



Newton City Council Agenda

May 19, 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

Proclamation

2. National Public Works Week May 18–24, 2025

Presentation

3. Newton Municipal Airport Update, Ethan Nasalroad, President, Johnson Aviation

Citizen Participation

4. 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

5. May 1, 2025 Special City Council Meeting Minutes
6. May 5, 2025 Regular City Council Meeting Minutes
7. Approve Liquor Licenses for the following: Fore Seasons Sports Bar & Grill, 600 N 2nd Ave W, Class C Retail Alcohol License for Special Event June 5-9, 2025, pending dramshop review
8. Approve 2025-2026 Cigarette/Tobacco/Nicotine/Vapor License for the following: Brewco Marketing Group, 3333 Rusty Wallace Dr; Casey's #1911, 1018 1st Ave E; Casey's #2341, 3104 1st Ave E; Casey's #2417, 1200 W 18th St S; Casey's #3954, 4343 S 15th Ave E; Git-N-Go Convenience Store #14, 801 1st Ave W; Git-N-Go Convenience Store #45, 1708 S 8th Ave E; Hy-Vee Fast & Fresh, 1421 1st Ave E; Hy-Vee Food Store, 1501 1st Ave E
9. Resolution levying assessments for costs of nuisance abatement and providing for the payment thereof (Schedule 25-05)
10. Resolution Approving a Property Tax Rebate for the Leavenwealth Capital, LLC Property Located Within the North Central Urban Renewal Area

11. Resolution approving CO1 and accepting completion of the 2025-01 Subdrain Collector Line Project
12. Resolution accepting completion of the Demolition 2024-01 Project
13. Resolution accepting completion of the Westwood Sidewalk/ Cart Path PCC Project
14. Resolution accepting completion of the Downtown Spray Park & Gathering Space Project
15. Resolution approving a non-standard Improvement in the City Right of Way with Newton Main Street
16. Accept Completion Of Westwood 2025 Grading Project
17. Resolution approving the donation of one Maytag Pool season pass to "May is Mental Health Month" fundraiser for Capstone Behavioral Healthcare
18. Resolution awarding the purchase of firefighter's personal protective equipment
19. Resolution approving the Venue and Public House Special Events Application
20. Resolution setting a public hearing for the sale of 306 East 8th Street South, Newton, Jasper County, Iowa
21. Resolution fixing a date for a public hearing and ordering clerk to publish notice for a public hearing on plans, specifications, form of contract, and estimate of costs for the 2025 Aurora Park Tennis Courts.
22. Resolution fixing a date for a public hearing and ordering clerk to publish notice for a public hearing on plans, specifications, form of contract, and estimate of costs for the 2025 Aurora Park Tennis Court Lighting.
23. Approve Bills

Ordinance

24. Second Consideration of an Ordinance Amending the Code of Ordinances, City of Newton, Iowa, 2025, Title III: Administration, Chapter 30: Mayor and Council
 - In order to keep in line with comparable communities and for the good of the organization, it is recommended by staff to increase the Mayor's and Council's pay for the next elected council, which begins January 1, 2026.
25. Second Consideration of an Ordinance Establishing Partial Tax Exemption for Industrial Property
 - This is an ordinance establishing industrial abatement in accordance with Code of Iowa Chapter 427B.
 - The tax exemption schedule, authorized by Iowa Code Chapter 427B is for five years as follows: Year 1: 75%, Year 2: 60%, Year 3: 45%, Year 4: 30%, Year 5: 15%.
26. First Reading Ordinance repealing Ordinance #2443 and amending the Code of Ordinances, City of Newton, Iowa, 2025, Title V, Chapter 54 Waterworks, Section 54.19 Fee Schedule by Adding or Deleting

- In September 2022, the citizens of Newton voted to place the governance of the municipal waterworks under the authority of the Newton City Council. Since that time, city staff and council have worked diligently to increase operational efficiency, improve transparency, and implement a proactive approach to managing the city's water infrastructure.
- As part of this ongoing effort, the city has begun investing in critical infrastructure upgrades necessary to maintain a safe and reliable water system. Many components of the system have reached or exceeded their intended lifespan, and timely improvements are essential to avoid service disruptions and higher emergency repair costs.
- In addition to the cost of infrastructure improvements, inflation has significantly impacted the cost of chemicals, materials, equipment, and labor required to operate and maintain the system. These economic pressures have increased the financial demands on the water utility.
- Furthermore, it is important to note that water rates in Newton have not been adjusted in over six years. During this period, operational costs have dramatically risen, while revenues have remained static. To continue providing high-quality service and to maintain financial sustainability, a rate adjustment is now both prudent and necessary.

Staff Report

27. Review of May 21, 2024, Flood and Stormwater Utility Information - Joe Grife, Public Works Director

Discussion

28. Proposed 2025 Newton City Council Rules of Procedure

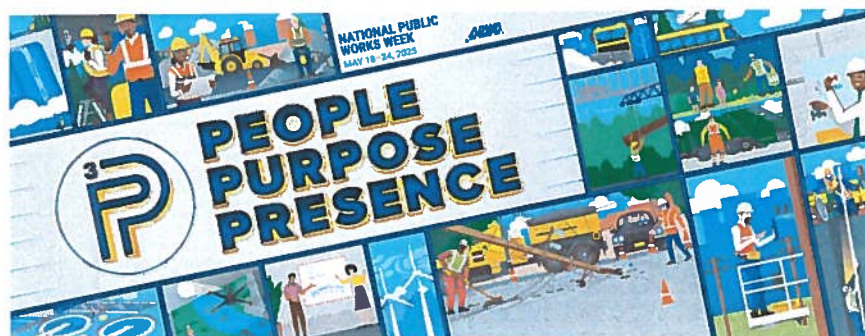
Mayor/Council Comments

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.

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PROCLAMATION

National Public Works Week Proclamation

May 18 – 24, 2025

“People, Purpose, Presence”

WHEREAS, public works professionals focus on infrastructure, facilities, and services that are of vital importance to sustainable and resilient communities and to the public health, high quality of life, and well-being of the people of Newton; and,

WHEREAS, these infrastructure, facilities, and services could not be provided without the dedicated efforts of public works professionals, who are engineers, managers, and employees at all levels of government and the private sector, who are responsible for rebuilding, improving, and protecting our nation’s transportation, water supply, water treatment and solid waste systems, public buildings, and other structures and facilities essential for our citizens; and,

WHEREAS, it is in the public interest for the citizens, civic leaders, and children in Newton to gain knowledge of and maintain an ongoing interest and understanding of the importance of public works and public works programs in their respective communities; and,

WHEREAS, the year 2025 marks the 65th annual National Public Works Week sponsored by the American Public Works Association/Canadian Public Works Association be it now,

RESOLVED, I, Evelyn George, Mayor, do hereby designate the week May 18–24, 2025, as National Public Works Week. I urge all citizens to join with representatives of the American Public Works Association and government agencies in activities, events, and ceremonies designed to pay tribute to our public works professionals, engineers, managers, and employees and to recognize the substantial contributions they make to protecting our national health, safety, and advancing quality of life for all.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the State (to be affixed),

DONE at Newton, Iowa, this 19th day of May 2025.



Evelyn George, Mayor

NEWTON SPECIAL MEETING CITY COUNCIL MEETING MINUTES
MAY 1, 2025, 12:00 PM

Call to Order

1. Roll Call

The City Council of Newton, Iowa met in special session at 12:00 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.

Closed Session

2. 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 12:01 P.M., it was moved by Hallam, seconded by Mullan 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

3. Return to Open Session

Council returned to open session at 12:37 P.M. with all members present.

Closed Session

4. 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 12:38 P.M., it was moved by Hallam, seconded by Mullan 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

5. Return to Open Session

Council returned to open session at 1:18 P.M. with all members present.

Adjourn

Moved by Dalton, seconded by Hallam to adjourn the meeting at 1:18 P.M. Motion unanimously carried by voice vote.

Katrina Davis, City Clerk

Evelyn George, Mayor

NEWTON CITY COUNCIL MEETING MINUTES
MAY 5, 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, Ervin. Absent: Simbro.

Proclamation

2. 56th Annual Professional Municipal Clerks Week Proclamation

Mayor George proclaimed May 4th - 10th as Professional Municipal Clerk Week.

3. National Police Week Proclamation

Mayor George proclaimed the week of May 11th - 17th as National Police Week and May 15th as National Peace Officer Memorial Day.

4. Emergency Medical Services (EMS) Week Proclamation

Mayor George proclaimed May 18th - 24th as Emergency Medical Services Week.

5. May is Building Safety Month

Mayor George proclaimed May is Building Safety Month.

6. May is National Preservation Month

Mayor George proclaimed May is National Preservation Month.

Presentation

7. Habitat for Humanity (Jasper County & State) update - Becca Decker & Rachel Ong

More than 11,000 low-income families are stuck in cost-burdened rental situations and 1 in 4 homes in neighborhoods with Habitat's focus need repair to preserve the home or maintain a basic level of safety. By 2030, Iowa will need to add 24,627 new housing units to accommodate new workers. In Jasper County, there have been 126 homeownership inquiries, 153 preservation inquiries, with 24 projects being completed. The total value of the repairs is \$535,515.

Citizen Participation

8. Erika Patterson, 1421 N 8th Ave E, and Alexis Young, 313 E 13th St N spoke in favor of allowing urban chickens. Carl Hentsch, 309 1st Ave W, spoke about their community participation and the applications for Downtown Grant funds.

Mayor George announced that item 41 on the agenda would be postponed for further review.

Consent Agenda

Moved by Dalton, seconded by Mullan to approve consent agenda items 9-32. AYES: Five. NAYS: None. Consent Agenda was adopted.

9. April 16, 2025 Special City Council Meeting Minutes

10. April 21, 2025 Regular City Council Meeting Minutes

11. April 21, 2025 Special City Council Meeting Minutes

12. Approve Liquor Licenses for the following: Casey's #1911 - LE0003308, 1018 1st Ave E, Class E Retail Alcohol License renewal; Newton/Des Moines East KOA - WBN001424, 1610 E 36th St S, Special Class B Retail Native Wine License renewal; The Venue & Public House, 211 N 2nd Ave W, amendment allowing temporary extension of outdoor service area including 200 block of N 2nd Ave W for car show June 13-14, 2025

13. Approve 2025-2026 Cigarette/Tobacco/Nicotine/Vapor License for the following: Fareway #848, 120 N 3rd Ave E; World Liquor & Tobacco + Vapors, 702 1st Ave E; World To Go, 403 1st Ave E

14. Resolution fixing the amounts to be assessed against individual private properties for the abatement of nuisance violations (Schedule No. 25-05)
Resolution 2025-168 adopted.

15. Resolution Approving a Property Tax Rebate for the McCann Housing Associates, LP
Property Located at 1105 East 12th Street South Within the McCann Urban Renewal

Area

Resolution 2025-169 adopted.

16. Resolution Approving a Property Tax Rebate for the Theisen's Property Located at 3021 1st Ave E Within the East Mart Urban Renewal Area
Resolution 2025-170 adopted.
17. Resolution Denying a Property Tax Rebate payment to Newton Elite Properties, LLC (Property located at 1123 1st Avenue East) for the Spring 2025 payment due to a violation of the Economic Development Agreement
Resolution 2025-171 adopted.
18. Resolution Approving Contract for Auditing Services and Preparation of Annual Financial Statements
Resolution 2025-172 adopted.
19. Resolution Approving Replacement Windows on the West Side of the Newton Police Department
Resolution 2025-173 adopted.
20. Resolution approving purchase of a pressure washer for the Public Works Community Development Wash Bay
Resolution 2025-174 adopted.
21. Resolution Amending the Downtown Improvement Grant for United Way of Jasper County at 312 First Avenue West
Resolution 2025-175 adopted.
22. Resolution Approving Amendment #001 to the Engineering Services Agreement for the Westwood Golf Course Bridge Replacement and Repair Project
Resolution 2025-176 adopted.
23. Resolution authorizing the submission of FY 2026 Airport State Funding Application and certifying eligibility requirements.
Resolution 2025-177 adopted.
24. Resolution Approving the Purchase of the Parks Utility Cart
Resolution 2025-178 adopted.
25. Resolution approving contract change order document for Westwood Clubhouse
Resolution 2025-179 adopted.
26. Resolution authorizing the purchase of pre-season salt for snow and ice control
Resolution 2025-180 adopted.
27. Resolution approving the purchase and installation of two gate valves for the Newton Sanitary Landfill
Resolution 2025-181 adopted.
28. Resolution accepting completion of work replacing the undercarriage of the Landfill 850L dozer
Resolution 2025-182 adopted.
29. Resolution approving CO-1 for the 2025 Westwood Grading Project
Resolution 2025-183 adopted.
30. 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 North East Pump Station Improvements Project
Resolution 2025-184 adopted.
31. Resolution Setting a Date for a Public Hearing on the FY26-FY30 Capital Improvement Plan (CIP)
Resolution 2025-185 adopted.
32. Approve Bills

Public Hearing

33. Public Hearing on an Ordinance Establishing Partial Tax Exemption for Industrial Property
Mayor George stated that this is the time and place for a Public Hearing on the above Ordinance. There were no written comments. Moved by Mills, seconded by Hallam to close the public hearing. AYES: Five. NAYS: None. The public hearing was closed.
34. First Consideration of an Ordinance Establishing Partial Tax Exemption for Industrial Property
Moved by Hallam, seconded by Mills to approve the first consideration of the

Ordinance. AYES: Five. NAYS: None. First Consideration of the Ordinance was approved.

Ordinance

35. First Consideration of an Ordinance Amending the Code of Ordinances, City of Newton, Iowa, 2025, Title III: Administration, Chapter 30: Mayor and Council
Moved by Dalton, seconded by Mills to approve the first consideration of the Ordinance. AYES: Five. NAYS: None. First Consideration of the Ordinance was approved.

Resolution

36. Resolution amending the Comprehensive Fee Schedule, Public Works Fees, by adding Solid Waste and Recycling Collection and Disposal Fee
Moved by Hallam, seconded by Mullan to adopt the Resolution. AYES: Five. NAYS: None. Resolution 2025-186 adopted.
37. Resolution approving the granting of Downtown Improvement Grant funds for 309 1st Avenue West, Newton, Iowa in the Facade Rehabilitation Program Area
Moved by Dalton, seconded by Hallam to adopt the Resolution. AYES: Five. NAYS: None. Resolution 2025-187 adopted.
38. Resolution approving a low-moderate income housing set-aside grant for 2122 North 4th Avenue East, Newton
Moved by Hallam, seconded by Dalton to adopt the Resolution. AYES: Five. NAYS: None. Resolution 2025-188 adopted.
39. Resolution approving a low-moderate income housing set-aside grant for 2014 South 3rd Avenue East, Newton
Moved by Hallam, seconded by Mills to adopt the Resolution. Corey McCoy, 2014 S 3rd Ave E, and his family have been in Newton for about 3 -4 years and appreciate the opportunity to improve their property. AYES: Five. NAYS: None. Resolution 2025-189 adopted.
40. Resolution Approving a D&D 2.0 Demolition Grant for 1010 East 8th Street North, Newton, Jasper County, Iowa
Moved by Ervin, seconded by Mullan to adopt the Resolution. AYES: Five. NAYS: None. Resolution 2025-190 adopted.
41. Resolution approving the Westwood Clubhouse Facility Rental Policy and Adding Westwood Clubhouse Facility Rental Fee to the City of Newton Comprehensive Fee Schedule
Postponed to the May 19, 2025 council meeting.
42. Resolution approving the purchase of a Cemetery Zero Turn Mower
Moved by Mullan, seconded by Hallam to adopt the Resolution. AYES: Four. NAYS: None. ABSTAINED: Dalton. Resolution 2025-191 adopted.
43. Resolution approving Change Order 02 to the contract for the City of Newton Fire Department Engine Bay Floor Reinforcing Project
Moved by Ervin, seconded by Mullan to adopt the Resolution. AYES: Five. NAYS: None. Resolution 2025-192 adopted.
44. Resolution approving Change Order 03 to the contract for the City of Newton Fire Department Engine Bay Floor Reinforcing Project
Moved by Hallam, seconded by Dalton to adopt the Resolution. AYES: Five. NAYS: None. Resolution 2025-193 adopted.

Staff Report

45. Annual Fire Report - Jarrod Wellik, Fire Chief
For the fiscal year 2023–2024, there were a total of 3,544 calls; 3,152 EMS calls and 392 Fire calls. The Fire Department also visited all the schools for fire safety training, tested hydrants, tested hoses, and ladders.

Mayor/Council Comments

46. Mayor and Council Comments
Mayor George reminded the community to attend the Newton Police Department and the Jasper County Sheriff's Office at the Annual Jasper County Law Enforcement Memorial, Thursday, May 15, 2025, from 5:30-6:00 pm, to remember the sacrifice of our fallen brothers and to recognize the devotion of our current Law Enforcement Service members. She also invited citizens to attend the Newton Main Street public input session at the DMACC Auditorium to hear the results of the input survey and share their thoughts at Community Night on Tuesday, May 6th, from 5:30-7:30 pm.

Adjourn
Moved by Mills, seconded by Mullan to adjourn the meeting at 7:22 P.M. Motion unanimously carried by voice vote.

Katrina Davis, City Clerk

Evelyn George, Mayor

City of Newton Council Report

**Item:**

Resolution levying assessments for costs of nuisance abatement and providing for the payment thereof (Schedule 25-05)

Summary:

The City of Newton abated some nuisances, such as 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: \$1,180.25

Report Number: 2025-556

Date:

May 19, 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 \$1,180.25.

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 25-05).

Matt Muckler, City Administrator

RESOLUTION NO. 2025 – _____

**RESOLUTION LEVYING ASSESSMENTS FOR COSTS OF
NUISANCE ABATEMENT AND PROVIDING FOR THE
PAYMENT THEREOF (SCHEDULE 25-05)**

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. 25-05 for collection in the same manner as the property tax.

NOW, THEREFORE, BE IT RESOLVED, that the attached Schedule No. 25-05, 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 June 4, 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 May, 2024.

APPROVED this _____ day of May, 2024.

Evelyn George, Mayor

ATTEST:

Katrina Davis, City Clerk

Schedule 25-05: 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
Betty Snodgrass	833104014	1600 1st Ave W	Newton	\$42,740	\$1,030.25	\$150.00	\$1,180.25	LEEPER'S HIGHLAND ADD W 60' LOT 14 BLK 3	3/31/2025
						TOTAL:	\$1,180.25		

City of Newton Council Report

**Item:**

Resolution Approving a Property Tax Rebate for the Leavenwealth Capital, LLC Property Located Within the North Central Urban Renewal Area

Summary:

Resolution Approving Property Tax Rebate to the Leavenwealth Capital, LLC Property According to the Approved Development Agreement

Financial Impact:

\$65,134 Property Tax Rebate from the North Central Urban Renewal TIF Fund

Report Number: 2025-564**Date:**

May 19, 2025

Lead Department:

Administration

Recommendation:

Approve

Background:

The City of Newton entered into a development agreement in June of 2018 with Lion Development Group, LLC and amended this agreement in January of 2020 and March of 2021 on the property located at 320 W 3rd St N within the North Central Urban Renewal Area. A Resolution consenting to assign the Second Amended Development Agreement to Leavenwealth Capital, LLC passed November 2022. The Agreement states that the City shall rebate 100% of all TIF property taxes paid by Leavenwealth Capital, LLC in Fiscal year 24/25.

Leavenwealth Capital, LLC has provided documentation that the property taxes in the amount of \$76,706 have been paid to the Jasper County Treasurer for FY 2024/25 for the property and the amount of the 100% rebate from the TIF fund would be \$65,134.

Recommendation:

Staff recommends approval of the attached Resolution approving the tax rebate payment to Leavenwealth Capital, LLC for the 24/25 property taxes.

Matt Muckler, City Administrator

RESOLUTION NO. 2025 – _____

**RESOLUTION APPROVING A PROPERTY TAX REBATE FOR THE
LEAVENWEALTH CAPITAL, 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 Lion Development Group, LLC was entered into in June of 2018 and Amended in January of 2020 and March 2021 on the property located at 320 West 3rd Street North within the North Central Urban Renewal Area. A Resolution consenting to assign the Second Amended Development Agreement to Leavenwealth Capital, LLC passed November 2022, and

WHEREAS, said Agreement provides that the City provide to the Developer a 100% TIF Property Tax Rebate in Fiscal Year 24-25, and

WHEREAS, the Developer has paid its property taxes for the fiscal year 2024-2025 in the total amount of \$76,706 and is eligible to receive a 100% TIF rebate of \$65,134;

NOW, THEREFORE, BE IT RESOLVED by the City Council of Newton, Iowa: That, per the terms of the Development Agreement with Leavenwealth Capital, LLC, a property tax rebate for the fiscal year 2024-2025 taxes in the amount of \$65,134 is hereby approved.

PASSED this 19th day of May, 2025.

APPROVED this _____ day of May, 2025.

Evelyn George, Mayor

ATTEST:

Katrina Davis, City Clerk

City of Newton Council Report

**Item:**

Resolution approving CO1 and accepting completion of the 2025-01 Subdrain Collector Line Project

Summary:

Approve CO1 and accept completion of the 2025-01 Subdrain Collector Line Project

Financial Impact:

Council previously approved a contract for \$30,474.62 on March 03, 2025; this action would approve CO1 in the dollar amount of \$10,317.78 and accept the project and authorize payment of the retainage amount of \$2,039.62.

Report Number: 2025-515**Date:**

May 19, 2025

Lead Department:

Public Works

Recommendation:

Approve

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.

City Staff prepared the construction plans and specifications and placed them out for bid. On March 3, 2025, the city council passed a resolution awarding a contract to Central Iowa Excavating of Kellogg, Iowa, for \$30,474.62. This work included installing 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 included restoration of the surface after the installation.

During construction, a change order was discussed to remove and replace the extra curb and gutter, along with the driveway area, to install the subdrain and replace the private driveways to meet the current city of Newton specifications. The additional PCC work amounted to 68 SY of pavement removal and replacement.

The Public Works Director has signed the Statement of Completion Form stating that the project has been substantially completed in general compliance with the contract's terms, conditions, and stipulations. The final contract amount, based on actual measured quantities of work, is \$40,792.40.

Recommendation:

Recommends approving CO1 in the amount of \$10,317.78 and accepting the completion of the 2025-01 Subdrain Collector Line Project and authorizing the retainage amount of \$2,039.62 to be paid to the contractor no sooner than 30 days after approval of this resolution, should no claims be on file.

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 2025- _____

**RESOLUTION APPROVING CO1 AND ACCEPTING COMPLETION OF THE
2025-01 SUBDRAIN 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. 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. 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, City Staff prepared the construction plans and specifications and placed them out for bid. On March 3, 2025, the city council passed a resolution awarding a contract to Central Iowa Excavating of Kellogg, Iowa, for \$30,474.62.

WHEREAS, this work included installing 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 included restoration of the surface after the installation; and

WHEREAS, during construction, a change order was discussed to remove and replace the extra curb and gutter, along with the driveway area, to install the subdrain and replace the private driveways to meet the current city of Newton specifications. The additional PCC work amounted to 68 SY of pavement removal and replacement; and

WHEREAS, the Public Works Director has signed the Statement of Completion Form stating that the project has been substantially completed in general compliance with the contract's terms, conditions, and stipulations. The final contract amount, based on actual measured quantities of work, is \$40,792.40.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Newton, Iowa, that the City of Newton hereby approves CO1 in the amount of \$10,317.78 and accepts completion of the project and authorizes the Public Works Director to execute payment of the retainer in the amount of \$2,039.62 to Central Iowa Excavating no sooner than 30 days after approval of this resolution, should no claims be on file.

PASSED this _____ day of May, 2025.

APPROVED this _____ day of May, 2025.

Evelyn George, Mayor

ATTEST:

Katrina Davis, City Clerk



City of Newton Public Works
303 W 4th St N, Suite 501
Newton, IA 50208

CHANGE ORDER No. 1

Owner: City of Newton Project Title: 2025-01 Subdrain Collector Line

Contractor: Central Iowa Excavating

Contract Date: 3-03-25 Date Prepared: 4-29-25 Prepared By: BLS Checked By: JER

In accordance with the General Regulations for the referenced Contract, you are directed to make the following changes in the work:

Nature of Change (Reason, Item, Units)	Price Change (Add / Deduct)	Time Change (Add)
HDPE Storm Sewer Service Stub 4" and house connection Added an additional house hook up". Per LF (39LF@\$24.22)	\$944.58	No additional time.
PCC Removal Added an additional 68SY of removals Per SY (68SY@\$37.10)	\$2,522.80	No additional time.
PCC Driveway 6" Class C Added an additional 52SY of PCC 6", Driveway Per SY (52SY@\$95.00)	\$4,940.00	No additional time.
PCC Full Depth Patch Added an additional 16SY of Full Depth Patching Per SY (16SY@\$119.40)	\$1,910.40	No additional time.

These Changes result in the following adjustment of Contract Price & Contract Time:

Contract Price Prior to this Change Order	\$ <u>30,474.62</u>
Net Increase Resulting from this Change Order	\$10,317.78
Current Contract Price Including this Change Order	\$ <u>40,792.40</u>
Contract Time Prior to this Change Order (completion date)	<u>May 15, 2025</u>
Net Increase Resulting from this Change Order (completion date)	N/A
Current Contract Time Including this Change Order (new completion date)	<u>May 15, 2025</u>

The above changes are approved:

City of Newton, IA

Date: _____

By: _____

The above changes are accepted:

Date: 4/29/25

Contractor: Central Iowa Excavating

By: [Signature]

City of Newton Council Report

**Item:**

Resolution accepting completion of the Demolition 2024-01 Project

Summary:

Final acceptance of the project to complete abatement & demolition work at 1015 N 3rd Ave E.

Financial Impact:

Council previously approved a contract for \$28,975.00 and a CO for \$4,350.00; and this action would accept the project and authorize payment of the retainage amount of \$1,666.25

Report Number: 2025-539

Date:

May 19, 2025

Lead Department:

Community Development

Recommendation:

Approve

Background:

Curb appeal continues to be a focus of the City per the recommendations of the adopted comprehensive plan, Newton's Future. Abating dangerous buildings within the City is one way to improve the aesthetics of Newton neighborhoods.

The City acquired 1015 N 3rd Ave E with the intent to demolish the structures on these properties through the Dangerous and Dilapidated Program. The Community Development Department prepared plans and specifications for the Demolition 2024-01 Project, and City Council passed Resolution 2024-388 on November 18, 2024 awarding a contract to Howe Excavating of Newton, Iowa in the amount of \$28,975.00

The project has been substantially completed in general compliance with the terms, conditions and stipulations of said contract. The final contract amount, based on actual measured quantities of work, is \$33,325.00.

Recommendation:

Recommends accepting the completion of the Demolition 2024-01 Project, and authorizing the retainage amount of \$1,666.25 to be paid to the contractor no sooner than 30 days after approval of this resolution, should no claims be on file.

Matt Muckler, City Administrator

RESOLUTION 2024- _____

**RESOLUTION ACCEPTING COMPLETION
OF THE DEMOLITION 2024-01 PROJECT**

WHEREAS, the City of Newton acquired 1015 N 3rd Ave E with the intent to demolish the structures on these properties through the Dangerous and Dilapidated Program; and

WHEREAS, the City of Newton Community Development Department prepared abatement and demolition plans and specifications for the Demolition 2024-01 Project, and sealed bids were received and opened for said project by the City on November 8, 2024; and

WHEREAS, the City Council of the City of Newton awarded a contract to Howe Excavating of Newton, Iowa in the amount of \$28,975.00 on November 18, 2024 for the Demolition 2024-01 Project; and

WHEREAS, Howe Excavating has completed their work in general compliance with the terms, conditions and stipulations of said contract.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Newton, Iowa that the City of Newton hereby accepts completion of the project, and authorizes the Community Development Director to execute payment of the retainer in the amount of \$1,666.25 to Howe Excavating no sooner than 30 days after approval of this resolution, should no claims be on file, with said payment being made using Dangerous and Dilapidated Building Program funds.

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PASSED this _____ day of May, 2024.

APPROVED this _____ day of May, 2024.

Evelyne George, Mayor

ATTEST:

Katrina Davis, City Clerk

City of Newton Council Report

**Item:**

Resolution accepting completion of the Westwood Sidewalk/ Cart Path PCC Project

Summary:

Accept completion of a contract with Jerry Keenan Concrete for the Westwood Sidewalk/ Cart Path PCC project.

Financial Impact:

Council previously approved a contract for \$10,958.00 on April 8, 2025, and this action would accept the project and authorize payment of the retainage amount of \$547.90

Report Number: 2025-540**Date:**

May 19, 2025

Lead Department:

Community Development

Recommendation:

Approve

Background:

On September 13, 2022, Newton residents approved a park bond referendum, which included the construction of a new clubhouse at the Westwood Golf Course. This led to plans being prepared and bids received on August 17, 2023, for the said clubhouse project. Due to high bid prices received, said bids were then rejected by the City Council per Resolution 2023-245 on September 5, 2023. City staff reacted immediately by working on an alternate plan to construct a more affordable clubhouse, which satisfies the language of the bond referendum while still meeting the needs of the golf course.

This project completed exterior access improvements, including a 5' ADA complaint sidewalk for building access, and the reconnection of the cart path near t box one.

City Council passed a resolution on April 8, 2024, awarding a contract to Jerry Keenan Concrete of Newton, Iowa, in the amount of \$10,958.00. The project has been substantially completed in general compliance with the terms, conditions, and stipulations of said contract. The final contract amount, based on actual measured quantities of work completed, is \$10,958.00.

Recommendation:

Recommends accepting the completion of the Westwood Sidewalk/ Cart Path PCC project and authorizing the retainage amount of \$547.90 to be paid to the contractor no sooner than 30 days after approval of this resolution should no claims be on file.

Matt Muckler, City Administrator

RESOLUTION NO. 2025-_____

**RESOLUTION ACCEPTING COMPLETION OF THE
WESTWOOD SIDEWALK/ CART PATH PCC IMPROVEMENT PROJECT**

WHEREAS, On September 13, 2022, Newton residents approved a park bond referendum, which included the construction of a new clubhouse at the Westwood Golf Course. This led to plans being prepared and bids received on August 17, 2023, for said clubhouse project; and

WHEREAS, due to high bid prices received, said bids were then rejected by the City Council per Resolution 2023-245 on September 5, 2023. City staff reacted immediately by working on an alternate plan to construct a more affordable clubhouse, which satisfies the language of the bond referendum while still meeting the needs of the golf course; and

WHEREAS this project completed exterior access improvements, including a 5' ADA complaint sidewalk for building access, and the reconnection of the cart path near t box one; and

WHEREAS, Jerry Keenan Concrete has completed the work in general compliance with the terms, conditions, and stipulations of said contract; and

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Newton, Iowa, that the City of Newton hereby accepts the completion of the project; and authorizes the Public Works Director to execute payment of the retainer in the amount of \$547.90 no sooner than 30 days after approval of this resolution should no claims be on file, with said payment to be made using 2024 Bond Funds.

PASSED this _____ day of May, 2025.

APPROVED this _____ day of May, 2025.

Evelyn George, Mayor

ATTEST:

Katrina Davis, City Clerk

City of Newton Council Report

**Item:**

Resolution accepting completion of the Downtown Spray Park & Gathering Space Project

Summary:

Accept completion of the Downtown Spray Park & Gathering Space Project

Financial Impact:

Council previously approved a contract for \$550,812.00 on December 18, 2023 along with CO in the amount of \$20,190.00; this action would accept the project and authorize payment of the retainage amount of \$28,341.90.

Report Number: 2025-542**Date:**

May 19, 2025

Lead Department:

Community Development

Recommendation:

Approve

Background:

On September 6, 2022, the City Council passed Resolution 2022-249, which spelled out the City's commitment to take the lead on the design and construction of the Downtown Spray Park & Gathering Space (known as the Downtown Park at this time). This followed efforts by a group of private citizens associated with the Newton Main Street Economic Vitality Committee to construct a park on the vacant City-owned lot at 224 W 3rd St N.

On December 18, 2023, City Council awarded Brothers Concrete a contract for \$550,812.00 to construct the splash pad and additional amenities. During construction issues arose causing two change orders to be approved in the amount of \$20,190.00.

The project has been substantially completed in general compliance with the terms, conditions, and stipulations of said contract. The final contract amount, based on actual measured quantities of work and the issuance of one change order, is \$566,838.00. This final amount accounts for the withholding of \$23,000 for liquidated damages due to the project not being completed in a timely manner.

Recommendation:

Accepting the completion of the Downtown Spray Park & Gathering Space Project and authorizing the retainage amount of \$28,341.90 to be paid to the contractor no sooner than 30 days after approval of this resolution, should no claims be on file.

Matt Muckler, City Administrator

RESOLUTION 2025- _____

**RESOLUTION ACCEPTING COMPLETION OF THE
DOWNTOWN SPRAY PARK & GATHERING SPACE PROJECT**

WHEREAS, On September 6, 2022, the City Council passed Resolution 2022-249, which spelled out the City’s commitment to take the lead on the design and construction of the Downtown Spray Park & Gathering Space (known as the Downtown Park at this time). This followed efforts by a group of private citizens associated with the Newton Main Street Economic Vitality Committee to construct a park on the vacant City-owned lot at 224 W 3rd St N; and

WHEREAS, On December 18, 2023, City Council awarded Brothers Concrete a contract for \$550,812.00 to construct the splash pad and additional amenities. During construction issues arose causing two change orders to be approved in the amount of \$20,190.00; and

WHEREAS, the project has been substantially completed in general compliance with the terms, conditions, and stipulations of said contract. The final contract amount, based on actual measured quantities of work and the issuance of one change order, is \$566,838.00

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Newton, Iowa, that the City of Newton hereby accepts completion of the project and authorizes the Community Development Director to execute payment of the retainer in the amount of \$28,341.90 to Brothers Concrete no sooner than 30 days after approval of this resolution, should no claims be on file.

PASSED this _____ day of May, 2025.

APPROVED this _____ day of May, 2025.

Evelyn George, Mayor

ATTEST:

Katrina Davis, City Clerk

City of Newton Council Report

**Item:**

Resolution approving a non-standard Improvement in the City Right of Way with Newton Main Street

Summary:

Allow the non-standard use of the city alley right-of-way.

Financial Impact:

N/A.

Report Number: 2025-548**Date:**

May 19, 2025

Lead Department:

Community Development

Recommendation:

Approve

Background:

Newton Main Street have requested the use of a public alley between Aleya and Uncle Nancy's better described as the North and South alley, 131 feet more or less between Lot E and F of the Original Plat of Block 9, for the placement of public seating such as tables, chairs and etc.

The current City of Newton specifications or regulations do not specifically allow this type of improvement in the public right of way. Newton Main Streets has agreed to the City's non-standard improvement in the City Right of Way agreement, which includes conditions such as removing snow in the alley during winter months. Use of the alley by others will not be affected by these improvements.

If the City accepts the agreement, the owners will be committed to its terms and standards.

Recommendation:

Approval of the agreement with Newton Main Street for the non-standard improvements in the City right-of-way.

Matt Muckler, City Administrator

RESOLUTION 2025- _____

**RESOLUTION APPROVING A NON-STANDARD IMPROVEMENT IN THE CITY
RIGHT-OF-WAY AGREEMENT WITH NEWTON MAIN STREET**

WHEREAS, Newton Main Street have requested the use of a public alley between Aleya and Uncle Nancys better described as the north and south alley, 131 feet more or less between lot e and f of the original plat of block 9 for the placement of public seating such as tables, chairs and etc.; and

WHEREAS, current City of Newton specifications or regulations do not specifically allow this type of improvement in a public right of way; and

WHEREAS, if the City accepts the agreement, Newton Main Street will be committed to its terms and the standards contained within; and

NOW, THEREFORE, BE IT RESOLVED, that the non-standard improvement in the City Right of Way agreement between the City of Newton and Newton Main Street is hereby accepted; and

BE IT FURTHER RESOLVED, by the City Council of the City of Newton, Iowa, that the non-standard improvement in the City right of way between the City of Newton and Newton Main Street is to be signed by the Mayor and City Clerk on behalf of the City and the same is hereby approved; and

BE IT FURTHER RESOLVED, that the Mayor and City Clerk are hereby directed to execute the said non-standard use agreement with the owner.

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PASSED this _____ day of May, 2025.

APPROVED this _____ day of May, 2025.

Evelyn George, Mayor

ATTEST:

Katrina Davis, City Clerk

Prepared By: Brandon Schakel – City of Newton – 303 W 4th St N, Suite 501 - Newton, IA 50208 - phone: 641-792-6622

Taxpayer: Newton Main Street, 303 W 4th St N, Suite 509

Legal Description: "THE NORTH-SOUTH ALLEY RUNNING 132' LYING BETWEEN LOT E IN BLOCK 9 IN THE ORIGINAL PLAT OF NEWTON AS APPEARS IN PLAT BOOK "B" PAGE 305 & LOT F IN BLOCK 9 AS APPEARS IN PLAT BOOK "C" PAGE 70 IN THE OFFICE OF THE RECORDER OF SAID COUNTY."

Parcel No: Between Parcels 0834110011&0834110012

**AGREEMENT BETWEEN CITY OF NEWTON AND PROPERTY OWNER FOR A NON-STANDARD
USE OF CITY ALLEY RIGHT-OF-WAY**

The City of Newton, Iowa, a municipal corporation under the laws of the State of Iowa, hereinafter called "City," and the following named property owner(s):

Newton Main Street

303 W 4th St N, Suite 509

hereinafter called "Owner," hereby agrees as follows:

1. Owner has an agreement to use the following described property, hereinafter called "property":
Legal Description: "THE NORTH-SOUTH ALLEY RUNNING 132' LYING BETWEEN LOT E IN BLOCK 9 IN THE ORIGINAL PLAT OF NEWTON AS APPEARS IN PLAT BOOK "B" PAGE 305 & LOT F IN BLOCK 9 AS APPEARS IN PLAT BOOK "C" PAGE 70 IN THE OFFICE OF THE RECORDER OF SAID COUNTY."
2. Owner desires a non-standard use of City right-of-way of said property. The non-standard use is described as follows:
Use of the alley for placing seating such as tables, chairs and etc. for public use while maintaining ADA compliance throughout the right of way.
3. For and in consideration of City's permission for said non-standard use, Owner agrees to the conditions specified hereinafter and agrees to undertake all of the responsibilities specified hereinafter.
4. City reserves and maintains all right to use and occupy the right-of-way area of said non-standard use, including but not limited to the right to maintain alley and sidewalk, install traffic related signage and utilities, and other regular maintenance work as deemed necessary. In the event that said non-standard use is not feasible due to City's or City's franchised utilities use and occupancy of City's right-of-way, Owner shall not be entitled to make any claim for damages whatsoever as a consequence of such action by City or by any utility franchised by City.
5. In the event that the alley needs to be closed due to the installation or maintenance of alley, sidewalk, traffic related signage, utilities, or any other public works, City shall give written notice to Owner 24 hours in advance of alley closure. Under emergency circumstances or when public safety is endangered, City or any utility franchised by City may pursue immediate corrective or removal actions without notice to Owner. In either event, Owner or any tenant shall not be entitled to make any claim for damages whatsoever as a consequence of such action by City or by any utility franchised by City.
6. Owner further agrees to indemnify, defend and hold City harmless from any and all claims by third parties, City's employees, agents and subcontractors, and all employees, agents, assignees, subcontractors or licensees of Owner, arising directly or indirectly out of non-standard use.
7. Owner agrees this agreement does not permit additional structural or signage improvements within the alley and/or relating to the non-standard use without separate approval(s) from the City of Newton.
8. This agreement shall be a covenant running with the Owner's land, and it shall expire **6 months** from the date of approval by the City of Newton. It shall be Owner's obligation to record this agreement with the Jasper County Recorder at Owner's expense, but Owner failure to record this agreement shall not defeat City's rights under this agreement as against Owner or any successors in interest to Owner. Owner shall return a recorded copy of this agreement to the City, and no work regarding the non-standard use shall begin until a recorded copy of the agreement is received by the City.
9. Owner shall be responsible for normal periodic maintenance of any non-standard improvements, separately approved by City, at Owner's cost. In the event any non-standard use and/or non-standard improvements become a nuisance, become damage by accident or act of God, interferes or impedes the installation or maintenance of street, sidewalk, street signage, utilities or any other public works, or in any other way violates the Newton City Code or Code of Iowa, then City shall give written notice to Owner of the corrective or removal action required. If Owner fails or refuses to take such corrective action within ten (10) days, City reserves and maintains the right to remove any and all non-standard improvements and revoke this non-standard use of city alley right-of-way agreement. City shall maintain right to recover

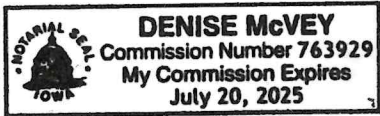
then City shall give written notice to Owner of the corrective or removal action required. If Owner fails or refuses to take such corrective action within ten (10) days, City reserves and maintains the right to remove any and all non-standard improvements and revoke this non-standard use of city alley right-of-way agreement. City shall maintain right to recover costs of corrective or removal action by billing Owner, or if costs remain unpaid, by certifying the costs of such corrective action to the County Assessor and County Treasurer for collection against Owner's property in the same manner as property taxes.

ACCEPTANCE BY OWNER

Erin E. Yeager
Owner

STATE OF IOWA :
:SS
JASPER COUNTY:

On this 12th day of May, 2025, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared Erin E. Yeager to me known to be the identical persons named in and who executed the foregoing instrument, and acknowledged that they executed the same as their voluntary act and deed.



Denise McVey
Notary Public in and for the State of Iowa
(Typed Name) Denise McVey
My Commission Expires: July 20th, 2025

ACCEPTANCE, APPROVAL AND EXECUTION BY CITY

CITY OF NEWTON

Dated: _____

By: _____
Evelyn George, Mayor

ATTEST:

Katrina Davis, City Clerk

STATE OF IOWA :
:SS
JASPER COUNTY:

On this _____ day of _____, 20____, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared _____ to me personally known, who being by me duly sworn, did say that he is the Mayor of said corporation; that the seal affixed thereto is the seal of said corporation; that said instrument was signed and sealed on behalf of said corporation by authority of the City Council; and that the said _____ as such officer, acknowledged the execution of said instrument to be the voluntary act and deed of said corporation, by it and by him voluntarily executed.

(Printed Name) _____
Notary Public in and for the State of Iowa
My Commission Expires: _____

City of Newton Council Report

**Item:**

Accept Completion Of Westwood 2025 Grading Project

Summary:

Accept completion of contract to Crossroads Pipe & Grading for the 2025 Westwood Grading project.

Financial Impact:

Council previously approved a contract for \$13,757.50 on April 21, 2025, and a Change order in the amount of \$8,885.90 on May 5th, 2025, and this action would accept the project and authorize payment of the retainage amount of \$1,132.17.

Report Number: 2025-567

Date:

May 19, 2025

Lead Department:

Community Development

Recommendation:

Approve

Background:

On September 13, 2022, Newton residents approved a park bond referendum, which included the construction of a new clubhouse at the Westwood Golf Course. This led to plans being prepared and bids received on August 17, 2023, for said clubhouse project. Due to high bid prices received, said bids were then rejected by the City Council per Resolution 2023-245 on September 5, 2023. City staff reacted immediately by working on an alternate plan to construct a more affordable clubhouse, which satisfies the language of the bond referendum while still meeting the needs of the golf course.

This project completed complete exterior drainage improvements and increase the view over the course from the clubhouse along with gravel cart path parking pad.

City Council passed a resolution on April 21, 2025, awarding a contract to Crossroads Pipe & Grading Inc, of Monroe Iowa, in the amount of \$13,757.50. A change order in the amount of \$8,885.90 was accepted for additional grading work and gravel cart path parking pad on May 5th, 2025 The project has been substantially completed in general compliance with the terms, conditions, and stipulations of said contract. The final contract amount, based on actual measured quantities of work completed, is \$22,643.40.

Recommendation:

Accepting the completion of the 2025 Westwood Grading project and authorizing the retainage amount of \$1,132.17 to be paid to the contractor no sooner than 30 days after approval of this resolution should no claims be on file.

Matt Muckler, City Administrator

RESOLUTION NO. 2025-_____

**RESOLUTION ACCEPTING COMPLETION OF THE
2025 WESTWOOD GRADING PROJECT**

WHEREAS, On September 13, 2022, Newton residents approved a park bond referendum, which included the construction of a new clubhouse at the Westwood Golf Course. This led to plans being prepared and bids received on August 17, 2023, for said clubhouse project; and

WHEREAS, due to high bid prices received, said bids were then rejected by the City Council per Resolution 2023-245 on September 5, 2023. City staff reacted immediately by working on an alternate plan to construct a more affordable clubhouse, which satisfies the language of the bond referendum while still meeting the needs of the golf course; and

WHEREAS This project completed exterior drainage improvements and increase the view over the course from the clubhouse; and

WHEREAS, a change order in the amount of \$8,885.90 was accepted for additional grading work and gravel cart path parking pad on May 5th, 2025; and

WHEREAS, Crossroads Pipe & Grading Inc. has completed the work in general compliance with the terms, conditions, and stipulations of said contract; and

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Newton, Iowa, that the City of Newton hereby accepts the completion of the project; and authorizes the Community Development Director to execute payment of the retainer in the amount of \$1,132.17 no sooner than 30 days after approval of this resolution should no claims be on file, with said payment to be made using 2024 Bond Funds.

PASSED this _____ day of May, 2025.

APPROVED this _____ day of May, 2025.

Evelyn George, Mayor

ATTEST:

Katrina Davis, City Clerk

City of Newton Council Report

**Item:**

Resolution approving the donation of one Maytag Pool season pass to "May is Mental Health Month" fundraiser for Capstone Behavioral Healthcare

Summary:

Donation of a 2025 Maytag Pool Season Pass to Capstone Behavioral Healthcare

Financial Impact:

\$50.00

Report Number: 2025-599**Date:**

May 19, 2025

Lead Department:

Community Development

Recommendation:

Approve

Background:

Envision Newton 2042, the City's comprehensive plan, identifies community health and wellness as a foundation for a strong city and guides the community to "Provide expanded affordable access to mental health resources..."

Capstone Behavioral Healthcare in Newton is committed to providing essential mental health and substance use services to individuals and families across our community regardless of income, background, or circumstance. Capstone Behavioral Healthcare is undergoing fundraising efforts to expand and increase housing options for those in need, enhance the delivery of services to reach more individuals and families, launch new services that address emerging behavioral health needs, and complete essential lower-level improvement projects to improve the facility and attract future health and human service providers.

Capstone Behavioral Healthcare has requested a donation of a season pool pass to Maytag Pool to be included in their fundraiser;

Recommendation:

Staff recommends approval.

Matt Muckler, City Administrator

RESOLUTION 2025- _____

RESOLUTION APPROVING THE DONATION OF ONE MAYTAG POOL SEASON PASS TO "MAY IS MENTAL HEALTH MONTH" FUNDRAISER FOR CAPSTONE BEHAVIORAL HEALTHCARE

WHEREAS, *Envision Newton 2042*, the City’s comprehensive plan, identifies community health and wellness as a foundation for a strong city and guides the community to “Provide expanded affordable access to mental health resources...”, and

WHEREAS, Capstone Behavioral Healthcare in Newton is committed to providing essential mental health and substance use services to individuals and families across our community regardless of income, background, or circumstance; and

WHEREAS, Capstone Behavioral Healthcare is undergoing fundraising efforts to expand and increase housing options for those in need, enhance the delivery of services to reach more individuals and families, launch new services that address emerging behavioral health needs, and complete essential lower-level improvement projects to improve the facility and attract future health and human service providers; and

WHEREAS, Capstone Behavioral Healthcare has requested a donation of a season pool pass to Maytag Pool to be included in their fundraiser;

NOW THEREFORE, BE IT RESOLVED by the City Council of Newton, Iowa, that one Matyag Pool Single Season Pass for 2025 be provided to the Capstone Behavioral Healthcare.

PASSED this _____ day of May, 2025.

APPROVED this _____ day of May, 2025.

Evelyn George, Mayor

ATTEST:

Katrina Davis, City Clerk

City of Newton Council Report

**Item:**

Resolution awarding the purchase of firefighter's personal protective equipment

Summary:

Resolution to purchase firefighter's personal protective equipment

Financial Impact:

A total of \$11,700.00 to be paid with 2025A bond funds

Report Number: 2025-572**Date:**

May 19, 2025

Lead Department:

Fire

Recommendation:

Approve

Background:

The Fire Department equips their firefighters with personal protective equipment that provides protection from structural firefighting hazards.

Project Specifications were prepared by the Fire Department and vendors came in to demonstrate the products they represented. We received bids from turnout gear vendors and made comparison by internet search:

<u>Company</u>	<u>Quote</u>
<i>Firefighter Turnout Gear</i>	
Conway Shield – Lakeland Stealth	\$ 3,200 per set
Dinges Fire Company	\$ 3,878 per set
Galls (Internet)	\$ 3,842 per set
Conway Shield – B1 (Chaplain Gear)	\$ 2,100 per set

Recommendation:

City Staff recommends Council award the purchase of firefighter's personal protective equipment to Conway Shield of New Berlin, Wisconsin for the purchase of three (3) sets of Lakeland Stealth firefighter PPE in the amount of \$ 9,600; and one (1) sets of Lakeland B1 firefighter PPE in the amount of \$ 2,100; for a grand total of \$ 11,700.00.

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

Matt Muckler, City Administrator

RESOLUTION NO. 2025-

RESOLUTION AWARDING THE PURCHASE OF FIREFIGHTER’S PERSONAL PROTECTIVE EQUIPMENT

WHEREAS, a firefighter’s personal protective equipment are key in providing for their safety and protection; and

WHEREAS, fire department staff have been systematically replacing personal protective equipment over the past ten years; and

WHEREAS, specifications were prepared and bids sought from vendors; and

NOW, THEREFORE, BE IT RESOLVED, by the City Council of Newton, Iowa, that the bids firefighter’s personal protective equipment be accepted from Conway Shield of New Berlin, Wisconsin for the purchase of three (3) sets of Lakeland Stealth firefighter PPE in the amount of \$ 9,600; and one (1) sets of Lakeland B1 firefighter PPE, for our Chaplain, in the amount of \$ 2,100; for a grand total of \$ 11,700.00.

BE IT FURTHER RESOLVED, the total purchase of eleven-thousand seven hundred-dollars (\$ 11,700.00) for the firefighter’s personal protective equipment project, is hereby approved. The project cost will be paid from the 2025A bond funds.

PASSED this _____ day of May 2025.

APPROVED this _____ day of May 2025.

Evelyn George, Mayor

ATTEST:

Katrina Davis, City Clerk

City of Newton Council Report

**Item:**

Resolution approving the Venue and Public House Special Events Application

Report Number: 2025-571

Date:

May 19, 2025

Lead Department:

Fire

Recommendation:

Approve

Summary:

Resolution to approve the special events application for Venue and Public House special event less than 60 days prior to event per approved City policy

Financial Impact:

No financial impact by approving the application.

Background:

The City Council approved the use of a special events application process on June 6, 2022 that requires organizers of special events to provide information to staff for the purposes of planning larger events. The special event included in this application is for the Live Music on the Street and Beer Garden sponsored by The Venue and Public House to be held on 6/14/2025. The proposal includes closure of North 2nd Avenue West from West 2nd Street North to West 3rd Street North. This event is estimated to have 300 attendees and will close the street from 3:00 PM to 11:00 PM. In the event of rain, the event will be cancelled. This special event is coming before City Council simply because of time constraints. City staff cannot approve an application that is submitted less than 60 days prior to an event.

Recommendation:

City Staff recommends Council approve the Special Events Application submitted by The Venue and Public House for the special event to be held in the downtown area on 6/14/2025 between the hours of 3:00 PM and 11:00 PM.

Matt Muckler, City Administrator

RESOLUTION NO. 2025-_____

RESOLUTION APPROVING THE VENUE AND PUBLIC HOUSE SPECIAL EVENTS APPLICATION

WHEREAS, City Council approved the use of a special events policy on June 6, 2022 requiring organizers of special events to provide information to staff for the purposes of planning larger events; and

WHEREAS, this event plans to close North 2nd Avenue West from West 2nd Street North to West 3rd Street North from 3:00 PM to 11:00 PM on 6/14/2025; and

WHEREAS, this special event application is required since they are asking to close a City-street; and

WHEREAS, this event meets all application requirements and requires City Council approval as City staff cannot approve an application that is submitted less than 60 days prior to an event; and

NOW, THEREFORE, BE IT RESOLVED, by the City Council of Newton, Iowa, that the application for the Live Music on the Street and Beer Garden event sponsored by The Venue and Public House is approved.

PASSED this _____ day of May 2025.

APPROVED this _____ day of May 2025.

Evelyn George, Mayor

ATTEST:

Katrina Davis, City Clerk

City of Newton Council Report

**Item:**

Resolution setting a public hearing for the sale of 306 East 8th Street South, Newton, Jasper County, Iowa

Summary:

Setting a public hearing for sale of D&D property

Financial Impact:

None.

Report Number: 2025-561

Date:

May 19, 2025

Lead Department:

Community Development

Recommendation:

Approve

Background:

The City owns the following property:

306 East 8th Street South, legally described as: Lot Two of Eastside (as appears in Plat Book D on Pages 105 and 106 in the Office of the Recorder of Jasper County) except the following described tract, to wit: Begin at the southeast corner of said Lot Two of Eastside and run thence west 50 feet 2 inches, thence north 92 feet, thence east 20 feet 2 inches, thence north 63 feet, thence east 30 feet, and run thence south 155 feet to the place of beginning; all being in the Subdivision of block E and Lot Two of Block F of Sturdevant's Subdivision in the City of Newton, Jasper County, Iowa.

The dilapidated home located on the property is under contract for demolition, which should be completed by June 20, 2025.

There has been expressed interest in the subject property for the purpose of redevelopment. In order to receive offers, the Council must first set a public hearing.

Recommendation:

Staff recommends approval.

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

Matt Muckler, City Administrator

RESOLUTION NO. 2025 – _____

RESOLUTION SETTING A PUBLIC HEARING FOR THE SALE OF CITY-OWNED PROPERTY AT 306 EAST 8TH STREET SOUTH IN NEWTON, JASPER COUNTY, IOWA

WHEREAS, the City of Newton owns a property located at 306 East 8th Street South, legally described as: LOT TWO OF EASTSIDE (AS APPEARS IN PLAT BOOK D ON PAGES 105 AND 106 IN THE OFFICE OF THE RECORDER OF JASPER COUNTY) EXCEPT THE FOLLOWING DESCRIBED TRACT, TO WIT: BEGIN AT THE SOUTHEAST CORNER OF SAID LOT TWO OF EASTSIDE AND RUN THENCE WEST 50 FEET 2 INCHES, THENCE NORTH 92 FEET, THENCE EAST 20 FEET 2 INCHES, THENCE NORTH 63 FEET, THENCE EAST 30 FEET, AND RUN THENCE SOUTH 155 FEET TO THE PLACE OF BEGINNING; ALL BEING IN THE SUBDIVISION OF BLOCK E AND LOT TWO OF BLOCK F OF STURDEVANT'S SUBDIVISION IN THE CITY OF NEWTON, JASPER COUNTY, IOWA;

WHEREAS, it is necessary to hold a public hearing prior to acting upon a purchase/redevelopment agreement for said property;

NOW, THEREFORE, BE IT RESOLVED by the City Council of Newton, Iowa that:
Section 1: That a public hearing shall be held on June 16, 2025 at 6:00 p.m., at Newton City Hall, 101 West 4th Street South, to receive and accept purchase proposals and Public Notice in substantially the following form shall be given:

PUBLIC NOTICE

The City Council of Newton, Iowa will hold a Public Hearing at 6:00 p.m. on June 16, 2025, at Newton City Hall, 101 West 4th Street South, regarding the sale of the following property at 306 East 8th Street South, legally described as: LOT TWO OF EASTSIDE (AS APPEARS IN PLAT BOOK D ON PAGES 105 AND 106 IN THE OFFICE OF THE RECORDER OF JASPER COUNTY) EXCEPT THE FOLLOWING DESCRIBED TRACT, TO WIT: BEGIN AT THE SOUTHEAST CORNER OF SAID LOT TWO OF EASTSIDE AND RUN THENCE WEST 50 FEET 2 INCHES, THENCE NORTH 92 FEET, THENCE EAST 20 FEET 2 INCHES, THENCE NORTH 63 FEET, THENCE EAST 30 FEET, AND RUN THENCE SOUTH 155 FEET TO THE PLACE OF BEGINNING; ALL BEING IN THE SUBDIVISION OF BLOCK E AND LOT TWO OF BLOCK F OF STURDEVANT'S SUBDIVISION IN THE CITY OF NEWTON, JASPER COUNTY, IOWA. Offers shall be submitted by 10:00 a.m. on June 10, 2025, to the Newton Community Development Department; 303 West 4th Street North, Suite 501, Newton, Iowa 50208. Additional information about the property and the process for submitting a proposal is available at the Community Development Department, (641)-792-6622. At said Hearing, interested persons may be heard in support of or opposition to said option agreement.

Section 2: That following the Public Hearing, City Council may select the proposal which is in the best interest of the City Newton.

PASSED this _____ day of May, 2025.

APPROVED this _____ day of May, 2025.

Evelyn George, Mayor

ATTEST:

Katrina Davis, City Clerk

City of Newton Council Report

**Item:**

Resolution fixing a date for a public hearing and ordering clerk to publish notice for a public hearing on plans, specifications, form of contract, and estimate of costs for the 2025 Aurora Park Tennis Courts.

Summary:

Setting a public hearing

Financial Impact:

None.

Report Number: 2025-595**Date:**

May 19, 2025

Lead Department:

Community Development

Recommendation:

Approve

Background:

In order to accept bids for the Aurora Park Tennis Court Project, a public hearing must be set and notice published in the local newspaper. This resolution directs the necessary steps to be taken to accomplish that.

Recommendation:

Staff recommends approval.

Matt Muckler, City Administrator

RESOLUTION NO. 2025 – _____

**RESOLUTION FIXING A DATE FOR A PUBLIC HEARING AND ORDERING CLERK
TO PUBLISH NOTICE FOR A PUBLIC HEARING ON PLANS, SPECIFICATIONS,
FORM OF CONTRACT AND ESTIMATE OF COSTS FOR THE 2025 AURORA
PARK TENNIS COURTS**

WHEREAS, the 2025 Aurora Park Tennis Courts project is a public improvement initiative designed to enhance the infrastructure within the City of Newton, and

WHEREAS, the base bid includes reconstruction of six tennis courts and construction of two new tennis courts; including resurfacing, nets, posts, lights, other items pertinent to construction; and

WHEREAS, the total cost estimate is \$716,438.00

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Newton, Iowa, that the Newton City 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 2nd day of June 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 in form substantially similar as follows:

**NOTICE OF PUBLIC HEARING
CITY OF NEWTON, IOWA PUBLIC IMPROVEMENT PROJECT**

A public hearing will be held by the Newton City Council on the proposed contract documents (plans, specifications, and form of contract) and estimated cost for the following projects located in the City of Newton:

- 1.) 2025 Aurora Park Tennis Courts located in Newton, Jasper County, Iowa.

The above noted public hearing will be held at the regular City Council Meeting on June 2, 2025 in the Newton City Council Chamber at City Hall, 101 West 4th Street South, Newton, Iowa. Any person interested may appear and file comments to the proposed plans, specifications, form of contract, or cost of such improvements. Drawings, specifications, and the form of contract may be examined at the Newton City Community Development Department Office, 303 W 4th St N, Newton, Iowa 50208, Monday through Friday, 8:00 a.m. to 4:00 p.m.

Published by order of the City of Newton, Iowa.

By:

Katrina Davis, City Clerk
City of Newton, IA

PASSED this _____ day of May, 2025

APPROVED this _____ day of May, 2025.

Evelyn George, Mayor

ATTEST:

Katrina Davis, City Clerk

City of Newton Council Report

**Item:**

Resolution fixing a date for a public hearing and ordering clerk to publish notice for a public hearing on plans, specifications, form of contract, and estimate of costs for the 2025 Aurora Park Tennis Court Lighting.

Summary:

Setting a public hearing

Financial Impact:

None.

Report Number: 2025-596**Date:**

May 19, 2025

Lead Department:

Community Development

Recommendation:

Approve

Background:

In order to accept bids for the Aurora Park Tennis Court Lighting Project, a public hearing must be set and notice published in the local newspaper. This resolution directs the necessary steps to be taken to accomplish that.

Recommendation:

Staff recommends approval.

Matt Muckler, City Administrator

RESOLUTION NO. 2025 – _____

**RESOLUTION FIXING A DATE FOR A PUBLIC HEARING AND ORDERING CLERK
TO PUBLISH NOTICE FOR A PUBLIC HEARING ON PLANS, SPECIFICATIONS,
FORM OF CONTRACT AND ESTIMATE OF COSTS FOR THE 2025 AURORA
PARK TENNIS COURT LIGHTING**

WHEREAS, the 2025 Aurora Park Tennis Court Lighting project is a public improvement initiative designed to enhance the infrastructure within the City of Newton, and

WHEREAS, the base bid includes lighting for the Aurora Park Tennis Courts, with one add alternate for lighting of the Aurora Park Pickleball Courts; and

WHEREAS, the total cost estimate for the project, including the add alternate is \$471,528.00

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Newton, Iowa, that the Newton City 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 2nd day of June 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 in form substantially similar as follows:

**NOTICE OF PUBLIC HEARING
CITY OF NEWTON, IOWA PUBLIC IMPROVEMENT PROJECT**

A public hearing will be held by the Newton City Council on the proposed contract documents (plans, specifications, and form of contract) and estimated cost for the following projects located in the City of Newton:

- 1.) 2025 Aurora Park Tennis Court Lighting located in Newton, Jasper County, Iowa.

The above noted public hearing will be held at the regular City Council Meeting on June 2, 2025 in the Newton City Council Chamber at City Hall, 101 West 4th Street South, Newton, Iowa. Any person interested may appear and file comments to the proposed plans, specifications, form of contract, or cost of such improvements. Drawings, specifications, and the form of contract may be examined at the Newton City Community Development Department Office, 303 W 4th St N, Newton, Iowa 50208, Monday through Friday, 8:00 a.m. to 4:00 p.m.

Published by order of the City of Newton, Iowa.

By:

Katrina Davis, City Clerk
City of Newton, IA

PASSED this _____ day of May, 2025

APPROVED this _____ day of May, 2025.

Evelyn George, Mayor

ATTEST:

Katrina Davis, City Clerk

City of Newton Disbursements 5-20-25

Vendor	Department	Description	Amount
2 Girls with Tools	Fire	Supplies	\$ 17.50
Acco Unlimited Corp	Maytag Pool	Supplies	\$ 4,918.10
Acushnet Company	Golf	Merchandise	\$ 340.87
Aetna Senior Supplemental Ins	Fire	Reimbursement	\$ 100.55
Alliant Energy/IPL	All	Utilities	\$ 81,467.35
Amazon Capital Services	All	Supplies	\$ 2,055.54
American Water Works Association	Water Treatment Plant	Service	\$ 288.00
Applied Concepts Inc	Police	Supplies	\$ 3,368.00
Barney's Services Inc	Tort Liability	Service	\$ 1,450.00
Bentley Ridge Tree Farm LLC	SSMID District	Supplies	\$ 1,968.00
Biobag Americas Inc	Solid Waste	Supplies	\$ 7,292.29
Black Hills Energy	All	Utilities	\$ 227.06
Bound Tree Medical LLC	Fire	Supplies	\$ 1,292.67
Breman & Sons Tree Service	Community Beautification	Service	\$ 1,600.00
Brooker Corporation	Fire	Service	\$ 896.93
Browning Lawn Services LLC	Police	Service	\$ 150.00
Carbine, Joseph	Utility Billing	Refund	\$ 65.00
Card Services	All	Supply	\$ 6,544.69
Central Iowa Distributing Inc	Water Pollution Control	Supplies	\$ 1,783.00
Centre for Arts and Artists	Parks	Supplies	\$ 135.00
Chem-Sult Inc	Water Treatment Plant	Supplies	\$ 1,375.00
CIGNA	Fire	Reimbursement	\$ 170.07
Computer Resource Specialists	Admin/Airport/WPC	Service	\$ 1,732.50
Continental Research	City Garage	Supplies	\$ 321.81
Costa Oil Newton	Fire	Service	\$ 184.90
Dannen, Ryan	D&D	Services	\$ 1,172.50
Davis, Steven	Water Pollution Control	Reimburse	\$ 63.04
Dept of Inspections & Appeals	City Center	Service	\$ 40.00
Des Moines Stamp Mfg	Police	Supplies	\$ 34.00
Diamond Vogel Inc	Maytag Pool/WTP	Supplies	\$ 324.02
Dodd Trash Hauling & Recycling	Cemetery/Garage	Service	\$ 1,971.97
Earl May Nursery & Garden	Parks	Supplies	\$ 208.98
Electrical Eng & Equipment	Street Lighting	Supplies	\$ 1,906.50
EZ Lease	Water Pollution Control	Services	\$ 251.01
Family Pet Veterinary Center	Police	Service	\$ 2,610.49
Fareway	Parks/Water Treatment Plant	Supplies	\$ 69.56
Farnsworth Group Inc	Street	Service	\$ 1,423.75
Financial Forms & Supplies	Finance	Supplies	\$ 204.12
Fink, Keith	Engineering	Reimb	\$ 14.99
Fire Service Training Bureau	Fire	Service	\$ 75.00
Forbes Office Solutions	All	Supplies	\$ 521.15
Forck, Matt	Water Pollution Control	Reimbursement	\$ 63.04
Front Line Therapy LLC	Administration	Service	\$ 600.00
Fuller, Shawn	Water Pollution Control	Reimbursement	\$ 124.54
Galls LLC	Fire	Supplies	\$ 149.52

Garcia, Jose	Police	Reimbursement	\$ 567.01
Gilbert Lawn Care and Snow Removal	City Center/Library	Service	\$ 1,821.00
Girard & Associates	Fire	Service	\$ 450.00
Git N Go Convenience Stores Inc	Fire	Supplies	\$ 30.02
Gregg Young Auto Center	Fire/Police	Service	\$ 882.92
Hansen, Brad	Water Pollution Control	reimbursement	\$ 63.04
Hanson, Lance	Water Pollution Control	Reimbursement	\$ 63.04
Hartgers, Joe	Water Distribution	Reimbursement	\$ 63.04
Hawkeye Lock & Security	All	Supplies	\$ 1,621.61
Hawkins Water Treatment	Water Treatment Plant	Supplies	\$ 4,976.50
HD Supply	Parks	Supplies	\$ 673.64
Heisdorffer, Rex	Fire	Reimbursement	\$ 770.79
Hillyard / Des Moines	Fire	Supplies	\$ 406.53
HLW Engineering Group	Landfill	Service	\$ 3,890.00
I & S Group Inc	Golf Clubhouse	Service	\$ 787.50
IMWCA	All	Service	\$ 2,448.12
Iowa Department of Natural Resources	Water Distribution	Service	\$ 20.00
Iowa Law Enforcement Academy	Police	Service	\$ 450.00
Iowa Prison Industries	Cemetery	Service	\$ 1,330.00
Iowa Pump Works	Landfill	Service	\$ 1,209.25
Jasper Construction Services	Engineering	Supplies	\$ 24.68
Jerry Keenan Concrete	Golf Clubhouse	Service	\$ 5,498.00
Johnson Aviation	Airport	Reimb	\$ 55.78
Key Cooperative	All	Fuel	\$ 11,723.77
KNIA-KRLS	Community Marketing	Services	\$ 1,473.60
Kobobel, Edward & Therisa	Utility Billing	Refund	\$ 8.26
Kolpin, Joseph	Water Distribution	Reimburse	\$ 63.04
Kooyman, Ron	Utility Billing	Refund	\$ 157.75
Language Line Services	Police	Service	\$ 10.50
Liberty Tire Services LLC	Landfill	Service	\$ 889.39
Logan Contractors Supply	Street/Storm Water	Supplies	\$ 2,104.00
Lyman, Rick	D&D	Services	\$ 3,132.35
Magnum Automotive	Police	Service	\$ 812.83
Mahaska Bottling Co	Golf	Rental	\$ 115.00
Manatts - D.M.	All	Supplies	\$ 5,785.74
Maxim Advertising	Administration	Supply	\$ 75.00
McAninch Corporation	Fairmeadows North TIF	Service	\$ 2,927.88
McCall Monument	Cemetery	Supplies	\$ 50.00
Menards-Altoona	All	Supplies	\$ 477.08
Metering and Technology Solutions	Water Distribution RESO 2024-124	Supplies	\$ 8,433.64
Microbac Laboratories Inc	Water Distribution	Services	\$ 4,980.50
Miller, John	Water Pollution Control	Reimbursement	\$ 63.04
Millizer, Ashley	Fire	Reimbursement	\$ 142.09
Mississippi Lime Company	Water Treatment Plant	Supplies	\$ 14,294.32
Montgomery, Lucas	Water Treatment Plant	Reimbursement	\$ 117.37
Motorola Solutions Inc	Police RESO 2025-110	Supplies	\$ 38,480.00
Mow Pow'r	Water Distribution	Supplies	\$ 50.00
MTI Distributing Inc	Golf	Supplies	\$ 117.69
Municipal Collections of America Inc	Fire	Reimbursement	\$ 2,943.67

Nahom, Michael & Jennifer McMillen	Utility Billing	Refund	\$ 24.58
NAPA Auto Parts	All	Supplies	\$ 1,389.11
Needham, Shaun	Water Pollution Control	Reimbursement	\$ 124.54
News Printing Company	All	Publication	\$ 1,539.06
Newton Community School	Police	Supplies	\$ 57.75
Niemann Ace Hardware 650	All	Supplies	\$ 352.89
Parkview Animal Hospital	Animal Control	Service	\$ 600.00
Phelps Uniform Specialists	All	Supplies	\$ 146.32
Pierce, Todd	Water Treatment Plant	Reimbursement	\$ 63.04
Premier Office Equipment	Executive/Police	Service	\$ 658.58
GrowyourCaptains.com LLC	Fire	Supplies	\$ 2,500.00
Progressive	Fire	Reimbursement	\$ 28.42
Quick Supply Company	Community Beautification	Supplies	\$ 1,054.00
RACOM Corporation	Fire	Supplies	\$ 185.32
Ratcliff, Glenn	Water Distribution	Reimbursement	\$ 63.04
Ray, Randy	Police/D& D	Service	\$ 2,240.00
Reliant Fire Apparatus Inc	Fire	Service	\$ 3,904.10
Richtsmeier, Richard	Utility Billing	Refund	\$ 159.16
Ryan's Tire & Auto	Cemetery	Supplies	\$ 74.95
Sande Construction and Supply	Maytag Pool	Service	\$ 4,377.00
Schwarz, Shane	Water Pollution Control	Reimbursement	\$ 63.04
Secretary of State	Fire	Supplies	\$ 30.00
Security Equipment Inc	Police	Service	\$ 236.25
Skorniak, Roxane & Lisa	Utility Billing	Refund	\$ 8.26
Spahn & Rose Lumber Co	All	Supplies	\$ 883.92
State Hygienic Laboratories	Water Treatment Plant	Service	\$ 21.00
Stivers Midwest Pro Upfitters	Tort Liability	Supplies	\$ 6,473.23
Storey Kenworthy/Matt Parrott	Finance	Service	\$ 484.00
Storm Training Group LLC	Police	Service	\$ 499.00
T2 Systems Inc	Police	Service	\$ 34.86
Theisen's	All	Supplies	\$ 3,115.26
TK Elevator	City Center	Service	\$ 211.89
Town & Country Sanitary Services	Water Treatment Plant	Services	\$ 380.00
Trojan Technologies Corp	Water Pollution Control	Supplies	\$ 713.19
Truck Equipment	Street	Supplies	\$ 9,352.93
TruGreen Processing Center	Water Treatment Plant	Service	\$ 192.37
Two Rivers Cooperative	All	Fuel	\$ 7,340.43
Utility Equipment Co	Storm Water	Supplies	\$ 505.10
Van Wall Equipment	City Garage	Supplies	\$ 659.61
VariTech Industries Inc	Snow Removal	Supplies	\$ 1,860.54
Veenstra & Kimm Inc	Building	Services	\$ 8,213.70
Warnick Mechanical	Animal Control RESO 2024-323	Service	\$ 8,130.75
Waskow, Michael	Water Treatment Plant	Reimbursement	\$ 63.04
Waste Solutions of Iowa	All	Service	\$ 1,398.00
Xerox Corporation	Water Treatment Plant	Service	\$ 40.25
Zoll	Fire	Supplies	\$ 820.82
			\$ 330,377.29

Pre-Authorized Payments

AT&T	Landfill/PD	Utilities	443.95
Beverage Distributors of Iowa	Golf Clubhouse	Golf Concessions	359.50
Bing Bang	Community Marketing	RESO 2025-127	\$ 23,560.00
Black Hills Energy	Streets/Airport	Utilities	\$ 298.05
Blue Valley Public Safety	Disaster Services	RESO 2024-366	\$ 24,065.48
Central Iowa Excavation	Storm Water	RESO 2025-065	\$ 28,950.89
Crossroads Pipe & Grading	Golf Clubhouse	RESO 2025-161/183	\$ 21,511.23
Doll Distributing	Golf Clubhouse	Golf Concessions	\$ 1,450.60
Fierce Faith	Community Marketing	RESO 2025-124	\$ 2,500.00
Full Swing Golf	Golf Clubhouse	RESO 2025-046	\$ 62,255.00
Howe Excavating	LMI Fund - FM	RESO 2025-188	\$ 2,887.50
Iowa Beverage	Golf Clubhouse	Golf Concessions	\$ 1,625.65
Iowa Pump Works	Landfill	RESO 2025-181	\$ 18,509.25
Jetco	WPC	RESO 2023-322 2025-084	\$ 227,222.97
Jerry Keenan Concrete	Golf Clubhouse	RESO 2025-129	\$ 10,410.10
Johnson Brothers of Iowa	Golf Clubhouse	Golf Concessions	\$ 652.80
McCann Housing Associates	McCann Urban Renewal	RESO 2025-169	\$ 48,157.37
PowerPlan	Landfill	RESO 2025-055/182	\$ 29,858.62
S&P Global Ratings	2025A Bond	RESO 2025-143	\$ 18,857.00
Stivers Ford	Police	RESO 2025-109	\$ 93,980.00
T Mobile	Fire	Utilities	\$ 39.80
Theisen's	East Mart TIF - Tax Rebate	RESO 2025-170	\$ 28,271.00
Verizon	Disaster Services	Utilities	\$ 35.01
Windstream	All	Utilities	\$ 2,007.76
Total:			\$ 647,909.53

City of Newton Council Report

**Item:**

Second Consideration of an Ordinance Amending the Code of Ordinances, City of Newton, Iowa, 2025, Title III: Administration, Chapter 30: Mayor and Council

Summary:

Increase the Mayor & Council pay for the next council which starts on 1-1-26.

Financial Impact:

Budgeted Salary Increase of \$29,450 distributed between all funds. No change to General Fund.

Report Number: 2025-519**Date:**

May 19, 2025

Lead Department:

Administration

Recommendation:

Approve

Background:

In order to keep in line with comparable communities and for the good of the organization, it is recommended by staff to increase the Mayor & Council pay for the next council which starts on 1-1-26. This increase may provide for improved inclusion by allowing someone that couldn't participate before an opportunity to become involved, such as someone that needed childcare in order to attend meetings.

Indianola is historically the closest comparable to Newton, which has Council pay set at \$5,900 per year and the Mayor pay on 1-1-26 will be \$10,250. Since the Mayor and City Council's work encompasses all funds for the City, the increase will be distributed among eligible funds and there will be no increase in General Fund Expenditures for this change.

Recommendation:

It is recommended that the City Council adopt the budgeted Mayor and Council wage increase effective January 1, 2026.

Matt Muckler, City Administrator

ORDINANCE NO. _____

**ORDINANCE AMENDING THE CODE OF ORDINANCES, CITY OF NEWTON,
IOWA, 2025, TITLE III: ADMINISTRATION, CHAPTER 30: MAYOR AND
COUNCIL**

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF NEWTON DOES ORDAIN AS FOLLOWS:

Section 1. The Code of Ordinances, City of Newton, Iowa, 2025, Title III: Administration, Chapter 30: Mayor and Council, is hereby amended by adding or ~~deleting~~ the following:

Mayor

§ 30.001 TERM OF OFFICE.

The Mayor is elected for a term of two years.

(2011 Code, § 3.0101)

§ 30.002 POWERS AND DUTIES.

The powers and duties of the Mayor shall be as follows.

(A) Chief executive officer. The Mayor is the chief executive officer of the city and, except for the duties delegated by law or ordinance to the City Administrator, the Mayor shall supervise all departments of the city.

(B) Presiding officer. The Mayor shall act as presiding officer at all regular and special Council meetings. The Mayor Pro Tem shall serve in this capacity in the Mayor's absence.

(C) Special meetings. The Mayor shall call special meetings of the Council when the Mayor deems such meetings necessary to the interests of the city.

(D) Mayor's veto. The Mayor may sign, veto or take no action on an ordinance, amendment or resolution passed by the Council. However, the Mayor may not veto a measure if the Mayor was entitled to vote on the measure at the time of passage. If the Mayor exercises the Mayor's veto power, the Mayor must explain the reason for such veto to the Council at the time of the veto. The Council may override the Mayor's veto by a three-fourths majority or at least five Council members.

(E) Reports to Council. The Mayor shall make such oral or written reports to the Council at the first meeting of every month as required. These reports shall concern municipal affairs generally, the municipal departments and recommendations suitable for Council action.

(F) Contracts. The Mayor shall, whenever authorized by Council, sign contracts on behalf of the city.

(2011 Code, § 3.0102) (Ord. 2429, passed 4-17-2023)

§ 30.004 COMPENSATION.

The salary of the Mayor shall be ~~\$4,800~~\$10,250 per year which includes \$2400 in car allowance, payable in quarterly installments at the end of each quarter of the calendar year.

(2011 Code, § 3.0104)

COUNCIL

§ 30.035 NUMBER AND TERM.

The Council consists of two Council members elected at-large and one Council member from each of four wards as established by the code of ordinances, elected for overlapping terms of four years.

(2011 Code, § 3.0301)

§ 30.036 POWERS AND DUTIES.

The powers and duties of the Council shall include, but are not limited to, the following:

- (A) General. All powers of the city are vested in the Council, except as otherwise provided for by law or ordinance.
- (B) Wards. By ordinance, the Council may divide the city into wards based upon population, change the boundaries of wards, eliminate wards or create new wards.
- (C) Fiscal authority. The Council shall apportion and appropriate all funds and audit and allow all bills, accounts, payrolls and claims, and order payment thereof. It shall make all assessments for the cost of street improvements, sidewalks, sewers and other work, improvement or repairs which may be specially assessed.
- (D) Public improvements. The Council shall make all orders for the doing of work, or the making or construction of any improvements, bridges or buildings.
- (E) Contracts. The Council shall make or authorize the making of all contracts and no contract shall bind or be obligatory upon the city unless either made by ordinance or resolution adopted by the Council, or reduced to writing and approved by the Council, or expressly authorized by ordinance or resolution adopted by the Council.
- (F) Employees.
 - (1) The Council shall authorize, by resolution, the number and compensation of employees not otherwise provided by state law or the code of ordinances. In accordance with the city's pay and benefits plan adopted by the Council, authorization of employee compensation by the Council shall occur within the annual salary resolution by Council specification therein of:
 - (a) The percentage increase, if any, to be applied to the step/merit pay schedule and merit pay schedule for non-union eligible employees; and
 - (b) The amount of funds allotted to the merit pool.
 - (2) The City Administrator shall allocate salary adjustments to non-union eligible employees in an amount not to exceed the total of divisions (F)(1)(a) and (F)(1)(b) above on the basis of performance appraisals conducted by supervisors. Gross yearly salaries of all city employees for the previous calendar year shall be published no later than 1 March of each year.
- (G) Records. The Council shall maintain records of its proceedings.
- (H) Setting compensation for elected officers. By ordinance, the Council shall prescribe the compensation of the Mayor, Council members and other elected city officers, but a change in the compensation of the Mayor shall not become effective during the term in which the increase is adopted, and the Council shall not adopt such an ordinance changing the compensation of any elected officer during the months of November and December immediately following a regular city election. A change in the compensation of Council members shall become effective for all Council members at the beginning of the term of the Council members elected at the election next following the adoption of the increase in compensation.

(2011 Code, § 3.0302)

§ 30.039 COMPENSATION.

The members of the Council shall receive, in full payment for their services as Council persons, a sum of ~~\$1,500~~\$5900 per year, payable in quarterly installments at the end of each quarter of the calendar year.

(2011 Code, § 3.0307)

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 January 1, 2026, 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:**

Second Consideration of an Ordinance Establishing Partial Tax Exemption for Industrial Property

Summary:

Adopting an ordinance aligned with Iowa Code Chapter 427B.

Financial Impact:

None at this time.

Report Number: 2025-597

Date:

May 19, 2025

Lead Department:

Community Development

Recommendation:

Approve

Background:

Code of Iowa Chapter 427B allows cities to pass an ordinance establishing an industrial abatement to local property taxes for improving industrial real estate. The abatement is allowed on the actual value added to eligible properties.

Code of Iowa Chapter 427B stipulates the following five-year abatement schedule: Year 1: 75%, Year 2: 60%, Year 3: 45%, Year 4: 30%, Year 5: 15%

Additionally, it is required that an ordinance is adopted for each exemption, thus the inclusion of Chapter 35, Section 29: Approved Exemptions in this ordinance.

Local Request. Upon adoption of this ordinance, a public hearing will be set to consider a property tax exemption for the currently under-construction industrial building at 1610 North 15th Avenue East by CMGA Enterprises, LLC. The timeline for responding to a request is outlined by Iowa Code as follows: *The City Council shall hold a public hearing on the requested exemption and shall enact an ordinance approving the partial tax exemption not less than thirty (30) days after said public hearing.*

Upon adoption of this ordinance (presumably after three readings), City Council can set a public hearing for consideration of the anticipated property tax exemption request for 1610 North 15th Avenue East at the June 16, 2025 meeting and adopt the ordinance approving the exemption request no sooner than the July 21, 2025 City Council Meeting.

This timeline could be accelerated, should council choose to waive the 2nd and 3rd readings of this ordinance.

Recommendation:

Staff recommends approval.

Matt Muckler, City Administrator

ORDINANCE NO. _____

ORDINANCE ESTABLISHING PARTIAL TAX EXEMPTION FOR INDUSTRIAL PROPERTY

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF NEWTON DOES ORDAIN AS FOLLOWS:

Section 1. The Code of Ordinances, City of Newton, Iowa, Chapter 35: Fiscal Management; Taxation is hereby amended by adding the following:

§ 35.28. PARTIAL TAX EXEMPTION FOR INDUSTRIAL PROPERTY.

(A) *Purpose Established.* The purpose of this section is to authorize partial property tax exemptions, for property on which improvements have been made, of the actual value added to industrial real estate Iowa Code Chapter 427B.

(B) *Definitions.* This ordinance shall be subject to and interpreted according to the definitions and requirements set forth in Iowa Code Chapter 427B.

(C) *Exemption Granted.* The actual value added to the qualifying industrial real estate, in accordance with Iowa Code Chapter 427B, is eligible to receive a partial exemption from taxation for a period of five (5) years, upon application by the property owner to the local assessor; upon compliance with the requirements of the Iowa Department of Revenue; and upon compliance with the requirements of § 35.28 (E), if applicable. The amount of actual value added which is eligible to be exempt from taxation shall be as follows:

- (1) For the first year, 75% (seventy-five percent).
- (2) For the second year, 60% (sixty percent).
- (3) For the third year, 45% (forty-five percent).
- (4) For the fourth year, 30% (thirty percent).
- (5) For the fifth year, 15% (fifteen percent).

(D) *Exemption Ineligibility.* Industrial property otherwise eligible for tax exemption under this section shall not be granted such an exemption upon the following occurrences:

- (1) If the property ceases to be classified as industrial real estate or ceases to be used as a warehouse or distribution center, then the partial exemption for the value added shall not be allowed for subsequent assessment years.
- (2) If, in the case of new construction constituting complete replacement of an existing building or structure, the exemption would result in the assessed value of the industrial real estate being reduced below the assessed value of the industrial real estate before the start of the new construction added.
- (3) The property for which the exemption is claimed has received any other property tax exemption authorized by law.

(E) *Approval.* Property Owners seeking the exemption shall file a request for approval to the City Council not later than 90 days before an application for exemption must be filed with the local assessor and shall include a copy of the completed Iowa Application for Industrial Property Tax Exemption provided by the State of Iowa Department of Revenue. The City Council shall hold a public hearing on the requested exemption and shall enact an ordinance approving the partial tax exemption not less than thirty (30) days after said public hearing. In the event the ordinance for exemption is disapproved because determinations could not be made in accordance with Iowa Code Chapter 427B, the property owner may submit a revised proposal in the same manner as the original request.

(F) *Limitation on Exemption.* A property tax exemption under this ordinance shall not be granted if the property for which the exemption is claimed has received or is eligible to for any other property tax exemption allowed by law.

§ 35.29. APPROVED EXEMPTIONS.

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.

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

CHAPTER 427B

SPECIAL TAX PROVISIONS

Referred to in §331.303, 331.402, 437A.16A, 441.47

SUBCHAPTER I		427B.19B	Guarantee of state replacement funds. Repealed by 2003 Acts, ch 178, §11.
INDUSTRIAL PROPERTY AND CATTLE FACILITIES ACTUAL VALUE ADDED EXEMPTION			
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427B.3	Period of partial exemption.		
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427B.5	Exemption may be repealed.	UNDERGROUND STORAGE TANKS REMEDIAL ACTION CREDIT	
427B.6	Dual exemptions prohibited.	427B.20	Local option remedial action property tax credit — public hearing. Repealed by 2024 Acts, ch 1054, §20.
427B.7	Actual value added exemption from tax — cattle facilities.	427B.21	Application for credit by underground storage tank owner or operator — approval by county board of supervisors or city council. Repealed by 2024 Acts, ch 1054, §20.
427B.8	and 427B.9 Reserved.	427B.22	Credit may be repealed. Repealed by 2024 Acts, ch 1054, §20.
SUBCHAPTER II		427B.23	through 427B.25 Reserved.
RESERVED			
427B.10	through 427B.16 Reserved.		
SUBCHAPTER III			
SPECIAL VALUATION FOR MACHINERY, EQUIPMENT, AND COMPUTERS — STATE REPLACEMENT FUNDS			
427B.17	Property subject to special valuation.	SUBCHAPTER V	
427B.18	Replacement.	SPECIAL VALUATION FOR WIND ENERGY CONVERSION PROPERTY	
427B.19	Assessor and county auditor duties.	427B.26	Special valuation of wind energy conversion property.
427B.19A	Fund created.		

SUBCHAPTER I

INDUSTRIAL PROPERTY AND CATTLE FACILITIES ACTUAL VALUE ADDED EXEMPTION

427B.1 Actual value added exemption from tax — public hearing.

1. For purposes of [this section](#):

a. “*Distribution center*” means a building or structure used primarily for the storage of goods which are intended for subsequent shipment to retail outlets. “*Distribution center*” does not mean a building or structure used primarily to store raw agricultural products, used primarily by a manufacturer to store goods to be used in the manufacturing process, used primarily for the storage of petroleum products, or used for the retail sale of goods.

b. “*New construction*” means new buildings and structures and includes new buildings and structures which are constructed as additions to existing buildings and structures. “*New construction*” does not include reconstruction of an existing building or structure which does not constitute complete replacement of an existing building or structure or refitting of an existing building or structure, unless the reconstruction of an existing building or structure is required due to economic obsolescence and the reconstruction is necessary to implement recognized industry standards for the manufacturing and processing of specific products and the reconstruction is required for the owner of the building or structure to continue to competitively manufacture or process those products which determination shall receive prior approval from the city council of the city or the board of supervisors of the county.

c. “*Research-service facilities*” means a building or group of buildings devoted primarily

to research and development activities, including but not limited to the design and production or manufacture of prototype products for experimental use, and corporate-research services which do not have a primary purpose of providing on-site services to the public.

d. “Warehouse” means a building or structure used as a public warehouse for the storage of goods pursuant to [chapter 554, article 7](#), except that it does not mean a building or structure used primarily to store raw agricultural products or from which goods are sold at retail.

2. A city council, or a county board of supervisors as authorized by [section 427B.2](#), may provide by ordinance for a partial exemption from property taxation of the actual value added to industrial real estate by the new construction of industrial real estate, research-service facilities, warehouses, distribution centers and the acquisition of or improvement to machinery and equipment assessed as real estate pursuant to [section 427A.1, subsection 1](#), paragraph “e”. The exemption shall also apply to new machinery and equipment assessed as real estate pursuant to [section 427A.1, subsection 1](#), paragraph “e”, unless the machinery or equipment is part of the normal replacement or operating process to maintain or expand the existing operational status.

3. The ordinance may be enacted not less than thirty days after a public hearing is held in accordance with [section 335.6](#) in the case of a county, or [section 362.3](#) in the case of a city. The ordinance shall designate the length of time the partial exemption shall be available and may provide for an exemption schedule in lieu of that provided in [section 427B.3](#). However, an alternative exemption schedule adopted shall not provide for a larger tax exemption in a particular year than is provided for that year in the schedule contained in [section 427B.3](#).

[C81, §427B.1; 82 Acts, ch 1104, §20]

84 Acts, ch 1232, §2; 85 Acts, ch 232, §1; 2011 Acts, ch 118, §85, 89; 2013 Acts, ch 34, §8; 2017 Acts, ch 29, §123

Referred to in §364.19, 427.1(27)(c), 427.1(27)(d), 427B.2, 427B.3, 427B.4, 427B.5, 427B.7, 427B.17

427B.2 Zoning under chapter 335.

1. The board of supervisors of a county which has appointed a county zoning commission and provided for county zoning under [chapter 335](#) may provide for a partial exemption from property taxation of the actual value added to industrial real estate as provided under [section 427B.1](#).

2. The board of supervisors of a county which has not appointed a zoning commission may provide for a partial exemption from property taxation of the actual value added to industrial real estate as provided under [section 427B.1](#) in the following areas:

a. Outside the incorporated limits of a city to which a city has extended its zoning ordinance pursuant to [section 414.23](#) which complies with the city’s zoning ordinance.

b. Outside the incorporated limits of a city which has adopted a zoning ordinance but which has not extended the ordinance to the area permitted under [section 414.23](#) if the property would be within the area to which a city may extend a zoning ordinance pursuant to [section 414.23](#).

c. Outside the incorporated limits of a city which has not adopted a zoning ordinance but which would be within the area to which a city may extend a zoning ordinance pursuant to [section 414.23](#).

3. The board of supervisors of a county which has not appointed a zoning commission may provide for a partial exemption from property taxation of the actual value added to industrial real estate as provided under [section 427B.1](#) in an area where the partial exemption could not otherwise be granted under [this chapter](#) where the actual value added is to industrial real estate existing on July 1, 1979.

4. To grant an exemption under the provisions of [this section](#), the county board of supervisors shall comply with all of the requirements imposed by [this chapter](#) upon the city council of a city.

[C81, §427B.2; 82 Acts, ch 1104, §21 – 23]

2009 Acts, ch 41, §255

Referred to in §427B.1, 427B.7, 427B.17

427B.3 Period of partial exemption.

1. “Actual value added”, as used in [this chapter](#), means the actual value added as of the first year for which the exemption is received, except that actual value added by improvements to machinery and equipment means the actual value as determined by the assessor as of January 1 of each year for which the exemption is received.

2. The actual value added to industrial real estate for the reasons specified in [section 427B.1](#) is eligible to receive a partial exemption from taxation for a period of five years. However, if property ceases to be classified as industrial real estate or ceases to be used as a warehouse or distribution center, the partial exemption for the value added shall not be allowed for subsequent assessment years.

3. a. The amount of actual value added which is eligible to be exempt from taxation shall be as follows:

- (1) For the first year, seventy-five percent.
- (2) For the second year, sixty percent.
- (3) For the third year, forty-five percent.
- (4) For the fourth year, thirty percent.
- (5) For the fifth year, fifteen percent.

b. This schedule shall be followed unless an alternative schedule is adopted by the city council of a city or the board of supervisors of a county in accordance with [section 427B.1](#).

4. However, the granting of the exemption under [this section](#) for new construction constituting complete replacement of an existing building or structure shall not result in the assessed value of the industrial real estate being reduced below the assessed value of the industrial real estate before the start of the new construction added.

[C81, §427B.3]

[84 Acts, ch 1232, §3; 2011 Acts, ch 34, §167](#)

Referred to in [§427B.1](#), [427B.7](#), [427B.17](#)

427B.4 Application for exemption by property owner.

1. An application shall be filed for each project resulting in actual value added for which an exemption is claimed. The application for exemption shall be filed by the owner of the property with the local assessor by February 1 of the assessment year in which the value added is first assessed for taxation. Applications for exemption shall be made on forms prescribed by the director of revenue and shall contain information pertaining to the nature of the improvement, its cost, and other information deemed necessary by the director of revenue.

2. A person may submit a proposal to the city council of the city or the board of supervisors of a county to receive prior approval for eligibility for a tax exemption on new construction. The city council or the board of supervisors, by ordinance, may give its prior approval of a tax exemption for new construction if the new construction is in conformance with the zoning plans for the city or county. The prior approval shall also be subject to the hearing requirements of [section 427B.1](#). Prior approval does not entitle the owner to exemption from taxation until the new construction has been completed and found to be qualified real estate. However, if the tax exemption for new construction is not approved, the person may submit an amended proposal to the city council or board of supervisors to approve or reject.

[C81, §427B.4; [82 Acts, ch 1104, §24](#)]

[2000 Acts, ch 1058, §40; 2003 Acts, ch 145, §286; 2018 Acts, ch 1041, §127](#)

Referred to in [§427.1\(27\)\(d\)](#), [427B.7](#), [427B.17](#)

427B.5 Exemption may be repealed.

When in the opinion of the city council or the county board of supervisors continuation of the exemption granted by [this chapter](#) ceases to be of benefit to the city or county, the city council or the county board of supervisors may repeal the ordinance authorized by [section 427B.1](#), but all existing exemptions shall continue until their expiration.

[C81, §427B.5]

Referred to in [§427B.17](#)

427B.6 Dual exemptions prohibited.

A property tax exemption under [this chapter](#) shall not be granted if the property for which the exemption is claimed has received any other property tax exemption authorized by law. [C81, §427B.6]

427B.7 Actual value added exemption from tax — cattle facilities.

A city council, or a county board of supervisors as authorized by [section 427B.2](#), may, by ordinance as provided in [section 427B.1](#), establish a partial exemption from property taxation of the actual value added to owner-operated cattle facilities, including small or medium sized feedlots but not including slaughter facilities, either by new construction or by the retrofitting of existing facilities. The application for the exemption shall be filed pursuant to [section 427B.4](#). The actual value added to owner-operated cattle facilities, as specified in [section 427B.1](#), is eligible to receive a partial exemption from taxation for a period of five years. The amount of actual value added which is eligible to be exempt from taxation is the same as provided in the exemption schedule in [section 427B.3](#).

[87 Acts, ch 169, §10](#)

427B.8 and 427B.9 Reserved.

SUBCHAPTER II

RESERVED

427B.10 through 427B.16 Reserved.

SUBCHAPTER III

SPECIAL VALUATION FOR MACHINERY, EQUIPMENT, AND COMPUTERS — STATE REPLACEMENT FUNDS

427B.17 Property subject to special valuation.

1. For purposes of [this section](#):

a. “*Electric power generating plant*” means any nameplate rated electric power generating plant, in which electric energy is produced from other forms of energy, including all taxable land, buildings, and equipment used in the production of such energy.

b. “*Net acquisition cost*” means the acquired cost of the property including all foundations and installation cost less any excess cost adjustment.

c. “*Net actual generation*” means net electrical megawatt hours produced by the unit during the preceding assessment year.

d. “*Net capacity factor*” means net actual generation divided by the product of net maximum capacity times the number of hours the unit was in the active state during the assessment year. Upon commissioning, a unit is in the active state until it is decommissioned.

e. “*Net maximum capacity*” means the capacity the unit can sustain over a specified period when not restricted by ambient conditions or equipment deratings, minus the losses associated with station service or auxiliary loads.

2. For property defined in [section 427A.1, subsection 1](#), paragraphs “e” and “j”, the taxpayer’s valuation shall be limited to thirty percent of the net acquisition cost of the property, except as otherwise provided in [subsections 3 and 4](#).

3. Property defined in [section 427A.1, subsection 1](#), paragraphs “e” and “j”, which is first assessed for taxation in this state on or after January 1, 1995, shall be exempt from taxation.

4. Property defined in [section 427A.1, subsection 1](#), paragraphs “e” and “j”, and assessed under [subsection 2 of this section](#), shall be valued by the local assessor as follows for the following assessment years:

a. For the assessment year beginning January 1, 1999, at twenty-two percent of the net acquisition cost.

b. For the assessment year beginning January 1, 2000, at fourteen percent of the net acquisition cost.

c. For the assessment year beginning January 1, 2001, at six percent of the net acquisition cost.

d. For the assessment year beginning January 1, 2002, and succeeding assessment years, at zero percent of the net acquisition cost.

5. Property assessed pursuant to [this section](#) shall not be eligible to receive a partial exemption under [sections 427B.1 through 427B.5](#).

6. For the purpose of dividing taxes under [section 260E.4](#), the employer's or business's valuation of property defined in [section 427A.1, subsection 1](#), paragraphs "e" and "j", and used to fund a new jobs training project which project's first written agreement providing for a division of taxes as provided in [section 403.19](#) is approved on or before June 30, 1995, shall be limited to thirty percent of the net acquisition cost of the property. The community college shall notify the assessor by February 15 of each assessment year if taxes levied against such property of an employer or business will be used to finance a project in the following fiscal year. In any fiscal year in which the community college does rely on taxes levied against an employer's or business's property defined in [section 427A.1, subsection 1](#), paragraph "e" or "j", to finance a project, such property shall not be valued pursuant to [subsection 3 or 4](#), whichever is applicable, for that fiscal year. An employer's or business's taxable property used to fund a new jobs training project shall not be valued pursuant to [subsection 3 or 4](#), whichever is applicable, until the assessment year following the calendar year in which the certificates or other funding obligations have been retired or escrowed. If the certificates issued, or other funding obligations incurred, between January 1, 1982, and June 30, 1995, are refinanced or refunded after June 30, 1995, the valuation of such property shall then be the valuation specified in [subsection 3 or 4](#), whichever is applicable, for the applicable assessment year beginning with the assessment year following the calendar year in which those certificates or other funding obligations are refinanced or refunded after June 30, 1995.

7. Notwithstanding [subsection 8](#) or any other provision to the contrary, [this section](#) shall be applicable to a new cogeneration facility subject to the assessed value provisions of [section 437A.16A](#), but the exemptions provided in [this section](#) shall be reduced by an amount bearing the same ratio to the value of the property that is exempt pursuant to [this section](#) as the allowable credit under [section 437A.16A, subsection 1](#), bears to the assessable value of the entire new cogeneration facility before the application of any abatements, credits, or exemptions against that value.

8. a. [This section](#) shall not apply to property assessed by the department of revenue pursuant to [sections 428.24 through 428.29](#), or [chapters 434, 437, 437A, 437B, and 438](#), and such property shall not receive the benefits of [this section](#).

b. Any electric power generating plant which operated during the preceding assessment year at a net capacity factor of more than twenty percent, shall not receive the benefits of [this section](#) or of [section 15.332](#).

85 Acts, ch 32, §109; 93 Acts, ch 180, §12; 95 Acts, ch 206, §29; 96 Acts, ch 1049, §2, 3, 9; 96 Acts, ch 1180, §18; 97 Acts, ch 66, §1, 2; 2002 Acts, ch 1150, §11; 2003 Acts, ch 145, §286; 2005 Acts, ch 150, §64, 69; 2011 Acts, ch 104, §1, 2; 2013 Acts, ch 90, §105; 2013 Acts, ch 94, §5, 35, 36; 2018 Acts, ch 1026, §139; 2018 Acts, ch 1158, §12, 28

Referred to in §427B.19, 427B.19A, 427B.19C, 427B.19D, 437A.3

2018 amendment to subsection 8, paragraph a, is effective July 1, 2024; 2018 Acts, ch 1158, §28

Subsection 8, paragraph a amended

427B.18 Replacement.

Beginning with the fiscal year beginning July 1, 1996, each county treasurer shall be paid from the industrial machinery, equipment and computers replacement fund an amount equal to the amount of the industrial machinery, equipment and computers tax replacement claim, as calculated in [section 427B.19](#).

95 Acts, ch 206, §30

427B.19 Assessor and county auditor duties.

1. On or before July 1 of each fiscal year, the assessor shall determine the total assessed

value of the property assessed under [section 427B.17](#) for taxes payable in that fiscal year and the total assessed value of such property assessed as of January 1, 1994, and shall report the valuations to the county auditor.

2. On or before July 1 of each fiscal year, the assessor shall determine the valuation of all commercial and industrial property assessed for taxes payable in that fiscal year and the valuation of such property assessed as of January 1, 1994, and shall report the valuations to the county auditor.

3. On or before September 1 of each fiscal year through June 30, 2004, the county auditor shall prepare a statement, based upon the report received pursuant to [subsections 1 and 2](#), listing for each taxing district in the county:

a. Beginning with the assessment year beginning January 1, 1995, the difference between the assessed valuation of property assessed pursuant to [section 427B.17](#) for that year and the total assessed value of such property assessed as of January 1, 1994. If the total assessed value of the property assessed as of January 1, 1994, is less, there is no tax replacement for the fiscal year.

b. The tax levy rate for each taxing district for that fiscal year.

c. The industrial machinery, equipment and computers tax replacement claim for each taxing district. For fiscal years beginning July 1, 1996, and ending June 30, 2001, the replacement claim is equal to the amount determined pursuant to paragraph “a”, multiplied by the tax rate specified in paragraph “b”. For fiscal years beginning July 1, 2001, and ending June 30, 2004, the replacement claim is equal to the product of the amount determined pursuant to paragraph “a”, less any increase in valuations determined in paragraph “d”, and the tax rate specified in paragraph “b”. If the amount subtracted under paragraph “d” is more than the amount determined in paragraph “a”, there is no tax replacement for the fiscal year.

d. Beginning with the assessment year beginning January 1, 2000, the auditor shall reduce the amount listed in paragraph “a”, by the increase, if any, in assessed valuations of commercial and industrial property in the assessment year beginning January 1, 1994, and the assessment year for which taxes are due and payable in that fiscal year. If the calculation under this paragraph indicates a net decrease in aggregate valuation of such property, the industrial machinery, equipment and computers tax replacement claim for each taxing district is equal to the amount determined pursuant to paragraph “a”, multiplied by the tax rate specified in paragraph “b”.

4. The county auditor shall certify and forward one copy of the statement to the department of revenue not later than September 1 of each year.

5. For purposes of [this section](#), “assessed value of the property assessed under [section 427B.17](#)” does not include the value of property defined in [section 427A.1, subsection 1](#), paragraphs “e” and “j”, which is obligated to secure payment of certificates or other indebtedness incurred pursuant to [chapter 260E](#) or [260F](#).

6. For purposes of computing replacement amounts under [this section](#), that portion of an urban renewal area defined as the sum of the assessed valuations defined in [section 403.19, subsections 1 and 2](#), shall be considered a taxing district.

95 Acts, ch 206, §31; 96 Acts, ch 1049, §4; 97 Acts, ch 158, §32, 33; 2003 Acts, ch 145, §286; 2003 Acts, ch 178, §5, 6

Referred to in §257.3, 427B.18, 427B.19A

427B.19A Fund created.

1. The industrial machinery, equipment and computers property tax replacement fund is created. For the fiscal year beginning July 1, 1996, through the fiscal year ending June 30, 2004, there is appropriated annually from the general fund of the state to the department of revenue to be credited to the industrial machinery, equipment and computers property tax replacement fund, an amount sufficient to implement [this subchapter](#). However, for the fiscal year beginning July 1, 2003, the amount appropriated to the department of revenue to be credited to the industrial machinery, equipment and computers tax replacement fund is eleven million two hundred eighty-one thousand six hundred eighty-five dollars.

2. If an amount appropriated for a fiscal year is insufficient to pay all claims as a result of action by the general assembly limiting the amount appropriated to the fund, the director

shall prorate the disbursements from the fund to the county treasurers and shall notify the county auditors of the pro rata percentage on or before September 30.

3. The replacement claims shall be paid to each county treasurer in equal installments in September and March of each year. The county treasurer shall apportion the replacement claim payments among the eligible taxing districts in the county. If the taxing district is an urban renewal area, the amount of the replacement claim shall be apportioned as provided in [subsection 4](#) unless the municipality elects to proceed under [subsection 5](#).

4. a. If the total assessed value of property located in an urban renewal area taxing district is equal to or more than that portion of such valuation defined in [section 403.19, subsection 1](#), the total tax replacement amount computed pursuant to [section 427B.19](#) shall be credited to that portion of the assessed value defined in [section 403.19, subsection 2](#).

b. If the total assessed value of the property is less than that portion of such valuation defined in [section 403.19, subsection 1](#), the replacement amount shall be credited to those portions of the assessed value defined in [section 403.19, subsections 1 and 2](#), as follows:

(1) To that portion defined in [section 403.19, subsection 1](#), an amount equal to the amount that would be produced by multiplying the applicable consolidated levy times the difference between the assessed value of the taxable property defined in [section 403.19, subsection 1](#), and the total assessed value in the budget year for which the replacement claim is computed.

(2) To that portion defined in [section 403.19, subsection 2](#), the remaining amount, if any.

c. Notwithstanding the allocation provisions of paragraphs “a” and “b”, the amount of the tax replacement amount that shall be allocated to that portion of the assessed value defined in [section 403.19, subsection 2](#), shall not exceed the amount equal to the amount certified to the county auditor under [section 403.19](#) for the budget year in which the claim is paid, after deduction of the amount of other revenues committed for payment on that amount for the budget year. The amount not allocated to that portion of the assessed value defined in [section 403.19, subsection 2](#), as a result of the operation of this paragraph, shall be allocated to that portion of assessed value defined in [section 403.19, subsection 1](#).

5. A municipality may elect to reduce the amount of assessed value of property defined in [section 403.19, subsection 1](#), by an amount equal to that portion of the amount of such assessed value which was phased out for the fiscal year by operation of [section 427B.17, subsection 4](#). The applicable assessment roll and ordinance providing for the division of taxes under [section 403.19](#) in the urban renewal taxing district shall be deemed to be modified for that fiscal year only to the extent of such adjustment without further action on the part of the city or county implementing the urban renewal taxing district.

95 Acts, ch 206, §32; 96 Acts, ch 1049, §5, 6; 97 Acts, ch 158, §34; 2001 Acts, ch 116, §22; 2003 Acts, ch 145, §286; 2003 Acts, ch 178, §7; 2003 Acts, ch 179, §37; 2013 Acts, ch 90, §246; 2017 Acts, ch 54, §76

Referred to in §257.3, 298.18A, 427B.19C

427B.19B Guarantee of state replacement funds. Repealed by 2003 Acts, ch 178, §11.

427B.19C Adjustment of certain assessments required.

In the assessment year beginning January 1, 2003, the amount of assessed value of property defined in [section 403.19, subsection 1](#), for an urban renewal taxing district which received replacement moneys under [section 427B.19A, subsection 4](#), shall be reduced by an amount equal to that portion of the amount of assessed value of such property which was assessed pursuant to [section 427B.17, subsection 4](#).

96 Acts, ch 1049, §7; 2003 Acts, ch 178, §8; 2013 Acts, ch 90, §247

427B.19D Appeal for state assistance.

For fiscal years beginning on or after July 1, 1996, a municipality in which is located an urban renewal district for which debt was incurred prior to June 30, 1996, may appeal to the state appeal board for state assistance to meet such debt obligations for the fiscal year if such debt is not secured by an assessment agreement pursuant to [section 403.6, subsection 19](#), and if the urban renewal area contains property assessed pursuant to [section 427B.17](#). The appeal

shall be made by May 15 preceding the fiscal year on forms approved by the department of management.

96 Acts, ch 1049, §8

SUBCHAPTER IV

UNDERGROUND STORAGE TANKS REMEDIAL ACTION CREDIT

427B.20 Local option remedial action property tax credit — public hearing. Repealed by 2024 Acts, ch 1054, §20.

Property tax credits provided under this subchapter IV, existing on July 1, 2024, shall continue until their expiration; 2024 Acts, ch 1054, §21

427B.21 Application for credit by underground storage tank owner or operator — approval by county board of supervisors or city council. Repealed by 2024 Acts, ch 1054, §20.

Property tax credits provided under this subchapter IV, existing on July 1, 2024, shall continue until their expiration; 2024 Acts, ch 1054, §21

427B.22 Credit may be repealed. Repealed by 2024 Acts, ch 1054, §20.

Property tax credits provided under this subchapter IV, existing on July 1, 2024, shall continue until their expiration; 2024 Acts, ch 1054, §21

427B.23 through 427B.25 Reserved.

SUBCHAPTER V

SPECIAL VALUATION FOR WIND ENERGY CONVERSION PROPERTY

427B.26 Special valuation of wind energy conversion property.

1. a. A city council or county board of supervisors may provide by ordinance for the special valuation of wind energy conversion property as provided in [subsection 2](#). The ordinance may be enacted not less than thirty days after a public hearing on the ordinance is held. Notice of the hearing shall be published in accordance with [section 331.305](#) in the case of a county, or [section 362.3](#) in the case of a city. The ordinance shall only apply to property first assessed on or after the effective date of the ordinance.

b. If in the opinion of the city council or the county board of supervisors continuation of the special valuation provided under [this section](#) ceases to be of benefit to the city or county, the city council or the county board of supervisors may repeal the ordinance authorized by [this subsection](#). Property specially valued under [this section](#) prior to repeal of the ordinance shall continue to be valued under [this section](#) until the end of the nineteenth assessment year following the assessment year in which the property was first assessed. Following repeal of the ordinance and conclusion of the applicable nineteen-year period, the wind energy conversion property shall be subject to assessment and taxation under [chapter 437A](#), [section 441.21](#), [subsection 8](#), paragraphs “b”, “c”, and “d”, or [sections 428.24 through 428.26](#), [428.28](#), and [428.29](#), as applicable.

2. In lieu of the valuation and assessment provisions in [chapter 437A](#), [section 441.21](#), [subsection 8](#), paragraphs “b”, “c”, and “d”, and [sections 428.24 through 428.26](#), [428.28](#), and [428.29](#), as applicable, wind energy conversion property which is first assessed for property taxation on or after January 1, 1994, and on or after the effective date of the ordinance enacted pursuant to [subsection 1](#), shall be valued by the local assessor for property tax purposes as follows:

a. For the first assessment year, at zero percent of the net acquisition cost.

b. For the second through sixth assessment years, at a percent of the net acquisition cost which rate increases by five percentage points each assessment year.

c. For the seventh and succeeding assessment years, at thirty percent of the net acquisition cost.

3. *a.* The taxpayer shall file with the local assessor by February 1 of the assessment year in which the wind energy conversion property is first assessed for property tax purposes, a declaration of intent to have the property assessed at the value determined under [this section](#) in lieu of the valuation and assessment provisions in [chapter 437A, section 441.21, subsection 8](#), paragraphs “*b*”, “*c*”, and “*d*”, and [sections 428.24 through 428.26, 428.28, and 428.29](#), as applicable.

b. Maintaining, refurbishing, or repowering wind energy conversion property shall not cause the wind energy conversion property to receive a new assessment schedule under [subsection 2](#).

4. For purposes of [this section](#):

a. “*Collector substation*” means an electrical substation designed to collect energy from multiple electricity-generating sources.

b. “*Net acquisition cost*” means the acquired cost of the property including all foundations and installation cost less any excess cost adjustment. However, except in the case of a clerical error, an adjustment shall not be made after the third year the wind energy conversion property is assessed.

c. “*Repowering*” means the removal and replacement of components of wind energy conversion property.

d. “*Wind energy conversion property*” means the entire wind plant including but not limited to a wind charger, windmill, wind turbine, tower and electrical equipment, pad mount transformers, power lines, and collector substation.

[93 Acts, ch 161, §2; 2021 Acts, ch 80, §269, 270; 2022 Acts, ch 1075, §1 – 6](#)

Referred to in [§437A.6, 441.21, 476B.6](#)

2022 amendment to subsection 1, paragraph b applies retroactively to assessment years beginning on or after January 1, 2022; 2022 Acts, ch 1075, §5

2022 amendment to subsection 2, unnumbered paragraph 1 applies retroactively to assessment years beginning on or after January 1, 2022; 2022 Acts, ch 1075, §5

2022 amendment to subsection 3, paragraph a applies retroactively to assessment years beginning on or after January 1, 2022; [2022 Acts, ch 1075, §5](#)

Subsection 3, paragraph b applies to assessment schedules commenced under subsection 2 on or after May 23, 2022; [2022 Acts, ch 1075, §6](#)

2022 amendment to subsection 4 applies retroactively to assessment years beginning on or after January 1, 2022; 2022 Acts, ch 1075, §5

City of Newton Council Report

**Item:**

First Reading Ordinance repealing Ordinance #2443 and amending the Code of Ordinances, City of Newton, Iowa, 2025, Title V, Chapter 54 Waterworks, Section 54.19 Fee Schedule by Adding or Deleting

Summary:

amending Waterworks Fee Schedule

Financial Impact:

Estimated \$1.9M annual increase in Water Revenue Funds

Report Number: 2025-570**Date:**

May 19, 2025

Lead Department:

Utilities

Recommendation:

Approve

Background:

In September 2022, the citizens of Newton voted to place the governance of the municipal waterworks under the authority of the Newton City Council. Since that time, city staff and council have worked diligently to increase operational efficiency, improve transparency, and implement a proactive approach to managing the city's water infrastructure.

As part of this ongoing effort, the city has begun investing in critical infrastructure upgrades necessary to maintain a safe and reliable water system. Many components of the system have reached or exceeded their intended lifespan, and timely improvements are essential to avoid service disruptions and higher emergency repair costs.

In addition to the cost of infrastructure improvements, inflation has significantly impacted the cost of chemicals, materials, equipment, and labor required to operate and maintain the system. These economic pressures have increased the financial demands on the water utility.

Furthermore, it is important to note that water rates in Newton have not been adjusted in over six years. During this period, operational costs have dramatically risen, while revenues have remained static. To continue providing high-quality service and to maintain financial sustainability, a rate adjustment is now both prudent and necessary.

Rate Adjustment Proposal – Impact on Newton Water Customers are as follows:

Fiscal Year 2026 (FY26)

- Minimum Usage Customers: Newton residential customers using the monthly minimum (Base) 200 cubic feet (cu. ft.) amount will see an increase of \$3.44 per month.
- Excess Usage Customers: For residential and commercial customers using more than the (Base) monthly minimum, the (Volume) rate per 100 cu. ft. will increase by \$0.86

Fiscal Year 2027 (FY27)

- Minimum Usage Customers: Newton residential customers using the monthly minimum (Base) 200 cubic feet (cu. ft.) amount will see an increase of \$1.49 per month.
- Excess Usage Customers: For residential and commercial customers using more than the (Base) monthly minimum, the (Volume) rate per 100 cu. ft. will increase by \$0.37

Proposed wholesale water rates to IRUA, per agreed upon terms of Settlement Agreement and Fifth modification of the Newton Waterworks and Iowa Regional Utilities Association (IRUA) Water Purchase Contract include:

- Repeal of Ordinance #2443, adopted by City Council in May 2024.
- Fifth Modification extending the contract for 20 years from date of execution
- Establishing new Minimum and Maximum monthly volumes
- Setting new rates, as per agreed upon terms of settlement agreement FY25 – FY27
- Future rate adjustments (FY28 onwards) will be adjusted based on percentage changes in Newton Residential water rates

Recommendation:

Council approve the proposed water rate fee schedule to ensure the continued provision of essential water services to Newton Waterworks customers

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

Matt Muckler, City Administrator

ORDINANCE REPEALING ORDINANCE #2443 AND AMENDING THE CODE OF ORDINANCES, CITY OF NEWTON, IOWA, 2025, TITLE V, CHAPTER 54 WATERWORKS, SECTION 54.19 FEE SCHEDULE BY ADDING OR DELETING

WHEREAS, In September 2022, the citizens of Newton voted to place the governance of the municipal waterworks under the authority of the Newton City Council. Since that time, city staff and council have worked diligently to increase operational efficiency, improve transparency, and implement a proactive approach to managing the city’s water infrastructure; and

WHEREAS, as part of this ongoing effort, the city has begun investing in critical infrastructure upgrades necessary to maintain a safe and reliable water system. Many components of the system have reached or exceeded their intended lifespan, and timely improvements are essential to avoid service disruptions and higher emergency repair costs; and

WHEREAS, in addition to the cost of infrastructure improvements, inflation has significantly impacted the cost of chemicals, materials, equipment, and labor required to operate and maintain the system. These economic pressures have increased the financial demands on the water utility; and

WHEREAS, Furthermore, it is important to note that water rates in Newton have not been adjusted in over six years. During this period, operational costs have dramatically risen, while revenues have remained static. To continue providing high-quality service and to maintain financial sustainability, a rate adjustment is now both prudent and necessary; and

WHEREAS, proposed changes to the fee schedule are as follows;

NEWTON WATERWORKS RATE SCHEDULE				
Water Rates - Inside City Limits				
	2019 Rates	FY26	FY27	
Residential	\$ 11.45	<u>\$ 14.89</u>	<u>\$ 16.37</u>	Minimum, 0-200 cubic Foot (cu ft)
	\$ 2.87	<u>\$ 3.73</u>	<u>\$ 4.10</u>	Each 100 cu ft after first 200 cu ft
	-	-	-	
Commercial	\$ 11.45	<u>\$ 14.89</u>	<u>\$ 16.37</u>	Minimum, 5/8" to 1.5" Meter
	\$ 12.80	<u>\$ 16.64</u>	<u>\$ 18.30</u>	Minimum, 2" Meter
	\$ 39.76	<u>\$ 51.69</u>	<u>\$ 56.86</u>	Minimum, 3" Meter
	\$ 49.75	<u>\$ 64.68</u>	<u>\$ 71.14</u>	Minimum, 4" Meter
	\$ 73.05	<u>\$ 94.97</u>	<u>\$ 104.46</u>	Minimum, 6" Meter
	\$ 99.68	<u>\$ 129.58</u>	<u>\$ 142.54</u>	Minimum, 8" Meter
	\$ 2.87	<u>\$ 3.73</u>	<u>\$ 4.10</u>	Each 100 cu ft
Water Rates - Outside City Limits				
Residential	\$ 14.31	<u>\$ 18.60</u>	<u>\$ 20.46</u>	Minimum, 0-200 cubic foot (cu ft)
	\$ 3.59	<u>\$ 4.67</u>	<u>\$ 5.13</u>	Each 100 cu ft after first 200 cu ft
Commercial	\$ 14.31	<u>\$ 18.60</u>	<u>\$ 20.46</u>	Minimum, 5/8" to 1.5" Meter
	\$ 16.00	<u>\$ 20.80</u>	<u>\$ 22.88</u>	Minimum, 2" Meter
	\$ 49.70	<u>\$ 64.61</u>	<u>\$ 71.07</u>	Minimum, 3" Meter
	\$ 62.19	<u>\$ 80.85</u>	<u>\$ 88.93</u>	Minimum, 4" Meter
	\$ 91.30	<u>\$ 118.69</u>	<u>\$ 130.56</u>	Minimum, 6" Meter
	\$ 124.59	<u>\$ 161.97</u>	<u>\$ 178.16</u>	Minimum, 8" Meter
	\$ 3.59	<u>\$ 4.67</u>	<u>\$ 5.13</u>	Each 100 cu ft

Ordinance #2443

Iowa Regional Utilities Association (IRUA)	\$301,630 (\$9.73/1,000 gallons)	Monthly Minimum, 0 – 31,000,000 gallons
Effective July 1, 2024	\$9.73/1,000 gallons	next 14,000,000 gallons
	\$9.79/1,000 gallons	next 48,000,000 gallons
	\$304,110 (\$3.27/1,000 gallons)	Monthly Minimum, 93,000,000 gallons
	\$3.34/1,000 gallons	All over 93,000,000 gallons
	\$3.43/1,000 gallons	All over peak usage of 3,500,000 gallons per day. (Only in the event that the 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, etc.), the City of Newton will review that situation.		
Iowa Regional Utilities Association (IRUA)		
Effective July 1, 2025	\$316,510 (\$10.21/1,000 gallons)	Monthly Minimum, 0 – 31,000,000 gallons
	\$10.21/1,000 gallons	next 14,000,000 gallons
	\$10.27/1,000 gallons	next 48,000,000 gallons
	\$318,990 (\$3.43/1,000 gallons)	Monthly Minimum, 93,000,000 gallons
	\$3.50/1,000 gallons	All over 93,000,000 gallons
	\$3.60/1,000 gallons	All over peak usage of 3,500,000 gallons per day. (Only in the event that the 93 MG/Month Minimum is Reached. Otherwise, \$10.40/1,000 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, etc.), the City of Newton will review that situation.		

Iowa Regional Utilities Association (IRUA)		
<u>Effective July 1, 2024 - December 31, 2024</u>	<u>\$1.39/1,000 gallons</u>	<u>31,000,000 gallons, Monthly Minimum</u>
<u>Effective January 1, 2025 - April 30, 2025</u>	<u>\$2.56/1,000 gallons</u>	<u>31,000,000 gallons, Monthly Minimum</u>
<u>Effective May 1, 2025 - June 30, 2026</u>	<u>\$2.59/1,000 gallons</u>	<u>75,000,000 gallons Monthly Minimum - 100,000,000 gallons, Monthly Maximum</u>
<u>Effective July 1, 2026 - June 30, 2027</u>	<u>\$2.76/1,000 gallons</u>	<u>75,000,000 gallons Monthly Minimum - 100,000,000 gallons, Monthly Maximum</u>
<u>All rate increases after June 30, 2027, shall be, in percentage terms, equal to, or less than, those applied to Newton residential customers, for the term of the contract.</u>		
<u>Any usage exceeding the allotted monthly maximum will be charged at twice the prevailing rate at that time</u>		

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 54.19, 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 July 1, 2025.

PASSED this ____ day of _____, 2025.

APPROVED this ____ day of _____, 2025.

(SEAL)

Evelyn George, Mayor

ATTEST:

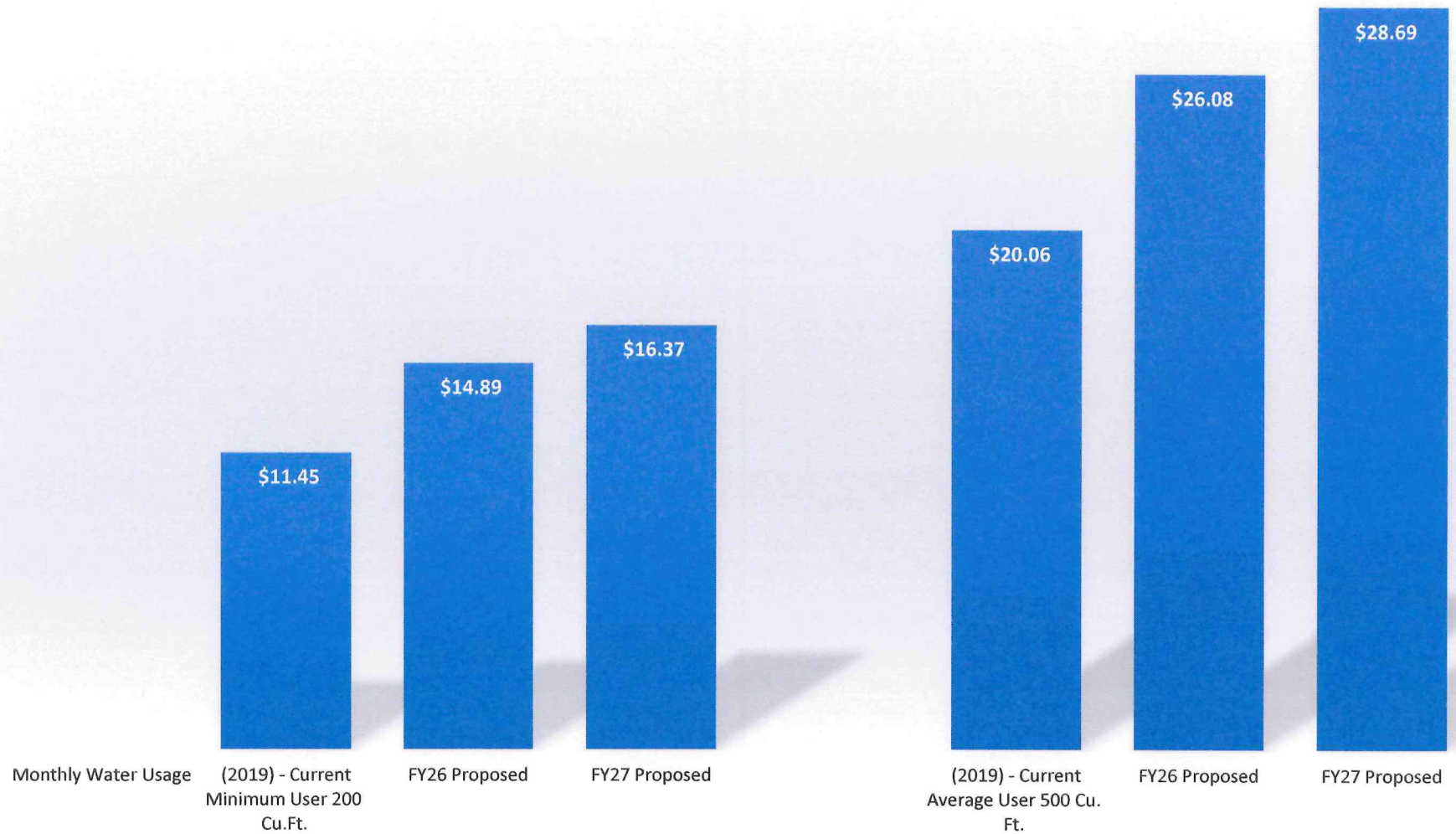
Katrina Davis, City Clerk

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.

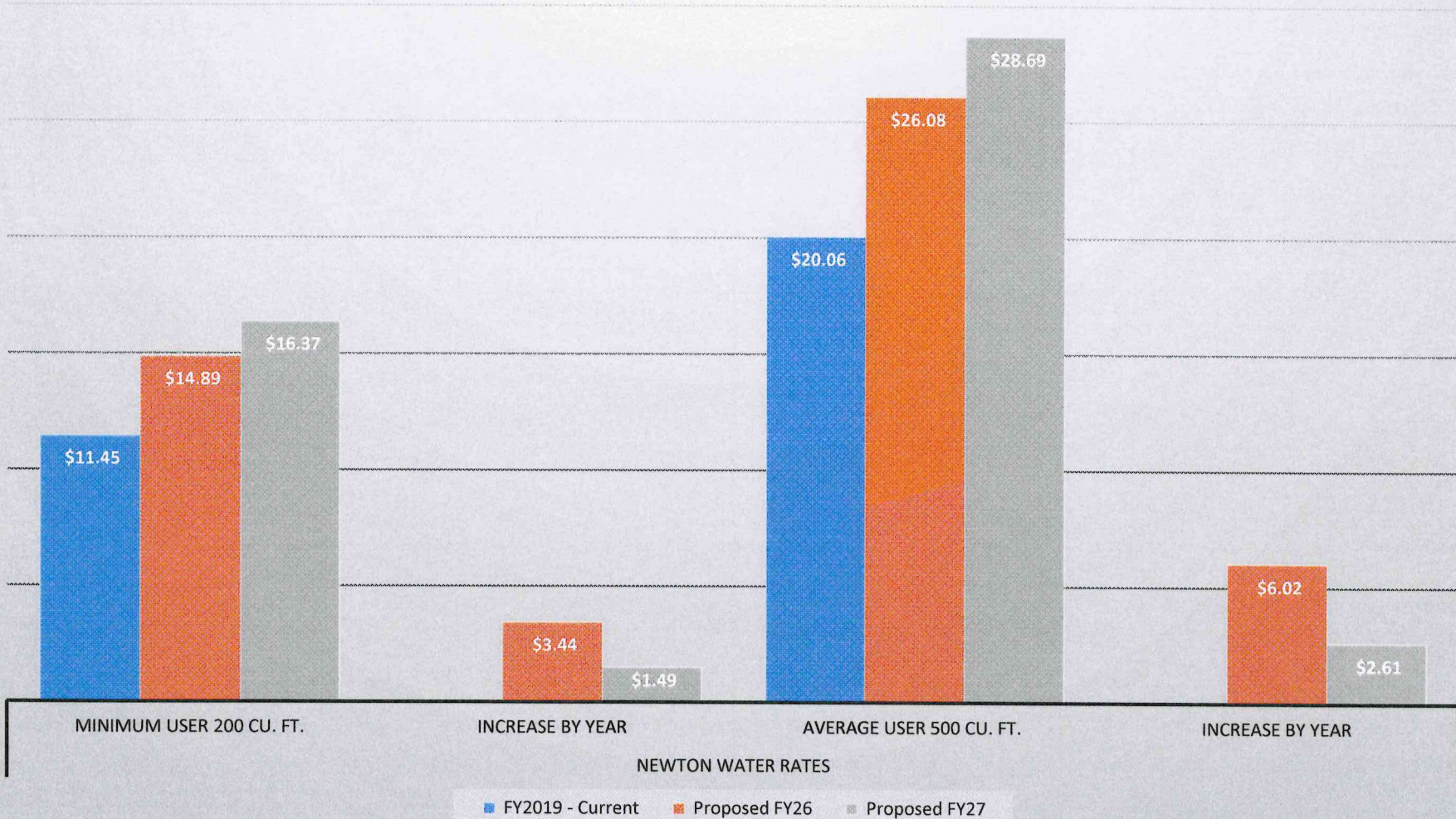
Dated this _____ day of _____, 2025.

Katrina Davis, City Clerk

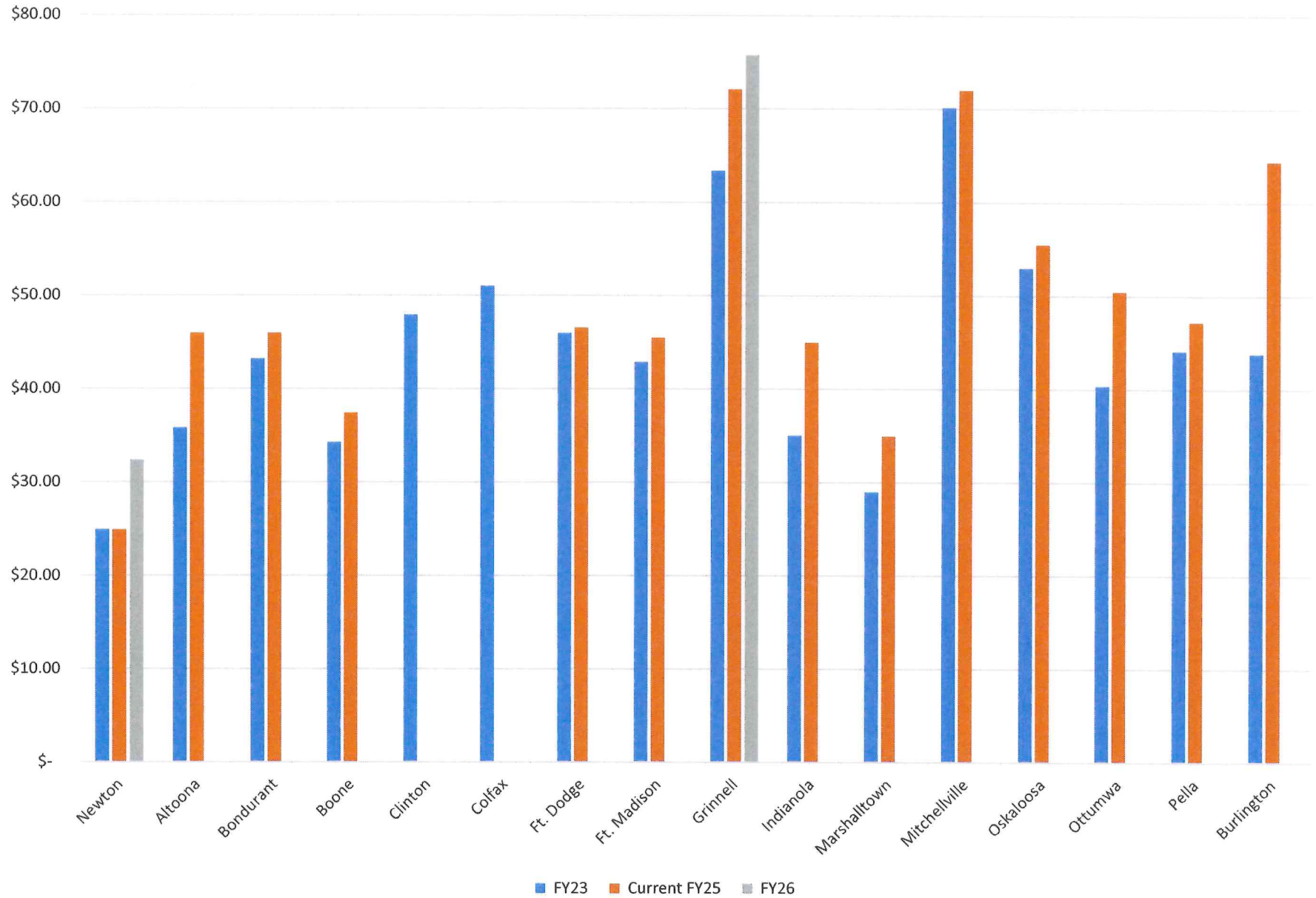
Proposed Water Rate By Minimum & Average User FY26 & FY27



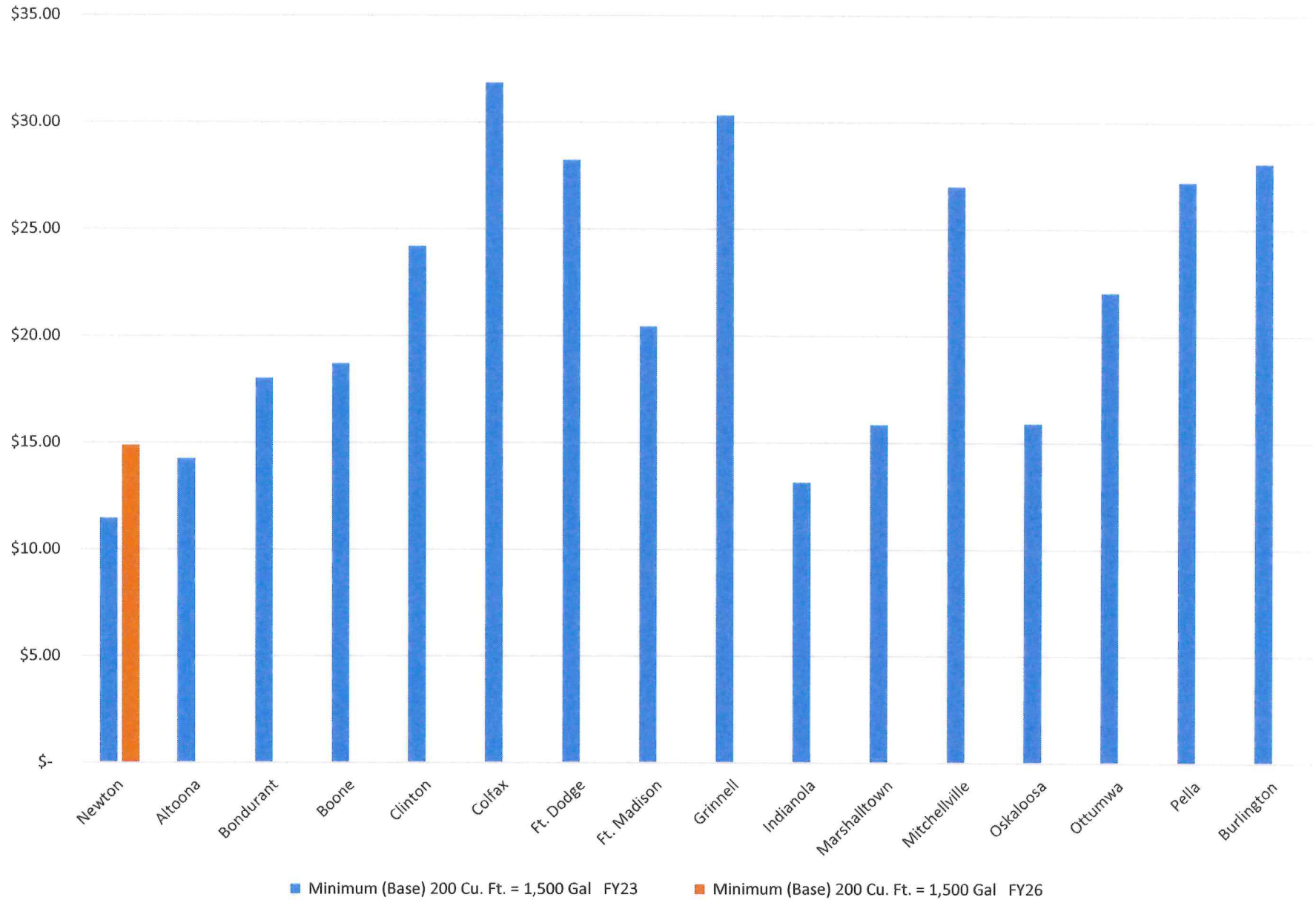
Newton Water Proposed Increases FY26 & FY27 By Monthly Minimum & Average users



5,000 Gallon Comparison



Proposed FY26 Min. (Base) vs. FY23 Comps



Minimum (Base) 200 Cu. Ft. = 1,500 Gal FY23

