

NEWTON CITY COUNCIL MEETING MINUTES
MARCH 6, 2023, 6:00 PM

Pledge

Pledge of Allegiance

Mayor Hansen invited Cub Scout Troop 354 to lead us in saying the Pledge of Allegiance. They are working on their "Building a Better World" badge.

Call to Order

1. Roll Call

The City Council of Newton, Iowa met in regular session at 6:00 P.M. on the above date in the Council Chambers at 101 West 4th Street South. Mayor Hansen presided. Present Council Members: Hallam, Dalton, George, Ervin, Trotter, Wade. Absent: None.

Presentation

2. Airport Update - Ethan Nasalroad, Johnson Aviation This presentation was postponed to the next meeting.

3. Medical Insurance renewal options - Holmes Murphy, Joe Langel, Client Executive; Jeff Clayton, Attorney-Client Executive

The City of Newton is currently in the process of reviewing its medical plan options for July 1, 2023. The city is currently fully insured with Wellmark BC/BS at an annual cost of \$2,109,798 (which includes both employer and employee dollars). The renewal premium for the upcoming plan year (7/1/23-6/30/2024) is estimated at \$2,051,643, a decrease of about 2.76%. Given the city's favorable claims performance and current demographics, we are exploring self-funding. Employees would see no change in benefits or how their coverage is processed.

Citizen Participation

4. State Representative Jon Dunwell spoke in regards to the session and the current bills that are being reviewed. They are especially focusing on property taxes.

32. Review of the Building Trades Board recommendation on the Rental Housing Program - Erin Chambers, Community Development Director

Mayor Hansen asked to move item 32: Review of the Building Trades Board recommendation of the Rental Housing Program up in the agenda. Community Development Director Erin Chambers recapped the outcomes from the board meetings. They recommended no changes to the adopted codes, appeals can be filed to the board, that nuisance items not be noted for violations that need to be reinspected, enhancements to the check list, that reinspection by electronic means be allowed for certain criteria, etc. The full list of recommendations will come before the council at an upcoming meeting.

Consent Agenda

Moved by Hallam, seconded by Trotter to approve consent agenda items 5-20. AYES: Six. NAYS: None. Consent Agenda was adopted.

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)
Resolution 2023-041 adopted.

11. Resolution awarding contract for the 2023 City of Newton Mowing Contract No. 1
Resolution 2023-042 adopted.

12. Resolution awarding contract for the 2023 City of Newton Mowing Contract No. 2
Resolution 2023-043 adopted.

13. Resolution awarding contract for the 2023 City of Newton Mowing Contract No. 3
Resolution 2023-044 adopted.

14. Resolution awarding contract for the 2023 City of Newton Mowing Contract No. 4
Resolution 2023-045 adopted.

15. Resolution approving an agreement with Eric Michaels Magic and Illusion to perform a magic show at Newton Fest 2023
Resolution 2023-046 adopted.

16. Resolution of Support For Peck Child Development Center Facility Expansion Project
Resolution 2023-047 adopted.
17. Resolution approving an agreement with Axon Enterprises, Inc. for the purchase of fleet and body cameras for the Police Department
Resolution 2023-048 adopted.
18. Resolution awarding contract for the 2023 Sidewalk Improvement Project
Resolution 2023-049 adopted.
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
Resolution 2023-050 adopted.

20. Approve Bills

Public Hearing

21. Public hearing on proposal to enter into an Essential Purpose Loan Agreement
Mayor Hansen stated that this is the time and place for a Public Hearing on a proposal to enter into an Essential Purpose Loan Agreement. There were no written comments. City Administrator Muckler reviewed and clarified the information. Moved by Wade, seconded by Dalton to close the public hearing. AYES: Six. NAYS: None. The public hearing was closed.
22. Public hearing on proposal to enter into a General Purpose Loan Agreement #1
Mayor Hansen stated that this is the time and place for a Public Hearing on a proposal to enter into a General Purpose Loan Agreement #1. There were no written comments. Moved by Hallam, seconded by George to close the public hearing. AYES: Six. NAYS: None. The public hearing was closed.
23. Public hearing on proposal to enter into a General Purpose Loan Agreement #2
Mayor Hansen stated that this is the time and place for a Public Hearing on a proposal to enter into a General Purpose Loan Agreement #2. There were no written comments. Moved by Trotter, seconded by Ervin to close the public hearing. AYES: Six. NAYS: None. The public hearing was closed.
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
Moved by Dalton, seconded by George to adopt the Resolution. AYES: Six. NAYS: None. Resolution 2023-051 adopted.
25. Public Hearing on a resolution adopting the FY24-FY28 Capital Improvement Plan (CIP) Due to legislation changes, this public hearing has been postponed until April 3, 2023 and will be 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 Moved by Hallam, seconded by Trotter to approve the third consideration of the Ordinance. AYES: Six. NAYS: None. Third Consideration of the Ordinance was approved. Moved by Trotter, seconded by Hallam, to adopt the Ordinance. AYES: Six. NAYS: None. Ordinance 2425 was adopted.
27. Second Consideration of an Ordinance Amending the Code of Ordinances, City of Newton, Iowa, 2016, Title IX, Chapter 90, "Animals"
Moved by Hallam, seconded by Dalton to approve the second consideration of the Ordinance. AYES: Six. NAYS: None. Second Consideration of the Ordinance was approved.

Resolution

28. Resolution adopting the 2023 Newton City Council Rules of Procedure
Moved by Dalton, seconded by George to adopt the Resolution. Council discussion ensued. Moved by Hallam, seconded by Ervin to amend the Resolution regarding Rule 16 on Mayor Veto and leave "The Council may override the Mayor's veto by a three-fourths majority or at least 5 of the Council members." AYES: Five. NAYS: Dalton. The amendment passed. Moved by Hallam, seconded by Trotter to amend the Resolution by removing Rule 22: "Withdrawal of Items. If the Mayor believes an agenda item submitted to the City Clerk per Rule 19 is unreasonable or detrimental, the Mayor will inform the requesting Council Member that the support of two additional Council members is required. The request for the second and third Council Members' support must be communicated no later than noon on Wednesday before the scheduled meeting; otherwise, the item will not be added to the agenda. Once a requested item is added to the agenda, only the requesting Council Member(s) or a majority of the City Council may remove it." AYES: Three. NAYS: Dalton, George, Wade. The amendment failed.

Moved by Ervin, seconded by Wade to amend the Resolution regarding a section of Rule 33: "Citizen comments will be allowed during the Citizen Participation portion of the meeting and during public hearings. Citizens comments are not allowed during any other portion of the City Council meeting." by adding the ability to speak during ordinances, resolutions, and motions. AYES: Six. NAYS: None. The amendment passed.

Moved by Hallam, seconded by George to amend the Resolution by amending a section of Rule 34: "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, debate a citizen, or speak during the Citizen Participation portion of the meeting." to remove the wording or speak. AYES: Six. NAYS: None. The amendment passed.

AYES: Six. NAYS: None. Resolution 2023-052 adopted.

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

Moved by George, seconded by Ervin to adopt the Resolution. AYES: Six. NAYS: None. Resolution 2023-053 adopted.

Staff Report

30. Update on Downtown Park - Brian Laube, Community Services Director and Committee Member

Laube updated council regarding the proposed Downtown Park at 224 W 3rd St N. The concept has been submitted and the city will begin a competitive process resulting in a recommendation of a design contract. The City will move forward with construction after the committee's fundraising is completed.

31. 2022 Parks Update - Brian Laube, Community Services Director
Laube presented the 2022 Park Update.

Mayor/Council Comments

33. Mayor and Council Comments

Wade asked about the local buying policy which states that if a bid is within 5%, the local bidder will get the bid. Ervin commented about the unsightliness of telephone peds throughout town. Staff will reach out to utilities and get information. The Mayor appreciates everyone's concern about his health, but he has made a goal to become more healthy, which has resulted in weight coming off. There should be no worries about his health.

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 Moved by Trotter, seconded by Hallem at 8:26 p.m. to go into closed session with permission granted by the city attorney. AYES: Six. NAYS: None. The council will take a brief recess to clear the chambers.

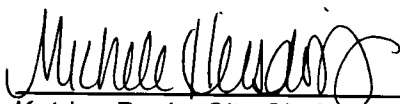
Return to Open Session

35. Return to Open Session

Council returned to open session at 9:24 P.M. with all members present.

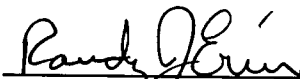
Adjourn

Moved by Trotter, seconded by Wade to adjourn the meeting at 9:26 P.M. Motion unanimously carried by voice vote.



Katrina Davis, City Clerk

Michele Hersdorffer-Deputy City Clerk



Michael L. Hansen, Mayor

Randy Ervin, Mayor Pro Tem

