



Newton City Council Agenda

March 6, 2023 - 6:00 PM

View the City Council Meeting:

In Person

City Hall - Council Chambers
101 W 4th St S, Newton, IA 50208

Television

Mediacom Channel
12/85/121.12

Online

newtongov.org/cablecast

Pledge

Pledge of Allegiance

Call to Order

1. Roll Call

Presentation

2. Airport Update - Ethan Nasalroad, Johnson Aviation
3. Medical Insurance renewal options - Holmes Murphy, Joe Langel, Client Executive; Jeff Clayton, Attorney-Client Executive

Citizen Participation

4. This is the time of the meeting that a citizen may address the Council. After being recognized by the Mayor, each person will be given three (3) minutes to speak. Comments and/or questions must be related to City policies or the provision of City services and shall not include derogatory statements or comments about any individual. Except in cases of legal emergency, the City Council cannot take formal action at the meeting, but may ask the City staff to research the matter or have the matter placed on a subsequent agenda

Consent Agenda

5. February 20, 2023 Regular City Council Meeting Minutes
6. Approve Liquor License for the following: MURPH AND MARYS, 403 W 4th St N, Building 17 Suite 104, Class C Retail Alcohol License, Outdoor Service pending staff approval; NEWTON 66 #963, 1806 S 12th Ave W, Class B Retail Alcohol License
7. Designate March 20, 2023 as a public hearing for the 1st Budget Amendment for Fiscal year 2022-23
8. Certify Police Officer Candidate List
9. Certify Fire Captain Promotional List
10. Resolution fixing the amounts to be assessed against individual private properties for the abatement of nuisance violations (Schedule No. 23-02)
11. Resolution awarding contract for the 2023 City of Newton Mowing Contract No. 1
12. Resolution awarding contract for the 2023 City of Newton Mowing Contract No. 2

13. Resolution awarding contract for the 2023 City of Newton Mowing Contract No. 3
14. Resolution awarding contract for the 2023 City of Newton Mowing Contract No. 4
15. Resolution approving an agreement with Eric Michaels Magic and Illusion to perform a magic show at Newton Fest 2023
16. Resolution of Support For Peck Child Development Center Facility Expansion Project
17. Resolution approving an agreement with Axon Enterprises, Inc. for the purchase of fleet and body cameras for the Police Department
18. Resolution awarding contract for the 2023 Sidewalk Improvement Project
19. Resolution repealing the 2022 City of Newton Supplemental Specifications to the 2023 editions of SUDAS Standard Specifications and the SUDAS Design Manual and adopting the 2023 editions of both the SUDAS Standard Specifications and SUDAS Design Manual along with the 2023 City of Newton Supplemental Specifications to said 2023 editions of the SUDAS Standard Specifications and SUDAS Design Manual
20. Approve Bills

Public Hearing

21. Public hearing on proposal to enter into an Essential Purpose Loan Agreement
 - The City has proposed to enter into an Essential Purpose Loan Agreement and to borrow money thereunder in a principal amount not to exceed \$3,000,000 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, sidewalk, storm water drainage, sanitary sewer and water system improvements; (2) acquiring and installing street lighting, signage and signalization improvements; (3) acquiring vehicles and equipment for the municipal police, fire and emergency services departments; (4) acquiring and equipping vehicles for the municipal streets/public works department; (5) undertaking taxiway improvements at the municipal airport; (6) undertaking municipal cemetery expansion; and (7) acquiring, demolishing and/or restoring dangerous, dilapidated and/or abandoned properties, and has published notice of the proposed action and has held a hearing thereon on March 6, 2023.
22. Public hearing on proposal to enter into a General Purpose Loan Agreement #1
 - The City proposes to enter into a General Purpose Loan Agreement #1 and to borrow money thereunder in a principal amount not to exceed \$300,000 pursuant to the provisions of Section 384.24A of the Code of Iowa for the purpose of paying the costs, to that extent, of developing a downtown park and recreation facility, and in lieu of calling an election upon such proposal, has published notice of the proposed action and has held a hearing thereon, and as of March 6, 2023, no petition had

been filed with the City asking that the question of entering into the General Purpose Loan Agreement #1 be submitted to the registered voters of the City.

23. Public hearing on proposal to enter into a General Purpose Loan Agreement #2
 - The City proposes to enter into a General Purpose Loan Agreement #2 and to borrow money thereunder in a principal amount not to exceed \$400,000 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) municipal library improvements, including roof replacement; (2) City Hall improvements, including window replacement; (3) acquiring servers and computer equipment for municipal use; (4) undertaking the public works wash bay project; (5) undertaking the municipal park assessment study; and (6) undertaking facilities upgrades for the municipal park shop, and in lieu of calling an election upon such proposal, has published notice of the proposed action and has held a hearing thereon, and as of March 6, 2023, no petition had been filed with the City asking that the question of entering into the General Purpose Loan Agreement #2 be submitted to the registered voters of the City.
24. Resolution taking additional action on proposal to enter into General Obligation Loan Agreements, combining Loan Agreements and authorizing the use of a Preliminary Official Statement in connection therewith
25. Public Hearing on a resolution adopting the FY24-FY28 Capital Improvement Plan (CIP)
 - Due to the legislation changes, this public hearing will be postponed until April 3, 2023 and republished.

Ordinance

26. Third Consideration of an Ordinance amending the Code of Ordinances, City of Newton, Iowa, 2016, Title VII, Chapter 70, Section 70.15, "Traffic and Parking Schedules Adopted by Reference", to make changes to street parking on various streets in northeast Newton
 - The City received safety concerns regarding street parking along the sections of roadways as described: No Parking on the south side of the 2000-2200 block of N 3rd Ave E. No Parking on the east side of the 200 block of E 21st St N. No Parking on the south side of the 2000-2200 blocks of N 2nd Ave E.
 - Surveys describing the recommended changes were sent to the adjacent property owners. Twenty surveys were returned with 13 residents agreeing with the recommended changes and seven opposing the recommended changes.
 - During the February 6, 2023 Council meeting, Council voted in favor of amending the ordinance to restrict parking on the north

side of the 2000-2200 block of N 3rd Ave E. and the north side of the 2000-2200 blocks of N 2nd Ave E.

27. Second Consideration of an Ordinance Amending the Code of Ordinances, City of Newton, Iowa, 2016, Title IX, Chapter 90, "Animals"

- Since the Covid-19 pandemic in 2020, animal complaints and particularly reports of dog bites in Newton have been on the rise.
- The City has taken steps to revisit the current animal ordinance and, in partnership with the Animal Review Committee, citizen input, and a review of current best practices and case law, changes to the ordinance have been proposed.
- Some of the changes include but are not limited to: required signage for the use of underground fencing, limitations on tethering, adds a dangerous designation and re-defines vicious, prohibits dangerous or vicious dogs in other jurisdictions from residing in Newton.

Resolution

28. Resolution adopting the 2023 Newton City Council Rules of Procedure

- At the August 29, 2022 City Council Work Session, the Council ranked updating the Council Meeting Rules and Procedures as their top priority for potential policy or procedural changes or other action items.
- The Newton City Council held a Workshop on November 28, 2022 to specifically look at the potential to update the 2018 Procedural Rules of the Newton City Council.
- It is now at the discretion of the Council to consider the proposed rule changes and adoption of the 2023 Newton City Council Rules of Procedure.

29. Resolution approving the purchase of a landfill trash compactor for the Newton Sanitary Landfill

- As part of its daily operation, the Newton Sanitary Landfill compacts trash daily with an 80,000-pound trash compactor which has reached the end of its expected life and is no longer under warranty
- The total bid amount from Mid Country Machinery and RDO Integrated Controls for the machine and for the installation of GPS equipment is \$922,061.55. City staff recommends placing the existing trash compactor on Public Surplus with a reserve value of \$52,500 which is the amount Mid Country has previously offered
- The 2023-2024 landfill budget includes \$900,000 for this purchase. The total cost for the new machine and GPS controls, minus the sale of the existing compactor, will be \$869,561.55

Staff Report

- 30. Update on Downtown Park - Brian Laube, Community Services Director and Committee Member
- 31. 2022 Parks Update - Brian Laube, Community Services Director
- 32. Review of the Building Trades Board recommendation on the Rental Housing Program - Erin Chambers, Community Development Director

Mayor/Council Comments

- 33. Mayor and Council Comments

Closed Session

- 34. To Evaluate The Professional Competency Of Individuals Whose Appointment, Hiring, Performance Or Discharge Is Being Considered When Necessary To Prevent Needless And Irreparable Injury To That Individual's Reputation And That Individual Request A Closed Session. Pursuant To The Provisions Of Section 21.5(1)(i), Code of Iowa 2023

Return to Open Session

- 35. Return to Open Session

Adjourn

Adjourn

The City of Newton is pleased to provide reasonable accommodations, in compliance with the Americans with Disabilities Act, for those individuals or groups who require assistance to be able to participate in the public meeting. Should special accommodations be required, please contact the City Clerk's Office at least 48 hours in advance of the meeting, at 641-792-2787 to arrange for accommodations to be provided.

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