residents is \$15.16, which covers collection, tipping, and recycling fees.

On January 24th, three proposals were received from Dodd's Solid Waste, Midwest Sanitation, and Waste Management. The proposals were provided to the council. Below are the highlights of the proposals received. Note that the monthly rate is what the City would pay to the contractor and not the fee that individual property owners would pay on their utility bills, as that fee includes costs to cover landfill tipping fees.

Dodd's Solid Waste & Recycling – Newton, IA

Total monthly rate for weekly collection of a 35-gallon bin of solid waste and an 18-gallon bin of solid-stream recyclables: \$15.00 (Manual Collection)

Annual rate Increase: Consumer Price Index – Urban (Current Average 2.7%)

Proposed Contract Length: 5 Years

Waste Management – Des Moines, IA

Total monthly rate for weekly collection of a 95-gallon or 65-gallon bin of solid waste and biweekly collection of a 95-gallon bin of solid-stream recyclables: \$14.98 (Automated Collection)

Annual rate Increase: 5%

Proposed Contract Length: 5 Years

Midwest Sanitation – Pella, IA

Total monthly rate for weekly collection of a 95-gallon or 35-gallon bin of solid waste and a 95-gallon bin of solid-stream recyclables: \$17.75 (Automated Collection)

Annual rate Increase: 3%

Proposed Contract Length: 3-5 Years

Recommendation:

Staff recommends that council review each proposal and present a motion to enter into an agreement with the preferred hauler.

A handwritten signature in black ink, appearing to read "Matt Muckler". The signature is fluid and cursive, with the first name "Matt" and last name "Muckler" clearly distinguishable.

Matt Muckler, City Administrator

RESOLUTION NO. 2025 – _____

**RESOLUTION AUTHORIZING ENTERING INTO AN AGREEMENT FOR
RESIDENTIAL SOLID WASTE AND RECYCLING COLLECTION AND DISPOSAL**

WHEREAS, the City of Newton Residential Solid Waste Collection and Residential Recycling Collection Agreements with Dodd’s Trash Hauling and Recycling, Inc. expires on June 30, 2025; and

WHEREAS, requests for proposals were distributed on December 20th; and

WHEREAS, three proposals were received from Dodd’s Solid Waste, Midwest Sanitation, and Waste Management; and

WHEREAS, staff has negotiated, subject to Council approval, the attached agreement with _____, combining both residential solid waste and recycling collection and disposal into one agreement; and

WHEREAS, this agreement establishes the fee paid to the contractor the initial year of the agreement be _____ per unit; and

WHEREAS, this agreement reflects an annual rate adjustment of _____% for _____ years ending June 30, 20____; and

WHEREAS, said Agreement serves in the best interest of the citizens of Newton.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Newton, Iowa, that the Agreement is hereby approved.

BE IT FURTHER RESOLVED, that the Mayor and City Clerk are hereby directed to execute said Agreement.

PASSED this _____ day of March, 2025.

APPROVED this _____ day of March, 2025.

Eveyln George, Mayor

ATTEST:

Katrina Davis, City Clerk

Solid Waste & Recycling Hauling Contract

Background

- Current contract with Dodd's Trash Hauling and Recycling, approved in 2020, set to expire June 30, 2025.
- Contract provides for the weekly collection and disposal of a 35-gallon container of solid waste and an 18-gallon tote of single-stream recyclable materials from approx. 5,600 properties.

Background

- Additional services include the collection of solid waste from city facilities and downtown receptacles.
- Yard waste (Leaf Bags) and Christmas tree collection and disposal are also included in the current contract.

Request for Proposals

- RFPs were distributed on December 20th, 2024, to 7 local haulers and also posted online.
- Base proposals were to include rates for the weekly manual collection of 35-gallon bins of solid waste and 18-gallon totes of recycling
- Alternate proposals were also requested for the weekly automated collection of 35, 65, and 95-gallon bins of solid waste and recycling
- Proposed contract lengths and annual rates were also requested.

Request for Proposals

- Three proposals were received:
- Dodd's Solid Waste & Recycling
- Midwest Sanitation
- Waste Management.

Review of Proposals

- Monthly rate for collection of solid waste and recycling. (Rate is the fee paid per unit to the hauler. **NOT** the monthly fee that will be paid by citizens)
- Size of containers
- Proposed contract length and annual increases
- Company background and information

Current Fees & Expenses

- The current monthly rate per unit is \$12.58, resulting in a monthly fee of \$71,790
- The recycling & garbage fee paid by residents is \$15.16, which covers collection, tipping, and recycling fees
- Annual budget of \$1.03 Million

Dodd's Trash Hauling & Recycling

- Base Proposal (Manual Collection)
 - \$15.00 per month per dwelling unit
 - 35-gallon bin of Solid Waste
 - 15-gallon tote of Recycling
 - CPI-U Annual Increase (Average 2.7%)
 - 5 Year Contract length
- No alternate proposal provided

Dodd's Trash Hauling & Recycling

- Locally based company in business since 1967
- Employs City of Newton residents
- Has partnered with the City of Newton and its partner organizations for numerous events over the years
- Ability to collect only one size of bin, which the customer must provide.
- Price per gallon of waste collected: \$0.43
(Highest when compared to automated collections)

Midwest Sanitation

- Base Proposal (Manual Collection)
 - \$20.58 per month per dwelling unit
 - 35-gallon Bin of Solid Waste
 - 15-gallon Tote of Recycling
 - 3% Annual Increase
 - 5 Year Contract length

Midwest Sanitation

- Alternate Proposal (Automated Collection)
 - 35-gallon bin of solid waste
 - \$17.75 per unit (\$0.51 per gallon)
 - 65-gallon bin of solid waste
 - \$17.50 per unit (\$0.27 per gallon)
 - 95-gallon bin of solid waste
 - \$17.75 per unit (\$0.19 per gallon)
 - All include weekly collection of a 95-gallon bin of recycling

Midwest Sanitation

- Locally based company (Pella) in business since 1981
- Employs Jasper County residents
- Long history with the Newton Sanitary Landfill, as well as providing service to the Iowa Speedway
- Ability to collect three sizes of bins, which the company provides. (Most of the three proposals)
- Higher rates than other proposals but lower annual increase

Waste Management

- Base Proposal (Manual Collection)
 - No manual collection provided
 - 5% Annual Increase
 - 5 Year Contract length

Waste Management

- Alternate Proposal (Automated Collection)
 - 35-gallon bin of solid waste
 - No proposal given
 - 65-gallon bin of solid waste
 - \$14.98 per unit (\$0.23 per gallon)
 - 95-gallon bin of solid waste
 - \$14.98 per unit (\$0.16 per gallon)
 - All proposals included Bi-weekly collection of a 95-gallon bin of recycling

Waste Management

- Large national company in business since 1968
- Operations superintendent resides in Kellogg
- State-of-art equipment, including truck tracking & video and photos of collections
- Ability to collect two sizes of bins, which the company provides
- Lowest automated cost per gallon
- Bi-weekly collection of recycling

Estimated Fees

- All proposals would require an increase in the fee for Newton residents (Currently \$15.16)
- Dodd's **\$18.05** (35-gallon) Year 5 \$20.08
- Midwest Sanitation
 - **\$20.80** (35-gallon) Year 5 \$23.41
 - **\$23.15** (65-gallon) Year 5 \$26.06
 - **\$25.85** (95-gallon) Year 5 \$29.09
- Waste Management
 - **\$20.65** (65-gallon) Year 5 \$25.10
 - **\$23.05** (95-gallon) Year 5 \$28.02

Next Steps

- Staff and elected officials final review of proposals
- Questions for haulers (provided to PW Dir.)
- Sample bins in the atrium provided by Midwest Sanitation & Waste Management
- Haulers to be provided time on March 3rd to address council
- Approval of contract on March 3rd

City of Newton Council Report

**Item:**

Resolution approving a three-year contract for removal of wastewater biosolids

Summary:

Approving a three year contract for the removal of wastewater biosolids.

Financial Impact:

Not to exceed \$57,600 annually from Water Pollution Control Enterprise Funds

Report Number: 2025-196**Date:**

March 3, 2025

Lead Department:

Utilities

Recommendation:

Approve

Background:

The 2018 Wastewater Facility Plan identified the need to discontinue the production of dewatered biosolids due to the aging dewatering equipment, ongoing maintenance challenges, and the high costs associated with dewatering liquid sludge. As part of the 2022 Treatment Plant and Southwest Pump Improvement Project, a one-million-gallon liquid storage tank was constructed to store biosolids until land application could be completed. This approach allows contractors using semi-tanker trucks to empty the entire tank within a few days, significantly reducing the time and labor previously required by Water Pollution Control (WPC) staff, who had to transport multiple loads over several months.

To facilitate the efficient removal and disposal of biosolids, the City of Newton issued a Request for Proposal (RFP) for the removal, transportation, treatment, beneficial reuse, and/or disposal of 800,000 to 1,200,000 gallons of biosolids generated by the Newton Water Pollution Control Plant. Six contractors submitted proposals in response to the RFP. Each submission was evaluated based on qualifications, experience, and cost-effectiveness. Following a thorough review, Ecosystems Inc. of Ottumwa, IA, was selected as the most qualified and cost-effective provider to meet the City's biosolids removal needs in full compliance with the RFP.

Recommendation:

Approve a three-year contract starting July 1, 2025 and ending June 30, 2028 for removal of wastewater biosolids with Ecosystems Inc. of Ottumwa, Iowa in the amount, not to exceed \$57,600.00 annually.

Matt Muckler, City Administrator

RESOLUTION NO. 2025-_____

**RESOLUTION APPROVING A THREE-YEAR CONTRACT FOR
REMOVAL OF WASTEWATER BIOSOLIDS**

WHEREAS, the 2018 Wastewater Facility Plan identified the need to discontinue the production of dewatered biosolids due to the aging dewatering equipment, ongoing maintenance challenges, and the high costs associated with dewatering liquid sludge; and

WHEREAS, part of the 2022 Treatment Plant and Southwest Pump Improvement Project, a one-million-gallon liquid storage tank was constructed to store biosolids until land application could be completed; and

WHEREAS, this approach allows contractors using semi-tanker trucks to empty the entire tank within a few days, significantly reducing the time and labor previously required by Water Pollution Control (WPC) staff, who had to transport multiple loads over several months; and

WHEREAS, to facilitate the efficient removal and disposal of biosolids, the City of Newton issued a Request for Proposal (RFP) for the removal, transportation, treatment, beneficial reuse, and/or disposal of 800,000 to 1,200,000 gallons of biosolids generated by the Newton Water Pollution Control Plant; and

WHEREAS, Six contractors submitted proposals in response to the RFP, each submission was evaluated based on qualifications, experience, and cost-effectiveness; and

WHEREAS, following a thorough review, Ecosystems Inc. of Ottumwa, IA, was selected as the most qualified and cost-effective provider to meet the City's biosolids removal needs in full compliance with the RFP.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of Newton, Iowa, that the Utilities Director is authorized to proceed with a three-year contract starting July 1, 2025 and ending June 30, 2028 for removal of wastewater biosolids with Ecosystems Inc. of Ottumwa, Iowa in the amount not to exceed \$57,600.00 annually. To be paid utilizing Water Pollution Control Enterprise Funds.

PASSED this _____ day of March 2025.

APPROVED this _____ day of March 2025.

Evelyn George, Mayor

ATTEST:

Katrina Davis, City Clerk

**CONTRACT FOR REMOVAL OF WASTEWATER BIOSOLIDS
CITY OF NEWTON, IOWA**

THIS AGREEMENT is made and entered into this 10 day of February, 2025, by and between the City of Newton, Iowa, hereinafter referred to as the "City," and Ecosystems, an incorporated company, with its principal office located at 14246 Keb Lane, Ottumwa IA hereinafter referred to as the "Contractor."

WHEREAS, the City issued a Request for Proposal (RFP) for the removal, transportation, treatment, beneficial reuse, and/or disposal of biosolids produced at the Newton Wastewater Treatment Plant; and

WHEREAS, the Contractor submitted a proposal to perform said services in compliance with the RFP, and the City has selected the Contractor based on qualifications, experience, and cost considerations.

NOW, THEREFORE, in consideration of the mutual covenants herein contained, the parties agree as follows:

I. SCOPE OF SERVICES

1. The Contractor shall provide all labor, equipment, materials, and services necessary to remove, transport, and apply or dispose of biosolids from the Newton Wastewater Treatment Plant located at 1915 E 5th St S, Newton, Iowa, in accordance with the following:
 - Remove an estimated 800,000-1,000,000 gallons of biosolids annually, with a maximum volume of 1,200,000 gallons per calendar year.
 - Ensure tank capacity of 900,000 gallons by December 31st of the final year of the contract.
 - Haul biosolids with solids concentrations up to 6%.
2. Biosolids removal shall occur Monday through Friday between 6:00 a.m. and 3:00 p.m., with removal outside these hours subject to City approval.
3. All biosolids operations, including land application, storage, and transportation, must comply with applicable Iowa Department of Natural Resources (IDNR) and Environmental Protection Agency (EPA) regulations.
4. The City will provide liquid biosolids analysis, a loading station, and a 900 GPM pump for loading biosolids into trucks.
5. The Contractor shall:
 - Coordinate with City personnel for removal scheduling.
 - Utilize varying travel routes to minimize traffic concerns.
 - Obtain and maintain all necessary permits for hauling, application, or storage.
 - Remove all equipment within three (3) working days after completion or incur a \$200/day charge unless prior arrangements are made.

II. LAND APPLICATION REQUIREMENTS

1. The Contractor shall:
 - Calculate and provide loading rates prior to application.
 - Confirm compliance with prior year's biosolids application rates.
 - Provide IDNR-approved field numbers and field photos before hauling.
 - Manage all coordination with landowners and farmers for biosolids application.
 - Ensure biosolids are injected unless surface application is approved by the City.
 - Maintain detailed application records and submit year-end reports, including nutrient and contaminant loading rates, by January 15th of the following year.
 - Ensure good standing with landowners and farmers.

III. STORAGE REQUIREMENTS

1. If alternative storage is utilized, the Contractor shall:
 - Use IDNR-approved storage facilities.
 - Assume all future responsibilities for stored biosolids.
 - Provide an annual report on stored biosolid volumes.

IV. TERM AND RENEWAL

1. The term of this Agreement shall commence on July 1, 2025, and end on June 30, 2028, unless terminated earlier as provided herein.
2. The City reserves the option to renew this contract for one (1) additional year upon mutual agreement.

V. COMPENSATION

1. The City shall pay the Contractor for biosolids removal at the following rates:
 - Year 2025: \$.046 per gallon.
 - Year 2026: \$.047 per gallon.
 - Year 2027: \$.048 per gallon.
2. Additional charges must be pre-approved by the City in writing.
3. Payments shall be made within 30 days of receipt of a detailed invoice from the Contractor.

VI. INSURANCE REQUIREMENTS

The Contractor shall maintain the following insurance coverage during the term of this Agreement:

1. Commercial General Liability:

- \$1,000,000 General Aggregate
- \$1,000,000 Products-Completed Operations Aggregate
- \$500,000 Personal & Advertising Injury
- \$500,000 Each Occurrence
- \$50,000 Fire Damage
- \$5,000 Medical Expense

2. Commercial Auto Coverage:

- \$1,000,000 Liability/Combined Single Limit
- \$2,000,000 Umbrella Policy
- \$300,000 Uninsured/Underinsured Motorists

3. Workers' Compensation Insurance:

- \$100,000 Bodily Injury by Accident (each accident)
- \$500,000 Bodily Injury by Disease (policy limit)
- \$100,000 Bodily Injury by Disease (each employee)

Certificates of insurance, listing the City as an additional insured, must be provided before commencing work.

VII. PERFORMANCE BOND

The Contractor shall provide a performance bond in the amount of \$50,000 payable to the City to ensure complete performance of all terms and conditions of this Agreement.

VIII. INDEMNIFICATION

The Contractor shall indemnify, defend, and hold harmless the City, its officers, agents, and employees, from and against all claims, damages, losses, and expenses arising from the Contractor's performance under this Agreement.

IX. TERMINATION

1. Either party may terminate this Agreement with 30 days' written notice.
2. The City may terminate immediately for cause, including failure to perform, noncompliance with laws, or breach of contract terms.

X. MISCELLANEOUS

1. This Agreement shall be governed by the laws of the State of Iowa.
2. Any disputes shall be resolved through mediation or in the courts of Jasper County, Iowa.
3. This Agreement constitutes the entire agreement between the parties and supersedes all prior communications.

IN WITNESS WHEREOF, the parties have executed this Agreement in triplicate as of the date first written above.

CITY OF NEWTON, IOWA

By: _____

Name: _____

Title: _____

Date: _____

CONTRACTOR

By: Ecosystems, Inc.

Name: Jeff Klodt *Jeff Klodt*

Title: President

Date: 2/16/2025