

Agenda: Newton City Council

City Council Meeting

Council Chambers, 101 W 4th St S., Newton, IA 50208

Mediacom Channels: 12/85/121.12, Website Livestream:

Newtongov.org / I want to “view” Livestream of City Council Meetings (www.newtongov.org/cablecast).

December 05, 2022 6:00 p.m.

- | | |
|------------------------------|--|
| Pledge | Pledge of Allegiance |
| Call to Order | 1. Roll Call |
| Citizen Participation | 2. This is the time of the meeting that a citizen may address the Council. After being recognized by the Mayor, each person will be given three (3) minutes to speak. Comments and/or questions must be related to City policies or the provision of City services and shall not include derogatory statements or comments about any individual. Except in cases of legal emergency, the City Council cannot take formal action at the meeting, but may ask the City staff to research the matter or have the matter placed on a subsequent agenda. |
| Consent Agenda | <div>3. November 21, 2022 Regular City Council Meeting Minutes</div> <div>4. November 28, 2022 Workshop Minutes</div> <div>5. Approve Liquor License for the following: <u>Loves Travel Stop # 361-BC0029110</u>, 4400 S 22nd Ave. E, Class C Beer Permit, Class B Wine Permit; <u>SOMBRERO-</u> LC0038865, 1130 1ST AVE E, Class C Retail Alcohol License, Outdoor Service, Sunday Sales.</div> <div>6. Resolution re-appointing Antonia Sicilia to serve on the Building Trades Board for a term ending December 31, 2025 (No Council Report)</div> <div>7. Resolution re-appointing Mike Sell to serve on the Historic Preservation Commission for a term ending December 31, 2025 (No Council Report)</div> <div>8. Resolution re-appointing Rita Reinheimer to serve on the Historic Preservation Commission for a term ending December 31, 2025 (No Council Report)</div> <div>9. Resolution re-appointing Don Poynter to the Downtown Grant Review Board for a term ending December 31, 2027 (No Council Report)</div> <div>10. Resolution re-appointing Fred Chabot to the downtown Grant Review Board for a term ending December 31, 2027 (No Council Report)</div> <div>11. Resolution fixing the amounts to be assessed against individual private properties for the abatement of nuisance violations (Schedule No. 22-12). (Council Report 22-332)</div> <div>12. Resolution authorizing the submission of a pre-application for federal airport improvement program funding and certifying eligibility requirements. (Council Report 22-333)</div> <div>13. Resolution approving performance agreements for the 2023 Summer Concert Series at the Maytag Bowl and July 4th activities at Agnes Patterson Park. (Council Report 22-334)</div> |

14. Resolution revising the contractor's name for the Community Services Shop Remodel Project – Heaters. (Council Report 22-335)
15. Resolution approving 5-year leak detection contract for Utilities Department, Waterworks Distribution. (Council Report 22-336)
16. Resolution authorizing the purchase of a jet/vac sewer cleaner truck for the Utilities Department. (Council Report 22-337)
17. Resolution accepting a permanent municipal utility easement located at 1708 S 8th Ave E. (Council Report 22-338)
18. Approve Bills

Public Hearing

19. Public Hearing on a Resolution awarding contract for the Sunset Dog Park Project - Phase 1. (Council Report 22-339)
 - On September 13, 2022 Newton residents approved a park bond referendum, which included a dog park in Sunset Park.
 - Community Services staff prepared plans for the separate dog park areas so as to avoid all future or proposed upgrades and amenities shown on said concept plan.
 - City Staff recommends that Council award a contract to Des Moines Steel Fence of Des Moines, Iowa, in the amount of \$55,755.00.
20. Resolution awarding contract for the Sunset Dog Park Project - Phase 1. (Council Report 22-339)
21. Public Hearing on a Resolution adopting the "Envision Newton 2042" Comprehensive Plan. (Council Report 22-340)
 - *Envision Newton 2042* has been prepared over the past 12-months following an intensive, multi-pronged community input process.
 - *Envision Newton 2042* articulates a vision and new strategic objectives for the community and it also provides new guidance for future planning as it relates to land use, economic development, infrastructure, community marketing, and much more.
22. Resolution adopting the "Envision Newton 2042" Comprehensive Plan. (Council Report 22-340)
23. Public Hearing on a Resolution approving the Skiff's Subdivision Plat Two minor subdivision, City of Newton, Jasper County, Iowa. (Council Report 22-341)
 - The Skiff's Subdivision Plat Two minor subdivision is a 3-lot subdivision of 900 West 3rd Street South, the former Hendrickson's Greenhouse property.
 - The primary purpose of the minor subdivision is to split the property into three lots to be eventually re-developed as residential uses.
24. Resolution approving the Skiff's Subdivision Plat Two minor subdivision, City of Newton, Jasper County, Iowa. (Council Report 22-341)

Resolution

25. Resolution approving a training and purchase agreement for the Police K9 unit. (Council Report 22-342)
 - The Police Department has had an active K9 unit since the early 1990s and desires to continue the program. Tree Town Consultants LLC of

Forest City, IA has been selected as the preferred vendor and trainer for the dog.

- The cost of the dog and training is \$13,500 to be paid for by drug forfeiture funds.
26. Resolution for the City of Newton to take part in the Iowa Tourism Offices' Arrivalist Visitation Dashboard Co-op. (Council Report 22-343)
- Arrivalist's State Visitation Dashboard features data segmented by city and county for insights on monthly visitation, origin markets, length of stay and more.
 - The co-op program includes exclusive access to the State Visitation Dashboard with data from January 2019 through December 2023. The cost of the 1-year agreement is \$2,500.
27. Resolution approving the granting of Downtown Micro Grant Funds in the Awning Removal Program Area for 118 North 2nd Avenue West to Arie Versendaal. (Council Report 22-344)
- Mr. Versendaal is the tenant at this location, owning Varieties, and proposes to remove the dilapidated awning.
 - At their meeting on November 28, 2022, the Downtown Grant Review Board recommended approval of a grant in an amount up to \$737.50, provided a 1:1 match is met.
28. Resolution Approving the granting of Downtown Improvement Grant Funds in the façade program area to Scott Creech for the building located at 225 1st Avenue West, Newton. (Council Report 22-345)
- The property owner plans façade improvements to the west side of the building at 225 1st Avenue West with the replacement of three doors with commercial style doors with dark bronzed framing.
 - The project aligns with the downtown design guidelines.
 - At their meeting on November 28, 2022, the Downtown Grant Review Board recommended approval of a grant in an amount not to exceed \$4,740.08, provided a 1:1 match is met by the applicant.
29. Resolution establishing a Hotel-Motel Tourism Grant program. (Council Report 22-346)
- This resolution seeks to establish a Hotel-Motel Tax Tourism Grant as the avenue by which organizations can seek City assistance with their events, projects, or initiatives which seek to increase visitors to the community.
 - The program would have two application rounds per year and awards in the \$500-2,500 range.
 - Funding for the program will be allocated annually through the regular budget process and will utilize hotel-motel tax revenues.
30. Resolution Amending the City of Newton Community Services Fee Schedule. (Council Report 22-347)
- The various fees charged for rentals and passes at Newton's cemeteries, Westwood Golf Course, Maytag Pool, and other park facilities and offerings are reviewed each year.
 - Support for the proposed Park and Pool revisions, additions, and deletions were approved by a 4-0 vote of the Newton Park Board at their meeting on November 16, 2023.

- The Cemetery fee schedule additions and revisions are proposed following the recent platting of the new Veteran's Block 3 (V-3), and the proposed revisions to the Cemetery fee schedule notes are to align with the current cemetery rules.

31. Resolution approving an agreement with Damon Dotson for the 2023 Newton Fest concert on Saturday, June 10, 2023. (Council Report 22-348)

- Newton Fest continues to strive to provide free entertainment to the community during the second weekend in June.
- Due to weather cancelling the concert last year, staff thought it would be appropriate to try to bring community favorite, Damon Dotson and his full band back to Maytag Bowl for the Saturday evening concert.

Motion

32. Directing staff to schedule any new inspections, and reschedule any pending inspections, after February 1, 2023, as well as to instruct the Council's AdHoc committee to meet with landlords and commercial property owners and to propose any program changes within the next two months.

Discussion

33. Pickleball Courts – Brian Laube, Community Services Director

Mayor/Council Comments

34.

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.

www.NewtonGov.org

REGULAR CITY COUNCIL MEETING MINUTES
NOVEMBER 21, 2022, 6:00 P.M.
CITY COUNCIL CHAMBERS

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. Acting Mayor Pro Tem Hallam presided. Present Council Members: Hallam, Dalton, Ervin, Trotter, Wade. Absent: George.

Acting Mayor Pro Tem Hallam asked everyone present to join in saying the Pledge of Allegiance.

During citizen participation Jon Dunwell, 912 S 11th Ave W, stated they are getting ready for the next Legislative session and appreciates council's support. He urges council to keep his cell number handy and to reach out to him and keep him up to date on issues that affect the city. Brenda Morris, 500 E 12th St Place N, requested a policy regarding dead trees in neighborhoods and the danger they impose. Mark Vickroy, 404 E 12th St Place N, spoke regarding snow removal at city hall.

Moved by Trotter, seconded by Ervin to approve consent agenda items 3-24.

3. November 7, 2022 Regular City Council Meeting Minutes
4. November 7, 2022 Budget Workshop Minutes
5. Approve Liquor License for the following: Newton Market, 321 1st Avenue West, Class E Retail Alcohol License, Sunday Sales pending staff approval.
6. Approve Cigarette/Tobacco Nicotine/Vapor License for: Newton Market, 321 1st Ave W
7. Certify Police Sergeant Promotional List
8. Resolution reappointing Joshua Cantu to the Newton Planning and Zoning Commission for a term ending December 31, 2027 Resolution 2022-310 adopted.
9. Resolution reappointing Don Poynter to the Newton Planning and Zoning Commission for a term ending December 31, 2027 Resolution 2022-311 adopted.
10. Resolution reappointing John Billingsley to the Newton Zoning Board of Adjustment for a term ending December 31, 2027 Resolution 2022-312 adopted.
11. Resolution reappointing Beverly Rossow to the Newton Zoning Board of Adjustment for a term ending December 31, 2027 Resolution 2022-313 adopted.
12. Resolution levying assessments for costs of nuisance abatement and providing for the payment thereof (Schedule 22-11). Resolution 2022-314 adopted.
13. Resolution to provide free golf and pool passes for inclusion in the Newton Housing Development Corporation's (NHDC) 2023 Get to Know Newton Welcome Package. Resolution 2022-315 adopted.
14. Resolution awarding contract for the 2022 City of Newton Tree Removal Project No. 1. Resolution 2022-316 adopted.
15. Resolution approving the 2023 Independence Day Fireworks Proposal. Resolution 2022-317 adopted.
16. Resolution approving a Professional Design Services Agreement for the Westwood Clubhouse Project. Resolution 2022-318 adopted.
17. Resolution Approving a Property Tax Rebate for the McCann Housing Associates, LP Property Located Within the McCann Urban Renewal Area. Resolution 2022-319 adopted.
18. Resolution approving a 28E agreement with the State of Iowa Alcoholic Beverage Division Supporting the I-Pledge Tobacco, Alternative Nicotine and Vapor Product Enforcement Program for FY23. Resolution 2022-320 adopted.
19. Resolution for the City of Newton to retain Liebl Marketing Group services for marketing management services. Resolution 2022-321 adopted.
20. Resolution setting a public hearing for the sale of City-owned property at 1312 East 6th Street South, Newton, Jasper County, Iowa. Resolution 2022-322 adopted.
21. Resolution appointing Engineering Tech III and Engineering Tech trainee to serve on the Heart of Iowa Regional Transit Agency, Transportation Advisory Group. Resolution 2022-323 adopted.
22. Resolution awarding bid for the cropland lease for the 2023-2025 growing seasons at the Newton Sanitary Landfill. Resolution 2022-324 adopted.
23. Resolution ordering bids, approving plans, specifications and form of contract and notice to bidders, and ordering clerk to publish notice and fixing a date for receiving same, and for a public hearing on plans, specifications, form of contract and estimate of costs for the Newton Library Roof Replacement Project. Resolution 2022-325 adopted.
24. Approve Bills.

AYES: Five. NAYS: None. Consent Agenda was adopted.

Acting Mayor Pro Tem Hallam stated that this is the time and place for a Public Hearing on an Ordinance amending the Code of Ordinances, City of Newton, Iowa, Title XV Land Usage, by adding chapter 150.007 Entitled Abandoned and Unsafe Buildings. There were no written comments. Moved by Dalton, seconded by Trotter, to close the public hearing. AYES: Five. NAYS: None. The public hearing was closed. Moved by Dalton, seconded by Trotter to approve the First consideration of the ordinance. AYES: Five. NAYS: None. First Consideration of the Ordinance was approved. Moved by Ervin, seconded by Wade to suspend the rules and waive the second and third consideration of the ordinance. AYES: Five. NAYS: None. Motion carried. Moved by Trotter, seconded by Dalton to adopt the ordinance. AYES: Five. NAYS: None. Ordinance 2423 was adopted.

Moved by Ervin, seconded by Wade to approve the Third consideration of an Ordinance vacating and disposing of the full width of the east-to-west South 10th Avenue West right-of-way located in the 1000 block of West 2nd Street South, City of Newton, Jasper County, Iowa. AYES: Five. NAYS: None. Third Consideration of the Ordinance was approved. Moved by Wade, seconded by Trotter, to adopt the Ordinance. AYES: Five. NAYS: None. Ordinance 2424 was adopted.

Moved by Dalton, seconded by Wade to adopt the Resolution authorizing the submittal of the Remediation Report to the Iowa DNR following the completion of the Former Manufactured Gas Plant Site 2021 Remediation Project. AYES: Five. NAYS: None. Resolution 2022-326 adopted.

Moved by Trotter, seconded by Dalton to adopt the Resolution to create a Utilities Department and reorganize the Public Works and Administration Departments. AYES: Five. NAYS: None. Resolution 2022-327 adopted.

Moved by Dalton, seconded by Trotter to adopt the Resolution to approve temporarily adding two Permanent/Full-Time Firefighter/Paramedic positions in the Fire Department. AYES: Five. NAYS: None. Resolution 2022-328 adopted.

Community Development Director Erin Chambers presented on the Comprehensive Plan.

During Mayor/Council Comments Hallam spoke regarding all of the exciting events going on Friday evening with the court house lighting, Santa, carriage rides, food, etc. Ervin reminded citizens about Shop Small Saturday. Dalton spoke regarding the NDC grand for the demo house on 1st Ave and the process for bids. Staff will research.

Moved by Wade, seconded by Dalton to adjourn the meeting at 6.46 P.M. Motion unanimously carried by voice vote.

Michael L. Hansen, Mayor

Katrina Davis, City Clerk

CITY COUNCIL WORKSHOP MINUTES
NOVEMBER 28, 2022, 6:00 PM
NEWTON ARBORETUM

The City Council of Newton, Iowa met in special session at 6:00 pm, on the above date at the Newton Arboretum and Botanical Gardens, 3000 N 4th Ave E., Newton, Iowa 50208. Mayor Hansen presided. Present: Council Members Hallam, Dalton, George, Trotter, Wade. Absent: Ervin. Also in attendance:

City Administrator, Matt Muckler reviewed the results of the August 29, 2022 Workshop. The first council priority was to review the 2018 Procedural Rules of the Newton City Council.

Council discussion ensued regarding the 2018 Procedural Rules of the Newton City Council. Attorney Patrick Burk was present for consultation regarding the rules. Council presented potential changes to various rules that staff will prepare and bring back to council for a vote.

Community Development Director, Erin Chambers presented on Envision 2042 Strategy which is part of the Comprehensive Plan Update. The four objectives include Establish Newton as a compelling destination, focus efforts on population and business growth, elevate curb appeal, and maintain existing infrastructure. Chambers presented a plan to focus on tourism and the downtown businesses in order to put emphasis on the first objective.

Moved by George, seconded by Dalton to adjourn the meeting at 8:26 PM. Motion unanimously carried by voice vote.

Michael L. Hansen, Mayor

Katrina Davis, City Clerk

RESOLUTION NO. 2022 – _____

**RESOLUTION RE-APPOINTING ANTONIA SICILIA TO SERVE
ON THE BUILDING TRADES BOARD FOR A TERM ENDING
DECEMBER 31, 2025**

WHEREAS, Antonia Sicilia currently serves on the Building Trades Board; and

WHEREAS, Antonia Sicilia, is employed at Caldwell, Brierly, Chalupa, PLLC, 211 1st Avenue West, Newton, and, thus, meets the membership requirements of 150.001(F)(4) of the Newton City Code; and

WHEREAS, Antonia Sicilia has expressed a willingness to continue to serve and is qualified to do so;

NOW THEREFORE, BE IT RESOLVED by the City Council of Newton, Iowa, that Antonia Sicilia is hereby re-appointed to the Building Trades Board for a term ending December 31, 2025.

PASSED this _____ day of December 2022.

APPROVED this _____ day of December 2022.

Michael L. Hansen, Mayor

ATTEST:

Katrina Davis, City Clerk

RESOLUTION NO. 2022 – _____

**RESOLUTION RE-APPOINTING MIKE SELL TO SERVE ON
THE HISTORIC PRESERVATION COMMISSION FOR A TERM
ENDING DECEMBER 31, 2025**

WHEREAS, Mike Sell, 5427 Highway T-12 N, Newton, IA 50208, currently serves on the Newton Historic Preservation Commission with a term ending December 31, 2022; and

WHEREAS, Mike Sell has expressed interest in continuing to serve on the Historic Preservation Commission and is qualified to do so;

NOW THEREFORE, BE IT RESOLVED by the City Council of Newton, Iowa, that Mike Sell is hereby re-appointed to the Historic Preservation Commission for an unexpired term ending December 31, 2025.

PASSED this _____ day of December, 2022.

APPROVED this _____ day of December, 2022.

Michael L. Hansen, Mayor

ATTEST:

Katrina Davis, City Clerk

RESOLUTION NO. 2022 – _____

**RESOLUTION RE-APPOINTING RITA REINHEIMER TO
SERVE ON THE HISTORIC PRESERVATION COMMISSION
FOR A TERM ENDING DECEMBER 31, 2025**

WHEREAS, Rita Reinheimer, 409 South 3rd Avenue West, Newton, currently serves on the Newton Historic Preservation Commission, with her term ending on December 31, 2022; and

WHEREAS, Rita Reinheimer has expressed an interest in continuing to serve on the commission and is qualified to do so;

NOW THEREFORE, BE IT RESOLVED by the City Council of Newton, Iowa, that Rita Reinheimer is hereby re-appointed to the Historic Preservation Commission for a term ending December 31, 2025.

PASSED this _____ day of December, 2022.

APPROVED this _____ day of December, 2022.

Michael L. Hansen, Mayor

ATTEST:

Katrina Davis, City Clerk

RESOLUTION NO. 2022 – _____

**RESOLUTION RE-APPOINTING DON POYNTER TO THE DOWNTOWN GRANT
REVIEW BOARD FOR A TERM ENDING DECEMBER 31, 2027**

WHEREAS, *Newton's Future* recognizes the role of the Downtown as the heart of the community and recommends a focus on curb appeal and community aesthetics; and

WHEREAS, The Downtown Grant Review Board was created in 2016; and

WHEREAS, Downtown Grant Review Board members serve a 5-year term; and

WHEREAS, Don Poynter's term expires on December 31, 2022; and

WHEREAS, Don Poynter has expressed interest in continuing to serve on the Downtown Grant Review Board and is qualified to serve;

NOW THEREFORE, BE IT RESOLVED by the City Council of Newton, Iowa, that Don Poynter is hereby re-appointed to the Downtown Grant Review Board for a term ending on December 31, 2027.

PASSED this ____ day of December 2022.

APPROVED this _____ day of December, 2022.

Michael L. Hansen, Mayor

ATTEST:

Katrina Davis, City Clerk

RESOLUTION NO. 2022 – _____

**RESOLUTION RE-APPOINTING FRED CHABOT TO THE DOWNTOWN GRANT
REVIEW BOARD FOR A TERM ENDING DECEMBER 31, 2027**

WHEREAS, *Newton's Future* recognizes the role of the Downtown as the heart of the community and recommends a focus on curb appeal and community aesthetics; and

WHEREAS, The Downtown Grant Review Board was created in 2016; and

WHEREAS, Downtown Grant Review Board members serve a 5-year term; and

WHEREAS, Fred Chabot's term expires on December 31, 2022; and

WHEREAS, Fred Chabot has expressed interest in continuing to serve on the Downtown Grant Review Board and is qualified to serve;

NOW THEREFORE, BE IT RESOLVED by the City Council of Newton, Iowa, that Fred Chabot is hereby re-appointed to the Downtown Grant Review Board for a term ending on December 31, 2027.

PASSED this ____ day of December 2022.

APPROVED this _____ day of December, 2022.

Michael L. Hansen, Mayor

ATTEST:

Katrina Davis, City Clerk

City of Newton Council Report

**Item:**

Resolution fixing the amounts to be assessed against individual private properties for the abatement of nuisance violations (Schedule No. 22-12).

Report Number: 22-332

Date:

December 5, 2022

Summary:

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

Lead Department:

Community Services

Recommendation:

Approve

Financial Impact:

Cost Recovery: \$1,879.80

Background:

The City continues to work towards better curb appeal and improved aesthetics within the community. The City abated violations that remained non-compliant after the initial warning period.

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

Recommendation:

City Staff recommends approval of the Resolution fixing the amounts to be assessed against individual private properties for the abatement of nuisance violations.

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

Matt Muckler
City Administrator

RESOLUTION 2022- _____

**RESOLUTION FIXING THE AMOUNTS TO BE ASSESSED AGAINST INDIVIDUAL
PRIVATE PROPERTIES FOR THE ABATEMENT OF NUISANCE VIOLATIONS
(SCHEDULE NO. 22-12)**

WHEREAS, the City of Newton has abated nuisance violations at the addresses as found in Schedule No. 22-12: Assessment for the Expenses for Nuisance Abatement; and

WHEREAS, the City of Newton has maintained a report of the abatement costs for each individual property as found in Schedule 22-12: Assessment for the Expenses for Nuisance Abatement; and

WHEREAS, the expenses have been billed to the property owners and remain unpaid.

NOW THEREFORE, BE IT RESOLVED by the City Council of Newton, Iowa, that the Schedule 22-12: Assessment for the Expenses for Nuisance Abatement is approved.

NOW THEREFORE, BE IT FURTHER RESOLVED by the City Council of Newton, Iowa, that the City Clerk is hereby directed to prepare, sign, and file in the clerk's office the Schedule 22-12: Assessment for the Expenses for Nuisance Abatement.

PASSED this _____ day of December, 2022.

APPROVED this _____ day of December, 2022.

Michael L. Hansen, Mayor

ATTEST:

Katrina Davis, City Clerk

Schedule 22-12: 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
John Wells	835102016	223 E 13th St N	Newton	\$73,160	\$271.43	\$75.00	\$346.43	BELMONT PARK LOT 3 BLK 5	10/4/2022
Gary Bird	834281010	310 E 11th St S	Newton	\$48,900	\$1,458.37	\$75.00	\$1,533.37	JONES' SD N 93.8' OF W 181.5' BLK T	10/13/2022
Total							\$1,879.80		

City of Newton Council Report

**Item:**

Resolution authorizing the submission of a pre-application for federal airport improvement program funding and certifying eligibility requirements.

Report Number: 22-333

Date:

December 5, 2022

Summary:

To be considered for future airport improvement grants, the City needs to submit a 5-year airport improvement plan annually.

Lead Department:

Community Services

Recommendation:

Approve

Financial Impact: None at this time

Background:

The Federal Aviation Administration (FAA) requires airports to submit an Airport Improvement Program (AIP) pre-application for upcoming airport capital improvement projects, which enables the FAA to plan for future project funding. The pre-application includes anticipated projects during the next five Federal fiscal years. The pre-application does not commit the City to fund or complete any of the listed projects. A specific project application will be required to obtain federal funds for each project. The following projects have been included as part of the 5-year capital improvement program in the pre-application submittal:

- Rehabilitate Runway - Crack Sealing
- Rehabilitate Taxiway - Crack Sealing
- Apron Pavement Maintenance - Joint Sealing
- Environmental Documentation and Land Acquisition for Runway Extension Project
- Apron Expansion
- Four Stall Hangar & Approach

Federal funds generally pay up to 90% of the cost of the above projects after the project specific applications are submitted and approved at a later date. Recently contracted projects utilizing City entitlement funds include expanding of the existing apron space. Contracted work of the current FAA-funded project to relocate the north taxiway will be completed in the spring of 2023.

Recommendation:

City Staff recommends approval of the attached resolution accepting and authorizing submission of an Airport Improvement Program pre-application to the FAA.

A handwritten signature in black ink, appearing to read "Matt Muckler", is written over a light blue horizontal line.

Matt Muckler
City Administrator

RESOLUTION 2022- _____

**RESOLUTION AUTHORIZING THE SUBMISSION OF A PRE-APPLICATION FOR
FEDERAL AIRPORT IMPROVEMENT PROGRAM FUNDING AND CERTIFYING
ELIGIBILITY REQUIREMENTS.**

WHEREAS, the Federal Aviation Administration (FAA) requires airports to submit an Airport Improvement Program (AIP) pre-application for upcoming airport capital improvement projects, which enables the FAA to plan for future project funding; and

WHEREAS, the pre-application submittal includes anticipated projects during the next five Federal fiscal years, but does not commit the City to fund or complete any of the listed projects; and

WHEREAS, the following projects have been included as part of the 5-year capital improvement program in the pre-application submittal:

- Rehabilitate Runway - Crack Sealing
- Rehabilitate Taxiway - Crack Sealing
- Apron Pavement Maintenance - Joint Sealing
- Environmental Documentation and Land Acquisition for Runway Extension Project
- Apron Expansion
- Four Stall Hangar & Approach

; and

WHEREAS, Federal funds generally pay up to 90% of the cost of the above projects after the project specific applications are submitted and approved at a later date.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Newton, Iowa that the City of Newton hereby endorses the Pre-Application for FAA funding for said improvement projects, and that the Mayor is hereby authorized to sign and submit the Pre-Application.

PASSED this _____ day of December, 2022.

APPROVED this _____ day of December, 2022.

Michael L. Hansen, Mayor

ATTEST:

Katrina Davis, City Clerk

FEDERAL AIRPORT IMPROVEMENT PROGRAM (AIP) PREAPPLICATION CHECKLIST

Please attach the following documents with your application.

- ☒ Sponsor Identification Sheet for the Airport
- ☒ Capital Improvement Program (CIP) Data Sheet (one for each project listed in the first three years of the CIP) and detailed cost estimate for each data sheet
- ☒ Five-Year CIP
- ☒ Long-Range Needs Assessment
- ☒ Verification of an updated airport layout plan (ALP) (when applying for new construction of buildings or airfield expansion)
- ☒ Verification of completed environmental processing in accordance with National Environmental Policy Act of 1969
- ☐ Verification of completed land acquisition or signed purchase agreement
- ☒ Verification of pavement maintenance program (when applying for pavement preservation or reconstruction)
- ☐ If requesting federal assistance for snow removal equipment, please include an inventory of the existing equipment and calculations based on Chapters 4 and 5 of the Airport Winter Safety and Operations Advisory Circular (AC) 150/5200-30 and the Airport Snow and Ice Control Equipment AC 150/5220-20 showing the minimum equipment needed, along with the Airport Capital Improvement Plan (ACIP) Data Sheet, include a copy of a completed Federal Aviation Administration's snow removal equipment spreadsheet.
- ☐ If requesting federal assistance for general aviation apron expansion, include a copy of a completed FAA apron design spreadsheet.
- ☐ If requesting pavement reconstruction, submit an engineering report showing the need for the reconstruction as part of the CIP justification.
- ☐ For revenue-producing facilities (i.e., fueling facilities and hangars), please submit:
 - 1) A statement that airside development needs are met or include a financial plan to fund airside needs over the next three years.
 - 2) A statement that runway approach surfaces are clear of obstructions (the FAA Airport 5010 should show at least a 20:1 clear approach).
 - 3) Justification for the project.
- ☒ System for Award Management (SAM) registration is up to date (www.sam.gov)

Please e-mail this form with supporting documents identified in the checklist to shane.wright@iowadot.us.

Attn.: Program Manager
Aviation Bureau
Iowa Department of Transportation
800 Lincoln Way
Ames, IA 50010

E-mail: shane.wright@iowadot.us
FAX: 515-233-7983
Phone: 515-239-1048

FIVE-YEAR AIRPORT CAPITAL IMPROVEMENT PROGRAM (CIP)

Attach additional sheets if necessary.

Airport Name, LOCID, City, State: Newton Municipal - TNU, Newton, IA

Prepared by: Clapsaddle Garber Associates

Sponsor's E-mail: brianl@newtongov.org

Date Prepared: November 23, 2022

Sponsor's Signature: _____

Sponsor's Phone: (641) 792 - 6622 Ext 2302

Printed Name: Brian Laube

FY	Detailed Project/Scope Description	Funding Source	Total Estimated Cost
2024	Rehabilitate Runway - Crack and Joint Sealing	Federal: \$ BIL: \$ \$360,000.00 State: \$ Local: \$ \$40,000.00 Total: \$ \$400,000.00	
2024	Rehabilitate Taxiway - Crack and Joint Sealing	Federal: \$ \$204,750.00 BIL: \$ State: \$ Local: \$ \$22,750.00 Total: \$ \$227,500.00	
2024	Apron Pavement Maintenance - Crack and Joint Sealing	Federal: \$ \$245,250.00 BIL: \$ State: \$ Local: \$ \$27,250.00 Total: \$ \$272,500.00	
2027	Environmental Documentation for Runway 32 Extension and Runway 14 Threshold Relocation	Federal: \$ \$90,000.00 BIL: \$ State: \$ Local: \$ \$10,000.00 Total: \$ \$100,000.00	
2028	Land Acquisition for Runway 32 Extension	Federal: \$ \$1,890,000.00 BIL: \$ State: \$ Local: \$ \$210,000.00 Total: \$ \$2,100,000.00	

FIVE-YEAR AIRPORT CAPITAL IMPROVEMENT PROGRAM (CIP)

Attach additional sheets if necessary.

Airport Name, LOCID, City, State: Newton Municipal - TNU, Newton, IA

Prepared by: Clapsaddle Garber Associates

Sponsor's E-mail: brianl@newtongov.org

Date Prepared: November 22, 2022

Sponsor's Signature: _____

Sponsor's Phone: (641) 641-792-6622 Ext 2302

Printed Name: Brian Laube

FY	Detailed Project/Scope Description	Funding Source	Total Estimated Cost
2026	Apron Expansion	Federal: \$ BIL: \$ State: \$ \$320,000.00 Local: \$ \$80,000.00 Total: \$ \$400,000.00	
2026	Four Stall Hanger	Federal: \$ BIL: \$ State: \$ \$150,000.00 Local: \$ \$225,000.00 Total: \$ \$375,000.00	
2026	Four Stall Hangar Approach	Federal: \$ BIL: \$ State: \$ \$106,250.00 Local: \$ \$18,750.00 Total: \$ \$125,000.00	
		Federal: \$ BIL: \$ State: \$ Local: \$ Total: \$ \$0.00	
		Federal: \$ BIL: \$ State: \$ Local: \$ Total: \$ \$0.00	

**LONG-RANGE NEEDS ASSESSMENT
YEARS SIX TO 20**
Attach additional sheets if necessary.

Airport name Newton Municipal

Estimated FY	Description of project	Funding source	Total estimated cost
2029	Master Plan Update and AGIS Survey for Approach Procedure Development	Federal	\$ 135,000
		BIL	\$
		State	\$
		Local	\$ \$15,000.00
		Total	\$ \$150,000.00
2030	Extend Runway 32 and Relocate Runway End 14 Threshold, including Overlay of Existing Runway - Design	Federal	\$ \$225,000.00
		BIL	\$
		State	\$
		Local	\$ \$25,000.00
		Total	\$ \$250,000.00
2031	Extend Runway 32 and Relocate Runway End 14 Threshold, including Overlay of Existing Runway - Construction	Federal	\$ \$7,965,000.00
		BIL	\$
		State	\$
		Local	\$ \$885,000.00
		Total	\$ \$8,850,000.00
	Construct 12 Stall T-Hangar and Connecting taxiway	Federal	\$ \$747,000.00
		BIL	\$
		State	\$
		Local	\$ \$83,000.00
		Total	\$ \$830,000.00
	Acquire Snow Removal Equipment	Federal	\$ 270,000
		BIL	\$
		State	\$
		Local	\$ \$30,000.00
		Total	\$ \$300,000.00

FEDERAL AVIATION ADMINISTRATION

CIP DATA SHEET

CAPITAL IMPROVEMENT PROGRAM (CIP)

AIRPORTS DIVISION - CENTRAL REGION

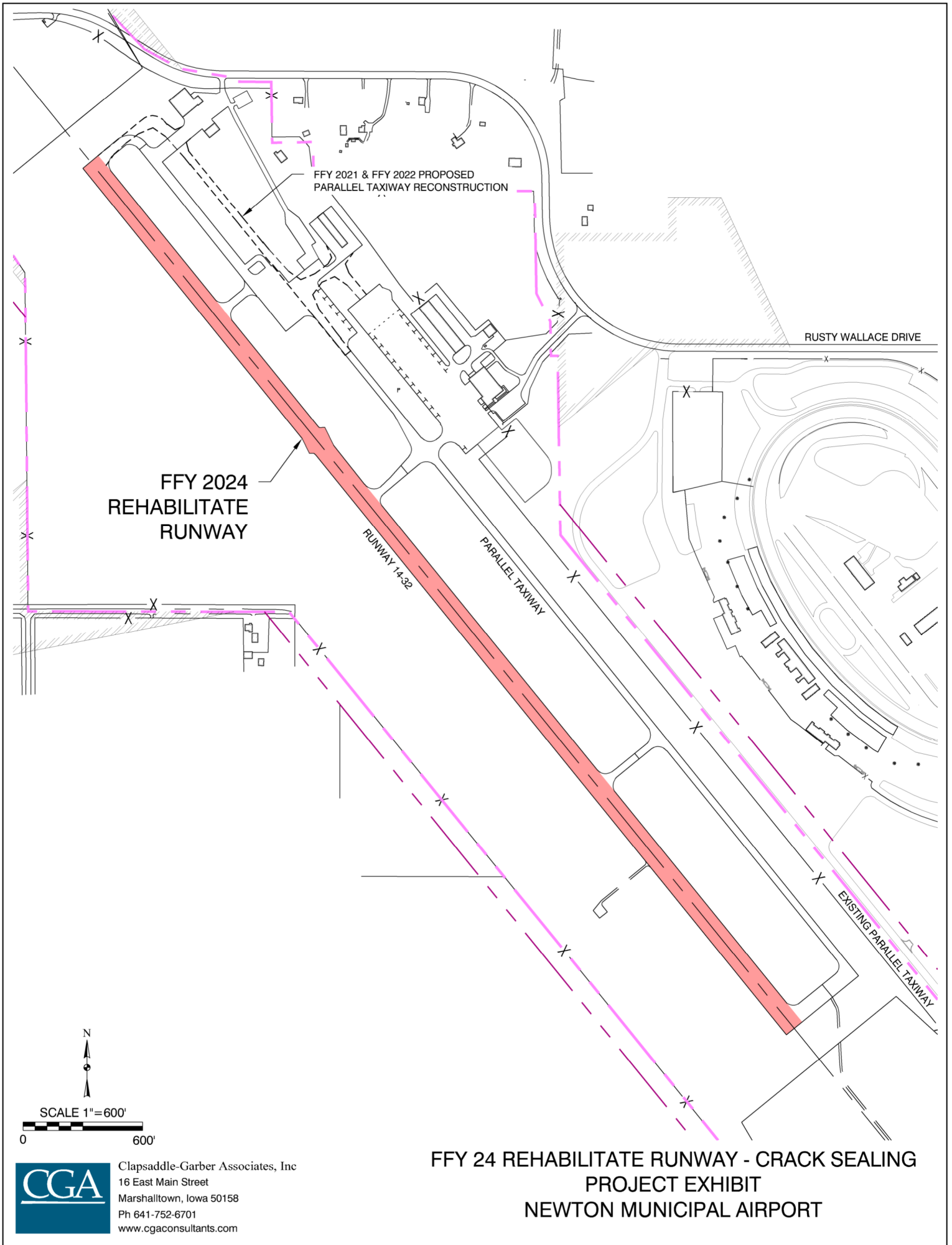
SEE INSTRUCTIONS TO COMPLETE THIS INFORMATION			
Airport Name, LOCID, City, State:	Newton Municipal, TNU, Newton, IA		
AIP Project Type:	Rehabilitate Runway – Crack Sealing		
Local Priority:	1 - Very High	Fed. Share (AIP):	\$ Click here to enter text.
FFY Requested:	FFY 2024	Fed. Share (BIL-AIG):	\$360,000
NEPA Determination:	Click here to enter text	State Share:	\$Click here to enter text.
Provide Detailed Project Scope and Justification Below. You must attach a sketch/drawing (on a separate sheet) that clearly identifies the scope of the project.		Local Share:	\$40,000
		Total Project Cost:	\$ 400,000
Project Description and Justification: (include dimensions, PCI scores) This project will rehabilitate the runway, including partial depth patching and crack sealing. The 2021 PCI for the runway ranged from 62 to 69. The inspection found longitudinal cracking, transversal cracking and weathering. The project will prolong the pavement and provide safe operations. ALP Date: 7/8/2019 NEPA Categorical Exclusion or Date of FAA determination: Order 1050.1F Categorical Exclusion # 5-6.4e Approaches are clear according the 150/5300-13 Airport Design and Order 8260.3 TERPS. Approaches are clear. Pavement Program: The most recent Iowa DOT pavement management inspection and report was performed in 2021. The airport does routine inspections and has performed routine maintenance. FAA equipment impacted by project: None impacted. Land ownership: The current Exhibit A 11/23/2022 shows that land impacted by project is controlled by sponsor.			
SPONSOR SIGNATURE BLOCK			
Signature:		Date:	Click here to enter a date.
Printed Name:	Michael Hansen	Title:	Mayor
Phone Number:	641-752-6622	Email:	BrianL@newtongov.org

OPINION OF PROBABLE COSTS
PROPOSED CAPITAL IMPROVEMENTS
NEWTON MUNICIPAL AIRPORT

Rehabilitate Runway - Crack Sealing

FY24 - Federal Fiscal Year Starting October 1, 2023

<i>Item No.</i>	<i>Description</i>	<i>Quantity</i>	<i>Units</i>	<i>Unit Cost</i>	<i>Total Cost</i>
1.	Safety Plan, Traffic Control and Mobilization	1	LS	\$22,000.00	\$22,000.00
2.	Class III Crack HMA Patching	2,000	SY	\$100.00	\$200,000.00
3.	Class I & II Crack Filling	1	LS	\$30,000.00	\$30,000.00
4.	Pavement Marking, White	45,000	SF	\$1.00	\$45,000.00
5.	Seeding and Fertilizing	1	LS	\$5,000.00	\$5,000.00
6.	Miscellaneous Construction	6.0%		\$18,000.00	\$18,000.00
7.	Engineering and Administration	25%		\$80,000.00	\$80,000.00
TOTAL PROJECT =					\$400,000.00
FAA Share @ 90% =					\$360,000.00
Local Share @ 10% =					\$40,000.00



FEDERAL AVIATION ADMINISTRATION

CIP DATA SHEET

CAPITAL IMPROVEMENT PROGRAM (CIP)

AIRPORTS DIVISION - CENTRAL REGION

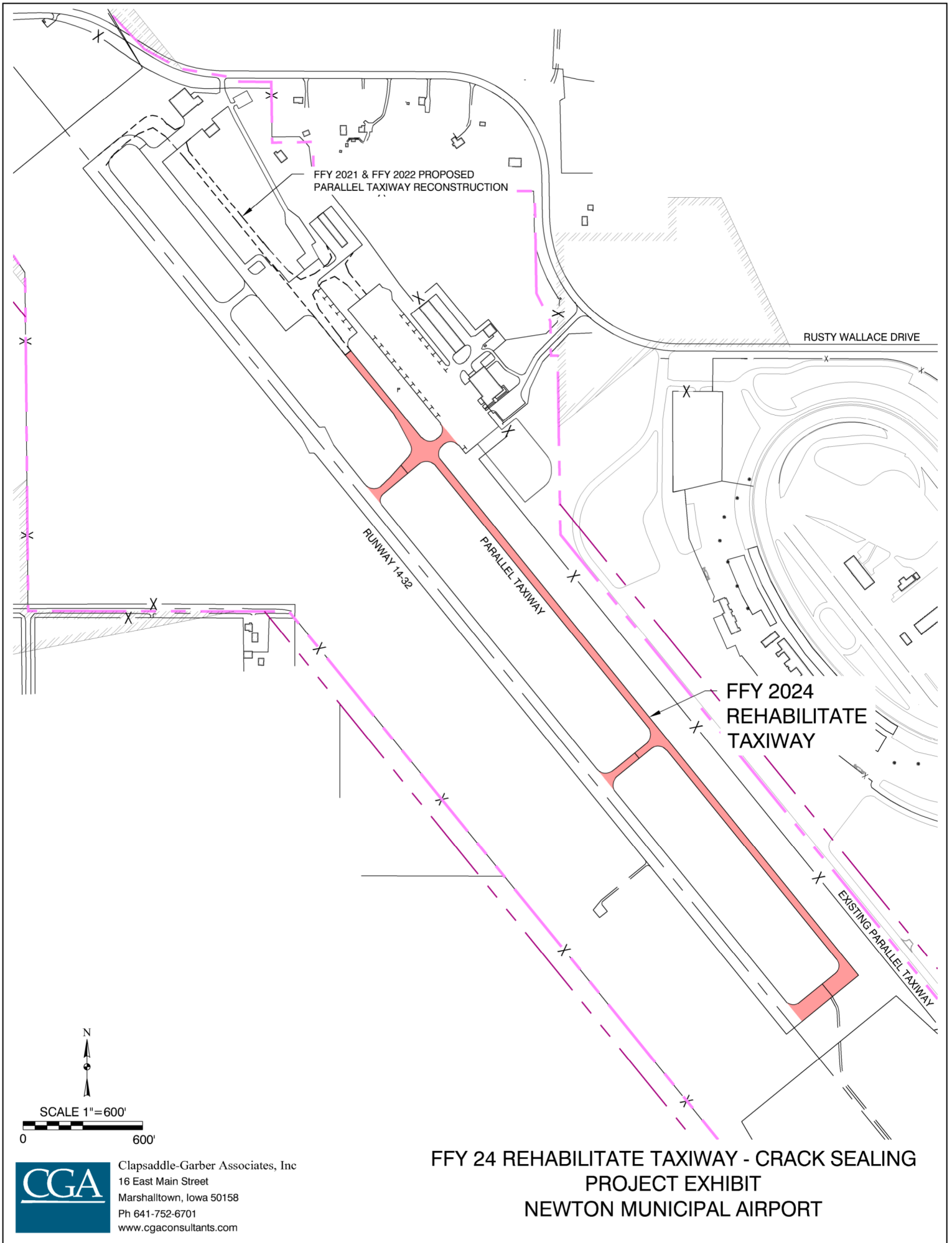
SEE INSTRUCTIONS TO COMPLETE THIS INFORMATION			
Airport Name, LOCID, City, State:	Newton Municipal, TNU, Newton, IA		
AIP Project Type:	Rehabilitate Taxiway – Crack Sealing		
Local Priority:	1 - Very High	Fed. Share (AIP):	\$ 204,750.00
FFY Requested:	FFY 2024	Fed. Share (BIL-AIG):	\$Click here to enter text.
NEPA Determination:	Click here to enter text	State Share:	\$Click here to enter text.
Provide Detailed Project Scope and Justification Below. You must attach a sketch/drawing (on a separate sheet) that clearly identifies the scope of the project.		Local Share:	\$22,750.00
		Total Project Cost:	\$ 227,500.00
Project Description and Justification: (include dimensions, PCI scores) This project will rehabilitate the taxiway including partial depth patching and crack sealing. The 2021 PCI for the taxiway is 75. The inspection found longitudinal cracking, transversal cracking, alligator cracking and weathering. These values represent pavement in good condition with rehabilitation needs categorized as preventative maintenance. This project will prolong the pavement with safe operations. ALP Date: 7/8/2019 NEPA Categorical Exclusion or Date of FAA determination: Order 1050.1F Categorical Exclusion # 5-6.4e Approaches are clear according the 150/5300-13 Airport Design and Order 8260.3 TERPS. Approaches are clear. Pavement Program: The most recent Iowa DOT pavement management inspection and report was performed in 2021. The airport does routine inspections and has performed routine maintenance. FAA equipment impacted by project: None impacted. Land ownership: The current Exhibit A dated 11/23/2022 shows that land impacted by project is controlled by sponsor.			
SPONSOR SIGNATURE BLOCK			
Signature:		Date:	Click here to enter a date.
Printed Name:	Michael Hansen	Title:	Mayor
Phone Number:	641-752-6622	Email:	BrianL@newtongov.org

OPINION OF PROBABLE COSTS
PROPOSED CAPITAL IMPROVEMENTS
NEWTON MUNICIPAL AIRPORT

Rehabilitate Taxiway - Crack Sealing

FY24 - Federal Fiscal Year Starting October 1, 2023

<i>Item No.</i>	<i>Description</i>	<i>Quantity</i>	<i>Units</i>	<i>Unit Cost</i>	<i>Total Cost</i>
1.	Safety Plan, Traffic Control and Mobilization	1	LS	\$13,000.00	\$13,000.00
2.	Class III Crack HMA Patching	1,000	SY	\$100.00	\$100,000.00
3.	Class I & II Crack Filling	1	LS	\$25,000.00	\$25,000.00
4.	Pavement Markings	1	LS	\$20,000.00	\$20,000.00
5.	Seeding and Fertilizing	1	LS	\$5,000.00	\$5,000.00
6.	Miscellaneous Construction	6%		\$8,500.00	\$8,500.00
7.	Engineering and Administration	32.5%		\$56,000.00	\$56,000.00
				TOTAL PROJECT =	\$227,500.00
				FAA Share @ 90% =	\$204,750.00
				Local Share @ 10% =	\$22,750.00



FEDERAL AVIATION ADMINISTRATION

CIP DATA SHEET

CAPITAL IMPROVEMENT PROGRAM (CIP)

AIRPORTS DIVISION - CENTRAL REGION

SEE INSTRUCTIONS TO COMPLETE THIS INFORMATION			
Airport Name, LOCID, City, State:	Newton Municipal, TNU, Newton, IA		
AIP Project Type:	Rehabilitate Apron – Crack and Joint Sealing		
Local Priority:	1 - Very High	Fed. Share (AIP):	\$ 245,250.00
FFY Requested:	FFY 2024	Fed. Share (BIL-AIG):	\$Click here to enter text.
NEPA Determination:	Click here to enter text	State Share:	\$Click here to enter text.
Provide Detailed Project Scope and Justification Below. You must attach a sketch/drawing (on a separate sheet) that clearly identifies the scope of the project.		Local Share:	\$27,250.00
		Total Project Cost:	\$ 272,500.00
Project Description and Justification: (include dimensions, PCI scores) This project will rehabilitate the apron, including crack cleaning and joint sealing. The 2021 PCI for the apron was 91-93. The inspection found crack seal damage. These values represent pavement in good condition with rehabilitation needs categorized as preventative maintenance. This project will prolong the pavement and provide safe operations. ALP Date: 7/8/2019 NEPA Categorical Exclusion or Date of FAA determination: Order 1050.1F Categorical Exclusion # 5-6.4e Approaches are clear according the 150/5300-13 Airport Design and Order 8260.3 TERPS. Approaches are clear. Pavement Program: The most recent Iowa DOT pavement management inspection and report was performed in 2021. The airport does routine inspections and has performed routine maintenance. FAA equipment impacted by project: None impacted. Land ownership: The current Exhibit A dated 11/23/2022 shows that land impacted by project is controlled by sponsor.			
SPONSOR SIGNATURE BLOCK			
Signature:		Date:	Click here to enter a date.
Printed Name:	Michael Hansen	Title:	Mayor
Phone Number:	641-752-6622	Email:	BrianL@newtongov.org

OPINION OF PROBABLE COSTS
PROPOSED CAPITAL IMPROVEMENTS
NEWTON MUNICIPAL AIRPORT

Rehabilitate Apron - Crack Sealing

FY24 - Federal Fiscal Year Starting October 1, 2023

<i>Item No.</i>	<i>Description</i>	<i>Quantity</i>	<i>Units</i>	<i>Unit Cost</i>	<i>Total Cost</i>
1.	Safety Plan, Traffic Control and Mobilization	1	LS	\$17,000.00	\$17,000.00
2.	Crack Sealing	250	LF	\$4.00	\$1,000.00
3.	Joint Sealing	25,000	LF	\$2.50	\$62,500.00
4.	Full Depth Patch	750	SY	\$140.00	\$105,000.00
5.	Pavement Markings, Yellow	1	LS	\$5,000.00	\$5,000.00
6.	Miscellaneous Construction	5.5%		\$10,000.00	\$10,000.00
7.	Engineering and Administration	36.0%		\$72,000.00	\$72,000.00
TOTAL PROJECT =					\$272,500.00
FAA Share @ 90% =					\$245,250.00
Local Share @ 10% =					\$27,250.00

FFY 2021 & FFY 2022 PROPOSED
PARALLEL TAXIWAY RECONSTRUCTION

FFY 2019 APRON EXPANSION

FFY 2024 APRON
PAVEMENT MAINTENANCE

PARALLEL TAXIWAY

TERMINAL
BUILDING

RUNWAY 14-32



SCALE 1"=200'



Clapsaddle-Garber Associates, Inc
16 East Main Street
Marshalltown, Iowa 50158
Ph 641-752-6701
www.cgaconsultants.com

FFY 24 APRON PAVEMENT MAINTENANCE -
JOINT SEALING
PROJECT EXHIBIT
NEWTON MUNICIPAL AIRPORT

City of Newton Council Report

**Item:**

Resolution approving performance agreements for the 2023 Summer Concert Series at the Maytag Bowl and July 4th activities at Agnes Patterson Park.

Report Number: 22-334

Date:

December 5, 2022

Summary:

Approval of this resolution authorizes the Community Services Department to enter into eight performance agreements for the Summer Concert Series and one performance agreement for July 4th.

Lead Department:

Community Services

Recommendation:

Approve

Financial Impact:

\$6,500.00 from the Summer Concert Series budget.

Background:

Dates have been set for the 2023 Summer Concert Series at the Maytag Bowl. The concerts will be held on Thursdays at Maytag Bowl running from June 1, 2023 through July 20, 2023, with another possible act being considered for July 27, 2023. Also included in this resolution is the DJ for the July 4th activities at Agnes Patterson Park.

Community Services staff reviewed the popularity of previous year's acts, and prepared a proposed schedule based on availability of the performers. Performers include the City Band (June 1st, June 15th, June 29th, and July 6th) Slipstream (July 20th), Dueling Fiddles (June 8th), The Jury (June 22nd), and Outlaw Country Express (July 13th). The returning act for July 4th will be Celebrations DJ Ray.

The total cost of the nine performances included in this resolution is \$6,500.00. This cost will be paid from the Summer Concert Series budget.

Recommendation:

City Staff recommends approval of this resolution authorizing the Community Services Department to enter into performance agreements for eight music performances for the 2023 Summer Concert Series and one performance agreement for July 4th.

Matt Muckler
City Administrator

RESOLUTION 2022- _____

RESOLUTION APPROVING PERFORMANCE AGREEMENTS FOR THE 2023
SUMMER CONCERT SERIES AT THE MAYTAG BOWL AND
JULY 4TH ACTIVITIES AT AGNES PATTERSON PARK

WHEREAS, the 2023 Summer Concert Series at the Maytag Bowl will be held on Thursdays running from June 1, 2023 through July 20, 2023, with another possible act being considered for July 27, 2023; and

WHEREAS, also included in this resolution is the DJ for the July 4th activities at Agnes Patterson Park; and

WHEREAS, Community Services staff reviewed the popularity of previous year's acts, and prepared a proposed schedule based on availability of the performers; and

WHEREAS, said agreements include:

<u>Concert Date</u>	<u>Performer</u>	<u>Cost</u>	<u>Check Payable to:</u>
June 1, 2023	Newton City Band	\$600	Charlie Clements
June 8, 2023	Dueling Fiddles	\$2,200	DSM Dueling Fiddles LLC
June 15, 2023	Newton City Band	\$600	Charlie Clements
June 22, 2023	The Jury	\$800	The Jury
June 29, 2023	Newton City Band	\$600	Charlie Clements
July 4, 2023	Celebrations DJ Ray	\$500	Ray Johansen
July 6, 2023	Newton City Band	\$0	n/a
July 13, 2023	Outlaw Country Express	\$400	Danny Beeler
July 20, 2023	Slipstream	\$800	Dave Heck

; and

WHEREAS, the total cost of the nine performances included in this resolution is \$6,500; with this cost to be paid from the Summer Concert Series budget.

WHEREAS, City Staff recommends approval of this resolution authorizing the Community Services Department to enter into performance agreements for eight scheduled dates of the 2023 Summer Concert Series and one performance agreement for July 4th.

NOW THEREFORE, BE IT RESOLVED by the City Council of Newton, Iowa, that this resolution is approved authorizing the Community Services Director to execute the said performance agreements, with the respective payment amounts be made by checks payable to the names listed above.

PASSED this _____ day of December, 2022.

APPROVED this _____ day of December, 2022.

Michael L. Hansen, Mayor

ATTEST:

Katrina Davis, City Clerk

City of Newton Council Report

**Item:**

Resolution revising the contractor's name for the Community Services Shop Remodel Project – Heaters.

Report Number: 22-335

Date:

December 5, 2022

Summary:

Update name of firm hired to install infrared heaters for the shop remodeling project at 1700 N 4th Ave W.

Lead Department:

Community Services

Recommendation:

Approve

Financial Impact:

No additional cost to the earlier-approved \$13,125.00 being paid from 2021 Bond funds.

Background:

On June 6, 2022 City Council approved Resolution 2022-167 awarding the Community Services Shop Remodel Project – Heaters contract to Warnick and Reeves of Newton, Iowa. Since that time, but prior to the completion of the work, Warnick and Reeves has been split into two separate companies. Reeves Heating and Cooling, one of the resulting companies, retained this project's contract in their split.

This resolution revises the name of the project's contractor to Reeves Heating and Cooling of Newton, Iowa. No additional cost to the City resulted from this change, with the project's contract amount remaining at \$13,125.00 as earlier approved. The \$13,125.00 in project costs will be paid using 2021 bond funds.

Recommendation:

City Staff recommends that Council approve this resolution revising the name of the project's contractor to Reeves Heating and Cooling of Newton, Iowa.

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

Matt Muckler
City Administrator

RESOLUTION 2022- _____

**RESOLUTION REVISING THE CONTRACTOR’S NAME FOR THE
COMMUNITY SERVICES SHOP REMODEL PROJECT – HEATERS**

WHEREAS, on June 6, 2022 City Council approved Resolution 2022-167 awarding the Community Services Shop Remodel Project – Heaters contract to Warnick and Reeves of Newton, Iowa; and

WHEREAS, since that time, but prior to the completion of the work, Warnick and Reeves has been split into two separate companies; and

WHEREAS, Reeves Heating and Cooling, one of the resulting companies, retained this project’s contract in their split; and

WHEREAS, this resolution revises the name of the project’s contractor to Reeves Heating and Cooling of Newton, Iowa; and

WHEREAS, no additional cost to the City resulted from this change, with the project’s contract amount remaining at \$13,125.00 as earlier approved; and

WHEREAS, City Staff recommends that Council approve this resolution revising the name of the project’s contractor to Reeves Heating and Cooling of Newton, Iowa.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of Newton, Iowa, that the approved contractor’s name be changed from Warnick and Reeves of Newton, Iowa to Reeves Heating and Cooling of newton, Iowa.

BE IT FURTHER RESOLVED, by the City Council of the City of Newton, Iowa, that Community Services staff is directed to make any remaining payments on said project to Reeves Heating and Cooling of Newton, Iowa.

PASSED this _____ day of December, 2022.

APPROVED this _____ day of December, 2022.

Michael L. Hansen, Mayor

ATTEST:

Katrina Davis, City Clerk

City of Newton Council Report



Item: Resolution approving 5-year leak detection contract for Utilities Department, Waterworks Distribution.

Summary: Renew an existing contract for future 5 year leak surveys.

Financial Impact: \$5,900.00 annually from water revenues.

Report Number: 22-336

Date: December 5

Lead Department:
Utilities

Recommendation:
Approve

Background:

The waterworks Distribution has approximately 150 miles of water distribution mains, with thousands of valves, curb stops, hydrants and connections. Water leaks can happen for many reasons from parts or material failures, corrosive soils eating away at the pipes, to settling, shifting soils or freezing and splitting pipes. Whatever the reason a water line may be leaking, it is important to detect these leaks, so they may be repaired as soon as possible to prevent water loss. The City of Newton Utilities Department spends millions of dollars producing water each year and to have water loss is a waste of effort, money and a valuable natural resource.

Westrum leak Detection has been contracted with Newton Waterworks since 2003 and have been providing this quality service at a good value. Westrum surveys the entire distribution system for possible leaks annually. In 2022 this survey found ten water leaks in the waterworks distribution system. Nine of the leaks were private service lines, owned by the homeowners and one main break was also found. These leaks would not have been noticed or found without this yearly survey.

Recommendation:

Approve a new 5 Year contract with Westrum Leak Detection Inc. of Stratford, Iowa in the amount of \$ 5,900.00 annually.

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

Matt Muckler
City Administrator

RESOLUTION NO. 2022-_____

**RESOLUTION APPROVING 5-YEAR LEAK DETECTION CONTRACT
FOR UTILITIES DEPARTMENT, WATERWORKS DISTRIBUTION.**

WHEREAS, The waterworks Distribution has approximately 150 miles of water distribution mains, with thousands of valves, curb stops, hydrants and connections; and

WHEREAS, water leaks can happen for many reasons from parts or material failures, corrosive soils eating away at the pipes, to settling, shifting soils or freezing and splitting pipes; and

WHEREAS, Whatever the reason a water line may be leaking, it is important to detect these leaks, so they may be repaired as soon as possible to prevent water loss; and

WHEREAS, the City of Newton Utilities Department spends millions of dollars producing water each year and to have water loss is a waste of effort, money and a valuable natural resource; and

WHEREAS, Westrum leak Detection has contracted with Newton Waterworks for this service since 2003 and have been providing this service at a good value; and

WHEREAS, Westrum surveys the entire distribution system for possible leaks annually.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of Newton, Iowa the Utilities Director is authorized to enter into a new five (5) year agreement with with Westrum Leak Detection Inc. of Stratford, Iowa in the amount of \$ 5,900.00 annually, utilizing water revenue funds for this agreement.

PASSED this _____day of December 2022.

APPROVED this _____ day of December 2022.

Michael L. Hansen, Mayor

ATTEST:

Katrina Davis, City Clerk

Westrum Leak Detection
3226 360th St.
Stratford, IA 50249
515-838-2222

Newton Waterworks
P.O. Box 399
Newton, Ia. 50208

Dear Glenn;

Leak Detection Survey Description
100% of the system

1. Beginning in 2023, all accessible hydrants and/or valves, will be monitored as needed, with sensitive listening transducers/amplifier equipment to determine if leakage is occurring.
2. All areas where leakage is confirmed will be further investigated with the computerized correlator to pinpoint the location of all leaks.
3. A report will be submitted containing detailed drawings of all leaks located, the estimated leak sizes, and the savings resulting from the repair of the leaks.
4. Westrum Leak Detection will provide all equipment and personnel to accomplish the above.
5. The customer shall provide all personnel for traffic control, if needed, to successfully and safely complete the survey.

1 Year agreement \$6,200— — — — —(2023)

Sign and date here _____

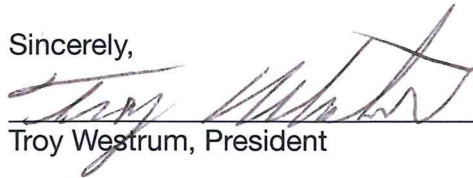
3 Year agreement \$6,000 each year— — — — —(2023,2024,2025)

Sign and date here _____

5 Year agreement \$5,900 each year— — — — —(2023 through 2027)

Sign and date here _____

Sincerely,



Troy Westrum, President

City of Newton Council Report

Item: Resolution authorizing the purchase of a jet/vac sewer cleaner truck for the Utilities Department.

Summary: To replace an existing jet/vac sewer cleaner truck.

Financial Impact: \$470,293.81 paid with 2021 Sewer Revenue Bond Funds.



Report Number: 22-337

Date: December 5, 2022

Lead Department: Utilities Department

Recommendation: Approve

Background

Water Pollution Control's existing jet/vac sewer cleaner truck is 22 years old and is at the end of its useful life. A new jet/vac sewer cleaner truck was included in the capital equipment plan for fiscal year 2022-2023. The jet/vac sewer cleaner truck is used for emergency call outs and preventative maintenance of the Sanitary Sewer Collection System, which consists of 2,696 Manholes and over 94 miles of sanitary sewer collection pipe.

WPC staff requested demonstrations from several jet/vac sewer cleaner truck dealers to demonstrate the operation of various makes and models of jet/vac sewer cleaner trucks. During the demonstration each dealer did a walk around of their truck to explain the operation, available options, safety features and maintenance requirements of their truck. After the walk around WPC staff had the opportunity to operate each truck, cleaning a few sanitary sewer lines in the collection system.

After many discussions about the demonstrations of the various makes and models of jet/vac sewer cleaner trucks, WPC staff determined the VacAll AJV 812 best fits the needs for the City of Newton, with its ease of operation and maintenance.

Utilizing Sourcewell, a public purchasing cooperative for state & local governments, city staff requested a bid from Municipal Pipe and Tool Company. Municipal Pipe and Tool Company provided a bid for the VacAll AJV 812 in the amount of \$470,293.81.

Recommendation:

Approval of the resolution authorizing the Utilities Director to purchase of a jet/vac sewer cleaner truck from Municipal Pipe and Tool Company, Hudson, Iowa in the amount of \$470,293.81. This purchase will be paid utilizing 2021 Sewer Revenue Bond Funds.



Matt Muckler
City Administrator

RESOLUTION NO. 2022-_____

**RESOLUTION AUTHORIZING PURCHASE OF A JET/VAC SEWER
CLEANER TRUCK FOR THE UTILITIES DEPARTMENT.**

WHEREAS, Water Pollution Control's existing jet/vac sewer cleaner truck is 22 years old and is at the end of its useful life; and

WHEREAS, A new jet/vac sewer cleaner truck was included in the capital equipment plan for fiscal year 2022-2023; and

WHEREAS, WPC staff requested demonstrations from several jet/vac sewer cleaner truck dealers to demonstrate the operation of various makes and models of jet/vac sewer cleaner trucks; and

WHEREAS, During the demonstration each dealer did a walk around of their truck to explain the operation, available options, safety features and maintenance requirements of their truck; and

WHEREAS, After many discussions about the demonstrations of the various makes and models of jet/vac sewer cleaner trucks, WPC staff determined that the VacAll 812 best fits the City of Newton's needs for the sewer collection system cleaning; and

WHEREAS, Utilizing Sourcewell, a public purchasing cooperative for state & local governments, Municipal Pipe and Tool Company provided a bid for the VacAll AJV 812 in the amount of \$470,293.81

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Newton, Iowa, that the Utilities Director is authorized to proceed with the purchase of a jet/vac sewer cleaner truck from Municipal Pipe and Tool Company, Hudson, Iowa for Four Hundred and Seventy Thousand, Two Hundred and Ninety-Three dollars and Eighty-One cents (\$470,293.81). This purchase will be paid utilizing 2021 Sewer Revenue Bond funds.

PASSED this _____ day of December, 2022.

APPROVED this _____ day of December, 2022.

Michael L. Hansen, Mayor

ATTEST:

Katrina Davis, City Clerk

City of Newton Council Report



Item: Resolution accepting a permanent municipal utility easement located at 1708 S 8th Ave E.

Summary: Acceptance of a permanent 30-foot municipal easement to allow for access to storm water collection system located between E 17th St S and S 8th Ave E

Financial Impact: None

Report Number: 22-338

Date: December 5, 2022

Lead Department/Division:
Public Works

Recommendation: Approve

Background:

A real estate easement agreement was signed on November 7th, 2022 between the city of Newton and Git & Go Convenience Stores. The purpose of the agreement was to provide the City of Newton Public Works Department a permanent utility easement to repair the current storm sewer collection system that had failed and maintain the system in the future.

This action creates a new permanent 30-foot utility easement to protect the current storm sewer, while also allowing city crews access to the ground for future maintenance or repair of the storm sewer.

The following identified easement, as represented by Real Estate Easement executed by the property owner subject to City Council approval is:

Easement Number	Property Owner	Easement Address
2022-01	President- Dennis Flora	1708 S 8 th Ave E

This easement has been granted by Git & Go Convenience Stores to the city for \$1.00.

Recommendation:

Accept Real Estate Utility Easement as described above.

Matt Muckler
City Administrator

RESOLUTION NO. 2022-_____

RESOLUTION ACCEPTING PERMANENT MUNICIPAL UTILITY EASEMENT AT
1708 S 8TH Ave E.

WHEREAS, a real estate easement agreement was signed on November 7th, 2022 between the city of Newton and Git-N-Go convenience stores and;

WHEREAS, the purpose of the agreement was to provide the City of Newton Public Works Department a permanent utility easement to repair the current storm sewer collection system that had failed and maintain the system in the future and;

WHEREAS, This action creates a new permanent 30-foot utility easement to protect the current storm sewer, while also allowing city crews access to the ground for future maintenance or repair of the storm sewer and;

WHEREAS, Public Works staff prepared the Real Estate Utility Easement documents, contacted the affected property owner, and secured signatures on said documents.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of Newton, Iowa, that the following Municipal Utility Easement(s), as represented by Real Estate Easement executed by the property owner subject to City Council approval, is hereby approved:

Easement Number	Property Owner	Easement Address
2022-01	President- Dennis Flora	1708 S 8 th Ave E

BE IT FURTHER RESOLVED, that the City Council of Newton Iowa authorizes the Mayor to execute the Real Estate Easement documents for the affected property. This easement has been granted by the owner for \$1.00 to the city.

PASSED this _____ day of December, 2022.

APPROVED this _____ day of December, 2022.

Michael L. Hansen, Mayor

ATTEST:

Katrina Davis, City Clerk

Prepared By: Brandon Schakel, Engineering Tech
City of Newton Public Works
403 W 4th St N, Suite 501
Newton, Iowa 50208-1926

REAL ESTATE EASEMENT

KNOW ALL PERSONS BY THESE PRESENTS:

That we, the undersigned, Git N Go Convenience Stores (hereinafter called "Property Owner") in consideration of the sum of One Dollar (\$1.00) to be paid by the City of Newton, Iowa upon final approval and acceptance of this Easement by the Newton City Council, do hereby convey unto the CITY OF NEWTON, IOWA, a municipal corporation, (hereinafter called "City") an EASEMENT on, under, over, through and across the following described real estate, subject to the terms and conditions specified herein:

PERMANENT MUNICIPAL UTILITY EASEMENT

1. GRANT OF EASEMENT. A permanent easement is hereby granted on, under, over, through and across the following described property:

A 30 FOOT WIDE PERMANENT MUNICIPAL UTILITY EASEMENT, BEING 15 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE: COMMENCING AT THE SOUTHWEST CORNER OF LOT 1 OF GROOTVELD SUBDIVISION, TO THE CITY OF NEWTON, JASPER COUNTY, IOWA, AS APPEARS IN PLAT RECORDED IN BOOK A, PAGE 360, IN THE OFFICE OF THE RECORDER OF SAID COUNTY. THENCE 91.78 FEET ALONG THE WEST LINE OF SAID LOT 1 TO THE POINT OF BEGINNING ON THE WEST SIDE OF SAID LOT 1, THENCE 225.92' NORTHEASTERLY TO A POINT 60.76' WEST OF THE NORTHEAST CORNER OF SAID LOT 1 WITH SIDELINES BEING EXTENDED OR SUBTENDED TO TERMINATE AT THE NORTH AND WEST LINES OF SAID LOT 1.

2. COVENANT RUNNING WITH THE LAND. This grant of easement shall be a covenant running with the land, and the rights granted herein shall be assignable by City and its successors in interest, in whole or in part. The terms of this easement shall be binding upon the heirs, legal representatives, successors in interest and assigns of both Property Owner and City.
3. TERM OF EASEMENT. The rights granted herein shall be possessed and enjoyed by City, its successors and assigns, so long as the municipal utilities and appurtenances constructed pursuant thereto shall be maintained and operated by City, its successors and assigns.
4. PURPOSE OF EASEMENT. This grant of easement shall be for purposes including but not limited to constructing, reconstructing, repairing, enlarging and maintaining municipal utilities, together with necessary appurtenances thereto, on, under, over, through and across said Permanent Easement Property.
5. ERECTION OF STRUCTURES PROHIBITED. Property Owner shall not erect any structure on, over, under, through, across or within the Permanent Easement Property during the term of the easement without obtaining the prior written consent of the City Engineer.
6. PERMANENT IMPROVEMENTS. Property Owner agrees that no permanent improvement shall be built or placed upon the Permanent Easement Property during the term of the easement, nor shall Property Owner permit any change of grade, elevation or contour of any part of the Permanent Easement Property during the term of the easement or easements, and that if such improvements are built or constructed or changes made in violation of this grant of easement, said improvements or changes shall be promptly removed or eliminated by Property Owner at Property Owner's expense; provided, however, that Property Owner may install single level surface parking lot facilities involving no structures.

7. RIGHT OF ACCESS. City shall have the right of ingress and egress over and across Property Owner's remaining property to and from the Permanent Easement Property for any and all purposes necessary or convenient to construct, reconstruct, inspect, repair, operate, maintain and service any and all municipal utilities and all appurtenances thereto, together with the right to use and operate said municipal utilities and appurtenances as it deems necessary.

8. REPRESENTATION OF OWNERSHIP. Property Owner does hereby covenant with the City that Property Owner holds title to said Permanent Easement Property in fee simple; that Property Owner has good and lawful authority to convey the same; and said Property Owner covenants to warrant and defend the said Permanent Easement Property against, and to defend and hold City harmless from, any and all claims of all third parties whomsoever.

9. RESTORATION OF LAND. City shall restore the Permanent Easement Property to substantially the same condition it was in prior to City's entry.

GENERAL PROVISIONS

A. APPROVAL BY CITY COUNCIL. The easement(s) granted herein shall not be binding until final approval and acceptance by the Newton City Council by RESOLUTION, whereupon the Mayor and Clerk shall be authorized to show such approval and acceptance by execution of said easement.

B. DOWER RIGHTS. Each of the undersigned hereby relinquishes all rights of dower, homestead and distributive share, if any, in and to the interests granted and conveyed hereby.

C. RULES OF CONSTRUCTION. Words and phrases herein including acknowledgment hereof shall be construed as in the singular or plural number, and as masculine or feminine gender, according to the context.

Signed this _____ day of _____, 20_____.

CORPORATE PROPERTY OWNERS

TYPED NAME OF COMPANY: Git-N-Go Convenience Store, Inc.

BY: _____

BY: _____

(Typed Name) _____

(Typed Name) _____

(Office) _____

(Office) _____

STATE OF IOWA:

_____:ss
_____: COUNTY :

On this _____ day of _____, 20____, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared _____ and _____, to me personally known, who being by me first duly sworn, did say that they serve in the offices of _____ and _____ respectively of the corporation executing this instrument; that (no seal has been procured by) (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 its board of directors; and that the officers above identified acknowledged the execution of this instrument to be the voluntary act and deed of said corporation, by it and by them voluntarily executed.

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

ACCEPTANCE, APPROVAL AND EXECUTION BY CITY

CITY OF NEWTON

Dated: _____

By: _____
Michael L. Hansen, Mayor

ATTEST:

Katrina Davis, City Clerk

STATE OF IOWA:

:ss

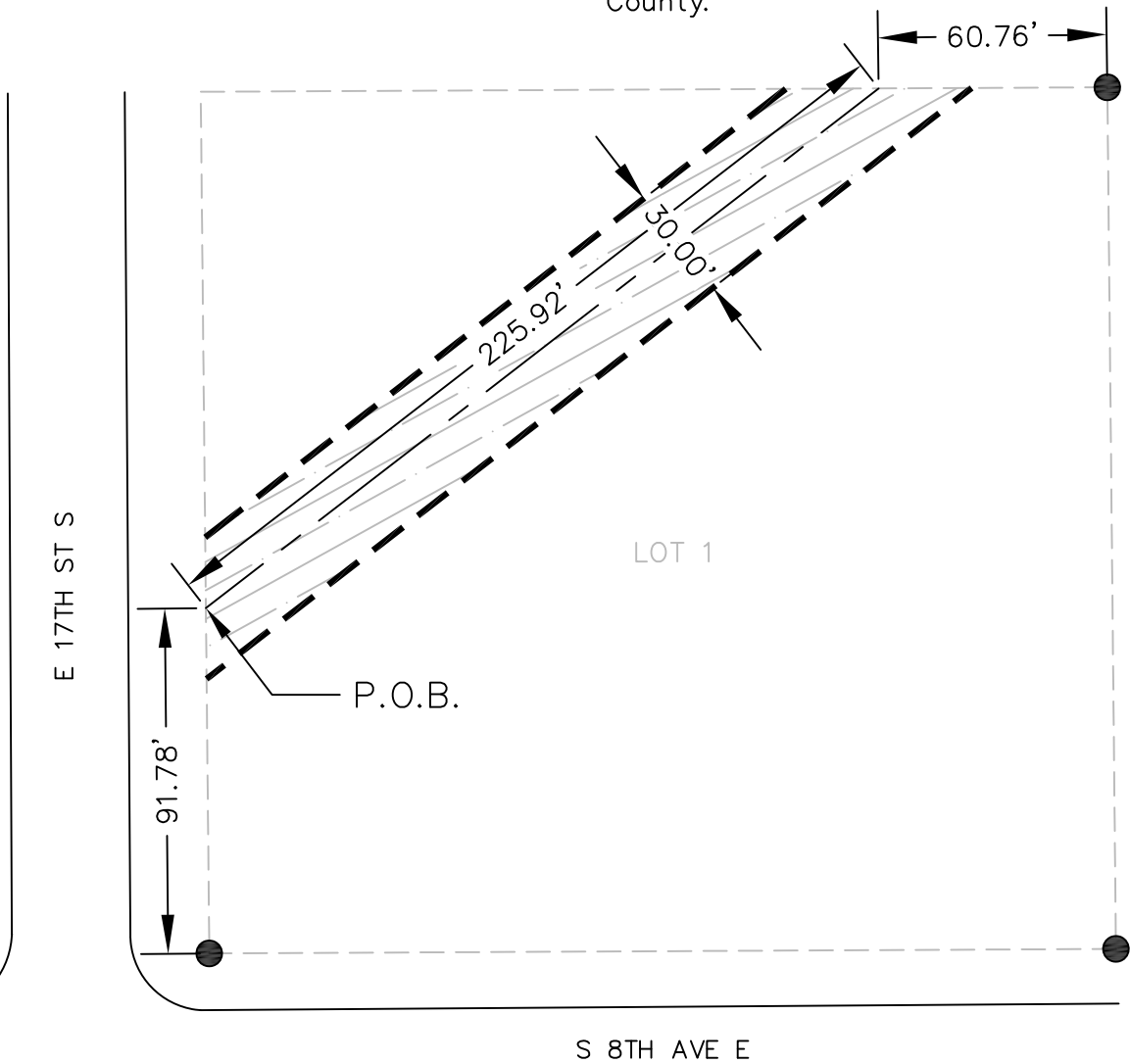
JASPER COUNTY :

On this _____ day of _____, 20____, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared Charles Allen 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 Charles Allen 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: _____

EXHIBIT 'A'

Lot 1 of GROOTVELD SUBDIVISION, to the City of Newton, Jasper County, Iowa, as appears in plat recorded in Book A, Page 360, in the office of the Recorder of said County.



LEGEND

- PROPERTY LINE
-  PERMANENT MUNICIPAL UTILITY EASEMENT AREA
-  FOUND PROPERTY CORNER

LEGAL DESCRIPTION: PARCEL 0835327017
PERMANENT MUNICIPAL UTILITY EASEMENT

A 30 FOOT WIDE PERMANENT MUNICIPAL UTILITY EASEMENT, BEING 15 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE: COMMENCING AT THE SOUTHWEST CORNER OF LOT 1 OF GROOTVELD SUBDIVISION, TO THE CITY OF NEWTON, JASPER COUNTY, IOWA, AS APPEARS IN PLAT RECORDED IN BOOK A, PAGE 360, IN THE OFFICE OF THE RECORDER OF SAID COUNTY. THENCE 91.78 FEET ALONG THE WEST LINE OF SAID LOT 1 TO THE POINT OF BEGINNING ON THE WEST SIDE OF SAID LOT 1, THENCE 225.92' NORTHEASTERLY TO A POINT 60.76' WEST OF THE NORTHEAST CORNER OF SAID LOT 1 WITH SIDELINES BEING EXTENDED OR SUBTENDED TO TERMINATE AT THE NORTH AND WEST LINES OF SAID LOT 1.

CONTAINING 6,778 SQUARE FEET MORE OR LESS.

EASEMENT GRANTOR(S): GIT-N-GO CONVENIENCE STORE INC 2716 INDIANOLA AVE DES MOINES IA 50315-2399	EASEMENT GRANTEE: CITY OF NEWTON	PREPARED BY: City of Newton Public Works Dept. 403 W 4th St N, Suite 501 Newton, Iowa 50208	 SCALE: 1" = 50'
--	-------------------------------------	---	--

Vendor	Department	Description	Amount
Acushnet Company	Golf	Merchandise	\$ 305.02
Airgas USA LLC	Fire	Service	\$ 148.46
Alliant Energy/IPL	All	Utilities	\$ 3,690.47
Amazon Capital Services	All	Supplies	\$ 2,021.51
Baker & Taylor	Library	Books	\$ 3,676.49
Baker & Taylor Entertainment	Library	DVDs	\$ 46.18
Baker Group	City Center	Service	\$ 1,829.75
Black Hills Energy	Water Pollution Control	Utilities	\$ 5,255.74
Blackstone Publishing	Library	Books	\$ 64.00
Book Farm LLC	Library	Books	\$ 37.94
Bound Tree Medical LLC	Fire	Supplies	\$ 291.98
Brookwood Inc	All	Service	\$ 1,103.03
Brownells Inc	Police	Supplies	\$ 527.51
C. H. McGuiness Co Inc	Water Pollution Control	Supplies	\$ 3,665.43
Caliber Concrete LLC	RUT 2021 Bonds RESO 2022-154	Service	\$ 346,663.22
Callaway Golf	Golf	Merchandise	\$ 93.12
Capital One	All	Supplies	\$ 3,084.44
Cappy's Tire & Auto Service	Golf/Parks	Supplies	\$ 242.49
Car Country	Golf	Service	\$ 11.00
Carl's Window Service	Library	Service	\$ 90.00
CCP Industries	Water Pollution Control	Supplies	\$ 272.72
Cengage Learning	Library	Books	\$ 30.39
Chamber of Commerce	Administration	Service	\$ 1,092.00
Cintas	All	Service	\$ 1,124.50
Controlled Access of the Midwest LLC	Airport	Service	\$ 495.80
Cover One	Library	Equipment	\$ 1,259.00
Dannen, Shannon	D&D Program	Services	\$ 432.00
Des Moines Register	City Center	Service	\$ 365.03
Des Moines Stamp Mfg	Fire	Supplies	\$ 125.00
Diamond Vogel Inc	Parks	Supplies	\$ 4.10
Digium Cloud Services LLC	All	Service	\$ 406.00
DMACC - Ankeny Campus	All	Rent	\$ 1,895.75
Dodd Trash Hauling & Recycling	Solid Waste	Service	\$ 66,570.60
Eckert, Bernard	Police	Reimbursement	\$ 21.12
Evident Inc	Police	Supplies	\$ 33.00
FBG Service Corporation	Library	Service	\$ 1,644.00
Financial Forms & Supplies	Fire	Supplies	\$ 389.57
Forbes Office Solutions	Library	Supplies	\$ 141.26
FOX Strand	Water Pollution Control	Service	\$ 13,906.00
Galls LLC	Fire	Supplies	\$ 267.07
Gregg Young Auto Center	Police	Service	\$ 737.86
Hampton Equipment Inc	Street	Equipment	\$ 73,800.00
Harden, Jacob	Police	Reimbursement	\$ 116.06
Hawkins Water Treatment	Water Pollution Control	Supplies	\$ 1,162.44
Home Depot Pro	Landfill	Supplies	\$ 99.33
ICMA Membership Renewals	Executive	Membership	\$ 928.43
Image Trend Inc	Fire	Service	\$ 580.00
IMWCA	All	Service	\$ 6,901.19
Iowa Golf Association	Golf	Service	\$ 110.00
Iowa Golf Course Superintendents A A	Golf	Conference	\$ 25.00
Iowa One Call	Engineering/WPC	Service	\$ 477.10
Iowa Sports Turf Managers Association	Parks	Membership	\$ 75.00
Iowan Magazine, The	Library	Periodicals	\$ 24.00

J.D. Power	Library	Periodicals	\$ 210.00
Jasper County Extension	Parks/Street	License	\$ 245.00
Jasper County Auditor	Administration	Service	\$ 8,517.19
Johnson Aviation	Airport	Service	\$ 3,300.57
Joni's Creations	Fire	Service	\$ 32.00
Keystone Labs	Landfill	Service	\$ 901.14
Magnum Automotive	Fire/Police	Service	\$ 2,769.56
Martin Marietta Materials	Cemetery/Street	Supplies	\$ 1,686.03
Mediacom	Golf	Utility	\$ 208.13
MercyOne DSM Medical Ctr-Financial Ops	Fire	Supplies	\$ 1,037.34
MG Laundry Corporation	City Center/Fire	Service	\$ 138.05
Midwest Lawn Services	Library	Service	\$ 900.00
MTI Distributing Inc	Golf	Supplies	\$ 546.20
NAPA Auto Parts	All	Supplies	\$ 2,527.31
News Printing Company	All	Services	\$ 291.70
Newton Clinic	Fire	Service	\$ 210.00
NFPA	Fire	Service	\$ 175.00
North American Rescue	Police	Supplies	\$ 176.94
Nucor Harris Rebar Midwest LLC	Tort Liability	Supplies	\$ 1,200.00
Office Depot	Parks	Supplies	\$ 53.98
Preferred Pest Control Inc	Fire/Library	Service	\$ 676.00
Premier Office Equipment	Finance	Service	\$ 77.16
Quill Corporation	Executive	Supplies	\$ 53.98
Ray, Randy	SSMID District	Services	\$ 875.00
RDO Equipment Co	Landfill	Services	\$ 4,500.00
Reeves Heating & Cooling	City Center	Service	\$ 353.80
Regal Clean LLC	City Center	Service	\$ 3,377.40
Schwarz, Shane	Water Pollution Control	Reimb	\$ 70.00
Smith Quality Rental	Golf	Supplies	\$ 150.00
Spahn & Rose Lumber Co	Water Pollution Control	Supplies	\$ 313.32
Stivers Midwest Pro Upfitters	Police	Equipment	\$ 3,377.64
Streichers	Police	Supplies	\$ 99.50
Studio Melee	Library	Consulting	\$ 2,315.00
Target Solutions Learning LLC	Administration	Service	\$ 5,534.84
Tek To Tek	Fire	Service	\$ 101.46
Teleflex LLC	Fire	Supplies	\$ 1,215.50
The Scale Guys LLC	Landfill	Service	\$ 500.00
Theisen's	All	Supplies	\$ 1,039.72
TK Elevator	City Center	Service	\$ 205.17
True Value Hardware	Golf/Parks	Supplies	\$ 163.82
Two Rivers Cooperative	Airport	Fuel	\$ 937.57
USABlueBook	Water Pollution Control	Service	\$ 116.22
Water Department	All	Utility	\$ 516.60
Wendling Quarries Inc	Golf	Supplies	\$ 161.09
Zoll	Fire	Supplies	\$ 169.69
Grand Totals:			\$ 600,385.72

Pre-Authorized Payments

Black Hills Energy	All	Utilities	\$ 2,313.65
Dish Network	Airport	Utilities	\$ 147.09
McCann Housing Assoc	McCann UR - Reso 2022-319	Tax Rebate	\$ 35,215.53
Mediacom	Golf/Administration	Utilities	\$ 416.85
United States Cellular	All	Utilities	\$ 256.85
Verizon Wireless	Fire/Police	Utilities	\$ 50.03

Total			\$ 38,400.00
--------------	--	--	---------------------

Newton Waterworks Disbursements 12-06-22

Vendor	Department	Description	Amount
AIR PRODUCTS AND CHEMICALS INC.	Waterworks	SUPPLIES	\$ 2,505.71
ALLIANT ENERGY ACCOUNT PAYABLE	Waterworks	SERVICE	\$ 393.09
CITY OF NEWTON	Waterworks	SERVICE	\$ 22,798.15
CITY OF NEWTON - LANDFILL	Waterworks	SUPPLIES	\$ 41.25
FARVER TRUE VALUE	Waterworks	SUPPLIES	\$ 229.23
FLETCHER, ASHLEY	Waterworks	REFUND	\$ 13.72
FORBES OFFICE EQUIP	Waterworks	EQUIPMENT	\$ 414.94
HACH CHEMICAL COMPANY	Waterworks	SUPPLIES	\$ 570.95
HAWKINS INC	Waterworks	SUPPLIES	\$ 6,447.75
HUMBLE, JEFF	Waterworks	REFUND	\$ 52.75
HYDRO KLEAN	Waterworks	SERVICE	\$ 14,587.50
HYVEE	Waterworks	SUPPLIES	\$ 184.86
IOWA ONE CALL	Waterworks	SERVICE	\$ 276.10
LYNX PROMOTIONAL ADVERTISING	Waterworks	SUPPLIES	\$ 400.95
MANATTS	Waterworks	SUPPLIES	\$ 500.03
MARTIN MARIETTA MATERIALS	Waterworks	SUPPLIES	\$ 242.69
MG LAUNDRY CORP	Waterworks	SERVICE	\$ 129.85
MISSISSIPPI LIME COMPANY	Waterworks	SUPPLIES	\$ 15,700.08
MUNICIPAL SUPPLY INC	Waterworks	SUPPLIES	\$ 779.60
NAPA AUTO PARTS	Waterworks	SUPPLIES	\$ 9.49
SMITH'S QUALITY RENTAL	Waterworks	SUPPLIES	\$ 6.65
SPAHN & ROSE LUMBER CO	Waterworks	SUPPLIES	\$ 345.45
SUBSURFACE SOLUTIONS	Waterworks	SUPPLIES	\$ 360.00
T/C TOWN COUNTRY SERVICES	Waterworks	SERVICES	\$ 380.00
THEISEN'S	Waterworks	SUPPLIES	\$ 176.49
US POSTMASTER	Waterworks	SERVICE	\$ 2,500.00
VAN WERT INC.	Waterworks	SERVICES	\$ 8,503.75
WELLS FARGO	Waterworks	SERVICE	\$ 197.46
WINDSTREAM COMMUNICATIONS, INC	Waterworks	SERVICE	\$ 382.50
ZIEGLER INC	Waterworks	SERVICE	\$ 2,658.46
TOTAL:			\$ 81,789.45

City of Newton Council Report

**Item:**

Resolution awarding contract for the Sunset Dog Park Project
- Phase 1.

Report Number: 22-339

Date:

December 5, 2022

Summary:

This resolution awards a contract for constructing the fences
for the new dog park areas at Sunset Park.

Lead Department:

Community Services

Recommendation:

Approve

Financial Impact:

\$55,755.00 to be paid from bond funds to be secured
following the recent passage of the park bond referendum,
along with a \$20,000 grant from Prairie Meadows Racetrack
and Casino.

Background:

On September 13, 2022 Newton residents approved a park bond referendum, which included a dog park in Sunset Park. Using the recommendations of the Newton Park Board, along with the most-recent concept plan for Sunset Park, Community Services staff prepared plans for the separate dog park areas so as to avoid all future or proposed upgrades and amenities shown on said concept plan. Included in the plans was a base bid with standard fencing, plus an add-alternate to upgrade all fencing to black, PVC-coated materials.

The Community Services Department sought bids, and the following bids were received on November 22, 2022:

<u>Bidder</u>	<u>Base Bid</u>	<u>Add-Alt. 1</u>	<u>Total w/Add-Alt.</u>
Des Moines Steel Fence – Des Moines, IA	\$43,810.00	\$11,945.00	\$55,755.00
Gullett Fence – Ottumwa, IA	\$47,098.00	\$10,882.00	\$57,980.00
Huber Fencing – Cedar Rapids, IA	\$55,272.00	\$6,678.00	\$61,950.00
Thrive Fencing – Ames, IA	\$60,146.88	\$8,178.41	\$68,325.29
Midwest Fence & Gate – Fort Dodge, IA	\$58,120.00	\$12,299.38	\$70,419.38

The cost estimate prepared by staff was \$53,300; which included the add-alternate for the PVC-coated upgrade.

The apparent low bidder is Des Moines Steel Fence of Des Moines, Iowa. The project completion date is May 12, 2023. Project costs are to be paid from bond funds to be secured

following the recent passage of the park bond referendum, along with a \$20,000 grant from Prairie Meadows Racetrack and Casino.

Recommendation:

City Staff recommends that Council award a contract to Des Moines Steel Fence of Des Moines, Iowa in the amount of \$55,755.00. This includes the base bid plus the add-alternate for the PVC-coated upgrade.

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 2022- _____

**RESOLUTION AWARDING CONTRACT FOR THE
SUNSET DOG PARK PROJECT - PHASE 1**

WHEREAS, on September 13, 2022 Newton residents approved a park bond referendum, which included a dog park in Sunset Park; and

WHEREAS, using the recommendations of the Newton Park Board, along with the most-recent concept plan for Sunset Park, Community Services staff prepared plans for the separate dog park areas so as to avoid all future or proposed upgrades and amenities shown on said concept plan; and

WHEREAS, included in the plans was a base bid with standard fencing, plus an add-alternate to upgrade all fencing to black, PVC-coated materials; and

WHEREAS, the Community Services Department sought bids, and the following bids were received on November 22, 2022:

<u>Bidder</u>	<u>Base Bid</u>	<u>Add-Alt. 1</u>	<u>Total w/Add-Alt.</u>
Des Moines Steel Fence – Des Moines	\$43,810.00	\$11,945.00	\$55,755.00
Gullett Fence – Ottumwa, IA	\$47,098.00	\$10,882.00	\$57,980.00
Huber Fencing – Cedar Rapids, IA	\$55,272.00	\$6,678.00	\$61,950.00
Thrive Fencing – Ames, IA	\$60,146.88	\$8,178.41	\$68,325.29
Midwest Fence & Gate – Fort Dodge, IA	\$58,120.00	\$12,299.38	\$70,419.38

; and

WHEREAS, the cost estimate prepared by staff was \$53,300; which included the add-alternate for the PVC-coated upgrade; and

WHEREAS, City Staff recommends that Council award a contract to Des Moines Steel Fence of Des Moines, Iowa in the amount of \$55,755.00; which includes the base bid plus add-alternate no.1.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of Newton, Iowa, that the base bid plus add-alternate no. 1 from Des Moines Steel Fence of Des Moines, Iowa in the amount of fifty-five thousand, seven hundred fifty-five dollars and zero cents (\$55,755.00) for the Sunset Dog Park Project - Phase 1, all as described in the plans and specifications, is hereby accepted, the same being the lowest, responsive bid received for said project; and that the project will be paid from bond funds to be secured following the recent passage of the park bond referendum, along with a \$20,000 grant from Prairie Meadows Racetrack and Casino.

BE IT FURTHER RESOLVED, by the City Council of the City of Newton, Iowa, that the Contract executed by Des Moines Steel Fence of Des Moines, Iowa for the Sunset Dog Park Project - Phase 1 as described by the plans and specifications filed in the office of the City Clerk, said contract to be signed by the Mayor and City Clerk on behalf of the City, be and the same are hereby approved.

PASSED this _____ day of December, 2022.

APPROVED this _____ day of December, 2022.

Michael L. Hansen, Mayor

ATTEST:

Katrina Davis, City Clerk

City of Newton Council Report

Item: Resolution adopting the “Envision Newton 2042” Comprehensive Plan.

Summary: *Envision Newton 2042* has been prepared over the past 12-months following an intensive, multi-pronged community input process. *Envision Newton 2042* provides new guidance for future planning as it relates to land use, economic development, infrastructure, community marketing, and much more.

Financial Impact: No Cost.



Report Number: 22-340

Date: December 5, 2022

Lead Department:
Community Development
Department

Recommendation:
Approve

Summary: A comprehensive planning process, which engaged Newton citizens in a number of ways over the past 12-months has produced a “living” document that is designed to provide guidance for the community for the next 20 years. *Envision Newton 2042* is a comprehensive plan that was prepared through a joint effort of the Newton Community Development Department staff and MSA Professional services, the contracted project consultant.

What began as a simple question, “What do you love about Newton?” at a late-September 2021 Farmer’s Market, eventually evolved into an all-encompassing plan that will help shape the future of the Newton community. While the *Envision Newton 2042* plan introduces new and innovative ideas, objectives, and goals, it still manages to build upon all the key focus areas that were included in the 2012 *Newton’s Future: A Comprehensive Plan*. By doing so, the new plan will continue to continue forward all that the previous plan established and achieved.

The approach to the 2021-2022 planning process divided the project into three steps:

1. Community Engagement
2. Community Profile, Vision, and Framework
3. Creation of the Plan

The appointed Comprehensive Plan Steering Committee, consisting of Newton residents and stakeholders from a variety of backgrounds, helped guide city staff and MSA staff throughout the entire planning process. MSA and city staff began the project by soliciting input via both virtual and traditional engagement activities. Such activities/efforts included a dedicated website for project updates, an online crowdsource map, online and physical surveys, community input meetings/forums, focus groups (economic development, parks, Chamber of Commerce, etc.), several interactive youth engagement opportunities, interviews, etc.

After community engagement wrapped up, the project team began creating the framework of the plan. This included a review of public input and existing conditions to establish an overarching vision and four strategic objectives to guide future decision making. The plan summarizes this by stating, “Building and articulating a strong vision and objective statements was a priority of this planning process. Newton’s vision was designed to be aspirational, compelling, and descriptive of the desires of the community.”

During the latter half of 2022, MSA and City Staff worked together to develop the draft. This included several cycles of revisions and suggestions to improve the documents, and the final plan would not have been achievable without assistance from multiple individuals and entities. While the plan is inherently *comprehensive* in nature, it will not become a “living” document without a specific action plan for its implementation. Objectives listed within each chapter are designed to be broad in scope, but the goals and the action plan will serve as a tool to measure the plan’s success and in guiding future development and growth in Newton.

One of the most fundamental pieces of the entire document is the future land use plan and map (chapter 12). It is the critical foundation for land-use decision like zoning and rezoning.

Finally, as an additional part of the project, MSA also provided a complete housing assessment which shall serve as a complement to the Rural Housing Readiness Assessment completed in 2021. That document is to be attached to the comprehensive plan as an appendix. This portion of the project was funded by a grant that the City received.

The plan and rural housing readiness appendix can be accessed at the following links:

Comp Plan:

https://www.newtongov.org/DocumentCenter/View/9145/Newton-Comp-Plan_Final-11-28-smallest

Housing Assessment Appendix:

https://www.newtongov.org/DocumentCenter/View/9144/Appendix---Newton-Housing-Assessment_Final-11-14

Recommendation: Staff recommends approval of the resolution.

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

Matt Muckler
City Administrator

RESOLUTION NO. 2022 – _____

**RESOLUTION ADOPTING THE “ENVISION NEWTON 2042”
COMPREHENSIVE PLAN**

WHEREAS, Chapter 414.3 of the Code of the State of Iowa states that land use regulations shall be made in accordance with a comprehensive plan; and

WHEREAS, the City of Newton last adopted a comprehensive plan in 2012, and that document does not reflect the current and planned land uses in Newton; and

WHEREAS, beginning in 2021, under the direction of Newton City Council and guidance of the appointed Steering Committee and the Planning and Zoning Commission, intensive public input processes and community visioning has resulted in the preparation of a new comprehensive plan by City staff and consultants from MSA Professional Services; and

WHEREAS, the Newton Planning and Zoning Commission has recommended approval of “Envision Newton 2042” as the community’s comprehensive plan to address land use and other community issues in a broad, strategic fashion;

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Newton, Iowa, that “Envision Newton 2042” be adopted as the official comprehensive plan for the community, replacing the 2012 comprehensive plan, *Newton’s Future*.

PASSED this _____ day of December, 2022.

APPROVED this _____ day of December, 2022.

Michael L. Hansen, Mayor

ATTEST:

Katrina Davis, City Clerk

Vision & Strategic Objectives

VISION:

NEWTON, A GROWING CENTRAL-IOWA COMMUNITY, INVITES VISITORS, BUSINESSES, AND RESIDENTS TO EXPERIENCE OUR AUTHENTIC, SMALL-TOWN CHARM AND BIG CITY AMENITIES.

2022 STRATEGIC OBJECTIVES:



Establish Newton as a compelling destination by integrating attractions, business types, and services that provide engaging experiences for both residents and visitors.



Focus economic development efforts on population and business growth by simultaneously supporting existing employers while attracting new employers and supporting citizens working remotely.



Elevate Newton's curb appeal, with a focus on primary corridors, through improvements to both public and private spaces.



Maintain Newton's existing infrastructure system while also enhancing or expanding the system to support a high quality of life and community growth.

City of Newton Council Report



Item: Resolution approving the Skiff's Subdivision Plat Two minor subdivision, City of Newton, Jasper County, Iowa

Report Number: 22-341

Summary: The Skiff's Subdivision Plat Two minor subdivision is a 3-lot subdivision of 900 West 3rd Street South. The primary purpose of the minor subdivision is to split the property into three lots to be eventually developed as residential property.

Date: December 5, 2022

Lead Department: Community Development Department

Financial Impact: None.

Recommendation:
Approve

Background: The Skiff's Subdivision Plat Two minor subdivision is a minor plat that aims to divide the former Hendrickson Greenhouse property located at 900 West 3rd Street South (parcel # 0834352005) into three new lots. This minor plat would establish clear legal descriptions and lot lines for the subject property and would subsequently allow the three lots to be developed as residential property and separately salable.

"Lot 1" will be 0.28 acres, "Lot 2" will be 0.28 acres, and "Lot 3" will be 0.38 acres. The subdivision is located within an R-2: One- and Two-Family Residential zoning district. Minimum lot size within the R-2 zone is 8,000 square feet for single-family dwellings and 8,400 sq. ft. for two-family dwellings. All three of the lots exceed that minimum requirement and also exceed all other size and density requirements (lot frontage, width, and depth).

A minor plat review process is required because the proposed action is not eligible for a plat of survey (administrative review), as this requirement was triggered due to the number of lots. However, only a minor plat review process is required rather than a preliminary and final plat review process based on the proposal involving no more than three total lots, no new streets are to be constructed, and all lots abut an existing right-of-way for access and utility connections. Access to each lot will remain unchanged from the existing frontages.

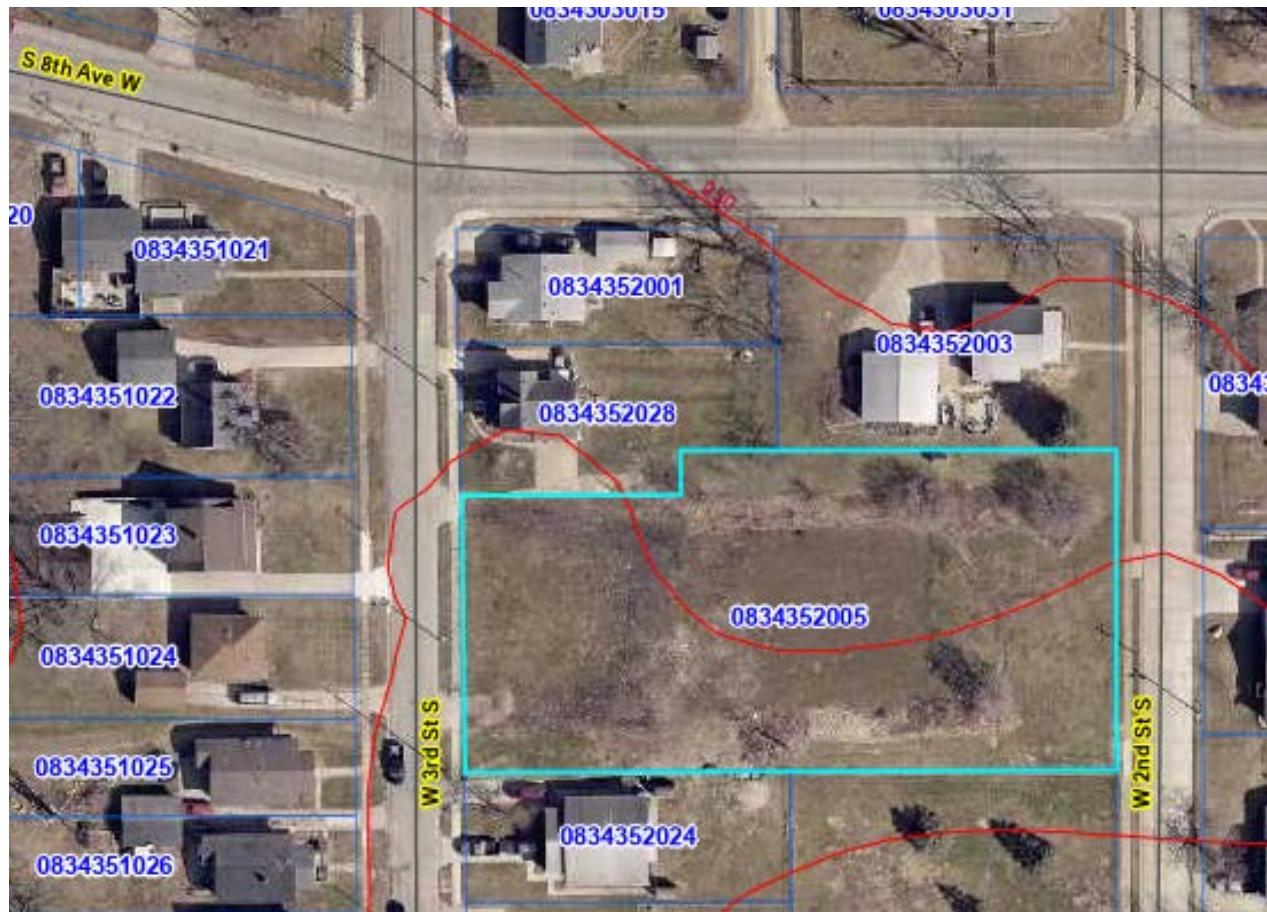
Planning and Zoning Review & Recommendation: The Planning and Zoning Commission reviewed the proposed minor subdivision at their regular meeting held on November 22, 2022. The commission voted unanimously to recommend approval.

Recommendation: City Staff recommends approval of the resolution.

A handwritten signature in black ink, appearing to read "Matt Muckler", is written over a light blue horizontal line.

Matt Muckler
City Administrator

Aerial Photograph of Land Included within the Minor Plat



RESOLUTION NO. 2022 – _____

**RESOLUTION APPROVING THE SKIFF'S SUBDIVISION PLAT TWO
MINOR SUBDIVISION**

WHEREAS, a minor subdivision (final plat), Skiff's Subdivision Plat Two, has been presented and said plat is certified by licensed professional land surveyor Stephen L. Zimmerman II of Bishop Engineering of Des Moines, Iowa, and the description of the land included in said plat being as follows:

A PORTION OF LOT B IN SKIFF'S SUBDIVISION IN THE CITY OF NEWTON, JASPER COUNTY, IOWA, AS APPEARS IN PLAT BOOK B, AT PAGE 295 IN THE OFFICE OF THE RECORDER OF SAID COUNTY, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF SAID LOT B, THENCE N00°28'37"W ALONG THE WEST LINE OF SAID LOT B, A DISTANCE OF 124.94 FEET; THENCE S89°29'43"E, A DISTANCE OF 99.87 FEET; THENCE N00°15'36"W, A DISTANCE OF 19.83 FEET TO THE NORTH LINE OF SAID LOT B; THENCE S89°14'41"E ALONG THE NORTH LINE OF SAID LOT B, A DISTANCE OF 200.18 FEET TO THE NORTHEAST CORNER OF SAID LOT B; THENCE S00°51'01"W ALONG THE EAST LINE OF SAID LOT B, A DISTANCE OF 144.23 FEET TO THE SOUTHEAST CORNER OF SAID LOT B; THENCE N89°25'34"W ALONG THE SOUTH LINE OF SAID LOT B, A DISTANCE OF 296.77 FEET TO THE POINT OF BEGINNING.

WHEREAS, said plat has heretofore been reviewed and unanimously recommended for approval by the Planning and Zoning Commission at their meeting on November 22, 2022, and said plat in all respects conforms to the laws, ordinances, and regulations covering the same;

NOW THEREFORE, BE IT RESOLVED by the City Council of Newton, Iowa, that the Skiff's Subdivision Plat Two minor subdivision is hereby approved and confirmed. The Mayor and City Clerk are hereby directed to certify the resolution herein made and affix the same to the plat for filing.

PASSED this _____ day of December, 2022.

APPROVED this _____ day of December, 2022.

Michael L. Hansen, Mayor

ATTEST:

Katrina Davis, City Clerk

FINAL PLAT

A portion of Lot B in Skiff's Subdivision in the City of Newton, Jasper County Iowa, as appears in Plat Book B, at Page 295 in the Office of the Recorder of said County, more particularly described as follows: Beginning at the southwest corner of said Lot B, thence N00°28'37"W along the west line of said Lot B, a distance of 124.94 feet; thence S89°29'43"E, a distance of 99.87 feet; thence N00°15'36"W, a distance of 19.83 feet to the north line of said Lot B; thence S89°14'41"E along the north line of said Lot B, a distance of 200.18 feet to the northeast corner of said Lot B; thence S00°51'01"W along the east line of said Lot B, a distance of 144.23 feet to the southeast corner of said Lot B; thence N89°25'34"W along the south line of said Lot B, a distance of 296.77 feet to the point of beginning.

Said tract contains 0.94 acres (41,185 square feet)

A portion of Lot 1 in Skiff's Subdivision Plat Two, now included in and forming a part of the City of Newton, Jasper County, Iowa, more particularly described as follows:
Commencing at the northeast corner of said Lot 1; thence N89°14'41"E along the north line of said Lot 1, a distance of 69.49 feet to the point of beginning; thence S00°45'19"W, a distance of 5.00 feet; thence N89°14'41"W, a distance of 15.83 feet; thence N00°45'19"E, a distance of 5.00 feet to the north line of said Lot 1; thence S89°14'41"E along the north line of said Lot 1, a distance of 15.83 feet to the point of beginning.

INDEX LEGEND

This final plat of Skiff's Subdivision Plat Two was recommended for acceptance and approval by the Planning and Zoning Commission this day of , 20 .

Certificate of City Council

This final plat of _____ was accepted and approved by the city of Newton City Council in resolution form, said resolution being _____. The city clerk further certifies that the same final plat hereto attached has been accepted, approved and filed in accordance with the city ordinance of Newton, Iowa and the code of Iowa.

Passed: _____
Date Name, Mayor

Attest: _____

Name, City Clerk

(Ord. 2217, passed 11-4-2013)

1. THE UNADJUSTED ERROR OF CLOSURE IS LESS THAN ONE IN TEN THOUSAND FOR THE SUBDIVISION BOUNDARY, AND LESS THAN ONE IN FIVE THOUSAND FOR INDIVIDUAL LOTS.
2. BASIS OF BEARING OBTAINED FROM GPS OBSERVATIONS, DATUM = IARCS ZONE 9.
3. THE PURPOSE OF THIS SURVEY IS TO CREATE THREE BUILDABLE LOTS.
4. REFERENCE DOCUMENTS:

BULK ZONING:

PLAT - SKIFF'S SUBDIVISION IN NEWTON - PLAT BOOK B PAGE 295

PLAT - SUBDIVISION OF LOT A OF SKIFF'S SUBDIVISION IN NEWTON - PLAT BOOK D PAGE 33

PLAT - GRANDIA PLACE - FILE NUMBER 199200007289

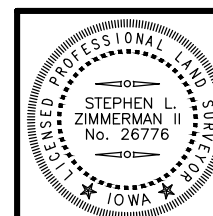
RETRACEMENT PLAT OF SURVEY - FILE NUMBER 2019-00005279

WARRANTY DEED - FILE NUMBER 2020-00001190

5. SIDEWALKS ARE REQUIRED FOR ALL LOTS AND MUST BE INSTALLED AT THE TIME THE LOTS ARE DEVELOPED OR AS OTHERWISE DIRECTED BY CITY COUNCIL.

BUILDING SETBACKS:

25' FRONT AND REAR
8' SIDE



I HEREBY CERTIFY THAT THIS LAND SURVEYING DOCUMENT WAS PREPARED AND THE RELATED SURVEY WORK WAS PERFORMED BY ME OR UNDER MY DIRECT PERSONAL SUPERVISION AND THAT I AM A DULY LICENSED PROFESSIONAL LAND SURVEYOR UNDER THE LAWS OF THE STATE OF IOWA.

SIGNED: Stephen L Zimmerman DATE: 11-17-2022
STEPHEN L. ZIMMERMAN II, P.L.S. 26776

LICENSE RENEWAL DATE: DEC. 31, 2022
PAGES OR SHEETS COVERED BY THIS SEAL: 1 & 2 OF 2

FIELD WORK COMPLETED ON: 10-27-2022

REFERENCE NUMBER:

DRAWN BY:
SLZ

PROJECT NUMBER:

220492

SHEET NUMBER:

1 OF 2

Bishop Engineering

3501 104th Street

Des Moines, Iowa 50322-3825

DES MONIES, IOWA 50522-5023
Phone: (515)276-0467 Fax: (515)276-0217

Civil Engineering & Land Surveying	Established 1959
------------------------------------	------------------

SKIFF'S SUBDIVISION PLAT TWO
NEWTON, IOWA

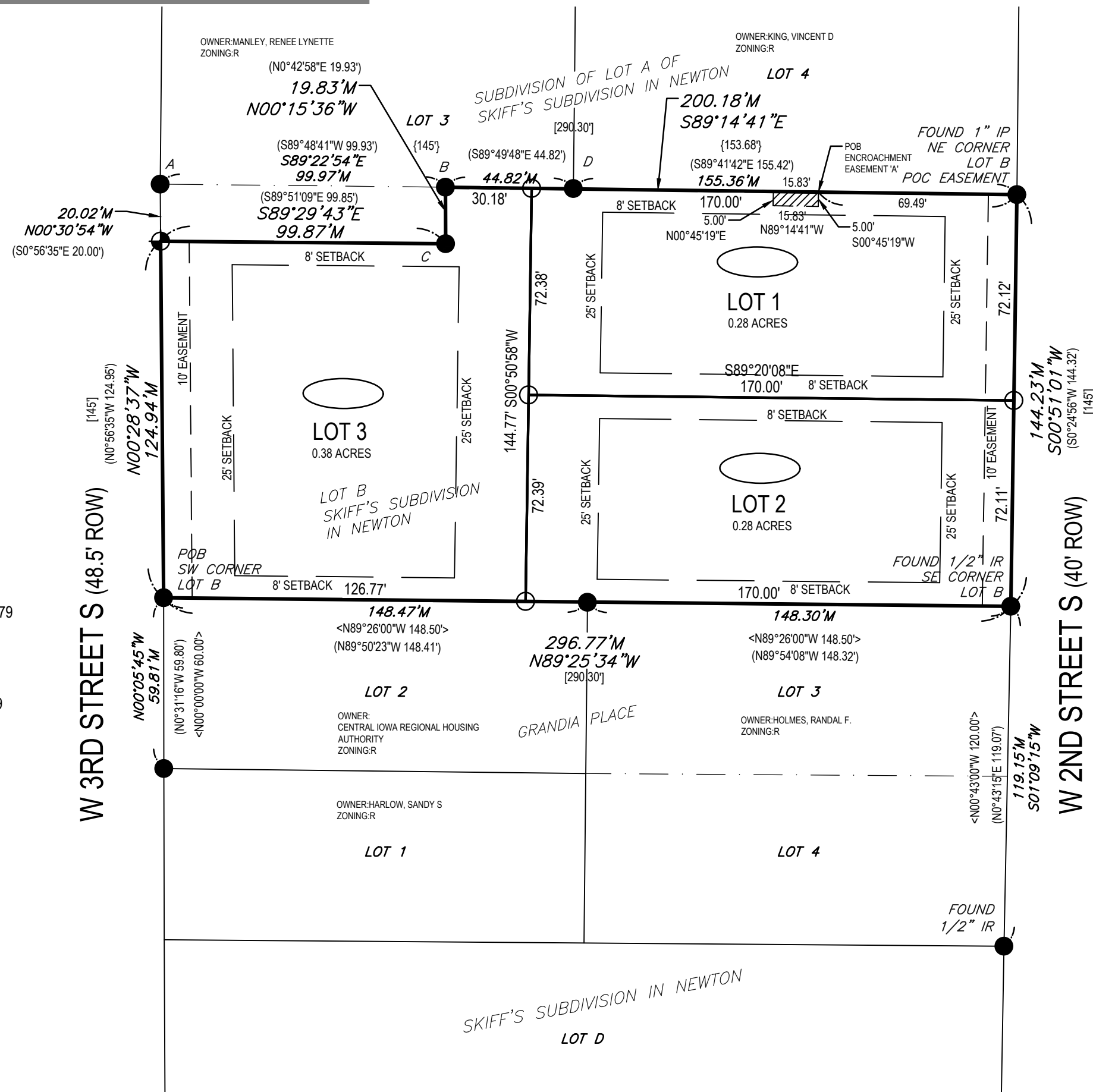
FINAL PLAT

FINAL PLAT

CORNER	DESCRIPTION
A	FOUND 3/4" IP
B	FOUND 1/2" IR YPC # 5146
C	FOUND 1/2" IR
D	FOUND 1" IP PINCH-TOP

	PROPERTY CORNER - FOUND 1/2" IRON ROD WITH YELLOW PLASTIC CAP ID # 3321 OR AS NOTED
	PROPERTY CORNER- PLACED 5/8" IRON ROD WITH PINK PLASTIC CAP ID # 26776 OR AS NOTED
	PROPERTY CORNER - FOUND MAG NAIL
M	MEASURED DISTANCE
()	AS RECORDED IN RETRACEMENT SURVEY FILE 2019-00005279
[]	AS RECORDED IN PLAT BOOK B PAGE 295
{ }	AS RECORDED IN PLAT BOOK D PAGE 33
< >	AS RECORDED IN PLAT INSTRUMENT NUMBER 199200007289
ROW	RIGHT OF WAY
POC	POINT OF COMMENCEMENT
POB	POINT OF BEGINNING
YPC	YELLOW PLASTIC CAP
IR	IRON ROD
IP	IRON PIPE
	ADDRESS

SCALE:1"= 40'



Bishop Engineering

"Planning Your Successful Development"

3501 104th Street
Des Moines, Iowa 50322-3825
Phone: (515)276-0467 Fax: (515)276-0217
Civil Engineering & Land Surveying Established 1959

SKIFF'S SUBDIVISION PLAT TWO
NEWTON, IOWA

FINAL PLAT

REFERENCE NUMBER:

DRAWN BY:
SLZ

PROJECT NUMBER:
220492

SHEET NUMBER:
2 OF 2

City of Newton Council Report



Item: Resolution approving a training and purchase agreement for the Police K9 unit.

Summary: Approve purchase and training agreement with Tree Town Consultants LLC. to purchase and train a dog and handler to continue the K9 program within the Police Department

Financial Impact: \$13,500 from forfeiture funds.

Report Number: 22-342

Date: December 5, 2022

Lead Department:
Police Department

Recommendation: Approval

Background: The Police Department has had an active K9 program since the early 1990s. The Police Department's last K9 retired in June of 2022 and a replacement is desired. Police K9s are used for narcotics detection, building searches and for tracking missing persons or fugitives.

The Police Department researched K9 training facilities throughout the Midwest and based on several factors chose Tree Town Consultants LLC (aka: Tree Town Kennels LLC) of Forest City, IA as the trainer and vendor of the dog and handler. Tree Town Consultants LLC has provided police dogs and training for several Iowa communities with positive results.

The attached agreement with Tree Town Consultants LLC outlines the down payment and purchase price of the dog, training for the handler and guarantees for health and performance. Tree Town Consultants LLC requests a \$6,750 down payment in January of 2023 with \$6,750 being due upon full training and delivery of the dog. If approved, the selection and training of the dog and handler will occur in March of 2023 with the team being street ready prior to May 1st. The basic handler training course is 4 weeks in length.

Additional training or equipment costs, beyond the initial purchase and training of the dog, will be funded by private donations and/or already budgeted funds in the Police Department training and equipment budget.

Recommendation: City Staff recommends approval of this resolution.

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

Matt Muckler
City Administrator

RESOLUTION NO. 2022-_____

**RESOLUTION APPROVING A TRAINING AND PURCHASE
AGREEMENT FOR THE POLICE K9 UNIT**

WHEREAS, The Police Department has had an active K9 unit since the early 1990s and a replacement K9 is needed to keep the program going to assist with narcotics investigations, building searches and finding missing persons; and

WHEREAS, the Police Department has assessed several police K9 training facilities and has initiated a partnership with Tree Town Consultants LLC (aka: Tree Town Kennels LLC) for the purchase and training of a police dog; and

WHEREAS, the purchase and training agreement outlines payment terms, warranty, and other conditions relating to the purchase and training of the dog and handler;

WHEREAS, Tree Town Consultants LLC seeks a \$6750 down payment payable in January of 2023 to secure the selected dog with \$6750 being due at time of delivery; and

WHEREAS, the \$13,500 cost for the purchase and training of the dog will be funded with drug forfeiture funds; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of Newton, Iowa agrees to approve the police K9 purchase and training agreement with Tree Town Consultants LLC.

PASSED This _____ Day of December, 2022

APPROVED This _____ Day of December, 2022

Michael L. Hansen, Mayor

(SEAL)
ATTEST:

Katrina Davis, City Clerk

GENERAL CONTRACT FOR SERVICES

This Contract for Services is made effective as of November 1st, 2022 by and between the Newton Police Department, 101 W. 4th St. S., Newton, IA 50208 and Tree Town Consultants LLC (AKA Tree Town Kennels LLC) of 3140 Reed Ave, Forest City, IA 50436.

- 1. DESCRIPTION OF SERVICES.** Beginning on November 1st, 2022 Tree Town Kennels LLC will provide the Newton Police Department the following services (collectively, the "Services"):

1. Sale of a dual-purpose police dog and training by Tree Town Kennels LLC. This dual-purpose police dog will be a mutually agreed upon dog and will be trained in narcotic detection (cocaine, heroin, methamphetamine, ecstasy, and marijuana (if chosen)), building search, tracking, handler protection, and article location. The handler of this dual purpose canine will be offered a 200 hour basic, dual-purpose canine handler's course in narcotic detection (cocaine, heroin, methamphetamine, ecstasy and marijuana (if chosen)), building search, tracking, handler protection, and article location.

- 2. PAYMENT.** Payment shall be made in full to Tree Town Kennels LLC, Forest City, IA 50436 in the amount of \$13,500.00 due prior to this dual-purpose dog being released to the Newton Police Department. However half payment will secure K9 of choice until the date the dual-purpose dog is released to the Newton Police Department.

Newton Police Department shall pay all costs of collection, including without limitation, reasonable attorney fees. In addition to any other right or remedy provided by law, if the Newton Police Department fails to pay for the Services when due, Tree Town Kennels LLC has the option to treat such failure to pay as a material breach of this contract and may cancel this contract and/or seek legal remedies.

- 3. TERM.** This contract will terminate automatically on November 1st, 2023.

- 4. CONFIDENTIALITY.** Tree Town Kennels LLC, and its employees, agents, or representatives will not at any time or in any manner, either directly or indirectly, use for the personal benefit of Tree Town Kennels LLC, or divulge, disclose, or communicate in any manner, any information that is proprietary to the Newton Police Department. Tree Town Kennels LLC and its employees, agents, and representatives will protect such information and treat it as strictly confidential. This provision will continue to be effective after the termination of this contract. Any oral or written waiver by the Newton Police Department of these confidentiality obligations which allows Tree Town Kennels LLC to disclose Newton Police Department confidential information to a third party will be limited to a single occurrence tied to the specific information disclosed to the specific third party, and the confidentiality clause will continue to be in effect for all other occurrences.

Upon termination of this Contract, Tree Town Kennels LLC will return to the Newton Police Department all records, notes, documentation and other items that were used, created, or controlled by Tree Town Kennels LLC during the term of this Contract.

5. INDEMNIFICATION. Tree Town Kennels LLC agrees to indemnify and hold the Newton Police Department harmless from all claims, losses, expenses, fees including attorney fees, costs, and judgments that may be asserted against the Newton Police Department that result from the acts or omissions of Tree Town Kennels LLC and/or Tree Town Kennels LLC's employees, agents, or representatives.

6. WARRANTY. Tree Town Kennels LLC shall provide its services and meet its obligations under this contract in a timely and workmanlike manner, using knowledge and recommendations for performing the services which meet generally acceptable standards in Tree Town Kennels LLC's community and region, and will provide a standard of care equal to, or superior to, care used by service providers similar to Tree Town Kennels LLC on similar projects.

Tree Town Kennels will provide a 1-year workability warranty starting from date of the 200hr course completion. This warranty is dependent upon handler maintenance of the national standard of 16 training hours a month. Training logs will be required for full warranty. Failure to complete this minimum standard will void the warranty of workability.

Tree Town Kennels LLC will provide a three-year Health Guarantee for hips and elbows, as well as documented genetic defects within one year of completion of the above mentioned canine handler's course. In the event of a canine replacement for these aforementioned reasons, the Newton Police Department will be required to provide documentation and verification of the defect by a licensed Veterinarian to Tree Town Kennels LLC within 90 days of the diagnosis. Tree Town Kennels LLC reserves the right to obtaining a second opinion at no cost to the Newton Police Department. Warranty conditions become null and void for the following conditions:

1. Altering of purchased canine by spaying or neutering.
2. Failure to provide heartworm testing at 6 months from the date the department takes possession of the canine as well as routine preventative testing and treatment as directed by a licensed veterinarian. Heartworm testing must be performed at 6 months to guarantee the conditions of this warranty.

7. DEFAULT. The occurrence of any of the following shall constitute a material default under this Contract:

- a. The failure to make a required payment when due.
- b. The insolvency or bankruptcy of either party.
- c. The subjection of any of either party's property to any levy, seizure, general assignment for the benefit of creditors, application or sale for or by any creditor or government agency.
- d. The failure to make available or deliver the Services in the time and manner provided for in this Contract.

8. REMEDIES. In addition to any and all other rights a party may have available according to law, if a party defaults by failing to substantially perform any provision, term or condition of this Contract (including without limitation the failure to make a monetary payment when due), the other party may terminate the Contract by providing written notice to the defaulting party. This notice shall describe with sufficient detail the nature of the default. The party receiving such notice shall have 90 days from the effective date of such notice to cure the default(s). Unless waived in writing by a party providing notice, the failure to cure the default(s) within such time period shall result in the automatic termination of this Contract.

9. FORCE MAJEURE. If performance of this Contract or any obligation under this Contract is prevented, restricted, or interfered with by causes beyond either party's reasonable control ("Force Majeure"), and if the party unable to carry out its obligations gives the other party prompt written notice of such event, then the obligations of the party invoking this provision shall be suspended to the extent necessary by such event. The term Force Majeure shall include, without limitation, acts of God, fire, explosion, vandalism, storm or other similar occurrence, orders or acts of military or civil authority, or by national emergencies, insurrections, riots, or wars, or strikes, lock-outs, work stoppages. The excused party shall use reasonable efforts under the circumstances to avoid or remove such causes of non-performance and shall proceed to perform with reasonable dispatch whenever such causes are removed or ceased. An act or omission shall be deemed within the reasonable control of a party if committed, omitted, or caused by such party, or its employees, officers, agents, or affiliates.

10. DISPUTE RESOLUTION. The parties will attempt to resolve any dispute out of or relating to this Agreement through friendly negotiations amongst the parties. If the matter is not resolved by negotiation, the parties will resolve the dispute using the below Alternative Dispute Resolution (ADR) procedure.

Any controversies or disputes arising out of or relating to this Agreement will be submitted to mediation in accordance with any statutory rules of mediation. If mediation does not successfully resolve the dispute, the parties may proceed to seek an alternative form of resolution in accordance with any other rights and remedies afforded to them by law.

11. ENTIRE AGREEMENT. This Contract contains the entire agreement of the parties, and there are no other promises or conditions in any other agreement whether oral or written concerning the subject matter of this Contract. This Contract supersedes any prior written or oral agreements between the parties.

12. SEVERABILITY. If any provision of this Contract will be held to be invalid or unenforceable for any reason, the remaining provisions will continue to be valid and enforceable. If a court finds that any provision of this Contract is invalid or unenforceable, but that by limiting such provision it would become valid and enforceable, then such provision will be deemed to be written, construed, and enforced as so limited.

13. AMENDMENT. This Contract may be modified or amended in writing by mutual agreement between the parties, if the writing is signed by the party obligated under the amendment.

14. GOVERNING LAW. This Contract shall be construed in accordance with the laws of the State of Iowa.

15. NOTICE. Any notice or communication required or permitted under this Contract shall be sufficiently given if delivered in person or by certified mail, return receipt requested, to the address set forth in the opening paragraph or to such other address as one party may have furnished to the other in writing.

16. WAIVER OF CONTRACTUAL RIGHT. The failure of either party to enforce any provision of this Contract shall not be construed as a waiver or limitation of that party's right to subsequently enforce and compel strict compliance with every provision of this Contract.

17. ATTORNEY'S FEES TO PREVAILING PARTY. In any action arising hereunder or any separate action pertaining to the validity of this Agreement, the prevailing party shall be awarded reasonable attorney's fees and costs, both in the trial court and on appeal.

18. CONSTRUCTION AND INTERPRETATION. The rule requiring construction or interpretation against the drafter is waived. The document shall be deemed as if it were drafted by both parties in a mutual effort.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed by their duly authorized representatives as of the date first above written; Chief Rob Burdess, Newton Police Department, 101 W. 4th St. S., Newton, IA 50208, and Andrew Klein, Owner for Tree Town Kennels LLC, effective as of the date first above written.

Service Recipient:
Newton Police Department

By: _____

Chief Rob Burdess,
Newton Police Department
Service Provider:
Tree Town Kennels LLC

By:  _____ 11-2-22

Andrew Klein Co-owner/President Tree Town Kennels

City of Newton Council Report



Item:

Resolution for the City of Newton to take part in the Iowa Tourism Offices' Arrivalist Visitation Dashboard Co-op.

Report Number: 22-343

Date:

December 5, 2022

Summary:

Arrivalist's State Visitation Dashboard features data segmented by city and county for insights on monthly visitation, origin markets, length of stay and more. The co-op program includes exclusive access to the State Visitation Dashboard with data from January 2019 through December 2023.

Lead Department:

Community Development

Recommendation:

Approve

Financial Impact: \$2,500

Background:

The Iowa Arrivalist State Visitation Dashboard, provides total Iowa travelers, state of origin, day of travel, length of stay, seasonality, where they travel in Iowa and more. Arrivalist data set includes travelers that have traveled at least 50 miles from home, spent a minimum of two hours in Iowa, spent up to 14 days in Iowa to be counted as a completed round trip, includes Adults 18+, U.S. visitors only, excludes commuters, devices include regular GPS pings and smartphone users only.

The State Tourism Office and Iowa Economic Development Authority (IEDA) are offering a co-op program which includes exclusive access to the State Visitation Dashboard with data from January 2019 through December 2022. Participants will receive 24/7 access to the dashboard, as well as webinar training and a user guide. The data from Arrivalist will be valuable to the City of Newton with all of the events and activities happening in Newton this summer and allow for data to help with tourism planning and marketing. The City of Newton took part in the program during 2022 and was able to put together visitor profiles for Newton, as well as Jasper County. The co-op also provided data relating to the Iowa Speedway during the INDYCAR weekend and the PGI conference. It's also helped the Community Marketing Manager make some decisions to advertising shop local in the Cedar Rapids/Waterloo DMA.

Recommendation:

Staff recommends entering into this agreement with the State Tourism Office and Iowa Economic Development Authority.

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

Matt Muckler
City Administrator

RESOLUTION NO. 2022– _____

**RESOLUTION FOR THE CITY OF NEWTON TO TAKE PART IN THE
IOWA TOURISM OFFICES' ARRIVALIST VISITATION DASHBOARD
CO-OP.**

WHEREAS, the City's Comprehensive Plan calls for the City to create a unique identity and build a new community brand; and

WHEREAS, the City's Comprehensive Plan calls for the City to build the "Newton Brand" through coordinated public and private marketing efforts, and

WHEREAS, on February 17, 2014, Newton City Council adopted "Get to Know Newton" as the official City of Newton brand, and

WHEREAS, the Community Marketing Manager has been tasked with promoting the Newton brand, attractions, economic development, and community as a whole, and

WHEREAS, the State Tourism Office and Iowa Economic Development Authority are offering a co-op program which includes exclusive access to the State's Arrivalist Visitation Dashboard that provides traveler information that can be used for tourism planning and marketing in the area, and

WHEREAS, the City of Newton took part in the program in 2022 and used the data to make informed decisions about advertising and marketing campaigns,

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Newton, Iowa, that the City of Newton hereby authorizes the City to enter into an agreement to participate in the co-op program with a fee of \$2,500 for the one-year period of calendar year 2023, to be paid for with budgeted hotel-motel tax dollars in the Community Marketing budget.

PASSED this _____ day of December, 2022.

APPROVED this _____ day of December, 2022.

Michael L. Hansen, Mayor

ATTEST:

Katrina Davis, City Clerk



Newton, Iowa Visitation Profile

Day-Trip Visitors

2022 through October 2022	2021	2020	2019
Trips By Month 1. July 2. October 3. August 4. September 5. May	Trips By Month 1. April 2. May 3. Jun 4. July 5. March	Trips By Month 1. September 2. October 3. December 4. August 5. November	Trips By Month 1. July 2. June 3. August 4. April 5. March
Trips by Day of the Week 1. Saturday 2. Tuesday 3. Friday 4. Wednesday 5. Thursday	Trips by Day of the Week 1. Saturday 2. Thursday 3. Friday 4. Tuesday 5. Sunday	Trips by Day of the Week 1. Saturday 2. Friday 3. Sunday 4. Tuesday 5. Wednesday	Trips by Day of the Week 1. Saturday 2. Sunday 3. Friday 4. Tuesday 5. Thursday
Day-Trip Top Origin Markets 1. Chicago 2. Cedar Rapids/Waterloo/Dubuque 3. Davenport/Rock Island/Moline 4. Omaha 5. Des Moines/Ames 6. Kansas City 7. Ottumwa/Kirkville 8. New York 9. Sioux City 10. Los Angeles	Day-Trip Top Origin Markets 1. Cedar Rapids/Waterloo/Dubuque 2. Des Moines/Ames 3. Davenport/Rock Island/Moline 4. Omaha 5. Chicago 6. Ottumwa/Kirkville 7. Kansas City 8. Columbia/Jefferson City 9. Rochester/Mason City/Austin 10. Quincy/Hannibal/Keokuk	Day-Trip Top Origin Markets 1. Cedar Rapids/Waterloo/Dubuque 2. Des Moines/Ames 3. Davenport/Rock Island/Moline 4. Chicago 5. Omaha 6. Ottumwa/Kirkville 7. Kansas City 8. Rochester/Mason City/Austin 9. Lincoln/Hasting/Kearney 10. Minneapolis/St. Paul	Day-Trip Top Origin Markets 1. Cedar Rapids/Waterloo/Dubuque 2. Des Moines/Ames 3. Chicago 4. Davenport/Rock Island/Moline 5. Omaha 6. Ottumwa/Kirkville 7. Kansas City 8. Madison 9. Rockford 10. Lincoln/Hasting/Kearney
Average distance traveled: 476.8 mi	Average distance traveled: 132.5 mi	Average distance traveled: 133.4 mi	Average distance traveled: 169.4 mi

Data Source: Arrivalist Iowa Visitation Profile Dashboard through IEDA/Iowa Tourism Office. Accessed 7/2022, 11/2022.

Note: Arrivalist only counts visitors 18+ years of age, traveling at least 50 miles from home, spending at least two hours in Iowa; so this does leave out a large portion of population in Central Iowa (including Polk & Dallas County). Commuters are excluded. Data is tracked through devices regular GPS pings and smart phones.

Data parameters: Newton was filtered as the primary destination, Iowa was included as an origin state, and length of stay was filtered to day trip.



Newton, Iowa Visitation Profile

All Overnight Visitors

2022 through October 2022	2021	2020	2019
Trips By Month - August - July - October - September - May	Trips By Month - July - June - May - September - April	Trips By Month - July - December - September - June - August	Trips By Month - July - June - August - December - May
Top Origin Markets (Average Unique Nights) - Cedar Rapids/Waterloo/Dubuque (1.8) - Chicago (1.1) - Omaha (1.3) - Kansas City (1.4) - Des Moines/Ames (1.5) - Minneapolis/St. Paul (1.1) - Denver (1.8) - Davenport/Rock Island/Moline (1.1) - Sioux City (1.5) - Columbia/Jefferson City (1.3)	Top Origin Markets (Average Unique Nights) - Cedar Rapids/Waterloo/Dubuque (2) - Des Moines/Ames (2) - Davenport/Rock Island/Moline (2) - Chicago (1.7) - Minneapolis/St. Paul (2.2) - Kansas City (2.5) - Omaha (1.3) - Denver (5.3) - Sioux City (2.2) - Ottumwa/Kirkville (1.8)	Top Origin Markets (Average Unique Nights) - Cedar Rapids/Waterloo/Dubuque (1.9) - Chicago (1.6) - Des Moines/Ames (1.5) - Davenport/Rock Island/Moline (1.9) - Ottumwa/Kirkville (2.4) - Rochester/Mason City/Austin (2.1) - Omaha (1.5) - Sioux City (2.0) - Minneapolis/St. Paul (2.9) - Quincy/Hannibal/Keokuk (3.1)	Top Origin Markets (Average Unique Nights) - Cedar Rapids/Waterloo/Dubuque (1.4) - Chicago (1.7) - Des Moines/Ames (1.8) - Davenport/Rock Island/Moline (1.4) - Kansas City (2.0) - Denver (3.1) - Omaha (1.8) - Charlotte (2.1) - Minneapolis/St. Paul (1.5) - Quincy/Hannibal/Keokuk (1.0)
Average distance traveled: 557.2 mi Average nights: 1.4	Average distance traveled: 252.9 mi Average nights: 2.1	Average distance traveled: 269.7 mi Average nights: 2.2	Average distance traveled: 347.5 mi Average nights: 2.1

Data Source: Arrivalist Iowa Visitation Profile Dashboard through IEDA/Iowa Tourism Office. Accessed 7/2022, 11/2022.

Note: Arrivalist only counts visitors 18+ years of age, traveling at least 50 miles from home, spending at least two hours in Iowa; so this does leave out a large portion of population in Central Iowa (including Polk & Dallas County). Commuters are excluded. Data is tracked through devices regular GPS pings and smart phones.

Data parameters: Newton was filtered as the primary destination, Iowa was included as an origin state, and length of stay was filtered to include 1 – 4 + nights.



Newton, Iowa Visitation Profile

Out-of-State Overnight Visitors

2022 through October 2022	2021	2020	2019
Trips By Month - August - July - October - September - May	Trips By Month - July - June - September - May - April	Trips By Month - July - December - June - August - October	Trips By Month - July - August - June - May - December
Top Origin Markets (Average Unique Nights) - Chicago (1.1) - Kansas City (1.4) - Omaha (1.1) - Minneapolis/St. Paul (1.1) - Denver (1.8) - St. Louis (1.4) - Columbia/Jefferson City (1.3) - New York (1.7) - Lincoln/Hastings/Kearney (1.4) - Milwaukee (1.)	Top Origin Markets (Average Unique Nights) - Chicago (1.7) - Minneapolis/Saint Paul (2.2) - Kansas City (2.5) - Davenport/Rock Island/Moline (2.6) - Denver (5.3) - Omaha (1.2) - Madison (3.9) - St. Louis (2.2) - Rockford (1.4) - Lincoln/Hastings/Kearney (2)	Top Origin Markets (Average Unique Nights) - Chicago (1.6) - Rochester/Mason City/Austin (2.1) - Minneapolis/St. Paul (2.9) - Kansas City (1.7) - Rockford (1.1) - Davenport/Rock Island/Moline (2) - Omaha (1.6) - Quincy/Hannibal/Keokuk (3.1) - Denver (4.9) - St. Louis (3.1)	Top Origin Markets (Average Unique Nights) - Chicago (1.7) - Kansas City (2.0) - Denver (3.1) - Charlotte (2.1) - Minneapolis/St. Paul (1.5) - Mankato (4.7) - Omaha (2.3) - Champaign/Springfield/Decatur (2.9) - Quincy/Hannibal/Keokuk (1) - Indianapolis (2.1)
Average distance traveled: 669.2 mi Average nights: 1.3	Average distance traveled: 393.5 mi Average nights: 2.5	Average distance traveled: 383.1 mi Average nights: 2.5	Average distance traveled: 450.8 mi Average nights: 2.4

Data Source: Arrivalist Iowa Visitation Profile Dashboard through IEDA/Iowa Tourism Office. Accessed 7/2022, 11/2022.

Note: Arrivalist only counts visitors 18+ years of age, traveling at least 50 miles from home, spending at least two hours in Iowa; so this does leave out a large portion of population in Central Iowa (including Polk & Dallas County). Commuters are excluded. Data is tracked through devices regular GPS pings and smart phones.

Data parameters: Newton was filtered as the primary destination, Iowa was removed as an origin state, and length of stay was filtered to include 1 – 4 + nights.

Travel Iowa Data Co-op Agreement

This Data Co-op Agreement ("Agreement") is made as of the effective date in Article 2 between **City of Newton, Iowa** located at 403 W 4th St. N, Ste. 501, Newton, IA 50208 ("Partner") and the **Iowa Economic Development Authority** ("IEDA"), located at 1963 Bell Avenue, Suite 200, Des Moines, IA 50315 (collectively "Parties," individually "Party").

Whereas, IEDA has an agreement with Arrivalist Co. ("Arrivalist") data vendor to provide access to statewide and localized visitation data, and

Whereas, IEDA has agreed to allow Partner access to the data provided pursuant to the agreement with Arrivalist for tourism planning and marketing in the area served by Partner,

Therefore, the Parties agree as follows:

1. Obligations. Each party agrees to the following obligations:

a. IEDA Obligations

- i. Upon receipt of payment pursuant to Article 1(a)(iii), IEDA agrees to provide a unique login to Partner to access state dispersion data dashboards on the Tableau platform available to IEDA pursuant to its agreement with Arrivalist, subject to the terms and conditions of IEDA's agreement with Arrivalist.
- ii. IEDA agrees to coordinate with Arrivalist to provide online and recorded training and guides to Partner.
- iii. IEDA will invoice Partner the following amount: \$2,500.00.

b. Partner Obligations

- i. Partner agrees to only use Arrivalist data accessed pursuant to this agreement for tourism planning and marketing in the area served by Partner.
- ii. Partner agrees not to share the login provided by IEDA outside of their organization or to create reports for other organizations.
- iii. Partner agrees not to publicly share data accessed pursuant to this agreement without written permission from IEDA.
- iv. Partner agrees to pay the amount specified in Article 1(a)(iii) within 30 days of receipt of the invoice.

2. **Term and Termination.**

- a. The effective date of this agreement shall be **January 16, 2023**, and the Agreement shall automatically terminate on **January 15, 2024**.
- b. This Contract may be terminated under any of the following circumstances:
 - i. Upon written mutual agreement of Partner and IEDA.
 - ii. As a result of the Partner's breach of any provision of this Agreement.
 - iii. As a result of the termination or reduction of funding to the IEDA.

Partner's access to data will be revoked on termination. IEDA will not refund any payment provided pursuant to this agreement.

3. **No Implied Agency.** Nothing in this Agreement shall be deemed to create any partnership, joint venture, joint enterprise, or agency relationship between or among the Parties, and no Party shall have the right to enter into contracts on behalf of, to legally bind, to incur debt on behalf of, or to otherwise incur any liability or obligation on behalf of, any other Party hereto, in the absence of a separate writing, executed by an authorized representative of such other Party. Each Party shall be solely responsible for its employees and contractors used to perform under the Agreement.
4. **No promotional or political activity.** All Parties recognize the IEDA is an agency of the State of Iowa and agree that the sponsored project will not be used to support or oppose political candidates, political initiatives, or commercial products without the express written consent of all Parties in each instance.
5. **Indemnification.** Partner agrees to indemnify and hold harmless the State of Iowa and IEDA, its or their officers, employees and agents, appointed and elected, and volunteers, from any and all costs, expenses, losses, claims, damages, liabilities, settlements and judgments, including reasonable value of the time spent by the Attorney General's Office, and the costs and expenses and reasonable attorneys' fees of other counsel retained to represent the State of Iowa or IEDA, related to or arising from its acts. Contractor's obligation for indemnification shall survive termination of this Contract.
6. **Force Majeure.** No Party shall be liable for damages resulting from any delay or default in performance of any obligation herein if the delay or default is due to conditions beyond their control, including without limitation Acts of God, government restriction, or any other cause beyond the reasonable control of the obligated Party.
7. **No Publicity.** Notwithstanding any specific deliverable herein, no Party shall issue a press release, hold a press conference, or otherwise refer to any other Party's involvement in this Agreement without the prior written consent of all Parties.
8. **Warranties.** Each Party hereby represents and warrants that: (a) it has full power and authority to enter into this Agreement and perform its obligations hereunder; (b) it is duly organized, validly existing and in good standing under the laws of the jurisdiction of its origin; (c) it has not entered into, and during the Term will not enter into, any agreement that would prevent it from complying with this Agreement; and (d) it will comply with all applicable laws and regulations in its performance of this Agreement.
9. **Additional Terms.** This Agreement represents the entire agreement between the Parties and replaces any prior agreement or proposed variation. Should there be any conflict between any forms or documents exchanged by the Parties, the terms and conditions of this Agreement shall govern. This Agreement shall be amended only by mutual written agreement executed by all Parties or their respective designees. The Parties agree that this Agreement will be governed by the Laws of the state of Iowa without regard to Iowa conflict of laws statutes/rules. If any portion of this Agreement shall be declared illegal, void or otherwise unenforceable, the remaining provisions will not be affected, but will remain in full force and effect. The parties agree that electronic and/or digital signatures are valid and enforceable.

10. **Notice.** For purposes of this Agreement, the following individuals shall serve as points of contact for both Partner and IEDA:

PARTNER

Danielle Rogers
Community Marketing Manager
403 W 4th St. N, Ste. 501
Newton, IA 50208
641.792.6622
danieller@newtongov.org

IEDA

Amy Zeigler
State Tourism Manager
1963 Bell Avenue, Suite 200
Des Moines, IA 50315
515.348.6259
amy.zeigler@iowaeda.com

IN WITNESS WHEREOF, the Parties hereto have caused this Agreement to be executed as of the date specified in Article 2.

FOR THE IOWA ECONOMIC DEVELOPMENT AUTHORITY:

BY: _____
Deborah V. Durham, Director Date

FOR PARTNER:

BY: _____
Signature Date

Name and Title

City of Newton Council Report

Item: Resolution approving the granting of Downtown Micro Grant Funds in the Awning Removal Program Area for 118 North 2nd Avenue West to Arie Versendaal

Summary: The Downtown Micro-Grant Program provides assistance for small rehabilitation or renovation projects in the Downtown. Mr. Versendaal is the tenant at this location and proposes to remove the dilapidated awning

Financial Impact: \$737.50 for the awning removal grant



Report Number: 22-344

Date: December 5, 2022

Lead Department: Planning & Zoning Department

Recommendation:
Approve

Proposal: To remove the existing, dilapidated awning. No proposal to replace the awning.

Background:

Although it has historically functioned autonomously, the Griebeling Building is in the middle section of six visually connected units. Each of the six buildings features an identical upper story façade of yellow brick, installed in, or before, 1963 in an attempt to provide a progressive, unified appearance in the business district. A turned inset of red brick, rectangular in shape, enhances the upper story façade of each unit. The six units are differentiated from each other by their upper story window treatments, canopies, and ground floor cladding.



Historic Photo of the building c. 1940 (prior to the 1960's rehabilitation)

The Griebeling Building is a rectangular block that stretches 23 feet in width and 132 feet in depth from its frontage on Second Avenue West. Typical of late nineteenth century, commercial buildings, the roof is flat. On the second story, three centered, steel casement windows were retrofitted at the time of renovation in 1963. They are now fitted with black shutters of non-historic materials.

Beneath the installed black canvas awning of non-historic material, edged in silver and announcing the current renters' names, the Griebeling Building presents to the city a symmetrical façade of black glass. Large, vertical chamfered display windows dominate the recessed entrance that is comprised of a central glass door flanked by vertical display windows of equal size. The windows and door were reconfigured as part of a new, modernized facade sometime before 1937. A black steel door, adjacent to a display

window, marks the entrance to the second story. Banded silver steel surrounds the display windows and primary entrance. Black Carrara glass, often used as a building material in the 1940's, wraps the entryway beneath the display windows. A small quantity of black steel skin covers the brick structure where the block glass needed replacement.

Because the façade alteration dates to approximately 50 years ago for this building and its neighbors, and because it reflects a significant period in the transformation of the business district buildings, the present façade is considered historic and its level of integrity as it relates to design, workmanship, and materials is high. As it relates to integrity of location, setting, and association, the building also retains a high level of integrity and contributes significantly to the integrity of feeling created by the generally intact commercial corridor found in Newton. It is a contributing structure to the Newton Downtown Historic District.



The building and the adjacent buildings following the early 1960's renovation.

Analysis & Grant Board Recommendation:

Awning Removal. The project proposes removal of the existing awning. The applicant will not be replacing an awning onto the building, but will rather have a flat façade. This appears to be consistent with the appearance of the building in the 1960's when the awning is retracted.

The Downtown Grant Review Board unanimously recommended approval of providing a grant in an amount not to exceed \$737.50, provided a 1:1 match is met for the work.

Recommendation: City Staff recommends approval of the Resolution.

Matt Muckler
City Administrator

RESOLUTION NO. 2022 – _____

**RESOLUTION APPROVING THE GRANTING OF DOWNTOWN MICRO
GRANT FUNDS IN THE AWNING REMOVAL PROGRAM AREA FOR
118 NORTH 2ND AVENUE WEST TO ARIE VERSENDAAL**

WHEREAS, *Newton's Future* recognizes the role of the Downtown as the heart of the community and recommends a focus on curb appeal and community aesthetics; and

WHEREAS, Arie Versendaal is the tenant at 118 North 2nd Avenue West and submitted an application requesting funds for 118 North 2nd Avenue West, Newton, in the Awning Removal Program Area;

WHEREAS, The Downtown Grant Review Board reviewed the application on November 28, 2022 and unanimously approved a motion recommending funds be granted in an amount up \$737.50 for each area provided the 1:1 Match requirement is met by the applicant;

NOW THEREFORE, BE IT RESOLVED by the City Council of Newton, Iowa, that the Downtown Façade Grant Funds be provided to Arie Versendaal for the removal of the awning at 118 North 2nd Avenue West, Newton, in an amount not to exceed \$737.50, provided the applicant meets the 1:1 Match;

BE IT FURTHER RESOLVED by the City Council of Newton, Iowa:
That the City shall obtain the signatures on the Downtown Façade Program Agreement.

PASSED this _____ day of December, 2022.

APPROVED this _____ day of December, 2022.

Michael L. Hansen, Mayor

ATTEST:

Katrina Davis, City Clerk



**Downtown Façade Grant Program Agreement
Between City of Newton and Arie Versendaal**

This Agreement made and entered into this _____ day of _____ 2022 by and between the City of Newton, Iowa, hereinafter called "City" and Arie Versendaal, 504 West 13th Street North, Newton, Iowa hereinafter called "Applicant."

WHEREAS, the Applicant submitted an application to receive Downtown Façade Grant funds in the Awning Removal Program Area for property located at 118 N 2nd Avenue W, Newton; and

WHEREAS, the Applicant is the tenant of the property at 118 N 2nd Avenue W and obtained the signature of the property owner, Mary Jo Niskin, on the application requesting funds; and

WHEREAS, the Downtown Grant Review Board unanimously approved the application at their meeting on November 28, 2022;

NOW, THEREFORE BE IT UNDERSTOOD AND AGREED:

- 1.) The Applicant will receive **up to \$737.50** in grant funds for the removal of the awning, provided a 1:1 Match is met by the applicant.
- 2.) The Applicant will also ensure property repair treatment is completed to the façade once the awning is removed.
- 3.) All projects shall be completed before December 5, 2023.
- 4.) The City of Newton will provide the grant funding as a reimbursement of completed work.
 - a. Copies of all receipts for each project area shall be submitted to the City of Newton, Community Development Department, 403 W 4th ST N, Suite 501, Iowa 50208 for administrative verification of expenditures and applicant match.

5.) The applicant will match provide a 1:1 match to the grant funds.

6.) The City will make timely payment of grant funds upon completion of the project and verification of project expenses.

Applicant:

Arie Versendaal

Business Owner

Varieties, 118 North 2nd Avenue West

Date

For City of Newton:

Michael L. Hansen, Mayor

Date

City of Newton Council Report

Item: Resolution Approving the granting of Downtown Improvement Grant Funds in the façade program area to Scott Creech for the building located at 225 1st Avenue West, Newton.

Summary: The Downtown Micro-Grant Program provides assistance for small rehabilitation projects in the Downtown. Mr. Creech is proposing a façade upgrade to the west side of his building with new commercial grade storefront doors.

Financial Impact: \$4,480.15 in Downtown Grant Funds



Report Number: 22-345

Date: December 5, 2022

Lead Department: Community Development Department

Recommendation:
Approve



Background: The building is historically known as the Newton City Hall and Fire Station. The building is adjoined on the east by a one-story commercial building dating to the mid-20th century. The alley abuts the property on the south. On-street parking is located on the north and west sides of the building and a public sidewalk provides access to the building's primary entrance on the north and secondary entrances on the west.

The Newton City Hall and Fire Station building is a commercial property stretching approximately 80 feet south from its 32-foot frontage on 1st Avenue W. The building is comprised of a c.1885, two-story brick structure on the north with a ca.1915, one-story brick (Permastone faced) addition adjoining on the south.

The façade of the Newton City Hall and Fire Station building reflects a mid-20th century modernization. At that time the building's commercial Italianate details were removed and replaced by a monolithic, brick face reflective of the modern influences prevalent during that period. The storefront, with its dual, off-set entrance (one accessing the main floor commercial space and one the upper story) and a display area on the west likely dates to that modernization, although the present window configuration may date a couple of decades later. The upper story windows are simple, punched openings with concrete sills. No applied decorative elements appear on the façade, its visual character relying instead on simplicity and mass.

The west elevation, in stark contrast to the façade, retains its Italianate character, albeit visually confused by the elaborate mural that now covers that wall. Despite the mural (the artistic quality of which is very high), retention of the historic cornice, some window and door openings, and vestiges of the original moldings, adds to our understanding of the buildings history and architectural roots.

As noted, the rear addition is a one-story brick construction covered in PermaStone (or similar synthetic stone). With its flat roof and lack of applied ornamentation, the addition reads as a simple, utilitarian structure.

The Newton City Hall and Fire Station building retains a generally high level of historic integrity related specifically to a significant modernization movement of the mid-twentieth century, which drastically altered the building's facade. Because the façade alteration dates to 50-plus years ago and because it reflects a significant period in the history of the community, the present façade is considered historic and its level of integrity as it relates to design, workmanship, and materials is high. As it relates to integrity of location, setting, and association, the building also retains a high level of integrity. The building is a contributing structure to the historic district.

Project Analysis & Grant Board Recommendation: Install 3 bronze manko frames & doors, matching new doors previously installed on primary (north) façade. The proposed project appears to align with the design guidelines, retaining the door openings. The guidelines suggest that, when it makes sense, to encourage owners to select frames for windows and doors that are darker in color.

The total cost of the project by Hamilton Glass is \$9,480.15

The property is eligible for Façade Renovation funding assistance for the west façade, as dollars for this side of the building have not been previously accessed.

At their meeting on November 28, 2022, the Downtown Grant reviewed the proposal and recommended providing a grant in an amount not to exceed \$4,740.08, provided a 1:1 match is met by the applicant.

Staff Recommendation: Staff recommends approval of the resolution.

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

Matt Muckler.
City Administrator

RESOLUTION NO. 2022 – _____

**RESOLUTION APPROVING THE GRANTING OF DOWNTOWN
IMPROVEMENT GRANT FUNDS IN THE FAÇADE PROGRAM
AREA TO SCOTT CREECH FOR THE BUILDING LOCATED AT
225 1ST AVENUE WEST, NEWTON**

WHEREAS, *Newton's Future* recognizes the role of the Downtown as the heart of the community and recommends a focus on curb appeal and community aesthetics; and

WHEREAS, the Newton City Council has established the Downtown Micro-grant Program; and

WHEREAS, Scott Creech submitted an application requesting funds for 225 1st Avenue West for commercial door replacements on the west side of the building; and

WHEREAS, the Downtown Grant Review Board, at their meeting on November 28, 2022, recommended approval of the door replacement project; and

WHEREAS, The Downtown Grant Review Board recommended the granting of funds in an amount up to \$4,740.08, provided a 1:1 match is met by the applicant;

NOW THEREFORE, BE IT RESOLVED by the City Council of Newton, Iowa, that the Downtown Façade Grant Funds be provided to Scott Creech for a door replacement project at 225 1st Avenue West, Newton;

BE IT FURTHER RESOLVED by the City Council of Newton, Iowa:
That the City shall obtain the signatures on the amended Downtown Façade Program Agreement.
:

PASSED this _____ day of December, 2022.

APPROVED this _____ day of December, 2022.

Michael L. Hansen, Mayor

ATTEST:

Katrina Davis, City Clerk



**Downtown Façade Grant Program Agreement
Between City of Newton and Scott Creech**

This Agreement made and entered into this _____ day of _____ 2022 by and between the City of Newton, Iowa, hereinafter called "City" and Scott Creech, 1205 S 11th AVE E, Newton, Iowa, hereinafter called "Applicant."

WHEREAS, the Applicant submitted an application to receive Downtown Façade Grant funds for property located at 225 1st Avenue West in Newton; and

WHEREAS, the Downtown Grant Review Board and Newton City Council approved the application;

NOW, THEREFORE BE IT UNDERSTOOD AND AGREED:

- 1.) The Applicant will receive **up to \$4,740.08** in grant funds for the Historic Façade Renovation Program Area at replacement of west façade doors with dark, oil-rubbed bronze frames.
- 2.) The Project shall be completed before December 5, 2023.
- 3.) The City of Newton will provide the grant funding as a reimbursement of completed work.
 - a. Copies of all receipts for the project shall be submitted to the City of Newton, Community Development Department, 403 West 4th Street North, Suite 501, Newton, Iowa 50208 for administrative verification of expenditures and applicant match.
- 4.) The applicant will match provide a 1:1 match to the grant funds.

- 5.) The City will make timely payment of grant funds upon completion of the project and verification of project expenses.

Applicant:

Scott Creech

Date

For City of Newton:

Michael L. Hansen, Mayor

Date

City of Newton Council Report

Item: Resolution establishing a Hotel-Motel Tourism Grant program.

Summary: Throughout the year, organizations often approach City Council with funding request for tourism related events. This proposed grant program provides a process by which those requests can be made and reviewed. Grant funds would come from Hotel-Motel tax revenues

Financial Impact: None to establish the program; an annual budget allotment would be made each budget year



Report Number: 22-346

Date: December 5, 2022

Lead Department: Community Development Department

Recommendation:
Approve

Background: Each year, City Council receives various requests for assistance with community events or events which attract visitors to Newton. These requests have been largely unpredictable from a budgeting standpoint.

The proposed tourism based Hotel-Motel Grant program seeks to organize requests, encourage more advance planning by community groups, and budget-plan for tourism supporting funding requests.

Funding Source: Funding for the program will be allocated annually by City Council's budgeting process. The Community Marketing Budget already includes a line for "Tourism" initiatives. Staff recommends this budget line utilized for this purpose and will make a funding recommendation during the regular budget process.

Program Specifics:

Details of the program include:

- Grant amounts range between \$500 and \$2,500.
- Two application rounds per year. One with an April 1st deadline and one with an October 1st deadline.
- Applications and City Council approval must occur *before* the event occurs. The grant is not retroactive.
- Funds may be awarded in advance of the event (pending submittal of funding commitments by the organization) or as a reimbursement after the event (with submittal of paid receipts).
- The grant does not account for more than 25% of the total project budget.
- Preference given to projects which encourage overnight stays.
- Project materials give a credit line: *"This project was funded in part by a grant from the City of Newton Hotel-Motel Tourism Grant Program"*

Recommendation: City Staff recommends approval of the resolution.

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

Matt Muckler
City Administrator

RESOLUTION NO. 2022 – _____

**RESOLUTION ESTABLISHING A HOTEL-MOTEL TOURISM
GRANT**

WHEREAS, *Envision Newton 2042* includes a strategic objective of establishing Newton as a compelling destination for visitors; and

WHEREAS, as part of the annual budget process, the City budgets Hotel-Motel Tax dollars to support sponsorships and tourism endeavors throughout the year; and

WHEREAS, a Hotel-Motel Tourism Grant provides the avenue to utilized budgeted sponsorship/tourism dollars to assist projects, events, and/or initiatives by community groups which increase visitors to the community; and

NOW THEREFORE, BE IT RESOLVED by the City Council of Newton, Iowa, that the Hotel-Motel Tourism Grant is established with an application and program instructions as appears in Attachment A. of this resolution.

PASSED this _____ day of December, 2022.

APPROVED this _____ day of December, 2022.

Michael L. Hansen, Mayor

ATTEST:

Katrina Davis, City Clerk

Newton Hotel-Motel Tourism Grant Program (Starting in FY24 – July 2023)

The Newton Hotel-Motel Tourism Grant Program is a way for the City of Newton to fund numerous community projects, special events and initiatives through local hotel-motel tax, while also keeping the process and application the same for each request.

The program would continue providing support for projects but provide City Council with information prior to presentations/requests made at City Council meetings. The application process ensures that projects and events have some tourism related component, accountability, and leverage from other funding sources.

APPLICATION DEADLINES: October 1 and April 1 of each calendar year. Applications must be submitted and approved by City Council before the event or initiative has occurred.

Purpose

The Newton Tourism Grant Program is intended to encourage the development, continuation and promotion of projects, events and other initiatives that attract visitors from outside of Newton, especially those who are likely to spend the night in local hotels or motels. Preference will be given to one-time projects that encourage overnight stays, that demonstrate an economic impact in the community and/or that promote community enhancement and an improved quality of life.

Guidelines

The Newton Hotel-Motel Tourism Grant Program is open to organizations in Newton that host events, develop projects, maintain sites or conduct educational efforts that highlight the community and its assets, and ultimately attract out-of-town visitors. Individuals may not apply. Funds may not be used for business ventures, debt retirement or operating expenses. **The event or initiative must be taking place within city limits.** Grants are not intended as an annual revenue stream for any group.

Grant Amounts & Application Process

Grant amounts may range from \$500 to \$2,500, and should represent no more than 25% of the total project budget.

All applicants must meet with Community Development Department Staff prior to submitting an application to ensure their applications meets eligibility requirements.

Applications reviewed. Applications will be reviewed by City Staff and then placed on a City Council agenda for action within 30 days of the application deadline. The applicant must have a representative available to answer questions from elected officials at the City Council meeting during which their application will be reviewed.

Accessing funds awarded

To receive funding in advance of an event or project, recipients must show proof of expense commitments (agreements, contracts, etc.) with an explanation of expenditures. To receive funding as reimbursement, recipients must present receipts for expenditures along with an explanation or final budget. Requests are due within 30 days of the event.

Credit Line

Any project receiving funds must include the following credit line in all press releases, publicity, and printed matter (posters, invitations, banners, etc.): ***This project was funded in part by a grant from the City of Newton Hotel-Motel Tourism Grant Program.***



Newton Hotel-Motel Tourism Grant Program Grant Request Application Form

Applications will be reviewed quarterly and must be submitted by June 1 for consideration at the next City Council meeting.

Organization: _____

Address: _____

Contact Person: _____

Phone Number: _____

Email Address: _____

1. Project Summary

Please provide a short description of project, including date(s) of event if applicable):

2. Economic Impact on Newton

Please describe the economic impact (hotel stays, meals, gasoline purchases, etc.) and how you will encourage buying local among participants.

3. Total Estimated Expenses by Category

Materials	\$
Advertising (which local outlets):	\$
Other Publicity/Marketing:	\$
Printing:	\$
Equipment/Space Rental:	\$
Honoraria or Fees:	\$
Food You Will Purchase for the Event (not food sales)	\$
Hotel/Motel expenses if your group will be paying for rooms:	\$
Other	\$
Total	\$

4. Income From Other Sources

Individual/Organization Name:	\$
Individual/Organization Name:	\$
Individual/Organization Name:	\$
Admission/Participation Fees (if any):	\$
Other Grants	\$
Donations	\$
Total	\$

5. Amount Being Request from the Newton Hotel-Motel Grant Program: \$ _____

6. Funding

How do you plan to secure other funding (outline sources and approaches if not already noted in your income section):

7. Other Information

Share any other relevant information about your event that you think we should know:

Signature of Organization Representative Date

Printed Name Title

For Internal Use:			
Date Rcvd:	Prior Mtg:	Up Cncil Mtg:	Pckt Due Date:

City of Newton Council Report

**Item:**

Resolution Amending the City of Newton Community Services Fee Schedule.

Report Number: 22-347

Date:

December 5, 2022

Summary:

This resolution makes revisions and additions to the Community Services Fee Schedule sections only.

Lead Department:

Community Services

Recommendation:

Approve

Financial Impact:

Minimal impact expected.

Background:

The various fees charged for rentals and passes at Newton's cemeteries, Westwood Golf Course, Maytag Pool, and other park facilities and offerings are reviewed each year. Staff proposes the following revisions and additions for 2023 to the Community Services Department's fee schedule sections:

Park Rentals

- Add language to reflect that the Pool Pavilion rental does not include admission to the pool itself.
- Delete the Water Surcharge option to shelter rentals.

Maytag Pool

- Decrease the Single Season Pass price from \$50/person to \$45/person (staff will no longer hold a pre-season sale that lowers the price to \$45/person).
- Change the Swim Lessons fee from \$30 to \$35.
- Increase the Adult and Teen Pool Party admission from \$4 to \$5.
- Add Yoga to the Water Aerobics item, and increase the admission from \$4 to \$5.
- Combine the Lap Swim and Water Walking items into one single item.
- Change the Youth Camp, Class or Program to (per day or session).
- Change the Sand Volleyball Tournament line to Adult Sports Tournament.

A recommendation of support for the above noted Park and Pool revisions, additions, and deletions were approved by a 4-0 vote of the Newton Park Board at their meeting on November 16, 2023.

Cemetery Fee Schedule – Sale of Sections Heading

- Change Adult to Adult (full-sized space)
- Add Cremation-Only Space priced at \$425
- Add clarification for Baby spaces in Babyland only) to include age 5 years and under.
- Add Veteran Cremation-Only Space (non-resident) at \$375.
- Add Veteran's Spouse Cremation-Only Space priced at \$375.

Cemetery Fee Schedule – notes

- Revise note 1 to state "To qualify for the Veteran's resident rate, a driver's license, recent utility bill or voter registration must be provided that shows the deceased lived within the Newton city limits within 90 days of death, and a copy of their DD214 papers shall be provided."
- On note 2, revise the last portion from "Sundays/Holidays additional \$250.00." to "Sundays/Holidays additional \$400.00."

The Cemetery fee schedule additions and revisions are proposed following the recent platting of the new Veteran's Block 3 (V-3), which includes some smaller cremation-only lots. The proposed revisions to the Cemetery fee schedule notes are to align with the current cemetery rules.

All other fees included in the latest revision of said fee schedule will remain unchanged.

Recommendation:

City Staff recommends approval of this resolution amending the City of Newton Community Services Fee Schedule.



Matt Muckler
City Administrator

RESOLUTION NO. 2022 – _____

RESOLUTION AMENDING THE CITY OF NEWTON COMMUNITY SERVICES FEE SCHEDULE

WHEREAS, the City of Newton charges fees for certain services provided by the City; and

WHEREAS, these fees are reviewed annually by the City as part of the budget preparation process; and

WHEREAS, minor revisions and additions are proposed to the Park and Cemetery Fee Schedules; and

WHEREAS, the following fee schedules will be effective on January 1, 2023:

Westwood Golf Course Fee Schedule

Golf Green Fees	2023 Fee
18 Holes Weekday	\$16.00
18 Holes Weekend (Saturday or Sunday)	\$21.00
9 Hole Weekday	\$12.00
9 Holes Weekend (Saturday or Sunday)	\$14.00
Twilight Rate (after 3:00 p.m.) and Spring/Fall Rate	\$12.00
10 Punch Pass-18 holes	\$128.00*
10 Punch Pass-9 holes	\$96.00*
extra holes	\$5.00

Golf Cart Fees	2023 Fee
Cart 18 holes	\$14.00
Cart 9 holes	\$8.00
Annual Cart Rental - Single	\$495.00
Annual Cart Rental - Family	\$595.00
10 Punch Pass - 18 holes	\$112.00*
10 Punch Pass - 9 holes	\$64.00*
Daily Trail Fee	\$12.00
Annual Trail Fee	\$240.00
Gas Cart Storage	\$200.00
Electric Cart Storage	\$215.00

Golf Season Passes	2023 Fee
Youth (ages 21 and younger as of Jan 1st)	\$169.00*
Young Adult Couple (ages 22 - 35 as of Jan 1st)	\$589.00*
Young Adult Single (ages 22 - 35 as of Jan 1st)	\$389.00*
Adult Couple (ages 36 - 64 as of Jan 1st)	\$779.00*
Adult Single (ages 36 - 64 as of Jan 1st)	\$539.00*
Senior Couple (ages 65 and older as of Jan 1st)	\$749.00*
Senior Single (ages 65 and older as of Jan 1st)	\$499.00*

Golf Range Fees	2023 Fee
One Time (Large)	\$7.00
One Time (Small)	\$3.50
Season Pass	\$110.00

NOTE - On all above Westwood Golf fees followed by an asterisk (*), City of Newton residents shall qualify for an additional 5% off the base fee shown.

Park Fee Schedule

Rentals (7 am - 3:30 pm or 4 pm - 10:30 pm)	2023 Fee
Aurora Park Shelter	\$35.00
Sunset Park Shelter	\$30.00
Woodland Park Shelter	\$40.00
Log Cabin at Maytag Park	\$30.00
South Shelter at Maytag Park	\$35.00
West Shelter at Maytag Park	\$40.00
Pool Pavilion at Maytag Park (doesn't include entry to the pool)	\$45.00
• add Large Event fee to shelter (per area) *	\$50.00
• add Water Surcharge to shelter (if available) *	\$25.00
Maytag Bowl	\$300.00

* Large Event fee applies to groups wanting to reserve an additional area of the park adjacent to the shelter they are renting for the purposes of accommodating groups of 100+ people and/or space for extra activities for their gathering.

* Water Surcharge for groups needing water connections, if available, for group's activities.

Athletic Fields	2023 Fee
Adult Sports Leagues (per team/season session)	\$160.00
Athletic Field Rental (all day)	\$50.00
Athletic Field Rental (per hour)	\$5.00
Disc Golf Event Fee (per day)	\$50.00
Softball Complex Field Lights (per day) **	\$40.00
Woodland Field Lights (per day) **	\$40.00
Softball/Baseball Field Marking - chalked lines (per field) **	\$50.00
Soccer Field Marking - painted lines (per field) **	\$200.00

** Fee for lights and marking of fields are in addition to field rental fee, and are shown per field.

Maytag Park Pool	2023 Fee
Daily fee	\$5.00
Daily fee - after 5 p.m.	\$2.50
Lap Swim/Water Walking (Mon-Sat noon to 1:00 pm) ***	\$2.50
Toddler Swim (M-W-F from 11:00 am to 1:00 pm) ***	\$2.50
Single Season Pass (per person over 3 years old)	\$45.00
Evening Pool Party (2 hours)	\$250.00
Morning Pool Party (2 hours)	\$250.00
• add Waterslides to pool party	\$25.00
• add Diving Boards to pool party	\$25.00
• pool party with greater than 150 guests	\$25.00
• pool inflatables	\$50.00
Replacement Pool Pass	\$5.00
Swim Lessons	\$35.00
Adult Only or Teen Only Pool Nights (per event)	\$5.00
Dog Swim (per dog)	\$5.00
Water Aerobics/Water Yoga (per session per day)	\$5.00
Water Walking (per session per day)	\$2.50

***Season Passes can be used for City-sponsored adult or teen pool parties, lap swim & water walking sessions.

Other Park and Sports Fees	2023 Fee
Youth or Adult Camp, Class, or Program (per week) *	\$25.00
Youth Camp, Class, or Program (per day or partial-day session) *	\$6.00
Adult Class or Program (per day) *	\$6.00
Disc Golf Tournament (per event)	\$10.00
Adult Sports Sand Volleyball Tournament (per team)	\$25.00
Minor Equipment Rental (per day) **	\$4.00
5K Run/Walk or Cycling Event (per event)	\$15.00
Business Registration for Thanks w/Franks Hot Dog Contest	\$100.00
Doggie Dash Registration Fee (per dog)	\$10.00

*non-pool offerings

**may include ice skates, snowshoes, or other small equipment

CEMETERY FEE SCHEDULE

Union Cemetery and Memorial Park Cemetery

<u>Sale of Sections</u>	<u>Fee</u>
Adult (full-sized space)	\$850
Cremation-Only Sized Space	\$425
Baby (spaces in Babyland only) (age 5 and under)	\$425
Veteran in Veteran's Section (resident) ¹	\$0
Veteran in Vet's Section (full-sized space) (non-resident) ¹	\$750
Veteran's Spouse (full-sized space)	\$750
Veteran in Vet's Section (cremation-sized space) (non-resident) ¹	\$375
Veteran's Spouse (cremation-sized space)	\$375
<u>Columbarium</u>	
Niche ⁵	\$1,400
Double Niche ⁵	\$2,800
<u>Opening & Closing Graves</u>	
Adult-Weekdays ²	\$850
Baby-Weekdays ²	\$425
Cremation-Weekdays ^{2, 3}	\$550
<u>Disinterment</u>	
Adult (casket) ⁴	\$1,500
Baby (casket/cremation) ⁴	\$750
Adult Cremation (cremation) ⁴	\$750
Columbarium Niche (cremation)	\$150
<u>Setting of Stones & Misc. Charges</u>	
Veteran in Veteran's Section	\$100
Veteran not in Veteran's Section	\$125
Lot Location & Inspection Fee for Foundations	\$25
Fee for copy of Certificate of Interment Rights	\$20
Lot or Niche Transfer Fee	\$30

1. To qualify for the Veteran's resident rate, a driver's license, recent utility bill or voter registration must be provided that shows the deceased lived within Newton city limits within 90 days of death; along with a copy of their DD214 papers.
2. Any weekday closing of graves that begin after 2:30 pm will incur an additional \$100 fee; Saturdays additional \$200.00; Sundays/Holidays additional \$400.00 ~~250.00~~.
3. \$50.00 for each additional cremation opening & closing in same section/niche and on same day.
4. City is not liable for damages that occur to the vault or urn.
5. Niche purchases include bronze name plaque and opening/closing to place urn.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Newton, Iowa, that the above 2023 Community Services Fee Schedules be adopted.

BE IT RESOLVED, by the City Council of the City of Newton, Iowa, that all other previously approved fee schedules not shown on this resolution shall remain in place and unaffected by approval of this resolution.

PASSED this _____ day of December, 2022.

APPROVED this _____ day of December, 2022.

Michael L. Hansen, Mayor

ATTEST:

Katrina Davis, City Clerk

City of Newton Council Report

**Item:**

Resolution approving an agreement with Damon Dotson for the 2023 Newton Fest concert on Saturday, June 10, 2023.

Report Number: 22-348

Date:

December 5, 2023

Summary:

Newton Fest continues to strive to provide free entertainment to the community during the second weekend in June. City staff has worked to bring Damon Dotson and his full band to Maytag Bowl for the Saturday evening concert.

Lead Departments:

Community Services &
Community Development

Recommendation:

Approve

Financial Impact:

\$3,200

Background:

Newton Fest continues to strive to provide free entertainment to the community during the second weekend in June. Due to weather cancelling the concert last year, staff thought it would be appropriate to try to bring community favorite, Damon Dotson and his full band back to Maytag Bowl for the Saturday evening concert.

The agreement with Damon Dotson has been attached and reviewed by City staff. The \$3,200 rate includes the full band and production.

Payment is due the night of the performance.

Recommendation:

Staff recommends approval of this resolution.

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

Matt Muckler
City Administrator

RESOLUTION NO. 2022- _____

**RESOLUTION APPROVING AN AGREEMENT WITH DAMON DOTSON FOR THE
NEWTON FEST 2023 CONCERT ON SATURDAY, JUNE 10, 2023.**

WHEREAS, the City's Comprehensive Plan contains a vision statement that states Newton is a progressive, family friendly community, a shining star of Central Iowa, and a place to call home, and

WHEREAS, the City's Comprehensive Plan led to the creation of Newton Fest as a family-friendly community event that would be a local and regional draw, and

WHEREAS, through private and public partnerships with other organizations, Newton Fest continues to grow each year, and

WHEREAS, City staff from the Community Development & Community Services Departments, are planning the City's activities during Newton Fest, and

WHEREAS, City staff has been working with Damon Dotson to have him and his full band to perform at Maytag Bowl on Saturday, June 10, 2023 and

WHEREAS, an agreement with Damon Dotson of \$3,200 must be approved and signed;

WHEREAS, City Staff recommends approval of this resolution approving an agreement with Damon Dotson;

NOW THEREFORE, BE IT RESOLVED by the City Council of Newton, Iowa, that this resolution is approving the contract.

PASSED this _____ day of December, 2022.

APPROVED this _____ day of December, 2022.

Michael L. Hansen, Mayor

ATTEST:

Katrina Davis, City Clerk

Performance Contract

The City of Newton, henceforth known as "Client," agrees to hire **Damon Dotson**, henceforth known as "Artist," for a performance at the Maytag Bowl in Maytag Park on **June 10, 2023** during Newton Fest.

Furthermore, the two parties agree to the following:

Artist will perform music at the Maytag Bowl on **June 10, 2023**, from 7:00 pm to 9:00 pm.

Client will pay artist **\$3200.00** as compensation for this performance, payable via check the night of the performance. The check will be handed to the Artist or mailed directly to the Artist (2655 Avalon Drive; Waukee, IA 50263)

- The check should be made out to: **DAMON DOTSON** and the Artist will fill out / sign W-9 form and return with performance contract.

Setup for the performance will be the responsibility of Artist. The Artist will supply sound equipment, microphones, electrical cords and lights for this performance.

Client agrees to pay Artist 50% of the agreed upon amount if the event is cancelled due to inclement weather if decided more than 5 hours from the time of the performance.

Client agrees to pay Artist 75% of the agreed upon amount if the event is cancelled due to inclement weather if decided LESS than 5 hours from the start time of the performance.

Client agrees to pay Artist full amount if the event is cancelled after the agreed upon start time of performance.

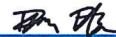
If Artist has to cancel the performance, they will receive no payment.

This contract agreement is exclusive between the Artist and the City of Newton and is enforceable according to the laws and regulations of the state of Iowa.

Signed this date: **Nov 29, 2022**

Damon Dotson

Artist Name Printed



Damon Dotson (Nov 29, 2022 17:44 CST)

Artist Signature

Mayor Michael L. Hansen

City of Newton

Client Signature