

Agenda: Newton City Council

City Council Meeting

Council Chambers, 101 W 4th St S. or via Zoom
(<https://us02web.zoom.us/j/83564044015>), Join zoom via
phone: (call 312-626-6799 & enter ID # 83564044015),
Mediacom Channels: 12/85/121.12, Website Streaming:
Newtongov.org / I want to “view” Livestream of City
Council Meetings.

February 01, 2021 6:00 p.m.
Newton, Iowa 50208

You can participate in the meeting or you can comment on an agenda item by joining the Zoom meeting and raising your hand to be recognized (must remain on mute until recognized/via phone dial *9 (star 9), this will notify City staff that you have “raised your hand” for public comment), submitting via email to cityofnewton@newtongov.org before 5:00 PM the day of the meeting or, during the meeting, you can call 641-792-2787, extension 2007.

- | | |
|----------------------------------|--|
| Pledge | Pledge of Allegiance |
| Call to Order | 1. Roll Call |
| State of the City Address | 2. Mayor Michael L. Hansen |
| Presentation | 3. Downtown Splash Pad - Bryce Heitman |
| Citizen Participation | 4. This is the time of the meeting that a citizen may address the Council on matters that are included in the consent agenda or a matter that is not on the regular agenda. 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 | 5. January 18, 2021 Regular City Council Meeting Minutes |
| | 6. January 18, 2021 Budget Workshop Minutes |
| | 7. Approve Liquor Licenses for the following: Newton 66, Renewal, BC0028230, 1806 S 12 th Ave W, Class C Beer Permit (BC), Sunday Sales; Fareway Stores, Renewal, LE0001630, 120 N 3 rd Ave E, Class E Liquor License (LE), Class B Wine Permit (Carryout Wine - Includes Native Wine), Class C Beer Permit (Carryout Beer). |
| | 8. Resolution appointing Development Specialist Craig Armstrong to serve as Primary Representative And NHDC Director Bruce Showalter as Alternate Representative to the Central Iowa Regional Housing Authority for a Three Year Term ending December 31, 2023. (Council Report 21-019) |
| | 9. Resolution Fixing the Amounts to be assessed against individual private properties for the abatement of nuisance violations (Schedule 21-01). (Council Report 21-020) |

10. Resolution accepting completion of the Demolition 2020-03 Project. (Council Report 21-021)
11. Resolution revising the vendor's name for the purchase of a parks utility vehicle approved earlier by Resolution 2020-160. (Council Report 21-022)
12. Resolution Setting a Public Hearing on the Proposed Maximum Property Tax Dollars for Fiscal Year July 1, 2021 – June 30, 2022. (Council Report 21-023)
13. Resolution setting the date for public hearings on proposals to enter into General Obligation Loan Agreements. (Council Report 21-024)
14. Resolution to fix a date for a public hearing on proposal to enter into a Sewer Revenue Loan Agreement and to borrow money thereunder in a principal amount not to exceed \$5,900,000. (Council Report 21-025)
15. Resolution setting the date for a public hearing on proposal to enter into a Road Use Tax Revenue Loan Agreement and to borrow money thereunder in a principal amount not to exceed \$2,355,000. (Council Report 21-026)
16. Resolution approving Engineering Design Services Agreement for the N 4th Ave W & Highway 14 Traffic Signal Project. (Council Report 21-027)
17. Resolution setting a public hearing and inviting proposals for the sale of property at 921 North 4th Avenue West. (Council Report 21-028)
18. Resolution approving agreement with Newton Rural Benefited Fire District. (Council Report 21-029)
19. Approve Bills

Public Hearing

20. Public Hearing on a Resolution accepting purchase and redevelopment proposal for property at 602 East 13th Street North in Newton. (Council Report 21-030)
 - The City of Newton acquired the property at 602 East 13th Street North through the D&D Program in September 2020. The property has some condition issues, primarily with the foundation, but staff has determined that the home is repairable and demolition is not necessary.
 - The deadline for receiving offers is January 29th. Since there is still time to submit offers as of the publication of the Council Agenda, the resolution contains several blanks.
 - Staff will provide an update and recommendation during the public hearing for the sale of this property.

21. Resolution accepting purchase and redevelopment proposal for property at 602 East 13th Street North in Newton. (Council Report 21-030)

Ordinance

22. Second Consideration of an Ordinance amending the City of Newton Code of Ordinances, Title XV, Chapter 150, Electrical Code for the City of Newton. (Council Report 21-015)
 - The State of Iowa has updated the electrical code with an effective date of January 1, 2021. This ordinance amendment updates the local code to match the changes at the State Level.

- In addition to updating to the 2020 edition of the National Electrical Code, a few housekeeping corrections are also included.

Resolutions

23. Resolution approving a non-binding Letter of Intent to Blink Charging Company authorizing application for a Volkswagen Settlement Environmental Mitigation Trust Fund grant for installation and operation of Level 2 charging stations in Public Parking Lots. (Council Report 21-031)
 - The Iowa DOT is accepting applications for the second round of the Zero Emission (Electric) Vehicle equipment program to build out the charging equipment infrastructure network in the state.
 - Blink Charging Company is willing to make an application on behalf of the City of Newton. If the grant is awarded, they would install Level 2 Community Chargers in up to four of our Public Parking Lots in the downtown area at no charge to the City.
 - In order for Blink to submit an application, however, a non-binding Letter of Intent must be approved by Council and signed by the Mayor. A completed application along with the required forms must be submitted by 5:00 pm on March 5, 2021.
24. Resolution authorizing the establishment of an Iowa Reinvestment District for the City of Newton, Iowa. (Council Report 21-032)
 - Iowa Economic Development Authority (IEDA) administers the Iowa Reinvestment District Program, which assists communities with transformative projects.
 - Newton has a public-private project which aligns with the program and includes a hotel, event space, market rate apartments and infrastructure. This resolution authorizes the establishment of a district and submittal of the application to IEDA.

Mayor/Council Comments

25.

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

Agenda: Newton City Council

Budget Workshop

Council Chambers, 101 W 4th St S. or via
Zoom <https://us02web.zoom.us/j/83564044015> Join zoom via phone: (call
312-626-6799 & enter ID # 83564044015

February 01, 2021

Immediately Following the City Council Meeting

(Pursuant to Iowa Code section 21.8) An electronic meeting is being held because a meeting in person is impossible or impractical due to concerns for the health and safety of council members, staff, and the public due to COVID-19. You can observe the meeting by joining the Zoom meeting but must remain on mute.

Call to Order

1. Roll Call

Discussion

2. Council comments on general fund non-salary expenditures
3. Council comments on non-salary expenditures for all other funds
4. Final Review of CIP - Finance Officer, Lisa Frasier
5. Final Review of Budget by City Council - Finance Officer, Lisa Frasier

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
JANUARY 18, 2021, 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 via an electronic meeting (pursuant to Iowa Code section 21.8) because a meeting in person is impossible or impractical due to concerns for the health and safety of council members, staff, and the public due to COVID-19. Mayor Pro Tem Hallam presided. Present Council Members: Hallam, Stonner, George, Ervin, Trotter, Mullan. Absent: None.

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

The State of the City Address will be moved to the February 1, 2021 council meeting when Mayor Hansen can present.

There was no citizen participation.

Moved by Stonner, seconded by Mullan to approve consent agenda items 4-17.

4. January 04, 2021 Regular City Council Meeting Minutes
5. January 04, 2021 Budget Workshop Minutes
6. Approve Liquor Licenses for the following: Cardinal Lanes, Renewal, LC0046516, 1300 S 5th Ave E, Class C Liquor License (LC) (Commercial), Sunday Sales, pending directors' approval; American Legion Post No. 111, Renewal, LC0018906, 1101 W 4th St S, Class C Liquor License (LC) (Commercial), Outdoor Service, Sunday Sales, pending directors' approval; New Star Mart, Renewal, LE0002579, 702 1st Ave E, Class E Liquor License (LE), Class B Wine Permit (Carryout Beer), Sunday Sales, pending directors' approval.
7. Resolution appointing Jane Johnson to the City of Newton Planning and Zoning Commission for an unexpired term ending December 31, 2023. Resolution 2021-007 adopted.
8. Resolution voluntarily extending Emergency Paid Sick Leave for city employees in conjunction with federal coronavirus related legislation-Families First Coronavirus Response Act. Resolution 2021-008 adopted.
9. Resolution accepting completion of the PW Office building #18 tenant improvements. Resolution 2021-009 adopted.
10. Resolution awarding contract for the 2021 Highway and Symbol Painting Project. Resolution 2021-010 adopted.
11. Resolution approving a Telecommunications Licensing Agreement with Windstream Iowa Communications, LLC – 2125 W 20th St S. Resolution 2021-011 adopted.
12. Resolution accepting completion of the 2020 Tree Removal Project No. 6 – Newton Parks Misc. Resolution 2021-012 adopted.
13. Resolution approving change order #1 for the Iowa Speedway Drive Restoration Project (400-1400 Blocks). Resolution 2021-013 adopted.
14. Resolution approving change order #2 for the 1st Ave E (Hwy 6) HMA Resurfacing Project. Resolution 2021-014 adopted.
15. Resolution setting a public hearing and inviting proposals for the sale of property at 602 East 13th Street North. Resolution 2021-015 adopted.
16. Resolution Adjusting the Fee Schedule for the Newton Fire Department Ambulance Service. Resolution 2021-016 adopted.
17. Approve Bills

AYES: Six. NAYS: None. Consent agenda items approved.

Moved by Ervin, seconded by George, to approve the first consideration of an Ordinance amending the City of Newton Code of Ordinances, Title XV, Chapter 150, Electrical Code for the City of Newton. AYES: Six. NAYS: None. First consideration passed.

Moved by Trotter, seconded by Stonner to adopt a Resolution authorizing economic development forgivable loan agreement with Cindy Rogers-Sell. AYES: Six. NAYS: None. Resolution 2021-017 adopted.

Moved by George, seconded by Trotter to adopt a Resolution authorizing economic development forgivable loan agreement with CRH Properties, LLC. AYES: Six. NAYS: None. Resolution 2021-018 adopted.

Moved by Stonner, seconded by Ervin to adopt a Resolution expressing intent to provide economic development support to Hopkins Properties LLC. AYES: Six. NAYS: None. Resolution 2021-019 adopted

During Mayor/Council comments Ervin stated that it was nice to see new business in the downtown.

Moved by Stonner, seconded by Mullan to adjourn the meeting at 6:11 P.M. Motion unanimously carried by voice vote.

Michael L. Hansen, Mayor

Katrina Davis, City Clerk

BUDGET WORKSHOP MEETING MINUTES
JANUARY 18, 2021, IMMEDIATELY FOLLOWING THE CITY COUNCIL MEETING @ 6:13
P.M. ELECTRONIC MEETING

The City Council of Newton, Iowa met in special session at 6:13 P.M. on the above date via an electronic meeting (pursuant to Iowa Code section 21.8) because a meeting in person is impossible or impractical due to concerns for the health and safety of council members, staff, and the public due to COVID-19. Mayor Pro Tem Hallam presided. Present Council Members: Hallam, Stonner, George, Ervin, Trotter, Mullan. Absent: None.

Finance Officer Lisa Frasier, presented a review of initial general fund revenue estimate.

Michele Heisdorffer, Financial Analyst, review of employee compensation schedule.

Community Development Director Erin Chambers, spoke regarding the Downtown Newton Promotional Funding, \$2,500.

Frasier then reviewed the proposed FY22 budget.

City Administrator Matt Muckler, went over the FY22 Budget Highlights.

Moved by Stonner, seconded by Trotter, to adjourn the meeting at 7:20 P.M. Motion unanimously carried by voice vote.

Michael L. Hansen, Mayor

Katrina Davis, City Clerk

City of Newton Council Report

Item: Resolution appointing Development Specialist Craig Armstrong to serve as Primary Representative And NHDC Director Bruce Showalter as Alternate Representative to the Central Iowa Regional Housing Authority for a Three Year Term ending December 31, 2023.

Summary: As a member government of the Central Iowa Regional Housing Authority (CIRHA), the Mayor of the City of Newton is obligated to appoint a Representative and Alternate to serve a three-year term on the on the CIRHA Board of Commissioners.

Financial Impact: None.



Report Number: 21-019

Date: February 1, 2021

Lead Department: Community Development Department

Recommendation:
Approve.

Background: The City of Newton is a member of the Central Iowa Regional Housing Authority (CIRHA) through a 28E Agreement. As a member government, a Representative and Alternate are appointed by the Mayor to serve a three-year term on the CIRHA Board of Commissioners.

Representatives can be anyone approved by the City Council and may include elected officials or employees of the City. The only disallowance would be a conflict of interest, such as being a Section 8 landlord.

Since the term of Newton's current Representative, Craig Armstrong, and Alternate Representative, Bruce Showalter, have expired, a Resolution re-appointing them must be executed, along with an updated Certificate of Membership. In addition, both the Representative and Alternate must sign a notarized Oath of Office.

Recommendation: City Staff recommends approval of the Resolution.

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

Matt Muckler
City Administrator

RESOLUTION NO. 2021 - _____

RESOLUTION RE-APPOINTING DEVELOPMENT SPECIALIST CRAIG ARMSTRONG TO SERVE AS PRIMARY REPRESENTATIVE AND NHDC DIRECTOR BRUCE SHOWALTER AS ALTERNATE REPRESENTATIVE TO THE CENTRAL IOWA REGIONAL HOUSING AUTHORITY FOR A THREE YEAR TERM ENDING DECEMBER 31, 2023

WHEREAS, the City of Newton has considered and adopted a Resolution declaring a need for a Housing Authority in the City of Newton; and

WHEREAS, the City of Newton has adopted the Articles of Agreement creating the Central Iowa Regional Housing Authority (CIRHA), dated February 12, 1980; and

WHEREAS, each member government shall have one representative and one alternate to CIRHA to serve for a term of three years; and

WHEREAS, such Representative shall be appointed by the Mayor with the approval of the local governing body;

NOW, THEREFORE, BE IT RESOLVED by the City Council of Newton, Iowa, pursuant to the provisions of Chapter 28E, Code of Iowa, 1981, and by virtue of our office, we hereby approve the Mayor’s re-appointment of the persons hereafter named to serve as Representative and Alternate to CIRHA, representing the City and to serve for three years, with the term ending December 31, 2023.

Representative: Craig Armstrong
City of Newton
403 W 4th Street N, Suite 501
Newton, Iowa 50208

Alternate: Bruce Showalter
Newton Housing Development Corporation
PO Box 102
Newton, IA 50208

PASSED this 1st day of February, 2021

APPROVED this _____ day of February, 2021

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 21-01).

Report Number: 21-020

Date:

February 1, 2021

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: \$926.33

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", is written over a light blue horizontal line.

Matt Muckler
City Administrator

RESOLUTION 2021- _____

**RESOLUTION FIXING THE AMOUNTS TO BE ASSESSED AGAINST INDIVIDUAL
PRIVATE PROPERTIES FOR THE ABATEMENT OF NUISANCE VIOLATIONS
(SCHEDULE NO. 21-01)**

WHEREAS, the City of Newton has abated nuisance violations at the address(es) as found in Schedule No. 21-01: 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 21-01: Assessment for the Expenses for Nuisance Abatement; and

WHEREAS, the expenses have been billed to the property owner(s) and remain unpaid.

NOW THEREFORE, BE IT RESOLVED by the City Council of Newton, Iowa, that the Schedule 21-01: 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 21-01: Assessment for the Expenses for Nuisance Abatement.

PASSED this _____ day of February, 2021.

APPROVED this _____ day of February, 2021.

Michael L. Hansen, Mayor

ATTEST:

Katrina Davis, City Clerk

Schedule 21-01: 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
Amber Hull	827409015	818 N 9th Ave E	Newton	\$32,240	\$366.33	\$75.00	\$441.33	EDMUNDSON'S ADD E 1/2 LOT 5 BLK 11	12/9/2020
Donald & Janelle Darrah	834277010	925 1st Ave E	Newton	\$67,650	\$40.00	\$75.00	\$115.00	ENGLE'S SD LOT 19	12/21/2020
Gary Fultheim	834252025	705 1st Ave E	Newton	\$528,170	\$120.00	\$100.00	\$220.00	SOUTH EAST ADD LOTS 17-18-19-20-21 & N 66' OF W 41' & E 67' OF LOT 23 BLK A	12/21/2020
Zachary Bennett	834205006	206 E 7th St N	Newton	\$128,400	\$75.00	\$75.00	\$150.00	EAST ADD LOT D SD LOT 14	12/21/2020
Total							\$926.33		

City of Newton Council Report

**Item:**

Resolution accepting completion of the Demolition 2020-03 Project.

Report Number: 21-021

Date:

February 1, 2021

Summary:

Final Acceptance of the project to complete abatement & demolition work at 514 S 2nd Ave W, 717 W 6th St S, & 921 N 4th Ave W.

Lead Department:

Community Services

Recommendation:

Approve

Financial Impact:

Council previously approved a contract for \$41,396.00; and this action would accept the project and authorize payment of the retainage amount of \$2,069.80.

Background:

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

The City acquired 514 S 2nd Ave W, 717 W 6th St S, & 921 N 4th Ave W with the intent to demolish the structures on these properties through the Dangerous and Dilapidated Program. The Community Services Department prepared plans and specifications for the Demolition 2020-03 Project, and City Council passed a resolution on September 21, 2020 awarding a contract to Howe Excavating of Newton, Iowa in the amount of \$41,396.00.

The Community Services Director has signed the Statement of Completion Form stating that the project has been substantially completed in general compliance with the terms, conditions and stipulations of said contract. The final contract amount, based on actual measured quantities of work, is \$41,396.00.

Recommendation:

City staff recommends accepting the completion of the Demolition 2020-03 Project, and authorizing the retainage amount of \$2,069.80 to be paid to the contractor no sooner than 30 days after approval of this resolution should no claims be on file.

Matt Muckler
City Administrator

RESOLUTION 2021- _____

**RESOLUTION ACCEPTING COMPLETION
OF THE DEMOLITION 2020-03 PROJECT**

WHEREAS, the City of Newton acquired 514 S 2nd Ave W, 717 W 6th St S, & 921 N 4th Ave W with the intent to demolish the structures on these properties through the Dangerous and Dilapidated Program; and

WHEREAS, the City of Newton Community Services Department prepared abatement and demolition plans and specifications for the Demolition 2020-03 Project, and sealed bids were received and opened for said project by the City on September 11, 2020; and

WHEREAS, the City Council of the City of Newton awarded a contract to Howe Excavating of Newton, Iowa in the amount of \$41,396.00 on September 21, 2020 for the Demolition 2020-03 Project; and

WHEREAS, Howe Excavating has completed their work, and the Community Services Director has signed the Statement of Completion Form stating that the project has been substantially completed in general compliance with the terms, conditions and stipulations of said contract.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Newton, Iowa that the City of Newton hereby accepts completion of the project, and authorizes the Community Services Manager to execute payment of the retainer in the amount of \$2,069.80 to Howe Excavating no sooner than 30 days after approval of this resolution, should no claims be on file, with said payment being made using Dangerous and Dilapidated Building Program funds.

PASSED this _____ day of February, 2021.

APPROVED this _____ day of February, 2021.

Michael L. Hansen, Mayor

ATTEST:

Katrina Davis, City Clerk

City of Newton Council Report

**Item:**

Resolution revising the vendor's name for the purchase of a parks utility vehicle approved earlier by Resolution 2020-160.

Report Number: 21-022

Date:

February 1, 2021

Summary:

Council approved the purchase of a parks utility vehicle in July 2020, and the original resolution incorrectly listed who payment was to be made to.

Lead Department:

Community Services

Recommendation:

Approve

Financial Impact:

No change to the earlier approved item cost of \$16,846.27.

Background:

On July 6, 2020 City Council approved Resolution 2020-160 authorizing the purchase of a \$16,846.27 utility vehicle for parks operations from Van Wall Equipment of Urbandale, Iowa. With the equipment being purchased through a state bid price, the invoice for said purchase is from Deere and Company instead of Van Wall Equipment.

To process said invoice for payment, Resolution 2020-160 must be revised to reflect Deere and Company as the vendor.

Recommendation:

City Staff recommends approval of the Resolution revising the vendor for the purchase approved by Resolution 2020-160 from Van Wall Equipment to Deere and Company.

Matt Muckler
City Administrator

RESOLUTION 2021- _____

**RESOLUTION REVISING THE VENDOR’S NAME FOR THE PURCHASE OF A
PARKS UTILITY VEHICLE APPROVED EARLIER BY RESOLUTION 2020-160**

WHEREAS, on July 6, 2020 City Council approved Resolution 2020-160 authorizing the purchase of a \$16,846.27 utility vehicle for parks operations from Van Wall Equipment of Urbandale, Iowa; and

WHEREAS, with the equipment being purchased through a state bid price, the invoice for said purchase is from Deere and Company instead of Van Wall Equipment; and

WHEREAS, to process said invoice for payment, Resolution 2020-160 must be revised to reflect Deere and Company as the vendor.

NOW THEREFORE, BE IT RESOLVED by the City Council of Newton, Iowa, that this resolution is approved revising the vendor name for the earlier purchase approved by Resolution 2020-160.

NOW THEREFORE, BE IT FURTHER RESOLVED by the City Council of Newton, Iowa, that the originally approved payment of \$16,846.27 from 2020 bond funds shall be made to Deere and Company instead of Van Wall Equipment.

PASSED this _____ day of February, 2021.

APPROVED this _____ day of February, 2021.

Michael L. Hansen, Mayor

ATTEST:

Katrina Davis, City Clerk

City of Newton Council Report



Item: Setting a Public Hearing on the Proposed Maximum Property Tax Dollars for Fiscal Year July 1, 2021 – June 30, 2022

Summary: Sets a Public Hearing on February 15, 2021 on the Proposed Maximum Property Tax Dollars for Fiscal Year July 1, 2021 – June 30, 2022

Financial Impact: No Financial Impact, this action sets a Public Hearing

Report Number: 21-023

Date: February 1, 2021

Lead Department:
Administration

Recommendation:
Approval

BACKGROUND

The 2019 Iowa State Legislature passed bill #SF634 into law which requires cities to hold an additional public hearing during the budget process to set a maximum in property tax dollars received in certain levies. This requirement does not include the Library levy or the debt service levy. The maximum property tax dollar public hearing must be held before a public hearing is set on the final budget.

This action sets a public hearing for the February 15, 2021 Council meeting.

Recommendation:

Staff recommends setting a public hearing on February 15, 2021 on the proposed maximum property tax dollars for fiscal year FY22.

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

Matt Muckler
City Administrator

RESOLUTION NO. 2021 – _____

**RESOLUTION SETTING A PUBLIC HEARING ON THE PROPOSED
MAXIMUM PROPERTY TAX DOLLARS FOR FISCAL YEAR JULY 1, 2021 –
JUNE 30, 2022**

WHEREAS, the City of Newton is required to hold a public hearing to set the maximum tax dollars received in certain levies; and

WHEREAS, the City of Newton has held budget workshops in December of 2020 and January of 2021 to discuss and review the FY22 budget;

NOW, THEREFORE, BE IT RESOLVED by the City Council of Newton, Iowa that a public hearing on the proposed maximum property tax dollars be set for February 15, 2021 at 6:00pm in the City of Newton Council Chambers or via zoom (<https://us02web.zoom.us/j/83564044015>).

PASSED this 1st day of February 2021.

APPROVED this _____ day of February, 2021.

Michael L. Hansen, Mayor

ATTEST:

Katrina Davis, City Clerk

NOTICE OF PUBLIC HEARING - CITY OF NEWTON - PROPOSED PROPERTY TAX LEVY**Fiscal Year July 1, 2021 - June 30, 2022**

The City Council will conduct a public hearing on the proposed Fiscal Year City property tax levy as follows:

Meeting Date: 2/15/2021 **Meeting Time:** 06:00 PM **Meeting Location:** Council Chambers, 101 W 4th St S. or via Zoom (<https://us02web.zoom.us/j/83564044015>), Join zoom via phone: (call 312-626-6799 & enter ID # 83564044015), Mediacom Channels: 12/85/121.12, Website Streaming: Newtongov.org / I want to "view" Livestream

At the public hearing any resident or taxpayer may present objections to, or arguments in favor of the proposed tax levy. After adoption of the proposed tax levy, the City Council will publish notice and hold a hearing on the proposed city budget.

City Website (if available)
www.newtongov.org

City Telephone Number
 (641) 792-7878 ext: 2003

	Current Year Certified Property Tax 2020 - 2021	Budget Year Effective Property Tax 2021 - 2022	Budget Year Proposed Maximum Property Tax 2021 - 2022	Annual % CHG
Regular Taxable Valuation	472,107,780	473,085,445	473,085,445	
Tax Levies:				
Regular General	3,824,073	3,824,073	3,831,992	
Contract for Use of Bridge	0	0	0	
Opr & Maint Publicly Owned Transit	0	0	0	
Rent, Ins. Maint. Of Non-Owned Civ. Ctr.	0	0	0	
Opr & Maint of City-Owned Civic Center	0	0	0	
Planning a Sanitary Disposal Project	0	0	0	
Liability, Property & Self-Insurance Costs	206,000	206,000	190,000	
Support of Local Emer. Mgmt. Commission	22,881	22,881	22,881	
Emergency	0	0	0	
Police & Fire Retirement	912,987	912,987	972,021	
FICA & IPERS	246,953	246,953	517,081	
Other Employee Benefits	1,700,331	1,700,331	1,376,456	
Total Tax Levy	6,913,225	6,913,225	6,910,431	-0.04
Tax Rate	14.64332	14.61306	14.60715	

Explanation of significant increases in the budget:

There will be no significant increases in the budgets supported by the above listed tax levies.

If applicable, the above notice also available online at:

www.facebook.com/cityofnewtoniowa www.facebook.com/GetToKnowNewton/ www.facebook.com/newtoniowafireddepartment www.facebook.com/NewtonParks www.facebook.com/NewtonPolice
www.twitter.com/GettoKnowNewton www.instagram.com/gettoknownewton/ www.nextdoor.com/agency-city/ia/newton/

*Total city tax rate will also include voted general fund levy, debt service levy, and capital improvement reserve levy.

**Budget year effective property tax rate is the rate that would be assessed for these levies if the dollars requested is not changed in the coming budget year

City of Newton Council Report



Item: Resolution setting the date for public hearings on proposals to enter into General Obligation Loan Agreements

Report Number: 21-024

Summary: This action would set a public hearing to provide authorization for bonding

Date: February 1, 2021

Financial Impact: No direct impact as a result of setting the Public Hearing for proposed General Obligation Loan Agreements

Lead Department:
Administration

Recommendation:
Approval

Background:

The City of Newton proposes to enter into a General Obligation Loan Agreement (the "General Purpose Loan Agreement #1") and to borrow money thereunder in a principal amount not to exceed \$700,000 pursuant to the provisions of Section 384.24A of the Code of Iowa for the purpose of paying the costs, to that extent, of (1) acquiring a vehicle for use by the community development department; (2) developing an updated comprehensive plan for community infrastructure and growth; (3) making structural and systems improvements for municipal fire safety facilities; (4) constructing parking improvements for City Hall and Fire Safety facilities; (5) constructing cart path improvements at the municipal golf course; and (6) acquiring utility and maintenance vehicles and equipment for use by the municipal parks and recreation department, and it is now necessary to fix a date of meeting of the City Council at which it is proposed to take action to enter into the General Purpose Loan Agreement #1 and to give notice thereof as required by such law, including notice of the right to petition for an election on such proposal.

The City also proposes to enter into a General Obligation Loan Agreement (the "General Purpose Loan Agreement #2") and to borrow money thereunder in a principal amount not to exceed \$550,000 pursuant to the provisions of Section 384.24A of the Code of Iowa for the purpose of paying the cost, to that extent, of (1) constructing improvements to a municipal public works facility; and (2) undertaking site improvements at the former municipal manufactured gas plant, and it is now necessary to fix a date of meeting of the City Council at which it is proposed to take action to enter into the General Purpose Loan Agreement #2 and to give notice thereof as required by such law, including notice of the right to petition for an election on such proposal.

The City also proposes to enter into a General Obligation Loan Agreement (the "Essential Purpose Loan Agreement" and together with the General Purpose Loan Agreement #1 and the General Purpose Loan Agreement #2, the "Loan Agreements") and to borrow money thereunder in a principal amount not to exceed \$2,400,000 pursuant to the provisions of Section 384.24A of the Code of Iowa for the purpose of paying the cost, to that extent, of (1) constructing street, sanitary sewer system, water utility system, storm water drainage and sidewalk improvements; (2)

acquiring and installing streetscape, street lighting, signage and signalization improvements; (3) acquiring vehicles and equipment for the municipal police department; (4) acquiring emergency vehicles and equipment for the municipal fire department; (5) undertaking improvements to existing municipal parks, including sidewalk, fencing, ball field and landscaping/tree removal; and (6) acquiring, demolishing and/or restoring dangerous and dilapidated properties, and it is now necessary to fix a date of meeting of the City Council at which it is proposed to take action to enter into the Essential Purpose Loan Agreement and to give notice thereof as required by such law.

The 3 loan agreements described above are reflective of the CIP that the City Council has been considering during the budget process. Setting a public hearing does not lock the Council into borrowing for any of the above mentioned projects or equipment at this time.

Recommendation:

Staff recommends approval of the resolution to fix a date of a public hearing for the March 1, 2021 meeting of the City Council, at which it is proposed to take action to enter into the loan Agreements and to give notice thereof as required by such law. Staff recommends approval of the Resolution.

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

Matt Muckler
City Administrator.

RESOLUTION NO 2021- _____

Resolution setting the date for public hearings on proposals to enter into General Obligation Loan Agreements

WHEREAS, the City of Newton (the “City”), in Jasper County, proposes to enter into a General Obligation Loan Agreement (the “General Purpose Loan Agreement #1”) and to borrow money thereunder in a principal amount not to exceed \$700,000 pursuant to the provisions of Section 384.24A of the Code of Iowa for the purpose of paying the costs, to that extent, of (1) acquiring a vehicle for use by the community development department; (2) developing an updated comprehensive plan for community infrastructure and growth; (3) making structural and systems improvements for municipal fire safety facilities; (4) constructing parking improvements for City Hall and Fire Safety facilities; (5) constructing cart path improvements at the municipal golf course; and (6) acquiring utility and maintenance vehicles and equipment for use by the municipal parks and recreation department, and it is now necessary to fix a date of meeting of the City Council at which it is proposed to take action to enter into the General Purpose Loan Agreement #1 and to give notice thereof as required by such law, including notice of the right to petition for an election on such proposal; and

WHEREAS, the City also proposes to enter into a General Obligation Loan Agreement (the “General Purpose Loan Agreement #2”) and to borrow money thereunder in a principal amount not to exceed \$550,000 pursuant to the provisions of Section 384.24A of the Code of Iowa for the purpose of paying the cost, to that extent, of (1) constructing improvements to a municipal public works facility; and (2) undertaking site improvements at the former municipal manufactured gas plant, and it is now necessary to fix a date of meeting of the City Council at which it is proposed to take action to enter into the General Purpose Loan Agreement #2 and to give notice thereof as required by such law, including notice of the right to petition for an election on such proposal;

WHEREAS, the City also proposes to enter into a General Obligation Loan Agreement (the “Essential Purpose Loan Agreement” and together with the General Purpose Loan Agreement #1 and the General Purpose Loan Agreement #2, the “Loan Agreements”) and to borrow money thereunder in a principal amount not to exceed \$2,400,000 pursuant to the provisions of Section 384.24A of the Code of Iowa for the purpose of paying the cost, to that extent, of (1) constructing street, sanitary sewer system, water utility system, storm water drainage and sidewalk improvements; (2) acquiring and installing streetscape, street lighting, signage and signalization improvements; (3) acquiring vehicles and equipment for the municipal police department; (4) acquiring emergency vehicles and equipment for the municipal fire department; (5) undertaking improvements to existing municipal parks, including sidewalk, fencing, ball field and landscaping/tree removal; and (6) acquiring, demolishing and/or restoring dangerous and dilapidated properties, and it is now necessary to fix a date of meeting of the City Council at which it is proposed to take action to enter into the Essential Purpose Loan Agreement and to give notice thereof as required by such law;

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

Section 1. This City Council shall meet on March 1, 2021, at the _____, in the City, at _____ o'clock ____m., at which time and place a hearing will be held and proceedings will be instituted and action taken to enter into the Loan Agreement.

Section 2. The City Clerk is hereby directed to give notice of the proposed action on the General Purpose Loan Agreement #1 setting forth the amount and purpose thereof, the time when and place where the said meeting will be held by publication at least once, not less than ten (10) and not more than twenty (20) days before the date of said meeting, in a legal newspaper which has a general circulation in the City. The notice shall be in substantially the following form:

NOTICE OF PROPOSED ACTION TO INSTITUTE PROCEEDINGS TO
ENTER INTO A LOAN AGREEMENT AND TO BORROW MONEY
THEREUNDER IN A PRINCIPAL AMOUNT NOT TO EXCEED \$700,000

(GENERAL OBLIGATION)

The City Council of the City of Newton, Iowa, will meet on March 1, 2021, at _____ o'clock ____m. at _____, Newton, Iowa, for the purpose of instituting proceedings and taking action to enter into a General Obligation Corporate Purpose Loan Agreement (the "Loan Agreement") and to borrow money thereunder in a principal amount not to exceed \$700,000 for the purpose of paying the cost, to that extent, of (1) acquiring a vehicle for use by the community development department; (2) developing an updated comprehensive plan for community infrastructure and growth; (3) making structural and systems improvements for municipal fire safety facilities; (4) constructing parking improvements for City Hall and Fire Safety facilities; (5) constructing cart path improvements at the municipal golf course; and (6) acquiring utility and maintenance vehicles and equipment for use by the municipal parks and recreation department.

The City Council will offer in person and electronic access to the meeting due to federal and state government recommendations in response to COVID-19 pandemic conditions, at the following:

[insert electronic access information]

In addition to electronic access, written comments may be filed or made prior to the meeting and will be recorded in the minutes.

The Loan Agreement is proposed to be entered into pursuant to authority contained in Section 384.24A of the Code of Iowa and will constitute a general obligation of the City.

The maximum rate of interest which may be payable under the Loan Agreement is 7% per annum.

At any time before the date fixed for taking action to enter into the Loan Agreement, a petition may be filed with the City Clerk of the City asking that the question of entering into the Loan Agreement be submitted to the registered voters of the City, pursuant to the provisions of Section 384.26 of the Code of Iowa.

By order of the City Council of the City of Newton, Iowa.

Katrina Davis
City Clerk

Section 3. The City Clerk is hereby directed to give notice of the proposed action on the General Purpose Loan Agreement #2 setting forth the amount and purpose thereof, the time when and place where the said meeting will be held by publication at least once, not less than ten (10) and not more than twenty (20) days before the date of said meeting, in a legal newspaper which has a general circulation in the City. The notice shall be in substantially the following form:

NOTICE OF PROPOSED ACTION TO INSTITUTE PROCEEDINGS TO
ENTER INTO A LOAN AGREEMENT AND TO BORROW MONEY
THEREUNDER IN A PRINCIPAL AMOUNT NOT TO EXCEED \$550,000

(GENERAL OBLIGATION)

The City Council of the City of Newton, Iowa, will meet on March 1, 2021, at _____ o'clock ____m. at _____, Newton, Iowa, for the purpose of instituting proceedings and taking action to enter into a General Obligation Corporate Purpose Loan Agreement (the "Loan Agreement") and to borrow money thereunder in a principal amount not to exceed \$550,000 for the purpose of paying the cost, to that extent, of (1) constructing improvements to a municipal public works facility; and (2) undertaking site improvements at the former municipal manufactured gas plant.

The City Council will offer in person and electronic access to the meeting due to federal and state government recommendations in response to COVID-19 pandemic conditions, at the following:

[insert electronic access information]

In addition to electronic access, written comments may be filed or made prior to the meeting and will be recorded in the minutes.

The Loan Agreement is proposed to be entered into pursuant to authority contained in Section 384.24A of the Code of Iowa and will constitute a general obligation of the City.

The maximum rate of interest which may be payable under the Loan Agreement is 7% per annum.

At any time before the date fixed for taking action to enter into the Loan Agreement, a petition may be filed with the City Clerk of the City asking that the question of entering into the Loan Agreement be submitted to the registered voters of the City, pursuant to the provisions of Section 384.26 of the Code of Iowa.

By order of the City Council of the City of Newton, Iowa.

Katrina Davis
City Clerk

Section 4. The City Clerk is hereby directed to give notice of the proposed action on the Essential Purpose Loan Agreement setting forth the amount and purpose thereof, the time when and place where the said meeting will be held by publication at least once, not less than four (4) and not more than twenty (20) days before the date of said meeting, in a legal newspaper which has a general circulation in the City. The notice shall be in substantially the following form:

NOTICE OF PROPOSED ACTION TO INSTITUTE PROCEEDINGS TO
ENTER INTO A LOAN AGREEMENT AND TO BORROW MONEY
THEREUNDER IN A PRINCIPAL AMOUNT NOT TO EXCEED \$2,400,000

(GENERAL OBLIGATION)

The City Council of the City of Newton, Iowa, will meet on March 1, 2021, at _____ o'clock ____m. at _____, Newton, Iowa, for the purpose of instituting proceedings and taking action on a proposal to enter into a General Obligation Corporate Purpose Loan Agreement (the "Loan Agreement") and to borrow money thereunder in a principal amount not to exceed \$2,400,000 for the purpose of paying the costs, to that extent, of (1) constructing street, sanitary sewer system, water utility system, storm water drainage and sidewalk improvements; (2) acquiring and installing streetscape, street lighting, signage and signalization improvements; (3) acquiring vehicles and equipment for the municipal police department; (4) acquiring emergency vehicles and equipment for the municipal fire department; (5) undertaking improvements to existing municipal parks, including sidewalk, fencing, ball field and landscaping/tree removal; and (6) acquiring, demolishing and/or restoring dangerous and dilapidated properties.

The City Council will offer in person and electronic access to the meeting due to federal and state government recommendations in response to COVID-19 pandemic conditions, at the following:

[insert electronic access information]

In addition to electronic access, written comments may be filed or made prior to the meeting and will be recorded in the minutes.

The Loan Agreement is proposed to be entered into pursuant to authority contained in Section 384.24A of the Code of Iowa and will constitute a general obligation of the City.

At that time and place, oral or written objections may be filed or made to the proposal to enter into the Loan Agreement. After receiving objections, the City may determine to enter into the Loan Agreement, in which case, the decision will be final unless appealed to the District Court within fifteen (15) days thereafter.

By order of the City Council of the City of Newton, Iowa.

Katrina Davis
City Clerk

Section 5. Pursuant to Section 1.150-2 of the Income Tax Regulations (the “Regulations”) of the Internal Revenue Service, the City declares (a) that it intends to undertake the Projects which are reasonably estimated to cost approximately \$3,650,000, (b) that other than (i) expenditures to be paid or reimbursed from sources other than the issuance of bonds, notes or other obligations (the “Bonds”), or (ii) expenditures made not earlier than 60 days prior to the date of this Resolution or a previous intent resolution of the City, or (iii) expenditures amounting to the lesser of \$100,000 or 5% of the proceeds of the Bonds, or (iv) expenditures constituting preliminary expenditures as defined in Section 1.150-2(f)(2) of the Regulations, no expenditures for the Projects have heretofore been made by the City and no expenditures will be made by the City until after the date of this Resolution or a prior intent resolution of the City, and (c) that the City reasonably expects to reimburse the expenditures made for costs of the City out of the proceeds of the Bonds. This declaration is a declaration of official intent adopted pursuant to Section 1.150-2 of the Regulations.

Section 6. All resolutions or parts of resolutions in conflict herewith are hereby repealed to the extent of such conflict.

Section 7. This resolution shall be in full force and effect immediately upon its adoption and approval, as provided by law.

Passed and approved February 1, 2021.

Mayor

Attest:

City Clerk

City of Newton Council Report



Item: Resolution to fix a Date for a Public Hearing on Proposal to Enter into a Sewer Revenue Loan Agreement and to Borrow Money Thereunder in a Principal amount not to Exceed \$5,900,000

Summary: Sets a Public Hearing on March 1, 2021 for Proposed Sewer Revenue Loan Agreement

Financial Impact: No Financial Impact, this action sets a Public Hearing

Report Number: 21-025

Date: February 1, 2021

Lead Department:
Administration

Recommendation:
Approval

BACKGROUND

Section 384.24A of the Code of Iowa allows the City of Newton to enter into a Sewer Revenue Loan Agreement that would be paid solely and only from Sewer fund revenues. The proposed Sewer Revenue loan agreement will include funding for the following projects and Equipment:

- Jet/Vac Truck Replacement
- Sanitary Sewer Improvements
- Plant Improvements
- SW Sewage Pump Station

The projects and equipment are included in the proposed CIP document under the funding source Sewer (WPC) Revenue Bonds.

This action sets a public hearing for the March 1, 2021 Council meeting.

Recommendation:

Staff recommends setting a public hearing on March 1, 2021 to enter into loan agreement to borrow principal in the not to exceed amount of \$5,900,000 for the purpose of paying the costs of Sewer improvements and equipment.

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

Matt Muckler
City Administrator

RESOLUTION NO 2021- _____

Resolution to fix a date for a public hearing on proposal to enter into a Sewer Revenue Loan Agreement and to borrow money thereunder in a principal amount not to exceed \$5,900,000

WHEREAS, the City of Newton (the “City”), in Jasper County, State of Iowa, did heretofore establish a Municipal Sanitary Sewer Utility System (the “Utility”) in and for the City which has continuously supplied sanitary sewer service in and to the City and its inhabitants since its establishment; and

WHEREAS, the management and control of the Utility are vested in the City Council (the “Council”) and no board of trustees exists for this purpose; and

WHEREAS, pursuant to a prior resolution of the Council, the City has heretofore issued its Sewer Revenue Capital Loan Notes, Series 2002, dated May 3, 2002 (the “Series 2002 Notes”), a portion of which remains outstanding; and

WHEREAS, pursuant to a prior resolution of the Council, the City has heretofore issued its Sewer Revenue Capital Loan Notes, Series 2007, dated April 5, 2007 (the “Series 2007 Notes”), a portion of which remains outstanding; and

WHEREAS, pursuant to a prior resolution of the Council, the City has heretofore issued its Sewer Revenue Capital Loan Notes, Series 2010, dated January 13, 2010 (the “Series 2010 Notes”), a portion of which remains outstanding; and

WHEREAS, pursuant to the resolutions (the “Outstanding Note Resolutions”) authorizing the issuance of the Series 2002 Notes, the Series 2007 Notes and the Series 2010 Notes (collectively, the “Outstanding Notes”), the City reserved the right to issue additional obligations payable from the net revenues of the Utility and ranking on a parity with the Outstanding Notes under the terms and conditions set forth in the Outstanding Note Resolutions; and

WHEREAS, the City now proposes to enter into a loan agreement (the “Loan Agreement”) and to borrow money thereunder in a principal amount not to exceed \$5,900,000, pursuant to the provisions of Section 384.24A of the Code of Iowa, for the purpose of paying the cost, to that extent, of undertaking improvements and to, and acquiring equipment for, the Utility (the “Project”), and it is necessary to fix a date of meeting of the City Council at which it is proposed to take action to enter into the Loan Agreement and to give notice thereof as required by such law;

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

Section 1. This City Council shall meet on March 1, 2021, at the _____, in the City, at _____ o'clock ____m., at which time and place a hearing will be held and proceedings will be instituted and action taken to enter into the Loan Agreement.

Section 2. The City Clerk is hereby directed to give notice of the proposed action on the Loan Agreement setting forth the amount and purpose thereof, the time when and place where the said meeting will be held, by publication at least once, not less than four (4) and not more than twenty (20) days before the meeting, in a legal newspaper which has a general circulation in the City. The notice shall be in substantially the following form:

NOTICE OF PROPOSED ACTION TO INSTITUTE
PROCEEDINGS TO ENTER INTO A LOAN AGREEMENT IN A PRINCIPAL AMOUNT
NOT TO EXCEED \$5,900,000

(SEWER REVENUE)

The City Council of the City of Newton, Iowa, will meet on March 1, 2021, at _____ o'clock ____m. at the _____, Newton, Iowa, for the purpose of instituting proceedings and taking action to enter into a Loan Agreement (the "Loan Agreement") and to borrow money thereunder in a principal amount not to exceed \$5,900,000, for the purpose of paying the cost, to that extent, of undertaking improvements to, and acquiring equipment for, the City's Municipal Sanitary Sewer Utility System.

The City Council will offer in person and electronic access to the meeting due to federal and state government recommendations in response to COVID-19 pandemic conditions, at the following:

[insert electronic access information]

In addition to electronic access, written comments may be filed or made prior to the meeting and will be recorded in the minutes.

The Loan Agreement will not constitute a general obligation of the City, nor will it be payable in any manner by taxation but, together with the City's outstanding Sewer Revenue Capital Loan Notes, Series 2002, dated May 3, 2002; Sewer Revenue Capital Loan Notes, Series 2007, dated April 5, 2007; Sewer Revenue Capital Loan Notes, Series 2010, dated January 13, 2010; and any additional obligations of the City as may be hereafter issued and outstanding from time to time ranking on a parity therewith, will be payable solely and only from the Net Revenues of the Municipal Sanitary Sewer Utility System of the City.

At the aforementioned time and place, oral or written objections may be filed or made to the proposal to enter into the Loan Agreement. After receiving objections, the City may determine to enter into the Loan Agreement, in which case, the decision will be final unless appealed to the District Court within fifteen (15) days thereafter.

By order of the City Council of the City of Newton, Iowa.

Katrina Davis
City Clerk

Section 3. Pursuant to Section 1.150-2 of the Income Tax Regulations (the “Regulations”) of the Internal Revenue Service, the City declares (a) that it intends to undertake the Project which is reasonably estimated to cost approximately \$5,900,000, (b) that other than (i) expenditures to be paid or reimbursed from sources other than the issuance of bonds, notes or other obligations (the “Notes”), or (ii) expenditures made not earlier than 60 days prior to the date of this Resolution or a previous intent resolution of the City, or (iii) expenditures amounting to the lesser of \$100,000 or 5% of the proceeds of the Notes, or (iv) expenditures constituting preliminary expenditures as defined in Section 1.150-2(f)(2) of the Regulations, no expenditures for the Project have heretofore been made by the City and no expenditures will be made by the City until after the date of this Resolution or a prior intent resolution of the City, and (c) that the City reasonably expects to reimburse the expenditures made for costs of the City out of the proceeds of the Notes. This declaration is a declaration of official intent adopted pursuant to Section 1.150-2 of the Regulations.

Section 4. All resolutions or parts of resolutions in conflict herewith are hereby repealed to the extent of such conflict.

Section 5. This resolution shall be in full force and effect immediately upon its adoption and approval, as provided by law.

Passed and approved this February 1, 2021.

Mayor

Attest:

City Clerk

City of Newton Council Report



Item: Resolution Setting the Date for a Public Hearing on Proposal to Enter into a Road Use Tax Revenue Loan Agreement and to Borrow Money Thereunder in a Principal amount not to Exceed \$2,355,000

Summary: Sets a Public Hearing on March 1, 2021 for Proposed Road Use Tax Revenue Loan Agreement

Financial Impact: No Financial Impact, this action sets a Public Hearing

Report Number: 21-026

Date: February 1, 2021

Lead Department:
Administration

Recommendation:
Approval

BACKGROUND

Section 384.24A of the Code of Iowa allows the City of Newton to enter into a Road Use Tax Revenue Loan Agreement that would be paid solely and only from future road use tax revenues. The proposed Road Use Tax loan agreement will include funding for the following projects:

- Reconstruct E 3rd St S & E 2nd St S
- Asphalt Mill/Overlay – Various Streets
- Reconstruct W 3rd St S & W 2nd St S

All 3 projects are included in the proposed CIP document under the funding source Road Use Tax Revenue Bonds.

This action sets a public hearing for the March 1, 2021 Council meeting.

Recommendation:

Staff recommends setting a public hearing on March 1, 2021 to enter into loan agreement to borrow principal in the not to exceed amount of \$2,355,000 for the purpose of paying the costs of constructing street improvements.

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

Matt Muckler
City Administrator

RESOLUTION NO 2021-_____

Resolution setting the date for a public hearing on proposal to enter into a Road Use Tax Revenue Loan Agreement and to borrow money thereunder in a principal amount not to exceed \$2,355,000

WHEREAS, pursuant to the provisions of Section 384.24A of the Code of Iowa, the City of Newton (the "City"), in Jasper County, State of Iowa, proposes to enter into a Road Use Tax Revenue Loan Agreement (the "Loan Agreement") payable solely and only from future road use tax revenues and to borrow money thereunder in a principal amount not to exceed \$2,355,000 for the purpose of paying the costs, to that extent, of constructing street improvements (the "Project"), and it is now necessary to fix a date of meeting of the Council at which it is proposed to take action to enter into the Loan Agreement and to give notice thereof as required by such law;

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

Section 1. Pursuant to Section 364.6 of the Code of Iowa, the City hereby elects to follow the procedures set forth in Sections 384.24A.5 and 384.83 of the Code of Iowa for the authorization of the Loan Agreement.

Section 2. This City Council shall meet on March 1, 2021, at the _____, in the City, at _____ o'clock ____m., at which time and place a hearing will be held and proceedings will be instituted and action taken to enter into the Loan Agreement.

Section 3. The City Clerk is hereby directed to give notice of the proposed action on the Loan Agreement setting forth the amount and purpose thereof, the time when and place where the said meeting will be held, by publication at least once, and not less than 4 and not more than 20 days before the date of said meeting, in a legal newspaper which has a general circulation in the City. The notice shall be in substantially the following form:

NOTICE OF PROPOSED ACTION TO INSTITUTE PROCEEDINGS TO
ENTER INTO A LOAN AGREEMENT AND TO BORROW MONEY
THEREUNDER IN A PRINCIPAL AMOUNT NOT TO EXCEED \$2,355,000

(ROAD USE TAX)

The City Council of the City of Newton, Iowa, will meet on March 1, 2021, at _____ o'clock _____.m., for the purpose of instituting proceedings and taking action to enter into a loan agreement (the "Loan Agreement") and to borrow money thereunder in a principal amount not to exceed \$2,355,000 for the purpose of paying the costs, to that extent, of constructing street improvements.

The City Council will offer in person and electronic access to the meeting due to federal and state government recommendations in response to COVID-19 pandemic conditions, at the following:

[insert electronic access information]

In addition to electronic access, written comments may be filed or made prior to the meeting and will be recorded in the minutes.

The Loan Agreement will not constitute a general obligation of the City, but will be payable solely and only from annual road use tax funds received by the City from the State of Iowa, which funds will be pledged for the full and prompt payment of the principal and interest payable under the Loan Agreement.

The Loan Agreement is proposed to be entered into pursuant to authority contained in Section 384.24A of the Code of Iowa.

At the aforementioned time and place, oral or written objections may be filed or made to the proposal to enter into the Loan Agreement. After receiving objections, the Council may determine to enter into the Loan Agreement, in which case, the decision will be final unless appealed to the District Court within fifteen (15) days thereafter.

By order of the City Council of the City of Newton, Iowa.

Katrina Davis
City Clerk

Section 4. Pursuant to Section 1.150-2 of the Income Tax Regulations (the "Regulations") of the Internal Revenue Service, the City declares (a) that it intends to undertake the Project which is reasonably estimated to cost approximately \$2,355,000, (b) that other than (i) expenditures to be paid or reimbursed from sources other than the issuance of bonds, notes or other obligations (the "Bonds"), or (ii) expenditures made not earlier than 60 days prior to the date of this Resolution or a previous intent resolution of the City, or (iii) expenditures amounting to the lesser of \$100,000 or 5% of the proceeds of the Bonds, or (iv) expenditures constituting preliminary expenditures as defined in Section 1.150-2(f)(2) of the Regulations, no expenditures for the Project have heretofore been made by the City and no expenditures will be made by the City until after the date of this Resolution or a prior intent resolution of the City, and (c) that the City reasonably expects to reimburse the expenditures made for costs of the City out of the proceeds of the Bonds. This declaration is a declaration of official intent adopted pursuant to Section 1.150-2 of the Regulations.

Section 5. All resolutions or parts of resolutions in conflict herewith are hereby repealed to the extent of such conflict.

Section 6. This resolution shall be in full force and effect immediately upon its adoption and approval, as provided by law.

Passed and approved February 1, 2021.

Mayor

Attest:

City Clerk

City of Newton Council Report

Item: Resolution approving Engineering Design Services Agreement for the N 4th Ave W & Highway 14 Traffic Signal Project.

Summary: Approval of an Engineering design services agreement for the N 4th Ave W and Highway 14 traffic signal, including survey, design for poles, signal heads, controller, wiring, handholes and ADA upgrades.

Financial Impact: \$22,900.00 from Road Use Tax (RUT).



Report Number: 21-027

Date: February 1, 2021

Lead Department: Public Works

Recommendation: Approve

Background:

It was requested by the Traffic Safety Committee to review the signalized intersection of N 4th Ave W and Highway 14 to determine appropriate traffic control. The intersection is currently a signalized intersection with Highway 14 extending north/south from the intersection and N 4th Ave W extending east/west from the intersection.

Highway 14 is a 2-lane undivided road north of the intersection. South of the intersection the road tapers to include a median as it expands to a 4-lane divided roadway at the next intersection approximately a ¼ mile south. Highway 14 posted speed changes from 45mph to 35mph 800 feet north of the intersection for south-bound traffic. N 4th Ave W is an east/west two-lane street with a 25mph speed limit.

Thomas Jefferson Elementary School is on the southwest corner of the intersection with residential housing east of the intersection. There is a school crossing on the south leg of the intersection for school children to cross Highway 14. An adult crossing guard is present during arrival and dismissal to assist students across Highway 14.

The signalized intersection was installed in 1975, is aging and in need of replacement due to failing and outdated equipment. Therefore, design and specifications will need to be prepared to replace the signalized intersection equipment. Two new poles with mast arms, new conduits, wiring, signal cabinet, controllers, signal heads and ADA improvements will be part of the upgrades to this project.

Staff has chosen Bolton/Menk Engineering to develop the required plans and specifications for the construction of a new signalized intersection. City staff will provide preparation of a project manual, preparation of bidding documents, preparation of contract documents, submittal reviews, construction administration and construction observation. The City will publicly bid the project.

Recommendation:

City Staff recommends approval of traffic signal Engineering design services agreement with Bolton/Menk of Des Moines, Iowa for \$22,900.00. The design for this project will be paid from Road Use Tax (RUT).

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. 2021-_____

**RESOLUTION APPROVING ENGINEERING DESIGN SERVICES AGREEMENT
FOR THE N 4th AVE W & HIGHWAY 14 TRAFFIC SIGNAL PROJECT**

WHEREAS, it was requested by the Traffic Safety Committee to review the signalized intersection of N 4th Ave W and Highway 14 to determine appropriate traffic control; and

WHEREAS, the intersection is currently a signalized intersection and the consensus from the Newton Community School District and the City of Newton elected officials is the intersection remain as a signalized intersection; and

WHEREAS, the signalized intersection was installed in 1975, is aging and in need of replacement due to failing and outdated equipment. Therefore, design and specifications will need to be prepared to replace the signalized intersection equipment. Two new poles with mast arms, new conduits, wiring, signal cabinet, controllers, signal heads and ADA improvements will be part of the upgrades to this project; and

WHEREAS, city staff has chosen Bolton/Menk Engineering to develop the required plans and specifications for the construction of a new signalized intersection at this intersection; and

WHEREAS, city staff will provide preparation of a project manual, preparation of bidding documents, preparation of contract documents, submittal reviews, construction administration and construction observation. City staff will publicly bid the project; and

NOW, THEREFORE, BE IT RESOLVED, by the City Council of Newton, Iowa, that the Mayor is authorized to enter into an agreement with Bolton/Menk Engineering of Des Moines, Iowa for \$22,900.00 for the engineering design services for the signalized intersection improvements. The design for this project will be paid utilizing Road Use Tax funds.

PASSED this _____ day of February 2021.

APPROVED this _____ day of February 2021.

Michael L. Hansen, Mayor

ATTEST:

Katrina Davis, City Clerk

City of Newton Council Report

Item: Resolution setting a public hearing and inviting proposals for the sale of property at 921 North 4th Avenue West.

Summary: The City 921 North 4th Avenue West through the D&D program. In order to sell the property, City Council must first set a public hearing to consider proposals from the public.

Financial Impact: No cost.



Report Number: 21-028

Date: February 1, 2021

Lead Department: Community Development Department

Recommendation:
Approve

Summary: The City acquired 921 North 4th Avenue West through the D&D program. There has been expressed interest in the property for construction of a new home. .

Iowa Code Chapter 364.7 requires cities to set public hearings before disposing of any property. Public notice would then be published in the *Newton Daily News* and all interested parties would be able to submit proposals.

The attached Resolution sets a public hearing for the regular Council meeting on February 15, 2021 for the sale of property at 921 North 4th Avenue West. Proposals will be accepted until 2:00 pm on February 11, 2021.

Recommendation:
City Staff recommends approval.

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

Matt Muckler
City Administrator

RESOLUTION NO. 2021 – _____

**RESOLUTION SETTING A PUBLIC HEARING AND INVITING PROPOSALS FOR
THE SALE OF PROPERTY AT 921 WEST 4TH STREET NORTH IN NEWTON**

WHEREAS, the City of Newton owns property located at 921 North 4th Avenue West, Newton, legally described as: PARCEL "A" OF LOT ONE OF OUTLINE ONE IN EXLINE'S ADDITION OT THE CITY OF NEWTON, JASPER COUNTY, IOWA, AS SHOWN BY PLAT OF SURVEY RECORDED IN BOOK 1153, PAGE 271, AS APPEARS OF RECORD IN THE OFFICE OF THE RECORDER OF SAID COUNTY;

WHEREAS, said real estate is not needed for public purposes, and

WHEREAS, Iowa Code Chapter 364.7 requires cities to set and hold a public hearing before selling or disposing of real estate, and,

NOW, THEREFORE, BE IT RESOLVED by the City Council of Newton, Iowa:

Section 1: That the Public Notice in substantially the following form shall be given that a Public Hearing be held at 6:00 pm on February 15, 2021, in the City Council Chambers of City Hall, 101 West 4th Street South, and/or via Zoom to consider the sale of property at 921 West 4th Street North in Newton:

PUBLIC NOTICE

The City Council of Newton, Iowa will hold a Public Hearing at 6:00 p.m. on February 15, 2021, at City Hall, 101 West 4th Street South, and/or via Zoom to consider proposals for purchase of the property located at 921 West 4th Street North, Newton. The property is legally described as: PARCEL "A" OF LOT ONE OF OUTLINE ONE IN EXLINE'S ADDITION OT THE CITY OF NEWTON, JASPER COUNTY, IOWA, AS SHOWN BY PLAT OF SURVEY RECORDED IN BOOK 1153, PAGE 271, AS APPEARS OF RECORD IN THE OFFICE OF THE RECORDER OF SAID COUNTY. Proposals shall be submitted by 2:00 p.m., February 11, 2021, to the Newton Community Department; 403 West 4th Street North, Suite 501; Newton, Iowa 50208. Additional information about the property and the process for submitting a proposal is available at the Community Development Department, (641)-792-6622. The City Council will consider all proposals received, but reserves the right to reject any or all proposals received or to accept any proposal it deems in the best public interest. At said Hearing, interested persons may be heard in support of or opposition to said sale or the price or terms of a proposed agreement.

Section 2: That following the Public Hearing, City Council may select the proposal to purchase the described property which is in the best interest of the City Newton and shall thereafter sell said property at the price and under such terms as it shall determine, subject to an Agreement for Purchase with the selected Purchaser.

PASSED this _____ day of February 2021.

APPROVED this _____ day of February 2021.

Michael L. Hansen, Mayor

ATTEST:

Katrina Davis, City Clerk

INTERGOVERNMENTAL AGREEMENT PURSUANT TO CODE OF IOWA
CHAPTER 28E (2021) BETWEEN THE CITY OF NEWTON, IOWA AND THE
NEWTON, IOWA RURAL BENEFITED FIRE DISTRICT

1. PARTIES. This Intergovernmental Agreement (hereinafter "Agreement") is made as of FEBRUARY 1, 2021 by and between the City of Newton, Iowa, (hereinafter "City"), a municipal corporation organized under the laws of the State of Iowa and the Newton Rural Benefited Fire District, (hereinafter "District"), organized in the year 1953 and operating under Chapter 357B of the Code of Iowa (2020).

2. PURPOSE. The City and the District recognize the need to provide adequate fire protection to the areas served by the District and in the vicinity of the City while continuing to provide adequate fire protection to the City.

3. AUTHORITY. The City and the District enter into this Agreement pursuant to the provisions of Section 28E of the Code of Iowa (2020). The terms and provisions of this Agreement supersede the terms and provisions of any and all other agreements, written or oral, made by or between the parties.

4. DURATION. This Agreement shall be effective for a period of ten (10) years from the date of execution.

5. RIGHTS AND RESPONSIBILITIES OF THE CITY. The City will provide fire fighting equipment and vehicles as necessary for safe and effective fire fighting and will house all fire fighting equipment and vehicles unless otherwise mutually agreed by the parties. The City will also provide manpower to operate the equipment.

6. RIGHTS AND RESPONSIBILITIES OF THE DISTRICT. In return for the services provided by the City, the District shall comply with the fee structure set forth in Section 7 of this Agreement. The District further agrees that it will not enter into an agreement with any other municipality, state department or agency, governmental entity or person or persons for the furnishing of fire protection without the expressed written consent of the City.

7. FEE STRUCTURE. The parties agree that the following fee structure shall be followed:

- a) the District shall levy the maximum tax rate for fire protection as allowed by the Code of Iowa;
- b) the fee payable to the City shall be 100% of the annual tax levied by the District and shall be payable to the City during the City's fiscal year, with one-half of the total amount payable on or before December 31 and the second one-half of the total amount payable on or before June 30;

8. ADMINISTRATOR. Since this Agreement does not create a separate legal entity, it shall have an Administrator. The City of Newton's Fire Chief shall be the Administrator of this 28E Agreement.

9. TERMINATION. This Agreement may be terminated by either party by hand delivery of or mailing written notice to the other party on or before December 31 of any year for termination on June 30 of the following year. For example, to terminate the agreement on June 30, 2024, notice would have to occur on or before December 31, 2023.

10. DISPOSITION OF PROPERTY. Given the terms of paragraphs 5-7, the City, in its sole discretion, shall determine what property, if any, shall be acquired to carry out its obligations under the Agreement. Once acquired, all property shall belong to the City for holding and disposition as the City, in its sole discretion, determines.

11. SEVERABILITY. If any provision of this Agreement is for any reason held to be illegal or invalid, such illegality or invalidity shall not affect any other provision entered into, each of which shall be construed and enforced as if such illegal or invalid portion are not contained herein. Nor shall such illegality or invalidity of any application affect any legal and valid application, and each such provision shall be deemed to be effective in the manner and to the full extent permitted by law.

12. GOVERNED BY STATE LAW. This Agreement shall be governed exclusively by and construed in accordance with the laws of the State of Iowa.

IN WITNESS WHEREOF, the City and the District have caused this Agreement to be approved by their appropriate representatives and have caused this Agreement to be duly executed on their behalf by their duly authorized officers, and the same attested to and the corporate seals, if necessary, affixed hereto.

Dated this 1 day of FEBRUARY, 2021

CITY OF NEWTON, IOWA

Michael L. Hansen, Mayor

ATTEST:

Katrina Davis, City Clerk

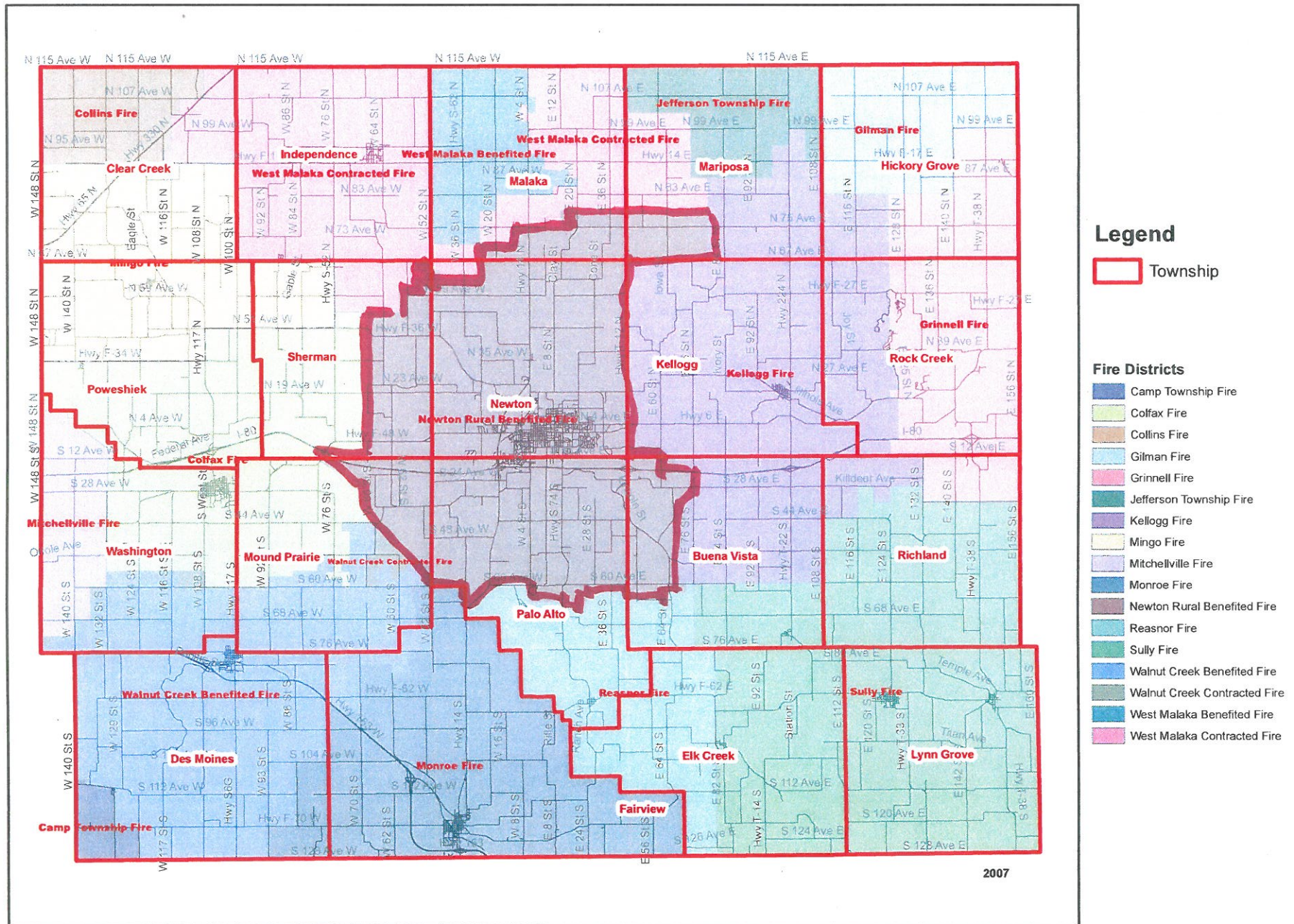
NEWTON RURAL
BENEFITED FIRE DISTRICT

David McClurg
David McClurg, Trustee

Gary Lentzkow
Gary Lentzkow, Trustee

Barry Sparks
Barry Sparks, Trustee

JASPER COUNTY FIRE DISTRICTS



City of Newton Council Report

Item: Resolution approving agreement with newton rural benefited fire district.

Summary: This Resolution renews a long standing agreement with the Newton Rural Benefitted Fire District.

Financial Impact: Annual revenue of \$100,561 (FY19/20) with approximate 3-4% growth annually.



Report Number: 21-029

Date: February 1, 2021

Lead Department:
Fire Department

Recommendation:
Approve

BACKGROUND

The City of Newton has had an agreement with the Newton Rural Benefited Fire District (District) since 1953 to provide the District with fire protection services. The City of Newton and the District recognize the need to provide adequate fire protection to the area serviced by the District and in the vicinity of the city while continuing to provide adequate fire protection to the city. The attached contract will allow the City of Newton to continue to provide fire protection services to the District within the financial resources available under state law to the District with the minimal amount of financial impact to the City. The rules pertaining to Rural Benefitted Fire Districts are defined in Chapter 357B of the Code of Iowa. The City and the District have the authority to enter into an Agreement pursuant to the provisions of Section 28E of the Code of Iowa. This Agreement shall be effective for a period of ten (10) years from the date of execution.

The City will provide emergency response equipment and vehicles as necessary for safe and effective emergency response and will house, maintain and provide manpower to operate the equipment. The District shall comply with the fee structure set forth in Agreement. The District paid the City of Newton \$100,561 in FY19/20. The District boundaries are identified on the attached map. The District further agrees that it will not enter into an agreement with any other municipalities, state department or agency, governmental entity or person or persons for the furnishing of fire protection without the expressed written consent of the City. This Agreement shall be governed exclusively by and construed in accordance with the laws of the State of Iowa.

RECOMMENDATION

It is recommended that the City Council adopt the attached Agreement with the Newton Rural Benefited Fire District to provide fire protection services.

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

Matt Muckler
City Administrator
Attachment

RESOLUTION NO. 2021- _____

RESOLUTION APPROVING AGREEMENT BETWEEN CITY OF NEWTON FIRE DEPARTMENT AND NEWTON RURAL BENEFITED FIRE DISTRICT.

WHEREAS, the City of Newton and the Newton Rural Benefited Fire District recognize that there is a need for fire protection in the rural areas within the Newton Rural Benefited Fire District; and

WHEREAS, the preservation of life and property of the citizens in this area depend upon the availability of properly trained personnel and adequate equipment; and

WHEREAS, the City of Newton has such trained personnel and is willing to provide assistance to the Newton Rural Benefited Fire District; and

WHEREAS, the parties have negotiated an Agreement in which the City of Newton will provide trained personnel, equipment and other services to the Newton Rural Benefited Fire District in exchange for payment by the Newton Rural Benefited Fire District; and

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Newton, Iowa, that the Agreement between the City of Newton Fire Department and the Newton Rural Benefited Fire District is hereby approved.

BE IT IS FURTHER RESOLVED, that the Mayor and City Clerk are directed to sign the Agreement on behalf of the City of Newton.

PASSED this _____ day of February, 2021.

APPROVED this _____ day of February, 2021.

Michael L. Hansen, Mayor

ATTEST:

Katrina Davis, City Clerk

Vendor	Department	Description	Amount
Acushnet Company	Golf	Merchandise	\$ 246.60
Airgas USA LLC	Fire	Supplies	\$ 136.97
Alliant Energy/IPL	Disaster Services	Utilities	\$ 62.20
Amazon Capital Services	All	Supplies	\$ 183.17
Applied Industries Technologies	Water Pollution Control	Supplies	\$ 435.98
Arrowhead Forensics	Police	Supplies	\$ 50.92
Baker Group	City Center	Service	\$ 561.50
Bolton & Menk Inc	All	Service	\$ 19,127.51
Bound Tree Medical LLC	Fire	Supplies	\$ 472.14
Breman and Sons Tree Service	Street	Service	\$ 93,765.85
Cardinal Tracking Inc	Police	Service	\$ 169.95
Cardinal Trophies	Police	Service	\$ 15.00
Cintas	All	Service	\$ 408.82
Classic Car Wash	Police	Service	\$ 388.00
Construction Materials Testing	Street	Service	\$ 8,378.25
Cupples, Billy	Parks	Reimbursement	\$ 67.98
D&W Tree Service	Parks	Service	\$ 56,344.50
Deere & Company	Parks	Supplies	\$ 16,846.27
Digium Cloud Services LLC	Fire	Utilities	\$ 401.00
DMACC - Ankeny Campus	PW Building	Rent	\$ 1,895.75
Dodd Trash Hauling & Recycling	Solid Waste	Service	\$ 58,487.00
EMSAR	Fire	Service	\$ 1,613.18
Fareway	Water Pollution Control	Supplies	\$ 17.82
Fastenal	City Garage	Supplies	\$ 296.53
FBI-LEEDA	Police	Training	\$ 695.00
Financial Forms & Supplies	Fire	Supplies	\$ 103.45
Galls LLC	Fire	Supplies	\$ 782.38
Gracie Global LLC	Police	Training	\$ 895.00
Grainger Inc	Water Pollution Control	Supplies	\$ 67.95
Gregg Young Auto Center	Fire/Police	Service	\$ 1,396.35
Harris Golf Cars	Golf	Service	\$ 816.00
Hawkins Water Treatment	Water Pollution Control	Supplies	\$ 1,467.00
Henderson Products Inc	Snow Removal	Supplies	\$ 2,114.73
Hewitt Service Center	Street	Supplies	\$ 800.00
HLW Engineering Group	Landfill	Service	\$ 874.00
Hotsy Cleaning Systems	Fire	Service	\$ 165.98
Howe Excavating	Commercial D&D	Service	\$ 2,850.00
Image Trend Inc	Fire	Services	\$ 980.00
Iowa Golf Association	Golf	Service	\$ 690.00
Iowa One Call	Water Pollution Control	Service	\$ 375.20
Iowa Prison Industries	Street	Supplies	\$ 276.32
Iowa Workforce Development	Golf/Library/Parks	Service	\$ 2,897.65
Isolved Benefit Services	Finance	Service	\$ 98.03
Jasper County Recorder	Economic Development	Service	\$ 42.00
Jasper County Sheriff	Police	Supplies	\$ 45.06

JETCO Inc	Water Pollution Control	Supplies	\$ 3,199.50
Johnson Aviation	Airport	Service	\$ 3,015.29
Keltek Incorporated	Fire	Service	\$ 585.00
Keystone Labs	Water Pollution Control	Service	\$ 3,525.50
Kiesler's Police Supply	Police	Supplies	\$ 1,471.25
Lavelly,Dillon	Police	Reimbursement	\$ 227.71
Lawson Products Inc	City Garage	Supplies	\$ 43.30
Liberty Tire Services LLC	Landfill	Service	\$ 125.00
Lyman, Rick	Commercial D&D/Parks	Service	\$ 1,161.56
Magnum Automotive	Fire/Parks/Police	Supplies	\$ 382.69
Marsden Bldg Maintenance	City Center	Service	\$ 2,425.25
Martin Marietta Materials	Parks	Supplies	\$ 1,123.52
Maxim Advertising	Police	Service	\$ 8.50
McMaster-Carr	Water Pollution Control	Supplies	\$ 76.88
MG Laundry Corporation	City Center/Fire	Service	\$ 106.30
Mid Country Machinery	Landfill	Supplies	\$ 841.46
Murphy Tractor & Equipment	Landfill/Street	Supplies	\$ 3,175.72
NAPA Auto Parts	All	Supplies	\$ 454.26
News Printing Company	Police	Service	\$ 222.26
Newton Clinic	Fire	Service	\$ 217.50
Newton Daily News	Police	Service	\$ 132.00
Norrish, Rick	Fire	Reimbursement	\$ 127.49
O'Halloran International	Street/Snow Removal	Supplies	\$ 433.77
O'Keefe Elevator Co Inc	City Center	Service	\$ 198.65
O'Reilly Auto Parts	Parks	Supplies	\$ 243.68
Oskam Signs	SSMID District	Service	\$ 500.00
Quill Corporation	Public Works Administration	Supplies	\$ 32.99
Reserve Account-Pitney Bowes	Finance	Supplies	\$ 3,000.00
Rozendaal Services LLC	Community Beautification	Service	\$ 250.00
Sandry Fire Supply LLC	Fire	Supplies	\$ 1,683.50
Sign Pro	Police	Service	\$ 700.00
Smith Quality Rental	Fire/Parks	Supplies	\$ 117.94
Springer Professional Home Services	City Center	Service	\$ 114.00
Storey Kenworthy/Matt Parrott	Finance	Supplies	\$ 715.00
Terminal Supply Company	City Garage	Supplies	\$ 129.28
Theisen's	All	Supplies	\$ 572.59
Truck Equipment	Parks	Supplies	\$ 25.20
True Value Hardware	Fire/Police/WPC	Supplies	\$ 27.67
Two Rivers Cooperative	Airport	Supplies	\$ 398.64
Van Maanen Electric Inc	Tort Liability	Supplies	\$ 94.33
Walker,Zach	Police	Supplies	\$ 41.31
Wal-Mart	All	Supplies	\$ 166.23
Warnick & Reeves Mechanical	City Center	Service	\$ 224.88
Water Department	City Center/Parks	Service	\$ 1,165.96
Ziegler Inc	Street	Supplies	\$ 5,351.80
Zoll	Fire	Supplies	\$ 214.23
Total			\$ 317,854.58

Pre-Authorized Payments

Alliant Energy	All	Utilities	\$ 51,167.46
Black Hills Energy	All	Utilities	\$ 5,976.41
CRH Properties LLC	North Central TIF	Grant	\$ 30,000.00
DISH Network	Airport	Utilities	\$ 137.05
Mediacom	Administration	Utilities	\$ 286.90
Rogers-Sell, Cindy	North Central TIF	Grant	\$ 20,000.00
United States Cellular	All	Utilities	\$ 390.13
Windstream	All	Utilities	\$ 1,432.71
Total			\$ 109,390.66

ACH Payments from Great Southern Bank

Advantage Credit Union	All	Insurance	\$ 16,665.00
Bank Iowa	All	Insurance	\$ 7,095.00
Great Southern Bank	All	Insurance	\$ 330.00
Kabel	All	Insurance	\$ 50.00
State Of Iowa	Golf/Park/WPC	Sales Tax	\$ 1,880.17
Wellmark BC/BS	All	Insurance	\$ 170,397.94
Total			\$ 196,418.11

City of Newton Council Report

Item: A resolution accepting purchase and redevelopment proposal for property at 602 East 13th Street North in Newton

Summary: The City purchased the property at 602 East 13th Street North through the Newton D&D program for \$10,000. The home on the property has not been demolished as the structure has been determined to be repairable. Bids for the home, with the understanding that certain repairs will be made, are being accepted.

Financial Impact: Cost Recovery



Report Number: 21-030

Date: February 1, 2021

Lead Department: Community Development Department

Recommendation: Approve

The City of Newton acquired the property at 602 East 13th Street North through the D&D Program in September 2020. The property has some condition issues, primarily with the foundation, but staff has determined that the home is repairable and demolition is not necessitated.

The City has given the requisite Public Hearing notice for selling land, per Council action on January 18, 2021. Public notice has been published in the *Newton Daily News*, inviting interested parties to submit proposals for the lot. Offers were requested to be received by January 29th.

The attached resolution approves the sale of property 602 East 13th Street North. Since there is still time to submit offers, the resolution contains several blanks. The purchaser, price, and terms of the sale would need to be filled in following the public hearing and prior to Council action on the resolution. The City would transfer the property by Special Warranty Deed subject to the conditions of a Purchase and Redevelopment agreement, which will specify repairs/rehabilitation plans for the building.

Funds received from the sale of D&D land return to the D&D program for use on other acquisitions and/or demolitions. A sale of the land would return the property to the tax base and would eliminate the City's maintenance responsibility and costs associated with that.

Recommendation: Staff is favorable towards selling the property 602 East 13th Street North and will provide a detailed recommendation at the February 1, 2021 Council Meeting based on the offer/s received.

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

Matt Muckler
City Administrator

602 East 13th Street North



Photo Source: Jasper County Assess (<https://beacon.schneidercorp.com>)

RESOLUTION NO. 2021 – _____

**RESOLUTION ACCEPTING PURCHASE AND REDEVELOPMENT PROPOSAL FOR
PROPERTY AT 602 EAST 13TH STREET NORTH IN NEWTON**

WHEREAS, _____, has submitted a proposal to purchase, for \$ _____ certain property owned by the City of Newton, Iowa located at 602 East 13th Street North, legally described as: LOT 14, BLOCK C, EMERSON HOUGH PLACE SUBDIVISION, CITY OF NEWTON, JASPER COUNTY, IOWA

WHEREAS, said real estate is not needed for public purposes, and

WHEREAS, Iowa Code Chapter 364.7 requires cities to set a public hearing before selling or disposing of real estate, and,

WHEREAS, the City has set such a hearing, given the required public notice, and held the public hearing; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of Newton, Iowa:

Section 1: That the attached Purchase and Redevelopment Agreement for Property Located at 602 East 13th Street North between the City and the purchasing party, _____, be approved and accepted, subject to the restrictions in the Agreement.

Section 2: That the City shall prepare a Special Warranty Deed, obtain the signatures of the Mayor and City Clerk who are each hereby authorized and directed to execute said deed on behalf of the City of Newton, Iowa, and to take all steps necessary to complete the transfer of title to the purchasing party per the terms of the Agreement to Purchase Real Estate.

PASSED this _____ day of February 2021.

APPROVED this _____ day of February 2021.

(Seal)

Michael L. Hansen, Mayor

ATTEST:

Katrina Davis, City Clerk

City of Newton Council Report

Item: An ordinance amending the City of Newton Code of Ordinances, Title XV, Chapter 150, Electrical Code for the City of Newton.

Summary: The State of Iowa has updated the electrical code with an effective date of January 1, 2021. This ordinance amendment amends the local code to match the changes at the State Level.

Financial Impact: None.



Report Number: 21-015

Date: January 18, 2021

Lead Departments:
Community Development
Department

Recommendation:
Approve

Background: In 2018, the City of Newton adopted the 2014 National Electrical Code (NEC) as adopted by the State of Iowa. Historically, the City has followed the same electrical code as the State of Iowa. Effective January 1, 2021, the State of Iowa has updated their electrical code to the 2020 National Electrical Code.

The attached ordinance updates the current local code language, to align with the State of Iowa. The effective date is after the final passage, approval, and publication as provided by law.

City staff finds that is in the community's best interest to be consistent with the State codes. In addition, the consistency with the State codes makes it easier for electrical contractors to know the required standards. It is important to note that the City of Newton cannot be less restrictive than the State of Iowa in the adopted building and trades codes. There are a couple changes found in the 2020 NEC:

- Exterior emergency disconnect(s) for dwellings are now required at the electric meter enclosure. (230.85)
- Surge protection is now required for dwellings at the electric service panel. (230.67)
- Maximum number of disconnects remains at 6, but now they are required to be in individual enclosure. (230.71 (A) and (B))
- Disconnects for signs must be clearly marked. (600.25)

In addition to updating to the 2020 edition of the National Electrical Code, a few housekeeping corrections are also included and are as follows:

- 150.002(E) correct a misspelling of the word "and"
- 150.002(G) "United States of American Standards Institue" changed to "American National Standards Institute"

- 150.002(H) “of” changed to “or” in first sentence
- 150.002(L) Insert “Master” before “electrician’s license” and add “in the State of Iowa” after “license” in first sentence. Insert “Master” in front of “electrician” in second sentence.
- 150.002(M) Insert “Master” in front of “electrician securing such permit”
- 150.002(R)(1) “in the office of the Electrical Inspector” changed to “at the Community Development Department”
- 150.002(V) all instances of the word “conductor” changed to “contractor”

Recommendation: Staff recommends approval of the ordinance.

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

Matt Muckler
City Administrator

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE CITY OF NEWTON CODE OF ORDINANCES, TITLE XV, CHAPTER 150, BUILDING CODE, ELECTRICAL CODE, PLUMBING CODE, FIRE CODE, AND MECHANICAL CODE FOR THE CITY OF NEWTON

WHEREAS, the Newton City Council identified updating the building and fire codes as a priority project in the 2017-2019 City Council Goals, established on February 5, 2018;

WHEREAS, the Newton Building Trades Board reviewed the Building, Electrical, Plumbing, Fire, and Mechanical Codes and unanimously recommended approval at their May 2, 2018 of code updates;

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

Section 1. Title XV, 150.002 *Electrical Code* is hereby modified by adding (underlined) and deleting (~~striketrough~~) as follows:

§ 150.002 ELECTRICAL CODE.

(A) *Title.* Pursuant to the authority of Iowa Code § 380.10, the National Electrical Code, 2020~~14~~ Edition, as amended by the state, except as hereinafter amended by this section, is hereby adopted by reference for the purpose of providing minimum provisions to safeguard life or limb, health, property and public welfare by regulating, licensing and controlling the design, installation, quality of materials, location and maintenance of all electrical installations and uses within the city. The provisions of said Code, except as amended herein, shall be controlling in all matters contemplated therein within the city. The provisions of this section shall be known as the "Electrical Code".

(2011 Code, § 20.0201)

(B) *Copies on file.* An official copy of said Code, including amendments as adopted, is on file in the office of the Building Official.

(2011 Code, § 20.0202)

(C) *Available for public inspection.* A copy of said Code, as amended, shall be kept available at the Building Official's office for public inspection.

(2011 Code, § 20.0203)

(D) *Local amendments to the National Electrical Code.* None.

(2011 Code, § 20.0204)

(E) *Scope.*

(1) The provisions of the Electrical Code shall apply to the electrical conductors and equipment installed within or on public and private structures and other premises; also the conductors that connect the installations to a supply of electricity and other outside conductors adjacent to the premises; also mobile homes and travel trailers.

(2) Additions to, alterations thereof, and repairs to existing electrical equipment, if covered by the Electrical Code, shall comply with the provisions of the Electrical Code; and, further, the Electrical Inspector may, when such additions, alterations or repairs are made, order further reasonable additions or alterations in a building, structure or on premises, when a danger to life or property may result if such further additions or alterations were not made.

(3) Installations which were in compliance with the Electrical Code in existence at the time such installations were made shall be presumed to be safe and proper, which presumption can be rebutted by evidence that the installation may be dangerous to life or property.

(4) For the purposes of the Electrical Code, the term **ELECTRICAL WORK** shall apply to all uses, installations, alterations, repairs, removals, replacements, connections, disconnections and maintenance of all electrical equipment.

(5) The term **ELECTRICAL EQUIPMENT** shall include all electrical materials, wiring, conductors, fittings, apparatus, devices, appliances, fixtures, signs or parts thereof, used in electrical work.

(2011 Code, § 20.0205)

(E) *Application to moved buildings.* Structures moved into or within the city shall comply with the provisions of the Electrical Code for new structures.

(2011 Code, § 20.0206)

(F) *Existing buildings.* If an existing building is damaged by fire, or otherwise, or altered in a manner to require the replacement of 50% or more of the wiring equipment, the entire building shall be made to conform to the requirements of the Electrical Code for new buildings. If the type of occupancy of an existing building is partially or entirely changed, the electrical wiring shall be made to conform to the requirements of the Electrical Code for the new type of occupancy.

(2011 Code, § 20.0207)

(G) *Conformity with standards.* Conformity with the standards of the Underwriters' Laboratories Incorporated as approved by the ~~United States of American~~ National Standards Institute shall be evidence of conformity with approved standards for electrical equipment.

(2011 Code, § 20.0208)

(H) *Furnishing current prior to approval of wiring.* No person or corporation generating current for electric light, heat or power in the city shall connect its system ~~of~~ or furnish current for electrical purposes to any building or premises which has not been inspected and approved by the Electrical Inspector. Any person or corporation shall, upon written notice from the Electrical Inspector to do so, immediately disconnect such building or premise from its source of current.

(2011 Code, § 20.0209)

(I) *Violations.* It shall be unlawful for any person to install, alter, repair, maintain, improve or use any electrical equipment, or to perform any electrical work in the city, or cause the same to be done, contrary to or in violation of any of the provisions of the Electrical Code.

(2011 Code, § 20.0210)

(J) *Violation and penalty.* Any violation of this section, in addition to any other penalty provided, shall constitute a municipal infraction and shall be punishable as provided in § [10.99](#)(A) of this code of ordinances.

(2011 Code, § 20.0212)

(K) *Permits; required.* No person shall perform any electrical work, nor install electrical equipment, in or upon any building or property without first securing from the office of the Electrical Inspector a permit therefor; nor shall any alteration or change be made in the wiring of any building; or in any electrical installation therein or thereon, either before or after inspection, nor shall any electric current be connected to any wires, or apparatus, without notifying the Electrical Inspector and securing a permit therefor. A separate permit shall be obtained for each structure.

(2011 Code, § 20.0221)

(L) *Issuance.* After proper application on forms provided by the Electrical Inspector, permits shall be issued in the name of the person holding an active Master electrician's license in the State of Iowa and the name of the firm the electrician represents. All applications for electrical permits shall be signed by the licensed Master electrician, or the homeowner doing homeowner's own work.

(2011 Code, § 20.0222)

(M) *Non-transferable; permit restrictions.* Permits are not transferable. Electrical work performed under permits issued under the provisions of this section must be done under the direction of the Master electrician securing such permit, the electrician's firm or corporation.

(2011 Code, § 20.0223)

(N) *Double fee for failure to obtain permit before starting work.*

(1) Except in emergency situations, as determined by the Electrical Inspector, where work for an electrical permit is required by the Electrical Code is started or proceeded with by any person prior to obtaining a required permit, the regular fees as specified in the Electrical Code for such work shall be doubled. The payment of such double fee shall not relieve any persons

from fully complying with the requirements of the Electrical Code in the execution of the work, nor from any other penalties prescribed herein.

(2) No additional permits shall be issued to any person who owes the city the double fee described in this section.

(2011 Code, § 20.0224)

(O) *Home owner.* In cases where an owner-occupant of a single-family dwelling desires to install wiring or electrical equipment or perform any electrical work in an existing owner-occupant single-family structure, the owner-occupant may appear before the Electrical Inspector and show that the owner-occupant is competent to do the specific work for which the owner-occupant desires an electrical permit, and after each showing, may obtain an electrical permit by paying the proper fee. In cases of new construction of any scale, an owner-occupant is not eligible to install wiring or electrical equipment or perform any electrical work. For purposes of this division (O), a **SINGLE-FAMILY STRUCTURE** shall mean a detached residence designed for or occupied by one family only.

(2011 Code, § 20.0225)

(P) *Revocation of permit; expiration of permit.*

(1) Any permit required by the provisions of the Electrical Code may be revoked by the Electrical Inspector upon the violation of any provisions of the Electrical Code.

(2) Every permit issued under the provisions of the Electrical Code shall expire by limitation and become null and void if the work authorized by such permit is not commenced within 60 days from the date of issuance of such permit, or if the work authorized by such permit is suspended or abandoned at any time after the work is commenced for a period of 120 days. Before such work can be recommenced, a new permit shall first be obtained, and the fee therefor shall be one-half the amount required for a new permit for such work; provided that, such suspension or abandonment has not exceeded one year.

(2011 Code, § 20.0226)

(Q) *Fees, fee exemption, re-inspection fees.* There shall be paid to the city for the issuance of each electrical permit a fee as established by resolution of the City Council. The schedule shall be periodically amended as deemed appropriate by the Council.

(1) At the discretion of the Electrical Inspector, a reinspection fee in the amount established by resolution of the City Council may be charged to the holder of a permit if a reinspection is necessary due to permit holder calling for an inspection before the work is ready for inspection or if corrections must be made that require reinspection.

(2011 Code, § 20.0227)

(R) *Collection of fees for permits; refund of permit fees.*

(1) All fees due the city for permits shall be collected ~~in the office of the Electrical Inspector~~ at the Community Development Department and paid thereafter to the City of Newton.

(2) If, within 30 days of the date of issuance, the holder of an electrical permit decides not to commence the work described in such permit, the holder of the permit may, upon application to the Electrical Inspector, be refunded that portion of the permit fee which is in excess of the basic fee. The refund of any fee less than the basic fee shall not be made.

(2011 Code, § 20.0228)

(S) *Inspections.*

(1) It shall be the duty of the person to whom the permit was issued, for which a permit is required, to notify the Electrical Inspector that said work is ready for inspection. The Electrical Inspector shall, without undue delay, perform the required inspection.

(2011 Code, § 20.0229)

(T) *Covering or concealing work.* No electrical work for which a permit is required shall be concealed in any manner from access or sight until such work has been inspected and approved by the Electrical Inspector.

(2011 Code, § 20.0230)

(U) *Removal of covering.* The Electrical Inspector shall have the authority to remove or cause to remove the lath, plaster, boarding or other obstruction which may prevent the proper inspection of wires or electrical equipment.

(2011 Code, § 20.0231)

(V) *Correcting defective work.* When an electrical ~~conductor~~ contractor is notified that defects exist in contractor's ~~conductor's~~ electrical work, the ~~conductor~~ contractor shall make corrections promptly. Corrections shall be made within 30 days after notification and, if not so made, the electrical contractor shall not be issued any other permits until such defects are corrected and approval given by the Electrical Inspector.

(2011 Code, § 20.0232)

(W) *Annual inspection; notice of defects, failure to remedy defects.* The Electrical Inspector is hereby empowered to make an annual inspection of all electrical wires and equipment in the city and shall keep an accurate record of inspections and the conditions of electrical equipment, and whenever it shall be ascertained by inspection, as provided in this section, that any electrical installation or part thereof in any building is so defective as to render the same dangerous to person or property, the Electrical Inspector shall at once cause notice to be given served upon the owner or person in charge, or the occupant of the same to remedy the defects within a reasonable time, to be stated in such notice, and if defects are not remedied within the time fixed by such notice, the Electrical Inspector may cause the electric current to be disconnected from such building and the electric current shall not again be turned on until all defects or improper conditions have been removed or repaired in conformance with the provisions of the Electrical Code.

(2011 Code, § 20.0233)

(X) *Appointment of inspectors.* The Electrical Inspectors shall be appointed by the City Administrator and be the Building Official or under supervision of the Building Official for the enforcement of the Electrical Code and regulations of the city.

(2011 Code, § 20.0234)

(Y) *Electrical inspectors; powers, duties and authority.* Inspectors shall have the following powers, duties and authority.

(1) *Entry and power to disconnect.* Electrical inspectors shall have the right to enter upon any property during reasonable hours in the discharge of their official duties and shall have the authority to cause the disconnection of any wiring or equipment where such wiring or equipment is dangerous to life or property or may interfere with the work of the Fire Department.

(2) *Inspection authorized.* The Electrical Inspectors are hereby authorized, directed and empowered to inspect any and all electrical installations within the city, to condemn and order removed or remodeled and put in proper and safe condition for the prevention of fire and the safety of life, all electrical heating and lighting apparatus, motors, machinery, fixtures and connections, electrical equipment used in the utilization of electrical current for light, heat or power purposes and to control the disposition and arrangements of the same so that persons and property shall not be in danger therefrom.

(2011 Code, § 20.0235)

(Z) *Conflict of interest prohibited.* The Electrical Inspector and inspector's assistants shall not engage in the business of the sale, installation or maintenance of electrical equipment, either directly or indirectly, and they shall have no financial interest in any form engaged in such business in the city while holding office.

(2011 Code, § 20.0236)

(AA) *Electrician's license required.*

(1) No person shall engage in the activity, or represent himself or herself to the public as engaging in the activity, of installing, altering, maintaining or repairing any electrical equipment within the scope of this section unless such person shall have first obtained from the State of Iowa an electrical contractor's license.

(2) A licensed electrician shall be on the job at all times while electrical work is in progress.

(2011 Code, § 20.0251) (Ord. 2185, passed 2-16-2012; Ord. 2336, passed 6-18-2018)

Section 6. Repealer Clause. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 7. Severability Clause. If any section, provision or part of this Ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the Ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

Section 8. Effective. This ordinance shall be effective after the final passage, approval and publication as provided by law.

PASSED this ____ day of _____, 2021.

APPROVED this ____ day of _____, 2021.

(SEAL)

Michael L. Hansen, Mayor

ATTEST:

Katrina Davis, City Clerk

I, Katrina Davis, City Clerk of the City of Newton, Iowa, do hereby certify that the foregoing Ordinance was passed and approved by the City Council of the City of Newton, Iowa on the ____ day of _____, 2021 and was published in the Newton Daily News, a newspaper of general circulation in the said City of Newton on the ____ day of _____, 2021.

Dated this ____ day of _____, 2021.

Katrina Davis, City Clerk

City of Newton Council Report

Item: Resolution approving a non-binding Letter of Intent to Blink Charging Company authorizing application for a Volkswagen Settlement Environmental Mitigation Trust Fund grant for installation and operation of Level 2 charging stations in Public Parking Lots.

Summary: Upon approval of a non-binding Letter of Intent, Blink Charging Company will agree to make application for available Volkswagen Settlement grant funds on behalf of the City and has further agreed to install and operate Level 2 Charging Stations in up to four (4) Public Parking Lots in Newton, subject to award of sufficient grant funds.

Financial Impact: None.



Report Number: 21-031

Date: February 1, 2021

Lead Department: Community Development Department

Recommendation:
Approve.

Background: As a result of the Volkswagen Clean Air Act Settlements, the Iowa DOT is accepting applications for the second round of the Zero Emission (Electric) Vehicle equipment program to build out the charging equipment infrastructure network in the state. I-80 & I-35 were specifically designated as alternate fuel corridors and site locations along those corridors will be given first preference in grant application scoring.

Newton is an ideal candidate for Level 2 Community Charging sites and, accordingly, City staff was contacted by an EV equipment supplier/operator, Blink Charging Company of Miami Beach, Florida, with an offer to submit an application for Volkswagen Settlement grant funds on behalf of the City of Newton. If the grant is awarded, they would install Level 2 Community Chargers in up to four of Newton's Public Parking Lots (noted in "Schedule A" of the Letter of Intent) in the downtown area at no charge to the City, and operate them for at least ten years.

Legacy automobile manufacturers and new automotive technology companies are investing billions of dollars into the development and promotion of Electric Vehicles, which will increasingly be adopted by Newton's citizens and visitors alike. In order to address this emerging paradigm, the City must be prepared with adequate EV infrastructure.

In order for Blink Charging to submit a grant application to the Iowa Department of Transportation, a non-binding Letter of Intent must be approved by Council and signed by the Mayor. Blink must then submit a completed application, along with the required forms, by 5:00pm on March 5, 2021, so time is of the essence.

Recommendation: City Staff recommends approval of the Resolution.

Matt Muckler
City Administrator

February 2, 2021

Blink Charging Co.

407 Lincoln Road, Suite 704

Miami Beach, FL 3313

Re: Letter of Intent to Install Blink-Owned Charging Stations on Host Properties

Dear Madam/Sir:

This serves as a letter of intent (“LOI”) for the installation and operation of electric vehicle charging stations by and between the title owner (“Host”) of multiple properties [collectively the “Properties”] and Blink Charging Co. (“Blink”). The Properties are listed in “Schedule A” which is attached to this LOI.

The Host and Blink have discussed and agreed in principle on the deployment terms of Blink EV charging stations at the Properties, and the Host hereby declares its intention to enter into an agreement with Blink, contingent on an award of grant funds from the Diesel Mitigation Trust Fund (“Program”) or other awarding entity, for the installation and operation of Blink charging stations on the Properties.

Blink agreed to install its EV charging stations on the Properties and to operate the charging stations for a minimum of 10 years, as required by the Program. Blink and the Host agreed to perform a site survey of the Properties prior to signing an agreement. Blink and the Host agree that Blink will reserve the right to all grant funds awarded to cover costs allowed under the Program. Upon a successful award of grant funds, this non-binding LOI will be replaced by a formal and binding agreement.

[signature page follows]

The Parties agree to the terms set forth above and intend to proceed with negotiations, at a later date, for a formal agreement subject to an award of grant funds under the Program (or other entity that sufficiently covers Blink's costs).

Sincerely,
CITY OF NEWTON, IOWA

By: _____

Print Name: _____

Title: MAYOR

Blink Charging Co.

By: _____

Print Name: _____

Title: _____

SCHEDULE A

Property Name	Number of Blink EVCS on Property	Installation Address
Public Parking Lot	TBD	220 N 2 nd Avenue W
Public Parking Lot	TBD	123 N 3 rd Avenue E
Public Parking Lot	TBD	110 1 st Street S
Public Parking Lot	TBD	112 W 3 rd Street S

RESOLUTION NO. 2021 - _____

**RESOLUTION APPROVING A NON-BINDING LETTER OF INTENT TO
BLINK CHARGING COMPANY AUTHORIZING APPLICATION FOR A
VOLKSWAGEN SETTLEMENT ENVIRONMENTAL MITIGATION TRUST
FUND GRANT FOR INSTALLATION AND OPERATION OF LEVEL 2
CHARGING STATIONS IN PUBLIC PARKING LOTS**

WHEREAS, Volkswagen of America reached a settlement with the Federal Environmental Protection Agency to provide a trust fund to foster development of infrastructure supporting Zero Emission (electric) Vehicles; and

WHEREAS, a portion of the Volkswagen Settlement trust funds have been allocated to the State of Iowa for a competitive grant program administered by the Iowa Department of Transportation; and

WHEREAS, I-80 & I-35 have been designated as alternate fuel corridors by the request of the Iowa DOT and Iowa Economic Development Authority and locations on those interstate corridors will be given first preference in grant application scoring; and

WHEREAS, legacy automobile manufacturers and new automotive technology companies are investing billions of dollars into the development and promotion of Electric Vehicles, which will increasingly be adopted by Newton's citizens and visitors alike; and

WHEREAS, Blink Charging Company of Miami Beach, Florida will agree to make application for available Volkswagen Settlement grant funds on behalf of the City and has further agreed to install and operate Level 2 Charging Stations in up to four (4) Public Parking Lots in Newton, subject to award of sufficient grant funds;

NOW, THEREFORE, BE IT RESOLVED by the City Council of Newton, Iowa, that the attached non-binding Letter of Intent and "Schedule A", addressed to Blink Charging Company of Miami Beach, Florida, is hereby approved and the Mayor is authorized to execute said Letter of Intent.

PASSED this 1st day of February, 2021

APPROVED this _____ day of February, 2021

Michael L. Hansen, Mayor

ATTEST:

Katrina Davis, City Clerk

City of Newton Council Report

Item: A resolution authorizing the establishment of an Iowa Reinvestment District for the City of Newton, Iowa

Summary: Iowa Economic Development Authority administers the Iowa Reinvestment District Program, assisting communities with transformative projects. Newton has a public-private project which aligns with the program and includes a hotel, event space, market rate apartments and infrastructure. This resolution authorizes the establishment of a district.

Financial Impact: No cost.



Report Number: 21-032

Date: February 1, 2021

Lead Department: Community Development Department

Recommendation:
Approve

Summary: In December 2020, City Council authorized staff to assist in the preparation of an Iowa Reinvestment District Application. The scope of the proposed projects to be included in the application is complete, and the proposal will be ready to submit to the Iowa Economic Development Authority (IEDA) before the annual filing window of February 22-25, 2021 for the pre-application. If selected, there will be a final application and then final approval in early summer.

Before submitting, final council approval to establish the Iowa Reinvestment District is necessary, and the resolution will be included in the application submittal documents. The proposed boundaries of the district include the Historic Downtown, Legacy Plaza Campus, and a small section of First Avenue East, just east of downtown.

The District includes projects by the Developer: Catalyst Development Newton, LLC (formerly Legacy Plaza, LLC), Des Moines Area Community College, and the City of Newton. They are as follows:

Developer:

- Market Rate Apartments
- Boutique Hotel
- Craft Cocktail Lobby Bar
- Legacy Ballroom

Des Moines Area Community College:

- Plaza Improvements
- Restaurant & Retail Build Out
- Co-Op and Amusement Market Place
- Campus to Commons Connection

City of Newton:

- Historic Downtown Improvement Grants
- Vacant Building Initiative (Tax Rebate Program)
- Splash Pad Park
- Bike Path Connector

- Infrastructure Improvements (including 200-300 block West 3rd Street North HMA resurfacing, Phase II Downtown LED lighting)

It is important to note that the City's proposed projects in the district were projects that were already identified through the most current goal setting and budgeting process. Because of the location of these projects, they can be included in the application to show Iowa Economic Development Authority the degree of commitment and investment the City has for The District. Listing of these already planned projects will allow for the application to score better in the competitive process.

If Newton's Reinvestment District is selected by Iowa Economic Development Authority, it could result in up to approximately \$8 million in State hotel/motel tax and sale tax to be rebated back to the district projects.

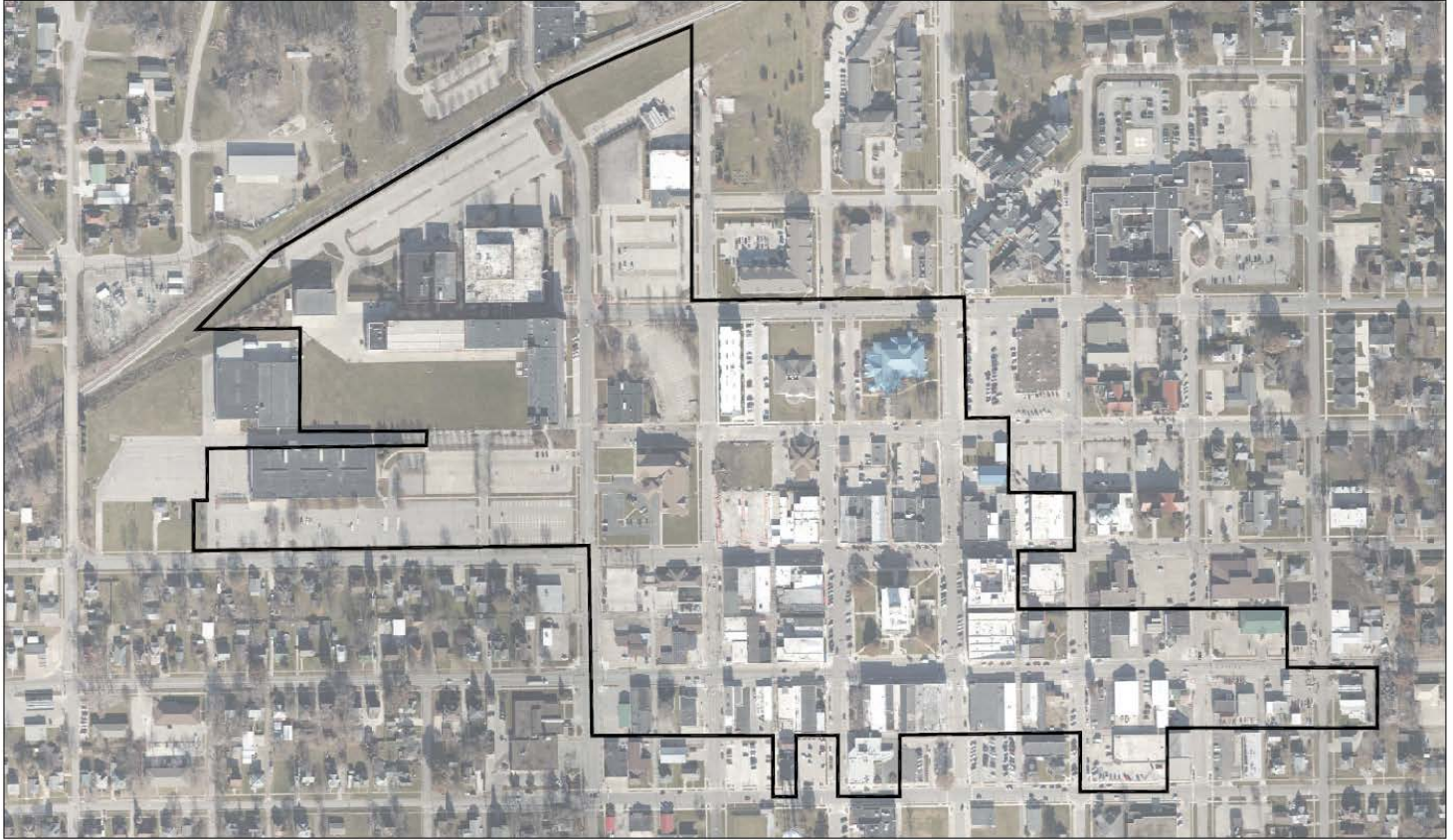
Recommendation:

City Staff recommends approval.

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

Iowa Reinvestment District - Proposed



The proposed district includes the historic downtown, Legacy Plaza/DMACC Campus, and a portion of 1st Avenue East. As the application moves through the approval process, these boundaries can fluctuate somewhat, but will generally align as pictured above. The district lies within two urban renewal areas- North Central Urban Renewal Area and First Avenue East Urban Renewal Area.

RESOLUTION NO. 2021 – _____

**RESOLUTION AUTHORIZING THE ESTABLISHMENT OF AN IOWA
REINVESTMENT DISTRICT FOR THE CITY OF NEWTON, IOWA**

WHEREAS, City Council desires to create and establish an Iowa Reinvestment District, and

WHEREAS, the Iowa Reinvestment Districts assists communities with transformative projects, and the City of Newton has identified a transformative project consisting of a hotel, event space, market rate apartments, and infrastructure located in Downtown Newton, and

WHEREAS, Newton’s Reinvestment District projects will be completed by the Developer, Catalyst Newton Development, LLC, Des Moines Area Community College, and City of Newton, and

WHEREAS, the location of the proposed reinvestment district in Newton lies within the North Central Urban Renewal Area and the First Avenue East Urban Renewal Area;

NOW, THEREFORE, BE IT RESOLVED by the City Council of Newton, Iowa that the establishment of an Iowa Reinvestment District in Newton is hereby approved and the Mayor is authorized to sign the Iowa Reinvestment District application for submittal to Iowa Economic Development Authority.

PASSED this _____ day of February 2021

APPROVED this _____ day of February 2021

(Seal)

Michael L. Hansen, Mayor

ATTEST:

Katrina Davis, City Clerk