



Newton City Council Agenda

March 20, 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, Executive Director

Citizen Participation

3. This is the time of the meeting that a citizen may address the Council. After being recognized by the presiding officer, each person will be given three (3) minutes to speak. Elected officials will take comments into consideration; however, this time is not intended for a discussion or entering into a dialogue. Elected officials and City staff will not answer questions or debate a citizen during the *Citizen Participation* portion of the meeting

Consent Agenda

4. March 06, 2023 Regular City Council Meeting Minutes
5. Resolution levying assessments for costs of nuisance abatement and providing for the payment thereof (Schedule 23-02)
6. Resolution fixing the amounts to be assessed against individual private properties for the abatement of nuisance violations (Schedule No. 23-03)
7. Resolution Approving the Hiring of Randy's Lawn Care and Snow Removal for Watering of Plantings and District-wide Clean-up for the Newton Downtown SSMID
8. Resolution approving a Telecommunications Licensing Agreement with Mahaska Communication Group – Phase 3
9. Resolution to approve an agreement for professional services for the design work on the W 6th St S 800-1000 Block Widening Project
10. Resolution ordering bids, approving plans, specifications and form of contract and notice to bidders, and ordering clerk to publish notice and fixing a date for receiving same, and for a public hearing on plans, specifications, form of contract and estimate of costs for the City Hall Skylight Replacement Project
11. Resolution Setting a Public Hearing Date to Approve the 2023-24 Operating Budget for the City of Newton

Public Hearing

12. Approve Bills
13. Public Hearing on a Resolution Approving Reinstatement and First Amendment to the Amended Purchase and Redevelopment agreement for Property at 1117 North 3rd Avenue East, 211 East 12th Street North, 124 East 4th Street North and 411 North 2nd Avenue East, Newton, Iowa
 - MVAH Holding LLC previously entered into an agreement to purchase the subject properties for a housing development project in 2022, which was subsequently amended that same year. The project did not receive State of Iowa tax credits, and the agreement automatically terminated.
 - MVAH Holding LLC has changed its name to Pivotal GP Holding LLC and wishes to reinstate the previous purchase agreement for the subject property under the new name, with some amendments.
 - Pivotal GP Holding LLC proposes a \$1.00 purchase price for the Hatchery Site properties at East 12th Street North and North 3rd Avenue East with a commitment to build multi-family housing. They are no longer interested in the East 4th Street North and North 2nd Avenue East properties. No other offers for the properties have been received.
14. Resolution Approving Reinstatement and First Amendment to the Amended Purchase and Redevelopment Agreement for Property at 1117 North 3rd Avenue East and 211 East 12th Street North, Newton, Iowa
15. Public Hearing on a Resolution Approving the First Budget Amendment for Fiscal Year 2022-23
 - Council designated March 20, 2023 as the public hearing date to consider the first budget amendment for fiscal year 2023. The Iowa Code requires that expenditures for each of the nine general City programs not exceed the budget for the respective programs and allows budgets to be amended by cities prior to May 31st each year to accommodate this requirement.
 - The budget amendment adjusts the current year 2022-23 budgeted revenues and expenditures to reflect the changes that have occurred and are expected through June 30, 2022. Amended items include the Union Drive Capital Project, Library Roof , Road Use Tax street projects, repairs to City property from the Derecho and March 2022 tornado, and Jordan Well expenses. The amendments do not impact the current property tax levy.
16. Resolution Approving the First Budget Amendment for Fiscal Year 2022-23

Ordinance

17. Third 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.

18. First Consideration of an Ordinance amending The Code Of Ordinances, City Of Newton, Iowa, 2016, Title III, Chapter 30, Section 30.002, "Powers And Duties"

- 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.
- During the March 06, 2023, meeting, Council adopted a Resolution approving the amended 2023 Procedural Rules of the Newton City Council which requires this change to the City Code in order to align with the rules.

19. First Consideration of An Ordinance Deleting Property From the Tax Increment Financing District for the North Central Urban Renewal Area of the City of Newton, Iowa, Pursuant to Section 403.19 of the Code of Iowa

- City Council approved a development agreement on February 20, 2023 between the City, Jasper County and Christensen Development 1, LLC. According to the terms of this agreement, the City of Newton agreed to remove the development property from the North Central Urban Renewal Area in 30 days so that Jasper County could begin the process of creating a new urban renewal area for the project. It is recommended to waive the 2nd and 3rd readings of this ordinance to remain in compliance with the development agreement.

Resolution

20. Resolution Deleting Property from the North Central Urban Renewal Area

- This Resolution is administratively required as part of the above Ordinance.

21. Resolution Approving the Development Agreement between the City of Newton, Iowa and Revenant Capital, LLC and Joshua Gillespe for 901 North 6th Avenue East
- The City has filed a petition for abandonment under 657A.10A of State of Iowa Code for the property at 901 North 6th Avenue East against RC Homes, LLC, ET AL.
 - Revenant Capital, LLC has received a judgment against RC Homes, LLC and has interest in the property at 901 North 6th Avenue East. Revenant Capital has found a buyer for the property.
 - In order to dismiss the case, a development agreement between the City of Newton, Revenant Capital, and the buyer, Joshua Gillespe, is necessary.
22. Resolution Amending the Rental Housing Inspection Program Administrative Policy
- The Newton Building Trades Board met on January 27th and February 10th to review the City's Rental Inspection Program.
 - The Building Trades Board recommended changes to the administrative policy.
23. Resolution approving a Bond Purchase Agreement for the Sale of General Obligation Corporate Purpose Bonds, Series 2023A
- The City Council held a public hearing on March 6, 2023 in regards to the issuance of the 2023A General Obligation Bonds. This action approves the bond purchase agreement, with final action to issue the bonds set for the April 3rd Council meeting.
 - The 2023A Bond issuance includes projects and equipment that are consistent with the proposed CIP and FY24 proposed budget.
24. Resolution moving medical insurance coverage from fully insured to self-insured
- Given the city's favorable claims performance and current demographics, we are exploring self-funding.
 - The benefits and processes for the employees would stay the same.
 - Wellmark BC/BS's self-funded quote matching current benefits has an expected savings of \$441,268 or -20.92% below current. If the city does have a bad year from a claims standpoint, the worst case scenario would be \$1,958,899 or -7.15% below current spend.
25. Resolution approving salary increase for City Administrator

- 26. Mobile Food Vendor - Jarrod Wellik, Fire Chief
- 27. 2023 City Projects - Joe Grife, Public Works Director and Brian Laube, Community Services Director

Mayor/Council Comments

- 28. Mayor and Council Comments

Adjourn

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

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